TCP/11/16(250)
Planning Application 13/00096/FLL – Modification of existing consent (12/01759/FLL) for the replacement of boundary wall at site of former Birchgrove, Castleton Road, Auchterarder

PAPERS SUBMITTED BY THE APPLICANT

CHIEF EXECUTIVES
DEMOCRATIC SERVICES
- 3 MAY 2013
RECEIVED

NOTICE OF REVIEW

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

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008

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

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

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Postcode	ML6 7JF.
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Contact Telephone 2	–
Fax No	–
E-mail*	–

Agent *(if any)*

Name	RICHARD HALL ARCHITECT.
Address	THE STUDIO CORDON MAINS ABERNETHY.
Postcode	PH2 9LN.
Contact Telephone 1	07973 701025
Contact Telephone 2	–
Fax No	–
E-mail*	rick@hallarchitects.co.uk

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

* Do you agree to correspondence regarding your review being sent by e-mail? Yes ☑ No ☐

Planning authority	PERTH & KINROSS COUNCIL
Planning authority's application reference number	13/00096/FLL
Site address	BIRCHGROVE, CASTLETON ROAD, AUCHTERARDER
Description of proposed development	MODIFICATION OF EXISTING CONSENT (12/01759/FLL) FOR REPLACEMENT OF BOUNDARY WALL

Date of application 1/10/12 Date of decision (if any) 21/3/13.

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

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

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

Site inspection

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

	Yes	No
1. Can the site be viewed entirely from public land?	☑	☐
2 Is it possible for the site to be accessed safely, and without barriers to entry?	☐	☑

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

THE APPLICATION SITE IS A SECURE BUILDING SITE AND APPROPRIATE PPE IS REQUIRED.

Statement

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

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

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

SEE ATTACHED DOCUMENT.

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

Yes ☐ No ☑

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

SEE ATTACHED DOCUMENT.

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

Checklist

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

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

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

Declaration

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

Signed [redacted] Date 1/5/13

NOTICE OF REVIEW

BIRCHGROVE HOUSE
CASTLETON ROAD, AUCHTERARDER

PLANNING APPLICATION NO 13/00096/FLL

LIST OF SUPPORTING DOCUMENTS
INCLUDED IN SUPPORTING DOCUMENT

- SUPPORTING STATEMENT
- ANNEX A *PHOTOGRAPHS OF ORIGINAL BIRCHGROVE BUNGALOW*
- ANNEX B *PLANNING PERMISSION NO 07/02319/FUL & OFFICER'S REPORT*
- ANNEX C *PLANNING PERMISSION NO 08/01215/MOD & OFFICER'S REPORT*
- ANNEX D *TREE SURVEY & DRAWING PREPARED BY DONALD ROGER ASSOCIATES*
- ANNEX E *PLANNING PERMISSION NO 10/00866/FLL & OFFICER'S REPORT*
- ANNEX F *PLANNING PERMISSION NO 12/01759/FLL & OFFICER'S REPORT AND DRAWING NO PL04 REV A*
- ANNEX G *EMAIL COMMENT FROM NEIGHBOUR KENNETH S. ORR*
- ANNEX H *EMAIL COMMENT FROM STEVEN CALLAN*
- ANNEX I *REFUSAL OF PLANNING PERMISSION NO 13/00096/FLL AND OFFICER'S REPPORT AND OUR DRAWING NO PL04 REV B*
- ANNEX J *PHOTOGRAPHS OF WALLS OF CASTLETON ROAD*

BIRCHGROVE HOUSE

supporting document

to the

APPEAL

against

refusal of planning permission

for

"modification of existing consent
12/01759/FLL
for replacement of boundary wall"

application number 13/00096/FLL

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April 2013

1.0 INTRODUCTION

This document sets out the grounds for the appeal against the refusal of Planning Permission for the "Modification of Existing Consent 12/01759/FLL for Replacement of Boundary Wall". It also records the history of the several applications for Planning Permission, which apply to the construction of the new Birchgrove House at the former Birchgrove, Castleton Road, Auchterarder, PH3 1JW, and which form the relevant context that we wish to be considered in this appeal.

The reason for refusal was that "the proposal by virtue of its design and materials is contrary to Policy 5 of the Strathearn Area Local Plan 2001 and is detrimental to the townscape of the area". This policy is considered and our argument and justification explained.

2.0 HISTORY

Richard Hall Architects have made 5 applications for Planning Permission relating to this site. The original Birchgrove, was a bungalow which had its main façade facing south with the main vehicle access taken from the Presbytery Lane. The main garden was in the north and was mostly overshadowed. The west boundary to Castleton Road was an existing grey stone wall approximately 1500mm high, with a line of very poor yew trees behind, which had mostly undermined the wall, causing it to bulge, heave and slump. The original bungalow was painted bright green and although mostly hidden by the yew trees was a landmark of poor taste on Castleton Road. **Annex A** shows some record photographs.

2.01 Planning Application No. 07/02319/FLL was for the replacement of the original Birchgrove with a new 2-storey house, which retained the west boundary trees and the existing vehicle access from Presbytery Lane. The proposed house also faced south and north and took advantage of the views to the north from the upper floors. This application was granted on 9 January 2008. **Annex B**

2.02 A second Planning Application 08/01215/MOD was made to modify the original permission with a new 2-storey house design, although it sat on the footprint of the permitted house and was the same height. This permission was granted on 26 August 2008. **Annex C**

This application was never instigated. The site was sold with the benefit of the Planning Permission to replace the existing bungalow with a 2-storey house.

2.03 Planning Application No. 10/00866/FLL was made for the purchasers of the site, Mr & Mrs Kane, who remain the current owners and Applicants. This application was for a 2-storey house with a developed roof. The main design considerations were "aspect" and "views" and an elevated platform was used to test the views from the site before a final decision was made. It was clear from the platform that the main views available from the upper floor were to the west; trees on neighboring plots mainly block the magnificent views to the north.

This is the **focal point** of the change in the dynamic of the site. It was decided to create a new house with a formal façade to Castleton Road and to remove the crippled yews to open up the views to the west. This is a very strong architectural statement, which has created a significant benefit to the visual amenity of Castleton Road. Its position on Castleton Road is critical to the success of this design; it sits just beyond the point of 2-sided development, where the road starts to slope down to the north and where the views suddenly open up. The new Birchgrove House sits in this dramatic setting and opening up the west side of the site, reinforces the full strength of the architectural statement.

The proposed external materials for the house are smooth render colour champagne with natural slate roof with traditional lead details, white high performance windows and doors, and most importantly natural blond sandstone detail stones to include window surrounds, cills, string courses, copings and wall cappings. All of these materials were approved by the Planning Officer.

A new vehicle access was proposed from Castleton Road and the existing vehicle access to Presbytery Lane closed. The new access breaches the existing stone boundary wall and stone complimentary to the new house was proposed for the new recessed walls.

A tree survey was commissioned and the yews were identified for removal because of their poor condition. **Annex D**

This permission was granted on 4 August 2010. **Annex E**

This permission has been instigated and the house is nearing completion.

Repair works to the retained stone boundary wall to Castleton Road were required because it had been completely undermined by the roots of the removed yew trees. During the initial works the wall simply collapsed; it was in very poor condition and made up of very small stones. After the collapse there was almost nothing that could be used to rebuild the wall. Further attempts were made to repair the wall but further sections continued to collapse.

A member of the Perth & Kinross Council Planning Team, Mr Steve Callan, who lives on Castleton Road near to the Application Site, happened to be passing when the remnants of the collapsed wall were being cleared. He reported the activity to the Planning Enforcement Team. He also pointed out, when he reported his observations some minor changes to the elevational treatment of the built house, compared to the approved Planning drawings.

In accordance with proper procedure we contacted the Planning Officer, Mark Williamson, and explanations were submitted and accepted why the wall had collapsed. It was agreed that an application for the rebuilding of the wall was required. It was also agreed that the minor changes to the elevations would be submitted as part of the application.

The Applicants have also constructed a blond sandstone boundary wall to Presbytery Lane on the south side of the application site. The existing wall although made from natural stone, was contemporary with the Birchgrove bungalow and was poorly constructed. It was decided that this should be taken down and rebuilt to match the new west boundary wall to be **consistent in the architecture** of the whole project.

This is also a very important point that we want to be considered. The architectural team, with the support of the Applicants, is making every effort to create a complete architectural solution to this prominent corner. We believe this is being achieved through the consistent use of materials and detailing that extend throughout the design from the window dressings and details on the house, to the boundary walls. It is our intention that this fantastic new property reads as a **complete architectural solution.**

It was therefore agreed with Mark Williamson that this north wall would be included in the application for rebuilding the west wall.

Sample panels of the proposed sandstone were prepared on site and the Planning Officer was invited to view them prior to making the application. The panels included the following;

- New grey sandstone
- Weathered blond sandstone

Mark Williamson visited the site and recommended using a stone to try and match the colour of the original wall and selected the grey sandstone. It was agreed that the application would show a grey sandstone wall to the west with a blond sandstone cope to match the house.

2.04 Planning Application No 12/01759/FLL was made therefore, to replace the boundary wall and to include the minor elevational alterations and the blond sandstone boundary wall to Presbytery Lane. The application showed a grey sandstone wall with blond sandstone copes to match the house and blond sandstone walls to the new entrance.

Once the application was registered a new Planning Officer, Andrew Baxter, was appointed to look after the application. He visited the site and inspected the sample panels and agreed at the site visit that he would support the blond sandstone. He also confirmed his acceptance of the new blond sandstone wall to the Presbytery Lane. In further discussions he changed his support from blond to grey sandstone and the application was duly recommended for approval.

This application was granted on 27 November 2012. 2 Conditions were included; the first that the development be carried out in accordance with the approved drawings and documents, and the second, that the wall and coping stones with the exception of the entrance feature should be built from grey natural stone. **Annex F**

It also gave Planning Permission for the minor changes to the elevations from the Planning Permission 10/00866/FLL and for the blond sandstone wall to Presbytery Lane.

2.05 Application No 13/00096/FLL was made because it was felt within the architectural team and from the Applicants that the grey stone boundary wall was **inconsistent with the overall architectural statement**.

A photographic survey was taken of the standing walls on the east side of Castleton Road. It is clear that there is evidence of a continuous wall along the length of the road from the town head in the south to the cottages at Castleton at the foot of the hill in the north. However the original wall has been removed or replaced along parts of the road and it has been hugely altered and broken up with new vehicle gates. The original parts of the wall are now only intermittent. It was clear from the photographic evidence that the physical facts confirm there is **no consistency** in the boundary walling to the east side of Castleton Road. There is a wide variety of contemporary interventions and new masonry. The street scene therefore, makes no architectural demand on the material that should be used for the boundary wall to the new Birchgrove House, other than reference to what was there before.

The architectural team and the Applicants therefore confirmed their desire to achieve a **consistent architectural statement** at this prominent point on Castleton Road. The architecture of the new Birchgrove House requires a boundary wall of blond sandstone to match the stone dressings of the house.

It should be mentioned that the same blond sandstone has been used to form the internal stair and flooring of the house to remain consistent to the material theme.

Once the application was made another Planning Officer, Alastair Beveridge, was appointed to look after the application. Initial consultation confirmed his agreement to our proposals and he proposed to recommend our application for approval.

A letter was received from the immediate neighbour, Mr. Orr of Rozel, within the statutory 21day period, and this contributed only general comments (noted by Alastair Beveridge). **Annex G**

Alastair Beveridge, the Planning Officer received an internal email from Steve Callan (Strategic Planner) with comments regarding this application. Whether the comments were made on the grounds that he is a neighbour, as he lives on Castleton Road, or in some other capacity within the Council, the comments should be **discounted** as they were submitted out with the statutory 21 day period for comments from either, the public, or from Statutory Consultees. **Annex H**

The application was ultimately refused on the grounds that "the proposal by virtue of its design and materials is contrary to Policy 5 of the Strathearn Area Local Plan 2001 and is detrimental to the townscape of the area". **Annex I**

3.0 POLICY 5 of the STRATHEARN LOCAL PLAN 2001

Policy 5 deals with Design. For clarity and reference the full Policy is shown as follows;

"The Council will require high standards of design for all developments in the Strathearn Area. In particular encouragement will be given to :-

(a) The use of appropriate high quality materials.

(b) Innovative modern design incorporating energy efficient technology and materials.

(c) Avoiding the use of extensive under-building on steeply sloping sites.

(d) Ensuring that the proportions of any building are in keeping with the surroundings.

(e) Ensuring that the development fits its location.

The design principles set out in the Council's "Guidance and Design of Houses in Rural Areas" will be used as a guide for all development in the Strathearn Area."

4.0 ARGUMENT & JUSTIFICATION

4.01 The design of the new Birchgrove House is an exemplar of how to consider all of the points contained in Policy 5 of the Strathearn Local Plan 2001. The design considers, acknowledges and embodies all of the points as follows;

(a) The new Birchgrove House incorporates the very highest quality materials, and quality has prevailed over cost considerations.

(b) The new Birchgrove House uses innovative modern design incorporating ground source heat pumps, very high levels of insulation and mechanical heat recovery ventilation.

(c) The new Birchgrove House has been designed to incorporate 2 separate splits in level to follow the slope, which are intrinsic to the architecture; the upper south wing incorporates the sunroom and the lower north wing incorporates the garage. The front elevation expresses the split in level in the design of the fenestration.

(d) The proportions of the new Birchgrove House are carefully controlled to step down the slope without impact on any of the surrounding buildings. In fact, as Castleton Road slopes down, the central volume of the new house is architecturally balanced by the north and south wings, which visually attach the house to the garden.

(e) The new Birchgrove House sits on a prominent site just beyond the point of 2-sided development, where the road starts to slope down to the north and where the views suddenly open up. The house is consciously set back from Castleton road to help open the view and the front garden is offered as part of the public realm, contrary to the secluded planted boundaries of other houses. This makes a positive contribution to the architectural character of Castleton Road, and the boundary wall is an integral part of the architecture.

4.02 The character of this part of Castleton Road can be summarized as detached houses behind masonry boundary walls with high hedges. The boundary wall therefore is a major part of the street scene, and part of the impact of the arrival process as you clear the brow of the hill and start to descend northwards. In light of the strong architectural statement described above, it is essential the architecture of the new Birchgrove House be completed, by extending the material palette to include all elements including the boundary wall.

4.03 The **physical facts** are clear that the walls along the east side of Castleton Road are various, in both dimension and material. **Annex J** shows photographs of the boundary walls of Castleton Road and the evidence shows there is a prevalence of stone, but there is wide variation in bonding and stone type. The gate detail to Arnsbrae is constructed of reconstituted stone, probably Fyfestone. There are portions of white painted wall, there are stretches of low wall, there are breaks of hedging rather than walling, and Castle Brae has a formal entrance of red and yellow sandstone. A **site visit** is essential so the physical facts can be confirmed.

4.04 Richard Hall Architects designed Kirkton Park at the north end of Castleton Road and we specified sandstone for the boundary wall. This sandstone when it was first built, looked fresh and raw, but has quickly matured and now looks seasoned and established. Picture 2 in Annex J. We have also just finished another project in Auchterarder on Orchil Road and a new stone boundary wall was constructed there to great effect and this has been widely lauded. Picture 9 in Annex J

4.05 The sandstone specified for the wall already built on the south boundary of Birchgrove is similar to the Kirkton Park sandstone and this will also quickly season and mature. **This is the stone that we want to use to construct the new boundary wall to Castleton Road.** Picture 10 in Annex J

4.06 Samples were constructed on site (Picture 11 in Annex J) and these have been inspected by 3 Planning Officers; Mark Williamson, Andrew Baxter and Alastair Beveridge. The samples included weathered blond sandstone (like Kirkton Park) and grey sandstone. At the site visits Mark Williamson selected the grey sandstone, but both Andrew Baxter and Alastair Beveridge selected the blond sandstone and left expressing verbal commitment to approve it. They were convinced, in their own minds, that the new blond sandstone would quickly mature and season to become an established streetscape feature. Their selection seems to have been altered once they returned to the office.

4.07 The Design Team including the Applicants, have been committed to following correct protocol and procedure. There was suggestion in the email from Steve Callan, that the Applicants show disregard for proper procedure. This is strongly refuted. The facts are that as soon as the existing wall collapsed during attempted repairs, this was reported to the Planning Department and the process of gaining Planning Permission began.

4.08 The Clients are committed to producing a high quality development built from the finest materials. The existing stonewall that collapsed during repair was in fact built from very poor material. The new Birchgrove House is a landmark improvement to this part of Castleton Road and the blond sandstone wall will be a very costly installation and one the Applicants are happy to spend to complete the architecture.

5.0 CONCLUSION

There is no denying this project is for a major change to a prominent site on Castleton Road. However the major change is for a **significant improvement** from the original green bungalow and crumbling stone boundary wall. The design is a complete **work of architecture** and requires considerable confidence, investment and commitment to carry it through. Richard Hall Architects have a history of completing successful architectural projects in Auchterarder, including Kirkton Park on Castleton Road, and Greenways on Orchil Road, and these show the result of commitment to quality and design.

Our appeal is made to ensure our commitment to creating fine architecture is completed on this prominent site.

ANNEX A

ANNEX A

THE FORMER BIRCHGROVE BUNGALOW

ANNEX B

PERTH AND KINROSS COUNCIL

Mr Gillespie
Richard Hall Architects
Rose Cottage
27 Main Street
Davidsons Mains
Edinburgh
EH4 5BZ

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 9 January 2008

Town and Country Planning (Scotland) Acts.

Application Number **07/02319/FUL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 18th October 2007 for planning permission for Demolition of existing dwellinghouse and erection of a new dwellinghouse Birchgrove Castleton Road Auchterarder PH3 1JW subject to the undernoted conditions. One set of the relative plans, duly docquetted with reference to this approval, is returned herewith.

Development Quality Manager

Conditions Referred to Above

1. The development shall be begun within a period of five years from the date of this consent.

2. The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.

3. Two parking spaces shall be provided and maitained to the satisfaction of the Council as Planning Authority.

4. Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.

Reasons for Conditions

1. In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997

2. To ensure that the development is carried out in accordance with the plans approved.

3-4. In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

Notes

1 No work shall be commenced until an application for building warrant has been submitted and approved.

ANNEX B REPORT

DELEGATED REPORT

Ref No	**07/02319/FUL**
Ward No	**N7**

PROPOSAL: Demolition of existing dwellinghouse and erection of a new dwellinghouse.

LOCATION: Birchgrove Castleton Road, Auchterarder PH3 1JW

APPLICANT: Mr Gillespie

RECOMMENDATION: Approve the application

SITE INSPECTION:

OFFICERS REPORT:

The application site is a single storey house and garden ground extending to 0.21 hectares situated on the east side of Castleton Road on the northern edge of Auchterarder.

The proposal is for the demolition of the house and the erection of a 2 storey replacement house.

The proposed scale and design of the house is acceptable and there will be no adverse impact as a result on the residential amenity of neighbouring propoerties.

There are no objections in terms of access, parking and road safety subject to conditions.

DEVELOPMENT PLAN

Strathearn Area Local Plan 2001

The application site is within Auchterarder.

Policy 58: Residential character and amenity.

CONSULTATIONS/COMMENTS

The Environment Service - Development Management	No objections

TARGET DATE: 12 December 2007

OBJECTIONS RECEIVED:

Two letters of representation received where there were concerns over the existing access and utilities in the vicinity of the application site.

Conditions:-

1 The development shall be begun within a period of five years from the date of this consent.

2 The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.

3 Two parking spaces shall be provided and maitained to the satisfaction of the Council as Planning Authority.

4 Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.

Reasons:-

1 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997.

2 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997.

3 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

4 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

Notes

1 No work shall be commenced until an application for building warrant has been submitted and approved.

ADDED VALUE: yes / no – delegated approval within statutory period
DEVLT PLAN DEPARTURE: yes / no
REFER TO SE/HS: yes/no
DRAINAGE: yes/no

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ANNEX C

ANNEX C.

PERTH AND KINROSS COUNCIL

Mr Gillespie
Richard Hall Architects
Rose Cottage
27 Main Street
Davidsons Mains
Edinburgh
EH4 5BZ

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 26 August 2008

Town and Country Planning (Scotland) Acts.

Application Number 08/01215/MOD

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 11th June 2008 for permission for Modification of existing consent (07/02319/FUL) for change of house type Birchgrove Castleton Road Auchterarder PH3 1JW subject to the undernoted conditions. One set of the relative plans, duly docquetted with reference to this approval, is returned herewith.

Development Quality Manager

Conditions Referred to Above

1. The development shall be begun within a period of five years from the date of this consent.

2. The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.

3. A minimum of two car parking spaces shall be provided and maintained to the satisfaction of the Council as Planning Authority.

4. Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.

5. Unless otherwise agreed, the existing stone boundary wall and remaining landscaping on site shall be retained and protected throughout the course of the building work, to the satisfaction of the Council as Planning Authority.

Reasons for Conditions

1. In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. To ensure that the development is carried out in accordance with the plans approved.

3-4. In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

5. In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

Notes

1. No work shall be commenced until an application for building warrant has been submitted and approved.

ANNEX C REPORT

DELEGATED REPORT

Ref No	**08/01215/MOD**
Ward No	**N7**

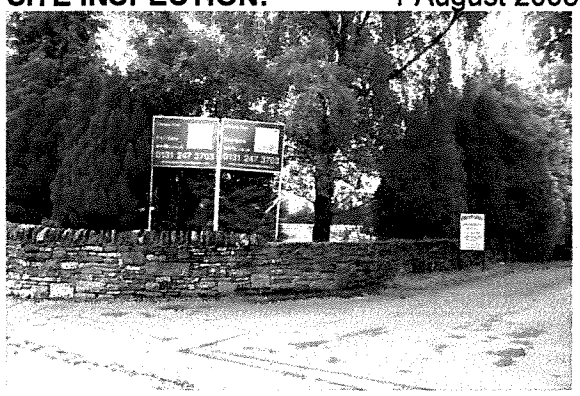
PROPOSAL: Modification of existing consent (07/02319/FUL) for change of house type

LOCATION: Birchgrove Castleton Road Auchterarder PH3 1JW

APPLICANT: Mr Gillespie

RECOMMENDATION: Approve the application

SITE INSPECTION: 1 August 2008



OFFICERS REPORT:
Detailed planning consent was granted in 2007 to demolish an existing single storey dwellinghouse and to erect a larger two storey replacement on the above site, situated on the northern edge of Auchterarder (07/02319/FUL refers).

This proposal is effectively for a change of house type by the same applicant on the now cleared site. The plans now forwarded indicated a development with more traditional baronial design elements such as crow step gables, turrets and tall chimney heads. Materials include natural stone, slate and painted wet dash render.

The house is positioned towards the rear of the plot so that the bulk of the garden is towards the main road. Design, scale, finish and placement are acceptable.

No objections received.

DEVELOPMENT PLAN

S_001 Strathearn Sustainable Development
The Council will seek to ensure, where possible, that development within the Plan area is carried out in a manner in keeping with the goal of sustainable development. Where development is considered to be incompatible with the pursuit of sustainable development, but has other benefits to the area which outweigh this issue, the developer will be required to take whatever mitigation measures are deemed both practical and necessary to minimise any adverse impact. The following principles will be used as

guidelines in assessing whether projects pursue a commitment to sustainable development:

(a) The consumption of non-renewable resources should be at levels that do not restrict the options for future generations;
(b) Renewable resources should be used at rates that allow their natural replenishment;
(c) The quality of the natural environment should be maintained or improved;
(d) Where there is great complexity or there are unclear effects of development on the environment, the precautionary principle should be applied;
(e) The costs and benefits (material and non-material) of any development should be equitably distributed;
(f) Biodiversity is conserved;
(g) The production of all types of waste should be minimised thereby minimising levels of pollution;
(h) New development should meet local needs and enhance access to employment, facilities, services and goods.

S_002 Strathearn Development Criteria
All developments will also be judged against the following criteria:

(a) The sites should have a landscape framework capable of absorbing or, if necessary, screening the development and where required opportunities for landscape enhancement will be sought;
(b) In the case of built development, regard should be had to the scale, form, colour, and density of existing development within the locality;
(c) 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;
(d) The road network should be capable of absorbing the additional traffic generated by the development and a satisfactory access onto that network provided;
(e) Where applicable, there should be sufficient spare capacity in drainage, water and education services to cater for the new development;
(f) The site should be large enough to accommodate the development satisfactorily in site planning terms;
(g) Buildings and layouts of new developments should be designed so as to be energy efficient;
(h) Built developments should where possible be built within those settlements that are the subject of inset maps.

S_005 Strathearn Design
The Council will require high standards of design for all development in the Strathearn Area. In particular encouragement will be given to:

a) The use of appropriate high quality materials;
b) Innovate modern design incorporating energy efficient technology and materials;
c) Avoiding the use of extensive under-building on steeply sloping sites;
d) Ensuring that the proportions of any building are in keeping with its surroundings;
e) Ensuring that the development fits its location.

The design principles set out in the Council's "Guidance and Design of Houses in Rural Areas" will be used as a guide for all development in the Strathearn Area.

OTHER POLICIES – n/a

PROPERTY HISTORY : 07/02319/FUL Demolition of existing dwellinghouse and erection of a new dwellinghouse

CONSULTATIONS/COMMENTS –n/a

TARGET DATE: 5 August 2008

OBJECTIONS RECEIVED: none

Conditions:-

1 The development shall be begun within a period of five years from the date of this consent.

2 The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.

3 A minimum of two car parking spaces shall be provided and maintained to the satisfaction of the Council as Planning Authority.

4 Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.

5 Unless otherwise agreed, the existing stone boundary wall and remaining landscaping on site shall be retained and protected throughout the course of the building work, to the satisfaction of the Council as Planning Authority.

Reasons:-

1 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997.

2 To ensure that the development is carried out in accordance with the plans approved.

3 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

4 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

5 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

Notes

1 No work shall be commenced until an application for building warrant has been submitted and approved.

ADDED VALUE: no – delegated approval within statutory period
DEVLT PLAN DEPARTURE: no

ANNEX D

Tree Survey
and
Arboricultural Implication Study

at

Birchgrove
Castleton Road
Auchterarder

for and on behalf of

Mr A Kane

December 2009

PERTH AND KINROSS COUNCIL

DRAWING REF: 10/00866 /5

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1 INTRODUCTION

This survey and arboricultural implication study relates to trees growing within the property known as Birchgrove, on Castleton Road, Auchterarder. It was commissioned by the owner, Mr A Kane, and has been prepared in connection with proposals for the construction of a single detached dwelling.

The **Tree Survey** records in detail the nature, extent and condition of the existing tree cover within the site and provides interpretation and analysis on the results of the survey. It provides a comprehensive and detailed inventory carried out in line with **British Standard 5837:2005** *'Trees in Relation to Construction - Recommendations'*. All trees within the area of survey are tagged and accurately plotted.

The **Arboricultural Implication Study** seeks to define a potential development envelope. This includes recommendations regarding tree removal, retention and protection, all consistent with the recommendations contained within BS 5837:2005.

The survey is based on a comprehensive visual inspection carried out from the ground by Donald Rodger on 4 December 2009. The weather conditions at the time were dry, bright and calm.

Author's qualifications: Donald Rodger holds an Honours Degree in Forestry. He is a Chartered Forester, a Chartered Biologist, a Chartered Environmentalist and a Fellow and Registered Consultant of the Arboricultural Association. He has over twenty five years experience of arboriculture and amenity tree management at a professional level.

***Limitations*:**

- The findings and recommendations contained within this report are valid for a period of twelve months from the date of survey (i.e. until 4 December 2010). Trees are living organisms subject to change – it is strongly recommended that they are inspected on an annual basis for reasons of safety.

- The recommendations relate to the site as it exists at present, and to the current level and pattern of usage it currently enjoys. The degree of risk and hazard may alter if the site is developed or significantly changed, and as such will require regular re-inspection and re-appraisal.

- The report relates only to those trees growing within the area of survey as shown on the accompanying plan. Trees outwith the survey area were not inspected.

- Whilst every effort has been made to detect defects within the trees inspected, no guarantee can be given as to the absolute safety or otherwise of any individual tree. Extreme climatic conditions can cause damage to even apparently healthy trees.

- This report has been prepared for the sole use of Mr A Kane and his appointed agents. Any third party referring to this report or relying on the information contained herein does so entirely at their own risk.

2 TREE SURVEY METHODOLOGY

All trees within the area of survey were visually inspected from the ground by Donald Rodger on 4 December 2009. The inspection was carried out from within the curtilage of the site and the adjacent public highway. Neighbouring private property was not entered. The extent of any decay where noted was tested using a hand-held auger.

All substantial, well-established trees within the area of survey are plotted on the enclosed **Tree Survey Plan** and recorded in detail in the **Tree Survey Schedule** (Section 5). This includes all the significant trees and shrubs with a trunk diameter measured at 1.5m from ground level of **75mm** and greater. A total of **24 individual trees** were surveyed in detail, providing a comprehensive record of the status and extent of the dominant tree cover within the site. Small shrub growth and very small saplings with a trunk diameter less than 75mm were not surveyed. In addition, three conifer hedges were recorded.

The trees within the survey have been tagged with a uniquely numbered aluminium identity disc approximately 2m from ground level, on the most readily visible face of the trunk. Tag numbers run sequentially from **0433 to 0456** (only the last two digits are used for ease of reference). The three hedges are annotated as **H1, H2** and **H3**.

The majority of tree locations have been accurately plotted on the enclosed plan as part of the topographical survey for the site (carried out by others). These were checked on site and are adopted for the purposes of this report. An additional nine trees were added as part of the tree survey. These are 37, 38, 41, 43, 50, 52, 53, 55 and 56. The trunk position, tag number and the actual measured canopy spread of each individual tree is indicated on the Tree

Survey Plan. This provides an accurate representation of the extent of the canopy cover across the site. The extent of the canopy of the three hedges is also accurately plotted.

Information on each numbered tree and hedge is provided in the Tree Survey Schedule (Section 5). Consistent with the approach recommended in **British Standard 5837** *'Trees in Relation to Construction - Recommendations'* (2005), this records pertinent details, including:

- Tree number;
- Tree species;
- Trunk diameter;
- Tree height;
- Crown spread;
- Height in metres of crown clearance above adjacent ground level;
- Age;
- Condition category, Good, Fair, Poor or Dead as per BS 5837;
- Comments and observations on the overall form, health and condition of the tree, highlighting any problems or defects;
- Life expectancy;
- Retention category, A, B, C and R, as per BS 5837;
- Recommended arboricultural works;
- Priority for action.

All trees within the survey have been ascribed a **Retention Category**. In line with the recommendations contained within BS 5837:2005 *'Trees in Relation to Construction'*, this takes account of the health, condition and future life expectancy of the tree, as well as its amenity and landscape value and suitability for retention within any proposed development. The retention category for each tree is shown in the Tree Survey Schedule.

A – High category: trees whose retention is most desirable

B – Moderate category; trees where retention is desirable.

C – Low category; trees which could be retained.

R – Unsuitable for retention; trees which should be removed.

These are coloured on the tree survey plan according to the scheme set out in BS5837:2005, as follows.

Category A – Light green

Category B – Mid blue

Category C – Grey

Category R – Red

Recommendations are made, where appropriate, on appropriate remedial action as regards tree surgery or felling works. These are specified where there is a significant risk to public safety or tree health and are consistent with sound arboricultural practice. All recommendations are consistent and in line with **British Standard 3998** '*Recommendations for Tree Work*' (1989).

3 SURVEY RESULTS

3.1 General Description

The site comprises the private gardens of a property known as Birchgrove. The original house has been demolished and the site cleared. The site is rectangular in outline and bounded by Castleton Road to the west and a private drive, from which access is taken, to the south. Existing residential development adjoins to the north and east. The site is largely flat and level.

The tree cover is concentrated along the western boundary with Castleton Road, where it forms a dense belt. Conifer hedges are located to the north and south, along with a few scattered small trees. The central portion of the site is open and devoid of tree and shrub cover.

The site features and spatial distribution of the tree and hedge cover is graphically illustrated on the accompanying Tree Survey Plan.

3.2 Tree Description and Assessment

The tree cover consists predominantly of yew (6 trees) and holly (6 trees). Along with two Portuguese laurel, these form a dense evergreen hedge along the west boundary of the property up to 8m in height. Trees 37 to 51 have been planted at close spacing and the canopies have coalesced and inter-twined. The trees are generally in fair condition overall and collectively form a large mass of foliage adjacent to the public road. They do, however, obstruct views to the countryside beyond and form a rather heavy and oppressive screen on the western boundary. One of the yew trees (42) has been badly damaged by fire and is in poor condition.

Two birch trees (34 and 35) on the south boundary form the largest and most dominant trees. These are both good specimens in satisfactory condition.

A small group of four Lawson cypress (52, 53, 55 and 56) and a self-seeded goat willow (54) stands in the north east corner. The cypress are an ornamental variety with a compact, fastigiate crown form. The goat willow is a small, semi-mature tree of self-seeded origin which is poor and scrubby in character. These trees are relatively small in size and of little arboricultural merit. Consequently, they have limited amenity value.

A young Norway spruce (33) and Lawson cypress (36) make up the remainder of the trees.

The three hedges recorded are all Leyland cypress. H2 has been clipped and maintained at a height of 3m, whereas H1 and H3 are unmaintained. They are all in satisfactory condition and provide useful screening and shelter to the site.

No essential arboricultural works were identified at the time of inspection.

4 ARBORICULTURAL IMPLICATION STUDY

4.1 Proposed Development

It is proposed to replace the previous dwelling with a new detached house. The existing access arrangements and services are to be utilised. Detailed proposals have been prepared by Richard Hall Architects and these are referred to here.

4.2 Tree Removal and Retention

Based on the results of the tree survey and visual assessment of the site, trees **33** and **52 to 56** have been ascribed a low (C) retention category under the BS 5837 grading system due to their small size, ease of replacement and limited future potential. These trees should not therefore present a constraint to the site. It is recommended that they are not retained, and their removal will facilitate the re-development of the site. Trees considered **unsuitable for retention** are highlighted in **red** on the Tree Proposals Plan.

The remaining tree cover could feasibly be retained, at least in the short to medium term (see section 4.6). Collectively, this is generally in fair condition overall and has a reasonable future life expectancy. Trees considered as **suitable for retention** are highlighted in **green** on the Tree Proposals Plan.

4.3 Root Protection Area

Adequate protection of the tree and its root system is essential if such features are to be retained successfully in the long term. This is normally achieved by creating a fenced **root protection area (RPA)** around the trees concerned within which no development takes place and the root system remains undisturbed. Clear guidelines on this matter are contained within British Standard 5837 (2005) *'Trees in Relation to Construction - Recommendations'* and this document is referred to as a baseline on which recommendations are made.

The RPA is calculated as an area equivalent to a circle with a radius of 12 times the stem diameter, and is the minimum area which should be left undisturbed around each retained tree. This may change its shape depending on local site and tree factors.

The **RPA** has been plotted as a **grey circle** on the Tree Proposals Plan.

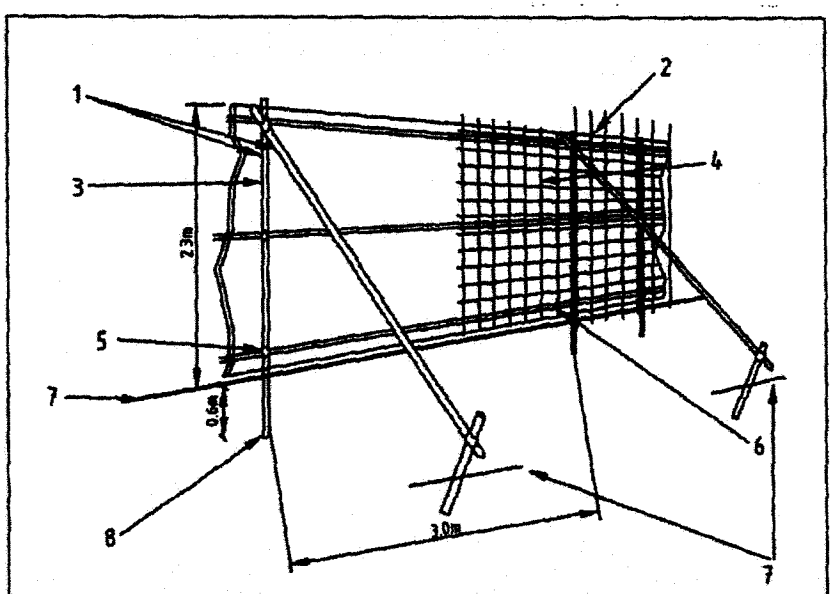
4.4 Tree Protection Fence

Based on the trees concerned and the proposals for the site, the recommended **minimum** line of protective fencing is indicated by a pink line on the Tree Proposals Plan. This more than respects the RPA of the individual trees and will protect the belt of trees to be retained *en masse* and minimise root damage and disturbance. The protective fence also falls outwith the tree canopy spreads.

Robust fencing must be used to define the root protection area. This must be, as a minimum, as specified in section 9.2 of BS 5837:2005 and consist of a

fixed scaffolding framework 2.3m in height set into the ground and well-braced to withstand impacts. Onto this, weldmesh panels (Heras fencing) should be securely fixed. This is graphically illustrated in the extract from BS 5837. ***Protective fencing must be erected prior to any construction works commencing on site and maintained throughout to completion.***

Providing the protective fencing is erected as shown prior to development commencing on site and the root protection area maintained sacrosanct until completion, the tree cover to be retained will not be significantly affected. With the protective fencing in place as specified above, there exists a clear working footprint for the proposed re-development of the site.



1 Standard scaffold poles
2 Uprights to be driven into the ground
3 Panels secured to uprights with wire ties and where necessary standard scaffold clamps
4 Weldmesh wired to the uprights and horizontals
5 Standard clamps
6 Wire twisted and secured on inside face of fencing to avoid easy dismantling
7 Ground level
8 Approx. 0.6 m driven into the ground

Figure 2 — Protective barrier

Extract from BS 5837:2005

4.5 Inspection and Monitoring

The trees should be inspected and monitored on a regular basis throughout the construction phase, and in the years following completion.

4.6 Tree Management and Planting

The holly, yew and laurel trees along the western boundary (trees 37 to 51) collectively form a very dense, evergreen screen from ground level up to 8m in height, and up to 13m in width. These not only take up a considerable portion of garden space but they restrict attractive views from the property to the open countryside, and hills beyond.

As part of the management of the trees within this property, future consideration could be given to removing some or all of the above trees and replanting with suitable species which will enhance the property and the local environment. This will ensure long-term continuity of tree cover while maximising the assets of the site.

5 TREE SURVEY SCHEDULE

Explanation of Terms

Tree no.	-	Identification number of tree as shown on tag and plan.
Species	-	Common and Latin name of species.
Dia	-	Trunk diameter in cms measured at 1.5m. **MS** = multi-stemmed.
Hgt	-	Height of tree in metres.
Crown spread	-	Crown spread in metres to the four cardinal compass points.
Age	-	Age class category and estimated age in years (Young, Semi-mature, Early mature, Mature, Over–mature).
Cr Cl	-	Height of crown clearance above ground level in metres.
Cond Cat	-	Condition category (**Good, Fair, Poor, Dead**) - see *explanation overleaf.*
Notes	-	General comments on tree health, condition and *form, highlighting any defects or areas of concern.*
Life expct	-	Life expectancy, estimated in years.
BS 5837 Cat	-	Retention category (**A, B, C and R**, as per BS 5837) - see explanation overleaf.
Rec Action	-	Recommended remedial action/arboricultural work.
Priority	-	Priority for action

TREE CONDITION CATEGORIES

Good (1) Healthy trees with no major defects

(2) Trees with a considerable life expectancy

(3) Trees of good shape and form

Fair (1) Healthy trees with small or easily remedied defects

(2) Trees with a shorter life expectancy

(3) Trees of reasonable shape and form

Poor (1) Trees with significant structural defects and/or decay

(2) Trees of low vigour and under stress

(3) Trees with a limited life expectancy

(4) Trees of inferior shape and form

Dead (1) Dead, dying and dangerous trees

(2) Trees of very low vigour and with a severely limited life expectancy

(2) Trees with serious structural defects and/or decay

(4) Trees of exceptionally poor shape and form

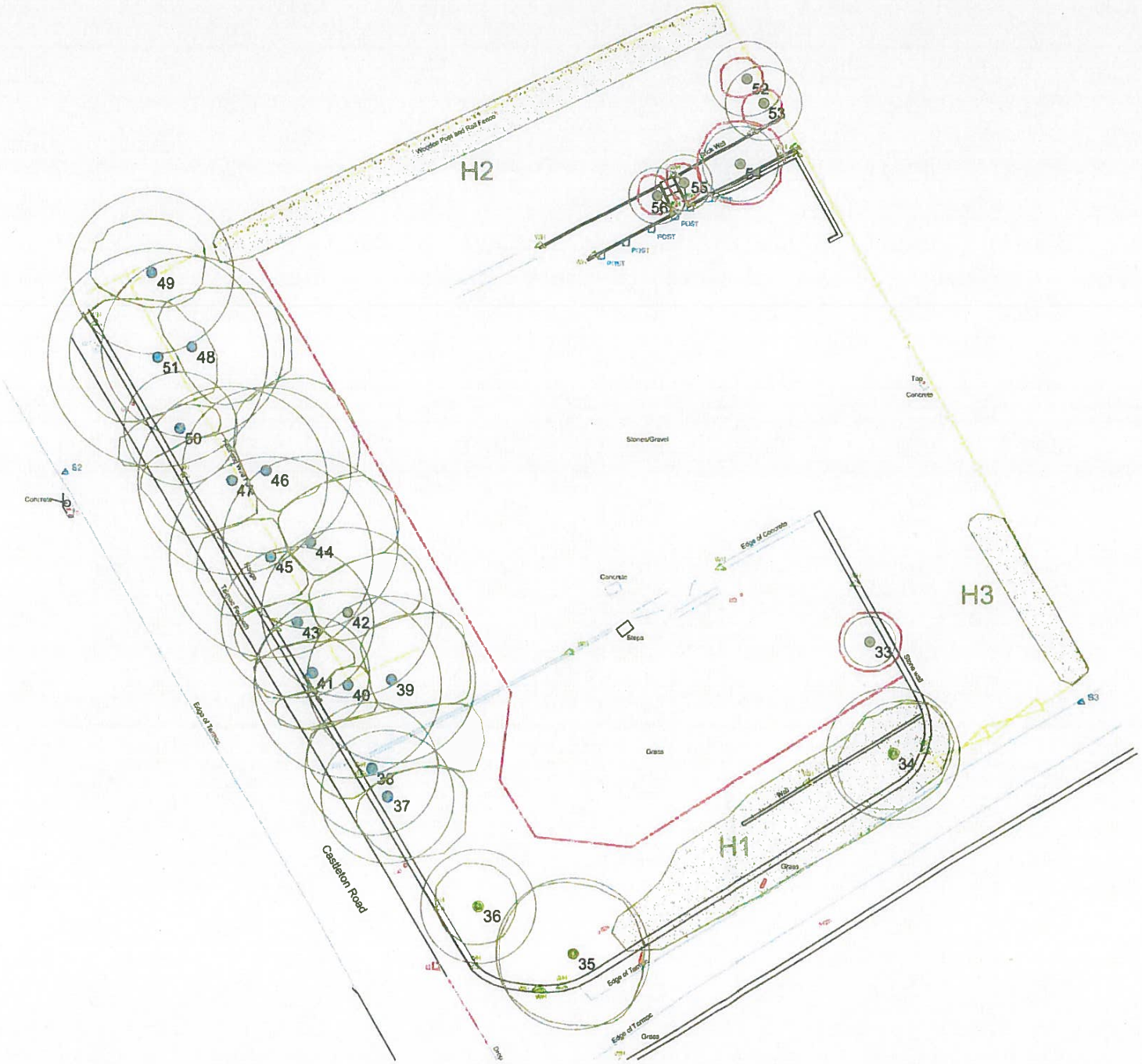
33	Norway spruce	13	4	2	2	2	2	1	Young	Good	Small tree. Limited amenity value and replaceable.	20-40	C		
34	Silver birch	35	13	3	4	3	3	3	Early mature	Good	Reasonable specimen in satisfactory health and condition. Growing from conifer hedge.	+40	A		
35	Silver birch	40	11	5	5	5	5	2	Early mature	Good	Reasonable specimen in satisfactory health and condition.	+40	A		
36	Lawson cypress	30	7	3	3	2	2	1	Semi-mature	Good	Reasonable specimen in satisfactory health and condition.	+40	A		
37	Holly	MS 35	6	1	4	4	3	1	Early mature	Fair	Multi-stemmed from base. Dense bushy crown. Suppressed to north. On low mound.	20-40	B		
38	Portuguese laurel	MS 35	6	3	7	2	3	1	Early mature	Fair	Dense, bushy crown. Suppressed. Low crown extending into site.	20-40	B		
39	Yew	44	7	2	5	4	1	2	Early mature	Fair	Forks into two stems at base. Suppressed to west, with bias into site. Fire damage to north side of crown.	20-40	B		
40	Holly	49	8	2	3	3	3	2	Early mature	Fair	Suppressed. Part of roadside hedge. Wound to trunk (old fire damage) at 2m healing well.	20-40	B		
41	Holly	30	8	4	2	2	3	3	Early mature	Fair	MS from base. Suppressed, with bias to west over road. Old fire damage to stem on east side, creating a large wound.	20-40	B		
42	Yew	MS 45	6	4	5	2	1	3	Early mature	Poor	Serious fire damage to base of trunk, resulting in extensive and serious wounding. Extensive crown death and dieback. Poor and declining condition overall.	10-20	C		

43	Portuguese laurel	MS 40	6	3	3	3	4	3	Early mature	Poor	Multi-stemmed from base. Heavily suppressed with bias to west. Old fire damage and wounding to one stem.	20-40	B		
44	Yew	46	7	4	5	3	2	2	Early mature	Fair	Suppressed to west, with bias into site.	20-40	B		
45	Holly	53	7	3	2	5	4	3	Early mature	Fair	Multi-stemmed. Suppressed to east, with bias over road.	20-40	B		
46	Yew	44	7	5	6	3	2	2	Early mature	Fair	Suppressed to west, with bias into site.	20-40	B		
47	Holly	50	7	5	4	5	5	3	Early mature	Fair	Multi-stemmed. Suppressed to east, with bias over road. Large dead limb.	20-40	B		
48	Yew	48	7	5	6	3	2	1	Early mature	Fair	Suppressed to west, with bias into site.	20-40	B		
49	Yew	43	6	3	4	3	3	3	Early mature	Fair	Suppressed to west, with bias into site.	20-40	B		
50	Portuguese laurel	30	6	4	4	3	3	3	Early mature	Fair	Multi-stemmed. Heavily suppressed.	20-40	B		
51	Holly	MS 58	8	6	5	4	4	3	Early mature	Fair	Large, multi-stemmed tree. Suppressed to south.	20-40	B		
52	Lawson cypress	MS 20	5	1	1	1	1	1	Semi-mature	Fair	Forms a close pair with tree 53. Dense, bushy, fastigiate crown form.	10-20	C		

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
53	Lawson cypress	MS 20	5	1	1	1	1	1	Semi-mature	Fair	Forms a close pair with tree 52. Dense, bushy, fastigiate crown form.	10-20	C
54	Goat willow	MS 20	6	3	4	3	4	2	Semi-mature	Poor	Self-seeded tree. Scrubby and of poor form and structure. Limited future potential.	10-20	C
55	Lawson cypress	MS 15	4	1	1	1	1	1	Semi-mature	Fair	Forms a close pair with tree 56. Dense, bushy, fastigiate crown form.	10-20	C
56	Lawson cypress	MS 15	4	1	1	1	1	1	Semi-mature	Fair	Forms a close pair with tree 55. Dense, bushy, fastigiate crown form.	10-20	C
H1	Leyland cypress	MS 20	6	–	–	–	–	0	Semi-mature	Fair	Informal hedge of cypress, with occasional shrub. Edense and buchy, and not maintained. Forms a dense screen to ground level. Growing in a slightly raised bed.	10-20	C
H2	Leyland cypress	MS 12	3	–	–	–	–	0	Semi-mature	Fair	Clipped and maintained hedge 3m in height.	10-20	C
H3	Leyland cypress	MS 12	5	–	–	–	–	0	Semi-mature	Fair	Short section of closely spaced trees forming hedge up to 5m. Not pruned or maintained.	10-20	C

PLAN

- **Tree Survey and Proposals**



PERTH AND KINROSS COUNCIL

DRAWING REF: 10/00866/4

Tree Constraints and Proposals

- TREES FOR RETENTION
- TREES FOR REMOVAL
- ROOT PROTECTION AREA, AS PER BS 5837
- LINE OF TREE PROTECTION FENCE, AS PER BS 5837

Tree Survey

- 74 — TREE NUMBER, TRUNK DIAMETER AND CANOPY SPREAD DRAWN TO SCALE
- HEDGE
- TREES BS 5837 CATEGORY A
- TREES BS 5837 CATEGORY B
- TREES BS 5837 CATEGORY C
- TREES BS 5837 CATEGORY R

Tree survey details recorded in accordance with BS5837:2005. Numbers refer to tree tags. Refer to accompanying report and schedule for tree details

Do not scale from drawing

Title:

TREE SURVEY AND PROPOSALS PLAN

Client: Mr A Kane

Scale : 1:250 @ A3	**Drwg no: 0946/1**
Drawn by: DR	**Date: Dec. 2009**

Donald Rodger Associates
Arboricultural Consultants
39a Main Street, Gullane
East Lothian, EH31 2AP
Tel/Fax 01620 842656

SCANNED

ANNEX E

ANNEX E

PERTH AND KINROSS COUNCIL

Mr A Kane Richard Hall Architects 27 Rose Cottage Main Street Davidsons Mains Edinburgh EH4 5BZ	Pullar House 35 Kinnoull Street PERTH PH1 5GD
	Date 2 August 2010

Town and Country Planning (Scotland) Acts.

Application Number **10/00866/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 17th May 2010 for planning permission for Erection of replacement dwellinghouse Birchgrove Castleton Road Auchterarder PH3 1JW subject to the undernoted conditions.

Development Quality Manager

Conditions Referred to Above

1. The development shall be begun within a period of three years from the date of this consent.

2. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.

3. Details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The scheme as approved shall be implemented prior to the occupation and or use of the development.

4. Prior to occupation or use of the approved development the vehicular access shall be formed in accordance with the Council's specification in the Roads Development Guide Type B, Fig 5.6 access detail to the satisfaction of the Council as Planning Authority.

5. Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.

6. Prior to occupation of the development 2 parking spaces shall be provided within the site and maintained to the satisfaction of the Council as Planning Authority.

7. All work to the trees and any felling of trees on the site shall be in accordance with the Tree Survey by Donald Rodger dated December 2009.

Reasons for Conditions

1. In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning etc (Scotland) Act 2006.

2. To ensure that the development is carried out in accordance with the plans approved.

3. In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

4.-6 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

7. In the interests of tree protection.

Justification

1. The proposals are in accordance with the development plan and there are no material planning reasons for not approving them.

Notes

1 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

2 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

3 No work shall be commenced until an application for building warrant has been submitted and approved.

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

Plan Reference

10/00866/1

10/00866/2

10/00866/3

10/00866/4

10/00866/5

ANNEX E REPORT

REPORT OF HANDLING

DELEGATED REPORT

Ref No	**10/00866/FLL**
Ward No	**N7**

PROPOSAL: Erection of replacement dwellinghouse

LOCATION: Birchgrove, Castleton Road, Auchterarder PH3 1JW

APPLICANT: Mr A Kane

RECOMMENDATION: approve the application

SITE INSPECTION:

OFFICERS REPORT:

Brief Description

The application site is a 0.22ha area of ground at Birchgrove which is on the east side of Castleton Road and on the corner of a private lane. Planning consent was granted in January 2008 for the demolition of the former Birchgrove and the erection of a new house (07/02319/FUL) and in August 2008 planning consent was granted for a change in the house type at the site. (08/01215/MOD)

The previous house on the site has been demolished under the above consent. This proposal is for the erection of a relatively large 2.5 storey five bedroom pitched roof dwelling house. Access to the site will be taken off Castleton Road. Materials include grey slate to the roof, painted smooth render with sandstone features to the external walls, new screen garden walls painted smooth render with sandstone features and new entrance gates/walls to be existing stone wall reused with sandstone features. A Tree Survey was submitted with the proposal. Most of the trees on the site are to be retained with 5 removed to the north east of the site and one to the south.

The scale and design of the house is considered to be acceptable and the materials proposed are of good quality. There is adequate garden ground remaining and there is sufficient distance to the boundaries to protect privacy of occupiers and neighbours. There are no objections from the Council's Tree Officers or Roads Engineers with respect to the access and road safety. Concerns were raised from neighbours about the impact of construction work on amenity and access. A condition can be added to a consent to ensure there is no obstruction to any existing access to neighbouring property at the construction stage.

No requirement for any financial contributions to educational capacity or road junction improvements due to previous consent.

DEVELOPMENT PLAN

Strathearn Area Local Plan 2001

The application site is within the settlement boundary of Auchterarder.

Main policies:

Policy 58: Residential character and amenity.

SITE HISTORY

07/02319/FULDemolition of existing dwellinghouse and erection of a new dwellinghouse11.01.2008

08/01215/MODModification of existing consent (07/02319/FUL) for change of house type26.08.2008

CONSULTATIONS/COMMENTS

Scottish Water	No objections

TARGET DATE: 17 July 2010

REPRESENTATIONS RECEIVED:

Number Received: 2

Summary of issues raised by objectors:

Two letters were received from neighbouring residents. Main issues raised were the impact of construction work on residential amenity and obstruction to existing access.

Response to issues raised by objectors:
In report.

Additional Statements Received:

Environment Statement

Screening Opinion

Environmental Impact Assessment

Appropriate Assessment

Design Statement or Design and Access Statement

Report on Impact or Potential Impact eg Flood Risk Assessment

Legal Agreement Required:

Summary of terms

Direction by Scottish Ministers

Conditions:-

1 The development shall be begun within a period of three years from the date of this consent.

2 The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.

3 Details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The scheme as approved shall be implemented prior to the occupation and or use of the development.

4 Prior to occupation or use of the approved development the vehicular access shall be formed in accordance with the Council's specification in the Roads Development Guide Type B, Fig 5.6 access detail to the satisfaction of the Council as Planning Authority.

5 Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.

6 Prior to occupation of the development 2 parking spaces shall be provided within the site and maintained to the satisfaction of the Council as Planning Authority.

7 All work to the trees and any felling of trees on the site shall be in accordance with the Tree Survey by Donald Rodger dated December 2009.

8 During the construction stage the vehicular access to any neighbouring property shall not be interrupted.

Reasons:-

1 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning etc (Scotland) Act 2006.

2 To ensure that the development is carried out in accordance with the plans approved.

3 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

4 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

5 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

6 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

7 In the interests of tree protection.

8 In order to protect neighbouring amenity.

Justification:
The proposals are in accordance with the development plan and there are no material planning reasons for not approving them.

Notes

1 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

2 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

3 No work shall be commenced until an application for building warrant has been submitted and approved.

ANNEX F

PERTH AND KINROSS COUNCIL

Mr And Mrs Kane
Richard Hall Architect
The Studio
Cordon Mains
Abernethy
PH2 9LN

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 27 November 2012

Town and Country Planning (Scotland) Acts.

Application Number **12/01759/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 3rd October 2012 for planning permission for Replacement of boundary wall Site Of Former Birchgrove Castleton Road Auchterarder subject to the undernoted conditions.

Development Quality Manager

Conditions Referred to Above

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

2. Notwithstanding the terms of Condition 1, the south western wall and coping stones shall be (with the exception of the entrance feature) constructed with grey natural stone - as per the sample panel inspected on site - to the satisfaction of the Council as Planning Authority.

Reasons for Conditions

1. To ensure that the development is carried out in accordance with the plans approved

2. In the interest of protecting existing visual amenity.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify refusal of the planning application

Notes

1 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

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

Plan Reference

12/01759/1

ANNEX F REPORT

PERTH AND KINROSS COUNCIL

REPLACEMENT OF BOUNDARY WALL AT SITE OF FORMER BIRCHGROVE, CASTLETON ROAD, AUCHTERARDER

DELEGATED REPORT OF HANDLING

Ref No	12/01759/FLL	*Case Officer*	*Team Leader*	*Decision to be Issued?*	
Ward	N8 – Shire				
Target	3 Dec 2012			*Yes*	*No*

RECOMMENDATION

Approve the planning application subject to conditions.

BACKGROUND & DESCRIPTION

The application site relates to the boundary treatment associated with a new replacement house that is presently under construction at Castleton Road, Auchterarder.

This planning application seeks to obtain planning consent for the erection of a new 1.5m boundary wall to the property along the sites frontage (SW) and the erection of a new 2m wall along the sites side boundary (SE). Along both boundaries was a former stone wall which was removed in its entirety by the applicant after insertions in it by the applicant resulted in large sections of the wall crumbling and becoming insecure. The location of the former stone from the original walls is not known. The planning application is partly in retrospect as the side wall has been partly erected in blonde sandstone, whilst the frontage remains open.

I have no objections to the new walling in terms of its height or location or the use of blonde sandstone on the side boundary. I note the comments raised by a local neighbour in respect of the suitability of blonde sandstone, however as this is a side wall which will not be visually prominent from the passing public road, I do not consider the use of this light coloured stone in this location to be unacceptable.

With regard to the new wall along the frontage, the applicant's drawings show a natural stone (grey) wall with a sandstone cope, which incorporates a sandstone entrance feature that was previously proposed as part of the original plans. However the applicant has since *verbally* requested that all walling be blonde sandstone - as per the partly erected side wall. Although there are varying types of walls within the area, due to the length of wall, and the fact that the wall along the front was previously natural stone, I consider it more appropriate to seek the use of natural grey stone along the front wall with copings to match. I do appreciate that the blonde sandstone will weather, and darken, however after discussing the matter with colleagues I remain unconvinced that the blonde sandstone will ultimately weather as much as other blonde sandstone in the area (ie Kirktonpark) and as such I consider a grey stone to be more appropriate – as per the original drawings.

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. Due to the minor nature of the proposal there are no policies of national relevance, specifically relevant to this proposal.

DEVELOPMENT PLAN

The Development Plan for the area comprises the approved Tay Plan 2012 and the adopted Strathearn Local Plan 2001. Although there are general policies contained in the Tay Plan, the most relevant policies are contained in the Local Plan. Within the Local Plan the site lies within the landward area of the plan, where *Policy 5 (design)* seeks to ensure that all new proposal have a high design standard.

OTHER COUNCIL POLICIES

Proposed LDP 2012

Within the proposal LDP, the site lies within the landward area of the Plan where the general development policies are applicable.

SITE HISTORY

Detailed planning consent for a replacement dwelling was granted in 2010 (10/00866/FLL). The dwelling approved under that consent is presently under construction.

PKC CONSULTATIONS

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

EXTERNAL CONSULTATIONS

None

REPRESENTATIONS RECEIVED

One letter of representation has been received from a local resident raising concerns regarding the proposed materials of the wall.

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 planning application was advertised in the local press on the 12 October 2012.

LEGAL AGREEMENTS REQUIRED

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDED CONDITIONS

1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent. *(Reason - To ensure that the development is carried out in accordance with the plans approved)*

2 Notwithstanding the terms of Condition 1, the south western wall (including coping) which is located adjacent to Castleton Road shall be (with the exception of the entrance feature) constructed with grey natural stone, as per the sample panel inspected on site, to the satisfaction of the Council as Planning Authority. *(Reason - In the interest of protecting existing visual amenity)*

JUSTIFICATION

The proposal is in accordance with the Development Plan and there are no material reasons which justify refusal of the planning application.

INFORMATIVES

1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. *(See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as*

amended).

2 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

3 No work shall be commenced until an application for building warrant has been submitted and approved.

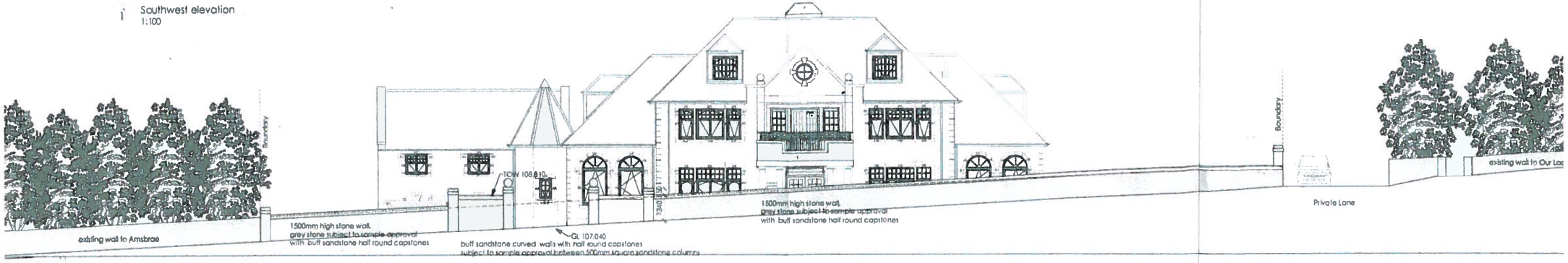
PROCEDURAL NOTES

None

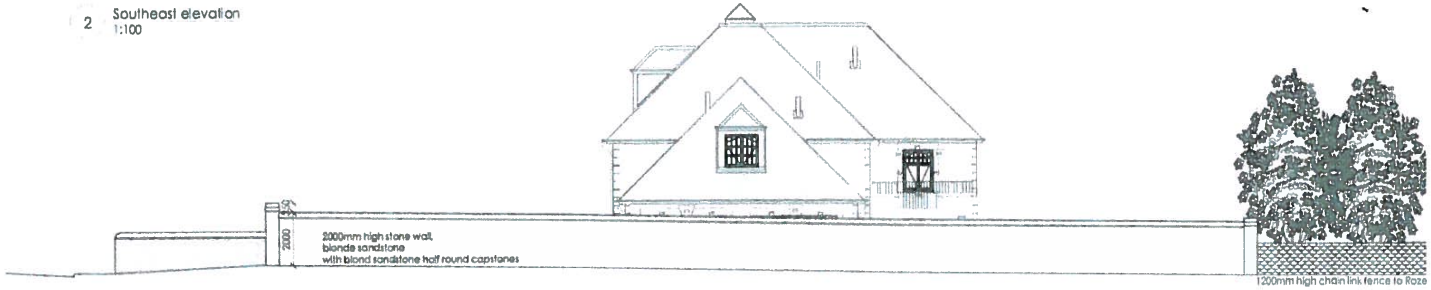
APPROVED PLAN

12/01759/1

1 Southwest elevation
1:100

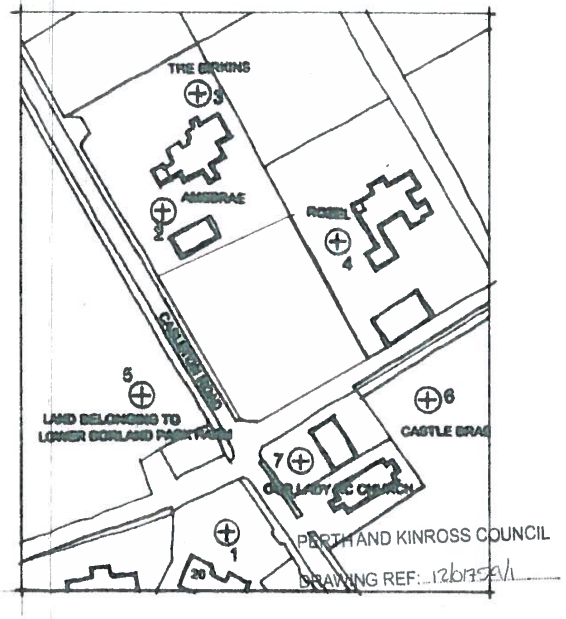


2 Southeast elevation
1:100



3 Site from North

4 Location plan 1:1250.



PERTH AND KINROSS COUNCIL
DRAWING REF: 12/01721/1

[redacted] dimensions to be checked on site
his is a true copy of the drawing referred to in the application for building warrant/planning

Signed Date

This drawing and the information contained thereon is the copyright of Richard Hall Architecture and Design

Notes

Revision	Date	Description
A	Aug 11	General update

Revision	Date	Description

Planning drawing

New house at:
Bechgrove castleton Road
Auchterarder
PH3 1JW

Job Number - R308
Date - Sept 2012
Drawn by - PA
Checked by -

Drawing No PL04
Boundary Elevations

Sheet size - A1

Gordon Mains, Abernethy, Perthshire, PH2 9LN
Architects Office, Seton Mains Garage, Longniddry, EH32 0PG 01875 812175

RICHARD HALL
architecture design
rick@hallarchitects.co.uk
www.hallarchitects.co.uk

ANNEX G

ANNEX G.

AMCB

General Comments

Tracy McManamon

From: Kenneth S. Orr [redacted]

Sent: 12 February 2013 12:01

To: Development Management - Generic Email Account

Subject: Planning Application Reference: 13/00096/FLL

This is submitted by:

Kenneth S. Orr
Rozel,
Castleton Road,
Auchterarder, PH3 1JW

This will respond to neighbour notification notice dated January 22, 2013 relating to the above Planning Application.

1. East/West boundary wall on Presbytery Lane.
   The author of the Delegated Report Of Handling, of November 27, 2012 stated he had no objections to approval of the blonde sandstone wall. Since then, work has been completed on the wall with the exception of the copings on the 2 pillars. It seems formal planning permission is not necessary on this site.
   The pillar face at the Eastern end of the wall stops 11cm from the North/South boundary of the former Birchgrove and Rozel. The boundary is a 6 ft. wooden sparred, ranch type fence which is jointly owned. The proximity of this new wall to the existing fence prevents normal maintenance e.g. routine painting, replacement of wooden spars on the first section. A gap of 70cm rather than 11cm is necessary. As constructed, this is not possible.
   Additionally, the wall itself is 2.04 metres at 3 points measured. The 2 pillars are 2.0 metres but without the cope. It does not meet the 2.0 metre specification.
2. New wall on Castleton Road frontage.
   No plan diagram, showing the wall profile between Presbytery Lane and Castleton Road, is shown in any of the planning application documents. Therefore egress by car from Presbytery Lane onto Castleton Road cannot be gauged.
   Drawing R308 dated September 2012(Application 12/01759/FLL) shows a photo of the previous grey stone wall at the exit from Presbytery Lane to Castleton Road. The wall height combined with the curvature of the wall provided visibility that meant reasonably safe exit by car onto Castleton Road. Any reduction in visibility, caused by the increased height of the proposed wall or an adverse change in the curvature of the proposed wall, may result in a more dangerous situation for cars exiting onto Castleton Road. This would be most undesirable.

PERTH & KINROSS COUNCIL
15 FEB 2013

ANNEX H

ANNEX H

Subject: FW: 13/00096/FLL Birchgrove, Castleton Road, Auchterarder
Date: Tuesday, 26 February 2013 15:41:34 United Kingdom Time
From: Alasdair Beveridge
To: Rick Hall

Rick,

I refer to the above matter.

I would prefer if you would allow me to respond to him.

Regards,

Alasdair MacRae Beveridge
Assistant Planning Officer
Development Management
Planning & Regeneration
The Environment Service
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Telephone 01738 475375
Mobile 07795 801525
Email ambeveridge@pkc.gov uk

From: Steven Callan
Sent: 26 February 2013 10:24
To: Alasdair Beveridge
Subject: 13/00096/FLL Birchgrove, Castleton Road, Auchterarder

Alasdair

I note you are dealing with the above application. As I live just down the road from the development I have kept an eye on it and wish to draw your attention to some issues.

The elevation plans in the above application seem to differ from the originally approved plans for the house (10/00866/FLL). The garage looks to be further away from the gable end of the house. There are now no chimneys and now just some sort of skylight and the balcony seems to have become much more detailed.

Asides from these, the issue regarding the wall is that he was in the process of removing the grey sandstone wall when I approached the foreman a few months ago (in both an official capacity and as a neighbour) that its removal did not show in the approved plans. Funnily enough all the grey stone then disappeared overnight. He has had blonde sandstone on site for quite a while ready to continue the wall he has already constructed along the side road. I think he will just build it no matter what your decision is.

I note from the current application that the architect thinks there is no consistent wall style in the area but I can assure you that there is a consistent grey sandstone wall running from the top of Castleton Road to the bottom of it.

Regards

Steve

Steve Callan | Strategic Planner
Sustainability, Policy & Research | Planning & Regeneration
Perth & Kinross Council | The Environment Service
Pullar House | 35 Kinnoull Street | Perth PH1 5GD

Tel: 01738 476469 | Fax: 01738 475310

ANNEX I

ANNEX I

PERTH AND KINROSS COUNCIL

Mr Tony Kane c/o Richard Hall Architects Peter Auchinachie Architects Office Unit 1 Seton Garage Longniddry EH32 0PG	Pullar House 35 Kinnoull Street PERTH PH1 5GD
	Date 21st March 2013

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **13/00096/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 21st January 2013 for permission for **Modification of existing consent (12/01759/FLL) for the replacement of boundary wall Site Of Former Birchgrove Castleton Road Auchterarder** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposal by virtue of its design and materials is contrary to Policy 5 of the Strathearn Area Local Plan 2001 and is detrimental to the townscape of the area.

Justification

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

Notes

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

Plan Reference

13/00096/1

ANNEX I REPORT

REPORT OF HANDLING

DELEGATED REPORT

Ref No	**13/00096/FLL**
Ward No	**N7- Strathallan**

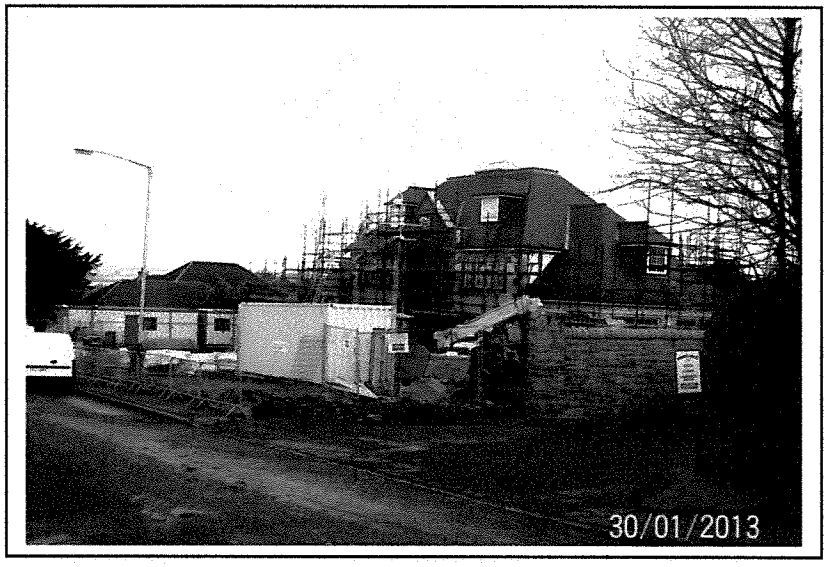
PROPOSAL: Modification of existing consent (12/01759/FLL) for the replacement of boundary wall

LOCATION: Site of Former Birchgrove, Castleton Road, AUCHTERARDER.

APPLICANT: Mr A. Kane

RECOMMENDATION: REFUSE THE APPLICATION

SITE INSPECTION: 30 January 2013



OFFICER'S REPORT:

The application site relates to the boundary treatment associated with a new replacement dwelling house that is presently under construction at Castleton Road, Auchterarder.

This planning application seeks to obtain planning consent for the erection of a new 1.5m boundary wall to the property along the sites frontage (SW) and the erection of a new 2m wall along the sites side boundary (SE). Along both boundaries was a former stone wall which was removed in its entirety by the applicant after insertions in it by the applicant resulted in large sections of the wall crumbling and becoming insecure. The location of the former stone from the original walls is not known.

The planning application is partly in retrospect as the 2m wall along a section of the sites side boundary has been almost completely erected in buff sandstone, whilst the frontage remains open.

With regard to the previous application drawings (12/01759/FLL), this showed along the frontage, a natural stone (grey) wall with a sandstone cope, incorporating a sandstone entrance feature that was previously proposed as part of the original plans. However, in this application the agent is requesting that all walling is buff sandstone - as per the partly erected side wall. Although there are varying types of walls within the area, due to the length of wall, and the fact that the wall along the front was previously natural stone, I consider it more appropriate to seek the use of natural grey stone along the front wall with copings to match. I do appreciate that the buff sandstone will weather, and darken, however after discussing the matter with colleagues I remain unconvinced that the buff sandstone will ultimately weather as much as other blonde sandstone in the area (i.e. Kirktonpark) and as such I consider a grey stone to be more appropriate - as per the original drawings.

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, it is clear that the proposal does not comply with the adopted Strathearn Area Local Plan 2001, in particular Policy 5. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for 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. Due to the minor nature of the proposal there are no policies of national relevance, specifically relevant to this proposal.

DEVELOPMENT PLAN

The Development Plan for the area comprises the approved Tay Plan 2012 and the adopted Strathearn Local Plan 2001. Although there are general policies contained in the Tay Plan, the most relevant policies are contained in the Local Plan. Within the Local Plan the site lies within the landward area of the plan, where Policy 5 (design) seeks to ensure that all new proposals have a high design standard.

OTHER COUNCIL POLICIES

Proposed LDP 2012

Within the proposal LDP, the site lies within the landward area of the Plan where the general development policies are applicable.

SITE HISTORY

90/00178/FUL ERECTION OF HOUSE & GARAGE-IN PRINCIPLE-ADJACENT 2 May 1990 Application Permitted

90/02003/FUL RESERVED MATTERS TO ERECT A HOUSE ADJACENT TO 11 February 1991 Application Permitted

90/02310/FUL MODIFCATION TO CONSENT TO ERECT HOUSE AT BIRCHGROVE 11 March 1991 Application Withdrawn

07/02319/FUL Demolition of existing dwelling house and erection of a new dwelling house 11 January 2008 Application Permitted

08/01215/MOD Modification of existing consent (07/02319/FUL) for change of house type 26 August 2008 Application Permitted

10/00866/FLL Erection of replacement dwelling house 4 August 2010 Application Permitted

12/01759/FLL Replacement of boundary wall 27 November 2012 Application Permitted

07/02319/FUL Demolition of existing dwelling house and erection of a new dwelling house 11 January 2008 Application Permitted

08/01215/MOD Modification of existing consent (07/02319/FUL) for change of house type 26 August 2008 Application Permitted

10/00866/FLL Erection of replacement dwelling house 4 August 2010 Application Permitted

12/01759/FLL Replacement of boundary wall 27 November 2012 Application Permitted

CONSULTATIONS/COMMENTS

Transport Planning	No objections.

TARGET DATE: 21 March 2013

REPRESENTATIONS RECEIVED:

Number Received: 2, 1 of these objections was beyond the statutory time period.

Summary of issues raised by objectors:

- The height of the wall as it exited Presbytery Lane.

Response to issues raised by objectors:

- No response from Transport Planning.

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 planning application was advertised in the local press on the 25 January 2013.

LEGAL AGREEMENTS REQUIRED

None required.

DIRECTION BY SCOTTISH MINISTERS

N/A

Reasons:-

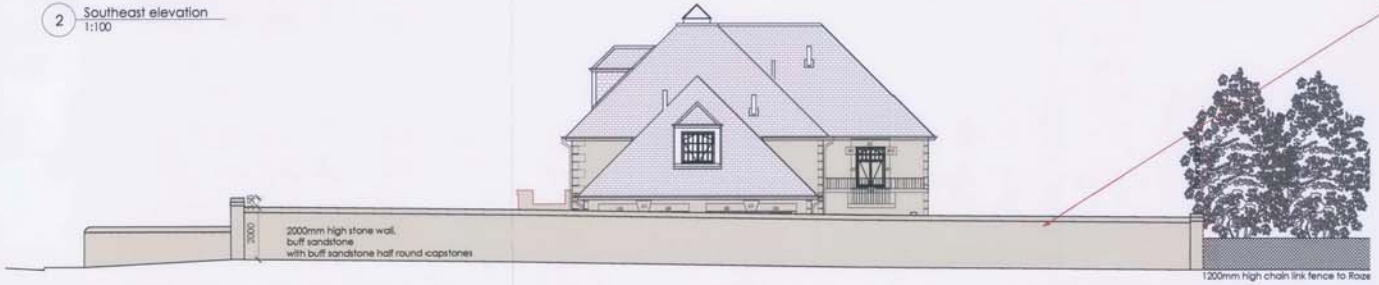
1 The proposal by virtue of its design and materials is contrary to Policy 5 of the Strathearn Area Local Plan 2001 and is detrimental to the townscape of the area.

Justification

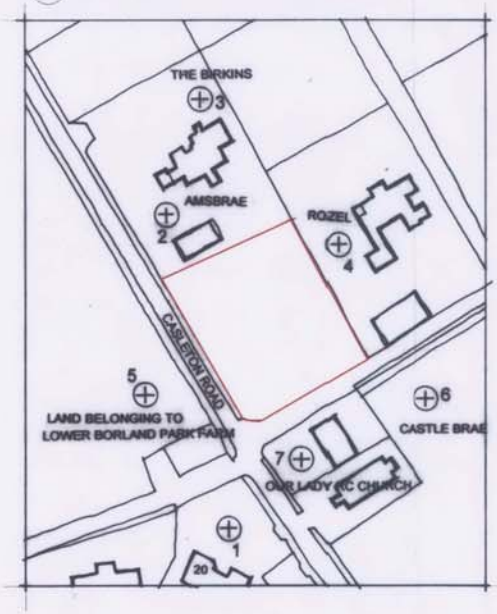
The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

1 Southwest elevation
1:100

2 Southeast elevation
1:100



3 Location plan



4 contextual photographs showing types and locations of surrounding garden boundaries.

PERTH AND KINROSS COUNCIL
DRAWING REF: 13/00096/1

This is a true copy of the drawing referred to in the application for building warrant/planning

signed date

This drawing and the information contained therein is the copyright of Richard Hall Architecture and Design

1:100 0 1 2 3 4 5 metres

Notes

Revision	Date	Description
A	Aug 11	General update
B	Jan 13	Front wall amended and contectual photos added

Revision	Date	Description

Planning drawing

New house at:
Birchgrove, castleton Road
Auchterarder
PH3 1JW

Job Number - R308
Date - Sept 2012
Drawn by - PA
Checked by -

Drawing No. PL04
Boundary Elevations

Sheet size - A1

RICHARD HALL
architecture design

Cordon Mains, Abernethy, Perthshire, PH2 9LN
Architects Office, Seton Mains Garage, Longniddry, EH32 0PG T 01875 812175
E rick@hallarchitects.co.uk
W www.hallarchitects.co.uk

ANNEX J

ANNEX J

Picture 1 painted wall at north end of Castleton Road.

Picture 2 Kirkton Park boundary wall completed 2012 and already maturing in colour

Picture 3 Stonewall at north of Castleton Road, reduced in height and rebuilt to form entrance

Picture 4 Stonewall at mid-point of Castleton Road showing poor condition and heave due to tree roots

Picture 5 showing intermittent stonewall on east side of Castleton Road

Picture 6 showing reconstituted stone entrance to Arnsbrae

Picture 7 showing brick wall boundary opposite Birchgrove

Picture 8 showing formal red and yellow sandstone entrance to Castle Brae

Picture 9 showing new stone boundary wall to Greenways on Orchil Road

Picture 10 showing new sandstone wall to North Boundary of the new Birchgrove House

Picture 11 showing stone samples - weathered yellow sandstone on left and grey sandstone on right, with existing stone wall behind

TCP/11/16(250)
Planning Application 13/00096/FLL – Modification of existing consent (12/01759/FLL) for the replacement of boundary wall at site of former Birchgrove, Castleton Road, Auchterarder

PLANNING DECISION NOTICE *(included in applicant's submission, see page 650)*

REPORT OF HANDLING *(included in applicant's submission, see pages 651-654)*

REFERENCE DOCUMENTS *(included in applicant's submission, see page 655)*

TCP/11/16(250)
Planning Application 13/00096/FLL – Modification of existing consent (12/01759/FLL) for the replacement of boundary wall at site of former Birchgrove, Castleton Road, Auchterarder

REPRESENTATIONS

- Representation from Kenneth Orr, dated 12 February 2013

AMCB

General Comments

Tracy McManamon

From: Kenneth S. Orr [redacted]

Sent: 12 February 2013 12:01

To: Development Management - Generic Email Account

Subject: Planning Application Reference: 13/00096/FLL

This is submitted by:

Kenneth S. Orr
Rozel,
Castleton Road,
Auchterarder, PH3 1JW

This will respond to neighbour notification notice dated January 22, 2013 relating to the above Planning Application.

1. East/West boundary wall on Presbytery Lane.
   The author of the Delegated Report Of Handling, of November 27, 2012 stated he had no objections to approval of the blonde sandstone wall. Since then, work has been completed on the wall with the exception of the copings on the 2 pillars. It seems formal planning permission is not necessary on this site.
   The pillar face at the Eastern end of the wall stops 11cm from the North/South boundary of the former Birchgrove and Rozel. The boundary is a 6 ft. wooden sparred, ranch type fence which is jointly owned. The proximity of this new wall to the existing fence prevents normal maintenance e.g. routine painting, replacement of wooden spars on the first section. A gap of 70cm rather than 11cm is necessary. As constructed, this is not possible.
   Additionally, the wall itself is 2.04 metres at 3 points measured. The 2 pillars are 2.0 metres but without the cope. It does not meet the 2.0 metre specification.
2. New wall on Castleton Road frontage.
   No plan diagram, showing the wall profile between Presbytery Lane and Castleton Road, is shown in any of the planning application documents. Therefore egress by car from Presbytery Lane onto Castleton Road cannot be gauged.
   Drawing R308 dated September 2012(Application 12/01759/FLL) shows a photo of the previous grey stone wall at the exit from Presbytery Lane to Castleton Road. The wall height combined with the curvature of the wall provided visibility that meant reasonably safe exit by car onto Castleton Road. Any reduction in visibility, caused by the increased height of the proposed wall or an adverse change in the curvature of the proposed wall, may result in a more dangerous situation for cars exiting onto Castleton Road. This would be most undesirable.

ENTERED IN COMPUTER
13 FEB 2013