

TCP/11/16(227)

**Planning Application 12/01781/FLL – Erection of a
dwellinghouse at Woodside, Muthill, Crieff, PH5 2BD**

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD

Tel: 01738 475300

Fax: 01738 475310

Email: onlineapps@pkc.gov.uk

Planning Department

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

Thank you for completing this application form:

ONLINE REFERENCE 000049169-004

The online ref number 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:

Fergus Purdie Architect

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

Ref. Number:

Building Name:

First Name: *

Fergus

Building Number:

5A

Last Name: *

Purdie

Address 1 (Street): *

Melville Street

Telephone Number: *

01738 444 122

Address 2:

Extension Number:

Town/City: *

Perth

Mobile Number:

Country: *

UK

Fax Number:

Postcode: *

PH1 5PY

Email Address: *

mail@ferguspurdiearchitect.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"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="David"/>
Last Name: *	<input type="text" value="Woods"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

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

Building Name:	<input type="text" value="Old Kirk"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Moray Street"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Blackford"/>
Country: *	<input type="text" value="Scotland"/>
Postcode: *	<input type="text" value="PH4 1PY"/>

Site Address Details

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

Address 1:	<input type="text" value="Woodside"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="Muthill"/>	Town/City/Settlement:	<input type="text" value="Crieff"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="PH5 2BD"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="716684"/>	Easting	<input type="text" value="288851"/>
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Description of the Proposal

Please provide a description of the 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)

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) – 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 of 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.

Process - application was subject to a request for a meeting by us. We were invited to submit additional information prior to any meeting. Having complied with this request no meeting was offered.

Precedent - planning raised concerns about setting a precedent - precedent is not a material consideration.

Policy - NHC item 3.3 - 'a house for a key worker associated with either a consented or an established economic activity....' In this case there is business consent and an economic activity.

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 now be considered in your review: * (Max 500 characters)

A meeting was requested with the case officer to discuss the proposal in detail but the officer did not arrange a meeting. Instead the outcome of the application was determined to meet targets without the officer being aware of all the necessary information to make a full, fair and informed decision. Having then raised the matter with a senior planning officer it is clear such a meeting would have clarified aspects of the applications case in support of its justification.

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)

Report
Photographs

Application Details

Please provide details of the application and decision.

What is the application reference number? *

12/01781/FLL

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

05/10/12

Has a decision been made by the planning authority? *

☒

Yes

☐

No

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

12/12/12

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 conducted by a combination of procedures.

Please select a further procedure *

Inspection of the land subject of the appeal. (Further details below are not required)

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 visit to the applicants existing business location and current new location is necessary to fully examine and demonstrate the overall background and context, which is critical to understanding the operational, economic and planning need for the dwelling house.

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

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

☒

Yes

☐

No

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

☒

Yes

☐

No

Checklist - Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare - Notice of Review

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

Declaration Name: Fergus Purdie

Declaration Date: 17/01/2013

Submission Date: 17/01/2013

Email to PKC Planning 19th Dec 2012 in response to planning permission application outcome

We would like to request a meeting direct with yourself to discuss the application. Having previously contacted Ann (who will no doubt brief you on our position) by telephone we have noted some point for discussion and clarification.

- a) Process - The application determination process was subject to a request for a meeting by us. However, we were invited to submit additional information prior to any meeting being arranged. Having complied with this request for information no meeting was offered. Instead the process was concluded without the opportunity for further dialogue. In our view the matter was incomplete and subject to further exchanges of information.
- b) Information - If there were any further gaps in the submitted information (as suggested by AC) then surely the opportunity to respond with additional information should have been at least offered.
- c) Precedent - AC suggested concerns about setting a precedent. From our extensive experience of Perth and Kinross planning practice precedent is not a material consideration.
- d) Policy - Ref New Houses in the Countryside item 3.3 economic activity.....' a house required on site for a key worker associated with either a consented or an established economic activity....' In this case there is business consent and an economic activity. The family business is a well established and currently being relocated to provide a more sustainable operational base. We are aware of the 'rule of thumb' use by some planners with respect to the period of time the economic activity has been trading, However a time period is not written explicitly within the policy document thereby indicating it must be open to interpretation and application in a fair and reasonable manner consistent with enabling potential develop.

Fergus Purdie Architect RSA (Elect)

Proposed New Dwelling House ref - 12/01781/FLL.

Supporting statement to justify the need for a dwelling with specific reference to safety and security.

1. The current security measures for the workshop have been identified in consultation with Tayside Police - 'secured by design' including for example lighting, fencing and alarms. However, they are limited in effectiveness due to the absence of a 24/7 on-site presence.
2. Whether fencing, barriers or other measures are used they all have limited deterrent value evidenced by ongoing examples of reported crime figures in the Strathearn area. A recent crime incident reported by our client is on record - ref CR 15821/12. A physical and visible presence (i.e. natural surveillance) would provide a more effective deterrent as fully acknowledged and supported by the Crime Prevention and Architectural Liaison Officer (see attached copy letter). Such a presence will make a significant contribution to minimising incidents of potential theft and vandalism.
3. The previous business workshop was located in a build up residential area of a village with a 'neighbourhood' watch effect from adjoining inhabited properties. Therefore the potential for theft or vandalism was greatly reduced.
4. Both clients have come from a farming background and what to continue this living and working 'life style' and pass it onto their children. In this situation working + living on a farm provided a 24/7 presence thereby minimising the risk of theft or vandalism. The small holding enterprise will offer the opportunity for breeding rare livestock independently within a fully integrated living working unit. As with property (buildings, equipment, materials and plant) the live stock is just as vulnerable to crime. The need to have a 24/7 presence is also required for the well being of breeding live stock. See supporting letter from on animal welfare.
5. The business does have to respond to client/customer business needs e.g. during harvest periods. A call-out service requires the applicant to organise equipment, plant and materials in a short period of time in order to facilitate on-site repairs, maintenance and emergency work in other locations out with the business. Having a dwelling house on site would allow them to respond effectively to this essential business need and provide an efficient service in terms of both their business and customers (existing + potential). It would also make an essential contribution to a sustainable live-work balance by avoiding many daily journeys between house and work and vice versa in order to accommodate the family and business.

Fergus Purdie Architect RSA (Elect)

Email response from Colin Brough – crime prevention architectural liaison officer/cctv manager

New Dwelling House ref - 12/01781/FLL

NOT PROTECTIVELY MARKED

Fergus.

In response to your enquiry please be advised that from a security and safety point of view I would be very supportive of the proposal to provide a dwelling house as part of this application.

In my position as an Architectural Liaison Officer, I apply the principles of Crime Prevention Through Environmental Design, one of which is the provision of surveillance opportunities, be that natural or formal. Natural surveillance is quite simply what can be seen with the human eye and I would look at the design of any project, be that housing or commercial with a view to what natural surveillance opportunities are being made available.

To my mind a workshop and smallholding, in the location it is being proposed, could be vulnerable to the threat of crime, a threat that would be greatly mitigated by the presence of a domestic dwelling and the attendant risk of the perpetrator of crime being disturbed and identified. At present rural crime is a major problem and for the most part takes place in more remote locations where the risk of being caught is very limited.

By the same token the dwelling house may itself be vulnerable to the threat of crime and I would ask you to consider the guidance for new homes provided under the Secured by Design initiative, which you will find at www.securedbydesign.com - advice for Architects & Developers.

I trust this information is of value to you but if you require clarification or further discussion please do not hesitate to contact me.

Colin Brough

Crime Prevention/Architectural Liaison Officer/CCTV Manager

Community Safety Unit

Dundee LPA

[REDACTED]
[REDACTED]



Clash Farm, Port Logan, Stranraer DG9 9NL
Tel: 01776 860246 Mob: 07795 264092 Email: info@clashsaddlebacks.co.uk

14 September 2012

To Whom It May Concern

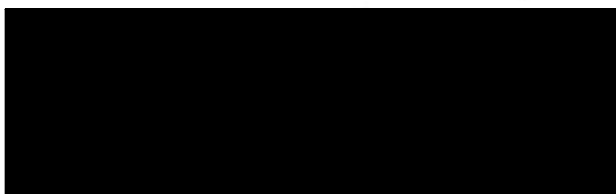
Mr & Mrs Woods have bought breeding stock from us and asked our advice regarding access to the pigs at farrowing time.

We always advocate that Saddleback pigs are allowed to follow their natural instincts and are given plenty of room to build a nest, however this increases the risk of piglets being laid on. Saddlebacks can easily have litters of 10-12 plus and it is always advisable to be on hand during farrowing. In our considerable experience this usually happens at night and can sometimes be a lengthy process. Pigs farrow all year round therefore it is easier if you live on site, especially in the winter months when it is dark and cold.

Often we have had to take a piglet into the house to warm it up and occasionally we have had to call the vet out. This has required access to hot water, electricity and a telephone.

If you require any further information then please don't hesitate to contact me.

Yours faithfully



Caron Kennedy-Stewart

www.clashsaddlebacks.co.uk



Pullar House 35 Kinnoull Street Perth PH1 5GD

Tel: 01738 475300

Fax: 01738 475310

Email: onlineapps@pkc.gov.uk

Planning Department

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

Thank you for completing this application form:

ONLINE REFERENCE 000049169-001

The online ref number 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: *

We strongly recommend that you refer to the help text before you complete this section.

- ☒ 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)

The erection of one dwelling house on land at Woodside, Station Road, By Muthill

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

Have the works already been started 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:	Fergus Purdie Architect
Ref. Number:	
First Name: *	Fergus
Last Name: *	Purdie
Telephone Number: *	01738 444122
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address: *	mail.fwparchitect@btconnect.com

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

Building Name:	
Building Number:	5A
Address 1 (Street): *	Melville Street
Address 2:	
Town/City: *	Perth
Country: *	UK
Postcode: *	PH1 5PY

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	Mr
Other Title:	
First Name: *	David
Last Name: *	Woods
Company/Organisation:	
Telephone Number:	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address:	

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

Building Name:	Old Kirk
Building Number:	
Address 1 (Street): *	Moray Street
Address 2:	
Town/City: *	Blackford
Country: *	Scotland
Postcode: *	PH4 1PY

Site Address Details

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

Address 1:	<input type="text" value="Woodside"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="Muthill"/>	Town/City/Settlement:	<input type="text" value="Crieff"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="PH5 2BD"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="716684"/>	Easting	<input type="text" value="288851"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

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)

Grazing field and breeding livestock including for example - old spot pigs, saddleback pigs, boars and goats.

Access and Parking

Are you proposing a new or 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.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? *

☐ Yes ☒ No

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.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

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)? *

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, cycle spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- ☐ Yes – connecting to public drainage network
- ☐ No – proposing to make private drainage arrangements
- ☒ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) *

☒ Yes ☐ No

Note: -

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- ☒ Yes
- ☐ No, using a private water supply
- ☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☒ No ☐ Don't Know

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.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☒ Yes ☐ No

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.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

☒ Yes ☐ No

If Yes or No, please provide further details:(Max 500 characters)

Waste storage and collection areas (including recycling bins) to be located at workshop.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☒ Yes ☐ No

How many units do you propose in total? *	1	
Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.		
All Types of Non Housing Development - Proposed New Floorspace		
Does your proposal alter or create non-residential floorspace? *		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Schedule 3 Development		
Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2008) *		
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Don't Know		
<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? *		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Certificates and Notices		
Certificate and Notice under Regulation 15 8 – Town and Country Planning (General Development Management Procedure) (Scotland) Order 1992 (GDPO 1992) Regulations 2008		
One Certificate must be completed and submitted along with this 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 ? *		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is any of the land part of an agricultural holding? *		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Do you have any agricultural tenants? *		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 2008

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.

These People are:

Name:

Address:

Date of Service of Notice: *

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

Notice of the application has been published in:

On:

Signed:

Fergus Purdie

On behalf of:

Mr David Woods

Date:

05/10/2012

☒ Please tick here to certify this Certificate. *

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

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, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments, have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

c) 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 2008, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

d) 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 2008) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) 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

f) 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.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☒ Yes ☐ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☒ Yes ☐ N/A

A Transport Assessment or Travel Plan. *

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement *

☐ Yes ☒ 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: Fergus Purdie

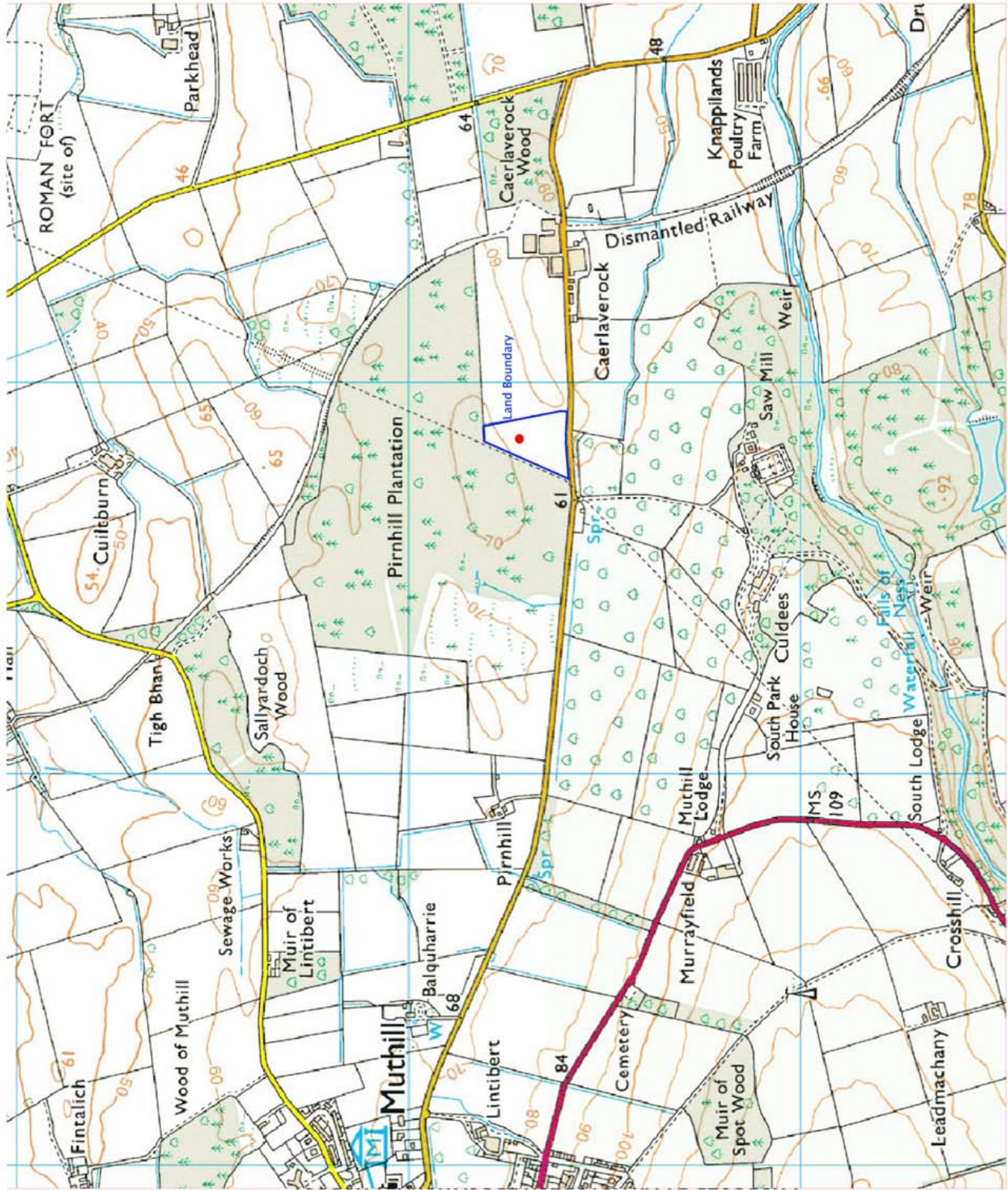
Declaration Date: 05/10/2012

Submission Date: 05/10/2012

Payment Details

Cheque: Fergus Purdie Architects, 011609

Created: 05/10/2012 15:10



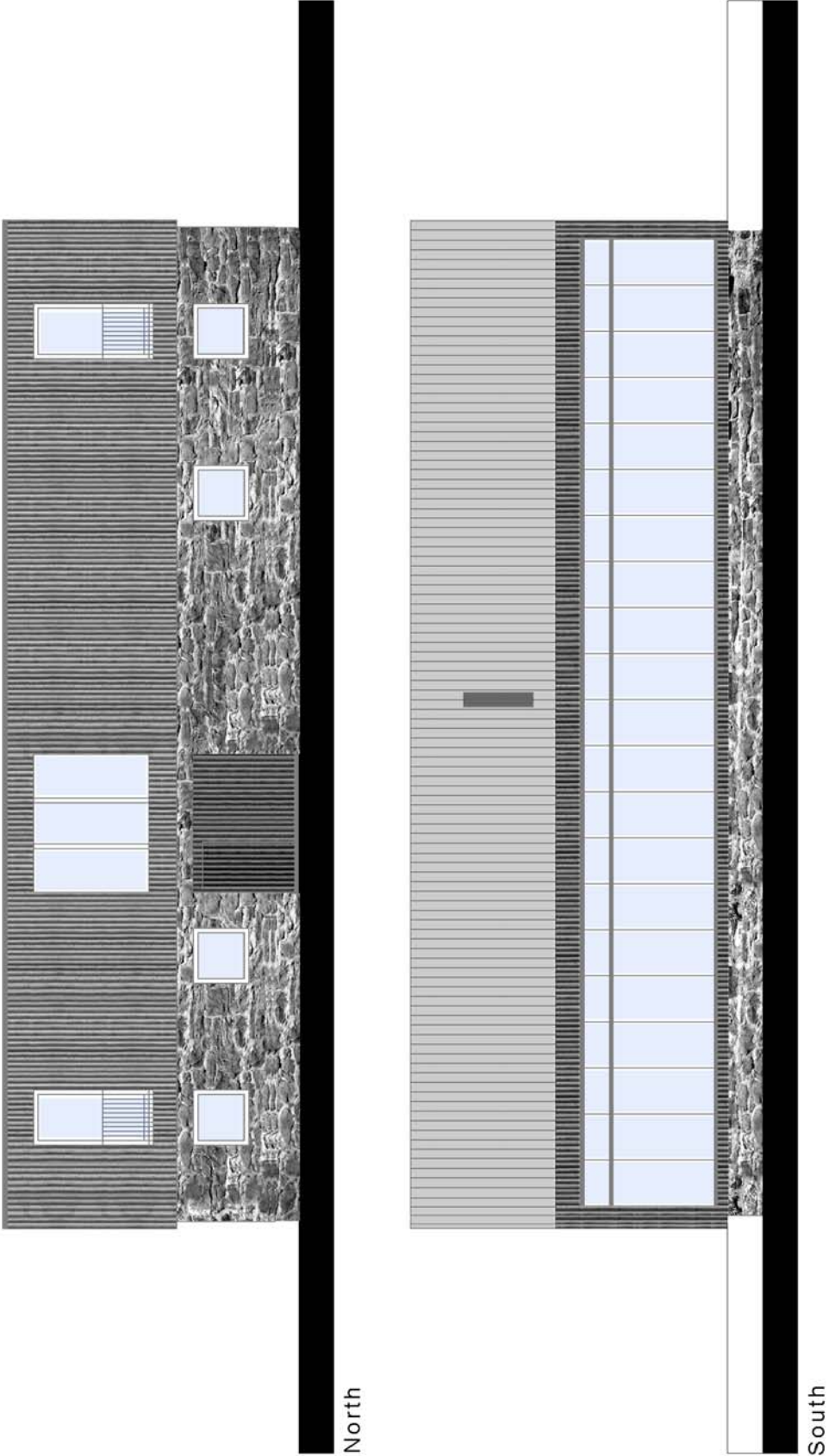
FERGUS PURDIE ARCHITECT
5A MELVILLE STREET
PERTH
PH15PY
01738 444122
fwparchitect@btconnect.com

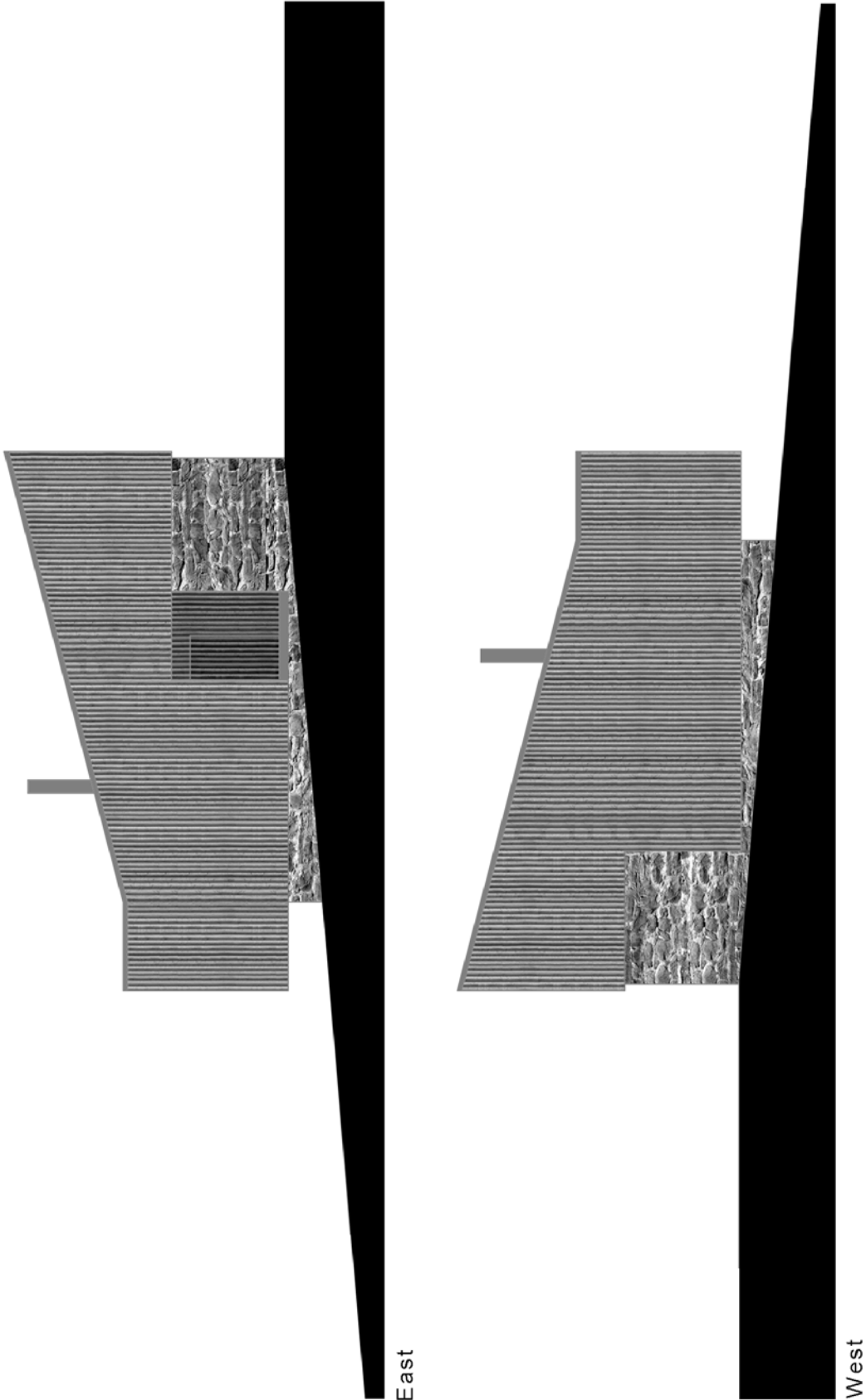
Location and Site Plans - DWG No PO (SK) 001 - September 2012

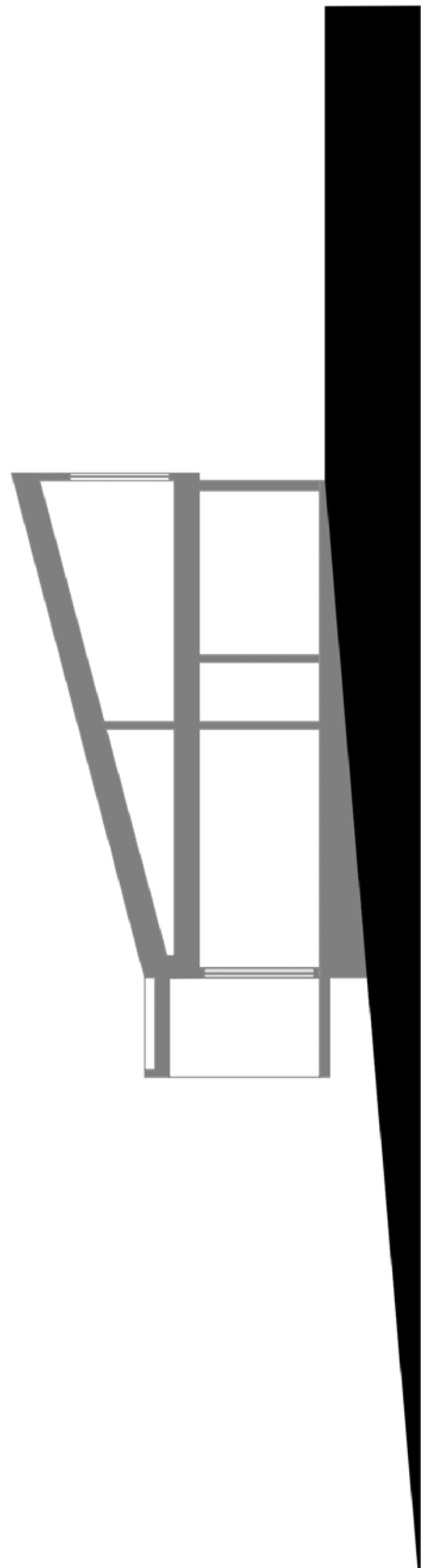


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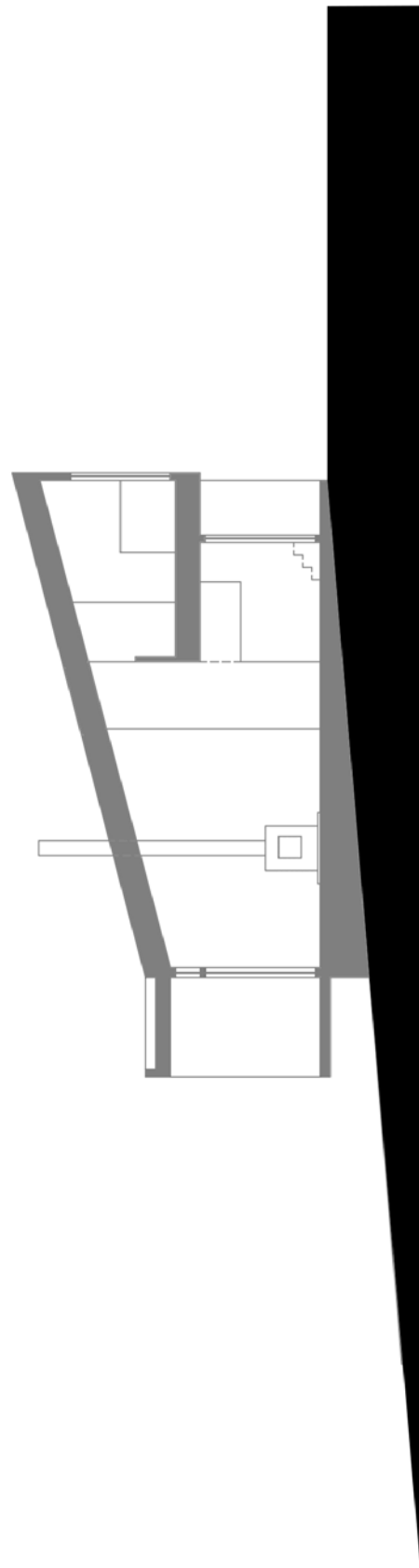




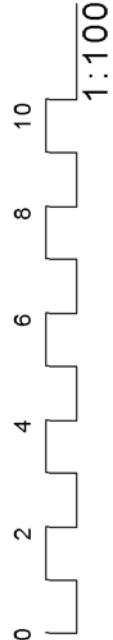


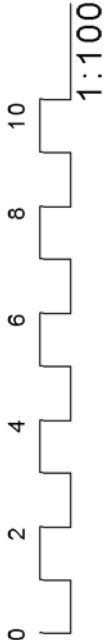
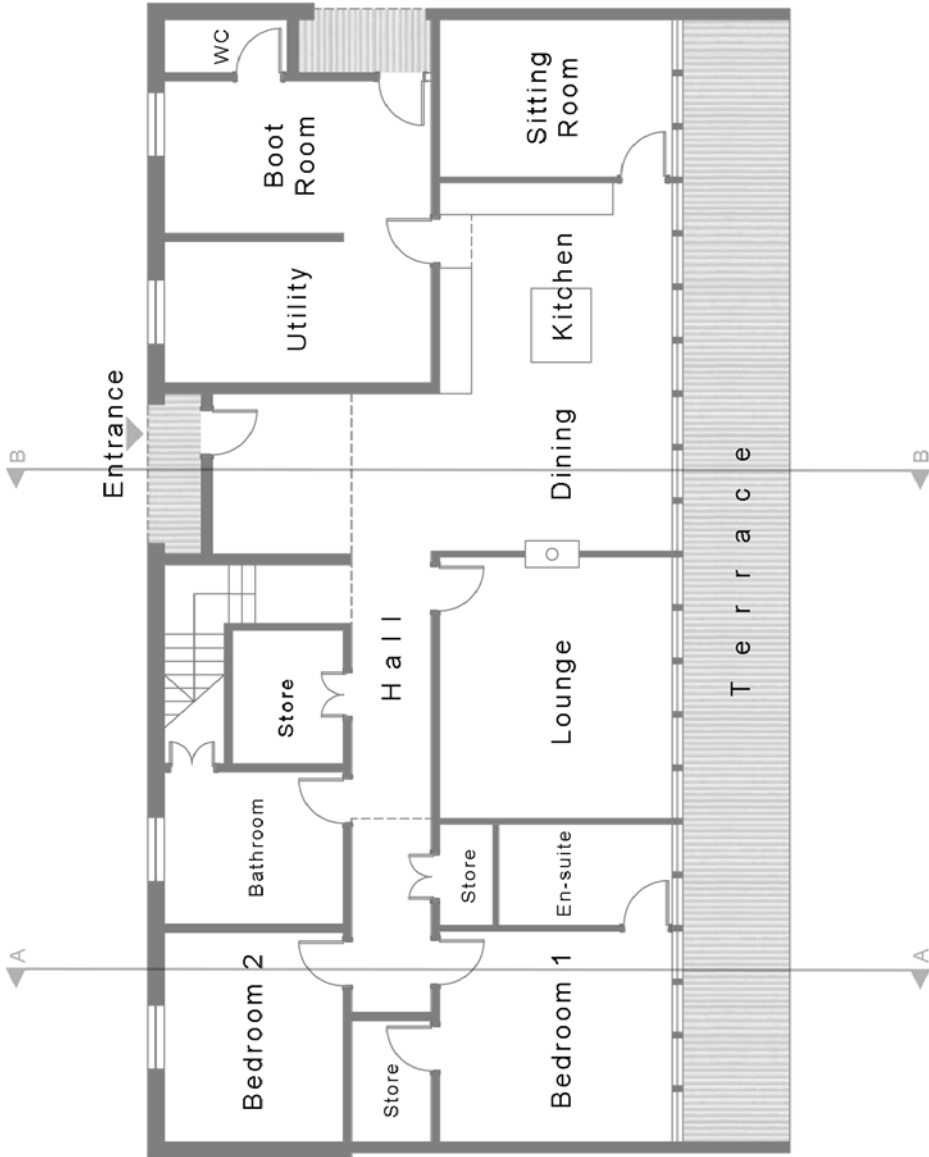


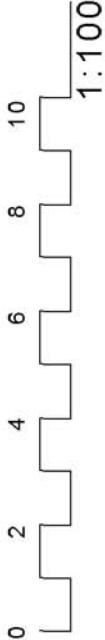
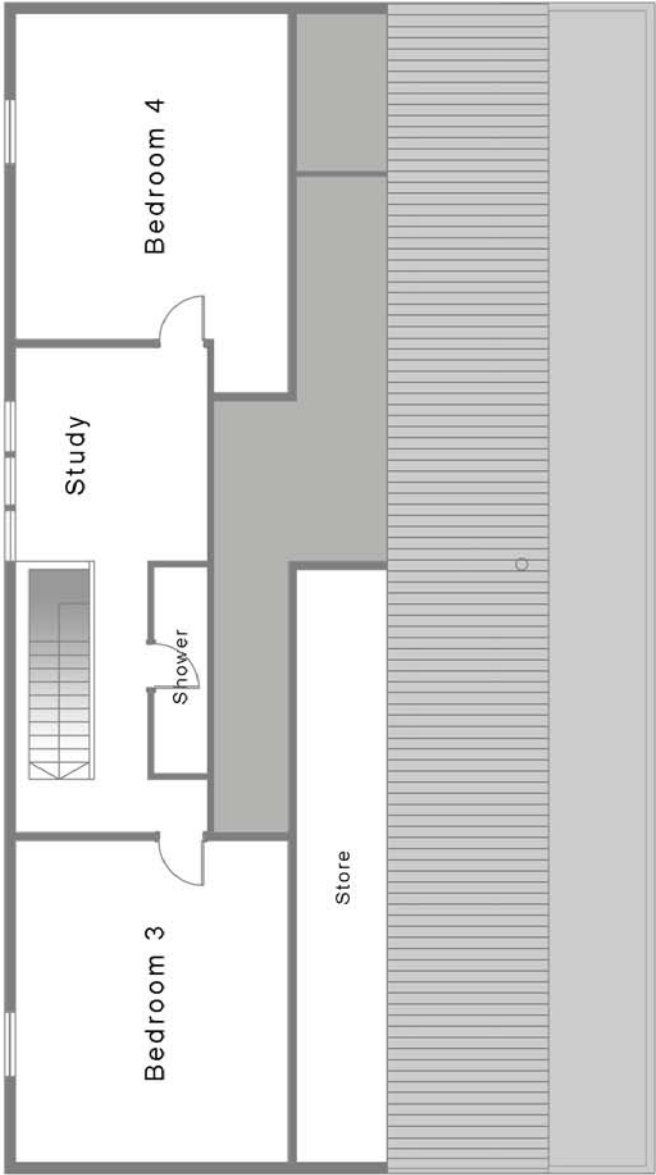
Section A-A



Section B-B







TCP/11/16(227)

**Planning Application 12/01781/FLL – Erection of a
dwellinghouse at Woodside, Muthill, Crieff, PH5 2BD**

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 105-111)*

PERTH AND KINROSS COUNCIL

Mr David Woods
c/o Fergus Purdie Architect
5A Melville Street
Perth
PH1 5PY

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 12th December 2012

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/01781/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 16th October 2012 for permission for **Erection of a dwellinghouse Woodside Muthill Crieff PH5 2BD** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to Policy 54 of the Strathearn Area Local Plan 2001 where it relates to new housing in the countryside, insofar as the proposed new dwelling does not meet any of the criteria relating to (a) building groups (b) renovation or replacement of houses (c) conversion or replacement of non-domestic buildings or (d) operational need.
- 2 The proposal is contrary to the Council's Policy on Housing in the Countryside 2012 as it does not meet any of the acceptable categories of development relating to (1) Building Group (2) Infill Sites (3) New houses in the open countryside (4) Renovation or Replacement of houses (5) Conversions or Replacement of Redundant Non-Domestic buildings or (6) Rural Brownfield Sites

Justification

The proposal is not in accordance with the Development Plan and there are no other material issues which justify approving the planning application.

Notes

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

Plan Reference

12/01781/1

12/01781/2

12/01781/3

12/01781/4

12/01781/5


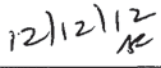
12/01781/6

12/01781/7

PERTH AND KINROSS COUNCIL

**ERECTION OF A DWELLINGHOUSE AT WOODSIDE, MUTHILL, CRIEFF, PH5
2BD**

DELEGATED REPORT OF HANDLING

Ref No	12/01781/FLL	Case Officer	Team Leader	Decision to be Issued?	
Ward	N7 – Strathallan		12/12/12 		
Target	16 Dec 2012			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
RECOMMENDATION					
Refuse the planning application on the grounds that the proposal is contrary to the Development Plan and contrary to the Councils Housing in the Countryside Policy 2012					

BACKGROUND & DESCRIPTION

The application site is located to the north of 'Woodside', a new commercial workshop which is located at the western outskirts of the small village of Muthill. Detailed planning consent¹ was granted earlier this year for the erection of a replacement workshop (relocating from Blackford Church) and the erection of a smaller agricultural storage shed. At the time of my site visit (October), the main workshop building was in the process of being constructed, however I understand that the workshop building is now completed and that the workshop is in operation.

This planning application seeks to obtain detailed planning permission for the erection of a detached dwelling to the rear (north) of proposed agricultural storage shed. The dwelling will be tied to the activities of the workshop and the associated small holding and will be of a an interesting bespoke, architect design which offers living accommodation over two levels, with the upper level contained partly within the roofspace.

APPRAISAL

Sections 25 & 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of this planning application to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The Development Plan for the area comprises the approved Tay Plan 2012, and the adopted Strathearn Area Local Plan 2001.

Although there are general policies of relevance contained in the Tay Plan (*such as Policy 3*), the principal Development Plan policies are contained in the adopted Local Plan. Within the Local Plan, the site lies within the landward area where *Policies 2 (development criteria), 5 (design) and 54 (HITCP)* are all directly applicable. *Policy 2* seeks (amongst other things) to ensure that all new sites have a suitable landscape framework and are compatible with exiting land uses, whilst *Policy 5* seeks to ensure that all new developments have a high design standard. *Policy 54* is the Local Plan

¹ 11/02067/FLL, Erection of a workshop at Land North West Of Caerlaverock Farm Cottage, Muthill

version of the HITCP and offers support in principle for new housing in the open countryside in certain instances. One of these instances is when a dwelling is required for an established operation need, which is directly linked to an economic activity.

In terms of other material considerations, this principally involves the consideration of other Council policies, namely the approved Planning Guidance Note on Primary Education and New Housing Developments, and the Housing in the Countryside Policy 2012, which is the most recent expression of Council policies towards new housing in the open countryside.

Based on the above, I consider the key determining issues for this proposal to ultimately be a) whether or not the proposal has a good (suitable) landscape framework and is compatible with the surrounding land uses, b) whether or not the design of the dwelling is of a suitability high standard and c) whether or not the proposal is acceptable in land use terms, bearing in mind the provisions of the Development Plan.

I shall address these issues in turn.

Policy 2 of the SALP seeks, amongst other things to ensure that all new sites within the landward area have a suitable landscape framework which is capable of absorbing the development proposed and that the proposed development is compatible with existing land uses. In terms of both aspects, I have no particular concerns. The site is located to the rear of the existing buildings which would in my view give the proposal some form of a landscape context - particularly from the south, and although some new landscaping would inevitably be required to help define the new dwellings curtilage, I am not overall concerned regarding this aspect, particularly as dwellings which are linked to operation need often require additional landscaping proposals as the necessity to be close to the operation or activity is often more critical than a perfect landscape fit. In terms of compatibility with existing uses, the only land use of any note (other than agriculture) would be the applicant's workshop itself which does not raise any compatibility issues due to the intrinsic relationship between the two. I therefore generally consider the proposal to be consistent with the aims of Policy 2 of the SALP.

In terms of the second issue, the design standard of the dwelling, Policy 5 of the SALP seeks to ensure that all new developments within the landward area are of a suitably high standard which is appropriate for their location. The proposed house type is a bespoke dwelling, of a high standard of design that will utilise high quality finishes. To this end, I have no concerns regarding the visual appearance of the dwelling, and consider the proposal to be entirely consistent with the aims of Policy 5 of the SALP.

Turning to the last issue, the acceptability of the proposal in land use terms, this ultimately is an assessment of the proposal against the Councils HITCPs as contained firstly in the Local Plan and secondly the revised version of 2012. Both these policies offer support in principle for the erection of a new dwelling(s) when there is a proven operation need. Although the text contained in the local plan version of the policy is not particularly descriptive, the 2012 policy does more detailed criteria for proposals which are linked to operational need.

The 2012 policy states that support for a house or group of houses will only be offered when they are required either on site or in the locality for a local or key worker associated with either a consented or an established economic activity. The 2012

policy is explicit in stating that the applicant must demonstrate to the satisfaction of the Council that there is a need for the house(s) and that the house is to be associated with a proposed economic activity whilst construction of the house will not be permitted in advance of the development of the business.

The applicant has based their justification for dwelling on two economic activities, the principal blacksmith engineering operations which is carried out from the larger workshop and the farming of the agricultural holding, which appears to be centred on the breeding of rare pigs. In this case, as a matter of fact, the blacksmiths business has not been established in this location nor has the breeding of rare pigs; however it is accepted that the blacksmiths business was nevertheless firmly established in its previous location in Blackford. To this end, it is my opinion that the *established* nature of the business (in terms of the blacksmiths operation) could be argued to be inline with the requirements of the 2012 policy.

However, I do have some concerns which are centred on whether or not a dwelling is required to allow for the businesses to operate successfully. The extant consent for the workshop restricts the hours of operation to 8am-5pm Monday to Friday, with no activity at the weekends. Bearing this in mind, I find it extremely difficult to make a solid argument for a requirement for someone to be in close proximity to the workshop 24/4 based on the restrictive operative times of the workshop. In addition to this, the workshop consent also stipulates that no stockpiling of material etc will be allowed outwith the confines of the building, which would mean that any theft or vandalism would be within the building itself - which I presume would be adequately alarmed (via audible and lighting means) with modern technology, perhaps linked to the local police station. I appreciate the comments from the local police officer, and accept the obvious difference between a remote area and a urban area in terms of natural surveillance, however without wishing to be critical of the applicants choice of location for the new workshop the key fundamental issues concerning crime, security etc would surely have been fully considered by the applicant fully prior to them investing in a relocating project to a location which (based on its history) will have difficulties in providing any 'natural surveillance' via the erection of a dwelling. In addition, it is also extremely difficult to quantify the potential level of *crime* which may be subjected to the new workshop, as there is no definitive evidence before me which demonstrates that the current workshop is at a high risk of crime other than it being located in a rural location.

Although these issues have been raised with the applicant and they have submitted a response (4/12), in my view the applicant has not addressed the key issues nor put together a comprehensive argument for justifying a dwelling based on the economic activity which has been relocated from Blackford. In terms of the farming activities / livestock breeding, the applicant opine that this operation requires an onsite presence to deter the theft of livestock and feed and to provide 24/7 access to the livestock. However I see no evidence in the applicants submission which explains what makes this enterprise different from just a personal hobby, or whether it has been relocated (as has the principal Blacksmiths business) from elsewhere. In addition, I note that no specific details regarding the required labour input in relation to the breeding of the pigs has been submitted as part of this planning submission. I do appreciate that the applicants intentions to live and work on a farm, however I am also unconvinced that the small holding, necessary merits a new dwelling, particularly as no specific details of the nature of the breeding (past or future) has been submitted. Accordingly, I therefore consider the proposal to be contrary to both the HITCP 2012 and Policy 54 of the SALP.

Turning to other material considerations these include the potential impact on the SAM, which runs parallel to the rear (northern edge) of site and consideration of the PGN on Primary Education.

I shall address these in turn.

In terms of the impact on the SAM, Historic Scotland and the PKHT have commented on the proposal, and although they suggest that the dwelling should perhaps be moved further away from the SAM, they (HS in particular) have raised no objection and indicated that the Council should proceed to determine the application.

In terms of the PGN on Education, the site lies within the school catchment of Muthill PS, which is presently operating at over 80% capacity. To this end, in the event that an appeal to the LRB were to be successful, a contribution of £6395 must be submitted by the applicant prior to the release of the (appeal) decision notice, or a legal agreement securing the delayed payment of this sum must have been completed.

Based on the above, I recommend the planning application for refusal based as the applicant has not fully demonstrated that there is a genuine need for a dwelling to be located in connection with the economic activities which are taking place on the site.

DEVELOPMENT PLAN

The Development Plan for the area comprises the approved Tay Plan 2012 and the *adopted Strathearn Local Plan 2001*.

Tay Plan 2012

Policy 3 (Managing Tay Plans Assets) seeks to ensure (amongst other things) that SAM and their settings are protected from inappropriate developments.

Strathearn Local Plan 2001

Policy 2 (Development Criteria) states that all developments within the landward area will be judged against the following criteria (amongst other things)

- (a) The sites should have a landscape framework capable of absorbing or, if necessary, screening the development and where required opportunities for landscape enhancement will be sought;
- (b) In the case of built development, regard should be had to the scale, form, colour, and density of existing development within the locality;
- (c) The development should be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community;
- (d) The road network should be capable of absorbing the additional traffic generated by the development and a satisfactory access onto that network provided;

Policy 5 (Design) states that the Council will require high standards of design for all development in the Strathearn Area. In particular encouragement will be given to:

- a) The use of appropriate high quality materials;
- b) Innovate modern design incorporating energy efficient technology and materials;
- c) Avoiding the use of extensive under-building on steeply sloping sites;
- d) Ensuring that the proportions of any building are in keeping with its surroundings;
- e) Ensuring that the development fits its location.

Policy 23 (Archaeology) seeks (amongst other things) to protect SAMs and their settings from inappropriate developments.

Policy 54 (Housing in the Countryside) is the local plan version of the HITCP and offers scope for new housing in the open countryside, subject to the proposals falling within certain categories. Category (d), relates to operational need.

OTHER COUNCIL POLICIES

Housing in the Countryside Policy 2012

This policy was the most recent expression of Council policy towards new housing in the open countryside when the planning application was submitted, and is applicable across the entire landward area of Perth & Kinross. This policy offers a more up to date expression of Council Policy towards housing in the countryside to that contained the Local Plans and recognises that most new housing will continue to be in or adjacent to existing settlements, and states that the Council will support proposals for the erection of single houses in the countryside which fall into certain specified categories. Of specific relevance to this proposal is category 3.3, which relates to new housing linked to an economic activity.

Planning Guidance Note – Developer Contributions May 2009

Across Scotland local authorities are having difficulty maintaining and developing infrastructure in order to keep up with the pressures of new development. Additional funding sources beyond that of the local authority are required to ensure that infrastructure constraints do not inhibit sustainable economic growth.

Planning Guidance Note–Primary Education & New Housing Development May 2009

This guidance sets out the basis on which Perth and Kinross Council will seek to secure contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements necessary as a consequence of development. All new housing from the date of adoption including those on sites identified in adopted Local Plans will have the policy applied.

Proposed LDP 2012

Within the proposal LDP, the site lies within the landward area of the Plan where the SPG on HITCP is applicable.

NATIONAL PLANNING GUIDANCE

The Scottish Government expresses its planning policies through the National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Scottish Historic Environment Policy (SHEP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars. Of relevance to this application are,

Scottish Planning Policy (2010)

The Scottish Government's planning policies are set out in the National Planning Framework, this SPP, Designing Places, Designing Streets and Circulars. This SPP is a statement of Scottish Government policy on land use planning and contains:

- the Scottish Government's view of the purpose of planning,
- the core principles for the operation of the system and the objectives for key parts of the system,
- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

Of relevance to this application are paragraphs 92-96 which relates to Rural Developments.

SITE HISTORY

Detailed planning consent was granted on the earlier this year (11/02067/FLL) for the erection of a workshop and agricultural storage shed. This consent is in the process of being implemented. In addition to this, a planning application in principle consent was refused in 2010 (11/00435/IPL) for the erection of a house and formation of a small holding with associated workshop and yard (in principle). The reasons for refusal where:

- 1 *The proposal is contrary to Policy 54 of the Strathearn Area Local Plan 2001 where it relates to new housing in the countryside, insofar as the proposed new dwelling does not meet any of the criteria relating to (a) building groups (b) renovation or replacement of houses (c) conversion or replacement of non-domestic buildings or (d) operational need.*
- 2 *The proposal is contrary to the Council's Policy on Housing in the Countryside (2009) insofar as the proposed new dwelling, as it does not meet any of the acceptable categories of development relating to (1) Building Group (2) Infill Sites (3) New houses in the open countryside (4) Renovation or Replacement of houses (5) Conversions or Replacement of Redundant Non-Domestic buildings or (6) Rural Brownfield Sites*

PKC CONSULTATIONS

The Environmental Health Manager has commented on the planning application and has raised no objections, subject to conditions.

Transport Planning have commented on the planning application and have raised no objections.

PHKT have commented on the planning application and have raised no concerns subject to appropriate conditions.

EXTERNAL CONSULTATIONS

Scottish Water have commented on the planning application and have raised no objection.

Historic Scotland have commented on the planning application and have raised no concerns in relation to the nearby SAM.

REPRESENTATIONS RECEIVED

No letters of representations have been received.

ADDITIONAL STATEMENTS

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Submitted.
Report on Impact or Potential Impact	None

PUBLICITY UNDERTAKEN

The application was advertised in the local press on the 26/10/12.

LEGAL AGREEMENTS REQUIRED

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDED REASONS FOR REFUSAL

- 1 The proposal is contrary to Policy 54 of the Strathearn Area Local Plan 2001 where it relates to new housing in the countryside, insofar as the proposed new dwelling does not meet any of the criteria relating to (a) building groups (b) renovation or replacement of houses (c) conversion or replacement of non-domestic buildings or (d) operational need.
- 2 The proposal is contrary to the Council's Policy on Housing in the Countryside 2012 as it does not meet any of the acceptable categories of development relating to (1) Building Group (2) Infill Sites (3) New houses in the open countryside (4) Renovation or Replacement of houses (5) Conversions or Replacement of Redundant Non-Domestic buildings or (6) Rural Brownfield Sites

JUSTIFICATION

The proposal is not in accordance with the Development Plan and there are no other material issues which justify approving the planning application.

INFORMATIVES

None

PROCEDURAL NOTES

None

REFUSED PLANS

12/01781/1 - 12/01781/7 (inclusive)

TCP/11/16(227)

Planning Application 12/01781/FLL – Erection of a dwellinghouse at Woodside, Muthill, Crieff, PH5 2BD

REPRESENTATIONS

- Representation from Education and Children's Services, dated 22 October 2012
- Representation from Historic Scotland, dated 26 October 2012
- Representation from Transport Planning, dated 9 November 2012

Memorandum

To	Nick Brian Development Quality Manager	From	Gillian Reeves Assistant Asset Management Officer
Your ref	12/01781/FLL	Our ref	GR/CW
Date	22 October 2012	Tel No	(4) 76395

Education & Children's Services

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Planning Application Ref No 12/01781/FUL

This development falls within the Muthill Primary School catchment area.

Based on current information this school will reach the 80% capacity threshold.

Approved capacity	100
Highest projected 7 year roll	97
Potential additional children from previously approved applications	3.51
Possible roll	100.51
Potential % capacity	100.51 %

Please do not hesitate to contact me should you require any further information.

Support Services is committed to providing a high level of customer service designed to meet the needs and expectations of all who may come into contact with us. Should you have any comments or suggestions you feel may improve or enhance this service, please contact ecssupportservices@pkc.gov.uk

http://planningapps.pkc.gov.uk/online-applications/files/3E4494A8068F516A4B61717251D1F623/12_01781_FLL-RESPONSE_FROM_EDUCATION-500852.doc



Sent by e-mail

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

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Direct Line: 0131 668 8728
Direct Fax: 0131 668 8722
Switchboard: 0131 668 8600
Alasdair.Young@scotland.gsi.gov.uk

Our ref: AMH/11365/10
Our Case ID: 201204712
Your ref: 12/01781/FLL

26 October 2012

Dear Sirs

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS 2008
Erection of a dwellinghouse, Woodside, Muthill, Crieff**

Thank you for your consultation dated 22 October which we received on the same date.

We have considered your consultation and comment as follows:

The proposed dwelling house is located immediately east of a section of Roman road known as **Caerlaverock, Roman road 450m NW of (index no. 11365)** which a monument of national importance and scheduled under the Ancient Monuments and Archaeological Areas Act 1979.

Historic Scotland commented on a previous application for planning permission in principle for the wider site (11/00435/IPL, our case ID: 201007968) in April 2011. At that stage we raised concern over the proximity of the development to the Roman road and suggested that the adverse impact on the setting of the monument could be mitigated by relocating the proposed workshop, yard and house to the eastern boundary of the site. I note that a further application (11/02067/FLL) has been approved, solely for the erection of the workshop which is now to be located to the eastern boundary. We therefore maintain our comments made in April 2011 and advise that consideration is given to relocating the proposed dwelling house alongside the workshop, to the area currently sited for the goat enclosure.

Please note that our comments relate only to scheduled monuments. For comments on unscheduled archaeology you should contact the local authority archaeologist (David Strachan, Perth and Kinross Heritage Trust, The Lodge, 4 York Place, Perth, PH2 8EP).



Notwithstanding our comments above, we confirm that your Council should proceed to determine the application without further reference to us.

If you require any further information, please contact me.

Yours faithfully

ALASDAIR YOUNG

Heritage Management Officer (North)



MEMORANDUM

To	Andy Baxter Planning Officer	From	Niall Moran Transport Planning Technician Transport Planning
Our ref:	NM	Tel No.	Ext 76512
Your ref:	12/01781/FLL	Date	9 November 2012

Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 & ROADS (SCOTLAND) ACT 1984

With reference to the application 12/01781/FLL for planning consent for:- **Erection of a dwellinghouse Woodside Muthill Crieff PH5 2BD for Mr David Woods**

Insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied, in the interests of pedestrian and traffic safety.

- Prior to the occupation or use of the approved development turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
- Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.

I trust these comments are of assistance.

