

TCP/11/16(245)

Planning Application 13/00165/IPL – Erection of a dwellinghouse at Plot 4 (in principle), Kirktonlees, Castleton Road, Auchterarder, PH3 1JS

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

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

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

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

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

Yes No
x ☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed
development

Date of application

Date of decision (if any)

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) | <input type="checkbox"/> |
| 2. Application for planning permission in principle | X |
| 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) | <input type="checkbox"/> |
| 4. Application for approval of matters specified in conditions | <input type="checkbox"/> |

Reasons for seeking review

- | | |
|---|--------------------------|
| 1. Refusal of application by appointed officer | X |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/> |
| 3. Conditions imposed on consent by appointed officer | <input type="checkbox"/> |

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 | <input type="checkbox"/> |
| 2. One or more hearing sessions | X |
| 3. Site inspection | X |
| 4. Assessment of review documents only, with no further procedure | <input type="checkbox"/> |

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:

A hearing would help to explain the background to the planning application and why the plot is considered to comply with policy regarding new housing in the countryside. A site visit would allow the LRB to assess the relationship of the plot to the annexe and the proposed extent of its garden ground, which are both issues of contention.

Site inspection

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

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

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

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.

Kirktonlees already benefits from planning permission in principle for two dwellinghouse plots (Plots 2 and 3) and has a resolution to approve for the conversion of the existing residential annexe, which is connected to the existing main house, to a separate dwellinghouse (Plot 1) subject to the payment of planning gain contributions. The planning permissions/application are as follows.

Ref: 12/01890/FLL - Conversion of residential annexe to form a dwellinghouse at Plot 1

Ref: 12/01891/IPL - Erection of a dwellinghouse at Plot 2 (in principle)

Ref: 12/01892/IPL - Erection of a dwellinghouse at Plot 3 (in principle).

Plot 3 has already been approved forward of the steading and so allowing Plot 4, in a similar forward position, would be no different. The Site Plan for Plot 3 is attached to show this approved relationship.

This further application is being submitted in principle for a further new dwellinghouse to replace a barn that is situated slightly forward of the existing building group (Plot 4). The existing barn is used for a mixture of residential and agricultural storage.

Access to this plot will be via the tree-lined driveway that serves Kirktonlees and connects with Castleton Road.

Kirktonlees sits well away from Castleton Road and is difficult to see from here due to the distance and intervening trees, many of which were planted by the applicant. There is no issue of visual amenity impact and a dwelling on Plot 4 will probably be less visible, or of similar visibility, to the one consented on Plot 3.

In terms of the Council's Housing in the Countryside Policy (2009) the existing central grouping of buildings constitutes a building group (Category 1) as it comprises "*three or more buildings of a size at least equivalent to a traditional cottage*". This has been accepted in relation to the determination of the previous planning applications and in the officer's Delegated Report for Plot 4 (see attached).

The Delegated Report also usefully includes photographs that show the relationship of the barn with the existing annexe to Kirktonlees. A site visit would also assist with understanding this relationship as it has been raised as a concern by the case officer.

Contrary to the views of the case officer it is considered that this further dwellinghouse will fall fully within the definable limits of the building group and can be developed in due course without impacting upon either the residential amenity of existing/future residents, or the visual amenity of the group.

It is accepted that Plot 4, and the barn therein, lies to the front of the main steading, but there has been a building on this site for many years, and the barn that currently sits on the site existed when the current applicant bought and renovated what was a former watermill and other agricultural buildings from 1989 onwards and following the grant of planning permission (ref: 89/01305/FUL). This included removing about half of what was a much larger barn that included what remains on the application site, but which

needed to be removed to allow the annexe to be used as habitable space and to create a small garden area in front of this and between it and the remains of the larger barn.

A set of floor plans showing the internal arrangement of rooms in the annexe is included with this local review as this demonstrates that there is no reason why a new dwelling could not be developed on Plot 4 whilst maintaining the residential amenity of what may eventually become a separate dwelling.

It will be noted that the only existing windows in the annexe elevation facing the application site are a morning room (which has a further window facing away from Plot 4) and kitchen at ground floor and roof lights and a single small window serving bedrooms at first floor level. Provided the dwelling proposed on Plot 4 has a blank elevation facing the annexe there would be no chance of overlooking whilst careful siting would prevent any overshadowing or overbearing impacts.

It is appreciated that in drawing the red line for the plot that an area of the adjoining field was included. This was done to give the plot a slightly larger garden and to replicate boundaries to be found on the OS plan. If this garden is considered too large then it can be reduced in size. The applicant would prefer not to do this and would instead suggest that in submitting the details that would be required at matters specified in conditions stage that this includes landscaping around the boundaries of the plot, perhaps to a depth of 5 metres, and for this to include native trees and a mixed indigenous hedgerow.

For the above reasons it is respectfully requested that this review be allowed and planning permission in principle granted.

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

Yes
☐

No
X
But
see
below

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.

A set of floor plans, and a site plan for Plot 3, have been included with the supporting information, but the case officer is aware of these, as they were submitted in relation to previous applications/permissions she has dealt with, and are merely being submitted to illustrate why the application proposal is considered acceptable.

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.

Application Covering Letter
 Planning Application Form
 Location Plan
 Site Plan
 Annotated Site Plan
 Delegated Report
 Decision Notice
 Floor Plans of Kirktonlees
 Site Plan Plot 3

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 agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

Paul Houghton

Date

11th April 2013

PERTH AND KINROSS COUNCIL

Mr and Mrs AW and HE Milne
c/o Houghton Planning
FAO Paul Houghton
102 High Street
Dunblane
FK15 0ER

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 2nd April 2013

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **13/00165/IPL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 4th February 2013 for permission for **Erection of a dwellinghouse at Plot 4 (in principle) Kirktonlees Castleton Road Auchterarder PH3 1JS** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to the Council's approved Housing in the Countryside Policy 2012 and to Policy RD3 of the Proposed Local Development Plan in that the development does not respect the character, layout and building pattern of the existing group and it does not demonstrate that a high standard of residential amenity can be achieved for the existing property and the proposed house.
2. The proposal is contrary to policy 2 (a) of the adopted Strathearn Area Local Plan 2001 in that it does not have an existing landscape framework that would absorb or screen the development.
3. The proposal is contrary to policy Policy 54 of the adopted Strathearn Area Local Plan 2001 Housing in the countryside in that it would detract from the character and amenity of existing housing and extend the group into an area with no definable landscape features or boundaries.

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

13/00165/1

13/00165/2

13/00165/3

REPORT OF HANDLING

DELEGATED REPORT

Ref No	13/00165/IPL
Ward No	N7- Strathallan

PROPOSAL: Erection of a dwellinghouse at Plot 4 (in principle)

LOCATION: Kirktonlees Castleton Road Auchterarder PH3 1JS

APPLICANT: Mr and Mrs AW and HE Milne

RECOMMENDATION: REFUSE THE APPLICATION

SITE INSPECTION: 25 March 2013



OFFICERS REPORT:

Planning consent is sought for the erection of a dwellinghouse at Kirktonlees, Castleton Road, Auchterarder. The application is in principle. Details of siting, design, scale and materials of finish will be the subject of a further application should planning permission in principle be granted.

The application site is part of Kirktonlees farm which comprises around 100 acres. A planning application for a lowland crofting proposal refused by the Council was

dismissed on appeal last year (12/00016/REF). The applicant has been considering other options for the re-development of the farm and in December 2012 received consent for the subdivision of the main steading building from one unit into two (subject to the signing of a section 75 agreement for developer contributions). Two separate planning consents were also granted for the erection of a dwellinghouse (in principle) on two sites close to the main steading building where there are currently modern agricultural buildings.

Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The Development Plan comprises the TayPlan 2012 and the Strathearn Area Local Plan 2001. The new Proposed Local Development Plan (LDP) is a material consideration.

The site lies within the landward area as identified in the Strathearn Area Local Plan 2001 around 1 kilometre north of Auchterarder.

The principal relevant policies of the Development Plan are Policies 2, 3, 5 and 54.

Policy 2, Development Criteria, states that a 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 is also of relevance. Policies 3 and 4, Landscape, require developments to strengthen landscape character and ensure developments are appropriately landscaped. Policy 5, Design, states that the Council will require high standards of design for all development in the Strathearn area and will seek to ensure that new development fits its location. Policy 54, Housing in the Countryside sets out criteria against which to judge proposals for housing in the countryside. This policy has been largely superseded by the Council's Housing in the Countryside Guide 2012 which is approved Council policy for housing in the countryside and forms supplementary planning guidance to the proposed Local Development Plan (2012).

Policies in the proposed LDP Policies are material considerations and include Policy PM1: Placemaking and RD3 Housing in the Countryside (with associated supplementary planning guidance referred to above).

The Council's Housing in the Countryside policy sets out a number of categories against which developments will be judged. The policy seeks to safeguard the character of the countryside; support the viability of communities; meet development needs in appropriate locations; and ensure that high standards of siting and design are achieved. The main thrust of the policy is to harness the potential of redundant traditional rural buildings which contribute to the character and quality of the countryside. The Council will therefore support proposals for the erection, or creation through conversion of single houses and groups of houses in the countryside which fall into at least one of the following categories:

- a) Building Groups.
- b) Infill sites
- c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.
- d) Renovation or replacement of houses
- e) Conversion or replacement of redundant non-domestic buildings.
- f) Development on rural brownfield land.

The previous applications referred to above were considered to accord with the criteria for development within section 1 of the policy; building group. Development, in principle, was considered to be acceptable and considered not to detract from the visual or residential amenity of the group.

In the case of this application the site is to the front of the existing steading building and is currently occupied by a modern agricultural building. The development of a house on this site would therefore be positioned to the front of the existing steading building. I consider that such a development in this location would not sit well with the existing steading and would be detrimental to its visual amenity. The close proximity of a dwelling house on this site would also be of detriment to the residential amenity of the existing steading. There are no well defined boundaries or landscape features that define this site. The proposed extension into agricultural land as proposed is considered to be inappropriate and unacceptable and would further detract from the visual amenity of the existing building group.

I consider that the proposal for a housing plot on this site would not respect the character, layout and building pattern of the group and the proposal does not demonstrate that a high standard of residential amenity can be achieved for the existing property and the proposed house.

The proposal would extend the site into agricultural land where there are currently no defined boundaries or well established landscape features to provide a suitable setting for the proposed development.

I consider that the proposal is contrary to the Council's approved Housing in the Countryside Policy 2012 and to Policy RD3 of the Proposed Local Development Plan.

In terms of the adopted local plan the proposal is contrary to policy 2 (a) in that it does not have an existing landscape framework that would absorb or screen the development. It is also contrary to policy 5 (e) as it does not fit its location. It is contrary to Policy 54 Housing in the countryside in that it would detract from the character and amenity of existing housing and extend the group into an area with no definable landscape features or boundaries.

I consider that the proposal is contrary to the Development Plan and supplementary planning guidance and recommend that the application be refused.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan: 2012-2032 and the Strathearn Area Local Plan 2001. The Proposed Local Development Plan 2012 is a material consideration.

TayPlan 2012

Policy 2 - Shaping better quality places

TayPlan sets out a framework for Local Plans to develop that promotes rural development that helps to support sustainable economic development and supports a better quality of life for people and a better quality of environment.

Policy 3 - Managing TayPlan's Assets

Includes the safeguarding of prime agricultural land.

Strathearn Area Local Plan 2001

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_003 Strathearn Landscape

Development proposals should seek to conserve landscape features and sense of local identity, and strengthen and enhance landscape character. The Council will assess development that is viewed as having a significant landscape impact against the principles of the Tayside Landscape Character Assessment produced by Scottish Natural Heritage

S_004 Strathearn Landscape

Details of landscape treatment should be submitted with development proposals including, where appropriate, boundary treatment, treatment of settlement edge and impact on key views. Developers will be required to demonstrate that satisfactory arrangements will be made, in perpetuity, for the maintenance of areas of landscaping.

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.

Policy 54 Housing in the Countryside

Identifies the categories of housing development which will be permitted in the countryside. This policy has been superseded by the new Housing in the Countryside Policy 2009.

Perth and Kinross Proposed Local Development Plan (PLDP) 2012

Policy PM1: Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment and meet a set of placemaking criteria.

Policy RD3: Housing in the Countryside

The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

- (a) Building Groups
- (b) Infill
- (c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance
- (d) Renovation or replacement of houses
- (e) Conversion or replacement of redundant non-domestic buildings
- (f) Development on rural brownfield land.

This policy does not apply in the Greenbelt and its application is limited within the Lunan Valley Catchment Area to economic need, conversions or replacement buildings.

All proposals must also meet a list of criteria. Further guidance is contained within the Housing in the Countryside Guide.

OTHER POLICIES

Developer Contributions Perth and Kinross Council November 2012

This guidance sets out the basis on which Perth and Kinross Council will seek to secure contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements and A9 junction improvements necessary as a consequence of development.

Housing in the Countryside Guide November 2012

The Council's revised Housing in the Countryside Policy 2012 stipulates the criteria under which new housing may be considered outwith settlement boundaries. Subject to the Housing in the Countryside Policy being approved by Scottish Ministers, it will form statutory supplementary guidance when the new Local Development Plan is adopted.

SITE HISTORY

- 89/00227/FUL ERECTION OF HOUSE & GARAGE IN PRINCIPLE AT 10 April 1989 Application Permitted
- 89/01305/FUL CONVERSION OF FARM STEADING TO 2 HOUSES AT 6 October 1989 Application Permitted

- 91/00878/FUL C/USE OF KIRKTONLEES STEADING TO FARMHOUSE AT 27 June 1991 Application Permitted
- 93/01325/FUL ERECTION OF DWELLINGHOUSE (AMENDMENT) AT 22 October 1993 Application Permitted
- 11/00019/PAN Proposed lowland crofting (6 low density crofts) and associated new woodlands, paddocks and permaculture working environments
- 12/00346/IPM Residential development comprising 6 low density crofts, woodland, paddocks and permaculture working environments 31 May 2012 Application Refused
- 12/01890/FLL Conversion of residential annexe to form a dwellinghouse at Plot 1
- 12/01891/IPL Erection of a dwellinghouse at Plot 2 (in principle) 21 December 2012 Application Permitted
- 12/01892/IPL Erection of a dwellinghouse at Plot 3 (in principle) 21 December 2012 Application Permitted

CONSULTATIONS/COMMENTS

Education And Children's Services	<p>This development falls within the Community School of Auchterarder Primary School catchment area.</p> <p>As this application is only "in principle" it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.</p>
Transport Planning	No objections subject to conditions.
Scottish Water	No objection. No public sewers in the vicinity.
Environmental Health	No objection subject to condition in relation to potential contamination.
National Grid Plant Protection Team	No comment at time of report.

TARGET DATE: 4 April 2013

REPRESENTATIONS RECEIVED:

Number Received: 0

Summary of issues raised by objectors: n/a

Response to issues raised by objectors: n/a

Additional Statements Received:

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

Legal Agreement Required: Not required.

Direction by Scottish Ministers – n/a

Reasons:-

- 1 The proposal is contrary to the Council's approved Housing in the Countryside Policy 2012 and to Policy RD3 of the Proposed Local Development Plan in that the development does not respect the character, layout and building pattern of the existing group and it does not demonstrate that a high standard of residential amenity can be achieved for the existing property and the proposed house.
- 2 The proposal is contrary to policy 2 (a) of the adopted Strathearn Area Local Plan 2001 in that it does not have an existing landscape framework that would absorb or screen the development.
- 3 The proposal is contrary to policy Policy 54 of the adopted Strathearn Area Local Plan 2001 Housing in the countryside in that it would detract from the character and amenity of existing housing and extend the group into an area with no definable landscape features or boundaries.

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

None.

Our Ref:

Your ref: MIL12002

28th January 2012

Perth and Kinross Council
Planning Department
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Email:
paul@houghtonplanning.co.uk

Dear Sir/Madam,

KIRKTONLEES, CASTLETON ROAD, AUCHTERARDER, PH3 1JS

Houghton Planning is instructed by AW & HE Milne of Kirktonlees, Castleton Road, Auchterarder, to submit an application for planning permission in principle (Plot 4) for a single dwellinghouse at the above site.

The application is accompanied by the following:

- Covering Letter;
- Planning Application Form;
- Relevant Certificate;
- Location Plan;
- Site Plan;
- Annotated Site Plan; and
- Planning Fee, this will be sent under separate cover.

Kirktonlees already benefits from planning permission in principle for two dwellinghouse plots (Plots 2 and 3) and has a resolution to approve the conversion of the existing residential annexe, which is connected to the existing main house, to a separate dwellinghouse (Plot 1) subject to the payment of planning gain contributions. The planning permissions/application are as follows.

- Ref: 12/01890/FLL - Conversion of residential annexe to form a dwellinghouse at Plot 1
- Ref: 12/01891/IPL - Erection of a dwellinghouse at Plot 2 (in principle) 12/01892/IPL
- Ref: 12/01892/IPL - Erection of a dwellinghouse at Plot 3 (in principle)

This further application is being submitted in principle for a further new dwellinghouse to replace a barn that is situated slightly forward of the existing building group. The existing barn is used for a mixture of residential and agricultural storage.

Trading Address:
102 High Street
Dunblane
Stirling
FK15 0ER

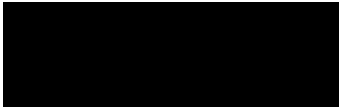
Access to this plot will be via the tree-lined driveway that serves Kirktonlees and connects with Castleton Road.

In terms of the Council's Housing in the Countryside Policy (2009) the existing central grouping of buildings constitutes a building group (Category 1) as it comprises "*three or more buildings of a size at least equivalent to a traditional cottage*". This has been accepted in relation to the determination of the previous planning applications.

It is considered that this further dwellinghouse will fall fully within the definable limits of the building group and can be developed in due course without impacting upon either the residential amenity of existing/future residents or the visual amenity of the group.

I look forward to the application being validated, but if you require any further information in the meantime please contact me at paul@houghtonplanning.co.uk or call me on 07780 117708.

Yours faithfully



Paul Houghton
Director



Pullar House 35 Kinnoull Street Perth PH1 5GD

Tel: 01738 475300

Fax: 01738 475310

Email: onlineapps@pkc.gov.uk

Planning Department

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

Thank you for completing this application form:

ONLINE REFERENCE 000055054-001

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

Type of Application

What is this application for? Please select one of the following: *

We strongly recommend that you refer to the help text before you complete this section.

- ☐ Application for Planning Permission (including changes of use and surface mineral working)
- ☒ Application for Planning Permission in Principle
- ☐ Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

New Dwelling

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Have the works already been started or completed? *

☒ No ☐ Yes - Started ☐ Yes - Completed

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Houghton Planning
Ref. Number:	
First Name: *	Paul
Last Name: *	Houghton
Telephone Number: *	07780117708
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address: *	paul@houghtonplanning.co.uk

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

Building Name:	
Building Number:	102
Address 1 (Street): *	High Street
Address 2:	
Town/City: *	Dunblane
Country: *	UK
Postcode: *	FK15 0ER

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	Other
Other Title: *	Mr and Mrs
First Name: *	AW and HE
Last Name: *	Milne
Company/Organisation:	
Telephone Number:	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address:	

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

Building Name:	Kirktonlees
Building Number:	
Address 1 (Street): *	Castleton Road
Address 2:	
Town/City: *	Auchterarder
Country: *	Scotland
Postcode: *	PH3 1JS

Site Address Details

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

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

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

Kirktonlees, Castleton Road, Aychterarder, PH3 1JS

Northing

Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

0.07

Please state the measurement type used:

☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: (Max 500 characters)

Barn used for ancillary domestic and occasional agricultural storage.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? *

☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- ☒ Yes – connecting to public drainage network
- ☐ No – proposing to make private drainage arrangements
- ☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) *

☒ Yes ☐ No

Note: -

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- ☒ Yes
- ☐ No, using a private water supply
- ☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2008) *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

Certificate and Notice under Regulation 15 8 – Town and Country Planning (General Development Management Procedure) (Scotland) Order 1992 (GDPO 1992) Regulations 2008

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land ? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

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

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

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

Signed: Paul Houghton

On behalf of: Mr and Mrs AW and HE Milne

Date: 28/01/2013

☒ Please tick here to certify this Certificate. *

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments, have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

c) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

d) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2008) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☐ Elevations.

☐ Floor plans.

☐ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan. *

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare - For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are provided as a part of this application .

Declaration Name: Paul Houghton

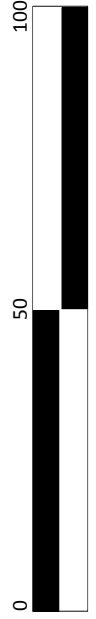
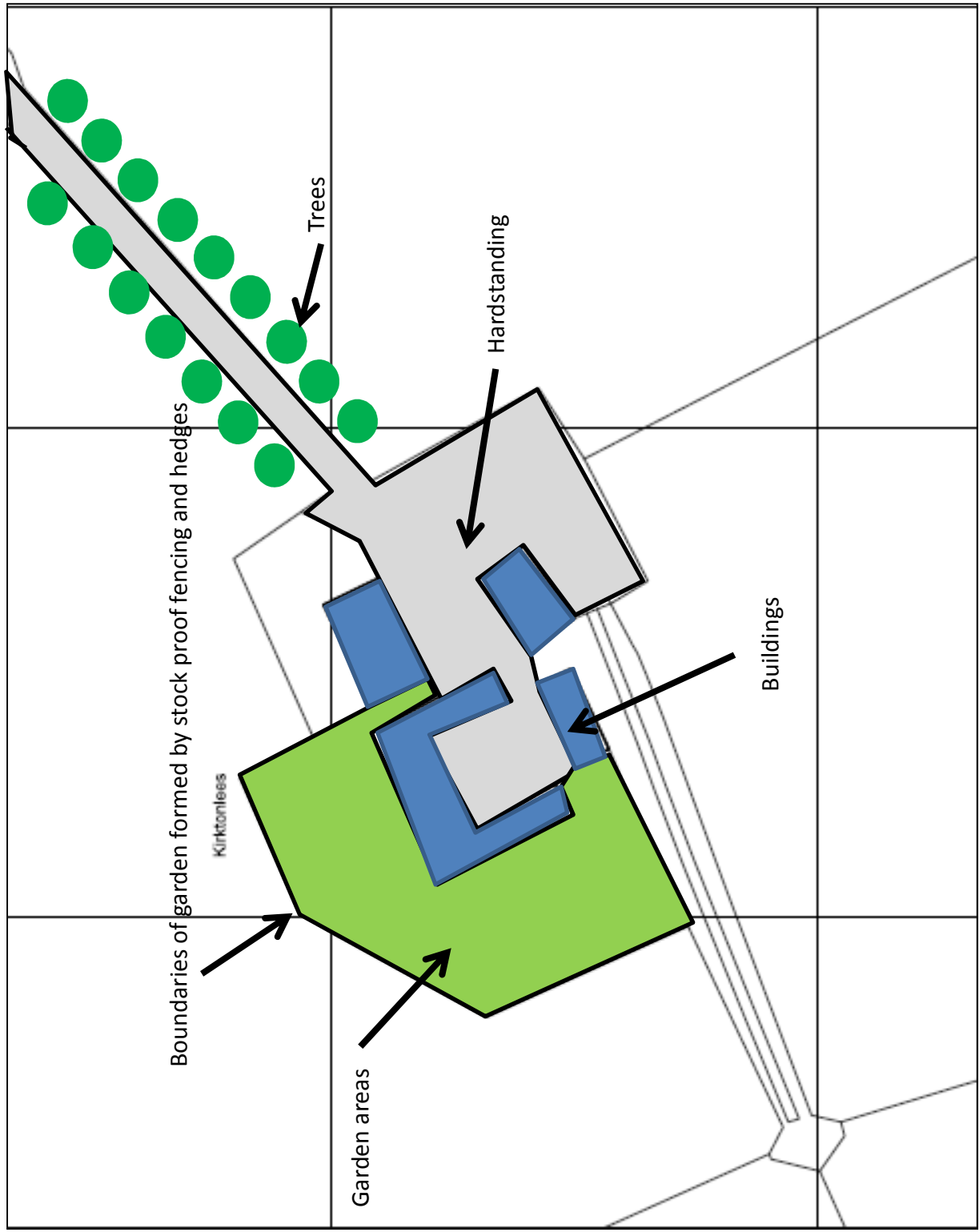
Declaration Date: 28/01/2013

Submission Date: 28/01/2013

Payment Details

Cheque: ., .

Created: 28/01/2013 12:17





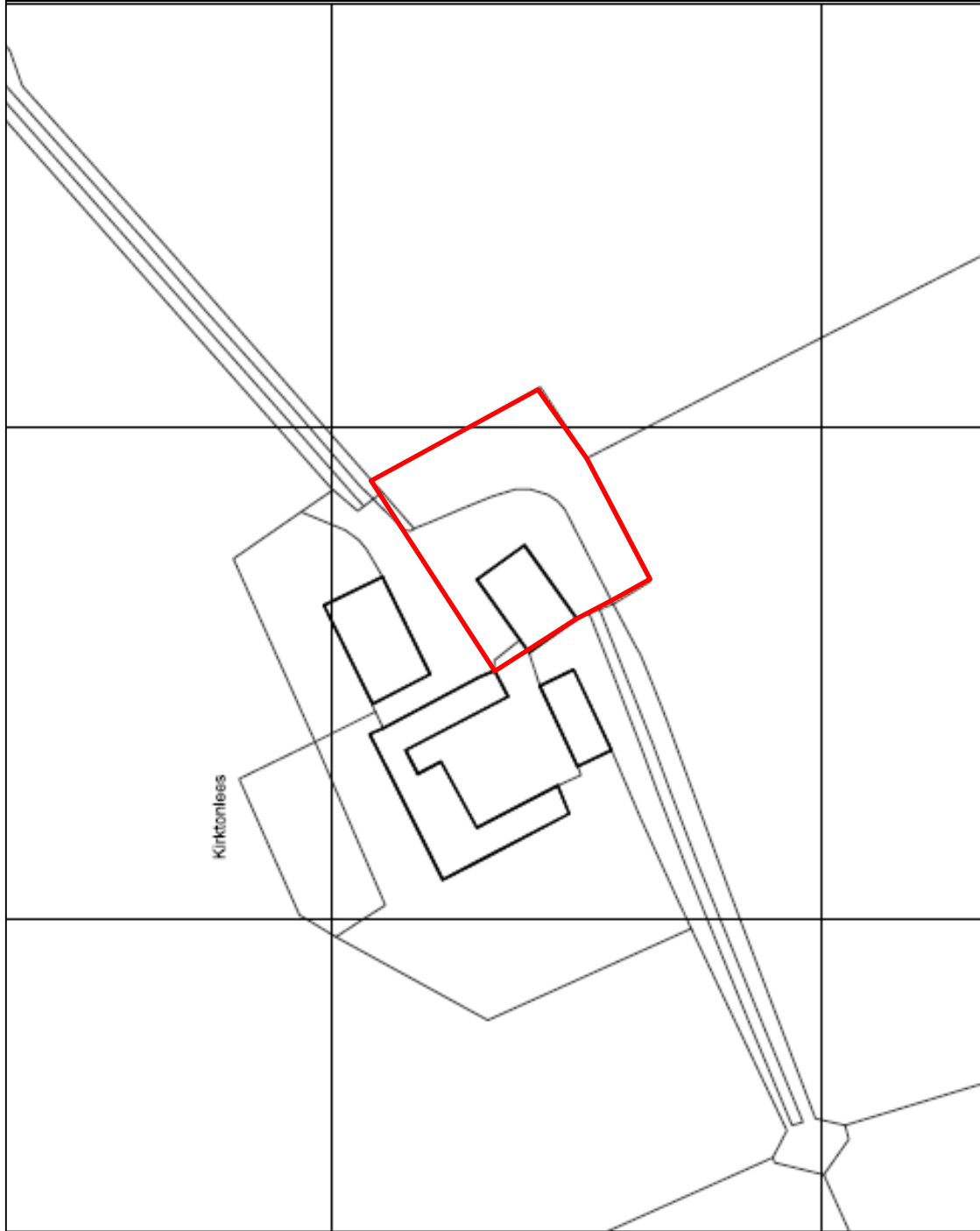
Drawing: **Site Plan Plot 3**

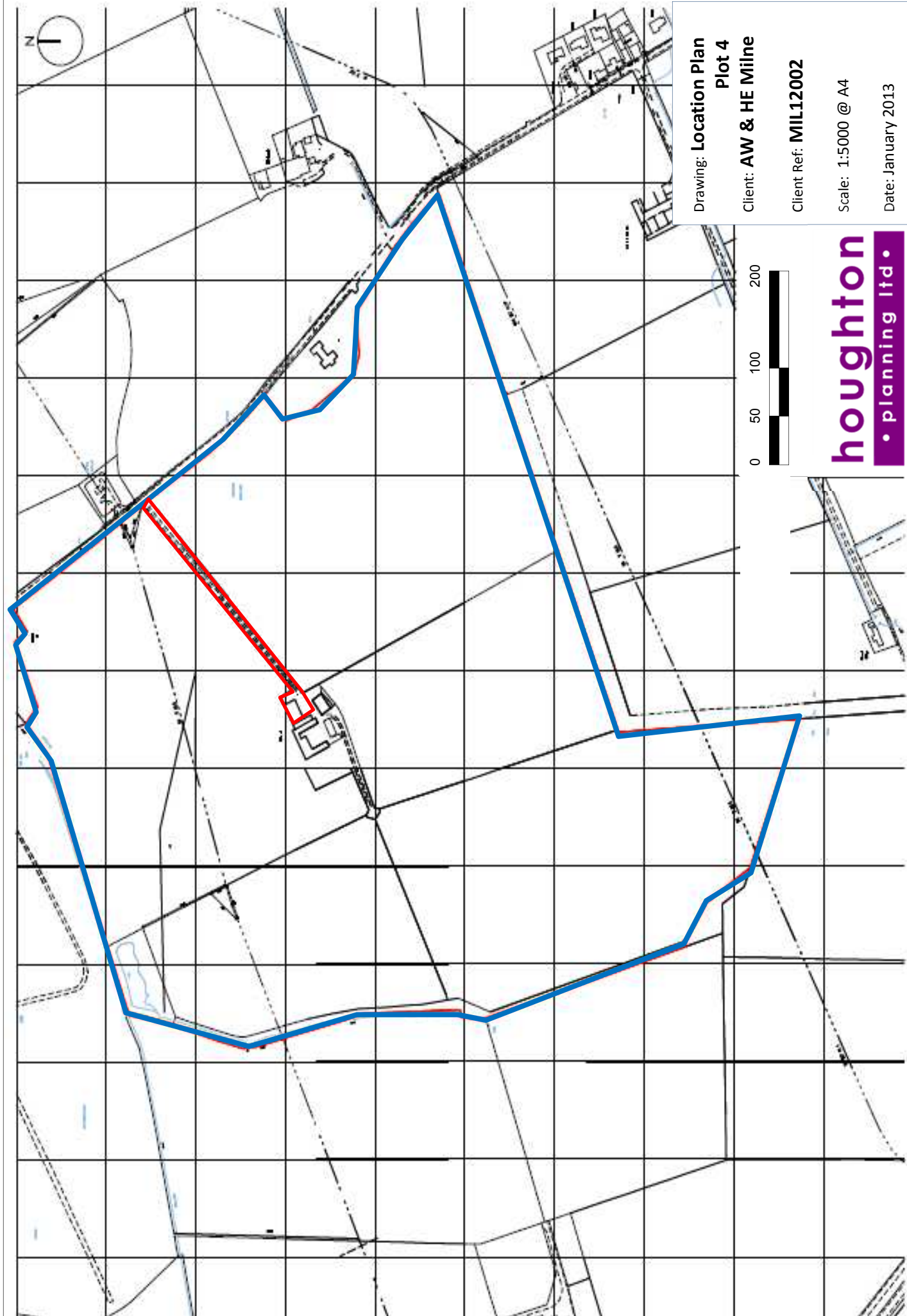
Client: **AW & HE Milne**

Client Ref: **MIL12002**

Scale: 1:1250 @ A4

Date: October 2012





Drawing: **Location Plan**
Plot 4

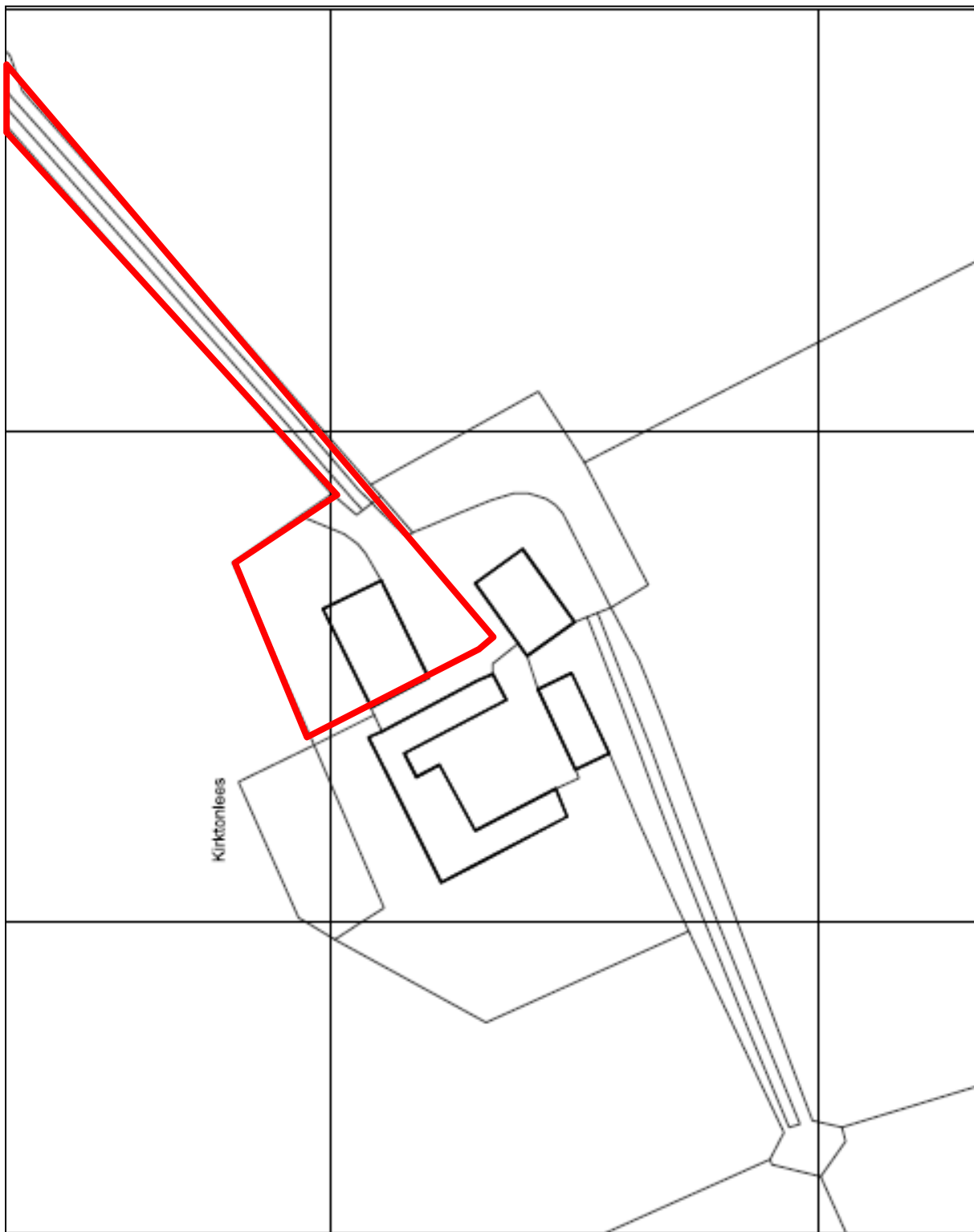
Client: **AW & HE Milne**

Client Ref: **MIL12002**

Scale: **1:5000 @ A4**

Date: **January 2013**

houghton
• planning ltd •



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• planning ltd •

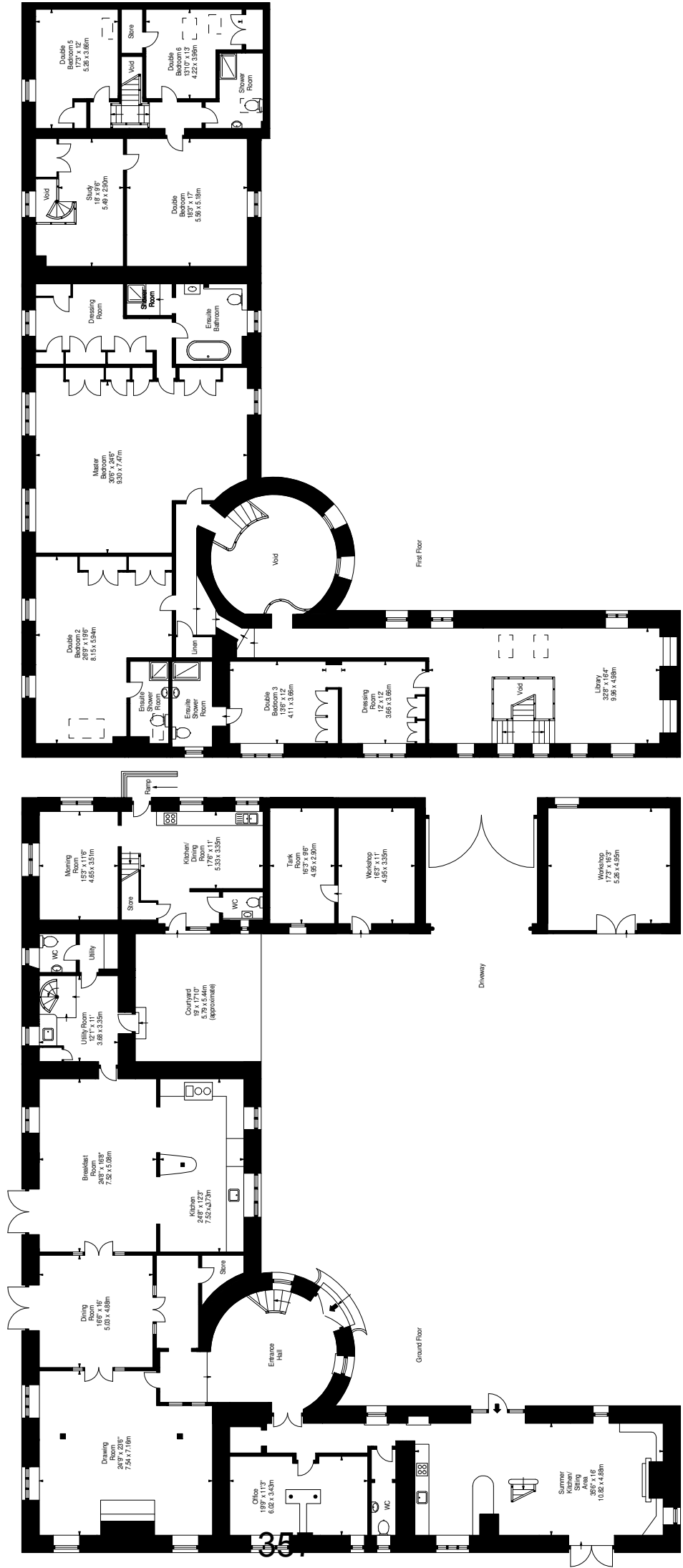
Drawing: **Site Plan Plot 4**

Client: **AW & HE Milne**

Client Ref: **MIL12002**

Scale: **1:1250 @ A4**

Date: **January 2013**



TCP/11/16(245)

Planning Application 13/00165/IPL – Erection of a dwellinghouse at Plot 4 (in principle), Kirktonlees, Castleton Road, Auchterarder, PH3 1JS

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 333-334)*

REPORT OF HANDLING *(included in applicant's submission, see pages 335-341)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 353-355)*

TCP/11/16(245)

Planning Application 13/00165/IPL – Erection of a dwellinghouse at Plot 4 (in principle), Kirktonlees, Castleton Road, Auchterarder, PH3 1JS

REPRESENTATIONS

- Representation from Environmental Health Manager, dated 12 February 2013
- Representation from Transport Planning, dated 1 March 2013

Memorandum

To	Head of Development Control	From	Environmental Health Manager
Your ref	PK13/00165/FLL	Our ref	LJ
Date	12 February 2013	Tel No	(47)5248

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

PK13/00165/FLL RE: Erection of a dwellinghouse at Plot 4 (in principle) Kirktonlees Castleton Road Auchterarder PH3 1JS for Mr and Mrs AW and H E Milne

I refer to your letter dated 8 February 2013 in connection with the above application and have the following comments to make.

Recommendation

I have no objection in principle to the application but recommend the undernoted condition be included on any given consent.

Contaminated Land (assessment date – 12/02/2013)

The proposed development is adjacent to an area of land known to have been infilled. The size and depth of the infilled area is unknown, as is the nature of the material used as backfill. There is therefore the potential for localised ground gas production that could possibly impact on any residential properties being built close by. There is also the possibility of contaminants being present in the fill therefore a full ground risk assessment should be carried out prior to building commencing.

There is also a potential risk of contamination on sites such as this, where there is a proposed change of use from agricultural to residential.

Under the contaminated land research programme administered by the Department of the Environment, Food and Rural Affairs, Science Reports 2, 3, and 7 set out the framework for deriving Soil Guideline Values or SGV's for proposed changes in land use and sets targets based on the sensitivity of receptors and the land use function. Originally these soil guideline values were restricted to what was considered to be "priority pollutants" but the research programme has now been extended to include other contaminants and respective toxicological data. These soil guideline values are based on risk evaluation in specific circumstances which are a standard function of land use i.e. residential with plant uptake, residential without plant uptake and commercial and industrial.

The most sensitive land use recognised by the soil guideline values is "residential with gardens", where there is likely to be a greater contact between those at risk, in this case the residents and any contaminants contained within the soil. SGV's for this land use type are therefore at their most conservative and the potential for contaminants to be present and cause a constraint to development are greater.

Potentially there are a range of contaminants that could be present in agricultural land. This is particularly true of areas used as farmyards which may have contained a variety of buildings that have been put to a number of uses. Aside from the likely presence of made ground any number of chemicals could have been used and potentially leaked or been spilled. The risks associated with this remain difficult to quantify until there has been some form of sampling and chemical analysis of the soils contained within the development area. This will help determine the suitability of the site for the proposed development and whether any measures are needed to mitigate against any risks that have been identified.

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

Condition

- Development should not begin until a scheme to deal with the contamination on the site has been submitted to and approved in writing by the planning authority. The scheme shall contain proposals to deal with the contamination to include:
 - I. the nature, extent and type(s) of contamination on the site
 - II. measures to treat/remove contamination to ensure the site is fit for the use proposed
 - III. measures to deal with contamination during construction works
 - IV. condition of the site on completion of decontamination measures

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





MEMORANDUM

To	Persephone Beer Planning Officer	From	Niall Moran Transport Planning Technician Transport Planning
Our ref:	NM	Tel No.	Ext 76512
Your ref:	13/00165/IPL	Date	1 March 2013

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

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

With reference to the application 13/00165/IPL for planning consent for:- **Erection of a dwellinghouse at Plot 4 (in principle) Kirktonlees Castleton Road Auchterarder PH3 1JS for Mr and Mrs AW and HE Milne**

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

- Prior to the occupation or use of the approved development turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
- Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.

I trust these comments are of assistance.

