

LRB-2022-49**21/02195/FLL - Erection of a dwellinghouse, land 30 metres west of Wester Carmichael Cottage, Forgandenny Road, Bridge of Earn, PH2 9EZ****INDEX**

(a) Papers submitted by the Applicant (***Pages 11-56***)

(b) Decision Notice (***Pages 59-60***)

Report of Handling (***Pages 61-68***)

Reference Documents (***Pages 35-55 and 69-70***)

(c) Representations (***Pages 71-84***)

LRB-2022-49

21/02195/FLL - Erection of a dwellinghouse, land 30 metres west of Wester Carmichael Cottage, Forgandenny Road, Bridge of Earn, PH2 9EZ

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100514035-002

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

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Nicholas Lindsay Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	NL	Building Name:	Suite 110, Castle House
Last Name: *	Architects	Building Number:	1
Telephone Number: *	01786 821 945	Address 1 (Street): *	Baker Street
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Mobile Number:		Town/City: *	Stirling
Fax Number:		Country: *	UK
		Postcode: *	FK8 1AL
Email Address: *	studio@nlarchitects.co.uk		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="R"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="McFadzean"/>	Address 1 (Street): * <input type="text"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text"/>
Extension Number:	<input type="text"/>	Country: * <input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value=""/>	

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Land adjacent to Wester Carmichael Cottage"/>

Northing	<input type="text" value="717934"/>	Easting	<input type="text" value="310837"/>
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Description of Proposal

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

Erection of a dwellinghouse Land 30 Metres West Of Wester Carmichael Cottage Forgandenny Road Bridge Of Earn

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

Please refer to enclosed document titled '21-211 Appeal Supporting Information'

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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

21-211 Appeal Supporting Information 21-211 PL-01 Location Plan 21-211 PL-02 Existing Block Plan 21-211 PL-03 Proposed Block Plan 21-211 PL-04 Proposed Drawings 21-211 PL-05 Visuals 21-211 PL-06 Design Statement 21-211 PL-07 External Store Elevation 21-211 PL-08 Streetscape

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/02195/FLL

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

09/12/2021

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

25/05/2022

Review Procedure

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

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

☐ Yes ☒ No

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

Please select a further procedure *

By means of inspection of the land to which the review relates

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

The planning case officer did not visit site during this application. We believe this led to a failure to fully appreciate the sloping topography of the site and contributed to a lack of understanding of the proposal within its setting. We therefore recommend a site inspection is carried out by the committee members so they can fully understand the proposals.

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: Mr NL Architects

Declaration Date: 24/08/2022



Nicholas Lindsay Architects



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Appeal Supporting Information
(For Local Review Body)

New House,
Land Adjacent to Wester Carmichael Cottage,
Forgandenny Road,
Bridge of Earn

August 2022

Contents

1.0 Summary	06
2.0 Introduction	08
3.0 Correspondence with Case Officer	10
4.0 Reason for Refusal 01	12
3.1 Conclusion	18
5.0 Reason for Refusal 02	20
4.1 Conclusion	22
6.0 Building Group	24
7.0 Report of Handling	26
8.0 Conclusion	28
9.0 Appendix (Additional Photographs)	27

1.0 Summary

Principle of Development

- Planning Permission in Principle was granted on 30th March 2020.
 - Therefore, the principle of a dwelling on the application site is not disputed

Application Site

- Roadside site with sloping topography (away from public road)
- The site contains existing distinct boundaries
- Site Area: 647m² – comparable to neighbouring dwellings
- Garden Amenity: 368m² (57%) – better than council guidelines
- Dwelling Footprint: 138m² (20%) – comparable to neighbouring dwellings

Building Group (Neighbouring Dwellings / Local Vernacular)

- The building group contains a variety of ages and styles of development
 - Examples of traditional cottages with slated roofs and stone walls
 - Examples of modern developments with concrete tile roofs and roughcast walls
- A mixture of 1 storey, 1.5 storey and 2 storey dwellings
- Largely development is at roadside but recent additions break this pattern

Design

- 1.5 storey dwelling
- Internal Floor Area: 198m²
- – comparable to neighbouring dwellings
- – comparable to neighbouring dwellings
- The proposed home has been specifically designed to respond to this site topography, appearing as a modest single-storey cottage when viewed from the roadside, public view. The dwelling only appears as 1 ½ storey to the rear which, is not visible to public.
- The overall height of the dwelling follows the existing pattern of ridge heights on the adjacent buildings stepping upwards along this road. The ridge height of the proposed dwelling is stepped slightly above the adjacent dwelling but is in line with the neighbouring dwelling, Easter Carmichael Cottage. Please refer to drawing **21-211 PL-08 Streetscape** which, is the key drawing in understanding this proposal in its setting.
- The home features a considerate material palette and simple detailing in-keeping with the local vernacular and Perth & Kinross guidelines.
- The East elevation features opaque glazing and an opaque glass balustrade to prevent overlooking
- The site access has been designed in accordance with council guidelines and the National Roads Development Guide.

Public Comments

- ☐ Conservation Officer: No Objection
☐ Scottish Water: No Objection
☐ Transport: No Objection
☐ Neighbours: No Objections



Site Plan



East Elevation

2.0 Introduction

Consent was granted for Planning in Principle on 30th March 2020 for the erection of a dwelling house on land 30m West of Wester Carmichael Cottage, Forgandenny Road, Bridge of Earn (20/00138/PL). The application under appeal, relates to the same site and is for the erection of a dwelling house (21/02195/FLL). This application was refused under delegated powers.

The Report of Handling and the Decision Notice quote two reasons for Refusal: -

1. The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as the scale/mass/design of the dwelling proposed would not meet the criteria outlined under Category 1 which requires that new housing respect the character, scale and form of the group, should not detract from the visual amenity of the group and that a high standard of residential amenity has not been provided for existing dwellings.
2. The proposal is contrary to Policies 1A and 1B (Placemaking) of the Perth and Kinross adopted Local Development Plan 2 (2019) and the Placemaking Supplementary Guidance 2020, which all seek to ensure that all new developments contribute positively to the quality of the surrounding built and natural environment, and that all proposals complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours. Due to a combination of the scale, height, massing and appearance of the dwelling compounded by the tapering nature of the site and siting adjacent to a modest cottage the proposal is not considered to contribute positively to the surrounding environment.

This appeal will address both reasons for refusal together with other supporting information. It is noted that the Case Officer did not visit the site for this specific application noting that

“The application site and its context have been viewed by a variety of remote and electronic means, such as aerial imagery and street view”.

It is contended that as this is a complex site the failure to visit the site and fully appreciate the landscape setting along with the sloping topography has undoubtedly contributed to a lack of understanding of the proposal within its setting. It is suggested to the local review body that their understanding of the proposal would be enhanced by visiting the site on either an accompanied or unaccompanied site visit.



Drone image showing existing row of dwellings adjacent to application site.



Artist impression looking up the hill of Forgandenny road towards the proposal.
Note all neighbouring buildings shown are accurately modelled from topographical survey information.



Note all neighbouring buildings shown are accurately modelled from topographical survey information.

3.0 Correspondence with Case Officer

The case officer noted the following issues with the proposal during email correspondence with the agent:

- Opaque windows / screen to East elevation
- Height above neighbouring modest single storey cottage
- Substantial mass / scale of the dwelling on the end of the row on a prominent roadside site.

The case officer offered her opinion that a more modest dwelling was required. The agent responded with:

- Opaque windows / screen area included on the East elevation. Opaque glass windows are a valid solution to a tight site with potential risks of overlooking. These were recognised prior to and included on the original submission. The agent also verbally offered to remove all glazing from the East elevation as a compromise, but the case officer did not provide a response.
- Addition of drawing number PL-08 streetscape (which was commissioned at extra cost by the applicant to prove assurances already given) to which the case officer then acknowledged that in long views the dwelling will not be significantly higher.
- The design of the proposal when viewed from Forgandenny road is of a modest single storey cottage reflecting the adjacent dwellings. It was also emphasised the proposal is not a large dwelling – and is less than 200m².

The justification provided was fair and reasonable however, the case officer rebutted with:

"It's not a case of looking at each individual issue I raised and justifying in turn. It is the entire proposal when all the issues are considered cumulatively."

The agent noted,

"I'm not sure how else this could have been addressed, if not responded to individually? Cumulatively, all of the justification provided shows how the proposed dwelling meets council guidelines."

"I have no concerns regarding the impact of the proposed development on the setting of the listed building."

Perth & Kinross Council Conservation Officer

"The proposed junction bellmouth with the public road network with 3 metre radius kerbing and surfaced back for the first 6 meters is acceptable."

"Insofar as the Roads matters are concerned, I have no objections to this proposal on the following condition."

Perth & Kinross Council Transport Planning Officer

4.0 Building Group

Policy states permission will be granted where the proposed development will respect the character, scale and mass of the existing building group. Compatibility with these criteria has been demonstrated above. It also requires that the development will not detract from the visual amenity of the grouping from the wider landscape and the visual images provided by the applicant have established that this is the case. Finally, it requires that a high standard of residential amenity is maintained for both the existing and new house. It must also be stressed that the proposed house and the adjacent cottage are in the same family ownership. It is acknowledged however, that, although there is no current intention to sell either property out with the family, if this were to happen at a future date, any prospective buyer would be able to make a judgement regarding the amenity of the property.

The starting point for an analysis of the grouping is to define the area. It is suggested that the grouping extends from the Dunbarney Gate House to the grouping to the south of Orchard Seat. This is proposed to be the extent of the new 40MPH speed limit and will be reflected by the settlement nameplates to be erected by the Council. There are perhaps two distinct but related sections to the community as shown on the map on the adjacent page.

Group A:

The proposal sits at the Western end of group A. The grouping comprises of 13 houses ranging in age from the early 1800s to the recently constructed Tourmaline. The styles range from Gatehouse Lodge, through traditional cottages (significantly altered) to 1960s bungalows and the more recent constructions. There are detached and semi-detached examples and both single, one and a half and two stories in height. Whilst the majority are rectangular in form there is the square example at the Gatehouse Lodge and the more complex footprints of Trigona and Tourmaline. The footprints vary in size from the modest Gatehouse to Trigona at 295m². Except for two of the more recent houses, Tourmaline and Trigona the majority are parallel to the roadside. In summary it is difficult to summarise a distinctive character due to the variety of styles and sizes. If any features can be picked out it is roadside development, rectangular in footprint and the appearance from the road as a 1 to 1.5 story house. **The applicant's proposal meets all of these criteria.**

Group B:

This group is more varied in nature and of less relevance, however, it is of note that with the recent consents there have been no requirements to echo the style, size or character of the existing houses as can be evidenced from the photos overleaf of Orchard Seat and the most recent development.

The Case Officer acknowledges in the Report of Handling that the site levels have been utilised to try to mitigate the taller scale of the development but notes that the first floor of the proposal will be fully visible from the road. It is important to note that the first floor is not a full storey. The proposal is for a 1 ½ storey dwelling and as such only the upper ½ storey is fully visible from the road. The lower full storey is hidden from the road.



Map of Building Groups



Example of Dwelling in Building Group A



Example of Dwelling in Building Group A

5.0 Reason for Refusal 01

The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG).

It is noted that the principle of a dwelling on this site has been established through the consent granted on 30th March 2020 (20/00138/PL). Although the report of handling makes specific reference to the Housing in the Countryside Supplementary Guidance Category 1 it is contended that the key design considerations should also be relevant in informing the Case Officers view.

The Case Officer's reasoning focused on their subjective judgment that the proposal does not meet these criteria. There is little concrete analysis of the key criteria, nor the character of the grouping and it is suggested that the failure to visit the site and appreciate the variety of house styles within the grouping and the topography of the site have contributed to the decision.

The key design considerations are commented upon below.

Does the proposal compliment and/or enhance the local vernacular? Are buildings sympathetic in terms of scale and proportion to other dwellings in the locality?

The highest test with complementing or enhancing the local vernacular is where the grouping contains listed buildings. Perth & Kinross Council Conservation Officer has no concerns regarding its compatibility with the adjacent listed cottages. The design of the proposal, utilising the slope to create an understory has enabled the accommodation to be achieved whilst maintaining the cottage type appearance. This is further enhanced by the use of a roof pitch which echoes the adjacent buildings. In terms of the size of the footprint the proposal is compatible with other consents within the settlement grouping. Recent consents within the grouping include a dwelling within the grounds of Trigona at 275M² (17/01608/FL) approved by the Local Review Body. More recently the largest house in the grouping was constructed with a floorplate of 400m² (21/00688/FL) adjacent to the more modest Orchard Seat at under 200m². Clearly the scale of the development within this grouping (as defined by the proposed speed limit and settlement signage from the Dunbarney House gates to the developments at Orchard Seat) exhibit a range of sizes and previous decisions have not considered this variation in scale to be a determining factor.

It is acknowledged that the southern elevation may be considered significantly different from the majority of the older buildings however, this elevation cannot be seen from the public domain and its design is heavily influenced by modern requirements to maximise the use of passive solar gain. The same may be said of the recently consented house referred to above (21/00688/FL). The Case Officer verbally stated the South facing elevation had no bearing on the decision.



Example of Dwelling in Building Group B



Example of Dwelling in Building Group B

Are roof heights and extensions appropriate in scale and do they avoid dominating the dwelling?

In response to concerns from the Case Officer over the visual impact of the development and the ridge line the applicant commissioned visuals of the site (please refer to drawing number PL-08 Streetscape) which clearly demonstrates the compatibility of the proposal both in terms of the height and the dominance of roof over walls.

Does the design respond well to site topography? Is excessive underbuilding avoided?

As noted in the design statement accompanying the application for development, the proposed house has been specifically designed to respond to the site topography appearing as a simple single-story cottage when viewed from the roadside, public view. The significant sloping nature of the site has enabled the ground floor to accommodate living space hidden from view from the road thus avoiding underbuilding.

Have designations or constraints that may affect development in the area been considered?

The adjacent cottages to the East of the site are Listed Category C. The Councils Conservation Officer noted in their internal consultation response "I have no concerns regarding the impact of the proposed development on the setting of the listed building".

Does the design and siting of the house facilitate energy efficiency in terms of solar gain and shelter?

The proposals recognise the need to reduce the environmental impact of development and are committed to promoting energy efficiency in accordance with Policy 32 – Embedding Low and Zero Carbon Generating Technology. The siting of the dwelling has primarily been designed to reflect the placement of the adjacent cottages. However, the proposal also benefits from:

- Large South facing elevation and maximising solar gain with extensive floor to ceiling glazing. Overheating is prevented through deep overhanging canopies and deep-set windows
- Existing mature treeline to the West providing natural protection from prevailing winds.
- A fabric first approach with the incorporation of high-performance timber frame construction with high performance insulation
- High performance windows with low u values.
- The incorporation of air tightness within the building through the use of Passivhaus detailing.
- Use of renewable energy for domestic heating and hot water through solar photovoltaic panels and an air source heat pump
- Sustainable drainage including surface water retention in accordance with SUDS principles

Are materials sourced responsibly? Are existing materials, particularly stone and slate, reused where possible?

Proposed materials include natural stone, natural slate, smooth white render and composite timber cladding. All our common cladding materials used throughout Perth & Kinross. All materials will be sourced responsibly including natural stone from nearby Denfind stone and reclaimed Welsh slate.

Is the proposal well integrated with the existing landform and does it avoid dominating the landscape?

The use of the naturally sloping ground has enabled the appearance for the house to echo the cottages nearby. The development will not be visible from the public domain to the south which is agricultural and rising to the south.

Are the finish and materials appropriate for the context?

Proposed materials include natural stone, natural slate and smooth white render which are all widely used within the existing building group. Composite timber cladding takes reference from the adjacent wooded area, adds warmth to the design and is a commonly used cladding material throughout Perth & Kinross. Extensive floor to ceiling glazing on the South elevation maximise passive solar gain and provides view over the surrounding landscape.

Does the site have long-established, identifiable boundaries and a level of enclosure provided by natural features?

Yes. The proposal is set within the landscape features of an existing garden with both the roadside hedging and tree cover to the west retained.

The site features from existing distinct boundaries:

North - Forgandenny road
East - Existing dwelling
South - Agricultural fields
West - Mature wooded area

Are boundaries and entrances created through appropriate materials and planting, for example, locally native trees and shrubs? Does the design avoid overly elaborate and engineered solutions and non-native fast-growing conifers?

The hedge boundary to the roadside is to be retained as is the woodland planting to the west. New boundary planting consists of native trees (Rowan, Alder, Silver Birch and Holly). New native beech hedging to East, South and West boundaries.

Are surrounding natural features retained and integrated within the proposal?

As highlighted above the natural slope of the site has been incorporated into the design as has the existing tree cover at the western end of the site.

Have transport linkages been considered which provide a viable alternative to the private car?

The proposed site is adjacent to the route of the Number 17 Bus Service.

Are parking areas screened from the road and do they avoid dominating the views of the site?

The parking is entirely hidden from the public view.

5.1 Conclusion

It is evident that in matters of design there is an element of subjectivity, the achievement of consistence is none the less important in the implementation of the policy. This is the prime reason for the adoption of the supplementary guidance. The Case Officer has failed to fully analyse the compatibility of the proposal against the Housing in the Countryside Supplementary Guidance and has presented no evidence to support their contention that the development is not compatible with the policy. Indeed, as noted above, the Conservation Office, who you might be inclined to think may be more sensitive to the compatibility of the proposal with the character of the area, being located adjacent to a Category C Listed Building, raised no concerns. Nor were there any objections from the general public or any neighbours. I would contend that rather than being contrary to the policy the proposal has taken account of all the key criteria addressing each adequacy and is some cases in an exemplary fashion responding to site topography and the sustainability in response to Climate Change.



West approach view of application site from Forgandenny road

Note all neighbouring buildings shown are accurately modelled from topographical survey information.



East approach view of application site from Forgandenny road

6.0 Reason for Refusal 02

The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG).

As with the Supplementary Guidance on Housing in the Countryside, the purpose of the Placemaking Supplementary Guidance is to aid consistency and provide guidance on the application of the policy. As the Guidance covers all scales and types of developments only certain aspects related to individual dwellings have been analysed below.

In the report of handling and the reason for refusal the Case Officer has focused on two aspects of the proposal which have been outlined below;

- Firstly, that new developments should contribute positively to the quality of the surrounding built and natural environment and that the proposal complements its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

It is contended that the site-specific design is of a high standard and makes a positive contribution to the streetscape as evidenced in the artist's impressions provided with the application.

- Secondly, it was the Case Officer's opinion that due to a combination of the scale, height, massing and appearance of the dwelling compounded by the tapering nature of the site and siting adjacent to a modest cottage the proposal is not considered to contribute positively to the surrounding environment.

The majority of these issues are already covered above in the discussion on the Housing in the Countryside policy. It would appear that within the Case Officer's concerns over the scale, height and massing she has failed to fully consider the proposal in the context of the sloping site. What is important is how the proposal is perceived from the key viewpoints and, in this case, the only key viewpoint is from the main road adjoining the site. Various submissions by the applicant have clearly established that from the road the development is perceived and appears as a single-story cottage, not dissimilar to the semi-detached cottages to the East.

It is acknowledged that whilst the footprint is not dissimilar to the semi-detached cottages next door that the overall floor area is larger by virtue of the use of the steeply sloping ground to achieve living accommodation below street level. Accordingly, the overall impression from the public domain is of a similar scale of dwelling to many within this settlement. It is also noted that the building group contains a variety of ages and styles of development. The significant difference is the overall floor area which, as noted in the discussion above, there a number of larger examples within the building group.

It is contended that the tapering nature of this site is not an issue, firstly as this is not immediately apparent from the public domain but also as the amenity space at 368m² + balcony at 16m² exceeds by a significant margin that recommended in the Supplementary Guidance for a 3-bed house of 80m².

6.1 Conclusion

As with reason for refusal No.1 the Case Officer has presented no evidence to support their contention that the development is not compatible with the policy. We would contend that rather than being contrary to the policy, the proposal has taken account of all the key criteria addressing each fully to the extent that the proposed dwelling makes a positive contribution to the overall grouping. Furthermore, it is evident that from the other planning consents within the grouping and nearby that this decision is out of step and not consistent with other decisions within the vicinity.

7.0 Report of Handling

The Report of Handling suggests that the new access will require site clearance to form the access and visibility plays causing concern this will open the site exposing a large gable. This is incorrect and perhaps emphasises the need to have visited the site. The vegetation removal is minimal and relates to some lower-level hedging and vegetation. The trees will remain. Had this been a concern it would have been appropriate for the Case Officer to seek a tree survey and emphasise on more details of the vegetation removal.

In relation to the design of the house the Case Officer would appear to have concerns about the rooflights and the glazing to the rear of the property. In the Case Officers opinion, the proposed dwelling house will "jar" with the row of existing cottages. There is no doubt that the rear elevation will be different from a traditional cottage but roof lights and the south facing glazing are essential elements of the new low carbon agenda. In response to tackling climate change, house designs are essentially changing, and a pastiche of the adjacent cottages would struggle to achieve modern environmental standards. The Case Officer verbally stated the South facing elevation had no bearing on the decision.

The Report of Handling notes that: -

"The neighbouring cottages are category C(s) listed. It is considered that the development of the site would not have a detrimental impact on the immediate setting of the listed buildings."

It is hard to comprehend the logic of the Case Officers Report of Handling, when it is contradicted. At one point it states the proposal is considered not to have a detrimental impact on its nearest neighbour (the Category C listed cottages). Yet the force of the decision is that the proposal is out of keeping with the character, scale and form of the grouping.

8.0 Conclusion

The applicant wishes to build a home on land which, is in family ownership. It is adjacent to the family home to allow the applicants to be near to their aging parents and to provide support to them as they get older. Their parents also provide daily child-care support.

It was acknowledged from the outset that the site was complex and required a custom design to fit and compliment the site characteristics. The proposal fully respects the key characteristics of the grouping, presenting an elevation to the roadside which recognises and echoes the character of the grouping. At the same time providing a modern and energy efficient building which will contribute to the country's net-zero ambitions.

The key drawing in understanding this proposal is 21-211 PL-08 Streetscape, which illustrates how this proposal will fit seamlessly in the streetscape of Forgandenny road. When viewed from the public road, it simply appears as another modest cottage which, is fully in-keeping with the surrounding dwellings.

It is presented that this proposal will make a positive enhancement to the grouping. Contrary to the Case Officers view, the proposal fully meets the requirements of both the Placemaking and Housing in the Countryside policies. The report of handling fails to justify how this proposal does not meet the term of either policy. It is in fact the subjective opinion of a Case Officer who has not visited the site and contradicts not only their own opinion, but also the opinion of the Conservation Officer.

It is recommended that the decision should be overturned, and the appeal granted.



Artist Impression looking up the hill of Forgandenny road towards the proposal.
Note all neighbouring buildings shown are accurately modelled from topographical survey information.

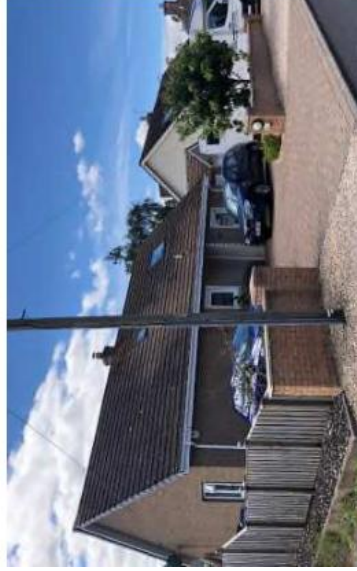


Note all neighbouring buildings shown are accurately modelled from topographical survey information.

9.0 Appendix (Additional Building Group Photographs)



Example of Dwelling in Building Group A



Example of Dwelling in Building Group A



Example of Dwelling in Building Group A



Example of Dwelling in Building Group B



Example of Dwelling in Building Group B

Nicholas Lindsay Architects

48 West George Street,
Glasgow
G2 1BP

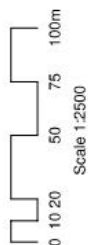
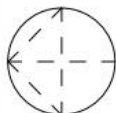
E: studio@nlarchitects.co.uk
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No.	Description	Date
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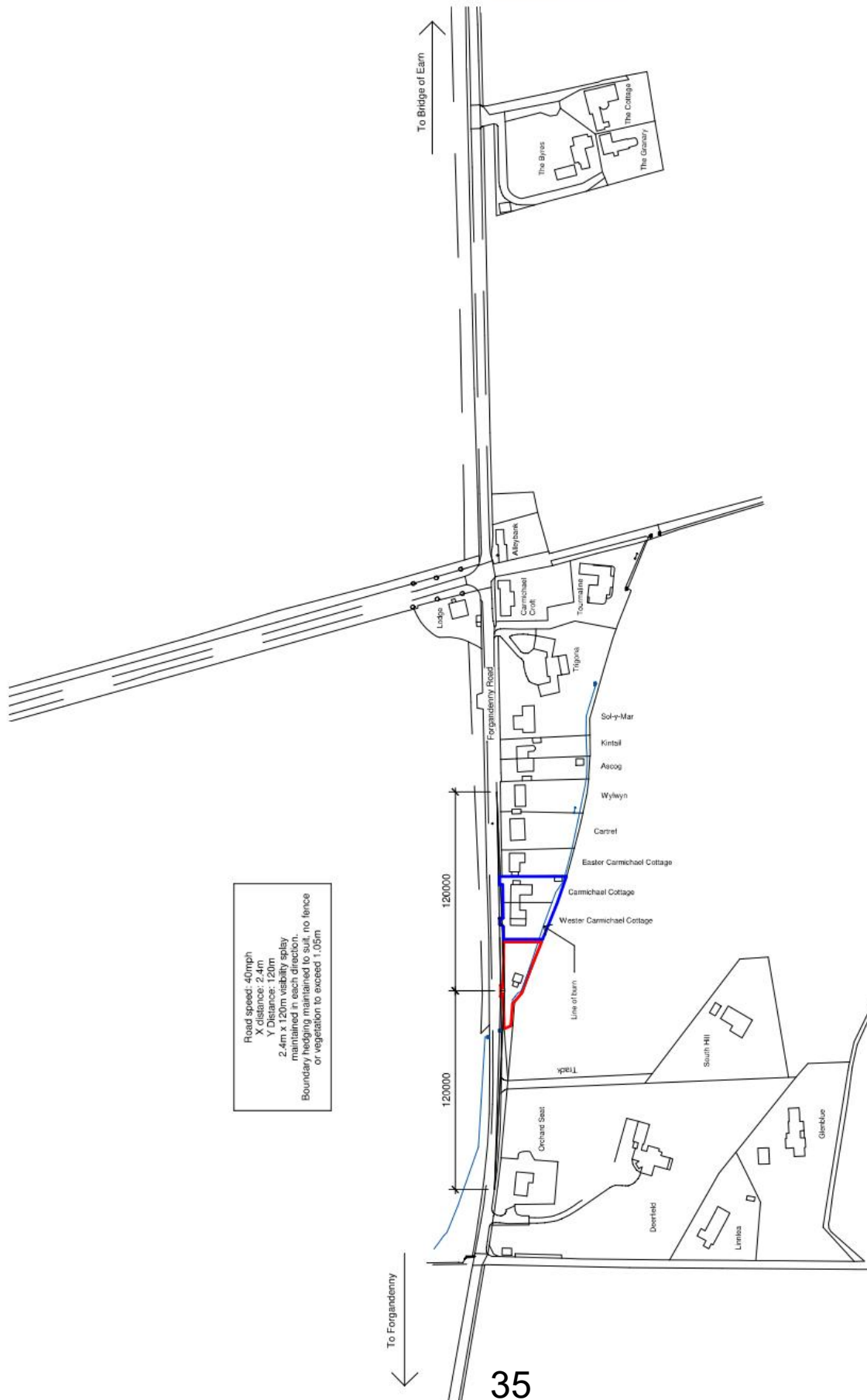
Nicholas Lindsay Architects
48 West George Street,
Glasgow, G2 1BP
e: studio@nlarchitects.co.uk
www.nlarchitects.co.uk

Project number	21-211
Client	Mr. & Mrs. McFadzean
Date	Dec 21
Project:	
New Dwelling	
Land Adjacent to Wester Carmichael Cottage, Forgandenny Road, Bridge of Earn	
Drawing	
LOCATION PLAN	

Scale @ A3

1 : 2500

PL-01

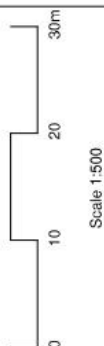
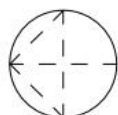


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All levels relate to sea level

No.	Description	Date
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www.nlarchitects.co.uk

Project number	21-211
Client	Mr. & Mrs. McFadzean
Date	Dec 21

Project:

New Dwelling

Land Adjacent to Wester Carmichael Cottage,
Forgandenny Road, Bridge of Earn

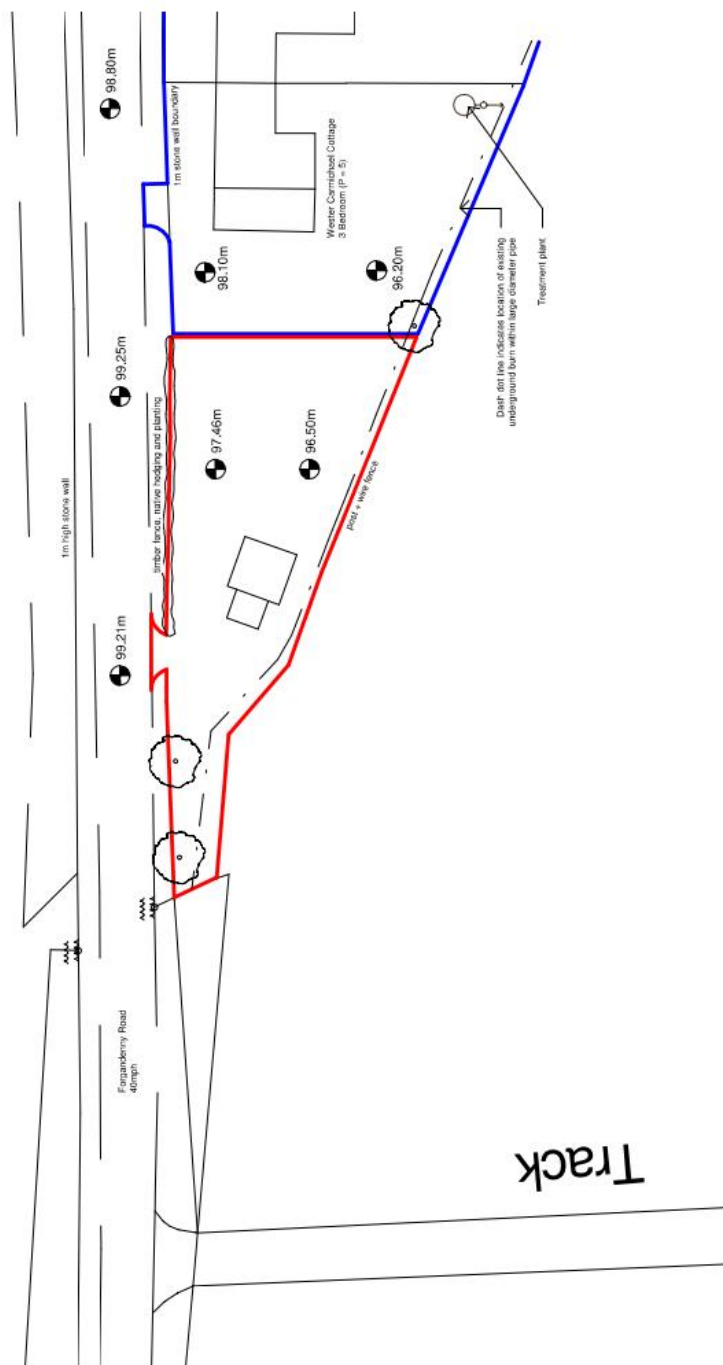
Drawing

EXISTING BLOCK PLAN

Scale @ A3

1 : 500

PL-02

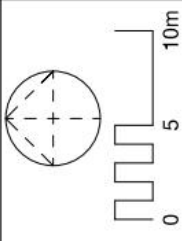


NOTES

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Scale 1:200

All levels relate to sea level

Site area:
(within red line boundary)

647m²

Level 0 FFL - 99.90m
Level 1 FFL - 99.56m

No. Description Date



Nickolas Lindsay Architects
100-102, The Quadrant,
Glasgow, G2 7EP
Tel: 0141 221 2111
www.nlaarchitects.co.uk

Project number 21-211

Client Mr. & Mrs. McFadden

Date Dec 21

Project

New Dwelling
Land Adjacent to Wester Carmichael Cottage,
Forganberry Road, Bridge of Earn

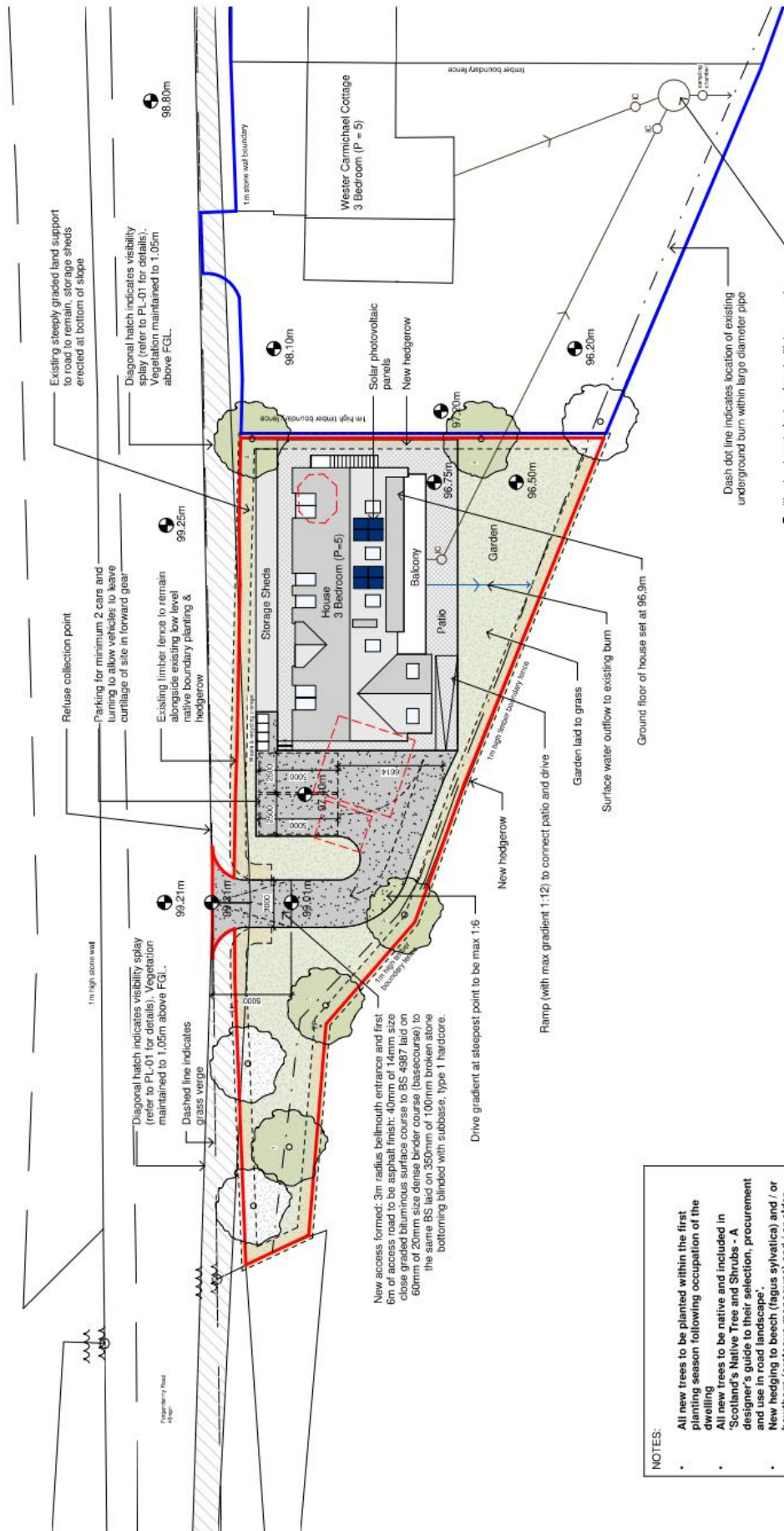
Drawing

PROPOSED BLOCK PLAN

Scale @ A2

1:200

PL-03

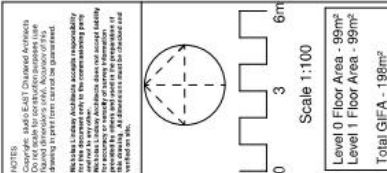


NOTES:

- All new trees to be planted within the first planting season following occupation of the dwelling.
- All new trees to be native and included in 'Scotland's Native Trees and Shrubs - A designer's guide to their selection, procurement and use in the landscape'.
- New hedging to beech (*Fagus sylvatica*) and / or hawthorn (*Crataegus monogyna*) and / or elder (*Sambucus nigra*).
- All root areas of existing trees to be protected during construction.
- New trees to be mixture of Silver Birch (*Betula pendula*), Holly (*Ilex aquifolium*), Rowan (*Sorbus aucuparia*), Alder (*Alnus glutinosa*).

Planting Key

Tree 1: Rowan (*Sorbus aucuparia*)
Tree 2: Alder (*Alnus glutinosa*)
Tree 3: Silver Birch (*Betula pendula*)
Tree 4: Holly (*Ilex aquifolium*)
Tree 5: Rowan (*Sorbus aucuparia*)
Hedge: Beech (*Fagus sylvatica*)



Materials	Floors: Natural Stone Natural Slate Zinc Ridge Code 4 lead soakers Single ply flat roof membrane Walls: Natural stone walling Smooth render (white) Composite cladding Smooth render Basecourse (white) Glazing: Aluminium (Black) Gutters / Downpipes: uPVC (Black)
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File	Description	Public
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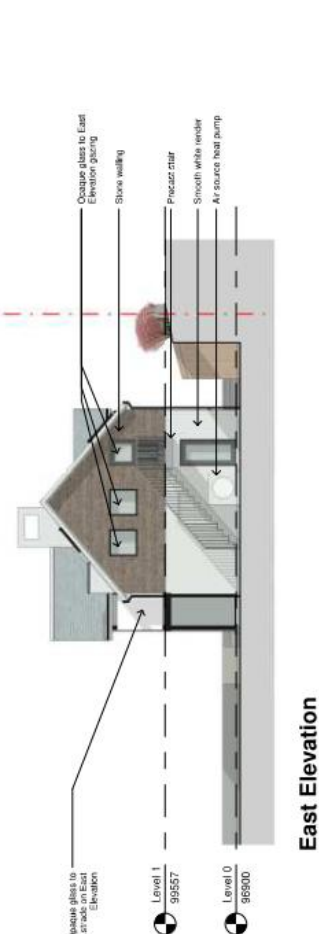
Project number	21 211
Client	Mr. & Mrs. Schulzeisen
Date	Dec 21
Project:	<p>New Dwelling</p> <p>Last addition to older Courtyard Cottage</p> <p>Fingertown Road, Bridge of Eam</p>
Drawing	PROPOSED DRAWINGS



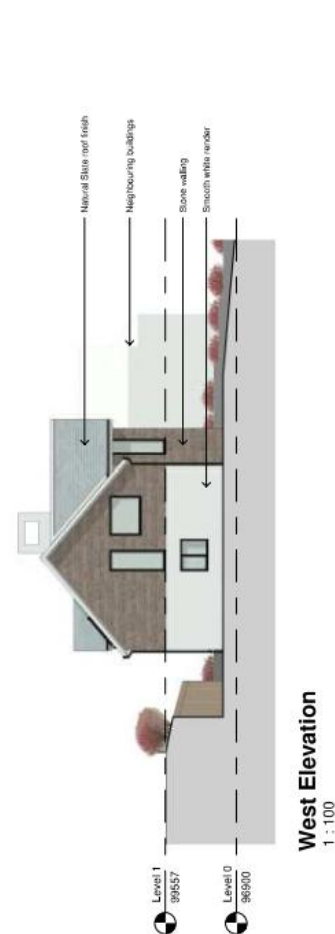
North Elevation
1 : 100



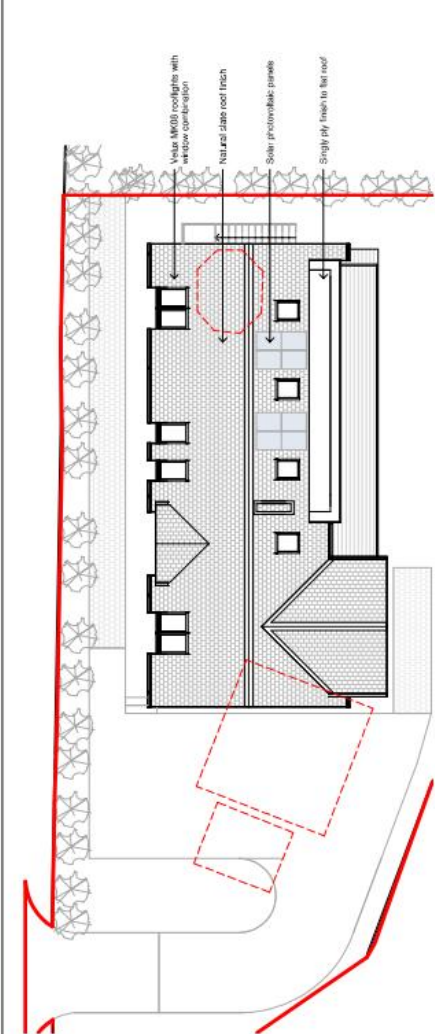
South Elevation
1 - 100



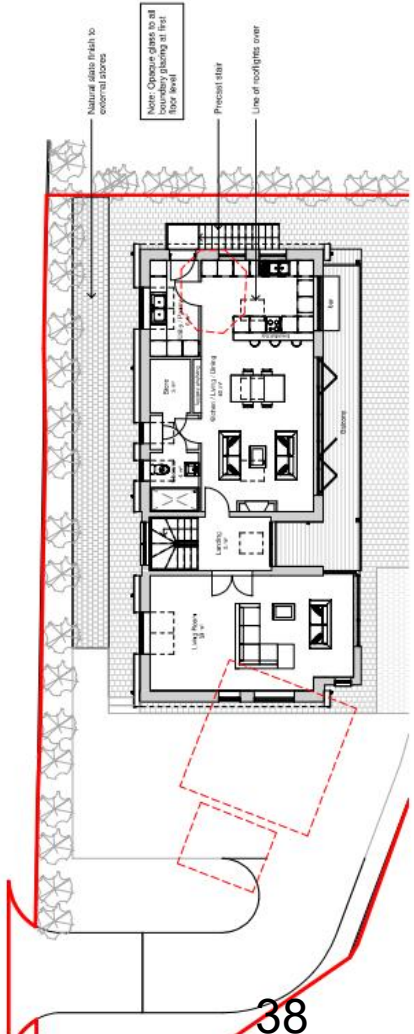
East Elevation



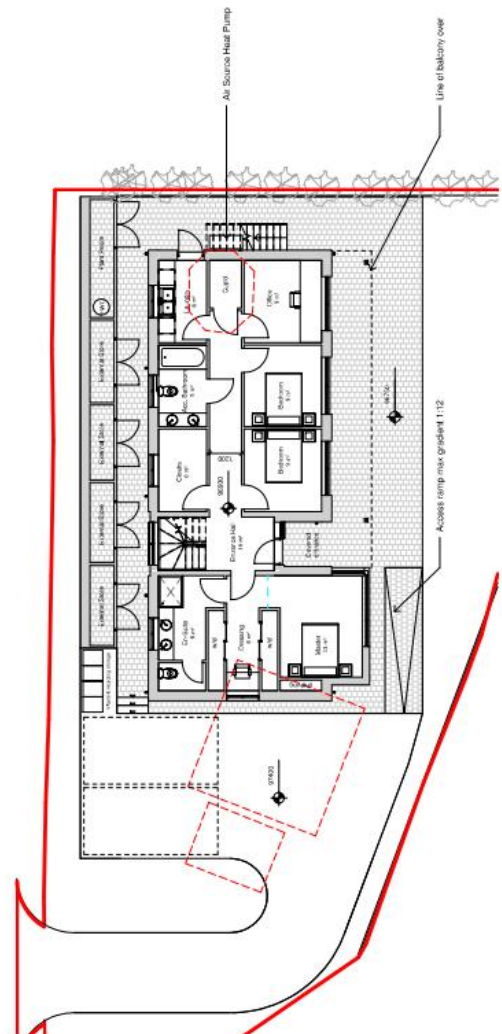
West Elevation
1 : 100



Roof Plan
1 : 100



First Floor Plan
1 : 100



Ground Floor Plan
1 : 100

NOTES

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No.	Description	Date
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Project number	21-211
Client	Mr. & Mrs. McFadzean
Date	Dec 21
Project:	New Dwelling Land Adjacent to Wester Carmichael Cottage, Forgandenny Road, Bridge of Earn
Drawing	VISUALS
Scale	@ A3

PL-05





Nicholas Lindsay Architects



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Design Statement

New House,
Land Adjacent to Wester Carmichael Cottage,
Forgandenny Road,
Bridge of Earn

December 2021

Contents

1.0 Introduction	06
2.0 The Applicant	08
3.0 Context	10
4.0 Site Analysis	12
5.0 Site Strategy	14
6.0 The Proposals	16
7.0 Sustainability	18
8.0 Drainage & Services	20
9.0 Biodiversity	22
10.0 Planning Policy	23
11.0 Conclusion	26
12.0 Appendix 01	27

1.0 Introduction

Nicholas Lindsay Architects have been commissioned to develop a design proposal for a new three-bedroom family home on Land Adjacent to Wester Carmichael Cottage, Bridge of Earn.

This document has been prepared to accompany the planning application and provide a clear understanding of the design and intent behind the proposals.

Nicholas Lindsay Architects

Nicholas Lindsay Architects (NLA) is a design led, creative and practical contemporary Scottish architecture practice. We have extensive experience across a wide range of sectors but particularly specialise in residential one-off housing.

Our projects are composed in a contemporary Scottish mid-century style. Careful consideration is given to our Clients budget, aspirations and the surrounding landscape. Our work celebrates beautiful materials, careful detailing and the surrounding environment.



Internal collage of main living space

2.0 The Applicant

The proposed development is being undertaken by private owners who are from the area with a young family and want to construct a dwelling suitable for modern family living. The dwelling will be their family home and is expected to be passed on to their children. The house has therefore been designed with future living in mind.

Location was the driving force behind choosing the application site as both adjacent cottages, Wester Carmichael and Carmichael Cottage are owned by close family members. The applicants, Mr. & Mrs. McFadzean, have established a strong connection to the area and wish to continue living close to family and friends.

The applicants have a young daughter (11 months old), living locally would give them the opportunity to grow up surrounded by their grandparents, aunts, uncles and cousins. The applicants, having grown up close to family, have fond memories of family gatherings in the area and this is something they would love for their children.

The applicants are enthusiastic about the proposals and would be happy to enter into discussions with the case officer to address any queries with a view to a successful determination.

3.0 Context

The application site is situated between the village of Forgandenny and town of Bridge of Earn, within the Perth and Kinross council area. Both are within a five-mile radius of Perth city centre and enjoy good public transport links into the city and beyond.

Bridge of Earn developed from a rural farming community to an important crossing point over the River Earn, connecting Fife and the South to Perth and the North. Settlement is generally aligned on a North South axis split by the A912 road. The town has gained in popularity since the mid 1900's and has seen significant expansion in housing developments towards the South and West largely due to it's proximity to the M90 motorway and Perth city centre.

There is a mixture of housing types including late 1800's stone villas with slated roofs, late 1900's housing developments with dry dash render and slated/ tiles roofs and modern housing developments with brick, cast stone, smooth render and tiled roofs. The housing is generally two storeys of a suburban density and does not have a distinctive architectural style.

The application site is surrounded by open countryside which is mainly used for agriculture however, there are also areas of native woodland. Within the wider area, many traditional farmhouses and small holdings still remain providing a glimpse into the past of the area's rich farming history.



Views of application site looking towards Wester Carmichael Cottage

4.0 Site Analysis

The application site is approximately 647m² and is situated at the end of a linear development of traditional single & 1 ½ storey cottages and 1 ½ storey modern style homes. The site is generally flat and sits approximately 2m below the adjacent road level providing a discrete site with privacy from the public domain. The existing road frontage features a grass verge, which will remain.

The site features distinct natural boundaries to all sides consisting of: timber fence and Forgandenny road to the North, native and mature hedgerow and trees to the West, timber fence and agricultural land to the South and Wester Carmichael cottage to the East. New timber fencing and native hedgerow will be formed along the new Eastern boundary line providing a clear separation between Wester Carmichael cottage and the application site.

The neighbouring properties all feature separate designated accesses from Forgandenny road and provide a strong road frontage due to their orientation and plot location.

On 1st of May 2021 it was agreed to lower the speed limit of the Forgandenny road at Carmichael Cottages to 40mph (see appendix 1).

An application for the erection of a dwelling on the application site was approved in March 2020 under reference: 20/00138/IPL. This application was for a single storey dwelling and attached garage and used the existing access to Wester Carmichael cottage. It is unclear how site levels were managed however, the precedent of residential development on the application site has been established.

The surrounding land and nearby sites have seen numerous successful planning applications for new dwellings including:

Application reference: 11/01925/FLL – Approval (by LRB) for erection of single storey three-bedroom dwelling and associated garage

Application reference: 13/02215/IPL – Approval for erection of dwellinghouse

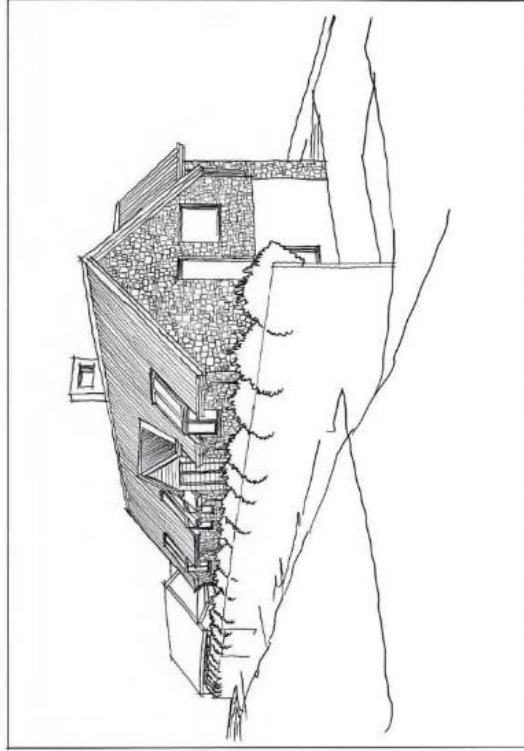
Application reference: 14/00197/FLL – Approval for erection of two storey five-bedroom dwelling and associated garage

Application reference: 14/01643/FLL – Approval for erection of one and a half storey five-bedroom dwelling and associated garage

Application reference: 21/00688/FLL – Approval for erection of two storey four-bedroom dwelling and associated garage



View of application site from Forgandenny Road (approaching from Bridge of Earn)



View of application site and Wester Carmichael Cottage from Forgandenny Road (approaching from Forgandenny)

5.0 Site Strategy

A new access solely for the application site will be formed off Forgandenny road which has been carefully located to avoid disruption to the adjacent cottages and ensure sufficient visibility splays can be provided. The access will ensure the street frontage of individual accesses to each dwelling is maintained and will feature a bell mouth, designed in accordance with Perth & Kinross council guidelines. Two parking spaces are provided with space for vehicles to manoeuvre within the site and leave in a forward gear. The parking spaces are located to the side of the development and below road level ensuring no vehicles are visible along the street frontage.

Siting, layout and density of the new development has been considered and the proposal has been set out to respect, complement and connect to its surroundings. The siting of the house is consistent with the adjacent building group at Carmichael Cottages and does not extend beyond the existing building line. The distance to each boundary has been carefully considered to avoid adversely affecting Wester Carmichael Cottage and maintain a level of privacy to each property. The house is situated back from the road and is orientated along the East-West axis. The house and plot occupy a similar footprint as the neighbouring dwellings and benefits from natural solar gain on South and West facing facades. A landscaping strategy has been implemented showing new native hedgerow and specimen trees (see PL-03). This will help preserve the local organic vernacular whilst maintaining privacy to the application site and neighbours.

Forgandenny road contains a gently sloping gradient from East to West. The roofline of the properties follow this natural gradient and create a stepped approach along the street frontage. The proposed developed carries on this principle and the roofline is slightly higher than the adjacent Carmichael cottages to follow the natural contours of the land.



Proposed site plan

6.0 The Proposals

In summary, our client's brief was to create a modern, energy efficient, three-bedroom family dwelling that compliments the architectural style within the building group and can adapt to the future needs of the occupants. The brief required the design to respect and reflect the scale, massing, form and materiality of the existing and proposed neighbouring properties. The application site is at the end of a row of buildings forming a natural termination to the building group.

Form

The form of the house has been developed in direct response to our detailed analysis of site conditions and the wider architectural context. The proposed design is a simple 1 ½ storey building with traditional pitched roofs. Due to the existing levels within the site, the dwelling will appear as a simple single storey cottage when viewed from the road. To avoid a large monolithic plan the massing of the house has been divided into two main parts, each with a unique character and connected by a largely glazed link corridor which allows circulation between the two. While both are contemporary in nature they are intended to correspond with the wider context of Perthshire architecture of glazed gables.

Materials

Careful consideration has been afforded to materials to respect both the building group and wider area. Natural slate has been proposed to the roof which is commonplace within the surrounding context and has been widely used on domestic and agricultural buildings in the area.

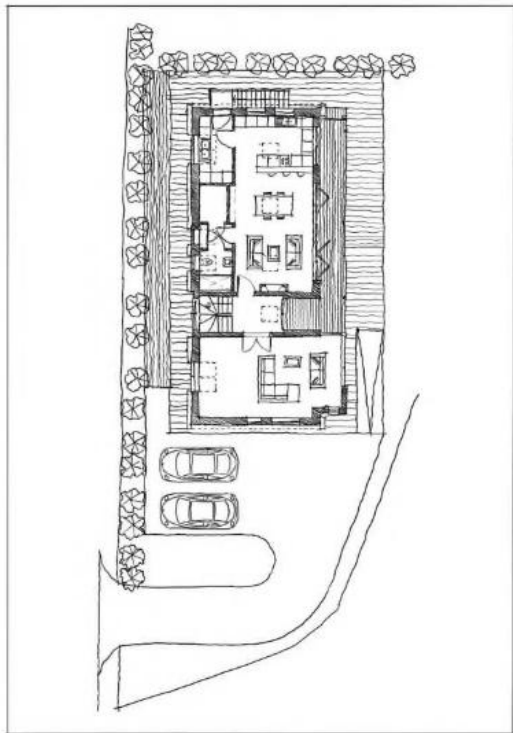
The walls are generally finished in a mixture of composite timber cladding and natural stone walling, reflecting the neighbouring buildings. Smooth white render has been used as a visual highlight and provides a crisp modern approach to the surrounding use of wet dash render. Large elements of black framed alu-clad glazing punctuate each façade adding interest and assisting the outside reader of the building.

Layout

All the accommodation is located to take advantage of the stunning views of the surrounding local area and the sun path throughout the day.

The first floor comprises the main living and public areas of the house, with open plan layouts catering for the living trends of modern family life.

Private bedroom accommodation is located at ground floor level with the master bedroom situated to the west side of the house, enjoying the best of the unobstructed views across the landscape. The central corridor contains the staircase and main circulation element of the house which contains large glazing to the walls and roof to flood the space with natural light.



Sketch of first floor plan layout



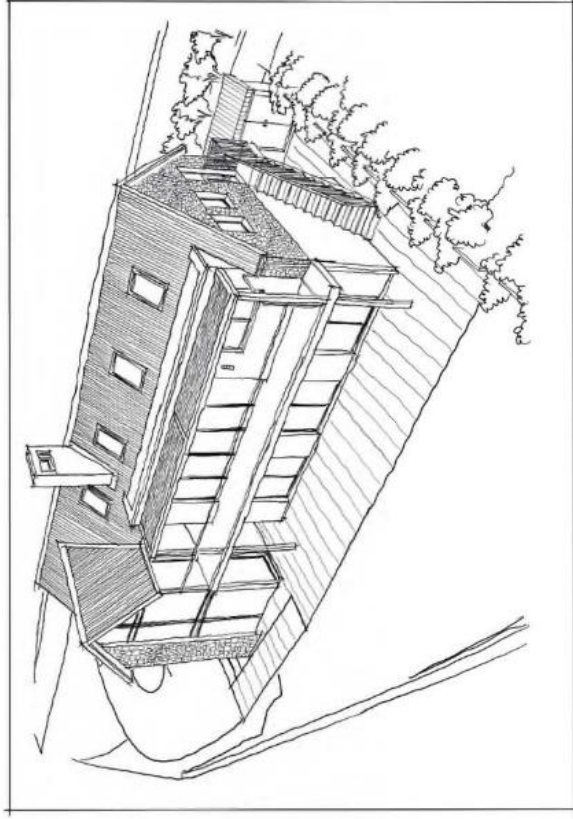
External collage (viewed from South)

7.0 Sustainability

The proposals recognise the need to reduce the environmental impact of any development and are committed to aiding the local area as much as possible. Central to the ethos of this proposal is the design of a sustainable project and the contribution to a sense of place, in accordance with Policy 32 – Embedding Low and Zero Carbon Generating Technology. The proposal benefits from:

- The design maximises solar gain to the South, overheating is prevented through deep overhanging canopies and deep-set windows
- A fabric first approach with the incorporation of high-performance timber frame construction with high performance insulation
- High performance windows with low u values.
- The incorporation of air tightness within the building through the use of Passivhaus detailing.
- Use of renewable energy for domestic heating and hot water through solar photovoltaic panels and an air source heat pump
- Sustainable drainage including surface water retention as applicable
- The installation of low energy lighting components.
- Bin storage

As the design process progresses, the Design Team will incorporate Sustainable Drainage Systems (SuDS) into the proposals, designed in accordance with the recommendations in PAN 61, Planning and Sustainable Urban Drainage Schemes; guidance in The SUDS Manual (CIRIA C697, published in 2007); and Enhancing Sustainable Urban Drainage Schemes for Wildlife (SEPA, undated).



Sketch from bird's eye perspective

8.0 Drainage & Services

SUDS infrastructure will be utilised with all proposed areas of hard landscaping to be permeable paving/gravel laid over geo-textile. All surface water drainage will be piped using perforated pipe to a soak-away. All foul drainage will be to a private treatment plant and soak-away. These have been noted on drawing number PL-03 however full design of the drainage system will be carried out by the project engineer, once engaged.

Electricity will be provided by solar photovoltaic panels and backed up by a new mains connection available adjacent to the site. Water will be provided by a new mains connection also available adjacent to the site.

There will be a bin store next to the drive which will house an appropriate amount of space to fit the required external storage containers for domestic waste. All waste containers will be stored within the boundaries of the property until presentation for collection and will be easily accessible to the occupier. They will not be moved through a building to the collection point. There is sufficient space on the site to facilitate home composting for use in the garden.

Flood Risk Management

The SEPA flood maps indicate there is no risk of flooding from either river, coastal or surface water on the site.

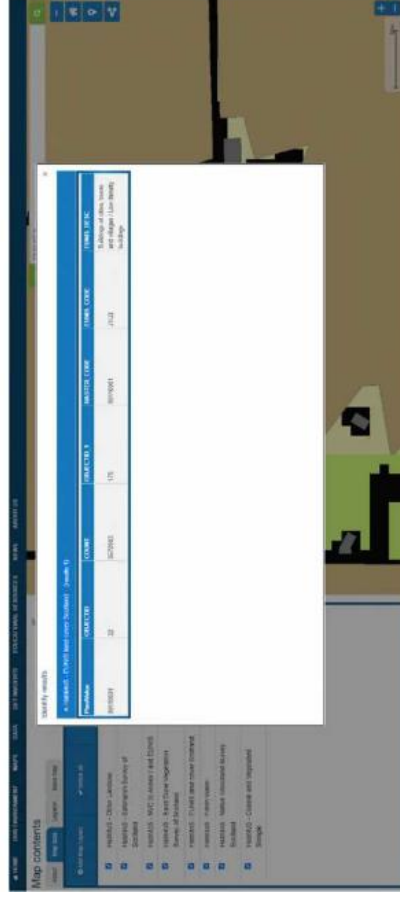


Screenshot of SEPA flood map

9.0 Biodiversity

The site is not within a statutorily designated site, a non-statutorily recognised site, nor is it within 10 metres of either. It does not impinge upon a green habitat or corridor. The land is noted as being of 'low density buildings' on 'Habitat Map of Scotland'. The creation of a house will enable active management of the land allowing the applicant to improve biodiversity.

Protecting the natural habitat is of paramount importance and an extensive landscaping scheme will be carried out at the site to create habitat for local birds, animals and insects. The proposals aim to encourage biodiversity through the use of native and indigenous species in the planting. The current area of the site where the new proposal is sited consists of grass; the building will create differing areas of shade, sun and shelter on the site which is hoped will facilitate new habitats for wildlife to occupy.



Screenshot of Habitat Map of Scotland

10.0 Planning Policy

Perth and Kinross Local Development Plan 2 2019 (LDP)

Policy 1A – Placemaking
Policy 1B – Placemaking
Policy 5 – Infrastructure Contributions
Policy 19 – Housing in the Countryside (incl. supplementary guidance)
Policy 32 – Embedding low and zero carbon generating technologies
Policy 41 – Biodiversity
Policy 53B – Water Environment and Drainage: Foul Drainage
Policy 53C – Water Environment and Drainage: Surface Water Drainage
Policy 60B – Transport standards and accessibility requirements

Policy 1A / 1B – Placemaking

The application site is at the end of a row of dwellings providing a natural termination to the building group. The siting of the proposed dwelling is in line with the existing building group adding to a coherent development. Materials, scale and massing are all in keeping with the local vernacular.

Policy 5 – Infrastructure Contributions

There will be no change or upgrading required to local infrastructure provision.

The proposals will help to make the best use of existing infrastructure, services and encourage a sustainable lifestyle.

Policy 19 - Housing Development in the Countryside

The proposed dwelling should be considered under Category 1: Building Groups. Both the size of the plot and dwelling are consistent with the local building group. The design continues the linear layout of the dwellings, each with individual access. The site forms a definable and natural end to the building group due to the location of the burn, topography and triangular shape of the site.

Policy 32 – Embedding low and zero carbon generating technologies

The proposal will feature a highly insulated timber frame, low U value glazing and has been orientated to maximise passive solar gains.

Renewable technology such as solar photovoltaic panels and an air source heat pump have been incorporated in the proposals.

Policy 41 – Biodiversity

The proposals aim to encourage biodiversity through the use of native and indigenous species in the planting. The current area of the site where the new proposal is sited consists of grass; the building will create differing areas of shade, sun and shelter on the site which it is hoped will facilitate different habitats for wildlife to occupy.

Policy 53B – Water Environment and Drainage: Foul Drainage

Please refer to section 8 of this document for information on sustainable drainage

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

The proposals will not enhance the risk of flooding on this site or any adjacent site. Sustainable drainage systems such as attenuation will be included where possible.

Please refer to section 8 of this document for information on sustainable drainage

Policy 60B – Transport standards and accessibility requirements

The new access has visibility in both directions, whilst there is plenty of space for the parking and turning of vehicles within the site. Drawing number PL-03 shows two parking spaces. The application site is also close to the town centre and allows for walking and cycling to local amenities.

11.0 Conclusion

NLA are mindful of the policies within the Perth and Kinross Local Development Plan and the Supplementary Guidance and believe that the proposed design responds well to the spirit of the policies.

The new dwelling presents a high quality of design and detailing and will reflect the local design characteristics. The design of the proposed house is of a scale, mass, form and materiality which is coherent with the existing and proposed buildings adjacent to the site. The coherent nature of the proposals ensure that the new addition will be an easily identifiable part of the existing building group, which benefits the surrounding area by providing a definable and natural end to the building group.

The simple form of the proposed dwelling has been conceived to complement and sit within the building group creating a considered and aesthetically pleasing addition to the streetscape. The proposals will contribute a positive addition to the local built environment and create a well-designed and highly efficient home that will provide a unique and inspiring space to live, work and relax for the end user.

We believe we have demonstrated through this Design Statement and the detailed drawings, that the policies against which this proposal will be determined, have been met. In these circumstances, we would hope that our aspirations and hope for the future will be shared by the local authority and the application be fully supported.



Internal perspective

12.0 Appendix

From: Daryl McKeown [REDACTED]
Date: 1 May 2021 at 15:51:03 BST
To: Douglas Gillespie [REDACTED]
Cc: Councillor David Illingworth [REDACTED] Councillor Kathleen Baird [REDACTED]
[REDACTED] Councillor Frank Smith [REDACTED]
Subject: FW: 40 MPH Speed Limit - Carmichael Cottages on B935

Douglas

Over the last twelve months, we have been introducing lower speed limits in rural settlements with poor pedestrian facilities to accommodate the increased number of pedestrians and cyclists. Our priority has been on the larger towns and villages where there is a greater mix of road users but we are working towards the hamlets. The changes in travel patterns caused by the Covid pandemic have caused us to review our previous position and a reduced speed limit is now considered appropriate. I would recommend a 40mph limit initially. If vehicle speeds come down, or there are changes to the road environment such as further development, the speed limit could be reduced further. The site has been added to a list of future Traffic Regulation Order projects. A drawing will be prepared and passed to the Local Elected Members for consideration when resources permit.

Carmichael Cottages is not listed as a hamlet in the Local Development Plan but this would not preclude it from gaining village nameplates (similar recent sites include Myreriggs at Blairgowrie and Lochran at Kinross). The installation of nameplates would help identify the community and would emphasise the reason for the lower speed limit. Signing for both the speed limit and the hamlet could be combined into a single project. Is the community known locally as Carmichael or Carmichael Cottages?

All the traffic surveys undertaken since last summer have been used as comparison data against previous surveys. This allows us to assess changes in travel patterns such as traffic volumes and vehicle speeds. It is recognised that traffic volumes dropped significantly during Covid. On busier roads, the speeds showed a slight increase as there was more road space. On quieter road, such as the B935, vehicle speeds were similar to pre-Covid recordings.

Daryl

Daryl McKeown, Project Officer
Traffic and Network, Housing and Environment
Perth & Kinross Council, Pullar House, 35 Kinnoull Street, Perth, PH1 5GD
Phone: 01738 477387 Email: [REDACTED]

Nicholas Lindsay Architects

48 West George Street,

Glasgow

G2 1BP

E: studio@nlarchitects.co.uk

W: www.nlarchitects.co.uk

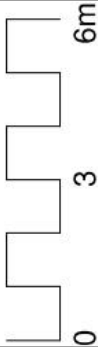
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NOTES

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Nicholas Lindsay Architects does not accept liability
for accuracy or veracity of survey information
provided by others and used in the preparation of
this drawing. All dimensions must be checked and
verified on site.



Scale 1:100

No. Description Date



Nicholas Lindsay Architects
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Glasgow, G2 1BP
e: studio@nicholaslindsay.co.uk
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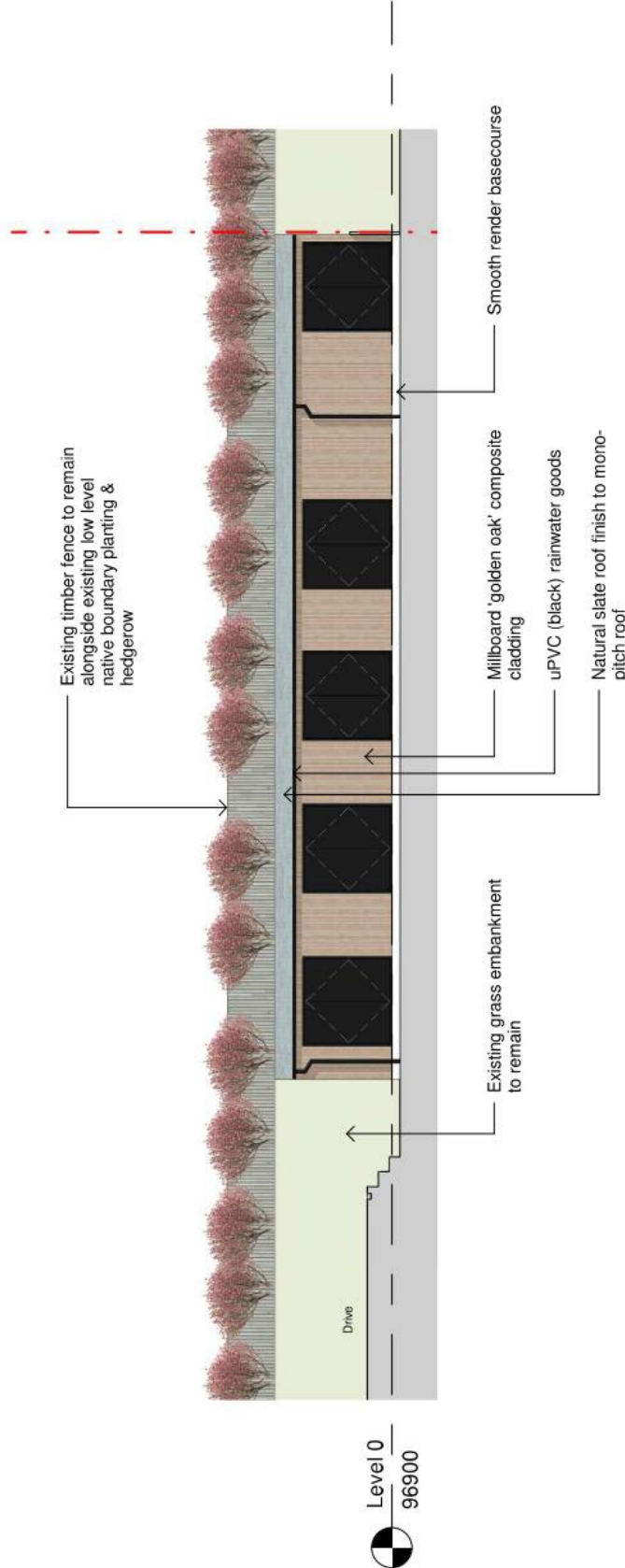
Project number	21-211
Client	Mr. & Mrs. McFadzean
Date	Dec 21

Project:
New Dwelling
Land Adjacent to Wester Carmichael Cottage,
Forgandenny Road, Bridge of Earn

Drawing
EXTERNAL STORE ELEVATION

Scale @ A3
1 : 100

PL-07



LRB-2022-49

21/02195/FLL - Erection of a dwellinghouse, land 30 metres west of Wester Carmichael Cottage, Forgandenny Road, Bridge of Earn, PH2 9EZ

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 35-55)*



Ms R McFadzean
c/o NL Architects
Nicholas Goward
48 West George Street
Glasgow
G2 1BP

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **25th May 2022**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **21/02195/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 10th January 2022 for Planning Permission for **Erection of a dwellinghouse Land 30 Metres West Of Wester Carmichael Cottage Forgandenny Road Bridge Of Earn**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as the scale/mass/design of the dwelling proposed would not meet the criteria outlined under Category 1 which requires that new housing respect the character, scale and form of the group, should not detract from the visual amenity of the group and that a high standard of residential amenity has not been provided for existing dwellings.
2. The proposal is contrary to Policies 1A and 1B (Placemaking) of the Perth and Kinross adopted Local Development Plan 2 (2019) and the Placemaking Supplementary Guidance 2020, which all seek to ensure that all new developments contribute positively to the quality of the surrounding built and natural environment, and that all proposals complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours. Due to a combination of the scale, height, massing and appearance of the dwelling compounded by the tapering nature of the site and siting adjacent to a modest cottage the proposal is not considered to contribute positively to the surrounding environment.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Notes

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

Plan Reference

01

02

03

04

05

06

07

08

09

REPORT OF HANDLING

DELEGATED REPORT

Ref No	21/02195/FLL	
Ward No	P9- Almond And Earn	
Due Determination Date	9th March 2022	
Draft Report Date	19th May 2022	
Report Issued by	JF	Date 20/05/22

PROPOSAL: Erection of a dwellinghouse

LOCATION: Land 30 Metres West Of Wester Carmichael Cottage
Forgandenny Road Bridge Of Earn

SUMMARY:

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

SITE VISIT:

In line with established practices, the need to visit the application site has been carefully considered by the case officer. The application site and its context have been viewed by a variety of remote and electronic means, such as aerial imagery and Streetview, in addition to photographs submitted by interested parties. In addition the site was visited in early 2020 during the consideration of the previous application on the site.

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

The proposal is for the erection of a dwellinghouse at land west Of Wester Carmichael Cottage, Forgandenny Road, Bridge Of Earn. The site forms the garden ground and is bound by the public road to the north, a dwelling to the east and agricultural land to the west/south.

The proposal is to erect a 1 ½ storey dwelling with extended rear elevation following the linear style of development. In principle permission was granted on the site in 2020.

SITE HISTORY

20/00138/IPL Erection of a dwellinghouse (in principle) 30 March 2020 Application Approved

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 2 (2019).

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2 – Adopted November 2019

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 19: Housing in the Countryside

Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development

Policy 53B: Water Environment and Drainage: Foul Drainage

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

Policy 53E: Water Environment and Drainage: Water Supply

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

OTHER POLICIES

Placemaking Supplementary Guidance

Developer Contributions Supplementary Guidance

Housing in the Countryside Supplementary Guidance

CONSULTATION RESPONSES

Development Contributions Officer	Contribution required
Conservation Team	No impact on setting LBC
Transport Planning	No objection to formation of access
Scottish Water	No objection

REPRESENTATIONS

No letters received

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	Habitats Regulations AA 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 and the adopted LDP2.

In this instance, section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities in determining such an application as this to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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 principle of development has been established on the site through the in principle permission granted ref 20/00138/IPL.

This application is to consider the detailed design of the proposals under Policy 1 Placemaking, Policy 19 Housing in the Countryside and the supplementary guidance for both policies.

The principle of development on the site was approved under Category 1 Building Groups. This category states in relation to detailed proposals that new housing should respect the character, scale and form of the existing group, should not detract from the visual amenity of the group when viewed from the wider landscape and that a high standard of residential amenity will be provided for both existing and new housing.

Policy 1 Placemaking states that the design, density and siting of development should respect the character and amenity of the place. Development should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

The site narrows forming a triangular plot at the end of a row of dwellings. The row tapers towards the site with the scale of development decreasing. The row ranges from single storey dwellings which accommodate upper levels within steeper roof pitches using dormers/rooflights to traditional single storey cottages with low pitched roofs. Whilst it is accepted a number of these dwelling feature more substantial rear elevations on the road side they are overwhelming of modest scale.

It is considered that the cumulative impact of different elements of the proposal would not respect the character and amenity of the area. The dwelling is large 1 1/2 storey and is sited where adjacent dwellings are single storey in appearance. The site levels have been utilised to try and mitigate the taller scale of the development so that the ground floor of the dwelling is partially screened by the higher road level and site boundaries however the first floor of the dwelling will be fully visible. The site will also have a new access formed to the west this will require site clearance to form an access ramp and visibility splays. This will further open up the site where it is currently contained and introduce large gable end view of the dwelling compounding the scale.

The agent has sought to address the height by submitting a street elevation plan. Whilst this shows that in long views the dwelling will not be significantly higher there are still remaining concerns about the overall development within the site and how the dwelling will sit beside the modest neighbouring cottage.

In this case it is considered that the development as proposed does not respect the character of development and it is considered that at this end of the row a more modest approach to the design was required.

Design and Layout

The dwelling is 1 1/2 storey with traditional proportions/materials and contemporary design detailing. The roadside elevation will have the ground floor mostly screened with the 1st floor visible above the fence line. The upper floor on the roadside elevation has a narrow feature gable and rooflights which extend down to the wall head.

To the rear the overall mass of the dwelling is substantial with large amounts of full height glazing and a projecting gable which links to a covered lower terrace and first floor balcony. Whilst I accept that the agent has made an attempt to contain the large detailed elevation to the rear the overall scale of the dwelling in combination with the height and formation of the new access results in a dwelling of such a scale and resulting design that which will jar with the existing modest traditional row of cottages.

As with the principle of development being established on the site it is considered that a scaled back design could address concerns, but the agent has repeatedly

chosen to justify individual design elements rather than address the overall scheme in relation to the site characteristics.

Residential Amenity

In addition to concerns about the overall mass/height the dwelling is sited 2.2m from the boundary with windows proposed at the first floor and a balcony at first floor.

The agent has sought to address this by using an opaque glazing screens to the balcony and opaque glass on the windows in the east elevation. It is considered that the impact of overlooking should be designed out of the dwelling rather than by the inclusion of glazing which would need to be maintained in perpetuity. This adds to the concern that the dwelling proposed is not the correct design solution of this site which has a number of constraints.

Roads and Access

The development is proposed to be served by a new access formed to the west of the plot. Whilst Transport Planning have no objection the formation of the access as parking and visibility have been shown the level changes will require engineering to bridge the 1.8m difference between the road and site. As previously stated, the opening up of the site to accommodate a single access instead of utilising the access of the dwelling to the east will expose more of the large scale of the dwelling.

Drainage and Flooding

The site is not at risk of flooding. The plans detail the surface water outfall is to the existing burn and the existing foul treatment plant next door (within the ownership of the applicant) will be upgraded to accommodate the development.

Conservation Considerations

The neighbouring cottages are category Cs listed. It is considered that the development of the site would not have a detrimental impact on the immediate setting of the listed buildings.

Developer Contributions

Developer contributions are applicable on this site and would have been required in respect of education and transport infrastructure if the development had been supported.

Economic Impact

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

VARIATION OF APPLICATION UNDER SECTION 32A

This application was not varied prior to determination.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.

Accordingly the proposal is refused on the grounds identified below.

Reasons

1 The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as the scale/mass/design of the dwelling proposed would not meet the criteria outlined under Category 1 which requires that new housing respect the character, scale and form of the group, should not detract from the visual amenity of the group and that a high standard of residential amenity has not been provided for existing dwellings.

2 The proposal is contrary to Policies 1A and 1B (Placemaking) of the Perth and Kinross adopted Local Development Plan 2 (2019) and the Placemaking Supplementary Guidance 2020, which all seek to ensure that all new developments contribute positively to the quality of the surrounding built and natural environment, and that all proposals complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours. Due to a combination of the scale, height, massing and appearance of the dwelling compounded by the tapering nature of the site and siting adjacent to a modest cottage the proposal is not considered to contribute positively to the surrounding environment.

Justification

The proposal is 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

01
02
03
04
05
06
07
08
09



PERLIGHT SOLAR PLUS⁺ SERIES

4th Generation Module Series • Black

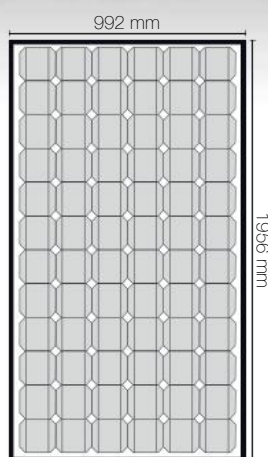
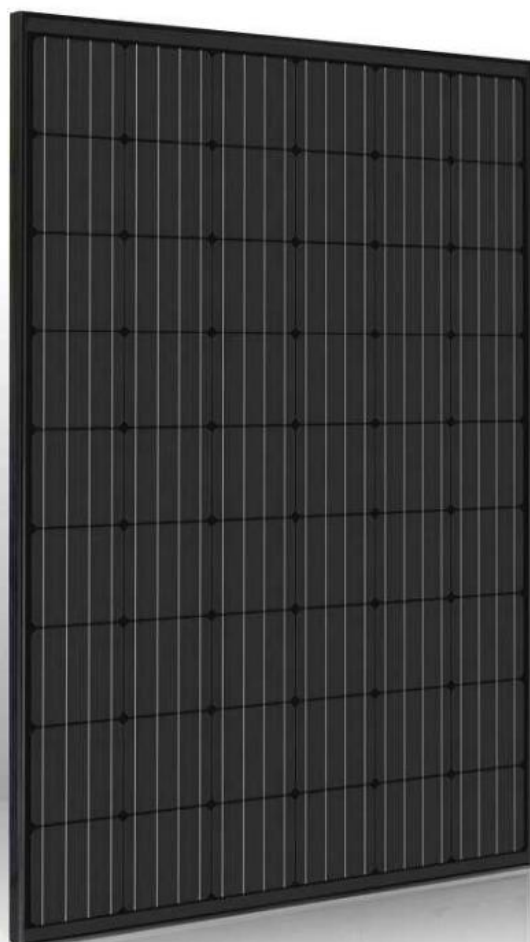
Models available:

54 Cell 250w • 255w
60 Cell 250w • 285w • 300w
72 Cell 300w • 330w

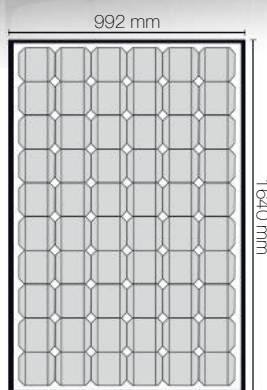
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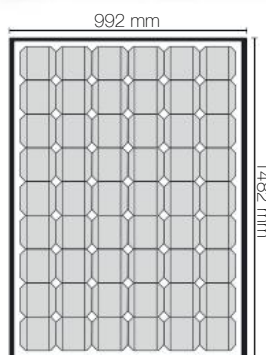
More Efficient
PERC Cell Technology
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PLM-330MB-72 Series
Weight: 21kg



PLM-300MB-60 Series
Weight: 18kg



PLM-250MB-54 Series
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Smart-Ready Junction box

Tigo

- Field replaceable diode cover
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Cover upgrade options:

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PERC

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- Ammonia corrosion resistance certified
- Salt mist corrosion resistance certified
- 1000+ accredited module types
- Worldwide accreditation



Quality Guarantee

- Quality Guaranteed
- 12 Year Workmanship Warranty
- 25 Year Output Performance Warranty
- >90% Output for 12 Years
- >80% Output for 25 Years
- Over 30 Years Manufacturing Experience

Approved by:



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Muyu Administration District,
Wenling, Zhejiang,
317521, China
jenny.uk@perlight.com

GLOBAL MARKETING CENTRE

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E# 14th floor, 58 Xinqiniao Rd,
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200129, China
enquiry@perlight.com

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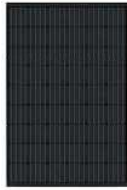
PERLIGHT SOLAR PLM SERIES

BLACKPLUS

Series Specifications

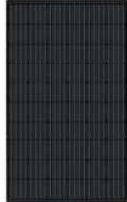
PLM-250MB-54 Series

Frame Size: 1482 x 992mm
Frame Thickness: 35mm
Weight: 16.5kg
Number of Cells: 54
Cell Type: Mono PERC
Power Outputs:
 250W-270W



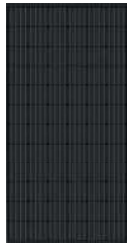
PLM-300MB-60 Series

Frame Size: 1640 x 992mm
Frame Thickness: 35mm
Weight: 18kg
Number of Cells: 60
Cell Type: Mono PERC
Power Outputs:
 250W-300W



PLM-330MB-72 Series

Frame Size: 1956 x 992mm
Frame Thickness: 40mm
Weight: 21kg
Number of Cells: 72
Cell Type: Mono PERC
Power Outputs:
 300W-360W

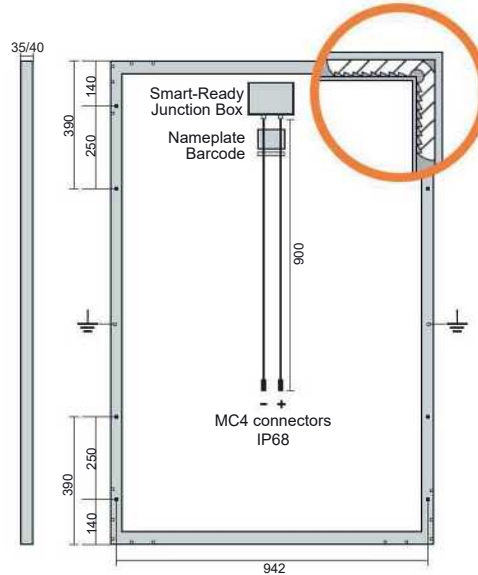


Tigo

Smart-Ready
Diode cover

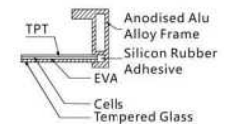


- Field replaceable
- Upgradeable
- Heat dissipation away from the module
- TS4 baseplate
- Applicable to conventional and smart modules



Rear frame mounting-hole positions common to all three module sizes.
 Mounting-hole size: Ø9*14
 All measurements in mm.

- Extremely reliable screw-less, interconnected frame for long-term flexibility and strength.
- 8 mounting holes for direct mounting option.
- 20 in-built drainage waterspouts.
- 2 earth (ground) points.
- Tempered ARC (anti-reflective) front glass.



Electrical Characteristics						Temperature Coefficient (%/°C)				
	Wp	Vmp	Imp	Voc	Isc	NOCT	Pmax	Voc	Isc	Vmp
54 Cell PLM-250MB-54 Series	250	28.41	8.8	35.25	9.21	45+/-2	-0.4	-0.3	0.06	-0.4
	255	28.62	8.91	35.39	9.31		-0.4	-0.3	0.06	-0.4
60 Cell PLM-300MB-60 Series	250	30.49	8.2	38	8.78	45+/-2	-0.4	-0.3	0.06	-0.4
	285	31.78	8.97	39.35	9.36		-0.4	-0.3	0.06	-0.4
	300	32.54	9.22	40.11	9.61		-0.4	-0.3	0.06	-0.4
72 Cell PLM-330MB-72 Series	300	36.59	8.2	45.6	8.78	45+/-2	-0.4	-0.3	0.06	-0.4
	320	37.79	8.47	46.01	8.97		-0.4	-0.3	0.06	-0.4
	330	37.72	8.75	46.93	9.16		-0.4	-0.3	0.06	-0.4

Power Tolerance	-0/+3%
Working Temperature	-40°C to 85°C
Max. System Voltage	1000VDC
Wind Rating	5400Pa
Hail Resistance	40mm @ 80km/h
Max. Fuse Rating	15 Amp
Frame Thickness	35mm/40mm
Clamp on Long or Short sides	

- ✓ IEC61730 safety rated for high wind pressure, hail impact, snow load and fire.
- ✓ Certified against Salt mist corrosion for coastal areas.
- ✓ Certified against Ammonia corrosion for agricultural installations.
- ✓ Produced in an environmentally friendly ISO 9001, OHSAS 18001 and ISO 14000 certified manufacturing facility, which has been utilizing an on-site 360kW Perlight Solar system since 2006.

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LRB-2022-49

21/02195/FLL - Erection of a dwellinghouse, land 30 metres west of Wester Carmichael Cottage, Forgandenny Road, Bridge of Earn, PH2 9EZ

REPRESENTATIONS

Thursday, 27 January 2022



Local Planner
Planning and Development
Perth and Kinross Council
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 Customer,

30M W of Wester Carmichael Cottage, Forgandenny Road, Bridge Of Earn
Planning Ref: 21/02195/FLL
Our Ref: DSCAS-0057037-GCV
Proposal: Erection of a dwellinghouse

Please quote our reference in all future correspondence

Audit of Proposal

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 Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

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

Waste Water Capacity Assessment

- ▶ 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.

Please Note

- ▶ 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.
-

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not 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
 - ▶ 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 information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) 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 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

▶ Trade Effluent Discharge from Non-Domestic 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 the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email 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 [here](#).
- ▶ 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

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Angela Allison

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/02195/FLL	Comments provided by	Marianna Porter
Service/Section	Conservation	Contact Details	
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 30 Metres West Of Wester Carmichael Cottage Forgandenny Road Bridge Of Earn		
Comments on the proposal	I have no concerns regarding the impact of the proposed development on the setting of the listed building.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	08.02.2022		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/02195/FLL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner Email: [REDACTED]
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 30 Metres West Of Wester Carmichael Cottage Forgandenny Road Bridge Of Earn		
Comments on the proposal	<p>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p>Primary Education</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 at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Dunbarney Primary School.</p> <p>Transport Infrastructure</p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> <p>The site is located in the 'Reduced' Transport Infrastructure contributions zone (Appendix 3 of the Supplementary Guidance)</p>		
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: 1 x £5,164 Transport Infrastructure: 1 x £2,742</p>		

	<p><u>Total: £7,906</u></p> <p>Phasing</p> <p>It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant.</p> <p>The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to complete.</p> <p>If a Section 75 Agreement is entered into the full contribution should be received 10 days prior to occupation.</p>
<p>Recommended informative(s) for applicant</p>	<p>Payment</p> <p>Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.</p> <p>Methods of Payment</p> <p>On no account should cash or cheques be remitted.</p> <p>Scheduled within a legal agreement</p> <p>This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.</p> <p>NB: The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.</p> <p>Other methods of payment</p> <p>Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.</p> <p>Bank Transfers</p> <p>All Bank Transfers should use the following account details;</p>

	<p>Sort Code: 834700 Account Number: 11571138</p> <p>Please quote the planning application reference.</p> <p>The Council operate an electronic direct debit system whereby payments may be made over the phone. To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand:</p> <ul style="list-style-type: none"> a) Your card details. b) Whether it is a Debit or Credit card. c) The full amount due. d) The planning application to which the payment relates. e) If you are the applicant or paying on behalf of the applicant. f) Your e-mail address so that a receipt may be issued directly. <p>Education Contributions For Education contributions please quote the following ledger code: 1-30-0060-0001-859136</p> <p>Transport Infrastructure For Transport infrastructure contributions please quote the following ledger code: 1-30-0060-0003-859136</p> <p>Indexation</p> <p>All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p>Accounting Procedures</p> <p>Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.</p>
Date comments returned	11 February 2022

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/02195/FLL	Comments provided by	Lachlan MacLean Project Officer – Transport Planning
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 30 Metres West Of Wester Carmichael Cottage, Forgandenny Road, Bridge Of Earn		
Comments on the proposal	<p>The applicant is proposing to erect a three bedroomed dwellinghouse to the west of West Carmichael Cottage. The property will be accessed from the B935 public road network.</p> <p>The applicant is proposing to provide two car parking spaces for the dwellinghouse, which meets the requirements of the National Roads Development Guide. They have provided sufficient turning facilities within the property for these vehicle to be able to exit in a forward facing gear.</p> <p>The proposed junction bellmouth with the public road network with 3 metre radius kerbing and surfaced back for the first 6 meters is acceptable.</p> <p>The road is currently subject to national speed limit, and not 40mph as stated in the Location Plan. Notwithstanding, this the applicant should be able to achieve a splay of up to 215 metres to the east, but this is not possible to the west, where a reduced splay of at least 160 metres could be achieved.</p> <p>If the applicant is successful in gaining planning consent, they must apply for a Vehicle Access Consent before starting works on its formation. More information on the process can be found on the following website: https://www.pkc.gov.uk/vehicleaccess. Please note, that as planning permission has been applied for, currently no fee is required for the Vehicle Access Consent (VA1 form), please include the planning application number on your VA application form.</p> <p>Insofar as the Roads matters are concerned, I have no objections to this proposal on the following condition.</p>		

Recommended planning condition(s)	<p>Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type B Figure 5.6 access detail with 3 metre radius kerbs, of Type B Road construction detail. The Type B Road construction detail shall continue into the entrance for a distance of 6 metres from the boundary of the public road surface.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p>
Recommended informative(s) for applicant	<p>The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.</p>
Date comments returned	<p>11 February 2022</p>