

LRB-2022-51
21/01685/FLL – Siting of 2 holiday accommodation units
and associated works, land 30 metres north east of Stable
Cottage, Huntingtowerfield, PH1 3JL

INDEX

- (a) Papers submitted by the Applicant (***Pages 199-226***)
- (b) Decision Notice (***Pages 229-230***)
 - Report of Handling (***Pages 231-238***)
 - Reference Documents (***Pages 239-241***)
- (c) Representations (***Pages 243-274***)

LRB-2022-51

21/01685/FLL – Siting of 2 holiday accommodation units and associated works, land 30 metres north east of Stable Cottage, Huntingtowerfield, PH1 3JL

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form.
Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name G D WHYTE

Address THE HIRSEL
HUNTINGTOWERFIELD
PERTH
PH1 3SL

Postcode PH1 3SL

Contact Telephone 1 [REDACTED]

Contact Telephone 2 [REDACTED]

Fax No [REDACTED]

E-mail* [REDACTED]

Agent (if any)

Name [REDACTED]

Address [REDACTED]

Postcode [REDACTED]

Contact Telephone 1 [REDACTED]

Contact Telephone 2 [REDACTED]

Fax No [REDACTED]

E-mail* [REDACTED]

Mark this box to confirm all contact should be
through this representative: ☐

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes ☒ No ☐

Planning authority

PERTH AND KINROSS

Planning authority's application reference number

21/01685/FLL

Site address

STABLE COTTAGE HUNTINGTOWERFIELD
PERTH PH1 3SL

Description of proposed
development

SITING OF TWO SHEPHERD HUTS as
HOLIDAY ACCOMMODATION

Date of application

17th SEPT 2021

Date of decision (if any)

28 JUNE 2022

Note. This notice must be served on the planning authority within three months of the date of the decision
notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

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.

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

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☐

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

The subject is a holiday letting business & guests may be present. There is a main gate although not locked.

Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see attached.

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

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.

letter in support of application.
Appendix A - through G.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

5th Sept 2022

"Stable Cottage"
The Hirsell
Huntingtowfield
Perth
PH1 3JL
5th September 2022

The Secretary
Local Review Body
Perth and Kinross Council
Committee Services
Council Building
2 High Street
Perth
PH1 5PH

Application Reference 21/01685/FLL Refused 28th June 2022

I seek a review of the above refused planning application for the following reasons, by way of a site visit.

Background

Under the above application we were seeking permission to site two Shepherd Huts within a half-acre paddock within the grounds of Stable Cottage for the purposes of holiday accommodation.

Stable Cottage has been a successful Holiday Letting business for some 30 years supported from time to time by other properties within the area (Orchard Cottage, The Mallard). **(Appendix A)**

The impetus for our original application 20/01494/FLL (subsequently withdrawn) was to help rebuild our business following the effects of Covid. This application was withdrawn as we were advised by planning that further information was required regarding the potential flood risk within the area. This request was met through discussions with Perth Planning Flood Team and our application was re-submitted.

The delegated report of handling published after refusal states there was no Pre application reference. This is not factually correct as Pre-application 20/00349/PREAPP dated 17th August 2020 (**appendix B**) states under Summary of Development that Policy 17 "Residential Area" is one of the main policies that would be applicable in the assessment of the proposed shepherd huts. This confirms that generally encouragement will be given to proposals which fall into one or more of the following categories of development and which are compatible with the amenity and character of the area.

It is noted in the Pre-app that our proposal meets criterion (d) Business, homeworking, tourism and leisure activities. Note is made however that neighbouring residential amenity requires to be considered and protected.

Under reasons for refusal the proposal is deemed contrary to policy 17 in that it conflicts with residential amenity of the area because of a large decking area and intensification of the site.

I submit that to protect existing residential amenity siting of proposed Shepherd Huts has been made in such a way as to not overlook neighbouring properties, not cause loss of privacy or loss of sunlight/daylight. Our proposal does none of the above as demonstrated by photograph (appendix C) This picture looks directly West towards Ruthvenfield House which is completely obscured by mature trees. It therefore stands to reason that Ruthvenfield House can similarly not see the proposed site therefor no infringement of amenity occurs. Mention of decking area as being "Large" is highly subjective, I would submit that the proposed decking area will accommodate perhaps a table and chairs and possibly two sun loungers. This is no more than an average residential property could be expected to utilise. Further the decking area is strategically positioned to the east of the Shepherd huts to focus any outdoor activity (weather permitting) away from the boundary with Ruthvenfield House adding to the many layers of screening between that property and the proposed development. There are in fact five distinct layers of screening, there exists a line of large sheds between Ruthvenfield House and the proposed site, then a line of mature trees (as seen in appendix C). Next lies a 2m high ranch style double rail fence followed by the proposed line of fast-growing shrubs and trees plus the proposed accommodation units themselves which have no windows to the west. The afore mentioned all act as barriers/screening and all protect residential amenity.

I would also state that generally daily activities associated with Holiday accommodation are less than would be expected from residential properties. Guests often use accommodation to visit the many attractions Perth has to offer and will be away from site all day. Likewise other activities associated with residential accommodation I.E., the school run, online shopping delivery vans, family and friends visiting etc either do not occur or are at an absolute minimum further demonstrating that local amenity is not infringed.

In the Delegated report of handling under "Site visit" it is stated that no visit was deemed necessary as aerial imagery and Streetview provided enough information.

I suggest that this technology was insufficient in this case as no Streetview exists. The paddock is only accessible via a twisting private drive and at no point is it visible from public roads. Further, given the maturity of the tree canopy aerial imagery of the site is at best poor therefor should not be solely relied upon.

It has been suggested that intensification of the site is contrary to policy 17 in that we are proposing a threefold increase . As previously mentioned, the area has experience of having a higher percentage of Holiday accommodation units available. Both Orchard Cottage and The Mallard are properties that were built and registered as letting accommodation prior to change of use to residential. (Appendix A) Both properties are accessed via the same private drive and were operated as part of the Stable Cottage Lettings business. In response from Environment Health the statement is made that" To my knowledge this Service has not received any complaints about noise from the existing holiday let that the applicant runs and owns" This demonstrates that no concerns have been raised historically about infringement of residential amenity.

In terms of intensification of the site I would further submit that the business case "post covid" does not support the hypothesis of site activity increasing by 300%

Pre Covid, Stable Cottage was available for let 7 days a week. Guests would check out by 11am and new guests could arrive at 3pm. Our average occupancy for that property ran at 75%. Post Covid to ensure maximum cleaning time to protect us and our cleaning staff and to give piece of mind to prospective clients we now operate a "clear day" between guests. This means a full 24 hours so no same day turnovers. As most of our business comes from short stay, i.e., 2/3 night breaks our maximum availability has dropped considerably and therefore so has average occupancy. It therefore stands to reason that each of the proposed units would have a similar low occupancy expectation hence the reason for applying for two units rather than one. Shepherd Huts while classed as caravans are effectively Glamping units so again have less appeal than Stable Cottage and all the amenities it offers so again the average occupancy is expected to be less. Investment is being made to rebuild pre-covid turnover with a little bit extra to cover investment costs over the longer term. For these reasons the implication that pre-covid turnover and activity will be increased threefold is not correct.

Reason for refusal no 2 states that the proposal is contrary to policy 1A and 1B as well as 39, 40A and 40B

Policy 1A states

"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. The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development."

I submit that we have chosen to apply for Shepherd Huts rather than more permanent structures as they have the most historical links with previous use of the Paddock as well as the lightest possible footprint. While the surrounding fields are designated under H319 for low to medium density housing, Shepherd Huts offer a link to the past when farming and animal management was to the fore. This in an area (The Paddock) which is secluded and protected from surrounding land by screens of mature trees on all sides. The adjoining land may or may not eventually be utilised for development through low to medium density residential housing. Presently, adjoining land is farmed. H319 poses a far greater concern to current residential amenity if it were to go ahead. The position of the huts is on the site previously occupied by a Tractor shed which was part of the larger estate with Ruthvenfield House at its centre.

The Tractor shed was removed some years ago, but the hard standing remains as a reminder of the paddocks farming history. Please see map showing location of shed (**Appendix D**) At the north end of the paddock stand two large Oak trees each around 150 years old. These trees were numbered some years ago as part of a tree survey and were part of a long line of Oaks many of which remain on adjoining land. These and all other trees bounding the area create a beautiful quiet corner which we take responsibility for to protect for future generations to come. There should be no reason however that others should not be allowed to enjoy the peace and quiet that this area offers. It

should be noted at this point that no trees will be removed or effected in any way by our proposed plan.

The wider area supports Perth Towns Lade Walk. This walkway has recently been rejuvenated on completion of the Inveralmond A85 link road development. In consultation with Perth Council, Countryside Wardens and the Landowner, at our own expense, we added fencing and directional signage to protect users of the Right of Way from interaction with vehicles using the private drive system serving the enclave. The newly upgraded Perth Lade walk has drawn a great influx of walkers, cyclists, joggers and ramblers onto the private road system of the enclave of Huntingtowerfield with no adverse effects to the amenity of the households. Many of our guests make use of this walkway to visit the wider Perth area and I believe that allowing a few more visitors through our application will similarly bring no adverse effects to existing properties amenity within the immediate area. I submit that our application embraces the principles of Policy 1A and 1B

Similarly, I believe policy 39 is also not infringed. I believe our proposal will protect the integrity and character of the area. Local distinctiveness will not be eroded. Policy 39G mentions conserving the night sky. While some lighting will be required the night sky is already compromised by streetlights on the new Inveralmond A85 link roads and on match days by St Johnstone floodlighting.

Refusal grounds no 2 also states that infrastructure cannot be installed in a way which still contributes positively to the natural environment. I would refute this as the infrastructure required is of a very low-key nature and already available on site. Services will all be underground and as stated Huts would only be served by footpaths and not vehicular. Water is already on site and metered via Stable Cottage while electrical supply is on site.

Refusal Reason 3

The proposal is contrary to policy 9B.

Policy 9B states that an application must meet criteria of Policy 1A and 1 B

I submit that the above representations have demonstrated a compliance with both 1A and 1 B

At many times in the various communications during the application process it has been pointed out that if successful we would require a Caravan Site licence. I can advise that at the outset we applied for said licence and have been advised that this cannot be issued until Planning consent is granted. I attach copy of an email received that confirms there will not be an issue in providing a licence once Planning permission is granted.(Appendix E)

Refusal reason 4

Lack of information relating to surface water and foul drainage.

Again, this is not the case. The proposal to deal with surface drainage was discussed with Perth Flood team and detailed as a recommended planning condition DR1 "Storm water drainage from all impermeable surfaces including roofs and accesses shall be disposed of by means of suitable sustainable Urban Drainage Systems to meet requirements of best management practices". Comments by G Bissett HE/Flooding (appendix F)

Foul water drainage. Our original application had proposed above ground septic tanks. This however drew criticism as these would require regular emptying which meant 3 monthly visits.

This was subsequently revised to utilising the existing septic tank that currently serves Stable Cottage.

This was discussed with Delegated report handler in correspondence submitted 6th Dec 2021 under "Water Supply and drainage" (Appendix G)

In conclusion I would ask the examining Panel to execute a Site visit. I believe this would be the best way to fully appreciate the nature of the application and it's environment.

I feel that had this been undertaken at the outset the reasons for refusal would have been negated.

Our application was presented and validated on 10th Nov 2021 and although it was being considered during the height of effects of the Covid pandemic and subsequent restrictions including home working it took some seven months to be determined. Seven months during which all Businesses were desperate for help in recovery. I do fully appreciate that site visits at the time were understandably being kept to a minimum however Stable Cottage is a business that has and continues to suffer as a result of said pandemic. As a Business we also now find ourselves at the mercy of the un-capped energy markets bringing further pressure.

I ask for all possible latitude in consideration of our appeal by way of a site visit.

Yours sincerely

A black rectangular box redacting the signature of the applicant.

GD wnyte

Applicant.

Draw Another Search Line

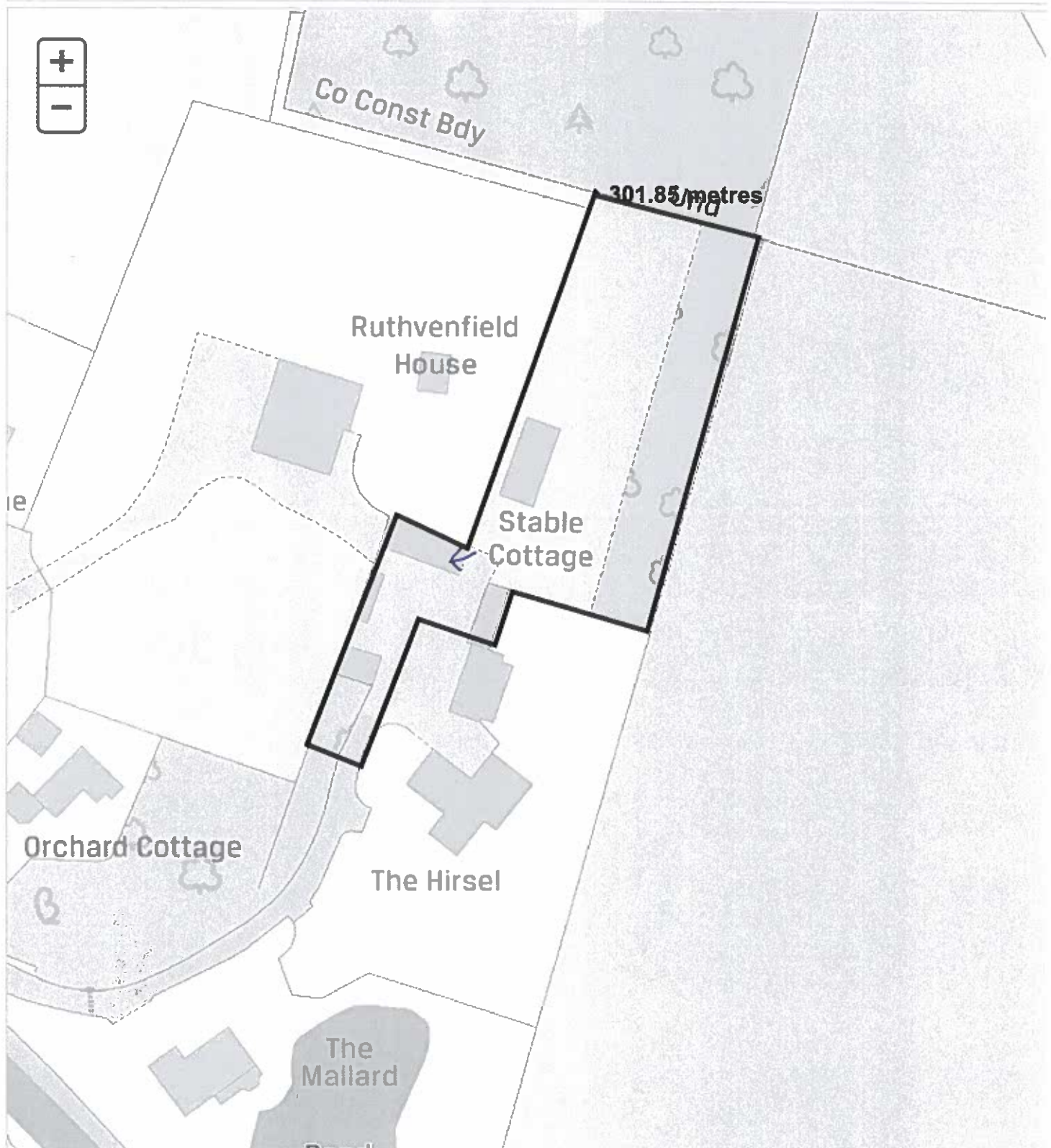
Draw Another Search Line

Draw a Search Point

Clear Search and Start

Search for a Place of Interest: e.g. Postcode, NGR, Town or feature such as Loch Lomond

Search



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Planning & Development
Head of Service David Littlejohn

Pullar House
35 Kinnoull Street,
PERTH PH1 5GD

Tel 01738 475300

RefNo 20/00349/PREAPP

Date 17 August 2020

Greg Whyte
The Hirsell
Huntingtowerfield
Perth
PH1 3JL

Dear Sir/Madam,

Town and Country Planning (Scotland) Act, 1997

RE: Erection of 2no shepherd huts at Stable Cottage Huntingtowerfield Perth PH1 3JL

Please find attached a response to your pre application enquiry.

Yours faithfully

John Russell

Development Management Officer

Pre-Application Service



**PERTH &
KINROSS
COUNCIL**

Reference number of pre-app	20/00349/PREAPP
Site Address/location	Stable Cottage Huntingtowerfield Perth PH1 3JL
Details of Proposal	Erection of 2no shepherd huts
Case Officer	
Date	17 August 2020

SITE DESIGNATIONS AND CONSTRAINTS

Located within Settlement Boundary

SEPA Flood maps – Probability of flooding

RELEVANT PLANNING POLICIES AND GUIDANCE

TAYplan2 Policies

https://www.tayplan-sdpa.gov.uk/strategic_development_plan

TAYPlan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

“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”

The following sections of the TAYplan 2016 will be of particular importance in the assessment of this proposal.

Policy 1: Locational Priorities
 Policy 2: Shaping Better Quality Places
 Policy 6: Developer Contributions
 Policy 8: Green Networks
 Policy 9: Managing TAYplan's Assets

Perth & Kinross Local Development Plan Policies

www.pkc.gov.uk/developmentplan

The Local Development Plan 2 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 6: Settlement Boundaries
 Policy 17: Residential Areas
 Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy
 Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
 Policy 52: New Development and Flooding
 Policy 53B: Water Environment and Drainage: Foul Drainage
 Policy 53C: Water Environment and Drainage: Surface Water Drainage
 Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

<p>Other Policies and Guidance</p> <p>https://beta.gov.scot/policies/planning-architecture/planning-guidance/</p> <p>https://www.pkc.gov.uk/ldp2guidance</p>	<p><u>National</u></p> <p>Creating Places: A policy statement on architecture and place for Scotland 2013</p> <p>National Roads Development Guide 2014</p> <p><u>Perth & Kinross Council</u></p> <p>Developer contributions</p> <p>Flood Risk and Flood Risk Assessments</p>
LIKELY CONSULTTEES	
<p>PKC Internal</p>	<p>Transport Planning</p> <p>Environmental Health</p> <p>Development Negotiations Officer (Contributions)</p> <p>Structures and Flooding</p>
<p>External</p>	<p>Scottish Water</p> <p>Scottish Environmental Protection Agency</p>
SUMMARY OF CONSIDERATIONS	
<p>Principle of Development</p> <p>The proposed site is located within the settlement boundary of Perth, see policy 6.</p> <p>Policy 17 Residential Area is one of the main policies that will be applicable in the assessment of the proposed shepherd huts. This confirms that generally, encouragement will be given to proposals which fall into one or more of the following categories of development and which are compatible with the amenity and character of the area:</p> <ul style="list-style-type: none"> (a) <i>Infill residential development at a density which represents the most efficient use of the site while respecting its environs.</i> (b) <i>Improvements to shopping facilities where it can be shown that they would serve local needs of the area.</i> (c) <i>Proposals which will improve the character and environment of the area or village.</i> (d) <i>Business, homeworking, tourism or leisure activities.</i> (e) <i>Proposals for improvements to community and educational facilities.</i> <p>Your proposal would meet criterion (d) due to the provision of tourism accommodation however the potential impact on neighbouring residential amenity requires to be considered.</p>	

Residential Amenity

As with all proposals, it is expected that existing residential amenity enjoyed by existing dwellings will be protected. To achieve this, the proposal would have to have appropriate siting, orientation and design to ensure that unnecessary overlooking, loss of privacy or loss of sunlight/daylight does not occur.

You should detail all boundary treatments (landscaping and fencing) to illustrate how the proposed shepherd huts relate to neighbouring properties (privacy/overlooking).

Access arrangements from the public road should be detailed along with proposed parking areas as this can also impact on residential amenity.

Roads Access and Parking

An internal consultation with the Council's Transport Planning team will take place to assist with the assessment against Policy 60B. You should make yourself familiar with the content and requirements of the National Roads Development Guide in relation to visibility splays and the extent of car parking required. The proposal should also include appropriate cycle storage to encourage active travel.

Drainage and Flooding

From a review of SEPA data the site appears to be susceptible to flooding. Consultation with our colleagues in the Flooding Team would be undertaken to understand how this site relates to the flood protection works undertaken at the River Almond. You should familiarise yourself with Policy 52 New Development and Flooding along with the associated SPG.

Your proposal should take cognisance of Policy 53B and 53C, Foul and Surface Water Drainage. The drainage arrangements for the site should be detailed on the site plans to illustrate how this relates to the proposed huts and neighbouring properties.

Developer Contributions

Clarity on the permanence of the shepherd huts will be required to enable assessment against the transport developer contributions, see Policy 5 and the associated transport section of the SPG.

PLANS AND DOCUMENTS REQUIRED WITH PLANNING APPLICATION SUBMISSION

For information on what you will need to submit with your application please see our [application checklists](#) which can be found on our website at www.pkc.gov.uk/planning. The document [Additional Supporting Information Guidance](#) identifies the circumstances where further information will be required to allow us and consultees to fully consider your planning application. Failure to provide this information at the time of submission may delay the consideration of your application.

PLEASE NOTE THAT THIS RESPONSE IS THE CONSIDERED OPINION OF A PLANNING OFFICER. NO FURTHER DISCUSSION WILL BE ENTERED INTO AS TO HOW THE POLICIES ARE INTERPRETED OR APPLIED.

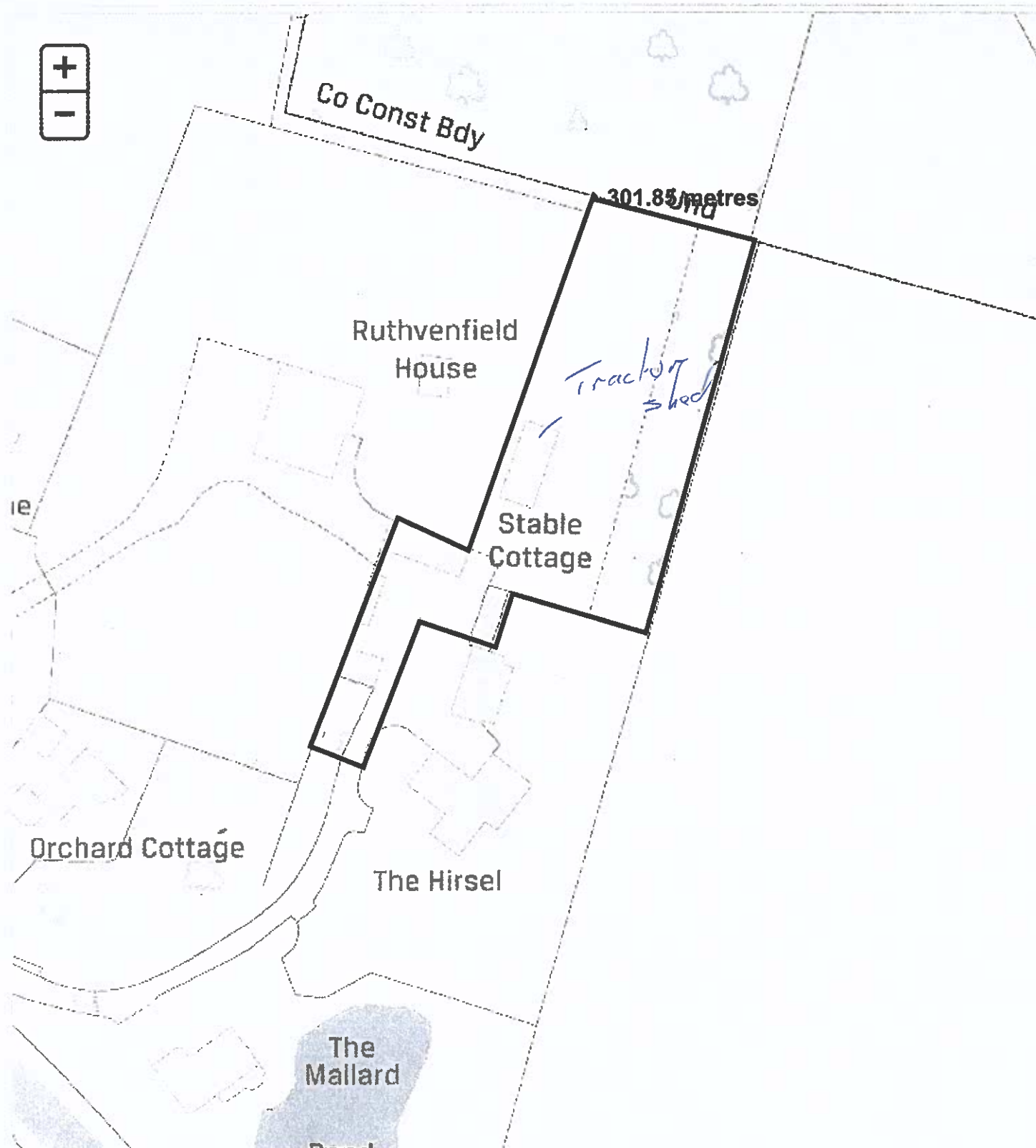


Appendix D

Draw Another Search Line

Clear Search and Start

Search for a Place of Interest: e.g. Postcode, NGR, Town or feature such as Loch Lomond Search



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Outlook

Search

Meet Now



GW

New message Reply Delete Archive Report Sweep Move to Categories

Folders

- Inbox 189
- Junk Email 107
- Drafts 1
- Sent Items
- Deleted Items
- Archive
- Notes
- christmas
- Conversation ...
- entanet
- gwen and solic...
- important
- insurance
- liam's car 1
- skin from pola...
- Create new fold...
- Groups
- New group

← RE: 20/00349/PREAPP - Erection of 2no shepherd huts at Stable Cottage, Huntingtowerfield

NK

Neil Kydd

To: You

← ↶ ↷ ...

Mon 17/08/2020 06:17

Start reply with:

Ok, thank you.

Understood. Thank you.

Ok, thanks.

Feedback

Dear Mr Whyte,

Unfortunately I can't issue a licence without full planning permission in place but as soon as the permission is obtained your licence will be created.

Yours sincerely,

Neil Kydd

Environmental Health Technical Officer

From: greg whyte

Sent: 17 August 2020 13:23

To: Neil Kydd

Subject: Fw: 20/00349/PREAPP - Erection of 2no shepherd huts at Stable Cottage, Huntingtowerfield

Dear Mr Kydd

I have now received a response to our Pre planning approval submission.

I have attached same for your perusal.

Going over the various points I feel the reception to our proposal is, in general terms, positive.

I now kindly ask for your consideration in the granting of Caravan Site licence now, in advance of full planning application which we will now prepare and submit.

I am in discussion with Planning in order to move forward in a similar vein in an attempt to salvage some of this season's tourist business.

best regards

Greg

From: John Russell

Sent: 17 August 2020 02:27

To: 'gregwhyte@live.co.uk'

Subject: 20/00349/PREAPP - Erection of 2no shepherd huts at Stable Cottage, Huntingtowerfield

Morning Greg,

Please find pre-app response attached.

Regards,

John Russell

Development Management Planning Officer - Planning and Development

Perth & Kinross Council

Corporate and Democratic Services

Pullar House, 35 Kinnoull St, Perth, PH1 5GD

(www.pkc.gov.uk)www.pkc.gov.uk

[Follow us](#)

I am involved in urgent contingency planning for Coronavirus (COVID-19). We're sure you understand that this means routine enquiries will take longer than usual. Thank you for your patience.

For up to date information on Coronavirus, see:

www.NHSInform.Scot

www.pkc.gov.uk/coronavirus

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/01685/FLL	Comments provided by	G Bissett
Service/Section	HE/Flooding	Contact Details	
Description of Proposal	Siting of 2 holiday accommodation units and associated works		
Address of site	Land 30 Metres North East Of Stable Cottage Huntingtowerfield		
Comments on the proposal	<p>We provided comments on the previous application for this site. The site is afforded protection by the Almondbank Flood Protection Scheme (providing 200 year event standard of protection). As the proposes are for a most vulnerable land use, in terms of flood risk, they need to be considered against a 1000 year flood event. Therefore, a residual flood risk potentially remains (from events exceeding the Almondbank Scheme SoP). Following further discussion with the applicant, we are satisfied with the proposals.</p> <p>The units are to be elevated above existing ground level by 700mm which is considered suitable in the instance. The applicant should ensure the foundations/supports are designed with potential risk of inundation in mind.</p> <p>An outline flood action plan has been provided. This is required to be kept updated and made available to all occupants. The developer should ensure that they sign up to SEPA's Floodline warning service.</p>		
Recommended planning condition(s)	DR01 Storm water drainage from all impermeable surfaces, including roofs and accesses, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.		
Recommended informative(s) for applicant			
Date comments returned	07/01/22		

Director of Planning & Building
Development Management
Perth and Kinross Council
35 Pullar House
Perth
PH1 5GD

G D Whyte



6/12/2021

FAO Mr John Russell

Dear Sirs

Planning Application 21/01685/FLL

Land at Stable Cottage Huntingtowerfield Perth PH1 3JL

Dear Mr Russell

Please see below response to letter of objection lodged against above application on behalf of Ms Carol Ann Fraser & Mr Gary Wright

I hope the content will clarify some of the points raised against the application.

Site Context

The site's surrounding land use accommodates 7 domestic properties and Stable cottage which was converted from a stable to Holiday Accommodation some 35 years ago. Of the 7 domestic properties it is important to note both Orchard Cottage and The Mallard were built, registered, and operated as Holiday Lets for several years before being re-classified as Domestic homes. Therefore the area has experience of being given over to 38% commercial use. I am not aware of any conflict or impact on domestic properties during this time and believe no representations were made to authorities by any residents during this period.

While the application site is adjacent to land use currently allocated for 115-153 homes(H319) in the adopted LDP the emphasis, should applications be presented, is on low to medium density development. If development were to go ahead at some point in the future once building works were completed there would be minimal impact on the current settlement as it bounded on all sides by standing mature trees. Further, access is away from potential future development. Perth Futures Transport infrastructure changes saw major development of the road network around the site area, and this has had no adverse effect on existing properties in the immediate vicinity.

Planning application Form

Page 4 under "Water Supply and drainage"

Shepherd Huts will be supplied with water from an existing connection which is metered on a commercial basis within Stable Cottage. No new connection is required.

Foul water drainage will be served by utilising an existing septic tank currently serving Stable Cottage and The Hirsel. There is ample capacity and utilising this current infrastructure will negate the need for regular emptying of surface tanks as proposed in previous application which drew objection. When properly managed and maintained the current septic tank only requires to be emptied every 3 years and this cycle will not be reduced by adding additional load. Again, this minimises service vehicles attendance on site.

Given that Shepherd Huts are for the purposes of planning classed as caravans and therefor mobile drainage from roof area would not normally be applicable. However small rainwater gutters could be fitted and drained into appropriately sized underground drainage crates.

Supporting planning statement

Concern is voiced within the submission about the businesses long-term objectives. I would state there is no plan beyond the current application however the Author of the submission will be aware that if there were in the future any other development proposals at that point, they would again be the subject of a full planning application and associated scrutiny so I do not see that this concern is valid.

Mention is made of "Hay Loft" and the inference is that this is a new addition. For clarification I can confirm that the Hay Loft is a name we have given our primary properties "granny Flat" This Granny Flat was added to our property by previous owners and was subject to planning approval in 2003.

Since purchasing our property some 9 years ago the "Granny Flat" which is part of our primary home has been continuously occupied by either close or distant family and at times by paying guests. It is also to be noted that previous owners of The Hirsel similarly offered accommodation within the "Granny flat" at the same time as letting Stable Cottage, Orchard cottage and The Mallard. This historic use of properties as holiday accommodation shows precedence of the area accommodating up to 18 guests at a time.

It has been suggested in the submission that our business case as presented in 2020 is now somewhat dated. I would refute this claim and state that the validity of said statement holds well today. The effects of Covid on business is still being felt today with an uncertain year ahead. The demand for self-catering holidays which allow minimal interaction with others is just as strong today as in 2020.

Target demographic 40+ years.

A target is just that, a goal or aim. To achieve this goal, we advertise events in the Perth area that will appeal to that demographic. Crafts Fairs, Castles and Gardens, fine dining, Golf courses. Not night clubs or City centre pubs. Of course, these attractions will appeal to some within a younger age group.

Since the start of the Covid pandemic we do not meet and greet guests on arrival thus minimising contact, rather rely on Key safe entry to our property. We therefor do not meet every guest who stays with us. In order to make an informed observation and claim that the actual demographic is other than our target EVERY Guest would have to be observed or interviewed which I find rather intrusive and invasive. Guests staying in any holiday situation are entitled to the same privacy they would expect in their own homes.

Expanding Holiday Business.

Much is being made of the introduction of a Sofa bed into Stable Cottage. This has in fact always been present in the property. We have at the request of returning guests keen to bring Children or Grandchildren allowed the use of this facility. I would point out that the sofa bed was a letting feature of the previous owners

Our primary home benefits from a double garage with "Granny flat" above. This is part of our primary home and as discussed previously has been occupied by close and extended family along with paying guests by both ourselves as current owners and previous owners. Again, this is not a new addition. I can also confirm that we are recorded on the Landlords register for Scotland and have been since purchasing The Hisel some 9 years ago.

For clarification Stable Cottage is a registered Business with Perth and Kinross Council.

Advertising with Airbnb does not constitute a clear change of use, rather Airbnb is an advertising medium along with Cottages.com, Sykescottage.co.uk, visitscotland.com and many others to name but a few.

As previously stated, letting out the Granny flat in our primary residence predates our purchase of Stable Cottage by some 5 years.

Residential Amenity

Ruthvenfield House was the original Estate house with The Hisel being the first house to be built in the Estate grounds in 1999. Since that time a further 5 houses were built with 2 of these being given over to holiday accommodation. The current application therefor does not deviate or make a material change to the situation/location/environment, more, it follows the precedent set on the original development of the estate grounds.

Natural Heritage, Wildlife & Ecology

Shepherd Huts/caravans have the least intrusive footprint that could be proposed in the grounds.

On page 2 of the complaint submission the statement is made that the proposed site is greater than would normally be required (for siting 2 shepherd huts) I would suggest that this demonstrates the lightness of the footprint on the land thereby keeping the integrity of the paddock intact.

Trees bounding the proposed site to the west are all rooted in Ruthvenfield House land. Trees are in good condition and despite the recent high winds associated with Storm Arwen that have caused widespread damage throughout Scotland no evidence of damage has been noted.

Wildlife

The proposed site is open grass lawn surrounded by 6' fences within the tree lines. The fences are formed with chicken wire. This, while having been in place since the mature trees were planted is maintained to keep Foxes from our Hen house. The wider area is visited on occasion by Deer. The only other regular visitors were Gray Squirrels which sadly have been shot out by a neighbour.

Appendix 5

Flooding and Drainage

After our initial application was withdrawn we were in discussion with Mr Gavin Bisset of PKC Flood prevention Team. Below is an extract of the response and requests made, also our response back furnishing the detail requested.

This email also deals with the flooding issue as identified by Ms. Fraser and Mr Wright.

Gavin Bissett <[REDACTED]>

Fri 21/05/2021 07:02

Hi Mr Whyte,

In my e-mail to Arthur Stone on 8 Jan 2021, I clarified my request for a flood risk assessment be carried out for this application. I noted that following further review I was not looking for (expensive) detailed hydraulic modelling to be carried out as part of any assessment.

Essentially what I require is details of how any potential residual flood risk will be managed. This would be confirming elevated FFL's, and a Flood Action Plan for users of the accommodation, including emergency access/egress routes and flood warning services (SEPA's Floodline). I also requested that the potential flood source referred to in an objection was considered. You have provided some clarity around this, which I am satisfied with in the absence of any detailed evidence provide alongside the objection.

I trust this clarifies what is required to support the re-submission of your application.

Regards,

Gavin Bissett

Technician – Flooding
Perth & Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

To:

- Gavin Bissett

Planning App 20/01494/FLL

Dear Mr Bissett

Many thanks for your response (21/5/21) to my enquiries reference above planning application(withdrawn).

We are now proposing to submit a revised application for the siting of two Shepherd huts on ground at Stable Cottage Huntingtowerfield Perth PH1 3JL.

I would very much appreciate your looking over the below information to make sure our proposed flood risk management plan would satisfy the Flood teams requirements in this case.

To manage the potential residual flood risk, I am proposing the finished floor level of each hut be 700MM.

Flood Action Plan for guests of Stable Cottage Lettings, Shepherd Huts (Proposed)

Each Hut will be provided with an information pack. Each pack will contain all relevant information about health and safety, action in case of fire and action in case of flood. Details will also be provided on how to register directly with SEPA Flood alert system should occupants wish to do so.

Stable Cottage Lettings is registered with SEPA Flood alert system. On receiving an alert occupants would be contacted immediately in person by the Lettings Management (or by phone and text if the occupants were off site) and advised to implement the flood action plan as detailed.

Action Plan detail.

On receiving advice of an imminent flood occupants should leave the premises taking pets if present and remove personal vehicles exiting the property using the private drive onto Castle Brae. Turning left on Castle Brae proceed to A85 which is out with the immediate danger zone.

Occupants who have arrived by foot or taxi will be provided transport to a safe location.

Waste Management

To avoid additional vehicles visiting our site waste from Stable Cottage is taken off site to a commercial recycling and waste disposal company, this on a commercial basis. The same procedure would be applied should the planning application be successful.

Traffic Impact/Road Safety

A letter dated 25th May 2020 is quoted. I can confirm that our concerns at that time have been alleviated by the construction of a fence between Perth Lade Walk and the private Drive to Stable Cottage, The Hirsell and The Mallard. This was constructed at our own expense and has been approved by Perth and Kinross Council who have added appropriate signage pointing out the route of Perth Lade Walk.

Forest and Woodland Strategy

Mention is made of a danger to Human Life because of a tree line routed in Ruthvenfield House grounds.

Proposed position of huts is not directly under tree branches. As discussed above Storm Arwen did not cause any damage in the discussed area. In any event branches extending beyond the boundary line will be trimmed back in accordance with pertinent legislation.

Conclusion

Our proposed development takes into consideration many factors. We are proposing the lightest footprint possible choosing movable huts as opposed to more permanent chalet style buildings.

I believe this to be the best way to help protect our rental business in what continues to be very challenging times for all industries.

The fact that we live on site I believe demonstrates our belief that this development is "compatible with the amenity and character of the area" as we would be directly affected ourselves if this was not the case.

The area has a track record of offering a pleasant and peaceful holiday setting without interfering with neighbouring properties.

Yours faithfully

G D Whyte

LRB-2022-51

21/01685/FLL – Siting of 2 holiday accommodation units and associated works, land 30 metres north east of Stable Cottage, Huntingtowerfield, PH1 3JL

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS



Mr Greg Whyte
c/o Arthur Stone Planning And Architectural Design Limited
Alison Arthur
85 High Street
Newburgh
KY14 6DA

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **28th June 2022**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **21/01685/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 10th November 2021 for Planning Permission for **Siting of 2 holiday accommodation units and associated works Land 30 Metres North East Of Stable Cottage Huntingtowerfield**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposal is contrary to Policy 17: Residential Areas the adopted Perth & Kinross Local Development Plan 2 2019. The style and design of the caravan units, which incorporate a large outdoor decking area, along with the intensification of the sites use is considered to conflict with the residential amenity of this area.
2. The layout and design of the proposal is not considered to respect the residential character of the area or illustrate that site infrastructure can be installed in a way which still contributes positively to the quality of the natural environment or the wider landscape character of the area. Accordingly, the proposal is contrary to Policy 39: Landscape, Policy 40A and 40B as well as placemaking Policy 1A and 1B of the adopted Perth and Kinross Local Development Plan 2 2019.
3. The proposal is contrary to Policy 9B: Caravan Sites, Chalets and Timeshare Developments: New and Expanded Touring Caravan, Motorhome / Campervan, and Camping Sites of the Perth and Kinross Local Development Plan 2, 2019 as the proposal fails to comply with the placemaking policies 1A and 1B.

4. There is a lack of information, there is no drainage information illustrating how surface water and foul drainage will be managed to comply with Policy 53B: Water Environment and Drainage: Foul Drainage, Policy 53C: Water Environment and Drainage: Surface Water Drainage of the Perth and Kinross Local Development Plan 2, 2019.

Justification

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

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

REPORT OF HANDLING

DELEGATED REPORT

Ref No	21/01685/FLL	
Ward No	P5- Strathtay	
Due Determination Date	9th January 2022	
Draft Report Date	21st June 2022	
Report Issued by	JHR	Date 24.06.2022

PROPOSAL: Siting of 2 holiday accommodation units and associated works

LOCATION: Land 30 Metres North East Of Stable Cottage
Huntingtowerfield

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.

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

BACKGROUND AND DESCRIPTION OF PROPOSAL

This application is for the siting of two shepherd huts as holiday accommodation units on land to the north of The Hirsell. The proposed units would fall under the definition of caravans and environmental health note that a site licence would be required.

Access to the site would be from Castle Brae. An existing access arrangement that is shared by a number of other properties within the vicinity of the site would be utilised. The applicant stays in the Hirsell and already lets out stable cottage as a holiday let. The proposal would utilise an existing car parking area next to Stable Cottage with the shepherd huts located to the north of Stable Cottage and the Hirsell in a paddock area. Ruthvenfield House which is in separate ownership is located to the west of the site.

SITE HISTORY

20/01494/FLL Siting of 2 holiday accommodation units and associated works
12 January 2021 Application Withdrawn

PRE-APPLICATION CONSULTATION

Pre application Reference: None

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 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 6: Settlement Boundaries

Policy 17: Residential Areas

Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy

Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development

Policy 52: New Development and Flooding

Policy 53B: Water Environment and Drainage: Foul Drainage

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

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

OTHER POLICIES

National Roads Development Guide

Placemaking SPG

CONSULTATION RESPONSES

Structures And Flooding – No objection subject to conditional control.

Environmental Health (Noise Odour) – No objection subject to conditional control.

Development Contributions Officer – No objection.

Scottish Environment Protection Agency – No objection received.

REPRESENTATIONS

The following points were raised in the 2 representation(s) received:

- Adverse effect on visual amenity
- Inappropriate landuse
- Out of character with the area
- Over intensive development
- Road safety concerns
- Noise pollution and Light pollution.
- Flood Risk.
- Lack of information, errors and omissions in the planning application form and planning drawings.

The above matters are addresses under the appraisal section below. The following matters are best addressed at this stage:-

- Adverse impact/deterioration on the private road will be exacerbated.
This is a civil matter between the parties to resolve.

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	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Planning Statement Submitted

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

This site is located within the settlement boundary of Perth which complies with Policy 6 Settlement Boundaries.

Within the settlement boundary Policy 17 of the adopted Local Development Plan 2 also applies. This identifies residential and compatible uses inside settlement boundaries where existing residential amenity will be protected and, where possible, improved.

Generally, encouragement will be given to proposals which fall into one or more of the following categories of development and which are compatible with the amenity and character of the area:

- (a) Infill residential development at a density which represents the most efficient use of the site while respecting its environs.
- (b) Improvements to shopping facilities where it can be shown that they would serve local needs of the area.
- (c) Proposals which will improve the character and environment of the area or village.
- (d) Business, homeworking, tourism or leisure activities.
- (e) Proposals for improvements to community and educational facilities.

The proposal is for holiday use and would meet criterion (d) however there is still a requirement to ensure that the operation of this use is compatible with neighbouring residential properties.

Currently there is a single commercial holiday let property next to the site (Stable Cottage). If this application were approved this would change to three commercial holiday lets set within this predominantly residential area of Perth (note allocated housing site H319) to the north and east. The concerns regarding the potential unauthorised use of a garage are noted however this matter would have to be investigated and pursued through enforcement channels.

From a land use and planning perspective the siting of caravans for holiday accommodation use is not considered to be compatible with the amenity of adjacent residential properties which are in close proximity to the site. While colleagues in environmental health recommend the use of a noise management plan to limit noise. Given the intensification of the use at the site, the style and design of the caravan units which incorporate a large outdoor decking area it is considered that the noise

from the daily operations of the commercial use will conflict with the residential amenity of the area and contravene Policy 17: Residential Areas.

Policy 9B is also applicable in the assessment of the application. This confirms that proposals for new or expanded sites for holiday – related uses will be supported where the proposals are compatible with Policy 1 – Placemaking. However, the issues identified under policy 1 which is discussed in greater detail below under the heading ‘Design, Layout and Landscape’ also results in a conflict with Policy 9B.

Drainage and Flooding

Flooding have been consulted on the application. They note that the site is afforded protection by the Almondbank Flood Protection Scheme (providing 200-year event standard of protection). As the proposed holiday accommodation is for the most vulnerable land use, in terms of flood risk, they need to be considered against a 1000-year flood event. Therefore, a residual flood risk potentially remains (from events exceeding the Almondbank Scheme SoP). Following further discussion with the applicant, we are satisfied with the proposals.

The units are to be elevated above existing ground level by 700mm which is considered suitable in the instance. The applicant should ensure the foundations/supports are designed with potential risk of inundation in mind. An outline flood action plan has been provided. The flooding section note that the Flood Action plan would require to be kept updated and made available to all occupants and the developer should ensure that they sign up to SEPA’s Floodline warning service. On this basis there is no objection to the proposal under Policy 52.

Policy 53 B and 53 C relates to foul and SUDS drainage. The application form confirms there no requirement for foul drainage and there is no intention to provide SUDS arrangements.

The submitted floor plans illustrate that there will be foul flows associated with this development. No details have been provided to confirm how foul flows will be dealt with to comply with Policy 53B.

There will be an increase in hard surfacing at the site from the caravan roofs and decking (as well as potential paths depending on the material used). With no suds arrangements there is a conflict with policy 53C.

Design, Layout and Landscape

Policies P1A and P1B Placemaking are also of relevance. These policies require proposals to contribute positively to the surrounding built and natural environment and to respect the character and amenity of the place.

Caravan sites require both planning permission and a site licence.

The consultation response from Environmental Health notes that the lodges would fall under the definition of caravans and therefore a site licence would also be required to operate the facility.

Certain terms of the caravan site licence require adequate lighting as well as suitable access arrangements to the caravans. This is not illustrated on the submitted plans. The suitability of the proposed paths and lighting cannot be properly assessed. Having the path network and lighting close to the western boundary (if this was the intention) would increase residential amenity impacts to neighbouring property. An appropriate design and layout has not been detailed to comply with policy 1A and 1B.

There is a woodland resource surrounding the site. The longevity and retention of this tree/woodland resource is important as it creates a landscape framework for this site. No information has been provided on the tree resource and given the lack of information on path and drainage infrastructure it has not been illustrated that the proposal complies with policy 40A/B: Trees and Woodland or that the landscape framework will be protected Policy 39: Landscape.

Residential Amenity

The proposals relationship to residential amenity has already been considered as unacceptable during the assessment against Policy 17: Residential Areas.

Roads and Access

Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals encourages sustainable travel patterns and also seeks compliance with the National Roads Development Guide.

The vehicle access to the public road network for the site will be via the existing vehicle access to the Hirst and Stable Cottage. No objection has been received from the Transport Planning Section.

Developer Contributions

The Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth. The site is located in the 'Full' Transport Infrastructure contributions zone (Appendix 3 of the Supplementary Guidance)

Par 6.10 of the Guidance states that for holiday accommodation, temporary structures will not be required to contribute. The proposed shepherd's huts/caravans appear to be movable and may therefore be deemed temporary.

Economic Impact

There would be a positive economic impact associated with the construction phase and operation of the development.

VARIATION OF APPLICATION UNDER SECTION 32A

This application was not varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended.

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.

Conditions and Reasons

1. The proposal is contrary to Policy 17: Residential Areas the adopted Perth & Kinross Local Development Plan 2 2019. The style and design of the caravan units, which incorporate a large outdoor decking area, along with the intensification of the sites use is considered to conflict with the residential amenity of this area.
- 2 The layout and design of the proposal is not considered to respect the residential character of the area or illustrate that site infrastructure can be installed in a way which still contributes positively to the quality of the natural environment or the wider landscape character of the area. Accordingly, the proposal is contrary to Policy 39: Landscape, Policy 40A and 40B as well as placemaking Policy 1A and 1B of the adopted Perth and Kinross Local Development Plan 2 2019.
- 3 The proposal is contrary to Policy 9B: Caravan Sites, Chalets and Timeshare Developments: New and Expanded Touring Caravan, Motorhome / Campervan, and Camping Sites of the Perth and Kinross Local Development Plan 2, 2019 as the proposal fails to comply with the placemaking policies 1A and 1B.
- 4 There is a lack of information, there is no drainage information illustrating how surface water and foul drainage will be managed to comply with Policy 53B: Water Environment and Drainage: Foul Drainage, Policy 53C: Water Environment and Drainage: Surface Water Drainage of the Perth and Kinross Local Development Plan 2, 2019.

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

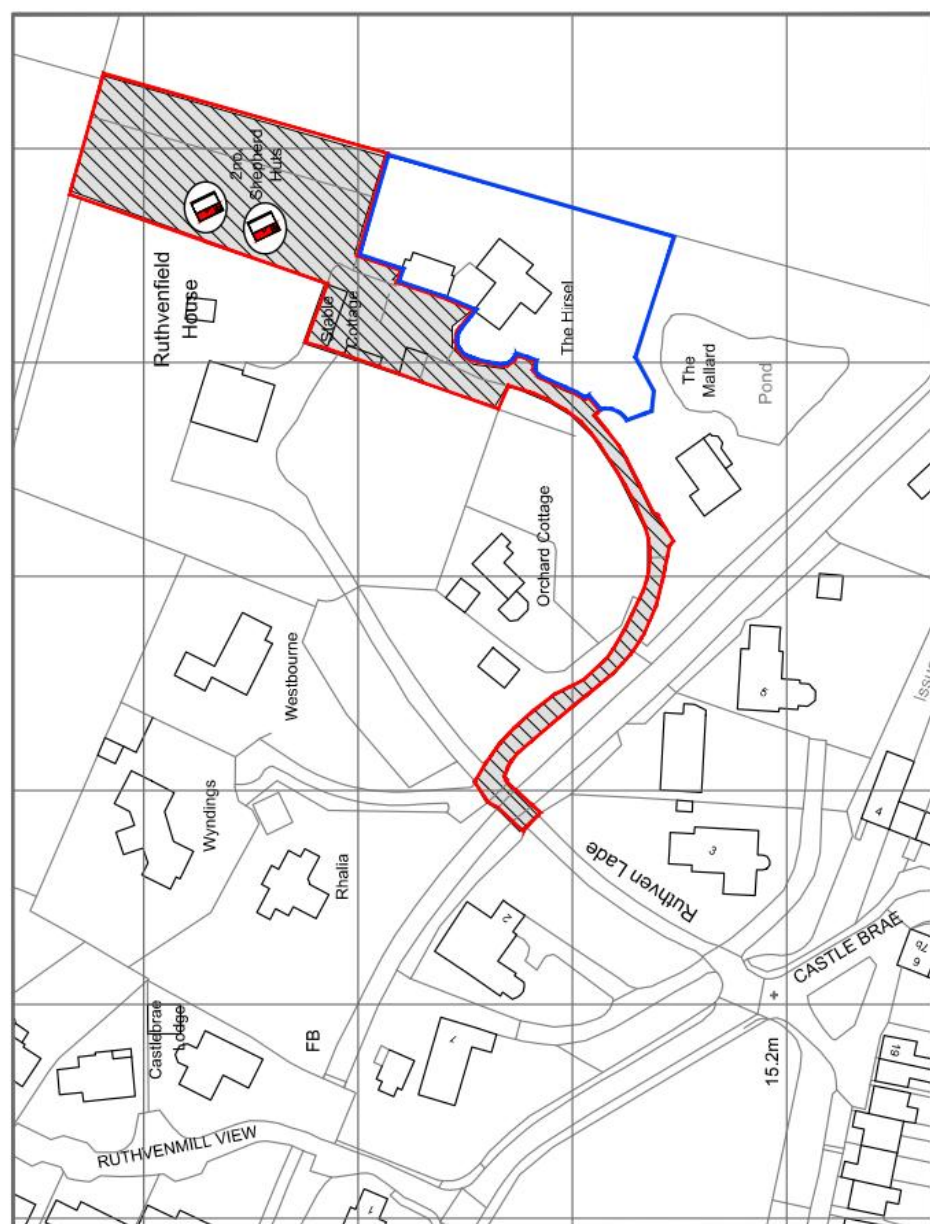
Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01


02

03



metres

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**Arthur Stone Planning
& Architectural Design**

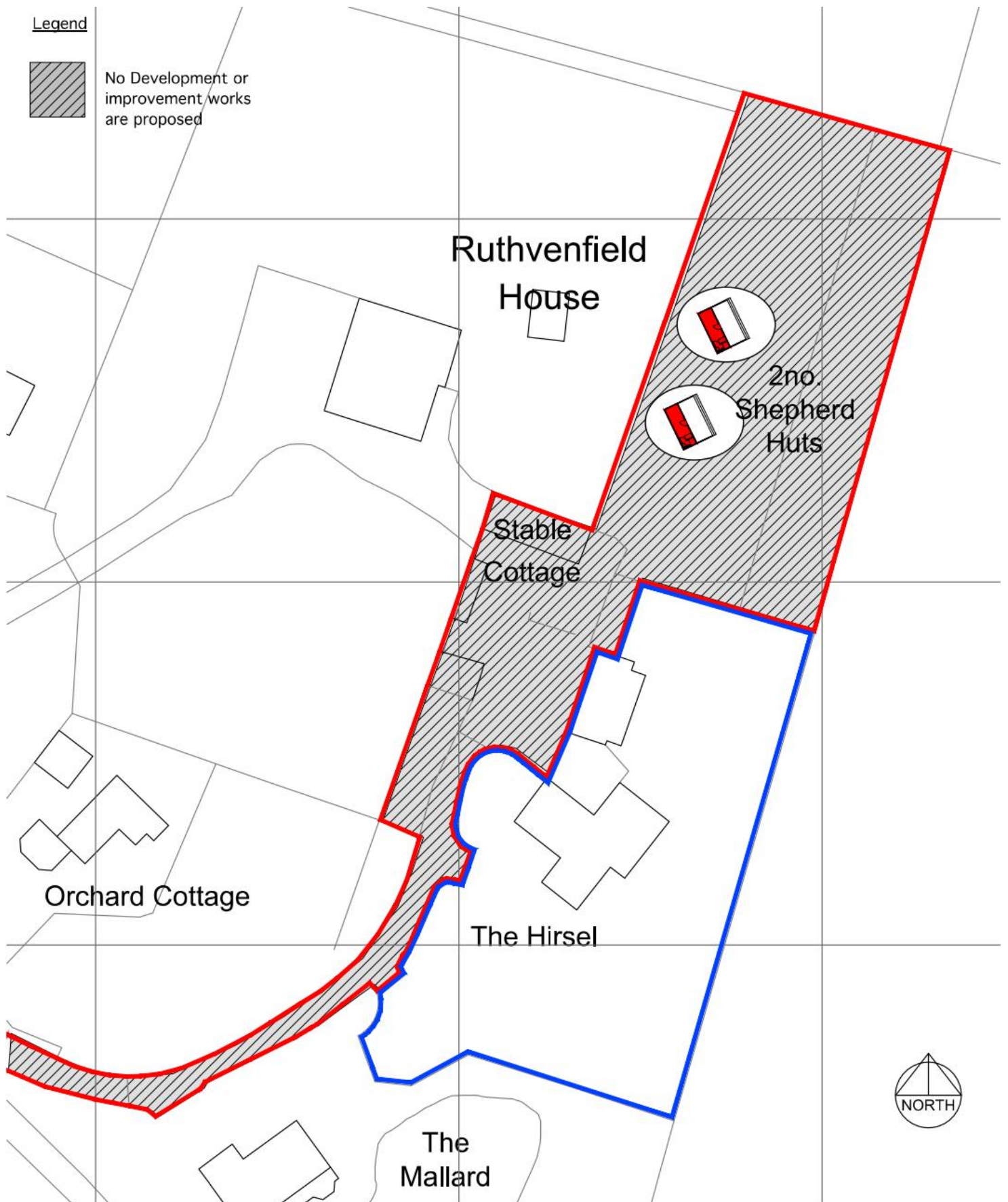
85 High Street, Newburgh, Fife, KY14 6DY
 Tel: 01337 840 088
 email: info@arthurstoneplanning.co.uk

Status	PLANNING		
Project	Craig White, Huntingtower, Perth Shepherd Hut		
Title	Location Plan		
Drawn RH	Date March 2020	Scale 1:1,250@A3	Drawing No 3139-101

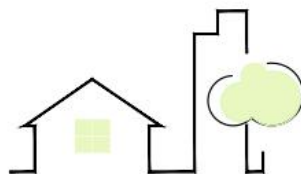
Legend



No Development or
improvement works
are proposed



0 5 10 15 20 25m
scale bar 1:500



Arthur Stone Planning
& Architectural Design

85 High Street, Newburgh, Fife. KY14 6DY

tel: 01330 941188
email: info@arthurstoneplanning.co.uk

240

Status

PLANNING

Project

Craig White, Huntingtower, Perth
Shepherd Hut

Title

Block Plan

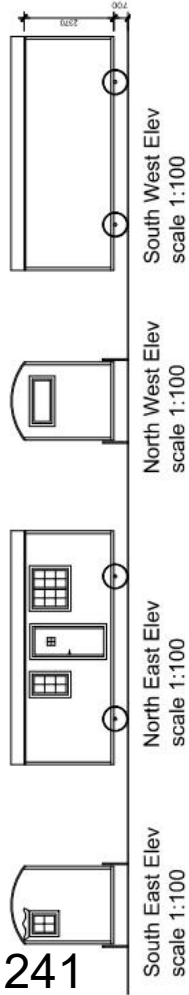
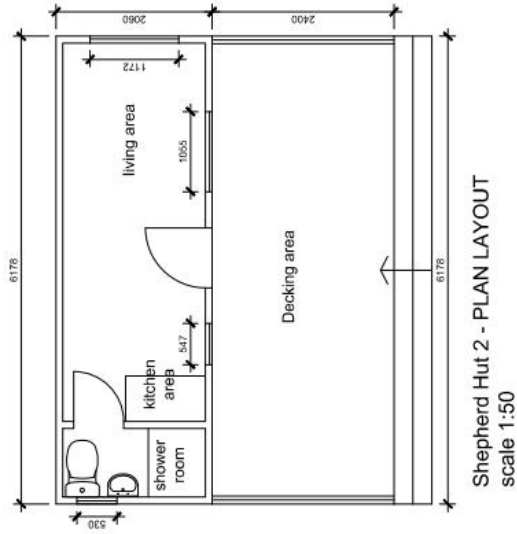
Drawn
RH

Date
March 2020

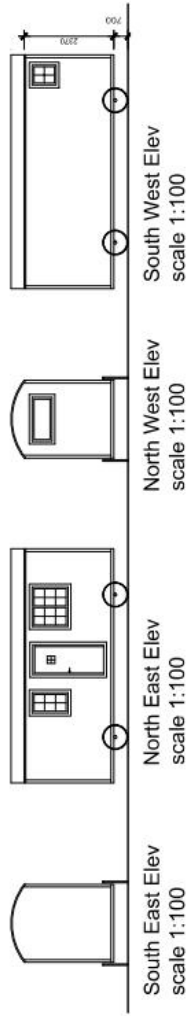
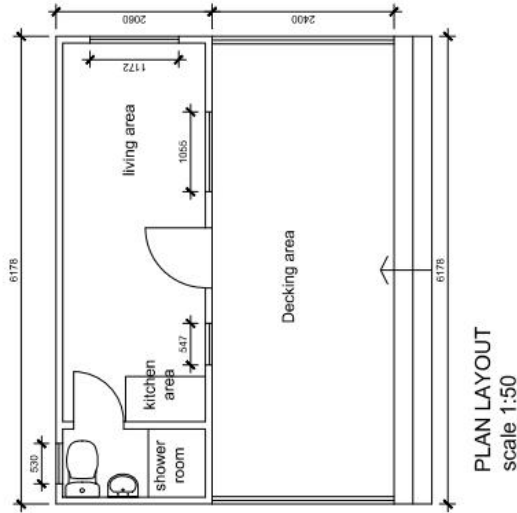
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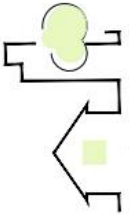
Drawing No
3139-100

Shepherd Hut 1



Shepherd Hut 2





Arthur Stone Planning
& Architectural Design
85 High Street, Newburgh, Flt. KY14 6DY
tel: 01337 840 088
email: info@arthurstoneplanning.co.uk

PLANNING

Project
Craig White, Huntingtower, Perth
Shepherd Hut

Title
Proposed Plans

Drawn RH	Date Sept 2020	Scale 1:50/100/A2	Drawing No 3139-102	Rev
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LRB-2022-51**21/01685/FLL – Siting of 2 holiday accommodation units and associated works, land 30 metres north east of Stable Cottage, Huntingtowerfield, PH1 3JL**

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.		Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner Email: [REDACTED]
Description of Proposal			
Address of site			
Comments on the proposal	<p>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p>Transport Infrastructure</p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> <p>The site is located in the 'Full' Transport Infrastructure contributions zone (Appendix 3 of the Supplementary Guidance) Par 6.10 of the Guidance states that for holiday accommodation, temporary structures will not be required to make a contribution. The proposed shepherd's huts appear to be movable and may therefore be deemed temporary.</p>		
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Transport Infrastructure: £0 <u>Total: £0</u></p>		
Recommended informative(s) for applicant			
Date comments returned	26 November 2021		

Your Ref 21/01/85/FL

30/11/2021

Dear Sir/MADAM,

With reference to the above
Planning application.

The addition of 2 holiday accommodation units
and associated works in this area at this time
will put an additional load and stress on
the already deteriorating entrance road to this
estate. The amount of vehicles coming from stable
cottage presently is considerable ie small cars, large
vans, Land Rovers, estates, etc.

I believe the road will be replaced in the future
and this will alleviate the problem, but this is some
time off.

Yours sincerely

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 21/01685/FLL

Our ref LRE

Date 1 December 2021

Tel No [REDACTED]

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5G

Consultation on an Application for Planning Permission

21/01685/FLL RE: Siting of 2 holiday accommodation units and associated works Land 30 Metres Northeast of Stable Cottage Huntingtowerfield for Mr Greg Whyte

I refer to your letter email dated 11 November 2021 in connection with the above application and have the following comments to make.

Environmental Health

Recommendation

I have no objections to the application but recommend that the undernoted condition and informative are included on any given consent.

Comments

This application is for the siting of two shepherd huts within an existing paddock area and are to be connected to the mains power.

The closest residential property outwith the applicant's ownership is Ruthvenfield House which is approximately 22 metres to the two proposed shepherd huts location.

There is also an existing self catering holiday unit The Stables which the applicant owns and runs.

There is one letter of representation at the time of this memorandum raising noise as a concern.

Noise

There is the potential for noise from the daily operations of the holiday accommodation shepherd huts, to have an adverse effect on residential amenity, especially noise from patrons late at night, this is generally controlled through good management.

The planning statement submitted by the applicant states " the applicant would ensure that there would be no inappropriate or late night noise concerns particularly since he lives on site."

To my knowledge this Service has not received any complaints with regards to noise from the existing holiday let that the applicant runs and owns.

Site Licence

Given the types of proposed units, I would remind the applicant that these fall under the definition of caravans and therefore a site licence will be required.

Lighting

The planning statement states that the units are to be fitted with low level external lighting however, the applicant should be mindful of the standard model condition in relation to lighting which will be applied to the site licence:

- All communal buildings shall have adequate internal lighting. There shall also be sufficient external lighting to adequately light the carriageways and footpaths within the site.

Therefore, I recommend that the under noted condition be included on any given consent.

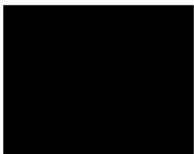
Condition

EH31 All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring residential land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.

Informative

CARAV

Part of the approved development includes 'caravans'. The developer is advised that caravans require to be licensed under the terms of Section 1 of the Caravan Sites and Control of Development Act 1960 and therefore a licence application should be made to Environmental Health. Application forms are available at <https://www.pkc.gov.uk/article/15600/Licence-caravan-site>



Your ref: CMacD

Our ref:

DD:

E:

Date: 1 December 2021

Director of Planning & Building
Development Management
Perth & Kinross Council
35 Pullar House
Kinnoull Street
Perth
PH1 5GD

By email

FAO Mr John Russell

Dear Sirs,

Planning Application 21/01685/FLL
Land at The Hirsell, Huntingtowerfield, Perth, PH1 3JL

On behalf of our clients Ms. Carol Ann Fraser & Mr Gary Wright and for the reasons given below we raise an objection to the proposed development of 2 no. Shepherds Huts on land at The Hirsell, Huntingtowerfield, Perth.

Site Context

The site's surrounding land use is a small-scale settlement of 6-7 traditional residential properties, including one more than 150 years, and one self-catering property (formerly a bungalow).

The application site is located within the Perth West settlement boundary, adjacent to land subsequently re-allocated by Perth & Kinross Council (PKC) and currently allocated for 115-153 homes (H319) in the adopted LDP that when or if developed, will significantly affect the existing 'semi-rural' feel of the existing small-scale settlement.

Planning Application Form

Page 3 states the application site area is 3,570 sq.m. Page 3 of the Supporting Planning Statement states the application site area is approximately 0.5 acre in total. The actual site area for the proposed development is therefore questionable.

Page 4 under 'Water Supply & Drainage Arrangements' ticks 'no' to the question will your proposal require new or altered water supply arrangements. This is incorrect. The applicant has not ticked the correct box outlining their intention to provide new, above ground private drainage arrangements (they have ticked the 'No' box). Page 4 of the Supporting Planning Statement states that a septic tank is proposed but it does not make clear the size, scale or positioning of the septic tank(s). Nor is this information provided elsewhere within the application submission. This matter is picked up again further in the document. Later on, in the Supporting Planning Statement, Page 10 under the heading 'Flooding and Drainage' it references policies

Broxden House, Lamberkine Drive, Perth, PH1 1RA
T: 01738 630666 E: info@bidwells.co.uk W: bidwells.co.uk

51B: Foul Drainage and 51C: Surface Water Drainage but again no specific detail is provided on how drainage surface water and foul drainage would be addressed to demonstrate policy compliance.

Page 4 states the site is within an area on or adjacent to trees. The Block Plan (Ref: 3139-100) submitted with the planning application does not locate the position of the trees.

Page 4, the box about waste storage/collection is unticked. What are the proposals for managing waste from the visitors to the Shepherd Huts, particularly in the context of the existing levels of waste generated from guests staying at Stable Cottage, and the more recently advertised rental property also owned by the applicant, now named as Hay Loft, close to Stable Cottage? This matter is picked up again further in the document.

Page 7, the declaration date on the application form is shown as 19/10/2020 however the application was received by PKC on 17 September 2021, and validated 10 November 2021, some 2 months later.

Application Drawings

The Location Plan and the proposed Block Plan show different planned positions of the units.

Block Plan: The legend on the Block Plan annotates that no development or improvement works are proposed in the grey hatched area but also provides no reference as to where such development / improvement works are proposed.

No description is provided to explain the white oval shapes around the Shepherd Huts.

No pathway connections are shown between the car park area to the proposed Shepherd Huts.

Supporting Planning Statement : The site boundary shown in the Supporting Planning Statement on page 2 excludes the proposed access compared with what is shown on the Location Plan.. The proposed Block Plan does not include the full extent of the proposed access.

The proposed site area for the two Shepherd Huts is greater than the area that would reasonably be required and raises concerns over the applicant's long-term objectives i.e. future expansion. This doubt is justified by the evident cumulative growth over the last 12 months during Covid of the applicant's holiday letting business on Airbnb for The Stables and now Hay Loft, as discussed later on in this letter.

Planning History

Page 6, paragraph 1 of the Supporting Planning Statement states: *"Following lengthy discussions with the Planning Officer the application was withdrawn to allow further information to be obtained by the applicant to support the application."* The documents/drawings submitted with the current application **do not** provide the 'further information' required by the planning Case Officer. Instead, the same information as previously submitted in 2020 (Ref:20/01494/FLL) is provided, which is also insufficient and incomplete in detail.

Page 10 and Appendix 2 of the Supporting Planning Statement references the communication earlier this year between the applicant and the PKC Flood Prevention Team. This matter is picked up later.

Applicant's Business Statement / Supporting Planning Statement

The business case presented in the current application is the very same as that of the 2020 application and consequently somewhat dated.

COVID pandemic: Reference is made to the economic impact of the COVID pandemic on the applicant's secondary business (self-catering holiday rental) and this is fully appreciated. However, is intensifying a tourism use in a small residential location, which could have potential for significant housing expansion an

acceptable proposal when the health as well as amenity of the existing residents is taken into consideration?

Furthermore, the applicant refers to “rebuilding” their business as a result of Covid. Neither the Business Statement nor the Supporting Planning Statement are supported by any evidence to substantiate their speculative claims.

Demand: Page 6 of the Supporting Planning Statement states “*the proposed units will be in demand given the site’s location with accessibility to town and countryside*”. This statement is entirely speculative and without substance or evidencing. The emphasis placed on demand is also reduced to that referred to in the previous application – “significant demand” – despite reference being made to the same business case (Supporting Planning Statement, Appendix 1) as previously submitted to PKC in 2020?

The target demographic is 40+ yrs. Where is the evidence in the Business Case to demonstrate such a demographic is attainable, particularly when this differs to the actual demographic who use The Stables Cottage based on our clients’ observations?

Quiet, Peaceful, Tranquil Environment: The potential building of 153 houses allocated adjacent to the application site, and the close proximity of the recent new road (B9993) leading from the A85 Crieff Road junction into Inveralmond Industrial Estate raises questions about the robustness of the business case being made and the aim to provide a “*Quiet, Peaceful, Tranquil Environment*” for “*guests looking for quiet, almost isolationist breaks*”.

Small scale, low impact holiday units: Bullet point 2 in the Conclusion section of the Supporting Planning Statement states “*the proposal is small scale, low impact holiday units, located within an existing area, which is acceptable in residential amenity terms.*” This sentence remains entirely subjective and lacks transparency about the surrounding cumulative increase in holiday accommodation already advertised by the applicant during Covid - The Stables and Hay Loft.

Specific Need: No evidence is provided to substantiate what is meant by ‘Need’. The Supporting Planning Statement does not correctly refer to ‘Specific Need’ as required by local planning policy. This is discussed further below.

Expanding Holiday Business

The application makes numerous references of the applicant's existing self-catering unit, Stable Cottage

When this first appeared on the market under Airbnb it was offered as 2-person accommodation. During 2021, the applicant introduced a sofa-bed option and now advertises this as 4-person accommodation. Furthermore, next to their main property (The Hirsell) is a permanent structure which according to our client over the past 8 years has consisted of a double garage with one-bedroom accommodation above. This was used full-time by a family member until sometime during 2021. Over the summer of 2021, various works were carried out and it emerged on

This raises some serious issues. Much is made in the application (including the Business Case Statement about the ravaging effect that Covid has unleashed on the applicant’s self-catering holiday letting business. Airbnb constitutes a clear change of use from what had been a residential unit occupied by a family member to a letting unit/business for which it is unclear whether a change of use planning consent has been granted. During Covid the applicant has jumped from renting for 2 persons to 4 in Stable Cottage (+100%) & Hay Loft (not mentioned) from 0 to 2 persons. Collectively, from 2 to 6 persons is a 3-fold increase. This is even before the proposed Shepherd Huts. In total the cumulative increase in persons

could potentially extend to 10 persons versus 2 pre-Covid (Stable Cottage in its original guise). This does not read like a “small-scale development in a small-scale residential area” it reads as a rapidly expanding holiday letting business. Taking the above into account the combined increased potential occupancy at Stable Cottage and Hay Loft and the subsequent increasing impact on parking, traffic, noise, amenity issues are all material considerations before considering the proposed Shepherd Huts.

There is reference in the email from the applicant to the Flood Prevention Officer on 08 August 2021 to the application site being part of the Stable Cottage land/property. The Cottage and the Land were purchased separately and at different times, and it is unclear whether Stable Cottage is a registered business or not and whether the current application would constitute an extension of an existing business or not.

Development Plan

The Development Plan comprises:

TAYPlan (2016-36) – approved October 2017; and,

Perth & Kinross Local Development Plan 2 – adopted November 2019.

Given the nature of the proposed development we have focussed on key policy content within the LDP, as referred to below.

Policy 1A – Placemaking requires development to contribute positively to the quality of the surrounding built and natural environment.

Residential Amenity The application is a material change to a situation/location/environment that has been in place for many years, Ruthvenfield House has been around for over 150 years. Currently the proposal covers 2 huts (2 x 2) equals potential for 4 persons. This would be 4X as many holidaymakers using the area at present (currently zero). Furthermore, it would cumulatively and significantly increase the existing volume of holiday accommodation already provided by the applicant at Stable Cottage and now Hay Loft.

Natural Heritage, Wildlife & Ecology The proposals would physically impact the grass paddock (application site) from the two units, the large decking area and screening being planned, the installation of electric and water utilities, creation of new pathways (assumed semi-hard/hard landscaping), the installation of ground level septic tanks and the possibility of TV/Satellite installations (as present at Stable Cottage). No detail is provided on these associated works.

Page 9 ‘Natural Heritage, Wildlife & Ecology of the Supporting Planning Statement reference is made to ‘log cabins’ not Shepherd’s Huts and a further tree inspection has been carried out by the applicant to assess whether the trees suffer from disease. Given the proximity of the trees to the proposed huts we would expect a tree assessment to have been carried out and qualified by an arboriculturist. On what basis is the “no evidence of any specific wildlife on the site” reference made?

Flooding & Drainage the site is susceptible to flooding. Gavin Bissett of PKC Flood Prevention Team (see Appendix 2 of the Supporting Planning Statement) requested in an email dated 21 May 2021 that the potential flood source referred to in an objection (to the previous application) be considered. He also confirmed that there is a residual risk of flooding during more extreme events than the 200-year flood and that the applicant’s proposals are classified as the most vulnerable use and need to be considered against the 1000-year flood event.

Our clients’ have first-hand knowledge of flooding in Ruthvenfield House grounds, before and after the installation of the Almondbank Flood Scheme. Given the free-standing nature of the huts without foundation or a permanent support structure, a sinking or movement of the units would be possible if the ground became especially waterlogged.

The Supporting Planning Statement makes no reference to the aforementioned objection as requested by the Flood Prevention Officer, it does not fully address the comments made by the PKC Flood Team Officer and it remains that the site is at risk of flooding

Waste Management further information should be provided on what is meant by “appropriate waste and recycling facilities” on page 10 of the Supporting Planning Statement .

Traffic Impact/Road Safety Traffic movement statements in the Supporting Planning Statement are totally subjective and without support.

The applicants themselves have concerns about increasing traffic and the threat to the general public on the narrow private road approach to this site noted in their objection to planning application 20/00537/FLL (subsequently approved by PKC early in 2021).

In their letter of objection dated 25 May 2020, Mr & Mrs Whyte (p.1) state: *“I would also bring to the planning department’s attention at this time the situation regarding Perth Lade Walk right of way which is accessed via the private drive from the Castle Brae. Since the completion of Phase 1 of Perth Transport Futures Project the use of this right of way has increased exponentially and has already been the subject of much correspondence and meeting with Council representatives highlighting the risk to public safety.*

The vastly increased interaction between foot traffic, cyclist and vehicles on a private driveway which offers no lighting or safe footpath for pedestrians is extremely unsafe as there are no passing points within the road layout. Introducing additional large commercial vehicles onto this popular right of way increases the risk to the public and a full risk assessment of the access road should be undertaken”

Mr & Mrs Whyte continue (p.2): *“Given the situation with the right of way and the fact that the narrow drive is the only access to several homes, I would request a Prohibition Order on any works outside 8am to 5pm Monday to Friday and on Bank and Local Holidays if planning is granted at this time”.*

Noise The units shown on the Proposed Plans & Elevations show that the external footprint of the proposed decking area is greater than the depth of the units themselves. These disproportionate extended areas of decking demonstrate the formation of additional space for guests to relax, (possibly cook) and dine, entertain outside on site with a commensurate increase in the noise impact.

Page 9 of the Supporting Planning Statement states: *“The proposed holiday accommodation units are located a reasonable distance from any other residential buildings...The applicant would ensure that there would be no inappropriate or late noise concerns particularly since he lives on site and the units would be fitted with low level lighting.”.* These comments are contradictory and unsubstantiated.

On one hand, the applicant acknowledges that there is the potential for noise impact but appears to **assume** the distance between the proposed units and the other buildings is sufficient (in their opinion) to minimise this impact on residents. The applicant then states they live on site, which using their own words would be a *“reasonable distance away”* from the proposed units. The question begs therefore, if the applicant is located a *“reasonable distance away”* from the units how can they also be located on site? Lastly, no certainty, or clarity is provided on how late noise concerns will actually be managed, and it is not clear why the units being fitted with low level lighting should relate to noise impact.

Scale and Density The external footprint of the huts shall be increased by > 100% with the introduction of planned decking area (and excludes areas taken up by septic tanks etc) This is greater than the depth of the units themselves.

The proposal **conflicts with Policy 1A/B.**

Policy 7A(a): Business and Industrial states that proposals should not detract from the amenity of adjoining, especially residential areas. The proposal would result in:

Intensification of Use: The proposal would significantly expand a business operation within immediate proximity of a low-density and established residential settlement. Two additional units would increase the existing single self-catering cottage business at the site by 200%.

Additionally, there is the potential that this could encourage the operation to be further expanded given that the site has the potential physical capacity to accommodate more similar units depending on the applicant's density preference. Furthermore, the application refers to "caravan site" style fittings for utilities which raises concern about future expansion, commercialisation of the site which would adversely impact on the residential amenity.

Traffic Impact: The development would generate increased traffic movement within the settlement contrary to what is implied in the Business Case and Supporting Planning Statement. Both documents refer to guests arriving by sustainable modes of transport (without evidence to support/confirm this) yet reference the adequate car parking provision which exists which would imply guests are also expected to travel by private vehicles. Additional traffic would also be generated by vehicles arriving to empty the septic tanks associated with each unit and all business service providers used by the applicant.

Noise Impact: The repetitive traffic movements of an increasing/increased number of guests arriving and leaving would generate a material increase in noise and impact the amenity of neighbouring properties including Ruthvenfield House.

Outside music (which has been experienced from Stable Cottage) would significantly detract from the quiet and private amenity of Ruthvenfield House. Creating new units will significantly increase the volume of noise from holidaying guests. It is strongly disputed that this noise would be similar to the low level noise created by residential properties.

For the reasons give above the proposal is not compatible with the surrounding residential land use and **contrary to Policy 7A**.

Policy 9: Caravan Sites, Chalets and Timeshare Developments is relevant and it has not been mentioned by the agent.

Policy 9 clearly sets out the requirement that this type of proposal must meet a specific need. As noted earlier in this letter specific need has not been addressed by the agent. Having worked on previous proposals recently PKC advised Bidwells that it is not sufficient to say Perthshire is a well-established tourist destination. A proposed need has to be more specific than that therefore we would expect PKC to be consistent in their approach when determining these types of proposals, such as the subject application.

Policy 17 (d): Residential Areas generally encourages tourism proposals in residential areas. However, as demonstrated at Policy 7 above there are multiple strong reasons why this particular location for tourism related development would **not** be compatible with the character and especially the amenity value of the surrounding low density residential area. The proposal is **non-compliant with Policy 17**.

Policy 40A: Forest and Woodland Strategy The units in their previous application were physically sited next to trees (one unit was directly under a tree within the curtilage of Ruthvenfield House). The proposed siting could be identical. This is a serious health and safety risk for guests staying in the huts, particularly since the area is prone to strong winds and our clients have first-hand experience of tree damage **directly** close to where the units were placed. Storm Arwen created tree damage in the surrounding area. The hut positions if sited as before, would be a risk to human life. The proposal is **non-compliant with Policy 40A**.

Policy 53B: Foul Drainage The Supporting Planning Statement incorrectly refers to Policy 51B Foul Drainage rather than Policy 53B Foul Drainage which is correct. No clarity is provided on the type/size or siting of the above ground septic tanks or how often they will be emptied. Should they be located at the south western side of the site the most probable position would be on land between the huts and boundary fence with Ruthvenfield House. Such a limited distance could impact the amenity of Ruthvenfield House. The tanks could require emptying mechanically further increasing the need for large vehicle intrusions particularly in respect of noise from frequent vehicles movements and odour. The proposal is **non-compliant with Policy 53B**.

Policy 55: Nuisance from Artificial Light and Light Pollution There is a risk of light pollution from the proposed units, any pathway lighting as well as the associated traffic. Furthermore, the continual stream of traffic headlights from the CTLR close to the application site would adversely impact the proposed units and the intended sense of an isolated rural type setting. The proposal is **non-compliant with Policy 55**.

Policy 56: Noise Pollution The siting of the proposed units would immediately increase noise generation from visitors particularly in the evening hours which would impact the amenity of the residents.

Conversely guests of the proposed units would also be impacted by noise. The continual noise of traffic from the CTLR is very noticeable at the site and again not conducive to a tranquil experience for guests. When/if construction begins on the allocated H319 for 115 – 153 houses there will be further and significant noise pollution. If developed and then sold, and conservatively assuming even 1 resident per household then having 153 persons living alongside the applicant's site would further impinge on the isolationist holiday seeker. The proposal is **non-compliant with Policy 56**.

Supplementary Guidance (SG): Placemaking March 2020

SG: Placemaking supports **Policy 1 (Placemaking)** and is to be used in the assessment of planning applications and to assist in the placemaking process.

Page 22 refers to 'Effects on Neighbouring Properties'. It states that it is vital when considering any new development that consideration is given to the privacy and amenity of neighbours. Key issues to consider are:

- The effect that any development has on the internal living space of neighbouring residential properties.
- The privacy of adjacent properties both internally and within the garden.
- Access to any new development and who this might affect in neighbouring properties.

The proximity between the proposed units and Ruthvenfield House would have a disruption to amenity in general including the usage of barbeques, smoking, outdoor entertaining, music and associated waste (ending up on the grounds of Ruthvenfield House). These are all actual experiences with the existing business unit. The proposed units would further affect residential amenity and privacy in what is clearly an established residential area for all residents.

Page 40 'Mix of Uses' recognises that a mix of uses within new development can help create more sustainable communities, providing opportunities for facilities and services that can serve the wider community. In the mix of uses example specified it does not refer to tourist accommodation.

Conclusion

The primary focus of any development is that it be "compatible with the amenity and character of the area" as reiterated throughout the LDP. To this end and for the reasons set out in this letter we object on behalf of Ms. Fraser and Mr Wright to the proposal for 2 no. Shepherd Huts at Stable Cottage, Huntingtowerfield, Perth.

Yours faithfully,



Corinne MacDougall
Associate, Planning

Cc Ms. Fraser & Mr Wright

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/01685/FLL	Comments provided by	G Bissett
Service/Section	HE/Flooding	Contact Details	
Description of Proposal	Siting of 2 holiday accommodation units and associated works		
Address of site	Land 30 Metres North East Of Stable Cottage Huntingtowerfield		
Comments on the proposal	<p>We provided comments on the previous application for this site. The site is afforded protection by the Almondbank Flood Protection Scheme (providing 200 year event standard of protection). As the proposes are for a most vulnerable land use, in terms of flood risk, they need to be considered against a 1000 year flood event. Therefore, a residual flood risk potentially remains (from events exceeding the Almondbank Scheme SoP). Following further discussion with the applicant, we are satisfied with the proposals.</p> <p>The units are to be elevated above existing ground level by 700mm which is considered suitable in the instance. The applicant should ensure the foundations/supports are designed with potential risk of inundation in mind.</p> <p>An outline flood action plan has been provided. This is required to be kept updated and made available to all occupants. The developer should ensure that they sign up to SEPA's Floodline warning service.</p>		
Recommended planning condition(s)	DR01 Storm water drainage from all impermeable surfaces, including roofs and accesses, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.		
Recommended informative(s) for applicant			
Date comments returned	07/01/22		

Town & Country Planning (Scotland) Act 1997

The Town & Country Planning (Schemes of Delegation & Local Review Procedure) (Scotland) Regulations 2013

Application Ref: 21/01685/FLL – Siting of 2 holiday accommodation units and associated works, land 30 metres north east of Stable Cottage, Huntingtowerfield

Further Representations Statement of Case (LRB-2022-51)

On behalf of our clients Ms. Carol Ann Fraser & Mr Gary Wright of [REDACTED], provided below are 'Further Representations' in respect of the review of planning application decision Ref: 21/01685/FLL – Siting of 2 holiday accommodation units and associated works at Huntingtowerfield.

These Further Representations address planning policy, material considerations and provide clarity on important contextual matters to be brought to the attention of the Local Review Body (LRB).

A) Contrary to Development Plan Policy

We fully support PKCs decision notice which confirms the above development proposals are contrary to the adopted Perth & Kinross LDP2 2019. The relevant planning policies include:

- Policy1 A/B – Placemaking
- Policy 9B– Caravan Sites, Chalets and Timeshare Developments
- Policy 17 – Residential Areas
- Policy 39 - Landscape
- Policy 40 A/B– Forestry, Woodland and Trees

In addition to the above, the reasons cited in our letter of objection dated 01 December 2021 to the application which reason why the proposed development contravenes the Development Plan policies are maintained. A copy of this letter is attached with the Notice of - LRB-2022-51.

B) Material Considerations

Absence of Market Evidence

Appellants letter dated 5 September 2022

Page1 Para 3: No market evidence is provided by the appellant which confirms Stable Cottage has been a successful holiday letting business for “some” 30 years. Further, the supporting documentation refers to ‘some 30 years’ and ‘35 years’ casting uncertainty over the integrity of the case being made by the appellant.

Our clients cannot confirm that Stable Cottage has been a successful letting business for “some” 30 years or more, but they can confirm that since they moved to the area in November 2013 (some 9 years ago) that has NOT been the case. The appellant himself told our clients directly that this was his own impression. Furthermore, The Mallard has been in owner occupation since 28 February 2014 & Orchard Cottage since 18 February 2016. For both properties (Mallard & Orchard Cottage) our clients are not therefore aware of them being used a holiday accommodation during their time here.

Placemaking

Appellants letter dated 5 September 2022

Page 2 Para 2: The mention of “*large decking area*” refers to our clients original objection submission Ref: 20/01494/FLL and relates ONLY to the size of the planned decking area in relation to the size of shepherd's huts as previously unlawfully positioned on site and shown in the appellants original application drawings. This is NOT subjective, but fact taken from said application.

Page 2 Para 2: At present there is NO “*five distinct layers of screening*” and there are NO “*large sheds*” in our clients property that cover the entire application site.

The appellant planted a few fast-growing screening trees last year which are understood to have died and which have been subsequently removed.

Impact on Residential Amenity

Overlooking: At least one of the two unlawful Shepherd Huts on site in 2020 did have a window to the west facing Ruthvenfield House in addition to a north and south facing windows that could be seen from our clients garden and consequently would allow occupants to potentially observe our clients. Our clients have photographic evidence to support the claim.

Lighting: Any new lighting connected to the Shepherd Huts would be immediate to Ruthvenfield house and impact on amenity.

Noise: Our clients still await advice from PKC Environmental Health on what constitutes an unacceptable level of noise. Their understanding therefore remains that they can dial an answerphone number for out of hours disturbances or call the Police, neither are satisfactory in dealing with an onsite issue.

Loss of privacy: Our clients continue to receive many visits from new guest arrivals driving to their house looking for Stable Cottage.

Trees and Public Safety

Appellants letter dated 5 September 2022

Page 2 Para 2: The mature tree line does not “*completely obscure*” the application site. This is partly due to trees cut down by the appellant at the time of erecting a 2-metre-high wooden fence (replacing the more traditional 1 metre wire and post fencing in place when our clients arrived at Ruthvenfield House in November 2013)). The appellant further cut back many overhanging branches from those trees that hung into their land in the summer of 2022. Our clients tree surgeon removed a few due to poor condition and one blew over in a storm some years ago (before the new wooden fence was erected).

Many of the trees/shrubs are deciduous and when bare are capable of providing even less coverage.

With certainty, where the appellant unlawfully sited the Shepherd Huts they were clearly visible and above the garden fence height in the middle of summer. If the now proposed Shepherd Huts are sited as originally placed, there would still be potential danger from falling trees.

The units in the previous planning application (ref:20/01494/FLL) were physically sited next to trees (one unit was directly under a tree within the curtilage of Ruthvenfield House). The proposed siting could be identical. This is a serious health and safety risk for guests staying in the huts, particularly since the area is prone to strong winds and our clients have first-hand experience of tree damage **directly** close to where the units were placed. Storm Arwen created tree damage in the surrounding area. The hut positions if sited as before, would constitute an ill-considered layout which poses a risk to human life. Ruthvenfield House has lost several trees over the years due to storm damage (this can be evidenced should a site visit take place).

C) Contextual Matters

Inaccurate Planning History

Appellants letter dated 5 September 2022

Page 1 Para 5: The planning history referenced is factually inaccurate. The formal pre-application advice (20/00349/Preapp) dated 17 August 2020 for the appellants previous application (ref:20/01494/FLL) was sought **after** they had **unlawfully sited** 2 Shepherd Huts on the application site (12 July 2020), and **after** our clients telephone call with the appellant @ 17:20 on 16 July 2020 and **after** our clients had contacted PKC to ask for advice (email to PKC 15 July 2020).

Site History

Appellants letter dated 5 September 2022

Page 3 Para 5: The Tractor Shed was removed long before our client moved to Ruthvenfield House in 2013 as the paddock area now owned by the appellant was completely overgrown with no visible sign of a base or hard standing foundation. A “*reminder of the paddocks farming history*” is therefore irrelevant.

Self-Catering Businesses

Reference to the surrounding residential and commercial letting uses of properties is inconsistent and unclear in the Appellants letter dated 5 September 2022.

Appellants letter dated 5 September 2022

Page 2 Para 3: how can the appellant gauge the daily activities of a holiday accommodation user when they do NOT meet all their guests during or since Covid and are often at work elsewhere during the day.

The daily activities are disputed without substantive evidence of the existing holiday let operation. The activities associated with the proposed Shepherd Huts are subjective.

The previous holiday units at Orchard Cottage and The Mallard have been changed to residential use which confirm the success of the area for residential enjoyment rather than a transient tourist market. Why was their rental holiday use not continued?

Page 2 Para 6: “intensification” There is **NO** evidence provided to support the claim of “*experience of having a higher share of holiday accommodation units*” and certainly none since 2014.

Page 2 Para 7 & Page 3 Para 1: Whether or not the business case “*currently supports the hypothesis of a site activity increase of 300%*” is irrelevant. Similarly, the decision to operate a “clear day” policy can unilaterally be dropped at any point in the future.

Page 20 (Appendix G, Appellants letter to PKC dated 06/12/21)

This letter was first seen by Bidwells and our clients on 05 October 2022 following a request to PKC to have sight of the Notice of Review documentation. **Importantly, PKC considered all this information for over six months BEFORE taking their decision to REJECT the application on 28 June 2022**

D) LRB Site Visit

Should the LRB deem a site visit appropriate, it is recommended they include a visit to Ruthvenfield House to (a) see our clients perspective and (b) view their photographs of the original siting of the Shepherd Huts before either pre-application advice (20/00349/Preapp) or planning application ref:20/01494/FLL.

Conclusions

The proposal development of 2 Shepherd Huts contravenes the development plan, is void of market evidence and inconsistent with site and planning history timescales raising doubt over the integrity of Notice of Review LRB-2022-51 submission. It is requested that the Local Review Body take these considerations into account in reaching their Local Review decision.

Mr and Mrs G D Whyte



16th Oct 2022

Town & Country Planning (Scotland) Act 1997 The Town & Country Planning (Schemes of Delegation & Local Review Procedure) (Scotland) Regulations 2013 Application Ref: 21/01685/FLL – Siting of 2 holiday accommodation units and associated works, land 30 metres northeast of Stable Cottage, Huntingtowerfield

Following our submission to Perth and Kinross Local Review body relating to planning application 21/01685/FLL I am in receipt of a copy of a representation from an interested party being Ms Carol Ann Fraser & Mr Gary Wright submitted on their behalf by Bidwells Perth.

My response to same as follows.

A) Contrary to Development Plan Policy

We stand by our original submission to LRB

B) Material Considerations

As stated that Ms Fraser & Mr Wright moved to the area in 2013 I quite agree that they cannot either confirm or deny that Stable Cottage had been a successful Holiday Letting Business prior to their arrival. It is a fact however that they were made aware by the previous owners of their property that Stable Cottage was a Holiday let property and that their new property was sited next to business premises.

Stable Cottage is a registered business and rated as such with Perth and Kinross Council. The complainant's views on its success are irrelevant.

The point is made that Ms Fraser and Mr Wright are unaware of other Holiday Accommodation available beside their property since they moved to the area in 2013. Please see **appendix A** being sale particulars for Orchard Cottage sold in May 2016. In the sale particulars of this time under Rateable Value (page 4) it states

“£2100- Orchard Cottage is Commercially rated at present, being run as a holiday Cottage”

This points to the synergy of uses of properties in the area given that neighbours sharing a boundary were not even aware that the 4 bedrooomed property next door was being let out commercially up until 2016.

Placemaking

I stand by previous submission relating to decking area as being quite suitable to accommodate two peoples` use for outdoor living space, weather permitting.
In answer to the laboured allegations of unlawful activity please see Appendix B (Email form David Rennie(planning enforcement Officer) I believe the exchange of correspondence between us brings closure.

Screening between Ruthvenfield House and the proposed site do exist. The requested site visit will confirm.

We have planted over one hundred trees across our property, many thrive, a few have died, however we will not plant the layer of screening trees until our planning submission reaches its conclusion.

Impact on Residential Amenity

As evidenced by **appendix B** (letter to David Rennie) The position of the Shepherd huts which were stored pending planning investigations was and is not their intended position as evidenced by our planning application. Any reference to position, window facing etc is completely irrelevant. In fact, given the length of time the planning process has taken, in order to maintain the huts securely, we had them removed from site, so they are not even present on our property therefor any photographic evidence is irrelevant.

Lighting

Please see **appendix C** (Memorandum from Regulatory Services Manager)

Condition

- EH31** All external lighting shall be sufficiently screened and aligned to ensure that there is no direct illumination of neighbouring residential land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.

Noise:

Once again please see appendix C (Memorandum from Regulatory Services Manager)

Noise

There is the potential for noise from the daily operations of the holiday accommodation shepherd huts, to have an adverse effect on residential amenity, especially noise from patrons late at night, this is generally controlled through good management.

The planning statement submitted by the applicant states " the applicant would ensure that there would be no inappropriate or late night noise concerns particularly since he lives on site."

To my knowledge this Service has not received any complaints with regards to noise from the existing holiday let that the applicant runs and owns.)

Guidance notes referring to residential amenity read,

“Residential Amenity

As with all proposals, it is expected that existing residential amenity enjoyed by existing dwellings will be protected. To achieve this, the proposal would have to have appropriate siting, orientation and design to ensure that unnecessary overlooking, loss of privacy or loss of sunlight/daylight does not occur.”

Nowhere in the above guidance note does it say that any new development must be completely invisible to all surrounding properties. I believe that our proposals more than meet the above stated criteria, it should also be noted that our own property is adjacent to the proposed site therefore it is in our own best interests that residential amenity is protected, which I am confident it is.

“Loss of privacy: Our experience of Guests being lost is generally that they phone rather than drive into un-signed properties driveways. We make every effort to avoid this situation and have already added new signage and directional emails sent to guests prior to arrival.

Trees and Public Safety

Through good tree management by both the complainant and us the treeline between our two properties is in very good order and presents no danger.

Again, any mention of the Huts previous storage position is completely irrelevant.

Contextual Matters

Please refer to Appendix B

Site History

The removal of Tractor shed coincided with our purchase of Stable Cottage as it straddled the boundary of the ground being bought 2017. Footprint is still visible for inspection upon site visit.

Self-Catering Business

I believe **Appendix A** clarifies the situation concerning synergy of uses between residential and business properties in the area as recent as 2016.

The complainants question our ability to gauge daily activity as we do not meet and greet our guests. I can advise that we have a comprehensive security and CCTV network. Modern technology allows us to be alerted to vehicle movement at our premises via smart phone alerts. This allows us to accurately gauge daily activity.

We, like many Businesses and Institutions including Perth and Kinross Council recognise that good practice (Covid Sense) must be maintained in respect of good health management. For this reason our policy of "Clear Day" between guests will not be unilaterally dropped.

The point is made that consideration of our application took over six months. While this is outside the hoped for timescale it is noted that Planning were equally working under difficult conditions including working from home and coping with restrictions on site visits. This is a further reason I would encourage viewing of the site at this time.

During this long period of consideration and reflection on our proposal however no internal consultees found fault with our application sufficient to warrant advising its refusal.

Conclusion

I would again urge LRB to carry out a site visit. I believe by doing so the panel will see first-hand that the proposal does not infringe residential amenity, that the development sits neatly and quietly into an infill area without disrupting the nature of the area or causing any harm to the harmony of the place.

Sincerely

A black rectangular box redacting the signature of G D Whyte.

G D Whyte



RETTIE



ORCHARD COTTAGE | HUNTINGTOWERFIELD | PERTH



Utility Room

Located adjacent to the kitchen/dining room is the utility room with a door providing access to the rear garden. There are floor based kitchen units with a granite style work surface, stainless steel sink and drainer with mixer tap and tiled splash-backs. Worcester Green Star wall mounted gas fired boiler. Vinyl flooring and fitted window blind.

Bedroom 3

Double aspect well-proportioned bedroom with hanging wardrobe cupboard and timber style flooring. Pendant fitting and uplighters.

Bathroom

A white four piece bathroom suite including bath with full height tiled surround, wash hand basin with shelf, mirror and shaver socket above, WC and separate tiled shower cubicle. Marmoleum flooring, recessed spotlights and fitted window blind.

A stair rises from the hall to the first floor landing which provides access to:

Master Bedroom

A triple aspect room with built in wardrobe providing shelf and hanging space. Fitted carpet and fitted window blinds. There is an en-suite shower room with an Aqua Profile Plus shower, WC and pedestal wash hand basin and Marmoleum flooring.

Bedroom 2

A twin bedroom with double aspect Velux roof windows fitted with blackout blinds. Fitted carpet.

Exterior:

Orchard Cottage is accessed initially via a shared private drive with ample room for private car parking and turning to the front of the house. A driveway runs down the side of Orchard Cottage to a garage with electric roller shutter doors. The house sits in a generous plot and the rear garden is fully enclosed. The property is surrounded by a range of mature trees, shrubs and bushes. An area of decking is located with direct access from the kitchen/dining room which provides a perfect spot for outside dining on those warmer days. Outside lighting.

GENERAL REMARKS AND INFORMATION

Viewing

Viewing is strictly by appointment with the selling agents.

Satellite Navigation

For the benefit of those with satellite navigation the property's postcode is PH1 3JL.

Fixtures and Fittings

Only items specifically mentioned in the particulars of sale are included in the sale price. Fitted floor coverings and window blinds are included in the sale.

Local Authorities

Perth & Kinross Council
2 High Street, Perth, PH1 5EH
Tel: 01738 475 000 Fax: 01738 475 710

Rateable Value

£2,100 – Orchard Cottage is commercially rated at present, being run as a Holiday Cottage. We would estimate it to be Council Tax band F, that would need to be confirmed by Perth and Kinross Council.

EPC Rating

C

Services

Mains water, Mains gas and mains electricity. Shared septic tank.

Solicitors

Condie's
2 Tay Street, Perth, PH1 5LJ
Tel: 01738 440 088 Fax: 01738 441 131

Offers

Offers should be submitted in Scottish Legal Form to the selling agents Rettie & Co at 1 India Street, Edinburgh, EH3 6HA. A closing date by which offers must be submitted may be fixed later. Please note that interested parties are advised to register their interest with the selling agents in order that they may be advised should a closing date be set. The seller reserves the right to accept any offer at any time.

Internet Websites

This property and other properties offered by Rettie & Co can be viewed on our website at www.rettie.co.uk as well as our affiliated websites at www.rightmove.co.uk, www.primelocation.com, www.zoopla.com, www.s1homes.com and www.thelondonoffice.co.uk

[REDACTED]

From: greg whyte [REDACTED]
Sent: 11 October 2022 07:20
To: [REDACTED]
Subject: Fw: Your Ref 20/00176/ALUNDV

From: David Rennie [REDACTED]
Sent: 28 July 2020 07:44
To: 'greg whyte' [REDACTED]
Subject: RE: Your Ref 20/00176/ALUNDV

Dear Mr Whyte

Thank you for your prompt response to my letter. I apologise that I was not aware of your earlier enquiry to the council, which had been registered under Stable Cottage, and my enforcement case is registered under The Hirsell.

From the information provided in your email and your enquiry, the shepherd's huts may be classed as caravans – see Section 13 of the Caravan Sites Act 1968 <https://www.legislation.gov.uk/ukpga/1968/52/section/13>. If so, a caravan site licence is likely be required – further information is available at <https://www.pkc.gov.uk/article/15600/Licence-caravan-site> – please contact The Environment Service for clarification on the need and requirements for a site licence.

In addition for any site licence, planning permission is required for the land to be used for the siting of the shepherd's huts. If the additional area of ground that you recently bought was a field, paddock or open space, planning permission is also required for this land to be used as garden ground associated with Stable Cottage or The Hirsell, or for it to be used in association with the shepherd's huts. Details about applying for planning permission can be found at <https://www.pkc.gov.uk/makingaplanningapplication>.

Whilst I can advise you about the requirement for planning permission, I am not in a position to advise you about the likelihood of your application being successful. However, this can be provided if you submit a pre-application enquiry – please see <https://www.pkc.gov.uk/article/20213/Pre-application-services->

The Council is seeking to support businesses that have been affected by the coronavirus restrictions. In some cases, the need for planning permission has been deferred until January 2021 (however, this may not extend to the requirement for a caravan site licence). Please phone me on 07587 504282 if you would like further advice on this, or if you wish to discuss any matters raised in this email.

Regards
David Rennie

David Rennie | Planning Enforcement Officer | Development Management | Perth & Kinross Council | Pullar House | 35 Kinnoull Street |
Perth | PH1 5GD
Phone: [REDACTED] | Mobile: [REDACTED] | Email: [REDACTED] | Web: www.pkc.gov.uk | [Planning Enforcement Webpage](#) |
[Planning Enforcement Charter](#)

From: greg whyte [REDACTED]
Sent: 28 July 2020 08:13
To: David Rennie [REDACTED]
Subject: Your Ref 20/00176/ALUNDV

Mr and Mrs G Whyte

27th July 2020

Dear Mr Rennie

Siting of two Mobile homes on land at The Hirsell Huntingtowerfield Perth.

Thank you for your letter regarding the above subject received as at today's date.

I can advise that we have already contacted Perth and Kinross Planning Department to ascertain what consents are required to extend our Property letting business based at Stable Cottage.

To date we have only received an acknowledgement to our enquiry with information that our enquiry will be addressed in due course due to the constraints placed on the department because of the current health situation.

I would say that I am surprised, but not disappointed by the speed that you have contacted us given that we are still waiting for a response from our initial enquiry. I would value your input to our original question which was "what planning consent do we require to site two Shepherd huts within the grounds of Stable Cottage, an existing holiday Letting business."

To give you the full and correct picture The Hirsell is our main family residence while Stable Cottage is a registered Holiday letting property and has been for some thirty years. Stable Cottage benefits from a small fully enclosed private garden and an additional 0.5 of an acre of flat garden ground bounded on two sides by a wooden fence and on the other two sides by a stand of mature trees.

This wider garden is offered to holidaymakers staying at Stable Cottage for their exclusive use for recreation purposes, dog walking (we are a pet friendly establishment) and relaxation. We have a fruit and vegetable garden from which guests can help themselves to produce in season, also a Chicken run to provide guests with fresh eggs daily and we also offer sun loungers etc in this area. The Stable block within the Stable Cottage courtyard also houses mountain bikes which guests often make use of to enjoy Perth's many cycle paths and especially the Perth Town's Lade walk Right of Way which is accessed via the private drive to both The Hirsell and Stable Cottage.

Given the massive economic impact that Covid 19 has had on our business we decided to investigate siting two Shepherds Huts within Stable Cottage garden grounds to take advantage of the increase in "staycations" as the Country and economy recovers.

I took advantage of a particularly good price and bought two huts and have stored them within our grounds pending planning investigations. They do not benefit from any services and are not currently habitable but in the fullness of time and the correct permissions sought it would be our intention as previously stated to let these out as part of Stable Cottage lettings.

It would be a great help if you could advise what planning consent may be required based on the aforesaid information. Please also let me know if you would be able to arrange a site visit if this would assist.

Given the current climate I would welcome any help in expediting our enquiries as I would like to progress this venture as quickly as possible.

Best regards

Greg Whyte

The information in this email is solely for the intended recipients.

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 21/01685/FLL

Our ref LRE

Date 1 December 2021

Tel No [REDACTED]

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5G

Consultation on an Application for Planning Permission

21/01685/FLL RE: Siting of 2 holiday accommodation units and associated works Land 30 Metres Northeast of Stable Cottage Huntingtowerfield for Mr Greg Whyte

I refer to your letter email dated 11 November 2021 in connection with the above application and have the following comments to make.

Environmental Health

Recommendation

I have no objections to the application but recommend that the undernoted condition and informative are included on any given consent.

Comments

This application is for the siting of two shepherd huts within an existing paddock area and are to be connected to the mains power.

The closest residential property outwith the applicant's ownership is Ruthvenfield House which is approximately 22 metres to the two proposed shepherd huts location.

There is also an existing self catering holiday unit The Stables which the applicant owns and runs.

There is one letter of representation at the time of this memorandum raising noise as a concern.

Noise

There is the potential for noise from the daily operations of the holiday accommodation shepherd huts, to have an adverse effect on residential amenity, especially noise from patrons late at night, this is generally controlled through good management.

The planning statement submitted by the applicant states "the applicant would ensure that there would be no inappropriate or late night noise concerns particularly since he lives on site."

To my knowledge this Service has not received any complaints with regards to noise from the existing holiday let that the applicant runs and owns.

Site Licence

Given the types of proposed units, I would remind the applicant that these fall under the definition of caravans and therefore a site licence will be required.

Lighting

The planning statement states that the units are to be fitted with low level external lighting however, the applicant should be mindful of the standard model condition in relation to lighting which will be applied to the site licence:

- All communal buildings shall have adequate internal lighting. There shall also be sufficient external lighting to adequately light the carriageways and footpaths within the site.

Therefore, I recommend that the under noted condition be included on any given consent.

Condition

EH31 All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring residential land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.

Informative**CARAV**

Part of the approved development includes 'caravans'. The developer is advised that caravans require to be licensed under the terms of Section 1 of the Caravan Sites and Control of Development Act 1960 and therefore a licence application should be made to Environmental Health. Application forms are available at <https://www.pkc.gov.uk/article/15600/Licence-caravan-site>

