

**TCP/11/16(541) – 18/00133/FLL – Erection of 2 dwellinghouses on land 100 metres north west of Glendy Steading, Glenfarg**

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**TCP/11/16(541) – 18/00133/FLL – Erection of 2  
dwellinghouses on land 100 metres north west of Glendy  
Steading, Glenfarg**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**





# NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN  
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)  
(SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

**IMPORTANT: Please read and follow the guidance notes provided when completing this form.**  
**Failure to supply all the relevant information could invalidate your notice of review.**

Use BLOCK CAPITALS if completing in manuscript

## Applicant(s)

Name MR & MRS P SLOAN

Address DUNLUCE  
DRUNZIE  
GLENFARG  
Postcode PH2 9PE

Contact Telephone 1   
Contact Telephone 2   
Fax No

E-mail\*

## Agent (if any)

Name MARK WILLIAMSON

Address 34 HERMITAGE DRIVE  
PERTH  
Postcode PH1 2SY

Contact Telephone 1 07761 908656  
Contact Telephone 2 01738 441497  
Fax No

E-mail\* markjw10@virginmedia.com

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

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

Yes ☒ No ☐

Planning authority

PERTH & KINROSS COUNCIL

Planning authority's application reference number

18/00133/FLL

Site address

GLENDY BURN STEADING, GLENFARG PH2 9QL

Description of proposed  
development

ERECTION OF 2 DWELLING HOUSES ON LAND 100M  
NORTH WEST OF GLENDY STEADING PH2 9QL

Date of application

30 JANUARY 2018

Date of decision (if any)

29 MARCH 2018

**Note.** This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

**Nature of application**

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

**Reasons for seeking review**

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

**Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☒

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

**Site inspection**

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

- |  | Yes                                 | No                                  |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

**Statement**

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

\* STATEMENT ATTACHED

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes ☐ No ☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

**List of documents and evidence**

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

DOC 1. DECISION NOTICE 18/00133/FLL  
 DOC 2. LETTER FROM APPELLANT MR + MRS P. SLOAN.  
 DOC 3. REPORT OF HANDLING DELEGATED REPORT 18/00133/FLL  
 DOC 4. SUPPORTING STATEMENT FOR 18/00133/FLL APPLICATION.  
 PHOTOS 1-8  
 DOC 5. LANDSCAPE PLAN

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

**Checklist**

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

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

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

**Declaration**

I the ~~applicant~~/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

22/06/18

## **Statement**

### **Notice of Review**

Erection of 2 dwellinghouses on land north west of Glendy Burn Steading, Glenfarg for Mr and Mrs P Sloan

Application Ref: 18/00133/FLL

### **Introduction**

This Notice of Review is submitted following the refusal of planning permission 18/00133/FLL under delegated powers on the 29<sup>th</sup> of March 2018 (Doc 1) The 3 reasons for refusal are outlined below relating to housing in the countryside policy guidance and impact on the natural environment and local landscape character.

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

The following statement will conclude that the proposal for 2 dwellinghouses at Glendy Burn is acceptable and it is emphasised that:-

- The review proposal is in accordance with the Council's and the adopted local plan's Housing in the Countryside Guidance as an infill site

- The review proposal will not have any adverse impact on the existing landscape character of the area or appearance of the countryside
- The review proposal will not have any detrimental impact on the character or appearance of the existing building grouping or the listed Glendy Mill Bridge

### Background to the proposal

The appellant has submitted in support of the Review a letter explaining the background to the proposal and his family circumstances which are considered to be important to the Review. (Doc 2)

Planning permission was refused for a single dwellinghouse at the site in September 2016 under 16/01142/FLL and again in June 2017 under application 17/00618/FLL. This application was dismissed at Review by the Local Review Body where it was not considered to be in accordance with Housing in the Countryside Guidance, in particular as part of a building grouping.

The Review application however for 2 dwellinghouses is for residential development under the infill category of the Housing in the Countryside Guide not the building groups category where:-

*Infill development of up to 2 new houses in gaps between established houses or a house and another substantial building at least equivalent in size to a traditional cottage may be acceptable where... it satisfies the relevant criteria and does not contribute towards ribbon development....*

### Reasons for Refusal and Grounds of the Review

The reasons for the review and matters to be taken into account in the determination of the review refer to the reasons for refusal which relate to housing in the countryside policy guidance and impact on the natural environment and local landscape character. The reasons for refusal are re-stated below followed by the appellant's statement and argument against these reasons in support of the review.

1. *The proposal is contrary to Policy RD3 Housing in the Countryside of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (1) Building Groups. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, Activity (4)*

*Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.*

It is emphasised here, and as stated in the Supporting Statement for the application that the Review Proposal is considered to be an acceptable infill site under the Council's and the adopted local plan's Housing in the Countryside Policy Guidance.

The proposed infill plots are of a similar size as the existing plots at Glendy and the proposed build to plot ratios would not be out of keeping with the existing pattern of development. The proposed plots use the full extent of the gap between Glendy Mill and Glendy Steading, as required by the guidance and these buildings provide suitable containment and context for this infill proposal.

The existing neighbouring uses would not present any detrimental impact on residential amenity to the proposed plots and they would not impose any detrimental effect on existing neighbouring properties.

The scale and design of the proposed dwellinghouses is simple in form and traditional in character, with pitched roofs and dormer windows. The proposed external treatment with slate tiles, white render and natural stone will not be out of character with the existing built form of recently built dwellinghouses in the vicinity, which is a mixture of old and more modern residential house types and conversions. (Photo 1.) The topography of the site allows variation in design with single storey cottage style elevations and 2 storey on the downslope.

In terms of the siting criteria of the Housing in the Countryside Guidance and illustrated by the supporting Landscape Plan and cross section through the site submitted with the application, it is demonstrated that the proposed development will blend sympathetically with the landform of the site and immediate surroundings. The site is low lying in relation to the public road, the wider topography and the existing Glendy Burn Steading. The existing mature tree line which fronts the application site provides a strong framework and setting for the plots and the hedgerows to the southwest also provide suitable and increasingly maturing containment having been planted in 2011. The ridge height of the proposed dwellinghouse to the Upper Paddock would be significantly below the Glendy Burn Steading building and are contained at a height significantly below the tree line fronting the Review site. (Photos 2-6) The dwellinghouses therefore would not constitute a prominent, skyline or top of the slope location when viewed from surrounding viewpoints, because of the application site's position within the existing topography, which is in accordance with the siting criteria of the Council's guidance.

There are much more prominent examples of recent housing developments to the west of the application site which occupy a more elevated and apparent location than the proposed site, for example to the west at Candy Farm and to the east near Hilton of Duncreavie (Photos 7-8)

It is considered therefore in policy terms that the Review Proposal constitutes a suitable infill development which is in accordance with the Council's Housing in the Countryside Policy Guidance and it's siting criteria. The photographs submitted in

support of the Review illustrate that 2 dwellinghouses at this location will not have a significantly adverse impact on the character or appearance of the landscape or the adjacent existing built environment.

In the Report of Handling (Doc 3) it was stated that the Review Proposal: -

*“would also create ribbon development by extending the group up the hill to Glendy Burn Steading which would be contrary to the policy.”*

It is argued here that the proposed development does not create ribbon development. As required by the guidance this infill development is confined by Glendy Burn Steading to the south east and Glendy Mill to the north west.

Beyond Glendy Burn Steading further built development is restricted by the public road and there is no adjacent built development beyond it to the east or beyond Wester Glendy to the west. The Review proposal therefore would not contribute towards extending any development along the public road but would be within the 'gap' defining the infill site and as required by the policy guidance.

In the absence of a suitable and clear definition for “ribbon development” in the Council's Housing in the Countryside Guide or the adopted local plan it is not competent to cite it as a justification for refusing the proposal, when the Housing in the Countryside Guide supports infill development for 2 dwellinghouses within the gap between an established dwellinghouse and another substantial building. The guidance on infill sites concludes therefore by definition that at least 4 buildings in a row along a road is acceptable in principle.

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

The siting criteria in the Housing and Countryside Guide provides a framework which illustrates how residential development can fit appropriately within it's landscape setting and therefore satisfy policy criteria for the adopted Perth and Kinross Local Development Plan policies PM1A and Policy ER6. As indicated in the Supporting Statement (Doc 4) to the application the Review proposal satisfies the main criteria of the Housing in the Countryside Guide, i.e:-

- *The plot(s) created are comparable in size to the neighbouring residential property(s) and have a similar size of road frontage*



- *The proportion of each plot occupied by new building should be no greater than that exhibited by the existing house(s)*
- *There are no uses in the vicinity which would prevent the achievement of an adequate standard of amenity for the proposed house(s), and the amenity of the existing house(s) is maintained*
- *The size and design of the infill houses should be in sympathy with the existing house(s)*
- *The full extent of the gap must be included within the new plot(s)*
- *It complies with the siting criteria set out under category 3.*

*a) it blends sympathetically with land form; b) it uses existing trees, buildings, slopes or other natural features to provide a backdrop; c) it uses an identifiable site, (except in the case of proposals for new country estates) with long established boundaries which must separate the site naturally from the surrounding ground (eg a dry stone dyke, a hedge at minimum height of one metre, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site). The subdivision of a field or other land artificially, for example by post and wire fence or newly planted hedge or tree belt in order to create the site, will not be acceptable; d) it does not have a detrimental impact on the surrounding landscape.*

*Alternatively, a new house site will not be acceptable if when viewed from surrounding vantage points;*

- a) it occupies a prominent, skyline, top of slope/ridge location;*
- b) the site lacks existing mature boundaries (for example, dry stone dyke, a hedge at minimum height of one metre, woodland or a group of trees or a slope forming an immediate backdrop to the site) and*
- c) is unable to provide a suitable degree of enclosure for a new house in the countryside.*

The Landscape Plan submitted in support of the application (Doc 5) illustrates how the proposed dwellinghouses fits satisfactorily within the context of existing development around Glendy, framed within the existing established boundary hedging planted in 2011 and the existing mature tree lined frontage. The dwellinghouses will be contained by these landscape features and the adjacent properties defining this infill site. The photographs submitted illustrate the physical containment of the site from the wider countryside. (Photos 2&3) The Review site is well screened from the public roads and will not be readily visible as you travel along these routes within the vicinity of the proposal.

The Conservation Team concluded in consultation on the Review application that the 2 dwellinghouses proposed are not expected to have any adverse impact on the setting of Glendy Mill Bridge which is a C listed building, provided the existing

mature tree cover is retained. It is concluded here therefore that the Review proposal will not have any detrimental impact on local historic character.

As indicated above the Review proposal satisfies the siting criteria of the Housing in the Countryside Guidance and subsequently is in accordance with Policy PM1 where the design, density and siting of development respects the character and amenity of the place and any new landscape and planting works are appropriate to the local context and the scale and nature of the development, as illustrated in the Supporting Landscape Plan.

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

As indicated above the Housing in the Countryside Guidance and siting criteria allow new housing development to fit satisfactorily within their landscape setting. For the reasons already outlined above the Review proposal will not be detrimental to local landscape character. The Review proposal is in accordance with the Housing in the Countryside Guide as an infill site and in satisfying the siting criteria in this policy guidance it will not be detrimental to local landscape character in accordance with Policy ER6 of the Perth and Kinross Local Development Plan 2014.

### Conclusions

For the reasons outlined above it is considered that the review proposal for 2 dwellinghouses at Glendy Burn Steading would not be contrary to the Council's Housing in the Countryside Guide 2014 as an infill site. In satisfying the siting criteria of the Housing in the Countryside Policy Guidance the Review proposal also satisfies Policies PM1A or ER6 of the Perth and Kinross Local Development Plan 2014 and it will not be detrimental to the character of the local landscape or the quality of the built and natural environment.

It is requested that the Notice of Review be upheld in accordance with Section 25 the Town and Country Planning (Scotland) Act 1997.

## **PERTH AND KINROSS COUNCIL**

Mr And Mrs Philip Sloan  
c/o Mark Williamson  
34 Hermitage Drive  
Perth  
PH1 2SY

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 29th March 2018

### **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Number: **18/00133/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 January 2018 for permission for **Erection of 2no. dwellinghouses Land 100 Metres North West Of Glendy Steading Glenfarg** for the reasons undernoted.

Interim Development Quality Manager

### **Reasons for Refusal**

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

## **Justification**

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

## **Notes**

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page

### **Plan Reference**

18/00133/1

18/00133/2

18/00133/3

18/00133/4

18/00133/5

18/00133/6

18/00133/7

Mr Philip and Dr Joanne Sloan  
Dunluce  
Drunzie  
Glenfarg  
Perth  
PH2 9PE  
19/06//2018

Dear Councillors

May we start this letter by stating that we hope you decide that our planning application should be approved. This is the second appeal process we have been through for this site, which shows our commitment to building a family home on our land.

On this occasion we have applied for 2 houses, although this was not our original intention. We have done so as two houses reach Perth and Kinross council's criteria for "housing in the countryside" as infill sites. This does not change the main reason for needing the house. We have not included details of our agricultural business in this application as it was dismissed without proper consideration by the planning officer initially. We feel that this application clearly meets the infill criteria irrespective of the increasing agricultural activity.

Although we were not given support by PKC initially to help us continue to grow our agricultural business, we have invested more time and effort resulting in an increase in cattle herd numbers to 26 and after a busy lambing and calving period have increased sheep numbers to 65. Throughout this we have both continued to work full time while also providing full time employment to 2 local young people. We feel that we are integrating into the local farming community, contributing to the local economy through our farming activity and employment. We see our long-term future being on this site with our growing family.

Those who complain against our application emphasise that it is only Philip who is applying and try to maliciously depict a builder who wants to develop this site, which the planning officer seems to have gone along with from the beginning. We feel that this case is not being objectively viewed due to Philips' profession as a bricklayer. At no point has emphasis been put on Joanne's profession as a hospital physician in the NHS. This feels like discrimination and inequality towards Philip. In reality the application is from the Sloan family as per the details on all forms. May we make it very clear that this application is for a family home set on a working farm which we are continuing to build into a viable business and someday hope to pass onto our children. There are 5 of us, Philip, Joanne and our 3 young children; Jessica, aged 9, Christina, aged 7 and James, aged 3. We have dreamt for the past 9 years of growing our farming business which would allow Philip to return to his childhood roots. Philip was born and raised on a farm, but due to the lack of land and

funding available to him unfortunately had to pursue a different career when he left school. Through the years we have been able to gradually invest our own money into buying land and animals in order to start to establish our own farm and give our children the same upbringing which Philip had the privilege of.

Persephone Beer, our designated planning officer, has made several subjective comments which we believe clearly represent her personal views. She repeatedly comments on the "recently planted hedge"- which is now approx. 8 feet high with some trees reaching 14 feet high. The 7 letters of support are totally ignored whereas every detail from the 5 objectors is carefully scrutinised and documented irrespective of accuracy. The 4 photos of the delegated report have been taken in such a way as to negatively misrepresent the site. The fact that the application is based on infill is ignored as she has not taken photos of the bordering buildings. More seriously it appears that Persephone will happily contradict her own statements, showing that she will go to any means to reject this application without fair and proper objective consideration. In the report of handling delegated report (Ref No 17/00618/FLL) for our application for one house, Persephone stated ***"There have also been objections suggesting that the development would lead to ribbon development due to the paddock to the north forming another possible building plot. Whilst I would not consider this to be ribbon development I would agree that it could put pressure on the other paddock as a future development site"***. Then in the report of handling (Re No 18/00133/FLL) for this application for 2 houses she states ***"The proposal would also create ribbon development by extending the group up the hill to Glendy Burn steading which would be contrary to the plan"***.

As application fee payers we feel that the service provided to us was suboptimal. Throughout this application process our planning agent has tried to maintain contact with Persephone for updates and feedback. Unfortunately, **none were given** and the final decision notice was posted online without a chance for us to review our application. Is this how all applicants are treated?

It seems strange that Persephone continuously comments negatively about the agricultural buildings which were granted full planning permission by PKC. She subjectively states that they have "began to dilute the open, rolling landscape character of the area". These are agricultural buildings serving agricultural land which were objectively granted planning permission with no objections, therefore they should not be cited as a reason not to grant permission for these houses. The accuracy of her assessment also has flaws. She states that "the new house would connect to the existing drainage system installed in 2009". This is incorrect and has been copied from the objection letters from people who clearly have not reviewed the drawings.

We believe that Persephone has a negative view on any type of building in the countryside whether or not it meets PKC guidance. We just want equal treatment and consideration as that afforded to other applicants. We have invested significant time, money and effort into this most recent application which was based on PKCs infill policy. Unfortunately

Persephone's view on this application as infill has been dismissed within a paragraph of 9 lines.

When we entered into the first appeal process we were optimistic that it would afford us an objective and independent assessment of our application based purely on facts. We urge you to review this application independently and objectively and make decisions based on the fact that this application meets PKC's criteria.

Kind Regards

The Sloan Family





## REPORT OF HANDLING

### DELEGATED REPORT

<b>Ref No</b>	<b>18/00133/FLL</b>	
<b>Ward No</b>	<b>P8- Kinross-shire</b>	
<b>Due Determination Date</b>	<b>29.03.2018</b>	
<b>Case Officer</b>	<b>Persephone Beer</b>	
<b>Report Issued by</b>		<b>Date</b>
<b>Countersigned by</b>		<b>Date</b>

**PROPOSAL:**      Erection of 2no. dwellinghouses

**LOCATION:**      Land 100 Metres North West Of Glendy Steading Glenfarg

#### **SUMMARY:**

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

**DATE OF SITE VISIT:** 12 February 2018

#### **SITE PHOTOGRAPHS**



## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

Planning permission is sought for the erection of 2no. dwellinghouses on land 100 metres north west of Glendy Steading.

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

An application for one dwellinghouse on the westernmost site was refused in 2017 and a review was dismissed at the Local Review Body Decision Dated 7 December 2017).

The site is within the Ochil Hills Special Landscape Area.

## **SITE HISTORY**

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

17/00618/FLL Erection of a dwellinghouse 5 June 2017 Application refused, dismissed at review by Local Review Body.

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: None for this proposal.

## **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 2014.

### **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 2014 – Adopted February 2014**

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

The principal policies are, in summary:

#### **Policy PM1A - Placemaking**

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

#### **Policy PM1B - Placemaking**

All proposals should meet all eight of the placemaking criteria.

#### **Policy PM3 - Infrastructure Contributions**

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

#### **Policy RD3 - Housing in the Countryside**

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

**Policy NE2B - Forestry, Woodland and Trees**

Where there are existing trees on a development site, any application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required.

**Policy NE3 - Biodiversity**

All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.

**Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes**

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

**Policy HE2 - Listed Buildings**

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

**OTHER POLICIES**

Housing in the Countryside Supplementary Guidance 2012  
Developer Contributions Supplementary Guidance 2014

**CONSULTATION RESPONSES****Conservation**

No impact on listed bridge.

**Shell UK Exploration And Production**

Consult Shell UK before laying services.

**Transport Planning**

No objection.

Contributions Officer

## Summary of Requirements

Education: £12,920 (£6,460 x 2)

Transport Infrastructure: £5,278 (£2,639 x 2)

Total: £18,198

Scottish Water

No objection.

Environmental Health

No concern with potential land contamination.

## REPRESENTATIONS

There have been 13 representations received 7 of which are in support of the proposal.

The Glenfarg Community Council has submitted a neutral representation, neither objecting to nor supporting the proposal.

The following points have been raised in the objections:

- Contrary to Local Development Plan 2014 – policy RD3, Housing in the Countryside Supplementary Guidance, PM1A and PM1B, ER6, – paddock not definable site, principle not accepted, no long established boundaries;
- Scale and design – proposal is out of keeping with surrounding buildings;
- Impact on residential amenity – overlooking;
- No agricultural justification;
- Impact on trees;
- Would lead to ribbon development;
- Precedent for future development;
- Surface water runoff and;
- Traffic and road safety;

The issues above will be considered as part of the appraisal section of this report.

## ADDITIONAL INFORMATION RECEIVED:

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

EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Supporting statement submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

## **APPRAISAL**

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2014.

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

### **Policy Appraisal**

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

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

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

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

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

Two previous applications on part of this site known as the Lower Paddock in this application have been refused because the proposed development did not accord with any of the relevant categories within the housing in the

countryside policy. The earlier applications were for one house whilst this is for two houses and includes land between the earlier refusal and a stable block and shed known as Glendy Burn Steading.

The main housing in the countryside policy considerations are whether the proposal would meet the terms of the building group or infill criteria of the policy. Whilst the existing cluster of buildings around Glendy Mill can be categorised as a building group, as outlined within the policy, any extension to a group must respect the layout and building pattern of the group. In this case the proposal would not extend the existing building group into a definable site formed by existing topography and or well established landscape features which would provide a suitable setting. The proposed site would extend the group to the south side of the burn and south of the minor road where the ground rises up. This site is detached from the existing building group the edge of which is defined on this side of the road by the burn and established trees and vegetation around Glendy Mill. In this instance it is considered that the proposed site does not relate well to the existing building group. There are strong boundaries to the northeast and northwest of the application site formed by long established hedging and trees. More recent planting has formed two paddocks which are now proposed as housing sites between the edge of the building group and the stable and shed buildings at the top of the road. The policy states that consent will be granted for houses which extend the group into definable sites formed by existing topography and or well established landscape features which will provide a suitable setting. In this case the field has been subdivided by recent hedge planting which does not constitute well established landscape features as required by the policy. This was a reason for the recent refusal of the Lower Paddock site and I would consider that this reason is relevant to this proposal for two properties.

The infill section of the policy is also relevant. This states that the development of up to 2 new houses in gaps between established houses or a house and another substantial building at least equivalent in size to a traditional cottage may be acceptable. In this case the plots are proposed in recently created paddocks and are much squarer and more regular in appearance than the housing development within the existing building group which are of a more irregular nature. The proposal would also create ribbon development by extending the group up the hill to Glendy Burn steading which would be contrary to the policy.

The policy also allows for new houses in the open countryside where a house or group of houses is required either on site or in the locality for a local or key worker associated with either a consented or an established economic activity. Previously the proposals were linked to an emerging agricultural business. However it was previously acknowledged that the business was not of a sufficient scale to justify a house on the land in terms of the policy and the applicant has not suggested that the house is required for this purpose this time.

Policy PM1 (Placemaking), Policy ER6 (Managing Future Landscape Change) and Policy NE2 (Forestry, Woodland and Trees) are also of relevance.

In this case the proposals are considered to be contrary to Placemaking policy as they would not contribute positively to the built and natural environment and contrary to Policy ER6 in its impact on landscape character. There is also the potential for the works to affect mature trees in which case policy NE2B is relevant and requires a tree survey to be submitted where there are trees on the site. No survey has been submitted.

### **Design and Layout**

The proposed houses are set within what is described as the upper and lower paddocks. Both are detached properties with accommodation over two levels. Separate garages are proposed. The house in the lower paddock has a finished floor level of 174.8 metres with a ridge height of around 7 metres. The property proposed for the upper paddock will have a finished floor level of 180.6 for the basement with the height to the roof ridge from there being around 10 metres. The north east elevation where there is no basement has a finished floor level of 183.3 metres for the ground floor with a height to roof ridge from that point of around 7 metres.

The dwellinghouses will be finished with slate roof tiles, white rendered external walls with some stone elements and cedar timber boarding. There have been objections to the scale and design of the proposed houses and that they are not in keeping with its surroundings and the Glendy settlement. I would agree that the proposed houses are of a suburban style and do not complement the surroundings. They would be overly dominant in the when viewed in the context of the building group around Glendy Burn which are well integrated in their setting.

### **Landscape**

The site is within the Ochil Hills Special Landscape Area as defined in supplementary landscape guidance associated with policy ER6 of the Local Development Plan. The site is part of an area of grazed agricultural land on the edge of a rolling valley landscape. The general character of this landscape is relatively open with large fields with pockets of development and some planted areas. The small building group around Glendy Mill is well contained with buildings generally nestling among trees and vegetation. The development of the buildings at the top of the field has begun to dilute the open, rolling landscape character of the area outside of the Glendy Burn group of buildings. I had concerns previously that the proposal for one house on the Lower Paddock on land to the south of the building group would further dilute this landscape character. The impact on landscape character would be even greater with development on both paddocks unbalancing the group and setting a precedent for further development in this area.



## **Residential Amenity**

The proposed new house is over 50 metres away from existing residential properties. Whilst the new properties would have windows looking towards Glendy Mill the distances are sufficient so as to not impact on residential amenity.

## **Impact on listed building**

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

## **Visual Amenity**

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

## **Roads and Access**

The site is accessed from a minor public road that extends as far as the Glendy Burn. The Lower Paddock utilises an access that has previously been formed to access fields to the south west. The Upper Paddock will require a new access details of which are shown on the submitted plans. Should this application be approved further information would be required with regard to the impact on existing trees for the proposed new access which is through a mature tree belt along the existing road.

## **Drainage and Flooding**

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

## **Pipeline Consultation Zone**

The site is within the consultation zone for a Shell Pipeline. Shell advise that there is no reason why the development would affect the pipeline servitude strip however Shell should be consulted prior to laying any services associated with the development that would need to cross the pipeline. HSE

has been consulted via the PADI+ system. HSE does not advise against granting consent for this proposal.

### **Primary Education**

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

This proposal is within the catchment of Arngask Primary School. A contribution of £12,920 (2 x £6,460) towards primary education provision is required.

### **Transport Infrastructure**

The Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.

The site is within the reduced contributions area. A Transport Infrastructure contribution of £5,278 (2 x £2,639) is required.

### **Economic Impact**

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

### **Conclusion**

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

### **APPLICATION PROCESSING TIME**

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

### **LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **RECOMMENDATION**

**Refuse the application**

## **Conditions and Reasons for Recommendation**

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

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

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

## **Justification**

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

## **Informatives**

None.

## **Procedural Notes**

Not Applicable.

## **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

18/00133/1

18/00133/2

18/00133/3

18/00133/4

18/00133/5

18/00133/6

18/00133/7

**Date of Report**

29 March 2018

## **Supporting Statement**

**Erection of 2 dwellinghouses on land north west of Glendy Burn Steading, Glenfarg.**

**Mr & Mrs P. Sloan**

### **Introduction**

This is a detailed application for the erection of 2 dwellinghouses on land at Glendy Burn, Glenfarg. A previous application for the erection of a single dwellinghouse on land at this location was refused on the 5 June 2017 (17/00618/FLL). The reasons for refusal were in relation to the Housing in the Countryside policy guidance and impact on the character of the surrounding area.

### **Description of Development**

The application is in detail for the erection of 2 dwellinghouses on an area of land between Glendy Burn Steading and Glendy Mill extending to 0.64ha. The 2 plots – the Upper and Lower Paddock are similar in size and are accessed off the existing minor road. The Lower Paddock dwellinghouse is single storey with pitched roof dormers allowing accommodation in the roof space. The design is traditional in character with a pitched roof and grey slate tiles to the roof, white render to the walls and intermixed with areas of timber and natural stone treatment. The proposed dwellinghouse to the Upper Paddock is engineered into the sloping ground and is also traditionally styled with a pitched roof and using similar external materials as the Lower Paddock dwellinghouse. The dwellinghouse has 2 storeys to the north west and is single storey to the southeast elevation being built into the existing slope. Each of the dwellinghouses will have a detached garage and their own access off the public road. The design and external treatment of the garages will complement the proposed dwellinghouses.

### **Development Plan Policy**

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

### **TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012**

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states “By 2032 the

*TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs."*

#### **Perth and Kinross Local Development Plan 2014**

The application site falls within the designated countryside of the adopted Perth and Kinross Local Development Plan 2014 where the relevant policies are :-

##### **Policy RD3: Housing in the Countryside**

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

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

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

Development proposals should not result in adverse effects, either individually or in combination, on the integrity of the Firth of Tay and Eden Estuary, Loch Leven, South Tayside Goose Roosts and Forest of Clunie SPAs and Dunkeld-Blairgowrie Loch and the River Tay SACs.

Note: For development to be acceptable under the terms of this policy it must comply with the requirements of all relevant Supplementary Guidance, in particular the Housing in the Countryside Guide.

##### **Policy PM1A: Placemaking.**

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

The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where

practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

**Policy PM1B - Placemaking**

All proposals should meet all eight of the placemaking criteria.

**Policy PM3 - Infrastructure Contributions**

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

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

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

**Policy HE2 - Listed Buildings**

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

**Other policies**

**Housing in the Countryside Guide 2014**

A revised Housing in the Countryside Policy was adopted by the Council in October 2014. The policy aims to:

- Safeguard the character of the countryside;
- Support the viability of communities;
- Meet development needs in appropriate locations;
- Ensure that high standards of siting and design are achieved.

The Council's "Guidance on the Siting and Design of Houses in Rural Areas" contains advice on the siting and design of new housing in rural areas.

Developer Contributions and Affordable Housing Supplementary Guidance  
September 2016

This includes guidance on education provision and transport infrastructure.

**Policy**

In terms of planning policy the application site is situated within the countryside and falls to be assessed under the Housing in the Countryside Policy Guidance. Under this policy guidance there is a presumption in favour of housing development in the countryside under the following circumstances:-

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

It is considered in this case that the proposed development between Glendy Mill and Glendy Burn Steading is an infill site. In the Council's guidance an infill site is described as the development of up to 2 new houses in gaps between established houses or a house and another substantial building at least equivalent in size to a traditional cottage and may be acceptable where:

- The plot(s) created are comparable in size to the neighbouring residential property(s) and have a similar size of road frontage
- The proportion of each plot occupied by new building should be no greater than that exhibited by the existing house(s)
- There are no uses in the vicinity which would prevent the achievement of an adequate standard of amenity for the proposed house(s), and the amenity of the existing house(s) is maintained
- The size and design of the infill houses should be in sympathy with the existing house(s)
- The full extent of the gap must be included within the new plot(s)



- It complies with the siting criteria set out under category 3.

Proposals in any location, which contribute towards ribbon development will not be supported, nor will proposals which would result in the extension of a settlement boundary. Siting Criteria Proposals for a new house falling within category 3 above will require to demonstrate that if when viewed from surrounding vantage points, it meets all of the following criteria:

a) it blends sympathetically with land form; b) it uses existing trees, buildings, slopes or other natural features to provide a backdrop; c) it uses an identifiable site, (except in the case of proposals for new country estates) with long established boundaries which must separate the site naturally from the surrounding ground (eg a dry stone dyke, a hedge at minimum height of one metre, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site). The subdivision of a field or other land artificially, for example by post and wire fence or newly planted hedge or tree belt in order to create the site, will not be acceptable; d) it does not have a detrimental impact on the surrounding landscape.

Alternatively, a new house site will not be acceptable if when viewed from surrounding vantage points;

- a) it occupies a prominent, skyline, top of slope/ridge location;
- b) the site lacks existing mature boundaries (for example, dry stone dyke, a hedge at minimum height of one metre, woodland or a group of trees or a slope forming an immediate backdrop to the site) and
- c) is unable to provide a suitable degree of enclosure for a new house in the countryside.

The proposed infill plots are of a similar size as the existing plots at Glendy and the proposed build to plot ratios would not be out of keeping with the existing pattern of development. The proposed plots use the full extent of the gap between Glendy Mill and Glendy Steading and these buildings provide suitable containment and context for this infill proposal. The existing neighbouring uses would not present any detrimental impact on residential amenity to the proposed plots and they would not impose any detrimental effect on existing neighbouring properties. The scale and design of the proposed dwellinghouses are traditional in character and along with the proposed external treatment they will not be out of scale or character with the existing built form in the vicinity, which is a mixture of old and more modern residential house types and conversions.

In terms of the siting criteria of the Housing in the Countryside Guidance, and illustrated by the supporting Landscape Plan and cross section through the site, it is demonstrated that the proposed development will blend sympathetically with the landform of the site and immediate surroundings. The site is low lying in relation to the public road, the wider topography and the existing Glendy Burn Steading. The

existing mature tree line which fronts the application site provides a strong framework and setting for the plots and the hedgerows to the southwest also provide suitable containment. The ridge height of the proposed dwellinghouse to the Upper Paddock would be significantly below the Glendy Burn Steading building. The dwellinghouses therefore would not constitute a prominent, skyline or top of the slope location when viewed from surrounding viewpoints, because of the application site's position within the existing topography, which is in accordance with the siting criteria of the Council's guidance. There are much more prominent examples of recent housing developments to the west of the application site which occupy a more elevated and apparent location than the proposed site. It is considered therefore in policy terms that the proposal as submitted constitutes a suitable infill development which is in accordance with the Council's Housing in the Countryside Policy Guidance and its siting criteria.

### **Residential Amenity**

All new housing development should look to protect the residential amenity of existing housing and at the same time provide a satisfactory level of amenity for the new houses. In this case the proposed density of development, distances to boundaries and plot containment provides a suitable level of amenity for the enjoyment of the proposed dwellinghouses and also protects the residential amenity of the existing dwellinghouses, with no issues posed in terms of privacy or overlooking.

### **Scale and design**

The scale and design of the proposed dwellinghouses are traditional in character and as described above would not be out of character with the scale, design and density of development in the adjacent grouping of buildings at Glendy Mill. The detached garages will complement the design of the proposed dwellinghouses.

### **Landscape character & Visual Impact**

New housing in the countryside should not have a detrimental visual impact and should respect the context and character of its surroundings. The application site is low lying in relation to existing topography and the wider countryside. It also has strong physical and natural containment to its boundaries as illustrated in the Landscape Plan. Also, any new landscape and planting works within the plots are considered to be appropriate to the local context and the scale and nature of the development in accordance with Policy PM1 of the adopted local plan.

### **Impact on listed building**

Glendy Mill Bridge is a C listed building to the north west of the application site. As concluded by the Council's Conservation Team in relation to the previous application, it is anticipated that this proposal will not have any adverse impact on the setting of this bridge provided the existing mature tree cover is retained.

### **Roads and Access**

Both proposed dwellinghouses have their own road accesses from the minor public road which takes you to the Glenfarg Reservoir and Water Works to the west. The public road affords suitable visibility for the accesses to the plots and both plots have suitable parking and turning facilities, in accordance with the relevant Roads Design guidelines.

### **Drainage and Flooding**

The application site is to the south east of the Glendy Burn, however it is not in an area identified to be at risk from riverine or surface water flooding in SEPA's flood maps. As before in the previous application it is anticipated therefore that there will be no objections from the Council's Flood Officer. The proposed dwellinghouses will connect to an existing drainage system installed in 2009 and would connect to a private water supply.

### **Pipeline Consultation Zone**

The application site is within the consultation zone for the Shell Pipeline. In the previous application Shell advised that there is no reason why the development would affect the pipeline servitude strip. Also, HSE had been consulted via the PADI+ system and did not advise against granting consent for this proposal. It is anticipated that this recommendation will be the same for this application.

## **Conclusions**

This application for 2 dwellinghouses is considered to represent a suitable infill site as identified in the situations and criteria outlined in the Council's Housing and Countryside Guide 2014 and Policy RD3 of the Perth and Kinross Development Plan 2014. The proposed dwellinghouses satisfy the siting criteria of this guidance and therefore will not have any detrimental impact on the visual amenity and character of the countryside around Glendy Burn, which is also in accordance with the Placemaking and Landscape policies of the adopted local plan.

It is considered that the proposal is also in accordance with the other guidance and policies on road safety and access, residential amenity, flooding and drainage and major pipeline consultation zones.

For the reasons given above it is considered that the proposal is acceptable.









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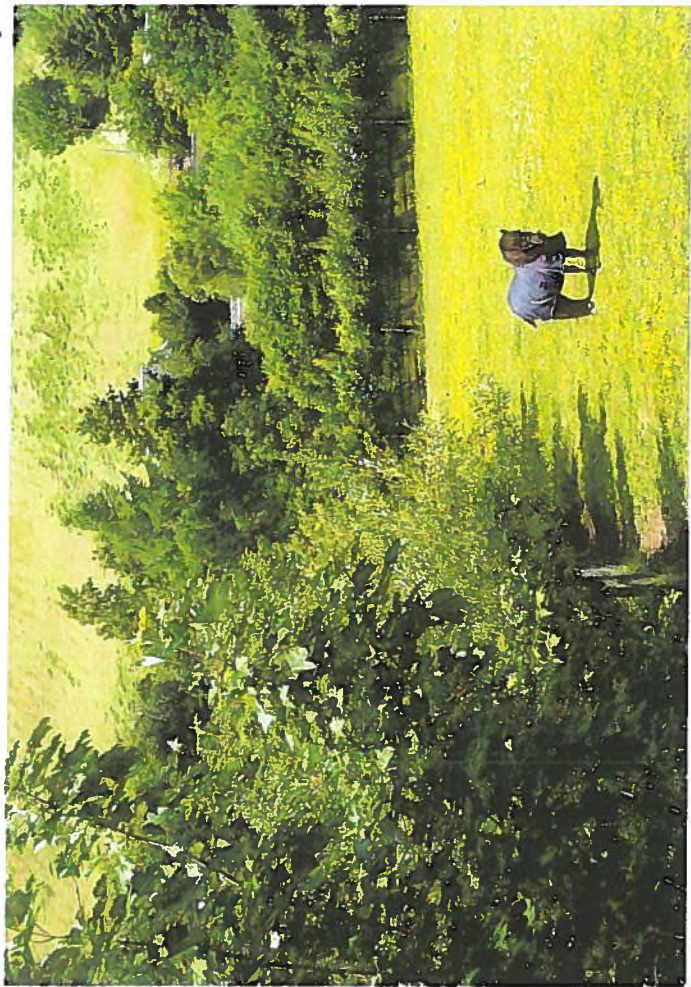


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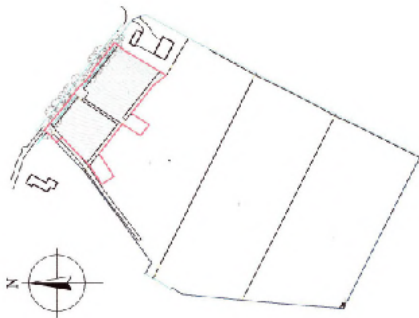
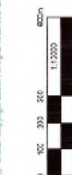
**TCP/11/16(541) – 18/00133/FLL – Erection of 2 dwellinghouses on land 100 metres north west of Glendy Steading, Glenfarg**

**PLANNING DECISION NOTICE** *(included in applicant's submission, see pages 25-26)*

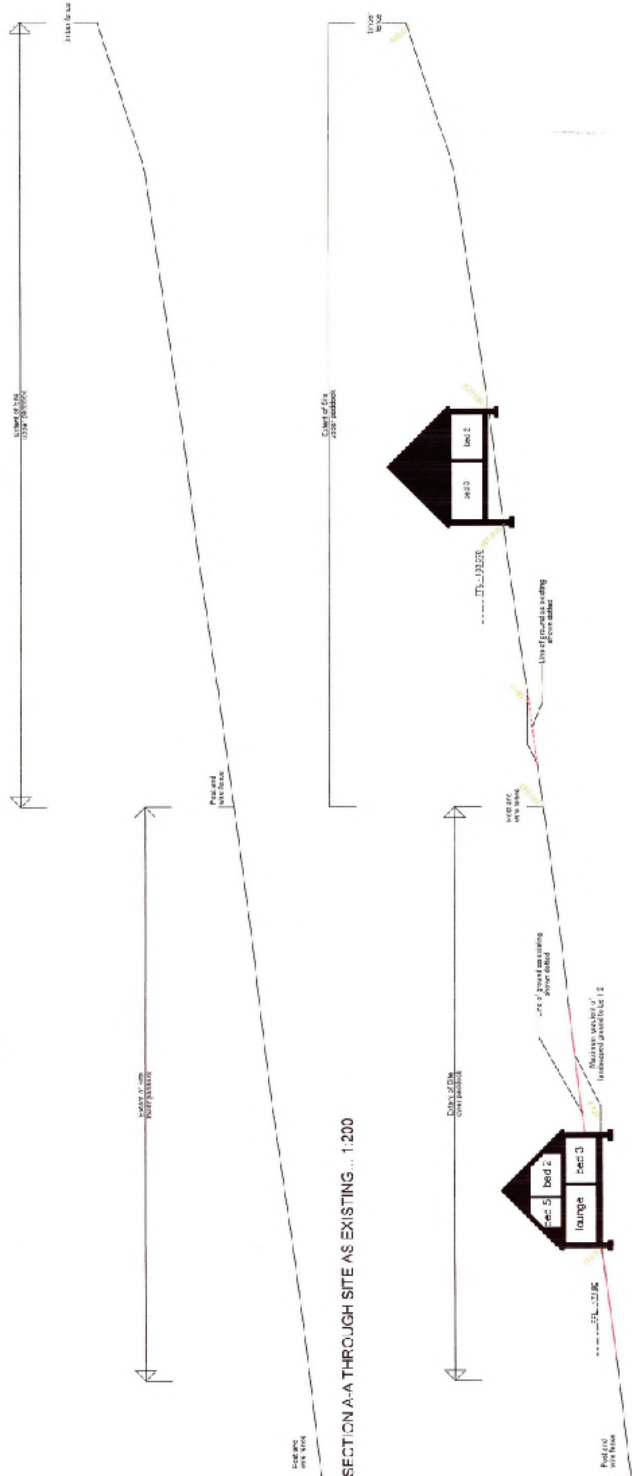
**REPORT OF HANDLING** *(included in applicant's submission, see pages 31-42)*

**REFERENCE DOCUMENTS** *(included in applicant's submission, see pages 43-51 and 57-61)*





LOCATION PLAN... 1:2500



SECTION A-A THROUGH SITE AS EXISTING... 1:200

SECTION A-A THROUGH SITE AS PROPOSED... 1:200

Rev. A: 10/10/2017

Rev. B: 10/10/2017

Rev. C: 10/10/2017

Rev. D: 10/10/2017

Rev. E: 10/10/2017

Rev. F: 10/10/2017

Rev. G: 10/10/2017

Rev. H: 10/10/2017

Rev. I: 10/10/2017

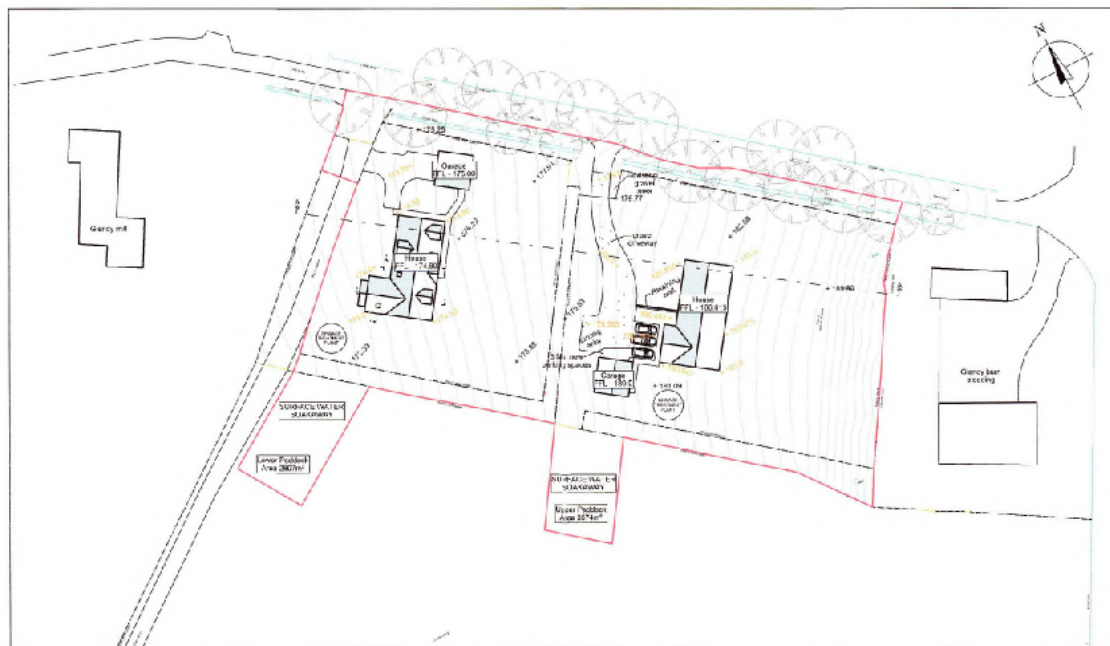
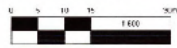
Rev. J: 10/10/2017

Rev. K: 10/10/2017

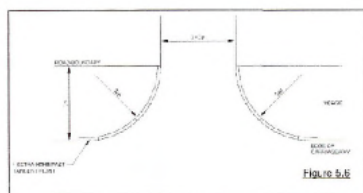
Rev. L: 10/10/2017



SITE PLAN AS EXISTING... 1:500

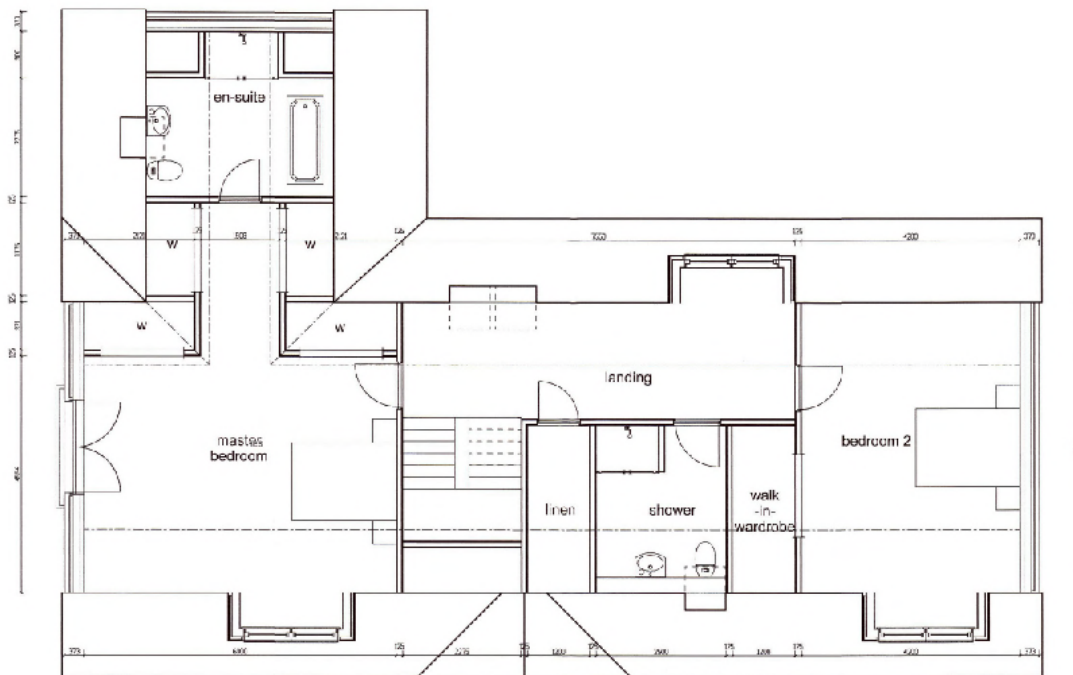


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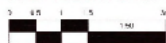


ROAD JUNCTION TYPE B 5.6

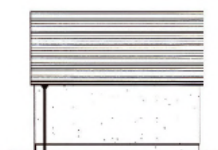
Rev A - Site plan	SP 2011/07
REVISED	INT. DATE
 <b>Greenfields Design Ltd.</b> <small>inc. design &amp; construction in design services</small>	
<small>22 West Street, Alton, Cheshire, Cheshire, CH10 1PH          Tel: 01252 339911 Fax: 01252 339912          www.gdgdesign.co.uk</small>	
<small>The Site Plan          Project: 1st &amp; 2nd - 1st          Lower Park Road, Gleny Hill</small>	
SP1	1:500
SP2	1:500
SP3	1:500
SP4	1:500
SP5	1:500
SP6	1:500
SP7	1:500
SP8	1:500
SP9	1:500
SP10	1:500
SP11	1:500
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SP55	1:500
SP56	1:500
SP57	1:500
SP58	1:500
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SP60	1:500
SP61	1:500
SP62	1:500
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SP64	1:500
SP65	1:500
SP66	1:500
SP67	1:500
SP68	1:500
SP69	1:500
SP70	1:500
SP71	1:500
SP72	1:500
SP73	1:500
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SP98	1:500
SP99	1:500
SP100	1:500



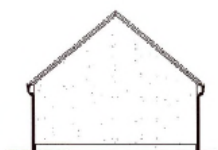
FIRST FLOOR PLAN... 1:50



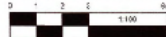
NORTH WEST ELEVATION... 1:100



NORTH EAST ELEVATION... 1:100



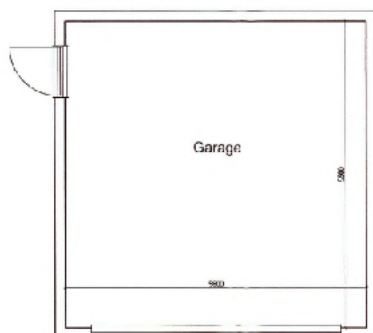
SOUTH EAST ELEVATION... 1:100



SOUTH WEST ELEVATION... 1:100

#### EXTERNAL FINISHES

Galvalume  
White rendered external walls  
Light grey wet wipe textured aggregate  
Black and grey tiles and concrete



GARAGE PLAN... 1:50

Rev. B - Building plot provided	01/01/17
Rev. B - Drawings submitted	01/01/17
Rev. L - Design start	01/01/17
Rev. K - Drawing added	01/01/17
Rev. J - Drawing added	01/01/17
Rev. I - Drawing added	01/01/17
Rev. H - Drawing added	01/01/17
Rev. G - Drawing added	01/01/17
Rev. F - Drawing added	01/01/17
Rev. E - Drawing added	01/01/17
Rev. D - Drawing added	01/01/17
Rev. C - Drawing added	01/01/17
Rev. B - Drawing added	01/01/17
Rev. A - Drawing added	01/01/17
REVISED	01/01/17

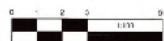


23 Bank Street, 4th Floor, Chichester, West Sussex PO19 1P  
Tel: 01243 820000 Fax: 01243 820001  
Email: info@greenfieldsdesign.co.uk

Title: FIRST FLOOR PLAN  
Project: 1014 New P. 1014  
Client: FARMER, G. 1014

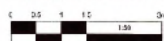
Scale: 1:50	Scale: 1:100
Scale: 1:100	Scale: 1:200
Scale: 1:200	Scale: 1:500
Scale: 1:500	Scale: 1:1000





**EXTERNAL PHENOTYPE**

- Wale skull like
- Maxillary mandible with rounded tips
- Anterior mandible extremely long
- Anterior teeth in mandible arise at 180°
- Lower jaw curved and vertical (under lying to incisors) rolls on when
- Tight curves and large (No focus or protrusion)
- Anteriorly up & C. sideways.
- Dark coat red gutters and downy pos.



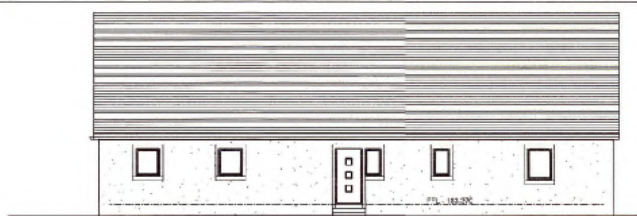
Rev. K. Dimondina added	JD	12/03/11
Rev. J. Bay window added	JD	12/03/11
Rev. M. Dimondina added	JD	12/03/11
Rev. G. Cancy no. added	JD	08/05/11
Rev. P. Basement removed	JD	02/05/11
Rev. P. - P. added to existing	JD	28/05/11
Rev. P. - P. removed	JD	11/08/11
Rev. C. - Glass removed	JD	11/08/11
Rev. B. - Glass removed	JD	07/09/11
Rev. A. - Glass removed	JD	05/09/11



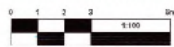
28 Bank Street, Alton, Gloucestershire, FK10 1HP  
tel 01252 6800 40, cell 1231571  
email: [info@altonwooden.co.uk](mailto:info@altonwooden.co.uk)

Title - PLANS AND ELEVATIONS  
Project - NEW BRIDGE OF STONE  
Largest Publish. Office -

Environ	1991	1991-1992	1991
Environ	1991-1992	1991-1992	1991-1992
Environ	1991-1992	1991-1992	1991-1992



SOUTH EAST ELEVATION... 1:100



NORTH EAST ELEVATION... 1:100

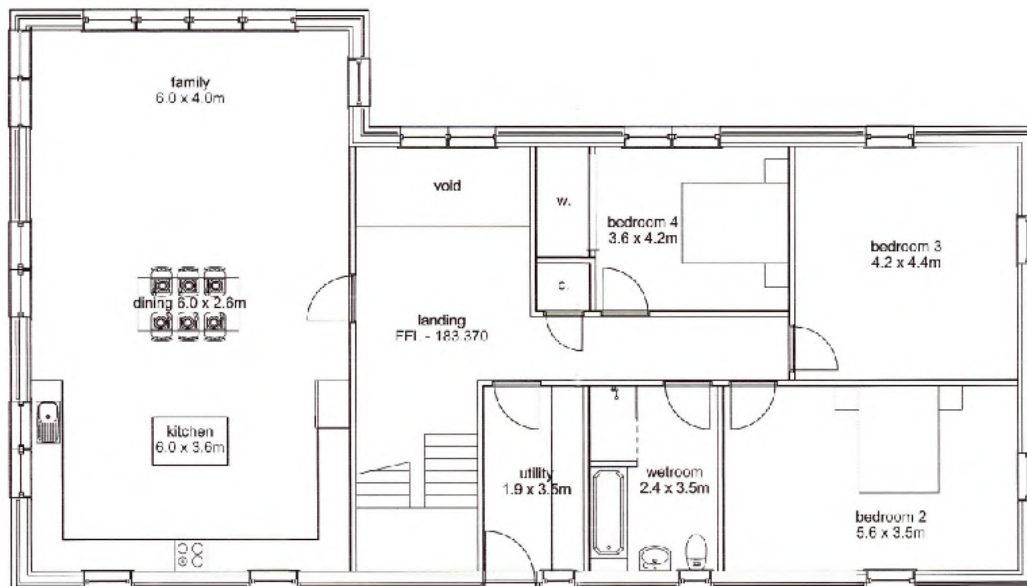
**EXTERNAL FINISHES**  
 Slate roof tiles  
 Porcelain concrete tiles with rubber bands  
 White rendered external walls  
 Natural stone to external walls as shown  
 Cedar horizontal and vertical timber cladding to external walls as shown  
 Light stone and stone (horizontal or vertical)  
 As indicated on drawings  
 Refer to the project information



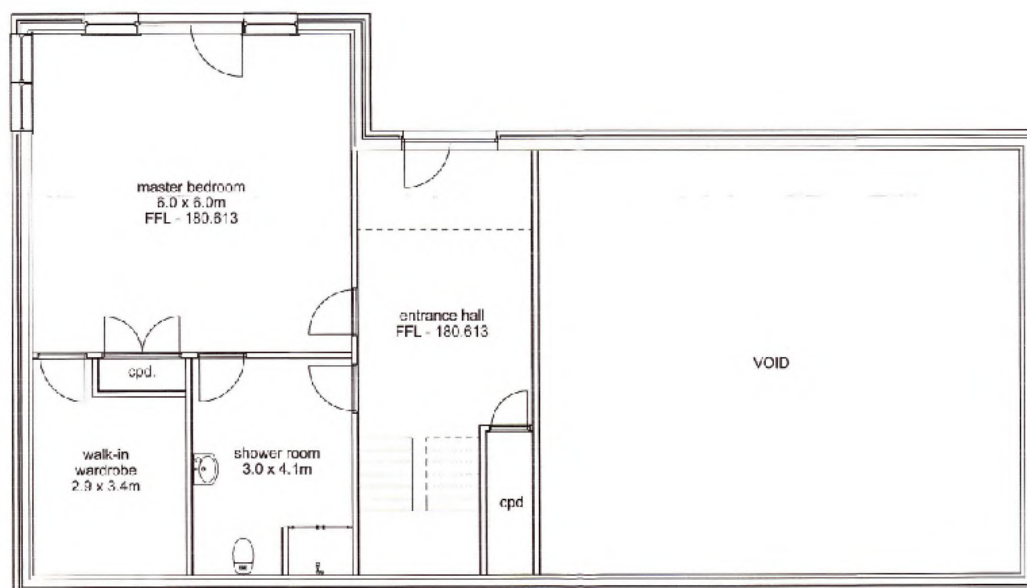
NORTH WEST ELEVATION... 1:100



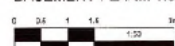
SOUTH WEST ELEVATION... 1:100



GROUND FLOOR PLAN... 1:50



BASEMENT PLAN... 1:50



REVISION

NO. 12/13

**Greenfields Design Ltd.**  
 architecture and interior design specialists

23 Bass Street, 1st Floor, Gloucester, GL1 1 1P  
 Tel: 01452 311111 Fax: 01452 311111  
 email: info@greenfieldsdesign.co.uk

Title: PLANNING PERMISSIONS  
 Project: Mr & Mrs J. Evans  
 Upper house, country

DATE: 12/12	DESIGNER: JF
DATE: 12/12	APPROVED: JF
DATE: 12/12	REVISION: 11/12/12
DATE: 12/12	REVISION: 11/12/12





**TCP/11/16(541) – 18/00133/FLL – Erection of 2  
dwellinghouses on land 100 metres north west of Glendy  
Steading, Glenfarg**

## **REPRESENTATIONS**





1<sup>st</sup> February 2018

Perth & Kinross Council  
Pullar House 35 Kinnoull Street  
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 Local Planner

**SITE: PH2 Glenfarg Glendy Steading 100M North West Of**  
**PLANNING REF: 18/00133/FLL**  
**OUR REF: 756562**  
**PROPOSAL: Erection of 2no. dwellinghouses**

**Please quote our reference in all future correspondence**

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**

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

#### **Foul**

- This proposed development will be serviced by **Glenfarg** Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website at the following link  
[www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms/pre-development-application](http://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms/pre-development-application)

**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 normally 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](mailto:sw@sisplan.co.uk)**  
**[www.sisplan.co.uk](http://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 all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

### **Next Steps:**

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water 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 up 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](http://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 or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto: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 using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

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](http://www.resourceefficientscotland.com)

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely

**Megan Innes**

Technical Analyst

[Megan.Innes2@scottishwater.co.uk](mailto:Megan.Innes2@scottishwater.co.uk)



P3

Mr N Brian  
Interim Head of Service  
Perth & Kinross Council  
Planning  
Pullar House  
25 Kinnoull Street  
PERTH, PH1 5GD

Shell U.K. Limited  
Orchardbank Industrial Estate  
FORFAR  
Angus  
DD8 1TD  
United Kingdom  
Tel +44 1307 462225  
Internet <http://www.shell.co.uk>

6<sup>th</sup> February 2018

Our ref: UPO/W/PTT/BD/kc  
Your ref: 18/00133/FLL

Dear Sir

**The Town and Country Planning (Scotland) Act 1997  
as amended by Planning etc (Scotland) Act 2006  
Consultation on an Application  
Erection of 2no. Dwellinghouses, Land 100 Metres North West of Glendy Steading, Glenfarg  
for Mr And Mrs Philip Sloan**

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

Yours faithfully  
Shell U.K. Limited

pa [Redacted signature]

Brian Downes  
ROW Inspector South

Shell U.K. Limited,  
Registered in England number 140141,  
Registered office Shell Centre London SE1 7NA,  
VAT reg number GB 235 7632 55  
Shell UK Letterhead





The Development Quality Manager  
Perth & Kinross Council - Planning & Development  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD

13 February 2018

Dear Sir or Madam

**Planning Application 18/00133/FLL:**

**Erection of 2no. dwellinghouses, Land 100 Metres North West of Glendy Steading, Glenfarg**

After the Council's refusal of two previous planning permission applications for a single house on this site, the applicant has returned with a new application, this time for **two** houses on the same site. This is particularly surprising given that he stated in July 2017 that he was not considering building more than one house, it was not practical to build in the second paddock, and that the land was required for his "expanding agricultural business" (see Appendix to this letter).

It is notable that Glenfarg already has a major new house-building programme underway, while brownfield sites in the village such as the old Lomond Hotel which are destined for housing remain sad, derelict land, with building not proceeding because, as I understand it, there is not enough demand for new housing locally.

My main reasons for objecting to application 18/00133/FLL are:

- The proposal still contravenes three of the Council's policies, as listed in the Local Review Body's decision notice of 7 December 2017 (para 4.3).
- The argument of infill site is not acceptable as the development would significantly reduce the amenity of existing houses such as Glendy Mill and Shuttlefauld which would look on to them.
- The design of the new houses is not in sympathy with the existing traditional-looking buildings at Glendy. Plans for the lower one would appear to indicate two-storey with dormer windows, but also a balcony. The upper house has no dormers, looks large and modern and at two storeys plus roofspace presumably has room for future development of the attic which would make it appear even taller and more obtrusive.
- The applicant's prominent "agricultural building" is already an eyesore, and unscreened from our property. From our home, we would also look up at the new houses, visible from top to bottom. They would sit in a straight line between the "agricultural building" and Glendy Mill, looking like a street. They would certainly not "blend sympathetically with land form" as advised in Perth and Kinross Council's *Housing in the Countryside Guide, 2012*.

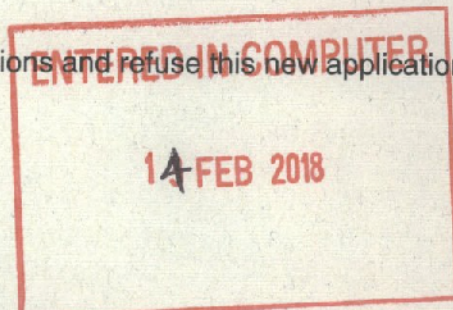
Furthermore:

- The proposal would increase traffic on the private road, with safety implications, and might involve felling some of the lovely old trees on the private road down to Glendy to make the access track to the upper paddock house.
- It would, in my view, constitute ribbon development out of the Glendy settlement, further contravening council policy and adding to the creeping (sub)urbanisation of the countryside and loss of traditional farmland.
- It would set a precedent for yet more housing. For example the applicant – a builder to trade – might try to put further houses in his field, such as along the main road. We need to protect the countryside from such random, unnecessary and inappropriate development, particularly here in the Ochil Hills Special Landscape Area.

I would urge the Council to back its previous refusal decisions and refuse this new application.

Yours faithfully

Alison Burlison





## Appendix

The following is an extract from the applicant's document entitled "*Proposed House at Glendyburn Steading, Glenfarg, for Mr Philip Sloan And Dr Joanne Sloan: Applicant's Response to Additional Third Party Comments, July 2017*" and relates to the applicant's previous planning permission application (17/00618/FLL), for a single house in the lower paddock.

Page 2, paragraph 4:

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

## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	18/00133/FLL	<b>Comments provided by</b>	Euan McLaughlin
<b>Service/Section</b>	Strategy & Policy	<b>Contact Details</b>	<b>Development Negotiations Officer:</b> Euan McLaughlin T [REDACTED] [REDACTED]
<b>Description of Proposal</b>	Erection of 2no. dwellinghouses		
<b>Address of site</b>	Land 100 Metres North West Of Glendy Steading, Glenfarg		
<b>Comments on the proposal</b>	<p><b>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.</b></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><b>Primary Education</b></p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Arngask Primary School.</p> <p><b>Transport Infrastructure</b></p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> <p>The site is within the reduced contributions area.</p>		
<b>Recommended planning condition(s)</b>	<p><b>Summary of Requirements</b></p> <p>Education: £12,920 (£6,460 x 2) Transport Infrastructure: £5,278 (£2,639 x 2)</p> <p><b>Total: £18,198</b></p>		

	<p><b>Phasing</b></p> <p>It is advised that the preferred method of payment would be upfront of release of planning permission.</p> <p>Due to the scale of the contribution requirement it may be appropriate to enter into a S.75 Legal Agreement.</p> <p>If S.75 entered into the phasing of financial contributions will be based on occupation of open market units with payments made 10 days after occupation.</p> <p>Payment for each open market unit will be £9,099 (£18,198/ 2 = £9,099).</p>
<p><b>Recommended informative(s) for applicant</b></p>	<p><b>Payment</b></p> <p><b>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.</b></p> <p><b>Methods of Payment</b></p> <p>On no account should cash be remitted.</p> <p><b>Scheduled within a legal agreement</b></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><b>NB:</b> 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><b>Other methods of payment</b></p> <p>Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.</p> <p><b>Remittance by Cheque</b></p> <p>The Planning Officer will be informed that payment has been made when a cheque is received. However this may require a period of 14 days from date of receipt before the Planning Officer will be informed that the Planning Decision Notice may be issued.</p>

	<p>Cheques should be addressed to 'Perth and Kinross Council' and forwarded with a covering letter to the following:  Perth and Kinross Council  Pullar House  35 Kinnoull Street  Perth  PH15GD</p> <p><b>Bank Transfers</b>  All Bank Transfers should use the following account details;  <b>Sort Code:</b> 834700  <b>Account Number:</b> 11571138</p> <p>Please quote the planning application reference.</p> <p><b>Direct Debit</b>  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"> <li>a) Your card details.</li> <li>b) Whether it is a Debit or Credit card.</li> <li>c) The full amount due.</li> <li>d) The planning application to which the payment relates.</li> <li>e) If you are the applicant or paying on behalf of the applicant.</li> <li>f) Your e-mail address so that a receipt may be issued directly.</li> </ul> <p><b>Education Contributions</b>  For Education contributions please quote the following ledger code:  1-30-0060-0001-859136</p> <p><b>Transport Infrastructure</b>  For Transport infrastructure contributions please quote the following ledger code:  1-30-0060-0003-859136</p> <p><b>Indexation</b></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><b>Accounting Procedures</b></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>
<b>Date comments returned</b>	13 February 2018





# Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 18/00133/FLL

Our ref MA

Date 13 February 2018

Tel No [REDACTED]

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Consultation on an Application for Planning Permission

### RE: Erection of 2no. dwellinghouses Land 100 Metres North West Of Glendy Steading Glenfarg for Mr And Mrs Philip Sloan

I refer to your letter dated 6 February 2018 in connection with the above application and have the following comments to make.

**Water** (assessment date – 13/2/18)

#### Recommendation

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

#### Comments

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

#### WAYL - Informative 1

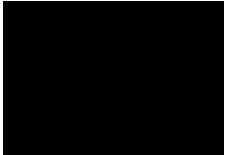
The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.

#### PWS - Informative 2

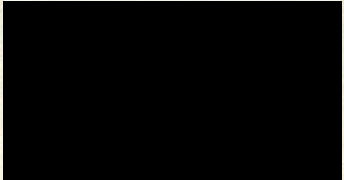
The applicant shall ensure the private water supply for the dwellinghouse/ development complies with the Water Scotland Act 1980 (Section 63), The Private Water Supplies (Scotland) Regulations 2006 and The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an

adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above Act and Regulations.

**Contaminated Land** (assessment date - \*\*/\*\*/\*\*)






  
16<sup>th</sup> February 2018  
by hand & also by email

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

Dear Sirs

**18/00133/FLL**

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

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

We have received neighbour notification in respect of the above planning application. This is the third application for development of Mr & Mrs Sloan's land since 2016.

The previous 2 applications (ref 16/01142/FLL and 17/00618/FLL) were for one dwelling house to be sited on the west-most of the 2 plots which are the subject of the current application. Both applications were refused as the development was considered to be contrary to the relevant provisions of the Development Plan and there were no material considerations which would justify setting aside the Development Plan. Application 17/00618/FLL was taken to the Local Review Body, which upheld the Council's refusal.

We do not believe that the current application 18/00133/FLL (which is for 2 houses) complies with the Local Development Plan 2014.

In particular it is contrary to Policy RD3 Building in the Countryside and the Council's Housing in the Countryside Guidelines. More specifically we wish to object to the application on the following grounds:-

**1. Proposed development stated to be within an Infill Site**

The 2 proposed house sites lie on a steep slope above and outside the boundary of the existing group of houses at Glendy.

The applicants' supporting statement seeks to justify the proposed development on the grounds that it lies on an "Infill Site" between Glendy



Mill and Glendy Steading. The Council's Housing in the Countryside Policy Guidance states that a development on an Infill Site **may** be acceptable provided the development meets 5 detailed criteria.

We do not agree that the proposed development meets any of those criteria except the last one.

Moreover this policy is further qualified by the overarching provisos regarding the development that:

- **It complies with the Siting Criteria set out under category 3.**
- **Proposals in any location, which contribute towards ribbon development will not be supported, nor will proposals which would result in the extension of a settlement boundary.**

### **Siting Criteria**

The policy states that the proposed development should meet **all** of the Siting Criteria. We do not believe that the development meets Siting Criteria (a) (c) or (d).

In particular in relation to (c):- The applicant has created two small paddocks to the south and uphill from the existing boundary of the Glendy Building Group, and the proposed development site lies within these 2 paddocks, which have been enclosed with hedging plants. We do not consider that these paddocks are "defineable sites formed by existing topography or well established landscape features", as is required by the Council's policy. It would appear that the larger field of which they formed part has been sub-divided, with the intention of forming future house plots, an impression re-inforced by the fact that, at about the same time, the applicant installed a large drainage system in the field below the steading, which appeared to be much larger than would have been required for stables and an agricultural shed.

### **Ribbon Development & Extension of a Settlement Boundary**

The proposed development would clearly result in both Ribbon Development and the Extension of the Boundary of the existing settlement at Glendy, and is therefore contrary to the Housing in the Countryside Policy.

### **Extension of Existing Building Group**

One of the main considerations stated by the Council's planning officer in her delegated report on the applicants' previous application, was whether the proposal for 1 house in the lower paddock would extend the existing building group into a defineable site formed by existing topography or well established landscape features which would provide a suitable setting (as claimed by the applicant).

That application was refused because it was considered that the proposed development did not meet that requirement and did not relate well to the existing building group.

We believe that the fact that the applicants are now applying for permission to build 2 houses rather than 1 house does not change the principle and that such a development is still contrary to the Housing in the Countryside Policy.



2. **Design & Layout**

The houses in the existing Glendy Building Group are all relatively low lying and clustered around the Glendy Burn. The windows of each of the 4 houses in the Glendy Building Group look away from the other houses in the Group and the design and building materials of each house are in keeping with the rest of the Building Group.

The proposed development lies on a steep slope above Glendy Mill, which will be dominated by the new houses, the windows of which and a proposed balcony will directly overlook Glendy Mill. In our opinion the suburban design of the proposed houses and their external finish will not compliment that of the existing houses, and the proposed development will spoil the balance of the existing small Building Group.

3. **Landscape**

The proposed development site lies within the Ochil Hills Special Landscape Area as defined in supplementary landscape guidance associated with policy ER6 of the Local Development Plan. The site is part of grazed agricultural land on the edge of a rolling valley landscape, whose general character is relatively open with large fields with small pockets of development and some planted areas .

The existing small Building Group at Glendy is well contained and sits down around the burn nestling among trees and vegetation. Building on the slope to the south of and above this settlement will dilute this attractive landscape character and we fear that it would also set a precedent for further development. Seen from the public road which runs above and to the south of the site, the development will be particularly out of keeping with the surrounding landscape.

4. **Visual Amenity**

As the 2 buildings in the proposed development will be at a higher level than the existing Building Group, the development will result in an adverse visual impact on the existing Building Group and on the landscape character of the surrounding area.

5. **Drainage & Flooding**

We note that the proposed development will involve cutting into the steep slope above the Glendy Burn to provide the sites for 2 houses. There have already been flooding problems with the Glendy Burn which is very "spatey", and our concern would be that the development of two further houses on the slope will cause even faster run-off from that slope into the Glendy Burn, leading to erosion of the banks and the danger of increased flooding.

6. **Placemaking**

Policy PM1A of the Local Development Plan requires that a proposed development contributes positively to the quality of the surrounding built



and natural environment. We do not believe that this proposed development meets that requirement.

**7. History of Operations at Glendy Burn Steading**

Planning consent was obtained in 2009 to erect a stables block and agricultural shed to serve the block of agricultural land bought by Mr Sloan.

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

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

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

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

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

For the reasons stated above, we believe that the proposed development is contrary to the Local Development Plan 2014 and that there are no material considerations which would justify setting aside the Development Plan. We therefore ask the Council to refuse this application.

Yours faithfully,

Malcolm and Anne Curtis.

# Comments for Planning Application 18/00133/FLL

## Application Summary

Application Number: 18/00133/FLL

Address: Land 100 Metres North West Of Glendy Steading Glenfarg

Proposal: Erection of 2no. dwellinghouses

Case Officer: Persephone Beer

## Customer Details

Name: Mr Ian Pilmer

Address: [REDACTED]

## Comment Details

Commenter Type: community council

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Ms Persephone Beer

Case Officer

Planning & Development

Perth & Kinross Council Glenfarg Community Council

35 Kinnoul Street

Perth

Dear Ms Beer

Comment - 18/00133/FLL, Erection of 2no. dwellinghouses, Land 100 Metres North West Of Glendy Steading, Glenfarg

Glenfarg Community Council (GCC) takes an impartial view concerning this proposed development and that we neither support nor object to 18/00133/FLL. The GCC understands fully that previous and current proposed developments, concerning this site at Glendy, have been and will be decided upon solely by P&KC Planning & Development or an Independent body. The GCC states further that it has had no input to Planning & Development's previous decisions nor will it have for this pending proposed development. Additionally, any person who believes that they are affected by this proposed development or for that matter any development within the Glenfarg

Area is entitled to state their support or to raise an objection with P&KC Planning & Development. The GCC takes its activities seriously, does differentiate between "business and personal" interests and will carry on with its community work for all.

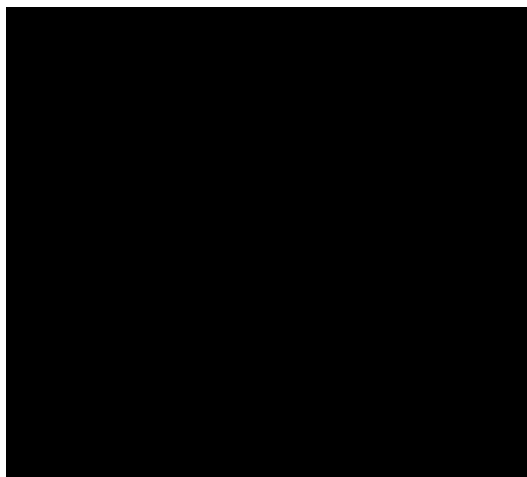
Yours sincerely

I. E. Pilmer

Ian Pilmer

Secretary

Glenfarg Community Council





# KINROSS-SHIRE CIVIC TRUST

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

25<sup>th</sup> February 2018.

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

Dear Sirs

**18/00133/FLL Erection of 2no. dwellinghouses at Land 100 Metres North West Of  
Glendy Steading, Glenfarg.**

There have been previous applications for a house on this site in 2016 and 2017 which have been refused by Perth and Kinross Council, including the last being refused by the Local Review Panel on appeal.

Fundamentally the Council's reasons for refusing the application were that the applications were contrary to Building in the Countryside and the Housing in the Countryside policies contained in the current Local Development Plan.

This application is materially no different from the previous applications apart from the fact that it is for two houses rather than one. Therefore, the Council's reasons for refusal should apply equally to this application as they have to the previous ones.

The Civic Trust therefore maintains its objections to this application as being contrary to the Building in the Countryside policy and to the Housing in the Countryside policy

Yours faithfully

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





TO WHOM IT MAY CONCERN

We are writing to object to the above planning application for the construction of two houses on the land 100m North West of Glendy Steading.

As the hamlet at Glendy has evolved, great thought and care has been exercised to ensure that each ensuing development not only fits visually with the existing developments but crucially that they don't have a negative impact on each other. In short the houses have been designed with sufficient skill to ensure that they all have their own distinct outward aspects and that no one house overlooks another. The proposed development wholly fails to recognise this central theme of the hamlet. It is situated at a higher elevation than all the other properties and it directly overlooks the other properties. It is completely at odds with the existing group, being intrusive and misaligned with the spirit of the hamlet. Each of the proposed developments will have roof lines materially higher than the level established by the roof line of Glendy Mill. Therefore, each of the proposed houses will overlook all of the houses in the existing hamlet as can be seen from the applicants' own Landscape Presentation Plan. The situation is exacerbated by potential for future development of the roof space at the property in the Upper Paddock and the proposed balcony on the house in the Lower Paddock. Each proposed property would have a significant negative impact on the residential amenity of the existing members of this community. Consequently it falls foul of sections c and d of Policies PM1A and PM1B.

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

The proposed sites lie outwith the existing hamlet of Glendy, the boundaries of which are discussed above whilst being adjacent to the recent development at Glendyburn Steading. The proposed dwelling houses would clearly represent an example of ribbon development as they seek to extend the hamlet outwith its existing and already recognised boundary running parallel to the road and attempting to form a link with Glendyburn Steading. The



previous refusal documentation specifically acknowledged that the granting of planning permission for a house in the lower paddock could "put pressure on the other paddock as a development site."

The application proposes that the two sites in question be treated as Infill Sites. The Council's Housing in the Countryside Policy Guidance states that a development on an Infill Site **may** be acceptable provided the development meets 5 detailed criteria. If we consider each of these criteria in turn we can see that the proposed developments will fail to satisfy the first four.

Mr Sloan has already had two separate applications for planning permission for a property on one of the sites in question refused. On each occasion the refusal documents (Ref 16/01142/FLL and 17/00618/FLL) reference the contravention of policy ER6. Specifically it is noted that the development of the two sheds at the top of the field (Glendyburn Steading), has begun to dilute the open, rolling landscape of the area outside of the Glendyburn group of buildings and that development at the application site, on the slope to the south from the building group, would further dilute this landscape character and would set a precedent for further development in this area. The planning officer concluded that development on the proposed site would not relate well to the existing building group. It is impossible to see how the latest proposals to build, not one but two houses, on this site in any way addresses this fundamental grounds for refusal. Indeed it patently makes the situation worse.

The application attempts to persuade that the two sites blend sympathetically with the land form of the site and immediate surroundings and that the existing mature tree-line which fronts the application site provides a framework for the plots whilst the hedgerows to the south-west provide suitable containment. Each proposed dwelling house will require an access from the existing public road and the creation of these will require the felling of one or more of the mature trees referenced earlier thereby irreparably damaging any framework they may purportedly provide. In addition the previous refusal documents specifically commented on the "recent hedge planting" that had been used to sub-divide the field and noted that these did not "constitute well established landscape features as required by the Policy" (RD3). Therefore it is clear that the proposals fail to satisfy the Siting Criteria category c

The prior refusal documentation also recognised that Glendy Mill Bridge is a C listed building and noted the importance of maintaining the existing tree cover to preserve its heritage. Clearly the formation of the proposed entrances would remove this tree cover as a result of the felling of mature trees. The application also attempts to persuade that the site is low-lying in relation to the public road. This is patently untrue on account of the fact that it sits adjacent to, and level with, the public road that runs to the reservoir. Indeed the site lies within the Ochil Hills Special Landscape Area as defined in supplementary landscape guidance associated with policy ER6 of the Local Development Plan. The surrounding area is largely comprised of open grazing and small secluded and well defined settlements. The



proposals will be wholly out of keeping with these features. Whereas the hamlet of Glendy sits in the bottom of the valley clustered around the edge of the burn and barely visible from the road that runs between Milnathort and Glenfarg, the proposed developments will lie on a steep elevation outwith this small group of buildings and will be not only visible from all directions but wholly out of keeping with the area.

As the owners of [REDACTED] we have significant concerns about the lack of sustainable drainage on each of the proposed sites. The runoff from the field that encases the Upper and Lower paddocks is already significant and unpredictable. Indeed the applicant has on previous occasions had to repair the damage done to his rubble track caused by runoff. The building of two additional properties and the associated landscaping will only exacerbate the situation. An issue of which the applicants are well aware but that they have failed to address.

Lastly we must draw attention to the incongruities between the applicant's previous planning and development activity and the eventual outcome. Planning was granted at Glendyburn Steading for a small scale agricultural facility. In the event the majority of the property is used as a base for the applicant's building activities. These occupy the entirety of the larger shed and the external yard area. The approval for planning at the Steading was also contingent on significant tree planting activity. To date, several years have passed without this occurring.

The applicant has twice previously applied for planning permission to develop a house in the Lower Paddock. We have reviewed why this was refused on each occasion and at appeal, elsewhere. However, it is worth noting some of the claims and assurances given at the time of these applications. In particular those that attempted to link the application with the miniature scale farming activity that occasionally occurs on the site and those that sought to reassure that the applicant had no intention, then or in the future, of seeking to develop any additional properties. As the most recent application demonstrates, it would have been unwise to rely on such assurances. We are deeply concerned that any development in either or both of the Upper and Lower paddocks will inevitably presage further development in the future.

We request that the Council refuse this application.





# Comments for Planning Application 18/00133/FLL

## Application Summary

Application Number: 18/00133/FLL

Address: Land 100 Metres North West Of Glendy Steading Glenfarg

Proposal: Erection of 2no. dwellinghouses

Case Officer: Persephone Beer

## Customer Details

Name: Mr Graeme Leslie

Address: [REDACTED]  
[REDACTED]

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Development Plan Policy
- Inappropriate Housing Density
- Inappropriate Land Use
- Out of Character with the Area
- Over Intensive Development
- Over Looking

Comment: I object on the following grounds:

1. That permission for 2 houses is now being sought, when the council has already refused permission on 2 occasions for a single house on the same site.
2. The supporting documents in these previous applications for just 1 house, indicated that there was a growing agricultural business and that there were no further plans other than a family house. This was rejected at the time and therefore surely undermines any further application, particularly for 2 properties now to be considered.
3. It raises questions and concerns about the future plans of the applicant to build more houses in the adjoining fields (where an access track has already been built).
4. The new houses proposed are not in keeping with the existing properties and sit well outside of the existing cluster of houses in the area (i.e. they cannot be regarded as infill)



### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	18/00133/FLL	<b>Comments provided by</b>	Mike Lee Transport Planning Officer
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	██████████ ████████████████████
<b>Description of Proposal</b>	Erection of 2no. dwellinghouses		
<b>Address of site</b>	Land 100 Metres North West Of Glendy Steading Glenfarg		
<b>Comments on the proposal</b>	Insofar as the Roads matters are concerned I have no objections to this proposal.		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	28/02/2018		

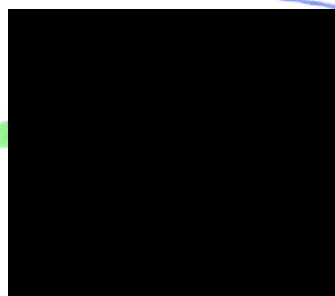




Support



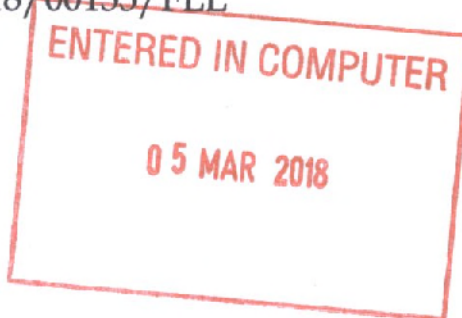
Ross Allan



01/03/2018



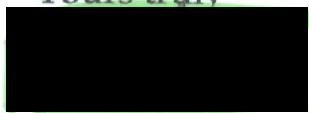
Planning Application Reference: 18/00133/FLL



Dear Planning Officers

I wish to lodge my support for the planning application at Glendy Burn Steading. I was disappointed that the previous application, which would have allowed the Sloan family to expand their agricultural business, was refused and once again hope that the planning officers approve this one. As I previously stated this appears both a pleasant and a logical location for new housing. There is an existing access, services are available, it's not too isolated or remote and there is a readily defined setting formed both by established landscaping and the existing houses and buildings. I like the design and materials and consider that these will blend sympathetically with the landscape. This application for an infill site clearly meets the Perth and Kinross policy for building in the countryside and on that basis, should be approved by the planning officers.

Yours truly

  
Ross Allan



# Comments for Planning Application 18/00133/FLL

## Application Summary

Application Number: 18/00133/FLL

Address: Land 100 Metres North West Of Glendy Steading Glenfarg

Proposal: Erection of 2no. dwellinghouses

Case Officer: Persephone Beer

## Customer Details

Name: Mrs Lisa Allison

Address: [REDACTED]

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Employment Provision
- Enhances Character of Area

Comment: We wish to express our support for the Sloan family's planning application at Glendy Burn Steading. We live at the end of the small road which runs past the sites and know the area well. The proposed houses will blend sympathetically with the already existent properties and respect the character of the houses at Glendy. We are aware that the Sloan family are lambing and calving this spring and not having a house on site will make this more difficult.

We hope that Perth and Kinross council will support this young family trying to develop a farming business.

In our opinion this application clearly meets the Perth and Kinross Council planning policy in relation to infill sites and as such planning permission should be granted .

John and Lisa Allison



# Comments for Planning Application 18/00133/FLL

## Application Summary

Application Number: 18/00133/FLL

Address: Land 100 Metres North West Of Glendy Steading Glenfarg

Proposal: Erection of 2no. dwellinghouses

Case Officer: Persephone Beer

## Customer Details

Name: Mrs Moira Gourdie

Address: [REDACTED]

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Dear /Ms Beer,

Planning Application 18/00133/fll

We supported Dr. and Mr. Sloan in their previous application (17/00618/fll) and are disappointed that due to it being unsuccessful they now have to make this application to secure a family home.

We have lived at [REDACTED] for almost 30 years and in this time never had any concerns or need to object to any development applications. The addition, over the years, of 2 new houses and the extension of the Mill Cottage, all beautifully completed, have created a building group/settlement and therefore clearly allows this application to fit within Perth and Kinross Planning policy as part of a building group and infill site.

We hope Perth and Kinross Council support this young family in their quest for a family home and future development of their farm business and approve this application.

Yours sincerely,

Moira and George Gourdie





SUPPCE



Mr C Leaburn

01/03/2018

Application Reference: 18/00133/FLL

To whom it may concern

*Having looked at the drawings for the proposed application I feel it is both sympathetic to the surroundings and in keeping with the Glendy settlement.*

*The houses in Glendy are a mix of old and new developments and I believe that these new houses will respect the character and enhance the landscape of the area. Once finished they will sit naturally in the setting, resulting in minimal visual impact on passersby, just as the recently built house of Easter Glendy has.*

*In my opinion, it is important to build houses in the right settings in the countryside and this infill site application is a clear example of a natural extension to an already existent building group, which has been extended by 2 new builds in recent times.*

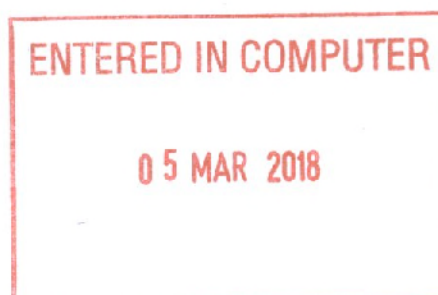
*I know there is local support for this young family in their attempt to establish a family home and base for their farming enterprise. The objections from the "privileged few" with the "not in my back yard" attitude should not be allowed to influence the fact that this application clearly meets Perth and Kinross planning policy.*

*I think that supporting this site does more than validating a planning policy, it also supports a young family striving to create a future in farming for their family and the local economy.*

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

Yours Sincerely

C Leaburn





# Comments for Planning Application 18/00133/FLL

## Application Summary

Application Number: 18/00133/FLL

Address: Land 100 Metres North West Of Glendy Steading Glenfarg

Proposal: Erection of 2no. dwellinghouses

Case Officer: Persephone Beer

## Customer Details

Name: Mrs Heather Prescott

Address: [REDACTED]  
[REDACTED]

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Enhances Character of Area
- Supports Economic Development

Comment:we are in full support of Dr Sloan & Mr Sloan in this application. This is a young family who are lambing and calving this year, they have improved their land significantly, investing time and effort into tree planting, hedges and fencing. Having a dwelling on the land would help massively on the success of their farming venture. This development would only add to the relatively recent builds in the Glendy Hamlet and certainly would NOT be out of place, it would simply be an infill site.

Mr & Mrs R Prescott



# Comments for Planning Application 18/00133/FLL

## Application Summary

Application Number: 18/00133/FLL

Address: Land 100 Metres North West Of Glendy Steading Glenfarg

Proposal: Erection of 2no. dwellinghouses

Case Officer: Persephone Beer

## Customer Details

Name: Mr Alan Fairweather

Address: [REDACTED]

## Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Enhances Character of Area

Comment: I fully support this application. I am a resident of the village of 48 years and this application will make this hamlet more complete. My family and I use this area both for work and recreational activities and the proposed application is naturally fitting with area and I am glad to see to see this application submitted.



## Advice : HSL-180323080042-317 DO NOT ADVISE AGAINST

**Your Ref:** 18/00133/FLL

**Development Name:** Glendy Burn

**Comments:** Erection of two dwellinghouses

Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2015, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013]

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Perth and Kinross.

**HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.**



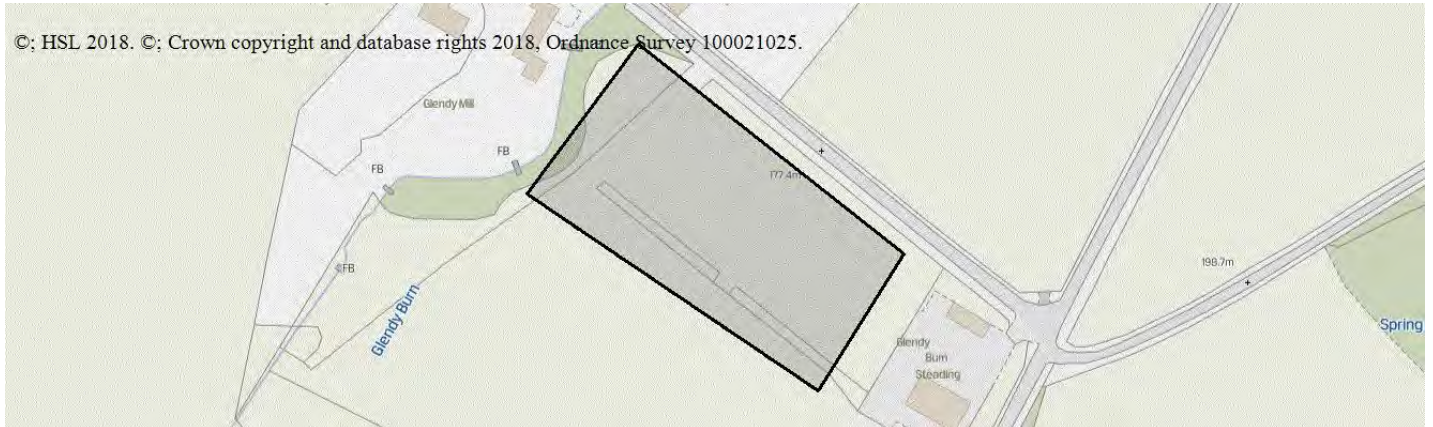
Commercial In Confidence



## Breakdown:

### Housing DAA

How many dwelling units are there (that lie partly or wholly within a consultation distance)? 3 to 30 inclusive  
Is the dwelling unit density greater than 40 units per hectare? No



### Pipelines

#### 6776\_ Shell UK Exploration & Production

As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this:

- The operator may have a legal interest (easement, wayleave etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline.
- The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

HSE's advice is based on the situation as currently exists, our advice in this case will not be altered by the outcome of any consultation you may have with the pipeline operator.

This advice report has been generated using information supplied by Persephone Beer at Perth and Kinross on 23 March 2018.

Note that any changes in the information concerning this development would require it to be re-submitted.

# Memorandum

To Development Quality Manager From Regulatory Service Manager

Your ref PK18/00133/FLL

Our ref LJ

Date 23 March 2018

Tel No [REDACTED]

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Consultation on an Application for Planning Permission

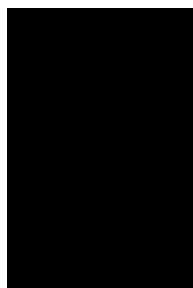
**PK18/00133/FLL RE: Erection of 2 no. dwellinghouses Land 100m north west of Glendy Steading, Glenfarg for Mr Philip Sloan**

I refer to your letter dated 6 February 2018 in connection with the above application and have the following comments to make.

**Contaminated Land** (assessment date – 23/03/2018)

### Recommendation

A search of the historic records did not raise any concerns regarding ground contamination and therefore I have no adverse comments to make on the application.







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

15 July 2018

Dear Sirs

**Planning Application 18/00133/FLL:  
Erection of 2 dwellinghouses on land 100 metres north west of Glendy[burn] Steading,  
Glenfarg**

Thank you for notifying me that the applicant for the above proposed development is seeking a review of PKC's refusal decision, via the Local Review Body.

My original objections still stand, and I am not aware of any changes in the circumstances of the application which would seem likely to alter the Council's decision to refuse.

I do have one minor correction to my letter of 13 February where I state that: "the proposal would increase traffic on the private road, with safety implications, and might involve felling some of the lovely old trees on the private road down to Glendy to make the access track to the upper paddock house." In fact, I believe that this part of the road belongs to the Council, but whoever owns the trees, felling would spoil the beautiful old avenue which leads down to Glendy Mill Bridge, a Category C Listed Building.

I would urge the Council to uphold its refusal decisions for this application and previous applications to build houses at Glendyburn Steading.

Yours faithfully

Alison Burlison



Ref no:- 18/00133/FLL

Dear Councillors

I was very disappointed by the planning officer's decision regarding the Sloan's planning application. I have read through the delegated report and see no real reason for this decision. I know the site well and it clearly meets the criteria for infill. It is also very disappointing that my letter of support, along with the others, was ignored by the planning officer who only highlighted the objector's issues.

Once again, I urge you to fairly consider this application and grant planning permission so this family can build a successful farming business.

Yours sincerely

Mr Fenwick Worrell

19/07/2018





## **CHX Planning Local Review Body - Generic Email Account**

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**From:** Alan Fairweather [REDACTED]  
**Sent:** 20 July 2018 12:41  
**To:** Development Management - Generic Email Account  
**Subject:** Planning ref : 18/00133/FLL Mr and Mrs Philip Sloan

Dear Sirs ,

I write in connection with the above application for erection of 2 dwelling houses and wish to reinforce my support of this development .I believe this application to be within the policy guidelines as set down by Perth and Kinross Council and was deeply disappointed to see the initial application refused .I believe and I am of the opinion that this application will enhance this small hamlet in this area and would encourage the Council to reconsider their decision and grant planning approval in accordance with Perth and Kinross Planning guidelines and policy .

Best Regards

[Alan Fairweather](#)



## **CHX Planning Local Review Body - Generic Email Account**

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**From:** Moira Gourdie <[REDACTED]>  
**Sent:** 20 July 2018 10:57  
**To:** CHX Planning Local Review Body - Generic Email Account  
**Subject:** Re: TCP/11/16(541)

To whom it may concern,

Planning Application Dr and Mr Sloan 18/00133/fll

We have lived at [REDACTED] nearly 30 years, the area at Glendy Mill has been developed from the original Mill and Mill cottage to the cottage being extensively extended and a further 2 dwellings with outbuildings etc.

These developments have been completed beautifully and sympathetically, without any objections or concerns in the planning stages regarding loss of views, being detrimental to the area or worries regarding the road use for traffic, horse riders, walkers or cyclists.

We see no reason why this application should not be viewed in a similar manner.

These developments have resulted in creating a building group and we feel that Dr and Mr Sloan's application will not detract or spoil the appearance of this settlement.

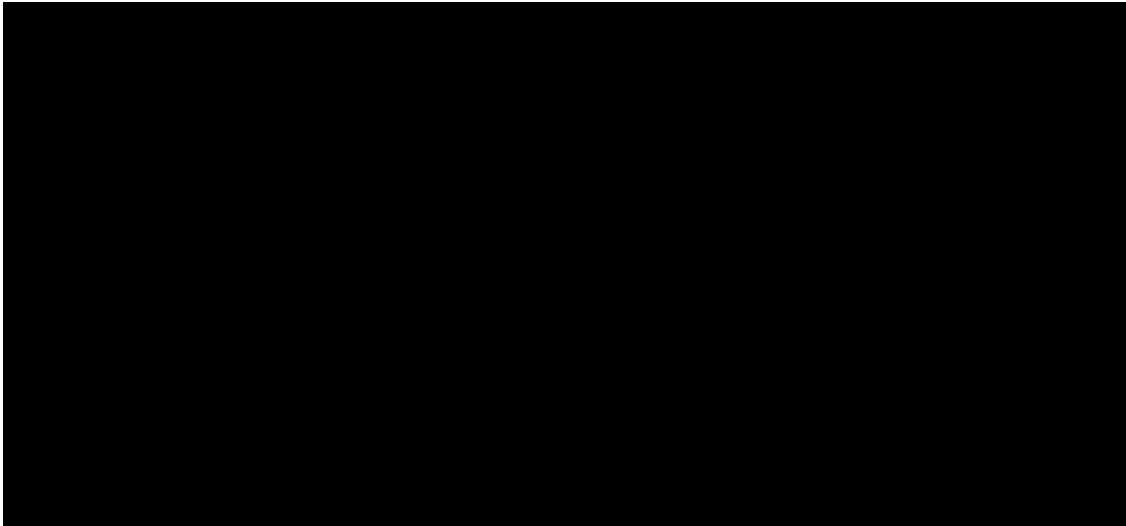
We also supported Dr and Mr Sloan's previous application. They are a hardworking young family, dedicated to their stock and land, their determination to expand their farming enterprise should be commended and encouraged.

We hope the review of their application will be successful.

Regards

George and Moira Gourdie





**From:** calum LEABURN [REDACTED]  
**Sent:** 20 July 2018 07:55  
**To:** Development Management - Generic Email Account  
**Subject:**

To whom it may concern

I am writing to support the Sloan family's appeal for two houses in the gap site at Glendy Burn Steading. In my opinion 2 houses could be built upon that site fulfilling PKC infill criteria. They would naturally fit into the surrounding area and people passing by wouldn't give it a second thought.

Please support this planning application.

Application ref 18/00133/FLL



