

LRB-2022-14
22/00132/IPL – Erection of a dwellinghouse (in principle),
land 30 metres south west of 1 Bardmony Farm Cottage,
Alyth

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LRB-2022-14

**22/00132/IPL – Erection of a dwellinghouse (in principle),
land 30 metres south west of 1 Bardmony Farm Cottage,
Alyth**

**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 100524491-002

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:	Suller & Clark		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Karen	Building Name:	Scoutbog Steading
Last Name: *	Clark	Building Number:	
Telephone Number: *	07930566336	Address 1 (Street): *	Oldmeldrum
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Oldmeldrum
Fax Number:		Country: *	UK
		Postcode: *	AB51 0BH
Email Address: *	karen@sullerandclark.com		

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"/>
First Name: *	<input type="text" value="Roger"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Mew"/>	Address 1 (Street): * <input type="text"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text"/>
Extension Number:	<input type="text"/>	Country: * <input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="karen@sullerandclark.com"/>	

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

Please identify/describe the location of the site or sites

<input type="text" value="Land south west of Bardmondy Cottages, By Alyth"/>
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Northing	<input type="text" value="745113"/>	Easting	<input type="text" value="324709"/>
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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)

Planning permission in principle for the Erection of a dwellinghouse Land 30 Metres South West Of 1 Bardmony Farm Cottage Alyth

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 appeal statement

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

☐ Yes ☒ No

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)

Appeal Statement Appendix 1 Application Forms Appendix 2 Refusal Notice Appendix 3 Plans Appendix 4 Report of Handling

Application Details

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

22/00132/IPL

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

03/02/2022

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

01/04/2022

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

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: Mrs Karine Suller

Declaration Date: 12/04/2022



Appeal Statement

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

Appeal against the Refusal of Planning Permission

(Ref 22/00132/IPL)

for

**Planning Permission in Principle for a Single Dwelling House,
at Land 30 m South West of 1 Bardmony Farm Cottages, Alyth**

On behalf of

Mr and Mrs Roger Mew

■ **Karine Suller B.Sc, M.Sc, MRTPI**
Scoutbog Steading, Oldmeldrum
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1. Executive Summary
2. Background
3. Reasons for refusal
4. Grounds of Appeal
5. Appellant
6. Site Description
7. Development Proposal
8. Sustainability
9. Development Plan
10. Conclusion

Appendixes

Appendix 1 Application Forms

Appendix 2 Refusal Notice

Appendix 3 Plans

Appendix 4 Report of Handling

1. Executive Summary

This appeal statement has been prepared on behalf of Mr and Mrs Mew (**the appellants**) in respect of the decision of Perth and Kinross Council (**the council**) to refuse planning permission in principle for the erection of a single house on land 30 metres south west of 1 Bardmony Farm Cottage, Alyth.

The Local Review Board is required to consider the proposal de novo and is respectfully requested to uphold the review and grant planning permission.

The Review Statement considers in detail the reasons for refusal and demonstrates that the proposal adheres to the policies of the Scottish Government and Perth and Kinross Council and it is respectfully requested that the appeal is upheld and planning permission is granted

2. Background

The appeal seeks planning permission in principle for the erection of a single house for a retired couple looking to relocate to Alyth, close to family for mutual support. They have sought an appropriate and accessible home within the area for some time, however there are very limited options available on the local market and as such the proposed self-build project considered the most affordable and practical solution.

The site subject of the appeal is an awkward section of land which appears as a left-over section of land, when two larger adjacent fields were “rounded off”. Due to the shape and slope of the ground the site has not been cultivated for some years. The site is not prime agricultural land being classified as Class 2 agricultural land and for some considerable time has not been used for farming but rather sits idle and overgrown. The site benefits from long established boundaries on all sides formed by the neighbouring house to the east and established field boundaries formed by the sloping topography of the site, fencing and self-seeded landscaping. It is submitted that the appeal site offers an acceptable extension to an existing linear building group with no loss of amenity for existing residents. While the appellant seeks to establish the principle of development at this time, indicative plans have been provided to aid consideration. The submitted indicative plan is not the final design and do not form part of the formal plans and should not be considered as such. If the principle of development were to be approved a further matter specified in conditions application would be lodged with the Perth and Kinross Council, at which time the detailed layout, design and enhanced landscape setting would be submitted for consideration and approval.

No representations or objections to the proposal have been received from local residents or the statutory consultees. It is considered that the proposal complies with the current planning policies of the Scottish Government and Perth and Kinross Council.

It is noted that no site visit was undertaken at the time of the application, it is respectfully requested a site visit is undertaken to fully understand the site and immediate surroundings.

3. Reasons for Refusal

The application was considered under delegated powers and refused planning consent on the 1st April 2022. The reasons for refusal are provided as the following, (Refusal Notice attached as Appendix 2). The stated reasons for refusal were given as follows:

1. The proposal is contrary to Policy 19 'Housing in the Countryside' of the Perth and Kinross Local Development Plan 2 (2019) and the Council's Housing in the Countryside Guide 2020 as the proposal fails to satisfactorily comply with any of the categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.

2. The proposal is contrary to Policy 1A and 1B, Placemaking of the Perth and Kinross Local Development Plan 2 (2019). The proposed development would not contribute positively to the built and natural environment due to its poor siting in relation to the established building line form by the adjacent cottages and lack of a landscape framework.

4. Grounds of Appeal

Considering the reasons for refusal we would respond as follows:

Reason for Refusal 1

It is submitted that the current proposal complies with Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Guide 2020 as the proposed site offers an appropriate extension to an existing Building Group.

The Supplementary Guidance provides advice defining a building group, confirming

“For the purposes of this Supplementary Guidance a building group is defined as 3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group. The majority of the buildings in the group should be either residential or be suitable for conversion to residential under Category 5 of this guidance. Premises which are smaller than a traditional cottage, such as small domestic garages and outbuildings, will not count towards the requirement for at least 3 buildings.”

In the current circumstances the existing group of 5 cottages at Bardmony with ancillary outbuildings clearly falls within the accepted definition of a “building group”. There is no disagreement with the Planning Service that the group of farm cottages forms an existing building group.

The Guidance goes on

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

The appeal site utilises the small uncultivated remnant of land formed by the “rounding off” of the adjacent fields. The site has no current use and is vacant and overgrown. The site has established boundaries on 3 sides, comprising existing housing to the north-east at Bardmony Farm Cottages, and long-established field boundaries and the sloping topography formed by the exiting field boundaries which have been reinforced by existing long established fencing and planting, and the line of the public road, which itself forms a physical boundary. As such the proposal complies with the necessary requirements to permit an extension to the building group.

In terms of the design considerations set out by the Housing in the Countryside Guidance, we can confirm the following:

- There are no designations or constraints on the site which affect development.
- The current proposal is for planning in principle only, if approved the detailed design and layout will be subject to a further application and will be developed in discussion with Perth and Kinross Planning Service.
- It is intended that the design will provide a modest scaled house of appropriate scale and proportions with contemporary feature which will compliment local area

- The house will be designed to make maximum advantage of the south facing orientation and of the solar gain opportunities. Further, the detailed design will incorporate sustainable urban drainage systems and will be insulated to an enhanced level and will include PV panels and a form of renewable heating (either air source or ground source) to be confirmed.
- A limited palette of locally sources materials will be used within the development.
- The site benefits from long established boundaries on three sides.
- The proposed development incorporates off street parking.

Therefore, it is submitted that the proposal complies with Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Guide 2020

Reason for Refusal 2

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

In the current circumstances the proposed house utilises a small corner of a field which is difficult to cultivate due to its awkward shape and sloping topography. The appeal site offers a generous plot within which the proposed house along with all associated amenities including garden and parking can be easily provided. The proposal has not attracted any objections from neighbours or consultees.

It must be noted that the current proposal seeks planning permission in principle only at this time, no detailed plans have been lodged at this time. Reason for refusal 2 incorrectly and inappropriately relies on the indicative layout plan to justify reason for refusal 2. In order to aid consideration of the proposal, indicative plans were lodged in support of the application, these were submitted for **information only and do not form part of the current proposal** and therefore should not be relied on in the decision making process.

If planning permission were to be granted the detailed design and layout along with all landscaping, materials etc. would be the subject of a further application to Perth and Kinross Council. The appellant is wholly willing to be guided by the Planning Service on the detail of the design and site layout in order to ensure the proposal adheres to relevant design guidance.

Therefore, it must be acknowledged that, at this time, the current proposal seeks to establish the principle of a single house on this site only. In terms of the detailed design and layout it is submitted that a single house can be developed on the site, contributing to the built and natural environment, the character and amenity of the place and as such the proposal compiles with Policies 1A and 1B.

5.The Appellant

The appellants are a retired couple looking to move to the Alyth area close to existing family for mutual support. They have been looking for an appropriate and accessible house suitable for their needs but to date there has been no property available. Therefore, this self-build project is considered the best option.

6. Site Description

The site subject of the appeal measures 804 sqm and comprises a triangular shaped self-contained left-over part of a field, formed when the adjacent fields were “rounded off”. Due to the awkward

shape of the site, the fall of the land towards the public road and the scale of modern farming equipment, the farmer has confirmed that the site is of no use for modern farming and has never been cultivated. An existing linear row of properties, comprising 5 cottages and associated outbuildings with a frontage to the public road, is located to the north-east of the site. The public road from the north, swings eastwards in front of the existing cottages.

The site has established boundaries on all side formed by the existing housing to the east and the well-established field boundaries to the north, west and south. The field boundaries are established by the existing topography with the fall of the land which slopes towards the public road and the awkward shape which resulted in the necessary rounding off of the adjacent fields, over time these boundaries have been further established, through fencing, planting and self-seeded vegetation. The appeal site is idle with no prospect of a use and has become overgrown.



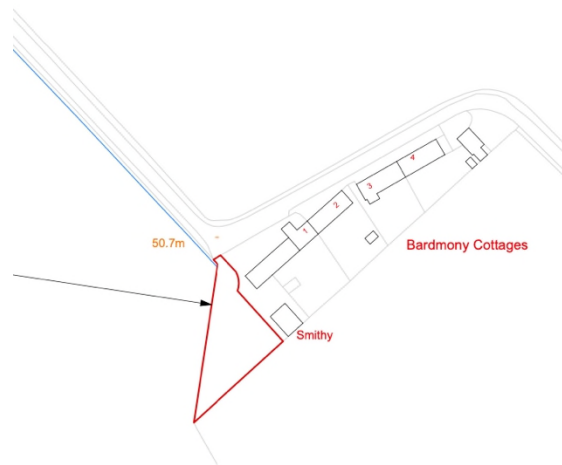
Ariel view of site and the existing group of houses which comprises Bardmony



Existing row of farm cottages



Access to public road



site plan

7. Development Proposals

The current proposal seeks planning permission in principle for a single house with associated garden ground, off street parking and other required amenities. If approved detailed plans will be developed to ensure a design and layout which contributes positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

While detailed house designs are not available at this time, the intention is for a modest and sustainable family home with a renewable heat source which makes the most of the south facing aspect ensuring solar gain opportunities. Following the adjacent houses design, the proposed house will be single storey and linear in nature.

It is intended that the proposed house will be set within an enhanced landscape setting with new native landscaping to the west and south which will provide improved biodiversity opportunities

within this area. The site benefits from an existing access to the public road which will provide safe access to the proposed house. In terms of servicing, the proposed house will have SUDs and septic tank.

Indicative plans were lodged with the original application but these are for information only and do not form part of the proposal.

8. Sustainability

The scheme utilises an awkward corner of a field which is problematic to cultivate and as such is of no use for modern farming therefore the proposal is considered sustainable as it makes best use of land with no current use or prospect of active use. If approved the final design, which will be subject to the approval of Perth and Kinross Planning Service, will incorporate renewable heat source and be constructed to all current building control standards. The house will be insulated to an enhanced level including PV panels and a form of renewable heating (either air source or ground source), to be confirmed. The property will further include sustainable urban drainage systems.

9. Development Plan Policy

Scottish Planning Policy 2014

The adopted SPP published June 2014 provides an overview of the key components and overall aims and principles of the planning system in Scotland. In general terms the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality development in sustainable locations.

Paragraph 2 states

“Planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources.”

The SPP encourages rural development that supports prosperous and sustainable communities.

Perth and Kinross Local Development Plan 2019

The policies in relation to the current proposal are considered to be the following:

- 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 38C: Environment and Conservation: Local Designations
- Policy 53B: Water Environment and Drainage: Foul Drainage
- Policy 53C: Water Environment and Drainage: Surface Water Drainage
- Policy 54: Health and Safety Consultation Zones

- Policy 58A: Contaminated and Unusable Land
- Policy 60: Transport Standards and Accessibility Requirements: New Development

In addition, the following Supplementary Guidance is of relevance

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

These policies will be considered in the Discussion section.

10. Discussion

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

The appeal seeks planning permission in principle for the erection of a single house for a retired couple with strong family ties to the immediate area. The applicants have been looking for a suitable property for a number of years but, due to the limited housing stock of the accessible nature required, the proposed self-build is considered the only option, which will ensure they can stay in the area close to family.

The site subject to the appeal lies to the eastern end of an existing group of 5 properties which makes up Bardmony Farm Cottages. There is no dispute with the Planning Service that the group of cottages at Bardmony forms an establish group.

It is submitted that the proposed site offers an appropriate extension to the existing building group at Bardmony. The site is a small pocket of land which appears to have been created when the adjacent fields were rounded off, the appeal site is not suitable for cultivation due to the awkward nature of the site and the slope of the land which falls away to the public road. The land is Class 2 agricultural land and is therefore not prime. The site is currently vacant with no prospect of a use and is overgrown and unsightly. The site is clearly definable and benefits from established boundaries on 3 sides with No.1 Bardmony Farm Cottage to the east, and long-established field boundaries formed by the natural topography of the sloping site reinforced by fencing and planting to the south and north west.

The appeal seeks planning permission in principle at this time and therefore detailed plans are not available however it is the intention is for a modest scale house finished with a limited palette of materials appropriate to the rural setting ensuring the house integrates with the site and its surroundings. The proposal will further include a detailed landscape scheme using native planting thereby providing improved biodiversity opportunities. The plot is generous providing a high level of residential amenity for the prospective residents while protecting the amenity of the existing residents.

The development has not attracted any objections from local residents or consultees.

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

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

Response: In the current circumstances the proposed house utilises a small corner of a field which is difficult to cultivate due to its awkward shape and sloping topography. While planning permission in principle is sought at present it is submitted that the generous plot size and location of neighbouring properties will ensure that a design and layout can be developed which will contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

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

Response: In the current circumstances the appeal site falls within the catchment of Alyth primary school which has been identified for future investment. The appellants accept the principle of making a proportionate contribution should one be required.

In terms of affordable housing, as this proposal is for a single dwelling, there is no requirement for any affordable housing provision.

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

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.

Response It is submitted that the proposal falls to be considered as an extension to an existing Building Group.

The Supplementary Guidance provides advice defining a building group, confirming

“For the purposes of this Supplementary Guidance a building group is defined as 3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group. The majority of the buildings in the group should be either residential or be suitable for conversion to residential under Category 5 of this guidance. Premises which are smaller than a traditional cottage, such as small domestic garages and outbuildings, will not count towards the requirement for at least 3 buildings.”

In the current circumstances the existing group of 5 cottages at Bardmony with ancillary outbuildings clearly falls within the accepted definition of a “building group”.

The Guidance goes on

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

As discussed above the site subject to the appeal is located to the west of an established linear building group which comprises 5 semi-detached dwellings.

The appeal site forms a small uncultivated remnant of land formed by the “rounding off” of adjacent fields. The site has no current use and is vacant and overgrown. The site has established boundaries on 3 sides, comprising existing housing to the north-east at Bardmony Cottages, and the sloping topography of the site and the exiting field boundaries which have been reinforced by existing fencing and planting and the public road itself. As such the proposal complies with the necessary requirements to permit an extension to the building group.

In terms of the design considerations

- There are no designations or constraints on the site which affect development.
- The design and layout have been designed to follow the topography of the site
- The design will be a modest scaled house, with proportions with contemporary feature which will compliment the local area
- The house has a south facing aspect to take maximum advantage of the solar gain opportunities. Further, the detailed design includes sustainable urban drainage systems, the individual properties will be insulated to an enhanced level and will include PV panels and a form of renewable heating (either air source or ground source), to be confirmed.
- A limited palette of locally sources materials will be used within the development.
- The site benefits from long established boundaries on three sides.
- The proposed development incorporates off street parking.

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

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

Policy 53A: Water Environment There is no issue of flooding or negative impacts on the existing water environment. It is proposed that the house will be connected to the existing mains water supply, with SUDS in the garden ground and a septic tank for the new house.

Policy 53B: Water Environment and Drainage: Foul Drainage and Policy 53C: Water Environment and Drainage: Surface Water Drainage. While the current proposal seeks planning permission in principle at this time it would envisaged that the site will connect to an on-site SUDS and septic tank.

Policy 54 Health and Safety Consultation Zones. The Health and Safety Executive were consulted on the proposal and made no objection.

Policy 58A Contaminated and Unusable Land. It is acknowledged that the site is adjacent to a former smiddy therefore if planning consent were to be granted a condition requiring the necessary investigation would be anticipated.

Policy 60 Transport Standards and Accessibility Requirements: New Development. Access to the proposed house is from an existing access to the adjacent public road. The Transport Manager has been consulted on the proposal and has no objection subject to a condition.

11. Conclusion

The application for review seeks planning permission in principle for a single home of modest scale for a retired couple with strong family ties to the immediate area. The applicants have been searching for a new home in the area for a number of years, however, due to the limited stock and the resulting high prices the proposed self-build is the only option.

The site, which is indicated as Class 2 by the McCauley Institute, has been confirmed by the farmer as poor preforming due to the small scale, awkward shape and sloping nature of the site and therefore has never been cultivated. The site has defined boundaries on all sides formed by the sloping topography of the site which has meant the site cannot be cultivated., long established field boundaries reinforced by self-seeded planning and fencing. The proposed site will extend an established building group into a defined and contained site. The proposal will in no way detract from the amenity of existing residents while at the same time will create a high-quality environment for prospective residents. It is considered that the proposal complies with all policies of the Scottish Government and Perth and Kinross Local Development Plan and the associated the Housing in the Countryside Supplementary Guidance and as a result we would respectfully request the application for review be upheld and planning permission in principle for a single house be APPROVED.

Suller & Clark

April 2022



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 100524491-001

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)

Planning Permission in Principle for the Erection of a Single House with access and garden ground

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:	Suller & Clark		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Karine	Building Name:	Scoutbog Steading
Last Name: *	Suller	Building Number:	
Telephone Number: *		Address 1 (Street): *	Oldmeldrum
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Oldmeldrum
Fax Number:		Country: *	UK
		Postcode: *	AB51 0BH
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Roger	Building Number:	
Last Name: *	Mew	Address 1 (Street): *	
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Land south west of Bardmondy Cottages, By Alyth

Northing

745113

Easting

324709

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

804.00

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)

Vacant paddock

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.

<p>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</p> <p>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.</p>
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2> <p>Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p><input type="checkbox"/> Yes – connecting to public drainage network</p> <p><input checked="" type="checkbox"/> No – proposing to make private drainage arrangements</p> <p><input type="checkbox"/> Not Applicable – only arrangements for water supply required</p>
<p>As you have indicated that you are proposing to make private drainage arrangements, please provide further details.</p> <p>What private arrangements are you proposing? *</p> <p><input checked="" type="checkbox"/> New/Altered septic tank.</p> <p><input type="checkbox"/> Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).</p> <p><input type="checkbox"/> Other private drainage arrangement (such as chemical toilets or composting toilets).</p>
<p>What private arrangements are you proposing for the New/Altered septic tank? *</p> <p><input checked="" type="checkbox"/> Discharge to land via soakaway.</p> <p><input type="checkbox"/> Discharge to watercourse(s) (including partial soakaway).</p> <p><input type="checkbox"/> Discharge to coastal waters.</p>
<p>Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *</p> <div style="border: 1px solid black; height: 80px; margin-top: 5px; padding: 5px;"> <p>Drain to soakaway, details to be agreed at detailed design stage</p> </div>
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>

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

Do you have any agricultural tenants? *

☐ Yes ☒ No

Are you able to identify and give appropriate notice to ALL the other owners? *

☒ Yes ☐ No

Certificate Required

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

Certificate B

Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] 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;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr James Fleming

Address:

[REDACTED]

Date of Service of Notice: *

28/01/2022

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

[REDACTED]

Address:

[REDACTED]

Date of Service of Notice: *

[REDACTED]

Signed: Karine Suller

On behalf of: Mr Roger Mew

Date: 26/01/2022

☒ 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)

Planning Statement

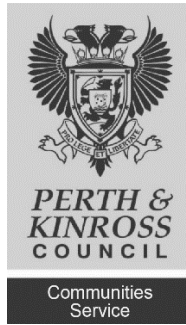
Declare – For Application to Planning Authority

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: Mrs Karine Suller

Declaration Date: 27/01/2022

Payment Details



Mr Roger Mew
c/o Suller And Clark
Karine Suller
Scoutbog Steading
Oldmeldrum
AB51 0BH

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice :**25th March 2022**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **22/00132/IPL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 3rd February 2022 for permission for **Erection of a dwellinghouse (in principle) Land 30 Metres South West Of 1 Bardmony Farm Cottage Alyth** for the reasons undernoted.

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposal is contrary to Policy 19 'Housing in the Countryside' of the Perth and Kinross Local Development Plan 2 (2019) and the Council's Housing in the Countryside Guide 2020 as the proposal fails to satisfactorily comply with any of the categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.
2. The proposal is contrary to Policy 1A and 1B, Placemaking, of the Perth and Kinross Local Development Plan 2 (2019). The proposed development would not contribute positively to the built and natural environment due to its poor siting in relation to the established building line form by the adjacent cottages and lack of a landscape framework.

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

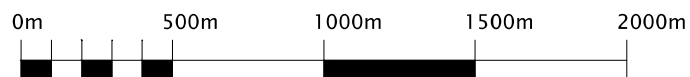
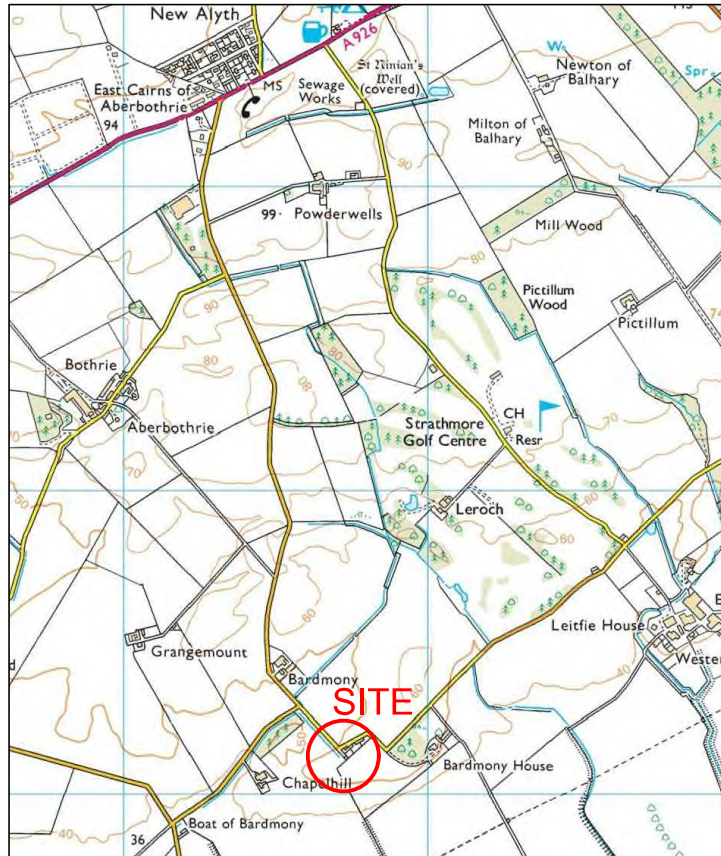
Plan Reference

01

02

03

04



kerry smith architects

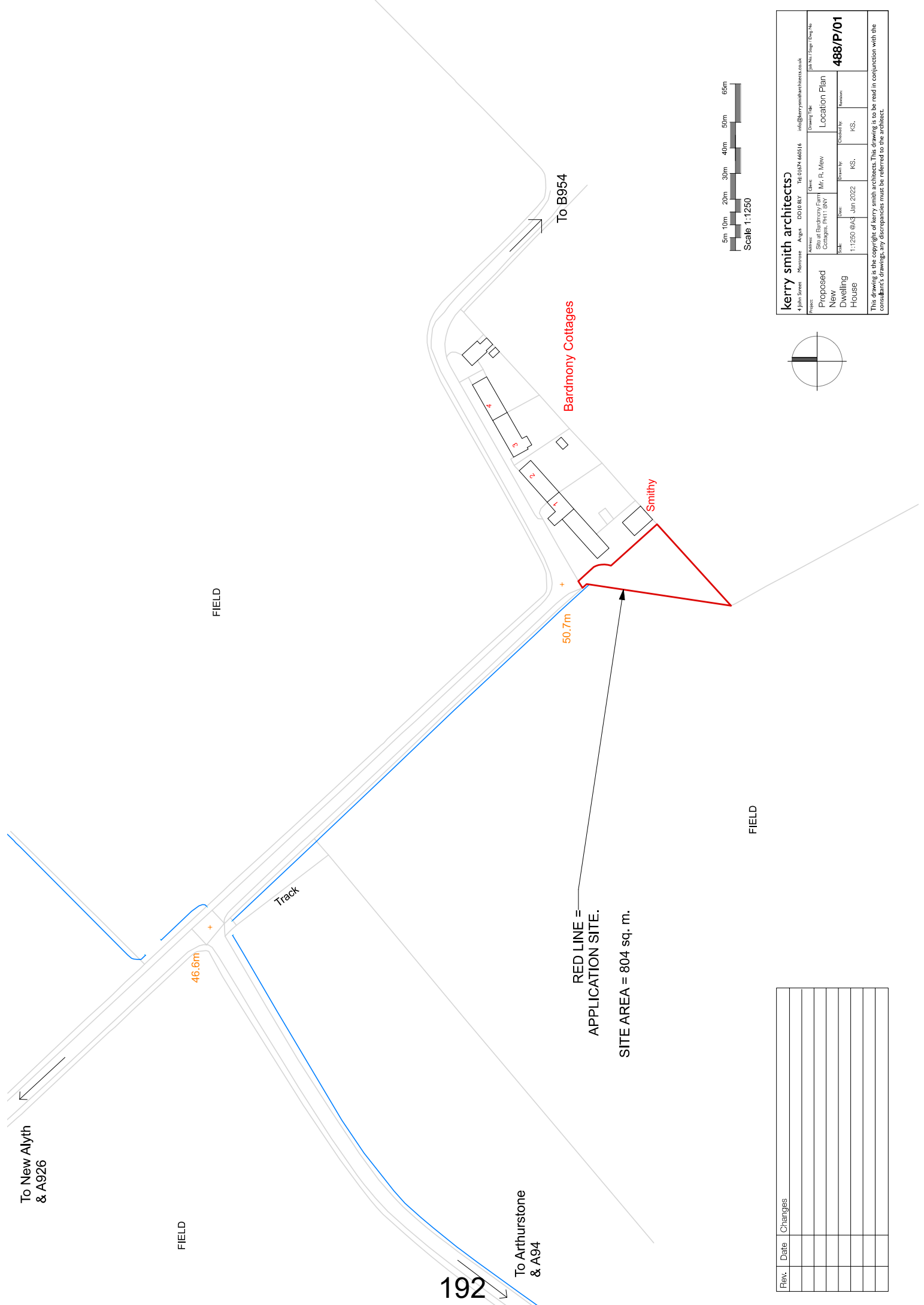
Proposed New Dwelling House

Bardmonymore Farm Cottages. PH11 8NY

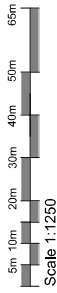
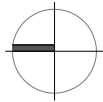
Proposed Location Plan

Scale 1:25000

Dwg no 488/P/03



Rev.	Date	Changes



kerry smith architects
4 John Street, Newcastle, Angus DD10 8LY, Tel 01674 660516, info@kerrysmitharchitects.co.uk

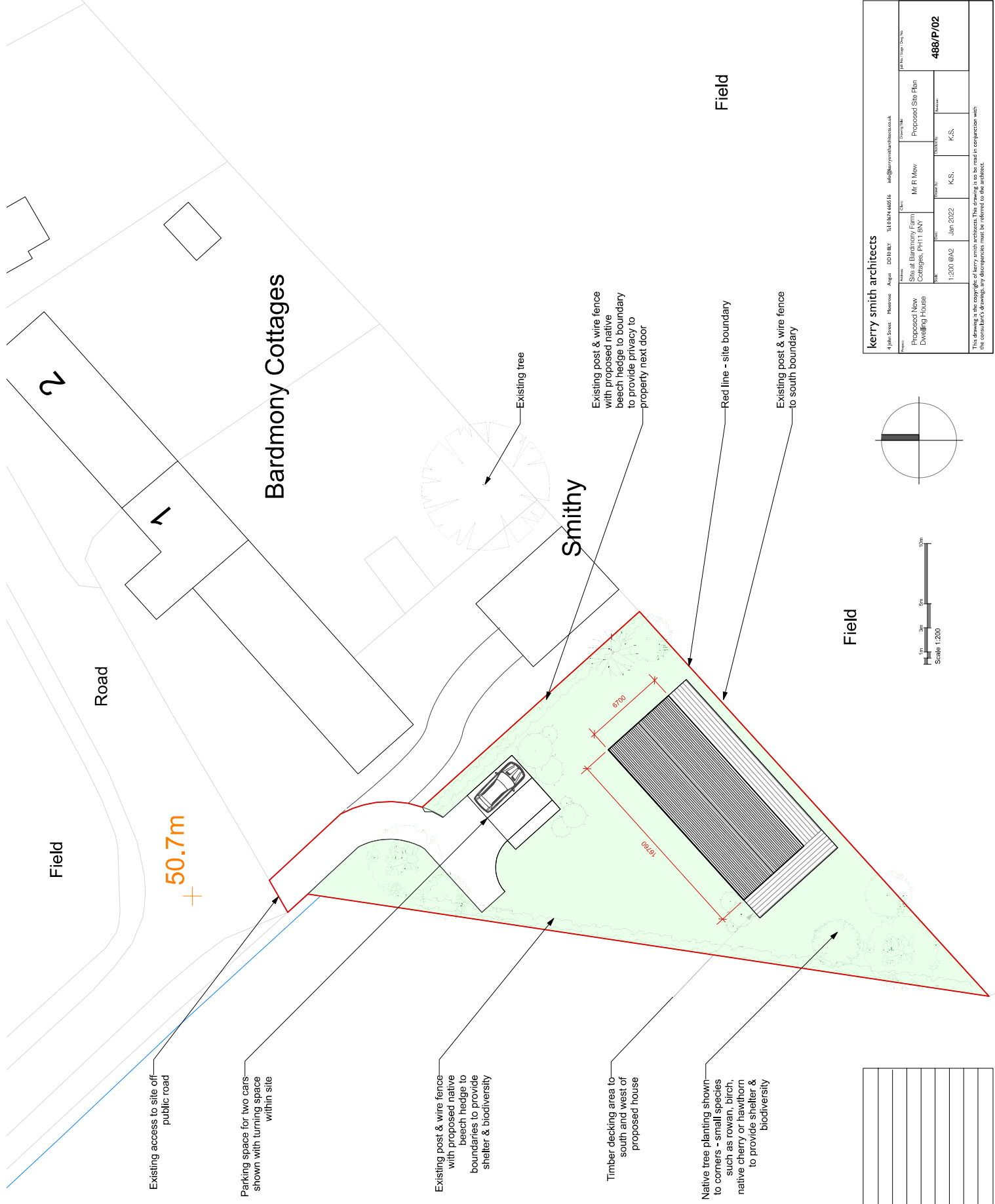
Project:	Proposed New Dwelling House	Client:	Mr. R. Mew	Drawing Title:	Location Plan
Address:	Site at Bardmony Farm Cottages, PH11 8NY	Drawn by:	KS.	Checked by:	KS.
Scale:	1:1250 @A3	Date:	Jun 2022	Revision:	

488/P/01

This drawing is the copyright of Kerry Smith Architects. This drawing is to be read in conjunction with the consultant's drawings, any discrepancies must be referred to the architect.



Images of simple pitched roof lodges with timber cladding.
Dimensions: 55 feet x 22 feet (16.76m x 6.7m)
Photographs copyright of www.retreathomes.co.uk

[illegible]

kerry smith architects 4-john Street Melbourne Vic 3000 Tel: 03 9247 4444 Fax: 03 9247 4444 Email: kerry@kerry-smith.com.au		4-john Street Melbourne Vic 3000 Tel: 03 9247 4444 Fax: 03 9247 4444 Email: kerry@kerry-smith.com.au	
PROJECT Proposed New Dwelling House Site at Bardynomy Family Cottages, PH1 8NY	CLIENT Mr P Mew	DRAWING NO 1:200 @A2	DATE Jan 2022
PROPOSED SITE PLAN		CHECKED BY K.S.	DRAWN BY K.S.
This drawing is the copyright of Kerry Smith Architects. This drawing is to be used in conjunction with the consultant's drawings; any discrepancies must be referred to the architect.			

REPORT OF HANDLING

DELEGATED REPORT

Ref No	22/00132/IPL	
Ward No	P2- Strathmore	
Due Determination Date	2nd April 2022	
Draft Report Date	23rd March 2022	
Report Issued by	DN	Date 23/03/22

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 30 Metres South West Of 1
Bardmony Farm Cottage Alyth

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.

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.

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

This application relates to an area ground on the edge of a field, located to the southeast of a traditional row of farm cottages, 2.8km south of Alyth. The site is a triangular area of grassland that extends to approximately 800sqm, bound by the row of cottages to the northeast and open farmland to the north west and south east.

Planning permission in principle is being sought for the erection of a single dwellinghouse within the site with access taken from the public road via a shared access. An indicative layout has been submitted that suggests a single storey timber clad house positioned within the southern area of the site, close to the rear (south) boundary.

SITE HISTORY

None

PRE-APPLICATION CONSULTATION

None

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 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 54: Health and Safety Consultation Zones

Policy 58A: Contaminated and Unstable Land: Contaminated Land

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

OTHER POLICIES

Developer Contributions Guide 2020

Housing in the Countryside Guide 2020

CONSULTATION RESPONSES

Development Contributions Officer
Recommends condition regarding application of developer contributions guidance and Policy 5.

Transport Planning
No objection subject to condition.

Scottish Water
No objection received

Environmental Health (Contaminated Land)
Recommend contamination condition

National Grid Plant Protection Team
No objection

REPRESENTATIONS

No representations received.

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment	Habitats Regulations AA Not Required
Design Statement or Design and Access Statement	Planning statement submitted
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

As the site lies within the landward area in the adopted Perth and Kinross Local Development Plan 2 2019 (LDP2), the proposal falls to be principally considered against Policy 19 'Housing in the Countryside' and its associated SPG on Housing in the Countryside 2020 (HiCG), which is the most recent expression of Council policy towards new housing in the open countryside.

Policy 1A and 1B which relate to placemaking also state that all development must contribute positively, to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.

It is considered that the most relevant category of the HiCG is 1) Building Groups. Under this category of the guide consent may be granted for houses which extend an existing the group into definable sites formed by existing topography, roads or well-established existing landscape features.

In this instance it is considered that the site lies out with the existing building group within an area of open farmland which lacks sufficient established boundary treatment to provide adequate containment to the proposed new development, particularly in relation to the north west and south boundaries. It

is noted that the supporting statement refers to the boundaries being well established, referencing the existing post and wire fencing. However, the HiCG specifically states that fencing will not be accepted as existing landscape features. The site cannot therefore comply with the requirements of the guidance as it would not extend the existing the group into a definable site formed by existing topography, roads or well-established existing landscape features.

Furthermore, the guide also states that proposals must demonstrate that:

- New housing will respect the character, scale and form of the existing group, and will be integrated into the existing layout and building pattern.
- New housing will not detract from the visual amenity of the group when viewed from the wider landscape.
- A high standard of residential amenity will be provided for both existing and new housing.

Whilst the plot itself, by virtue of its size, does not raise any concerns in regard to residential amenity, it is considered that the shape of the plot and layout of any house would fail to respect the character and form of the existing group. The reasons for this are discussed in greater detail within 'Design and Layout' below.

As such it is considered that, in principle, the proposed site fails to comply with the requirements of Policy 19 of LDP2 and the associated Housing in the Countryside Guide 2020.

Design and Layout

As outlined above, the layout of the proposed house is not acceptable and would detract from the character of the existing traditional cottages. The existing traditional cottages, although not listed, are a very attractive linear grouping of stone-built farm cottages that have a roadside frontage.

In this instance, as identified in the indicative layout plan, the shape of the site will result in the house being set back well into the proposed plot, positioned hard up against the rear boundary with a large driveway to the front which is completely at odds with the established building line set by the neighbouring cottages.

As such it is considered that the proposals are contrary to the requirements Policies 1A and 1B 'Placemaking' of the adopted LDP2, as well as the criteria set out under category 1 'Building Groups' within the HiCG.

Residential Amenity

The proposed development does not raise any concerns in relation to residential amenity. The proposed plot would provide sufficient private

amenity space and would not introduce any significant levels of overlooking or overshadowing of the neighbouring property.

Roads and Access

There are no roads or access related matters arising for the proposals.

Drainage and Flooding

There are no known issues in relation to the flooding or drainage. The site is also not located within any areas at risk to a 1 in 200-year fluvial flood event, as per SEPA's indicative flood maps.

In respect to foul and surface water drainage, no specific details have been provided at this stage. However, as this application is only in principle, there is no requirement for this information at this early stage and, if approved, such information would be required with the submission of a detailed application or AMSC application.

Contaminated Land

Environmental Health has advised that historical records show that this site is next to what used to be a Smithy. There has been little research or guidance on the type of contaminants associated with this type of rural activity, but it can only be assumed that due to the nature of the work conducted that some contamination has occurred. Therefore, an assessment of the suitability of the site for the proposed development should be made.

It is therefore recommended that any consent is made subject to a condition requiring an assessment of the ground conditions.

Conservation Considerations

There are no issues or concerns in respect to conservation related matters.

Natural Heritage and Biodiversity

There are no issues or concerns in respect to natural heritage or biodiversity related matters.

Hazardous Pipeline

A National Grid pipeline is located 280m to the south of the site and part of the site falls within the outer consultation zone. Both National Grid and HSE have been consulted and neither have any objection to the proposal.

Developer Contributions

Education

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

This proposal is within the catchment of Alyth Primary School.

As this application is only "in principle" it is not possible to provide a definitive answer at this stage however if this application were to be approved a condition should be applied to ensure that any future detailed development complies with the requirements of Policy 5 and its associated supplementary guidance.

Embedding Low & Zero Carbon Generating Technologies

Policy 32 'Embedding Low & Zero Carbon Generating Technologies in New Development' of the recently adopted LDP2 states that all new buildings will be required to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. It further specifies that a statement must be submitted demonstrating compliance with this requirement.

As this application is only in principle, there is no requirement for this information at this early stage. However, if permission were to be granted, a condition would be required to ensure that adequate measures are submitted as part of any detailed submission.

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 'Housing in the Countryside' of the Perth and Kinross Local Development Plan 2 (2019) and the Council's Housing in the Countryside Guide 2020 as the proposal fails to satisfactorily comply with any of the categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.
- 2 The proposal is contrary to Policy 1A and 1B, Placemaking, of the Perth and Kinross Local Development Plan 2 (2019). The proposed development would not contribute positively to the built and natural environment due to its poor siting in relation to the established building line form by the adjacent cottages and lack of a landscape framework.

Justification

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

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01

02

03

<p>LRB-2022-14 22/00132/IPL – Erection of a dwellinghouse (in principle), land 30 metres south west of 1 Bardmony Farm Cottage, Alyth</p>

PLANNING DECISION NOTICE *(included in
applicant's submission, pages 189-190)*

REPORT OF HANDLING *(part included in
applicant's submission, pages 195-204)*

REFERENCE DOCUMENTS *(part included in
applicant's submission, pages 191-193)*



Planning Statement

**in support of Planning Permission in Principle for the Erection of a Single
House with access and garden ground**

Land to the south west of Bardmony Farm Cottages

On behalf of

Mr and Mrs Mew

■ **Karine Suller B.Sc, M.Sc, MRTPI**
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1. Introduction

1.1 Overview

The Planning Statement is lodged in support of an application for planning permission in principle for the erection of a single house as an extension to an existing building group land at south of Bardmony Farm Cottages by Alyth. The applicants have been searching for a house in the local area for a number of years with no success, due to the limited number of properties available on the market within their price range, and of the scale required with the necessary accessibility for the applicants as their needs change.

The site is located to the rear of the existing group of houses which comprises a small row of farm cottages. The site is a triangular shaped field with established boundaries on all sides. Due to the shape and topography the site has never been cultivated. The proposal will provide an acceptable extension to an existing linear building group and will not result in ribbon development. While the current application seeks planning permission in principle at this time, the intention is to construct a modest scaled house to the south of the site with a welcoming aspect to the public road. The house design is intended to reflect the linear nature of the existing farm cottages and will be single storey finished in materials appropriate to the immediate surroundings and will include a carefully considered landscape scheme .

It is considered that the proposal complies with the current planning policies of the Scottish Government and Perth and Kinross Council.

1.2 The Applicant

The applicants have family in the immediate are and are looking for a modest home to retire to. There are limited opportunities for this scale of house within the immediate area which are fully accessible.

2. Site Appraisal

2.1 Site Description

The application site measures 804 metres and comprises triangular shaped self-contained field which historically may have been used as a paddock associated with the farm cottages. The site has established boundaries comprising long standing fencing to the south and west, with the existing building group at Bardmony cottages to the north-east. Due to the awkward shape of the site and the scale of modern farming equipment the farmer has confirmed that the site is of no use for modern farming and has never been cultivated. An existing linear row of properties, comprising 5 cottages and associated outbuildings with a frontage to the public road, is located to the north-east of the application site. The public road from the north, swings eastwards in front of the existing cottages.



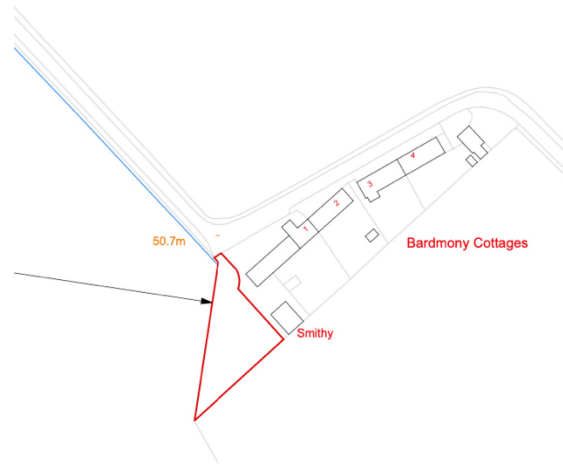
Ariel view of site and the existing group of houses which comprises Bardmony



Existing row of farm cottages



Access to public road



Application site plan

3. Planning History

There is no planning application history on the site.

4. Design Process

4.1 Design Brief

The design has developed from the applicants' desire to make best use of this small corner of a field while providing a sustainable and accessible home for a retired couple with strong family ties to the area. The applicants are committed to a high-quality sustainable design which provides a good residential environment while contributing to the area.

4.2 Response to Site and Context

The most important features in the consideration of the proposal were how the proposed housing should relate to the building group to the north-east of the current application.

4.3 Development Proposals

The current application seeks planning permission in principle for a single house with associated garden ground, off street parking and other required amenities. The proposed house will reflect the existing linear development pattern with the house located to the south/rear of the existing cottages with the frontage facing the public road while taking advantage of the views to the south. While detailed house designs are not available at this time, the intention is for a modest and sustainable family home with renewable heat source and a south facing aspect making the most of solar gain opportunities. Following the existing houses design, the proposed house will be single storey and linear in nature.



Proposed indicative layout

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

4.4 Sustainability

The scheme utilises an awkward corner of a field which is problematic to cultivate and as such is of no use for modern farming. The house will be orientated to the south making best use of solar gain opportunities. The final design, which will be subject to the approval of Perth and Kinross Planning Service, will incorporate renewable heat source and be constructed to all current building control standards. The house will be insulated to an enhanced level including PV panels and a form of renewable heating (either air source or ground source), to be confirmed. The property will further include sustainable urban drainage systems.

5 Development Plan Policy

5.1 Scottish Planning Policy 2014

The adopted SPP published June 2014 provides an overview of the key components and overall aims and principles of the planning system in Scotland. In general terms the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality development in sustainable locations.

Paragraph 2 states

“Planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources.”

The SPP encourages rural development that supports prosperous and sustainable communities.

5.2 Perth and Kinross Local Development Plan 2019

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

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 5: Infrastructure Contributions
- Policy 6: Settlement Boundaries
- Policy 19: Housing in the Countryside
- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 38C: Environment and Conservation: Local Designations
- Policy 53B: Water Environment and Drainage: Foul Drainage
- Policy 53C: Water Environment and Drainage: Surface Water Drainage

In addition, the following Supplementary Guidance is of relevance

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

These policies will be considered in the Discussion section.

6. Discussion

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

The application seeks planning permission in principle for the erection of a single house for a retired couple with strong family ties to the immediate area. The applicants have been looking for a suitable property for a number of years but, due to the limited housing stock of the nature required, the proposed self-build is considered the only option ensuring they can stay in the area close to family.

The proposed house layout has been carefully considered and continues the established linear development pattern, the proposed house will be set to the rear of the existing building group with a linear house design orientated north/south with a frontage to the public road reflecting the existing building group. While detailed plans are not available at this time the intention is for a modest scale house finished with a limited palette of materials appropriate to the rural setting

ensuring the house integrates with the site and its surroundings. The proposal will further include a detailed landscape scheme using native planting providing improved biodiversity opportunities. The proposed house will utilise a corner of a field on a clearly definable site which benefits from established boundaries on 3 sides. The plot is generous providing a high level of residential amenity for the prospective residents while protecting the amenity of the existing residents.

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

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

Response: In the current circumstances the proposed house utilises a small corner of a field which is difficult to cultivate due to its awkward shape and sloping topography. The development has been designed in such a manner as to contribute and enhance the surrounding area. The proposed house is located to the rear of the existing building group with the indicative layout designed to reflect the existing row of houses, that being a single storey homes of linear design orientated north/south with the entrance facing the public road. The proposed house will be located on a generous plot which will provide all associated amenities including garden and parking.

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

All proposals should meet all the following placemaking criteria:

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

Response: The proposed development continues the existing linear development pattern with the roof ridge parallel to the adjacent road and the existing houses, but is set back and due to the road orientation, does not front the road like the existing cottages.

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

Response: The design respects the north/south slope of the land and the proposed layout reflect this. The development will include generous landscape scheme providing enhanced biodiversity opportunities.

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

Response: The proposed house is set on a generous plot providing a large private garden area. While detailed design is not available at this time the applicant is committed to providing a modest scaled home designed to reflect and enhance the immediate area.

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

Response: The proposed house will be set to the rear of the existing houses and will run parallel with the roof ridge following the existing pattern of development, but is not road fronting like the existing cottages, due to the road orientation.

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

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

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

Response: The proposed house will be fully accessible and adaptable for the needs of this retired couple. The structure of the building will fully adhere to current building regulations with sustainability at the core of the design.

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

Response: No comment

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

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

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

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

- (j) Sustainable design and construction.

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

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

Response: In the current circumstances the application site falls within the catchment of Alyth primary school which has been identified for future investment. The applicants are content to agree to a proportionate contribution should one be required.

In terms of affordable housing, as this proposal is for a single dwelling, there is no requirement for any affordable housing provision.

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

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.

Response It is submitted that the proposal falls to be considered as an extension to an existing Building Group.

The Supplementary Guidance provides advice defining a building group, confirming

“For the purposes of this Supplementary Guidance a building group is defined as 3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group. The majority of the buildings in the group should be either residential or be suitable for conversion to residential under Category 5 of this guidance. Premises which are smaller than a traditional cottage, such as small domestic garages and outbuildings, will not count towards the requirement for at least 3 buildings.”

In the current circumstances the existing group of 5 cottages at Bardmony with ancillary outbuildings clearly falls within the accepted definition of a “building group”.

The Guidance goes on

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

The application site is located to the west of an established linear building group which comprises 5 semi-detached dwellings. The application site comprises a clearly defined site with established boundaries on 3 sides, comprising existing housing to the north-east at Bardmony Cottages, and long-established field boundaries formed by existing fencing to the south and west. As such the proposal complies with the necessary requirements to permit an extension to the building group.

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

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

In the current circumstances an established linear building group is located to the south of the public road comprising Bardmony Farm Cottages. The proposed site is located to the rear/south-west of the existing building group and will not extend the group along the public road, due to the orientation of the public road and the fact that the road swings north at the bend to the east of the cottages. All of these features are clearly evident on the schematic site layout. As such it is submitted that the site and proposed house will not result in ribbon development. Therefore, it is submitted that given the above that the extension into an identifiable building group is acceptable and is supported by policy.

In terms of the design considerations

- There are no designations or constraints on the application site which affect development.
- The design and layout have been designed to follow the topography of the site
- The design will be a modest scaled house of a scale and proportions with contemporary feature which will compliment local area
- The house has a south facing aspect to take maximum advantage of the solar gain opportunities. Further, the detailed design includes sustainable urban drainage systems, the individual properties will be insulated to an enhanced level and will include PV panels and a form of renewable heating (either air source or ground source), to be confirmed.
- A limited palette of locally sources materials will be used within the development.
- The site benefits from long established boundaries on three sides.
- The proposed development incorporates off street parking.

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

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

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

Response: There is no issue of flooding or negative impacts on the existing water environment. It is proposed that the housing will be connected to the existing mains water supply, with SUDS in the garden ground and septic tanks for each dwelling.

Summary

The current application seeks planning permission in principle for a single home of modest scale for a retired couple with strong family ties to the immediate area. The applicants have been searching for a new home in the area for a number of years, however, due to the limited stock and the resulting high prices the proposed self-build is the only option.

The application site has been confirmed by the farmer as poor performing due to the small scale and awkward shape and therefore has never been cultivated. The proposed site will extend an established linear building group into a defined and contained site, but without resulting in ribbon development, due to the adjacent public road orientation. The proposal will in no way detract from the amenity of existing residents while at the same time will create a high-quality environment for prospective residents. It is considered that the proposal complies with all policies of the Scottish Government and Perth and Kinross Local Development Plan and the associated the Housing in the Countryside Supplementary Guidance and as a result we would respectfully request the application be APPROVED.

Suller & Clark

January 2022

LRB-2022-14
22/00132/IPL – Erection of a dwellinghouse (in principle),
land 30 metres south west of 1 Bardmony Farm Cottage,
Alyth

REPRESENTATIONS

Our Ref: 24736600 National Grid only - 22/00132/IPL

Tuesday, 15 February 2022

Wayne Smith
National Grid House Gallows Hill
Warwick
Warwickshire
CV34 6DA

Asset Protection
Gas Transmission
National Grid
Warwick
CV34 6DA
Email: assetprotection@nationalgrid.com

National Grid Gas – Moderate Response Letter

Dear Sir/ Madam,

An assessment has been carried out with respect to National Grid Gas Transmission plc's apparatus and the proposed work location. Based on the location entered into the system for assessment the area has been found to be outside the High Risk zone from National Grid Gas Transmission plc's apparatus and can proceed. Should the work area change or type of activity being undertaken, a new enquiry shall be submitted for assessment.

Please carefully read the guidance notes on the next pages.

It is **YOUR** responsibility to take into account whether you are required to or would benefit from referring to the HSE Land Use Planning App (LUP), available from HSE's website. (Please note for some works this is a requirement for them to take place) More information on the LUP is available at <https://www.hse.gov.uk/landuseplanning/>

Should the work area change, evidence of this **must** be submitted to National Grid prior to receiving a formal response.

You will have received pipeline route drawings if your enquiry is located within the Medium Risk zone from National Grid Gas Transmission buried assets. Please familiarise yourself with the location of these assets and should the works location change a new enquiry shall be submitted for assessment.

Please note this response and any attached map(s) are valid for 28 days.

Yours sincerely

Asset Protection Team

Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near National Grid Gas Transmission plc's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to National Grid Gas Transmission plc (NGGT)

This assessment does **NOT** include:

- National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Asset Protection.
- Recently installed apparatus
- National Grid Electricity Transmission plc.
- Apparatus owned by other organisations, e.g. Cadent, other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities.

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to National Grid Gas Transmission plc easements or wayleaves nor any planning or building regulations applications.

National Grid Gas Transmission plc or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Asset Protection team via e-mail (assetprotection@nationalgrid.com) or via the contact details at the top of this response.

Assessment

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

Requirements

National High Pressure Gas Pipelines

BEFORE carrying out any work you must:

- Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.
- Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- Ensure that all persons, including direct labour and contractors, working for you on or near National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

DURING any work you must:

- Ensure that the National Grid requirements are followed for work in the vicinity of High pressure pipelines including the supervision of the digging of trial holes.
- Comply with all guidance relating to general activities and any specific guidance for each asset type as specified in the Guidance Section below.
- Ensure that access to National Grid apparatus is maintained at all times.
- Prevent the placing of heavy construction plant, equipment, materials or the passage of heavy vehicles over National Grid apparatus unless specifically agreed with National Grid in advance.
- Exercise extreme caution if slab (mass) concrete is encountered during excavation works as this may be protecting or supporting National Grid apparatus.
- Maintain appropriate clearances between gas apparatus and the position of other buried plant.

GUIDANCE

National Grid Gas Transmission Network data

The Network map for National Grid Gas Transmission assets can be downloaded at the following link in GIS format.

<https://www.nationalgrid.com/uk/gas-transmission/land-and-assets/network-route-maps>

High Pressure Gas Pipelines Guidance:

If working in the vicinity of a high pressure gas pipeline the following document must be followed: 'Specification for Safe Working in the Vicinity of National Grid High Pressure Gas Pipelines and Associated Installation – Requirements for Third Parties' (SSW22). This can be obtained from:

<Link to SSW22 once it has been updated and signed off>

Essential Guidance document:

<https://www.nationalgrid.com/uk/gas-transmission/sites/gas/files/documents/8589934982-Essential%20Guidance.pdf>

You should be aware of the following information regarding National Grid's high pressure (1) underground pipelines and associated apparatus:

- Our underground pipelines are protected by permanent agreements with landowners or have been laid in the public highway under our licence. These grant us legal rights that enable us to achieve efficient and reliable operation, maintenance, repair and refurbishment of our gas transmission network. Hence we require that no permanent structures are built over or under pipelines or within the zone specified in the agreement, materials or soil are not stacked or stored on top of the pipeline route and that unrestricted and safe access to any of our pipeline(s) must be maintained at all times.
- The information supplied is given in good faith and only as a guide to the location of our underground pipelines. The accuracy of this information cannot be guaranteed. The physical presence of such pipelines may also be evident from pipeline marker posts. The person(s) responsible for planning, supervising and carrying out work in proximity to our pipeline(s) shall be liable to us, as pipeline(s) owner, as well as to any third party who may be affected in any way by any loss or damage resulting from their failure to locate and avoid any damage to such a pipeline(s).
- The relevant guidance in relation to working safely near to existing underground pipelines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance HS(G)47 "Avoiding Danger From Underground Services" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Our pipelines are normally buried to a depth of 1.2 metres or more below ground and further information may be found on the plans provided. Ground cover above our pipelines should not be reduced or increased.
- Any proposed cable crossings are subject to approval from National Grid, completion of a Deed of Consent and must remain a minimum of 600mm above or below the pipeline. All works associated with cable installation must be supervised by National Grid. Cables cannot be pulled through until a Deed of Consent is in place.
- If it is planned to use mechanical excavators and any other powered mechanical plant, it shall not be sited or moved above the pipeline.
- If it is planned to carry out excavation to a depth greater than 0.3 metres, embankment or dredging works, the actual position and depth of the pipeline must be established on site with our representative and a safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- The digging of trial holes to locate the pipeline must be carried out under the supervision of our on-site representative following approval of RAMS. Excavation works may take place unsupervised no closer than 3 metres from the pipeline once its actual location has been confirmed. Similarly, excavation with handheld power tools may take place no closer than 1.5 metres away.
- For operational and safety reasons National Grid requires unrestricted access to our Above Ground Installations and Compressor Stations. We would request that any proposed changes to roads/layouts in the vicinity of our site have regard to the need to maintain access.
- Any construction traffic should either cross the pipeline using existing roads or at agreed crossing locations using agreed protective measures.
- Ground anchors for scaffolding stay wires should only be sited in the vicinity of the pipeline after the pipeline position has been confirmed on site with our representative and the ground anchor position agreed.

- If your proposals include the installation of wind turbines then the minimum separation between the pipeline and the nearest turbine should be 1.5 times the mast height.
- If your proposals include the installation of a Solar Farm, all assets must remain outside of the National Grid easement, all cable crossings must be agreed during the design stage, a Deed of Consent undertaken and an Earthing report must be provided for review. National Grid must retain access to its assets at all times once works have been completed.

The relocation of existing underground pipelines is not normally feasible on grounds of cost, operation and maintenance and environmental impact. Further details can be found in our specification for: safe working in the vicinity of National Grid high pressure gas pipelines and associated installations – requirements for third parties: T/SP/SSW/22 (see link above or copy enclosed)

ENQUIRY SUMMARY

Received Date

15/02/2022 14:35

Work Start Date

01/03/2022

Your Reference

National Grid only - 22/00132/IPL

Location

Centre Point: 324712 745131

X Extent:

Y Extent:

Postcode: PH118NY

Map Options

Paper Size: A3

Orientation: LANDSCAPE

Scale: 1:2500

Real World Extents: 35m x 62m

Enquirer Details

Organisation Name: National Grid

Contact Name: Wayne Smith

Email Address: wayne.smith@nationalgrid.com

Telephone: 01926 656102

Address: National Grid House Gallows Hill, Warwick, Warwickshire, CV34 6DA

Enquiry Type

Planned Works

Activity Type

Planning Applications

Work Types

Single property

Notes/Works Description (if supplied)

Erection of a dwellinghouse David Niven 01738 475300 DevelopmentManagement@pkc.gov.uk

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	22/00132/IPL	Comments provided by	Lachlan MacLean Project Officer – Transport Planning
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 30 Metres South West Of 1 Bardmony Farm Cottage, Alyth		
Comments on the proposal	<p>The applicant is proposing the erection of a dwellinghouse on ground to the south west of 1 Bardmony Farm Cottage. Indicative house arrangements have been provided, but no detail on the number of bedrooms or floor layout. Parking with space for two cars is shown on the plan with turning space within the site.</p> <p>The vehicle access to the proposed property would be using the exiting vehicle access currently utilised by 1 Bardmony Farm Cottage. The access is formed with loose material and should be formalised through this application to prevent surface aggregates being transferred onto the public road network.</p> <p>The applicant should consider the following when submitting a detailed planning application:</p> <ul style="list-style-type: none"> • The number of car parking spaces being provided for the dwellinghouse should be in accordance with The National Roads Development Guide. • Should a garage be proposed for parking, the size of space within the garage must be a minimum of 7.0m x 3.0m (internal dimensions), as set out in the standards defined in The National Roads Development Guide. <p>Insofar as the Roads matters are concerned, I have no objections to this proposal on the following conditions.</p>		
Recommended planning condition(s)	<p>The development shall not commence until the following specified matters have been the subject of a formal planning application for the approval of the Council as Planning Authority: regarding access, car parking, public transport facilities, walking and cycling facilities, the road layout, design and specification (including the disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority (as detailed in the National Roads Development Guide) and to the satisfaction of the Planning Authority.</p>		

Recommended informative(s) for applicant	
Date comments returned	01 March 2022

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 22/00132/IPL

Our ref CHF

Date 03/03/2022

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

**22/00132/IPL RE: Erection of a dwellinghouse (in principle) Land 30 Metres South West Of 1
Bardmony Farm Cottage Alyth for Mr Roger Mew**

I refer to your letter dated 23 February 2022 in connection with the above application and have the following comments to make.

Contaminated Land

Recommendation

Historical records have shown this site is next to what used to be a Smithy. There has been little research or guidance on the type of contaminants associated with this type of rural activity, but it can only be assumed that due to the nature of the work conducted that some contamination has occurred. Therefore, an assessment of the suitability of the site for the proposed development should be made.

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

Condition

EH41

Prior to the commencement of works on site, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken and as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) will be submitted for consideration by the Council as Planning Authority. If after the preliminary risk assessment identifies the need for further assessment, an intrusive investigation should 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 agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	22/00132/IPL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner Email: [REDACTED]
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 30 Metres South West Of 1 Bardmony Farm Cottage Alyth		
Comments on the proposal	<p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Alyth Primary School.</p>		
Recommended planning condition(s)	<p>Primary Education</p> <p>CO01 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2020 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with particular regard to primary education infrastructure, or such subsequent Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.</p>		
Recommended informative(s) for applicant	N/A		
Date comments returned	04 March 2022		

Advice : HSL-220323162245-317 DO NOT ADVISE AGAINST

Your Ref: 22/00132/IPL

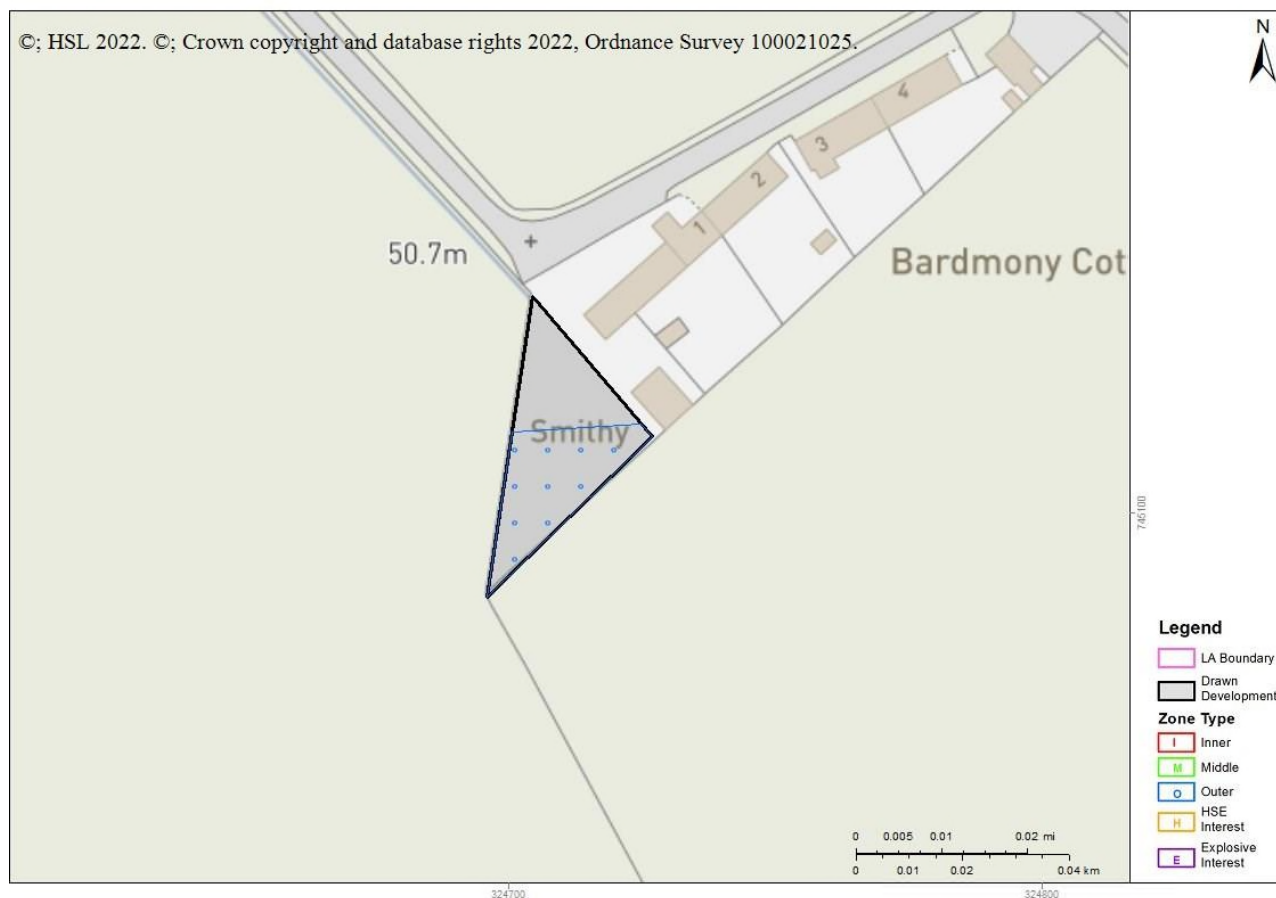
Development Name:

Comments:

Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2015, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013]

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Perth and Kinross.

HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.



Breakdown:

Housing : Do Not Advise Against

How many dwelling units are there (that lie partly or wholly within a consultation distance)? Less than 3



Pipelines

- 8100_2359 National Grid Gas PLC

As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this:

- The operator may have a legal interest (easement, wayleave etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline.
- The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

HSE's advice is based on the situation as currently exists, our advice in this case will not be altered by the outcome of any consultation you may have with the pipeline operator.

This advice report has been generated using information supplied by David Niven at Perth and Kinross on 23 March 2022.

Note that any changes in the information concerning this development would require it to be re-submitted.