

TCP/11/16(241)
Planning Application 12/02093/IPL – Erection of a
dwellinghouse (in principle) on land 110 metres north west
of Quilts Farm, Dunning

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD

Tel: 01738 475300

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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 000053097-002

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:

CKD Galbraith

Ref. Number:

First Name: *

Robert

Last Name: *

Patrick

Telephone Number: *

01738456078

Extension Number:

Mobile Number:

Fax Number:

Email Address: *

robert.patrick@ckdgalbraith.co.uk

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

Building Name:

Lynedoch House

Building Number:

Address 1 (Street): *

Barossa Place

Address 2:

Town/City: *

Perth

Country: *

UK

Postcode: *

PH1 5EP

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="Angus"/>
Last Name: *	<input type="text" value="Greenlees"/>
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="Balquahandy House"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Dunning"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="by Perth"/>
Country: *	<input type="text" value="UK"/>
Postcode: *	<input type="text" value="PH2 0RB"/>

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.

Northing	<input type="text" value="712025"/>	Easting	<input type="text" value="302406"/>
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Description of the Proposal

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

Erection of a dwellinghouse (in principle).

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.

See 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)

Supporting Statement

Application Details

Please provide details of the application and decision.

What is the application reference number? *

12/02093/IPL

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

05/12/12

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

08/02/13

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: Robert Patrick

Declaration Date: 22/03/2013

Submission Date: 22/03/2013

**NOTICE OF REVIEW-
SUPPORTING STATEMENT**

**Application for Planning Permission in
Principle for a single dwelling, Quilts
Farm, Dunning**

MARCH 2013

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1. Introduction

1.1. On behalf of our client A. Greenlees, we seek a review of the delegated decision to refuse planning permission in principle for a single house at Quilts Farm, Dunning.

1.2. The review relates to application reference 12/02093/IPL, which was registered by Perth and Kinross Council on December 5th, 2012.

1.3. This statement is intended to outline our reasons for seeking a review of this decision, based on the existing policy background and the spatial context in which the proposal sits.

2. Proposal Details

2.1. The proposal submitted to Perth and Kinross Council on December 5th 2012 was for planning permission in principle for a single dwelling house on the site of a disused ménage at Quilts Farm, Dunning.

2.2. Quilts Farm is located approximately two miles to the South of Dunning, accessed from the B934 Dunning to Yetts O Muckhart road.

2.3. The site itself is to the west of the existing buildings, and constitutes an area of ground which has been previously engineered to create a flat surface suitable for use as a ménage.

2.4. As the proposal is for permission in principle, details of the design and scale of the proposed dwelling were not submitted.

2.5. However, it is proposed that any building on this site would be of a size and type sympathetic to its rural surroundings, using materials to match existing neighbouring properties.

3. Representations

3.1. Two representations were received in relation to this proposal.

3.2. A letter of objection was submitted on behalf of the occupants of The Loft, Quilts. A response was submitted on behalf of our client addressing the issues raised in the letter of objection; this is included within the appendices.

3.3. A letter of support for the proposal was also submitted, this is also included within the appendices.

4. Reason for Refusal

4.1. The following was given in the Decision Notice as the reason for refusal of the application-

a) The proposal is contrary to policy 32 of the Perth Area Local Plan 1995, in failing to satisfy any of the associated criteria for Housing in the Countryside.

b) The proposal is contrary to the Council's adopted, Housing in the Countryside Guide 2012 in that it does not constitute development within a building group, nor the extension of a building group onto a definable site, it is not a infill site, it does not meet the requirements of new houses in the open countryside, it does not involve the conversion or replacement of redundant non-domestic buildings of traditional form and construction nor does the site constitute rural brownfield land.

5. Relevant Policies

5.1. The following are the key policies identified in the report of handling, from the Perth Area Local Plan and also the Housing in the Countryside supplementary guidance-

POLICY 32: *The District Council's District wide policy on Housing in the Countryside will apply within most of the Landward Area. Within Areas of Great Landscape Value, the National Scenic Area and the Historic Gardens and Designed Landscapes there will be a presumption against new houses except on the basis of operational need, but encouragement will be given to the restoration and conversion of buildings to form new houses.*

Annex I - Housing in the Countryside Policy

Development within or adjacent to *established building groups which have compact nucleated shapes creating an identifiable "sense of place". Where an application reveals that there may be a number of opportunities relating to the group, the Council will defer consideration of the application until an Advisory Plan has been produced. Consent will be granted for houses within such groups provided they do not detract from the amenity of the group and for houses which would extend the group onto definable sites created by surrounding topography, landscape features or field boundaries which will constrain the continued spread of the group (see examples).*

Housing in the Countryside 2012 Supplementary Guidance-

1. Building Groups

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).

Note: An existing building group is defined as 3 or more buildings of a size at least equivalent to a traditional cottage, whether they are of a residential and/or business/agricultural nature. Small ancillary premises such as domestic garages and outbuildings will not be classed as buildings for the purposes of this policy.

Proposals which contribute towards ribbon development will not be supported.

6. Rural Brownfield Land

Redevelopment for small scale housing of brownfield land which was formerly occupied by buildings may be acceptable where it would remove dereliction or result in a significant environmental improvement and where it can be demonstrated that there are no other pressing requirements for other uses such as business or tourism on the site. A statement of the planning history of the site, including the previous use and condition, must be provided to the planning authority. Proposals should be small scale, up to maximum of five new houses, and must comply with the criteria set out in the For All Proposals section of this policy. All land within the site, including areas not required for housing or private gardens, must be the subject of landscaping and/or other remediation works.

6. Grounds for Appeal 1: Building Group Policy

6.1. When considering a site for a proposed new housing development, our client Mr. Greenlees selected the ménage at Quilts Farm primarily due to its location adjacent to an existing building group.

6.2. It is our assessment that the proposal site is adjacent to an existing building group, and complies with the relevant criteria set out above in relation to extensions to building groups.

6.3. We are therefore seeking a review of the planning officer's decision that this proposal does not comply with the Building Group policy contained within both the Perth Area Local Plan, and the Housing in the Countryside Guidance.

6.4. This purpose of the following section of the statement is to set out our justification for seeking a review of this decision, based on our assessment of the relevant policies.

6.5. In assessing this proposal's compliance with building group policy, the first consideration should be the definition of a building group and whether Quilts Farm can be classified as such.

6.6. The plan included in the appendices shows the various buildings located within Quilts Farm, demonstrating clearly that the requirements for '*3 or more buildings of a size at least equivalent to a traditional cottage*' are met.

6.7. Having established Quilts Farm constitutes a building group, the subsequent consideration is how the proposal fits with policy on extending building groups.

6.8. The Housing in the Countryside guidance sets out the policy on extending building groups in clear terms-

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.

6.9. The ménage at Quilts Farm is clearly a defined site, set within a number of existing landscape features.

6.10. To the south and west of the site, existing forestry provides a backdrop to the site, particularly when viewed from the road to the north.

6.11. The trees also serve to define the boundaries of the site, preventing any future growth to the South or West.

6.12. To the north of the site, the ground slopes away relatively steeply, which again serves to ensure the site is contained.

6.13. The Perth Area Local Plan states building group extensions will be approved where they -

extend the group onto definable sites created by surrounding topography, landscape features or field boundaries which will constrain the continued spread of the group.

6.14. In assessing this site, it is clear that the combination of the trees and the surrounding topography combine to create a plot which is not only 'definable' but also will serve to 'constrain' any future spread of the building group.

6.15. Turning to the officer's assessment of the building group policy, the consideration of the policy is limited to the following paragraph-

As described in the title, the site is somewhat removed from Quilts Farm Building group (110m) to the North West. In this regard, the site is not considered to relate closely to the existing building group, and would not naturally constitute an extension to the existing building group.

6.16. The distance of 110m given by the officer, and included as the address of the property, will have been automatically generated by the local authority mapping system, and reflects the distance from Quilts Farm to the centre of the proposal site. This does not reflect the distance the proposal site is removed from the existing boundary of the building group.



Figure 1: Quilts Farm showing distances between properties

6.17. As the map above shows, the proposal site is actually less than 50 metres from the nearest building forming part of the group (the agricultural shed), and 60 metres from the nearest residential property.

6.18. This is a significant difference from the 110 metres stated in the officer's report, and suggests the site has not been assessed in detail.

6.19. This report also emphasises the importance of a negative pre-application response, which was offered without the benefit of a site visit (see appendices for full pre-application advice sheet)-

In particular, a negative response was provided at the pre-application stage and this remains the assessment of the site.

6.20. Notwithstanding the above discussion, it is clear through both desk-based and site assessment that the proposal site forms a natural extension to the building group. While there is a small distance between the existing buildings and the ménage, in spatial terms the site should be seen as a part of the overall farm group. The ménage, along with the agricultural building and yard area adjacent, clearly forms a part of the built development which constitutes Quilts Farm.

6.21. The officer states this proposal would not ‘naturally constitute’ an extension to this building group. In considering this point, we draw attention to not only the existing buildings at Quilts Farm, but also to consented developments.

6.22. At present there are two applications which are relevant to this proposal, in that they will extend the building group, and therefore alter the spatial context in which this proposal would sit.

6.23. Application reference 12/01811/FLL is for a new house to the north of the existing building group. Its location is shown on the map within the appendices. The status of this proposal is currently pending decision; however the application has been recommended for approval and is awaiting only the signing of a Section 75 in relation to education payments. It is clear therefore that the principle of this proposal has been supported by the planning authority.

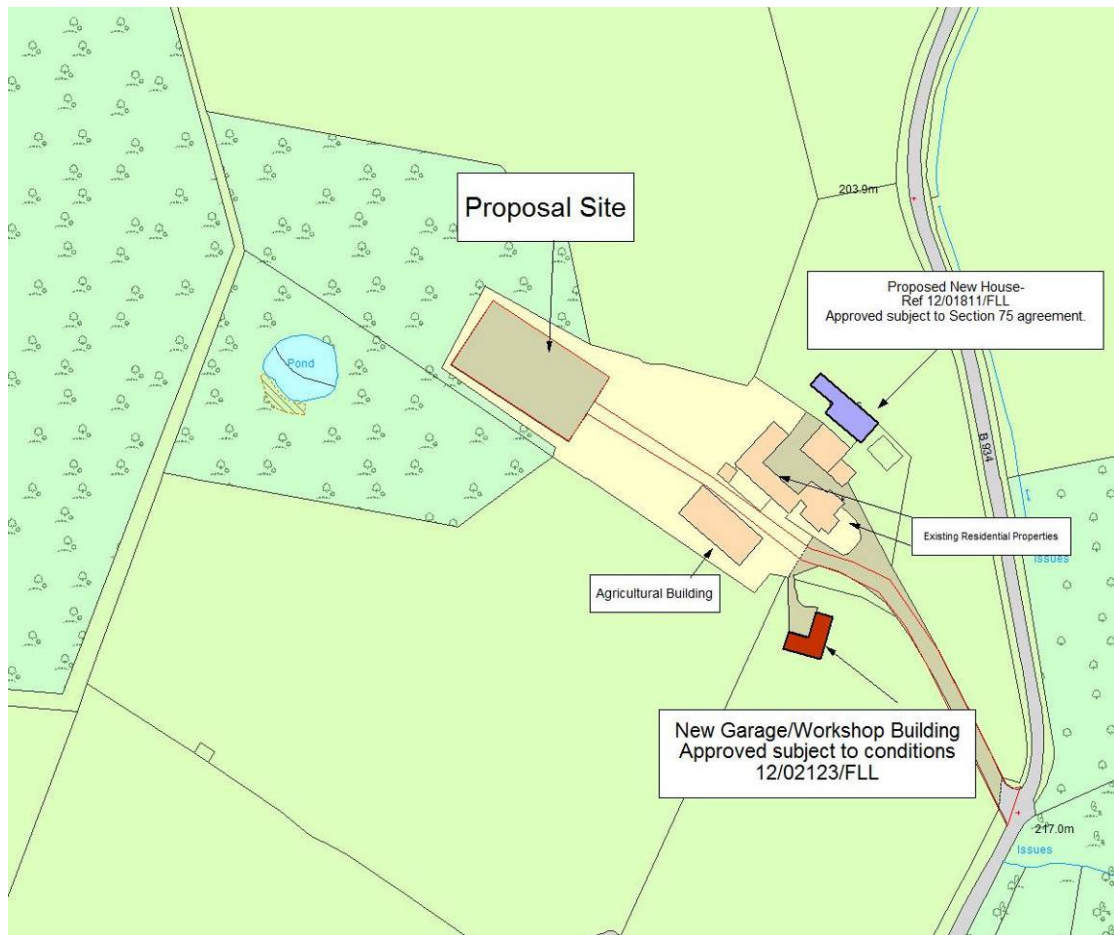


Figure 2: Quilts Farm showing neighbouring existing and consented uses

6.24. This proposal will represent an extension to the building group. There is an existing permission in principle for the replacement of an existing unused agricultural building to the north of the building group, but this proposal is not for the same site. Therefore the proposal must be assessed as a building group extension.

6.25. This extension of the building group is not into a definable site, rather an open field, and for the same reasons the further spread of the building group will not be constrained.

6.26. In addition to this proposal application 12/02123/FLL has been recently approved. This proposal is for a garage/workshop within a field to the south east of the building group.

6.27. The approval of these two applications will lead to a situation where the building group at Quilts is considerably larger than it currently is, with buildings spread over a larger area. The justification for refusal of this application then becomes harder to justify.

6.28. In addition, the approval of application 12/01811/FLL and the refusal of Mr. Greenlees application raises questions of the consistency of the assessment of these applications, given the factors discussed above in relation to the two sites.

7. Grounds for Appeal 2: Brownfield Land

7.1. A further argument in favour of the proposal was in relation to the opportunity to improve an area of rural brownfield land. This argument was dismissed by the officer, stating that there would be no net environmental improvement as a result of our client's proposal.

7.2. The site in question has been the subject of extensive development in order to create an equestrian ménage. This has involving substantial cutting and filling to create a flat surface. As a redundant and disused site, the ménage's condition is now deteriorating.

7.3. The officer's report assessment of the status of the site is somewhat contradictory. It states that the site cannot be considered to 'fully constitute a brownfield site', as a scraping of the surface would return it to a more natural state. It then states the land has 'already been engineered' in order to provide a flat surface. As a site which has been engineered, removing the surface dressing will not return it to a natural state, as it would remain an artificially flat piece of ground amongst otherwise undulating ground.

7.4. In addition, as a redundant site with no current use, there is little prospect of the work the officer refers to being carried out. As is the case with all brownfield/previously developed sites, improvements are only likely to be forthcoming where a new use is approved.

7.5. The proposal to use this site for a single house would allow the site to be properly landscaped, meaning it could make a positive contribution to the landscape character of the area. There can surely be little doubt that this would result in a net environmental benefit when compared to the current existing situation.

7.6. We would argue therefore that the environmental improvement which would result from this proposal is a significant material consideration, which was not given sufficient weight in the officer's report.

8. Summary

8.1. We would request that the Local Review Body take note of the information above in reviewing the officer's decision on this application.

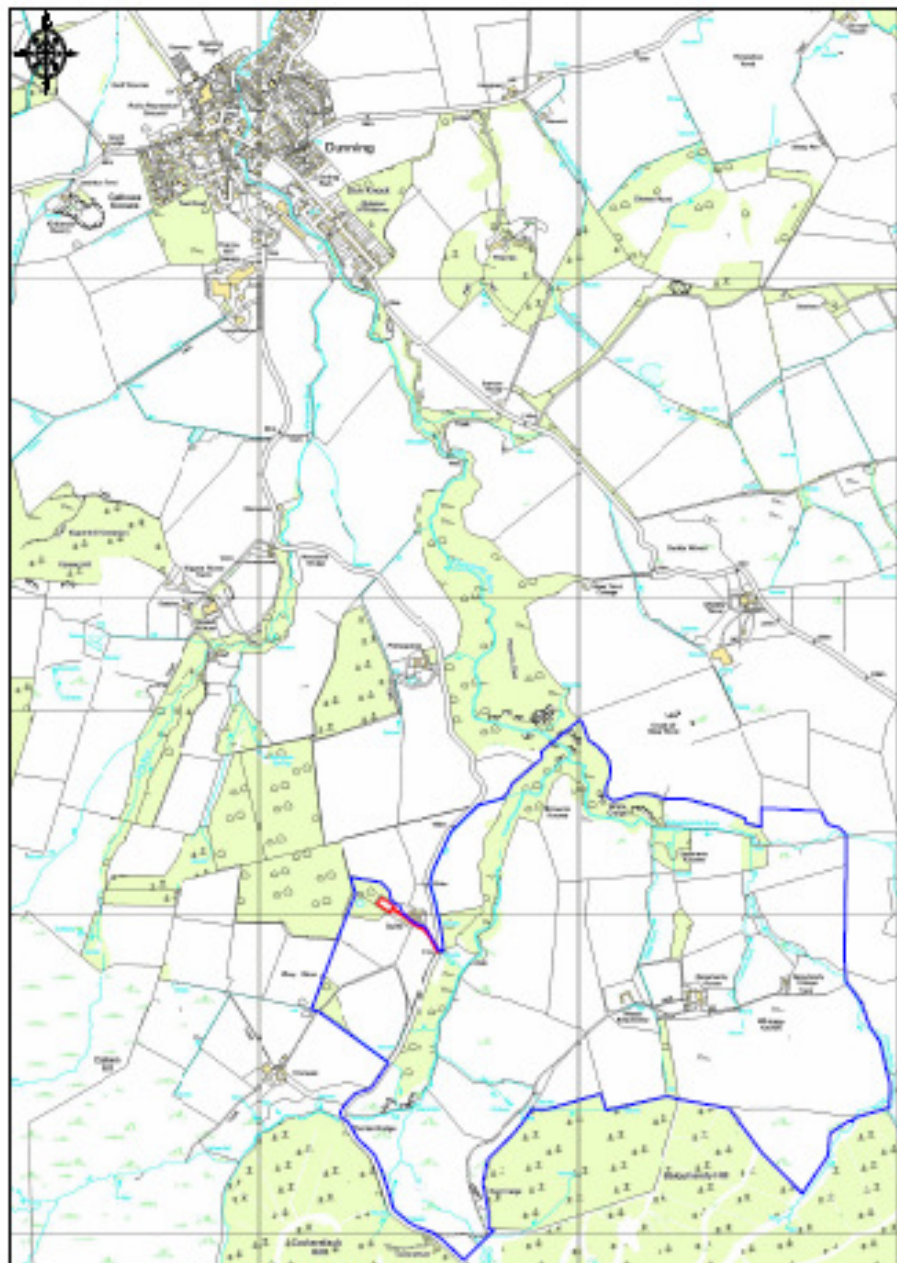
8.2. It is our belief that this proposal complies with all relevant Perth and Kinross Council planning policies, and therefore the decision to refuse planning permission should be overturned.

8.3. In particular, we would draw attention to the following points-

- The site in question is previously developed land, located adjacent to an existing building group.
- The land is contained on 3 sides by a combination of the topography of the ground and existing forestry, therefore would sit well within the existing landscape
- The planning officer's decision to refuse permission was based on an inaccurate assumption that the site is 110 metres distant from the building group.
- The proposed new house would represent an environmental improvement over the current disused ménage.

8.4. Based on the above points, we would request therefore that the Local Review Body overturn the planning officer's decision to refuse permission for this site.

Site at Quilts Farm- Location Plan




Area highlighted in red: application site boundary
Area highlighted in blue: land under applicant's ownership

Appendix 2- Site Plan

Site at Quilts Farm- Site Plan



Appendix 3- Application Form


<p>Puller House 35 Kinnoull Street Perth PH1 5GD</p> <p>Tel: 01738 475300</p> <p>Fax: 01738 475310</p> <p>Email: onlineapps@pkc.gov.uk</p> <p>Planning Department</p> <p>Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.</p> <p>Thank you for completing this application form:</p> <p>ONLINE REFERENCE 000053097-001</p> <p>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.</p>
<h3>Type of Application</h3> <p>What is this application for? Please select one of the following: *</p> <p>We strongly recommend that you refer to the help text before you complete this section.</p> <p><input type="checkbox"/> Application for Planning Permission (including changes of use and surface mineral working)</p> <p><input checked="" type="checkbox"/> Application for Planning Permission in Principle</p> <p><input type="checkbox"/> Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)</p> <p><input type="checkbox"/> Application for Approval of Matters specified in conditions</p>
<h3>Description of Proposal</h3> <p>Please describe the proposal including any change of use: * (Max 500 characters)</p> <div style="border: 1px solid black; padding: 5px; min-height: 40px;">Erection of a dwellinghouse (in principle)</div> <p>Is this a temporary permission? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.) * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Have the works already been started or completed? *</p> <p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Started <input type="checkbox"/> Yes - Completed</p>
<h3>Applicant or Agent Details</h3> <p>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)</p> <p><input type="checkbox"/> Applicant <input checked="" type="checkbox"/> Agent</p>

Existing Use

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

Most recent use as an equestrian menage.

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.

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)

Further details regarding private drainage arrangements to be submitted at detailed planning stage

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

☒ Yes ☐ No

Note: -

Please include details of SUDS arrangements on your plans

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

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

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

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

Assessment of Flood Risk

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

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

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

☐ Yes ☒ No ☐ Don't Know

Trees

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

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2008? *

☐ Yes ☒ No ☐ Don't Know

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.

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.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

Certificate and Notice under Regulation 15 B – Town and Country Planning (General Development Management Procedure) (Scotland) Order 1992 (GDPMO 1992) Regulations 2008

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

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☒ Yes ☐ No

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 2008

Certificate E

I hereby certify that –

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

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

Or

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

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

These People are:

Name:

Address:

Date of Service of Notice: *

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

Notice of the application has been published in:

On:

Signed:

Robert Patrick

On behalf of:

Mr Angus Greenlees

Date:

05/12/2012

☒ Please tick here to certify this Certificate. *

Checklist - Application for Planning Permission

Town and Country Planning (Scotland) Act 1967

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

c) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

d) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2008) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

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

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan. *

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

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

Supporting Statement

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: Robert Patrick

Declaration Date: 05/12/2012

Submission Date: 05/12/2012

Payment Details

Cheque: Balquhandy Farm, 000063

Created: 05/12/2012 09:57

Supporting Statement

**Application for Planning Permission in Principle for
Residential Development at Quilts Farm, Near Dunning,
Perthshire**

November 2012

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I INTRODUCTION

1.1 Introduction

CKD Galbraith are instructed to submit an application for Planning Permission in Principle for residential development at Quilts, near Dunning.

Our Client is seeking to establish the principle of residential development within the wider development at Quilts Farm. With regards to this particular development site there are presently two residential dwellings in addition to two agricultural buildings neighbouring the development land. The site currently features a disused equestrian ménage which our client would like to redevelop for residential use.

This planning statement outlines the nature of the development proposal, together with the policy context against which we believe the proposal will be considered.

1.2 Pre-Application Discussions

Prior to submission of this application, pre-application consultation was sought from Perth and Kinross Council Planning Officer Callum Petrie.

2 PROPOSED DEVELOPMENT

2.1 Proposed Development and Use

The purpose of the application is to secure planning consent in principle for residential development and whilst we believe that current planning policies are supportive of this proposal, we consider that it is helpful to explain the drivers for this proposed development.

The proposed residential development site lies within Quilts and is situated next to two residential dwellings and an agricultural building. Planning Permission in Principle has recently been granted for a further dwelling house to the north of the existing building group. The development site extends to approximately 0.12 Ha (0.30 acres) and comprises a flat and level ground which was formerly used commercially as an equestrian centre. The site under consideration comprises an area of ground which is bound by woodland to the south and west and residential properties to the east. To the north of the site the ground slopes away steeply.

The site is bound by timber fencing and a number of mature trees. The landscape features will provide an appropriate setting for a dwelling house with limited landscape impact resulting from development on this site. Our client is very keen to enhance and redevelop this site from its current disuse as a riding ground in order to create a more attractive surrounding environment.

Whilst we have not given detailed consideration to the detail of the proposed unit, we would foresee a dwelling house of a scale in keeping with existing buildings in the group. It is my client's intention to expand on the existing development whilst not adversely affecting the character of the existing residential environment.

We consider that the development proposals will significantly enhance the residential amenity of the area, making a positive contribution to the surrounding environment as a whole.

2.2 Location

Quilts Farm is located approximately 2 miles south of Dunning, 5 miles to the west of Auchterarder on the B934 Yetts O Muckart to Dunning road. The farm is located to the west of the road, in a raised position.

2.3 Site Detail

The site is situated to the west of the existing buildings, extending to approximately 0.12 HA (0.30 Acres). The site is flat, having been previously used as an equestrian ménage. The site is bounded to the west and south by an area of woodland, to the north the land slopes away steeply. Access onto the site would be from the east, adjacent to the existing farm buildings.

2.4 Access

The proposed development will utilise the existing access to the residential and farm buildings to the east of the site. This existing access on the to the public road is connected to the proposal site by an area of hardstanding adjacent to the site of the proposed new houses, meaning no new access outside of the application site will be required.

Within the site, there is sufficient space for the parking of two cars, as well as manoeuvring space.

2.5 Services

Mains supply of electricity is available. Water and drainage will be private with detailed consideration of service infrastructure requirements being made in due course.

3 PLANNING POLICY CONTEXT

3.1 Perth Area Local Plan 1995

Due consideration has been given to Perth & Kinross Planning Policies and we consider the relevant policy context is contained within the Perth Area Local Plan 1995, as well as the Housing in the Countryside Policy 2009. We would also make reference to Scottish Planning Policy and the proposed Local Development Plan.

POLICY 1: Developments in the landward area, as shown in Proposals Map A on land which is not identified for a specific policy, proposal or opportunity will generally be restricted to agriculture, forestry or recreational and tourism projects and operational developments including telecommunications development for which a countryside location is essential. Developments will also be judged against the following criteria:-

- *The site should have a good landscape framework within which the development can be set and, if necessary, screened completely.*
- *In the case of built development the scale, form, colour and design of development should accord with the existing pattern of building.*
- *The development should be compatible with its surroundings in land use terms and should not cause unacceptable environmental impact.*
- *The local road network should be capable of absorbing the development and a satisfactory access onto that network provided.*
- *Where applicable, there should be sufficient spare capacity in local services to cater for the new development.*
- *The site should be large enough to accommodate the development satisfactorily in site planning terms.*
- *The need to accommodate development as part of the ongoing requirements of existing commercial land uses in the countryside.*

The landscape framework of the proposed site is an existing building group, constituting residential and agricultural buildings, with the proposed new house set to the west of the group. The proposed building would be contained within a small area of woodland to the west and south. When viewed from the east or north, the proposed house will be viewed against the backdrop of the woodland area. The visual impact of the proposed house is therefore minimised.

As this is an application in principle, the scale, form and design of the building cannot be assessed, but our client would intend to develop a house in keeping with the design and scale of existing buildings.

Our client's proposal for a single house is compatible with the existing building group, predominantly residential, with no negative impact on neighbouring amenity likely.

As discussed in the section on access above, the property will be accessed by the existing access into the building group. Impact on the road network therefore will be negligible as there will be no new access onto the public road required.

As the notional site plan demonstrates, there is sufficient space on the site to accommodate a house and necessary parking and other services, while retaining an area of amenity space.

We have also considered Policy 32-

POLICY 32: The District Council's District wide policy on Housing in the Countryside will apply within most of the Landward Area. Within Areas of Great Landscape Value, the National Scenic Area and the Historic Gardens and Designed Landscapes there will be a presumption against new houses except on the basis of operational need, but encouragement will be given to the restoration and conversion of buildings to form new houses.

The 1994 Housing in the Countryside Policy has been considered alongside Policy 32, with the following passage of particular relevance to this proposal-

Consent will be granted for houses within such groups provided they do not detract from the amenity of the group and for houses which would extend the group onto definable sites created by surrounding topography, landscape features or field boundaries which will constrain the continued spread of the group.

The site of the proposed house is contained by trees on two sides and a steep slope on another side, effectively preventing further spread away from the existing buildings to the east. The proposal should therefore be seen as meeting the requirements of the above policy.

3.2 Housing in the Countryside 2009

The proposal has been considered against the Housing in the Countryside supplementary planning guidance.

The Building Groups policy is reproduced below and we consider that this is supportive of the development principles of the current application.

"1. Building Groups

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 landscape features which will provide a suitable setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that an adequate standard of residential amenity can be achieved for the existing and proposed house(s).

Note: An existing building group is defined as 3 or more buildings of a size at least equivalent to a traditional cottage, whether they are of a residential and/or business/agricultural nature. Small ancillary premises such as domestic garages and outbuildings will not be classed as buildings for the purposes of this policy."

As discussed above in relation to Policy 32 of the Local Plan and the 1994 Housing in the Countryside Policy, this proposal is for a new house adjacent to an existing building group. The above section of the current Housing in the Countryside Policy is therefore of relevance. We would draw particular attention to the topography and landscape features of the site. The plot is bordered by trees to the west and south, and a steep slope dropping away to the north. The proposal should therefore be seen as a definable site due to the existing topographical and landscape features.

As well as being located within an existing building group, the proposed house is also sited on ground which is classifiable as rural brownfield, therefore we believe the following policy would also be of relevance-

6. Rural Brownfield Land

Redevelopment for small scale housing of brownfield land which was formerly occupied by buildings may be acceptable where it would remove dereliction or result in a significant environmental improvement and where it can be demonstrated that there are no other pressing requirements for other uses such as business or tourism on the site. A statement of the planning history of the site, including the previous use and condition, must be provided to the planning authority. Proposals should be small scale, up to maximum of five new houses, and must comply with the criteria set out in the For All Proposals section of this policy. All land within the site, including areas not required for housing or private gardens must be the subject of landscaping and/or other remediation works.

The site of the proposed house has in the past been the subject of considerable development to create a flat surface for use as a ménage. There is evidence of considerable cutting and filling of the ground on both the south west and north east sides of the plot. The ménage is no longer in use and the site is having a detrimental affect on the amenity of the surrounding area.

By changing the use of this land to residential, there is an opportunity to improve the appearance of this land. The planning application boundary covers the full area of the existing ménage, and it is our client's intention to utilise the full area for the house and garden area. Therefore the environment of the area would benefit from an improvement.

3.3 Proposed Local Development Plan 2012

Whilst the proposed Perth and Kinross Local Development Plan is probably not a significant material consideration at the present time, we would comment that the support outlined above in terms of existing adopted policy is maintained and we would refer to the following extracts from Perth and Kinross Council's proposed local development plan which was published in January 2012 relating to policy RD3 with specific reference to '(a) Building Groups' and '(f) Development on Rural Brownfield Land';

Policy RD3: Housing in the Countryside.

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

- (a) Building Groups;*
- (b) Infill sites;*
- (c) New houses in the open countryside on defined categories of sites as set out in section 3 of the supplementary guidance;*
- (d) Renovation or replacement of houses;*
- (e) Conversion or replacement of redundant non-domestic buildings;*
- (f) Development on Rural Brownfield Land.*

Brownfield Land is defined as 'land which has previously been developed. The term may cover vacant or derelict land; land occupied by redundant or unused buildings and developed land within the settlement boundary where further intensification of use is considered acceptable'.

The comments above in relation to building groups and rural brownfield land would therefore apply equally to the new Local Development Plan.

3.4 Government Planning Policy

Scottish Planning Policy paragraph 92 states 'The planning system has a significant role in supporting sustainable economic growth in rural areas. By taking a positive approach to new development, planning authorities can help to create the right conditions for rural businesses and communities to flourish. The aim should be to enable development in all rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality.'

The following extract from paragraph 93 of SPP is also of relevance-

Planning authorities should also support and promote opportunities for environmental enhancement and regeneration in rural areas, particularly areas of previous mining and industrial activity.

Having regard to the aims and aspirations enshrined within the Scottish Planning Policy it is considered that this proposal would be supported by national planning policy.

4 CONCLUSION

4.1 Conclusion

We are of the opinion that the proposal submitted will result in an improvement and consolidation of the existing environment and is sympathetic to the existing built form.

We believe that this application for residential development in principle at Quilts farm is clearly supported by the Council's adopted policies in relation to housing in the countryside together with the wider planning aspirations promoted by both the Council and the Government.

We trust that the information contained within this statement is sufficient for the Council's purposes in giving consideration to this matter and ultimately determining the application. Of course, should any additional information be required or further clarification upon any point desired, we would be happy to provide such.

We look forward to progressing the application with Perth and Kinross Council.

PERTH AND KINROSS COUNCIL

Mr Angus Greenlees
c/o CKD Galbraith
Lynedoch House
Barossa Place
Perth
PH1 5EP

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 8th February 2013

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/02093/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 10th December 2012 for permission for **Erection of a dwellinghouse (in principle) Land 110 Metres North West Of Quilts Farm Dunning** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to policy 32 of the Perth Area Local Plan 1995, in failing to satisfy any of the associated criteria for Housing in the Countryside.
2. The proposal is contrary to the Council's adopted, Housing in the Countryside Guide 2012 in that it does not constitute development within a building group, nor the extension of a building group onto a definable site, it is not a infill site, it does not meet the requirements of new houses in the open countryside, it does not involve the conversion or replacement of redundant non-domestic buildings of traditional form and construction nor does the site constitute rural brownfield land.

Justification

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

REPORT OF HANDLING

DELEGATED REPORT

Ref No	12/02093/IPL
Ward No	N7- Strathallan

PROPOSAL: **Erection of a dwellinghouse (in principle)**

LOCATION: Land 110 Metres North West of Quilts Farm Dunning

APPLICANT: Mr Angus Greenlees

RECOMMENDATION: **REFUSE THE APPLICATION**

SITE INSPECTION: **17 January 2013**

OFFICERS REPORT:

Site Description and Proposal

The application site is situated at Quilts Farm, which sits on an elevated position on the west side of the B934, approximately 2.5km to the south of the village of Dunning. The application site which extends to 0.3 acre (not the 1.2 Ha as per the application form) sits 110m north west of the building group of Quilts Farm. The rectangular, flat site is characterised as a disused menagerie, previously operating for equine purposes. The site is bounded by timber, ranch style fencing and trees to the rear.

No details of a proposed dwelling have been provided as the application is IPL. The supporting statement suggests the dwelling house would be of a scale in keeping with existing buildings. Existing access will be used with neighbouring Quilts Farm electricity and private water supply.

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 Area Local Plan 1995. The proposed Local Development Plan 2012 is a material consideration. There are no specific policies of strategic importance, relevant to this proposal contained in the TayPlan.

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

The proposed principle of an additional single residential dwellinghouse created on this site is not considered to fully satisfy policy 32 of the PALP or the associated policy criteria of the 2012 adopted Housing in the Countryside Guidance.

In particular, a negative response was provided at the pre-application stage and this remains the assessment of the site.

Building Group –

As described in the title, the site is somewhat removed from Quilts Farm Building group (110m) to the north west. In this regard, the site is not considered to relate closely to the existing building group and would not naturally constitute an extension to the existing building group.

Brownfield Site –

The redevelopment of a menagerie to provide a residential dwelling is not considered to provide a net environmental benefit to the existing situation. In addition, Environmental Health have identified no issue with site contamination, therefore the development would not result in any non visual net environmental benefit. The site is not considered to fully constitute a brownfield site with a scraping of the menagerie surface (sand/rubber mix) easily returning the land to a more natural state. The land has already been engineered to provide a flat area for riding and this position would not be improved through any proposed physical development.

Environmental Health

No concern with evidence of site contamination.

Conditions to ensure no impact on existing private water supply or foul drainage.

Landscaping

Some landscaping exists on the boundaries of the menagerie (particularly upper slopes north west), which could be further augmented if the principle of residential development on this site was considered applicable.

Traffic/Safety issues

No formal comments were received from transport colleagues in relation to an additional dwelling on this site. Notwithstanding, informal, verbal response indicated that there would be no objection for a single residential unit, subject to conditions. Formal support from transport colleagues would not however alter the recommendation for this proposal.

Education

In terms of other material considerations; this involves an assessment against the approved Developer Contributions Policy 2012, which covers Primary Education and New Housing Developments. The developer contributions policy seeks a financial contribution of £6,395 per mainstream residential unit in areas where the local primary school is operating at over its 80% capacity (not formally applied at principle stage of consent). In this case, no contribution can be applied as the planning application remains 'in principle' or where an extant planning consent with no material change exists.

DEVELOPMENT PLAN

The Development Plan for the area comprises the Approved TAYplan June 2012 and the Adopted Perth Area Local Plan 1995.

TAYplan June 2012

There are no strategic issues of relevance raised by the TAYplan 2012.

Perth Area Local Plan 1995

The site lies within the landward area as identified in the Perth Area Local Plan 1995. The principal relevant policies of the Plan are summarised:

Policy 1 Perth Area general policies

Developments in the landward area, as shown in Proposals Map A on land which is not identified for a specific policy, proposal or opportunity will generally be restricted to agriculture, forestry or recreational and tourism projects and operational developments including telecommunications development for which a countryside location is essential. Developments will also be judged against the following criteria:-

The site should have a good landscape framework within which the development can be set and, if necessary, screened completely.

In the case of built development the scale, form, colour and design of development should accord with the existing pattern of building.

The development should be compatible with its surroundings in land use terms and should not cause unacceptable environmental impact.

The local road network should be capable of absorbing the development and a satisfactory access onto that network provided.

Where applicable, there should be sufficient spare capacity in local services to cater for the new development.

The site should be large enough to accommodate the development satisfactorily in site planning terms.

The need to accommodate development as part of the ongoing requirements of existing commercial land uses in the countryside

Policy 32 Perth Area Housing in the Countryside

The District Council's District wide policy on Housing in the Countryside will apply within most of the Landward Area. Within Areas of Great Landscape Value, the National Scenic Area and the Historic Gardens and Designed Landscapes there will be a presumption against new houses except on the basis of operational need, but encouragement will be given to the restoration and conversion of buildings to form new houses.

Note: Details of the Housing in the Countryside Policy (revised May 1994) are contained in Annex 1.

The Council will normally only support proposals for the erection of individual houses in the countryside which fall into an identified category:

Building Groups

Renovation or Replacement of Houses
Conversion or Replacement of Non-Domestic Buildings
Operational Need

Perth and Kinross Council Local Development Plan - Proposed Plan January 2012

On the 30 January 2012 the Proposed Plan was published. The adopted Local Plan will eventually be replaced by the Proposed Local Development Plan. The Council's Development Plan Scheme sets out the timescale and stages leading up to adoption. Currently undergoing a period of representation, the Proposed Local Development Plan may be modified and will be subject to examination prior to adoption. This means that it is not expected that the Council will be in a position to adopt the Local Development Plan before December 2014. It is therefore a material consideration in the determination of this application. The principal relevant policies are in summary:

Policy PM1: Placemaking

Development must contribute successfully to the quality of the surrounding built and natural environment.

Policy RD3: Housing in the Countryside

The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside.

Other Policies:

Housing in the Countryside Guide 2012

A revised Housing in the Countryside Policy was approved by the Council in August 2012. The policy applies over the whole local authority area of Perth and Kinross except where a more relaxed policy applies at present. In practice this means that the revised policy applies to areas with other Local Plan policies and it should be borne in mind that the specific policies relating to these designations will also require to be complied with. The policy aims to:

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

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

Development Contributions 2012

Sets out the Council's Policy for securing contributions from developers of new homes towards the cost of meeting appropriate infrastructure improvements necessary as a consequence of development.

SITE HISTORY

12/00617/PREAPP – advice sought on the principle of residential development.
Negative response.

Various redevelopment proposals as part of the original farm group. Most recently through application 12/01811/FLL.

CONSULTATIONS/COMMENTS

Transport Planning	No response
Education And Children's Services	In outline so no contribution can be applied at this stage.
Environmental Health	No response
Environmental Health	No response

TARGET DATE: 10 February 2013

REPRESENTATIONS RECEIVED:

Number Received: 1

Summary of issues raised by objectors:

Fails to meet applicable policy criteria
Access Issues

Proposal relates to unwarranted HIC which is not justified in terms of being for agricultural workers or requiring a countryside location. The proposal has no policy weight and any further housing would harm the established amenity of the area, setting an undesirable precedent.

Response to issues raised by objectors:

Addressed in officer report.

Additional Statements Received:

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

Legal Agreement Required: None

Summary of terms – N/A

Direction by Scottish Ministers - None

Reasons:-

1 The proposal is contrary to policy 32 of the Perth Area Local Plan 1995, in failing to satisfy any of the associated criteria for Housing in the Countryside.

2 The proposal is contrary to the Council's adopted, Housing in the Countryside Guide 2012 in that it does not constitute development within a building group, nor the extension of a building group onto a definable site, it is not a infill site, it does not meet the requirements of new houses in the open countryside, it does not involve the conversion or replacement of redundant non-domestic buildings of traditional form and construction nor does the site constitute rural brownfield land.

Justification

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

Appendix 7- Site Photographs



Figure 3- Quilts Farm viewed from B934 looking South



Figure 4- View from South East corner of ménage

Appendix 8- Pre Application Advice

**Delayed Office Opening for
Employee Training**

*This Office will be closed from 8.45 am –
11.00 am on the 1st Thursday of each
month commencing 6 February 2003.*

Nicola Charleston
(Via e-mail)

Planning and Regeneration
Head of Service: David Littlejohn

Pullar House 35 Kinnoull Street
Perth PH1 5GD

Contact Callum Petrie
Direct Dial (01738 475353)
E-mail: cpetrie@pkc.gov.uk
www.pkc.gov.uk

Our ref 12/00617/PREAPP

Your ref

Date 9 August 2012

Dear Ms Charleston

Pre-application Consultation: Proposed dwelling at Quilts Farm, Dunning Perthshire

I refer to your e-mail dated 20th June 2012 in the above connection.

Please accept my apologies at the time taken to respond to this enquiry.

This proposal will be considered in relation to the policies of the Council and the guidance of the Scottish Government, in particular the Development Plan for the area, which in this case comprises TAYplan 2012 and the Perth Area Local Plan 1995 (Incorporating Alteration No1 – Housing Land 2000). Of relevance is Local Plan policy 32 – Housing in the Countryside. As you have identified, Housing in the Countryside Policy 2009 is also relevant. The Plans may be inspected at Pullar House, at the Council's area offices and libraries, and can be viewed on the Council's internet page at www.pkc.gov.uk.

National planning guidance can be accessed online at:
<http://www.scotland.gov.uk/Topics/Planning>

The Council's Proposed Local Development Plan 2012 is also a relevant material consideration in this instance.

Other policies or documents which may be applicable are:

- Planning Guidance Note – Primary Education and New Housing Development

The contributions for Education Infrastructure indicated in the Council's Planning Guidance Note "Primary Education and New Housing Development" are applicable when the local primary school is considered to be at capacity. The figure is currently £6395 per house. A link to this policy is attached below for your information:

<http://www.pkc.gov.uk/NR/rdonlyres/20C1763D-97CC-4AE2-925D-C6AFD872FB22/0/DeveloperContributionforEducationJune2010Update.pdf>

From an initial desktop exercise, I would suggest that the principle of residential development on this site would not be supported. I do not consider this site, which is

adjacent to an established building group, "creating an identifiable sense of place" as per Policy 32 of the Perth Area Local Plan.

The wording of HICP 2009 in relation to building groups states: "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)." Once again, my preliminary view would be the site which you refer to, does not fully satisfy all of the aforementioned and is unlikely to be supported.

You should note that in issuing this response there has been:

- No site inspection
- No consultation with other Council Services
- No external consultation
- No opportunity for neighbours or public to comment

In particular, you should note that I have not necessarily identified or had the opportunity to assess all of the material considerations which might influence the determination of any planning application. The Council is not bound by this advice in the event that you submit a planning application.

It is only by submitting a formal application that a measured and comprehensive response to a proposed development can be given as quickly as resources permit. A formal application involves considering a proposal in terms of the Development Plan and the Council's policies on the basis of detailed plans and any further information and justification which is considered necessary. Formal assessment will also involve visiting the site and the surrounding area; researching the planning history of the site and the surrounding area; carrying out any necessary consultations; and taking account of any comments received from notified neighbours and the wider public.

Please note that current staffing resources, priorities and workload will not permit me to respond to any further pre-application consultation regarding this proposed development.

I trust however that this letter is of some assistance.

Yours sincerely

Callum Petrie
Planning Officer

Appendix 9- Public representation

2 February 2013

Mr Callum Petrie
Planning & Regeneration
Perth & Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

**Pitmeadow Farm
Muckhart Road
Dunning
PH2 0RA**

Dear Mr Petrie

Planning Application ref :12/02093/IPL Erection of dwelling house in principle

Please take this letter as a letter of support in terms of the above noted application.

Having previously lived at Quilts I consider the proposal to be well considered in terms of the extension of the current building group by building on previously developed ground. This extension is supported by the fact that the boundary has a clear and defensible edge. Notwithstanding this given the surrounding topography and landscape planting a well designed house will be readily absorbed into the landscape.

I believe this application fully accords with the current policy framework and would provide a positive contribution to the local environment.

In terms of servicing I can confirm having been responsible for the installation of the borehole supply at Quilts that there is an overabundance of supply in the system. The borehole records indicate capacity to draw water at a rate of circa 540 litres per hour coupled with head storage of circa 5000 litres. This was designed to allow for residential development of 12,500m² along with running circa 50 cows and followers.

Yours sincerely



Jim Turnbull

G-S/733/BR

10th January 2013

Planning & Regeneration
Pillar House
35 Kinnoull Street
Perth
PH1 5GD

FAO: Callum Petrie

Dear Mr Petrie,

12/02093/IPL, Erection of a dwellinghouse (in principle), Land 110 Metres North West Of Quilts Farm Dunning

I refer to the submitted application for Planning Permission in Principle and site as above. On behalf of our clients Mr & Mrs Stevenson, neighbours at the proposed site, we wish to lodge an objection to this planning application. We set out our reasons for objection below.

Planning Policy

Perth Area Local Plan 1995

The application site is within the landward area therefore the most applicable policies are Policy 1; General Policy and Policy 32; Housing in the Countryside.

Policy 1 states that developments in the landward area will generally be restricted to agriculture, forestry or recreational and tourism projects and also those developments for which a countryside location is essential. This proposal is a single house in the countryside unrelated to any of the developments falling under the categories described above and therefore is contrary to Policy 1 of the adopted Local Plan.

Within the Perth Area Local Plan Policy 32 presumes against housing in the countryside "except on the basis of operational need." This proposal is for mainstream housing in the countryside, unrelated to any business or operation – existing or proposed and therefore does not comply with this Policy. Policy 32 only encourages new houses in cases where it involves restoration and conversion of buildings; however this proposal is for a new dwelling and is neither a restoration nor conversion. The proposal is thus contrary to Policy 32 of the Adopted Local Plan.

Supplementary Planning Guidance - Housing in the Countryside (Revised November 2012)

The Supplementary Planning Guidance on Housing in the Countryside allows housing in certain defined circumstances including housing groups, conversion or reuse of buildings



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KH Scobble rector
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O Turner rector
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G Davidson rector
DC Cameron rector
PH Lang rector
S McDevia rector
J MacBain rector
K Wattan rector

Associates

AP Clark rector
K Blair rector
I Johnston rector
N MacFarlane rector
AR Welch rector

Planning Consultants
I Kelly rector

Consultants

JD Hall rector
JB Christie rector



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and provision of social housing for local people. This proposal does not fall under any of the accepted categories and is therefore unjustified housing in the countryside. The Supplementary Planning Guidance states that:

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

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

We consider that the proposed development does not fall into any of the above categories and therefore this proposal should not be supported. To confirm our assumption we have considered the proposal in terms of the above criteria;

(a) Building Groups

Under the Supplementary Planning Guidance, building groups are defined as follows;

An existing building group is defined as 3 or more buildings of a size at least equivalent to a traditional cottage whether they are of a residential and/or business/agricultural nature. Small ancillary premises such as domestic garages and outbuildings will not be classed as buildings for the purposes of this policy.

Policy states that support will be given to proposals within building groups. We do not consider that this proposal forms part of the existing building group and should not be given consent on this basis.

At present there are two residential buildings to the east of the application site. Recently, consent for a third dwellinghouse was granted permission on the basis that it will be built on the footprint of an existing farm building – thus complying with policy. Collectively, these three units i.e. the two existing dwellinghouses and the dwelling consented under application (11/00869/1PL) may be considered to create a farm steading grouping. However, the application site is significantly removed from these other dwellings, therefore this proposal cannot be justified in terms of a building group.

Moreover, the housing in the existing steading are grouped very close together and share a cohesive character i.e. in terms of previous use, site, setting etc. Development at the proposed site in this fashion could also set an undesirable precedent for further development along this road to the detriment of the nearby residential amenity, visual amenity, landscape and rural character of the area.

(b) Infill sites.

The proposal does not fall under this category

(c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.

The proposal does not fall under this category.

(d) Renovation or replacement of houses.

The proposal does not fall under this category.

(e) Conversion or replacement of redundant non-domestic buildings.

The proposal does not fall under this category.

(f) Development on rural brownfield land.

The Councils Supplementary Planning Guidance relating to development on rural brownfield land states that;

Redevelopment for small scale housing of brownfield land which was formerly occupied by buildings may be acceptable where it would remove dereliction or result in a significant environmental improvement and where it can be demonstrated that there are no other pressing requirements for other uses such as business or tourism on the site.

The application site is not a brownfield site and so this proposal cannot be justified in terms of section (f) of Supplementary Guidance. In any event, the site in its current state does not create a significant negative environmental impact and we do not consider that a dwellinghouse at this location would represent an environmental improvement.

Proposed Local Development Plan 2012

The Perth & Kinross Proposed Local Development Plan is a material consideration in the determination of this application. In terms of this plan the relevant policy is Policy RD3 Housing in the Countryside. This policy reiterates the Councils Supplementary Planning Guidance relating to Housing in the Countryside in that it lists certain categories in which single houses in the countryside will be supported. We do not consider that this proposal falls under any of the categories listed in this policy. The applicant's agent makes specific

reference to categories (a) and (f) in order to support this proposal. Category (a) refers to building groups and for the reasons outlined above we do not consider this proposal to comply with this category. Category (f) relates to development on rural brownfield land, however the proposed site fails to comply with the criteria contained within this category, therefore this proposal is contrary to the Proposed Local Development Plan.

Access

Access to the site is proposed to be taken from the B934 and along the road which services the existing residential properties and an agricultural outbuilding. Currently, there are several vehicles using this access on a daily basis including agricultural vehicles. If this proposal is approved, there is a risk that further use of the road may lead to further deterioration. We do not consider that this road is suitable for further intensification. In addition an increase of vehicular traffic at the junction with the B934 would be detrimental to the safety and convenience of all road users due to difficulties in turning left onto the B934 towards Dunning.

Other factors

- Water supply to the existing houses is already at capacity and under strain; further development would exacerbate this problem
- Any drainage provisions in the vicinity of the application site would negatively affect surrounding residential drainage arrangements due to the change in ground level at this location

Conclusion

This proposal relates to unwarranted housing in the countryside which is not justified in terms of being for agricultural workers or requiring a countryside location. The proposal is not supported by countryside policies contained within the adopted Local Plan, Supplementary Planning Guidance or the Proposed Local Development Plan. There is no need for further housing here, it would harm the established amenity of the area, and development at this location could set an undesirable precedent for further development which would harm the character of this area.

It is respectfully requested that these comments are taken on board, and the application is refused. I look forward to receiving confirmation of receipt of this letter.

Yours sincerely,


Brigid Ryan
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18 January 2013

**PLANNING APPLICATION REF- 12/02093/IPL, QUILTS FARM,
DUNNING**

Dear Mr. Petrie,

I noted an objection was received to my client's application at Quilts Farm, Dunning, ref 12/02093/IPL.

While I am confident the majority of the issues raised were covered in the supporting statement originally submitted, I would like to respond to a number of the points raised in the letter of objection.

The reference in the letter of objection to Policy 1 of the Local Plan should be discounted. It is clear from Policy 32 and the Housing in the Countryside guidance that there are circumstances where single houses in the countryside can be permitted.

The letter makes reference to Policy 32 of the Local Plan, stating that the policy "presumes against housing in the countryside, "except on the basis of operational need"". This is a misinterpretation of the policy, as the operational need requirement applies only where the proposal site is within the Areas of Great Landscape Value, the National Scenic Area and the Historic Gardens and Designed Landscapes. As our client's proposal is within none of these designated areas, operational need does not apply.

I also note the objector's agent makes reference to consented application 11/00869/IPL for a dwelling on the site of an existing agricultural building. I note with interest the current detailed proposal for this location, 12/01811/FLL, and the resiting of the proposed house north of any existing buildings. This proposal, which I see the planning authority is minded to approve, should therefore be seen as an extension to the existing building group rather than a rebuild/replacement building. This proposal cannot have been assessed as meeting the requirement of the renovation/replacement of redundant buildings policy, which states any new building must have 'as its core, the footprint of the existing traditional steading.' I can only assume therefore that its approval will be based on the building group policy.

Our client does not object to this proposal, however I would argue this forthcoming approval of an extension to the Quilts Farm building group is of clear relevance to our client's similar proposal.

CKD Galbraith is a trading name of CKD Galbraith LLP, a limited liability partnership. Registered in Scotland no. SC280204. Registered office 59 George Street, Edinburgh, EH2 2JG. A full list of Partners, Associates, Consultants and RICS Registered Valuers is available on our website. Regulated by RICS. RICS firm no. 603670.

18 January 2013

The letter of objection states the proposal is contrary to the building group policy, as the proposal is not within the building group. However the guidance clearly states proposals will be granted for houses which extend the group into definable sites formed by existing topography. Our client's proposal is for a clearly defined site, which will not allow further spread of the building group, and therefore should be supported. I would again make note of application 12/01811, where this extension of the building group is uncontained to the north or west.

With regard to the issue of access and services, I would point out our client is the owner of the landholding in question. As stated in the original application, our client proposes to install private water and drainage systems, which will of course be of the standard required by the relevant regulatory body. If upgrading of the access track is required due to increased use, this is within his control, and as such should not be a planning issue. In terms of increased traffic onto the B934, I note there has been no objection from Transport Planning, and assume therefore that this will not be an issue.

I trust this information will be taken on board when assessing the application.

Yours sincerely,



Robert Patrick

Email: robert.patrick@ckdgalbraith.co.uk

<p>TCP/11/16(241) Planning Application 12/02093/IPL – Erection of a dwellinghouse (in principle) on land 110 metres north west of Quilts Farm, Dunning</p>
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PLANNING DECISION NOTICE *(included in applicant's submission, see page 46)*

REPORT OF HANDLING *(included in applicant's submission, see pages 47-52)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 29-30 and 37-45)*

TCP/11/16(241)**Planning Application 12/02093/IPL – Erection of a dwellinghouse (in principle) on land 110 metres north west of Quilts Farm, Dunning**

REPRESENTATIONS

- Representation from Environmental Health Manager, dated 17 December 2012
- Objection from Ms B Ryan, Graham + Sibbald, on behalf of Mr and Mrs Stevenson, dated 10 January 2013 (*included in applicant's submission, see pages 57-60*)
- Representation from Ms B Ryan, Graham + Sibbald, on behalf of Mr and Mrs Stevenson, dated 23 April 2013
- Agent's response to representation, dated 2 May 2013

Memorandum

To	Development Quality Manager	From	Environmental Health Manager
Your ref	PKC/12/02093/IPL	Our ref	KIM
Date	17 December 2012	Tel No	01738 476442

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Erection of a dwellinghouse (in principle) Land 110 Metres North West Of Quilts Farm Dunning for Mr Angus Greenlees

I refer to your letter dated 14 December 2012 in connection with the above application and have the following comments to make.

Water - Recommendation

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

Comments

The development is in a rural area/hamlet/village with private water supplies (namely Quilts Farm Supply) known to serve properties in the vicinity. The applicant has indicated that they will connect to a private water supply. To ensure the new development has an adequate and consistently wholesome supply of water and / or to maintain water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance please note the following informatives. No public objections relating to the water supply were noted at the date above.

Conditions

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

The applicant shall ensure the private water supply for the house /development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks / pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.

Contamination

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



G-S/733/BR

23rd April 2013

Planning & Regeneration
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

FAO; Gillian Taylor by email to Planninglr@pkc.gov.uk

Dear Sir / Madam,

12/02093/IPL, Erection of a dwellinghouse (in principle), Land 110 Metres North West Of Quilts Farm Dunning

Notice of Review Case TCP/11/16(241) – Further Representation

I refer to the determined application for Planning Permission in Principle and the site as above. This application was refused permission on 8th February 2013. This further representation has been prepared on behalf of Mr & Mrs Stevenson, neighbours at the proposed site in response to an application for a review of that decision by the Perth and Kinross Local Review Body.

The focus of this further representation is in respect of the applicant's Notice of Review Supporting Statement and the reasons for refusal as per the Councils Decision Notice and the Case Officers Report of Handling. This response also considers the applicant's grounds for appeal.

Graham and Sibbald has previously responded on behalf of our client to the Council's earlier stage consultation, by way of our letter dated 10th January 2013 and in doing so provided our argument of why this proposal should be refused in accordance with the Policies contained within Local Plan, Supplementary Planning Guidance and emerging Local Development Plan. That earlier response should be read in conjunction with this further representation.

We refer Councillors to our submitted Objection Letter, where our case for refusal of this application is made in full.

Reasons for Refusal

- 1. The proposal is contrary to policy 32 of the Perth Area Local Plan 1995, in failing to satisfy any of the associated criteria for Housing in the Countryside.*
- 2. The proposal is contrary to the Council's adopted, Housing in the Countryside Guide 2012 in that it does not constitute development within a building group, nor the extension of a building group onto a definable site, it*



**+Graham
Sibbald**

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C Henderson MRICS
S Buglass BSc FRICS ACIARB
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DC Cameron BSc(Hons) MRICS
FH Lang BSc MRICS
S McGarva BSc(Hons) MRICS
J MacBean BSc MRICS
K Watters BSc(Hons) MRICS

Associates

AP Clerk MCIA ACIOB
K Blair BSc MRICS
I Johnstone BSc MRICS
N MacFarlane MRICS DipBS
AR Welch BSc(Hons) MRICS

Planning Consultant

I Kelly BSc(Hons) DipTP MRTPI

Consultants

JD Robb FRICS
JB Christie FRICS



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is not a infill site, it does not meet the requirements of new houses in the open countryside, it does not involve the conversion or replacement of redundant non-domestic buildings of traditional form and construction nor does the site constitute rural brownfield land.

Consideration of the Reasons for Refusal

As an overarching comment in relation to the two stated reasons for refusal we note that the policy assessment of this application – on which the refusal has been based – is correct.

Consideration of Reason 1

We agree with the Case Officer's assertions that the proposal does not satisfy the Housing in the Countryside criteria outlined within the Perth Area Local Plan. The site is not within a Development Zone; the proposal does not represent development within or adjacent to a building group; the proposal does not involve the renovation or replacement of a house; the proposal does not involve the conversion of a non-domestic building and finally the applicant has not submitted this proposal on the basis of an operational need.

Should this proposal be granted permission the existing building group would be unduly extended to the west. Therefore, and in theory applications for planning permission could come forward for the areas of land between this proposed dwelling and the existing building group. This is contrary to Policy 32 within the Perth Area Local Plan which seeks to constrain the continued spread of the group.

It is evident from the applicant's submitted plans that the application site is removed from the existing building group and therefore the Case Officers assessment on this matter was correct and that decision should be upheld.

This proposal does not represent a natural extension to the existing building group and would clearly be isolated from the building group if planning permission in principle is permitted.

Consideration of Reason 2

The Council's Supplementary Planning Guidance supports proposals for the erection of housing in the countryside if the proposal falls into at least one of a number of categories. The applicant considers that the proposal is justified as it relates to building groups and redevelopment of rural brownfield land. It has been outlined within our submitted Objection Letter and within the Case Officer's Report of Handling that the proposal does not fall into either of these categories. This is discussed below in further detail.

Grounds of Appeal 1

The applicant seeks review on the grounds that the proposal complies with the policies contained within the Perth Area Local Plan in relation to Building Groups and the Supplementary Planning Guidance relating to Housing in the Countryside. The Councils

Guidance relating to Housing in the Countryside is clear; this Guidance allows housing in certain defined circumstances including building groups and development on rural brownfield land. This proposal does not meet the circumstances outlined within the Supplementary Planning Guidance.

The Supplementary Planning Guidance states that support will be given to proposals within building groups or proposals which extend the group into a definable site. The proposal does not form a natural extension to the building group due to its distance from the existing building group. The application site is removed from the existing building group and development at the proposed site in this fashion could also set an undesirable precedent for further development along this road to the detriment of the nearby residential amenity, visual amenity, landscape and rural character of the area. This proposal is not within an existing building group or directly adjacent to an existing building group and therefore an appeal to the Local Review Body on this ground is not justified.

A proposal at this location would not prevent further growth as there would be scope for further development between the existing building group and the applicant's development.

We refer Councillors to Appendix 1 of this Further Representation relating to 'Examples of Building Groups'. These examples as contained within the Annex of the Perth Area Local Plan clearly demonstrate the circumstances in which a house could be considered adjacent to a building group. In this example from the Local Plan the proposed new housing sites are directly adjacent to a building group and form a cohesive extension to the group. This example illustrates that the applicant's proposal is not within a group of houses in the same way as shown here and in addition cannot be considered as being adjacent to a building group due to its distant location in relation to the group.

Grounds of Appeal 2

The Councils Supplementary Planning Guidance relating to development on rural brownfield land states that;

Redevelopment for small scale housing of brownfield land which was formerly occupied by buildings may be acceptable where it would remove dereliction or result in a significant environmental improvement and where it can be demonstrated that there are no other pressing requirements for other uses such as business or tourism on the site.

The application site is not a brownfield site as per the above requirements and so this proposal cannot be justified in terms of redevelopment of rural brownfield land. In addition and as noted within the Delegated Report of Handling the site in its current state does not create a significant negative environmental impact. It is noted in the applicant's Statement of Review that improvements at this site are only likely to come forward if a new use is approved – the Case Officer correctly identifies that the site can easily be returned to a natural state, therefore this ground of appeal is not justified.

Conclusion

This proposal relates to non-policy compliant housing in the countryside which is not justified in terms of being within or adjacent to a building group. In addition, it does not constitute redevelopment of rural brownfield land.

On the basis that we have affirmed the reasons for refusal, it is respectfully requested that the planning decision made under delegated powers is maintained, and that planning permission in principle is refused.

I look forward to receiving confirmation of receipt of this further objection representation. I also look forward to receiving confirmation of the date that this application will be considered by the Local Review Body; at this time our client may wish to attend.

Yours sincerely,

[Redacted signature]

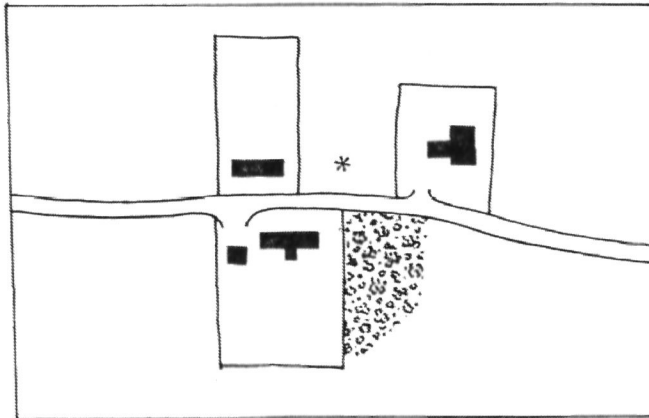
Brigid Ryan
Graham & Sibbald
Email: Brigid.Ryan@g-s.co.uk
Tel: 0141 567 5365

Appendix 1

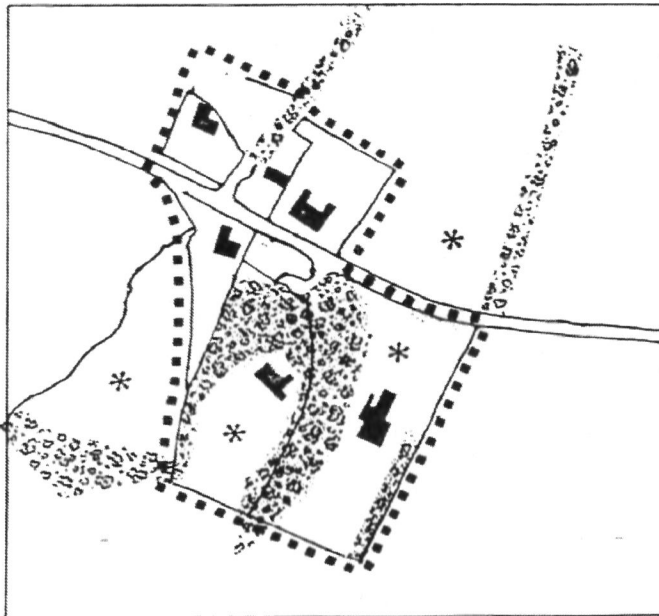


EXAMPLES OF BUILDING GROUPS

- (1) DEVELOPMENT WITHIN SMALL GROUP OF HOUSES



- (2) DEVELOPMENT WITHIN OR ADJACENT TO LARGER GROUP



KEY:-

Existing House

Trees

Existing boundary of group

New house site

Gillian A Taylor
Perth & Kinross Council
2 High Street
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PH1 5PH

CHIEF EXECUTIVES
DEMOCRATIC SERVICES

- 9 MAY 2013

RECEIVED

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Our ref: RP/CJI

02 May 2013

Dear Ms Taylor,

**LOCAL REVIEW CASE TCP/11/16 (241) - LAND 110 METRES
NORTH WEST OF QUILTS FARM, DUNNING- RESPONSE TO
REPRESENTATION**

I refer to your letter dated 26 April 2013 and the attached representation received on behalf of Mr & Mrs Stevenson.

I note that the representation refers to a previous representation made to Perth & Kinross Council on 10 January 2013, and requests that the two representations are read in conjunction. We submitted a response to Mr & Mrs. Stevenson's original representation of 10 January, dated 18 January 2013, and would request that this is also considered alongside these representations. A copy of this response was contained within our review statement.

In terms of the content of this most recent representation, we are satisfied that in general our grounds for seeking a review are adequately summarised in our review statement, however we would take this opportunity to comment on a number of issues raised in this representation.

The representation argues that the proposal site is separated from the current building group and therefore cannot be supported as an extension to the building group. In our review statement, we covered this issue in detail, in particular in relation to the distances between the proposal site and the existing group, and the spatial context of Quilts Farm. Our view remains that the former ménage clearly constitutes a part of the built development around Quilts Farm, and

02 May 2013

therefore can be considered as a part of this building group.

There are no clear guidelines, either within the supplementary guidance or elsewhere in the Perth Area Local Plan; on how far removed a proposed house can be from an existing building group. Therefore the assessment of this falls to the planning officer.

In this case, as stated in our review statement, we believe the officer assessment of the site was incorrect, based on an assumption that the proposal site was located over 100 metres from the existing group, rather than around 50 metres as is the case. At this distance, we believe the officer was incorrect to state that proposal site could not be considered a natural extension to the existing group. We note with interest the housing in the countryside guidance produced by neighbouring Stirling Council, which specifically states a building group constitutes houses no more than 100 metres from each other. While the Stirling Council policy clearly holds no weight in this case, we are of the opinion it is of interest in providing an example of how other planning authorities quantify the acceptable distance between properties.

With regard to the illustration quoted in the appendices of the representation, we do not believe this is of relevance. The illustration is part of the Housing in the Countryside Policy 1994, which although it is contained within the current adopted Perth Area Local Plan, has itself been superseded by updated supplementary guidance, in this case the Housing in the Countryside Guide 2012.

The representation makes brief mention of our client's second grounds for appeal, namely the argument that the proposal constitutes development on rural brownfield land and should therefore be approved. We believe this argument is fully set out in our review statement and do not feel we need to make further comment.

In summary, we are confident our original review statement contained the full explanation of our grounds for seeking a review of this decision. We do not feel this further representation raises any additional issues which should affect the determination of this review, and would therefore respectfully repeat our request that members overturn the planning officer's decision in this case.

Yours sincerely,

02 May 2013



Robert Patrick MA (Hons) MSc MRTPI
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