

LRB-2020-23 – 20/00792/FLL - Erection of a replacement dwellinghouse, land 150 metres south west of Glencroft, Abernethy

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LRB-2020-23 – 20/00792/FLL - Erection of a replacement dwellinghouse, land 150 metres south west of Glencroft, Abernethy

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100302034-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1
(Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Denice"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Rennie"/>	Address 1 (Street): * <input type="text"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text"/>
Extension Number:	<input type="text"/>	Country: * <input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="denice@brookfields.net"/>	

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="715245"/>	Easting	<input type="text" value="318599"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of a replacement dwellinghouse on land 150m South West of Glencroft, Abernethy

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see enclosed Statement of Appeal

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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. You can attach these documents electronically later in the process: * (Max 500 characters)

Statement of Appeal, Planning and Design Statement, Drainage Assessment, Drainage Drawing, Site Layout Plan, Elevations, Floor Plans, Location Plan

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/00792/FLL

What date was the application submitted to the planning authority? *

19/06/2020

What date was the decision issued by the planning authority? *

27/08/2020

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

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

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

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 (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Ben Freeman

Declaration Date: 08/09/2020

Appeal to Local Review Body against refusal of 20/00792/FLL – Erection of a replacement dwellinghouse on land 150m South West of Glencroft, Abernethy

Statement of Appeal

I refer to the above planning application and wish to set out our statement of appeal for the Local Review Body in response to the delegated refusal of full planning permission.

Introduction

The history of the site, the proposed development and the submitted compliance with planning policy is set out in detail in the Planning and Design Statement, submitted in support of the planning application. The analysis of the planning application appears to make little reference to the Planning and Design Statement, which addresses the issues raised in the Report of Handling.

It is clear, however, from the pre-application submission and from the Report of Handling, that the principle of the replacement of the existing dwellinghouse on the site is not in question. The proposed development must therefore be considered acceptable in principle, subject to it satisfying the requirements of the adopted Housing in the Countryside Supplementary Guidance. On this basis, this appeal statement will not regurgitate everything in the Planning and Design Statement, but rather concentrate on the elements of the Supplementary Guidance that are identified in the Report of Handling. It is assumed that the Planning and Design Statement will also be given due consideration as part of the appeal papers.

Reasons for refusal

The application has been refused under delegated powers, with a single reason for refusal given.

1 The proposal is contrary to Policy 19 of the Perth and Kinross Local Development Plan 2019 and the Council's Housing in the Countryside Supplementary Guidance 2020 as the proposal fails to comply with Category 4) Renovation or Replacement of Houses as the scale of the proposed house and siting within the plot is not similar to that of the existing house. In particular as the dwelling proposed has a substantially larger footprint and the siting is unrelated to the existing dwelling. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (5) Conversion or Replacement of Redundant Non Domestic Buildings or (6) Rural Brownfield.

The terminology used in the reason for refusal is not accepted, as the proposal is considered contrary to subjective elements of Supplementary Guidance, and not contrary to Policy 19 of the Local Development Plan. The matters noted – substantially larger footprint and the siting unrelated to the existing dwelling – are identified within the Supplementary Guidance as ideals, but that departures from this can be acceptable with suitable justification.

It is also noted that the Report of Handling confirms that despite these two key matters being ones of subjective judgement, the site was not visited. Whilst the restrictions of the current Covid-19 pandemic are completely understood, it is unfortunate that the proposal has been effectively considered in two dimensions on a plan and from Google Streetview images. The topography of the site was a key reason for the proposed design and layout, and this does not appear to have been given appropriate consideration.

My client would have been considerably happier to defer the determination of the application until such time as a complete site inspection and appraisal had been possible, but this option was not offered. Indeed, no opportunity to discuss the proposal at all was offered by the case officer.

Compliance with the Housing in the Countryside Supplementary Guidance

Reading the Supplementary Guidance as a complete document, it is very clearly written with the aim of encouraging high quality and appropriate development in the countryside. Pages 4 and 5 seek to ensure that the key objectives of quality development are met, namely

- **A Successful, Sustainable Place**
- **A Low Carbon Place**
- **A Natural, Resilient Place**
- **A Connected Place**

Pages 6 and 7 then provide a Key Design Considerations Checklist, which is appropriate to all forms of Housing in the Countryside. I would like to address these points in turn to demonstrate that full consideration of the Supplementary Guidance was given as part of the preparation of the planning application.

Have designations or constraints that may affect development in the area been considered?

The site is within the countryside, but as there is an existing dwelling on the site, it's replacement is possible, in principle, under the terms of policy 19 of the LDP, subject to compliance with this Supplementary Guidance.

Does the design respond well to site topography? Is excessive underbuilding avoided?

This is one of the key constraints on the site. The existing house is extremely small, and since it ceased to be inhabited, the growth of trees in particular has led to its ruinous state. The house is positioned at the highest point of the site, which then slopes steeply away to the North and East. It is clear that the existing house does not have substantial foundations. It is questionable as to whether any form of redevelopment of the existing solum would be feasible without substantial underbuilding and groundworks to both increase the size of and stabilise the platform at the Southwest corner of the site, and this would also necessitate the loss of now mature trees, alongside a popular walking route.

It is apparent that the modest dwelling was initially located here to provide a degree of overlooking over the smallholding it was associated with. However, the growth of trees on the site in the interim has impacted upon this, and it would be inappropriate to clear fell mature trees in order to restore the original character of the site – it is a lot harder to replace mature trees than to move a building, and the environmental impacts are identified earlier in the Supplementary Guidance as an important assessment criteria for development.

Contrary to the assessment in the Report of Handling, it is submitted that the overall site is very well defined, with roads to the East, North and West, and a ditch to the South. It is submitted that the location of the dwellinghouse within the site is not necessarily a critical element of whether the design solution is successful or not. In other words, there is no good planning reason, other than the existing house being where it is, that that solum is the best solution for the site. If the proposal is to demolish the existing house and erect a new one, then the thrust of the Supplementary Guidance clearly leads towards designing the best

solution for the site, not an arbitrary criteria that would lead to an inferior solution – especially when that criteria explicitly states “The siting of the new house should be similar to that of the existing building in terms of orientation and distance from the road, **unless individual site conditions suggest that another position would create a better landscape fit.**”

The proposed location of the dwellinghouse uses the existing topography to enable a much more successful landscape fit, reduce the apparent scale of the house, and allow the retention of mature trees within the site. It also allows good observation of the non-wooded part of the site, both the proposed domestic curtilage and the ancillary paddock area to the South.

Does the proposal compliment and / or enhance the local vernacular? Are buildings sympathetic in terms of scale and proportion to other dwellings in the locality? Large, single storey, deep plan houses, for example, can appear out of scale in a countryside setting.

Further to the above, the modest storey and-a-half style of house proposed for the site was considered the most successful way of replacing the tiny cottage (which is too small for modern living standards) with one of a reasonable size without appearing large in the landscape. Breaking the footprint of the house into a T shape has allowed the retention of narrow gables, and therefore a lower overall height than a much wider bungalow style house would create. The narrower gables in turn allow for a slightly steeper roof pitch, in line with the traditional Perthshire vernacular, which provides space within the roofspace for modest upstairs accommodation. These bedrooms are contained almost entirely within the roofspace, and the house is therefore, in terms of overall impact, very small for a three-bedroomed property.

The existing cottage is of brick construction with a monopitch roof. It bears little resemblance to the traditional vernacular, and it would not be unreasonable to say it has no positive architectural merit and is an eyesore adjacent to a popular walking route. On the basis of this section of the Supplementary Guidance, there is every justification to consider a radical rethink in terms of design, and pay much more attention to the appropriate rural vernacular than the existing house. It is submitted that the scale, proportions and materials used in the proposed development are entirely in keeping with the area, and in fact could be stated to be considerably more modest than a number of nearby rural properties, especially in Glenfoot. The proposed development, located on the lower part of the site in keeping with the building line of the adjacent house at Glencroft is therefore entirely appropriate for the area.

Are roof heights and extensions appropriate in scale and do they avoid dominating the dwelling?

As noted above, the design of the house has been carefully considered to keep gable widths narrow, and therefore ridge heights as low as possible. It is submitted that the overall height of the building is lower than many bungalow style houses, and the proportions far more in keeping with the traditional Perthshire vernacular.

Does the design and finish of outbuildings reflect the style of the main dwellings?

The proposed design and palette of materials were chosen to maintain the modest character of the proposal. The Report of Handling identifies that these matters are acceptable.

Does the design and siting of the house facilitate energy efficiency in terms of solar gain and shelter?

Part of the reason for breaking up the footprint of the proposed house into a T-shape was to ensure a South facing roof was available to maximise the ability to use solar PV panels to generate electricity. Locating the house at the lower part of the site offers protection from the wind through the retention of the mature trees on the site, particularly the stand of firs. Overall, the proposed house responds much more successfully to energy efficiency criteria than an attempt to redevelop on the existing solum.

Are materials sourced responsibly? Are existing materials, particularly stone and slate, reused where possible?

The modest palette of materials has been chosen to be easily sourced locally, without excessive costs or manufacturing impacts.

Is the proposal well integrated with the existing landform and does it avoid dominating the landscape?

As addressed above, the proposed location of the house, albeit different from the existing house, has been chosen to provide the best planning solution for the site, which itself is well defined in the landscape. The Supplementary Guidance states that **“If an alternative pos[i]tion is sought, or the proposed house is to be of a significantly different scale, this should be justified in a supporting planning and design statement.”** This statement seems at odds to the reason for refusal set out in the Report of Handling, where little or no consideration has been given to the provided justification in the Planning and Design Statement.

As already stated, the design, scale and position of the proposed dwellinghouse was undertaken with full consideration of the Supplementary Guidance, particularly pages 4 through 7 which identify the requirements for quality development.

To this end, we were keen to ensure that a detailed topographical study, including up to date aerial photography, was provided in support of the application to demonstrate the reasons for the position of the proposed house. Through the process of addressing the Key Design Considerations Checklist, it is submitted that there is indeed justification for the proposal to re-site the dwellinghouse to the most efficient, physically sympathetic position, consistent with the surrounding pattern of development

Are the finish and materials appropriate for the context? Natural, contrasting colours, for example, can be strikingly effective and timber can be used to good effect.

The design absolutely reflects this, and the Report of Handling acknowledges that the design and materials are appropriate.

Does the site have long-established, identifiable boundaries and a level of enclosure provided by natural features?

The site is very clearly defined. It is arguable that it is less clearly defined from the East during the wintertime when deciduous trees have no leaves, and this is clearly the case in

the Report of Handling photographs, taken from Google Street View. It is submitted that these images, taken with an excessively wide angle and distorted camera lens, do not provide an accurate method of assessing the site. This is not a criticism of the Planning Service – it has clearly been impossible to visit the site due to the pandemic and associated restrictions, but additional photographs and/or video could have been provided on request. (An extension to the determination period of the application would have been completely understandable too, but this was not offered. When contact was made with the Planning Service for an update on the application following the consultation period, we were informed that it would be refused and that there was no scope to discuss it further.)

The Report of Handling notes that **“The proposed site is large. Its boundaries are defined on two sides by roads / track. The southern boundary appears to be separated from the adjacent field only by a ditch and fence. There are trees on the western boundary but overall the site is quite open and does not provide a sense of enclosure or definition as required by the SG.”** This is a subjective analysis of the site based upon extremely poor evidence, and it is directly disputed. The aerial images provided with the topographical survey show clearly that the site is very well defined from the adjacent agricultural land, and the original smallholding, although overgrown, is easy to make out on site. The principle changes since it was last used are the growth of mature trees, particularly along the Western and highest parts of the site, which provide more definition rather than less. If the purpose of this requirement in the Supplementary Guidance is to establish what is developable land and what is open farmland/countryside, then it could not be much clearer on site where the former smallholding ends and the farmland and open countryside begins.

It is acknowledged that the whole site is too large to form a domestic feu, but this is reflected in the proposal to limit the size of the domestic curtilage, and return the remainder of the site to managed grazing for horses, which are domestic in nature.

Are boundaries and entrances created through appropriate materials and planting, for example, locally native trees and shrubs? Does the design avoid overly elaborate and engineered solutions and non-native fast-growing conifers?

It was assumed upon submission of the application that an approval would be conditional on the provision of appropriate landscaping and boundary treatments prior to the commencement of development. There is a considerable amount of scrub and some unfortunate fly-tipping on the site, and whilst efforts have been made to clear it periodically, my client does not live locally. Only once the site is cleared would it be advantageous to employ a landscaper to provide a detailed proposal for boundary treatments and planting. There would be no intention of using inappropriate plants, however, and the layout of the site has been designed to ensure the retention of mature trees, thereby offering an existing appropriate means of boundary treatment or provision of privacy for the new house.

Are surrounding natural features retained and integrated within the proposal?

As explained previously, one of the key drivers in moving the proposed house is to ensure the retention of mature trees within the site, which have grown significantly since the existing house was vacated in the 1960s.

Have transport linkages been considered which provide a viable alternative to the private car?

The site is rural in nature and is not believed to be on a scheduled bus route. However, it is not impossible to access the nearest bus service, with bus stops at the junction with the A913 at Glenfoot, approximately a 15-minute walk from the site.

Are parking areas screened from the road and do they avoid dominating views over the site?

The modest house size requires parking for only two cars, and an integral garage is provided along with a modest driveway. While the driveway is to the front of the house, it is not considered to be visually dominant in the site layout, and with appropriate landscaping around the entrance to the site, will be largely unseen from the public road.

On the basis of this analysis of the proposal, it is clear that the design presented is suitable when considered against the checklist in the Supplementary Guidance, and that genuine and justifiable reasons have emerged from this step by step analysis to reposition the house on the site. Whilst the proposed house is larger than the existing house, it remains a modest property, particularly in comparison to the other housing in the vicinity, and the design has been carefully considered to minimise its visual impact.

Page 20 of the Supplementary Guidance thereafter considers the specific requirements of replacement houses, and sets out the following four bullets.

The replacement house must be of a high quality design appropriate to its setting and surrounding area.

We have demonstrated above that the proposed development is compatible with this requirement, as assessed against the Supplementary Guidance itself, and the Report of Handling also indicates that the proposal is acceptable in this regard.

The scale of the new house will normally be similar to that of the existing building.

It is acknowledged that the scale of the proposed house is larger than the existing house, which is around 30sqm in size, and clearly too small for modern habitation. However, the proposed house is of modest size and scale, and the design has been carefully undertaken to reduce the visual impact of it.

The siting of the new house should be similar to that of the existing building in terms of orientation and distance from the road, unless individual site conditions suggest that another position would create a better landscape fit.

The analysis above, particularly with regard to mature trees and the levels of the site, demonstrate that the repositioning of the house within the same, clearly defined site would not only be a reasonable allowance, but a significant improvement to the existing situation. Aiming to replace the house on the existing solum would result in a less successful design when considered against the Supplementary Guidance. It is submitted that, contrary to the Report of Handling, the site is extremely clearly defined, and the position of the house within that site is largely inconsequential. It is a single smallholding, and would continue to be such. The best planning solution would be to position the house in the most sympathetic, resource efficient and sensitive place. The retention of mature trees, which have grown substantially since the house was vacated, provide an existing setting for the proposed house location, whereas the existing siting would require felling of mature trees and

substantial groundworks to make it suitable for construction, resulting in the loss of trees and a very prominent building.

If an alternative position is sought, or the proposed house is to be of a significantly different scale, this should be justified in a supporting planning and design statement.

It is submitted that the above analysis, and the Planning and Design Statement provided with the application provide appropriate justification for the revised position of the house and also the increase in scale of the proposed house.

Ultimately, the design process has been carried out to achieve the best solution for the site, and it is submitted that the proposal in this application achieves that.

Ecological Appraisal

An ecological appraisal of the site has not been carried out. It was anticipated that were this identified as a key issue during the consideration of the application that one might be requested, but this was not the case until after the application was determined. I understand that it is not appropriate to provide new information to an appeal process unless specifically requested, so at this stage we have not commissioned an assessment.

The site is largely overgrown with willow scrub and has been unfortunately used for fly-tipping on several occasions. It is submitted that the proposed redevelopment of the site would be a significant biodiversity benefit, but there would be no objection to carrying out an ecological walkover check of the site prior to the commencement of any works. We would be happy if such a study was conditioned on a planning permission.

It is noted that there is no intention to remove any mature trees to make way for development, and again it would be reasonable to provide a condition that no trees are lopped, topped or felled without written permission of the planning service.

The only obvious concern would be the demolition of the existing house and the small chance of bat roost potential. Given that the proposed house is not on the same solum as the existing house, there is no time constraint as to when the old house is removed, and as such it would be reasonable to do so in the summer, and to check for bats before commencing works – this would be best practice in any case.

While the existing house is extremely unlikely to provide suitable bat roosting, the general area is likely to support bats, and the inclusion of bat boxes in the new house would be welcomed by my client.

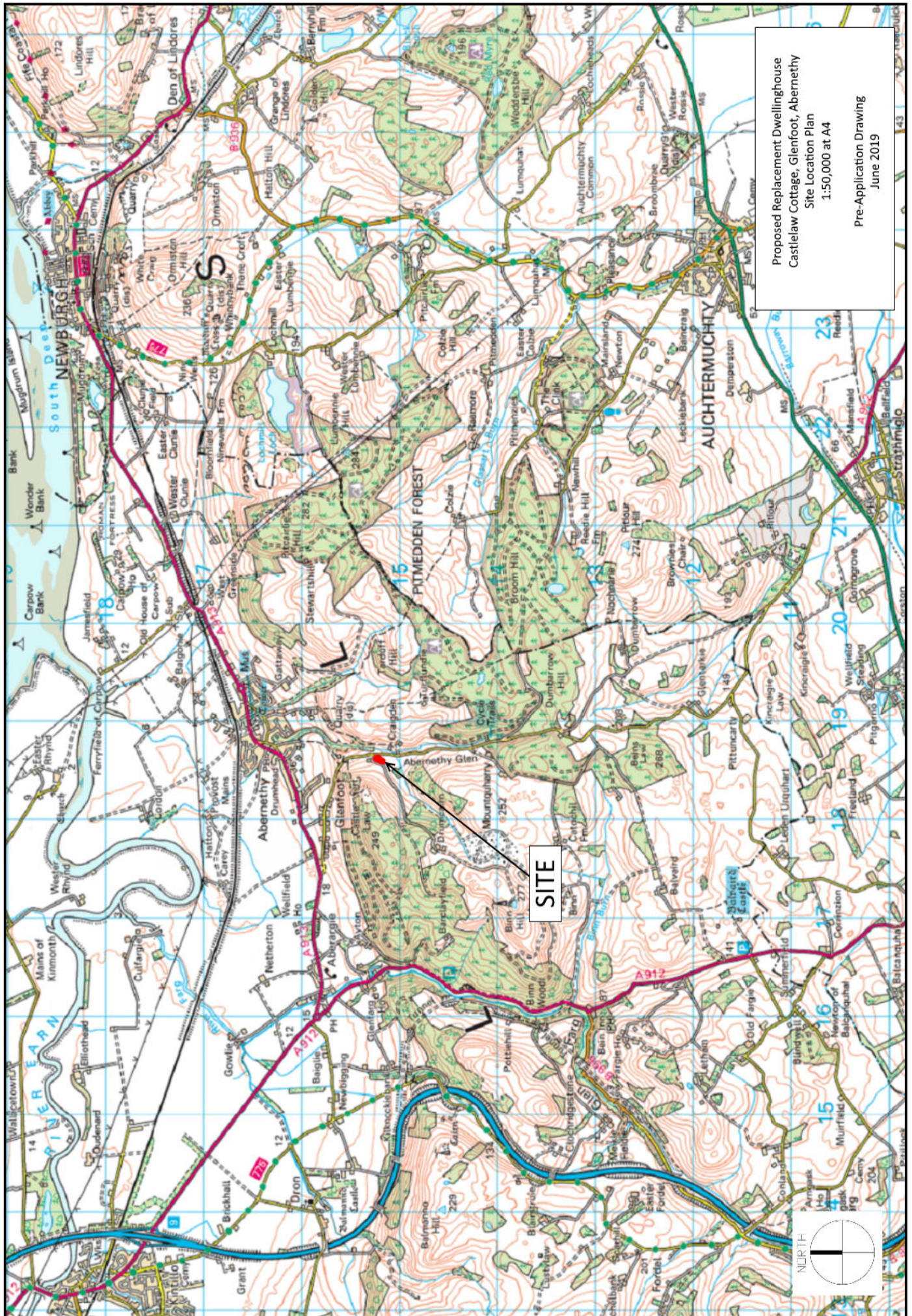
Conclusions

In conclusion, the refusal of planning permission based on conflict with Policy 19 of the Local Development Plan is not accepted. The Report of Handling indicates that the refusal is in fact based on a subjective (and excessively negative) appraisal of the proposal against parts of the Housing in the Countryside Supplementary Guidance, but not against the Supplementary Guidance as a whole.

This appeal statement, alongside the drawings, topo survey and Planning and Design Statement demonstrate that the proposed development was designed with full cognizance of the Supplementary Guidance, and it is respectfully submitted that the refusal be overturned and permission granted for the proposed replacement dwellinghouse. The outstanding matters relating to ecology can, in our view, be appropriately addressed by planning condition, and overall a

significant biodiversity, visual and amenity improvement can be achieved through the proposed sympathetic redevelopment of the site, restoring its former residential and smallholding use for the future.

Ben Freeman MRTPI



Proposed Replacement Dwellinghouse
Castlelaw Cottage, Glenfoot, Abernethy
Site Location Plan
1:50,000 at A4

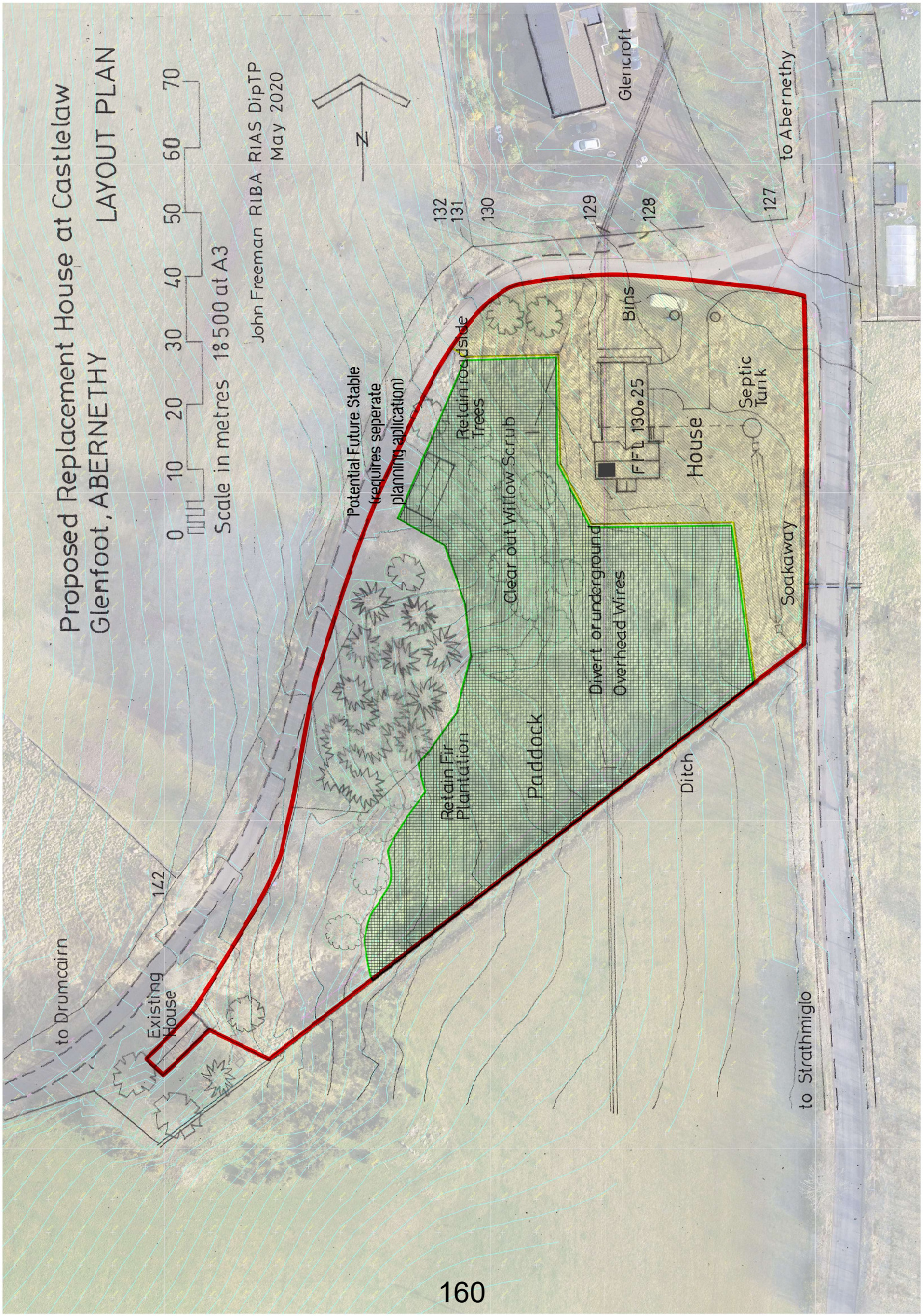
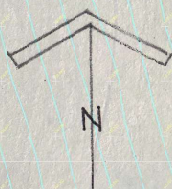
Pre-Application Drawing
June 2019

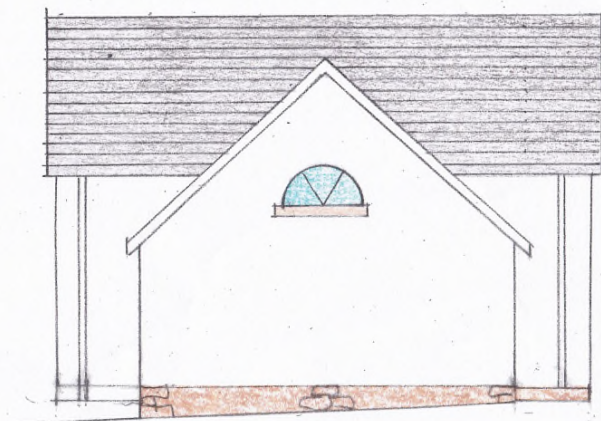
Proposed Replacement House at Castlclaw Glenfoot, ABERNETHY LAYOUT PLAN

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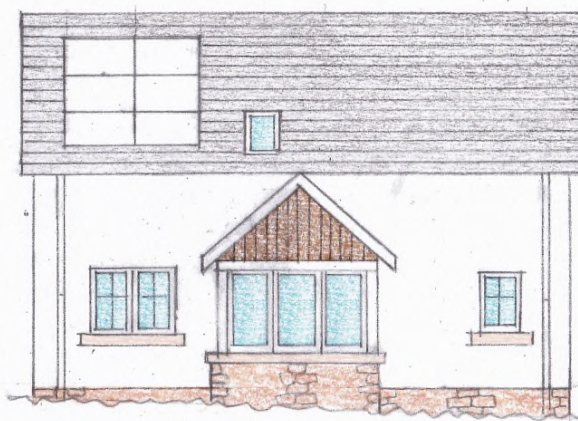
Scale in metres 18500 at A3

John Freeman RIBA RIAS DipTP
May 2020





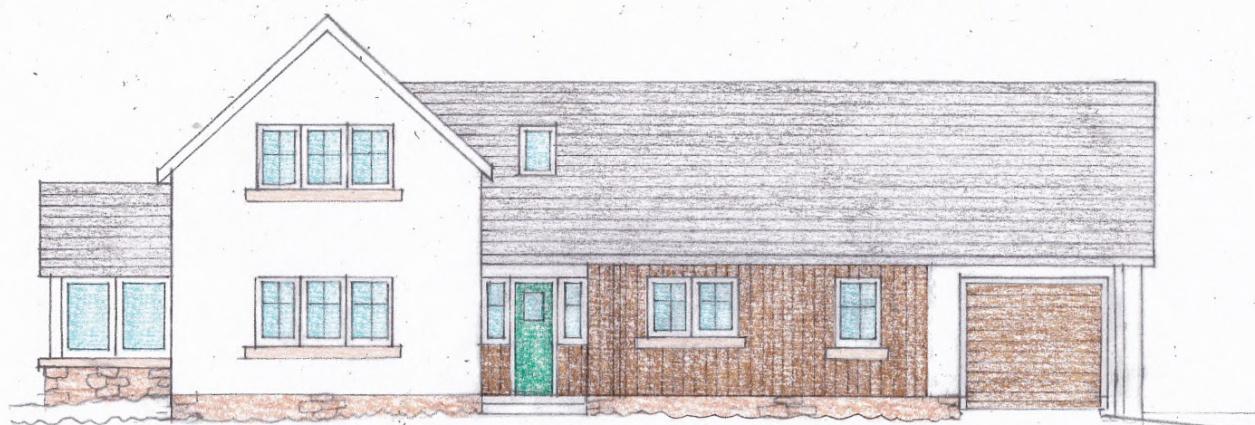
North Elevation



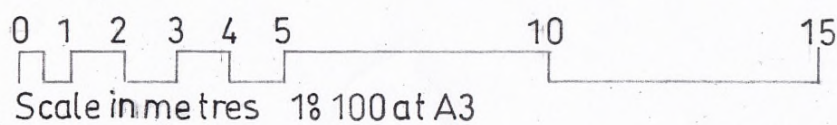
South Elevation



West Elevation



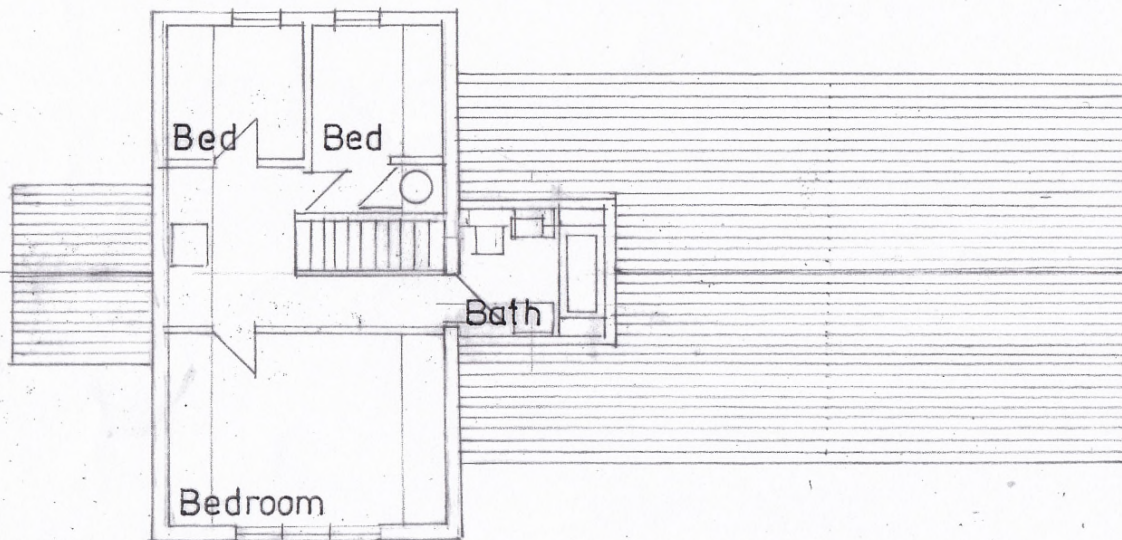
East Elevation



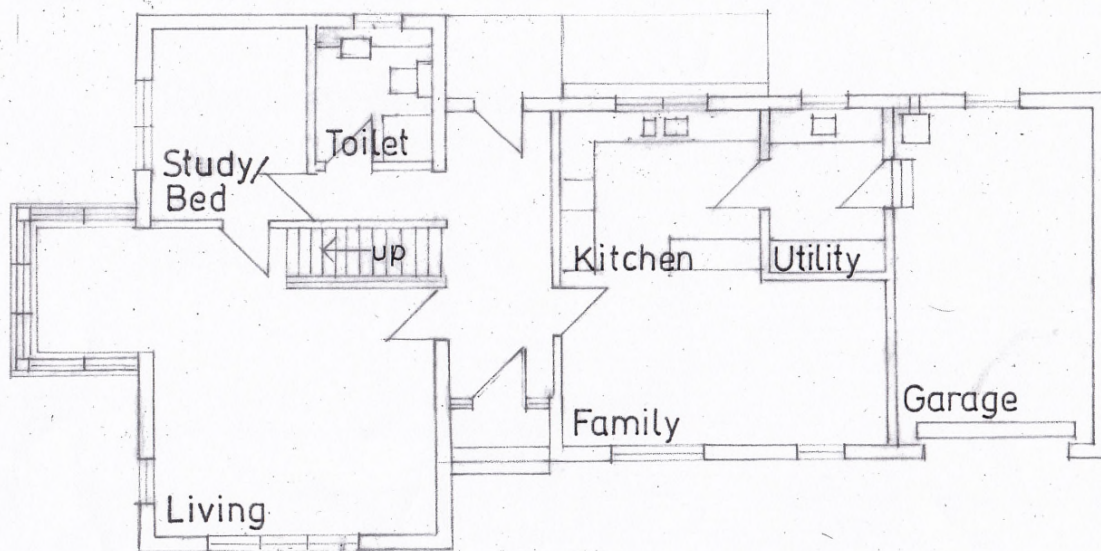
ELEVATIONS

Proposed Replacement House at Castlelaw
Glenfoot, ABERNETHY.

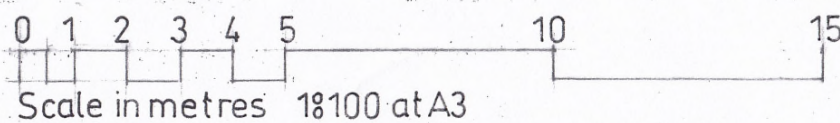
John Freeman: RIBA RIAS DipTP
May 2020



Upper Floor Plan



Ground Floor Plan



FLOOR
PLANS

Proposed Replacement House at Castlelaw
Glenfoot. ABERNETHY.

John Freeman RIBA RIAS DipTP
May 2020

Castlelaw Cottage, Glenfoot, Abenethy

Proposed Replacement Dwellinghouse

Design Statement

June 2020

Ben Freeman MRTPI

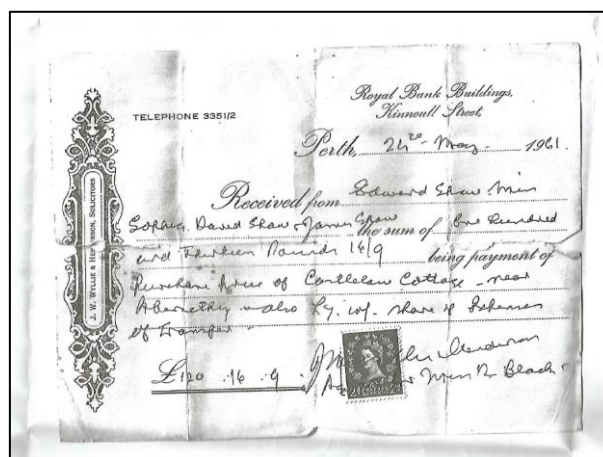
1. Background information and Proposal

Castlelaw Cottage sits to the Southeast of Glenfoot, a smallholding that has been unoccupied for several decades. The cottage itself is extremely small, and of modest construction, but was occupied up until the 1960s as a permanent residence. It has fallen into serious disrepair, and despite having been used as a shelter by a homeless person for a number of years in the 1970s, it is far from fit for habitation.



Site Location Plan

The property has been in the ownership of my client's family since 1961, when her mother resided in the cottage, and kept a number of animals on the accompanying land. The plan below shows the extent of the ownership, and the receipt of purchase back in 1961.



Receipt of purchase – noting the name 'Castlelaw Cottage' from May 1961

2. Site and context appraisal and principle of development

The existing dwellinghouse and site sit around half a kilometre south of Abernethy and southeast of Glenfoot, immediately adjacent to an existing house called Glencroft. Contained in a natural valley, with woodland to the north. The site is not conspicuous from any direction.

The surrounding area has undergone some considerable change since the site was vacated in the 1960s, with Glenfoot becoming an attractive settlement of relatively grand houses, and other individual houses being built in the surrounding countryside. The overwhelming character of the area is equestrian, with a number of private and commercial stables operating in the area.

My client is keen to return to the area to build a new house that will enable her to keep her horses alongside, and the site offers the opportunity to do just this. The availability of commercial equestrian facilities in the surrounding area would complement the 1.4acre plot perfectly, allowing her to have a small private stable and paddock on her own property.

A formal enquiry to Perth and Kinross Council in June 2019 (a copy of enquiry and response is included in this planning submission), seeking advice on the proposal to erect a replacement dwellinghouse on the site. The response confirmed that the principle of a replacement house on the site would comply with Policy RD3 Housing in the Countryside (subsequently replaced with Policy 19 of the same name in the 2019 Local Development Plan).

In the interim, the Supplementary Guidance on Housing in the Countryside was updated and adopted in March 2020, and still supports the proposed development.

In all cases where the demolition of an existing house is permitted:

- The replacement house must be of a high quality design appropriate to its setting and surrounding area.
- The scale of the new house will normally be similar to that of the existing building.
- The siting of the new house should be similar to that of the existing building in terms of orientation and distance from the road, unless individual site conditions suggest that another position would create a better landscape fit.
- If an alternative position is sought, or the proposed house is to be of a significantly different scale, this should be justified in a supporting planning and design statement.

The proposed bespoke house design respects the architectural vernacular and the scale of the site and the surrounding area. The design and material choices have been made carefully to ensure that the development adds value to the area.

The existing dwelling on the site is very small indeed, and unsuitable for modern living. However, at 1.4 acres, and with mature trees along the higher western edge of the site, it is submitted that the site can comfortably accept a larger, albeit modest, dwellinghouse without detriment to the character of the surrounding area.



The existing cottage has become overgrown with trees.

Similarly, the position of the existing house is unsustainable, as the platform at the top of the site on which it sits is barely large enough for the existing structure. Since it was vacated, trees around the property have matured, rendering it impossible to redevelop on the same solum without the loss of mature trees. It is submitted that it would be more sympathetic to retain the trees and reposition the house to the lower part of the site, where access, landscape setting and servicing can be provided more sustainably and logically. In line with the supplementary guidance statement, the proposed dwellinghouse location is a substantially better landscape fit than the existing site. Furthermore, the proposed location sits comfortably with the building line established by the adjacent Glencroft dwellinghouse.

A further justification for the repositioning of the house is one of amenity. The track that runs past the west of the site is popular with walkers, and the proposed location of the new house would allow additional privacy to be maintained, by the retention of trees alongside the track. The photograph above shows how close the existing house sits in relation to the track. Vehicular access at this part of the site would also be more difficult.

The proposed house is substantially larger than the existing house, but it remains a modestly sized dwellinghouse, with three bedrooms, principally laid out over a single storey but with bedrooms in the roofspace in the central part of the house. It is submitted that the house is entirely in keeping with the established character of the area, much of which is made up of fairly grand bespoke houses in large plots. The character of the proposed development, a modest property within a large plot of land, sits very neatly on the periphery of the built area, with open agricultural countryside beyond.

Further to the above, the supplementary guidance offers further criteria against which proposals should be considered –

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

- i. *there is substantial visible evidence of the structure of the original building above ground level to enable its size and form to be identified*

This has been confirmed by the pre-application submission as accepted by the Council.

- ii. *it is an established site with a good setting and a good 'fit' in the landscape*

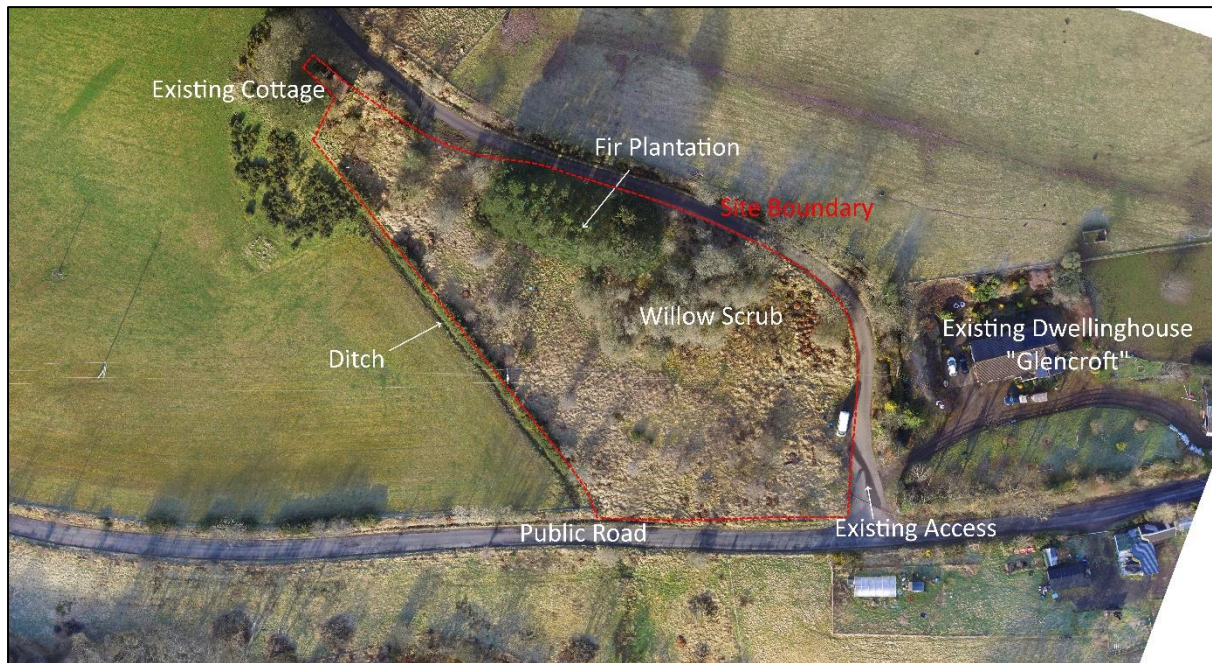
Although the site has been unoccupied for some time, it is apparent on site that it was formerly a smallholding in its own right and is clearly defined as separate from the adjacent agricultural uses. Returning the site to residential use and associated garden and paddock will not change the landscape, but rather restore and tidy up the overgrown area. It is submitted that the sympathetic renovation of the site will be a benefit to the landscape, and most certainly an appropriate 'fit'.

- iii. *the existing/established site boundaries are capable of providing a suitable enclosure for the new house.*

The pre-application enquiry response noted concern that the site is insufficiently defined to provide a setting for a dwellinghouse, but it is submitted that with appropriate design and landscaping this can be addressed successfully. The aerial image below shows that the site is extremely well defined against the adjacent agricultural uses. The site is roughly triangular in shape, with public roads/tracks on two sides and a boundary fence and ditch on the third.

Part of the concept of the proposed design is to reposition the house to a more appropriate location within the site, in order to retain the valuable trees on the site, which have overgrown the existing cottage since it was vacated in the 1960s. The retention of these trees, including a substantial fir plantation, provide additional enclosure to the site, and their position on the highest part of the site also provide a valuable setting for a modest dwellinghouse on the lower part of the site.

The location of the site on the edge of open countryside lends itself to use as an equestrian paddock, as my client is keen to be able to keep her horses on the site for at least part of the year. This will create an appropriate blend between the residential uses of Glenfoot and the adjacent house, and the wider agricultural uses beyond.



Overhead photograph showing the site boundary and key features



Panorama of the site taken from the main road along the Eastern boundary.



View from the access track to Drumcairn Farm, looking South. The car is parked in the site access.

The site is readily accessible from the existing public road network, and the proposed driveway is positioned some way back from the existing junction in the interests of road safety. The road/track that passes to the west of the site provides access to other properties but is also popular for walking.

The site currently has overhead cables passing through the centre of it. These do not have a wayleave agreement and would be undergrounded or diverted in advance of development taking place. My client is exploring the best solution for this with SSE, but for the purposes of the planning application it is submitted that a commitment to underground or divert them is sufficient at this stage.

Drainage for the proposed development can be achieved privately on site. Porosity tests showed reasonable porosity, but there is ample space available within the plot to provide a septic tank or a private package treatment plant for foul water, and a soakaway for the treatment and attenuation of surface water run off under the driveway – which can be enhanced with underground storage cells if required upon further site investigation, with discharge to the adjacent watercourse. A separate Drainage Assessment is included with the submission for further details. A public water supply can be provided to the site from the existing mains infrastructure.

3. Identification of the design principles

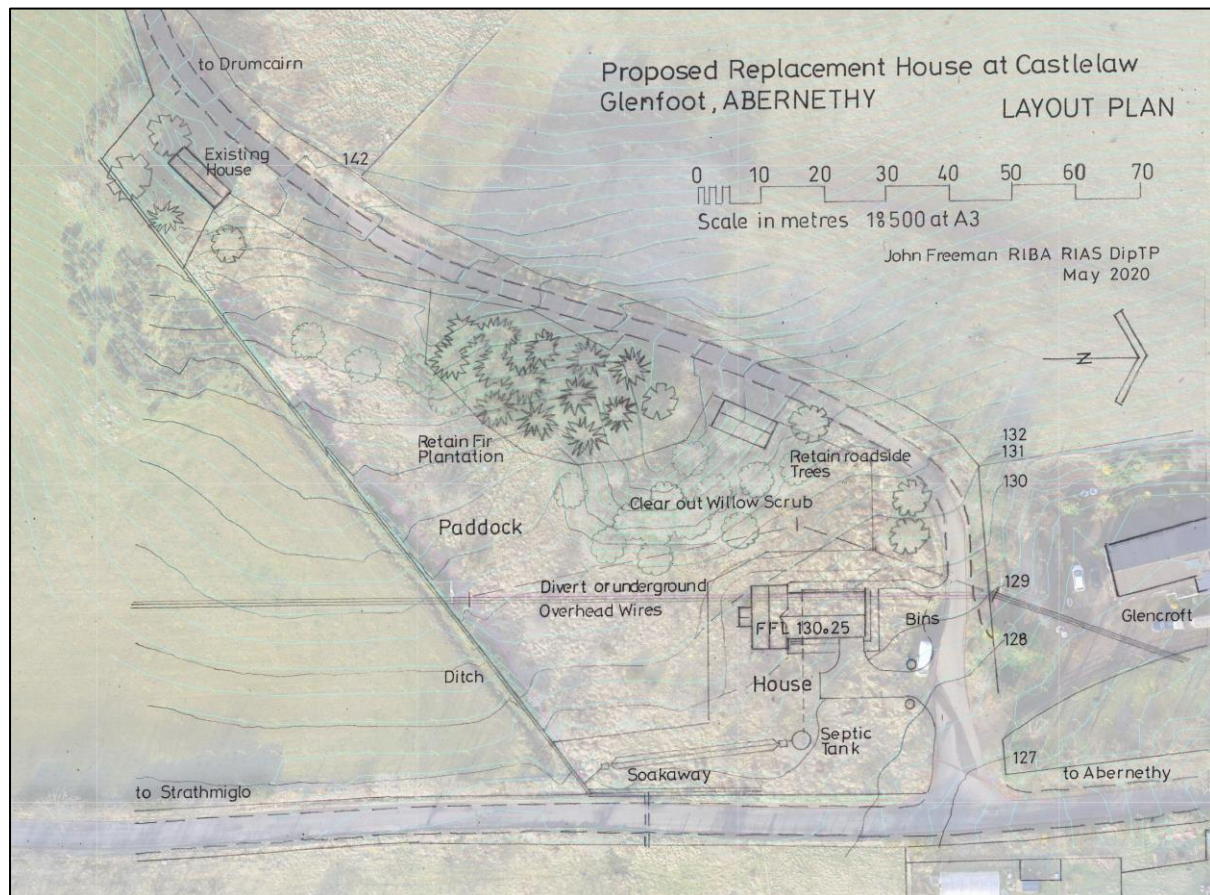
On the basis of the above assessment of the site, the previous response from Perth and Kinross Council to our enquiry in 2019, and the relevant planning policy and guidance, the design principles have been established.

- i. The existing house is poorly located within a well-defined site area, and is too small for modern living. It is therefore submitted that there is justification for increasing the size of the replacement house and repositioning it within the site. However, the setting, scale and form of the proposed development therefore become key to the success of the development. Given the overgrown nature of the site, it's well contained setting along with the popularity of the area for walking and cycling, a good design solution will improve the site and the area from a wider amenity perspective.
- ii. The existing house is single storey, and therefore the replacement house, while bigger, should be of an appropriate scale and massing to suit the area. The adjacent house at Glencroft is a bungalow, but is relatively large. It may, therefore, be possible to include some accommodation within the roofspace, but the overall height of the new house should be kept to a minimum.
- iii. The design of the proposed house should respect the rural character of the area, and the high architectural quality of surrounding development such as the houses in Glenfoot. A bespoke architect designed property, taking reference from the local architectural vernacular is therefore important. Similarly, materials should respect the local area.
- iv. The position of the house within the site should reflect the local character, including the immediately adjacent cottage at Glencroft. Houses are typically set well back from the main road, with large front gardens. The popularity of the track to the west of the site for walking and cycling should also be considered to ensure privacy for both occupants and walkers can be maintained.
- v. Mature trees should be retained where possible, to provide a mature landscape setting for the proposed house.

Taking these five key points into consideration through the design process will result in a successful development proposal for the site.

4. The design solution

The proposed redevelopment of the site therefore seeks the sympathetic relocation of the dwellinghouse solum, to the lower part of the site, thus allowing the retention of the existing trees, including the fir plantation. The existing dwellinghouse will be removed as part of the development, improving the amenity for walkers and cyclists on the adjacent track.



Proposed site layout plan

The main view of the proposed house will be from the Abernethy to Strathmiglo road. The house will be set back from the road, and will be seen against the backdrop of higher ground, and the established mature fir plantation.

The proposed house has been designed specifically for the site. T shaped, the principal elevation, viewed from the East, is single storey, with bedrooms accommodated within the roofspace of the the western part. This layout allows for the gables to be relatively narrow, and the roof pitches steep, reflecting the traditional architectural vernacular of the area, and reducing the overall mass of the building.

Finishing materials are proposed to be a mix of drydash render, timber linings and a slate-lookalike roof tile, again in keeping with the character of the area.



The front elevation of the house is in keeping with the traditional vernacular of the area.

Landscaping of the site will be largely the retention of existing mature trees and landscape. The garden area of the proposed house will be relatively modest, with the majority of the remaining site set aside as paddock for horses.

In order to ensure appropriate planning control over the site, it is suggested that while the whole site should be considered as domestic, perhaps permitted development rights should be removed from the paddock area to ensure that any uncontrolled development could happen there in the future.

The site layout plan shows a stable building at the west of the site. This has been shown indicatively, as a logical place to ensure suitable access for a horsebox for example, but no specific design has been prepared yet. It is envisaged that a further householder planning application for an appropriate stable block would be submitted once the house is developed and occupied. However, the stable block should be of timber construction, so compliment the house design.

The house will be a timber frame construction with high levels of insulation to ensure a reduction in energy consumption. The fabric first approach is the most practical way to reduce the carbon footprint of housing development, but it is recognised that the climate change act and planning policy also seek the use of low and zero carbon generating technologies in development. In this respect, it is proposed to install photo-voltaic panels on the southern facing roof, in order to generate power for the house. The details of this will be established through the forthcoming application for Building Warrant, once planning permission is in place.

Surface water drainage will be dealt with on site using porous driveway material and a soakaway, and foul drainage addressed using either a septic tank and soakaway, or if porosity tests on site determine, a small package treatment plant. These can in turn discharge to the adjacent watercourse. This is explained in detail in the included Drainage Assessment.

5. Conclusion

In conclusion, the proposed development of a replacement dwellinghouse at Castlelaw Cottage, Glenfoot has been demonstrated to be a suitable proposal when assessed against the relevant policy and supplementary guidance on housing in the countryside. The feedback from an earlier enquiry has been taken on board, and the design principles amended and honed in response. Whilst the proposal includes the relocation and increase in size from the existing cottage, both of these are justifiable, and the result will be a successful development that fits the character and landscape of the surrounding area, and provides a visual improvement to the area. The design of the proposed house has been prepared specifically for the site, and the choice of materials similarly made to suit the location and the established local vernacular.

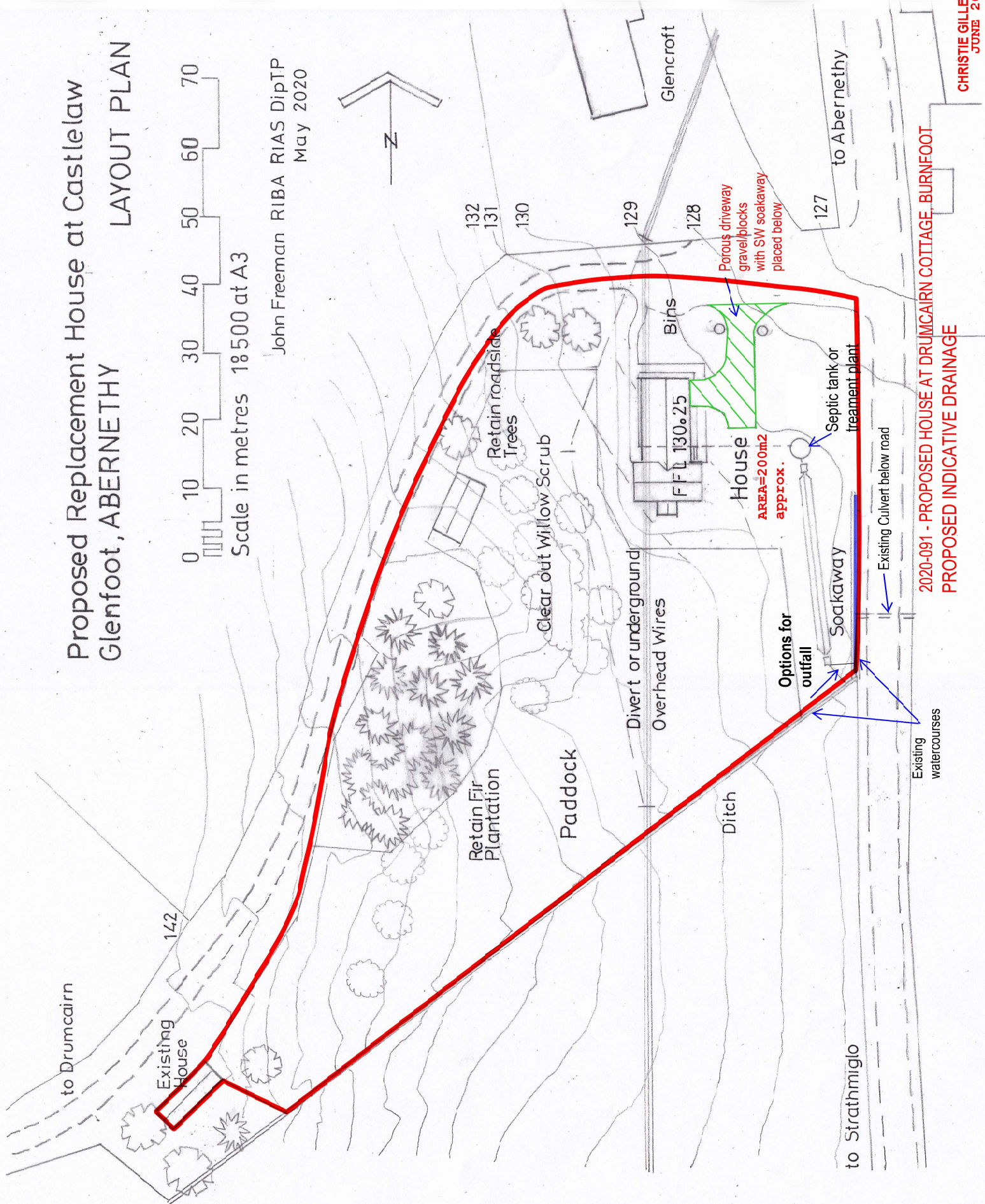
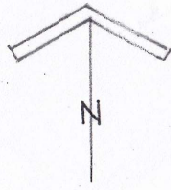
The result is a proposal that is wholly appropriate for the site, aligning with planning policy, and providing a modest but highly sustainable home for my client, with the ability to keep her horses on site.

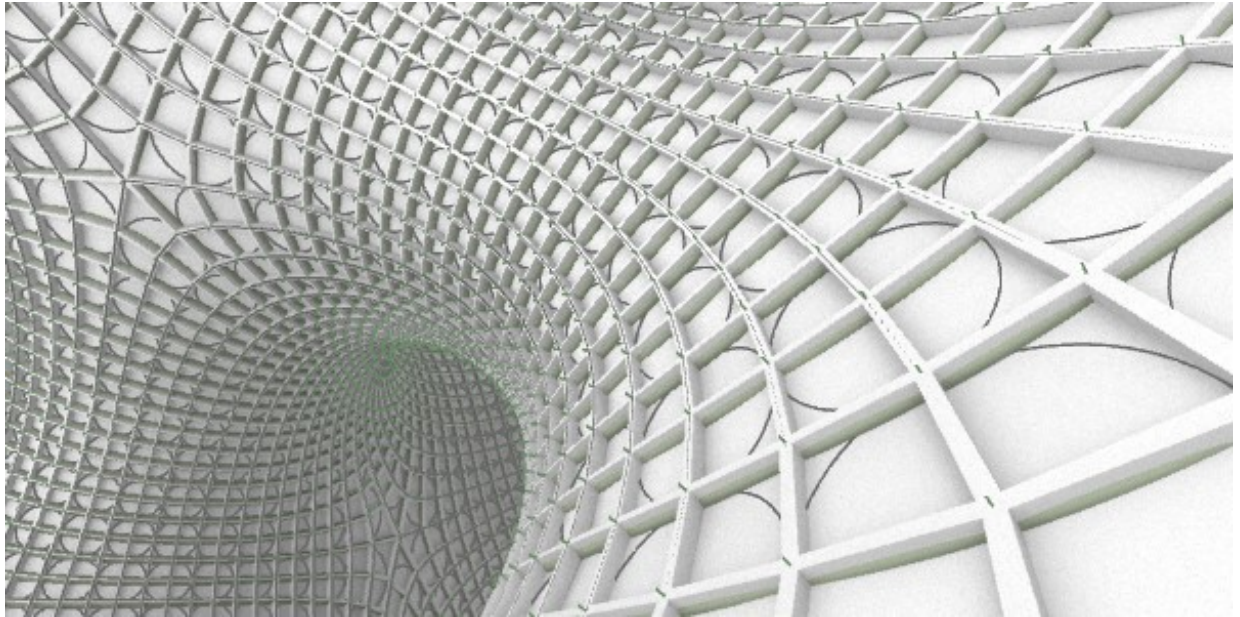
It is therefore submitted that the proposal is acceptable when assessed against the relevant planning policies and guidance, and that full planning permission should be granted.

Proposed Replacement House at Castlelaw Glenfoot, ABERNETHY LAYOUT PLAN

0 10 20 30 40 50 60 70
Scale in metres 18500 at A3

John Freeman RIBA RIAS DipTP
May 2020





PROJECT N° 2020-091

PROPOSED NEW HOUSE AT DRUMCARIN FARM, ABERNETHY. DRAINAGE STRATEGY

MS DENICE RENNIE

Revision: First Issue

Date of Issue: 19 June 2020

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QUALITY MANAGEMENT

Issue/revision	First issue	Revision 1	Revision 2	Revision 3
Remarks				
Date	18/6/20			
Prepared by	A Christie			
Signature				
Checked by	R Gillespie			
Signature				
Authorised by	A Christie			
Signature				
Project number	2020-091			
Report number	N/A			
File reference	2020-091/Documents			

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2	SURFACE WATER DRAINAGE.....	3
2.1	SUSTAINABLE URBAN DRAINAGE SYSTEMS.....	3
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APPENDICES

A P P E N D I X A INDICATIVE DRAINAGE

1 INTRODUCTION

It is proposed to construct a new three/four bedroom dwelling house on the subject site at Castlelaw Cottage, Glenfoot near Abernethy as a replacement for the existing derelict property.

This document provides an outline drainage strategy for the proposed house.

1.1 BACKGROUND AND SITE DESCRIPTION

The site extends to around 0.5 hectares and the land is mainly grass and scrub with a small tree plantation. A derelict brick dwelling is located at the southern end of the site.

The site slopes upwards from north east to south west and is located at the junction of the unclassified road to Drumcairn Farm and the B road that goes between the A91 at Strathmiglo to the A931 at Glenfoot. The location of the house is at the lower end near the road.

The historical maps for the area do not indicate any other development on the site other than the existing dwelling. It is understood that it has been previously used as a grazing field for horses.

There is no existing adopted drainage infrastructure in the vicinity of the site and from investigations, this is the case for some distance along the Glenfoot Road. There are other properties located along this road and it is understood that these properties are served by septic tanks for the foul drainage and either soakaways or direct discharge to watercourses from the properties.

There are a number of small watercourses around the site and in particular a ditch which runs along the south east and east boundaries. These follow local routes into the main watercourse which runs through the Abernethy Glen and is known as the Ballo Burn. This much larger burn is located in the valley and approximately 120m to the east of the site. There is a watercourse in the roadside verge running alongside forming the boundary wall between the roadside. This watercourse is routed through a culvert under the road opposite the site.

2 SURFACE WATER DRAINAGE

2.1 SUSTAINABLE URBAN DRAINAGE SYSTEMS

The philosophy of Sustainable Urban Drainage promotes the design of drainage systems for hard surfaced areas that take account of water quantity, quality and amenity issues through the use of ground drainage features such as filter trenches, soakaways and attenuation. These systems are more sustainable than traditional methods for the following reasons:

- Are sympathetic to the local environment and the needs of the local community;
- Encourage natural groundwater recharge (where appropriate);
- Protection of water quality; and
- Reduce the risk of flooding and consequent watercourse erosion.

SUDS meet these criteria by:

- Protecting water resources from pollution;
- Dealing with run-off close to where rain falls, as source control; and
- Managing potential flooding at its source.

In line with the principles of sustainable drainage, it is proposed to provide a surface water soakaway for the rainwater on the property in conjunction with a porous surface for the new driveway.

Two trial pits were excavated on the site to investigate the nature of the underlying soils and assess the potential in relation to the feasibility of using soakaways for disposal of the surface water. Geological maps showed the area to be underlain by glacial till which is a variable deposit that varies from sands and gravels through to stiff clays and is often intermixed with both. This is the case for this site and it is considered that there are suitable ground deposits within the site that will enable the use of a sustainable urban drainage system to discharge the surface water via soakaway to the ground. The new driveway will be formed with a permeable surface using either gravel or porous paving and the soakaway constructed within the driveway area.

If the porosity of the soil proves to be too low, the surface water will be attenuated using underground storage and the outflow will be taken to a watercourse with a discharge flow restricted to a greenfield run-off rate and in accordance with SEPA requirements.

3 FOUL WATER DRAINAGE

3.1 TREATMENT

There are no adopted sewer systems in the vicinity of the site in which to dispose of foul water directly. As a result the foul water will require treatment via a septic tank/ mound or treatment plant before being discharged to the ground via a soakaway or in the case of a treatment plant via a filter trench to one of the local watercourses adjacent to the site.

It will be necessary to undertake percolation tests in accordance with BRE 365 to evaluate the permeability of the underlying soils. If the percolation value is suitable, a septic tank and

soakaway contained within the site will be constructed. The septic tank will be subject to registration with SEPA.

Should the percolation values of the underlying soils exceed the recommended SEPA limits for a septic tank, it will be necessary to install a small package sewage treatment plant and discharge through a filter trench with an area of 25 square metres en-route to one of the watercourses either on the south east or east boundary of the site. The capacity of the septic tank or treatment plant will be determined based on the recommendations for a four bedroom property which is a population equivalent of six. SEPA will be consulted to determine the preferred solution based on the findings from percolation tests which will be carried out in advance of any development. The developed proposals will be submitted to SEPA to obtain the necessary consents.

Appendix A

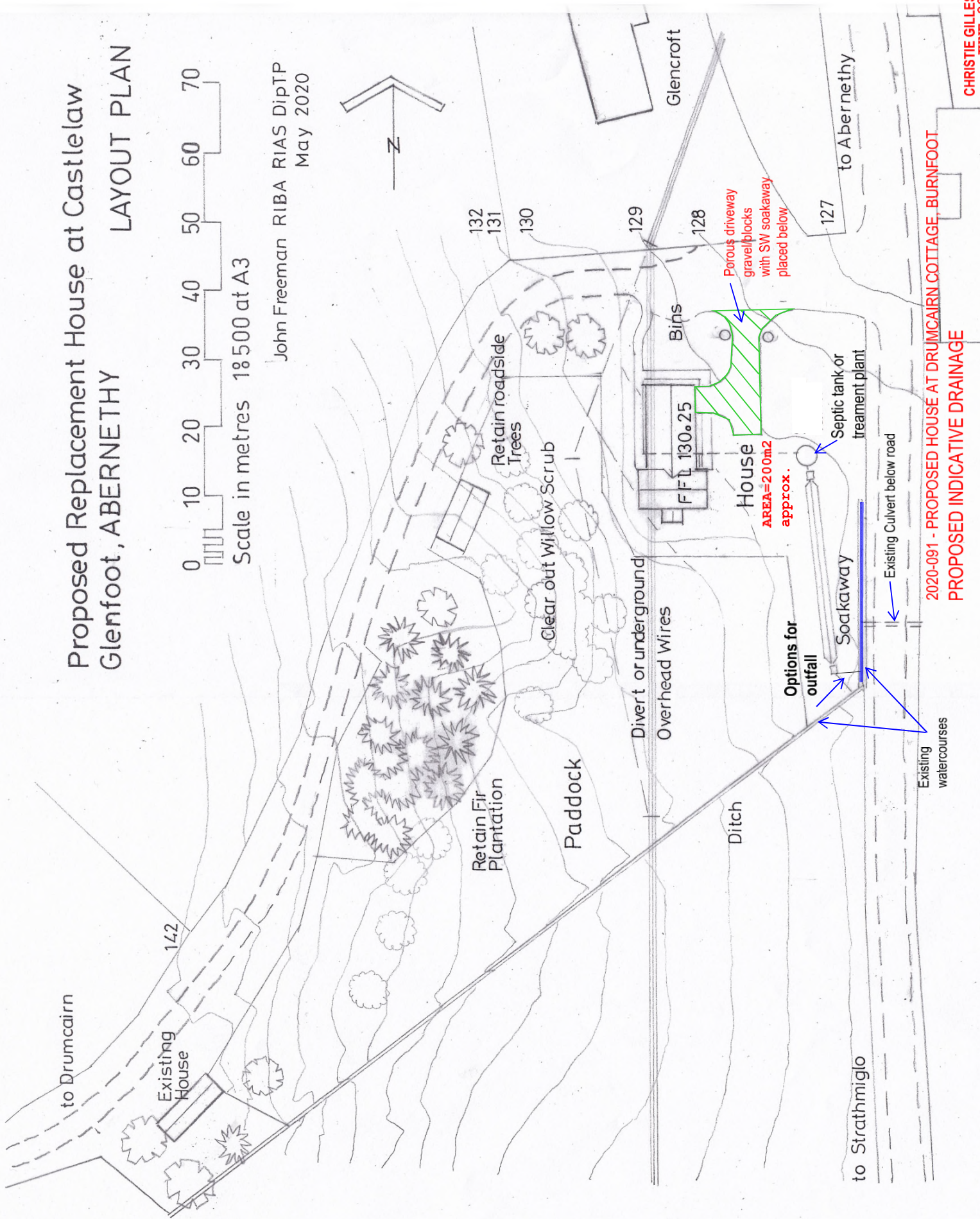
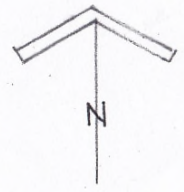
INDICATIVE DRAINAGE PLAN

Proposed Replacement House at Castlelaw Glenfoot, ABERNETHY

LAYOUT PLAN

0 10 20 30 40 50 60 70
Scale in metres 18500 at A3

John Freeman RIBA RIAS DipTP
May 2020



2020-091 - PROPOSED HOUSE AT DRUMCAIRN COTTAGE, BURNFOOT
PROPOSED INDICATIVE DRAINAGE

LRB-2020-23 – 20/00792/FLL - Erection of a replacement dwellinghouse, land 150 metres south west of Glencroft, Abernethy

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 159-182)*



Mrs Denice Rennie
c/o Ben Freeman
72 Newhame Road
Montrose
DD10 9BT

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **27th August 2020**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **20/00792/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 30th June 2020 for Planning Permission for **Erection of a replacement dwellinghouse Land 150 Metres South West Of Glencroft Abernethy**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- 1 The proposal is contrary to Policy 19 of the Perth and Kinross Local Development Plan 2019 and the Council's Housing in the Countryside Supplementary Guidance 2020 as the proposal fails to comply with Category 4 Renovation or Replacement of Houses as the scale of the proposed house is not similar to that of the existing house. In particular as the dwelling proposed has a substantially larger footprint and comprises of an additional storey. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (5) Conversion or Replacement of Redundant Non Domestic Buildings or (6) Rural Brownfield.

Justification

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

Notes

- 1 No information has been provided to confirm the biodiversity status of the site to establish the possible presence of protected species or biodiversity sensitive areas. The potential for Bats is considered to be low but this issue should be addressed if the applicant is to seek a review of the decision at the Local Review Body. As the recommendation was to refuse the application the applicant was not put to the expense of providing an Ecological Appraisal at this time.

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

Plan Reference

20/00792/1

20/00792/2

20/00792/3

20/00792/4

20/00792/5

20/00792/6

20/00792/7

20/00792/8

20/00792/9

20/00792/10

REPORT OF HANDLING

DELEGATED REPORT

Ref No	20/00792/FLL	
Ward No	P9- Almond And Earn	
Due Determination Date	29th August 2020	
Report Drafted Date	24th August 2020	
Report Issued by	JF	Date 24.08.20

PROPOSAL: Erection of a replacement dwellinghouse

LOCATION: Land 150 Metres South West Of Glencroft Abernethy

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 August 2020

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application is for erection of a replacement dwellinghouse at Land 150 Metres South West Of Glencroft Abernethy. The site is located with a rural area to the south of Abernethy and consists of a small ruinous building within a wider land holding.

This proposal is for the replacement of an existing ruinous house with a larger house on an alternative site within the same land ownership.

In accordance with the on-going restrictions of the coronavirus pandemic, the application site has not been visited by the case officer. The application site and its context have, however, been viewed through photographs provided in the supporting statement and through google streetview which covers the two road adjacent to the site.

This means that it is possible and appropriate to determine this application as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

SITE HISTORY

No application site history

PRE-APPLICATION CONSULTATION

Pre application Reference: 19/00362/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 2016-2036 and the Perth and Kinross Local Development Plan 2019.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*

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

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

The principal policies are, in summary:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 19: Housing in the Countryside

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

Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy

Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development

Policy 53A: Water Environment and Drainage: Water Environment

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53C: Water Environment and Drainage: Surface Water Drainage
 Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

OTHER POLICIES

Housing in the Countryside Supplementary Guidance 2020
 Placemaking Guide

CONSULTATION RESPONSES

Perth And Kinross Heritage Trust	No conditions required
Planning And Housing Strategy	Comments received in relation to compliance with Policy 19
Transport Planning	No objection
Scottish Water	No objection
Development Negotiations Officer	Contributions required
Biodiversity/Tree Officer	Ecological Assessment required

REPRESENTATIONS

The following points were raised in the 1 representation received:

- Surface water run off
- Access rights
- Landownership
- Light pollution
- Former use not a dwelling

Access rights over the road and road maintenance responsibilities are not material planning considerations. A question has also been raised about the land ownership however the agent has confirmed land ownership within the supporting information/land ownership certificates.

ADDITIONAL STATEMENTS

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

APPRAISAL

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

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

Policy Appraisal

The site lies out with a settlement boundary and the principle of development is considered under Policy 19 Housing in the Countryside and the supplementary guidance (SG).

Policy 19 Housing in the Countryside acknowledges that opportunities do exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved. Thus the development of single houses or groups of houses which fall within the six identified categories will be supported. 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:

- 1) Building Groups
- 2) Infill site
- 3) New houses in the countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance
- 4) Renovation or replacement of houses
- 5) Conversion or replacement of redundant non-domestic buildings
- 6) Development on rural brownfield land

The supporting statement notes that the existing building on the site is small and of modest construction but was occupied until the 1960s as a permanent residence. The statement also indicates that a pre-application enquiry response confirmed that the principle of a replacement house on the site would comply with Policy 19. What has not been detailed fully is that concerns were raised that the size of the site did not relate to the small footprint of the ruin. Also noted with in the pre-application response was that the footprint of the ruin at 30sq metres and being evidently single storey would make it difficult to replace and meet policy criteria. The pre-application response was not generally supportive of the proposal.

I have consulted the Development Plans Team on the application. Category 4 of policy 19 allows for the renovation or replacement of houses, including ruinous houses, providing a number of criteria are met. In all cases the replacement house must be of high-quality design and be of a similar scale and siting as the original house. Where an alternative position for the new house is sought or it is to be of a

significantly different scale this has to be justified. In relation to ruinous houses there are three additional requirements which must be met.

Looking first at the scale of the proposed house, there is substantial visible evidence remaining of the existing house to be able to determine that it was a very small single storey cottage. The Policy Officer agrees with the pre-application comments that it would be difficult to replace the existing house with a similarly proportioned dwelling and still meet modern requirements. Whilst there may be a degree of flexibility within the SG for a different scale of house than the existing, they would still expect the new house to reflect the form of the existing which is single storey. As noted at pre-application stage, an increase in size whilst retaining the single storey form would result in a substantial increase in the overall footprint. What is being proposed as a replacement for this small single storey essentially 2 roomed dwelling (plus toilet) is a substantial 3 bedroom 1.5 storey house which does not reflect either the scale or form of the existing building.

Turning to the siting of the proposed house, the SG requires that the siting is similar to that of the existing building in terms of orientation and distance from the road, unless individual site conditions suggest another position would create a better landscape fit. Specifically, in relation to ruinous houses the site must be established with a good setting and good fit within the landscape. The existing / established site boundaries must also be capable of providing a suitable enclosure for the new house.

The redline boundary of the site is large and appears to reflect the landholding rather than relating to the curtilage of the existing ruin. The fact that you do not appear to even be able to see the current dwelling from the proposed site emphasises this point. This does raise the question as to whether the proposed house can really be considered a replacement for the existing ruin, as opposed to a new house on land which happens to be under the same ownership.

The proposed new house is orientated differently from the existing dwelling and is set further back from the road. Parallels have been drawn with 'Glencroft' on the adjacent plot of land but the requirement is for the replacement house to reflect the orientation and distance from the road of the existing dwelling, not a neighbouring one. The SG does allow for the re-siting of the replacement house but only where another position creates a better landscape fit. Whilst accepted that the ruin is situated on a raised area which may not be large enough to accommodate a bigger house. It is considered, however, that it is an established site with a good setting and fit within the landscape. The proposed site is large. Its boundaries are defined on two sides by roads / track. The southern boundary appears to be separated from the adjacent field only by a ditch and fence. There are trees on the western boundary but overall the site is quite open and does not provide a sense of enclosure or definition as required by the SG. The pre-application comments noted that the proposed site is an overgrown area which, once cleared, may not actually provide a good landscape setting for the new house. Therefore the proposed alternative site would not create a better landscape fit as required by the SG.

Ultimately, the Policy Officer notes that the proposed replacement for the existing dwelling is to be located on an area which does not particularly relate to the site of

the existing house other than being within the same land ownership. They therefore agree with the case officer that the alternative position and scale of the proposed house is not justified in terms of the Housing in the Countryside policy and SG.

Design and Layout

The existing ruin sits in an elevated part of the site facing onto the road which runs along the west boundary. The ruin has a modest footprint of approx. 30sq metres and is single storey in height.

The proposal is to re-site the dwelling to the northeast in a lower flatter part of the site aligned with the neighbouring plot orientated to the public road to the east. The proposed dwelling is a mix of single and 1 ½ storey, the footprint is approx. 150 sq metres. The finishes proposed are dry dash render, timber cladding and slate look tiles.

The proposal as above does not comply with policy, there are no concerns regarding the proposed design generally, but the policy requires that replacement dwellings be similar in scale and orientation to the existing which it is not.

Residential Amenity

The nearest neighbour is located over 40m to the north. It is considered that the intervening distance would be adequate to mitigate the impacts of a new dwelling on the site.

Biodiversity

The site has a number of trees and shrubs with more mature planting located along the west boundary. A number of trees beside the existing dwelling are located out with the application site so they would be unaffected by the proposal and a mature fir group would be retained. The Biodiversity Officer has been able to review the submission and a Preliminary Ecological Appraisal is required to assess the impact on protected species, habitats and wider biodiversity. From the photo, the Officer doesn't think the building has bat roost potential as the east side seems open to the elements but that would need to be confirmed as part of the Ecological Appraisal. As the principle of development is not supported it was not considered reasonable to put the applicant to this expense and the report has not been requested. An informative will be added to the refusal so that the applicant is alerted to this should they choose to seek a review of the decision.

Roads and Access

The access would be formed on the north boundary with parking and turning provided within the site. Transport Planning have no objection to the proposal.

Drainage and Flooding

The site is not within a flood risk area however a letter of representation has raised surface water issues. The application is supported by a drainage assessment which

will details foul and surface water arrangements. If the application had been supported then this could have been further controlled by condition.

Developer Contributions

The supporting statement provided with the application states that the existing property on the site has been unoccupied for several decades, is presently in serious disrepair and not fit for habitation. The proposed dwellinghouse will therefore be assessed for contributions.

Primary Education

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.

This proposal is within the catchment of Abernethy Primary School.

Transport Infrastructure

The 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.

This proposal is within the 'Reduced Contribution Area'

Summary of Requirements

Education: 1 x £5,164

Transport Infrastructure: 1 x £2,742

If the application had been recommended for approval contributions totalling £7,906 would be 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 2016 and the adopted Local Development Plan 2 (2019). I have taken account of material

considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

The recommendation for this application has been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Reasons for Recommendation

1 The proposal is contrary to Policy 19 of the Perth and Kinross Local Development Plan 2019 and the Council's Housing in the Countryside Supplementary Guidance 2020 as the proposal fails to comply with Category 4) Renovation or Replacement of Houses as the scale of the proposed house and siting within the plot is not similar to that of the existing house. In particular as the dwelling proposed has a substantially larger footprint and the siting is unrelated to the existing dwelling. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (5) Conversion or Replacement of Redundant Non Domestic Buildings or (6) Rural Brownfield.

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

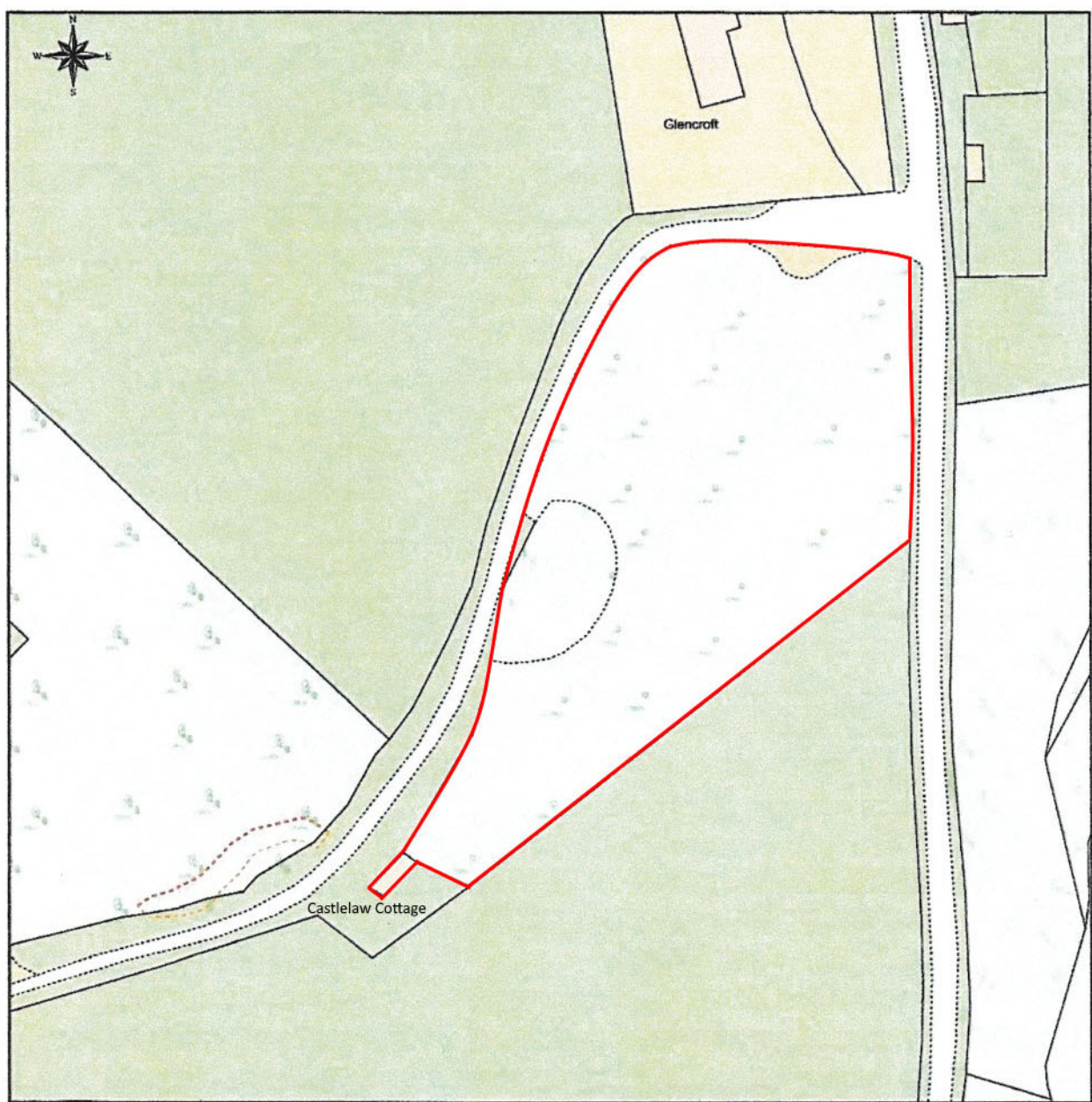
No information has been provided to confirm the biodiversity status of the site to establish the possible presence of protected species or biodiversity sensitive areas. The potential for Bats is considered to be low but this issue should be addressed if the applicant is to seek a review of the decision at the Local Review Body. As the recommendation was to refuse the application the applicant was not put to the expense of providing an Ecological Appraisal at this time.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

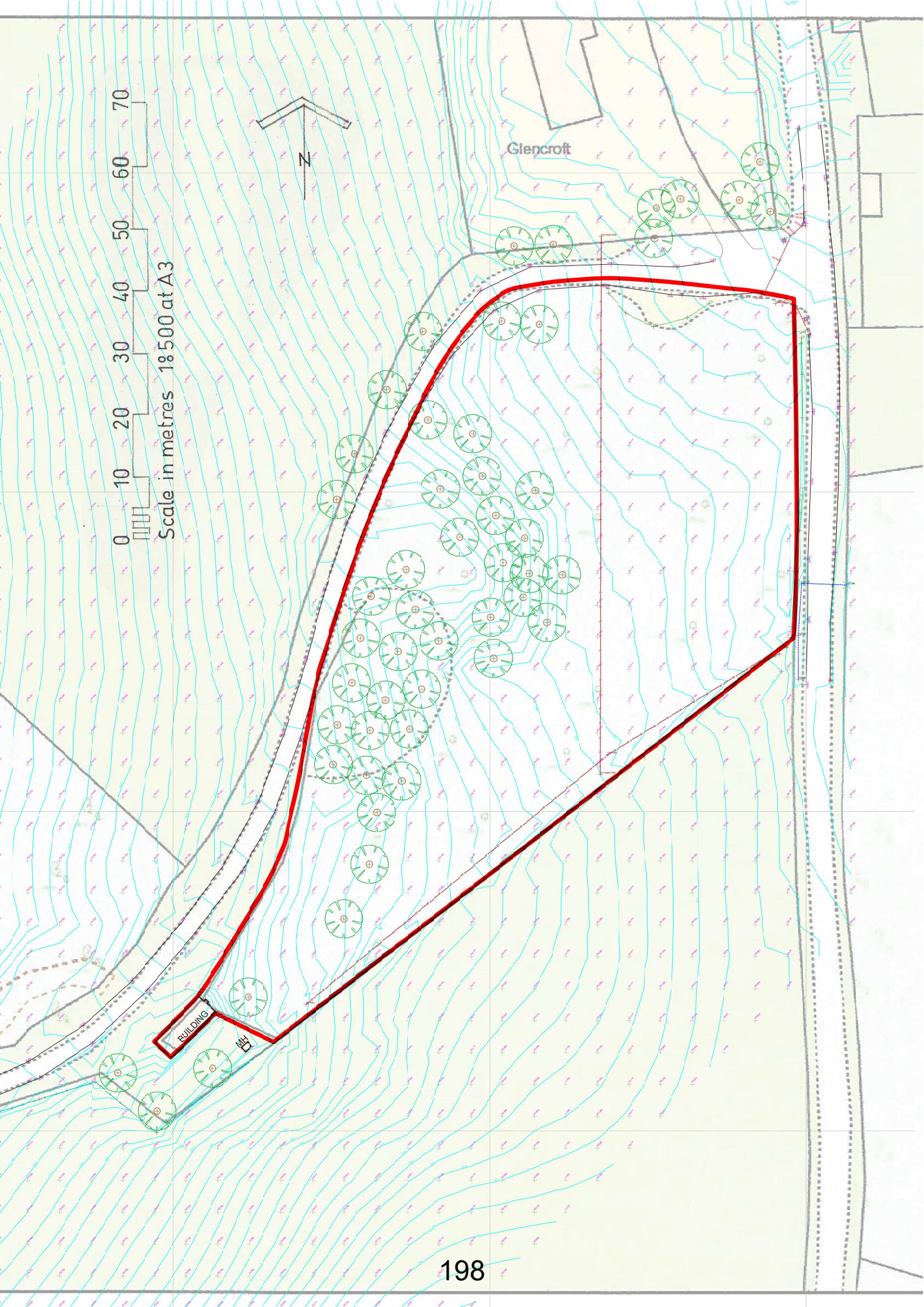
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0m 20m 40m 60m 80m 100m

Scale: 1:1250, paper size: A4



0 10 20 30 40 50 60 70

Scale in metres 1:500 at A3

Glencroft

BUILDING

ME

LRB-2020-23 – 20/00792/FLL - Erection of a replacement dwellinghouse, land 150 metres south west of Glencroft, Abernethy

REPRESENTATIONS

Friday, 03 July 2020



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

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

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

Dear Sir/Madam

SITE: Land 150M South West of Glencroft, , Abernethy, PH2 9LS
PLANNING REF: 20/00792/FLL
OUR REF: DSCAS-0017398-L84
PROPOSAL: Erection of a replacement dwellinghouse

Please quote our reference in all future correspondence

Audit of Proposal

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

Water Capacity Assessment

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

- ▶ There is currently sufficient capacity in the Glenfarg Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.
- ▶ The nearest public water is approx. 600m from the proposed site.

Waste Water Capacity Assessment

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.



SW Public
General

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



201



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Please Note

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

Surface Water

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

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

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

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.



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

Next Steps:

▶ All Proposed Developments

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

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

▶ Non Domestic/Commercial Property:

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

▶ Trade Effluent Discharge from Non Dom Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).



- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

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

Yours sincerely,

Planning Application Team

Development Operations Analyst

developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

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



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Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/00792/FLL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner [REDACTED] [REDACTED]
Description of Proposal	Erection of a replacement dwellinghouse		
Address of site	Land 150 Metres South West Of Glencroft Abernethy		
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, <u>MAY</u> 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>Context</p> <p>The supporting statement provided with the application states that the existing property on the site has been unoccupied for several decades, is presently in serious disrepair and not fit for habitation. The proposed dwellinghouse will therefore be assessed for contributions.</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 at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity. This proposal is within the catchment of Abernethy 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. This proposal is within the 'Reduced Contribution Area'</p>		

<p>Recommended planning condition(s)</p>	<p>Summary of Requirements</p> <p>Education: 1 x £5,164 Transport Infrastructure: 1 x £2,742</p> <p><u>Total:</u> £7,906</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 prior to occupation.</p>
<p>Recommended informative(s) for applicant</p>	<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 or cheques 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</p>

	<p>of the Planning Decision Notice.</p> <p>Bank Transfers All Bank Transfers should use the following account details; Sort Code: 834700 Account Number: 11571138</p> <p>Please quote the planning application reference.</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>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>Indexation</p> <p>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</p> <p>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	09 July 2020

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/00792/FLL	Comments provided by	Katrina Walker
Service/Section	TES: Development Plans	Contact Details	Planning Officer [REDACTED]
Description of Proposal	Erection of a replacement dwellinghouse		
Address of site	Land 150 Metres South West Of Glencroft Abernethy		
Comments on the proposal	<p>This proposal is for the replacement of an existing ruinous house with a new and larger house on an alternative site within the same land ownership.</p> <p>Category 4 of policy 19 allows for the renovation or replacement of houses, including ruinous houses, providing a number of criteria are met. In all cases the replacement house must be of high-quality design and be of a similar scale and siting as the original house. Where an alternative position for the new house is sought or it is to be of a significantly different scale this has to be justified. In relation to ruinous houses there are three additional requirements which must be met.</p> <p>Looking first at the scale of the proposed house, there is substantial visible evidence remaining of the existing house to be able to determine that it was a very small single storey cottage. I agree with the pre-application comments that it would be difficult to replace the existing house with a similarly proportioned dwelling and still meet modern requirements. Whilst there may be a degree of flexibility within the SG for a different scale of house than the existing, I would still expect the new house to reflect the form of the existing which is single storey. As noted at pre-application stage, an increase in size whilst retaining the single storey form would result in a substantial increase in the overall footprint. What is being proposed as a replacement for this small single storey essentially 2 roomed dwelling (plus toilet) is a substantial 3 bedroom 1.5 storey house which I do not feel reflects either the scale or form of the existing building.</p> <p>Turning to the siting of the proposed house, the SG requires that the siting is similar to that of the existing building in terms of orientation and distance from the road, unless individual site conditions suggest another position would create a better landscape fit. Specifically in relation to ruinous houses the site must be established with a good setting and good fit within the landscape. The existing / established site boundaries must also be capable of providing a suitable enclosure for the new house.</p> <p>The redline boundary of the site is large and appears to reflect the landholding rather than relating to the curtilage of the existing ruin. The fact that you do not appear to even be able to see the current dwelling from the proposed site emphasises this point. This does raise the question as to</p>		

	<p>whether the proposed house can really be considered a replacement for the existing ruin, as opposed to a new house on land which happens to be under the same ownership.</p> <p>The proposed new house is orientated differently from the existing dwelling and is set further back from the road. I accept that parallels have been drawn with 'Glencroft' on the adjacent plot of land but the requirement is for the replacement house to reflect the orientation and distance from the road of the existing dwelling, not a neighbouring one. The SG does allow for the re-siting of the replacement house but only where another position creates a better landscape fit. I accept that the ruin is situated on a raised area which may not be large enough to accommodate a bigger house. I would argue, however, that it is an established site with a good setting and fit within the landscape. The proposed site is large. Its boundaries are defined on two sides by roads / track. The southern boundary appears to be separated from the adjacent field only by a ditch and fence. There are trees on the western boundary but overall I am concerned that the site is quite open and does not provide a sense of enclosure or definition as required by the SG. I would also reiterate the pre-application comments that the proposed site is an overgrown area which, once cleared, may not actually provide a good landscape setting for the new house. I am not therefore convinced that the proposed alternative site would create a better landscape fit as required by the SG.</p> <p>Ultimately, I am concerned that the proposed replacement for the existing dwelling is to be located on an area which does not particularly relate to the site of the existing house other than being within the same land ownership. I do not consider therefore that the alternative position and scale of the proposed house is justified in terms of the Housing in the Countryside policy and SG. I should, however, clarify that I have not been able to visit the site and so my comments are limited to what it has been possible to determine using aerial photos and streetview mapping.</p>
Recommended planning condition(s)	
Recommended informative(s) for applicant	
Date comments returned	16/7/20

Comments for Planning Application 20/00792/FLL

Application Summary

Application Number: 20/00792/FLL

Address: Land 150 Metres South West Of Glencroft Abernethy

Proposal: Erection of a replacement dwellinghouse

Case Officer: Joanne Ferguson

Customer Details

Name: Mrs Heidi Freeguard

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Flooding Risk
- Inappropriate Housing Density
- Light Pollution
- Loss Of Open Space

Comment: Much is made in the report of houses in this area etc - so I would like to point out there is nowhere else in this vicinity with houses built so close together. There is plenty of room on the plot to position the house so it is not as close to ours or as visible.

The position of the drive will inevitably increase run off into our property which already has to contend with flooding from the inadequate track drainage. Porous blocks on the proposed driveway will not cope with heavy rain.

There is no mention of any access rights onto the track both for building and for entry into the house. Do they have access rights and what are their responsibilities for maintenance/repair especially during building work?

Land ownership is listed as John Symes Smith according to the Register of Sasines.

What evidence exists for the derelict building being a dwelling as we were advised it was offices for the quarry which makes more sense for the size and lack of facilities within it that would be required for a house?

Concerned that there will be light pollution if the development is fitted with excessive downlights as appears to be the fashion now - it ruins the darkness in a road of no street lights, it is totally out of keeping with the area. I acknowledge this may not be the case as I could not find mention of outside fixtures.

For note the public water supply to the reservoir at the corner is from Turret not Glenfarg and there is no public water supply beyond that point.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/00792/FLL	Comments provided by	Mike Lee Transport Planning Officer
Service/Section	Transport Planning	Contact Details	██████████ ████████████████████
Description of Proposal	Erection of a replacement dwellinghouse		
Address of site	Land 150 Metres South West Of Glencroft Abernethy		
Comments on the proposal	Insofar as the Roads matters are concerned, I have no objection to this proposal.		
Recommended planning condition(s)	AR01 Prior to the development being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type B Figure 5.6 access detail, of Type B Road construction detail.		
Recommended informative(s) for applicant	Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.		
Date comments returned	21/8/20		

CHX Planning Local Review Body - Generic Email Account

From: [REDACTED]
Sent: 04 October 2020 21:44
To: CHX Planning Local Review Body - Generic Email Account; Audrey Brown - CHX
Subject: Re: LRB-2020-23

Thank you for the update. I only wish to add that my view is similar to that of the council: the proposal is not the same size or location as the original, and as such should not be viewed as a replacement dwelling. I feel the current plans should be an application for a new build and be considered on those merits.

I would have less concern were the property to be in the original place.

I note the comment about an ecological survey and bats. There are a significant number of bats around so a survey would be needed. There have also been red squirrels in the pine trees - i have no idea if these are protected or not.

Regards
Heidi

--

Sent from AOL Email App for Android

CHX Planning Local Review Body - Generic Email Account

From: Ben Freeman [REDACTED]
Sent: 07 November 2020 19:16
To: CHX Planning Local Review Body - Generic Email Account
Subject: Re: LRB-2020-23

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam

Thank you for sending this through for comment. I believe that we have presented our case on these matters thoroughly in the statement of appeal, including the matter of bats, but I note specifically the mention of red squirrels in the representation. It is reasonable to assume that red squirrels may be present in the mature pine trees on the site, and as such a further reason to avoid potential habitat damage by protecting the mature trees on the site, as set out in the proposals and the statement of appeal. My client would have no problem carrying out a squirrel survey in advance of any works on site, and ensuring their protection thereafter.

I trust this is a sufficient response.

Regards

Ben Freeman

