

TCP/11/16(351)
Planning Application 14/01529/FLL - Modification of permission 12/02130/FLL (erection of farmhouse) change of house type and site layout, land 100 metres west of Glencallan, Methven

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TCP/11/16(351)

Planning Application 14/01529/FLL - Modification of permission 12/02130/FLL (erection of farmhouse) change of house type and site layout, land 100 metres west of Glencallan, Methven

**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 necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000114186-001

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.

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: MBM Planning & Development

Ref. Number:

First Name: * Mark

Last Name: * Myles

Telephone Number: * 01738 450506

Extension Number:

Mobile Number:

Fax Number:

Email Address: * mm@mbmplanning.co.uk

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

Building Name: Algo Business Centre

Building Number:

Address 1 (Street): * Glenearn Road

Address 2:

Town/City: * Perth

Country: * UK

Postcode: * PH2 0NJ

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="R Bowie"/>
Last Name: *	<input type="text" value=" & Ms R Macpherson"/>
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="Glencallan"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Newbigging Farm"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Fowlis Wester"/>
Country: *	<input type="text" value="Scotland"/>
Postcode: *	<input type="text" value="PH7 3NW"/>

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
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Full postal address of the site (including postcode where available):

Address 1:	<input type="text"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text"/>	Town/City/Settlement:	<input type="text"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text"/>
Address 4:	<input type="text"/>		

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

<input type="text" value="Glencallan"/>			
Northing	<input type="text" value="724673"/>	Easting	<input type="text" value="294386"/>

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)

Removal of Condition no. 2 from planning permission 14/01529/FLL - Erection of house (modification of previous permission 12/02130/FLL).

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time 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.

Please refer to attached statement

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

☐ Yes ☒ No

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)

Planning application form, approved plans, supporting statement that accompanied the planning application and a copy of a drawing showing position of proposed shed

Application Details

Please provide details of the application and decision.

What is the application reference number? *

14/01529/FLL

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

01/09/14

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

19/12/14

Review Procedure

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

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist - Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare - Notice of Review

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

Declaration Name: Mark Myles

Declaration Date: 13/03/2015

Submission Date: 13/03/2015

Statement in Support of Notice of Review

Removal of Condition no. 2 from planning permission 14/01529/FLL Erection of house (modification of previous permission 12/02130/FLL) at Glencallan, Methven, PH7 3NN

For Mr R Bowie and Ms R Macpherson

Planning permission 14/01529/FLL was granted on 19th December 2014 to erect a house at Glencallan (which was a modification of a previous permission 12/02130/FLL). A copy of the statement that accompanied the planning application is attached as this provides full background to the application and the history of permissions on the site.

The view expressed by the planning department was that the previous consent 12/02130/FLL would have to be revoked as part of any approval for application 14/01529/FLL.

As you will see from the statement that accompanied the planning application we did not consider this to be necessary due to the fact that the proposed drainage arrangements for the new application 14/01529/FLL, overlapped the position of the previously approved house 12/02130/FLL. The planning department's concern was that without the revocation in place then it would be possible to erect 2 houses at the site.

The view that the previous consent required to be revoked was also contrary to the discussions that took place at the pre-application stage.

The applicants have no intention of ever building two houses. They have been building up the farm business over the past few years whilst living in a temporary caravan and securing the necessary funds to build their one house. During the determination of application 14/01529/FLL the applicants accepted that the previous consent could be revoked (providing further confirmation that they only intend to ever build one house) so that they could obtain the permission for their revised house and advance their funding proposals

However it is now nearly 3 months since the approval for 14/01529/FLL was granted and to date there has been no further communication received from the council in respect of the revocation procedures. In order to protect their interests and due to the time constraints set out in the Regulations, the applicants are therefore in a position whereby they feel that they have to submit this Notice of Review against the condition.

We remain of the view that the condition is unnecessary as the approved plan for 14/01529/FLL confirms that the private drainage system will overlap the previous consented house site. Even if the septic tank and soak away did not physically overlap the house under the previous consent, they would still end up being within such close proximity to the footprint of the house approved under 12/02130/FLL, that a building warrant could never be approved for that house. The applicants are also in the process of submitting an application for a new agricultural shed which will also be positioned in a way that the house approved under 12/02130/FLL could never be built (see copy plan attached).

We therefore respectfully request that the LRB remove condition no. 2 from permission 14/01529/FLL as the need for the condition and the requirement for revocation procedures are considered to be completely unnecessary in this case.

PERTH AND KINROSS COUNCIL

Mr R Bowie And Ms R Macpherson
c/o Mark Myles
MBM Planning And Development
Algo Business Centre
Glenearn Road
Perth
PH2 0NJ

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 19 December 2014

Town and Country Planning (Scotland) Acts.

Application Number **14/01529/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 1st September 2014 for planning permission for **Modification of permission 12/02130/FLL (erection of farmhouse) change of house type and site layout** at Land 100 Metres West Of Glencallan Methven subject to the undernoted conditions.

Development Quality Manager

Conditions referred to above

- 1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

Reason - To ensure that the development is carried out in accordance with the plans approved.

- 2 No development shall commence until such time as the Council, as Planning Authority has provided the applicant with a written confirmation that the Revocation Order relating to planning consent 12/02130/FLL is valid, and has taken effect.

Reason - In order to ensure this consent is not implemented concurrently with planning consent 12/02130/FLL

- 3 Details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The scheme as approved shall be implemented prior to the occupation and or use of the development.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

- 4 Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable sustainable urban drainage systems to meet the requirements of best management practices.

Reason - To ensure that the site is drained in a sustainable manner.

- 5 Details of the landscaping within and around the site, including the species, height, size and planting density of proposed trees and/or shrubs, shall be submitted to the Planning Authority for approval prior to the commencement of the development. The scheme as subsequently approved shall be completed prior to the occupation of the dwellinghouse and maintained thereafter to the satisfaction of the Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

- 6 All trees on and adjacent to the application site shall be protected during construction operations with all protection measures adhering to BS 5837 2012 Trees in Relation to Design, Demolition and Construction.

Reason - To ensure all trees are protected and to provide a landscape backdrop to the site.

- 7 No development or extensions, whether or not permitted by virtue of Schedule 1, Part 1, Class 1 and 3 of the Town and Country Planning (General Permitted Development)(Scotland) Order, 1992 or any Order revoking and re-enacting that Order shall be erected in the curtilage of the dwelling, without the prior express permission of the Council as Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

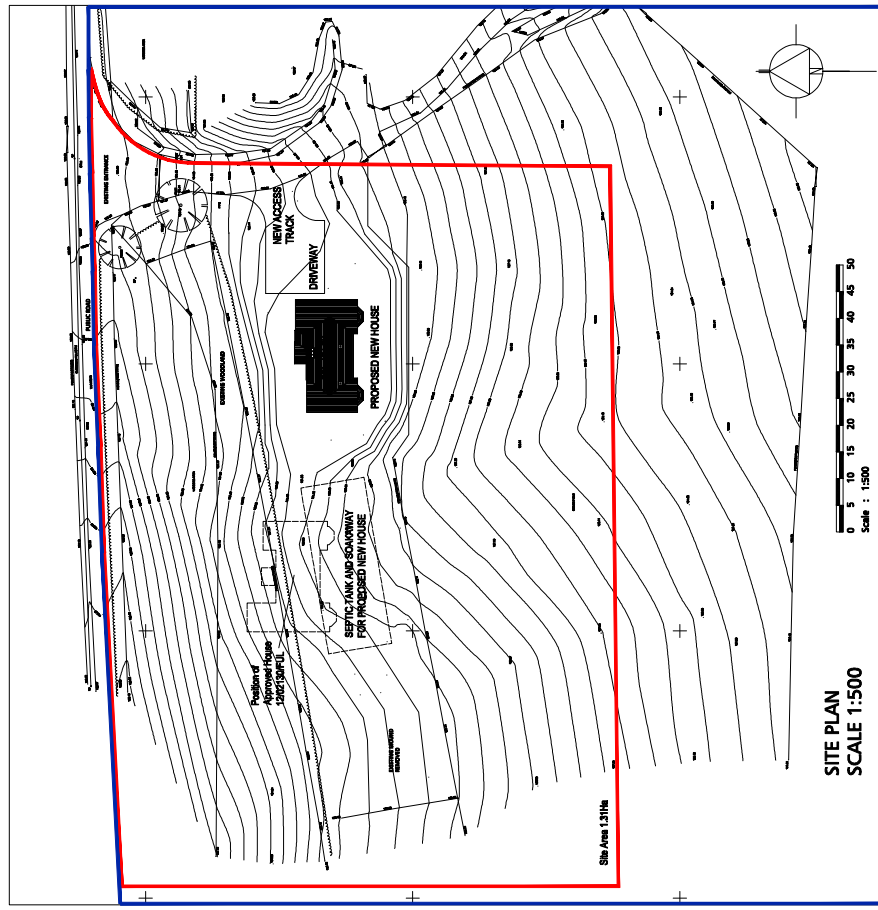
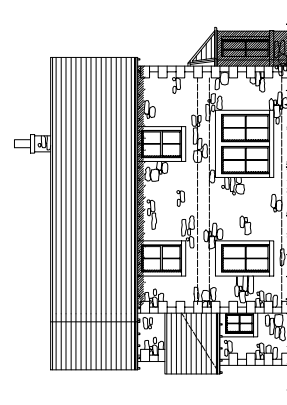
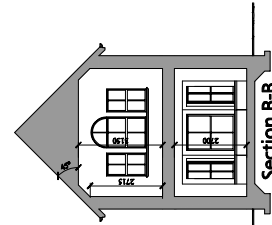
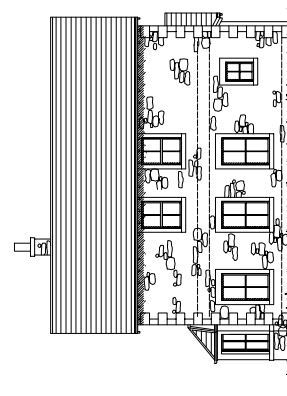
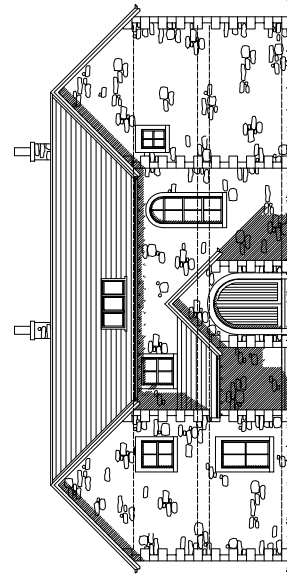
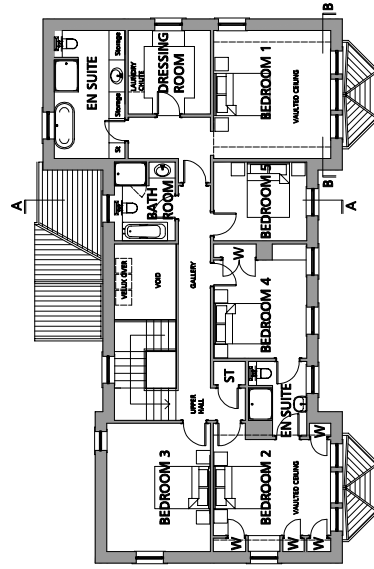
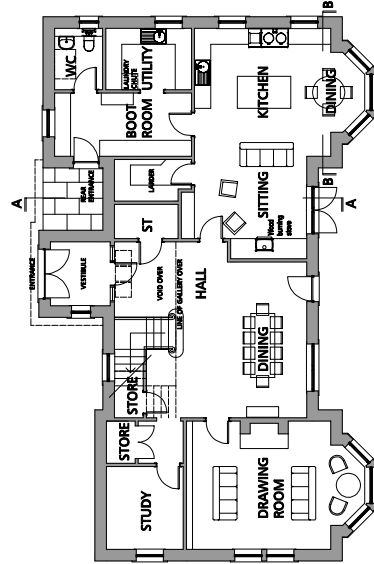
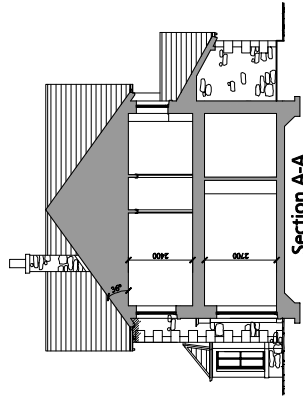
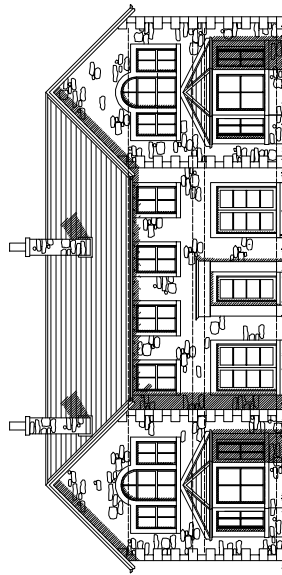
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.

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

14/01529/1

14/01529/2



235

[illegible]



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 necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000097726-001

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

Please give the application reference no. of the previous application and date when permission was granted.

Application Reference No: *

12/02130/FLL &
13/01997/FLL

Date (dd/mm/yyyy): *

06/05/13

Description of Proposal

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

Erection of house (modification of previous consent 12/02130/FLL)

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:	MBM Planning & Development
Ref. Number:	
First Name: *	Mark
Last Name: *	Myles
Telephone Number: *	01738 450506
Extension Number:	
Mobile Number:	
Fax Number:	01738 450507
Email Address: *	mm@mbmplanning.co.uk

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

Building Name:	Algo Business Centre
Building Number:	
Address 1 (Street): *	Glennearn Road
Address 2:	
Town/City: *	Perth
Country: *	UK
Postcode: *	PH2 0NJ

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: *	R Bowie
Last Name: *	& Ms R Macpherson
Company/Organisation:	
Telephone Number:	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address:	

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

Building Name:	Glencallan
Building Number:	
Address 1 (Street): *	Newbigging Farm
Address 2:	
Town/City: *	Fowlis Wester
Country: *	Scotland
Postcode: *	PH7 3NW

Site Address Details

Planning Authority: Perth and Kinross Council

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

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

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

Glencallan, Methven

Northing

724673

Easting

294386

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details

In what format was the feedback given? *

☒ Meeting ☐ Telephone ☐ Letter ☐ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (Max 500 characters)

Pre-application meeting held to confirm that providing the proposed drainage (septic tank and soakaway) for the house proposed in this modification application overlapped the site of the previously approved house, then there would be no need to revoke the previous permission 12/02130/FLL

Title:

Mr

Other title:

First Name:

John

Last Name:

Williamson

Correspondence Reference Number:

Date (dd/mm/yyyy):

26/08/14

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

1.31

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)

Site with planning permission for a house

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? *

0

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)? *

4

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

What private arrangements are you proposing? *

- ☒ New/Altered septic tank.
- ☐ Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
- ☐ Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- ☒ Discharge to land via soakaway.
- ☐ Discharge to watercourse(s) (including partial soakaway).
- ☐ Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: * (Max 500 characters)

As shown on site plan

<p>Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) *</p> <p style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Note: -</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>
<h3>Assessment of Flood Risk</h3> <p>Is the site within an area of known risk of flooding? *</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.</p> <p>Do you think your proposal may increase the flood risk elsewhere? *</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>
<h3>Trees</h3> <p>Are there any trees on or adjacent to the application site? *</p> <p style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.</p>
<h3>All Types of Non Housing Development - Proposed New Floorspace</h3> <p>Does your proposal alter or create non-residential floorspace? *</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<h3>Schedule 3 Development</h3> <p>Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.</p> <p>If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.</p>
<h3>Planning Service Employee/Elected Member Interest</h3> <p>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? *</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<h3>Certificates and Notices</h3> <p>CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013</p> <p>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.</p> <p>Are you/the applicant the sole owner of ALL the land ? *</p> <p style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Is any of the land part of an agricultural holding? *</p> <p style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

Do you have any agricultural tenants? *

☐ Yes ☒ No

Certificate Required

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

Certificate E

Land Ownership Certificate

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

Certificate E

I hereby certify that –

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

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

Or

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

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

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 –

Signed: Mark Myles

On behalf of: Mr R Bowie & Ms R Macpherson

Date: 01/09/2014

☒ 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 2013

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and County Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☒ Cross sections.

☒ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

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)

Supporting Statement setting out previous history and context for the planning application

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: Mark Myles

Declaration Date: 01/09/2014

Submission Date: 01/09/2014

Payment Details

Online payment: 50645

Created: 01/09/2014 09:26

Supporting Statement

Erection of house (modification of previous permission 12/02130/FLL) at Glencallan, Methven, PH7 3NN

For Mr R Bowie and Ms R Macpherson

Planning permission for the erection of a house at Glencallan was originally approved in January 2007 under ref 06/01222/FUL.

The planning application had been submitted in light of the justified requirement for a dwellinghouse related to agricultural use at the farm.

Permission to alter the terms of that consent was then approved under 09/00453/FLL in June 2009.

The applicants purchased the site and the associated 52 acres of land in 2010 and currently farm the surrounding land. An agricultural shed was previously erected on the adjoining land under prior notification 06/01040/PN.

The applicants have been living in temporary caravan accommodation at the site for 4 years.

The applicants previously submitted an application to modify the previously approved house design under 12/02130/FLL and this was approved in May 2013. The applicants' whole objective with the revised house was to make it a family home rather than a substantial 3 storey house with a swimming pool as was originally approved in 2007.

The modified permission was approved in May 2013 subject to condition 10 which reads 'occupation of the dwelling shall be limited to a person solely or mainly employed or last employed locally in agriculture or to a widow or widower of such a person and to any dependants'.

The occupancy condition set out in the earlier approval had made it impossible to secure any funding for the 'operational' dwellinghouse. However planning permission 13/01997/FLL was approved in December 2013 and this removed the need for an occupancy condition from the proposed house.

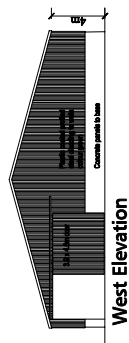
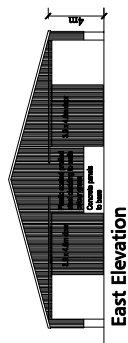
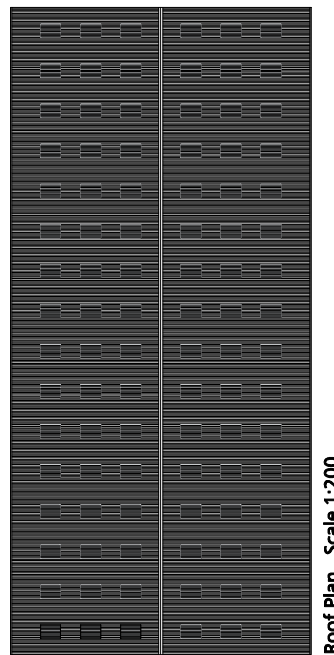
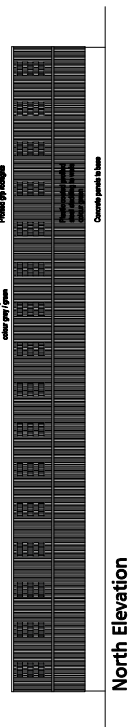
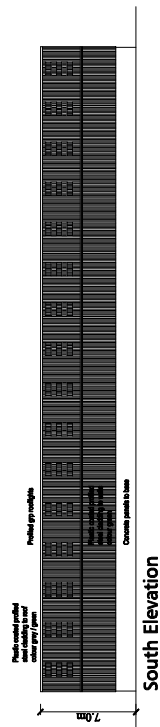
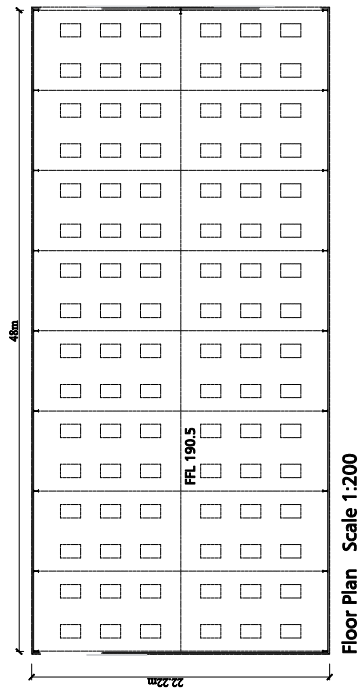
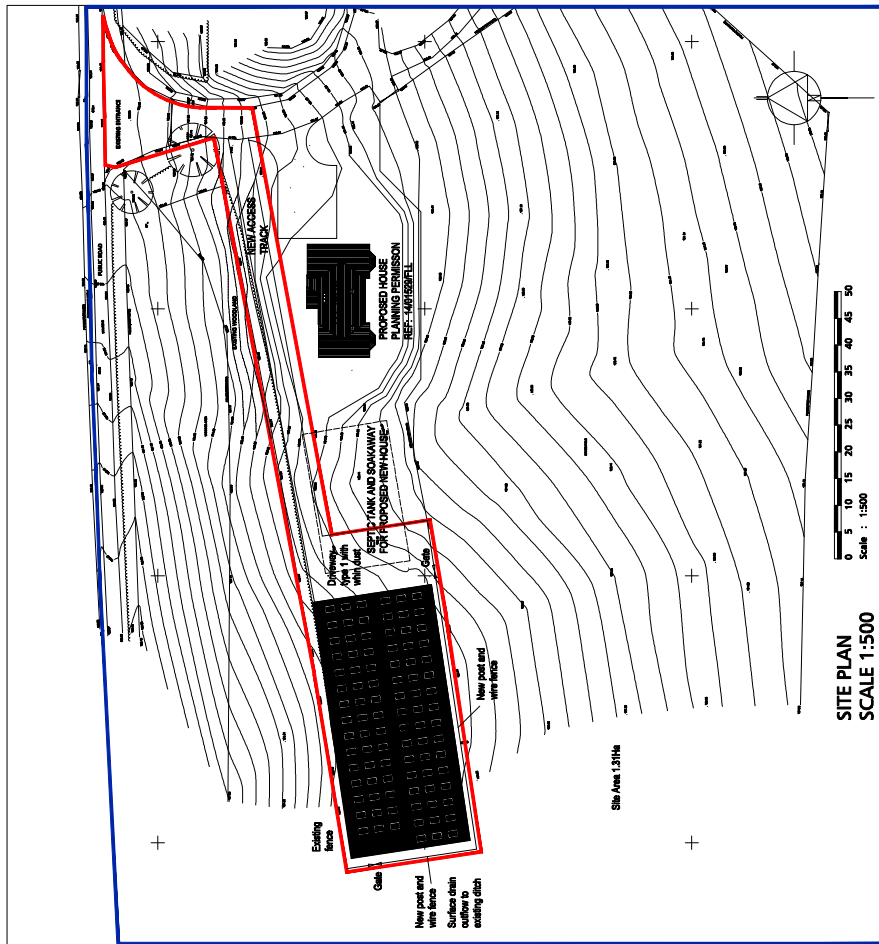
The previously approved scheme greatly reduced the size and massing of the originally approved house – being nearly half the length than the original design. The comments in the Report of Handling affirm the applicant's commitment to creating a sympathetic design, it being acknowledged that the new design would be more 'gentle' on the landscape. The smaller house has reduced the build costs (despite

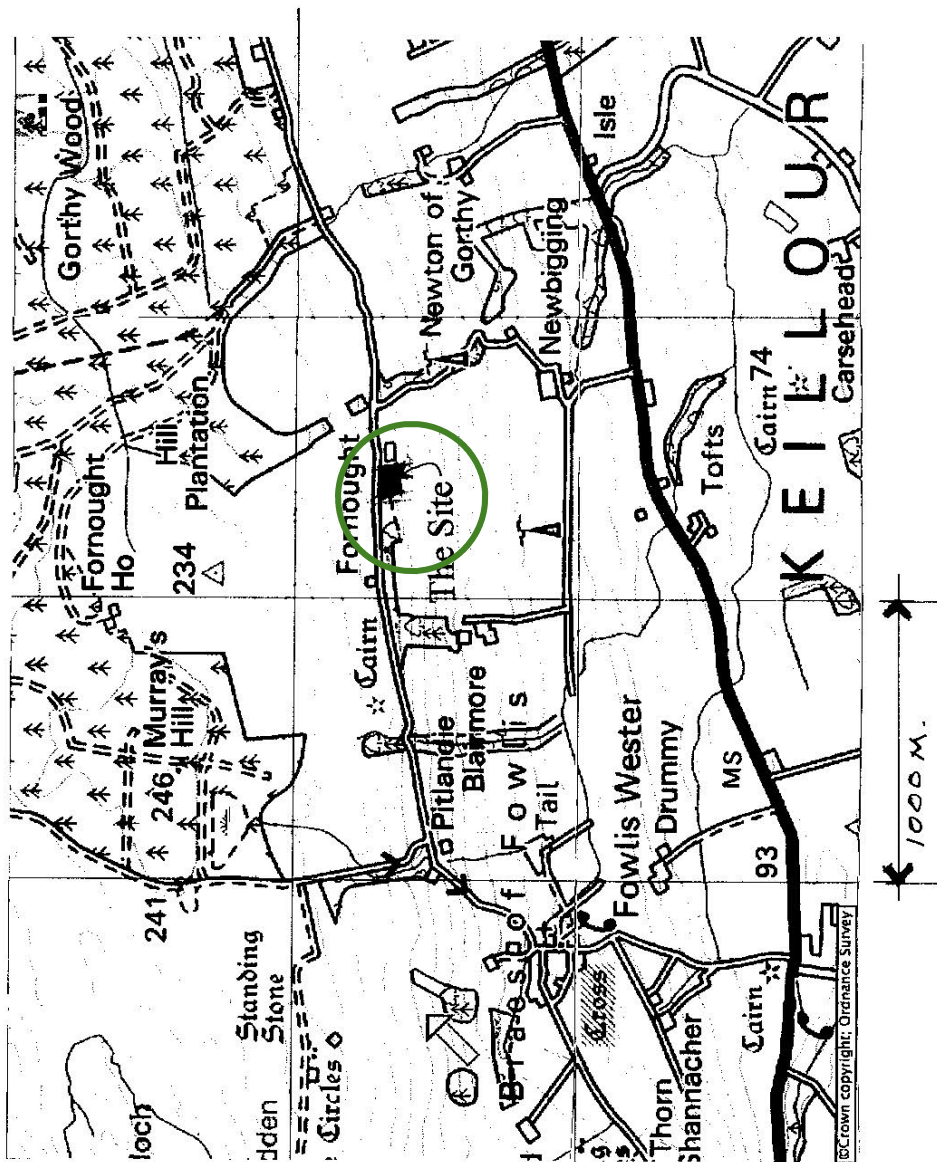
the more traditional materials used), however the applicants have further refined their proposed house design with James Denholm Partnership.

This has helped to further reduce the size and overall build cost of the house. The house has also been repositioned on the site in order to bring it closer to the access and to the nearby agricultural building. The proposed repositioning of the house reduces the impact on the landscape by bringing the buildings (house and agricultural shed) closer together. The proposed repositioning will also allow a greater area of land to be returned to agricultural use following the build. The current positioning of the house under 12/02130/FLL will require the removal of trees, whereas no trees will require to be removed as a result of the proposed repositioning. The repositioning of the house on the site also allows the foul and surface water drainage to be located in a natural dip in the ground to the west of the house, reducing overall servicing costs and minimising the impact on the agricultural land. As the site boundary in this application is identical to the previous permission 12/02130/FLL and the proposed septic tank and soakaway are proposed to overlap the site of the previously approved house; the May 2013 permission could not be implemented if this revised application was to be approved and implemented i.e. only one planning permission could ever be implemented on this site. This was agreed with John Williamson during a pre-application meeting on 26th August 2014.

As is evident from the manner in which the applicants are farming the land that is associated with the house site, there has been no change in the need for the house related to the management and use of the agricultural land. Indeed the fact that the applicants have been willing to live in a temporary caravan for 4 years shows a great deal of commitment to the farm business and also highlights the applicants' genuine plight in this case in trying to secure the necessary funding to build their own house on their farm.

This planning application therefore seeks to further modify the previous permission for a house on this site by altering the design, size and repositioning the house on the site which will benefit the farm and make it easier to service the house. Consent has also previously been granted to remove the need for any occupancy condition from any planning permission.





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James Denholm Partnership Architects 11 Dunira Street, Comrie, Perthshire, PH6 2LJ Tel: (01764) 670899, Fax: (01764) 670895	
Client	Ryan Bowie and Rose Macpherson
Project	Proposed Change of Housetype At Glencallan, (Newbigging Farm) Fowlis Wester Crieff PH7 3NW Consent 09/00453/FUL
Drawing	Location Plan
Scale	As noted
Drawn	JD
Date	DEC 2012
Rev. Date	
Job No.	4047
Dwg. No.	P03
Rev.	

TCP/11/16(351)

Planning Application 14/01529/FLL - Modification of permission 12/02130/FLL (erection of farmhouse) change of house type and site layout, land 100 metres west of Glencallan, Methven

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 231-233)*

REPORT OF HANDLING

REFERENCE DOCUMENT *(included in applicant's submission, see pages 235- and 248)*

REPORT OF HANDLING

DELEGATED REPORT

Ref No	14/01529/FLL	
Ward No	-	
Due Determination Date	31.10.2014	
Case Officer	John Williamson	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Modification of permission 12/02130/FLL (erection of farmhouse) change of house type and site layout

LOCATION: Land 100 Metres West Of Glencallan Methven

SUMMARY:

This report recommends **approval** of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

DATE OF SITE VISIT: 13 November 2014

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

Full planning consent is sought for the modification of an existing permission (12/02130/FLL) for the erection of a farmhouse at Glencallan near Methven. The site refers to an area of farm land extending to 1.31 Ha located within a dip below the unclassified road between Keillour and Fowlis Wester and is separated therefrom by a long belt of mixed coniferous and broadleaved trees. The applicant currently farms the surrounding land and a cattle shed has previously been erected under prior notification (06/01040/PN) on the adjacent land.

SITE HISTORY

06/01222/FUL Erection of farmhouse 29 January 2007 Application Permitted

09/00453/FUL Erection of farmhouse 1 June 2009 Application Permitted

12/02130/FLL Modification of existing consent - (09/00453/FUL) - Change of house type 6 May 2013 Application Permitted

13/01997/FLL Removal of condition 10 from planning permission
12/02130/FLL (relating to agricultural occupancy) 16 December 2013
Application Permitted

PRE-APPLICATION CONSULTATION

Pre application Reference: None

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy RD3 - Housing in the Countryside

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy TA1B - Transport Standards and Accessibility Requirements

Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

Policy NE2B - Forestry, Woodland and Trees

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

be required.

OTHER POLICIES

None

INTERNAL CONSULTATION RESPONSES

Education And Children's Services – no contribution required

EXTERNAL CONSULTATION RESPONSES

None

REPRESENTATIONS

None received

ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	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 the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

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

Policy Appraisal

Policy RD3 relates to Housing in the Countryside. Given the existing consent on this site the proposal is considered to be consistent with the requirements of this policy. Policy PM1B relates to placemaking and outlines criteria for which all development should be assessed against. Given the revised location of the house and minor alterations to the design, I consider this to be the most relevant policy for this application.

Design and Layout

The design revisions to the proposed house are considered to be very minimal and the overall form and scale of the house remains very similar to the existing consent, as such I consider this to be consistent with the criteria contained within Policy PM1B. No details of the finishing materials are indicated on the plans and therefore this will be covered by condition. The revised location of the house is also considered acceptable. It will still benefit from the backdrop of mature trees and will generally sit within the same context as the previous consent. As such I am satisfied that the design and layout of the site meets the requirements of Local Development Plan policy.

Revocation

This proposal seeks to alter the design of the house by reducing its height and making some minor alterations to its fenestration and form and to reposition it further east on the site. The site is accessed from the public road to the north and the bellmouth and access have already been formed and serve the adjacent farm buildings to the east. The revised design is proposed to have a rectangular footprint with the roof structure broken up with the use of rear and forward facing gable ends at either end of the house. The finishing materials are not indicated on the plans but the drawings appear to suggest a stone cladding and slate roof, this can be covered by condition.

To ensure that the previously approved house is not erected (as two houses on this plot would be contrary to policy) it is necessary to have the existing consent revoked and this process is now underway. I intend to progress with a recommendation on this application, subject to a condition which states that no works can commence on site until the revocation procedure is complete. This method has been discussed and agreed with Legal Services.

Access

The access into the site has already been formed and is considered acceptable.

Drainage

The scheme is proposed to be served by a private drainage system which is considered appropriate in this location.

Occupancy

Consent (13/01997/FLL) has previously been granted to delete the occupancy condition from the previous consent and therefore will not be attached to this consent.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application given the presence of an existing consent and therefore no contributions are required in this instance.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions.

APPLICATION PROCESSING TIME

The recommendation for this application has not been made within the statutory timescale due to ongoing discussions regarding the revocation of the previous consent.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

Reason - To ensure that the development is carried out in accordance with the plans approved.

2 No development shall commence until such time as the Council, as Planning Authority has provided the applicant with a written confirmation that the Revocation Order relating to planning consent 12/02130/FLL is valid, and has taken effect.

Reason - In order to ensure this consent is not implemented concurrently with planning consent 12/02130/FLL/

3 Details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The scheme as approved shall be implemented prior to the occupation and or use of the development.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

4 Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable sustainable urban drainage systems to meet the requirements of best management practices.

Reason - To ensure that the site is drained in a sustainable manner.

5 Details of the landscaping within and around the site, including the species, height, size and planting density of proposed trees and/or shrubs, shall be submitted to the Planning Authority for approval prior to the commencement of the development. The scheme as subsequently approved shall be completed prior to the occupation of the dwellinghouse and maintained thereafter to the satisfaction of the Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

6 All trees on and adjacent to the application site shall be protected during construction operations with all protection measures adhering to BS 5837 2012 Trees in Relation to Design, Demolition and Construction.

Reason - To ensure all trees are protected and to provide a landscape backdrop to the site.

7 No development or extensions, whether or not permitted by virtue of Schedule 1, Part 1, Class 1 and 3 of the Town and Country Planning (General Permitted Development)(Scotland) Order, 1992 or any Order revoking and re-enacting that Order shall be erected in the curtilage of the dwelling, without the prior express permission of the Council as Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

14/01529/1

14/01529/2

Date of Report 12.12.2014

