

LRB-2023-17 – 22/01942/IPL – Residential development (in principle), land 50 metres south of Strawberrybank, Longforgan

# PAPERS SUBMITTED BY THE APPLICANT



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100605355-003

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 ☐ Applicant ☒ Agent on behalf of the applicant in connection with this application) **Agent Details** Please enter Agent details Karen Clark Planning Consultancy Company/Organisation: Ref. Number: You must enter a Building Name or Number, or both: \* Karen First Name: \* **Building Name:** 69 Clark Last Name: \* **Building Number:** Address 1 Brechin Road 07930566336 Telephone Number: \* (Street): ' **Extension Number:** Address 2: Kirriemuir Town/City: \* Mobile Number: UK Fax Number: Country: \* DD8 4DE Postcode: \* karen@ktclark.co.uk Email Address: \* Is the applicant an individual or an organisation/corporate entity? \* ☑ Individual ☐ Organisation/Corporate entity

Applicant Details				
Please enter Applicant details				
Title:	Mr	You must enter a Bu	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Strawberrybank	
First Name: *	Kenneth	Building Number:		
Last Name: *	Petrie	Address 1 (Street): *	Old Littleton Road	
Company/Organisation		Address 2:		
Telephone Number: *		Town/City: *	Longforgan	
Extension Number:		Country: *	UK	
Mobile Number:		Postcode: *	DD2 5HU	
Fax Number:				
Email Address: *				
Site Address	Details			
Planning Authority: Perth and Kinross Council				
Full postal address of th	ne site (including postcode where available	e):		
Address 1:	2 STRAWBERRYBANK			
Address 2:	LONGFORGAN			
Address 3:				
Address 4:				
Address 5:				
Town/City/Settlement:	DUNDEE			
Post Code:	DD2 5HU			
Please identify/describe the location of the site or sites				
Northing	730318	Easting	330781	

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)
Planning permission in principle for residential development (two houses) with associated access
Type of Application
What type of application did you submit to the planning authority? *
<ul> <li>□ Application for planning permission (including householder application but excluding application to work minerals).</li> <li>☑ Application for planning permission in principle.</li> <li>□ Further application.</li> <li>□ Application for approval of matters specified in conditions.</li> </ul>
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 a 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 Review
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *
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)  At the time of the application no opportunity was provided to respond to the Transport Planning request for additional information. The lack of information was used as a basis for reason for refusal 2. Additional information is therefore provided to fully respond to this matter.

Please provide a list of all supporting documents, materials and evidence which you wish to see to rely on in support of your review. You can attach these documents electronically later in the				
Statement is Support of the Application for Review • Appendix 1 Application Form Location Plan • Appendix 3 Refusal Notice • Appendix 4 Report of Handling • including Speed Survey Results- Millards Consulting Engineers • Appendix 6 Transp 15/12/22 • Appendix 7 Landownership Plan • Appendix 8 Plot Comparison	Appendix 5 Access Vi ort Planning Consultation	sibility Splays,		
Application Details				
Please provide the application reference no. given to you by your planning authority for your previous application.	22/01942/IPL			
What date was the application submitted to the planning authority? *	22/11/2022			
What date was the decision issued by the planning authority? *	23/01/2023			
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 in parties only, without any further procedures? For example, written submission, hearing sess   X Yes  No		yourself and other		
In the event that the Local Review Body appointed to consider your application decides to ins	spect the site, in your op	oinion:		
Can the site be clearly seen from a road or public land? *	X	Yes 🗌 No		
Is it possible for the site to be accessed safely and without barriers to entry? *	$\boxtimes$	Yes No		
Checklist – Application for Notice of Review				
Please complete the following checklist to make sure you have provided all the necessary in to submit all this information may result in your appeal being deemed invalid.	formation in support of	your appeal. Failure		
Have you provided the name and address of the applicant?. *	X Yes □	No		
Have you provided the date and reference number of the application which is the subject of treview? $^{\star}$	his X Yes 1	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 review should be sent to you or the applicant? *		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 □ N	No		
Note: You must state, in full, why you are seeking a review on your application. Your statemer require to be taken into account in determining your review. You may not have a further opport at a later date. It is therefore essential that you submit with your notice of review, all necessary on and wish the Local Review Body to consider as part of your review.	ortunity to add to your st ry information and evide	atement of review ence that you rely		
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 □ N	No		
Note: Where the review relates to a further application e.g. renewal of planning permission of planning condition or where it relates to an application for approval of matters specified in conapplication reference number, approved plans and decision notice (if any) from the earlier conapplication reference number, approved plans and decision notice (if any) from the earlier conapplication reference number, approved plans and decision notice (if any) from the earlier conapplication reference number, approved plans and decision notice (if any) from the earlier conapplication reference number, approved plans and decision notice (if any) from the earlier conapplication reference number is not planning number and number approved plans and decision notice (if any) from the earlier conapplication reference number approved plans and decision notice (if any) from the earlier conapplication reference number approved plans and decision notice (if any) from the earlier conapplication reference number approved plans and decision notice (if any) from the earlier conapplication reference number approved plans and decision notice (if any) from the earlier conapplication reference number approved plans and decision notice (if any) from the earlier conapplication reference number approved plans and decision notice (if any) from the earlier conapplication reference number approved plans and decision notice (if any) from the earlier conapplication reference number approved plans and decision number approved numbe	nditions, it is advisable t			

# **Declare - Notice of Review**

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

Declaration Name: Mrs Karen Clark

Declaration Date: 10/04/2023



Pullar House
Kinnoull Street
Perth
April 2023
Dear Sir/Madam,
Town and County Planning (Scotland) Act 1997, as amended Application for Review of the Refusal of Planning Permission for Residential development (in principle) Land 50 Metres South of Strawberrybank, Longforgan 22/01942/IPL
I refer to the aforementioned proposal which sought planning permission in principle for residential development of land 50 metres south of Strawberrybank, Longforgan. The application was refused under delegated powers on the 18 <sup>th of</sup> January 2023. The submitted Application for Review package comprises: -
<ul> <li>Completed application for Review form.</li> <li>Location and site plan</li> <li>Appeal Statement and associated appendices</li> </ul>

If you require any further information during the consideration of the Review, please contact Karen

Clark on 07930 566336 or karen@ktclark.co.uk

**Yours Sincerely** 

Karen Clark

**Planning Department** 

Perth and Kinross Council

Karen Clark, Planning Consultancy, Mayriggs, Brechin Road, Kirriemuir DD8 4DE

Telephone 07930 566336 | Email: karen@ktclark.co.uk



Town and Country Planning (Scotland) Act 1997 as amended.

Application for Review Against the Refusal of Planning Permission in Principle for Residential development Land 50 Metres South of Strawberrybank Longforgan 22/01942/IPL

For Mr K Petrie and Mr E Petrie (appellants)

By Perth and Kinross Council ("the Council")

- 1. Executive Summary
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# **Appendices**

- Appendix 1 Application Forms
- Appendix 2 Plans and Location Plan
- Appendix 3 Refusal Notice
- Appendix 4 Report of Handling
- Appendix 5 Access Visibility Splays, including Speed Survey Results- Millards Consulting Engineers
- Appendix 6 Transport Planning Consultation Response 15/12/22
- Appendix 7 Landownership Plan
- Appendix 8 Plot Comparison Plan

#### 1.Executive Summary

This appeal statement has been prepared on behalf of Mr Ken Petrie and Mr Ed Petrie, the appellants, in respect of the decision of Perth and Kinross Council to refuse planning permission in principle for a residential development Land 50 Metres South of Strawberrybank, Longforgan application Ref 22/01942/IPL.

The Local Review Board is respectfully requested to uphold the review and grant planning permission.

The Appeal Statement considers in detail the reasons for refusal and demonstrates that, the proposal complies with the policies of Perth and Kinross Council.

#### 2. Background

An application for planning permission in principle for a residential development Land 50 Metres South of Strawberrybank Longforgan 22/01942/IPL was registered on the  $22^{nd \text{ of}}$  November 2022 and subsequently refused on the  $18^{th \text{ of}}$  January 2023.

The proposal seeks planning permission in principle for a small residential development of 2 houses as an extension to an existing building group. The site is located to the south of a linear group of houses running to the west of Old Littleton Road and an unclassified road to the north. The site benefits form excellent links to the A90 and beyond with footpath linkage to Longforgan available. It is considered that the proposed small residential development represents an acceptable extension to an existing building group, providing 2 plots of similar scale to the houses within the immediate area will respect the character and building pattern within a clearly defined site, with no loss of amenity for the existing residents, and is therefore wholly appropriate.

The current proposal seeks planning permission in principle at this time, with the detailed plans subject to the approval of the Planning Service of Perth and Kinross Council. However, it is intended that a small residential development providing two high quality and sustainable family homes will be developed of a scale and nature appropriate to the rural location reflecting the houses in the immediate area.

No discussions were undertaken during the consideration of the application.

#### 3. Reasons for Refusal and Grounds of Appeal

The application was determined by the Planning Service under delegated powers on the 18<sup>th</sup> of January 2023. The reasons for refusal are provided as the following, (Refusal Notice attached as Appendix 3, Report of Handling to attached as Appendix 4).

#### Reason for Refusal 1

1. The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2019 (LDP2) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as whilst the site sits to the south of an existing building group and is well defined by existing landscape features and topography, the site is significantly larger than the plots within the adjacent grouping to the north and due to the position of the embankment and the sloping topography along the east and south boundaries it would not be possible to front any development onto the road which is characteristic of the building group to the north. The proposed site therefore fails to respect the character and building pattern of the existing building group. The proposal also fails to meet any of the other categories of development outlined in the SG.

# Response

It is submitted that the proposed site complies with Policy 19 Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2019 (LDP2) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as it represents an appropriate extension to an existing building group.

The current proposal seeks planning permission in principle for a residential development of 2 houses with all associated amenities including garden ground, off street parking and refuse storage. The detailed design will be the subject of a further application.

While the application seeks the principle of development only at this time, an indicative layout plan has been provided which demonstrates how the houses *could* be accommodated should the principle of development be established. The indicative plan shows 2 houses running perpendicular to the road with south facing aspects making the most of the expansive views while maximising solar gain accessed from a single existing access point to the northwest.

In the current circumstances the Report of Handling confirms that the group of houses at Old Littleton Road comprises a "building group" and that the proposed site sits immediately to the south of this established group. Further, the Report of Handling confirms the site to be "well defined by existing landscape features and topography" and that the site is "largely screened from the public road".

In these circumstances the Supplementary Guidance confirms

"Permission may be granted, subject to the criteria above, for houses which extend the group into a readily definable adjacent site. This will be formed by existing topography, roads or well-established existing landscape features such as a watercourse or mature tree belt which will provide a suitable setting."

On this basis the site subject of the appeal, which sits adjacent to an accepted building group and is a readily definable site, fits the criteria to be considered as an acceptable extension to a building group. The Report of Handling makes the comment that Strawberrybank forms the "logical southern edge to the grouping". However, it is clear from a site visit and on plan form that the site subject of the Review, which has natural boundaries to the east and south in fact provides the sensible and logical southern edge to the established building group.

In terms of the scale of the proposed plots, as confirmed by Plot Comparison Plan attached as Appendix 8 the proposed house plots are of a similar scale and plot size to the existing houses on Old Littleton Road. This is demonstrated as follows:

Proposed Indicative Plot 1 = 1678 sqm

Proposed Indicative Plot 2 = 1478 sqm

Strawberrybank = 1805 sqm

Viewlands = 1208 sqm

Broadleaf = 1 506 sqm

The Gables = 1533sqm

Braevilla = 1155 sqm

The HITC SG warns against proposals which create or contribute towards ribbon development. Ribbon development is defined as a line of houses built along an existing road each served by an individual access. The Guidance goes on to confirm that: -

"Each case will require to be assessed on its own merits, and it will depend on whether linear development is a character of the area, but in general terms proposals which will result in a continuous line of 5 or more houses will be considered as creating ribbon development and will not be supported. The extension of a linear building group – to create a continuous line of no more than 5 houses – will only be supported where the group is being extended into a readily definable site."

In the current circumstances the established building group at Old Littleton Road comprises a L shaped linear building group, therefore linear development <u>is</u> the character of the area. The proposed site is located to the south of the existing building group accessed from a single point. There are a number of existing properties on Old Littleton Road which share an access, similar to that proposed including Broadleaf and The Gables and Elmbank and Elmbank House. The indicative site plan, provided for information only at this time, demonstrates a schematic site layout which

does not result in ribbon development, instead it terminates development into a logical and well-defined site. Therefore, given linear development is characteristic of the area and that the proposed site which provides a definable site which provides the logical southern edge of the building group will not result in ribbon development and therefore represents an acceptable extension of an existing building group.

The proposal meets all design considerations set out the Supplementary Guidance.

Therefore, it is submitted that the proposed site complies with Policy 19 Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2019 (LDP2) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) in that it represents an acceptable extension to an established building group which reflects the scale, character and building pattern and it will not extend ribbon development.

#### Reason for Refusal 2

2. The proposal is contrary to Policy 60B Transport Standards of the Perth and Kinross Council Local Development Plan 2019 (LDP2) as insufficient information has been submitted to demonstrate that a safe access and egress onto the public road can be achieved given that the site access is located at the end of a blind curve on the U143 Old Littleton Road. The submission states that works will be carried out to improve the visibility splay, but it would appear that these works are out with the red line boundary.

A preapplication site meeting was held with a representative of the Roads Service June 2020 who confirmed that a satisfactory access could be achieved. During the consideration of the application the consultation response from the Transport Planning Service of Perth and Kinross Council dated 15<sup>th</sup> December 2022, attached as Appendix 6, requested further information on the visibility splays. The Report of Handling confirms that as the principle of the proposal was not considered acceptable, no such request was made to the applicants. Had that information been requested the appellants would have provided all necessary information to address this concern. Therefore, at this time, as the issue of access has been used as a reason for refusal, it is only fair and reasonable that the appellants are permitted to respond in full to this matter, including the introduction of new evidence.

Therefore, and considering this reason for refusal, an Access Visibility Splays, including Speed Survey Report has been completed by Millards and is lodged in support of this Review as Appendix 5. In summary, the Speed Report confirms that on average, due to the existing topography and road layout the average speed at this section of Old Littleton Road is 23.7mph. This then supports a reduction in visibility splays required to 2.4 x 70m. A plan demonstrating how this is achieved is attached as part of Appendix 5. The land take is wholly within the appellants ownership as demonstrated by the landownership plan attached as Appendix 7. It is submitted that the access and visibility splays can be assured through the imposition of a pre commencement condition.

Therefore, on the basis of this detailed information it is submitted that the proposal complies with Policy 60B Transport Standards of the Perth and Kinross Council Local Development Plan 2019 (LDP2).

#### 4. Applicants

The applicants live in the property to the north. The field subject of the current application has been in the ownership of the family for many years. The site has no current use and given its size and separation from any farm unit there is no prospect that the field will be useful for an agricultural use.

#### 5. Site Description

The application site measures 3330 square metres and comprises a roughly triangular shaped, self-contained field. The site has long established boundaries, comprising existing residential property to the north and Old Littleton Road to the east and south. To the west is an established mature hedge which separates the field from the adjoining land. To the east and south the boundary of the site is defined by an existing bank and hedging ensuring that the site is unseen from the road. Access to the site is from an existing field access to the northeast.

The surrounding area comprises an existing linear L shaped row of properties, comprising a mix of house types and ages which runs north/south following the line of Old Littleton Road. The existing houses are of a low density all set within attractive large gardens areas. There are examples of recent infill development along the road frontage.



# Application site to the south of the existing building group



Existing access to Old Littleton Road



East boundary of the site defined by existing bank and hedging.



Recent infill development on Old Littleton Road

#### 6. Planning History

A pre-application enquiry Ref 20/00235/PREAPP was provided on the 29<sup>th of</sup> June 2020. This set out the relevant policies of the Perth and Kinross Local Development Plan 2019.

The advice concluded that the proposal did not meet any of the categories of development within the Housing in the Countryside Guide and therefore the principle of residential development failed to comply with Policy 19 of the Perth and Kinross Local Development Plan 2019.

The appeal statement has considered all the relevant policies and set out why it is considered that the proposal does comply with Policy.

#### 7. Proposal

The proposal has developed from the applicants' desire to make best use of this small field which has no current use and no prospect of any useful function, while providing a sustainable and accessible homes. The appellants are committed to a high-quality sustainable design which provides a good residential environment while making a positive contribution to the area.

The most important feature in the consideration of the proposal is how the proposed small residential development will fit with the surrounding landscape setting and will therefore accord with the policies of Perth and Kinross Council.

The current application seeks planning permission in principle for a residential development of 2 houses with associated amenities including garden ground, off street parking, refuse storage etc. While the application seeks the principle of development only at this time, an indicative layout plan has been provided to demonstrate how the houses could be accommodated should the principle of development be established. The indicative plan is for <u>information only</u> and does not form part of the formal proposal. If the principle of the proposal is granted the final design and layout will be subject to a further application for the approval of Perth & Kinross Council. The indicative plan shows 2 houses running perpendicular to the road with south facing aspects making the most of the expansive views while maximising solar gain. The houses will be of a similar scale and plot size to the existing houses on Old Littleton Road. The proposed houses will share a single access from Old Littleton Road ensuring development does not continue ribbon development. Similar shared accesses on Old Littleton Road are provided at Broadleaf and The Gables and Elmbank and Elmbank House. While detailed house designs are not available at this time, the intention is for a modest and sustainable family homes with a renewable heat source. The design and finishing materials will be appropriate to the countryside location.



Proposed indicative layout.

The proposed houses will be set within an enhanced landscape setting with new native landscaping to the west and south which will provide improved biodiversity opportunities within this area. The site benefits from an existing access to the public road which will provide safe access to the proposed house. In terms of servicing, the proposed house will have SUDs and septic tank.

#### 8. Consultations

The application process notified all statutory consultees, no objection was received. Transport Planning Service of Perth and Kinross Council asked for further information however the appellants were not afforded the opportunity to provide the additional information at that time.

#### 9. Sustainability

The scheme utilises a small field which is no longer connected to a farm holding and has no current use, therefore the use of the site will make best use of land as a scarce resource. The proposed houses will be orientated to the south making best use of solar gain opportunities. The final design, be subject to the approval of Perth and Kinross Planning Service, will incorporate renewable heat source and be constructed to all current building control standards. The houses will be insulated to an enhanced level including PV panels and a form of renewable heating (either air source or ground source), to be confirmed. The property will further include sustainable urban drainage systems.

#### 10. Development Plan Policy

#### National Planning Framework 4

Since the refusal of the application NPF4 has been approved and has become part of the Development Plan. The Report of Handling, Appendix 4 confirms that the Council's assessment of the proposal considered the policies of NPF4 and confirmed that the development proposal accords with the intentions of this document.

#### Perth and Kinross Local Development Plan 2019

The policies in relation to the current application site are relevant to this proposal.

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 1C: Placemaking
- · Policy 2: Design Statements
- Policy 5: Infrastructure Contributions
- Policy 6: Settlement Boundaries
- Policy 19: Housing in the Countryside
- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 53: Water Environment and Drainage
- Policy 60B: New Development

In addition, the following Supplementary Guidance is of relevance.

- Affordable Housing
- Developer contributions
- Housing in the Countryside Supplementary Guidance Placemaking Guidance

These policies will be considered in the Discussion section.

#### 11. Discussion

The Town and Country Planning (Scotland) Act 1997 as amended requires that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

The current application for Review seeks planning permission in principle for a small residential development of 2 houses. In order to aid consideration an indicative plan has been provided; this indicates two houses running perpendicular to the road orientated to the south. The houses will share the existing single access to the east. It is worth noting that if the principle of residential use is approved, the proposal will be the subject of a further application at which time the detailed design and layout will be developed in discussion with the Planning Service.

The immediate area includes a range of house types and styles. It is proposed to provide two high quality family homes set within garden ground on plots of similar scale to the neighbouring properties designed to fit with the rural setting. As demonstrated previously within this Statement,

the Report of Handling confirmed that the site sits to the south of an accepted building group with the site well defined by existing landscape features and topography, meaning that the proposal will be unseen from the adjacent road. As demonstrated by Appendix 8 Plot Comparison Plan, the proposed residential plot sizes are of similar scale to those in the immediate area therefore the proposed plots respect the established character and building pattern of the adjacent group.

The proposal will further include a detailed landscape scheme using native planting providing improved biodiversity opportunities. The proposed small development will utilise a small field within a clearly definable site which benefits from established boundaries on all sides. The plots are generous, providing a high level of residential amenity for the prospective residents while protecting the amenity of the existing residents.

Considering the specific policies of the Perth and Kinross LDP of relevance to the current application:

<u>Policy 1A and 1B: Placemaking Development,</u> development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

<u>Response:</u> In the current circumstances the proposed site utilises a field which is considered too small for modern farming. The field is now separate from an active farm unit. The proposed house is located adjacent to an established group of houses which run in a linear pattern to the west of Old Littleton Road. The existing group of houses has grown organically over time and comprises a mix of house types and dates, most recently an infill development was approved around 2015. The proposed house will be located on generous plots, of similar scale to those in the immediate area capable of providing all associated amenities including garden and parking.

In terms of the specific requirement of Policy 1B we would respond as following

All proposals should meet all the following placemaking criteria:

(a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.

Response: The proposed development provides a small development of high-quality family homes. Following the development pattern, the houses will be set to the west of Old Littleton Road within a contained site with existing boundaries on all sides. The house will utilise the existing access to Old Littleton Road.

b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.

Response: As confirmed by the Report of Handling the site is "well defined by existing landscape features and topography". The development will include generous landscape scheme providing enhanced biodiversity opportunities. The proposed houses will be unseen from the surrounding public road due to the existing banking and mature hedging.

(b) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

Response: The proposed houses will be set on generous plots similar in scale to the surrounding houses. While detailed design is not available at this time it is intended that the proposed houses will be of a scale and nature appropriate to the rural surrounding and will provide a high-quality design solution to the site.

(c) Respect an existing building line where appropriate or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.

Response: Following the existing development pattern the proposed house will be set to the west of Old Littleton Road following the linear pattern into a defined site which provides the logical southern edge to the building group. If the principle of residential development is established, the design and layout will be developed in discussion with the Planning Service ensuring the most appropriate response to this small defined site.

(d) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.

Response: the proposed housing faces south creating a welcoming and safe feature

(e) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.

Response: The proposed houses will be fully accessible and adaptable. The structure of the building will fully adhere to current building regulations with sustainability at the core of the design.

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

Response: No comment

(g) Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks.

Response: The detailed design will incorporate generous landscaping improving biodiversity opportunities in the area. Further, the houses will incorporate SUDs.

(h) Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).

Response: The proposed houses will incorporate facilities for the storage of waste.

(I) Sustainable design and construction.

Response: The design and construction will be developed to fully adhere to current building standards.

<u>Policy 5: Infrastructure Contributions</u>, the Policy requires developer contributions to be paid where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities.

Response: In the current circumstances the application site falls within the catchment of Longforgan primary school. A pre-application enquiry dated 1<sup>st</sup> September 2022 confirmed that no contributions are required towards education.

In terms of affordable housing, as this proposal is for two dwellings, there is no requirement for any affordable housing provision.

The site is also located within the Reduced Contribution Area Boundary relating to Transportation Infrastructure and therefore a developer contribution per dwelling would be required in accordance with Section 6 of the guidance. The applicant is aware of this cost and is content to pay the required contribution should planning consent be granted.

<u>Policy 19 Housing in the Countryside</u> supported by <u>The Housing in the Countryside Supplementary</u> <u>Guidance 2016, (HITCG)</u> looks to balance the need to protect outstanding landscape while allowing development within the rural areas. The Council confirm support for proposals for the erection, or creation through conversion, of single houses and small groups of houses in the countryside which fall into at least one of the following categories:

- building groups;
- 2. infill sites;
- 3. new houses in the open 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.

<u>Response</u> It is submitted that the proposal falls to be considered as an extension to an established Building Group.

The Supplementary Guidance provides advice defining a building group, confirming.

"For the purposes of this Supplementary Guidance a building group is defined 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. Premises which are smaller than a traditional cottage, such as small domestic garages and outbuildings, will not count towards the requirement for at least 3 buildings."

In the current circumstances the existing group of houses at Old Littleton Road which comprises approximately 12 houses clearly falls within the accepted definition of a "building group". This is confirmed by the Report of Handling.

The Guidance goes on: -

"Permission may be granted, subject to the criteria above, for houses which extend the group into a readily definable adjacent site. This will be formed by existing topography, roads or well-established existing landscape features such as a watercourse or mature tree belt which will provide a suitable setting."

The site comprises a clearly definable site with established boundaries on all sides, comprising existing housing to the north, Old Littleton Road to the south and east and a mature hedging to the west. As such the proposal complies with the necessary requirements to permit an extension to the building group.

The HITC SG warns against proposals which create or contribute towards ribbon development. Ribbon development is defined as a line of houses built along an existing road each served by an individual access. The Guidance goes on to confirm that: -

"Each case will require to be assessed on its own merits, and it will depend on whether linear development is a character of the area, but in general terms proposals which will result in a continuous line of 5 or more houses will be considered as creating ribbon development and will not be supported. The extension of a linear building group – to create a continuous line of no more than 5 houses – will only be supported where the group is being extended into a readily definable site."

In the current circumstances the established building group at Old Littleton Road comprises a L shaped linear building group, the linear nature of the group characterising the area. The proposed defined site is located to the south of the accepted building group and provides the logical termination to that existing group. The existing development pattern is defined by the housing along the road frontage, the indicative plan, submitted for information only, indicates two houses sharing the existing single access from Old Littleton Road which does not continue ribbon development. The final layout will be the subject of a further application, at that time and in discussion with Perth and Kinross Planning Service the most appropriate design can be developed. Therefore, it is submitted that given the above, the proposed development represents an acceptable extension of an existing building group, and the proposed layout will not result in ribbon development.

## In terms of the design considerations

- There are no designations or constraints on the application site which affect development.
- The design and layout have been designed to follow the topography of the site.
- The design will provide a small development of high-quality family homes designed to reflect the existing building group in terms of scale, design and materials.
- The proposed housing will benefit from a south facing aspect to take maximum advantage of
  the solar gain opportunities. Further, the detailed design will include sustainable urban
  drainage systems, the individual properties will be insulated to an enhanced level and will
  include PV panels and a form of renewable heating (either air source or ground source), to
  be confirmed.
- A limited palette of locally sources materials will be used within the development.
- The site benefits from long established boundaries on all sides.
- The proposed development incorporates off street parking.

Policy 32 Embedding Low and Zero Carbon Generating Technology in New Development. Proposals for all new buildings will be required to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. A statement will be required to be submitted demonstrating compliance with this requirement. The percentage will increase at the next review of the local development plan.

Response: The detailed design will be developed to include sustainable urban drainage systems. The individual properties will be insulated to an enhanced level and will include PV panels and a form of renewable heating (either air source or ground source), to be confirmed.

<u>Policy 53: Water Environment</u> Development at any location and of any scale should protect and where practical improve the water environment (ground and surface water).

Response: There is no issue of flooding or negative impacts on the existing water environment. It is proposed that the housing will be connected to the existing mains water supply, with SUDS in the garden ground and septic tanks for each dwelling. The Report of Handling confirms this is acceptable and therefore the proposal complies with Policy 53B and 53C.

#### Policy 60B New Development Proposals

All development proposals (including small-scale proposals) should, considering the criteria of relevance to eh current proposal:

a) be designed for the safety and convenience of all potential users;

Response- As indicated the existing field access is proposed to provide a single access point to the proposed development. During the consideration of the application the Transport Planning Team requested further information on the visibility splays. The opportunity to provide this information was not offered to the appellants and yet the issue of access has been used as a reason for refusal. Therefore, it is only fair and reasonable in order that this matter can be fully addressed that the additional plans related to this matter are considered as part of the Review process.

A detailed visibility splay plan has now been lodged as part of the Access Visibility Splays, including Speed Survey Results prepared by Millards, Appendix 5, this indicates a visibility of 2.4 x 70m. This is supported by a speed survey, also attached as Appendix 5 which confirms that due to the topography and layout of the road adjacent to the site cars are traveling on average 23.7mph, this supports a reduced visibility splay. The provision of the visibility splay will require some regrading of the embankment, an embankment which was created at the time the A90 grade separated junction was built. All necessary land is within the ownership of the applicants, as confirmed by the landownership plan lodged in support of the proposal and attached as Appendix 7. A pre commencement condition can be attached to any permission ensuring the provision of the visibility splay prior to the development.

b) incorporate appropriate mitigation on-site and/or off-site, provided through developer contributions where appropriate, which might include improvements and enhancements to

the walking/cycling network and public transport services including railway and level crossings, road improvements and new roads;

Response: The appellants are ware that developer contributions may be required towards Transportation Infrastructure and is content to make the necessary Developer Contribution should planning permission be approved.

 c) incorporate appropriate levels of parking provision not exceeding the maximum parking standards laid out in SPP, including application of maximum on-site parking standards to help encourage and promote a shift to the more sustainable modes of a shift to the more sustainable modes of travel of walking, cycling and public transport;

Response: The detailed design will provide the appropriate level of parking. Further, the site is within a walking area with a safe footpath connecting to Longforgan which provides local facilities and public transport links.

Therefore, it is submitted the proposal complies with Policy 60 B

#### 13. Conclusion

The current application seeks planning permission in principle for a small development of 2 high quality family homes which will be designed to reflect the adjacent building group in terms of layout, design and scale. The application site is considered too small for modern farming and is now separated from any active farm holding therefore, the site has no current use nor is there any prospect of an active agricultural use. The proposed site represents an acceptable addition to an existing and accepted building group. While the application seeks planning permission in principle only at this time, the indicative plan demonstrates plot sizes comparable to the houses in the immediate area. The proposed development will take access from the existing single access to the northeast therefore the proposed development will not result in ribbon development. The proposal respects the established character and building pattern of the area and will result in a logical southern edge to the small group of houses. The proposed houses will in no way detract from the amenity of existing residents while offering a high-quality amenity to prospective residents.

It is submitted that the proposal complies with all policies of the Scottish Government and Perth and Kinross Local Development Plan and the associated the Housing in the Countryside Supplementary Guidance and as a result we would respectfully request the application for Review be upheld and planning permission granted.

April 2023





Mr Kenneth Petrie c/o Suller & Clark Karen Clark Scoutbog Steading Oldmeldrum Oldmeldrum AB51 0BH Pullar House 35 Kinnoull Street PERTH PH1 5GD

Date of Notice: 18th January 2023

# TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: 22/01942/IPL

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 22nd November 2022 for permission for **Residential development (in principle) Land 50 Metres South Of Strawberrybank Longforgan** for the reasons undernoted.

# 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 Council Local Development Plan 2019 (LDP2) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as whilst the site sits to the south of an existing building group and is well defined by existing landscape features and topography, the site is significantly larger than the plots within the adjacent grouping to the north and due to the position of the embankment and the sloping topography along the east and south boundaries it would not be possible to front any development onto the road which is characteristic of the building group to the north. The proposed site therefore fails to respect the character and building pattern of the existing building group. The proposal also fails to meet any of the other categories of development outlined in the SG.
- 2. The proposal is contrary to Policy 60B Transport Standards of the Perth and Kinross Council Local Development Plan 2019 (LDP2) as insufficient information has been submitted to demonstrate that a safe access and egress onto the public road can be achieved given that the site access is located at the end of a blind curve on the U143 Old Littleton Road. The submission states that works will be carried out to improve the visibility splay, but it would appear that these works are out with the red line boundary.

## **Justification**

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

# **Notes**

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

# Plan Reference

01

02

03

04

05

# REPORT OF HANDLING

# **DELEGATED REPORT**

Ref No	22/01942/IPL	
Ward No	P1- Carse Of Gowrie	
Due Determination Date	21st January 2023	
Draft Report Date	18th January 2023	
Report Issued by	JW	Date 18 Jan 2023

**PROPOSAL:** Residential development (in principle)

**LOCATION:** Land 50 Metres South Of Strawberrybank Longforgan

#### **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.

## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

Planning permission in principle is sought for residential development within a triangular site which sits at the southern end of row of four properties on Old Littleton Road which is located in a rural area to the north of Longforgan and the A90 trunk road. The application site is bound on its eastern side by the Old Littleton Road which curves around the south and east sides of the site. There is an embankment on this boundary which drops down to the public road. The site is therefore largely screening from the public road to the south. To the north is Strawberry Bank, an existing residential property owned by the applicant. To the west are open fields. The site is currently a grass paddock surrounded by leylandi hedging.

An indicative layout has been submitted which shows two dwellinghouses located in the northern half of the site with access from the east to Old Littleton Road.

The site has been subject to a pre application enquiry (20/00235/PREAPP) which indicated that the proposal would likely be considered contrary to the Housing in the Countryside Policy (Policy 19) of the Perth and Kinross Council Local Development Plan and the associated Supplementary Guidance.

#### SITE HISTORY

None

#### PRE-APPLICATION CONSULTATION

Pre application Reference: 20/00235/PREAPP

#### NATIONAL POLICY AND GUIDANCE

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

# **National Planning Framework 4**

The National Planning Framework 4 (NPF4) was approved by the Scottish Parliament on 11 January 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the policies of NPF4 and it is considered that the development proposal accords with the intentions of this document.

#### **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 2: Design Statements

Policy 5: Infrastructure Contributions

Policy 6: Settlement Boundaries

Policy 19: Housing in the Countryside

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

Policy 39: Landscape

Policy 53B: Water Environment and Drainage: Foul Drainage

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

Policy 60B: Transport Standards and Accessibility Requirements: New Development

**Proposals** 

#### OTHER POLICIES

**Housing in the Countryside Supplementary Guidance 2020** 

Placemaking Supplementary Guidance 2020

Developer Contributions and Affordable Housing Supplementary Guidance 2020

## **CONSULTATION RESPONSES**

**EXTERNAL** 

Transport Scotland – no objection

Perth And Kinross Heritage Trust – no objection

Scottish Water – no objection

Dundee Airport Ltd – no objection

**INTERNAL** 

Transportation And Development – concerns regarding visibility at junction with Old Littleton Road

Development Contributions Officer – conditions recommended to secure infrastructure contributions

Environmental Health (Contaminated Land) – no objection

Structures And Flooding – no objection

#### **REPRESENTATIONS**

None received

#### ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment under Habitats Regulations	Habitats Regulations AA Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

#### **APPRAISAL**

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises NFP4, 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.

# **Planning Principle**

The Perth and Kinross Local Development Plan 2019 (LDP2) through Policy 6 - Settlement Boundaries specifies that development will not be permitted, except within the defined settlement boundaries which are defined by a settlement boundary in the Plan.

However, through Policy 19 - Housing in the Countryside, it is acknowledged that opportunities do exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved. Thus the development of single houses or groups of houses which fall within the six identified categories will be supported. The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

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

The proposed site is not considered to meet any of the identified categories for the development above. An existing building group is defined as 3 or more buildings of a size at least equivalent to a traditional cottage, where they are for residential and/or business/agricultural nature.

The supplementary guidance (SG), "The Housing in the Countryside SG" which was adopted in 2020 assists in the assessment of the Policy 19.

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

Proposals which contribute towards ribbon development will not be supported.

In this case, whilst the site sits to the south of an existing building group and the application site is well defined by existing landscape features and topography, the site is significantly larger than the plots within the adjacent grouping to the north and due to the position of the embankment and the sloping topography along the east and south boundaries it would not be possible to front any development onto the road which is characteristic of the building group to the north. As mentioned above the policy requires new development to respect the established character and building pattern of the adjacent grouping. This proposal is not considered to achieve this. Strawberrybank to the north is considered to form a defined southern edge to the grouping, particularly given its orientation and relationship with the public road and is considered to be a logical southern edge to the grouping before the public road beings to curve in a westerly direction towards the junction with the A90. The indicative layout which has been submitted, only serves to demonstrate that development on this site would fail to respect the established character of the grouping which generally sees dwellings fronting eastwards onto the public road.

As such the development of this particular site would not relate to the established character and built form of the adjacent group.

Furthermore, the site is not an infill site, it does not involve the renovation or replacement of an existing house or the conversion or replacement of redundant non domestic buildings. Furthermore, no evidence has been provided relating to the criteria within category 3 as such the development would not meet the criteria within that category. The site is also not considered to meet the criteria within category 6 relating to brownfield land.

As such the proposal does not meet any of the categories of development within the Housing in the Countryside Supplementary Guidance and therefore the principle of residential development fails to comply with Policy 19 of the Perth and Kinross Local Development Plan 2019.

# **Design and Layout**

The Housing in the Countryside Guide Supplementary Guidance includes detailed siting criteria which require to be considered in any proposal and these criteria are echoed by the requirements of Policy 1A and B of the LDP2 which relate placemaking. Overall, the policies require new development to reflect its surroundings in terms of scale, landscape character and design. As this is an application in principle no detailed design or scale of dwelling(s) has been submitted at this stage. Nevertheless, the principle of residential development on this site is not considered to be acceptable and is not in accordance with LDP2 policy.

# **Residential Amenity**

The site is of sufficient footprint and there is an opportunity to position any dwelling(s) in a location which ensures that the neighbouring properties are not overlooked given the distance which would be apparent between windows of the new house and the existing properties. As this application is only in principle there is no opportunity to assess this in detail, at this stage, however this can be assessed if a detailed application is received.

The orientation of any house(s) and their height, together with the window positions would be an important consideration should any detailed application come forward. Nevertheless, the principle of residential development on this site is not considered to be acceptable and is not in accordance with LDP2 policy.

# **Drainage and Flooding**

The site will be required to connect to a Sustainable Urban Drainage System (SUDS) which can be secured by condition and considered further at any detailed application stage. A private foul drainage system would be required and details of this should be submitted with any detailed application. This is considered to comply with policies 53B and 53C of the LDP2 and the detailed design of this will be secured through the building warrant process. The site is not considered to be at risk from flooding.

#### **Traffic and Access**

The site is proposed to be accessed from the north east corner onto Old Littleton Road which is an existing field access. The vehicle access to the public road network for the properties will be via an existing farm track into the field off Old Littleton Road (U143). This track will be upgraded as part of the development. The site access is at the end of a blind curve from the A90 junction, making visibility poor. The speed limit on Old Littleton Road is 40mph. The submission has advised that works will be carried out to improve the visibility splay, but it would appear that these works are out with the red line planning application boundary. Transportation and Development have asked that these details are submitted for consideration. Given that the principle of development is considered to be contrary to policy, this information has not been requested. Given the lack of information in this regard the proposal is considered to be contrary to Policy 60B as it has not been demonstrated that a safe access and egress to the site can be provided.

Transport Scotland have offered no objection in relation to the adjacent A90 trunk road.

# **Developer Contributions**

#### Education

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

This proposal is within the catchment of Longforgan Primary School and a condition would be required to ensure this element of the guidance is adhered to should any planning consent be granted.

#### Transportation

The site is located outwith the area where a transportation contribution is required.

# **Economic Impact**

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

#### 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 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 Development Plan.

Accordingly the proposal is refused on the grounds identified below.

# **Reasons for Refusal**

The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2019 (LDP2) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as whilst the site sits to the

south of an existing building group and is well defined by existing landscape features and topography, the site is significantly larger than the plots within the adjacent grouping to the north and due to the position of the embankment and the sloping topography along the east and south boundaries it would not be possible to front any development onto the road which is characteristic of the building group to the north. The proposed site therefore fails to respect the character and building pattern of the existing building group. The proposal also fails to meet any of the other categories of development outlined in the SG.

The proposal is contrary to Policy 60B Transport Standards of the Perth and Kinross Council Local Development Plan 2019 (LDP2) as insufficient information has been submitted to demonstrate that a safe access and egress onto the public road can be achieved given that the site access is located at the end of a blind curve on the U143 Old Littleton Road. The submission states that works will be carried out to improve the visibility splay, but it would appear that these works are out with the red line boundary.

# Justification

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

#### **Informatives**

None

#### **Procedural Notes**

Not Applicable.

#### PLANS AND DOCUMENTS RELATING TO THIS DECISION

01-05

## Millard Consulting – Dundee Office www.millardconsulting.co.uk

# **Access Visibility Splays**

Ref: 18191

Date: 25 March 2023

Subject: Residential Development (in Principle), Land 50 Metres south of

Strawberrybank, Longforgan

Planning Reference PKC 22/01942/IPL

#### Introduction

The above Planning Application in Principle was refused by Perth and Kinross Council, with a Decision Notice dated 18th January 2023.

This statement aims to address Item 2 of the Decision Notice, namely:

"The proposal is contrary to Policy 60B Transport Standards of the Perth and Kinross Council Local Development Plan 2019 (LDP2) as insufficient information has been submitted to demonstrate that a safe access and egress onto the public road can be achieved given that the site access is located at the end of a blind curve on the U143 Old Littleton Road. The submission states that works will be carried out to improve the visibility splay, but it would appear that these works are out with the red line boundary."

#### Proposed Access

The proposed access for the residential development is currently used as a field access.

### Vehicle Speed Survey

A vehicle speed survey in accordance with CA 185 of the Design Manual for Roads and Bridges (DMRB) was instructed by the Applicant.

The survey continually measured eastbound and westbound speeds between 14 February and 20 February 2023.

From the results, it can be seen that the maximum 85% ile speed 23.7mph (37.92kph) over the 24 hours period of 15<sup>th</sup> February 2023 westbound. A summary of the results are included in **Appendix A**.

#### Access Visibility Splay

As part of the above Planning Application in Principle, access visibility splays were assessed based on the signed road speed limit in accordance with CD 109 and CD 123 of the DMRB.

Currently, the speed limit at this location is 40mph (64kph), resulting in a splay length along the carriageway channel of 120 metres. As noted in the Decision Notice, this splay length would extend round the channel, south and west of the application site, outwith the red line boundary.

However, from the evidence provided by the vehicle speed survey, it is proposed to reduce the length of the visibility splay to 70 metres, in accordance with Table 2.10 of CD 109 of the DMRB for a 50kph design speed. This is well above the 37.92kph 85% ile speed recorded during the survey.

Refer to Appendix B for Millard Consulting drawing 18191/03/001 showing the above visibility splay.



#### **Topographical Survey**

As part of the original Application, it was acknowledged that re-grading of the Applicant's land would be required to provide access visibility. To allow accurate measurement of the visibility splays along the carriageway channel and to be able to identify the volume of material to be re-graded, the Applicant instructed a topographical survey.

The topographical survey confirms that re-grading will still be required and, should approval be granted, a full assessment of the earthworks required will be prepared.

#### Summary

The Applicant has commissioned a vehicle speed survey, topographical survey and Millard Consulting to assess the visibility splays required for access to the proposed residential development.

The evidence included in this statement demonstrates that the appropriate visibility splay of 2.4m x 70m can be accommodated within the Applicant's red line boundary.

## **APPENDIX A**

**VEHICLE COUNT AND SPEED SURVEY** 

## **EASTBOUND**

14 February 2023

Marie	dd A	82																	20.4									20.1	20.1	20.1	20.4
N. CONTROL	Mean					Č.		22.2	20.7	20	14.9	15.1	16.7	15.4	16.2	18.3	15.6	15.9	17.1	17.4	18.1	15.9	15.5	14.1	8.9			16.4	16.4	16.4	16.5
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Vbin	55	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
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Vbin	45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vbin	35	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
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	20 20		0	0	0	0	0	-	0	-	N	က	'n	c,	S.	-	ന	_	S	0	0	-	0	0	0	28	30	30	30
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Time	Total	Vbin	Vbin	Vbin			Vbin																	Mean	ddy
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	9		0	CA	က	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	0		
	10		0	0	7	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	0		- 6
	7		0	က	က	0	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	-	17.4	<u>.</u>
	9		0	-	2	N	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	0		- 0
	4		0	-	က	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0		-
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	96		0	35	36	20	S	0	•	0	•	0	0	0	0	0	0	0	0	0	0	88	9	1 17.2	21.9
	102		0	37	40	50	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	95	9	1 17.	
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## **WESTBOUND**

14 February 2023

dd A	82																		22.5								21.5	21.8	22.1	22.1
Mean				•	•				16.5	19.9	16.6	12.8	19.6	17.6 -	15.5	17.2	16.2 -	16.3	17.9	19	18.4 -	16.3	18.9	17.6 -	22.5		17.3	17.3	17.3	17.3
S	က		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sis	2		0	0	0	0	0	0	0	0	2	8	-	-	2	-	0	-	2	-	-	-	0	0	0	0	14	15	15	15
Sis	-		0	0	0	0	0	0	2	9	2	4	4	7	9	7	10	0	13	8	7	က	4	e	-	0	83	98	96	96
Voin	92	90	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
uig /	06	95	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Voin	82	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VDII	80	82	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Voin	75	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VDIU	2	75	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
uio A	92	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VDII	09	92	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NDIN I	22	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Voin	20	22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Noin	45	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
LIGA	40	45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NDIN	90	32	0	0	0	0	0	0	0	0	0	0	-	0	0	0	0	0	0	0	0	0	0	0	0	0	-	-	-	
U I	52	9	0	0	0	0	0	0	0	2	0	0	0	0	0	0	-	0	-	-	0	0	0	0	0	0	2	2	2	2
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Voin	15	20	0	0	0	0	0	0	0	-	0	2	-	က	3	4	2	9	00	4	4	,-	2	-	0	0	41	45	45	45
VDII	9	15	0	0	0	0	0	0	0	0	-	Ø	0	ന	e	CV	-	က	ന	CI	0	-	0	-	0	0	20	55	55	22
VDIIU	2	2	0	0	0	0	0	0	-	-	-	8	-	0	-	0	2	0	-	0	-	-	0	0	0	0	9	12	12	12
VDII	0	co	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
lotal			0	0	0	0	0	0	2	9	4	9	2	80	8	00	10	10	15	6	8	4	4	0	-	0	97	110	11	111
ime.	ك																													
			0000	0100	0200	0300	0400	0200	0090	0020	0800	0060	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	07-19	06-22	00-90	00-00
	Total Voin Voin Voin Voin Voin Voin Voin Voin	VOIN VOIN VOIN VOIN VOIN VOIN VOIN VOIN	Imme   Total Voin Voin Voin Voin Voin Voin Voin Voin	Feet	The local Vain Vain Vain Vain Vain Vain Vain Vain	F	The color with value	Feet   Columbia   Co	Feet   Color   Value   Value	The color with value	Feet	Feet	The color with value of the	Feet	The color   Value   Value	The color   Value   Value	The color   Value   Value	The color   Value   Value	The color   The	The color of the	The color   The	1	1	1	1	1		The color   The	The color of the	1

Vbin V	Vbin	Vbin	Vbin	Vbin															Cls	Cls	ls Mean	
10		20 20	22 23	3 22	32	35	40	50	50	922	65	20 02	5 5	30 8	85	90 9	95 1	95 100			က	85
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0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	- 0	•
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0		4	ო	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	2		1.7 -
-		-	4	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	-		- 4.0
4		e	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	-		- 4.4
-		N	2	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	r0	-		- 6.8
		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	-		14 -
ო		e	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	2		- 6.7
4		7	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13	0		7.1
ო		N	က	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	2		9.3 -
0		c)	4	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	89	3		0.7
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0		4	က	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	-		1.3 -
-		9	S	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12	-		9.6
-		N	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	S	0		8.1 -
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0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	×	
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22		45	28	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	88	16		8.7
23		20	32	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	66	17		8.7
0																						
23		25	35	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	102	17	0	18.7

>																		i.			Cls		Mean	
0 5	1000	10	15	15 20 2	25 2	30 22	35	35 4 4	40 44	45 50 5	50 5	9 22 09	99 66	65 70 75 75		75 8 80 8	80 88	85	90 9	95		3		82
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	0	0	CV	4	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	2		17.6 -
	0	0	က	2	ß	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	3		- 89
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	0	0	0	<b>,</b>	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0		- 8
	0	0	က	0	က	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	0		. 2
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	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	- 0	,
	0	2	52	43	56	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	83	18		7.8 21.7
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	0	2	59	45	32	9	0	0	•	•	C	•	c	•	c	•	0	0	0	c	90	18	Š	
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Vpp 85									24.4	22.9							20.7	20.6								21.6	21.9	0.17
Mean		18.1		•		•		11.2	17.9	18.3	14.3	14.6 -	17.9 -	15.2 -	19.5	16.3 -	16.8	16	16.2 -	17.2 -	16.4	15.2 -	23.8	6.8	- 02	17	17	,
S S		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	•
S 2		0	0	0	0	0	0	0	4	2	2	-	3	-	4	-	0	-	0	2	0	0	0	0	0	21	21	3
		-	0	0	0	0	0	-	7	10	S	8	7	4	9	9	13	11	9	က	S	2	2	_	2	81	91	9
S -		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
nidy se	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vbi 90		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vbin 85	2																									2		
Vbin 80	8																										0	
Vbin 75	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vbin 70	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	•
Vbin 65	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vbin 60	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	,
Vbin 55	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vbin 50		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	,
Vbin V		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vbin V	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
n Vbin	ŧ,	0	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	
n Vbin		0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2	2	
Veln 25		0	0	0	0	0	0	0	2	e	-	-	e	_	e	2	e	e	0	,	0	0	c,	0	_	23	25	
Vbir S	3	_	0	0	0																						46 2	
Vbin 25	2		_	_	_	_	_																					
nidV 10			_	_	_		_						e														32	
Vbin 5	2	0	0	0	0	0	0	0	0	_	_	0	0	0	0	_	0	-	-	0	0	0	0	-	0	2	5	•
Vbin o	,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	•
Total		-	0	0	0	0	0	-	Ξ	12	7	4	10	2	10	7	13	12	9	2	2	2	N	-	2	102	112	-
Time T																												
		0000	1100	200	300	1400	200	0090	0070	0080	0060	000	100	200	300	400	200	009	200	800	006	0000	100	2200	300	17-19	06-22	

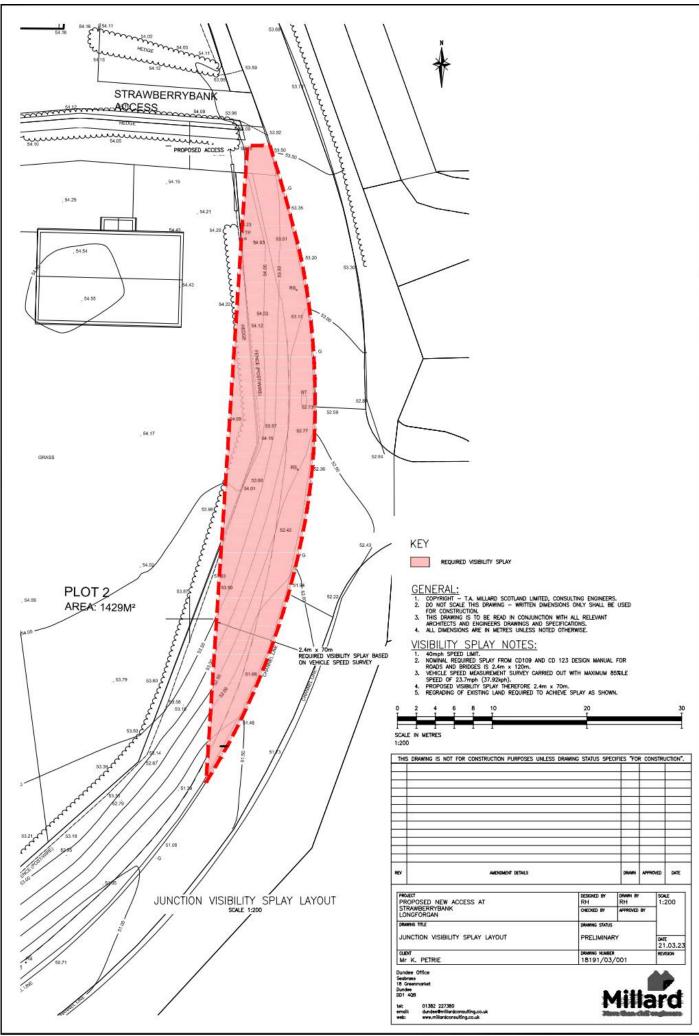
Time	Total	Vbin	Vbin	Vbin	Vbin	Vbin	Vbin	Vbin													u Cis		Sis	Mean	Vpp
上		0 9	5 0	5 5	15	22 52	3 22	35	35	40	45	50	922	60 6	70 77	70 77 87	75 80 8	85 85	95 90	95		7	ო		82
0000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0		0	-				i
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Vpp 85												19.3		24.5		17.8		23.3								21.5	21.8	4
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Vbin 70	75	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vbin 65	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vbin 60	65	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
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## **APPENDIX B**

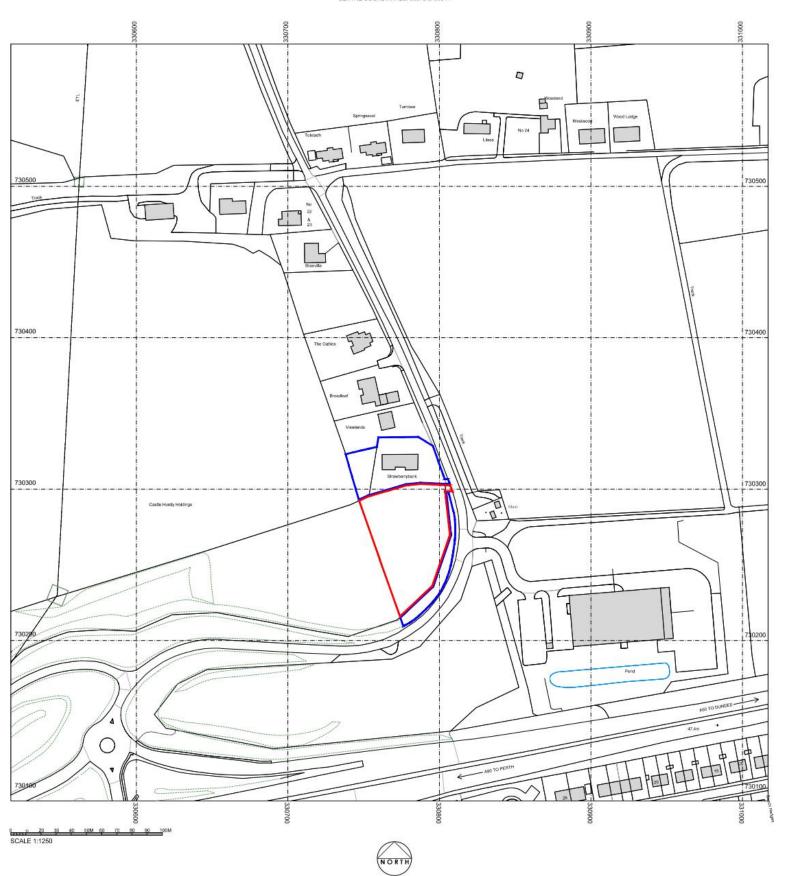
**MILLARD CONSULTING DRAWING 18191/03/001** 



# Comments to the Development Quality Manager on a Planning Application

Planning	22/01942/IPL	Comments	Lachlan MacLean										
Application ref.	,,	provided by	Project Officer – Transport Planning										
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk										
Description of Proposal	Residential development (in principle)												
Address of site	Land 50 Metres South Of Strawberrybank, Longforgan												
Comments on the proposal	The applicant is proposing to erect two dwellinghouses on an existing greenfield site south of the property Strawberrybank. Indicative house arrangements have been provided, but no detail on the number of bedrooms or floor layout.  The vehicle access to the public road network for the properties will be via an existing farm track into the field off Old Littleton Road (U143). This track will be upgraded as part of the development. The site access is at the end of a blind curve from the A90 junction, making visibility poor. The speed limit on Old Littleton Road is 40mph. The applicant has advised that works will be done to improve the visibility splay, but it would appear that these works are out with the red line boundary. Details of the works proposed to improve the visibility splay are requested.  Transport Planning require further information to be in a position to support this application.												
Recommended planning condition(s)  Recommended													
informative(s) for applicant													
Date comments returned	15 December 2022												

#### SITE LOCATION PLAN AREA 25Ha SCALE: 1:1250 @ A2 CENTRE COORDINATES: 330767,730344



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