

<p><b>TCP/11/16(216)</b> <b>Planning Application 12/01089/IPL – Residential</b> <b>Development (in principle) on land 60 metres west of 14</b> <b>Rawes Farm Steading, Longforgan</b></p>
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**PAPERS SUBMITTED  
BY THE  
APPLICANT**



LTR/W2341/3.1/16/CN

Perth & Kinross Council  
Development Control  
Pullar House  
35 Kinnoull Street  
Perth  
Ph15GD

31 October 2012

Dear Sirs

**Notice of Review at Rawes Farm, Longforgan, Perth, DD2 5HQ**  
**Residential Development in Principle**  
*LPA ref: 12/01089/IPL*

We have set out below the reasons for seeking a review of the refusal of planning permission in principle in accordance with The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008.

### **Introduction**

Planning permission in principle was refused by Perth and Kinross Council for the re-development of a rural brownfield site (0.4 hec) which lies within the curtilage of the Rawes Farm and Steading, to the south west of Longforgan.

The Delegated Report of Handling focuses on the requirement for a landscape framework in the Perth Area Local Plan 1995. The planning officer's approach reiterates earlier reasons given in refusing a previous full application 08/01767/FUL.

We are requesting a Review of the decision because we do not think that due consideration has been given to the existing brownfield derelict state of the site and its current landscape framework setting within the context of up to date relevant planning policies and guidance.

### **Appeal Site**

The original steading building adjacent and to the east of the appeal site was converted into residential use following the grant of full planning permission in 2005. One house to the west of the steading has been completed as part of that development and there is planning permission outstanding for a further five new build houses to the south and east.

Durn, Isla Road, Perth PH2 7HF  
Telephone 01738 621 121 Fax 01738 630 904  
bellingham.co.uk enquiries@bellingham.co.uk

**Chartered Architects  
and Building Surveyors**

A list of Directors is available from our Perth Office

Bell Ingram Ltd Registered Office: Durn, Isla Road, Perth PH2 7HF  
ISO 9001:2008 Accredited Registered in Scotland No 191406

The appeal site was part of the former steading and farm complex. It was occupied by a large brick and steel framed farm building and associated hard standing. For practical reasons the building was removed in 2005 to provide a site compound and storage for the earlier phases of the steading conversion.

It has never been the owner's intention to abandon the appeal site or to reinstate it as agricultural land. The site therefore remains as a redundant brownfield site despite the owner's efforts to secure a beneficial new use. In its current derelict state it is wasteland which provides no benefit in terms of visual amenity to the adjacent houses or surrounding areas. Without the benefit of planning permission the site will remain in this derelict state as there is currently not viable alternative use for the land.

### **Proposed Development**

The proposed residential use represents a suitable and a viable alternative use for the site. Our indicative drawings demonstrate that the appropriate scale and layout can be achieved with good quality design.

The proposed residential development would be set against a backdrop of the existing and proposed development to the east. It would form a logical part of a building group, including the existing and proposed new houses which already have planning permission.

The 10 metre wide tree belt of native hard woods along the south and west boundaries of the appeal site was planted 6 years ago and is now well established. Together with the mature hawthorn hedge along the north boundary, this landscape framework is in keeping with other farms, steadings and traditional building groups on the flat agricultural landscape of the Carse.

### **Planning Policy Review**

As the Review Panel will be aware, there are now more up to date policies and guidance which supersede those in the Perth Area Local Plan (1995) on how rural brownfield land can be used for the benefit of the rural economy. In resubmitting the application, together with the comprehensive supporting statement, we sought to address the previous reasons for refusal, as well as have the application considered in the light of relevant up to date policies and guidance which are also now material considerations in the determination of this application.

#### Perth Area Local Plan (1995)

The planning application supporting statement (para 4.6- 4.10) explained why we think the redevelopment of the site would be in accordance with Perth Area Local Plan 1995. As a development in the landward area, Policies 1 and 32 include the requirement for a good



landscape framework within which development can be set, or screened completely if necessary.

There are well established trees and hedges as described above, with additional planting also now proposed, which would be in full accordance with the Perth Area Local Plan policy aims and objectives. As the appeal site forms part of an existing traditional building group however, it would in our opinion be both inappropriate and unnecessary in the context of the policy to screen the development it completely.

#### Housing in the Countryside Policy (2009)

The redevelopment of the appeal site would also be in accordance with the up to date aims and objectives of the Council's Housing in the Countryside Policy (2009). This supplementary guidance encourages the appropriate and sustainable development in rural areas which safeguards the character and quality of the countryside.

The Housing in the Countryside Policy reflects up to date policy objectives in Scottish Planning Policy 2010 (SPP) which requires planning authorities to promote the efficient use of land and buildings. SPP explains that the redevelopment of rural brownfield sites is preferable to the development of greenfield sites. The relative accessibility of the site by choice of transport options is also an important factor (para 80).

The Scottish Government's 'Designing Places' 2001 also explains that in the countryside we need to find opportunities for infill development, planning buildings in groups rather than on their own and creating places in harmony with their surroundings (page 13).

The appeal site is a brownfield site and forms part of an existing building group which is supported by Government guidance. Good design would ensure that visual amenity of this derelict site is enhanced. The redevelopment of the appeal site would take advantage of existing infrastructure including SUDS, and vehicular access. It is also both accessible by private and public transport.

Our supporting statement therefore explained that in our understanding of the Housing in the Countryside Policy (2009) the site should be considered as both part of an existing 'Building Group' **and** as 'Rural Brownfield Land'. We explained how the proposal met with all of the corresponding policy criteria for both of these categories.

The 'Building Groups' category explains that consent will be granted for houses within building groups provided they do not detract from residential or visual amenity of the group. Consent will also be granted for houses which extend the group into definable sites formed by existing topography **and/or** well established landscape features. We explained in our supporting statement and again above, that the appeal site forms part of a definable site

with the trees and mature hedges surrounding the former steading in accordance with the 'Building Groups' criteria.

The 'Rural Brownfield Land' category explains that small scale housing will be permitted on land formerly occupied by buildings where it would removed dereliction **or** result in significant environmental improvements.

We have explained above why this is a brownfield site and how it has become derelict, with no viable use in its current state. Derelict land is that which is beyond beneficial use without treatment, for which it is both necessary and appropriate to secure an alternative use. The visual amenity of the site currently detracts from the setting of Rawes Farm and Steading and the wider countryside. It is both necessary and appropriate in this context to secure an alternative use. Residential development would be a suitable alternative use which would remove the dereliction and significantly enhance the visual amenity of the site in accordance the 'Rural Brownfield Land' criteria.

The Planning Officer's Delegated Report of Handling describes the site as 'unkempt waste ground'. In determining the application the planning officer does not fully accept the brownfield status of the site. This reflects the previous decision which does not in our opinion give due consideration to the photographic and anecdotal evidence of the site which shows it as forming an integral part of the farmhouse and steading complex, prior to being used as a site compound for the steading conversion.

#### Draft Perth Local Development Plan

The Draft Perth Local Development Plan is also a material consideration. Policy RD3: Housing in the Countryside supports the erection of new houses provided at least one of the criteria is met. Our understanding is that the proposed development meets two of the Policy criteria, a) Building groups and f) Development on rural brownfield land. Policy RD3 reflects the Housing in the Countryside Policy (2009) and represents the Council's most recent and up to date policy directly relevant to this site.

#### **Conclusions**

The indicative design proposed and the supporting statement clearly demonstrated how the proposed redevelopment of the appeal site would be compatible with the existing building group, extending into a definable site. It would provide a derelict rural site with a viable suitable use.

The Planning Authority accepts that the proposed use is compatible with and would have no adverse impact on the neighbouring residential and agricultural uses. In refusing the application however the Planning Authority has assessed the proposal against Perth Area



Local Plan (1995) requirement in Policies 1 and 35 for a landscape framework (Reasons 1 and 2) and Housing in the Countryside Policy 2009 (Reason 3).

In reviewing this decision we would respectfully request that the Panel visit the site. This would provide the opportunity to assess the landscape framework setting of the site and its derelict state in accordance with the existing up to date and emerging planning policy and guidance. We believe the proposed development meets all the relevant criteria whilst safeguarding the character and quality of the countryside in accordance with Perth Area Local Plan (1995) , Housing in the Countryside Policy (2009) and Draft Perth Local Development Plan and as such planning permission should be granted.

Yours faithfully

A solid black rectangular box used to redact the signature of Catherine Newton.

Catherine Newton  
Planning Consultant  
E: [catherine.newton@bellingham.co.uk](mailto:catherine.newton@bellingham.co.uk)

c.c.

Enc







Pullar House 35 Kinnoull Street Perth PH1 5GD

Tel: 01738 475300

Fax: 01738 475310

Email: [onlineapps@pkc.gov.uk](mailto:onlineapps@pkc.gov.uk)

Planning Department

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

Thank you for completing this application form:

ONLINE REFERENCE 000050438-001

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

## Applicant or Agent Details

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

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Bell Ingram

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

Ref. Number:

Building Name:

Durn

First Name: \*

Catherine

Building Number:

Last Name: \*

Newton

Address 1 (Street): \*

Isla Road

Telephone Number: \*

01738 621121

Address 2:

Extension Number:

Town/City: \*

Perth

Mobile Number:

Country: \*

UK

Fax Number:

Postcode: \*

PH2 7HF

Email Address: \*

[catherine.newton@bellingham.co.uk](mailto:catherine.newton@bellingham.co.uk)

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mr"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="Neil"/>
Last Name: *	<input type="text" value="Walker"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

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

Building Name:	<input type="text" value="Rawes Farmhouse"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Rawes Farm"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Longforgan"/>
Country: *	<input type="text" value="Perthshire"/>
Postcode: *	<input type="text" value="DD25HQ"/>

## Site Address Details

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

Address 1:	<input type="text"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text"/>	Town/City/Settlement:	<input type="text"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="728036"/>	Easting	<input type="text" value="330487"/>
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## Description of the Proposal

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

Residential development in principle on land west of Rawes Farm Steading.

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

See separate letter providing a statement in supporting documents.

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

☐ Yes ☒ No

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

Letter stating reasons for seeking a review of refusal of planning permission in principle  
Planning Application Supporting Statement June 2012.  
Existing Location Plan L (Ex) 301  
Existing site plan L (Ex) 302  
Proposed site plan L(PL)301

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

12/01089/IPL

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

20/06/12

Has a decision been made by the planning authority? \*

☒ Yes ☐ No

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

21/09/12

## Review Procedure

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

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

☐ Yes ☒ No

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

Please select a further procedure \*

Holding one or more hearing sessions on specific matters

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

To provide clarification on the landscape framework and the brownfield status of the site.

Please select a further procedure \*

Inspection of the land subject of the appeal. (Further details below are not required)

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

To establish the setting of the site and its suitability as an extension of the existing building group, landscape and topography.

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

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

☐ Yes ☒ No

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

☒ Yes ☐ No

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



## Checklist - Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

## Declare - Notice of Review

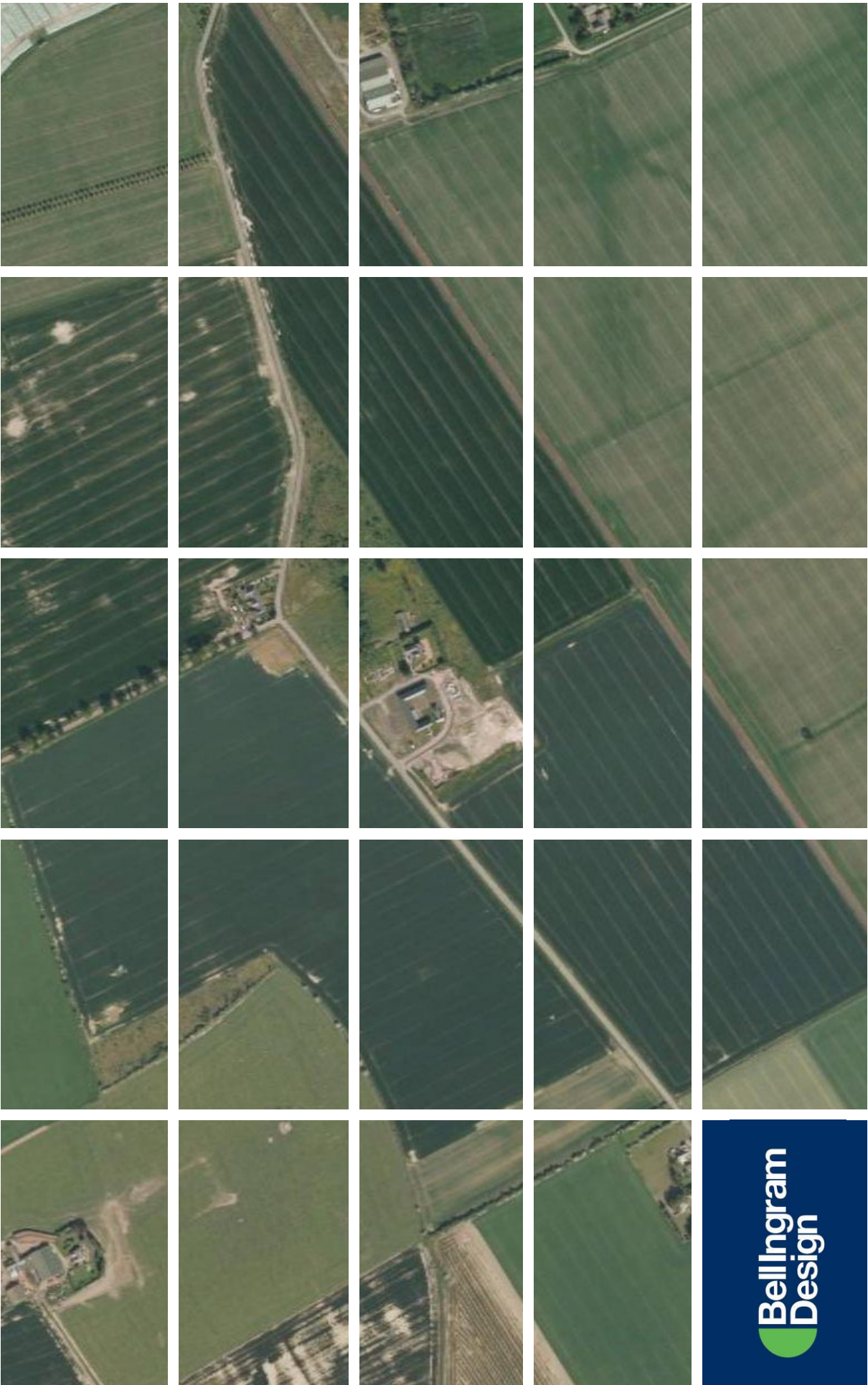
I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Catherine Newton

Declaration Date: 31/10/2012

Submission Date: 31/10/2012





## **Proposal supplied to Perth & Kinross Council**

**Supplied on:**  
**7 June 2012**

**Supplied by:**  
Bell Ingram Design

**Contact Details:**  
Dum, Isla Road, Perth PH2 7HF  
01738 621 121

**Document created by:**  
  
Bruce Stephens RIAS RIBA  
Senior Architect  
Accredited in Sustainable Architecture

bruce.stephens@bellingham.co.uk

[bellingham.co.uk/design](http://bellingham.co.uk/design)



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## Section 1- Introduction and Background

### Introduction

- 1.1 This statement has been prepared by Bell Ingram Design on behalf of our client, Mr Neil Walker, to support the Planning Permission in Principle Application for four new dwellings as an extension to the existing building group, submitted to Perth and Kinross Council.
- 1.2 The principal aim of this statement is to demonstrate that our clients proposal is acceptable in planning terms by complying with the Councils prevailing planning policies covering the site and also national planning policy.
- 1.3 In addition, it will also provide background information on the site and outline the basic design approach in particular to the indicative layout and the possibilities of the individual house designs in terms of sustainability and energy usage.
- 1.4 The site occupies a countryside location approximately one mile south west of Longforgan and the A90 Perth to Dundee dual-carriageway. It extends to approximately one acre and forms the western edge to the established residential building group.
- 1.5 Adjoining the site immediately to the east is the converted stone steading which is complete and fully occupied, along with the first of the new build houses and all the associated landscaping.



## Section 1- Introduction and Background (Continued)

### Introduction

1.6 The remainder of the new build houses shown on the site plan are at various stages of construction with the foundations in-situ for most of them. The existing stone farmhouse lies to the eastern edge of the group within its own mature landscape setting.

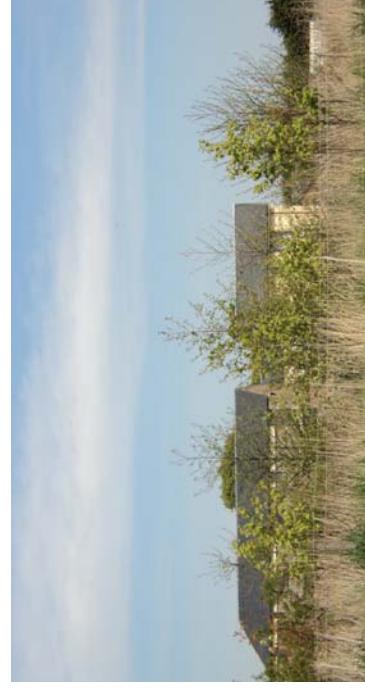
1.7 To the north, the site is bound by an existing mature Hawthorn Hedge, standing at around 2.5m high, which provides an extensive screen to the proposed housing site and then on the other side of this the public road.

1.8 To the south and west of the site, there is an existing tree belt which is approximately 10m wide and consists of native hardwoods which were planted under a government initiative around six years ago. On the southern boundary a Sustainable Urban Drainage System (SUDS) which consists of an open reed bed serves the new development.

1.9 Agricultural fields then surround the proposed site and the remainder of the building group, which clearly defines the building group and the application site (as seen by the aerial photo on the previous page) ensuring that if the current application is approved, there is no further scope to extend the group.



View from public road with Hawthorn Hedge in foreground



View looking through existing tree belt

## Section 1- Introduction and Background (Continued)

### Background

1.10 The application site is a disused, formerly developed, piece of land which was an integral part of the previous farming complex and the redevelopment of the adjoining housing site. The site now lies vacant following the completion of the steading conversion and has no visual or amenity benefit due to its poor condition.



View of site towards current development

1.11 The site previously housed an extensive brick and steel portal framed shed which was part of the farming operation that was based at the site before its re-location to Templehall. This shed

was taken down around four years ago to provide space for the site compound and material storage during the construction of the adjoining housing development.

1.12 At the time, the reasoning behind utilising the application site as the site compound for the steading development, was that it meant that the site compound could be contained within the existing farm complex layout with no need for it to spill over into the surrounding agricultural fields and tree planting. It also allowed for the unsightly barn to be removed in order to enhance the residential amenity of the new development, thus maximising the opportunity of achieving sales.

1.13 The aerial photograph shows the existing farm complex, including the building in question and was taken around 2004. Although it shows planting hard up against the existing barn, this is no longer the case and by virtue of the tree planting, and uses described above, the site does not form part of any agricultural holding/activity.

1.14 Pre-application discussions took place with Planning Officer Andy Baxter including a formal meeting at the Council and a further meeting on site, where the advice given was deemed to be generally supportive of the development.



## Section 1- Introduction and Background (Continued)

### Background



Aerial view of site (2004)



Site as occupied by agricultural shed (2005)



Site as occupied by agricultural shed (2005)



Site as used for compound and material storage (2009)

## Section 2 - Planning History

### Planning

2.1 The Planning Permission for the conversion of the traditional stone steading into eight residential units was granted in August 2005, with a number of further Planning Permissions granted over the following three years for the erection of a total of six new build detached dwellings surrounding the steading. The steading development has now been completed with all the units successfully sold and occupied as well as one of the new build units. The remaining five new build houses are at various stages of construction with the foundations in-situ for most of them.

2.2 The current site was never part of any of the original planning applications, as it was always our clients overall strategy to use this site as the construction compound to keep it within the existing site boundaries, and then apply for a second phase of housing on this site. The landscape framework for the approved development reflects this strategy, having been laid out to respect the original footprint of the building group, while still providing the containable development site which forms this planning application.

2.3 A detailed Planning Application was submitted in August 2008 (08/01767/FUL) for the site which this current application

relates to, for the erection of four detached new build dwellings and associated garages and was subsequently refused in January 2009 following determination by the planning authority under delegated powers.

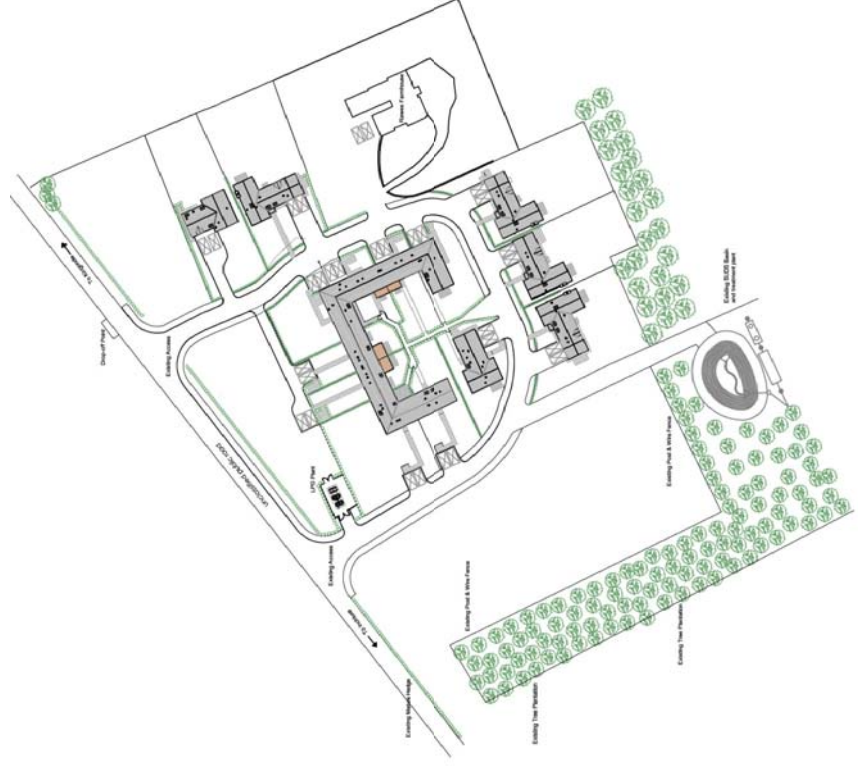
2.4 This application was refused on the basis of the following three reasons:

- The proposal was contrary to General Policy 1 of the Perth Area Local Plan 1995, as the site does not have a good landscape framework, the development would be visually obtrusive and the development would not fit the existing pattern of buildings.
- The proposal was contrary to Policy 32 relating to new housing in the countryside in the Perth Area Local Plan 1995, as it did not meet the criteria of any of the listed accepted forms of development.
- The proposal did not fit any of the criteria in the latest Council's Housing in the Countryside Policy (2005).

## Section 2 - Planning History

### Planning

- 2.5 These reasons for refusal will be addressed mainly under the Planning Assessment Section of this document, but will also be referenced in relation to the proposed indicative design layout that has been submitted along with this application.
- 2.6 The image opposite shows the current completed dwellings / planning permissions on the adjacent site as well as the extensive existing planting and SUDS system.



## Section 3 - The Proposed Development

### The Design Proposal

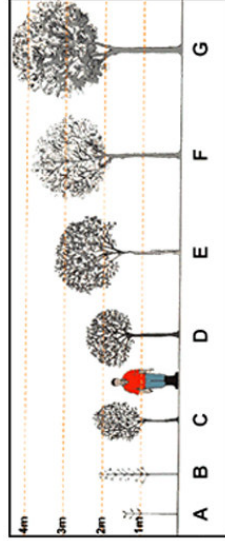
3.1 The proposed layout submitted as part of this Planning Permission in Principle application has been carefully thought out to complement the current building group.

3.2 It has been laid out in such a manner as to reflect the existing group, in particular the traditional courtyard steading, while minimising any impact on the existing development by keeping the built line behind the existing steading conversion and in-line with the new build houses.

3.3 These final four houses on the eastern boundary will complete the whole development and provides a visual balance to the overall site without being obtrusive. The physical consolidation portrays an aesthetic wholeness that enhances the immediate amenity, in terms of completing the development and improving what is effectively a disused brownfield site.

3.4 It is also proposed to increase the existing trees belts by planting rows of Heavy Standard Trees (four to five meters high at planting) as per the planting specification on the proposed drawing. These will act to provide additional visual screening of the development while providing further enclosure to the individual gardens.

3.5 The houses will be of similar size to the existing new build units and the intention would be for them to be of similar style, materials and boundary treatments. The garden ground areas for the plots are adequate for the type of proposed development and are in keeping with the existing new build plot areas.

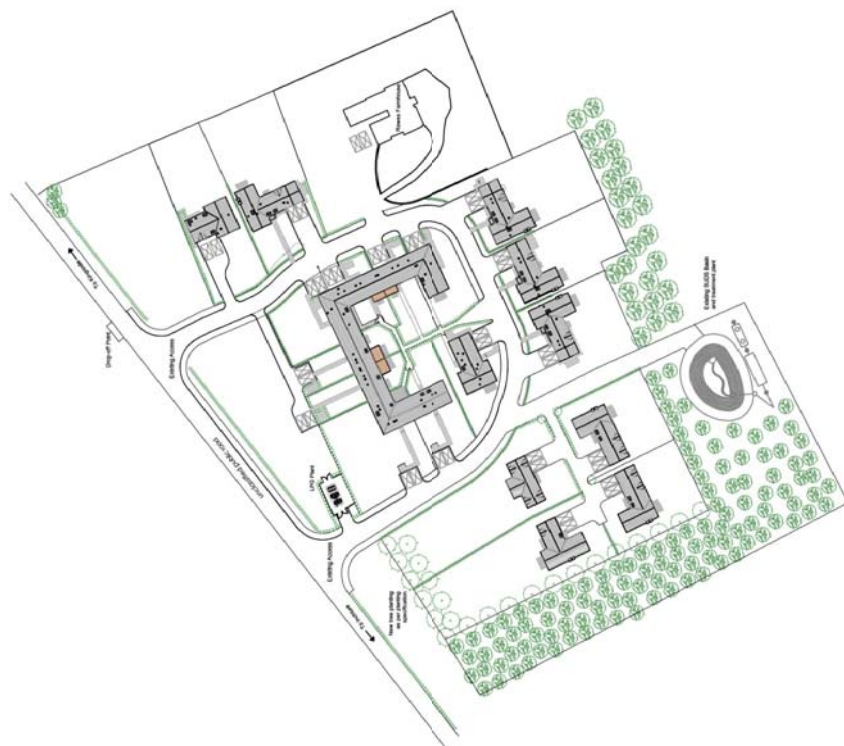


- B. Feathered tree, untrimmed 1.80-2.80mt
- C. Half standard tree, untrimmed 2.10-2.40mt
- D. 6/8 Light standard tree 2.50-2.75mt with 6/8 Lstd girth 1m above ground
- E. 8/10 Standard tree 2.75-3.00mt with 8/10 Std girth 1m above ground
- F. 10/12 Select standard tree 3.00-3.50mt with 10/12 Sstd girth 1m above ground
- G. 12/14 Heavy standard tree 3.50-4.25mt with 12/14 Hstd girth 1m above ground
- H. 14/16 Extra heavy standard tree 4.25-6.00mt with 14/16cm girth 1mt above ground



## Section 3 - The Proposed Development (Continued)

### The Design Proposal



## Section 3 - The Proposed Development (Continued)

### Sustainability and Renewable Technologies

- 3.6 Sustainable Development is currently a 'hot topic' politically and is now the stated policy of local, national and international governments, as they try to reverse unsustainable trends in development.
- 3.7 The protection of the environment in which we live and operate in, is an integral part of our values and principals as an Architectural practice. Care for the environment is one of our key responsibilities, and as Architects it is very important that we adopt an approach that is going to sustain the environment for future generations.
- 3.8 Bruce Stephens, the Architect responsible for this planning application, has an Accreditation in Sustainable Architecture from the RIAS, one of only a few Architects in Scotland to hold this accreditation. Bruce is also a certifier of Section 6 (Energy) of the building regulations, and is committed to the protection and preservation of the environment.
- 3.9 The construction industry as a whole has a huge impact on the environment, right from the extraction of raw materials, the production of materials and products, location of production in relation to the site, lifespan and life time maintenance, recyclable potential after use and disposal after use.
- 3.10 With the recent introduction of the new Scottish Planning Policy and the new Building Regulations, the Scottish Government are moving towards carbon neutral developments at a rapid pace. By 2013 CO<sub>2</sub> emissions in all new buildings must be halved, and by 2016-2017 all buildings and homes in Scotland must be free of CO<sub>2</sub> emissions. It is therefore essential that these new regulations and aims are taken into account now for future homes to ensure compliance and help protect the environment.
- 3.11 The use of renewable technologies have grown exponentially over the last few years and are becoming more cost effective and attractive, especially with the introduction of FITS and the forthcoming introduction of RHI for domestic generation of heating and hot water. Key to the specification of renewable technologies is that they have to be right for the site and situation, whether it be a wind turbine, heat pump, solar thermal, biomass or photovoltaics, an appropriate level of investigation needs to be carried out to ensure that the end user is getting the maximum return from their renewable installations. If sited poorly or the wrong technology is installed or wrongly specified for a particular site or situation, then not only is money wasted, but an opportunity is lost to maximise the production of 'green energy'.

## Section 3 - The Proposed Development (Continued)

### Sustainability and Renewable Technologies

3.12 Renewable, energy saving and sustainable technologies, that would be suitable for the scale and location of our clients proposal would be:

- Biomass Boilers for heating and hot water—either individual or communal
- Solar Thermal Panels for hot water
- Photovoltaic Panels for electricity generation
- Triple Glazing
- Mechanical Heat Recovery ventilation
- Waste hot water from showers etc collected and used to either pre-heat water or low grade heating.
- Super insulation with u-values no greater than 0.13W/m<sup>2</sup>K.
- Rain water collection tanks which would supply toilets, washing machines etc.



## Section 4 - Planning Assessment

### Planning Policy Context

#### Development Plan

- 4.1 The Development Plan covering the application site comprises the Perth and Kinross Structure Plan 2003 and the Perth Area Local Plan which was adopted in 1995. The Council's most recent Housing in the Countryside Policy (2009) is also a material consideration as it is the most recent expression of Council Policy towards new housing in the countryside and is applicable across the entire landward area of Perth and Kinross.

#### Perth and Kinross Structure Plan

- 4.2 Sustainable Communities Policy 6, which relates specifically to the Lowland area of Perth and Kinross in which the house is located, states that Local Plans will develop countryside policies to reflect the need to support the rural economy, subject to the proposals being acceptable in terms of design and landscape fit.
- 4.3 The aim of Policy 9, is that Local Plans will ensure that new development contributes to sustainable development, through energy conservation, efficiency through design, site layout and

where possible the use of local materials. The aim of the proposal will be to accord with these aspirations as noted in Section 3.

#### Perth Area local Plan (1998)

- 4.4 The site lies within the landward area of the Perth Area Local Plan and the most relevant Policies are General Policy 1 and Policy 32.

- 4.5 General Policy 1 outlines the general criteria that all developments will be judged against. These include:

- Good siting and landscape framework.
- Scale, form, colour and design should accord with existing pattern of buildings.
- Compatible with its surroundings in land use terms.
- Suitability of road network.
- Suitability and capacity of local Services.
- Site area suitable for development.

## Section 4 - Planning Assessment

### Planning Policy Context

4.6	The proposal accords with all of these criteria in that:	<ul style="list-style-type: none"> <li>It has a good landscape framework provided by the existing site boundaries i.e. existing development, tree belts, Reed Bed and extensive hedging along the public road. The proposal also includes for additional Heavy Tree planting which will help screen the development from out with the site.</li> <li>Although only an application for Planning in Principle, the indicative layout has been designed to complement the existing building pattern, and the intention would be for the proposed houses to reflect the scale, form, colour and design of the existing new build units.</li> <li>The proposed residential use is compatible with the adjacent housing development and would not conflict with the agricultural land use to the west and south.</li> <li>The site would be accessed off the new road serving the adjoining development which is accessed off the public road. A new bus drop off point was also created as part of the adjoining development.</li> <li>Local services will be extended onto the site from the adjoining development.</li> <li>The site area is more than adequate for the number of houses proposed and accords with the existing density.</li> </ul>	
4.7			With reference to the previous reasons for refusal under this Policy, we would argue that the criteria of this Policy have been satisfactorily met by the proposal.
4.8			The physical environment surrounding the site clearly demonstrates that the site is well contained by the adjoining development, tree and hedge planting, the SUD system and the public road. There is no scope for any future expansion of the building group out with these boundaries as it is surrounded on all sides by agricultural fields.
4.9			The proposed dwellings act to complete the re-development of the existing farm group which has been ongoing since 2004. The proposed layout will compliment the existing buildings and provide an overall balance to the grouping.
4.10			The visual impact of the development will be minimal due to the existing and proposed planting along with the existing building group. The layout has been kept back to the line of the existing new build units for the precise reason that they will have no more of a visual impact than those already built/have consent for.

## Section 4 - Planning Assessment (Continued)

### Planning Policy Context

- 4.11 Policy 32 of the Perth Area Local Plan refers to Housing in the Countryside, referencing the Housing in the Countryside Policy contained in Annex 1 of the plan. The proposed site does not fall within any of the designated areas mentioned under Policy 32 where there will be a presumption against new houses.
- 4.12 The Housing in the Countryside Policy contained within Annex 1 of the Local Plan has been reviewed Council wide on a number of times since the adoption of the 1995 Local Plan and the most recent approved Policy was approved in 2009 and covers the whole landward area of Perth and Kinross.
- 4.13 With reference to the previous reasons for refusal under this Policy, by demonstrating compliance with the most up to date Housing in the Countryside Policy (see below), and not being assessed against the out of date Policy contained within Annex 1, we would contend that the proposal is not contrary to Policy 32 of the Perth Area Local Plan.
- Housing in the Countryside Policy (2009)**
- 4.14 The 2009 Housing in the Countryside Policy is the most recent expression of Council Policy towards new housing in the countryside. It seeks to encourage sustainable development in rural areas, minimise travel, ensure high standards of siting and design and support rural economies through development.
- 4.15 The proposed development accords with the relevant general criteria listed that all proposals must meet, much of which is similar to the criteria listed under General Policy 1 of the Local Plan.
- 4.16 The main section of the Policy that our proposal falls into is Section One, Building Groups, which are defined as three or more buildings of a size at least equivalent to a traditional cottage. The existing building group adjoining the application site consists of the steading conversion of nine units, six new build houses and the existing farmhouse, and therefore falls within this definition.
- 4.17 Within this section of the Policy it is stated that consent will be granted for houses which extend the group into definable sites formed by existing topography and or well established landscape features that provide a suitable setting.



## Section 4 - Planning Assessment (Continued)

### Planning Policy Context

4.18 As demonstrated and previously stated the physical environment surrounding the site clearly demonstrates that the site is well contained within an existing landscape framework consisting of the adjoining development, tree and hedge planting, the SUD system and the public road.

4.19 It is therefore considered that the application site is clearly defined and will provide a suitable complementary setting to the surrounding area and relationship with the adjoining development.

4.20 This Policy also states that the proposal must respect the character, layout and building pattern of the group and demonstrate a high level of residential amenity can be achieved for the existing and proposed houses.

4.21 The proposed layout has been designed in such a manner as to reflect the existing group, in particular the traditional courtyard steading, while minimising any impact on the existing development by keeping the built line behind the existing steading conversion and in-line with the new build houses. The development will provide a high standard of residential amenity for the new houses and will also improve that of the existing houses and those currently under construction, through the

redevelopment of a disused, formally developed, piece of land which was part of the previous farming complex.

4.22 The proposed development will not contribute towards ribbon development and will in fact help to round off the existing building group.

4.23 Section Six of the Housing in the Countryside Policy relates to brownfield sites and states that favourable consideration will be given to re-use for housing of brownfield sites in the countryside which have ceased to be required for their principal use. Although the existing farm shed which occupied the application site was demolished around four years ago, brownfield sites are generally defined as sites which have previously been developed or where land has been significantly degraded by a former activity.

4.24 The redevelopment of this site will provide an environmental improvement to the building group as the land is presently derelict in nature and of poor quality due to the previous uses i.e. the farm shed and the site compound for the adjoining development.

## Section 4 - Planning Assessment (Continued)

### Planning Policy Context

4.25 In reference to the previous reasons for refusal under the Housing in the Countryside Policy, we would conclude that the proposal meets the criteria set down under Section One for the extension of an existing building group into a definable site formed by the existing topography and well established landscape features. We would also note that although the existing shed has been removed, the proposal accords with the sentiments of Section Six of this policy for the redevelopment of brownfield sites.

#### Other Material Considerations

4.26 The Scottish Planning Policy (SPP) published in February 2010 is the statement of the Scottish Government's policy on nationally important land use planning matters. It emphasises the importance of sustainability and the requirement that all development must conform to the principles of sustainable development which is embodied in both legislation and this SPP.

4.27 The relevant sections of policy for this application relate to Sustainable Development, Housing, and Rural Development.

4.28 The Sustainable Development section of the SPP (Paragraphs 34-40) sets out the Scottish Government's commitment to sustainable development, and why the planning system should promote development that supports the move towards environmentally sustainable environments.

4.29 Paragraphs 37 and 39 are relevant to our proposal as they outline what decision making in the planning system should strive to achieve. Although the proposal is for Planning in Principle at this stage, the development can still accord with the Government's aspirations to:

- Contribute to the reduction of greenhouse gas emissions.
- Protect and enhance the natural environment.
- Support healthier living by improving the quality of the build environment.
- Reduce the need to travel.
- Promote rural development
- Encourage energy efficiency through the orientation and design of buildings, choice of materials and the use of low and zero carbon generating technologies.
- Support sustainable water resource and waste management.

## Section 4 - Planning Assessment (Continued)

### Planning Policy Context

4.30 Although the Housing Section of the SPP relates more to large scale housing developments, it also encourages Council's Development Plans to promote the development of rural communities and aim to support and sustain fragile and dispersed communities through appropriate housing development.

4.31 The Rural Development section of the SPP identifies the important role the planning system has in supporting growth in rural communities with the emphasis on enabling developments in rural areas which support prosperous and sustainable communities whilst protecting and enhancing environmental quality.

#### Perth & Kinross Local Development Plan - Proposed Plan

4.32 The new proposed Local Development Plan which is at the Proposed Plan stage, confirms under Policy RD3 Housing in the Countryside, that the Council will support proposals for the erection of houses as part of building groups or development of brownfield land in the countryside as set out in the Supplementary Guidance. As previously demonstrated our proposal is justified under Section One (and to an extent

Section Six) of the most recent Supplementary Guidance, the Housing in the Countryside Policy (2009).

## Section 5 - Conclusion

### The Erection of Four New Dwellings to Complete The Building Group is Suitable in Planning Terms

- 5.1 The principal aim of this statement has been to demonstrate that our client's proposal to erect four new build dwellings to complete the current building group, is acceptable in planning terms by complying with the Council's prevailing Policies covering the site.
- 5.2 The proposal complies with the Development Plan in respect of Structure Plan Policy and General Policy 1 of the Perth Area Local Plan. However the Perth Area Local Plan could be considered to be out of date, particularly with regard to the application of Policy 32, Housing in the Countryside. Nevertheless, we have demonstrated that the proposal is in compliance with the most up to date expression of Council Policy on Housing in the Countryside (2009). Consequently the proposal accords with Policy 32 and therefore the application is wholly in accord with the Development Plan.
- 5.3 Furthermore it is considered that the proposal is in accord with National Planning Policy objectives regarding sustainability, housing and rural development matters, which provides additional material considerations in support of the applicants proposals.
- 5.4 It is respectfully requested that Perth and Kinross Council grants planning permission for the erection of four new dwellings to complete the building group at Rawes Farm which we have submitted on behalf of our client Mr Neil Walker.

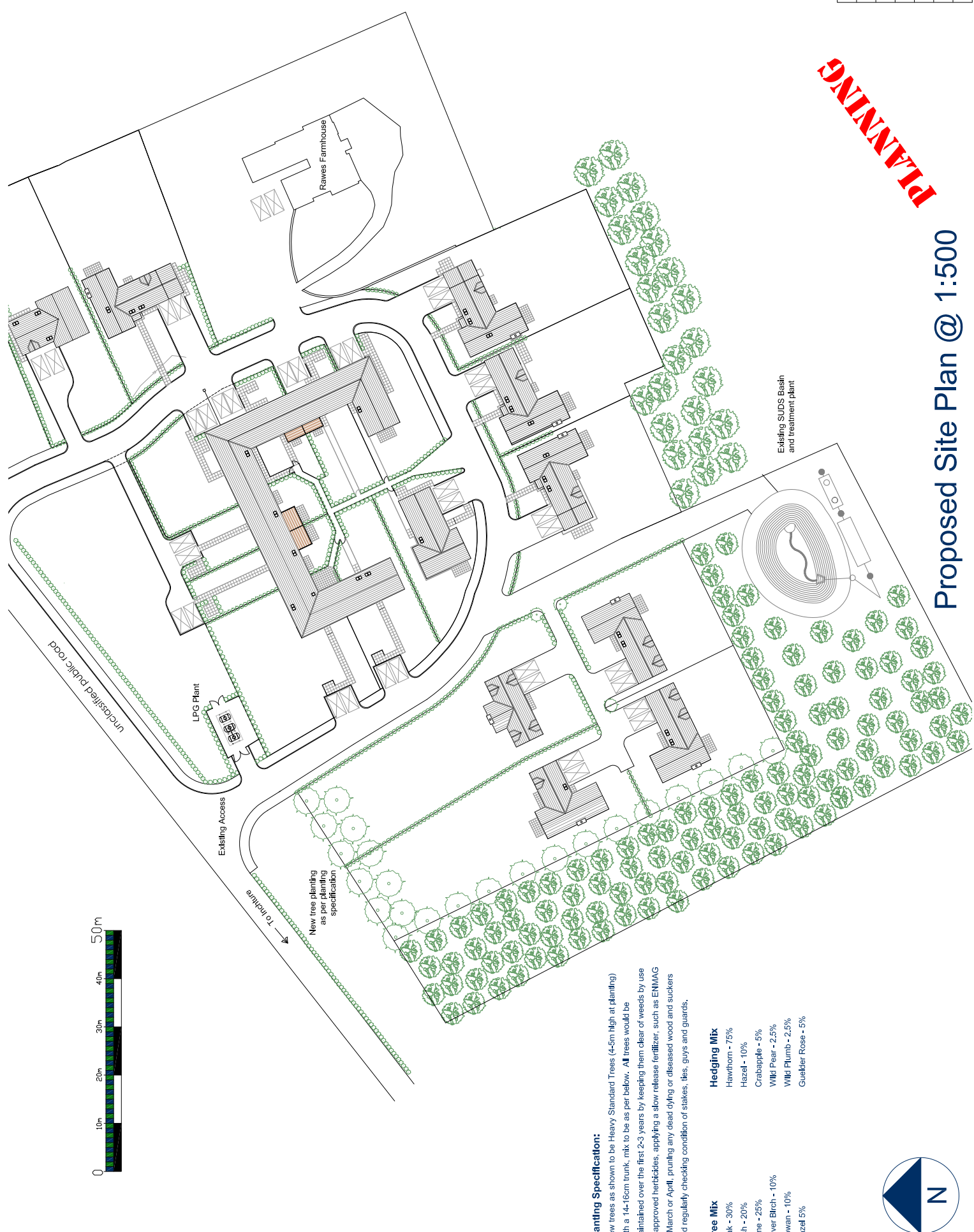
## Notes





An imposing, Victorian former residence on the banks of the River Tay in Perth, the Durn has been Bell Ingram's headquarters since 1962.





Proposed Site Plan @ 1:500

**Planting Specification:**  
 New trees as shown to be Heavy Standard Trees (4-5m High at planting) with a 14-16cm trunk, mix to be as per below. All trees would be maintained over the first 2-3 years by keeping them clear of weeds by use of approved herbicides, applying a slow release fertilizer, such as ENMAG In March or April, pruning any dead dying or diseased wood and suckers and regularly checking condition of stakes, ties, guys and guards.

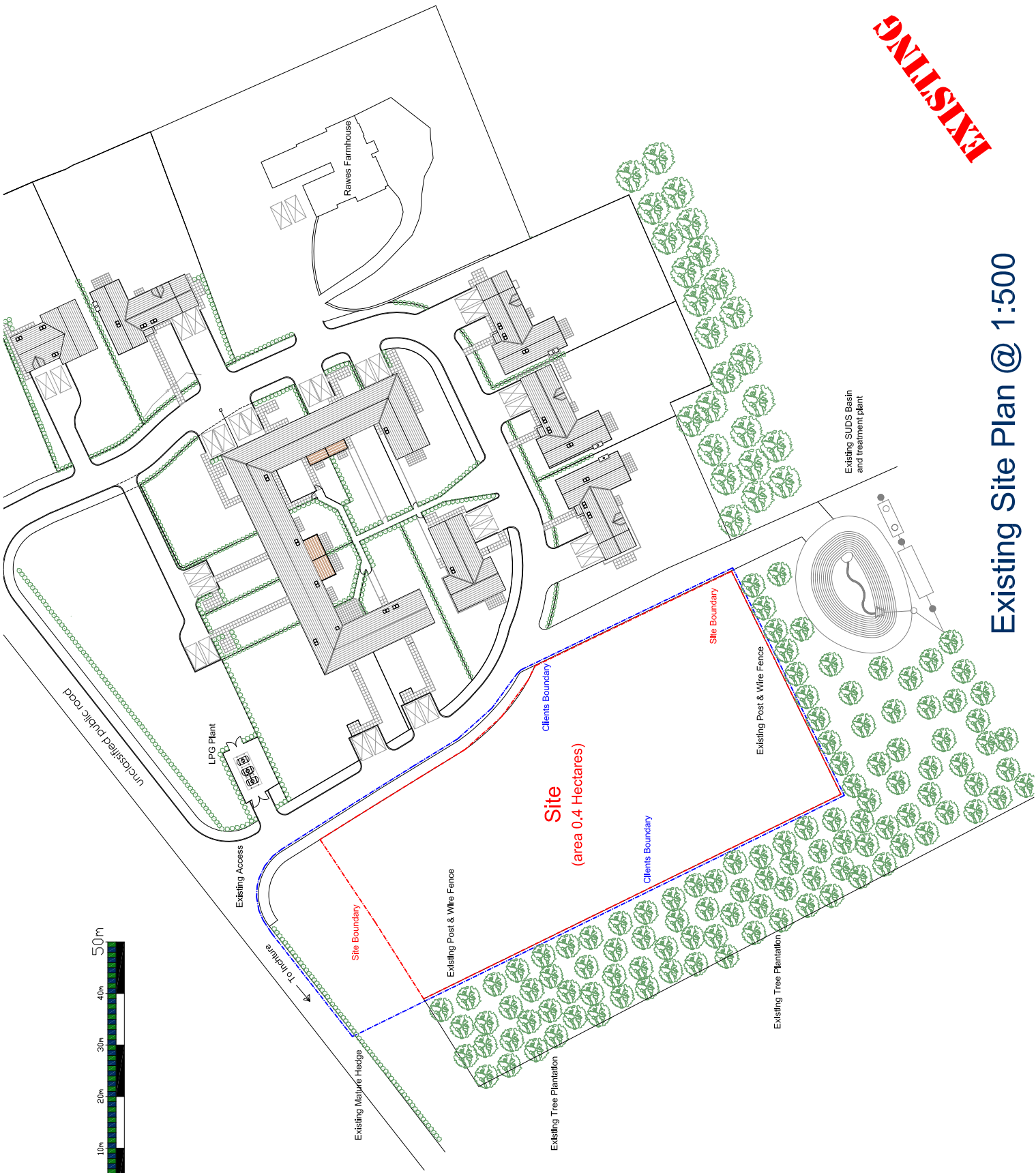
- Tree Mix**
  - Oak - 30%
  - Ash - 20%
  - Lime - 25%
  - Silver Birch - 10%
  - Rowan - 10%
  - Hazel 5%

**Hedging Mix**
  - Hawthorn - 75%
  - Hazel - 10%
  - Crabapple - 5%
  - Wild Pear - 2.5%
  - Wild Plum - 2.5%
  - Guelder Rose - 5%



Client	Neil Walker
Project	Rawes Farm New Build Houses
Title	Proposed Site Plan
Branch	Perth
Drawn	BRS
Date	22/05/12
Dwg Size	A2
Checked	BRS
Job No.	W2341
Scale	1:500
Dwg No.	LFP.1301
Rev	
Telephone	01738 621 121
Website	www.bellingram.co.uk
Logo	

Client	Neil Walker
Project	Rawes Farm New Build Houses
Drawn	22/05/12
Checked	BRS
Scale	1:500
Dwg No.	W2241
Rev	1
Proj No.	LEE0302
Proj Name	Rawes Farm New Build Houses
Proj Ref	00-00-00




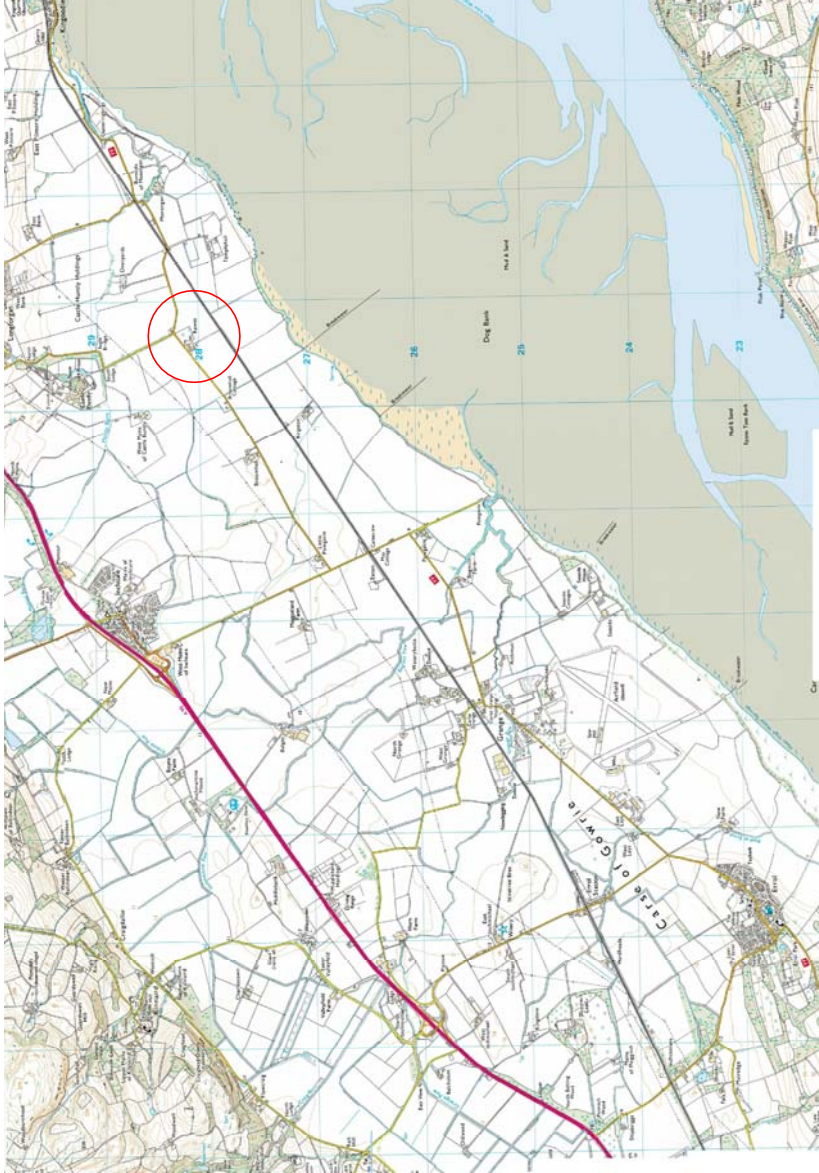
Existing Site Plan @ 1:500







Client	Neil Walker		
Project	Rawes Farm New Build Houses		
Title			
Existing Location Plan			
Branch	Perth	Telephone	01738 621 121
Drawn	BRS	Date	22/05/12
Job No.	W2341	Scale	1:50,000
Drwg No.	L(EX)301	Checked	BRS
		Building Standards Approved Certificate	
			



EXISTING

Existing Location Plan @ 1:50,000





<p><b>TCP/11/16(216)</b> <b>Planning Application 12/01089/IPL – Residential</b> <b>Development (in principle) on land 60 metres west of 14</b> <b>Rawes Farm Steading, Longforgan</b></p>
---

## **PLANNING DECISION NOTICE**

### **REPORT OF HANDLING**

**REFERENCE DOCUMENTS** *(part included in applicant's submission, see pages 189-191)*





# PERTH AND KINROSS COUNCIL

Mr Neil Walker  
c/o Bell Ingram Design  
FAO Bruce Stephens  
Durn  
Isla Road  
Perth  
PH2 7HF

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 21 September 2012

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/01089/IPL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 20th June 2012 for permission for **Residential Development (in principle) Land 60 Metres West Of 14 Rawes Farm Steading Longforgan** for the reasons undernoted.

Development Quality Manager

### Reasons for Refusal

1. As the proposal does not have an established landscaping framework, the proposal is contrary to Policy 1 of the Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000), which seeks to ensure that all new sites within the landward area of the Local Plan have a good existing landscape framework in which the development proposed can be set.
2. As the proposal constitutes an extension of an existing building group into a site which does not have a good existing landscape framework, the proposal is contrary to Policy 32 of the Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000) as the proposal does not accord with any of the acceptable categories of development i.e. (a) development zones (b) building groups (c) renovation of abandoned houses (d) replacement houses (e) conversion of non-domestic buildings (f) operational need.
3. As the proposal constitutes an extension of an existing building group into a site which does not have a good existing landscape framework or will result in significant environmental benefit to the area, the proposal is contrary to the Council's Policy on Housing in the Countryside (2009) as the proposal does not accord with any of the acceptable categories of development i.e. (1) Building Groups (2) Infill Sites (3) New houses in the open countryside (4) Renovation or Replacement (5) Conversion or Replacement of Redundant Non-Domestic buildings or (6) Rural Brownfield Land.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify an approval of the application.

### **Notes**

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page

### **Plan Reference**

12/01089/1

12/01089/2

12/01089/3

12/01089/4

**PERTH AND KINROSS COUNCIL  
RESIDENTIAL DEVELOPMENT (IN PRINCIPLE) AT LAND 60 METRES WEST OF  
14 RAWES FARM STEADING, LONGFORGAN**

**DELEGATED REPORT OF HANDLING**

Ref No	12/01089/IPL	Case Officer	Team Leader	Decision to be Issued?	
Ward	N1 – Carse				
Target	20 August 2012			Yes	No
<b>RECOMMENDATION</b>					
Refuse the planning application on the grounds that the proposal is contrary to both the Development Plan and the 2009 HITCP, and that there is no material reason(s) which justify approval of the application.					

**BACKGROUND & DESCRIPTION**

The application site relates to a rectangular shaped area of unkempt waste ground which is located to the west of Rawes Farm, a relatively new residential development located in the Carse of Gowrie SE of Inchtute and SW of Longforgan. The site measures approx 114m in its length (north to south) and 48m in its width (west to east) and appears to have been formerly used as a set down area associated with the adjacent steading development. The site is bounded to the west and south by relatively new tree planted areas with the existing steading development located to the east. Further east of the existing steading is Rawes Farmhouse which is a category B listed building – however as there is limited inter-visibility between the site and the farmhouse, there are no issues concerning the impact that the proposal will have on the setting of the Listed Building.

This planning application seeks to obtain a planning in principle consent for a small residential development, with an indicative number of 4 units proposed.

**APPRAISAL**

Sections 25 and 37(2) of the TCP (S) Act 1997 (as amended by the 2006 act) requires the determination of the planning application to be made in accordance with the provisions of the Development Plan, unless other material considerations indicate otherwise. The Development Plan for the area comprises the recently approved Tay Plan 2012, and the adopted Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000).

In terms of the Development Plan, although there are general policies of relevance contained in the Tay Plan, the principal policies of specific relevance to this proposal are contained in the Local Plan. Within the Local Plan, the site lies within the landward area of the Plan where Policies 1 and 32 are directly applicable. Policy 32 refers to new Housing in the Countryside, whilst Policy 1 relates to all new developments within the landward area and seeks (amongst other things) to ensure that all new sites are compatible with existing land uses and that all new sites have a suitable landscape framework which is capable of absorbing the development which is proposed.

In terms of other material considerations, National Planning Guidance, the Councils other approved policies and the contents of the proposed LDP are all material considerations.

Based on the above, I ultimately consider the key test(s) of the acceptability of this planning application to be;-

- a) whether or not the site is compatible with its surrounding land uses
- b) whether or not the site has a good existing landscape framework and  
*(collectively an assessment against Policy 1 of the PALP)*
- c) whether or not the proposal is acceptable in land use terms *(i.e. compliance with the HITCP's).*

I shall address these issues in turn.

In terms of compatibility with existing land uses, the principal neighbouring land uses of note are agriculture and residential (to the east). In my opinion, a small scale residential development of up to four units on this site will have no adverse impact on either existing land use.

In terms of the existing landscape framework, I accept that the site is clearly physically separated from the neighbouring agricultural fields to the west and south by new tree planting; however this planting is somewhat new and is not yet fully established. I appreciate the applicant's offer within his submissions that he intends (and has the ability) to reinforce the existing planting, however it is not the level of planting which is the issue, but whether or not the tree belts can be reasonably considered to be established landscape features. My personal view is that the existing tree belts are not mature enough to be classed as an established landscape feature (albeit this may change in years to come), and to this end, I ultimately I do not consider the landscape characteristics of this site to be sufficient to merit it being classed as an acceptable housing site.

Turning to the acceptability of the land use (for residential), as the site lies within the landward area of the PALP, the proposal falls to be assessed against the Housing in the Countryside Policies (HITCP) as contained firstly within the Local Plan (Policy 32), and secondly, the revised HITCP of 2009. Both these policies allow for extensions of existing building groups into definable sites, providing that the proposal does not detract from the character of the existing group. Although there are listed buildings within the group, it is unlikely that this development would detract from the character of the existing group nor have a direct impact on the amenity of the existing neighbours. However, both the Local Plan and the 2009 version of the HITCP seek to ensure that extensions of building groups occurs within sites that have a good existing landscape framework in place. As stated previously, although the site is visually separated from the surrounding land, the fact that the tree planting along the western and southern boundaries is of some concern and would not ordinarily be considered to constitute a good landscape framework.

In addition to development within a building group, the 2009 HITCP also offers some scope for new housing to occur on Brownfield land which was formerly occupied by buildings in instances where it would remove dereliction or result in a significant environmental improvement, and where it can be demonstrated that there are no other pressing requirements for other uses such as business or tourism on the site. Although I agree with the applicants that the site has had a previous use and was

formerly occupied by agricultural buildings in the past, I am not convinced that the visual characteristics of the site merit a new residential development on the basis of it removing dereliction. The site is clearly unused and unkempt; however it does not in my opinion constitute a derelict site where significant environmental improvements are potentially possible via re-development for housing. I therefore find it difficult to offer support for the proposal under the Councils HITCPs.

In terms of other material contributions, this includes consideration of the PGN on Education, the approved Affordable Housing Policy and consideration of the LDP. In terms of the PGN on Education and the Affordable Housing Policy as the proposal is for planning consent in principle, in the event that an appeal to the LRB were to be successful, an appropriately worded condition should be attached to the consent seeking compliance with both documents.

Within the proposed LDP, the site lies within the landward area of the plan where the SPG on Housing in the Countryside Policy is applicable.

Based on the above, I recommend the planning application for a refusal.

## **NATIONAL PLANNING GUIDANCE / POLICIES**

The Scottish Government expresses its planning policies through The National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars.

### The Scottish Planning Policy 2010

This SPP is a statement of Scottish Government policy on land use planning and contains:

- the Scottish Government's view of the purpose of planning,
- the core principles for the operation of the system and the objectives for key parts of the system,
- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

Of relevance to this application is paragraphs 92-97 which relates to rural development

### Planning Advice Note 73 – Housing in the Countryside

*Designing Places*, published in November 2001, sets out the then Scottish Executive's expectations of the planning system to deliver high standards of design in development for rural and urban areas. The design based Planning Advice Note (PAN) series is an additional means by which we can maintain the profile of design and identify best practice in planning for high quality development. This PAN supersedes and reinforces many of the key themes set out in *PAN 36 Siting and Design of New Housing in the Countryside* (published in 1991) and brings the advice up to date with the new emphasis on design and quality. The advice in this PAN sets out key design principles which need to be taken into account: by applicants when



planning a new development and by planning authorities, when preparing development plans and supporting guidance, and determining applications. The purpose is to create more opportunities for good quality rural housing which respects Scottish landscapes and building traditions. The advice should not, however, be seen as a constraint on architects and designers wishing to pursue innovative and carefully considered contemporary designs.

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises the approved Tay Plan 2012 and the adopted Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000). Within the Tay Plan there are no specific policies of specific relevance relevant to this proposal.

Within the Local Plan, the site lies within the landward area, where the following policies are directly relevant.

*Policies 1(General Development)* states that all developments within the Plan area will be judged against the following criteria (amongst others)

- The site should have a landscape framework capable of absorbing, and if necessary, screening the development, and where appropriate opportunities for landscape enhancement will be sought.
- The development should be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community.

*Policy 32 (Housing in the Countryside Policy)* is the local plan version of the Council in the Housing in the Countryside Policy which offers support for new housing providing that certain criteria can be met.

## **OTHER COUNCIL POLICIES**

### Proposed LDP 2012

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

Within the proposal LDP, the site lies within the landward area where the SPG on Housing in the Countryside is applicable.

### Housing in the Countryside Policy 2009

This policy is the most recent expression of Council policy towards new housing in the open countryside, and is applicable across the entire landward area of Perth & Kinross. This policy offers a more up to date expression of Council Policy towards

housing in the countryside to that contained the Local Plans and recognises that most new housing will continue to be in or adjacent to existing settlements, and states that the Council will support proposals for the erection of single houses in the countryside which fall into certain specified categories.

#### Planning Guidance Note – Developer Contributions May 2009

Across Scotland local authorities are having difficulty maintaining and developing infrastructure in order to keep up with the pressures of new development. Additional funding sources beyond that of the local authority are required to ensure that infrastructure constraints do not inhibit sustainable economic growth.

#### Planning Guidance Note–Primary Education & New Housing Development May 2009

This guidance sets out the basis on which Perth and Kinross Council will seek to secure contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements necessary as a consequence of development. All new housing from the date of adoption including those on sites identified in adopted Local Plans will have the policy applied.

#### Affordable Housing Policy 2005

This policy seeks to secure 25% affordable housing provision on new housing sites comprising five or more residential units.

### **SITE HISTORY**

A similar planning application seeking detailed planning consent for four units (08/01767/FUL) was refused planning consent in 2008. A subsequent appeal to the Scottish Government was dismissed.

### **PKC CONSULTATIONS**

Transport Planning have commented on the planning application and have raised no concerns.

ECS has commented on the planning application and confirmed that the local primary school is operating presently operating at over its 80% capacity.

The Environmental Health Manager has commented on the planning application and raised no objection to the proposal subject to an appropriately worded condition regarding contaminated land.

The Community Waste Advisor has commented on the planning application and raised no objection subject details regarding waste collection being finalised at the detailed planning application stage.

The Conservation Section have commented on the planning application and raised no objection in terms of the impact on the listed farmhouse.

## EXTERNAL CONSULTATIONS

Scottish Water have been consulted on the planning application and raised no comment.

## REPRESENTATIONS RECEIVED

Four letters of representations have been received from individuals, objecting to the proposal. The principal concerns raised by the objectors are that the proposal is contrary to the Development Plan and the HITCP 2009.

## ADDITIONAL STATEMENTS

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

## PUBLICITY UNDERTAKEN

The application was advertised in the local press on the 29 June 2012 and the required site notice posted.

## LEGAL AGREEMENTS REQUIRED

None required.

## DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

## RECOMMENDED REASONS FOR REFUSAL

- 1 As the proposal does not have an established landscaping framework, the proposal is contrary to Policy 1 of the Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000), which seeks to ensure that all new sites within the landward area of the Local Plan have a good existing landscape framework in which the development proposed can be set.
- 2 As the proposal constitutes an extension of an existing building group into a site which does not have a good existing landscape framework, the proposal is contrary to Policy 32 of the Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000) as the proposal does not accord with any

of the acceptable categories of development i.e. (a) development zones (b) building groups (c) renovation of abandoned houses (d) replacement houses (e) conversion of non-domestic buildings (f) operational need.

- 3 As the proposal constitutes an extension of an existing building group into a site which does not have a good existing landscape framework or will result in significant environmental benefit to the area, the proposal is contrary to the Council's Policy on Housing in the Countryside (2009) as the proposal does not accord with any of the acceptable categories of development i.e. (1) Building Groups (2) Infill Sites (3) New houses in the open countryside (4) Renovation or Replacement (5) Conversion or Replacement of Redundant Non-Domestic buildings or (6) Rural Brownfield Land.

## **JUSTIFICATION**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify an approval of the application.

## **INFORMATIVES**

None

## **PROCEDURAL NOTES**

None

## **REFUSED PLANS**

12/01089/1 - 12/01089/4

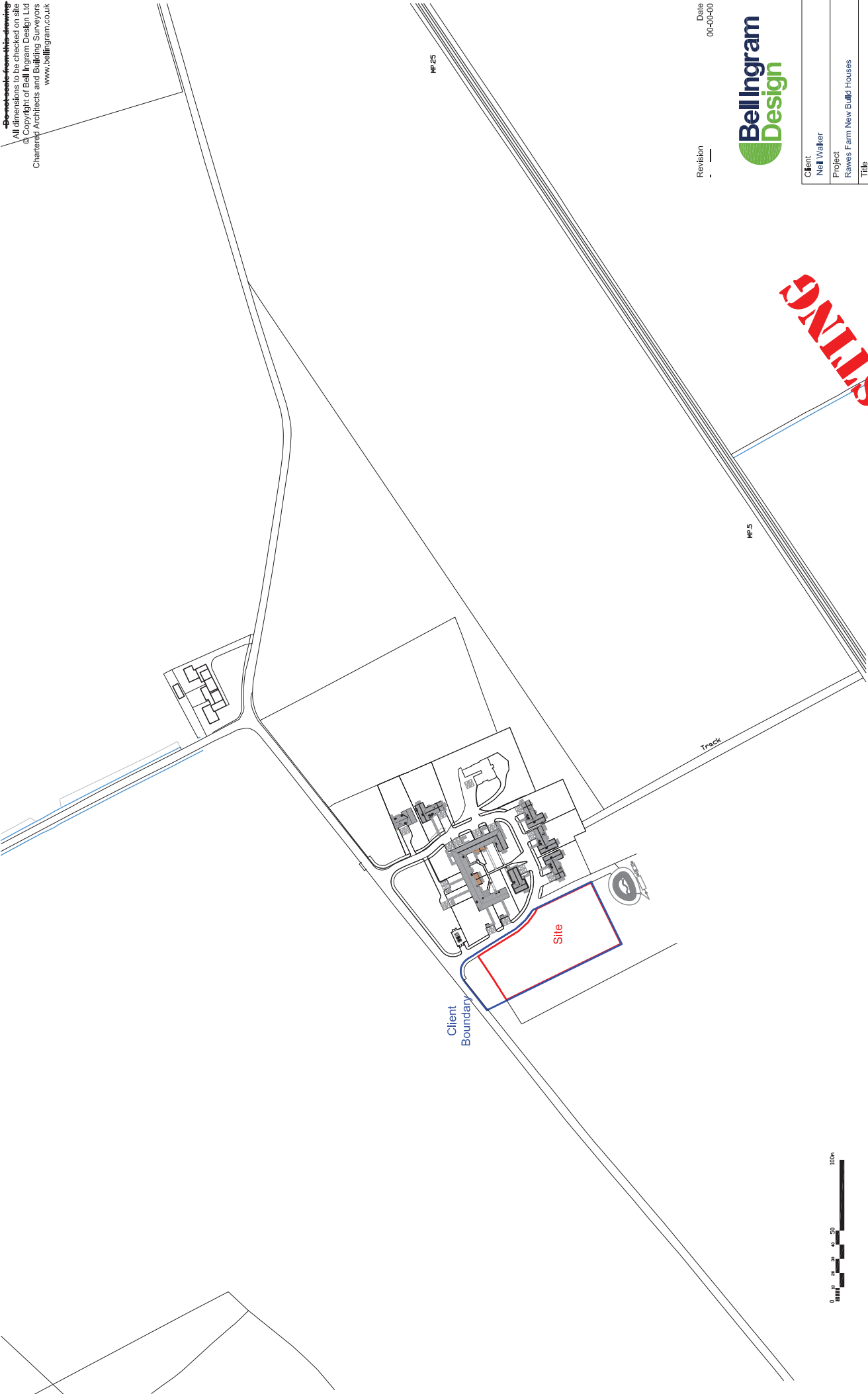
### Note

No background papers as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report, although six letters of representation have been received, although four letters of representations have been received.






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Chartered Architects and Building Surveyors  
www.bellingram.co.uk



Revision - Date 00-00-00



Client	Neil Walker		
Project	Rawes Farm New Build Houses		
Title	Existing Location Plan		
Branch	Perth	Telephone 01738 621 121	
Drawn	Date	Dwg Size	Checked
BRS	20/06/12	A3	BRS
Job No.	Scale	Building Standards Approved Drawing	
W2341	1:2500		
Dwg No.	Rev	The Scottish Government	
L/EX/303			

Existing Location Plan @ 1:2,500





<p><b>TCP/11/16(216)</b> <b>Planning Application 12/01089/IPL – Residential Development (in principle) on land 60 metres west of 14 Rawes Farm Steading, Longforgan</b></p>
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## **REPRESENTATIONS**

- Representation from Environmental Health Manager, dated 26 June 2012
- Objection from Mr Moody, dated 27 June 2012
- Objection from Mr and Mrs Mann, dated 1 July 2012
- Representation from Waste Services, dated 4 July 2012
- Objection from Mr Lynas, Hadden Construction Ltd, dated 12 July 2012
- Representation from Transport Planning, dated 13 July 2012
- Representation from Mr Moody, dated 7 November 2012



# Memorandum

To	Head of Development Control	From	Environmental Health Manager
Your ref	PK12-01089-IPL	Our ref	TJ
Date	26 June 2012	Tel No	(47)6452

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Consultation on an Application for Planning Permission

### PK12-01089-IPL RE: Erection of 4 dwellinghouses (in principle) Land 60 Metres West Of 14 Rawes Farm Steading Longforan for Mr Neil Walker

I refer to your letter dated 22 June 2012 in connection with the above application and have the following comments to make.

#### Contamination

Previous applications at Rawes Farm have been conditioned with the 4 part contaminated land condition. A voluntary remediation programme is in place at the site with verification reports being submitted to this service as each part of the development meets the recommendations laid down in the site investigation report.

While the remedial work is ongoing it is better to continue to apply the 4 part contaminated land condition until the full development project has been completed.

As such the following condition(s) should be placed on the planning consent.

#### Condition

Development should not begin until a scheme to deal with the contamination on the site has been submitted to and approved in writing by the planning authority. The scheme shall contain proposals to deal with the contamination to include:

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

Before any residential unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the planning authority. Verification that the schemes proposals have been fully implemented must also be submitted to the planning authority.







Lynsey Black

AMB

From: Conrad Moody [REDACTED]  
Sent: 27 June 2012 20:11  
To: Development Management - Generic Email Account  
Subject: Planning Application 12/01089/IPL Rawes Farm

27 JUN 2012

Dear Sir/Madam,

I am writing to express my objection to the above application of a further 4 more dwelling houses at Rawes Farm. My reasons are outlined below:

-Five substantial family houses are still awaiting sale and build on the original development site and of the original 9 houses already built, 3 of these houses are currently let and unsold, therefore I do not see a requirement nor justification to further increase and in turn overdevelop the existing Steadings within this compact rural setting. With the extra 4 dwellings, there will also be an additional increase in road traffic by a potential 8 further cars in an already discrete development. I do not think that the land looks unsightly in it's present state and if anything it has improved in appearance since the site compound was moved.

-Furthermore to this, the Longforgan proposed Local Development Plan includes a 75 house phased development which will already impact local infrastructure and schooling. I do not think that there is a need to further increase this burden onto the local area, as this development plan would fulfil any local future housing requirements.

-Reference to the Planning Justification report, the 4 further substantial houses are not required to enhance the development as stated, as they were never part of the **original** Rawes Farm development plans into which we, the house owners bought into. If anything, these additions would over develop the existing Steadings.

Para 3.3 states:

*'These final four houses on the eastern boundary will **complete the whole development** and provides a visual balance to the overall site without being obtrusive. The physical consolidation portrays an aesthetic wholeness that enhances the immediate amenity, in terms of **completing the development** and improving what is effectively a disused brownfield site.'*

Para 1.12 also states:

*'It also allowed for the unsightly barn to be removed in order to enhance the residential amenity of the new development, thus maximising the opportunity of achieving sales'. An addition of 4 more dwellings on this land by definition would contradict this statement as further increasing housing footprints within a rural setting will not add any value or attractiveness to the original Steading setting, given the site's geographical and rural location.*

-To summarize, since the previous planning application for the land (08/01767/FUL), I do not think that there is a requirement to develop, nor would they enhance the original development either environmentally or visually.

Once the 5 unbuilt houses from the original Rawes Farm development are finally built, I feel that this would finish the development aesthetically as originally planned, without a need for further over development in this rural setting. I look forward to your acknowledgement and receipt of this objection.

Yours Sincerely,

28/06/2012

211

•  
Mr Conrad Moody

16, Rawes Farm Steading,  
Longforgan,  
Dundee.

DD2 5BF

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**From:** Mann Maureen  
**Sent:** 01 July 2012 19:50  
**To:** Development Management - Generic Email Account  
**Subject:** Objection to Planning Application Reference – 12/01089/IPL

18 Rawes Farm Steading  
Longforan  
DD2 5BF

Development Quality Manager  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD

Dear Sir/Madam

Planning Application Reference – 12/01089/IPL

We are writing in order to voice our objections to the above planning application and have noted our reasons below.

- The application in question requests permission to erect four detached new build dwellings adjacent to Rawes Farm Steading development; however 5 detached homes are still to be built by the developers of this existing site. In addition, of the 9 homes that are completed within the Steadings area, there are 3 properties which are rented and therefore remain unsold after some considerable time since completion. This would therefore indicate that there is not the demand for housing in this area that would warrant further construction taking place.
- Further confirmation of lack of requirement for housing in this area comes from the application in question which states in section 1.12 that “. It also allowed for the unsightly barn to be removed in order to enhance the residential amenity of the new development, thus maximising the opportunity of achieving sales. Which have until now failed to materialise as indicated above.
- Also in section 1.12 it is mentioned that:- At the time, the reasoning behind utilising the application site as the site compound for the steading development, was that it meant that the site compound could be contained within the existing farm complex layout with no need for it to spill over into the surrounding agricultural fields and tree planting. This would seem to contradict what is now being proposed i.e. A development spilling over outwith the farm complex, into land that was previously agricultural as is evident from the arial photograph from 2004.
- We note from objections raised against a previous application (08/01767/FUL) for the same development that provision of schooling was a concern in that in 2008 the

local Primary School in Longforgan was close to capacity. We also note that the Longforgan Local Development Plan proposals contain plans for a development of 75 homes which we feel will have an adverse impact on local resources such as schooling and will also create an adverse impact on the general local infrastructure. In light of this we see no reason for the proposed 4 additional houses to be built.

We therefore feel that there is no justification for the building of further houses beside Rawes Farm Steading.

Mr and Mrs Fergus Mann

<b>Memorandum</b>	
<b>To</b> Development Management	<b>From</b> Waste Services
<b>Cc</b>	<b>Our Ref</b> DPA
<b>Date</b> 4/7/12	<b>Tel No</b> 01738 476476
<b>Environment Services</b>	<b>Pullar House, Kinnoull Street, Perth, PH1 5GD</b>

**Consultation on an Application for Planning Permission: 12/01089/IPL**

I refer to the above planning application and would like to discuss with either yourself, the architect, the developer or a representative an amendment to the plans to incorporate appropriate provision for storage of waste and recycling facilities and access for service provision.

If the developer does not adhere to the below specifications, the Council may be unable to provide waste and recycling services to this development based on inadequate storage, access and/or infrastructure.

Please contact Donna Paterson, Community Waste Adviser to discuss the above.



## Conditions for Planning Consent

### 1. Requirements for Bin Provision

#### 1.1 Domestic Properties Serviced by the 3 Bin System

All domestic properties require an appropriate storage area for a minimum of 3 x 240 litre bins (1 for general waste, 1 for garden & food waste and 1 for dry mixed recyclates/paper) and suitable access/surface to wheel the bins from the storage area to the kerbside where they must be presented for collection.

##### *Bin Dimensions*

<b>Capacity (litres)</b>	<b>Width(mm)</b>	<b>Height (mm)</b>	<b>Depth (mm)</b>
240	580	1100	740

#### 1.2 Flatted Properties

All flatted properties require a communal area to store one of the following bin options:

- 2 x 240 litre bins (one for general waste and one for dry mixed recycling)
- 1 x 240 litre bin for garden and food waste (where appropriate)
- a combination of larger bins to equate the same capacity as above

##### *Bin Dimensions*

<b>Capacity (litres)</b>	<b>Width (mm)</b>	<b>Height (mm)</b>	<b>Depth (mm)</b>
240	580	1100	740
1100	1270	1380	1000
1280	1280	1445	1000

It is preferable for residents (where space allows) to have their own individual 240 litre bins rather than using communal facilities.

#### 1.3 Domestic Properties in Rural Area's

Council policy states that refuse collection vehicles will only provide kerbside refuse and recycling collections to properties situated on a private road if all of the following conditions are met :

1. the private road serves a settlement, or settlements, rather than sporadic individual properties (as a guide, a settlement is a grouping of six or more properties);
2. there is sufficient turning space for a refuse collection vehicle at the road end (i.e. a turning circle, t-junction or hammerhead), or if the vehicle can enter/exit the road by other safe means (as specified in point 3 below);
3. the condition of the road surface is acceptable for a refuse collection vehicle to access (as specified in point 4 below);
4. sufficient and safe access for the refuse collection vehicle is maintained - i.e. absence of overhanging branches / over grown bushes acceptable surface condition etc. (as specified in point 2 below)

5. the owner of the private road agrees to indemnify the Council (through a signed waiver) against any damage caused from reasonable use of the road by a refuse collection vehicle;
6. any bridges or other structures along the private road are certified by a competent person to be safe and meet Perth and Kinross Council health and safety requirements. It is the responsibility of the owner(s) of the road to demonstrate the safety of these structures;

If the properties can be accessed safely by service vehicles then condition 1.1 must be followed. If the properties cannot be accessed safely by service vehicles then provision must be made at the road end for the safe storage and servicing of the bin(s) in which case condition 1.2 must be followed.

## 2. Vehicle and Operative Access

### Access and egress

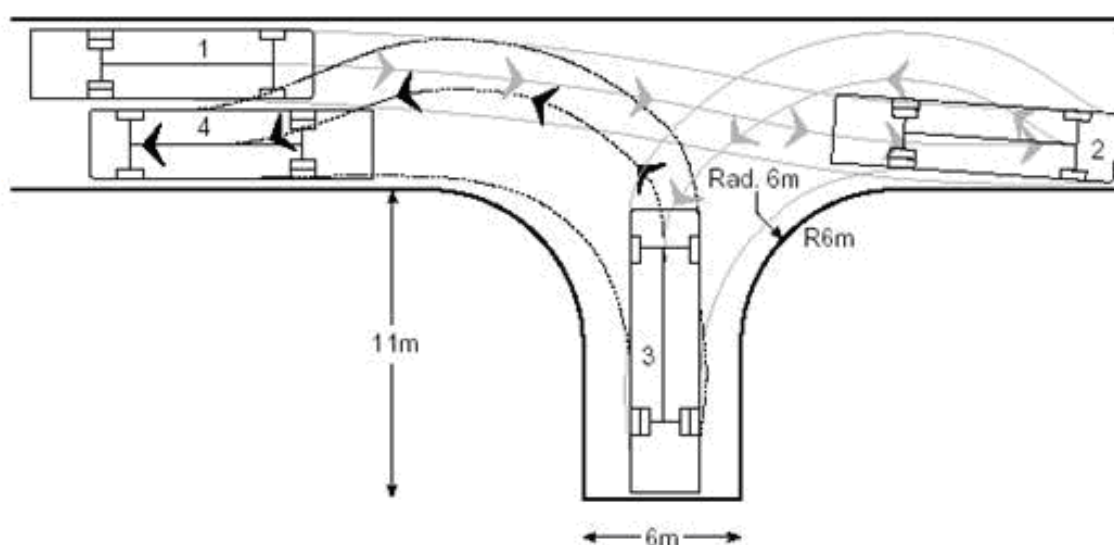
The following space requirements must be fulfilled for a refuse collection vehicle to service the site:

Height	4.5m
Width	2.75m (including mirrors)
Length – for reversing and turning	12 m
Length - for vehicle with container in emptying position	13 m
Area required for operatives to stand clear of bin whilst being lifted	3 m length x 3.5m width

## 3 Vehicle Turning Requirements

The turning circle (diameter) required for refuse collection vehicles is 24 meters.

**FTA Large rigid design vehicle  
Side road stub**



#### **4. Road Specifications**

All vehicle access roads that the refuse collection vehicles will be required to use must be adopted by the Council and constructed to withstand a gross vehicle weight of 26 tonnes and axle loading of 11.5 tonnes. Manhole covers, gratings, cattle grids etc situated in the road must also be capable of withstanding these loads.

The road and pavement from the bin collection point to the refuse collection vehicle must be at maximum 10 metres and a hard standing surface. It must have a level gradient and a smooth surface; use dropped kerbs where appropriate.

#### **5. Recycling Facilities**

##### **5.1 New Housing Schemes**

For new housing developments of 50 houses or above, the developer (in conjunction with the area Community Waste Adviser) should incorporate a suitable location(s) for the provision of recycling facilities to compliment the existing kerbside recycling services offered in the area.

## **Appendix 1**

Planning Advice Note 63 indicates that developers should be encouraged to provide space in their proposed developments to accommodate provision within the premises for facilities to separate and store different types of waste at source. The Scottish Government considers that there may be greater scope to promote waste prevention and recycling during both the construction phase and the lifetime of the new development.

This Planning Review Process must be followed to ensure that all aspects of waste management are included before planning consent is granted – this should include storage, access/egress and road specifications for both waste and recyclates.

Should planning consent be granted which does not meet the aforementioned conditions, Perth & Kinross Council Waste Services may be unable to provide a complete service.



# HADDEN

## CONSTRUCTION LTD

Our Ref: 711/Planning  
Your Ref: 12/01089/IPL

13 JUL 2012

12 July 2012

Nick Brian  
Development Quality Manager  
Planning & Regeneration  
Perth & Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD

ENTERED IN COMPUTER

16 JUL 2012

Dear Sir

**Objection to Planning Application Reference 12/01089/IPL  
Erection of 4 dwellinghouses (in principle) Land 60 metres West of 14 Rawes Farm Steading, Longforgan**

We acknowledge receipt of your neighbour notification dated 22 June 2012 in connection with the above application.

Having reviewed the proposals, Hadden Construction Limited as the adjacent property owner have reservations about the development of this area and note our objection to the proposals on the following basis:

1. The current private foul & surfacewater drainage facility has no capacity for this increased development
2. The private package treatment plant is associated with a Controlled Activities Regulation Licence CARS/1020584 from SEPA that Hadden Construction hold which determines the discharge quality of the effluent. As outlined above the existing treatment plant has no capacity for this increased development.
3. The access arrangement to the houses proposed is unsuitable as it is from a narrow unmade access track that serves as a maintenance track for the private package treatment plant.
4. Impact on infrastructure and local schooling. We understand that the local school is at capacity and this development will increase the pressure on the school.
5. The current loop roadway servicing our development is a private roadway and an increase in homes will increase traffic entering and leaving the public carriageway and will cause road safety issues.

Please reply to:



1 Maidenplain Place • Aberuthven  
Nr Auchterarder • Perthshire • PH3 1EL  
Tel: 01764 660011 • Fax: 01764 660022

272 Bath Street • Glasgow • G2 4JR  
Tel: 0141 889 1567



Web: [www.hadden.co.uk](http://www.hadden.co.uk) • Email: [mail@hadden.co.uk](mailto:mail@hadden.co.uk)

Registered in Scotland No. 141875

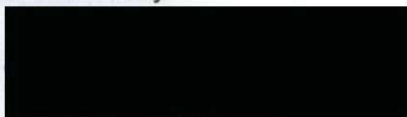
Directors: R. M. Horne, FRICS, S. N. Hadden,  
C. J. Armit, M. Nicol, MBA



For clarification purposes we confirm we still have 5 detached homes to build on the development site therefore the statement that the adjacent development is complete as noted in the Planning Justification Statement prepared by Bell Ingram Design is incorrect.

We trust our objections will be considered during your appraisal of the proposals. Should you require any further information please do not hesitate to contact the writer.

Yours faithfully

A black rectangular box redacting the signature of Stephen Lynas.

Stephen Lynas FRIAS RIBA  
Land & Development Manager  
Tel: 01764 694702  
Email: [slynas@hadden.co.uk](mailto:slynas@hadden.co.uk)





# MEMORANDUM

To	Andy Baxter Planning Officer	From	Niall Moran Transport Planning Technician Transport Planning
Our ref:	NM	Tel No.	Ext 76512
Your ref:	12/01089/IPL	Date	13 July 2012

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

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 & ROADS (SCOTLAND) ACT 1984

With reference to the application 12/01089/FLL for planning consent for:- **Erection of 4 dwellinghouses (in principle) Land 60 Metres West Of 14 Rawes Farm Steading Longforgan for Mr Neil Walker**

Insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied, in the interests of pedestrian and traffic safety.

- Prior to the occupation and use of the approved development all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority and to the satisfaction of the Planning Authority.
- Prior to the occupation or use of the approved development, pick up/drop off areas for school children/bus passengers shall be provided on both sides of the U143 near the junction with the C484. The areas shall be a minimum of 6m long by nominally 1.8m wide kerbed and surfaced to the requirements of the Council as Roads Authority to the satisfaction of the Planning Authority.

The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

I trust these comments are of assistance.



## CHX Planning Local Review Body - Generic Email Account

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**From:** Conrad Moody [REDACTED]  
**Sent:** 07 November 2012 17:25  
**To:** CHX Planning Local Review Body - Generic Email Account  
**Subject:** TCP/11/16 (216) Application Review

Dear Sir/Madam,

I am writing in response to the letter received today regarding the above application review. My comments and views from my original objections remain extant as does my current representation. As the refusal letter stated amongst others:

' The proposal is not in accordance with the Development Plan and there are **no** material reasons which justify an approval of this application'.

With the Longforgan Local Development Plan envisaging up to 75 new build homes and the over development and adding onto the original Rawes Farm Steading development, I foresee no reason that could change the original refusal justification statement during a review. To this end, I uphold my original objection and reasons for doing so.

Yours Faithfully,

Conrad Moody

16 Rawes Farm Steading  
Longforgan  
Dundee

