

**TCP/11/16(576) – 18/01227/IPL – Erection of a dwellinghouse (in principle) on land 40 metres east of Yetts O Hyuax, Glendevon**

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**TCP/11/16(576) – 18/01227/IPL – Erection of a  
dwellinghouse (in principle) on land 40 metres east of  
Yetts O Hyuax, Glendevon**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

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

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

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

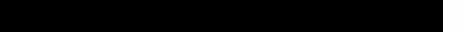
**IMPORTANT: Please read and follow the guidance notes provided when completing this form.**  
**Failure to supply all the relevant information could invalidate your notice of review.**

Use BLOCK CAPITALS if completing in manuscript

## Applicant(s)

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Address 

Postcode 

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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

18/01227/IPL

Site address

TORMAUKIN GRAZING, GLENDEWON, BY DOLLAR FK14 7JY

Description of proposed  
development

ERECTION OF A DWELLINGHOUSE (IN PRINCIPLE)  
LAND 40M EAST OF YETTS O HYUAX

Date of application

12 JULY 2018

Date of decision (if any)

29 AUGUST 2018

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

**Nature of application**

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

**Reasons for seeking review**

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

**Review procedure**

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

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

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

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

**Site inspection**

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

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

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

**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 STATEMENT ATTACHED

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

Yes

☐

No

☒

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

**List of documents and evidence**

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

DOC 1. DECISION NOTICE 29 AUG 2018  
 DOC 2. REPORT OF HANDLING DELEGATED REPORT  
 FIG 1. GLENDEVON VILLAGE - HOUSING PATTERN FIG 2. SITE LOCATION  
 PHOTOS 1-14  
 MAP 1 FIRST O.S. MAP EXTRACT  
 MAP 2 SECOND O.S. MAP EXTRACT  
 DOC 3 E MAIL LETTER FROM FAIRHURST ENGINEERS ON POSSIBLE CONTAMINATION  
 (27.11.18)

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

**Checklist**

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

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

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

**Declaration**

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

Signed



Date

27 NOV 2018



## Statement

### Notice of Review

Erection of a dwellinghouse (in principle) on Land 40 Metres East of Yetts O Hyuax, Glendevon for Mr F Worrell.

Application Ref: 18/01227/IPL

### Introduction

This Notice of Review is submitted following the refusal of planning permission 18/01227/IPL under delegated powers on the 29<sup>th</sup> of August 2018 (Doc 1) based upon the recommendation in the Report of Handling (Doc 2) The 2 reasons for refusal are outlined below relating to housing in the countryside policy guidance and impact on local character and amenity.

- 1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Supplementary Guide as the proposal fails to satisfactorily comply with category (1) Building Groups in that the proposal would detract from the visual amenity of the group and that the site by virtue of its topography would not provide a suitable setting. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or replacement of redundant non-domestic buildings, (6) Rural Brownfield Land.*
- 2. The proposal is contrary to Policy PM1A Placemaking of the Perth and Kinross Local Development Plan 2014 as it is considered that the development of the site would not respect the character and amenity of the place.*

The following statement will conclude that the principle of the Review proposal for a single dwellinghouse at Glendevon is acceptable. The Review site can be viewed by the public from the west and the east along the A823 and also from the south from the Core Path to Dollar. From these viewpoints it is emphasised that:-

- The Review proposal is in accordance with the Council's and the adopted local plan's Housing in the Countryside Guidance being within an existing building group in the small settlement of Glendevon
- The principle of the Review proposal at this location will not have an adverse impact on the local character and amenity of the small settlement of Glendevon being similar in character to existing built development in accordance with local plan Policy PM1A.
- The Review proposal has a suitable setting and will satisfy the siting criteria of the Housing in the Countryside Policy Guidance and will not have any

adverse impact on the existing landscape character of the area or appearance of the wider countryside in accordance with PM1A.

### Background to the proposal

The Review site sits within the small settlement of Glendevon, formerly Downhill, where historic maps indicate built development extending beyond the site to the west on the north side of the road to the Old Mill (Maps 1 & 2). The applicant has owned Tormaukin Grazing since 1995 which comprises a 350 acre farmholding and he also tenants an adjacent farmholding of 150 acres all for upland livestock husbandry of sheep and suckler cows (Landholding Number 655/0012). The Review site is part of the farmholding and within land parcel 7. It is not prime agricultural land and is classified as 6.1 rough grazing under the McAulay Land Capability for Agriculture system. The applicant has stated that in the past he had made enquiries about the potential of the site for housing which had been received favourably by Perth and Kinross Council. This view along with the need to supplement farm income and help fund a new farmhouse to support livestock welfare at Tormaukin are the main reasons for the current application.

### Reasons for Refusal and Grounds of the Review

The reasons for the Review and matters to be taken into account in the determination of the review refer to the reasons for refusal which relate to housing in the countryside policy guidance and impact on local character and amenity. The reasons for refusal are re-stated below followed by the appellant's statement and argument against these reasons in support of the Review.

1. *The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Supplementary Guide as the proposal fails to satisfactorily comply with category (1) Building Groups in that the proposal would detract from the visual amenity of the group and that the site by virtue of its topography would not provide a suitable setting. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or replacement of redundant non-domestic buildings, (6) Rural Brownfield Land.*

The Review site is within the small settlement of Glendevon, which is an undesignated settlement in the adopted Perth and Kinross Local Development Plan 2014, and is within the 30 mph speed limits for the village. The Review site is adjacent to residential properties along the A823 which form a definitive building group. This is illustrated by Fig 1 and Photos 5-8 and 14, which shows the Review site sitting comfortably within this setting within the building group.

Although the Review site is within a small settlement it is within the local plan designated countryside and it falls to be assessed under the Council's Housing in the Countryside policies and guidance. It is considered that the Review proposal is within the small settlement of Glendevon and is in accordance with the Council's Housing in the Countryside Policy Guidance where favourable consideration will be given to proposals for new housing development within a building group, i.e the building group forming the small settlement of Glendevon and within the 30mph speed limit restriction for the village. The guide states:-

*Consent will be granted for houses within building groups provided they do not detract from both the residential and visual amenity of the group. Consent will also be granted for houses which extend the group into definable sites formed by existing topography and or well- established landscape features which will provide a suitable setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed house(s).*

It is considered that the undesignated settlement of Glendevon is a building grouping as defined by the guidance and that the proposed siting of a dwellinghouse at this location will not detract from the residential and visual amenity of the group and will sit comfortably within the morphology and pattern of the existing settlement at Glendevon, demonstrated clearly by Photos 7 and 8. It is considered therefore that the principle of residential use at this site is in accordance with current planning policy. Housing development along Glendevon on the north side of the River Devon on either side of the road is characterised by houses being built close to the road and being 'dug into the slope' making the best use of the topography to provide a suitable setting. It is considered that the Review proposal will be similar in character to this, providing a setting which is a familiar one within Glendevon and nearby along the A823. Photos 9-13 illustrates existing housing development built into the slope using the existing topography.

2. *The proposal is contrary to Policy PM1A Placemaking of the Perth and Kinross Local Development Plan 2014 as it is considered that the development of the site would not respect the character and amenity of the place.*

The Review application is in principle and the detailed design of the dwellinghouse will be determined at the detailed stage. The application site is a sloping site and as previously stated a well-engineered design and layout solution will be required to make best use of the ground. The access will be to the north western edge of the site. There will be no loss of any significantly mature trees as a result of the proposed development. The application site is also of a sufficient size to comfortably accommodate a dwellinghouse without impacting on the amenity of neighbouring properties with regard to privacy, overlooking or overshadowing.

In the Report of Handling it was considered that the Review proposal will be 'visually prominent' and would have a 'significant impact on the area'. The Review proposal is in principle and as indicated in the planning application, a suitable layout and house design at this location using the rising topography as a backdrop and screen will not have a significantly adverse impact on the visual amenity or character of Glendevon or on the surrounding area which is characterised by similar design solutions along the A823.

The Review site has long established boundaries on all sides consisting of drystone dyking on 3 sides and a march fence on the other. To the east the site is bounded by the stables and bothy of the Mews and there are mature trees immediately to the north west and to the south east of the Review site which provide a suitable landscape framework for the proposal. The mature trees on the opposite side of the road also provide screening of the site from the south, south east and the south west. This is illustrated in Photos 1-4. As you view the Review site from the south on the Core Path it will not be visually prominent and a dwellinghouse on the site will blend in with the existing housing development along the A823 as illustrated by Photo 14.

For the above reasons, it is not accepted therefore that a dwellinghouse on the Review site will be visually prominent as you move along the A823 from the west and the east or from the south from the Core Path or from the wider countryside in general. The Review proposal will not have a detrimental impact on the visual amenity of the village of Glendevon or on the surrounding countryside beyond.

The siting criteria in the Housing and Countryside Guide provides a framework which illustrates how residential development can fit appropriately within its landscape setting and therefore satisfy policy criteria for the adopted Perth and Kinross Local Development Plan policies PM1A.

Although the Review proposal is not situated in the open countryside it satisfies the main siting criteria of the Housing in the Countryside Guide and therefore provides a suitable setting for a dwellinghouse, i.e:-

*a) it blends sympathetically with land form; b) it uses existing trees, buildings, slopes or other natural features to provide a backdrop; c) it uses an identifiable site, (except in the case of proposals for new country estates) with long established boundaries which must separate the site naturally from the surrounding ground (eg a dry stone dyke, a hedge at minimum height of one metre, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site). The subdivision of a field or other land artificially, for example by post and wire fence or newly planted hedge or tree belt in order to create the site, will not be acceptable; d) it does not have a detrimental impact on the surrounding landscape.*

*Alternatively, a new house site will not be acceptable if when viewed from surrounding vantage points;*

*a) it occupies a prominent, skyline, top of slope/ridge location;*

*b) the site lacks existing mature boundaries (for example, dry stone dyke, a hedge at minimum height of one metre, woodland or a group of trees or a slope forming an immediate backdrop to the site) and*

*c) is unable to provide a suitable degree of enclosure for a new house in the countryside.*

It is considered that the principle of housing development on the Review site is in accordance with the above siting criteria of the Housing in the Countryside Guidance as explained above and therefore satisfies Policy PM1A of the adopted local plan.

### Conclusions

There were no objections from the main consultees and no public objections to the Review proposal.

Environmental Health recommended a condition to mitigate possible contamination from the former quarry and sheepfold near the site. Since the application was determined the applicant has engaged a consultant who has confirmed that the quarry which was extracted for road building has not been infilled, the profiles having remained the same since the completion of extraction. Also, it has been confirmed that sheep dipping did not take place near the site at the sheepfold to the north as suggested, but was carried out at Easter Downhill Farm. It is confirmed then that there is no source of contamination present on site or off the site nearby which would require a contaminated land condition. (see Doc 3 - e mail letter from Fairhurst Engineers)

For the reasons outlined above it is considered that the Review proposal for a single dwellinghouse within Glendevon would not be contrary to the Council's Housing in the Countryside Guide 2014 as it is within the small settlement and building group of Glendevon.

The Review site has long established boundaries on all sides and it is also framed by trees and topography providing suitable site definition and containment, similar to existing properties in Glendevon. The Review site therefore fits in with the existing pattern of settlement along the A823 which is characterised by single dwellinghouses situated close to the roadside and often dug in to the sloping ground, some of which are in elevated positions. It is considered that a suitably well engineered solution at the Review site would be similar to this pattern of development and therefore not disrespectful to the existing character and amenity of the area.

In satisfying the siting criteria of the Housing in the Countryside Policy Guidance the Review proposal also satisfies Policies PM1A of the Perth and Kinross Local Development Plan 2014, providing a suitable setting which will not be detrimental to the character of the local landscape or the quality of the built and natural environment.

It is requested that the Notice of Review be upheld in accordance with Section 25 the Town and Country Planning (Scotland) Act 1997.

- The Review proposal satisfies the Housing in the Countryside Guidance situated within the building grouping of Glendevon village and within the 30mph speed limit restriction.
- The Review proposal would respect the existing character and amenity of the place as it satisfies the Siting Criteria of the Housing in the Countryside Guidance providing a suitable setting for a single dwellinghouse which would be similar to the existing siting and pattern of housing development within the village of Glendevon, in accordance with Policy PM1A of the adopted local plan.

## PERTH AND KINROSS COUNCIL

Mr Fenwick Worrell  
c/o Mark Williamson  
34 Hermitage Drive  
Perth  
PH1 2SY

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 29th August 2018

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/01227/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 12th July 2018 for permission for **Erection of a dwellinghouse (in principle) Land 40 Metres East Of Yetts O Huaxu Glendevon** for the reasons undernoted.

Interim Development Quality Manager

### Reasons for Refusal

1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Supplementary Guide as the proposal fails to satisfactorily comply with category (1) Building Groups in that the proposal would detract from the visual amenity of the group and that the site by virtue of its topography would not provide a suitable setting. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or replacement of redundant non-domestic buildings, (6) Rural Brownfield Land.
2. The proposal is contrary to Policy PM1A Placemaking of the Perth and Kinross Local Development Plan 2014 as it is considered that the development of the site would not respect the character and amenity of the place.

## **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](http://www.pkc.gov.uk) "Online Planning Applications" page

### **Plan Reference**

**18/01227/1**

**18/01227/2**

**18/01227/3**

**18/01227/4**

**18/01227/5**



## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	18/01227/IPL	
Ward No	P7- Strathallan	
Due Determination Date	11.09.2018	
Case Officer	Joanne Ferguson	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Erection of a dwellinghouse (in principle)

**LOCATION:** Land 40 Metres East Of Yetts O Huaxu  
Glendevon

**SUMMARY:**

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

**DATE OF SITE VISIT:** 14 August 2018

**SITE PHOTOGRAPHS**





## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

The application is for erection of a dwellinghouse in principle at a site East Of Yetts O Huaxu within the grouping of buildings known as Glendevon. The site is bound by the A823 to the southwest with a low stone wall and verge providing the boundary. To the northeast the topography rises steeply and to the northwest there is a stone boundary wall to contain the site. To the southeast is an existing building (this doesn't appear to be occupied).

The application is in principle and no details have been submitted of the dwelling type proposed.

## **SITE HISTORY**

No recent site history

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: N/A

## **NATIONAL POLICY AND GUIDANCE**

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

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

**TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017**

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*

## **Perth and Kinross Local Development Plan 2014 – Adopted February 2014**

The Local Development Plan is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

### **Policy PM1A - Placemaking**

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

### **Policy PM1B - Placemaking**

All proposals should meet all eight of the placemaking criteria.

### **Policy PM3 - Infrastructure Contributions**

Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

### **Policy RD3 - Housing in the Countryside**

The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

### **Policy TA1B - Transport Standards and Accessibility Requirements**

Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

## **OTHER POLICIES**

No other policies

## **CONSULTATION RESPONSES**

Transport Planning

No objection, comments made on access

Scottish Water	No objection
Development Negotiations Officer	Condition required
Environmental Health (Contaminated Land)	No objection, condition required

## REPRESENTATIONS

The following points were raised in the 1 representation(s) received:

- Concerns over access point

This issue is addressed in the appraisal section.

## ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

## APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

### Policy Appraisal

The site is not located within a settlement boundary and therefore the principle of developing the site falls to be considered under Policy RD3 Housing in the Countryside and the associated Supplementary Guide. Policy RD3 states that development of single houses or groups of houses which fall within the six identified categories will be supported.

- (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 application site lies to the north of the A823 which runs through the small grouping of buildings at Glendevon. The settlement pattern is that of dwelling plots located close to the road due to the surrounding topography which rises up to the north from the road or falls away to the south of the road.

Category (a) of the Housing in the Countryside Supplementary Guide relates to development within building groups. The policy states that consent will be granted for houses which extend the group into definable sites formed by existing topography and or well established landscape features which provide a suitable setting.

The site is defined by low stone walls but the site rises away from the road and is visually prominent. The visual impact of the site this is further compounded by the bend in the road which makes the site read separately from the existing buildings to the east. There is also a substantial gap between the plot and the other dwelling, on the same side of the road, located to the northwest. The site also doesn't relate to the dwellings on the south side of the road which sit lower and read separately.

The application is in principle and no indicative plans have been submitted. I consider that due to elevated nature of the site and the rising topography any dwelling would have a significant impact on the area. I also consider that the site reads separately from the existing buildings in this locality and development of the site would not respect the character, layout and building pattern of the group.

### **Design and Layout**

No details have been provided and due to the steeply sloping nature of the site and the anticipated engineering works the development of the site would need to be carefully considered should the principle have been accepted.

### **Landscape/Visual Amenity**

The site is located adjacent to the road and due to the proximity of the bend in the road side boundary would need to be cleared of vegetation to maintain visibility for an access. The site is already sloping and elevated and the opportunities to provide screening to mitigate any visual impact would not be achievable.

## **Residential Amenity**

The site is detached from the adjacent dwellings and the development of the site would not impact existing residential amenity.

## **Contaminated Land**

Historical mapping indicates that there was formerly a sheep dip just to the north of the proposed development site and a quarry to the east. Both these former land uses have the potential to impact upon the suitability of the site for the proposed use. There is no information regarding the nature or volume of material which was used to infill the quarry, there is therefore the potential for it to contain contaminated materials which may have impacted the proposed development site. In addition, dependent on its nature, there is also the potential for the infill to cause a ground gas issue at the site.

Environment Health have no objection but recommend a contaminated land condition should the application be approved.

## **Roads and Access**

The Transport Planning Officer attended a site visit with the applicant's agent to assess possible access positions for this proposal. The site does slope sharply upwards from the A823 and there is a bend in close proximity. The proposed site is within the 30mph zone and there would be the opportunity to create an adequate access in the far west of the site, although the exact details would need to be discussed more fully. Transport Planning do not object to the proposal.

## **Drainage and Flooding**

No drainage or flooding implications.

## **Conservation Considerations**

No conservation considerations.

## **Developer Contributions**

### **Primary Education**

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

This proposal is within the catchment of Community School of Auchterarder Primary School. A condition would be required should permission be granted.

## **Economic Impact**

The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

## **Conclusion**

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered not to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2014. 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.

## **APPLICATION PROCESSING TIME**

The recommendation for this application has been made within the statutory determination period.

## **LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **RECOMMENDATION**

### **Refuse the application**

### **Reasons for Recommendation**

- 1 The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Supplementary Guide as the proposal fails to satisfactorily comply with category (1) Building Groups in that the proposal would detract from the visual amenity of the group and that the site by virtue of its topography would not provide a suitable setting. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or replacement of redundant non-domestic buildings, (6) Rural Brownfield Land.
- 2 The proposal is contrary to Policy PM1A Placemaking of the Perth and Kinross Local Development Plan 2014 as it is considered that the development of the site would not respect the character and amenity of the place.

**Justification**

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

**Informatives**

N/A

**Procedural Notes**

Not Applicable.

**PLANS AND DOCUMENTS RELATING TO THIS DECISION**

18/01227/1

18/01227/2

18/01227/3

18/01227/4

18/01227/5

**Date of Report** 28.08.18



## Planning Application for housing Plot in Glendevon (Applicant is Fenwick Worrell)

Mark Wills <[REDACTED]>  
To mark [REDACTED]

! 09:24

Hi Mark,

I am writing to you regarding the Planning Application lodged by Fenwick Worrell relating to the housing Plot in Glendevon.

The initial response from Perth and Kinross Council relating to Contamination identified the likelihood of attaching a Contaminated Land Condition to the Planning Application due to the presence of a 'Sheep Dip' and 'infilled historic Quarry'.

I have reviewed the historic mapping for the site and undertaken a walkover of the site and the surroundings and in particular the locations of the Sheep dip and the Quarry. My walkover confirmed that, as it stated on the OS mapping the 'Sheep Dip' is in fact a Sheep Fold or Pen which is used to secure sheep within fencing. There is **no Sheep Dip present** and as such this **would not be considered a source of contamination**.

The walkover also identified that the Quarry which was present immediately behind the Tormaukin Hotel has in fact not been infilled and the rock faces of the quarry which are identified in all the historic mapping available remain as they do today and in the same shape. As there is no infilling of the quarry there is no material which could degrade and as such no source of ground gas which could affect the proposed housing and as such this **would not be considered a source of contamination**.

Following my review of the historic mapping and walkover, I would consider that there is **no source of contamination present either on site or off site which would require a contaminated land condition to be placed on the Planning Application**.

I hope that the above assists and should you wish the walkover photographs of the Quarry or the Sheep Fold please do not hesitate to contact me .

Regards,

Mark

Mark Wills  
Technical Director

### **FAIRHURST**

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Southampton Road  
Dundee, DD4 7PN  
Tel: 01382 453300 Mobile: 07796307179  
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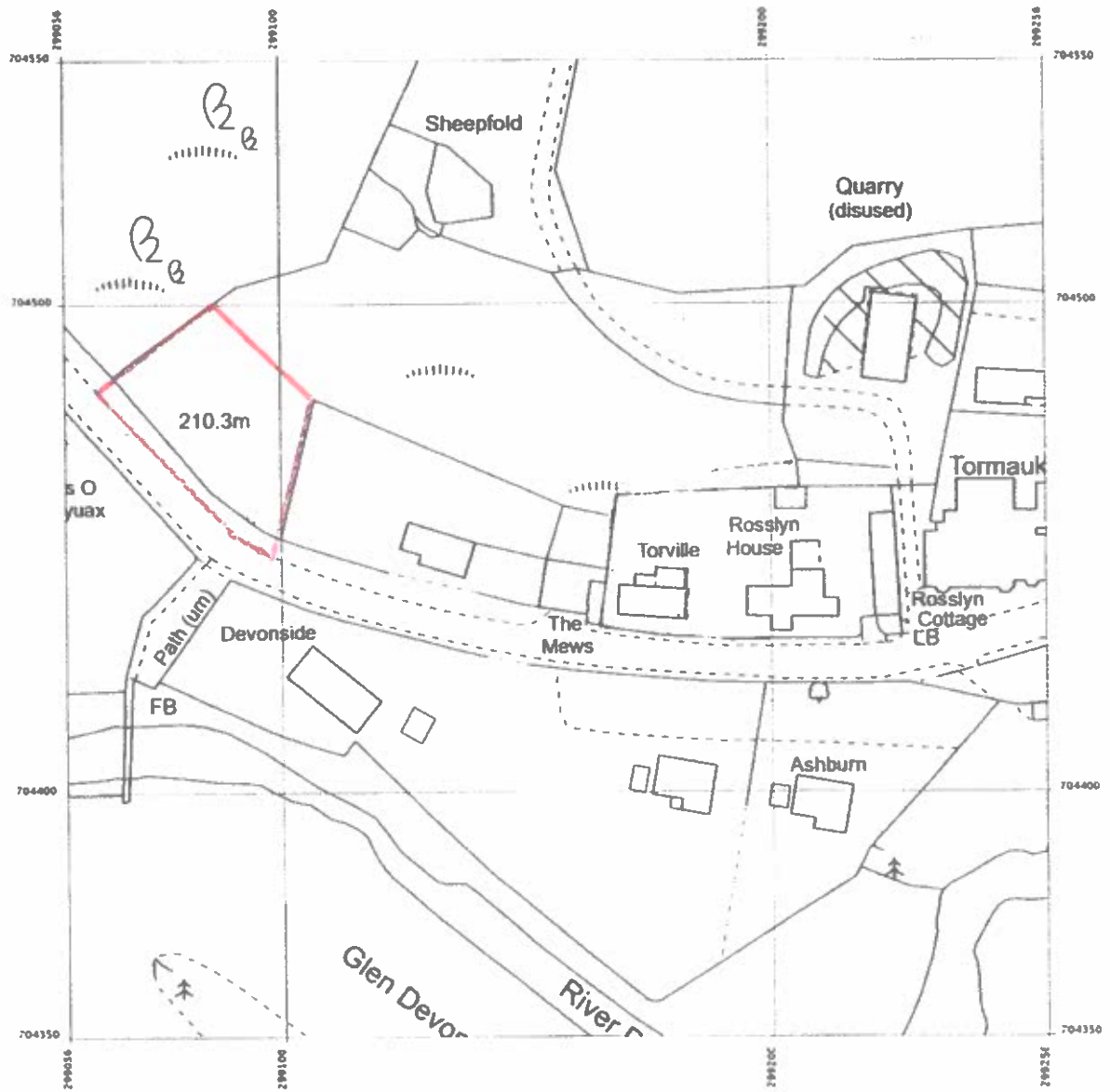


## GLENDEVON VILLAGE - HOUSING PATTERN



Fig 2

SITE LOCATION



Produced 05 Mar 2012 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown Copyright 2012.

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The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.



1:1250



Supplied by: Stanfords  
Reference: OI388590  
Centre coordinates: 299156 704450

Version 1.0 13705:13707MS TIF



PHOTO 1



PHOTO 2



PHOTO 3



PHOTO 4



PHOTO 5 FROM CORE PATH TO THE SOUTH



PHOTO 6 FROM CORE PATH TO SOUTH EAST



PHOTO 7

REVIEW SITE

FROM BURNFOOT ROAD



PHOTO 8



Photo 9 ON A823



Photo 10 ON A823



Photo 11 ON A823



Photo 12 ON A823



MAP 1.

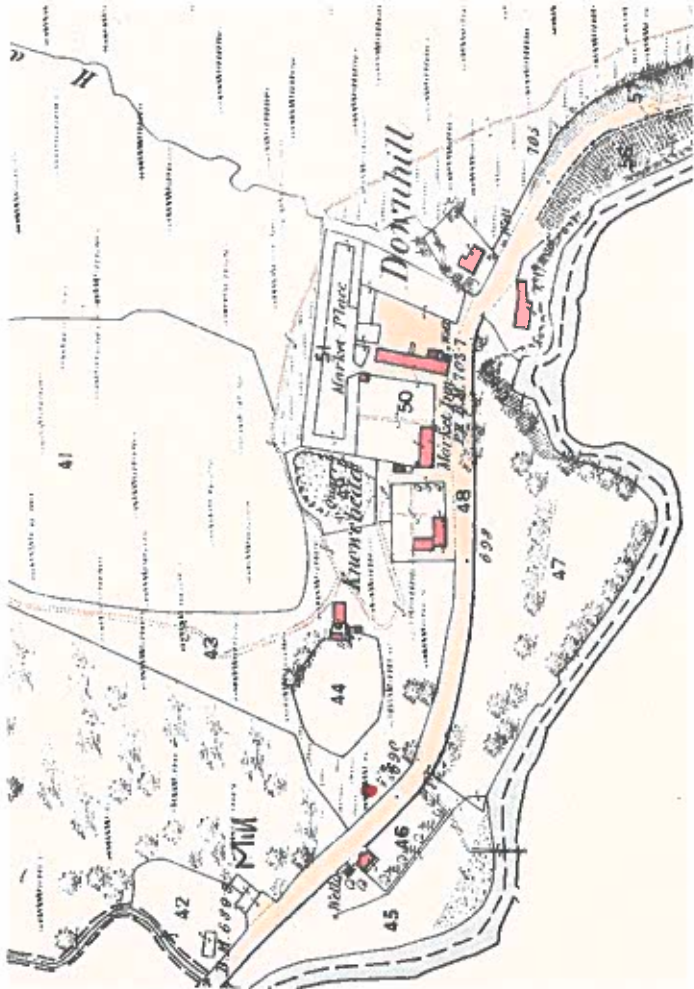
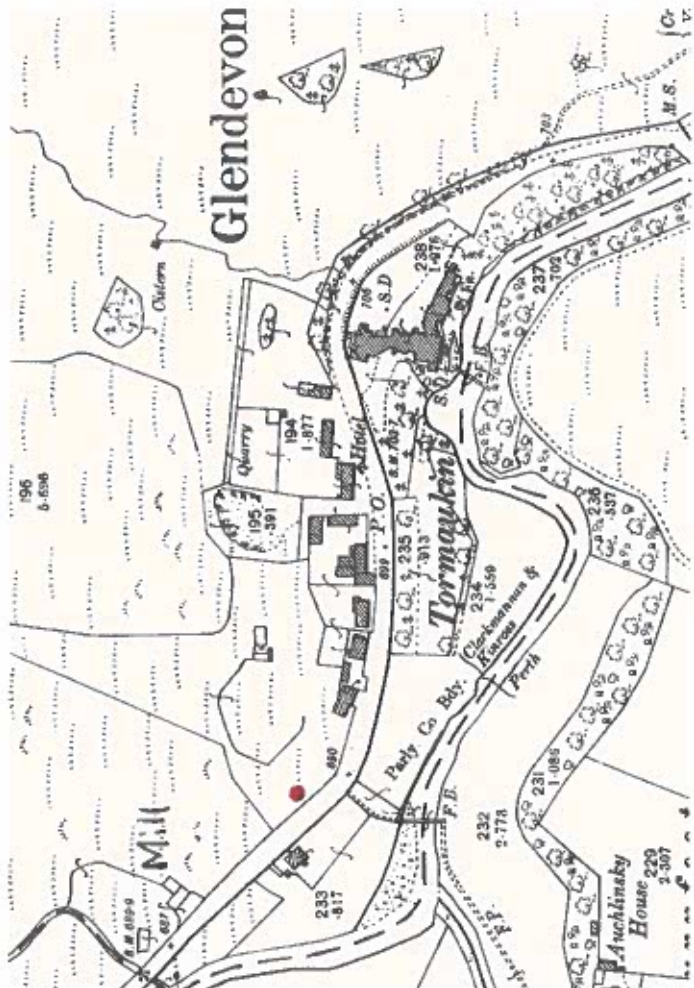


PHOTO 13 BEHIND TO NORTH OF A823



PHOTO 14 FROM SOUTH

• REVIEW SITE



MAP 2.



<p><b>TCP/11/16(576) – 18/01227/IPL – Erection of a dwellinghouse (in principle) on land 40 metres east of Yetts O Hyuax, Glendevon</b></p>
---

**PLANNING DECISION NOTICE** *(included in applicant's submission, see pages 97-98)*

**REPORT OF HANDLING** *(included in applicant's submission, see pages 99-106)*

**REFERENCE DOCUMENTS** *(part included in applicant's submission, see pages 109-110 and 117-123)*



BLOCK/SITE PLAN  
AREA 90m x 90m  
SCALE 1:500 on A4  
CENTRE COORDINATES: 299091, 704477



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09/07/2018 14:55:59



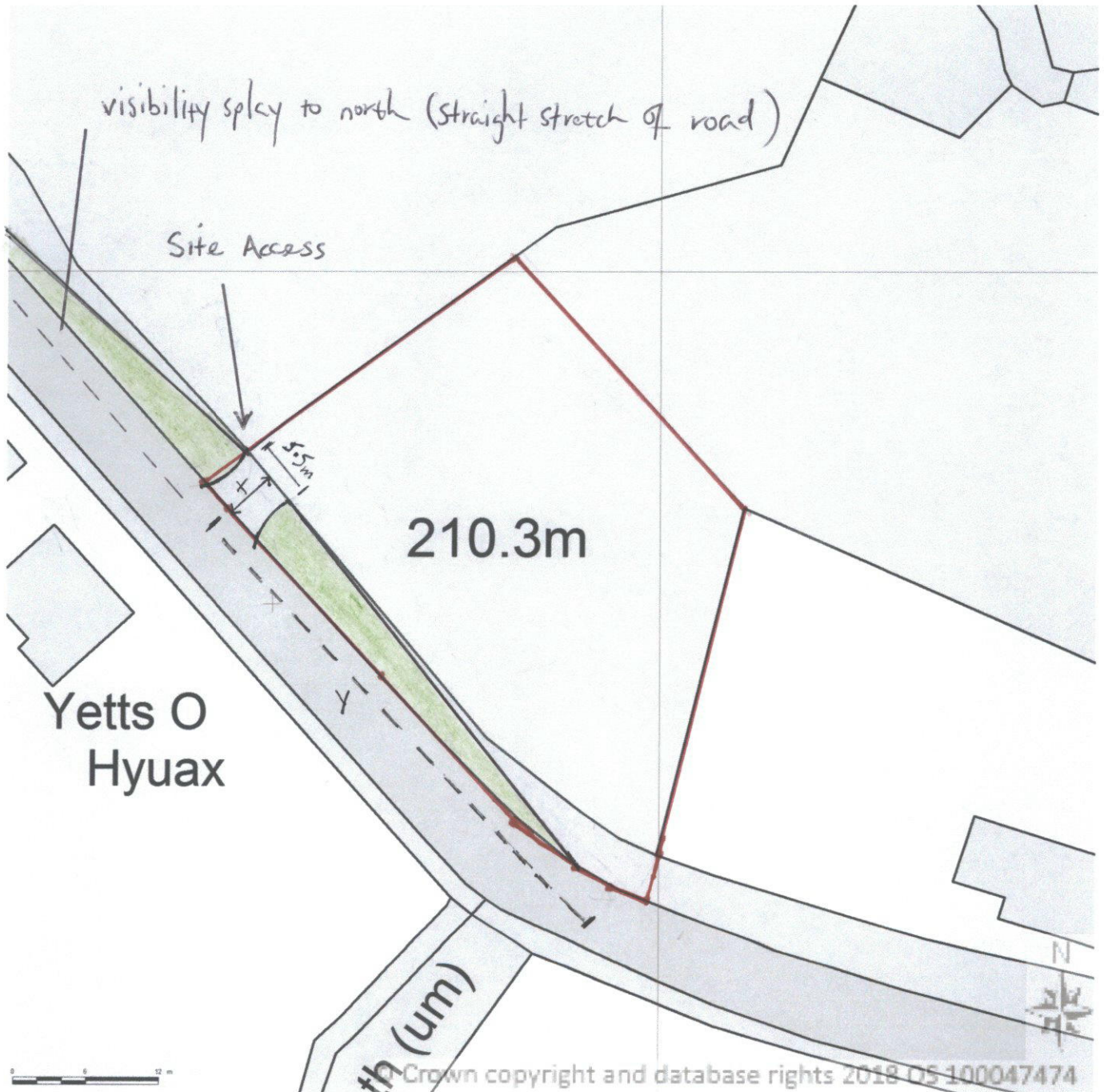
Fig 2

Streetwise™

SITE ACCESS DETAILS



BLOCK/SITE PLAN  
AREA 90m x 90m  
SCALE 1:500 on A4  
CENTRE COORDINATES: 299091, 704477



Visibility Splay

X = 4m

Y = 45m to south

>45m to north



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04/07/2018 12:53:54

## **Supporting Statement**

### **Erection of a dwellinghouse in principle on land to the north east of Yetts O Hyuax, Glendevon**

**Mr Fenwick Worrell**

#### **Introduction & Description of the proposal**

This is an application in principle for the erection of a single dwellinghouse on land within the small settlement of Glendevon under the ownership of the applicant Mr Fenwick Worrell. The application site consists of a 0.103 ha area of sloping land directly adjacent and on the north side of the A823 across the road from the residential property Yetts of Hyaux. There are residential properties to the south, west and east of the application site and the site is within the 30mph speed limit set for Glendevon village. A new vehicular access to the site is proposed from the A823 at the north western edge of the site. The site comprises land which slopes upwards in a northerly direction from the road and is currently used as rough grazing land by the applicant.

#### **Development Plan Policy**

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

#### **TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012**

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states:-

*“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs.”*

#### **Perth and Kinross Local Development Plan 2014**

The application site falls within the small undesignated settlement of Glendevon and for planning policy purposes, therefore, it is within the designated countryside in the

adopted Perth and Kinross Local Development Plan 2014 where the relevant policies are :-

#### **Policy PM1A: Placemaking.**

Development must contribute positively, to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation. The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

#### **Policy PM3: Infrastructure Contributions**

Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

#### ***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 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.

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

Development proposals should not result in adverse effects, either individually or in combination, on the integrity of the Firth of Tay and Eden Estuary, Loch Leven, South Tayside Goose Roosts and Forest of Clunie SPAs and Dunkeld-Blairgowrie Loch and the River Tay SACs.

Note: For development to be acceptable under the terms of this policy it must comply with the requirements of all relevant Supplementary Guidance, in particular the Housing in the Countryside Guide.

## **Other policies**

### **Housing in the Countryside Guide 2014**

A revised Housing in the Countryside Policy was adopted by the Council in October 2014. The policy applies over the whole local authority area of Perth and Kinross except where a more relaxed policy applies at present. In practice this means that the revised policy applies to areas with other Local Plan policies and it should be borne in mind that the specific policies relating to these designations will also require to be complied with. The policy aims to:

- Safeguard the character of the countryside;
- Support the viability of communities;
- Meet development needs in appropriate locations;
- Ensure that high standards of siting and design are achieved.

### **Developer Contributions and Affordable Housing Supplementary Guidance September 2016**

Along with affordable housing guidance this includes guidance on education provision and transport infrastructure.

## **Principle of Development**

The proposed site is within the small settlement of Glendevon, which is an undesignated settlement in the adopted Perth and Kinross Local Development Plan 2014. The application site is adjacent to residential properties along the A823 which form a definitive building group – illustrated by Fig 1 which shows built development around the application site accessed off the A823.

It is considered that the proposed development is in accordance with the Council's Housing in the Countryside Policy Guidance where favourable consideration will be given to proposals for new housing development within a building group:-

*Consent will be granted for houses within building groups provided they do not detract from both the residential and visual amenity of the group. Consent will also be granted for houses which extend the group into definable sites formed by existing topography and or well- established landscape features which will provide a suitable*

*setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed house(s).*

It is considered that the undesignated settlement of Glendevon is a building grouping as defined by the guidance and that the proposed siting of a dwellinghouse at this location will not detract from the residential and visual amenity of the group and will sit comfortably within the morphology and pattern of the existing settlement at Glendevon. It is considered therefore that the principle of residential use at this site is in accordance with planning policy.

### **Scale, Design and Layout**

This is an application in principle and the detailed design of the dwellinghouse will be determined at the detailed stage. The application site is a sloping site and a well-engineered design and layout solution will be required to make best use of the ground. The access will be to the north western edge of the site. There will be no loss of any significantly mature trees as a result of the proposed development.

### **Residential Amenity**

The application site is of sufficient size to comfortably accommodate a dwellinghouse without impacting on the amenity of neighbouring properties with regard to privacy, overlooking or overshadowing.

### **Access and parking**

The application site is within the 30mph speed limit for Glendevon village. A new vehicular access is proposed off the A823. Figure 2 submitted in support of the application indicates that the geometry and dimensions of the site access are satisfactory with suitable access width and visibility splays in accordance with the Roads Authority design standards. Visibility to the northwest is greater than 100m and approximately 45m to the south on the A823. There is also sufficient space within the plot for car parking and turning facilities which are in accordance with these design standards.



## **Conclusions**

The proposal for a dwellinghouse on the application site is considered to be acceptable in principle as the site is situated within the undesignated village of Glendevon within a building grouping, in accordance with the relevant planning policy guidance. It is also demonstrated that the vehicular access for the proposal is satisfactory in terms of road safety standards.

For the above reasons it is requested that the proposal is approved.



**TCP/11/16(576) – 18/01227/IPL – Erection of a dwellinghouse (in principle) on land 40 metres east of Yetts O Hyuax, Glendevon**

## **REPRESENTATIONS**





24<sup>th</sup> July 2018

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

Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Stepps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - DevelopmentOperations@scottishwater.co.uk  
www.scottishwater.co.uk

Dear Local Planner,

**FK14 Glendevon Yetts O Huaxu Land 40 Metres E**  
**PLANNING APPLICATION NUMBER: 18/01227/IPL**  
**OUR REFERENCE: 764083**  
**PROPOSAL: Erection of a dwellinghouse (in principle)**

**Please quote our reference in all future correspondence**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

**Water**

- There is currently sufficient capacity in the **Glendevon Water Treatment Works**. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

**Foul**

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

**The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission**

has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

## **Foul**

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

## **Surface Water**

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

## **General notes:**

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

**Site Investigation Services (UK) Ltd**  
**Tel: 0333 123 1223**  
**Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)**  
**[www.sisplan.co.uk](http://www.sisplan.co.uk)**

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

#### **Next Steps:**

- **Single Property/Less than 10 dwellings**

**For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.**

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**  
Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Christopher O'Brien**

Development Operations Technical Analyst  
[Christopher.O'Brien@scottishwater.co.uk](mailto:Christopher.O'Brien@scottishwater.co.uk)



>

>

> -----Original Message-----

> From: Hazel Cowan [REDACTED]

> Sent: 30 July 2018 19:30

> To: Development Management - Generic Email Account

> Subject: Planning Application 18/01277/IPL

>

> I am the owner of [REDACTED] I was one of the neighbours that was notified about this building application.

> Having studied the site plan of the local area, I note that you are

> showing the boundaries of my property incorrectly. If you look at the title deeds for [REDACTED] you'll see that our land extends right up to the foot path which crosses the bridge over the River Devon. Your plan appears to have it marked Path (um) My only reservation about this application concerns the access which is very near a nasty corner. While I appreciate that there is a thirty mile an hour speed limit on the road, I'm afraid that huge lorries don't always comply and many come through the area at far faster speeds.

> Regards

> Hazel Cowan

>

> Sent from my iPad

>

> Securing the future... - Improving services - Enhancing quality of

> life - Making best use of public resources.



### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	18/01227/IPL	<b>Comments provided by</b>	Euan McLaughlin
<b>Service/Section</b>	Strategy & Policy	<b>Contact Details</b>	<b>Development Negotiations Officer:</b> Euan McLaughlin
<b>Description of Proposal</b>	Erection of a dwellinghouse (in principle)		
<b>Address of site</b>	Land 40 Metres East Of Yetts O Huaxu, Glendevon		
<b>Comments on the proposal</b>	<p><b>Primary Education</b></p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Community School of Auchterarder Primary School.</p>		
<b>Recommended planning condition(s)</b>	<p><b>Primary Education</b></p> <p><b>CO01</b> The development shall be in accordance with the requirements of Perth &amp; Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth &amp; Kinross Local Development Plan 2014 with particular regard to primary education infrastructure or such replacement Guidance and Policy which may replace these.</p> <p><b>RCO00</b> Reason – To ensure that the development approved makes a contribution towards increasing primary school provision, in accordance with Development Plan Policy and Supplementary Guidance.</p>		
<b>Recommended informative(s) for applicant</b>	N/A		
<b>Date comments returned</b>	27 July 2018		



# Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 18/01227/IPL

Our ref LJA

Date 8 August 2018

Tel No

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Consultation on an Application for Planning Permission

### RE: Erection of a dwellinghouse (in principle) Land 40 Metres East of Yetts O Huaxu Glendevon for Mr Fenwick Worrell

I refer to your letter dated 24 July 2018 in connection with the above application and have the following comments to make.

### Contaminated Land (assessment date – 08/08/2018)

#### Recommendation

Historical mapping indicates that there was formerly a sheep dip just to the north of the proposed development site and a quarry to the east. Both these former land uses have the potential to impact upon the suitability of the site for the proposed use. There is no information regarding the nature or volume of material which was used to infill the quarry, there is therefore the potential for it to contain contaminated materials which may have impacted the proposed development site. In addition, dependent on its nature, there is also the potential for the infill to cause a ground gas issue at the site.

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

#### Condition

Prior to the commencement of works on site, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken and as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) will be submitted for consideration by the Council as Planning Authority. If after the preliminary risk assessment identifies the need for further assessment, an intrusive investigation should be undertaken to identify;

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

Prior to the completion or bringing into use of any part of the development the agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.



## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	18/01227/IPL	<b>Comments provided by</b>	Tony Maric Transport Planning Officer
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	
<b>Description of Proposal</b>	Erection of a dwellinghouse (in principle)		
<b>Address of site</b>	Land 40 Metres East Of Yetts O Huaxu Glendevon		
<b>Comments on the proposal</b>	<p>I attended a site visit with the applicant's agent to assess possible access positions for this proposal. As noted in the application the site does slope sharply upwards from the A823 and there is a bend in close proximity. However, the proposed site is within the 30mph zone and there would be the opportunity to create an adequate access in the far west of the site, although the exact details would need to be discussed more fully should a reserved matters application subsequently be submitted.</p> <p>Therefore, for the reasons stated above, I do not object to this proposal.</p>		
<b>Recommended planning condition(s)</b>	<ul style="list-style-type: none"> <li>• <b>AR00</b> Prior to the development hereby approved being completed or brought into use, all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.</li> </ul>		
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	10 August 2018		

