

LRB-2022-67
22/01236/FLL - Alterations to garage/workshop to form dwellinghouse, land 40 metres north east of Eldorado, Glenfoot, Abernethy

INDEX

- (a) Papers submitted by the Applicant (***Pages 13-32***)
- (b) Decision Notice (***Pages 35-36***)
 - Report of Handling (***Pages 37-42***)
 - Reference Documents (***Pages 24-27, 32 and 43-48***)
- (c) Representations (***Pages 49-66***)

LRB-2022-67

22/01236/FLL - Alterations to garage/workshop to form dwellinghouse, land 40 metres north east of Eldorado, Glenfoot, Abernethy

**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 100581548-003

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

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

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

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1 (Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Eldorado"/>
First Name: *	<input type="text" value="Robert"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Munro"/>	Address 1 (Street): *	<input type="text" value="Glenfoot"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="Abernethy"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text" value=""/>	Postcode: *	<input type="text" value="PH2 9LS"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

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="ELDORADO"/>
Address 2:	<input type="text" value="GLENFOOT"/>
Address 3:	<input type="text" value="ABERNETHY"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PERTH"/>
Post Code:	<input type="text" value="PH2 9LS"/>

Please identify/describe the location of the site or sites

<input type="text"/>	
Northing	<input type="text" value="715727"/>
Easting	<input type="text" value="318380"/>

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 conversion of garage/workshop into a house

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.

We wish the Local Review Body to have a consideration of this proposal after the refusal of Planning Permission. Please take account of the support statement dated 6th July 2022 submitted with the application. Please take account of my statement today, 22nd December 2022. It is requested that the Local Review Councillors visit the site to see the whole nature of this proposal at the existing small holding.

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)

Support statement dated 6th July 2022 Support statement dated 22nd December 2022 Photographs of garage/workshop Plans submitted with original application Location plan and block plan

Application Details

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

22/01236/FLL

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

02/08/2022

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

30/09/2022

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)

It is essential you see the nature of the proposal on site and get the whole picture (the Planning Officer never visited the site).

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: Mr Robert Crerar

Declaration Date: 22/12/2022

Support Statement for Local Review Body

Proposed Conversion of Garage/Workshop into a House at Eldorado, Glenfoot Road, Abernethy, Perthshire.

We wish this support statement to be considered by the Councillors on the Local Review Body against the Planning Officer's refusal of the application for Planning Permission to convert the existing garage/workshop into a small house.

I have been in business for over 40 years preparing plans, mainly in Perthshire, and personally I am truly shocked at this decision by the Planning Officer to refuse this application for Planning Permission when it should have been supported.

Mrs Barbara Munro's grandparents owned and farmed Glenfoot Farm for many years, on her grandfather's death her mother and father took over the farm, which included Castlelaw Hill.

Mrs Barbara Munro's parents were born and brought up in Abernethy as was their son, Robert, who would like to remain in Abernethy to help his elderly parents, who are now struggling with the small holding due to the fact Mr Stuart Munro has prostate and bone cancer. Some compassion would be appreciated.

The garage/workshop in question was originally a very important building. It was the old fire station in Newburgh, hence its shape. The building was purchased, dismantled and then rebuilt at Eldorado in 1996, some 26 years ago, as a permitted development, with original paperwork available.

Eldorado was purchased by Mr Stuart Munro's parents (Robert's grandparents) in the 1960's and worked as a raspberry farm for many years. They moved into the village and the house at Eldorado was built in the 1990's, some 30 years ago.

From the plans submitted with the Planning application the existing garage/workshop provides a very nice one bedroom house indeed, with lounge, bedroom, bathroom, kitchen and small office. It converts very well into a house.

The garage/workshop has been at the small holding for 26 years now. It is finished in timber and a corrugated iron roof. It has had a use as very nice garage/workshop, looked after with care by Mr Stuart Munro for his one lorry business at the small holding. It now has a redundant use, hence the reason to keep the building alive with a conversion into a small house.

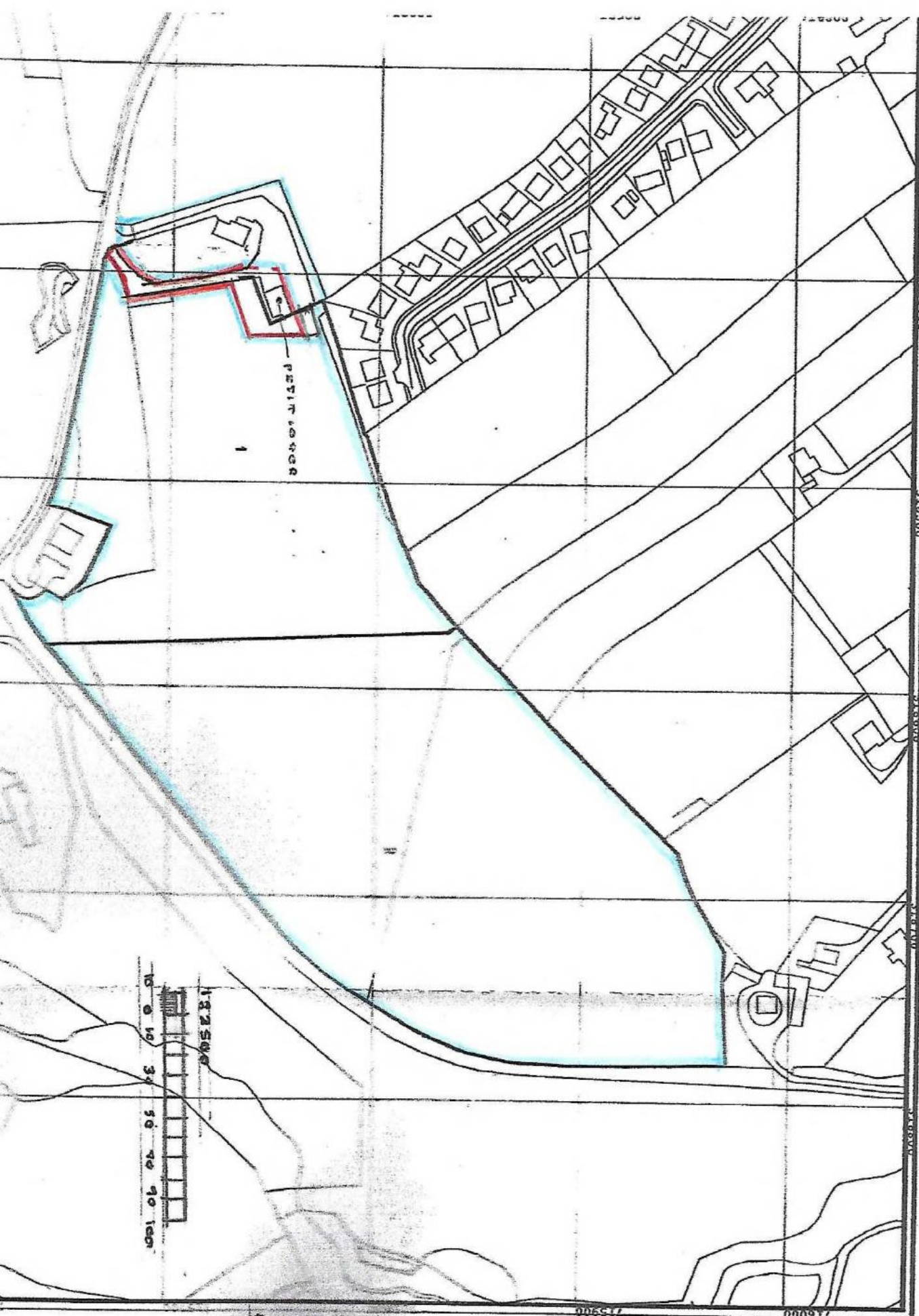
The conversion into the small house would be for Mr & Mrs Munro's son, Robert, who stays in a caravan, and the small house would give him good, permanent accommodation for himself and his 2 sons. The garage/workshop looks well in the small holding and it is an existing setup and with a good conversion as indicated on the proposed plans and with landscaping all round it would be an asset to the small holding and the surrounding area.

The Planning Officer in her Delegated Report has copied the Environmental Health Officer's response and there is a sentence on the top of the 2nd page of the Delegated Report about adding a condition, which implies the Planning Officer was going to conditionally support the application. Why was this included in the Delegated Report.

In conclusion, I would ask the Councillors on the review committee to support this Notice of Review so this existing garage/workshop in place for 26 years can remain in place with a different function, to contain a very nice small one bedroom house for Mr & Mrs Munro's son, Robert. I believe it complies with the houses in the countryside policy where an existing building can be converted into a house. I hope you can visit the small holding to see the existing setup and support the proposal.

R. Crerar

22nd December 2022

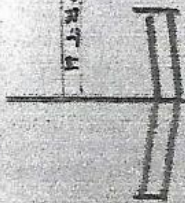


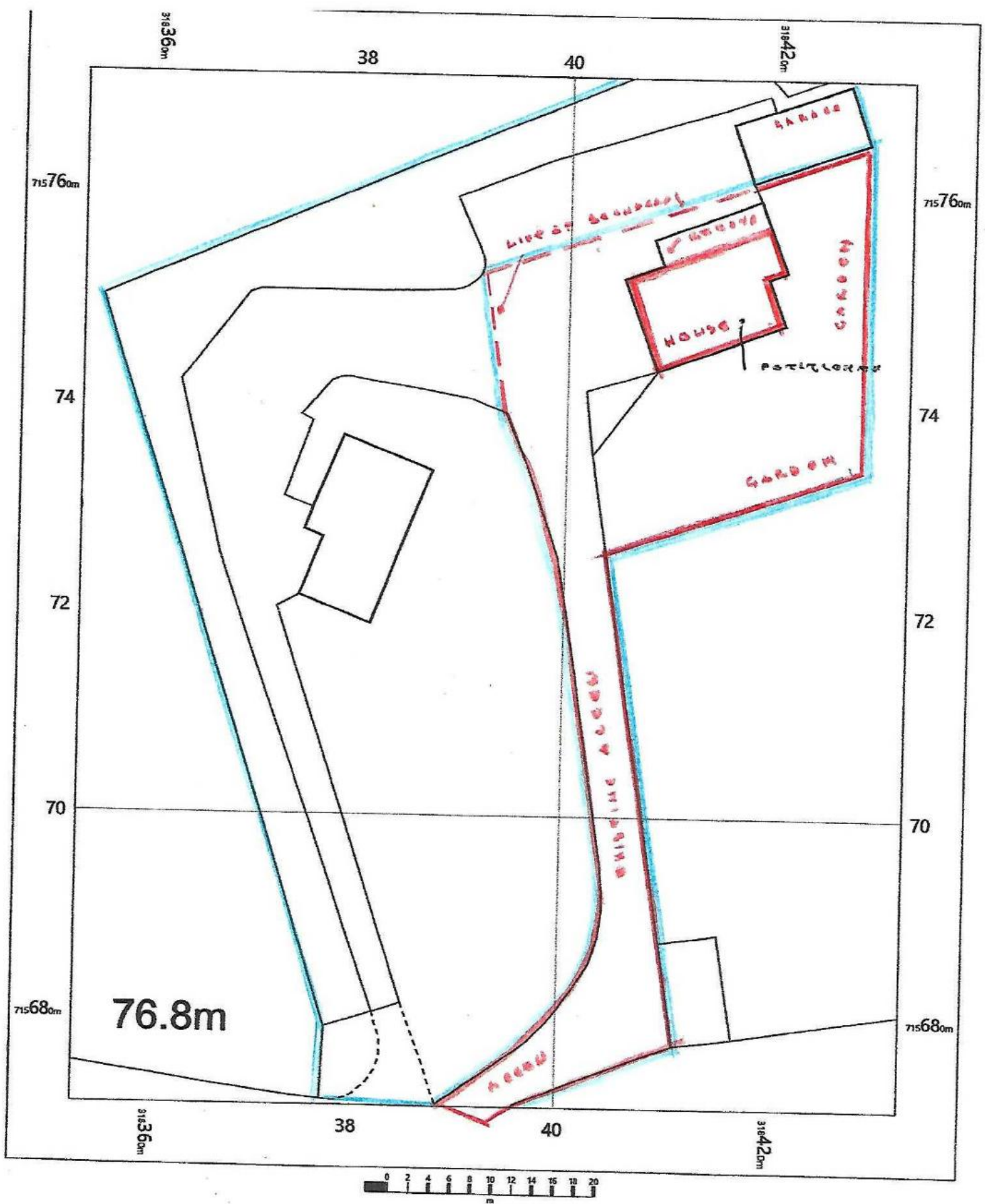
SC
EM

Counter	Field Id
1	N000496
2	N018077

Handed over

NORTH





OS MasterMap 1250/2500/10000 scale
 Tuesday, January 21, 2020, ID: M4P-00854286
www.nicolsondigital.com

1:500 scale print at A4. Centre: 319203 E 715773 N

OUTSIDE WALLS

RETAIN EXISTING OUTSIDE WALLS BUT ADJUST AS FOLLOWS

VERTICAL T & C TIMBER BOARD 50 MM V250X100

HORIZONTAL STRAPS AT 300 MM CTRS (EXTREMELY) 50 MM

V120X VERTICAL STRAPS AT 300 MM CTRS. REINFORCE

ORIGINAL TIMBER BOARDING, BRATTLETYPE BUILDING

PAPER (PARKER LULU), 10 MM PLY WOOD, RETAIN

EXISTING 100 MM 150 MM STANDARDS AT 300 MM CTRS

ADD 50 MM V250X STRAPS TO FACE OF EACH STANDARD

100 MM KINGSTON THERMAL INSULATION SYSTEM

ON INSIDE 40 MM STYROFOAM THERMAL INS PLUS WITH BUILT

IN VERTICALLY BARRIERS

ROOFS

REMOVE EXISTING CORRUGATED IRON SHEETING & RIDGES

REPAIR EXISTING ROOF & DOCKING, INSTALL DALTEN

ROOF SHEILD BARANUSCH PROBRANE, 75 MM 350 MM

TIMBERS AT 800 MM CTRS, INSTALL NEW GREY

PROFILE SHEETING & RIDGES, 40 MM NEW FASTENERS

BOARDS & BARKED BOARD

PROPOSAL

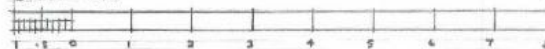
TO CONVERT EXISTING WORKSHOP INTO A 2-BED HOUSE

WITH BATHS, KITCHEN, BEDROOM WITH ENSUITE BATHROOM

BEDROOM & SMALL OFFICE

PROPOSED CONVERSION OF GARAGE / WORKSHOP INTO A HOUSE AT ELDORADO, GLENFOOT, ABERMETHY PERTHSHIRE FOR MR ROBERT S MUNRO

SCALE - 1:150



WINDOWS & DOORS

GREY PVC WINDOWS & DOORS, DOUBLE GLAZED,

U VALUE 1.45, LAMINATED GLASS, PERMANENT TO

EACH 12,000 HRS, LOOKS TO BEGAIN IN DESIGN,

BRACKET STRIPPING, H TYPE WINDOW

25 MM KINGSPAN 40 INCHES, HEAD & SILLION BILLOWED

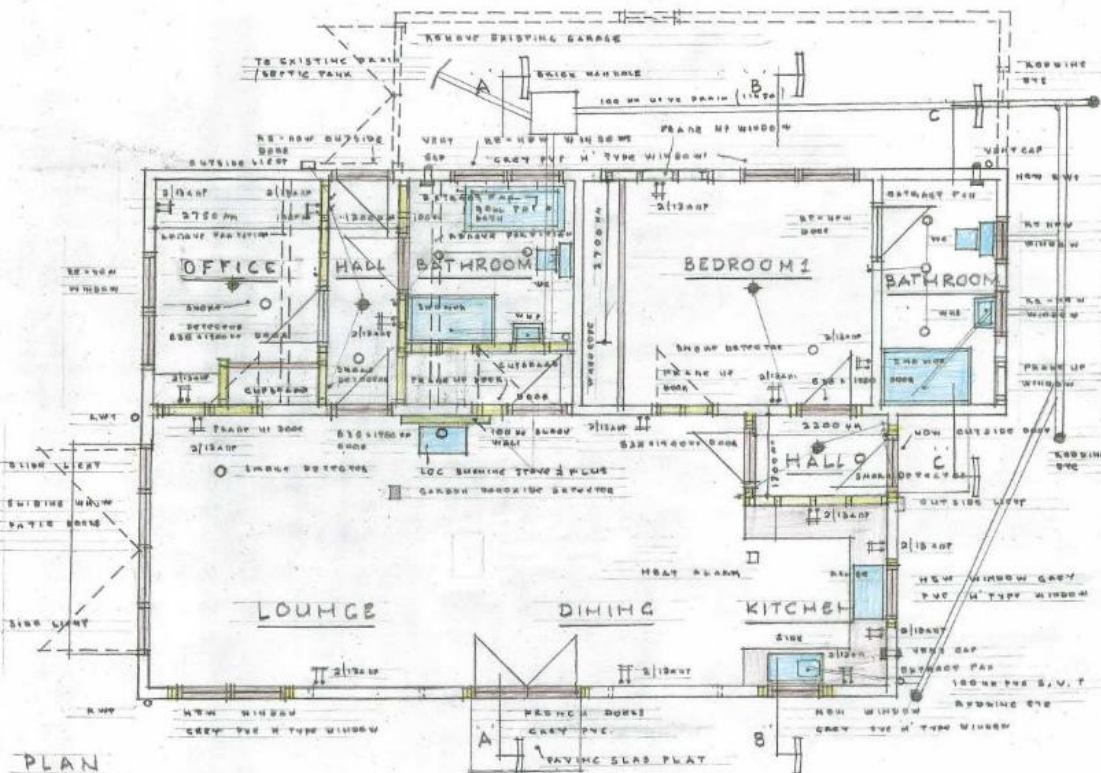
12.5 MM TO FILL BACK PLASTERBOARD

FLOOR

RETAIN EXISTING 150 MM CONCRETE FLOOR & D.P.M

INSTALL 120 MM KINGSPAN THERMAL INS ON TOP

ON TOP 32 MM T & C GIBBERD FLOORING



PLAN

R CREAR

BUILDING CONSULTANT

THE SQUARE

METHVEN, PERTHSHIRE

TELEPHONE 01735 540364

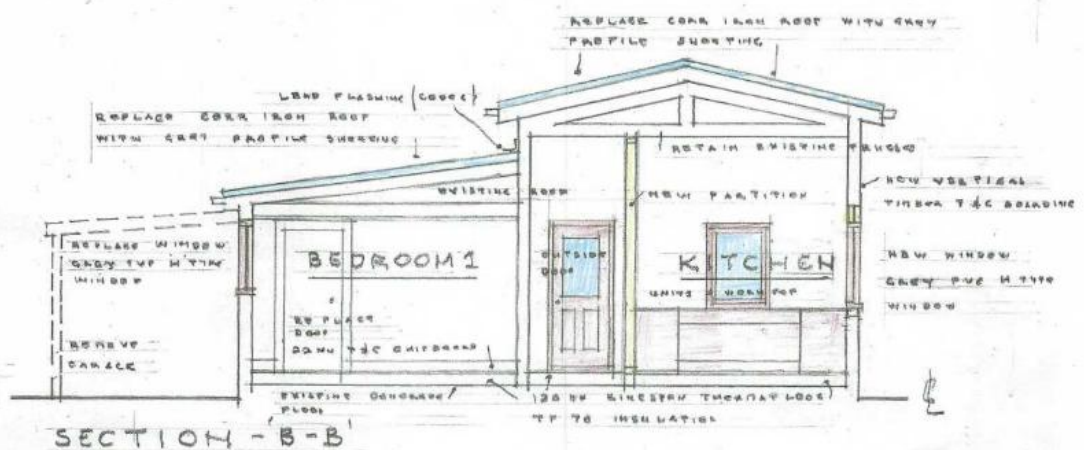
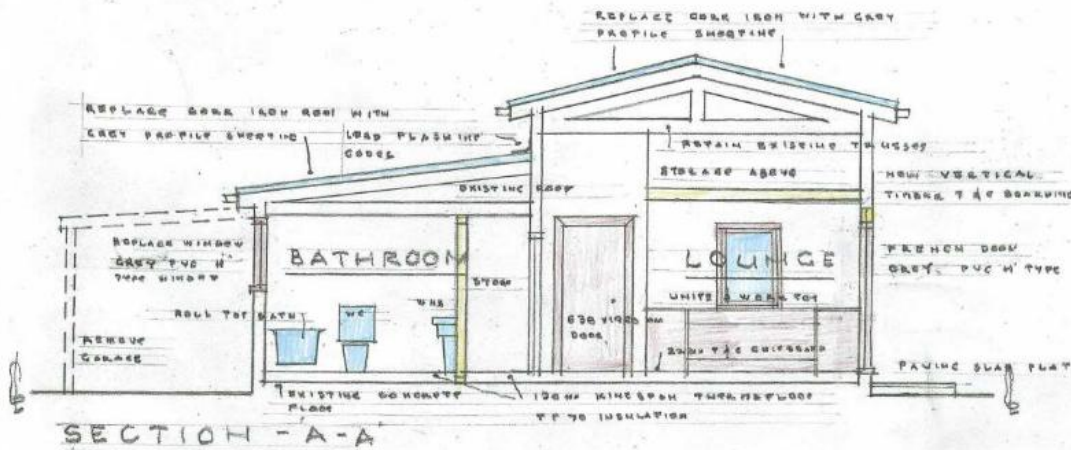
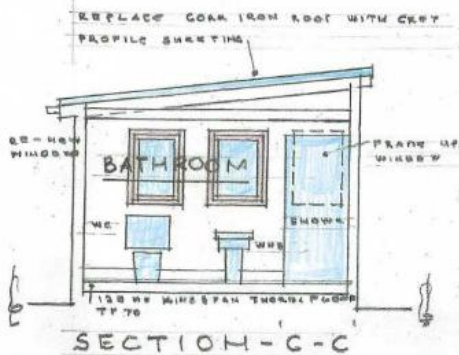
PROPOSED CONVERSION OF GARAGE/WORKSHOP

INTO A HOUSE AT ELDERADO, GLENFOOT,

ABERNETHY, PERTHSHIRE

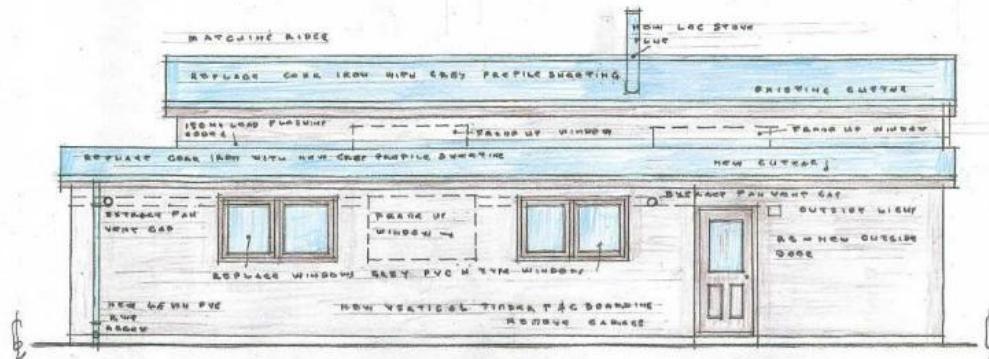
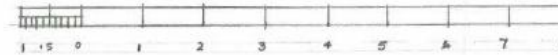
FOR MR ROBERT S MUHRO

SCALE - 1:50

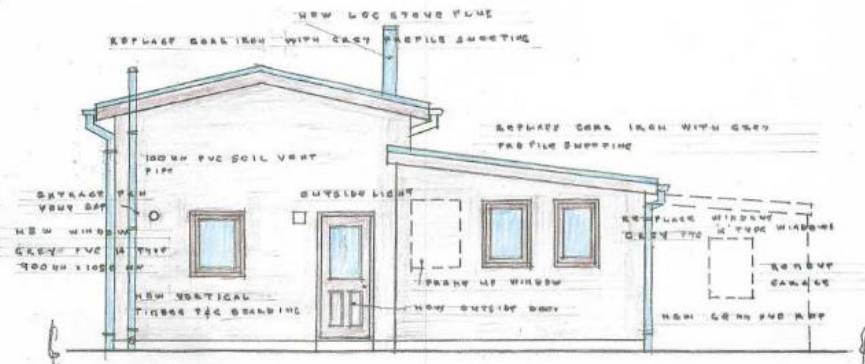


PROPOSED CONVERSION OF GARAGE/WORKSHOP INTO
A HOUSE AT ELDORADO, GLENFOOT, ABERNETHY
PERTHSHIRE FOR MR ROBERT S MUNRO

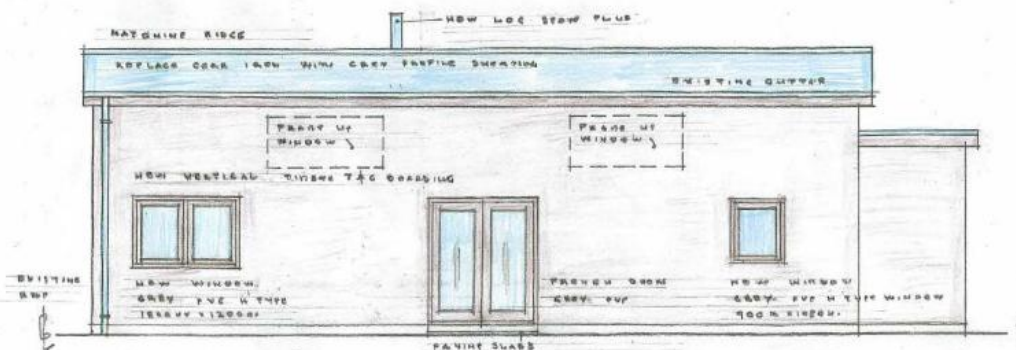
SCALE - 1:250



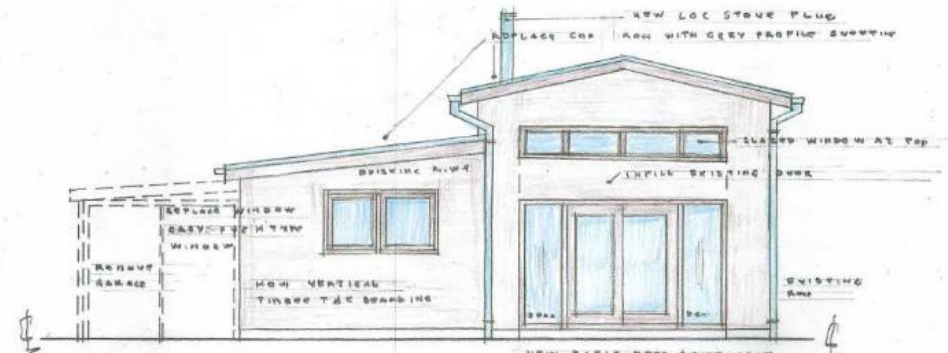
SIDE ELEVATION
(NORTH)



REAR ELEVATION
(EAST)



SIDE ELEVATION
(SOUTH)



FRONT ELEVATION
(WEST)









Support Statement

Proposed Conversion of Garage/Workshop into a House at Eldorado, Glenfoot Road, Abernethy, Perthshire.

The background to this project is that recently Mr Stuart Munro retired due to serious incurable health issues and as a result of this the workshop/garage has become redundant.

To retain the building and make use of the building it is proposed to convert the garage/workshop into a small house within the walls and roof of the garage and workshop, consisting of a lounge, kitchen, bathroom, bedroom with en-suite bathroom and a small office. The proposed house would be constructed and completed by Mr & Mrs S. Munro's son, Mr Robert Munro, to have a permanent home at this existing small holding. The proposed house has retained the existing walls and roof shapes and in the main retained the existing doors and windows to form an attractive house.

LRB-2022-67
22/01236/FLL - Alterations to garage/workshop to form dwellinghouse, land 40 metres north east of Eldorado, Glenfoot, Abernethy

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 24-27, 32)*



Mr Robert Munro
c/o Robert Crerar
Office
The Square
Methven
PH1 3PE

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **30th September 2022**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **22/01236/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 2nd August 2022 for Planning Permission for **Alterations to garage/workshop to form dwellinghouse Land 40 Metres North East Of Eldorado Glenfoot Abernethy**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposal is contrary to Policy 19 of the Perth and Kinross Local Development Plan 2019 and the Council's Housing in the Countryside Supplementary Guidance 2020 as the proposal fails to satisfactorily comply with category (5) Conversion or replacement of redundant non-domestic buildings as the policy requirements have not been met. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses and (6) Rural Brownfield Land.
2. The proposal is contrary to the Perth and Kinross Local Development Plan 2019 and the Council's Placemaking Supplementary Guidance 2020. In relation to Policy 1 Placemaking 1A the resultant design would not contribute positively to the quality of the surrounding environment and 1B (c) as the design does not complement its surroundings in terms of appearance.

Justification

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

Notes

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

Plan Reference

01

02

03

04

05

06

07

08

09

10

11

12

REPORT OF HANDLING

DELEGATED REPORT

Ref No	22/01236/FLL	
Ward No	P9- Almond And Earn	
Due Determination Date	1st October 2022	
Draft Report Date	30th September 2022	
Report Issued by		Date

PROPOSAL: Alterations to garage/workshop to form dwellinghouse

LOCATION: Land 40 Metres North East Of Eldorado Glenfoot
Abernethy

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

The site is located within rural area to the southwest of Abernethy, but the site does lie within close proximity the south boundary of the settlement.

The proposal details that the building would be converted but also states that the proposal has retained the existing wall and roof shapes to form a house. Whether the proposal is to alter/convert the consideration will be under the same part of the policy.

This application is for alterations to a garage/workshop to form a dwellinghouse which will include the provision of a single woodburning stove and associated flue.

There are quarrying activities to the south of the proposed site. Although disused, the original size and depth of the quarry is unknown, as is any material used to infill the quarry after work there ceased. There is therefore the potential for localised ground gas production that could possibly impact on any residential properties being built on the site.

There is also the possibility of contaminants being present on site as the garage was used to store vehicles and chemicals therefore a full ground risk assessment should be carried out prior to development.

I therefore recommend the following condition be applied to the application.

SITE HISTORY

None.

PRE-APPLICATION CONSULTATION

Pre application Reference:

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2 – Adopted November 2019

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

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 19: Housing in the Countryside

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

Policy 53B: Water Environment and Drainage: Foul Drainage

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

Policy 58A: Contaminated and Unstable Land: Contaminated Land

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

OTHER POLICIES

Housing in the countryside

Placemaking Supplementary Guidance

Developer Contributions supplementary Guidance

CONSULTATION RESPONSES

Environmental Health (Contaminated Land) Condition would be required

Environmental Health (Noise Odour) Stove informative would be required

Scottish Water No objection

Transport Planning No objection

Development Contributions Officer No contributions required

REPRESENTATIONS

1 representation was received.

It raised concerns over implications on private water supplies, and the general principle of residential development in the countryside against local development plan policy.

ADDITIONAL STATEMENTS

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

APPRAISAL

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

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

Policy Appraisal

The site is not located within the settlement boundary but is in close proximity with an access/garden ground of an adjacent dwelling retained to the north providing a buffer between the settlement and the site. Policy 6 does not support development

which adjoins the settlement, but as gap has been left in this case the proposal is not being further considered under this policy and due to other policy concerns.

The most applicable policy is therefore Policy 19 Housing in the Countryside which states that development of single houses or groups of houses which fall within the six identified categories will be supported.

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

The only applicable category for consideration is Category 5 which relates to the conversion or replacement of redundant non-domestic buildings. To be considered under this category, as detailed in the supplementary guidance, the building must be of traditional form and construction, or non-traditional but otherwise of architectural merit and which makes a positive contribution to the landscape and character of the surrounding area.

The building on site as evidenced from the submitted photographs is a large timber shed with low pitched corrugated roof with a number of lean-to extensions. This building does not meet the definition of a traditional building and is not of architectural merit that makes a positive contribution. The building cannot comply with the criteria under this category and therefore no further consideration is given.

The site has been further considered under the remaining categories but it does not form part of a building group (1), is not infill development (2) is not accompanied by the supporting information required under new houses in open countryside (3), is not a replacement dwellinghouse (4) and does not meet the definition of rural brownfield.

Design and Layout

The proposal is to convert/alter a building which has a functional outbuilding/garage design. The elevational changes to convert to a dwelling include the addition of windows and doors but this in conjunction with the shallow pitched roof and disproportionate wall to roof ratios result in a poor design not reflecting the rural character of the area.

By virtue of the alterations required to form a dwelling and the original form of the building not being conducive to conversion the proposal would be contrary to Policy 1 Placemaking 1A as the resultant design would not contribute positively to the quality of the surrounding environment and 1B (c) as the design does not complement its surroundings in terms of appearance.

Residential Amenity

The site is to the east of an existing dwelling with adequate distance to mitigate any impacts in terms of overlooking. Windows are proposed to the north in close

proximity to the boundary (beyond which is an access track to a garage the main amenity space of the neighbouring dwelling is to the west). As the windows (one bedroom/one bathroom) are at ground floor if the proposal has been acceptable a boundary treatment could have mitigated the impact.

Roads and Access

Transport Planning have no objection to the access arrangement proposed.

Drainage and Flooding

The site is not at risk of flooding and there is adequate space within the site for drainage proposals (the details of which could have been conditioned if the application was to be supported).

Natural Heritage and Biodiversity

The building is not of an age, material or construction type to have potential for protected species.

Developer Contributions

Primary Education

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. This proposal is within the catchment of Abernethy Primary School. The proposed dwelling shows one bedroom, in line with par 4.5 of the Guidance, this does not require assessment for contributions.

Transport Infrastructure

The Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.

The site is located in the 'Full' Transport Infrastructure contributions zone (Appendix 3 of the Supplementary Guidance). The change of use will not require a contribution.

Economic Impact

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

VARIATION OF APPLICATION UNDER SECTION 32A

This application was not varied prior to determination.

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 adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.

Accordingly the proposal is refused on the grounds identified below.

Reasons

1 The proposal is contrary to Policy 19 of the Perth and Kinross Local Development Plan 2019 and the Council's Housing in the Countryside Supplementary Guidance 2020 as the proposal fails to satisfactorily comply with category (5) Conversion or replacement of redundant non-domestic buildings as the policy requirements have not been met. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses and (6) Rural Brownfield Land.

2 The proposal is contrary to the Perth and Kinross Local Development Plan 2019 and the Council's Placemaking Supplementary Guidance 2020. In relation to Policy 1 Placemaking 1A the resultant design would not contribute positively to the quality of the surrounding environment and 1B (c) as the design does not complement its surroundings in terms of appearance.

Justification

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

Informatives

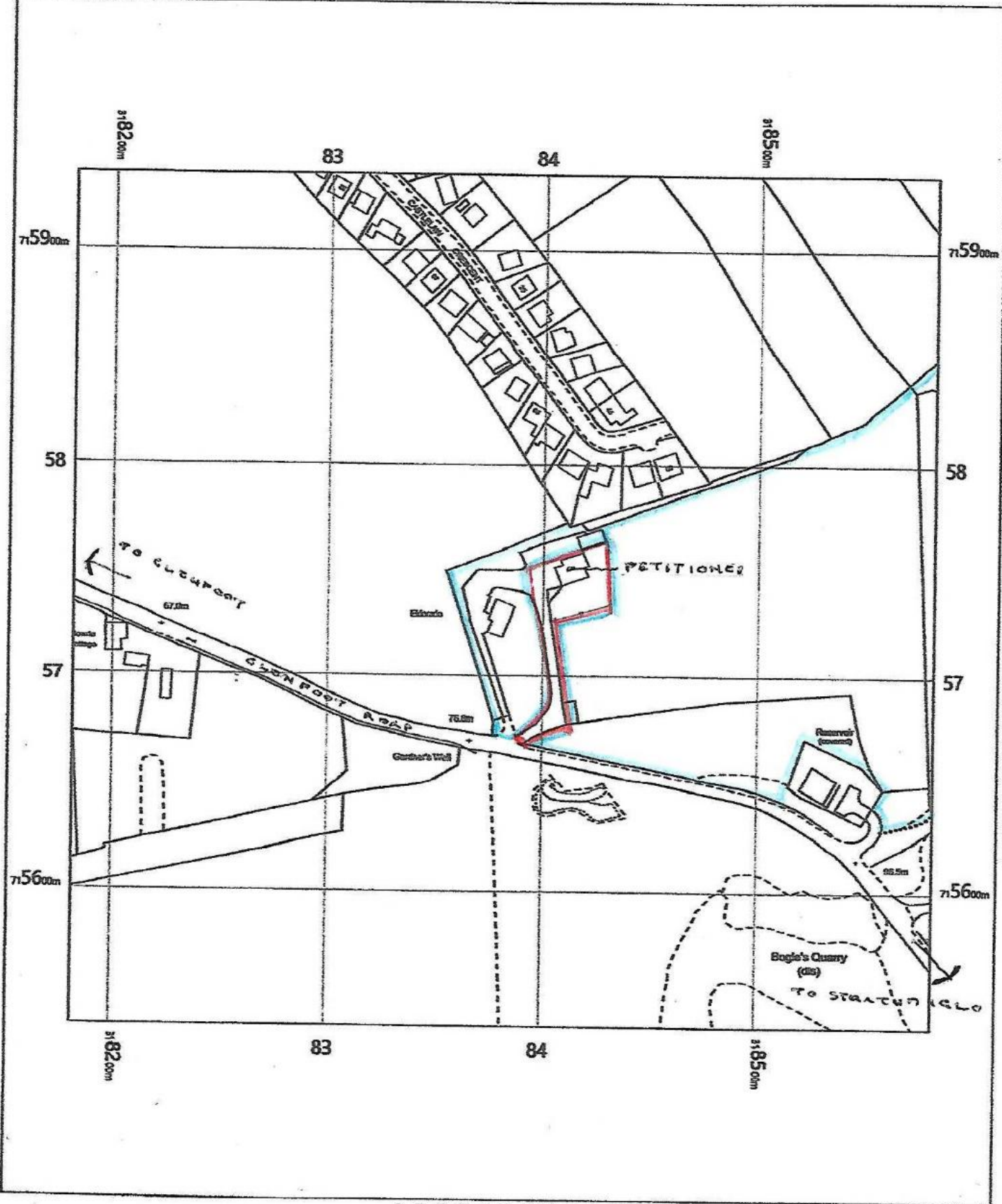
N/A

Procedural Notes

Not Applicable.

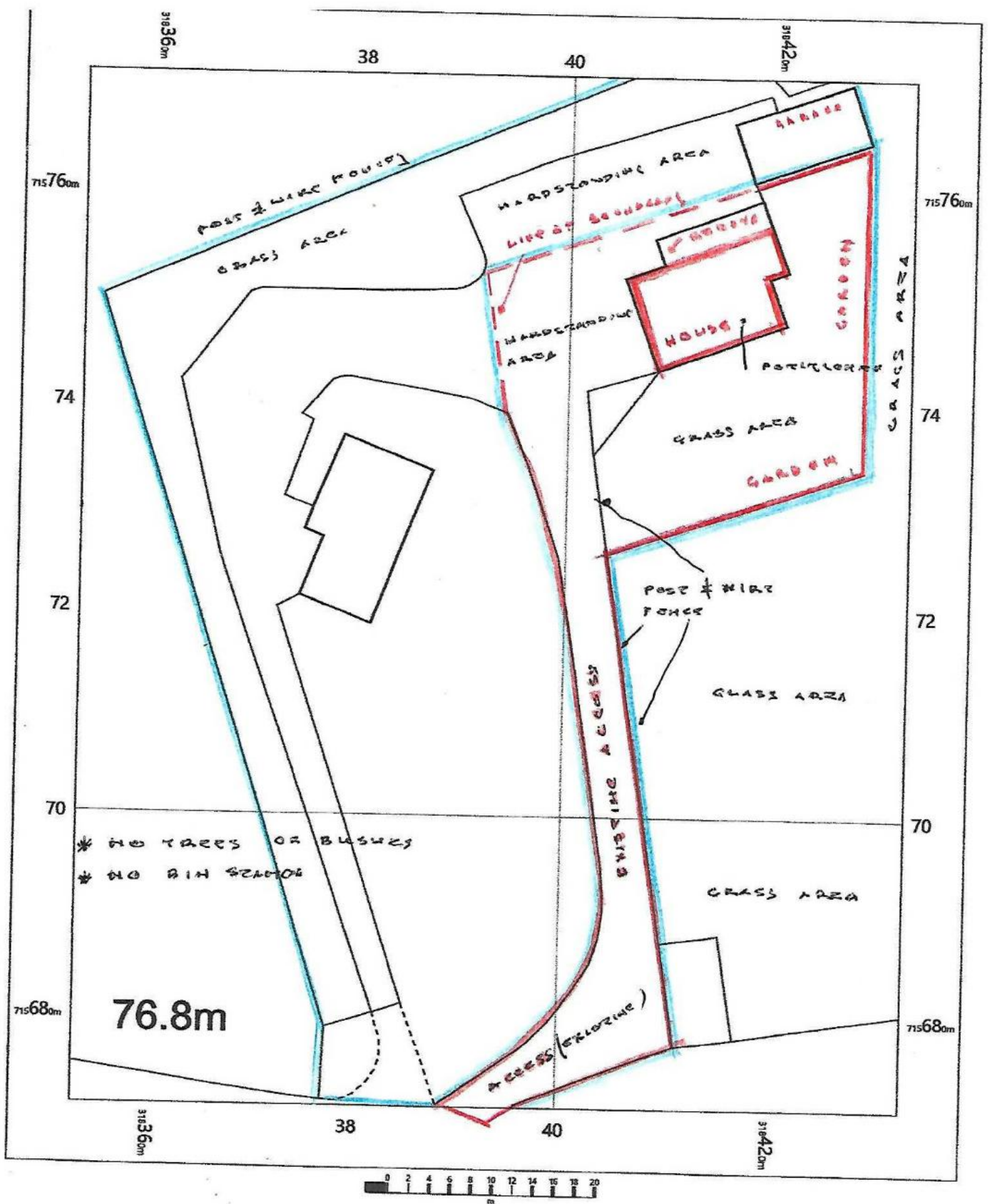
PLANS AND DOCUMENTS RELATING TO THIS DECISION

01	05	09
02	06	10
03	07	11
04	08	12



OS MasterMap 1250/2500/10000 scale
 Tuesday, January 21, 2020, ID: M4P-00854287
www.nicolsondigital.com

1:2500 scale print to A4 Centre 210292 E 715725 N

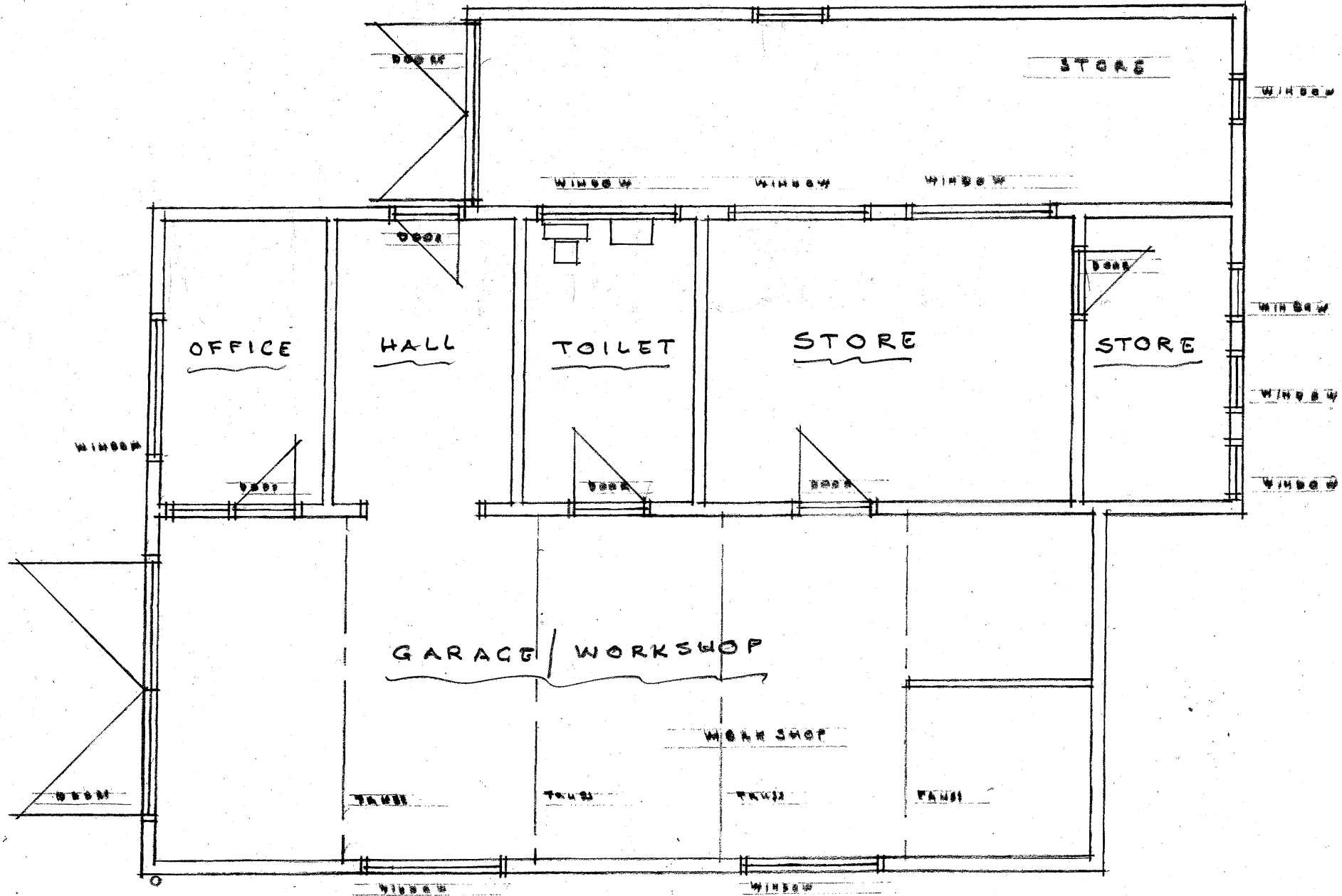


OS MasterMap 1250/2500/10000 scale
 Tuesday, January 21, 2020, ID: M4P-00854286
 www.nicolsondigital.com
 1:500 scale print at A4. Centre 219263 E 715722 N

EXISTING PLAN - 1:50

(BLOOMING, CLEM HOTT, ABBANETHY)

SCALE - 1:50

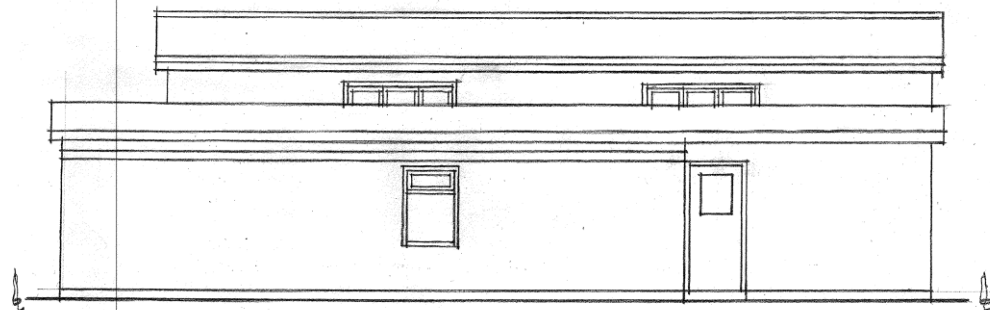
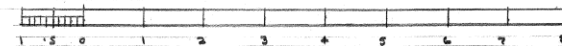


PLAN

EXISTING ELEVATIONS 1:50

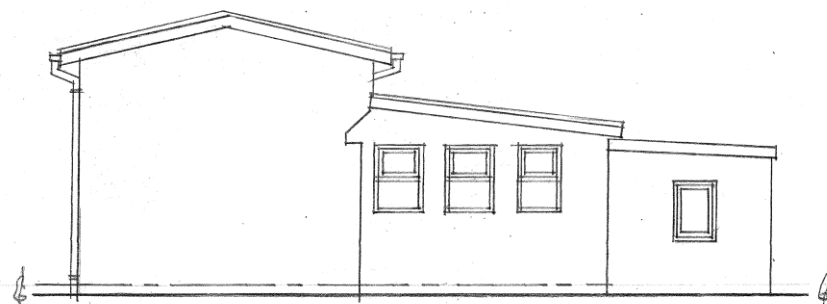
(ELDERADO, CLIMFOOT, ABERDEEN, PERTHSHIRE)

SCALE = 1:50



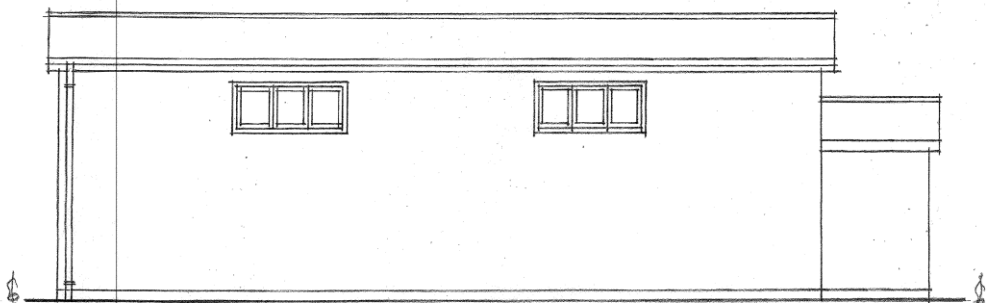
SIDE ELEVATION

(NORTH)



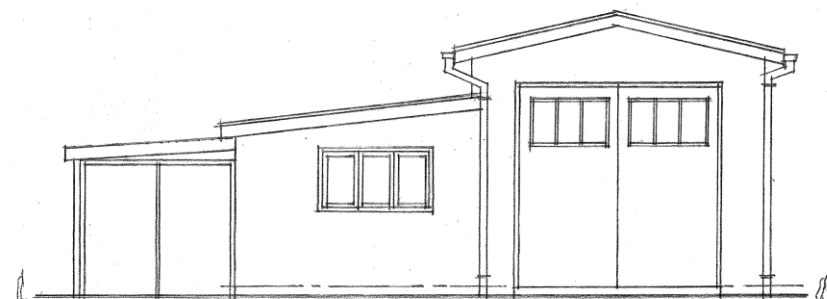
REAR ELEVATION

(EAST)



SIDE ELEVATION

(SOUTH)



FRONT ELEVATION

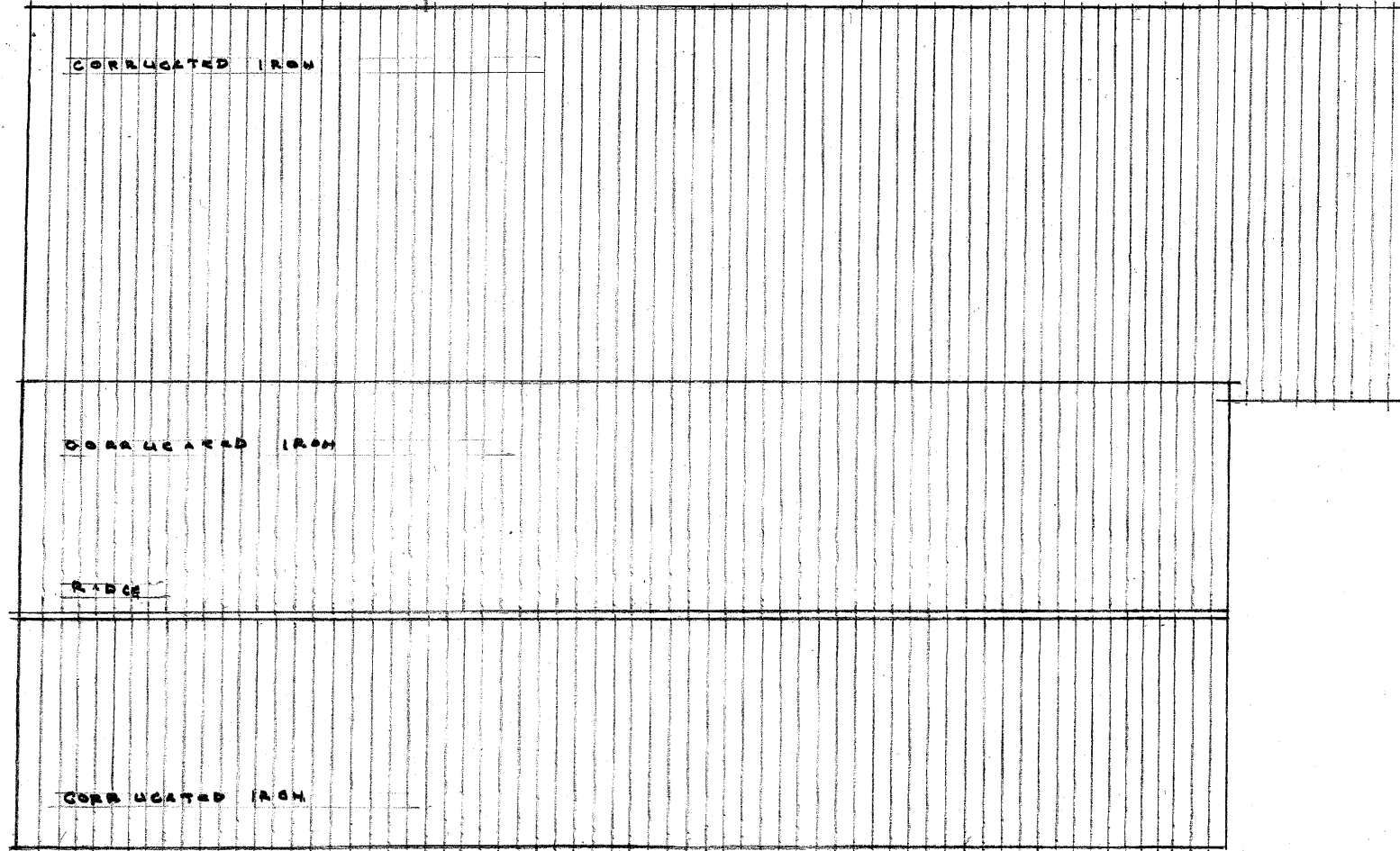
(WEST)

EXISTING ROOF PLAN

SCALE = 1:50



REMOVE GARAGE (DOTTED)



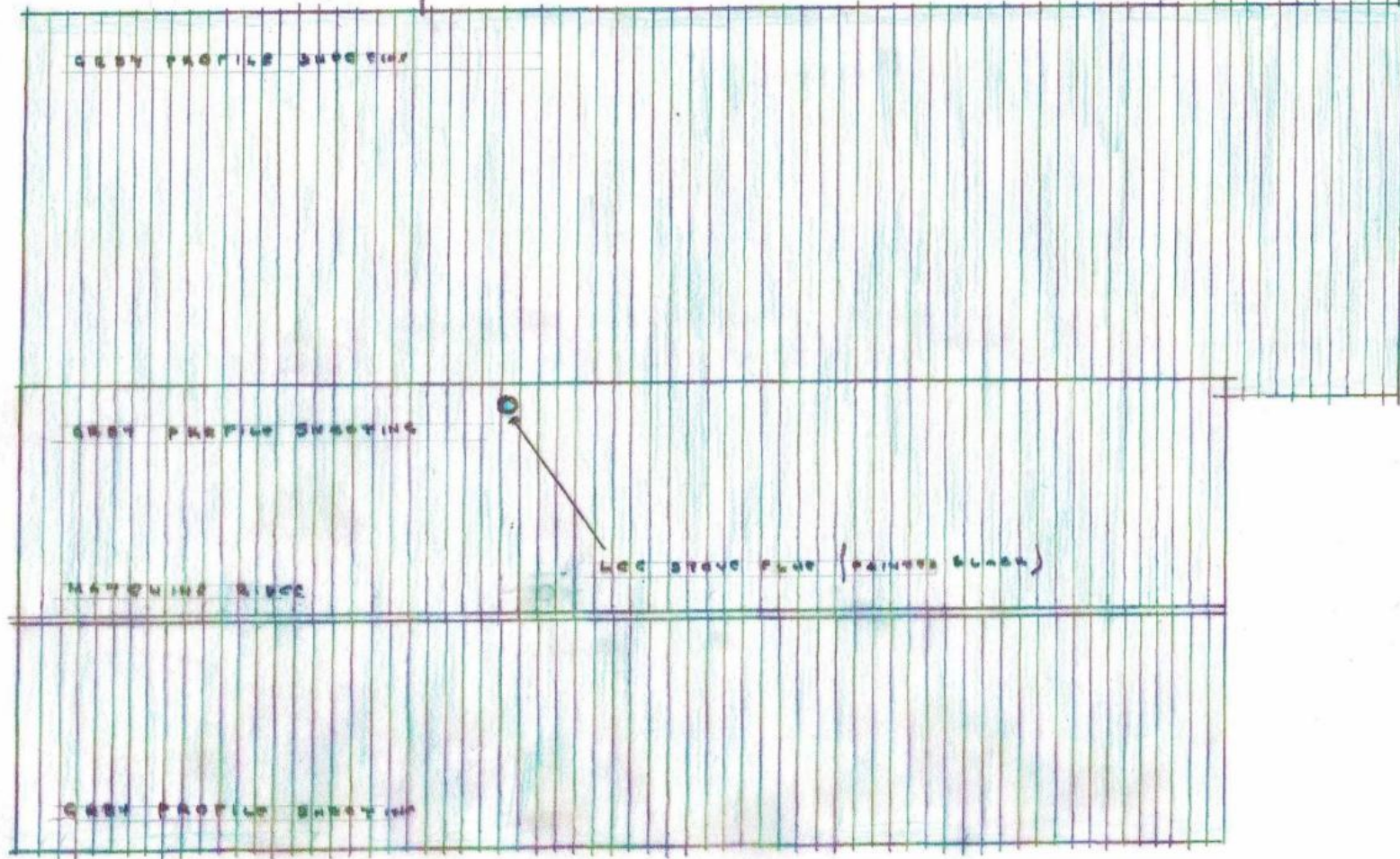
ROOF PLAN

PROPOSED ROOF PLAN

SCALE - 1:50



REMOVE GARAGE (DOTTED)



ROOF PLAN

LRB-2022-67

22/01236/FLL - Alterations to garage/workshop to form dwellinghouse, land 40 metres north east of Eldorado, Glenfoot, Abernethy

REPRESENTATIONS

Mrs Evelyn Finn (Objects)

Comment submitted date: Fri 12 Aug 2022

The houses such as mine on the elevated south side of the village, have suffered from loss of water supply due to lack of pressure for many years. This has been more recently addressed as far as possible. However, there have been stables built, and some additional development which doesn't help. The existing development plan addresses the need for housing, and is located where all services are available. I see no need for a residential property being built outside of the designated area, particularly where it has been specifically shown to cause water pressure issues. Therefore I strongly oppose this development.

Friday, 12 August 2022



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

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

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



Dear Customer,

Land 40 Metres North East Of, Eldorado Glenfoot, Abernethy, PH2 9LP
Planning Ref:
Our Ref: DSCAS-0070523-XWS
Proposal: 22/01236/FLL | Alterations to garage/workshop to form dwellinghouse | Land 40 Metres North East Of Eldorado Glenfoot Abernethy

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. Please read the following carefully as there may be further action required. Scottish Water 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

- ▶ There is currently sufficient capacity for a foul only connection in the ABERNETHY Waste 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.

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

Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets.

- ▶ 150mm Asbestos Cement pipe at the edge of your site.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) for an appraisal of the proposals.

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

Written permission must be obtained before any works are started within the area of our apparatus

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-Domestic 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 launderettes. 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,

Ruth Kerr

Development Operations Analyst

Tel: 0800 389 0379

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."

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 22/01236/FLL

Our ref OLW

Date 16 August 2022

Tel No

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission PKC 22/01236/FLL RE: Alterations to garage/workshop to form Dwellinghouse, Land 40 Metres North East Of Eldorado, Glenfoot, Abernethy for Mr Robert Munro

I refer to your letter dated 16 August 2022 in connection with the above application and have the following comments to make.

Environmental Health

Recommendation

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

Comments

This application is for alterations to a garage/workshop to form a dwellinghouse which will include the provision of a single woodburning stove and associated flue.

Air Quality

Perth and Kinross Council have a duty to assess biomass boilers for capacity within the range of 50kW to 20MW in terms of nitrogen dioxide and particulate matter based on their effect on air quality in the area. Though the application does not include any information on the stove, it is likely to be domestic sized and therefore I have no adverse comments to make with regards to air quality.

Odour

Another matter pertaining to the stove which could cause an issue has the potential for smoke or odour disamenity. This Service has seen an increase in complaints with regards to smoke and odour due to the installation of biomass appliances. This can be caused due to poor installation and maintenance of the biomass appliances and also inadequate dispersion of emissions due to the inappropriate location and height of a flue with regards to surrounding buildings.

I note from the submitted plans that the flue will terminate above roof ridge height, which will aid in dispersion of emissions. I would advise that smoke/odour could be further minimised through the use of fuel recommended by the stove manufacturer.

In light of the above, the residential amenity at neighbouring dwellinghouses should not be adversely affected by smoke/odour.

I would therefore have no objections to this development provided that the following informative is attached to the consent.

Informative

The approved stove system shall be installed and thereafter operated and maintained in accordance with the manufacturer's recommendations, such that smoke odours are not exhausted into or escape into any neighbouring dwellings. Failure to do so may result in an investigation and possible action by Environmental Health under the Environmental Protection Act 1990.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	22/01236/FLL	Comments provided by	Dean Salman Development Engineer
Service/Section	Transport Planning	Contact Details	
Description of Proposal	Alterations to garage/workshop to form dwellinghouse		
Address of site	Land 40 Metres North East Of Eldorado Glenfoot Abernethy		
Comments on the proposal	Insofar as the Roads matters are concerned, I have no objection to this proposal.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	30 August 2022		

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 22/01236/FLL

Our ref KIM

Date 2 September 2022

Tel No [REDACTED]

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission PK22/01236/FLL RE: Alterations to garage/workshop to form dwellinghouse at Land 40 Metres North East Of Eldorado, Glenfoot, Abernethy for Mr Robert Munro

I refer to your email dated 16/08/2022 in connection with the above application and have the following comments to make.

Contaminated Land

There are quarrying activities to the south of the proposed site. Although disused, the original size and depth of the quarry is unknown, as is any material used to infill the quarry after work there ceased. There is therefore the potential for localised ground gas production that could possibly impact on any residential properties being built on the site.

There is also the possibility of contaminants being present on site as the garage was used to store vehicles and chemicals therefore a full ground risk assessment should be carried out prior to development.

I therefore recommend the following condition be applied to the application.

Conditions

EH41

Development shall not commence on site until an evaluation for the potential of the site to be affected by contamination by a previous use has been undertaken and, as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) has been submitted for consideration and accepted by the Council as Planning Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation shall be undertaken to identify;

- I. the nature, extent and type(s) of contamination on the site
- II. measures to treat/remove contamination to ensure the site is fit for the use proposed
- III. measures to deal with contamination during construction works
- IV. condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the measures to decontaminate the site shall be fully implemented in accordance with the scheme subsequently agreed by the Council as Planning Authority. Verification that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

CDS Planning Local Review Body

From: Eve Finn [REDACTED]
Sent: 17 January 2023 12:16
To: CDS Planning Local Review Body
Subject: Re: LRB-2022-67

CAUTION: This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.

22/01236/FLL
LRB-2022-67.

I am extremely sorry to hear of the applicant's ill health.

It is in poor taste that the agent introduces the matter as grounds for an appeal, and I can see no new basis for a change in your initial decision.

Permission was given initially for the static caravan to remain for two years (13/00914/FLL) to enable the applicant to find accommodation locally.

The development plan has allowed for many new houses in Abernethy, so there has been ample opportunity for the applicant to secure accommodation, and remove the caravan during the last ten years.

It would seem that no attempt had been made to comply with your ruling, made long before any delays due to coronavirus, or any indication of the applicant's failing health.

Our water supply has been an issue in the past, due to the fact that we are up the side of the hill, and there is no pump in the supply pipe. Services do have their breaking point, so I hope you will stick by your earlier decision, and also enforce the longstanding notice to remove the caravan.

Yours faithfully,
Eve Finn.

CDS Planning Local Review Body

From: Robert Crerar <r.crerar1@outlook.com>
Sent: 10 February 2023 14:07
To: CDS Planning Local Review Body
Subject: LRB-2022-67
Attachments: email.pdf

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.

Dear Lisa,

In response to your email to me dated 2nd February 2023 in connection with application reference 22/01236/FLL, with which you attached an objecting letter from Mrs Eve Fiinn, I forwarded this onto my clients for their perusal and comments.

As a result of this I have received a small email from Mrs Barbara Munro on 8th February 2023 and attached to this were the comments of her son, Robert Munro, the applicant who hopes to convert the garage/workshop into a small house for himself at the small holding.

I believe myself the objecting letter should be disregarded, as Mrs Finn is not an adjoining neighbour to Eldorado. I hope you can take into account this email and the attached email from Mrs Barbara Munro and Robert Munro. Thank you.

R. Crerar

The Square
Methven
By Perth
PH1 3PE

Telephone - 01738 840264

Re: Conversion of garage/workshop into a house

Wed 2023-02-08 9:46 AM

To: Robert Crerar <r.crerar1@outlook.com>

Dear Sir/Madam,

I strongly disagree with the objection received from Mrs Eve Finn whose property does not adjoin with Eldorado Small Holding in any way, therefore, should have no impact on my planning application to convert garage/workshop into my home. She does not know my circumstances and In my view her objection should be totally disregarded.

As for water pressure, she should contact Scottish Water for assistance with this issue as it has no bearing on Eldorado. In fact, if there is a shortage of water Eldorado is probably the first to lose supply, and has done on several occasions. I point out that in my original application Scottish Water made no negative comments.

Kind regards

Robert Munro