

**LRB-2022-31**  
**21/02069/FLL – Erection of 7 dwellinghouses, garage, formation of landscaping and associated works, land 480 metres south east of 4 Pitfar Steadings, Powmill**

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**LRB-2022-31****21/02069/FLL – Erection of 7 dwellinghouses, garage, formation of landscaping and associated works, land 480 metres south east of 4 Pitfar Steadings, Powmill**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**







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

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

Thank you for completing this application form:

ONLINE REFERENCE 100577365-001

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

## Applicant or Agent Details

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

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	A.S Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Alison	Building Name:	
Last Name: *	Arthur	Building Number:	85
Telephone Number: *	01337 840 088	Address 1 (Street): *	High Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Newburgh
Fax Number:		Country: *	Fife
		Postcode: *	KY14 6DA
Email Address: *	info@asassociatesltd.co.uk		

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="Barnhill Farm"/>
First Name: *	<input type="text" value="Tam"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Carroll"/>	Address 1 (Street): * <input type="text" value="Powmill"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Dollar"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="FK14 7NS"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="sam@asassociatesltd.co.uk"/>	

## Site Address Details

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

Please identify/describe the location of the site or sites

Northing	<input type="text" value="696176"/>	Easting	<input type="text" value="301152"/>
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## Description of Proposal

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

Erection of 7 dwellinghouses, garage, formation of landscaping and associated works

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

Please refer to attached Statement of Reasons for Seeking Review

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

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Statement of Reasons for Seeking Review, Planning and Design Statement (October 2021) previously submitted with planning application.

## Application Details

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

21/02069/FLL

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

18/11/2021

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

22/03/2022

## Review Procedure

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

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

☐ Yes ☒ No

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

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A site visit will enable the members of the Local Review Body to properly understand and appreciate the existing status of the farm steading area in relation to the submitted proposal.

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

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

☐ Yes ☒ No

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

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

## Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

## Declare – Notice of Review

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

Declaration Name: Mrs Alison Arthur

Declaration Date: 21/06/2022



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Perth & Kinross Council Local Review Body

Statement of Reasons for Seeking Review

21 June 2022

[Application 21/02069/FLL](#)

[Erection of 7 dwellinghouses, garage, formation of landscaping and associated works](#)

[Land 480 Metres South East of No. 4 Pitfar Steadings Powmill \(Barnhill Farm\)](#)

### Introduction

This statement is prepared on behalf of Mr Tam Carroll (the applicant) who is seeking planning permission for the redevelopment of land and buildings at Barnhill Farm, Powmill. With respect, we ask the members of the Local Review Body to consider the following points favourably in their assessment of the proposal. We also believe that a site visit by members will be invaluable in informing their assessment of the proposal.

- The farm steading is no longer in agricultural use, with disused buildings and contaminated, brownfield land. It provides an ideal opportunity for a modestly sized rural housing proposal to enable the environmental improvement of the site and re-use of redundant buildings.
- Mr Carroll formerly operated his mental health charity for ex-military personnel, Warrior Ranch, from the site, with both buildings and land used for equestrian purposes. However, the centre could not operate during the Covid-19 pandemic and ultimately this led to the facility closing due to the heavy financial burden of caring for the horses, with no income. Mr Carroll is unable to restore the operation of the charity, has experienced financial difficulties through the closure of Warrior Ranch and is now seeking an alternative use for the steading.
- Mr Carroll believes that his proposal merits approval and that the assessment contained in the Report of Handling fails to identify the opportunity in the proposal, compliant with Council policy and guidance, to enable good rural development. Instead, it appears that the assessment seeks out reasons to refuse the application, interpreting the situation in a wholly inflexible manner.

- We strongly contend that the proposal can gain support from Policy 19 Housing in the Countryside and the associated Supplementary Guidance. The previously submitted Planning and Design Statement (in Section 6.0) provides a detailed justification, setting out how we believe that each part of the proposal complies with policy and guidance. With respect, we ask that the members of the Local Review Body refer to this for the full background to the proposal.
- We understand that this proposal is not straightforward, not clearly fitting into only one of the policy categories. However, we believe that the decision-making process is about making a balanced judgement on the overall merits of a proposal, looking beyond rigid compliance with each of the individual policy criteria and taking a view on how a proposal meets with the 'spirit' of the policy: its aims and objectives.
- We contend that this proposal gains support from the key Council policies. We highlight the following statements from the Council's Housing in the Countryside policy and guidance. We believe that Mr Carroll's proposal meets with these aims:
  - 'Local Development Plan 2 Policy 19: Housing in the Countryside aims to: safeguard the character of the countryside; support the viability of communities; meet development needs in appropriate locations; and ensure that high standards of siting and design are achieved.' (from Introduction to the Housing in the Countryside Supplementary Guidance -pg. 3)
  - 'Development must contribute positively to the quality of the surrounding built and natural environment'. (from overarching Policy 1: Placemaking)
- The Report of Handling raises no concerns with the design and layout of the proposal, nor with residential amenity or landscape impact, subject to appropriate planting. The applicant is content to upgrade the private access track as required and to make the required contributions to affordable housing and primary education.

### [Response to Reasons for Refusal](#)

*Reason for Refusal 1: The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance (March 2020) as it does not meet any of the criteria within the categories: 1) Building Groups, 2) Infill sites, 3) New houses in the open countryside, 4) Renovation or replacement of houses, 5) Conversion or replacement of redundant non-domestic buildings and 6) Development on rural brownfield land.*

- We believe it is unreasonable to conclude that the proposal, in terms of Policy 19, meets none of the criteria within the categories set out in the policy. The assessment has been overly rigid and has looked strictly at the specific category criteria rather than having an overview of the integrated elements of the steading. It lacks a common-sense approach to the need for redevelopment of the redundant farm steading.



- The farm has been marketed for more than one year (as required by the guidance) and no buyer found. With no future agricultural or rural business use, the existing buildings/structures will fall into greater disrepair and the remains of the former buildings (assessed as contaminated land) will continue to prevent any beneficial use of the site. The applicant will provide the Local Review Body with evidence of marketing and of contaminated land status should this be requested.
- This proposal for dwellinghouses provides an opportunity to make good use of a redundant site, bringing with it environmental benefit. Policy 19 refers to redundant buildings as providing a resource from a sustainability point of view with potential for reuse to 'help meet present and future rural housing needs.' The assessment in the Report of Handling is that Barnhill Farm does not comprise a 'building group'. The farm steading, its component agricultural and residential buildings/structures, clearly fall within the definition of a Building Group (category 1) and that extension of the group is therefore appropriate. In terms of the detail:
  - The two substantial two storey semi-detached dwellinghouses should be counted as two buildings: each is equivalent in size to a 'traditional cottage', as referred to in the guidance. The fact that they are joined should not be a consideration. This interpretation would mean that where there is lengthy terrace of cottages, for example, a building group would not be able to be identified.
  - The redundant stable should be counted as a building within the group: suitable for conversion to residential in terms of category 5, as stated in the Report of Handling. It is equivalent in size to a small traditional cottage.
  - The silage pit is a substantial concrete-built walled structure which is redundant and where there is no prospect of its future use as a silage pit or any other agricultural or rural business use. It is derelict and unattractive and provides an ideal structure within which to form a new dwellinghouse, providing a sustainable reuse of materials and land and visual and environmental improvement. It is reasonable to consider it as a building within the Barnhill Farm group.
- The stable block gains support from the policy, as the conversion of a redundant non-domestic building (category 5). The Report of Handling states support for its conversion. The existing building is of a scale similar to a small farm cottage, with the proposal retaining the form of this existing building, with additional accommodation provided in a modestly scaled extension. The stable building is redundant and was marketed, as part of the overall steading, for more than 1 year.
- The proposal gains support from the policy in terms of development on rural brownfield land. The site contains extensive areas of concrete foundations of former buildings. The guidance indicates support on cleared sites significantly degraded by former use and where redevelopment for housing is the only viable

means to remediate the site. The applicant's consultant engineer has confirmed that formal remediation of the site would be needed before it could be brought into any beneficial use. The applicant will provide the engineer's opinion should this be required.

*Reason for Refusal 2: The proposal is contrary to Policy 41 Biodiversity as no ecological survey of the proposed development area or assessment of the likely effects from this development on habitats and species was submitted.*

- The case officer did not request additional information, in the form of an ecological survey, to enable the assessment of the proposal. We understand that this was because the application was recommended for refusal in terms of other issues. We appreciate this consideration, in view of the time/cost involved in carrying out a survey. The applicant's informal advice is that the proposal can be achieved without any adverse effect on protected species or habitats. The proposal would include landscaping and planting to enhance the biodiversity of the site. The applicant is agreeable to providing an ecological survey should this be requested.

*Reason for Refusal 3: The proposal is contrary to Policy 1A Placemaking as the proposals so (sic) not incorporate appropriate landscaping and planting works for the scale and nature of the development proposed.*

- The case officer did not request a detailed landscaping plan and we believe that appropriate detailed proposals for landscaping and planting can be achieved through a condition attached to consent. The Report of Handling's assessment of 'landscape/visual amenity' only states that the development would have 'visual impact', common to any built development. It does not conclude that the proposal would have any unacceptable impact. In this case we believe that it is unreasonable to refuse the application for reason that it does not include a sufficient proposal for landscaping and planting works. These aspects can be adequately dealt with by condition or should the Local Review Body wish, the applicant can provide further details at this time.

## Conclusion

- With respect, Mr Carroll seeks the Local Review Body's approval of his application. Barnhill Farm is redundant for agricultural use and there has been no interest in it for any new rural business use, following a lengthy period of marketing. The redevelopment of the Farm fits with the aim and objectives of the Council's policy for achieving well located housing in the countryside.
- The Farm buildings will only continue towards dereliction if a beneficial new use cannot be found. The extensive areas of concrete base require costly remediation.
- The Report of Handling finds no cause for concern with the design, layout or amenity of the proposal. The points regarding access track upgrading and the provision of an ecological survey and landscaping plan can all be readily addressed by the applicant.

Planning and Design Statement  
Application for Planning Permission  
Proposed residential development at  
Barnhill Farm, Powmill (7 units)

Mr Tam Carroll  
October 2021



Arthur Stone Planning  
& Architectural Design



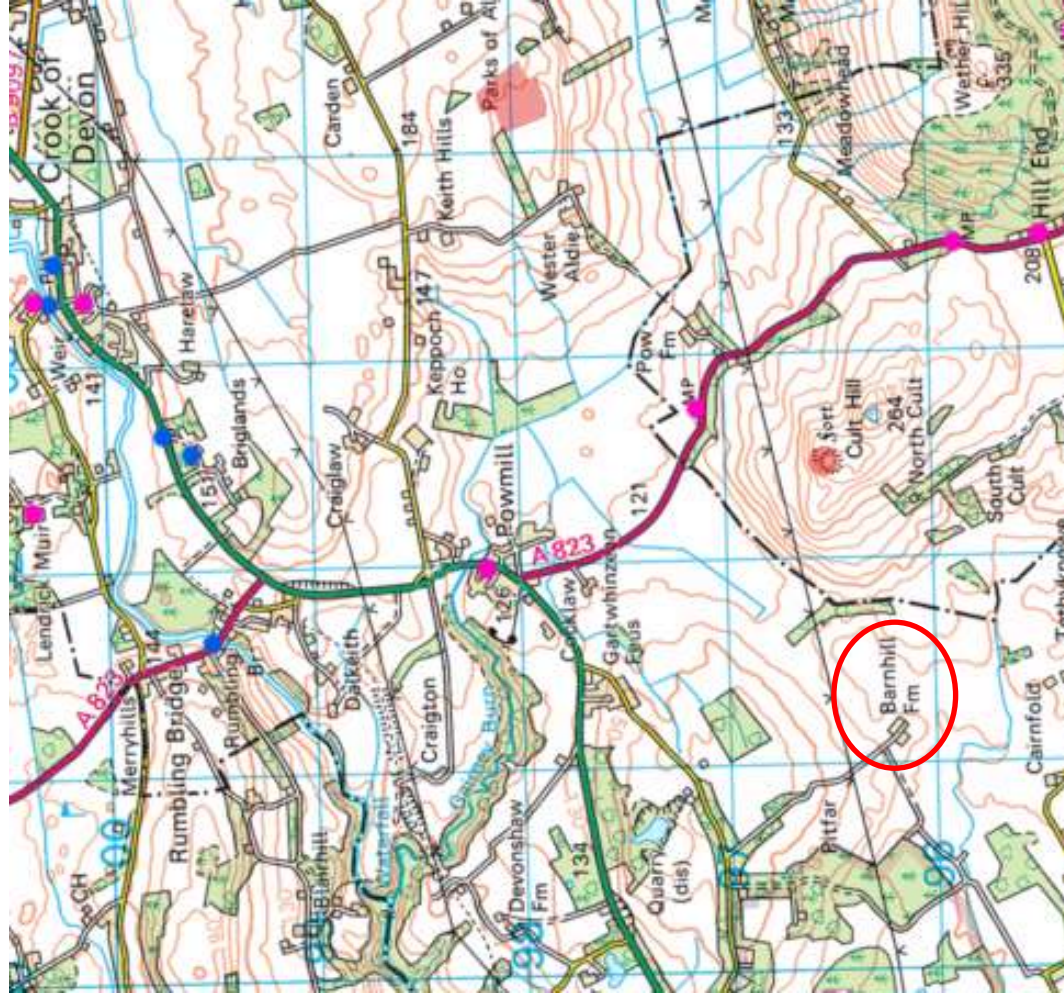
85 High Street  
Newburgh, KY14 6DA

Tel: 01337 840088

[www.arthurstoneplanning.co.uk](http://www.arthurstoneplanning.co.uk)  
[info@arthurstoneplanning.co.uk](mailto:info@arthurstoneplanning.co.uk)

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- 8.0 Conclusion





## 1.0 Introduction

- 1.1 This statement has been prepared for Mr Carroll to assist with the **Council's assessment of his proposal for residential development on land at Barnhill Farm, Powmill.**
- 1.2 There has been no farming business associated with the land and buildings for some time and its most recent use was as the base for Warrior Ranch Scotland, a registered charity. Much of the farm steading can now be considered as brownfield land. Two dwellings (semi-detached) are also part of the Barnhill Farm building group (lying out with the application site).
- 1.3 The applicant purchased Barnhill Farm in June 2017 specifically to **start Warrior Ranch Scotland. The charity offered a wellbeing 'hub' for (ex) Service and Military Personnel** using animals as a means of therapy to help those suffering from the effects of PTSD and complex trauma. The applicant ran successful on-site courses centred around animal management and equine facilitated human development in conjunction with mental health charities.

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Screenshots from the Charity's Website Warrior Ranch Scotland  
[www.warriorranchscotland.co.uk](http://www.warriorranchscotland.co.uk)



- 1.4 Warrior Ranch Scotland ran successfully until early 2020 but as a result of the Covid pandemic has been unable to operate. Consequently, the Charity has now ceased operating due to the financial costs of running the farm and the ongoing care of the animals. The Charity relied, financially, on a mixture of fundraising and income from the courses being run on site with the animals. Due to the pandemic these courses were impossible to run over the last 16 months and the applicant had no choice but to close the Charity in early Summer 2021. The animals have now all been rehomed. The applicant is no longer in a financial position to be able to re-establish the charity and is now looking to find alternative potential for the redundant steading area at Barnhill Farm through re-development for residential use.

## 2.0 Site Context and Description

2.1 The application site, approx. 0.77ha, is located approximately 2.0 km to the south of Powmill, near Kinross. The site is accessed from the A977 (Kincardine—St. Andrews) via a minor road loop, the U223, between the junction near Gartwhinzean via Craigend and Pitfar and the junction at Whitegates Farm. The site is located 1km to the south of the U223, accessed by a track, which also forms part of the core path network (FSVVY/117). The site is surrounded by approx. 16ha of land in the ownership of the applicant.

2.2 Barnhill Farm has not been used as a working farm unit since the applicant took over the site in 2017. The former farm steading was partly removed, by necessity, as some buildings were ruinous and beyond reasonable repair and collapsed just prior to the applicant taking control of Barnhill Farm. The applicant had to remove the remains of the buildings in order to safely utilise the site for his Charity work (see details in 1.0). There are 3 buildings remaining from the farm steading (a modern portal frame shed and traditionally constructed stable building, both partly upgraded by the applicant and a disused silage pit).

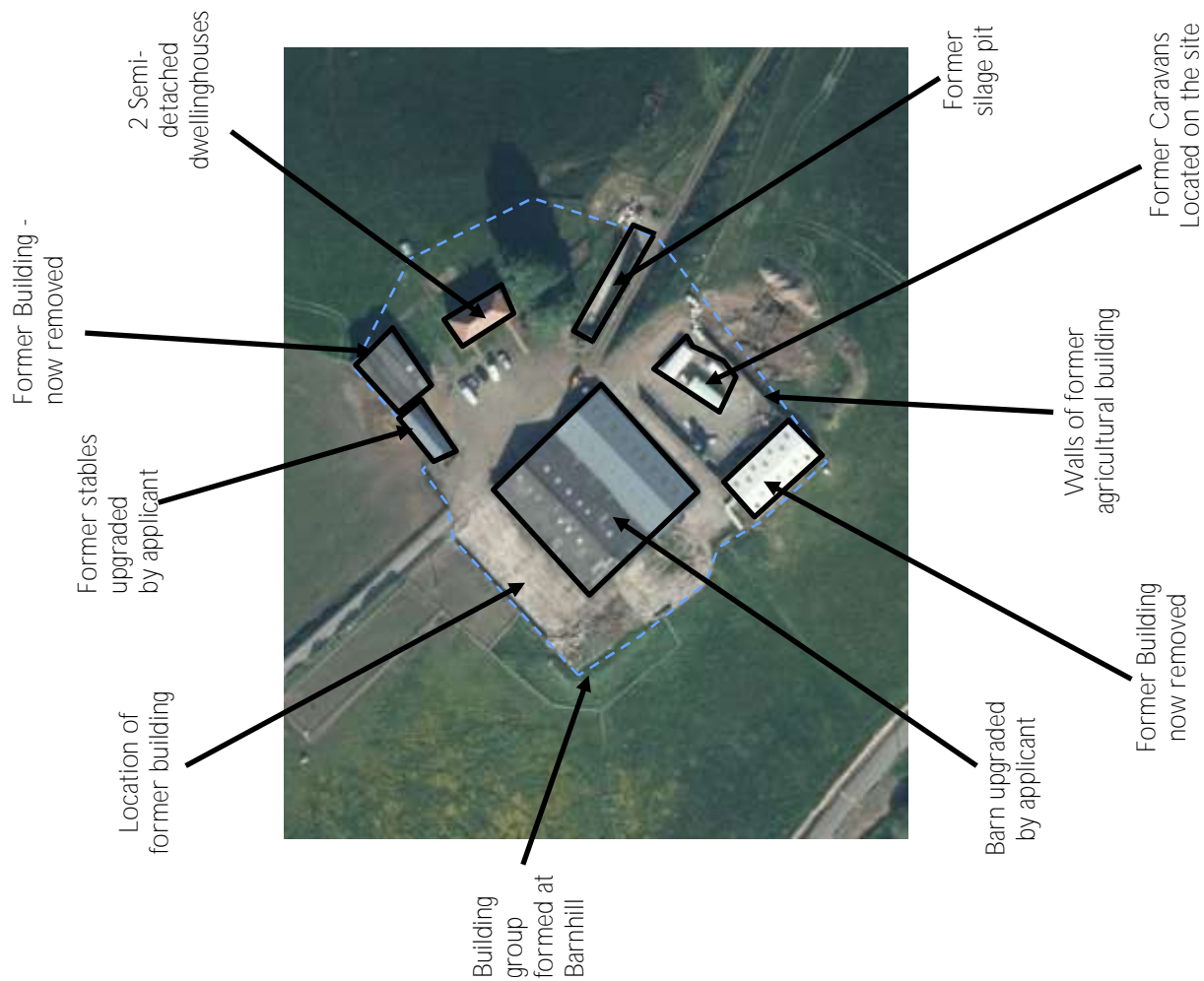
2.3 The two dwellinghouses (two storey, semi-detached) are located adjacent to the north east side of the steading area. There is now a significant area of brownfield land where former buildings once stood, including concrete foundations and the base and retaining walls of a former silage pit. Remediation of the site is required before any future use can be achieved.

2.4 Barnhill Farm lies in an area of undulating topography with higher land rising further to the south and east. The area has considerable mining history with the site lying only within the Coal Authority Coal Mining Reporting Area although not within the Development High Risk Area.

2.5 The surrounding area is a significant Forestry Commission landholding and is now widely planted with areas of commercial forestry. These are interspersed with areas of existing native woodland of various types. A new forest road has been constructed nearby the site, running to its south and west, and is intended as an access to further new planting surrounding the application site.

2.6 **The applicant's land, surrounding the site, is not prime agricultural** land, being class 4.2, suited to grazing and 3.2, capable of average production and where grass leys are common. ('Soil Survey of Scotland Staff (1984-87). Land Capability for Agriculture maps of Scotland at a scale of 1:50 000. Macaulay Institute for Soil Research, Aberdeen'.

## 2.0 Site Context and Description



Application Site



Application Site



Building now removed

Application Site



Buildings now removed

Building upgraded

Buildings now removed

Building upgraded



2.0 Site Context and Description

- 4 Existing 2no. houses and parking area
- 5 Former silage building
- 6 Former horse riding arena



2.0 Site Context and Description

- 4 Existing 2no. houses and parking area
- 5 Former silage building
- 6 Former horse riding arena



Visual Site Context & Surroundings

- 1 Existing agricultural storage building/stables, remains of silo building and concrete floors of former buildings on the site.
- 2 Vehicular access in and out of site
- 3 Former stable/store shed





Site Viewpoints



Photographs of the Planning Application Site - comprising a concrete base of a former silo/agricultural building and an existing barn



## 3.0 Planning History

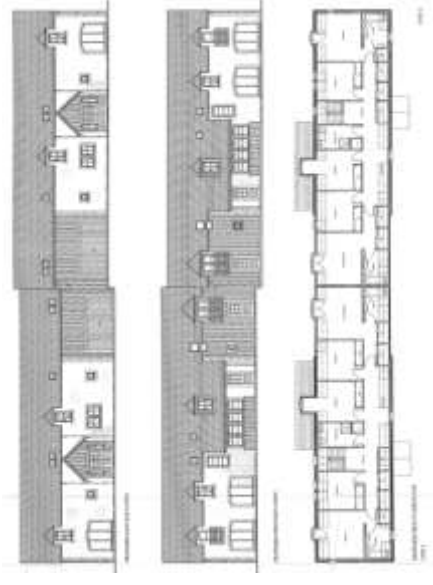
3.1 There have been a number of planning applications proposed on the land at Barnhill Farm over recent years. These can be described as follows:

- 09/00077/FLL - 2009 - Approved. Demolition of existing buildings and erection of 6 dwellinghouses. This application was approved, in line with **the officer recommendation, by the Council's Development Control Committee** in August 2009. The application contained a revised proposal following an earlier refusal (07/01105/FUL). The reasons for the earlier refusal, visual amenity and access were resolved in the subsequent application.
- 17/00512/FLL - 2017 - Refused. Change of use of existing farm buildings to part commercial equestrian use and part caravan storage. Whilst the proposal was considered to be acceptable in principle, the application was ultimately refused as the applicant was unable to finance the formation of passing places required on the existing access road.

3.2 In addition to the above history for Barnhill Farm, planning consent was granted for the redevelopment (demolition and rebuilding) of Pitfar Steading for 6 houses in January 2009, (07/02537/FUL). Pitfar Steading is located just 0.5km to the north west of the application site and is currently being developed.

3.3 Drawing details from the planning applications at Barnhill Farm and Pitfar are included on the following pages.

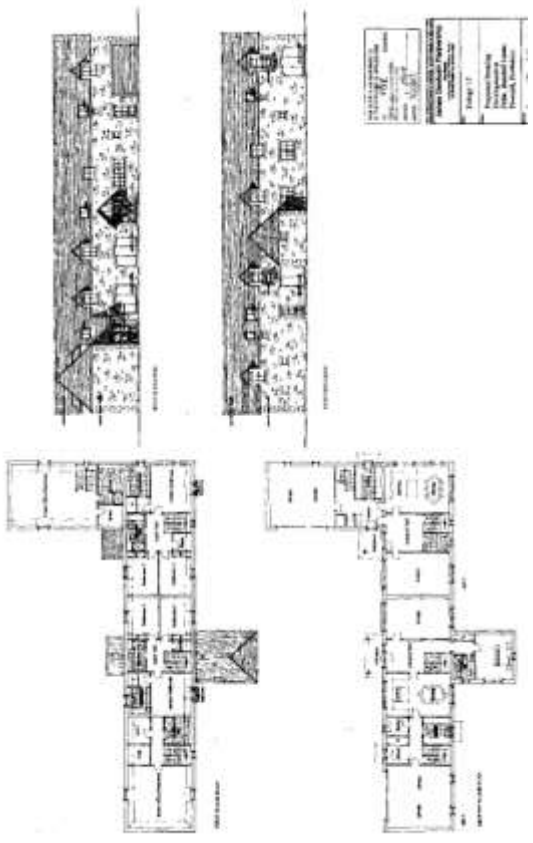
3.4 The issues raised in the assessment of earlier applications for residential development of the site have been addressed in this current proposal.



09/00077/FLL - 2009 Approval for Residential Development at Barnhill Farm, Powmill



Pitfar Steading, Powmill - Planning permission was granted for 6 houses on this site just north west of the application site in 2009 and is currently being developed.







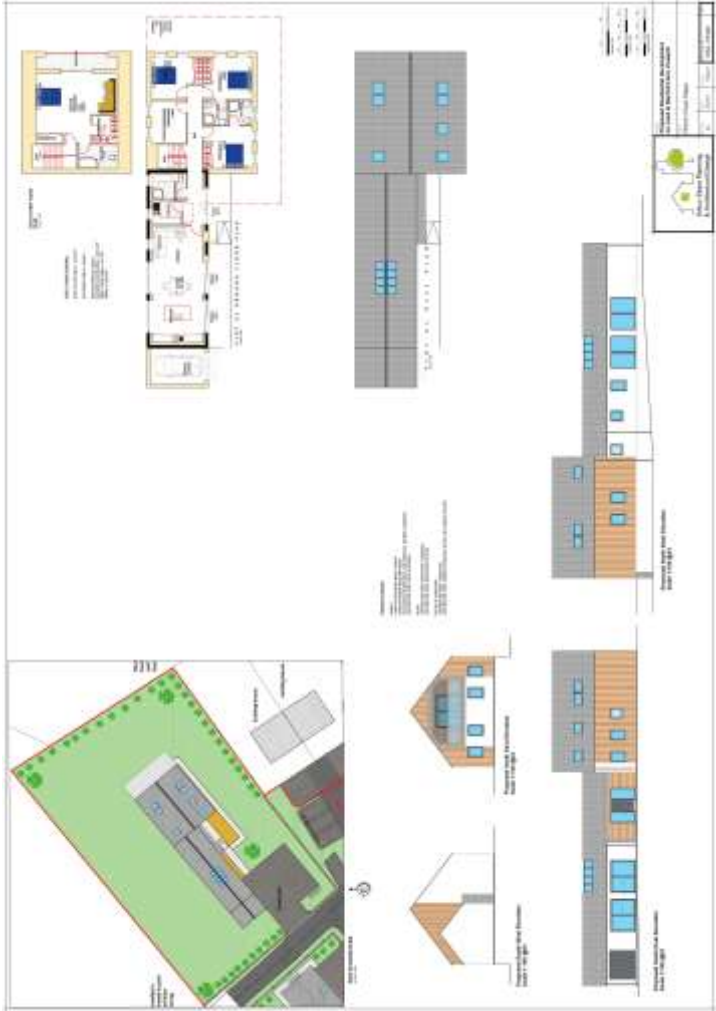




Plot 02 New Build



Plot 05 New Build



Plot 01 Conversion of former Stables



Plot 07 Conversion of Silage Pit



## 4.0 Proposal and Design Considerations

### Introduction

4.1 The site at Barnhill Far, which is largely brownfield, provides an **opportunity for sensitive redevelopment. Since the closure of the applicant's** charity, Warrior Ranch Scotland, Barnhill Farm has been disused, excepting the residential use with the two existing semi-detached dwellinghouses.

4.2 There has been no interest in any rural business use associated with the land and buildings and the large area of un-remediated land is a constraint which will be costly in bringing the site into any beneficial use.

**The applicant's previous 2017 application for change of use to commercial** equestrian and caravan storage highlighted that the financial viability of any **project is vital. The Council's requirement for upgrading of the access road** making the commercial equestrian and caravan storage proposal financially unviable.

4.3 The redevelopment of the site for residential use is considered to resolve the issues associated with the site. The proposal will financially enable the remediation of the land and the upgrading of the access track, whilst re-using the redundant existing traditional structures on the site.

4.4 The design rationale aims to re-use the existing traditional structures, and in the new build, to reflect the form and massing of a traditional farm steading, characteristic of the area, and referencing the historic layout of Barnhill Farm steading (see 1866 map on page 26). The overall concept incorporates the existing two semi-detached dwellinghouses.

4.5 The proposal will include the conversion of the former stable (Plot 01), and the former silage pit (Plot 07) and five new detached dwellinghouses (plots 02, 03, 04, 05, 06). Four of the new build units will be four bedroom, with the remaining unit being five bedroom. The two conversions will both be four bedroom.

### Site Layout

4.6 The proposed conversions, Plot 01 and 07, lie on the east side of the site, to the north and south of the existing dwellinghouses. The west side of the site accommodates five new build detached dwellinghouses, Plots 02—06, with a layout reflecting a traditional U shaped steading form.

4.7 The layout includes a central landscaped courtyard providing shared recreational space and access, from the north, to all the properties. Car parking is provided adjacent to each property, but outwith the shared courtyard space. The only car parking in this area will be four visitor spaces located to the east side of the courtyard and distanced from the recreational space. Bin storage will also be located within the courtyard.

4.8 Each unit is provided with ample garden ground, providing for private use. The new building units each have an internal garage and additional parking spaces, as does the converted stable (Plot 01). The converted silage pit (Plot 07) has a standalone garage, in addition to parking spaces.

### Design and Materials

4.9 The massing and design of the proposal is considered to be an appropriate addition in the surrounding countryside; being sensitive to the character of the area and the existing two storey dwellinghouses on the site.

4.10 The new build units to the west side of the steading will form a U shape with elements of various heights, single storey, one and a half storey, and one and three quarter storey. Design elements include wall-head windows and rooflights. The varied massing and different features of the proposed units add interest to the overall layout and design of the Barnhill Farm group.

## 4.0 Proposal and Design Considerations

4.11 The design is contemporary whilst incorporating characteristics of traditional vernacular buildings. A high quality but simple palette of materials and finishes has been proposed, appropriate to the rural character of the area and giving the development an overall design coherence. The wall finishes include smooth white render, grey facing brick basecourse, vertical and horizontal larch cladding and anthracite grey profiled metal wall cladding. Roofing will be anthracite grey profiled metal roof cladding and matching rainwater goods. Windows and doors will be anthracite grey to match.

4.12 The converted stable will include a ground floor extension and the addition of an attic level, both to facilitate accommodating appropriate family living accommodation. Materials and finishes are as the new build units.

4.13 The converted silage pit provides the opportunity for an innovative design solution, fully incorporating its walls into the construction and the features of its construction on sloping land. The main part of the dwellinghouse will be two storey, with a mono pitch roof. Window openings will be formed at ground floor and first floor level on the south west elevation, with the north east elevation only having glazing at the upper level. A small glazed flat roofed extension will be located on this elevation. The unit will be extensively glazed on its south east elevation to maximise the solar gain benefits of this aspect and the expansive views. Materials and finishes are the same as the other units in the overall development.

4.14 Overall, it is considered that the proposal for this stead development, well designed and with high quality materials and finishes, will sit well in the surrounding landscape with no adverse visual impact. The proposal incorporates the conversion of existing buildings and the redevelopment of land where building either formerly or currently sit.

### Landscaping

4.15 The existing site only contains a small line of three trees lying between the existing dwellinghouses and the former silage pit. Otherwise it is devoid of tree and shrub cover. The central courtyard will be landscaped with grasses and other planting, appropriate to the microclimate which will be created by the sheltered central area. It is intended that this will provide an opportunity for enhanced biodiversity. Stone walls will be used to bound the central courtyard and adjacent private garden areas. Post and wire fencing is proposed for the external boundaries adjoining the surrounding land. The parking areas will be surfaced with concrete paving setts and other areas adjacent to parking will be laid with gravel chips. Each property will have an area of timber decking.

### Other Considerations

4.16 Other matters relevant to the proposal, including visual impact, amenity, access and infrastructure are addressed in the following sections of this Statement.

## 5.0 Planning Assessment—Introduction

5.1 The Development Plan which applies to this site is the Approved TAYplan Strategic Development Plan 2016—2036 (2017) and the Adopted Perth & Kinross Local Development Plan 2019. (LDP2) Perth & Kinross **Council's supplementary guidance is also a consideration in the assessment of** this proposal, including the Housing in the Countryside Supplementary Guidance 2020 and Placemaking Supplementary Guidance 2020.

5.2 Scottish Planning Policy 2014 (SPP) reinforces that the Town and Country Planning (Scotland) Act 1977 requires decisions to be made on **planning applications in** 'accordance with the development plan unless material considerations indicate otherwise. Proposals that accord with development plans should be considered acceptable in principle and the consideration should focus on *the detailed matters arising*'. (SPP, para. 32)

5.3 The TAYplan Strategic Development Plan 2013 is the strategic planning framework for the southeast Scotland area and sets out key areas of strategic direction for the preparation of Local Development Plans. Its strategy and policies are relevant to this proposal in several topic areas where its strategic direction is implemented through the strategy, policies and proposals of the Perth & Kinross Local Development Plan 2019.

5.4 In terms of the principle of this proposal TAYplan Policy 1: Location **Priorities (C) Outside of Principal Settlements includes that** 'Local Development Plans may also provide for some development in settlements that are not defined as principal settlements (Policy 1A). This is provided that it can be accommodated and supported by the settlement, and in the countryside; that the development genuinely contributes to the outcomes of this Plan; and, it meets specific local needs or does not undermine regeneration of the cities or respective **settlement**.' We contend that this proposal, although with no strategic implications, can gain support from the direction that it gives to Local Development Plan policy.

5.5 The Perth and Kinross Local Development Plan 2: 2019 (LDP2) **contains the Council's policies and proposals to guide its decision making in** relation to development and the use of land. The application site is not allocated for development and does not lie within any settlement boundary. **The site is therefore 'countryside' in terms of relevant policies. The** application site does not lie within an area designated for its landscape, natural or built heritage importance.

6.1 LDP2 Policy 6: Settlement Boundaries indicates that for a proposal that is on a site outwith a settlement boundary or for a proposal that does not adjoin a settlement boundary, LDP2 Policy 19: Housing in the Countryside will apply.

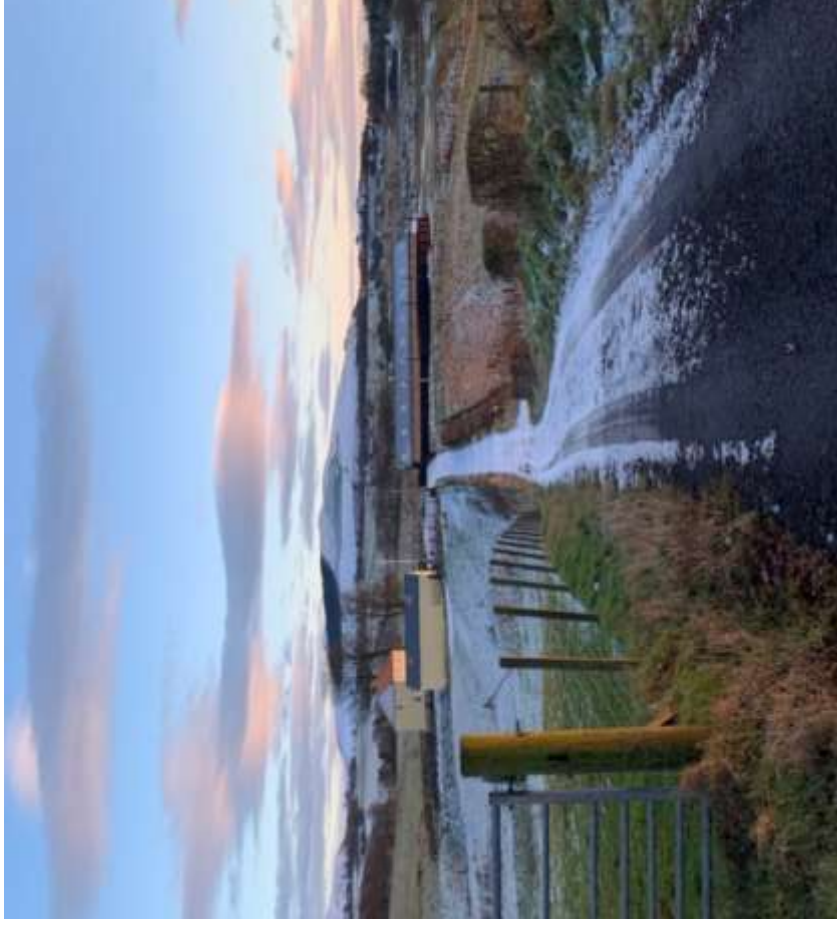
6.2 LDP2 Policy 19: Housing in the Countryside provides support to proposals for the erection, or creation through conversion, of single houses and small groups of houses in the countryside where they fall within several specified categories. The Housing in the Countryside Supplementary Guidance (2020) provides further assistance in assessing the acceptability of proposals.

6.3 This proposal is submitted as gaining support from several of the criteria attached to this policy, i.e, a combination of:

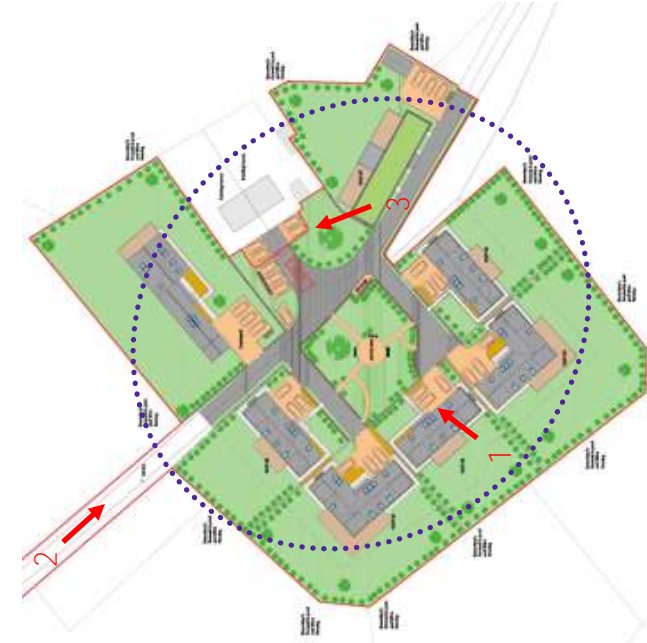
- Category 1—Building Groups - Adding to a Group
- Category 5—Conversion or Replacement of Redundant Traditional Non-Domestic Buildings, and
- Category 6—Development on Rural Brownfield Land

6.4 **The applicant's justification for the proposal in terms of this policy is** set out on the following pages.

## Category 1—Building Groups - Adding to a Group



Building Group at Barnhill Farm (view from NW)



Proposal in context of 'Group'



3164\_Carroll



Photos illustrating 'Group' at Barnhill Farm

Category 1—Building Groups - Adding to a Group

6.5 The Supplementary Guidance includes the **definition of a 'Group' as '3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group. The majority of the buildings in the group should be either residential or be suitable for conversion to residential under Category 5 of this guidance.'** (SG page 8)

6.6 **Barnhill meets with this definition of a 'Group',** having 4 separate buildings (5 if semi detached dwellinghouses counted as two buildings). At its centre are the dwellinghouses with the traditionally constructed former stable building lying to the north west, the modern shed to the south west and the former silage pit to the south east. These structures are an obvious group within their landscape setting, associated with the former farm, and characteristic of this rural area.



### Category 1—Building Groups - Adding to a Group

6.7 LDP2 Policy 19 provides support for the erection of houses, or creation through conversion, of single houses and small groups of houses **where an existing 'Group' is identified. The Supplementary Guidance** includes that permission will be granted for houses within building groups subject to three further criteria. In addition, the permission may be granted **for extension of the 'Group' into a readily definable adjacent site, subject to** the same criteria (extract from Supplementary Guidance opposite).

6.8 The proposal includes:

- The conversion of the former stable building and the silage pit to residential use, as supported by Category 5 (see page 17 ). The proposal therefore meets with the guidance in that 3 of the 4 existing buildings will become dwellinghouses.
- The extension of the existing building group with the development of a further 5 houses. These will be located on brownfield land, the remaining concrete foundations of former sheds and, in addition, on the site of the existing modern shed proposed to be removed.

We believe that this element of the proposal also gains support from Category 5 and 6 of the LDP2 Policy 19 and the Supplementary Guidance.

6.9 All the proposed new build development will remain within the readily definable site evidenced by the foundations of the former sheds. Garden ground extends to a small extent beyond this footprint. However, **this remains within the very identifiable 'steading' area which lies on a level** area separated by a distinct break of slope from the surrounding land.

6.10 The proposals to convert the former stable and silage pit include extensions beyond their existing footprints to provide suitable accommodation. Again, these extensions are within the identifiable **'steading' area.**

6.11 We believe that this proposal is supported by Category 1 of LDP2 Policy 19, with further support from Categories 5 and 6, demonstrated on the following pages. We consider that the detailed plans demonstrate that the above three criteria will be met, as referred to in the submitted Design **Statement. We demonstrate the proposal's compliance with the other** detailed policies contained in LDP2 in section 7.0 of this Statement and **believe that the criteria are met to achieve 'A Successful, Sustainable Place', 'A Low Carbon Place', 'A Natural, Resilient Place' and 'A Connected Place',** as required by Scottish Planning Policy, LDP2 and the Supplementary Guidance.



Extract from Housing in the Countryside Supplementary Guidance 2020 (page 8)

Category 5—Conversion or replacement of redundant traditional non-domestic buildings



Proposal in context of conversion of existing non-domestic buildings





Category 6 Development on Rural Brownfield Land.

6.12 The SG defines **‘Rural Brownfield Land’ as ‘Derelict land** which was at one time occupied by buildings or structures but these have now been removed, or land directly linked to former buildings or structures which has been so damaged by a former use that it cannot be left to naturalise or be reused for another purpose without **first being improved’**. The guidance indicates support for small scale housing proposals on **‘cleared sites which have been first being improved’**. The guidance indicates support for small scale housing proposals on **‘cleared sites which have been** significantly degraded by a former use or activity, and where the redevelopment of the site for housing is the only means by which it is **viable to remediate the site’**.

6.13 A significant area of the former steading at Barnhill Farm is derelict land which was formerly occupied by buildings/ **structures and has been partially ‘cleared’ for several years**. The remains include extensive areas of concrete foundations, formerly shed/yard area and the remains of a former silage pit. The applicant has consulted an Engineer who has confirmed, **given the site’s former farm use, that formal remediation will be** necessary to bring the site into any beneficial use.

6.14 The former use of the farm steading was as the base for the activities related to its former Charity use (Warrior Ranch Scotland) which ceased last year and is no longer viable. There has been no interest in the site for any rural business use and the proposed redevelopment for housing will enable the remediation of the site. It is considered that the proposal is of an appropriate scale, reflecting that of the former steading, and will be sufficiently financial viable to enable the remediation required and the upgrading of access to the site.



Proposed in context of 'brownfield land'



Photos illustrating brownfield land—concrete foundations of former sheds.





Category 6 Development on Rural Brownfield Land.

Photographs illustrate existing brownfield condition of site



## Placemaking

7.1 LDP2 Policy 1: Placemaking, requires development to contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. Compliance with a number of detailed criteria is also required by the policy. LDP2 Policy 2: Design Statements indicates that a statement is required to accompany an application in certain circumstances, including in the case of this application where the proposal is for 5 or more dwellinghouses. The requirements for a Design Statement are addressed in this combined Planning and Design Statement.

7.2 The details of the Supplementary Guidance, the Placemaking Guide 2020 have been used to inform this proposed development and are addressed in the content of the following pages, demonstrating compliance with LDP2 Policy 1: Placemaking.

## Residential Amenity

7.3 LDP2 Policy 1: Placemaking, 1A requires that development should **respect the ‘amenity of the place’**. **The detailed layout and design ensure** that there are no issues of overshadowing or loss of privacy to neighbouring properties, including the two existing dwellinghouses. Layout, along with appropriate boundary treatment and planting will secure appropriate areas of private garden ground for each of the proposed dwellinghouses.

7.4 Each property will have sufficient plot ratio with spacious garden **ground as set out in the Placemaking Guide (2020)**, i.e. ‘As a rule, it is good practice to provide a minimum of 60 square metres for private space for a 1-2 bedroomed house and 80 square metres for 3+ bedrooms. Each dwelling should **have a minimum garden depth of 9m**’. This proposal will meet these requirements, as shown on the submitted site plan.

7.5 The properties will also have access to the shared communal courtyard area and in terms of further open space, into the wider green network in the surrounding area.

7.6 Overall, we contend that the proposal can fully comply with the amenity considerations as contained within the LDP2 Policy 1: Placemaking and the supplementary Placemaking Guide 2020.

## Open Space Provision and Public Access

7.7 LDP2 Policy 14B: Open Space within New Developments seeks appropriate areas of informal and formal open space as an integral part of any new development where existing provision is inadequate. With reference to the Supplementary Guidance: Open Space Provision for New Developments (2021) we believe that this small proposal for less the 10 houses in a rural location will provide open space provision. LDP Policy 15: Public Access resists proposals that will have adverse impacts on core paths and other access routes. Core Path (FSWY/117) follows the access road to Barnhill Farm. This proposal provides an opportunity to protect and enhance this route as part of the road improvements which would accompany a future development.

### Infrastructure Impact

7.8 In line with LDP2 Policy 5: Infrastructure Contributions, and LDP2 Policy 20: Affordable Housing, the applicant recognises that securing planning permission relies on the provision of the required infrastructure provision or community facilities to address the long term effect of the development, capacity issues and future demand, contributing to sustainable development.

### The Council's Developer Contributions & Affordable Housing

Supplementary Guidance (2020) explains how developer contributions will be achieved, with specific contributions sought, where relevant, for Primary Education, Affordable Housing and Transport Infrastructure.

7.9 The application site lies within the catchment of Fossoway Primary School and Kinross High School (non-denominational) and St Ninians Primary School and St Johns Academy (denominational). It is understood that there are currently no capacity issues and therefore no contribution to Primary Education would currently be sought.

7.10 The application site is not within the area identified in LDP2 and the Supplementary Guidance as requiring contributions to strategic transport infrastructure.

7.11 A proposal for 7 residential units requires contributions to affordable housing with the policy requirement for 25% contribution equal to 1.75 units. It is anticipated that with this small scale rural development the Council will be most likely to seek a commuted payment. The applicant will be pleased to discuss the details relating to the provision of affordable housing with the Council, taking into consideration the development viability of the overall scheme, given its brownfield nature.



View of the former working Farm looking from the East



#### Natural Heritage

7.12 LDP2 Policy 41: Biodiversity seeks to protect and enhance wildlife and habitats, both designated or otherwise. LDP2 Policy 40: Green Infrastructure requires all new development to contribute to the creation, protection, enhancement and management of green infrastructure.

#### Site and species protection

7.13 The application site is not in the vicinity of any of the range of levels of protected areas, as identified on the NatureScot mapping. Although the site is largely brownfield we believe it is unlikely that any remaining structures will host bats that would be affected or that there will be any impact on other protected species.

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#### Habitat, shelter, green infrastructure and network connections

7.14 The site is set within a wider agricultural landscape with fields having relatively sparse hedging/boundary trees. There are significant blocks of woodland/forestry dispersed through the surrounding area. The site itself currently has minimal green infrastructure, further constrained by the extensive areas of concrete foundation. This proposal will provide considerable opportunity to enhance this situation by new planting to contribute to green linkages and greater biodiversity within the wider area. We believe that the proposal can gain support in terms of the policies which address woodland, trees, biodiversity and green infrastructure.

#### Landscape

7.15 LDP2 Policy 39: Landscape aims to ensure that all development and land use change should be compatible with the distinctive characteristics and **features of Perth and Kinross's landscapes. The site is distant from any National Scenic Area and is not included within any of Perth & Kinross Council's locally important Special Landscape Areas. There are no** designated gardens and designed landscapes in the nearby area.



OS Six-inch 1st edition 1866 Reproduced with the permission of the National Library of Scotland

7.16 The site lies within Landscape Character Type 390 Lowland Basins (SNH National Landscape Character Assessment 2019). The Landscape **Character Type Description includes that the Loch Leven Basin is** ‘enclosed by the Lomond and Cleish Hills to the east and south, and by the Ochils to the north and extending to the West up the flat valleys of the Queich River and **Glendey Water and to the south east along the River Leven.**’ The Landscape Character Description includes that there are small villages on the edge of **the Basin and low hills and that there** ‘is a regular distribution of steadings and other small building groups with some sporadic groups of houses and *individual houses.*’ and *‘It is a busy landscape with many point features ...characteristic castles, houses and steadings.’*

7.17 The Landscape Character Description highlights that a ‘regular distribution’ of steadings is characteristic of this lowland basin character area. As illustrated by the photographs on page 25 and 27, the farm lies on slightly elevated land within the surrounding landscape. This is also a historic feature of the siting of farms, overlooking their surrounding land. Historically, the farm steading would have been viewed, at a distance, from surrounding farms and routes.

7.18 The proposed redevelopment of the steading references its more historic layout, that prior to the more modern agricultural buildings which have replaced the original steading. We contend that the proposal will be an appropriate redevelopment in the context of the surrounding landscape, retaining this feature within the landscape. It will have no adverse visual impact and will bring landscape enhancement through high quality design and new planting and landscaping.



Aerial view of former Farm complex and Application Site looking south

### Flooding and Drainage

7.19 LDP2 Policy 50: New Development and Flooding resists proposals on land where there is a significant probability of flooding or where the proposal would increase the probability of flooding elsewhere.

7.20 LDP2 Policy 51A: Water Environment, 51B: Foul Drainage, 51C **Surface Water Drainage set out the Council's requirements to connect to** the public sewer where available and to use Sustainable Urban Drainage Systems (SUDS) measures.

7.21 The SEPA Flood Maps shows that the site is at no risk of any form of flooding.

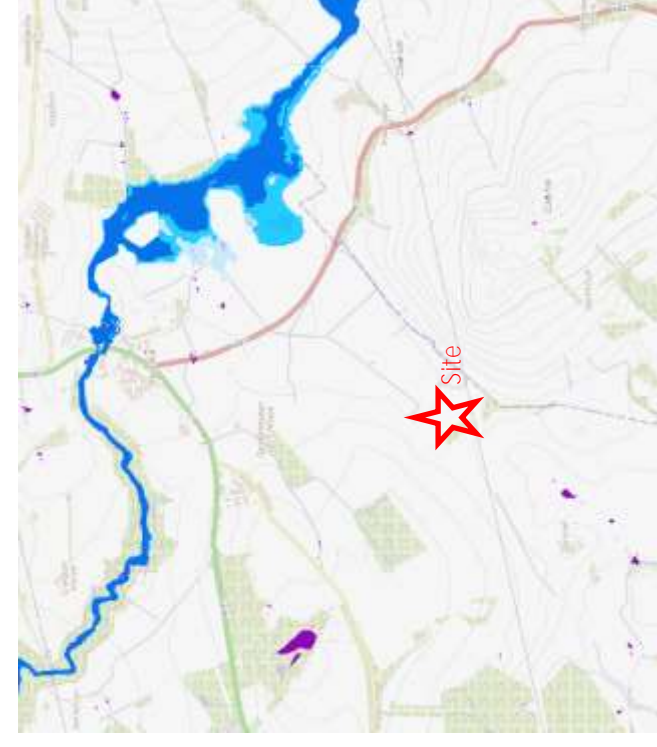
7.22 As with the adjacent houses at Barnhill, the proposed dwellings will be served by private waste treatment infrastructure.

7.23 It is anticipated that the proposal can be assessed as fully compliant with the terms of the relevant Policies and Guidance .

### Contaminated Land

7.24 LDP2 Policy 58A: Contaminated Land is relevant to this proposal, requiring that site investigation is undertaken and remediation carried out where required.

7.25 As the site has been in former agricultural use there is likely to be some contamination of the site (as confirmed to the applicant by an Engineer). The applicant is content to submit a formal site investigation report should this be required, or alternatively would agree to any condition requiring this work to support a future detailed application.



Screenshot from SEPA Online Flood Maps



## Transport and Access

7.26 LDP2 Policy 60: Transport Standards and Accessibility Requirements, B: New Development Proposals promotes the reduction of travel demand by car and ensuring the availability of a choice of access and travel modes, including active travel and green networks. The focus of the policy is development proposals that involve significant travel generation. In this case, the proposal will have minimal travel generation.

7.27 There are opportunities for active travel to and from this site. The local network of Core Paths is immediately accessible, leading onto a variety of routes, along with many other informal tracks.

7.28 Public transport is available at Rumbling Bridge with the two hourly Stirling—Kinross X53 service. Travel from the site by car provides direct access to main bus and train hubs, within a short distance, along with access to the main central Scotland road network. The M90 at Kinross is within 10km to the east and the upper Forth bridges are within 15km to the south west. Powmill is within 2.5km of the site and Rumbling Bridge is 4.0km providing some local village services. A wide range of facilities and services are available in Dollar, within 7km.

7.29 The access point to the site is along a well maintained access road from the A977 to the north, served with passing places, and shared with existing houses and Pitfar Steadings, currently being developed. The stretch of road between Pitfar Steadings and Barnhill does not have passing places.

7.30 We highlight that the approval of this application for residential development will be sufficiently financially viable to enable work to upgrade the access, including passing places. This would have been required to **achieve a approval of the applicant's 2017 application for commercial equestrian use and part caravan storage** (referred to in section 3.0)



Core Path Network surrounding the application site

Source: PKC Interactive Core Path mapping

7.31 The financial viability of that project was not sufficient to allow the applicant to consider funding this infrastructure work and subsequently the application was refused.

7.32 The detailed design of the site and its layout accommodates parking **and turning areas to meet with the Council's requirements.**

In conclusion:

- ◆ The application site contains large areas of concrete foundation, formerly **agricultural buildings and defined as brownfield land in the Council's** Housing in the Countryside Supplementary Guidance 2020.
- ◆ The concrete bases, remaining from previous agricultural buildings and uses, will not regenerate into the landscape naturally and have no readily achievable beneficial use. Engineer advice can be provided which advises that formal remediation of this site is required due to its previous uses.
- ◆ This proposal seeks to:
  - re-use the former traditional agricultural structures on the site through their redevelopment.; and
  - remediate the brownfield site through a small scale new build development, reflecting the historic character of the former Barnhill Farm steading

- ◆ The site will provide a high quality environment for future residents and is an effective site.
- ◆ The proposal is not anticipated to have any adverse impact on the natural heritage and detailed proposals for the site will fully address green infrastructure to benefit the overall biodiversity of the area.

- ◆ Infrastructure will be provided to meet the needs of the development and will ensure that there will be no adverse impacts in terms of road safety or in relation to other facilities.
- ◆ The applicant is happy to provide any additional specialist information to support this application and to consider any conditions which are considered necessary to attach to a consent for this in principle proposal.
- ◆ We contend that the proposal gains support in terms of:
  - **the Council's LDP 2 Policy 19: Housing in the Countryside and** the Housing in the Countryside Supplementary Guidance 2020; and,
  - the set of other detailed LDP2 Policies and Supplementary Guidance relevant to the assessment of the proposal.

With respect, the applicant seeks the support of Perth and Kinross Council in the approval of this planning application. We request that the case officer discuss the proposed recommendation with us prior to any decision on the proposal.





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

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

Thank you for completing this application form:

ONLINE REFERENCE 100502242-001

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

## Type of Application

What is this application for? Please select one of the following: \*

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Proposed erection of 7 new houses

Is this a temporary permission? \* ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \* ☐ Yes ☒ No

Has the work already been started and/or completed? \*

☒ No ☐ Yes – Started ☐ Yes - Completed

## Applicant or Agent Details

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

## Agent Details

Please enter Agent details

Company/Organisation:	Arthur Stone Planning & Architectural Design Limited		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Sam"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Stone"/>	Building Number:	<input type="text" value="85"/>
Telephone Number: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="High Street"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Newburgh"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="KY14 6DA"/>
Email Address: *	<input type="text"/>		

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Tam"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Carroll"/>	Address 1 (Street): *	<input type="text"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Barnhill Farm, Powmill, Dollar

Northing

696205

Easting

301184

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Site Area

Please state the site area:

11000.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

A business use as a charity/ agricultural buildings and land

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? *      ≤ Yes <b>T</b> No</p> <p>If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.</p>	
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?</p>	<div style="border: 1px solid black; padding: 2px; width: 150px;">10</div>
<p>How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *</p>	<div style="border: 1px solid black; padding: 2px; width: 150px;">21</div>
<p>Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).</p>	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
<p>Will your proposal require new or altered water supply or drainage arrangements? *      <b>T</b> Yes ≤ No</p>	
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p>≤ Yes – connecting to public drainage network</p> <p><b>T</b> No – proposing to make private drainage arrangements</p> <p>≤ Not Applicable – only arrangements for water supply required</p>	
<p>As you have indicated that you are proposing to make private drainage arrangements, please provide further details.</p> <p>What private arrangements are you proposing? *</p> <p><b>T</b> New/Altered septic tank.</p> <p>≤ Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).</p> <p>≤ Other private drainage arrangement (such as chemical toilets or composting toilets).</p>	
<p>What private arrangements are you proposing for the New/Altered septic tank? *</p> <p><b>T</b> Discharge to land via soakaway.</p> <p>≤ Discharge to watercourse(s) (including partial soakaway).</p> <p>≤ Discharge to coastal waters.</p>	
<p>Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *</p> <div style="border: 1px solid black; height: 100px; margin-top: 5px; padding: 5px;"> <p>Please see attached</p> </div>	
<p>Do your proposals make provision for sustainable drainage of surface water?? *      <b>T</b> Yes ≤ No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>	

<p>Are you proposing to connect to the public water supply network? *</p> <p><b>T</b> Yes</p> <p><math>\leq</math> No, using a private water supply</p> <p><math>\leq</math> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>	
<h3>Assessment of Flood Risk</h3> <p>Is the site within an area of known risk of flooding? * <span style="float: right;"><math>\leq</math> Yes <b>T</b> No <math>\leq</math> Don't Know</span></p> <p>If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <span style="float: right;"><math>\leq</math> Yes <b>T</b> No <math>\leq</math> Don't Know</span></p>	
<h3>Trees</h3> <p>Are there any trees on or adjacent to the application site? * <span style="float: right;"><math>\leq</math> Yes <b>T</b> No</span></p> <p>If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.</p>	
<h3>Waste Storage and Collection</h3> <p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <span style="float: right;"><b>T</b> Yes <math>\leq</math> No</span></p> <p>If Yes or No, please provide further details: * (Max 500 characters)</p> <div style="border: 1px solid black; padding: 5px; min-height: 50px;"> <p>Please see plans</p> </div>	
<h3>Residential Units Including Conversion</h3> <p>Does your proposal include new or additional houses and/or flats? * <span style="float: right;"><b>T</b> Yes <math>\leq</math> No</span></p> <p>How many units do you propose in total? * <span style="float: right; border: 1px solid black; padding: 2px 10px;">7</span></p> <p>Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.</p>	
<h3>All Types of Non Housing Development – Proposed New Floorspace</h3> <p>Does your proposal alter or create non-residential floorspace? * <span style="float: right;"><math>\leq</math> Yes <b>T</b> No</span></p>	
<h3>Schedule 3 Development</h3> <p>Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) * <span style="float: right;"><math>\leq</math> Yes <b>T</b> No <math>\leq</math> Don't Know</span></p> <p>If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.</p> <p>If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.</p>	

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*      ≤ Yes    T No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*      T Yes    ≤ No

Is any of the land part of an agricultural holding? \*      T Yes    ≤ No

Do you have any agricultural tenants? \*      ≤ Yes    T No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate E

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: \*



(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and \*have/has been unable to do so –

Signed: Sam Stone

On behalf of: Mr Tam Carroll

Date: 17/11/2021

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☐ Site Layout Plan or Block plan.
- ☐ Elevations.
- ☐ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☐ Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A
A Design Statement or Design and Access Statement. *	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	N/A
A Flood Risk Assessment. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A
Drainage/SUDS layout. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A
A Transport Assessment or Travel Plan	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A
Contaminated Land Assessment. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A
Habitat Survey. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A
A Processing Agreement. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mrs Alison Arthur

Declaration Date: 17/11/2021

## Payment Details

Pay Direct

Created: 17/11/2021 17:27



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100577365-002

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

## Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

## Applicant or Agent Details

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

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	A.S Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Alison	Building Name:	
Last Name: *	Arthur	Building Number:	85
Telephone Number: *	01337 840 088	Address 1 (Street): *	High Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Newburgh
Fax Number:		Country: *	Fife
		Postcode: *	KY14 6DA
Email Address: *	info@asassociatesltd.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Barnhill Farm
First Name: *	Tam	Building Number:	
Last Name: *	Carroll	Address 1 (Street): *	Powmill
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Dollar
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	FK14 7NS
Fax Number:			
Email Address: *	sam@asassociatesltd.co.uk		

## Proposal/Application Details

Please provide the details of the original application(s) below:

Was the original application part of this proposal? \*

☒ Yes ☐ No

## Application Details

Please select which application(s) the new documentation is related to.

Application: \* 100577365-001, application for Notice of Review, submitted on 21/06/2022

## Document Details

Please provide an explanation as to why the documentation is being attached after the original application was submitted: \* (Max 500 characters)

Submitted application form and drawings for planning application 21/02069/FLL included with local review submission for completeness, along with the Council's Report of Handling and Decision Notice.

## Checklist – Post Submission Additional Documentation

Please complete the following checklist to make sure you have provided all the necessary information in support of your application.

The additional documents have been attached to this submission. \*

☒ Yes ☐ No

## Declare – Post Submission Additional Documentation

I/We the applicant/agent certify that this is a submission of Additional Documentation, and that all the information given in this submission is true to the best of my/the applicants knowledge.

Declaration Name: Mrs Alison Arthur

Declaration Date: 21/06/2022



## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	21/02069/FLL	
Ward No	P8- Kinross-shire	
Due Determination Date	23rd March 2022	
Draft Report Date	21st March 2022	
Report Issued by	JF	Date 21.03.2022

**PROPOSAL:** Erection of 7 dwellinghouses, garage, formation of landscaping and associated works

**LOCATION:** Land 480 Metres South East Of No 4 Pitfar Steadings Powmill

#### **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.

#### **SITE VISIT:**

In line with established practices, the need to visit the application site has been carefully considered by the case officer. The application site and its context have been viewed by a variety of remote and electronic means, such as aerial imagery and Streetview, in addition to photographs submitted by interested parties.

This information has meant that, in this case, it is possible and appropriate to determine this application without a physical visit as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

#### **SITE PHOTOGRAPHS**



## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

The site is located in a rural location to the southwest of Powmill. The site is accessed from a single track road and consists of a former farm steading and hardstanding. To the east of the application site adjoining the boundary are a pair of semi-detached dwellings.

The site was previously granted permission for the erection of 6 dwellings in 2009 which included the replacement of the existing semis. This permission was not implemented. In 2017 an application for change of use of the existing farm buildings to part commercial equestrian use and part caravan storage use was refused due to applicant not agreeing to the incorporation of passing places.

The site was last operated as a Warrior Ranch using animals as a means of therapy to help those suffering from the effects of PTSD and complex trauma and on-site courses centred around animal management and equine facilitated human development. This business ceased operation in 2021 due to the impacts of the Covid pandemic.

There are 3 buildings/structures remaining from the farm steading; a modern portal frame shed, a small stable building and a disused silage pit. The two dwellinghouses (two storey, semi-detached) are located adjacent to the north east side of the steading area. There is now a significant area of hardstanding where former buildings once stood, including concrete foundations and the base and retaining walls of a former silage pit.

The proposal is to convert and extend the stable, utilise the silage pit walls to form a dwelling and erect 5 new dwellings all around a central courtyard.

## **SITE HISTORY**

07/01105/FUL Proposed steading development for 7 dwellinghouses 29 October 2007 Application Refused

09/00077/FLL Demolition of existing buildings and erection of 6 dwellinghouses 16 March 2015 Application Approved

17/00512/FLL Change of use of existing farm buildings to part commercial equestrian use and part caravan storage use 4 October 2017 Application Refused

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: N/A

## **NATIONAL POLICY AND GUIDANCE**

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

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2 (2019).

### **TAYplan Strategic Development Plan 2016 – 2036 – Approved October 2017**

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

### **Perth and Kinross Local Development Plan 2 – Adopted November 2019**

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 19: Housing in the Countryside

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

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53C: Water Environment and Drainage: Surface Water Drainage

Policy 53E: Water Environment and Drainage: Water Supply

Policy 58A: Contaminated and Unstable Land: Contaminated Land

Policy 60B: Transport Standards and Accessibility Requirements: New

## Development Proposals

### OTHER POLICIES

Housing in the Countryside Supplementary Guidance

Developer Contributions Supplementary Guidance

Placemaking Supplementary Guidance

### CONSULTATION RESPONSES

Development Contributions Officer	Contributions for affordable housing required.
Transport Planning	No objection, conditions required
Scottish Water	No objection
Environmental Health (Contaminated Land)	Condition required
Community Waste Advisor	Waste requirements outlined
Biodiversity/Tree Officer	Insufficient information
The Coal Authority	Consultation in error
Planning And Housing Strategy	Contrary to policy

### REPRESENTATIONS

The following points were raised in the 9 representations received:

- Contrary to LDP policy
- Unsustainable development
- Lack of services inc public transport
- Inappropriate Housing Density
- Over Intensive Development
- Road Safety Concerns
- Traffic congestion
- Out of Character with the Area
- Over Intensive Development
- Road Safety Concerns
- No affordable housing

These issues are addressed in the appraisal section.

### ADDITIONAL STATEMENTS

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

Environmental Report	
Appropriate Assessment	Habitats Regulations AA Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	None submitted

## **APPRAISAL**

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan and the adopted LDP2.

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**

Policy 19 - Housing in the Countryside and the Supplementary Guidance 2020, notes that opportunities exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved. The development of single houses or groups of houses which fall within the six identified categories will be supported.

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

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

There are 3 buildings remaining from the farm steading; a modern portal frame shed, a stable building and a disused silage pit. The two dwellinghouses (two storey, semi-detached) are located adjacent to the north east side of the steading area. There is an area of hardstanding where former buildings once stood, including concrete foundations and the base and retaining walls of a former silage pit. It is stated in the supporting information that remediation is required before any future use can be achieved.



The Development Plans Team were consulted on this submission in relation to Policy 19. It is noted that permission was previously granted for 6 houses on this site approved under a previous version of the supplementary guidance (SG), this permission was never implemented. It is the view of the policy team that no real weight can be given to the previous consent (which was over 10 years ago) given that the SG has been revised several times since then. Reference is also made to the development currently underway at Pitfar Steading but again, this was approved under a previous version of the SG and permission on this site did not lapse.

It is suggested in the Planning Statement that the proposals comply with a combination of category 1, 5 and 6 of the SG.

In relation to category 1: building groups, as stated in the SG only those buildings which are at least equivalent in size to a traditional cottage and are either residential or suitable for conversion to residential under category 5 can be included. This would exclude the modern shed (not supported under category 5) and the former silage pit which I would not consider as a building at all given that it presumably has never been roofed. This leaves the stable building which is on the small side, and the existing pair of semis which in my view should be counted as one building. Even if the stable block was included this would only be two buildings and so the SG would not offer support under category 1.

In relation to category 5: conversion or replacement of redundant traditional non-domestic buildings, as above-mentioned, this would offer no support for the replacement of the modern shed. If the existing stable block meets the definition of traditional then support could be offered for its conversion under category 5, but it would require to be demonstrated that the building is redundant (noted that the animals have been rehomed) and also that the site has been marketed for 1 year for an alternative employment use. As above-mentioned, the former silage pit would not be considered as a building at all. The scope under category 5 would therefore be limited to the conversion of the stable building although the size of the extension being proposed in relation to the size of the existing building would not comply. Category 5 does allow for some new build associated with traditional buildings and building complexes, but it would be difficult to support additional new build on the back of this one small stable building, and certainly not at the scale or numbers being proposed.

This leaves category 6: rural brownfield land. This category allows for small scale housing proposals on cleared sites which have been significantly degraded by a former use or activity, and where the redevelopment of the site for housing is the only means by which it is viable to remediate the site. Firstly, this site is not completely cleared as the large modern shed is still present. Secondly, whilst the applicant considers it likely that some contamination will be present no evidence has been provided that this is in fact the case or, more importantly, that any contamination is of a scale and severity that remedial action must be taken. Even if some contamination is present the SG is clear that the scale of any development must be

commensurate with the scale of remediation works required. Whilst it is acknowledged that there would appear to be large areas of hardstanding remaining on the site this in itself is not sufficient evidence to justify development under category 6. Based on the current information it is considered that category 6 would not support the additional new build development being proposed.

Overall, whilst there may be some policy support for the conversion of the existing stable building (providing that the criteria set out in category 5 are met there is no support offered for the remaining proposals under category 1 or 6 of the SG.

### **Design and Layout**

The proposal is to erect 5 dwellings, convert/extend a stable building to form a dwelling and utilise a silage pit to form a dwelling. The 5 detached dwellings are 1 3/4 storey and sited to the west in a courtyard arrangement. The access road runs centrally through the site. To the east two semi-detached dwellings are retained (lying out with the redline site). To the north of these an existing small single storey stable is to be extended with a large 1 1/2 storey extension and to the south the silage pit walls are to be utilised to form a 1 1/2 storey dwelling.

The materials are a mix of facing brick, render, timber cladding and grey standing seam cladding on the roof.

The site requires extensive landscaping and containment as it currently open and elevated. The landscaping plan shows a central square with seating, grass and paths but otherwise the proposal is lacking detailed specifications for planting with only grass noted and the boundaries annotated as post and wire fences. If the principle of development was acceptable more substantial landscaping proposals and visuals of the site would have been required.

The design of the dwellings does not raise any concerns but as above the principle of development is not supported and the landscaping is not considered adequate.

### **Landscape/Visual Amenity**

It is considered that any development on the site would have visual impact due to the lack of boundary screening/planting and as the site is surrounded by agricultural land.

### **Residential Amenity**

The development of the site would not impact the residential amenity of the existing two dwellings as there is adequate separation between them and the proposed dwellings at either side.

Otherwise the layout of the development is appropriate to provide an adequate level of privacy and amenity for each dwelling.

### **Waste Collection**

Waste and recycling bins will be collected from the road end. Waste service note the requirements for the collection point.

### **Contaminated Land**

There is the potential for contamination to cause a constraint in the redevelopment of specific sites. A good example of this is where there is a proposed use change from agricultural to residential. If planning permission was granted in respect of this development a contaminate land condition is required.

The Coal Authority have confirmed that the application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

### **Roads and Access**

The development will be served by a private access track that connects to the U223 public road network, which will then join the A977. The private access track is also part of the core path network, *FSWY/117; Path east of Pitfar Lodge to Lambhill via Pitfar*.

The level of car parking provided for the site, is acceptable in terms of the 7 plots and the visitor parking arrangements.

Perth & Kinross Council are not proposing to adopt the private access track from the public road network to the site and as such the access track will remain private along with the maintenance of said track.

In order to support the development, the private access track will require supporting infrastructure in terms of intervisible passing places at approximately 100 metre centres. The U223 public road will also require intervisible passing places, to be provided at locations agreed with the planning authority, therefore conditions are recommended to secure these if permission was granted.

### **Drainage and Flooding**

The site is not within an area of flood risk. The site is proposed to be served by a private drainage system with the soakaways etc located in the central courtyard.

## **Natural Heritage and Biodiversity**

No ecological survey of the proposed development area or assessment of the likely effects from this development on habitats and species was submitted alongside this application. It appears there will be an impact on existing trees, buildings and hedges.

Information about the biodiversity value of the site is required in the form of an Extended Phase 1 Habitat Survey. As the application is being recommended for refusal this information has not been requested.

## **Developer Contributions**

### **Affordable Housing**

The Council's Affordable Housing Policy requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing.

The proposal is for 7 no dwellings. The affordable housing requirement is 1.75 units. The site is located within the Kinross Housing Market Area where the commuted sum rate is £19,000 per unit. The contribution required is £33,250. If the proposal was supported this would have been taken as a commuted sum rather than on site requirement as an registered social landlord would be unlikely to be able to utilise properties in this location.

### **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. This proposal is within the catchment of Fossoway Primary School. Education & Children's Services have no capacity concerns in this catchment area at this time.

## **Economic Impact**

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

## **VARIATION OF APPLICATION UNDER SECTION 32A**

This application was not varied prior to determination.

## **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **CONCLUSION AND REASONS FOR DECISION**

To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.

Accordingly the proposal is refused on the grounds identified below.

### **Conditions and Reasons**

1 The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance (March 2020) as it does not meet any of the criteria within the categories: 1) Building Groups, 2) Infill sites, 3) New houses in the open countryside, 4) Renovation or replacement of houses, 5) Conversion or replacement of redundant non-domestic buildings and 6) Development on rural brownfield land.

2 The proposal is contrary to Policy 41 Biodiversity as no ecological survey of the proposed development area or assessment of the likely effects from this development on habitats and species was submitted.

3 The proposal is contrary to Policy 1 A Placemaking as the proposals do not incorporate appropriate landscaping and planting works for the scale and nature of the development proposed.

### **Justification**

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

### **Informatives**

N/A

### **Procedural Notes**

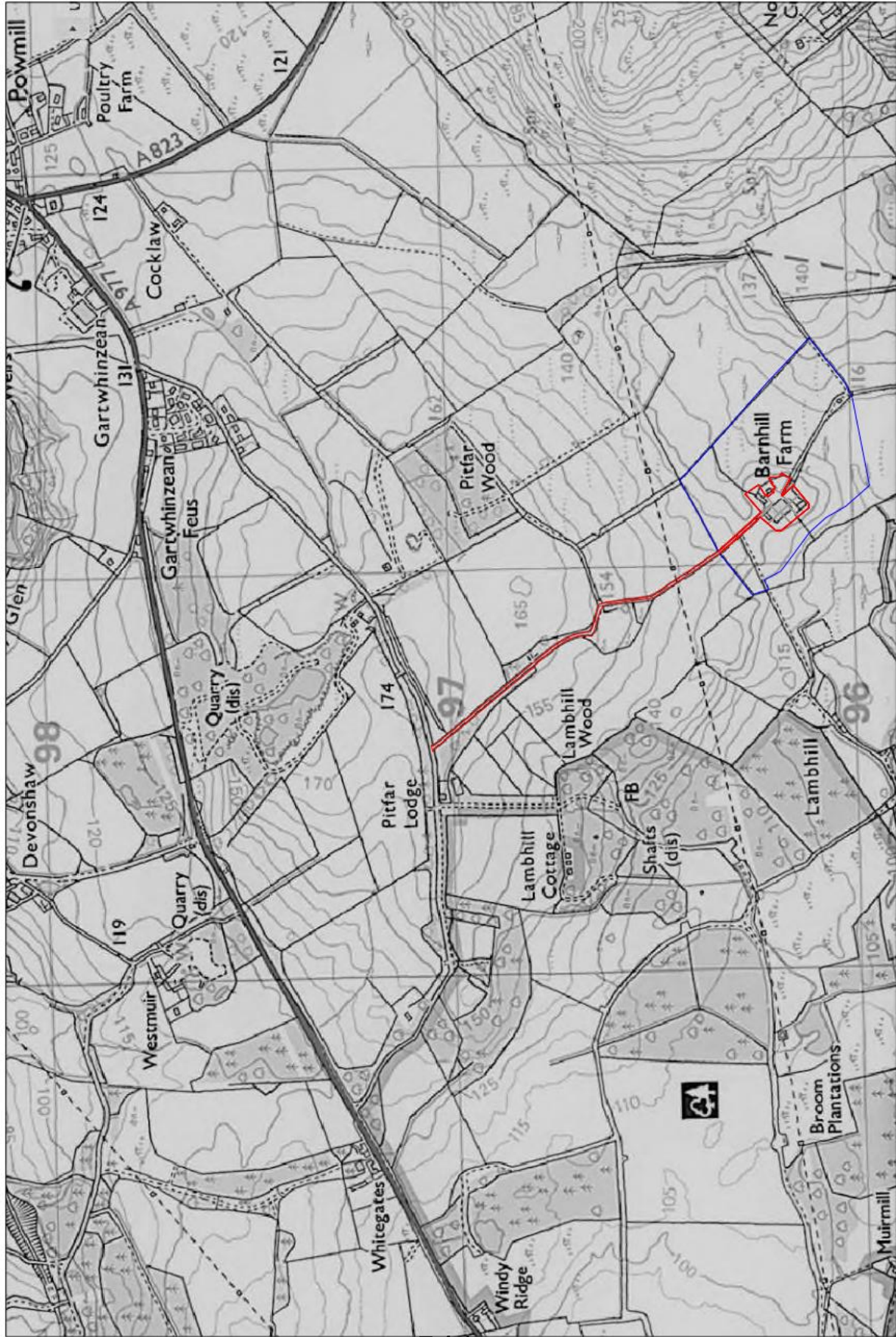
Not Applicable.

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

01  
02  
03

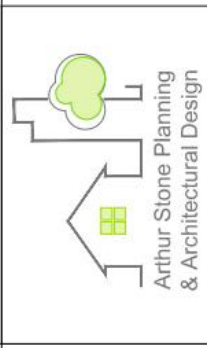


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541

REVISION INT DATE  
THIS DRAWING HAS BEEN PREPARED TO OBTAIN  
STATUTORY LOCAL AUTHORITY CONSENT. ALL SIZES TO  
BE CONFIRMED ON SITE PRIOR TO COMMENCING WORK. DO  
NOT SCALE FROM THESE DRAWINGS.  
E: INFO@ARTHURSTONEPLANNING.CO.UK T: 01337 840088  
A: 85 HIGH STREET, NEWBURGH, KY4 6DA



PROJECT:  
Proposed Residential Development  
on Land at Barnhill Farm, Powmill

TITLE:  
Locating Plan

TECHNICIAN:	GP	SCALE(S):	1:10000	SHEET:	A3
DATE:	21/12/21	PROJECT NO:	3164 - PP-SP4	REV:	A

Locating Plan



Drain

Barn

120.8m

Equitation Area

Tarmac

Concrete

Track

542



Existing Block Plan



Arthur Stone Planning  
& Architectural Design

Project  
Proposed Residential Development  
on Land at Barnhill Farm, Pownall

Existing Block Plan

Drawn By	AS
Checked By	AS
Date	21/12/21
Project No	1800 B A1
Revision	3/164 - PP-SP2
Sheet	A



**PLOT 01 AREA SCHEDULE**

PLOT 01 SITE AREA = 141.5M<sup>2</sup>  
FOOTPRINT AREA = 164M<sup>2</sup>  
GROSS INTERNAL AREA = 151.5M<sup>2</sup>  
GROSS FLOOR AREA = 151.5M<sup>2</sup>  
TOTAL = 158.2M<sup>2</sup>

**PLOT 02 AREA SCHEDULE**

PLOT 02 SITE AREA = 64.0M<sup>2</sup>  
FOOTPRINT AREA = 117M<sup>2</sup>  
GROSS INTERNAL AREA = 117M<sup>2</sup>  
GROSS FLOOR AREA = 79.8M<sup>2</sup>  
TOTAL = 196.8M<sup>2</sup>

**PLOT 03 AREA SCHEDULE**

PLOT 03 SITE AREA = 95.0M<sup>2</sup>  
FOOTPRINT AREA = 159.2M<sup>2</sup>  
GROSS INTERNAL AREA = 159.2M<sup>2</sup>  
GROSS FLOOR AREA = 118.8M<sup>2</sup>  
TOTAL = 268.0M<sup>2</sup>

**PLOT 04 AREA SCHEDULE**

PLOT 04 SITE AREA = 61.0M<sup>2</sup>  
FOOTPRINT AREA = 137M<sup>2</sup>  
GROSS INTERNAL AREA = 137M<sup>2</sup>  
GROSS FLOOR AREA = 79.8M<sup>2</sup>  
TOTAL = 196.8M<sup>2</sup>

**PLOT 05 AREA SCHEDULE**

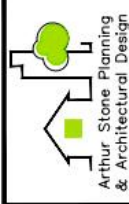
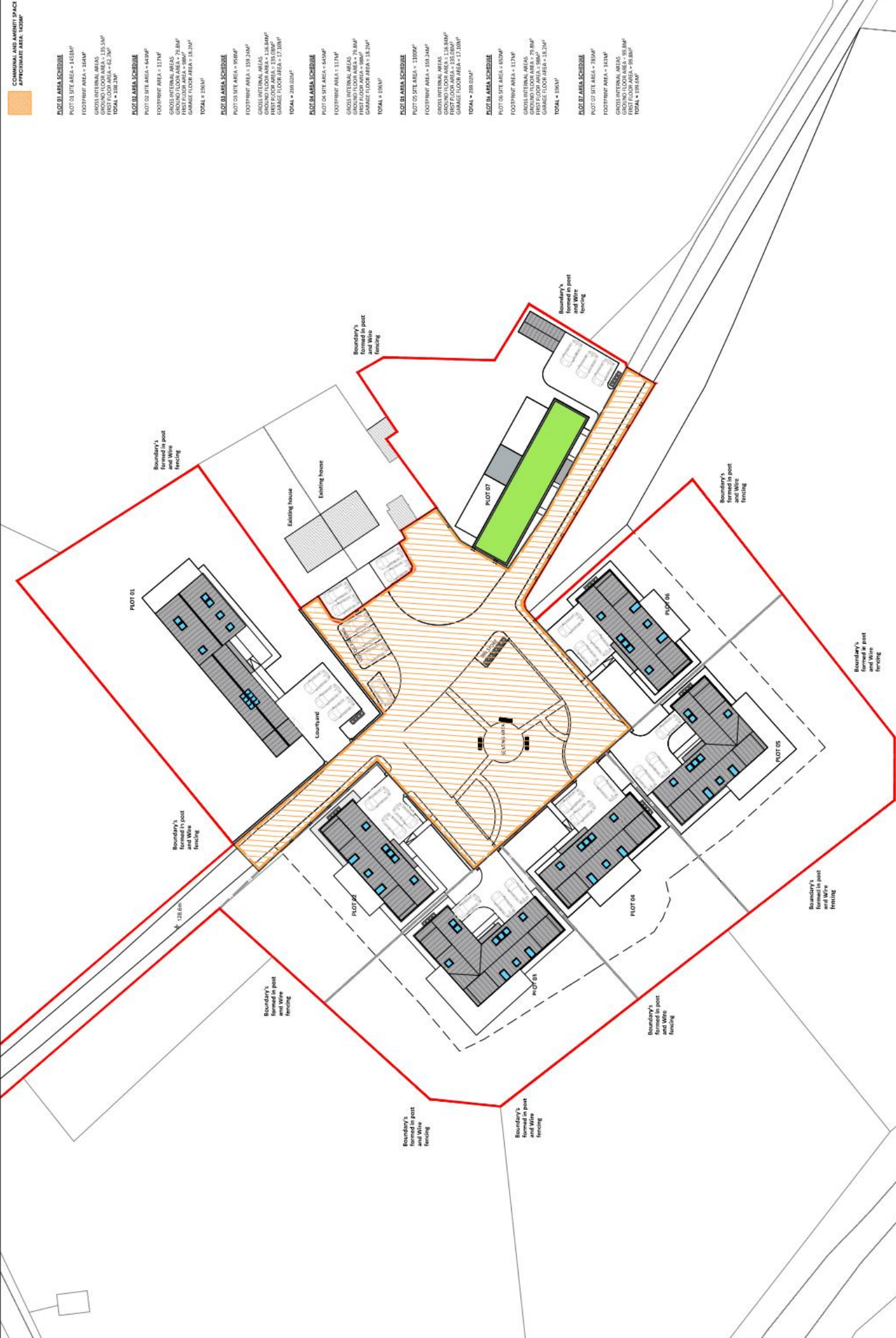
PLOT 05 SITE AREA = 110.0M<sup>2</sup>  
FOOTPRINT AREA = 159.2M<sup>2</sup>  
GROSS INTERNAL AREA = 159.2M<sup>2</sup>  
GROSS FLOOR AREA = 118.8M<sup>2</sup>  
TOTAL = 268.0M<sup>2</sup>

**PLOT 06 AREA SCHEDULE**

PLOT 06 SITE AREA = 65.0M<sup>2</sup>  
FOOTPRINT AREA = 127M<sup>2</sup>  
GROSS INTERNAL AREA = 127M<sup>2</sup>  
GROSS FLOOR AREA = 79.8M<sup>2</sup>  
TOTAL = 196.8M<sup>2</sup>

**PLOT 07 AREA SCHEDULE**

PLOT 07 SITE AREA = 78.0M<sup>2</sup>  
FOOTPRINT AREA = 141M<sup>2</sup>  
GROSS INTERNAL AREA = 141M<sup>2</sup>  
GROSS FLOOR AREA = 95.8M<sup>2</sup>  
TOTAL = 196.8M<sup>2</sup>

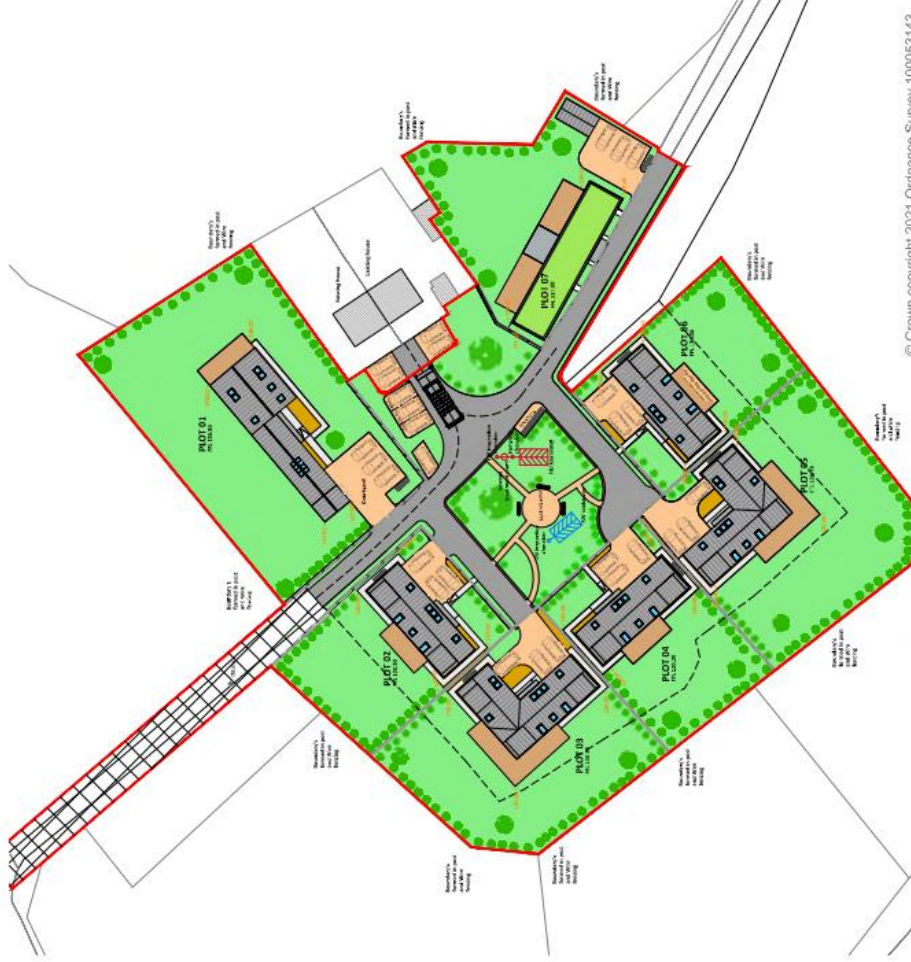
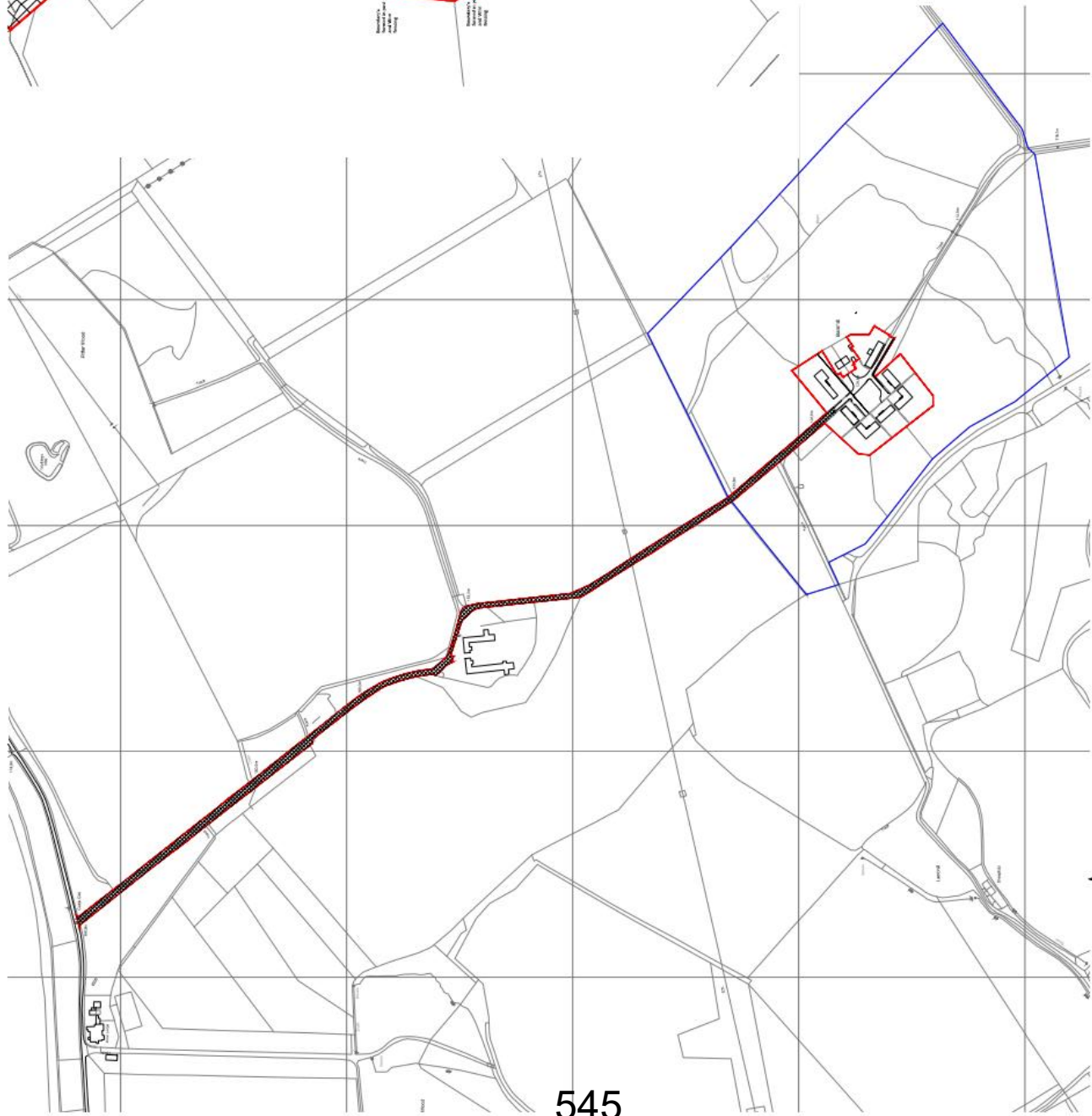


Proposed Block Plan

Project	Proposed Residential Development on Land at Barnhill Farm, Pownhill
Client	1800 B A1
Design	3164 - PP-SP3
Date	1800 B A1
Author	1800 B A1
Check	1800 B A1
Draw	1800 B A1
Scale	1:1000
Sheet	1 of 1



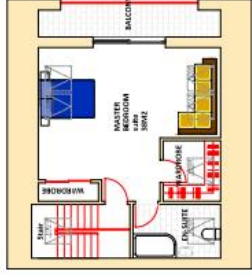




PLOT 01 BLOCK PLAN  
SCALE 1:100



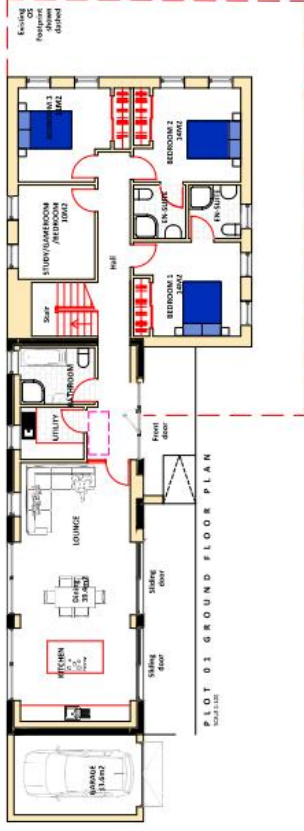
PLOT 01 FIRST FLOOR  
SCALE 1:100



**PLOT 01 AREA SCHEDULE**

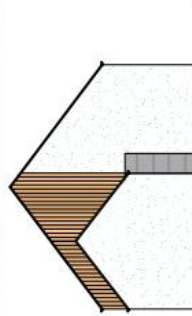
PLOT 01 SITE AREA = 1453M<sup>2</sup>  
FOOTPRINT AREA = 164M<sup>2</sup>  
GROSS INTERNAL AREA = 135.5M<sup>2</sup>  
TOTAL AREA = 161.5M<sup>2</sup>

PLOT 01 GROUND FLOOR PLAN  
SCALE 1:100



**FINISHES SCHEDULE**

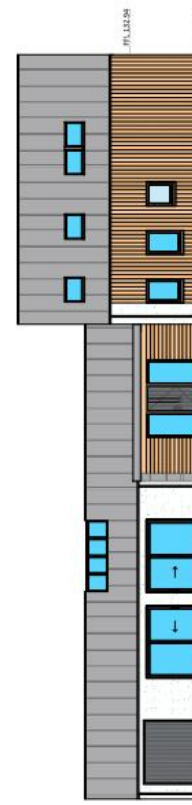
WALLS:  
- INTERIOR: WHITE PASTE AND COLOUR  
- EXTERIOR: WHITE RENDER WITH  
SCOTLAND HORIZONTAL AND VERTICAL TIMBER CLADDING  
- ANTHRACITE GREY VERO CLADDING  
- ANTHRACITE GREY VERO ROOF CLADDING  
- ANTHRACITE GREY MANNAWATER GUTTERS  
- ANTHRACITE GREY SLUING DOOR AND SLUING DOORS  
- ANTHRACITE GREY WINDOWS  
- ANTHRACITE GREY SLUING DOOR AND SLUING DOORS



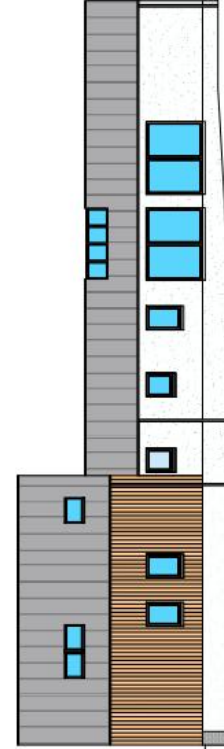
Proposed South West Elevation  
Scale 1:100 @A1



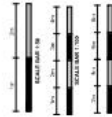
Proposed North East Elevation  
Scale 1:100 @A1



Proposed South East Elevation  
Scale 1:100 @A1



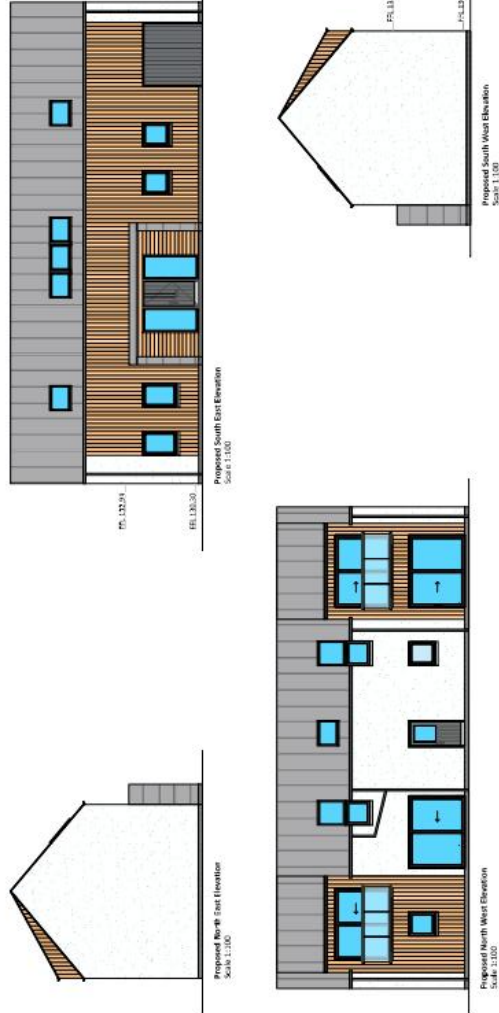
Proposed North West Elevation  
Scale 1:100 @A1







Plot 02 Block Plan  
Scale 1:100



- FINISHES SCHEDULE**
- WALLS: GREY FACED BRICK BATS, COARSE
  - SMOOTH WHITE FINISH, INTERIOR
  - SMOOTH WHITE FINISH, EXTERIOR
  - ANTHRACITE GREY VISO CLADDING
  - ROOF: ANTHRACITE GREY VISO ROOF CLADDING
  - ANTHRACITE GREY PAINTWORK
  - DOORS & WINDOWS: ANTHRACITE GREY VISO DOORS
  - ANTHRACITE GREY VISO DOORS

**Plot 02 Area Schedule**

Plot 02 Site Area = 0.51m<sup>2</sup>

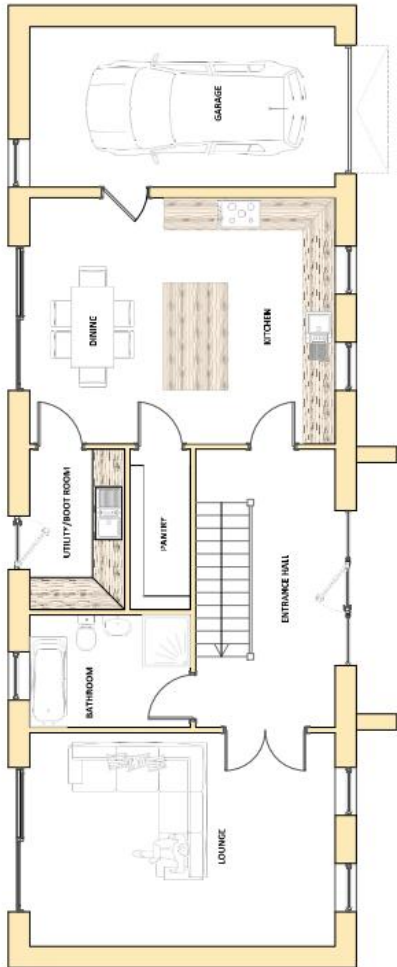
Footprint Area = 1.17m<sup>2</sup>

Gross Internal Area = 1.17m<sup>2</sup>

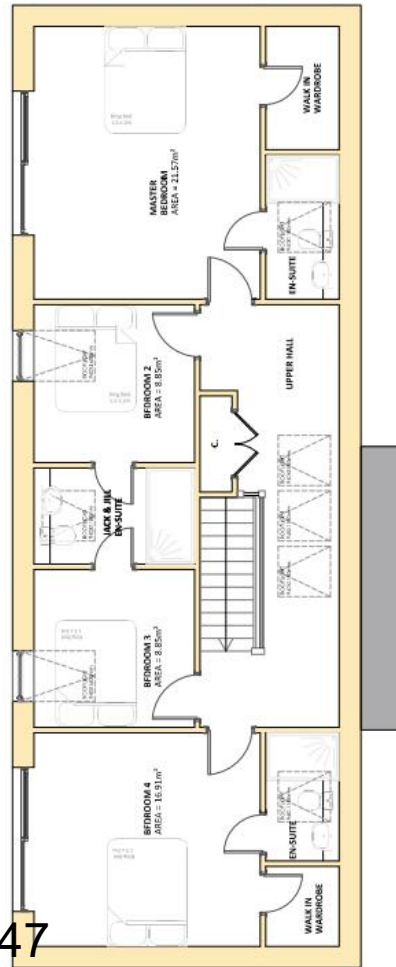
First Floor Area = 1.17m<sup>2</sup>

Garage Floor Area = 1.17m<sup>2</sup>

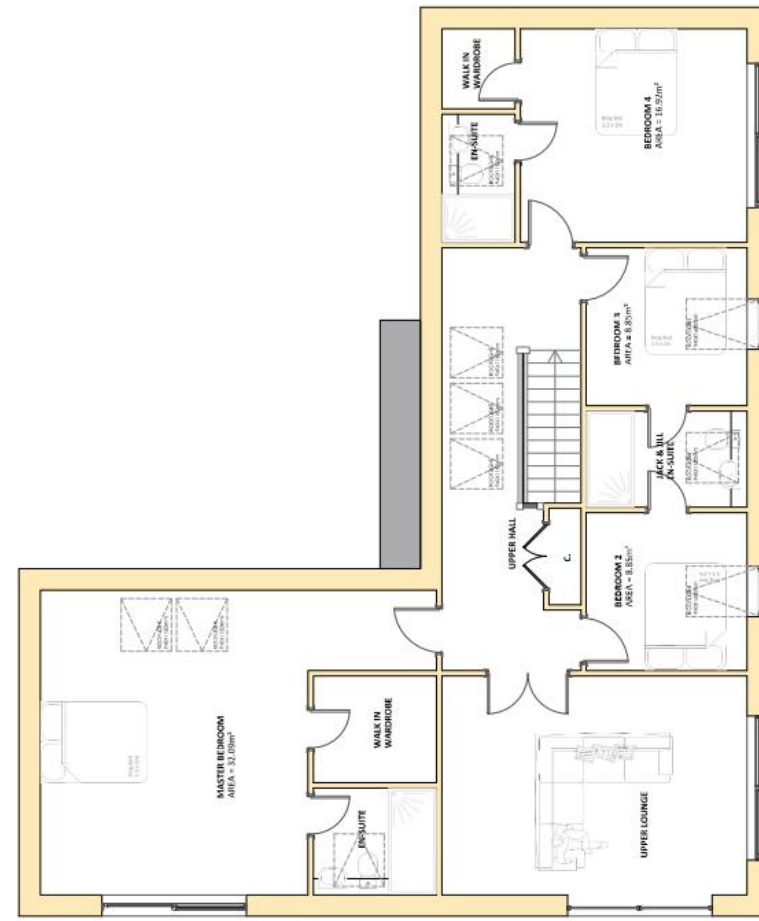
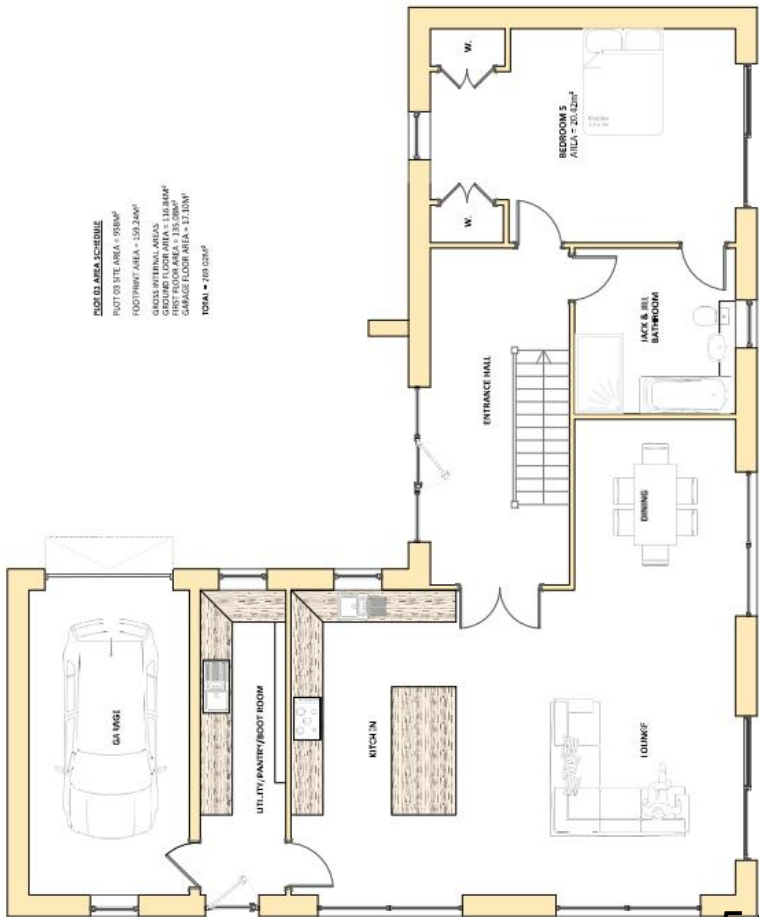
**TOTAL = 1.80m<sup>2</sup>**



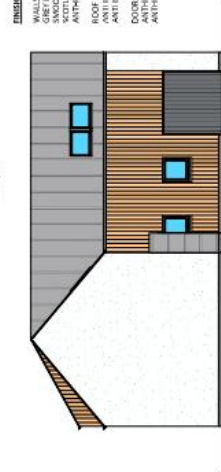
Plot 02 Ground Floor Plan  
Scale 1:100



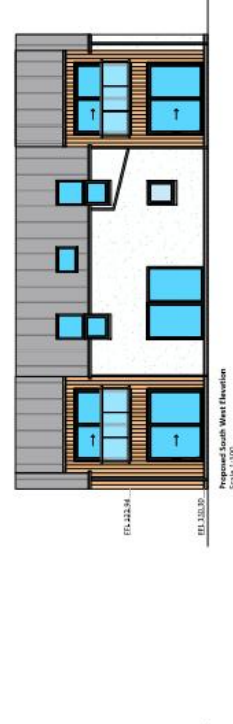
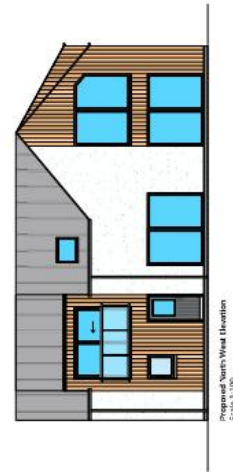
Plot 02 First Floor Plan  
Scale 1:100



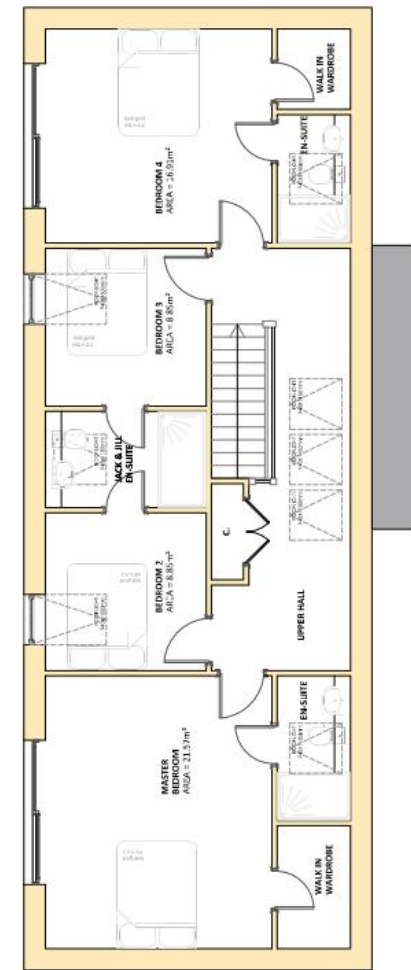
**PLOT 03 FIRST FLOOR PLAN**



**PLOT 03 FIRST FLOOR PLAN**



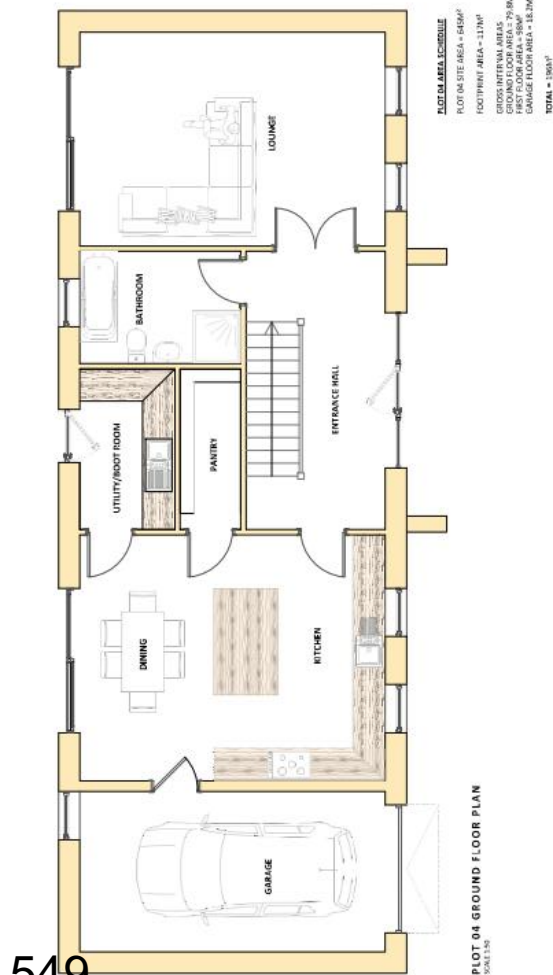




PLOT 04 FIRST FLOOR PLAN  
SCALE 1:50



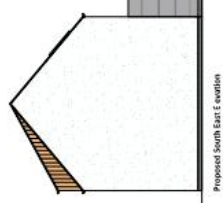
PLOT 04 BLOCK PLAN  
SCALE 1:500



PLOT 04 GROUND FLOOR PLAN  
SCALE 1:50

**PLOT 04 AREA SCHEDULE**  
PLOT 04 SITE AREA = 645M<sup>2</sup>  
FOOTPATH / AREA = 117M<sup>2</sup>  
GROSS INTERNAL AREA = 117M<sup>2</sup>  
FIRST FLOOR AREA = 85M<sup>2</sup>  
GARAGE FLOOR AREA = 18.2M<sup>2</sup>  
**TOTAL = 105M<sup>2</sup>**

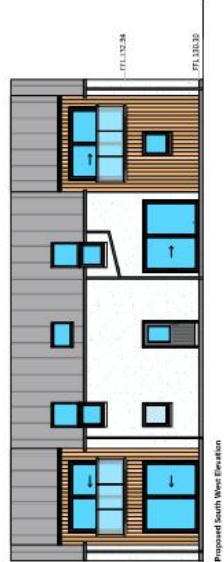
**FINISHES SCHEDULE**  
WALLS -  
GROUT FACING BRICK BASE COURSE  
SCOTCH HORIZONTAL AND VERTICAL TIMBER CLADDING  
APPROPRIATE CORE VED CLADDING  
ROOF -  
APPROPRIATE GUTTER AND ROOF CLADDING  
APPROPRIATE GUTTER AND ROOF CLADDING  
FLOOR & WALL FINISHES  
APPROPRIATE GUTTER AND ROOF CLADDING  
APPROPRIATE GUTTER AND ROOF CLADDING



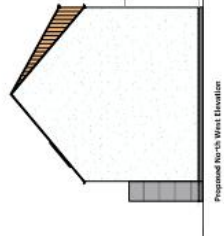
Proposed South East Elevation  
Scale 1:200



Proposed North East Elevation  
Scale 1:200

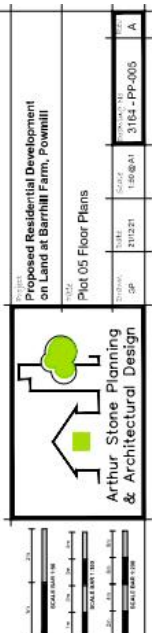
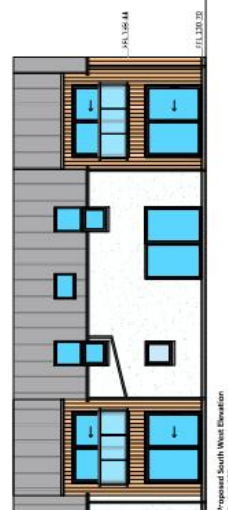
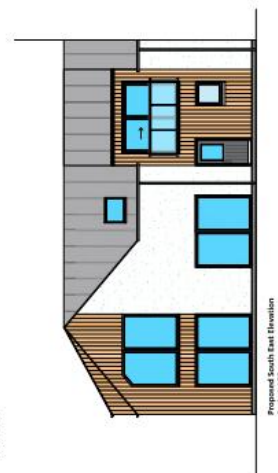
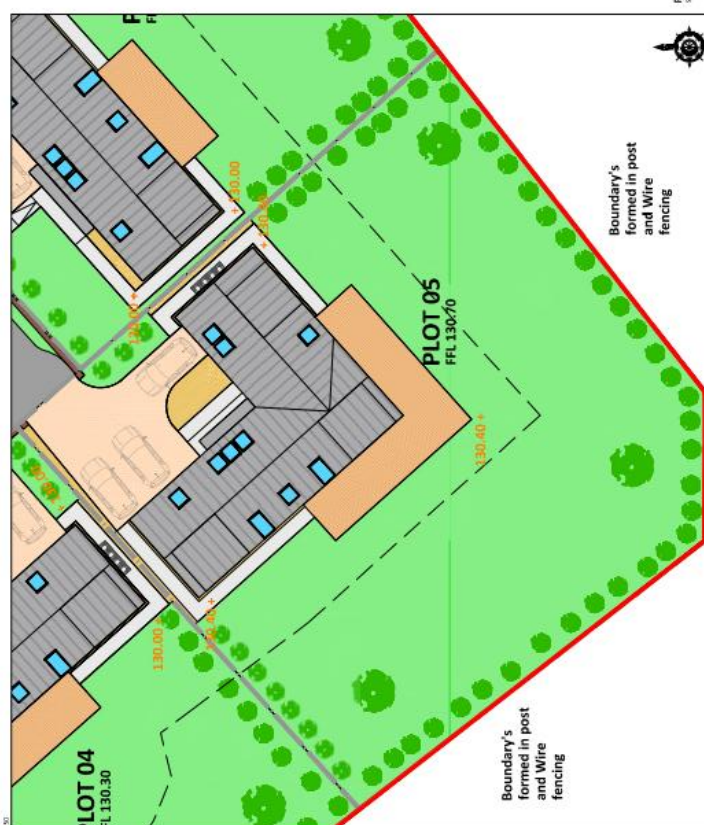
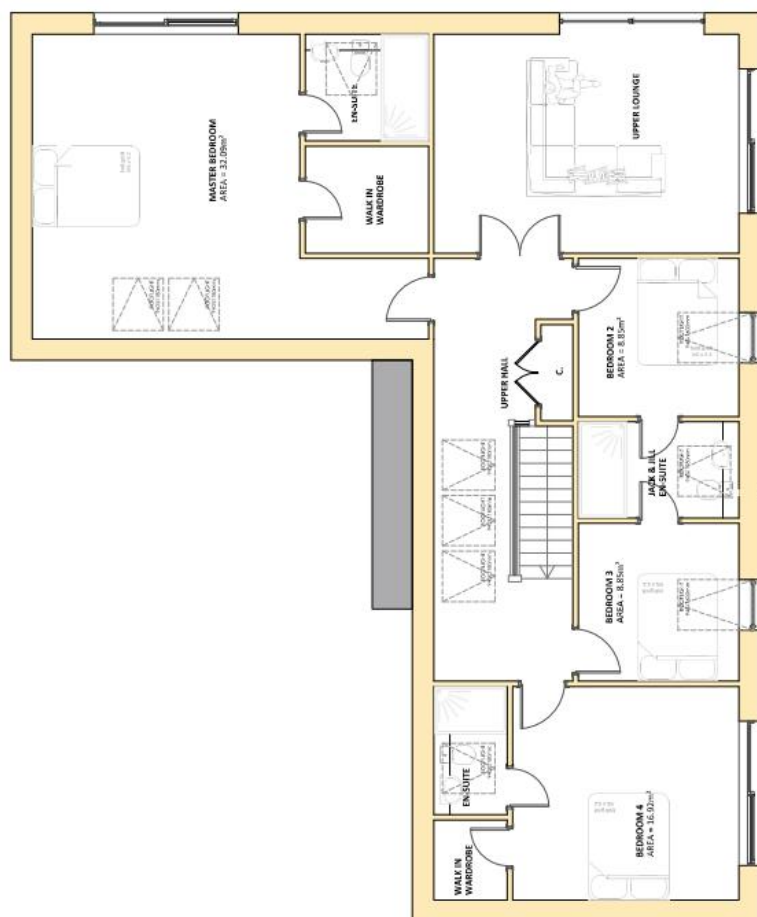
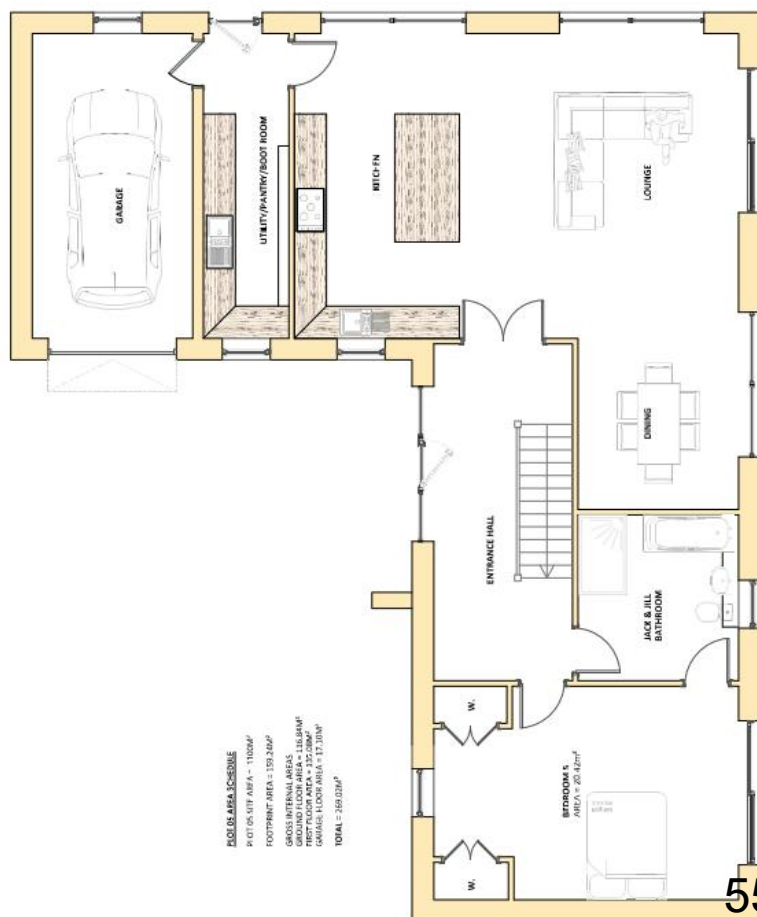


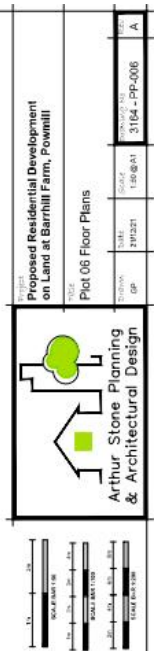
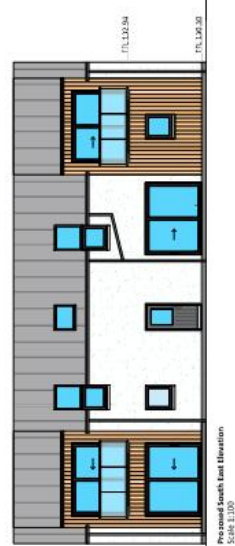
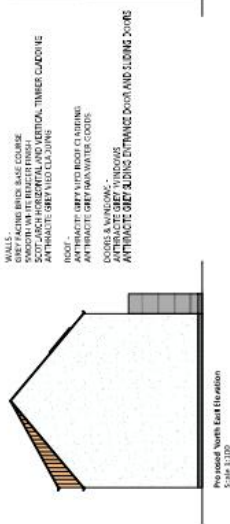
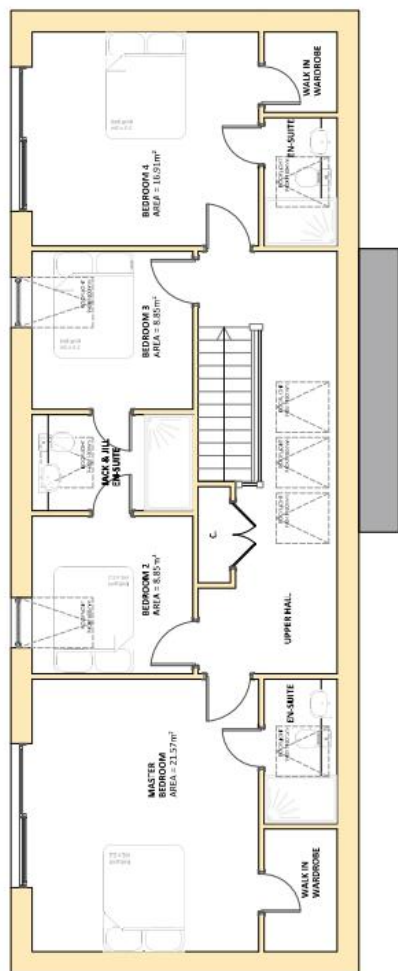
Proposed South West Elevation  
Scale 1:200



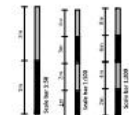
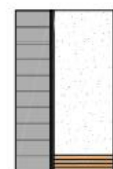
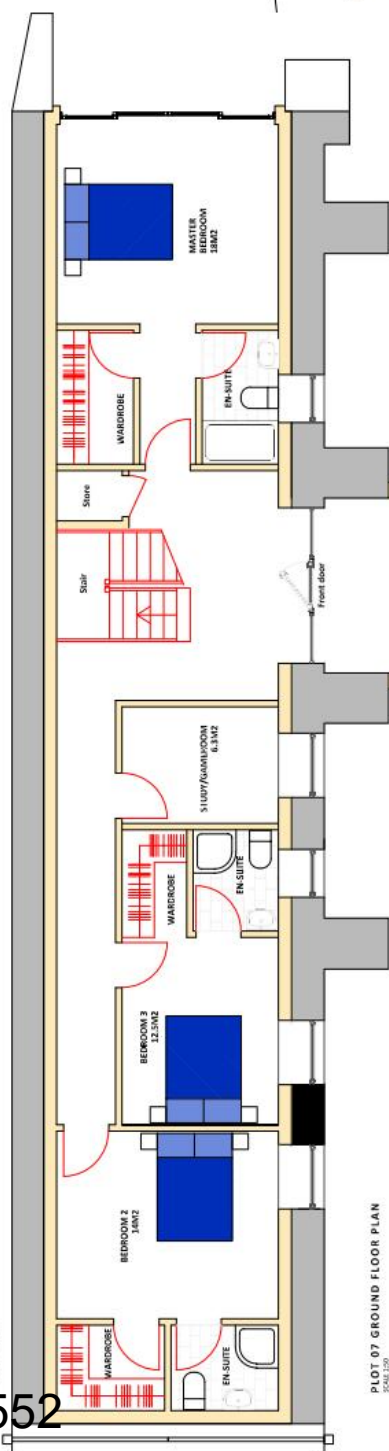
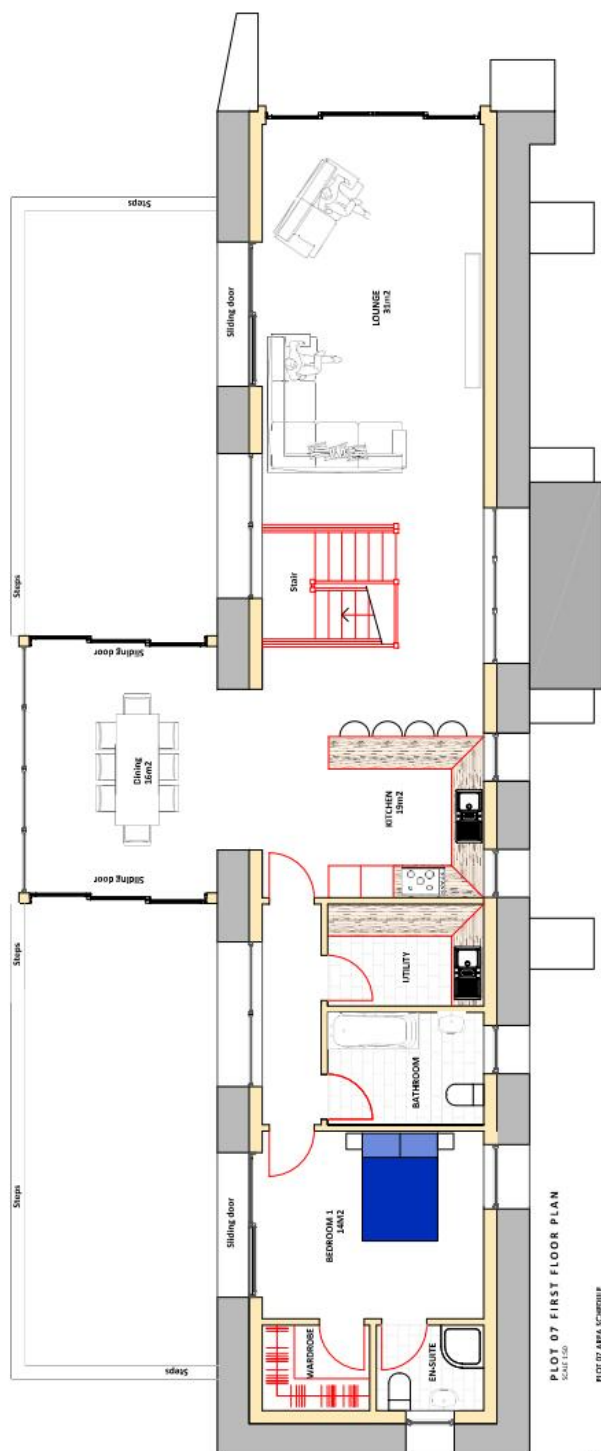
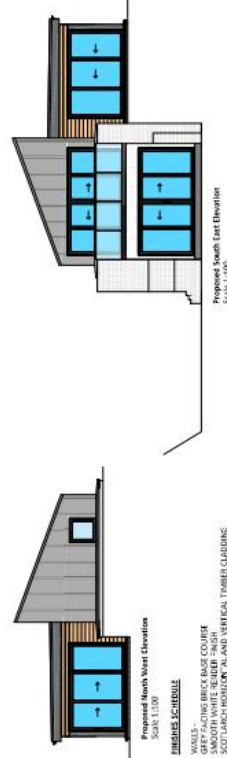
Proposed North West Elevation  
Scale 1:200











**LRB-2022-31****21/02069/FLL – Erection of 7 dwellinghouses, garage, formation of landscaping and associated works, land 480 metres south east of 4 Pitfar Steadings, Powmill**

## **PLANNING DECISION NOTICE**

**REPORT OF HANDLING** *(included in applicant's submission, pages 530-540)*

**REFERENCE DOCUMENTS** *(included in applicant's submission, pages 489-518 and 541-552)*







Mr Tam Carroll  
c/o Arthur Stone Planning And Architectural Design Limited  
Sam Stone  
85 High Street  
Newburgh  
KY14 6DA

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **22nd March 2022**

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

Application Reference: **21/02069/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 24th January 2022 for Planning Permission for **Erection of 7 dwellinghouses, garage, formation of landscaping and associated works Land 480 Metres South East Of No 4 Pitfar Steadings Powmill**

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

1. The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance (March 2020) as it does not meet any of the criteria within the categories: 1) Building Groups, 2) Infill sites, 3) New houses in the open countryside, 4) Renovation or replacement of houses, 5) Conversion or replacement of redundant non-domestic buildings and 6) Development on rural brownfield land.
2. The proposal is contrary to Policy 41 Biodiversity as no ecological survey of the proposed development area or assessment of the likely effects from this development on habitats and species was submitted.
3. The proposal is contrary to Policy 1 A Placemaking as the proposals do not incorporate appropriate landscaping and planting works for the scale and nature of the development proposed.

### **Justification**

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

The plans and documents 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

01		10
	06	
02		11
	07	
03		12
	08	
04		13
	09	
05		

**LRB-2022-31****21/02069/FLL – Erection of 7 dwellinghouses, garage, formation of landscaping and associated works, land 480 metres south east of 4 Pitfar Steadings, Powmill**

## **REPRESENTATIONS**



Friday, 28 January 2022



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

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

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

**Land 480 Metres South East Of, No 4 Pitfar Steadings, Powmill, FK14 7ND**  
**Planning Ref: 21/02069/FLL**  
**Our Ref: DSCAS-0057141-W3H**  
**Proposal: Erection of 7 dwellinghouses, garage, formation of landscaping and associated works**

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

### **Audit of Proposal**

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

### **Water Assessment**

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

### **Foul Assessment**

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

---

### **Please Note**

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal



connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

---

## **Surface Water**

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

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

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

### **General notes:**

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
  - ▶ Site Investigation Services (UK) Ltd
  - ▶ Tel: 0333 123 1223
  - ▶ Email: [sw@sisplan.co.uk](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 information on how to submit application to Scottish Water at [our Customer Portal](#).
- 

### **Next Steps:**

#### **▶ All Proposed Developments**

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

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

#### **▶ Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](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 the discharge from your premises is likely 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 [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

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

Yours sincerely,

**Pamela Strachan**

Development Services Analyst

Tel: 0800 389 0379

[planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk)

#### **Scottish Water Disclaimer:**

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



For the Attention of: Ms J Ferguson

Perth and Kinross Council

[By Email: [developmentmanagement@pkc.gov.uk](mailto:developmentmanagement@pkc.gov.uk) ]

31 January 2022

Dear Ms J Ferguson

**PLANNING APPLICATION: 21/02069/FLL**

**Erection of 7 dwellinghouses, garage, formation of landscaping and associated works; LAND 480 METRES SOUTH EAST OF, 4 PITFAR STEADINGS, POWMILL, PERTH AND KINROSS**

Thank you for your consultation notification of the 27 January 2022 seeking the views of The Coal Authority on the above planning application.

**The Coal Authority Response: Material Consideration**

I can confirm that the above planning application has been sent to us incorrectly for consultation.

The application site **does not** fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

**The Coal Authority Recommendation to the LPA**

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Yours sincerely

**Christopher Telford BSc(Hons) DipTP MRTPI**  
**Principal Development Manager**





# Memorandum

To Development Management & Building  
Standards Service Manager

From Regulatory Services Manager

Your ref 21/02069/FLL

Our ref CHF

Date 10/02/2022

E-mail [REDACTED]

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **Consultation on an Application for Planning Permission**

**21/02069/FLL RE: Erection of 7 dwellinghouses, garage, formation of landscaping and associated works at Land 480 Metres South East Of No 4 Pitfar Steadings, Powmill, for Mr Tam Carroll c/o Arthur Stone Planning And Architectural Design Limited Sam Stone, 85 High Street, Newburgh, KY14 6DA**

I refer to your letter dated January 2022 in connection with the above application and have the following comments to make.

### **Contaminated Land**

### **Recommendation**

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

### Comments

A previous land use that has led to the contamination of a site is generally identifiable from historical records. However, consideration needs to be given to situations where this is not so apparent and there is the potential for contamination to cause a constraint in the redevelopment of specific sites. A good example of this is where there is a proposed use change from agricultural to residential.

Under the contaminated land research programme administered by the Department of the Environment, Food and Rural Affairs, Science Reports 2, 3, and 7 set out the framework for deriving Soil Guideline Values or SGV's for proposed changes in land use and sets targets based on the sensitivity of receptors and the land use function. Originally these soil guideline values were restricted to what was considered to be "priority pollutants" but the research programme has now been extended to include other contaminants and respective toxicological data. These soil guideline values are based on risk evaluation in specific circumstances which are a standard function of land use i.e., residential with plant uptake, residential without plant uptake and commercial and industrial.

The most sensitive land use recognised by the soil guideline values is "residential with gardens", where there is likely to be a greater contact between those at risk, in this case the residents and any contaminants contained within the soil. SGV's for this land use type are therefore at their most conservative and the potential for contaminants to be present and cause a constraint to development are greater.

Potentially there are a range of contaminants that could be present in agricultural land. This is particularly true of areas used as farmyards which may have contained a variety of buildings that have been put to a number of uses. Aside from the likely presence of made ground any number of chemicals could have been used and potentially leaked or been spilled. The risks associated with this remain difficult to quantify until there has been some form of sampling and chemical analysis of the soils contained within the development area. This will help determine the suitability of the site for the proposed development and whether any measures are needed to mitigate against any risks that have been identified.

Therefore, if planning permission is granted in respect of this development I would recommend that the following condition is applied within the consent.

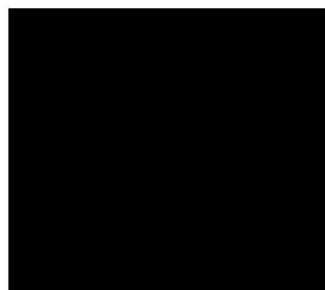
#### Condition

##### **EH41**

Prior to the commencement of works on site, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken and as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) will be submitted for consideration by the Council as Planning Authority. If after the preliminary risk assessment identifies the need for further assessment, an intrusive investigation should be undertaken to identify;

- I. the nature, extent and type(s) of contamination on the site
- II. measures to treat/remove contamination to ensure the site is fit for the use proposed
- III. measures to deal with contamination during construction works
- IV. condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.



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

<b>Planning Application ref.</b>	21/02069/FLL	<b>Comments provided by</b>	Lucy Sumner
<b>Service/Section</b>	Strategy & Policy	<b>Contact Details</b>	<b>Development Contributions Officer:</b> Lucy Sumner Email: [REDACTED]
<b>Description of Proposal</b>	Erection of 7 dwellinghouses, garage, formation of landscaping and associated works		
<b>Address of site</b>	Land 480 Metres South East Of No 4 Pitfar Steadings Powmill		
<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>Affordable Housing</b></p> <p>With reference to the above planning application the Council's Affordable Housing Policy requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing.</p> <p>The proposal is for 7no dwellings. The affordable housing requirement is 1.75 units. The site is located within the Kinross Housing Market Area where the commuted sum rate is £19,000 per unit.</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 at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Fossoway Primary School. Education &amp; Children's Services have no capacity concerns in this catchment area at this time.</p>		



<b>Recommended planning condition(s)</b>	<b>Summary of Requirements</b>  Affordable Housing: 1.75 units or £33,250 Education: £0 <u><b>Total: TBC</b></u>
<b>Recommended informative(s) for applicant</b>	<b>Payment</b>  <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>  <b>Methods of Payment</b>  On no account should cash or cheques be remitted.  <b>Scheduled within a legal agreement</b>  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.  <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.  <b>Other methods of payment</b>  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.  <b>Bank Transfers</b> All Bank Transfers should use the following account details; <b>Sort Code:</b> 834700 <b>Account Number:</b> 11571138  Please quote the planning application reference.  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:  a) Your card details. b) Whether it is a Debit or Credit card.

	<p>c) The full amount due.  d) The planning application to which the payment relates.  e) If you are the applicant or paying on behalf of the applicant.  f) Your e-mail address so that a receipt may be issued directly.</p> <p>Affordable Housing  For Affordable Housing contributions please quote the following ledger code:  1-30-0060-0000-859136</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>	11 February 2022



## Louvain Pentley

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**From:** John Anderson [REDACTED]  
**Sent:** 16 February 2022 14:36  
**To:** Development Management  
**Subject:** Planning application 21/02069/FLL

CAUTION: This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.

I object to the above planning application.

This site has had a chequered history including being previously refused by the planning committee then clearly rejected on appeal. In the next application the number of houses was dropped from 7 to 6 ( the preexisting homes were to be demolished also and for some obscure reason the application was passed by the committee. To the dismay of the local objectors as it still clearly breached conditions of Countryside Development as stressed by the appeals inspector.

This latest application has not addressed any of these shortcomings and including the existing on site houses ( now not being demolished) the number of homes has increased to nine! All this on a remote hilltop site served by a narrow single track, very visible with no tree cover and remote from services.

With regard to the local development plan, there is No School, No Shop, No Doctors nearby and a very sporadic bus route 2km. away, so virtually all movement will be by car. So much for an energy efficient location and sustainable development. Local needs and economy will be ignored as all the new homes will be for commuters to Stirling, Edinburgh and Perth.

In conclusion, This application does not meet:

Tayplan Strategic Plan 2013

Scottish Planning Policy 2014

P&K Local Development Plan 2019

And should therefore be refused.

John Anderson  
[REDACTED]





[REDACTED]

From: Fossoway Community Council [REDACTED]

Date: Wed, 16 Feb 2022 at 17:45

Subject: Objection to 21/02069/FLL - Erection of 7 dwellinghouses, garage, formation of landscaping and associated works | Land 480 Metres South East Of No 4 Pitfar Steadings Powmill

To: [developmentmanagement@pkc.gov.uk](mailto:developmentmanagement@pkc.gov.uk) <[developmentmanagement@pkc.gov.uk](mailto:developmentmanagement@pkc.gov.uk)>

The Fossoway and District Community Council object to planning application 21/02069/FLL - Erection of 7 dwellinghouses, garage, formation of landscaping and associated works | Land 480 Metres South East Of No 4 Pitfar Steadings Powmill on the following grounds:-

- The number of houses has now increased to seven all of which are 4/5 bed houses. There is therefore no affordable housing and the density has increased beyond that approved in 09/00077/FLL. We would also like it noted that the Scottish reporter did not believe that 6 houses were merited on this exposed hilltop location (07//105/FUL)
- Whilst the applicant refers to the requirement to upgrade the access road (7.30) it is noted that there is an indirect inference that this would only be done if financially viable. This should be an absolute requirement if the application was approved.
- The infrastructure in the rural community is extremely limited with no public transport within walking distance, the closest bus is over 2 miles away and would require people to walk along the busy A977 which has no footpath. In addition the X53 bus noted in 7.28 has been discontinued. This we believe contravenes Policy 60B which requires that all new developments should be well served by accessible travel and minimise travel by car, instead using public transport, bicycles.

Kind regards

Nicola Marchant  
[REDACTED]

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Fossoway and District Community Council

working for Blairingone, Drum, Carnbo, Rumbling Bridge, Crook of Devon and Powmill, meeting every first Tuesday in the month apart from July.

For news: find us on Facebook [here](#).



Development Quality Manager  
The Environment Service  
Perth and Kinross Council  
Pullar House  
35 Kinnoull Street  
PERTH  
PH 1 5GD

18 February 2022

Dear Sirs,

**Planning Application: 21/02069/FLL | Erection of 7 dwelling houses**

We object to this planning application for the following reasons:

- It is contrary to the development plan.
- It does not satisfy criteria for building in the countryside due to lack of amenities within a reasonable distance such as public transport.
- Over development of the site. In 2007 an application for 6 houses on this site was refused, which was upheld in the subsequent appeal. The appeal judgement stated that even 6 houses was an overdevelopment of the site. This application will result in a total of 9 houses on the site which is 50% increase on the earlier application.
- This is a very prominent location with no site screening such as existing trees. The previous application which was approved requirement a lowering of the ground to reduce the visual impact of the houses. This application does not include anything similar to mitigate the impact. The previous approval also included a condition requiring 'substantial quality boundary planting'.

If the Council is minded to approve this application then we would expect inclusion of the same conditions as previously in application 09/00077 in relation to passing places on the private drive and the public road leading to the A977, ground contamination, drainage, landscaping and ecology.

We also query the relatively recently installed hard standing access track that has been installed to the south of the site and its future purpose.

Yours faithfully

William Lindsay





## Mr Craig MacGregor (Objects)

### **Comment submitted date: Fri 18 Feb 2022**

The development of this site would be completely out of character with the surrounding area. This planning application would clearly go against Countryside Development rules, with a remote rural building being replaced by a sizeable residential site that would use substantial greenfield areas for its development. The site is exposed, with no tree cover and would be a blot on the diminishing rural landscape within this area.

Access to the site is very restricted, with a single farm lane being the only available route into the area. There have been no provisions outlined for how this would be addressed and this would introduce serious road safety concerns for both pedestrians and vehicular traffic. Previous development applications have been refused permission on this basis.

Development is already taking place close to this area that will already add pressure to the local community, both in terms of infrastructure, services and the environment. Additional houses will be a clear overdevelopment of what is a sensitive area.

Approval of this application would set a very dangerous precedence of what is deemed acceptable in terms of rural development and rezoning of agricultural land.

In conclusion, this application does not align with any of the local or regional development plans and should be refused on that basis alone.



## Development Management

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**From:** Judith Murray [REDACTED]  
**Sent:** 18 February 2022 13:05  
**To:** Development Management  
**Subject:** Objection Planning Application 21/02069/FLL

CAUTION: This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.

We would like to make an objection to the above planning application for 9 dwellings on the following grounds.

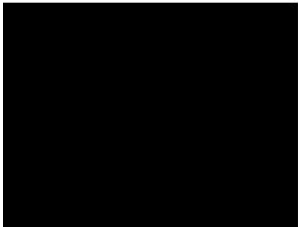
The building of 9 dwellings is excessive for the site and the access from the main road would require improving to support the increased traffic.

The site is very prominent and a previous planning application specified the requirement for landscaping of the site to make it less prominent by flattening the site. This also required extensive boundary planting to shield the site from the view of surrounding properties.

We urge the planning committee to consider whether this development is appropriate and fits in with the local plans and current infrastructure levels. If planning is approved there should be sufficient conditions applied to mitigate the effect on the access roads and appropriate landscaping to shield the properties from view.

Yours faithfully,

John and Judith Murray





Development Quality Manager  
The Environment Service  
Perth and Kinross Council  
Pullar House  
35 Kinnoull Street  
PERTH  
PH 1 5GD

18 February 2022

**For the planning application**  
**21/02069/FLL**  
**Building 7 houses**

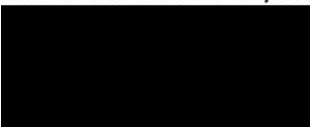
We are writing to object to this application:

- It is a prominent location with no site screening such as existing trees.  
The previous application required a lowering of the ground to reduce the visual impact.  
This application would make it worse, and does not include anything to reduce the impact.  
The previous approval included a condition requiring 'substantial quality boundary planting' which would need to be enforced.
- The application is contrary to the development plan.
- Due to lack of amenities within a reasonable distance such as public transport the application does not satisfy criteria for building in the countryside.
- This application will result in a total of 9 houses on the site. A 50% increase on the earlier application. This is over development of the site. The application in 2007 for 6 houses on this site was refused. The appeal judgement stated that even 6 houses was an overdevelopment of the site.

If the Council does approve the application we would expect inclusion of the same conditions as previously in application 09/00077. Especially in relation to passing places on the private drive and the public road leading to the A977. Also ground contamination, drainage and landscaping.

Yours faithfully

Mark and Susan O'Bryen







# Comments for Planning Application 21/02069/FLL

## Application Summary

Application Number: 21/02069/FLL

Address: Land 480 Metres South East Of No 4 Pitfar Steadings Powmill

Proposal: Erection of 7 dwellinghouses, garage, formation of landscaping and associated works

Case Officer: Joanne Ferguson

## Customer Details

Name: Mrs Carolyn Pleass

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
- Over Intensive Development
- Road Safety Concerns
- Traffic Congestion

Comment: [REDACTED]  
[REDACTED]

We already experience congestion on the road which is single track, with no passing places. [REDACTED] are constantly used as passing places which causes damage, and the road and verges are in a very poor state due to the existing level of traffic which has increased due to developers accessing the housing site at Pitfar.

Although I understand that there are to be passing places constructed as a result of the development at Pitfar, I think the developer may struggle to construct the places without reaching agreement with neighbours as he does not control the land required and I suspect there is not enough width to construct the passing places within the existing solum of the road and its adopted verge. If there are additional houses at Barnhill this will worsen the situation.

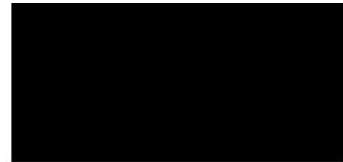
I do not believe that the failure of "Warrior Ranch" is a reason for allowing development of the site. I am sure that if the site was made available at a price which reflected its current planning status it would find a buyer.

The site is remote from schools, shops, doctors etc. and in the past Barnhill Farm had two vehicular accesses, one to the U223 and the other via a track to public road at Easter Muirhead

(and this route is not in control of the applicant).

Increasing vehicle movements already cause us logistical problems, and if the Council continue to allow urbanisation of the countryside without providing the necessary infrastructure (in this case a suitable public road for the inevitable vehicles movements which will result from development of the site) it will become more and more difficult for the more traditional rural land uses to continue.

Development Quality Manager  
The Environment Service  
Perth and Kinross Council  
Pullar House  
35 Kinnoull Street  
PERTH  
PH 1 5GD



18 February 2022

Dear Sirs,

**Planning Application: 21/02069/FLL | Erection of 7 dwelling houses**

We object to this planning application for the following reasons:

- It is contrary to the development plan.
- It does not satisfy criteria for building in the countryside due to lack of amenities within a reasonable distance such as public transport.
- Over development of the site. In 2007 an application for 6 houses on this site was refused, which was upheld in the subsequent appeal. The appeal judgement stated that even 6 houses was an overdevelopment of the site. This application will result in a total of 9 houses on the site which is 50% increase on the earlier application.
- This is a very prominent location with no site screening such as existing trees. The previous application which was approved requirement a lowering of the ground to reduce the visual impact of the houses. This application does not include anything similar to mitigate the impact. The previous approval also included a condition requiring 'substantial quality boundary planting'.

If the Council is minded to approve this application then we would expect inclusion of the same conditions as previously in application 09/00077 in relation to passing places on the private drive and the public road leading to the A977, ground contamination, drainage and landscaping.

Yours faithfully

Jan and Graham Pye





## Development Management

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**From:** Ian & Sarah Ross [REDACTED]  
**Sent:** 18 February 2022 11:45  
**To:** Development Management  
**Subject:** Objection 21/02069/FLL

CAUTION: This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.



To whom it may concern

I wish to lodge my objection to the above planning application.

The site is quite remote and served by a single track road which has no passing places other than gateways.

There has already been an increase in traffic due to the building works on the other site at Barnhill and the new occupants have not even moved in yet.

If this site is developed the single track road will not be able to cope with the additional traffic and will be dangerous for other road users.

Yours Faithfully

Sarah Ross



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

<b>Planning Application ref.</b>	21/02069/FLL	<b>Comments provided by</b>	Lachlan MacLean Project Officer – Transport Planning
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	TransportPlanning@pkc.gov.uk
<b>Description of Proposal</b>	Erection of 7 dwellinghouses, garage, formation of landscaping and associated works		
<b>Address of site</b>	Land 480 Metres South East Of No 4 Pitfar Steadings, Powmill		
<b>Comments on the proposal</b>	<p>The applicant is proposing to erect 7 dwellinghouses on land at Barnhill Farm, Powmill. The development will be served by a private access track that connects to the U223 public road network, which will then join the A977. The private access track is also part of the core path network, <i>FSWY/117; Path east of Pitfar Lodge to Lambhill via Pitfar</i>, where it can be anticipated that members of the public will be using the route for travelling actively.</p> <p>The level of car parking provided for the site, is acceptable in terms of the 7 plots and the visitor parking arrangements.</p> <p>Perth &amp; Kinross Council are not proposing to adopt the private access track from the public road network to the site and as such the access track will remain private along with the maintenance of said track.</p> <p>In order to support the development, the private access track will require supporting infrastructure in terms of intervisible passing places at approximately 100 metre centres. The U223 public road will also require intervisible passing places, to be provided at locations agreed with the planning authority, therefore conditions are recommended to secure these.</p> <p>If the applicant is successful in gaining planning consent, they must apply for a Vehicle Access Consent before starting works on its formation. More information on the process can be found on the following website: <a href="https://www.pkc.gov.uk/vehicleaccess">https://www.pkc.gov.uk/vehicleaccess</a>. Please note, that as planning permission has been applied for, currently no fee is required for the Vehicle Access Consent (VA1 form), please include the planning application number on your VA application form.</p> <p>Insofar as the Roads matters are concerned, I have no objections to this proposal on the following conditions.</p>		
<b>Recommended planning condition(s)</b>	<p>The site shall be served by the existing private access which shall be provided with a bitumenously bound surface to the satisfaction of the Planning Authority, all prior to the occupation of any part of the development and shall be permanently maintained thereafter.</p> <p>Reason - In the interests of pedestrian and traffic safety.</p>		

	<p>Prior to the commencement of the development hereby approved, full visibility splays of 70 metres shall be provided to the left and right of the access, at a set-back of 2.4 metres measured 1.05m above the road level, insofar as the land is in the control of the applicant, and thereafter maintained.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p> <p>Prior to commencement of any development on site, a detailed design showing the locations of intervisible passing places at 100 metre centres for the existing private access shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority. The passing places, as approved in writing, shall be implemented and permanently maintained thereafter in accordance with the approved details to the satisfaction of the Council as Planning Authority and undertaken prior to the commencement of construction associated with this planning application (21/02069/FLL).</p> <p>Reason – In the interests of pedestrian and traffic safety</p> <p>Prior to commencement of any development on site, a detailed design showing the locations of intervisible passing places on the U223 public road network shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority. The passing places, as approved in writing, shall be implemented in accordance with the approved details to the satisfaction of the Council as Planning Authority and undertaken prior to the occupation of any part of the development.</p> <p>Reason – In the interests of pedestrian and traffic safety</p> <p>Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth &amp; Kinross Council's Road Development Guide Type C Figure 5.7 access detail, of Type B Road construction detail. The Type B Road construction detail shall continue to the entrance for a minimum distance of six metres.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p>
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<b>Recommended informative(s) for applicant</b>	The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
<b>Date comments returned</b>	18 February 2022





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

<b>Planning Application ref.</b>	21/02069/FLL	<b>Comments provided by</b>	Lucy Garthwaite
<b>Service/Section</b>	Waste Services	<b>Contact Details</b>	01738 475262
<b>Description of Proposal</b>	Erection of 7 dwellinghouses, garage, formation of landscaping and associated works		
<b>Address of site</b>	Land 480 Metres South East Of No 4 Pitfar Steadings Powmill		
<b>Comments on the proposal</b>	Waste and recycling bins will be collected from the road end. The developer is required to create a hard standing bin store to accommodate communal wheelie bins. The road and pavement from the bin collection point to the refuse collection vehicle must be at maximum 10 metres and a hard standing surface. It must have a level gradient and a smooth surface; use dropped kerbs where appropriate.		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>	The developer should please note that Perth & Kinross council aim to introduce twin stream recycling and therefore additional space is required for a second recycling bin. Further information is available by contacting the Community Waste Team <a href="mailto:communitywasteadvisers@pkc.gov.uk">communitywasteadvisers@pkc.gov.uk</a>		
<b>Date comments returned</b>	18/2/22		



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

<b>Planning Application ref.</b>	21/02069/FLL	<b>Comments provided by</b>	Katrina Walker
<b>Service/Section</b>	Development Plans	<b>Contact Details</b>	
<b>Description of Proposal</b>	Erection of 7 dwellinghouses, garage, formation of landscaping and associated works		
<b>Address of site</b>	Land 480 Metres South East of No 4 Pitfar Steadings, Powmill		
<b>Comments on the proposal</b>	<p>The comments below relate to the principle of the application under policy 19 Housing in the Countryside and the associated supplementary guidance (SG).</p> <p>It is noted that permission was previously granted for 6 houses on this site approved under a previous version of the SG. I understand that the previous consent was never implemented. It is my view that no real weight can be given to the previous consent (which was over 10 years ago) given that the SG has been revised several times since then. Reference is also made to the development currently underway at Pitfar Steading but again, this was approved under a previous version of the SG.</p> <p>It is suggested in the Planning Statement that the proposals comply with a combination of category 1, 5 and 6 of the SG.</p> <p>In relation to category 1: building groups, as stated in the SG only those buildings which are at least equivalent in size to a traditional cottage and are either residential or suitable for conversion to residential under category 5 can be included. This would exclude the modern shed (not supported under category 5) and the former silage pit which I would not consider as a building at all given that it presumably has never been roofed. This leaves the stable building which is on the small side, and the existing pair of semis which in my view should be counted as one building. Even if the stable block was included this would only be two buildings and so the SG would not offer support under category 1.</p> <p>In relation to category 5: conversion or replacement of redundant traditional non-domestic buildings, as above-mentioned, this would offer no support for the replacement of the modern shed. If the existing stable block meets the definition of traditional then support could be offered for its conversion under category 5, but it would require to be demonstrated that the building is redundant (I note that the animals have been rehomed) and also that the site has been marketed for 1 year for an alternative employment use. As above-mentioned, I would not consider the former silage pit as a building at all. The scope under category 5 would therefore in my view be limited to the conversion of the stable building although I am concerned at the size of the extension being proposed in relation to the size of the existing building. Category 5 does allow for some new build associated with traditional buildings and building complexes, but I think it would be difficult to support additional new build on the back of this one small stable building, and certainly not at the scale or numbers being proposed.</p> <p>This leaves category 6: rural brownfield land. This category allows for small scale housing proposals on cleared sites which have been significantly degraded by a former use or activity, and where the redevelopment of the site for housing is the only means by which it is viable to remediate the site. Firstly, this site is not</p>		

	<p>completely cleared as the large modern shed is still present. Secondly, whilst the applicant considers it likely that some contamination will be present no evidence has been provided that this is in fact the case or, more importantly, that any contamination is of a scale and severity that remedial action must be taken. Even if some contamination is present the SG is clear that the scale of any development must be commensurate with the scale of remediation works required. I acknowledge that there would appear to be large areas of hardstanding remaining on the site but this in itself is not sufficient evidence to justify development under category 6. Based on the current information I consider that category 6 would not support the additional new build development being proposed.</p> <p>Overall, whilst there may be some policy support for the conversion of the existing stable building (providing that the criteria set out in category 5 are met) I do not consider that support is offered for the current proposals under category 1 or 6 of the SG.</p>
<b>Recommended planning condition(s)</b>	
<b>Recommended informative(s) for applicant</b>	
<b>Date comments returned</b>	16/3/22



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

<b>Planning Application ref.</b>	<b>21/02069/FLL</b>	<b>Comments provided by</b>	Joanna Dick Tree and Biodiversity Officer
<b>Service/Section</b>	Strategy and Policy	<b>Contact Details</b>	Phone 75377 Email <a href="mailto:biodiversity@pkc.gov.uk">biodiversity@pkc.gov.uk</a>
<b>Description of Proposal</b>	Erection of 7 dwellinghouses, garage, formation of landscaping and associated works		
<b>Address of site</b>	Land 480 Metres South East Of No 4 Pitfar Steadings Powmill		
<b>Comments on the proposal</b>	<p><b>Policy 41: Biodiversity</b></p> <p>The Council will seek to protect and enhance all wildlife and habitats, whether formally designated or not, considering natural processes in the area. Planning permission will not be granted for development likely to have an adverse effect on protected species unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated.</p> <p>No ecological survey of the proposed development area or assessment of the likely effects from this development on habitats and species was submitted alongside this application. It appears there will be an impact on existing trees and hedges.</p> <p>To progress this application, information about the biodiversity value of the site is required in the form of an Extended Phase 1 Habitat Survey. Once this information is obtained, measures should be identified to avoid and reduce impacts, and to compensate for the loss of resources using the mitigation hierarchy. The impact of this proposed development must be known prior to issuing any planning consent. An impact assessment of this development on trees, woodland and biodiversity is required.</p> <p>Guidance is available in the Planning for Nature Supplementary guidance - <a href="https://www.pkc.gov.uk/planning-guidance-planning-biodiversity">Planning Guidance - Planning &amp; Biodiversity - Perth &amp; Kinross Council (pkc.gov.uk)</a></p> <p>I object due to a lack of information and impact assessment on biodiversity.</p>		
<b>Recommended planning condition(s)</b>	More information is required to progress this application.		
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	21 March 2022		



Development Quality Manager  
The Environment Service  
Perth and Kinross Council  
Pullar House  
35 Kinnoull Street  
PERTH  
PH 1 5GD



18 July 2022

Dear Sirs,

**Planning Application: 21/02069/FLL | Erection of 7 dwelling houses**

I refer to the appeal application against the refusal of the above application. We have nothing to add to the points made in our original letter and the reasons given for refusal by the planning department.

However, the applicant makes reference to the fact that the site has been marketed without success. This is not entirely correct as the main house has been sold, as one property rather than two as it is suggested that it should be considered. This includes some acreage. We therefore understand therefore that the overall site that is defined in the original application is no longer the same.

Yours faithfully

Jan and Graham Pye

