

LRB-2022-02 - 20/00732/FLL – Formation of 34 caravan plots, access road, car parking and associated works, Comrie Holiday Park, Station Road, Comrie, Crieff

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LRB-2022-02 - 20/00732/FLL – Formation of 34 caravan plots, access road, car parking and associated works, Comrie Holiday Park, Station Road, Comrie, Crieff

**PAPERS SUBMITTED
BY THE
APPLICANT**



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100259013-004

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

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation: Denholm Partnership Architects

Ref. Number:

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

First Name: *

Denholm

Building Name:

Last Name: *

Partnership Architects

Building Number:

11

Telephone Number: *

01764670899

Address 1
(Street): *

Dunira

Extension Number:

Address 2:

Street

Mobile Number:

Town/City: *

Comrie

Fax Number:

Country: *

Scotland

Postcode: *

PH6 2LJ

Email Address: *

admin@james-denholm.co.uk

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

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Comrie Holiday Park"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Comrie Holiday Park Ltd"/>	Address 1 (Street): *	<input type="text" value="Station Road"/>
Company/Organisation	<input type="text" value="Comrie Holiday Park Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Comrie"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PH6 2EA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="admin@james-denholm.co.uk"/>		

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="COMRIE HOLIDAY PARK"/>
Address 2:	<input type="text" value="STATION ROAD"/>
Address 3:	<input type="text" value="COMRIE"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="CRIEFF"/>
Post Code:	<input type="text" value="PH6 2EA"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="722203"/>	Easting	<input type="text" value="277703"/>
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Description of Proposal

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

Proposed 34no additional caravan plots at land immediately South of Comrie Holiday Park.

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

Please see attached Grounds of Appeal Statement, along with accompanying drawings and diagrams.

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

☐ Yes ☒ No

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

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

Planning application forms: Decision Notice; refused drawings; Design Statement; Appeal Statement. Decision Notice and approved drawings for Managers Lodge Ref 20/00731/FLL

Application Details

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

20/00732/FLL

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

05/06/2020

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

09/11/2021

Review Procedure

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

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

☐ Yes ☒ No

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

Please select a further procedure *

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

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

Site inspection – inspecting the site will highlight the existing topography, site and situation and park's close relationship to the village.

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

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

☐ Yes ☒ No

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

☒ Yes ☐ No

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

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: . Denholm Partnership Architects

Declaration Date: 09/02/2022



Appeal against refusal of planning permission

Ref: 20/00732/FLL

Comrie Holiday Park

APPEAL AGAINST REFUSAL OF PLANNING PERMISSION (REF: 20/00732/FLL)

Summary

This appeal should be allowed and planning permission granted, on the grounds that:

- In the words of the Local Development Plan: "The caravan park provides valuable tourist accommodation"
- The proposed extension will provide additional tourist accommodation, with associated economic benefits for Comrie and the surrounding area, especially since there are no retail or food and drink facilities at Comrie Holiday Park
- There is a "live" planning permission on part of the appeal site for 14 units
- The proposed extension will address the temporary/ permanent loss of several existing pitches at the south-east corner of the Park, which will result from the Flood Protection Scheme
- The extension will not look out of character with the area and will be entirely compatible with the surrounding land uses.
- There will not be an adverse impact on the visual amenity of the area.
- There would not be any direct impact on existing residential amenity in terms of direct overlooking / loss of amenity due to the separation distances
- The proposed extension is acceptable to the Council's Flooding Team, who have very detailed knowledge of the appeal site from their work on the Flood Protection Scheme.
- The Council's Head of Planning and Development has confirmed that the proposal complies with the development plan and the principles of Scottish Planning Policy.

Planning permission was refused solely because of the SEPA objection. In law, SEPA do not have a veto. There are several recent examples of planning permission being granted despite a SEPA objection. The support for the proposed development from the Council's Flooding Section should be preferred, and the SEPA objection given limited weight, because the flood risk will be removed by the construction of the FPS, which is a committed project. Also, SEPA have taken too narrow an approach, and have not applied either the SPP nor their own guidance correctly; and do not appear to have taken full account of the details of the proposed development and the planning history of the site. The evidence from the Appellant is that the appeal site has never flooded in the last 40 years.

1 Introduction

- 1.1 This is an appeal by Comrie Holiday Park Ltd against refusal for an application for planning permission (ref: 20/00732/FLL) for formation of 34 caravan plots, access road, car parking and associated works Comrie Holiday Park, Station Road, Comrie, Crieff PH6 2EA.

2 Comrie Holiday Park

- 2.1 The Park has been family owned for the last 40 years. The resident sales and Officer Manager and Grounds Manager are local Comrie people.
- 2.2 The Local Development Plan acknowledges the importance of the Park: "The caravan park provides valuable tourist accommodation and should be retained" (Comrie Settlement Summary, page 168).
- 2.3 The caravans on the Park are mostly used as second homes, which are occupied by the same residents for a significant number of days each year, rather than as vacation properties. The Appellant locates a caravan on each plot, and the caravan is bought by a person, who leases the plot from the Appellant. This long-term commitment means that the residents keep their plots neat and tidy, and there are no significant noise problems.
- 2.4 The statutory definition of "caravan" is very wide, and includes lodge type units. There is a mixture of caravans, park homes and chalets on the Park, but no touring caravans – see photos in the Design Statement.
- 2.5 The Park is open throughout the year, providing valuable income to local businesses outside the main tourist season.
- 2.6 The Council granted planning permission in 2020 for a new (additional) manager's lodge in the northeast corner of the Park (ref: 20/00731/FLL).

3 Flood Protection Scheme

- 3.1 The Appellant and the flood team at the Council have developed a good working relationship over the last 7 years. The Flood Protection Scheme has been developed in the knowledge of and with the intention of providing protection to the Park, including the appeal site. The FPS is intended to provide a minimum of 1:200 year standard of protection. Now that the FPS is a committed scheme, it seems unreasonable for SEPA to object to the proposed development on the appeal site.
- 3.2 We understand that construction of the FPS is projected to start in Winter 2022.
- 3.3 The comment on the application from the Council HE/ Flooding service states: "the proposals [in the planning application] will not conflict with the defences once they are in place".

4 Report of Handling – Delegated Report

- 4.1 The Report of Handling recommended refusal of permission because of a formal objection from SEPA. As the planning officer otherwise supported a grant of permission, this Appeal cross-refers to key parts of the Report of Handling.

5 Background and description of the proposal (Report of Handling page 1-2)

- 5.1 *This planning application seeks to obtain detailed planning permission for the creation of 34 additional caravan pitches at the Comrie Caravan Park. An established caravan park at Comrie which is a mix of tourist caravans and holiday homes.***

- 5.2 Appellant comment: the reference to "additional caravan pitches" could mislead:

5.2.1 There is already planning permission on part of the appeal site for 14 units (ref: 07/02642/FUL dated 11 March 2008) – the Appellant ceased work preparing those pitches after advice from the Council's Flood team that the flood protection scheme would affect those works. The work undertaken was sufficient to implement the planning permission, which therefore remains "live". The supporting documents for this appeal include a drawing showing the Approved and Commenced Site Plan and the Proposed Site Plan – ie. the sites of the implemented planning permission and the appeal proposals. That drawing shows that the appeal proposals include the whole of the site of the implemented planning permission.

5.2.2 The Comrie Flood Protection Scheme documents acknowledge that it will result in the temporary/ permanent loss of several existing pitches at the Park (Environmental Impact Assessment Report – extract – row EL04). There have been initial discussions about this between the Appellant and the Council FPS team, and final design information is expected soon from the Council. The Appeal proposal is intended in part to provide replacement pitches, as there are no spare pitches on the Park. This is important because the individuals who own the caravans affected have a long-term emotional commitment to the area and would be very upset to lose their pitch on the Park, as it is means much more to them than an occasional holiday destination.

- 5.3 *The area for the extension is a wedge shape of approx. 195 in length (east to west), and a depth which tapers in from 70m at the east to approx. 28m at the west. The expansion area is to south of the existing park, and will be located between the existing caravans (north) and the proposed Comrie Flood Protection Scheme (FPS) to the south. The CFS will effectively form its southern boundary once implemented.***

- 5.4 Appellant comment: The location of the appeal site behind the FPS, ie. on the landward rather than the river side, is a key issue in this appeal. As the planning officer indicates: The Comrie FPS is at an advanced stage, and is a committed project of the Council (Report of Handling, page 8).

- 5.5 *The site at the moment is generally flat and no engineering works are proposed to create the pitches. The extend of the engineering works proposed comprises a new internal access road,***

which will work with the existing ground levels. At the western end of the site is an existing area of hardcore, which it is understood has been used for touring caravans in the past.

5.6 Appellant comment: the ground level of the appeal site was raised previously, by the addition of the area of hardcore, in accordance with the planning permission for the 14 units. That does not appear to have been taken into account by SEPA in considering the flood risk.

5.7 The Chronological Site Development Topography drawing illustrates the current site topography, as well as previous and proposed topographical information.

5.8 *The vast majority of the site at present is located within a flood risk area and is located immediately outwith the settlement boundary of Comrie.*

5.9 Appellant comment: The owners and management of the Park have been involved with the appeal site for many decades and have never known it to flood. The flood risk will of course be removed by the construction of the FPS – the comment on the application from the Council HE/ Flooding service states: "However, the Scheme will offer protection to this area once construction is complete".

6 External consultation responses (Report of Handling, page 5)

6.1 The only objection is from SEPA, discussed below.

7 Internal Council comments (Report of Handling, page 5)

7.1 None of the Council services raised any objections.

8 Representations (Report of Handling, page 6)

8.1 Objections were received from 4 individuals and a general comment from the local Community Council. The general issues mentioned are discussed below. This is a relatively low level of opposition.

9 Land Use (Report of Handling, page 7)

9.1 The Appellant agrees with the following comment by the planning officer:

9.2 *The extension would not look out of character with the area and would be entirely compatible with the surrounding land uses.*

10 Flood risk (Report of Handling, page 9)

10.1 *The proposal is acceptable to the Council's Flooding Team – subject to timing (after the FPS) and the provision of suitable onsite flooding mitigation measures.*

10.2 Appellant comment: this is the key reason why the appeal should be granted. The expert advice from the Council's Flooding Team should be given great weight, because they have very detailed knowledge of the appeal site from their work on the FPS.

10.3 The SEPA objection is discussed below.

11 Visual amenity, Design and Layout (Report of Handling, page 10)

11.1 *There is therefore not likely to be an adverse impact on the visual amenity of the area.*

11.2 Appellant comment: agreed.

12 Residential Amenity (Report of Handling, page 10)

12.1 *Whilst the impact on existing residential amenity has been raised within some of the representations, there would not be any direct impact on existing residential amenity in terms of direct overlooking / loss of amenity as the proposed separation distances are considered to be applicable.*

12.2 Appellant comment: the appeal site is not any closer to existing residential properties than existing and consented pitches.

12.3 *Noise nuisance has been raised as an area of concern within some of the letters of representations. Suitable noise management plans will be introduced to ensure that the running of the site meets with acceptable standards, and this is a matter that can be conditioned.*

Environmental Health have been consulted on the proposal and have no concerns in relation to noise – subject to a noise management plan. There is also a permission in place for an onsite manager's house, which will be able to deal with any noise nuisance issues onsite quickly.

12.4 Appellant comment: because the pitches are generally used as second homes rather than as itinerant holiday accommodation, the Park generally has a peaceful atmosphere. The Appellant is happy to accept appropriate noise management conditions. The Appellant also notes that the Environmental Health response states: "To my knowledge this Service has not received any complaints with regards to noise from the existing operations of the site".

13 Economic impact (Report of Handling, page 12)

13.1 *The development would provide additional tourism accommodation for the area, and also create additional local jobs. The proposal therefore aligns positively with SPP which promotes economic activity.*

13.2 Appellant comment: There are no shop or food/ drink facilities on the Park, so residents use the local businesses in Comrie, which are only a short stroll away on a substantial pavement, and in Crieff.

14 Determination of Appeal

14.1 The appeal must be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.

- 14.2 The Head of Planning and Development has confirmed that the proposal complies with the development plan and the principles of Scottish Planning Policy (Decision notice – "Justification").
- 14.3 As already mentioned, this Development will have substantial economic benefits which justify a grant of planning permission.
- 14.4 Other than the SEPA objection, the planning officer identified no planning considerations to justify a refusal of planning permission.

15 Reason for refusal – SEPA objection

- 15.1 There is only one reason for refusal:

"The proposal is unacceptable to SEPA as a) the proposed development may place buildings and persons at flood risk, b) the use proposed is not acceptable behind flood prevention scheme and c) the proposal is considered by SEPA to be contrary to the SPP and SEPA owns PIN4 guidance."

- 15.2 The key legal principles are:

- 15.2.1 This Appeal can be granted, despite the SEPA objection.

- 15.2.2 SEPA do not have a veto – it is up to the planning decision-maker to decide how much weight to give the SEPA objection.

- 15.2.3 Notification must be given to the Scottish Ministers if planning permission is to be granted where SEPA has advised against the grant of planning permission – that recognises that permission can be granted despite a SEPA objection.

- 15.3 In deciding how much weight to give to the SEPA objection, there are two key factors:

- 15.3.1 As mentioned above, the proposal is acceptable to the Council's Flooding Team, and their expert advice should be given great weight, because they have very detailed knowledge of the appeal site from their work on the FPS.

- 15.3.2 There are many examples where a SEPA objection has been over-ridden, including in 2020 and 2021:

Erection of mixed use development comprising residential flats at 553-555 Gorgie Road, Edinburgh (ref. NA-EDB-051) – the Scottish Ministers issued a notice of intention to grant permission on 17 September 2021

Ten stance private permanent caravan park, formation of road, erection of boundary fencing, walls, gates and education facility at land south-west of Eskview Farm, St Cyrus, Montrose (ref: NA-ABS-048) – the Scottish Ministers granted planning permission on 24 March 2021

Formation of nine stance caravan park touring gypsy/travellers site at land South West of Eskview Farm, St Cyrus (ref: NA-ABS-047) - the Scottish Ministers granted planning permission on 24 March 2021

Erection of Class 1 retail store and restaurant with drive thru and takeaway facilities at Land West of Store J and R Elliot Ltd, Commercial Road, Hawick (ref: NA-SBD-056) – the Scottish Ministers granted planning permission on 20 November 2020

Proposed development of former car park to erect 35 flats with associated parking, access and services at 500 Gorgie Road, Edinburgh – on 17 November 2020 the Scottish Ministers decided not to call-in the application, enabling the council to grant planning permission

Erection of student accommodation at 224-234 Mayfield Road and 14-15 Braefoot Road, Edinburgh - on 9 November 2020 the Scottish Ministers decided not to call-in the application, enabling the council to grant planning permission

Erection of 37 flats, 16 cottage flats, 20 houses, golf club car park, new access roads, SUDS pond and associated landscaping and infrastructure at Schawpark golf club, Main Street, Sauchie (NA-CLK-012) – on 26 June 2020 the Scottish Ministers decided not to call-in the application, enabling the council to grant planning permission

Erection of student accommodation at 24 Westfield Road, Edinburgh (NA-EDB-048) – on 3 March 2020 the Scottish Ministers decided not to call-in the application, enabling the council to grant planning permission

These examples relate to a variety of circumstances, which are not necessarily comparable to the appeal proposals. However, the examples clearly show that planning permission can be granted despite a SEPA objection on flooding issues.

- 15.4 The SEPA objection is contained in their response dated 23 July 2020. The reason for their objection appears to be: "the location of the proposed development within the undeveloped/ sparsely developed functional floodplain" (para 1.2). As mentioned above, that ignores:
 - 15.4.1 The evidence that the appeal site has never flooded in the last 40 years
 - 15.4.2 The ground raising that has already taken place on the appeal site
 - 15.4.3 The previous grant of planning permission for 14 units
 - 15.4.4 The flood risk will be removed by the construction of the FPS, which is a committed project.
- 15.5 The SEPA objection should not be given significant weight because it ignores the consequences of the construction of the FPS.
- 15.6 The SEPA objection also refers to the development being "contrary to Scottish Planning Policy" (para 1.1). However, that does not appear to take account of the detailed wording of SPP:

- 15.6.1 "flood avoidance: by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high risk areas;" (SPP para 255) – the construction of the FPS will mean the appeal site will not fall within any of these categories.
- 15.6.2 "To achieve this the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity." (SPP para 256) – the proposed development does not fall into any of these categories
- 15.6.3 SPP para 263 indicates that even in areas of medium to high risk some forms of development may be acceptable "provided flood protection measures to the appropriate standard already exist and are maintained, are under construction, or are a planned measure in a current flood risk management plan", which is the situation here. Although "new caravan and camping sites" are excluded, this is an existing site.
- 15.6.4 However, the Report of Handling (page 8) confirms that post FPS the site will be in the medium to low risk category, which SPP para 263 indicates is "suitable for most development".
- 15.7 The Appellant agrees with the conclusion in the Report of Handling (page 9): "The proposal is also considered to comply with the principles of SPP, and in particular para 256 insofar as the development (subject to conditions) would not have a significant probability of being affected by flooding nor would it increase the probability of flooding elsewhere".
- 15.8 The SEPA objection refers to the development being classified as most vulnerable. However, the SPP para 263 does not prohibit most vulnerable uses in the medium to low risk category. SEPA are therefore taking a more restrictive approach than required by the SPP.
- 15.9 In addition, the proposed development does not fall within the definition of "Most vulnerable uses" in the SPP. That refers to: "caravans, mobile homes and park homes intended for permanent residential use, sites used for holiday or short-let caravans and camping". The Park does not have planning permission for permanent residential use; and the reference to "caravans and camping" seems to exclude mobile homes and park homes, and is therefore intended to refer to touring caravans, which are not part of the proposed development.
- 15.10 It also appears that SEPA have failed to apply their own Land use vulnerability guidance. Table 2 permits most vulnerable uses in low to medium risk situations for:
- "Redevelopment of a previously developed site where it involves the demolition of existing buildings and/or erection of additional buildings within a development site, and the proposed land use is equal or less vulnerable than the existing land use."

The appeal site falls within this category, as it is a "previously developed site", where the land has been raised and planning permission granted for 14 units, and the proposed use is similar to the existing/ authorised use.

15.11 The relevance of flood risk is also reduced by the following factors:

- 15.11.1 There are already flood warning procedures in place, as the existing pitches are within the flood risk area until the FPS is constructed.
- 15.11.2 There should be sufficient warning of an impending flood to give time for occupants to evacuate
- 15.11.3 Most of the occupiers on the Park are long established and therefore less likely to panic in a flood situation
- 15.11.4 The evacuation route is via the existing Park, located furthest away from the river
- 15.11.5 The proposed mobile home/ lodge type units are substantial. A considerable depth of water would be needed to float the unit.
- 15.11.6 The units are unlikely to be physically damaged even if there was a flood event, and would therefore remain as potential refuges if evacuation were not possible. The units are generally above ground level, giving freeboard above any flood water levels.

It also needs to be remembered that the likelihood of a flood is greatly reduced by the FPS, as well as the likely extent of any flooding. Post FPS it seems highly unlikely that any evacuation would be required, especially since the site has never flooded in the last 40 years.

15.12 In conclusion, the support for the proposed development from the Council's Flooding Section should be preferred, and the SEPA objection given limited weight, because:

- 15.12.1 The Council's Flooding Section have detailed knowledge of the appeal site
- 15.12.2 SEPA have taken too narrow an approach, and have not applied either the SPP nor their own guidance correctly
- 15.12.3 SEPA do not appear to have taken full account of the details of the proposed development and the planning history of the site

16 Conclusion

16.1 This appeal should be allowed and planning permission granted, on the grounds that:

- 16.1.1 the Development will deliver significant economic benefits.
- 16.1.2 the objection from SEPA is outweighed by the expert view from the Council's Flooding Team.



Comrie Holiday Park Ltd
c/o Denholm Partnership Architects
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PH6 2LJ

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PH1 5GD

Date of Notice: 9th November 2021

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **20/00732/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 19th June 2020 for Planning Permission for **Formation of 34 caravan plots, access road, car parking and associated works Comrie Holiday Park Station Road Comrie Crieff PH6 2EA**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- 1 The proposal is unacceptable to SEPA as a) the proposed development may place buildings and persons at flood risk, b) the use proposed is not acceptable behind flood prevention scheme and c) the proposal is considered by SEPA to be contrary to the SPP and SEPA owns PIN4 guidance.

Justification

The proposal is considered to comply with the Development Plan and the principles of the Scottish Planning Policy, however the objection from SEPA is considered to be a material reason which justifies refusal of the planning application.

Notes

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

Plan Reference

20/00732/1

20/00732/2

20/00732/3

20/00732/4

20/00732/5

20/00732/6



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100259013-001

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

Type of Application

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

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

Description of Proposal

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

Proposed 34no additional caravan plots at land immediately South of Comrie Holiday Park.

Is this a temporary permission? *

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Denholm Partnership Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Denholm	Building Name:	
Last Name: *	Partnership Architects	Building Number:	11
Telephone Number: *	01764670899	Address 1 (Street): *	Dunira
Extension Number:		Address 2:	Street
Mobile Number:		Town/City: *	Comrie
Fax Number:		Country: *	Scotland
		Postcode: *	PH6 2LJ
Email Address: *	admin@james-denholm.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Comrie Holiday Park
First Name: *		Building Number:	
Last Name: *	Comrie Holiday Park Ltd	Address 1 (Street): *	Station Road
Company/Organisation	Comrie Holiday Park Ltd	Address 2:	
Telephone Number: *		Town/City: *	Comrie
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PH6 2EA
Fax Number:			
Email Address: *	admin@james-denholm.co.uk		

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

COMRIE HOLIDAY PARK

Address 2:

STATION ROAD

Address 3:

COMRIE

Address 4:

Address 5:

Town/City/Settlement:

CRIEFF

Post Code:

PH6 2EA

Please identify/describe the location of the site or sites

Northing

722203

Easting

277703

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐

Meeting

☐

Telephone

☐

Letter

☒

Email

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

Please refer to Pre-app response from Andy Baxter.

Title:

Mr

Other title:

First Name:

Andrew

Last Name:

Baxter

Correspondence Reference
Number:

19/00468/PREAPP

Date (dd/mm/yyyy):

09/12/2019

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

Site Area

Please state the site area:

0.96

Please state the measurement type used:



Hectares (ha)



Square Metres (sq.m)

Existing Use

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

Flood plain and amenity land for existing holiday park.

Access and Parking

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



Yes



No

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

Are you proposing any change to public paths, public rights of way or affecting any public right 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

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 2013? *

☐ 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 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

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

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

☒ Yes ☐ No

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

☐ Yes ☒ No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Denholm Partnership Architects

On behalf of: Comrie Holiday Park Ltd

Date: 05/06/2020

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☒ Yes ☐ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

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

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

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

Declare – For Application to Planning Authority

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

Declaration Name: . Denholm Partnership Architects

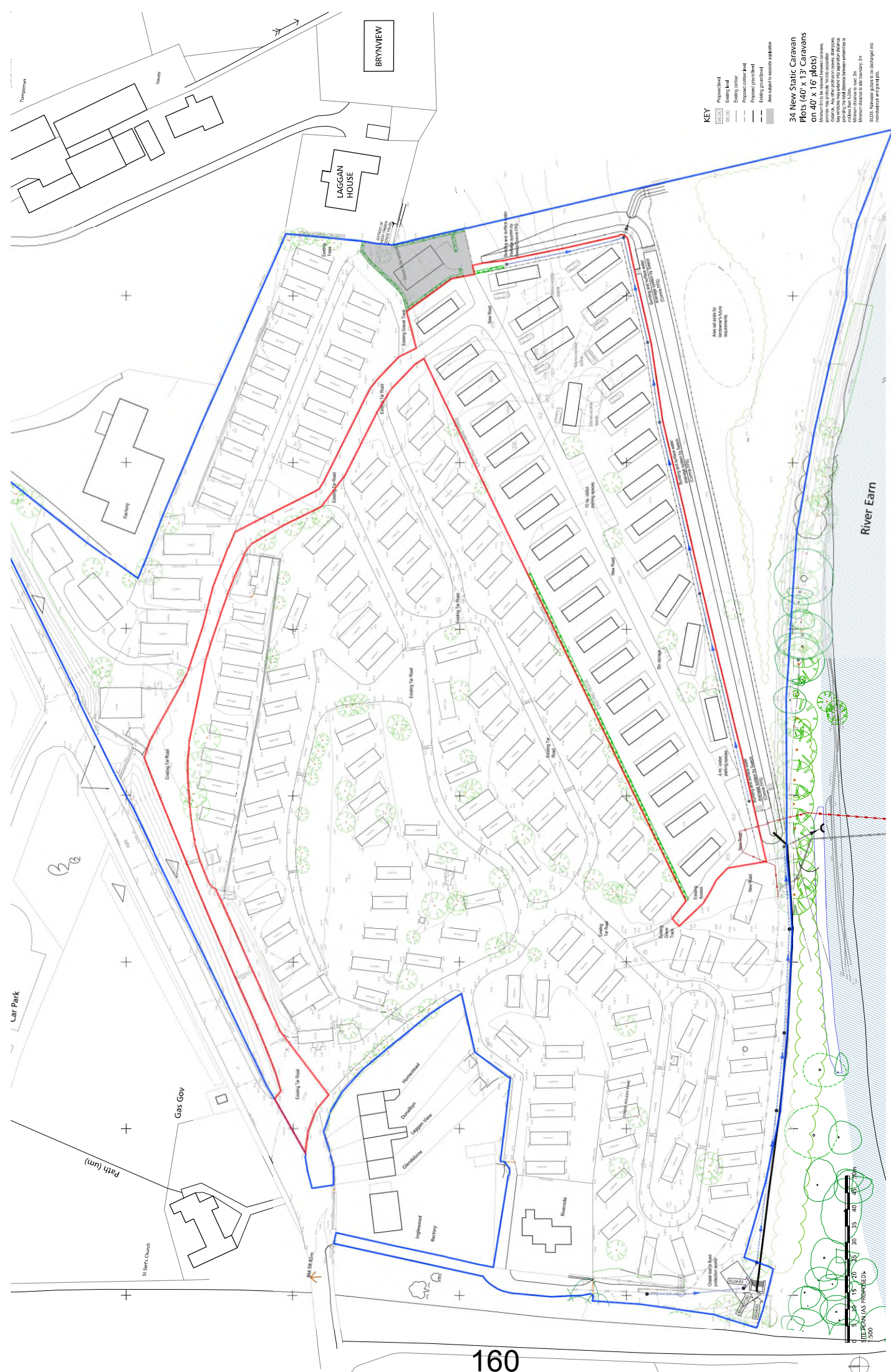
Declaration Date: 05/06/2020

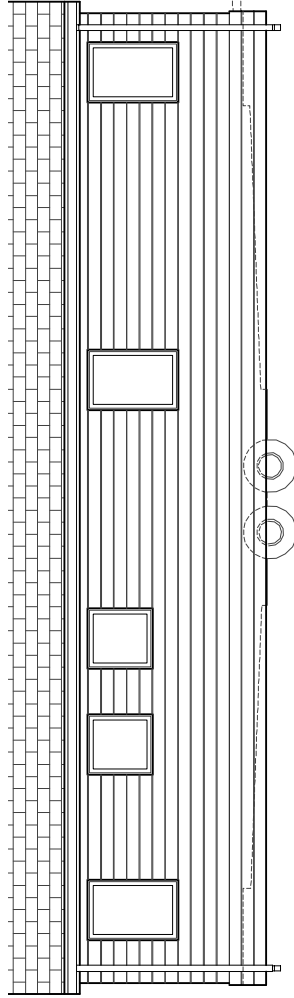
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Online payment: 028216

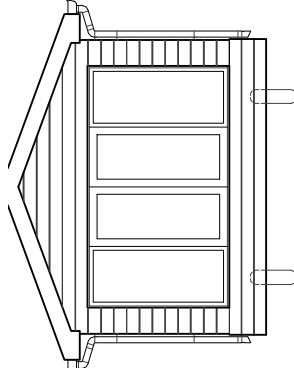
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Created: 05/06/2020 16:20

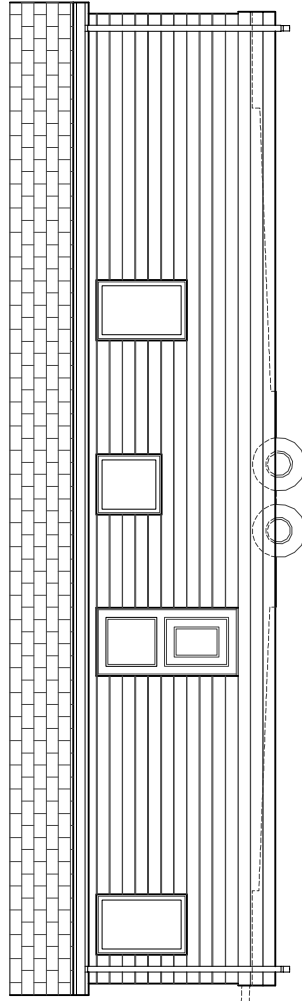
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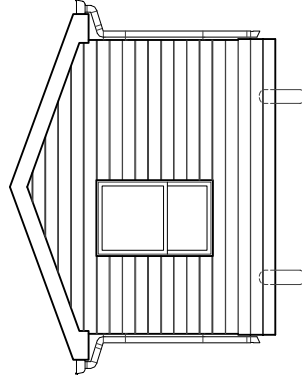
SIDE ELEVATION
1:100



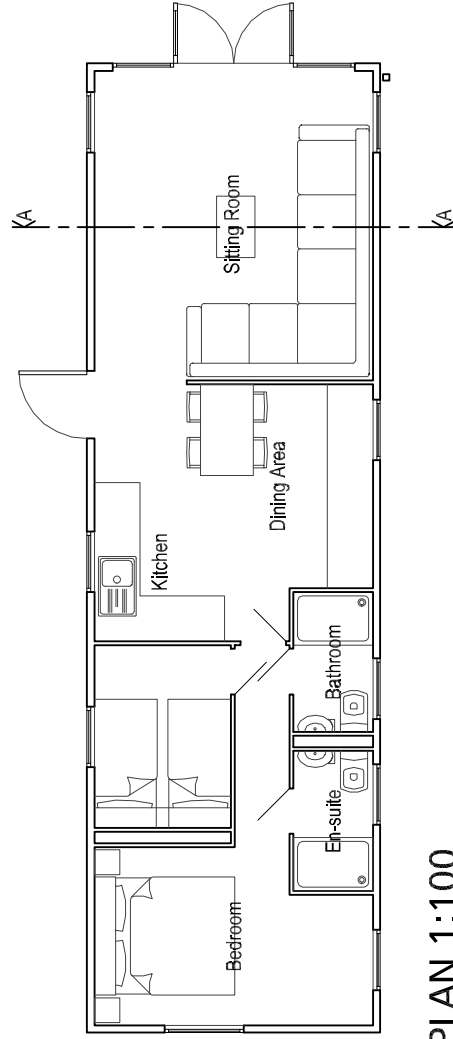
FRONT ELEVATION
1:100



SIDE ELEVATION
1:100



REAR ELEVATION
1:100



PLAN 1:100



KEY

- Metrolite steel roof (pantile profile)
- PVC cladding
- PVC window frames

NOTES

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HEALTH AND SAFETY NOTES

SIGNIFICANT RESIDUAL HAZARDS PRESENT

- Asbestos
- Health Hazards
- Structural Instability
- Ground Conditions
- Contamination
- Buried and Overhead Services
- Underground Structures
- Adjacent Activities
- Site Restrictions
- Other (specify)

DESCRIPTION

ACTIONS / NOTES:

A 19/06/20 JR
REV DATE BY
REVISIONS

Planning validation
DETAILS

CLIENT

Comrie Holiday Park

PROJECT

Proposed New Caravan Pitches
Comrie Holiday Park
Comrie

DRAWING TITLE

Typical Caravan Drawing

PURPOSE

Planning

DRAWN BY

JR

PAPER SIZE

A4

REVISION

A

DATE

19/06/2020

SCALE

1:100

JOB NO.

5074

DWG. NO.

P04

DENHOLM
PARTNERSHIP
ARCHITECTS

Web: www.denholmpartnership.co.uk

Tel: (01764) 670899

NOTES

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ACTIONS / NOTES:

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Comrie Holiday Park

PROJECT

Proposed New Caravan Pitches
Comrie Holiday Park
Comrie

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Typical Caravan Drawing

PURPOSE

Planning

DATE

DRAWN BY
JR

PAPER SIZE
A4

JOB NO. 5074
DWG. NO. P04
REVISION

SCALE

1:100

KEY

Metrolite steel roof (pantile profile)

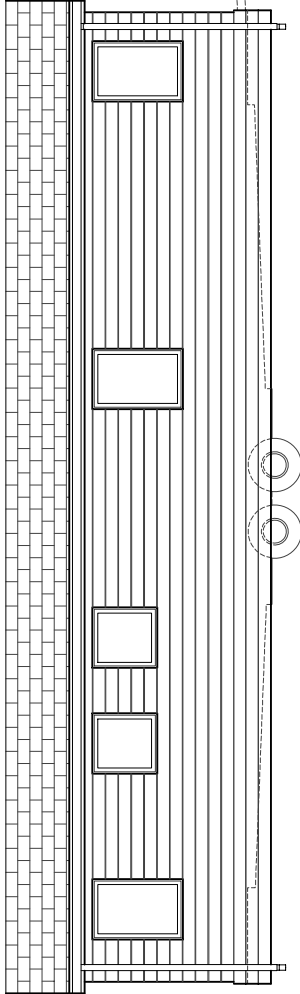
PVC cladding

PVC window frames

Gravel pit

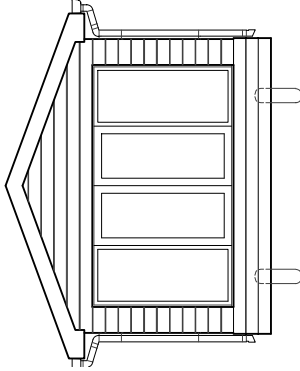
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Web: www.denholmpartnership.co.uk
Tel: (01764) 670899



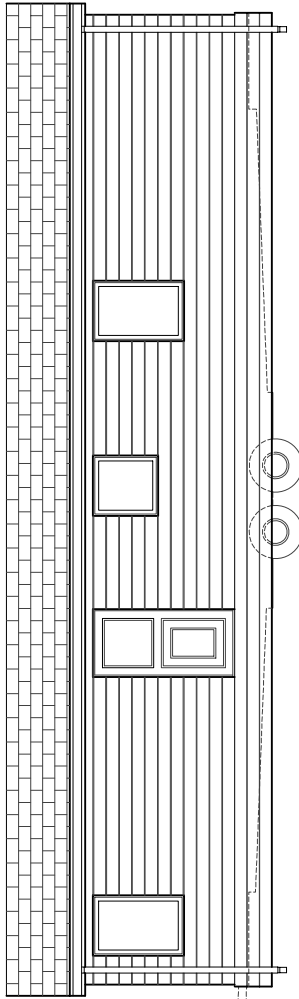
SIDE ELEVATION

1:100



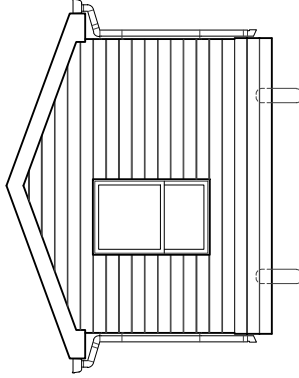
FRONT ELEVATION

1:100



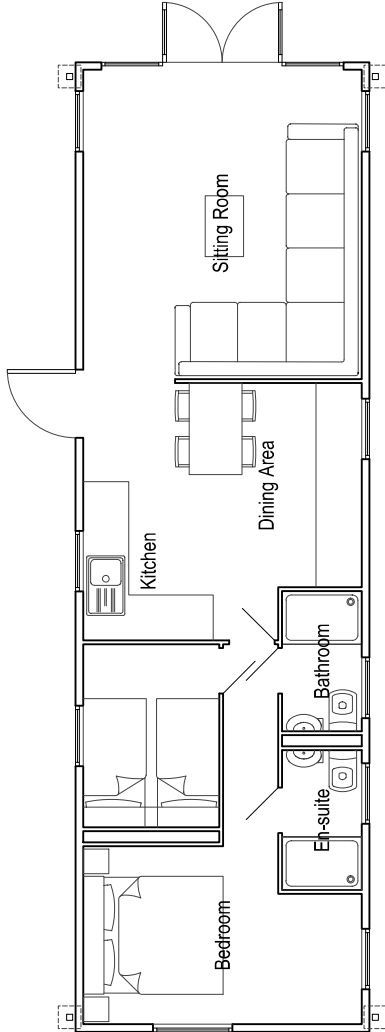
SIDE ELEVATION

1:100



REAR ELEVATION

1:100



PLAN 1:100



DESIGN STATEMENT

34 no. Additional Plots for Static Caravans

Comrie Holiday Park

Old Station Road

Comrie

Perthshire

PH6 2EA

DENHOLM
PARTNERSHIP
ARCHITECTS

February 2020 – 5074

CONTENTS

1.0 SITE

1.1 Location

1.2 Landscape Context

1.3 Existing Holiday Park

2.0 PLANNING

2.1 Pre-application Enquiry Response

2.2 Planning History

3.0 PROPOSAL

1.0 SITE

1.1 Location

The site area will extend south of the existing site and include the existing hardstanding used to display caravan for sale.

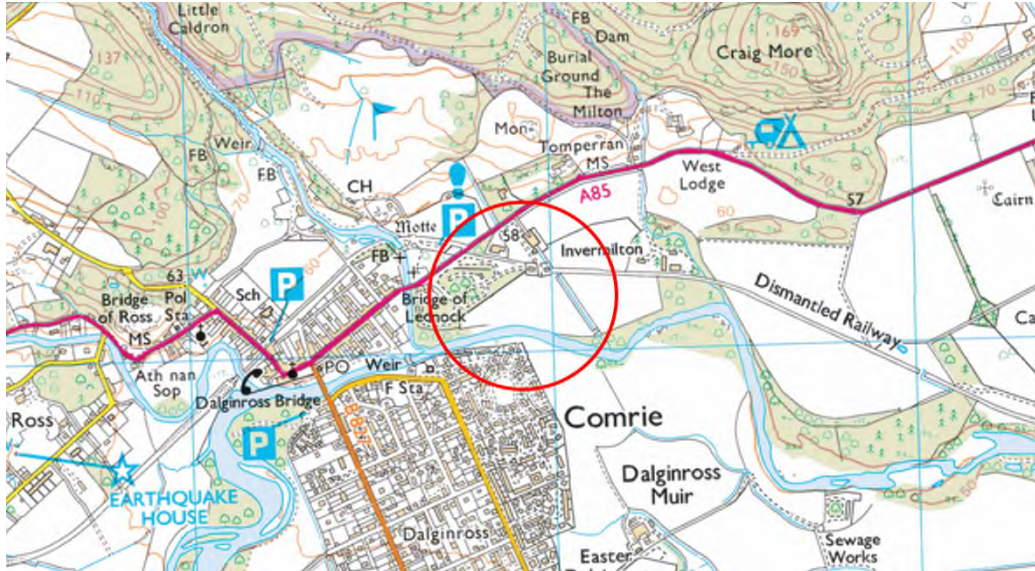


Figure 1 – Site Location



Figure 2 – Aerial View of Site

1.2 Landscape Context

The site lies to the south of the existing holiday park, to the north of the area of bunding proposed by the Comrie Flood Protection Scheme. Existing mature trees to the south and west provide a good landscape screen and the handful of trees dispersed throughout the site succeed in diffusing the park into its wider setting. The site is unnoticeable from the A85 due to the trees and its lower position to the road.

The south of the extent of the site will be screened by the high bunding proposed by the new flood protection (appendices 1 & 2, courtesy of Sweco).



Figure 3 – Annotated birdseye view of existing landscape setting, looking north-west



Figure 4 – Annotated birdseye view of existing landscape setting, looking north

1.3 Existing Holiday Park

The existing park is a great asset to the village; it provides a tourist trade all year round, is maintained and managed to an excellent standard and the established pathways and proximity to the village is such that walking is the most convenient way to get to the main street, rather than driving. There are also two bus stops adjacent to the entrance. The images below show the high standard of maintenance in the park.



Figure 5



Figure 6

2.0 PLANNING

2.1 Pre-application Enquiry (19/00468/PREAPP)

The pre-application enquiry was submitted on 06/09/19 and responded to on 19/12/20 by Andy Baxter. It was supportive of the proposal.

It was noted that the new site is immediately outside the settle boundary of Comrie but that Policies 6 and 8 of LDP2 allow for development in this circumstance due to the holiday park being an established rural business looking to expand, and proposal being a tourism-related development. Furthermore, the response acknowledges that there is no suitable alternative site.

It was recommended that an EIA screening request be submitted to the council prior to making a formal planning application however the site area has altered since then and it is now below 1 hectare and therefore not considered as a Schedule 2 development.

2.2 Planning History for Application Site

07/02642/FUL Extension to existing holiday park, increase of units from 11no. to 14no. – approved.

06/02297/FUL Extension to existing holiday park – approved.

3.0 PROPOSAL

The proposal is to form 34 new plots for static caravans, associated access tracks and car parking on a site immediately south of the existing caravan park and to the north of the bunding proposed under the Comrie Flood Protection Scheme. The Holiday Park has worked very constructively with Sweco and have sacrificed a significant portion of amenity land and a chalet to allow for the flood protection works.

There is a high demand for plots at the Park but area of amenity land under their ownership is not currently viable for plots due to the flood risk. However, with some of land becoming viable for plots due to the proposed flood protection scheme, the park will be able to expand its offering, keep the tourist trade in the village buoyant and continue to provide employment for on-site staff and local maintenance contractors.

The plots will be for use once the Flood Protection Scheme has been implemented. The proposal for the site has been developed using drawings provided by Sweco/PKC that show bunding as the form of flood protection to this particular area of the River Earn (appendices 1 & 2).

The approach to landscaping is simple and in keeping with the rest of the park. The proposed trees are distributed in a similar manner to the existing park and any alterations in level have been kept to a practical minimum to help retain a natural feel of the site.

The plots have been arranged to allow customers a choice of whether they would prefer to have a plot that feels protected by the bunding and overlooks the rest of the park, or to be in a more open setting and have the option of a south-facing verandah.

The distances between each caravan and to roads and boundaries adhere to the minimum specified in the Scottish Fire and Rescue Service's 'Caravan & Mobile Home Parks – Fire Safety Guidance for Site Operators' document (1).

References

1. https://www.firescotland.gov.uk/media/1004171/caravan__mobile_home_guidance_website_release_sept_16.pdf

Images

1. Ordnance Survey (Licence no. 100010137)
2. www.google.co.uk/maps
3. <https://www.comrieholidaypark.co.uk/> (still)
4. Ibid.
5. <https://www.comrieholidaypark.co.uk/about-us/>
6. Ibid.

Appendices

1. Comrie Flood Protection Scheme Proposal as of 12/02/20. Drawing: 19398/400/307 Revision 01, River Earn Left Bank, Sheet 5 of 6.
2. Comrie Flood Protection Scheme Proposal as of 12/02/20. Drawing: 19398/400/308 Revision 01, River Earn Left Bank, Sheet 6 of 6.



Comrie Holiday Park Ltd
c/o Denholm Partnership Architects
11 Dunira Street
Comrie
PH6 2LJ

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **15th December 2020**

Town and Country Planning (Scotland) Acts.

Application Number **20/00731/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 10th June 2020 for planning permission for Erection of a dwellinghouse to form manager's accommodation at Comrie Holiday Park Station Road Comrie Crieff PH6 2EA subject to the undernoted conditions.

David Littlejohn
Head of Planning and Development

Conditions referred to above

- 1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

- 2 The unit shall only be occupied by a person(s) directly associated with the Comrie Holiday Park

Reason - In order to clarify the terms of this permission

- 3 The location of the unit shall be moved 1.5m to the west. Prior to the commencement of the development an amended block plan (including new boundary treatments) shall be submitted to and for the further approval in writing by the Council as Planning Authority. The approved details shall thereafter be implemented in full as the development progresses.

Reason - In order to protect existing residential amenity

- 4 Prior to the commencement of the development, boundary and landscaping treatments along the eastern edge of the site shall be submitted to and for the future approval in writing by the Council as Planning Authority. The approved details shall thereafter be implemented in full, prior to the occupation of the unit.

Reason - In order to protect existing residential amenity

Justification

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

Informatives

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

- 5 This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. Please send the required information to us at developmentmanagement@pkc.gov.uk. Please be aware that the Council has two months to consider the information (or four months in the case of a Major planning permission). You should therefore submit the required information more than two months (or four months) before your permission expires. We cannot guarantee that submissions made within two months (or four months) of the expiry date of your permission will be able to be dealt with before your permission lapses.

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

Plan and Document Reference

20/00731/1

20/00731/2

20/00731/3

20/00731/4

20/00731/5



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100259020-001

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

Type of Application

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

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

Description of Proposal

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

Erection of new Managers lodge on land South-East of Comrie Holiday Park.

Is this a temporary permission? *

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Denholm Partnership Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Denholm	Building Name:	
Last Name: *	Partnership Architects	Building Number:	11
Telephone Number: *	01764670899	Address 1 (Street): *	Dunira
Extension Number:		Address 2:	Street
Mobile Number:		Town/City: *	Comrie
Fax Number:		Country: *	Scotland
		Postcode: *	PH6 2LJ
Email Address: *	admin@james-denholm.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Comrie Holiday Park
First Name: *		Building Number:	
Last Name: *	Comrie Holiday Park Ltd	Address 1 (Street): *	Station Road
Company/Organisation	Comrie Holiday Park Ltd	Address 2:	
Telephone Number: *		Town/City: *	Comrie
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PH6 2EA
Fax Number:			
Email Address: *	admin@james-denholm.co.uk		

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

COMRIE HOLIDAY PARK

Address 2:

STATION ROAD

Address 3:

COMRIE

Address 4:

Address 5:

Town/City/Settlement:

CRIEFF

Post Code:

PH6 2EA

Please identify/describe the location of the site or sites

Northing

722203

Easting

277703

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

453.60

Please state the measurement type used:

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

Existing Use

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

Amenity land for the existing holiday park.

Access and Parking

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

☐ Yes ☒ No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.	
How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	<input style="width: 80%;" type="text" value="0"/>
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *	<input style="width: 80%;" type="text" value="2"/>
Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Are you proposing to connect to the public drainage network (eg. to an existing sewer)? * <input checked="" type="checkbox"/> Yes – connecting to public drainage network <input type="checkbox"/> No – proposing to make private drainage arrangements <input type="checkbox"/> Not Applicable – only arrangements for water supply required	
Do your proposals make provision for sustainable drainage of surface water?? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (e.g. SUDS arrangements) * 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? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, using a private water supply <input type="checkbox"/> 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).	
<h2 style="margin: 0;">Assessment of Flood Risk</h2>	
Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 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? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know	
<h2 style="margin: 0;">Trees</h2>	
Are there any trees on or adjacent to the application site? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.	
<h2 style="margin: 0;">Waste Storage and Collection</h2>	
Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

Already on site.

Residential Units Including Conversion

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

☒ Yes ☐ No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

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

☐ 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 2013? *

☐ 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 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

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

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

☒ Yes ☐ No

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

☐ Yes ☒ No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Denholm Partnership Architects

On behalf of: Comrie Holiday Park Ltd

Date: 05/06/2020

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ 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: . Denholm Partnership Architects

Declaration Date: 05/06/2020

Payment Details

Online payment: 076012

Payment date: 05/06/2020 16:14:00

Created: 05/06/2020 16:14

SUPPORTING STATEMENT

New Manager's Lodge

Comrie Holiday Park

Old Station Road

Comrie

Crieff

PH6 2EA

DENHOLM
PARTNERSHIP
ARCHITECTS

May 2020 – 5074

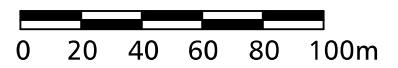
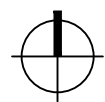
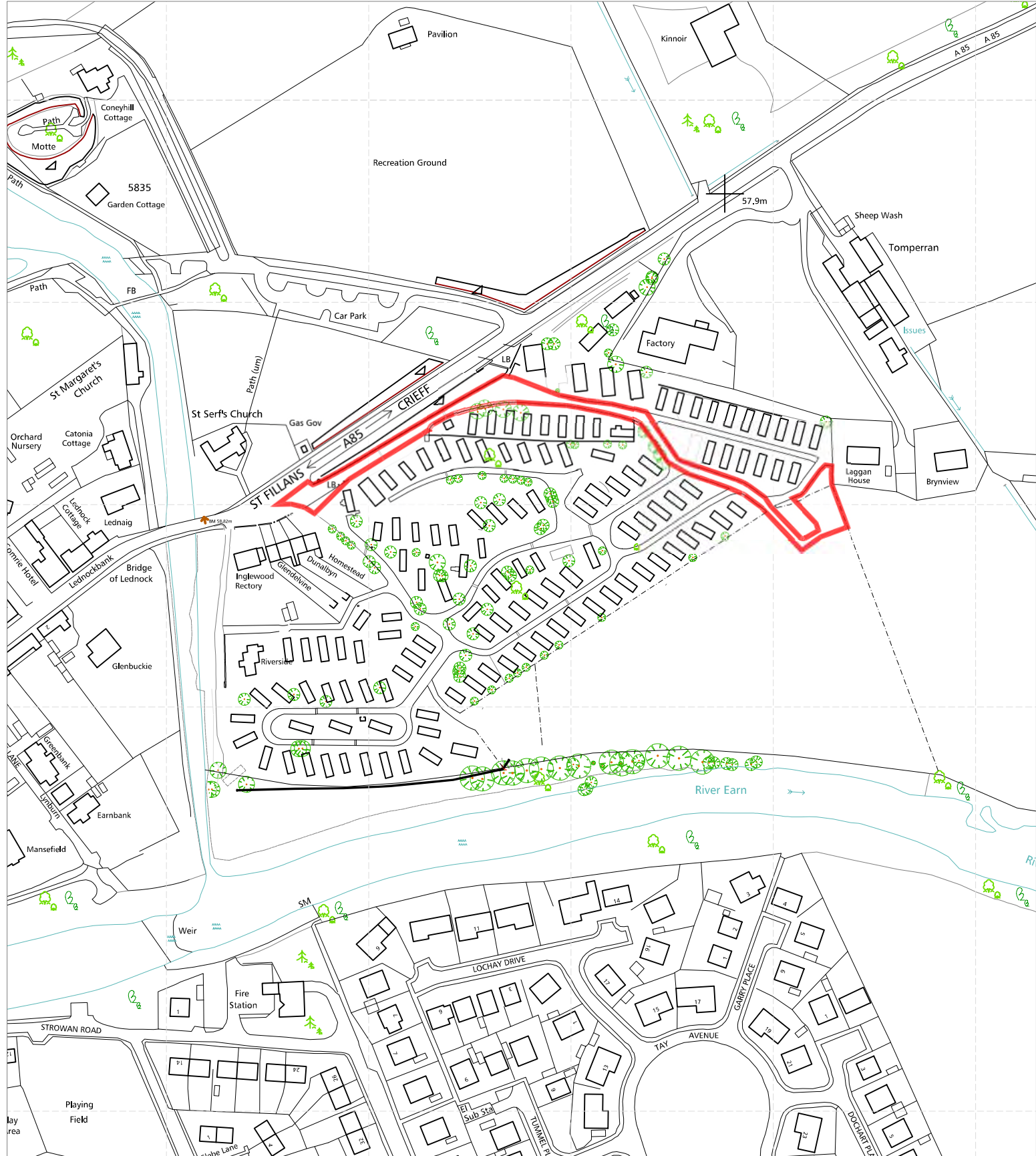
PROPOSAL

A new manager's lodge is proposed to the south-east corner the existing park. This part of the site will become viable once the Comrie Flood Protection Scheme is implemented, and the proposal has been developed using Sweco/PKC's proposed drawings.

The current park manager is due to retire and the park owners are kindly allowing her to stay in her current lodge when she does so.

A park manager's role includes dealing with emergencies, resolving any health and safety issues on site and ensuring the park is kept tidy and quiet. They are required to be on site at all times, therefore a new manager's lodge is a minimal requirement for the park – it does not accommodate for another staff member to provide on-call relief nor holiday or illness cover.

The proposed location of the new manager's lodge allows a good overview of the current site and the potential new plots (separate application) as it sits on a slightly elevated area of land which will make it easier to monitor the site consistently. Siting the lodge to the west of the immediate site, retaining the existing landscape and boundary treatments to the east, and a new beech hedge will mitigate any potential impact the new lodge could have on the property to the neighbouring property (Laggan House) and are proposed for the benefit of said property.



Location Plan 1:2500

A	REV	DATE	JR	BY	DETAILS
		10/06/2020	JR		Planning validation

HEALTH AND SAFETY NOTES

ACTIONS / NOTES:

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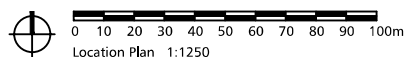
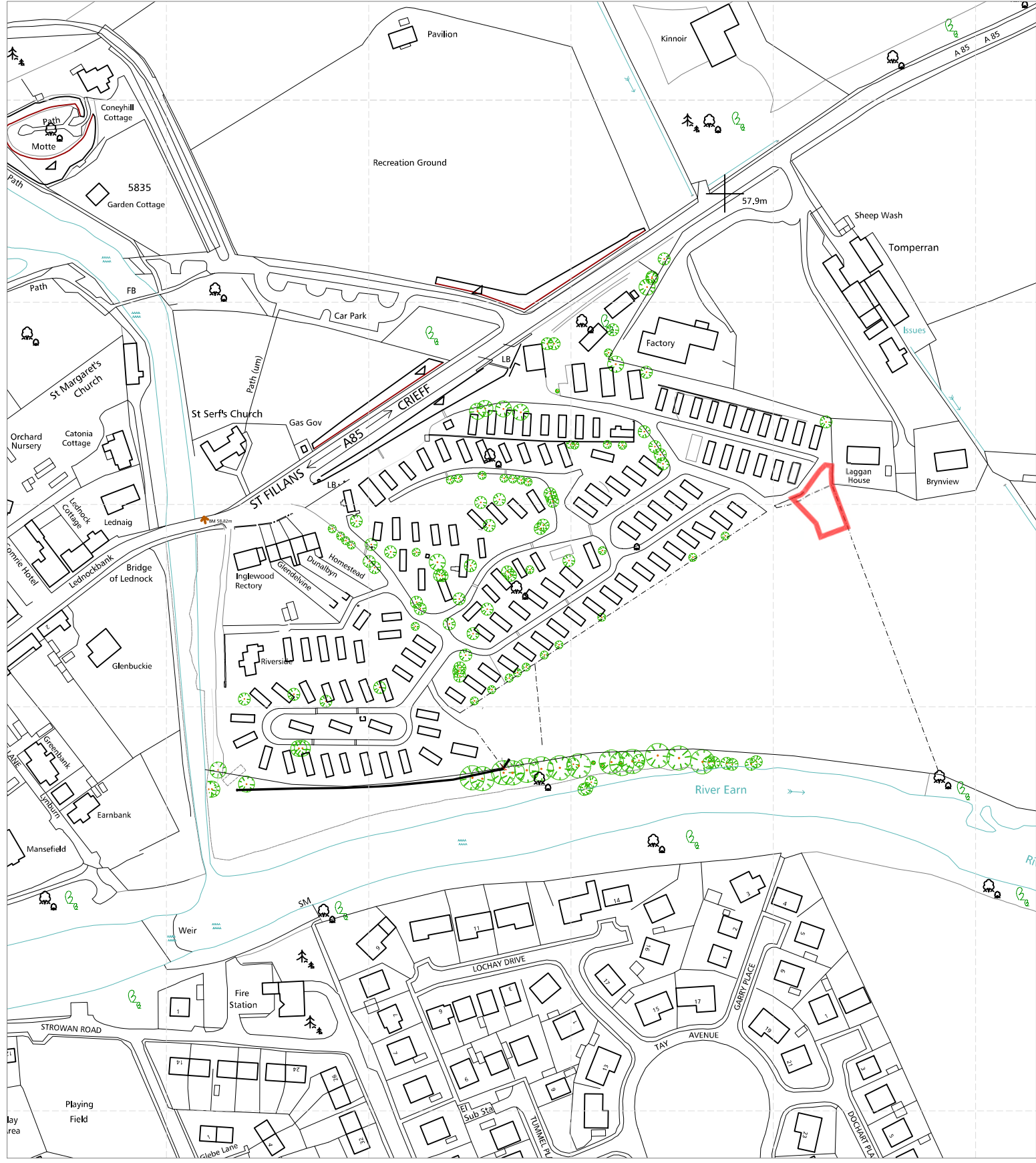
CLIENT
Comrie Holiday Park Ltd.
PROJECT
Proposed New Manager's Lodge
Comrie Holiday Park
Comrie
PURPOSE
Planning

DRAWN BY JR
DATE 28/08/2019

DRAWING TITLE
Location Plan
SCALE
1:2500
JOB NO. 185
DWG. NO. Loc 2

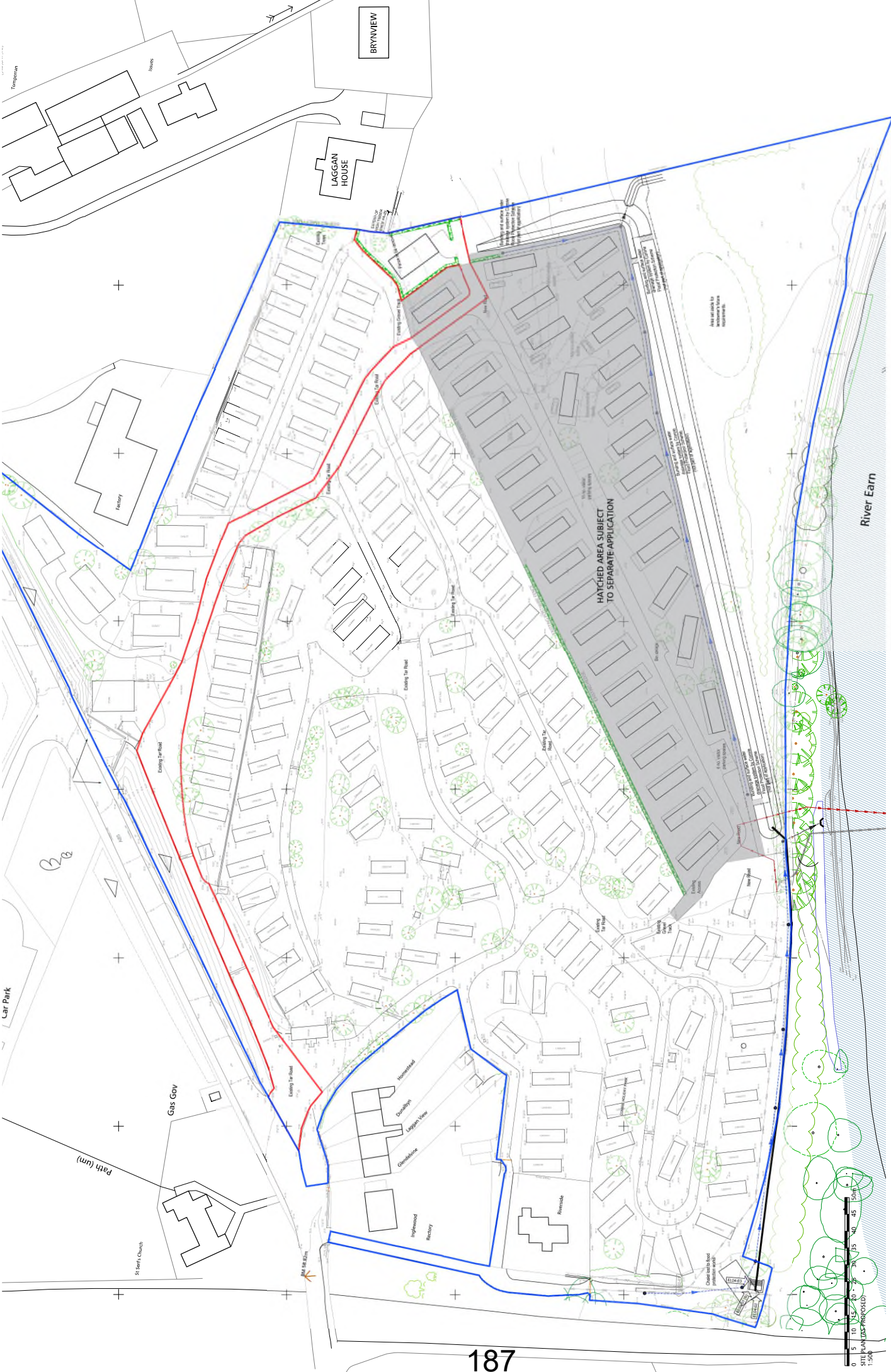
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REV	DATE	BY	DETAILS	SIGNIFICANT RESIDUAL HAZARDS	DESCRIPTION	ACTIONS / NOTES:
REVISIONS				HEALTH AND SAFETY NOTES		
NOTES				DRAWING TITLE		
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ALL SIZES TO BE SITE VERIFIED IF IN DOUBT, PLEASE ASK THIS DRAWING IS COPYRIGHT DO NOT SCALE FOR CONSTRUCTION PURPOSES				SCALE		
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				REVISION		
				1st		
				www.denholmpartnership.co.uk T: (01764) 670899		

CLIENT	Comrie Holiday Park Ltd.
PROJECT	New Manager's Lodge Comrie Holiday Park Comrie
PURPOSE	Planning
DRAWN BY	JR
DATE	28/08/2019
JOB NO.	186
DWG. NO.	Loc 1



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HEALTH AND SAFETY NOTES:

SKIN CANCER RESIDUAL HAZARDS
High Hazard
Ground Contamination
Water and Groundwater
Uncontaminated Groundwater
Blue Reservoirs
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REVISIONS

DATE
10/02/20

BY
JR

DETAILS
JR

REVISIONS
JR

DETAILS
JR

COMMENTS

1500

20/02/2020

5074

P02

B

CLIENT

Comie Holiday Park

PROJECT

Proposed New Manager's Lodge

Comie Holiday Park

COMIE

PLANNING

JR

DATE

20/02/2020

5074

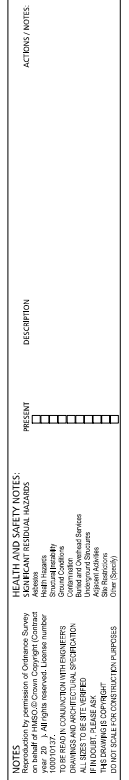
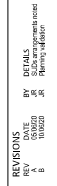
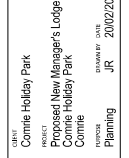
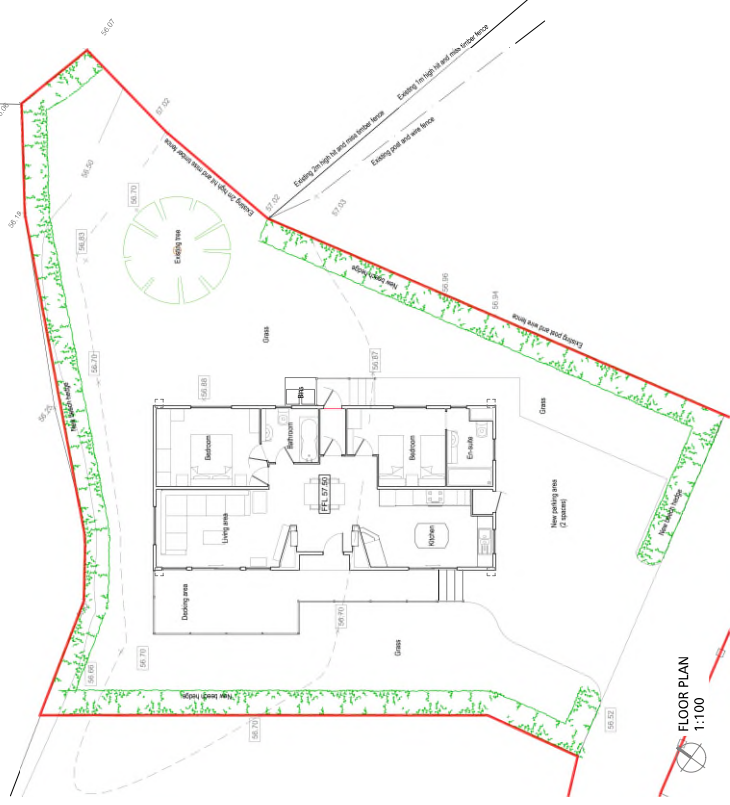
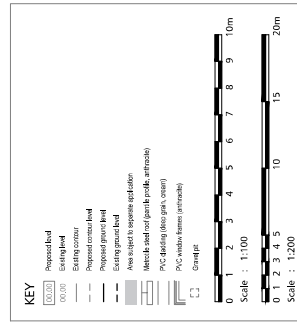
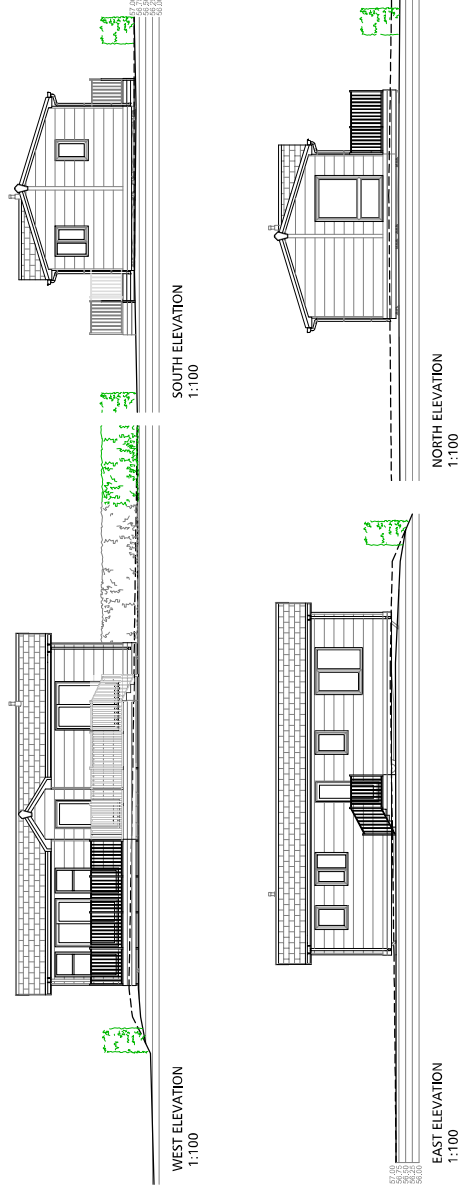
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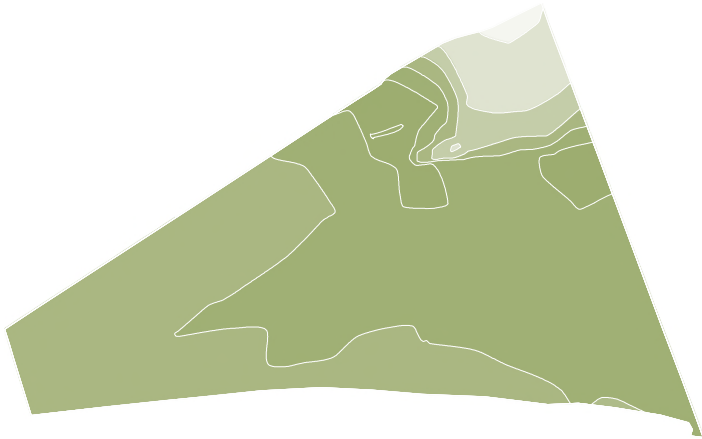
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DENHOLM PARTNERSHIP ARCHITECTS

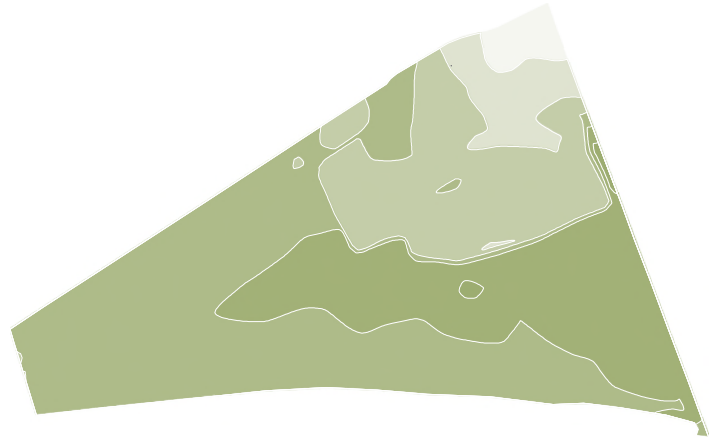
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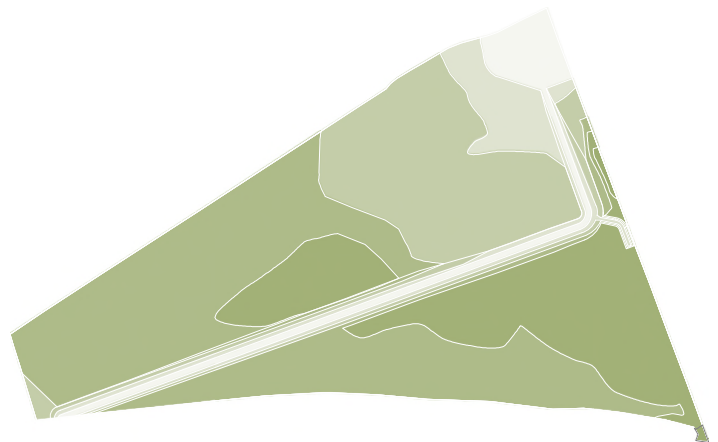
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Topography
Pre-2007



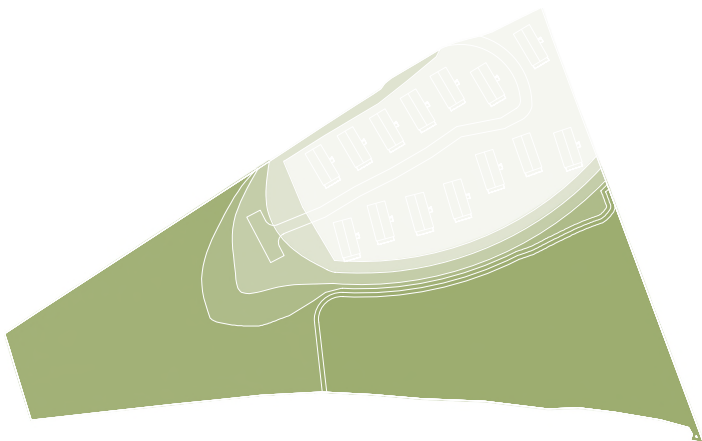
4. Work commenced 14th June 2007
Current Site Topography
11th December 2020



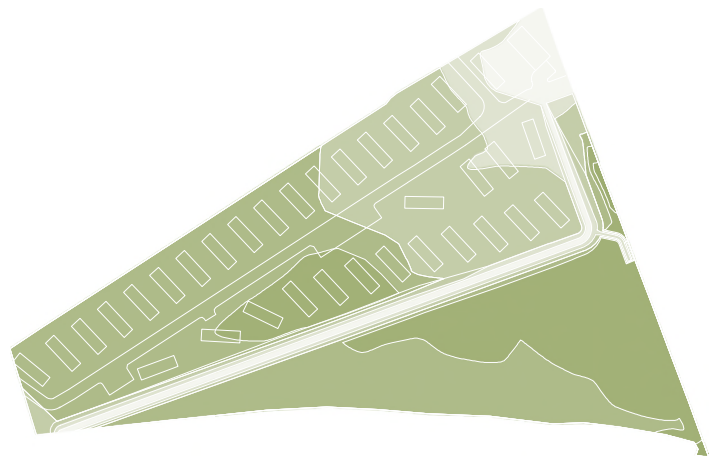
2. Proposed Topography - Approved
2nd June 2007



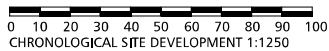
5. Site Topography - Post completion of FPS circa
Winter 2023



3. Proposed Topography - Approved
11th March 2008



6. Site Topography - Proposed
Post Winter 2023



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	DRAWN BY JR DATE 07/02/2022	DRAWING NO. 5074	REVISION A	DENHOLM PARTNERSHIP ARCHITECTS		

LRB-2022-02 - 20/00732/FLL – Formation of 34 caravan plots, access road, car parking and associated works, Comrie Holiday Park, Station Road, Comrie, Crieff

PLANNING DECISION NOTICE *(included in applicant's submission, pages 149-150)*

REPORT OF HANDLING

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 159-170)*

REPORT OF HANDLING

DELEGATED REPORT

Ref No	20/00732/FLL	
Ward No	P6- Strathearn	
Due Determination Date	18th August 2020	
Draft Report Date	28th September 2021	
Report Issued by	AMB	Date 19 th October 2021

PROPOSAL: Formation of 34 caravan plots, access road, car parking and associated works

LOCATION: Comrie Holiday Park, Station Road, Comrie, Crieff, PH6 2EA

SUMMARY:

This report recommends **refusal** of a detailed planning application for an extension of an existing caravan park in Comrie because of a formal objection from SEPA.

That objection has been made on flood risk grounds

SITE VISIT:

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

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

BACKGROUND AND DESCRIPTION OF PROPOSAL

This planning application seeks to obtain detailed planning permission for the creation of 34 additional caravan pitches at the Comrie Caravan Park. An established caravan park at Comrie which is a mix of tourist caravans and holiday homes.

The area for the extension is a wedge shape of approx. 195 in length (east to west), and a depth which tapers in from 70m at the east to approx. 28m at the west. The expansion area is to south of the existing park, and will be located between the existing caravans (north) and the proposed Comrie Flood Protection Scheme (FPS) to the south. The CFS will effectively form its southern boundary once implemented.

The site at the moment is generally flat and no engineering works are proposed to create the pitches. The extend of the engineering works proposed comprises a new internal access road, which will work with the existing ground levels. At the western end of the site is an existing area of hardcore, which it is understood has been used for touring caravans in the past.

The vast majority of the site at present is located within a flood risk area and is located immediately outwith the settlement boundary of Comrie.

SITE HISTORY

Detailed planning permission on part of the site (eastern end) was approved in 2006 (06/02297/FUL), with a revision to that permission approved in 2007 (07/02642/FUL). The site owners are currently challenging the status of these permissions insofar as whether or not they remain 'live' permissions. At this point in time their commencement has yet to be verified by the Council. A formal certificate of lawful use or development (CLUD) application is expected to be received shortly from the applicant.

In addition to the aforementioned, a further detailed planning application (20/00731/FLL) for the erection of a dwellinghouse to form manager's accommodation was approved in 2020 but has not yet commenced. That application was lodged outwith the area of existing flood risk.

PRE-APPLICATION CONSULTATION

Pre-application advice was offered to the applicant via 19/00468/PREAPP, which focused on the need to justify the location of the proposed extension outwith, and immediately adjacent to the settlement boundary of Comrie, and also highlighted the flooding issues associated with the site. It was advised that the applicant should enter into discussions with both SEPA and the Council's Flooding and Structures Team.

NATIONAL POLICY AND GUIDANCE

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

Of relevance to this application is,

The Scottish Planning Policy 2014

The Scottish Planning Policy (SPP) was published on June 23 2014. It sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

Of specific relevance to this application are,

- Paragraphs 92 – 108, Supporting Business & Employment
- Paragraphs 193 – 218, Valuing the Natural Environment
- Paragraphs 254 – 268, Managing Flood Risk & Drainage

The text of Para 255/256/257 of the SPP reads,

The planning system should promote:

- *a precautionary approach to flood risk from all sources, including coastal, water course (fluvial), surface water (pluvial), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted effects of climate change;*
- *flood avoidance: by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high risk areas;*
- *flood reduction: assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts and opening existing culverts where possible; and*
- *avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems (SuDS) and minimising the area of impermeable surface.*

To achieve this the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity. Alterations and small-scale extensions to existing buildings are outwith the scope of this policy, provided that they would not have a significant effect on the storage capacity of the functional floodplain or local flooding problems.

In addition to this, SEPA Planning Information Note 4: SEPA Position on development protected by a Flood Protection Scheme is relevant as is SEPA's own Flood Risk Planning Guidance.

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2 – Adopted November 2019

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

The site is located immediately outwith the settlement boundary of Comrie, within an area which is currently at risk from flooding where the following policies are applicable,

Policy 1A: Placemaking
Policy 1B: Placemaking
Policy 5: Developer Contributions.
Policy 6: Settlement Boundaries
Policy 17: Residential Areas
Policy 41: Biodiversity
Policy 52: New Development and Flooding

OTHER COUNCIL POLICIES

Placemaking Guide 2020

This is the most recent expression of Council policy towards Placemaking Standards.

Developer Contributions and Affordable Housing 2020

This is the most recent expression of Council policy towards developer contributions

EXTERNAL CONSULTATION RESPONSES

Scottish Water have commented on the proposal and raised no objections.

Scottish Environment Protection Agency object to the proposal on the grounds of flood risk. SEPA have been asked to review this position on a number of occasions, but their settled position remains an objection.

Transport Scotland have commented on the proposal and raised no objections in terms of the impact on the A85(T).

Perth And Kinross Heritage Trust have commented on the proposal and suggested conditions to be attached to any permission.

INTERNAL COUNCIL COMMENTS

Transport Planning have commented on the proposal and have raised no objection in terms of the internal access.

Development Contributions Officer has confirmed that there are no requirements for any developer contributions or affordable housing provision.

Environmental Health have commented on the proposal in terms of noise and odours and have raised no objection subject to conditions being attached to any permission in relation to noise management.

Structures And Flooding has no objection to the proposal on the proviso that the development takes place after the completion of the FPS.

Biodiversity/Tree Officer has commented on the proposal and indicated that there are ecological interests. However, as the development would occur after the CFS (which is subject to its own surveys), carrying out a pre-start survey would be appropriate, and this should be conditioned in the event of any approval being forthcoming.

REPRESENTATIONS

Five letters of representations have been received.

This includes four individuals who are objecting, and a general comment from the local Community Council.

In terms of the individuals, the main points raised are,

- Overlooking / loss of privacy
- Noise nuisance
- Increased traffic on local roads
- Caravans would be 'homes' not tourist accommodation
- Loss of green open space
- Light pollution

In terms of the local Community Council, from the information available on the e-file the Community Council was due to make a formal comment following on from an initial comment but failed to do so formally. In their initial comments, they suggest that their areas of interest related to the proposal being out of character with the area, over intensive development and road safety concerns – but do not expand on any of these topics.

These issues are addressed below in the main appraisal section.

ADDITIONAL STATEMENTS

Screening Opinion	Undertaken. EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment	AA Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact	Not Required

APPRAISAL

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

In terms of other material considerations, consideration of the Council's Placemaking Guide, and SEPA's settled position are material considerations.

Policy Appraisal

In terms of land use policies, the key policies are found within the adopted LDP2. Within that plan, the site is located immediately outwith the settlement boundary of Comrie, where *Policies 1 (Placemaking), 6 (Settlement Boundaries), 40 (bio-diversity) and 52 (flooding)* would be applicable.

Policy 1 seeks to ensure that all new developments do not have an adverse impact on the area concerned. *Policy 6* prohibits new development adjacent to settlement boundaries, unless certain criteria can be met. *Policy 40* seeks to protect both local and protected wildlife, whilst *Policy 52* looks to control flood risk and to ensure that new development does not take place within areas which are liable to flood.

Land Use

The proposal is for an extension of an existing, established caravan park – which raises no issues in terms of *Policy 1* of the LDP2. The extension would not look out of character with the area and would be entirely compatible with the surrounding land uses.

It is noted that some concerns have been raised regarding the loss of openspace, however the area proposed for expansion is not protected via any specific LDP2 allocations of openspace, nor does it have any particular visual or residential value as openspace.

The location of the extension is however immediately outwith the settlement boundary of Comrie where *Policy 6* of the LDP2 would be directly applicable.

Policy 6 prohibits development immediately adjacent to settlement boundaries, subject to 4 specific criteria. These are,

That the proposal is,

(a) *in accordance with Policy 8: Rural Business and Diversification and does not adjoin a principal settlement boundary;*

(b) *justifiable on the basis of a specific operational and locational need and it can be demonstrated that there are no suitable sites available within the settlement boundary;*
or

(c) *required to address a shortfall in housing land supply in line with Policy 24: Maintaining an Effective Housing Land Supply: and*

(d) *will not result in adverse effects, either individually or in combination, on the integrity of a European designated site(s).*

In relation to criteria's a) and c), these are not relevant to this specific proposal.

In relation to criteria b), the caravan park can only extend in this direction and there are no other options for expansions. It would be illogical for a site divorced from the existing

park to be looked at (if one was available), and continuation of the park to the south is considered reasonable in planning terms. To this end, the fact that site is outwith the settlement is considered acceptable as it is justifiable for a specific operation (a logical extension of the existing park), and there is a locational need for it to be located there and not elsewhere.

In terms of criteria c) various habitat and ecology surveys are to be undertaken as part of the FPS which will cover this area and further pre-start surveys would be subject to conditional control in the event of any approval being forthcoming. Mitigation measures in relation to existing wildlife can be secured via conditions in combination with other bio-diversity enhancements measures.

Accordingly, the proposal is considered to be consistent with *Policy 6* of the LDP2.

The proposal does however have flood risk implications.

Flood risk

The majority of the planning application site is within the flood risk area, which is defined as being within the 1:200 year (+0.5% annual exceedance probability (AEP))

The Comrie FPS is at an advanced stage, and is a committed project of the Council.

Once implemented, the FPS will protect the existing caravan park and the whole of the application site up to the 1 in 200 year standard of protection, with an additional freeboard allowance. This will bring the application site (post CPS) to a medium to low risk (0.1% - 0.5% probability-

The position of the Council's Flooding Team is that on completion of the FPS, the area behind will be defenced the most frequent flood risk. Appropriate mitigation to alleviate the lower probability risk of flooding could be introduced by the applicant which would meet with the principle of SEPA PIN4 Guidance document, and also the principles of SPP. The appropriate mitigation could be delivered via a combination of the FPS being delivered, and also measures introduced by the applicant such as awareness raising, having a flood action plan, and using raised and anchored caravans etc. The applicant is aware of these requirements and has agreed to the principle of investigating onsite mitigation measures in place.

Subject to the proposal being implemented after the FPS, the proposal would be compliant with *Policy 52* of the LDP2 and would not result in an increase in flood risk for other properties / land off site.

The proposal is acceptable to the Council's Flooding Team – subject to timing (after the FPS) and the provision of suitable onsite flooding mitigation measures.

The proposal is also considered to comply with the principles of SPP, and in particular para 256 insofar as the development (subject to conditions) would not have a significant probability of being affected by flooding nor would it increase the probability of flooding elsewhere.

It is also the case that this proposal is an extension of an existing development / land use, not a new development. Para 257 of the SPP allows for small-scale extensions to existing buildings provided that they would not have a significant effect on the storage capacity of the functional floodplain or local flooding problems. As the proposal would not affect the storage capacity of the area concerned nor impact on elsewhere (after the completion of the FPS), and is for an extension of the existing development, the proposal aligns with the principles of the SPP.

SEPA however object to the proposal.

SEPA's position is that the proposed land use (which is defined as a most vulnerable use) is not acceptable behind a flood protection scheme – whether such a scheme is proposed or built. Their position is that the risk of flooding should be assessed as if the defence was not there.

To this end, SEPA formally object to the proposal as the site is currently at risk from flooding, and that the building of the FPS makes no significant difference to the probability of the site flooding.

SEPA have been asked to re-consider this position on the basis that the,

- a) FPS is now a committed project (which has been through consultation with SEPA)
- b) The proposal is for an extension of an existing land use / development and is not a new development.
- c) The combination of the implementation of the FPS and onsite mitigation measures such as securing caravans and an earlier warning flood action plan would offer 'appropriate mitigation' to allow for alignment with the SPP and their own PIN guidance.

However, SEPA's position remains one of objection.

For this reason, the application is recommended for refusal.

Visual Amenity, Design and Layout

The proposal will have a visual impact when viewed from the south, but the development will be seen behind the proposed FPS and also in the foreground of the existing caravan park. There is therefore not likely to be an adverse impact on the visual amenity of the area.

All other design and layout matters are considered acceptable.

Residential Amenity

There are residential properties within the area.

Whilst the impact on existing residential amenity has been raised within some of the representations, there would not be any direct impact on existing residential amenity in terms of direct overlooking / loss of amenity as the proposed separation distances are considered to be applicable.

Noise nuisance has been raised as an area of concern within some of the letters of representations. Suitable noise management plans will be introduced to ensure that the running of the site meets with acceptable standards, and this is a matter that can be conditioned.

Environmental Health have been consulted on the proposal and have no concerns in relation to noise – subject to a noise management plan. There is also a permission in place for an onsite manager's house, which will be able to deal with any noise nuisance issues onsite quickly.

Light Pollution

In addition to noise nuisance, light pollution has also been raised as an area of concern with some of the letters of representation.

External lighting can be controlled so that it does not spill onto neighbouring land, and in the event of any approval being forthcoming, conditions could be used to control this. Some external lighting is expected to be proposed, particularly around communal areas such as waste/recycling areas.

Waste / Recycling

There are already areas for waste and recycling collection within the existing park, however in the event of an approval, clarification on additional capacity to accommodate the extra units should be sought and controlled via conditions.

Roads and Access

The proposal raises no issues in terms of access or parking related matters. A new internal access road is proposed, and its design accords with the guidelines which are contained within the National Roads Development Guide. The local road network has capacity to deal with the proposed likely increase in traffic movements.

Drainage

The proposal raises no issues in terms of foul drainage or surface water disposal. Foul drainage is to be connected to the public system, and the disposal of surface water from hard surfaces will be via combination of porous surfaces and soakaways within the application site boundary.

Conservation Considerations

The proposal does not affect any listed buildings or conservation areas.

However, there is some known local archaeology in the area and PKHT have recommended any approval should include a condition for a programme of archaeological work to take place. Some work will also be required in relation to the CFS.

Natural Heritage and Biodiversity

There is some potential for wildlife habitats to be present on the site currently. However, the timing of the any expansion of the caravan park will take place after the implementation of the FPS. That will create a physical barrier between the water course and the site, and there will also be ground disturbed as part of the construction phase. Local and protected wildlife surveys will be undertaken as part of the FPS and mitigation measures implemented thereafter.

It is therefore considered reasonable to seek a pre-start survey of this site, in the event of any approval as opposed to obtaining advanced surveys now.

Trees / hedges

There are trees and hedges to the south of the site, which are outwith the site but could be affected by the development. However, these trees are also likely to be affected, and some removed as part of the FPS. In the event of an approval, suitable conditions in relation to tree / hedge protection measures should be included in any permission with any removals suitably compensated by appropriate replanting.

Developer Contributions

As the proposal is for holiday accommodation only, there is no requirement for any Developer Contributions in relation to Primary Education. There is also no requirement for any Affordable Housing provision.

Economic Impact

The development would provide additional tourism accommodation for the area, and also create additional local jobs. The proposal therefore aligns positively with SPP which promotes economic activity.

VARIATION OF APPLICATION UNDER SECTION 32A

The application has not been varied.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

To conclude, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to generally comply with the approved TAYplan 2016 and the Local Development Plan 2 (2019), and the principles of the SPP. However, SEPA as a statutory consultee and experts in flooding matters have maintained their objection to

the proposal considering it does not comply with SPP. In light of this, the application cannot be supported.

Accordingly, the proposal is refused on the grounds identified below:

The proposal is unacceptable to SEPA as a) the proposed development may place buildings and persons at flood risk, b) the use proposed is not acceptable behind flood prevention scheme and c) the proposal is contrary to Scottish Planning Policy and SEPA's own PIN4 guidance

Justification

Whilst the proposal is considered to generally comply with the Development Plan and the principles of Scottish Planning Policy, the objection from SEPA is considered to be a material reason which justifies refusal of the planning application.

Informatives

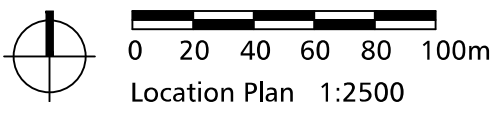
None

Procedural Notes

If a subsequent review to the LRB is successful, and the LRB are minded to approve the application, then the application will need to be referred to the Scottish Ministers prior to being issued due to the outstanding objection from SEPA.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

20/00732/1 - 20/00732/6 (*inclusive*)



A	REV	DATE	JR	BY	Planning validation
		10/06/2020	JR		DETAILS

REVISIONS

HEALTH AND SAFETY NOTES

ACTIONS / NOTES:

NOTES
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CLIENT
Comrie Holiday Park Ltd.
PROJECT
New Manager's Lodge
Comrie Holiday Park
Comrie
PURPOSE
Planning

DRAWN BY JR
DATE 10/06/2020

DRAWING TITLE
Location Plan
SCALE
1:2500
JOB NO. 2015
DWG. NO. Loc 1

PAPER SIZE
A4
REVISION
A

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www.denholmpartnership.co.uk T: (01764) 670899

LRB-2022-02 - 20/00732/FLL – Formation of 34 caravan plots, access road, car parking and associated works, Comrie Holiday Park, Station Road, Comrie, Crieff

REPRESENTATIONS



To:	Andy Baxter, Planning Officer
From:	Sophie Nicol, Historic Environment Manager
Tel:	01738 477027
Email:	Sophie.Nicol@pkht.org.uk
Date:	22nd May 2020

20/00732/FLL | Formation of 34 caravan plots, access road, car parking and associated works | Comrie Holiday Park Station Road Comrie Crieff PH6 2EA

Thank you for consulting PKHT on the above application. The development site is considered to be archaeologically sensitive due to being located in greenfield directly north of the River Earn. Although no known heritage sites are recorded within the planning boundary itself there is evidence of prehistoric and historic activity in the area, including across the river at Dalginross cropmarks (MPK17062 and MPK20087). It is also worth noting that the recent Comrie Flood Defence Scheme EIA (2020), within which this plot of land was included, commented on the limited archaeological investigations in the area generally. This was thought to reflect a lack of development rather than an absence of archaeology.

As the current holiday park was largely built on an old railway site this would not have required archaeological investigation as the ground was already disturbed. However, the location of this development on greenfield and its proximity to the river is key, as shoreline areas within a prehistoric landscape are often prime spots for prehistoric activity, where early people may have exploited the land for food and resources.

Therefore, if permission is granted we would recommend that a programme of archaeological works are undertaken in advance of development. This would likely involve an archaeological evaluation in the first instance.

Recommendation:

In line with Scottish Planning Policy historic environment section (paragraphs 135-137 and 150) and Policy 26 of the Perth and Kinross Local Development Plan, it is recommended that the following condition for a programme of archaeological works be attached to consent, if granted:

HE25 *Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.*

Notes:

1. Should consent be given, it is important that the developer, or his agent, contact me as soon as possible. I can then explain the procedure of works required and, if necessary, prepare for them written Terms of Reference.

2. This advice is based on information held on the Perth and Kinross Historic Environment Record. This database of archaeological sites and historic buildings is regularly updated.



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

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

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Sir/Madam

SITE: Comrie Holiday Park, Station Road Comrie, Crieff, PH6 2EA
PLANNING REF: 20/00732/FLL
OUR REF: DSCAS-0017017-LRH
PROPOSAL: Formation of 34 caravan plots, access road, car parking and associated works

Please quote our reference in all future correspondence

Audit of Proposal

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

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the TURRET Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- ▶ This proposed development will be serviced by COMRIE Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.
-

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Surface Water

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

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

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

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the

developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.

- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
 - ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
 - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ All Proposed Developments

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

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

▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ Trade Effluent Discharge from Non Dom Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.

- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

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

Yours sincerely,

Planning Application Team
Development Operations Analyst
developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

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

Andrew Baxter
Perth & Kinross Council
Planning & Development
Pullar House
Kinnoull Street
Perth
PH1 5GD

30 June 2020

**Ref no:-20/00731/FLL, erection of manager's dwelling house, Comrie Holiday Park, PH6 2EA
20/00732/FLL, formation of caravan plots, Comrie Holiday Park, PH6 2EA**

Dear Mr Baxter,

I refer to the above proposals, [REDACTED] and my subsequent review of all pertaining documentation online.

Please accept this letter as my formal objection to the development based on my concerns clearly outlined below.

Background

[REDACTED]

I very deliberately chose Comrie due to the proximity to my own family, but very importantly for the close knit, secure area and village school. An ideal community to support myself and my sons.

I very specifically chose my home, [REDACTED] to provide myself [REDACTED] with a secluded and safe haven, a little out of the village to protect our privacy and to provide my children with a secure environment where I could nurture their development and confidence comfortably [REDACTED]

I trust this this background gives you an understanding of the basis of my opposition to this development. [REDACTED]

[REDACTED] I have succeeded to date in settling us as comfortably as I can in our home given the aforementioned circumstances.

Overlooking & loss of privacy

I was absolutely devastated to learn of the proposed developments (both the dwelling house and proposed lodges), which now serves to undermine and compromise all the reasons I moved to this village, and to my home.

My family's privacy has always been of paramount importance to me. [REDACTED]

On reviewing the planning documentation it is evident that the new dwelling house, plus at least 3 of the proposed units look directly over and into my home and my garden. I have huge concern, that given the nature of the development, there will be people I do not know, and with whom we are not familiar, looking directly over towards, and into, my property, and this will simply serve to make my family very much more exposed to feelings of vulnerability and insecurity as we lose our privacy.

Overbearing size of development/noise & disturbance

I am sure you are aware of the nature of Comrie as a village. It is a small, close knit and friendly community which currently contains, and is indeed surrounded by an adequate number of holiday parks.

In proposing an expansion of this size, I feel is disproportionate with what the village can sustain. More importantly to myself, I have a huge concern that the potential increased traffic to the holiday park will serve significant noise and disturbance to me personally, given the proximity to my home.

Plan/site inaccuracy

Crucially to my objection, I would like it noted that the plans of my home detailed in the application are incorrect and as such, cannot give a representative and fair evaluation of the overlooking of my property and grounds and the intrusion of my privacy.

A significant south-facing sun room extension was completed nearly 2 years ago, with large amounts of glass in the construction. I again reiterate my concern that my property and garden will be subject to overlooking and total loss of privacy.

I note that the developer proposes to plant a beech hedge to address the privacy issues they currently perceive. Given that the average beech hedge grows 30-60cm/annum, I am entirely unconvinced that this offers an appropriate or viable solution. As stated above, this is also based on an incorrect plan of my home.

I was devastated [REDACTED] especially given the proximity to my home and the issues this raises, but to then [REDACTED] of the proposed lodges has simply added insult to injury.

[REDACTED]
[REDACTED] first step being vehement opposition to this development.

Yours sincerely,

Elsbeth Adair

From: Naomi Nyamudoka <[REDACTED]>
Sent: 01 July 2020 02:32
To: Development Management - Generic Email Account <DevelopmentManagement@pkc.gov.uk>
Subject: Objection to planning for Ref. No: 20/00732/FLL

Hi,

We wish to strongly object to the above planning application. We live [REDACTED] to the Comrie Holiday Park and [REDACTED] to their only entrance road. Already the level of traffic going down this road on a regular basis is great. The cars must idle for some time next to the (noisy) exit barrier. This is less than a metre from [REDACTED]. It is extremely concerning that they wish to increase this traffic presence as already we find it a concern, particularly the pollution aspect, especially with our young children. The barrier is seen from [REDACTED] and is both noisy and irritating with it going up and down at all hours. Our dogs also bark every time it goes up as they can see it [REDACTED]

We are also deeply concerned at the noise levels and lack of privacy extending the park will bring. Given the entrance is [REDACTED] we have hundreds of people walking past the front, and back gardens. We have erected screening along the fence line but this this does not fully prohibit those going last from both seeing in our garden, or our home. The pedestrian gate is less than 50cm [REDACTED]. The noise levels from those walking past are also great, we are unable to have the windows of our bedrooms open overnight as we can regularly hear the noise of those returning to the park overnight.

The park also does not just function as a holiday park. They have over 25 full time residents on site. This is concerning.

From an environmental perspective they also use their land to regularly burn their waste creating smoke which enters our property and is a health concern. This has not stopped during the current pandemic.

The park also restrict locals from accessing a local beauty spot. We have been approached and sternly informed we have no right of roam to walk for 5 minutes over their road to access the river walk.

Given the already busy nature of the park adding a further 34 caravans will make a huge difference to both the footfall and the traffic. It will also negatively impact the village creating further traffic throughout the year.

We strongly object to this application for the above reasons and hope that these are taken into consideration and the planning application be rejected.

Warm regards

Naomi and Bravo Nyamudoka

>
> -----Original Message-----
> From: c m a sainsbury [REDACTED]
> Sent: 06 July 2020 10:48
> To: Development Management - Generic Email Account <DevelopmentManagement@pkc.gov.uk>
> Subject: Planning application reference 20/00732/FLL
>
> Comrie is a lively, friendly village with much participation by residents and organisations to create and sustain this thriving community.
>
> There are three caravan parks serving the village: Comrie Holiday Park, whose application is under scrutiny, Twenty Shilling Wood at the west end of the village and the Westbank park, further east towards Crieff. Of the three, Comrie Holiday Park is the largest. The presence of visitors to these caravan parks enlarges the village population, brings money into the local businesses on a regular basis; people from Comrie Holiday Park are well-kent regulars in community activities, shops and places of worship. As an all-year round facility, people are living in Comrie Holiday Park as permanent residents. This is by contrast with caravan parks where units are let on one-week or two-week basis.
>

- > 1 My first object, therefore, is that this application seeks to extend the permanent housing units in Comrie by 34 caravans.
- > Some years ago, when a similar number of new houses were proposed on the land south of Polinard, there was a massive objection by the whole community to such a significant increase in the population. We might estimate that 34 caravan units would be equivalent to anything between 68- 194 people (depending where occupancy is calculated between 2 and 6 people per caravan)
- >
- > The letter from Scottish Water in the application confirms that water will be drawn from the Turret supply and waste will go to Comrie Waste Water.
- >
- > Up to 194 additional people drawing on those resources is a significant impact and I have concerns that this is proposed and object on those grounds.
- >
- > These are not tourist units, these are second homes for people living in primary homes elsewhere. This is a proposed increase in village population of approaching 10%.
- >
- >
- > 2 The impact on traffic, is considerable. The bus from Perth does stop on request in the opening to the caravan park, and very occasionally, people get out and go into the caravan park, but the vast majority of residents use personal car transport to access the site. Whilst many have just one car, two or three cars can be parked outside an individual caravan. With the proposed 34 caravans, anything between 34 - 68 - 102 more cars will be regularly turning off the A85 at the junction with the caravan park sweep and re-entering at that same junction.
- >
- > This is a notoriously difficult piece of road. Cars approaching from the east have just slowed down to 30 mph on entering the village, but many have not slowed sufficiently; in response to this difficulty a flashing speed sign was erected on the Lednock Road Bridge a few years ago. Even so, traffic enters the visit fast, past the caravan park entrance, where the proposed extra traffic is supposed to enter and exit. Crossing the road as a pedestrian from south to north affords reasonable views, but from north to south the task is harder, as the view west towards the village, is masked by a bend in the road west of the Lednock bridge. We live here, we know the situation well. The crossing from south to north is better but with an increase of up to 194 people living in the proposed new development, there is scope for more risk to pedestrians. There will also be far greater traffic flow turning in to the caravan park, and exiting. This poses a risk to them, it also poses a specific hazard to us, as residents, whose parking is on the strip of land immediately south of the A85 outside our houses.
- >
- > Historically, too, we have suffered from visiting cars parking on this strip of land, over which we have legal rights of access for private parking. Visitors to the village see the land outside our houses and think it is public ground, and park. We cannot get into our own parking.
- >
- > I object on this ground, the disadvantage it will place on us, from safety and amenity use of our own parking space and transport access.
- >
- > 3 I have referred to Comrie as a friendly, collaborative, community-minded village. The planning application seeks to suggest that the Comrie Caravan Park participates in this community ethos. In fact, historically, the Caravan Park has been quite the opposite, pursuing harsh measures around access and parking for us, the houses along the south of the A85 adjacent to them. This included parking heavy plant against garden gates preventing a family with a diabetic child from exiting to their car; there was also a protracted legal battle for another family, who subsequently left. We ourselves when we bought, had to negotiate a way leave for access, following aggressive takeover of our 90 year informal right of access along the south of our property.
- >
- > The caravan park provides no community assets for the benefit of the village.
- >
- > As residents we were granted access to the north bank of the river Earn, by the owner of that bank, who also owns the east bank of the river Lednock and the fishing. In the last couple of years, Comrie Caravan Park has blocked off access to the river Earn. Caravan park employees have told fishermen, residents, walkers, that they are excluded from this access.
- >

> I object on the ground that Comrie Caravan park has a history of not contributing to the community ethos of the village and has on the contrary, gone against the community collaboration principles that make Comrie such a great place to live. Individual residents of the caravan park are welcomed, are part of the village and we are pleased to welcome them, but the owners of the Caravan Park give instructions for actions that actively keep the village out.

>

> 4 Given the proposed size of extension, 34 units, and the full-time residential nature of these caravans, I am objecting on the grounds that Comrie Caravan Park is seeking financial, commercial benefit, for its owners, without honouring community obligations that would exist were it to be a straight-forward housing application.

>

> In Perth and Kinross' strategy housing plan, I note there are priorities given to housing for people who are homeless, people requiring independent living through disabilities and impairments, a supply of housing for sustainable communities and I object that the application is made without reference to any of these categories.

>

> 5 We as residents alongside the caravan park will suffer the consequence of a major development of all-year round residential caravan housing, with its attendant noise, litter, traffic, pedestrian traffic on inadequate pavements, parking, time-to-time use of doctor's surgery and other services. I object on the grounds that this is not being suitably critiqued for its full impact on us, as neighbours, and the village as a whole.

>

> Yours sincerely

>

> Kate Sainsbury

>

>

>

>

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> General enquiries to Perth & Kinross Council should be made to enquiries@pkc.gov.uk or 01738 475000.

>

Memorandum

To Development Quality Manager

From Regulatory Services Manager

Your ref 20/00732/FLL

Our ref LRE

Date 13 July 2020

Tel No 01738 476462

Housing & Environment

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

PKC20/00732/FLL RE: Formation of 34 caravan plots, access road, car parking and associated works Comrie Holiday Park Station Road Comrie Crieff PH6 2EA for Comrie Holiday Park Ltd

I refer to your letter dated 25 June 2020 in connection with the above application and have the following comments to make.

Environmental Health

Recommendation

I have no objection in principle to the application but recommend the under noted condition and informative be included on any given consent.

Comments

This application is for the extension of existing caravan holiday park to include a further 34 plots on adjacent land to the south of the holiday park.

The applicant has submitted a planning application 20/00731/FLL for the erection of a dwellinghouse for manager accommodation to the north east of this application site, the application is pending consideration.

There are several residential properties within close proximity to the caravan parks entrance and to the north east of the proposed extension for 34 new caravan plots.

The closest property to the entrance of the holiday park is Homestead which is approximately 12 metres and the closest to the proposed extension area is Laggan House and Brynview, Laggan House will be closer to the proposed managers dwellinghouse approximately 30 metres away; there are existing caravan units within close proximity to Laggan House.

There are 4 letters of representation at the time of writing this memorandum raising concerns with regards to privacy, size of development, traffic congestion and noise.

The caravan holiday park has an existing holiday caravan park site licence for 156 units, if planning permission is granted for the additional units the applicant must contact this Service to update the current licence. Therefore I recommend that the undernoted informative be included on any given consent.

Noise

There is the potential for the daily operation of the caravan park to adversely affect neighbouring residential properties from noise, however this can be controlled through good management of the site.

To my knowledge this Service has not received any complaints with regards to noise from the existing operations of the site.

If permission is granted for planning application 20/00731/FLL for managers accommodation, then a manager would be on site to address any noise issues at the site.

However, to protect the residential amenity of neighbouring noise sensitive properties I recommend that the applicant submits a Noise Management Plan (NMP) for the caravan holiday park. The NMP should identify all sources of noise from the site such as traffic noise from traffic entering and moving on site, plant noise, noise from patrons, ground maintenance, music from caravans etc and should include procedures and mitigation measures to control noise sources. It should also include a complaints procedure form with contact details, hours of operation of site including check in times and procedures.

Conditions

- A Noise Management Plan (NMP) shall be submitted for the approval of the planning authority. Once approved the NMP shall be strictly adhered to during the operation of the site. The NMP shall be a fluid document which shall be updated to reflect any changes to the operation of the site and to address any substantiated complaints by residents. The details contained within the NMP, as approved by the Council as Planning Authority in writing shall be implemented in full as part of the operation of the site.

EH11 All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Informative

The applicant should be advised that a revised caravan site licence will be required in terms of Section 1 of the Caravan Sites and Control of Development Act 1960 and therefore an application should be made to the Environmental Health if planning consent is approved.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/00732/FLL	Comments provided by	Joanna Dick Tree and Biodiversity Officer
Service/Section	Strategy and Policy	Contact Details	Phone 75377 Email biodiversity@pkc.gov.uk
Description of Proposal	Formation of 34 caravan plots, access road, car parking and associated works.		
Address of site	Comrie Holiday Park Station Road Comrie Crieff PH6 2EA.		
Comments on the proposal	<p>Policy 40: Forestry, Woodland and Trees The Council will apply the principles of the Scottish Government Policy on Control of Woodland Removal and there will be a presumption in favour of protecting woodland resources. Where the loss of woodland is unavoidable, mitigation measures in the form of compensatory planting will be required.</p> <p>From the submitted drawings, it appears that all trees and the hedge will be retained, and trees will be planted once complete although species detail is not given. Trees native to Scotland would offer the highest biodiversity value and is encouraged.</p> <p>Policy 41: Biodiversity The Council will seek to protect and enhance all wildlife and habitats, whether formally designated or not, considering natural processes in the area. Planning permission will not be granted for development likely to have an adverse effect on protected species unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated.</p> <p>No ecological survey has been submitted with this application and so there is insufficient information to assess whether this development will have an adverse effect on protected species, habitats and wider biodiversity. To progress this application, information about the biodiversity value of the site is required. Once this information is obtained, measures should be identified to avoid and reduce impacts, and to compensate for any loss of resources</p>		
Recommended planning condition(s)	More information is required to further this application.		
Recommended informative(s) for applicant			
Date comments returned	17 July 2020		

Andrew Baxter
Perth and Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

Our ref: PCS/171953
Your ref: 20/00732/FLL

If telephoning ask for:
Silvia Cagnoni-Watt

23 July 2020

By email only to: DevelopmentManagement@pkc.gov.uk

Dear Andrew

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
PLANNING APPLICATION: 20/00732/FLL
FORMATION OF 34 CARAVAN PLOTS, ACCESS ROAD, CAR PARKING AND
ASSOCIATED WORKS
COMRIE HOLIDAY PARK, STATION ROAD, COMRIE, CRIEFF, PH6 2EA**

Thank you for your consultation email which SEPA received on 25 June 2020.

Advice for the planning authority

We **object in principle** to this planning application on the grounds of flood risk. Please note the advice provided below.

1. Flood risk

- 1.1 We **object in principle** to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy. The proposal is also contrary to SEPA Requirement 1 as stated in our Development Management guidance.
- 1.2 Given the location of the proposed development within the undeveloped/sparsely developed functional floodplain we do not consider that it meets with the requirements of Scottish Planning Policy. We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the first instance. We recommend that alternative locations be considered.
- 1.3 In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases.

Continued...

You may therefore wish to consider if this proposal falls within the scope of this Direction.

- 1.4 Notwithstanding this position we have included our review of the information supplied. Provision of this review does not imply that we consider there to be a technical solution to managing flood risk at this site which meets with Scottish Planning Policy.

1.5 Technical Appendix

- 1.6 We have reviewed the information provided in this consultation and it is noted that the majority of the application site lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding.
- 1.7 The proposal is for the extension of the Comrie holiday park to the south of the existing site. This includes the addition of 34 static caravans within the proposed application. We would highlight that the proposal falls within the most vulnerable classification, as defined within SEPAs Land Use Vulnerability guidance. For this type of development SEPA require the proposed development to be outwith the 1 in 200 year flood event and mitigated to the 1 in 1000 year event.
- 1.8 Within Comrie, a Flood Protection Scheme (FPS) is proposed which is located to the south of the proposed development. The FPS will offer a standard of protection (SOP) of 1 in 200 years.
- 1.9 Hydraulic modelling has been undertaken by Sweco on behalf of Perth & Kinross Council (PKC) to support the design of the Comrie FPS. Review of the hydraulic model outputs also indicates that the majority of the site will be inundated during the 1 in 200 year flood event and to a greater extent during the 1 in 1000 year event. Depths of up to 1m are indicated in the 1 in 200 year event with depths of up to 1.5m are indicated within the 1 in 1000 year event.
- 1.10 As the proposed development is classified as most vulnerable, and the majority of the site is within the 1 in 200 year flood extent we would be unable to support the proposed development. We would also highlight that we would be unable to support the development behind the Comrie FPS as stated within our Planning Information Note 4, due to the classification of most vulnerable.

Caveats & Additional Information for Applicant

The applicant will note that we **object in principle** to this planning application on the grounds of flood risk. Please note the advice provided above.

2. Flood risk

- 2.1 The [SEPA Flood Maps](#) have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland.

Continued...

- 2.2 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.
- 2.3 The flood risk advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Perth & Kinross Council as Planning Authority in terms of the said Section 72 (1).

Regulatory advice for the applicant

3. Regulatory requirements

- 3.1 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulation section](#) of our website or by contacting waterpermitting@sepa.org.uk or wastepermitting@sepa.org.uk.
- 3.2 If you have any queries relating to this letter, please contact me by email at planning.se@sepa.org.uk.

Yours sincerely

Silvia Cagnoni-Watt
Senior Planning Officer
Planning Service

ECopy to: Denholm Partnership Architects, admin@james-denholm.co.uk
Andy Baxter, ABaxter@pkc.gov.uk

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).

Comments for Planning Application 20/00732/FLL

Application Summary

Application Number: 20/00732/FLL

Address: Comrie Holiday Park Station Road Comrie Crieff PH6 2EA

Proposal: Formation of 34 caravan plots, access road, car parking and associated works

Case Officer: Andrew Baxter

Customer Details

Name: Mr Matthew Osgood

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Light Pollution
- Loss Of Open Space
- Noise Pollution
- Over Intensive Development
- Road Safety Concerns
- Traffic Congestion

Comment: We wish to make you aware of a number of strong objections that we have with regard to the proposed development of an additional property on open space to the side of [address of development site], application number referenced above. As an immediate neighbour to the site of the proposed development, we are of the view that the proposed development will have a serious impact on our standard of living. Our specific objections are as follows:

[REDACTED] the only turn into the site, we will be further disturbed by traffic idling and waiting on single lane whilst residents turn into the site off the A85. This means increased traffic volume and pollution.

We believe we will be further disturbed by flatbed Lorries and escort vehicles laden with static caravans entering and leaving the site on a regular basis as well the further risks being posed by the entrances location just after a turn coming out of the village and vehicles not being able to slowdown in time after the turn out of Comrie. We are concerned that this will damage highway safety.

One adjustment that we could suggest is moving the entrance of the Park to a more suitable location that will alleviate this.

This expansion will further increase the noise and pollution and disruption from constant maintenance of the park like grass cutting and reversing of heavy machinery.

The proposal allows very little space for landscaping and we believe that it would lead to gross over-development of the site. The proposed development would not result in a benefit in environmental and landscape terms, to the contrary it would lead to the loss of valuable green space.

Design Statement is proposing this development being used for tourism-related purposes. However, there is currently about 20 residents who use this Park as their permanent address and live and work locally in breach of their current license. So, we believe if these new sites are further filled with residents who use the caravans to live locally this will put added pressure on local amenities.

Furthermore, the design statement mentions that there is no suitable alternative site and there is a high demand for plots at the Park. We are querying if this development is even needed, as there are currently three caravan parks in Comrie. The caravan park proposing this expansion currently has nine empty pitches and three caravan or chalets for sale. Most of which have been available for more than two years.

The site currently keeps all its private street lights lit all through the night. We feel this expansion will unnecessarily increase Comrie's light pollution on the local environment.

We noted that the lighting is not mentioned at all on the planning application. Because of this the closest neighboring property could not be aware of this issue and as such could not object against it. There is a serious concern that it can further impact on their privacy.

We would like to bring to your attention that the extension on the rear of our property that faces the caravan site has not been included on the drawings of the plans.

The proposed extensions, by reason of their size, siting and design would represent an unneighborly form of development, detrimental to the amenities of the occupiers of adjoining residential property, particularly by reason of the overbearing effect.

In conclusion we would also like to request that, should the application be approved, the council consider using its powers to enforce controlled hours of operation and other restrictions that might make the duration of the works more bearable. The proposed site of development is very small and contained, with no road frontage, so we would ask that consideration be made about how and where construction vehicles and staff would gain access to the site for unloading and parking without causing a highway hazard or inconveniencing neighbours. We would be grateful if the council would take our objections into consideration when deciding this application.

Kind Regards,

Matthew Osgood & Jana Hajdova

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/00732/FLL	Comments provided by	Mike Lee Transport Planning Officer
Service/Section	Transport Planning	Contact Details	
Description of Proposal	Formation of 34 caravan plots, access road, car parking and associated works		
Address of site	Comrie Holiday Park Station Road Comrie		
Comments on the proposal	<p>The existing access to the site is sufficient to accommodate the additional vehicles this proposal would bring. Forward visibility at the junction is also sufficient for a 30mph section of road.</p> <p>The responsibility for the A85 lies with the Trunk Road Operator.</p> <p>Insofar as the Roads matters are concerned, I have no objection to this proposal.</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	19/08/20		

Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

**The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013 S.I.2013 No 155 (S.25)**

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To Perth and Kinross Council Pullar House, 35 Kinnoull Street, Perth PH1 5GD	Council Reference:-	20/00732/FLL
	TS TRBO Reference:-	NW/300/2020

Application made by Comrie Holiday Park Ltd per Denholm Partnership Architects, 11 Dunira Street Comrie PH6 2LJ and received by Transport Scotland on 29 September 2020 for planning permission for formation of 34 caravan plots, access road, car parking and associated works located at Comrie Holiday Park Station Road Comrie Crieff affecting the A85 Trunk Road.

Director, Roads Advice

1. The Director does not propose to advise against the granting of permission ☒
2. The Director advises that planning permission be refused (see overleaf for reasons). ☐
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons). ☐

To obtain permission to work within the trunk road boundary, contact the Area Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-

Area Manager (A85)
0141 272 7100
Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Operating Company:-

NORTH WEST

Address:-

Bear House, Inveralmond Road, Inveralmond Industrial Estate, Perth, PH1 3TW

Telephone Number:-

0845 4130200

e-mail address:-

NWplanning@bearsotland.co.uk

Transport Scotland Response Date:- 06-Oct-2020

Transport Scotland Contact:- Shaun Phillips

Transport Scotland Contact Details:-

Roads - Development Management

Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Telephone Number:

e-mail: development_management@transport.gov.scot

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland , Roads Directorate, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted .