

**TCP/11/16(517) – 17/01429/FLL – Erection of 2
dwellinghouses on land 50 metres south of 1 Markethill,
Kettins**

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**TCP/11/16(517) – 17/01429/FLL – Erection of 2
dwellinghouses on land 50 metres south of 1 Markethill,
Kettins**

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

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

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

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

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

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

Yes ☒ No ☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application Date of decision (if any)

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

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

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

1. If a response is requested by the Local Review Body, or more information required.
2. If considered appropriate by Local Review Body.

Site inspection

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

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

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

N/A

Statement

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

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

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

Please refer to separate supporting statement.

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

Yes ☒ No ☐

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

When the Planning Case Officer prepared his report we assumed that he would take account of the fact that Planning Permission for two houses on this site had already been granted . However, in his report it stated that there was no previous planning history.

List of documents and evidence

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

1. All original planning submission documentation.
2. Planning permission previously granted.
3. Supporting statement

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

Checklist

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

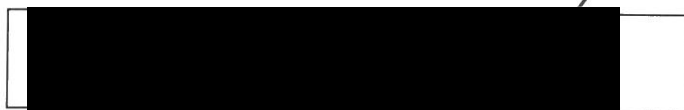
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

Declaration

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

Signed



Date

01-02-2018

Supporting Statement

Erection of 2No Dwellinghouses, Land 50m South of Markethill, Kettins, Perthshire.
Planning Ref : 17/01429/FLL.

The above application was refused for a number of different reasons. These were :

- a. The report agreed that Markethill was considered a grouping of buildings, but disagreed that the proposed site consisted of a definable site, as there were no well established landscape features or topography to provide a suitable setting. It was also considered was ribbon development. We feel that there is an inconsistency of interpretation of planning policy by different Case Officers as there are a number of other applications which we have had approved which we considered similar. Examples of these are attached. As can be seen from these, it is relatively common to use a post and wire fence as a boundary. Conditions have been applied to these approvals, to state that a suitable landscaping framework should be established with hedges and planting, which was suggested in this case.
- b. It was also considered that this site created a ribbon development. Again, we have shown an example of where a similar site was granted approval for four houses, along the side of an existing road. Again, there was no definable boundary at the edge of this approved site, other than a post and wire fence.
- c. When the Case Officer prepared his report, he stated that “there was no previous site history”. This is not the case, as an application for two houses, was previously granted (approval attached).

PERTH AND KINROSS COUNCIL

Mr Keith Webster
c/o LJR+H Architects
Bob Hynd
18 South Tay Street
Dundee
DD1 1PD

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD


Date 1st November 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: 17/01429/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 7th September 2017 for permission for **Erection of 2no. dwellinghouses Land 50 Metres South Of 1 Markethill Kettins** for the reasons undernoted.

PP


Interim Head of Planning

Reasons for Refusal

1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location. The proposal would also contribute to ribbon development along the A923.
2. The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location. The proposal would also contribute to ribbon development along the A923.
3. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed siting of the development does not respect the character and amenity of this area of Perth and Kinross.

4. The proposal is contrary to Policy PM1B, criterion (b) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside as there is no sufficient containment to the site.
5. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience through the siting of the development within this area of Perth and Kinross.
6. The proposal does not provide or demonstrate that a satisfactory residential environment can be created due to the proximity of the agricultural buildings to the west and south of the site. Accordingly there is the potential for future residents at this site to suffer annoyance from noise and odour from the agricultural activity, contrary to Policy EP8 of the Perth and Kinross Local Development Plan 2014.

Justification

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

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

Plan Reference

17/01429/1

17/01429/2

17/01429/3

17/01429/4

17/01429/9

17/01429/10

17/01429/11

17/01429/12

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/01429/FLL	
Ward No	P2- Strathmore	
Due Determination Date	06.11.2017	
Case Officer	John Russell	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of 2no. dwellinghouses

LOCATION: Land 50 Metres South Of 1 Markethill Kettins

SUMMARY:

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

DATE OF SITE VISIT: 25 October 2017

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

Markethill is a small hamlet consisting of a number of old cottages, new dwellings and rural buildings located to the west side of the A923. It is located on the main road between Coupar Angus and Dundee. The site is in the countryside around half a mile south of Coupar Angus.

The site consists of a small paddock area. A post and wire fence is located on the south, agricultural buildings to the west, the A923 to the east boundary and the curtilage of 1 Markethill to the north. The proposal is to form two dwelling houses within the paddock.

SITE HISTORY

None

PRE-APPLICATION CONSULTATION

Pre application Reference: 15/00585/PREAPP

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area will be sustainable, more attractive, competitive*

and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions

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

Policy PM4 - Settlement Boundaries

For settlements which are defined by a settlement boundary in the Plan, development will not be permitted, except within the defined settlement boundary.

Policy RD3 - Housing in the Countryside

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

Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes

Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

Policy EP8 - Noise Pollution

There is a presumption against the siting of proposals which will generate high levels of noise in the locality of noise sensitive uses, and the location of noise sensitive uses near to sources of noise generation.

OTHER POLICIES

Development Contributions

Sets out the Council's Policy for securing contributions from developers of new homes towards the cost of meeting appropriate infrastructure improvements necessary as a consequence of development.

Housing in the Countryside Guide

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

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

The Council's "Guidance on the Siting and Design of Houses in Rural Areas" contains advice on the siting and design of new housing in rural areas.

CONSULTATION RESPONSES

Environmental Health – No objection subject to conditional control relating to the operation of the proposed stoves.

Dundee Airport Ltd – No objection.

Transport Planning – No objection subject to conditional control.

Contributions Officer - This proposal is within the catchment of Kettins Primary School. Education & Children's Services have no capacity concerns in this catchment area at this time.

Scottish Water – No objection.

REPRESENTATIONS

None

ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required

EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Submitted

APPRAISAL

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

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

Policy Appraisal

The local plan through Policy PM4 - Settlement Boundaries specifies that development will not be permitted, except within the defined settlement boundaries which are defined by a settlement boundary in the Plan.

However, through Policy RD3 - Housing in the Countryside it is acknowledged that opportunities do exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved. Thus the development of single houses or groups of houses which fall within the six identified categories will be supported.

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

The supporting statement submitted with the application considers that the existing building group is in excess of the three or more buildings of a size at least equivalent to a traditional cottage. The proposal does not detract from the residential and visual amenity of the group and in fact, would screen the remaining buildings from the road. The site is not considered as ribbon development, as the field pattern forms a logical "stop end" to the existing hamlet.

I therefore turn to the Housing in the Countryside SPG which assists with the assessment of the building group policy. This confirms that:-

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

Note: An existing building group is defined as 3 or more buildings of a size at least equivalent to a traditional cottage, whether they are of a residential and/or business/agricultural nature. Small ancillary premises such as domestic garages and outbuildings will not be classed as buildings for the purposes of this policy.

From my site inspection Markethill can be considered a grouping of buildings which is set along the A923. However I disagree that the proposed site for the proposed two new houses consists of a definable site. There are no well-established landscape features or topography to provide a suitable setting. Furthermore insertion of dwellings would constitute ribbon development along the A923. I disagree with the agent that this forms a logical 'stop end'.

In my view this would set an undesirable precedent and if approved I'm sure the same argument would be utilised to continue ribbon development into the next field along the A923 to the next logical 'stop end'.

I note the agent has referenced precedence and has highlighted that applications 10/01256/FLL, 16/00199IPL and 17/00007/FLL are comparable to this site. Precedence is a material consideration in the determination of an application. However, every site presents different characteristics and I discuss the differences below.

10/01256/FLL relates to completely different development pattern to the current application.

16/00199IPL relates to a building group with well-defined boundaries and a completely different development pattern to the current application.

From my review of 17/00007/FLL the circumstances of this case are quite different. Built development is located on the opposite side of the road as a result application 17/00007/FLL rounded off the grouping in this location and did not constitute ribbon development.

In light of this there is not sufficient similarity between the applications referenced for precedent to be a material consideration of weight in the determination of this application.

Design and Layout

Policy PM1A confirms that development must contribute positively, to the quality of the surrounding built and natural environment. In this case the siting and layout of the development does not respect the character and amenity of this area of the Perth and Kinross which is contrary to policy PM1A.

From my review of Policy PM1B, the proposal also fails to create a sense of identity and erodes the character of the countryside (a).

Landscape

Development and land use change should be compatible with the distinctive characteristics and features of Perth & Kinross's landscape. Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross. In this case the siting of a proposed residential development on this site does not comply with the housing in the countryside policy accordingly formation of dwellings and their associated curtilages are considered to erode local distinctiveness, diversity and quality of the landscape. The proposal fails to comply with Policy ER6.

Residential Amenity

Planning control has a duty to future occupiers not to create situations of potential conflict between neighbours. An acceptable level of amenity for the proposed properties is required and in this case cognisance of the surrounding landuses has to be taken into account.

I do not consider that the proposed development is compatible with the agricultural buildings and landuse to the west and south of the site. I consider that noise and odour due to the close proximity of agricultural buildings would not create an appropriate environment for the proposed dwellings. Accordingly the development would fail to comply with Policy EP8.

I also note that the siting criteria for the Housing in the Countryside SPG states that developments should not compromise the continuation of legitimate agricultural and related activities.

Roads and Access

There are no objections to the proposed dwellinghouses on roads or access grounds from Transport Planning. The proposal would comply with Policy TA1B if conditional control is applied.

Drainage and Flooding

Foul drainage is proposed to be a private system. The site is not in an area subject to river flooding. Disposal of surface water should be via a sustainable

urban drainage system and this would need to be incorporated into the site layout to comply with policy EP3C and this can be controlled conditionally.

Developer Contributions

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

This proposal is within the catchment of Kettins Primary School and there are no capacity concerns in this catchment area at this time.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

- 1 The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location. The proposal would also contribute to ribbon development along the A923.
- 2 The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location. The proposal would also contribute to ribbon development along the A923.
- 3 The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed siting of the development does not respect the character and amenity of this area of Perth and Kinross.
- 4 The proposal is contrary to Policy PM1B, criterion (b) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside as there is no sufficient containment to the site.
- 5 The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience through the siting of the development within this area of Perth and Kinross.
- 6 The proposal does not provide or demonstrate that a satisfactory residential environment can be created due to the proximity of the agricultural buildings to the west and south of the site. Accordingly there is the potential for future residents at this site to suffer annoyance from noise and odour from the agricultural activity, contrary to Policy EP8 of the Perth and Kinross Local Development Plan 2014.

Justification

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

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

17/01429/1

17/01429/2

17/01429/3

17/01429/4

17/01429/9

17/01429/10

17/01429/11

17/01429/12

Date of Report 01.11.2017.

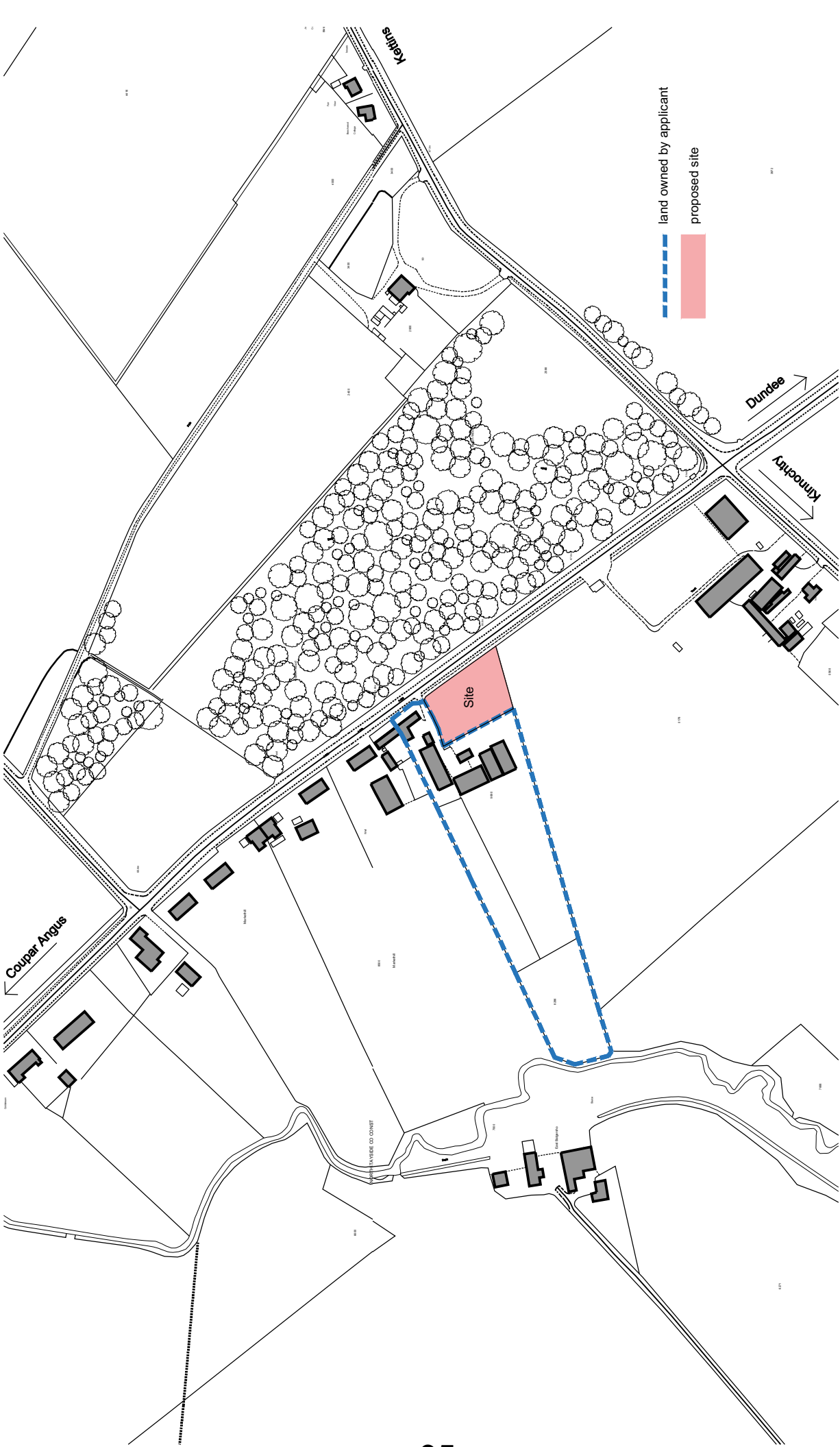
Supporting Statement

Markethill is a small hamlet consisting of a number of old cottages, new dwellings and rural buildings located to the south west side of the main Dundee road, around half a mile south of Coupar Angus. The site itself is currently a small paddock at the southern end of Markethill. We have examined the proposal against the recommendation contained in the Housing in the Countryside Policy and would make the following comments :

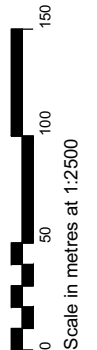
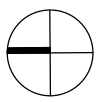
- a. Site Location. The site sits at the end of a group of buildings forming Markethill. It is contained on the eastern side by the main Coupar Angus to Dundee road, on the northern side by a group of existing houses and outhouses and on the west by storage sheds, currently used for storing hay bales. Other sheds to the north in the applicants ownership contain agricultural machinery and on the southern boundary it is separated from an adjacent field by post and wire fence. The site is similar in nature to a recent application approved at Woodside Farm (Ref: 17/00007/FLL). In the pre-application guidance we were given on that occasion, we were advised that additional planting would be required to ensure the site had a proper landscape setting. In this application, we have shown hedging along the southmost boundary, along with additional trees.
- b. Landscaping. In order to give the site a proper landscape setting, native Scottish species trees have been specified, the existing Rowan retained and beech hedging has been indicated on the drawings. In particular, the trees specified have been with a view to providing feeding for local bird life.
- c. Access. The access to the two site is taken from the main road with good visibility in both directions. Markethill is located within a 40 mile per hour speed limit.
- d. Contamination. The applicant has owned this property for a number of years. In that time, he has informed us that the site has only ever been used for grazing. The chance of contamination existing on site is therefore, considered as negligible.
- e. Adjacent Buildings. As stated, these are used for general farm storage. The applicant leases other ground in the area with particular emphasis on rearing sheep. As can be seen from the site layout plan, this is relatively small operation with only 1.6 hectares of ground in his ownership.
- f. Drainage. It is intended to install a bio-disc treatment plant and take the outfall from this to a closed soakaway within the site. There will therefore, be no discharge to a water course.
- g. Style of house. As can be seen from the drawings, the houses proposed are rural in appearance. The finishes of a slate roof and roughcast, is intended to enable these to blend with the adjacent properties.

Planning Policy:

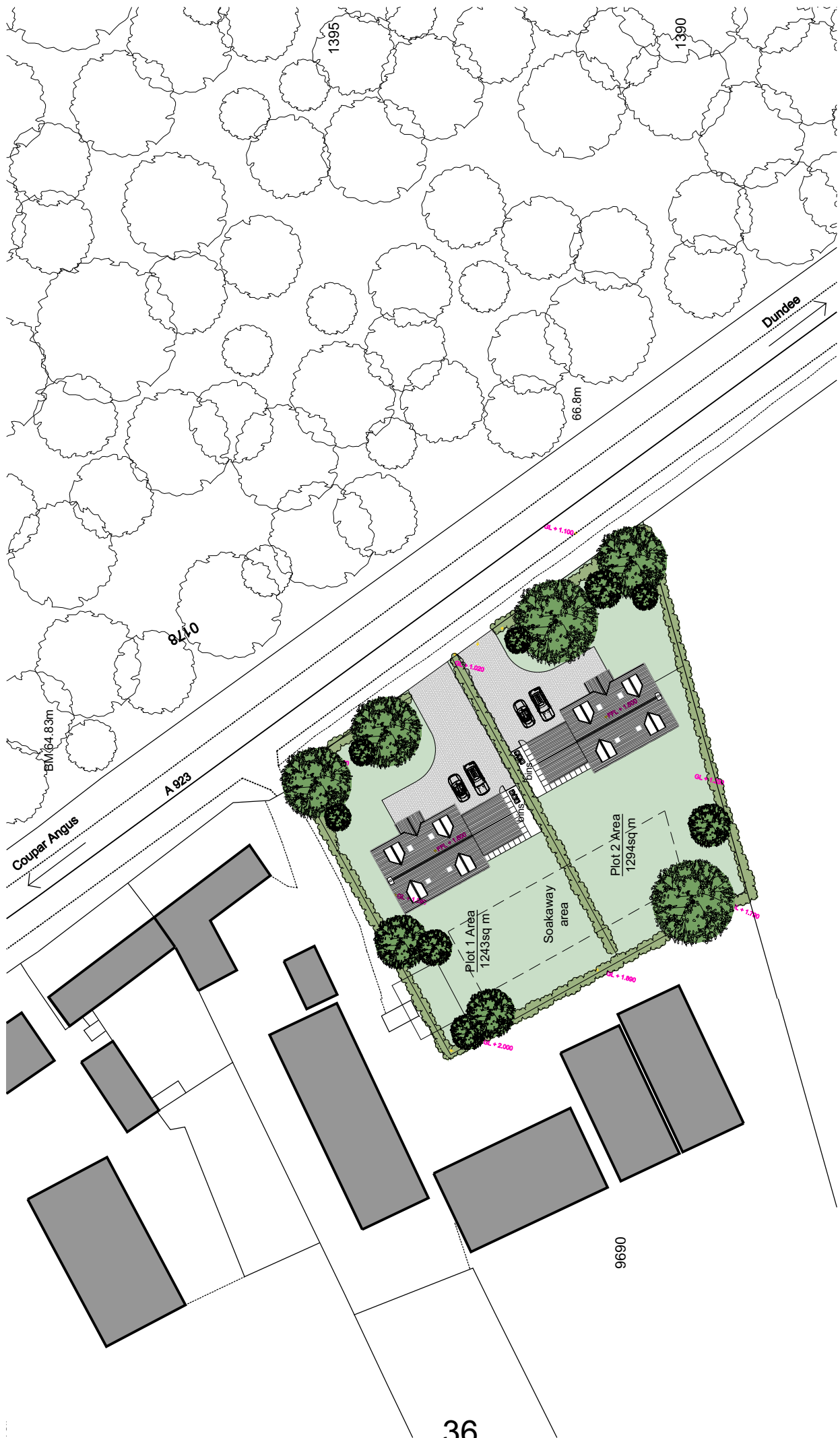
1. Building groups - The existing building group is in excess of the three or more buildings of a size at least equivalent to a traditional cottage. The proposal does not detract from the residential and visual amenity of the group and in fact, would screen the remaining buildings from the road. The site is not considered as ribbon development, as the field pattern forms a logical "stop end" to the existing hamlet.
2. The Plots proposed are comparable in size to the neighbouring residential properties and have a similar size of road frontage.
3. The size and design of the houses proposed are sympathetic to the existing housing.



Rev.
 LEADINGHAM JAMESON ROGERS + HYND
 C H A R T E R E D A R C H I T E C T S
 18 South Tg. Street Dundee DD1 1PD Tel: 01382 230511 Fax: 01382 232263 email: jameson@ljrh.co.uk
 Job No. 125008 A3
 Job Name Proposed Housing Development, Markethill, Kettins
 Drawing No. 01
 Date 17 April 17
 Scale 1:2500 @ A3
 Location Plan As Existing



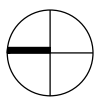
Location Plan As Existing



Rev. _____

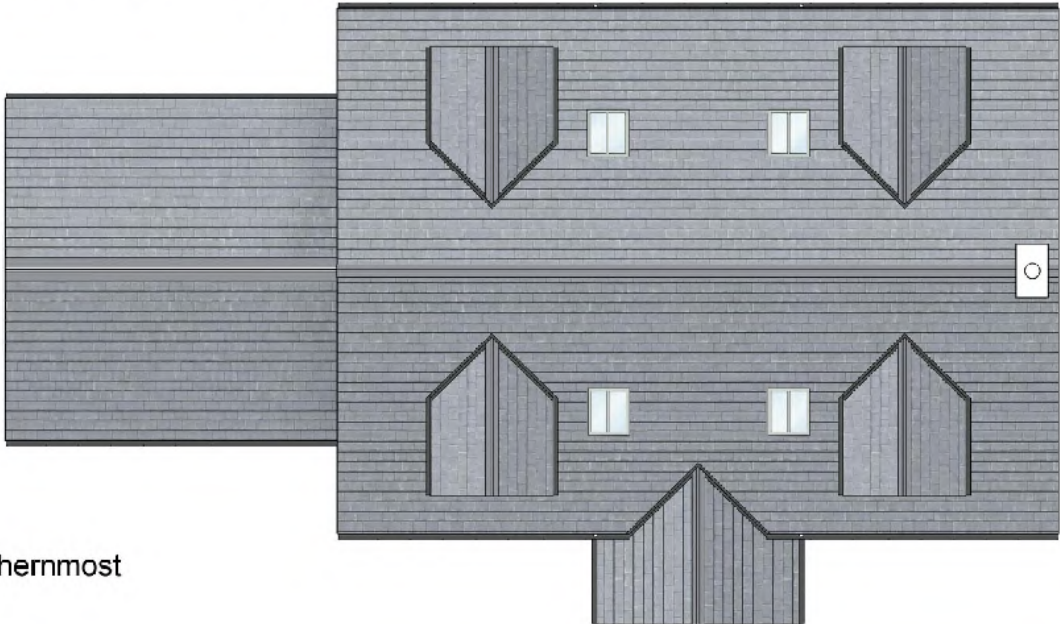
LEADINGHAM JAMESON ROGERS + HYND
C H A R T E R E D A R C H I T E C T S
18 South 1st Street Dundee, DD1 1PD Tel: 01382 220511 Fax: 01382 220509 Email: info@ljrh.co.uk

Job No.	15008 A3	Drawn No.	04
Client	Leadingham Jameson Rogers + Hynd	Date	April 17
Drawn Title	Site plan	Scale	1:500 @ A3



Site Plan As Proposed

Proposed Housing Development, Markethill, Kettins

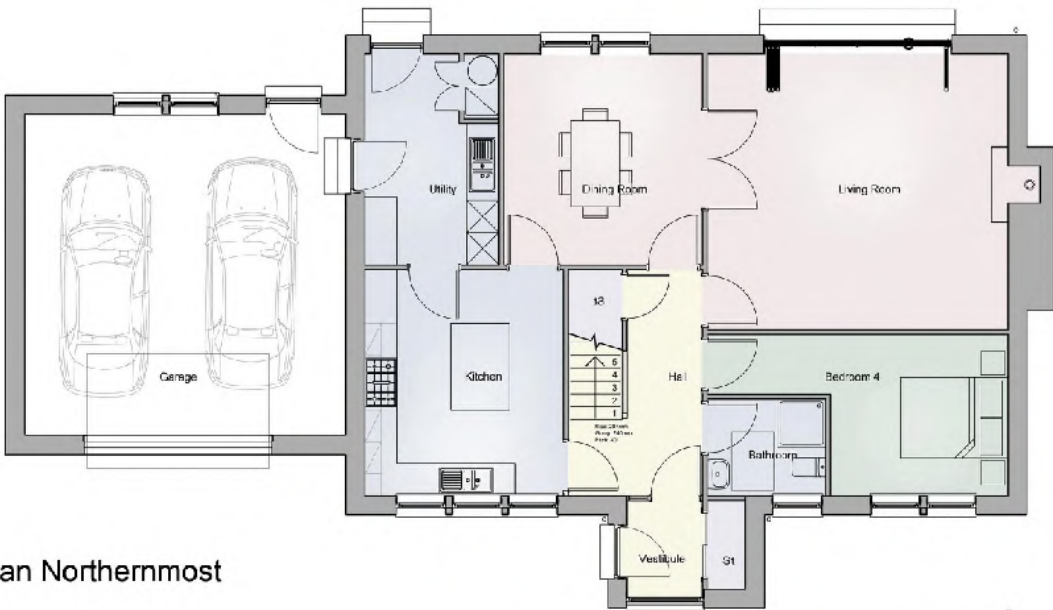


Roof Plan Northernmost



- Kitchen 15.6m²
- Bedroom 1 16.6m²
- Ensuite 1 7.5m²
- Bedroom 2 14.6m²
- Ensuite 2 7.6m²
- Bedroom 3 8.4m²
- Bathroom 4.7m²
- Hall 8.8m²

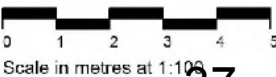
First Floor Plan Northernmost



- Kitchen 15.6m²
- Utility 9.8m²
- Dining Room 14.7m²
- Living Room 28.9m²
- Bedroom 4 12.5m²
- Bathroom 3.6m²
- Hall 7.4m²
- Vestibule 2.5m²

Ground Floor Plan Northernmost

Plot 1 - Floor Plans



Rev.

LEADINGHAM JAMESON ROGERS + ILYND

CHARTERED ARCHITECTS

18 South Lay Street Dundee, D1 1HD Tel: 01392 233511 Fax: 01392 233525 e-mail: som@ljrill.co.uk

Job Name

• Proposed Housing Development, Markethill, Kettins

Job No.

• 4211

Drawn

• F1

Drawn By

• 05

Design Title

• Plans

Scale

• 1:100 @ A3

Date

• July 17

Rev.

•

Proposed Housing Development, Markethill, Kettins



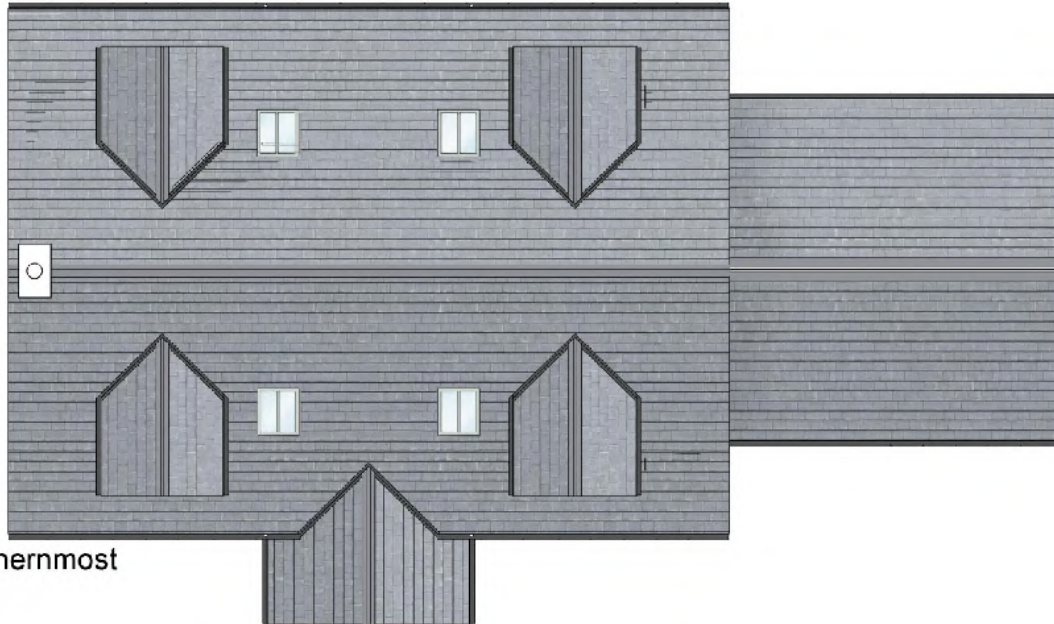
Roof... - Roofing slate
Roughcast - "Stonepack" Cinnamon
Basecourse - Sandstone Pitch Faced to match adjacent house
Bands - Stonepack Buff
Rainwater Goods - Black U.P.V.C
Windows/Doors - U.P.V.C to be RAL 6019
Timber Lining - Painted Pastel Green RAL 6019
Garage Door - Painted Pastel Green RAL 6019

Scale in metres at 1:100

LEADINGHAM JAMESON ROGERS & HYND
 C H A R T E R E D A R C H I T E C T S
 18 South Gate Street, London, EC1A 3JF. Tel: 01323 220206. E-mail: cmr@cmrplc.co.uk
 18 South Gate Street, London, EC1A 3JF. Tel: 01323 220206. E-mail: cmr@cmrplc.co.uk

Plot 1 - Elevations

Proposed Housing Development, Markethill, Kettins

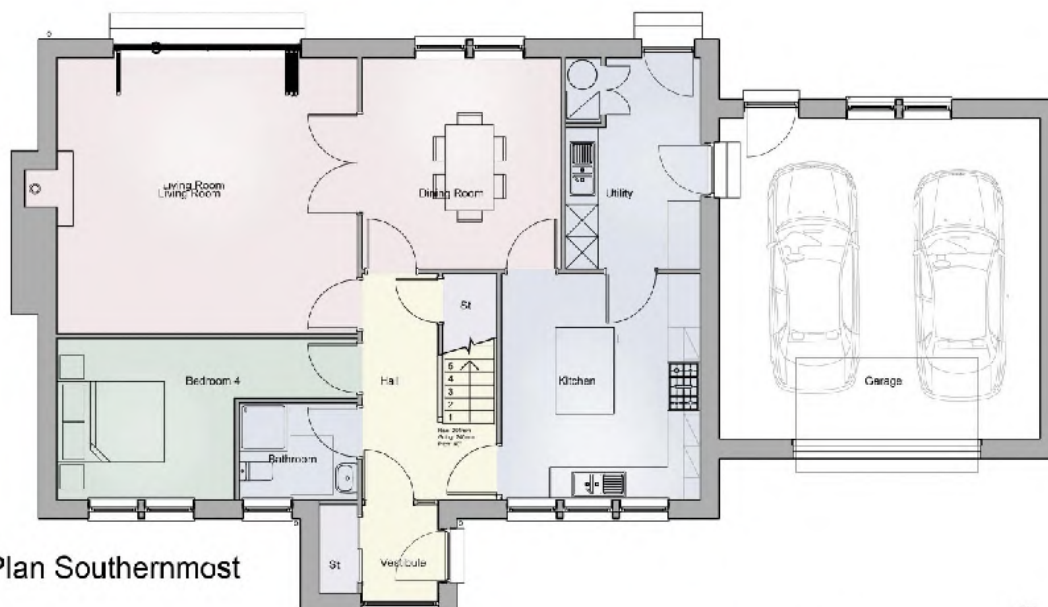


Roof Plan Southernmost



Kitchen	16.5m ²
Bedroom 1	16.5m ²
Ensuite 1	7.3m ²
Bedroom 2	14.5m ²
Ensuite 2	7.9m ²
Bedroom 3	8.4m ²
Bathroom	4.7m ²
Hall	0.9m ²

First Floor Plan Southernmost



Kitchen	16.5m ²
Living	0.8m ²
Dining Room	14.7m ²
Living Room	23.8m ²
Bedroom 4	12.3m ²
Bathroom	3.9m ²
Hall	7.4m ²
Vestibule	2.5m ²

Ground Floor Plan Southernmost

Plot 2 - Plan

Scale in metres at 1:100



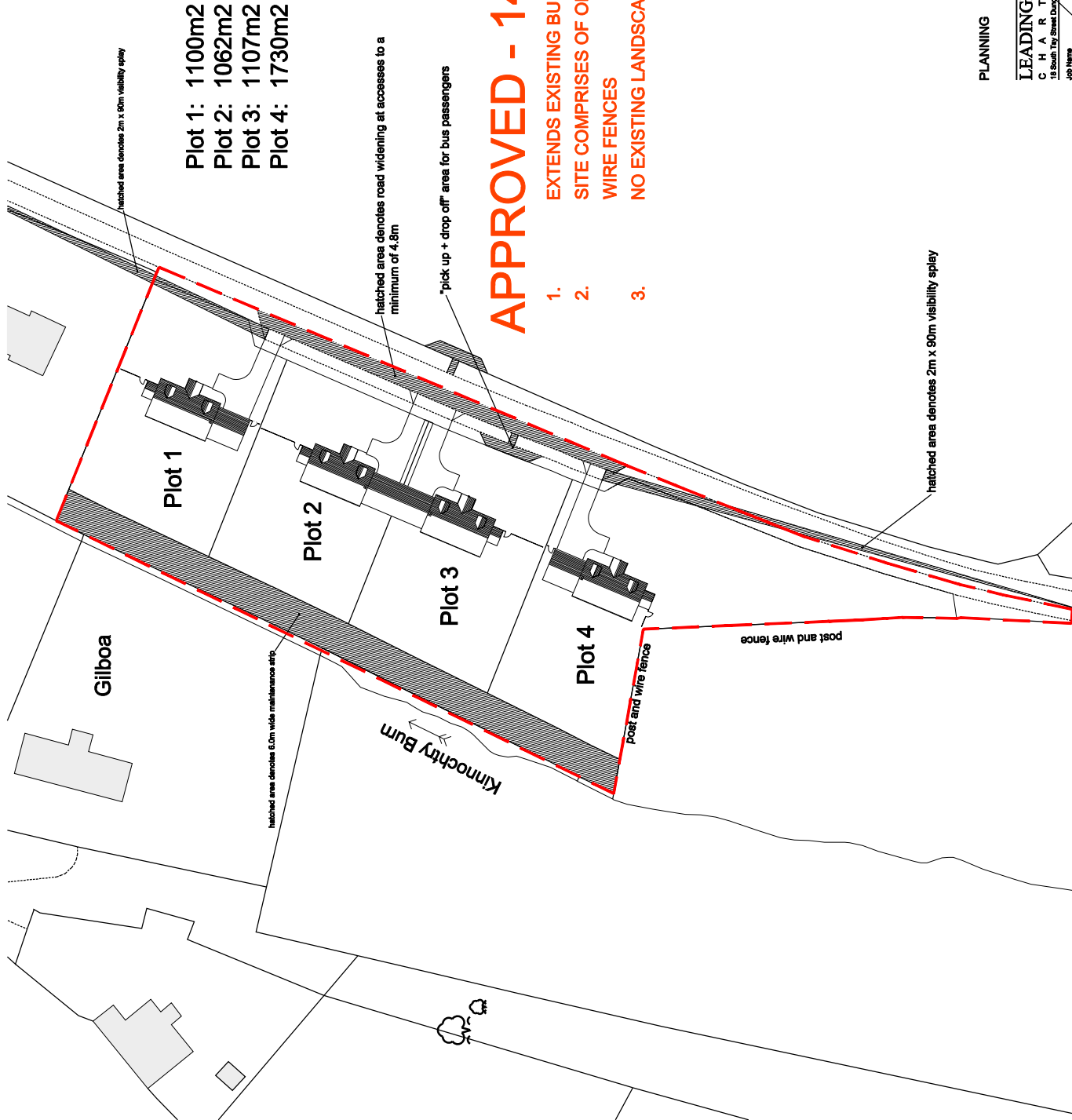
Architectural drawing of a house with a chimney emitting smoke. The drawing includes dimensions: 3940, 2190, 1130, 2640, and 4630. It also shows a chimney with smoke and a small window.



Plot 2 - Elevations

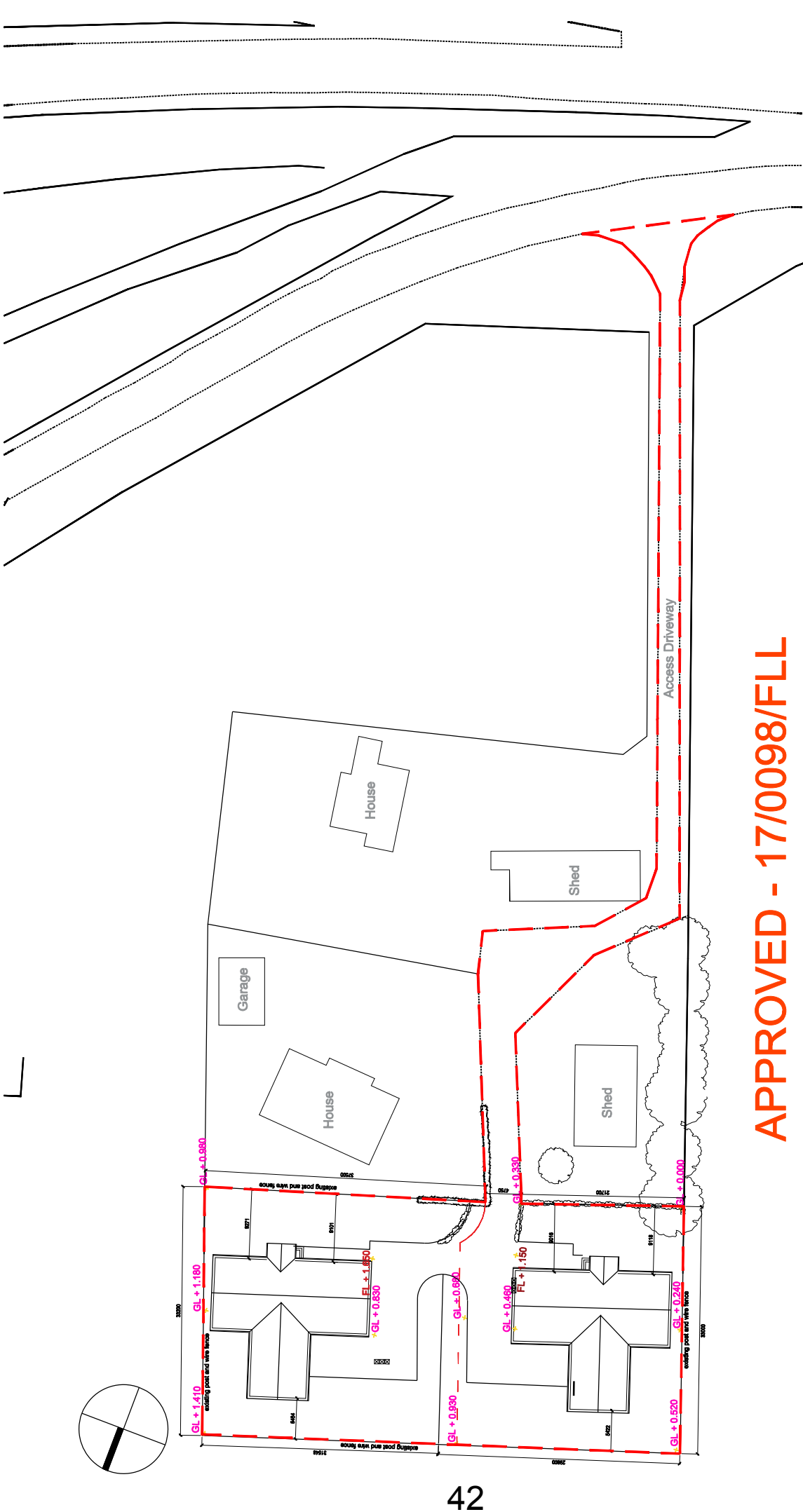
Scale in metres at 1:100

LEADINGHAM JAMESON ROGERS + HYND
 ARCHITECTS
 18 SOUTH FIFTH STREET, 20th FLOOR, COVINGTON, LA 70426
 TEL: 504.582.2051 FAX: 504.582.2525 E-MAIL: LMR@LJRH.COM
 JLR Name: PROJECT: Housing Development, Hattiesburg, MS
 JLR No: 4211 Date: 11/02/03
 JLR Date: 11/02/03
 JLR Rev: 11/02/03



PLANNING

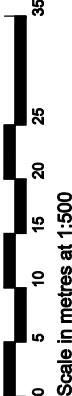
Rev.		Job No.		Scale		Date		Rev.	
		a 2814		a 1:1250 @ A3		a D		a 01	
		a 2814		a 1:1250 @ A3		a D		a 01	
		a 2814		a 1:1250 @ A3		a D		a 01	

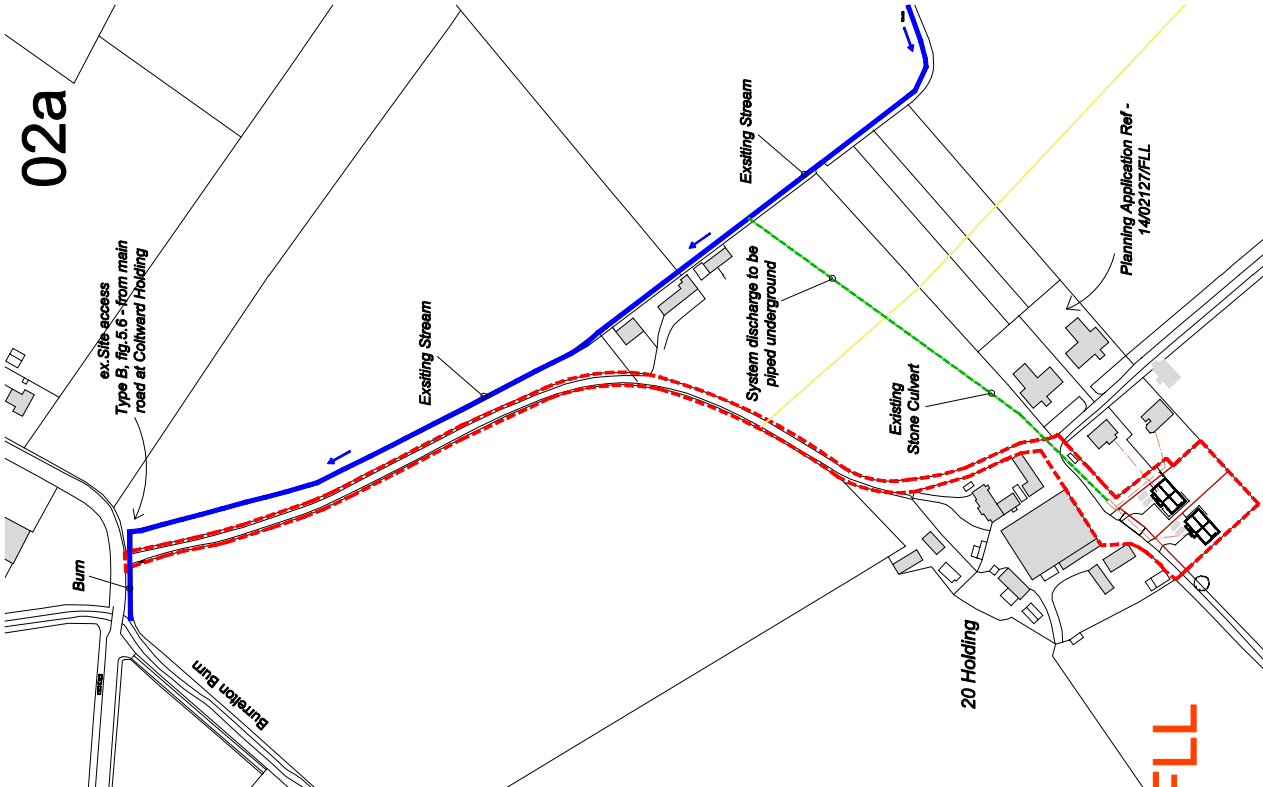


APPROVED - 17/0098/FLL

1. EXTENDS EXISTING BUILDING GROUP
2. SITE COMPRISES OF OPEN FEILD WITH POST AND WIRE FENCES
3. NO EXISTING LANDSCAPING FEATURES
4. ADJACENT TO REDUNDANT FARM BUILDINGS

— Site boundary

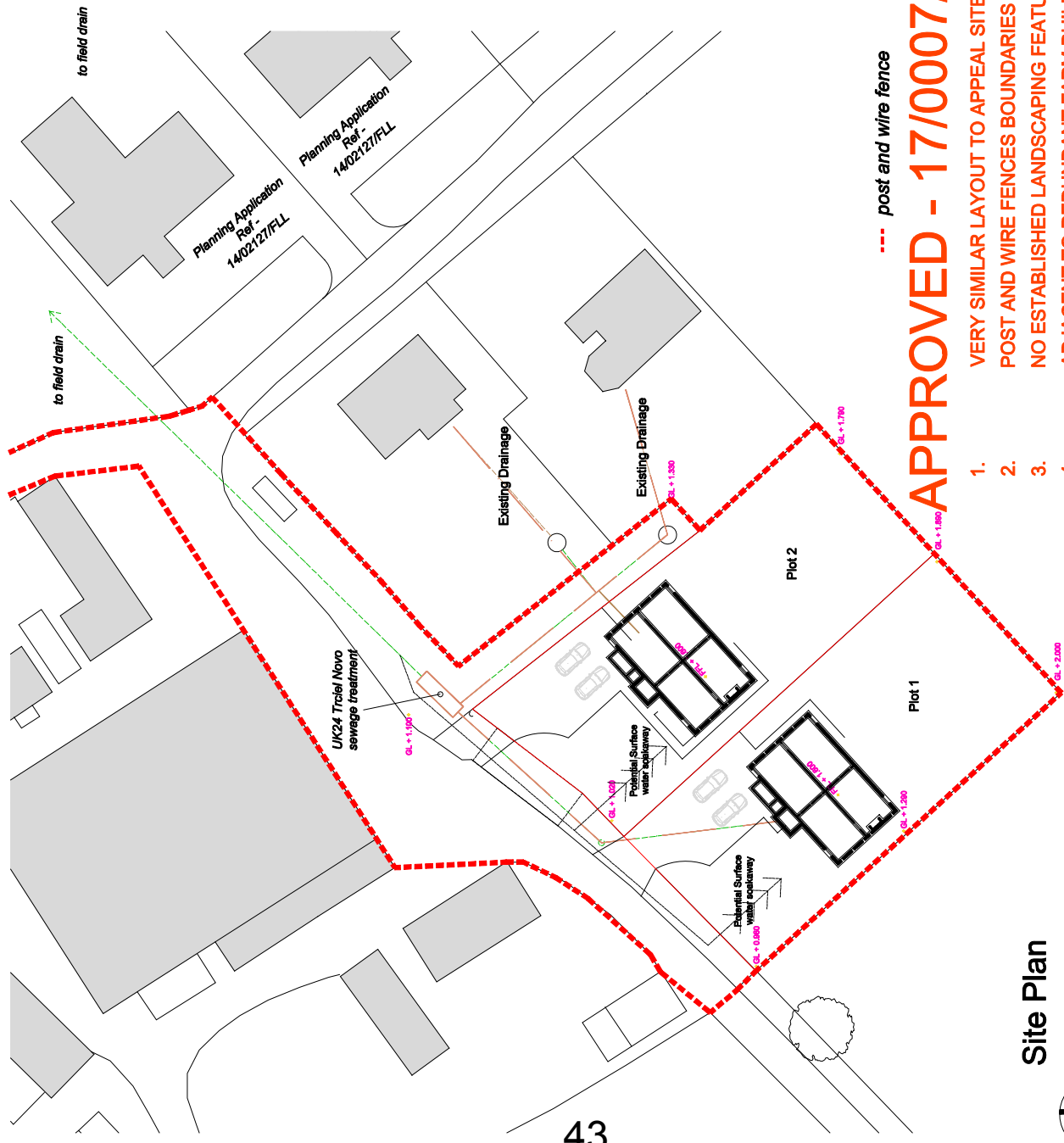




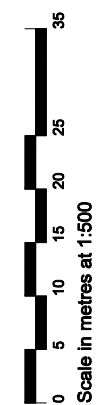
Location Plan



Rev: A - House site & drainage info amended, Oct 18
Drawn:
LEADINGHAM JAMESON ROGERS + HYND
C H A R T E R E D A R C H I T E C T S
18 South Troy Street Dundee DD1 1PD Tel: 01382 208511 Fax: 01382 223228 e-mail: info@ljrh.co.uk
Job Name: Proposed Housing at 20 Holding, Woodside
Drawing Title: Proposed Site & Location Plan
Scale: as noted @ A3
Date: Oct 18
Rev: A
Proj. No: 02



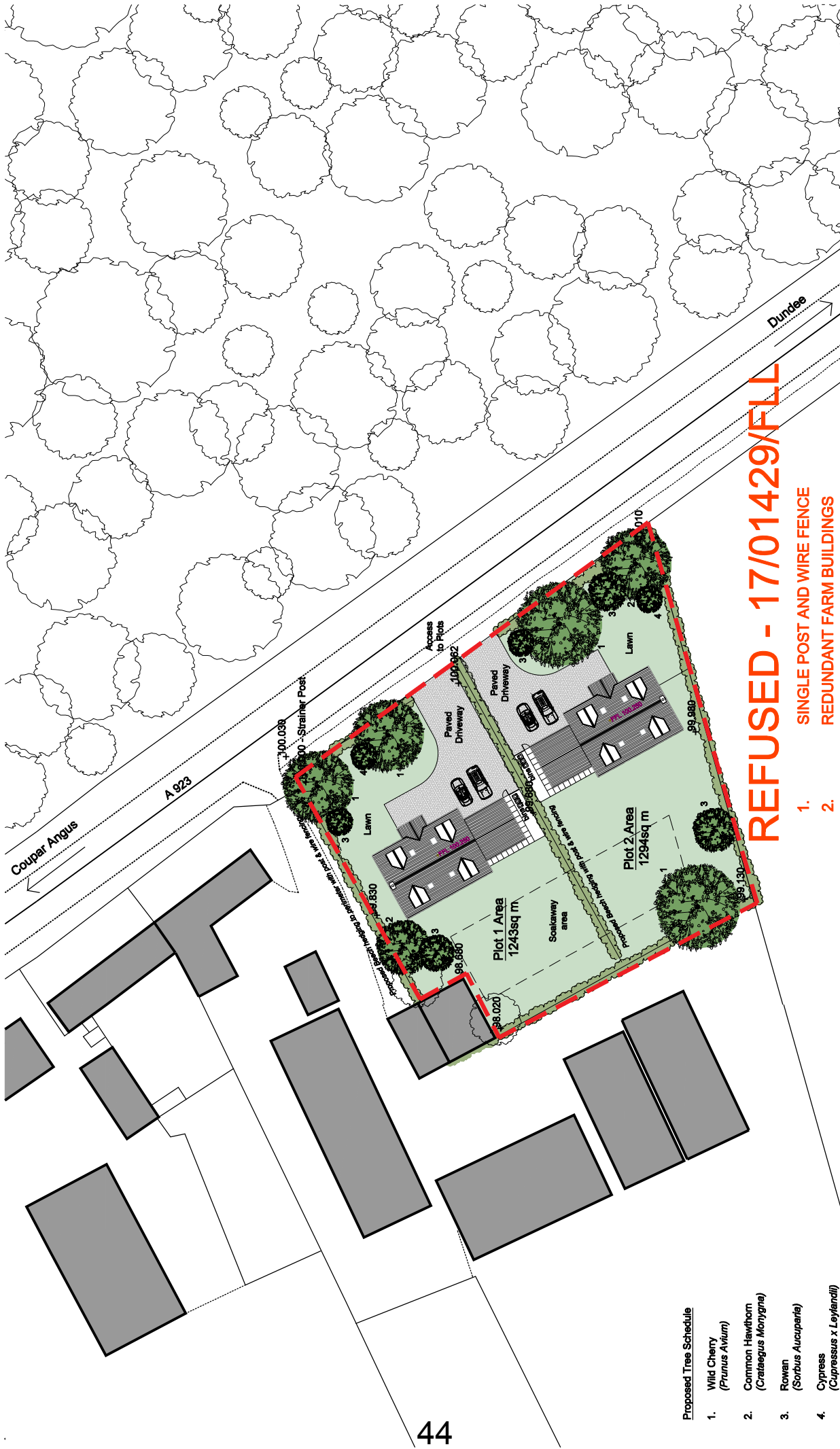
Site Plan



--- post and wire fence

APPROVED - 17/0007/FLL

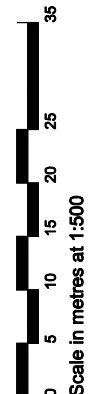
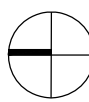
1. VERY SIMILAR LAYOUT TO APPEAL SITE
2. POST AND WIRE FENCES BOUNDARIES
3. NO ESTABLISHED LANDSCAPING FEATURES
4. ADJACENT TO REDUNDANT FARM BUILDINGS



Rev. B - additional information included

LEADINGHAM JAMESON ROGERS + HYND
CHARTERED ARCHITECTS
18 South Tay Street Dundee DD1 1PD Tel: 01382 200811 Fax: 01382 222228 e-mail: enquiries@ljrh.co.uk

Job Name: Proposed Housing Development, Markethill, Kettins
Job No.: 4211
Date: 04
Scale: 1:500 @ A3
Rev. B
Dwg. No. 04
Rev. 04
Date: 17
Scale: 1:500 @ A3



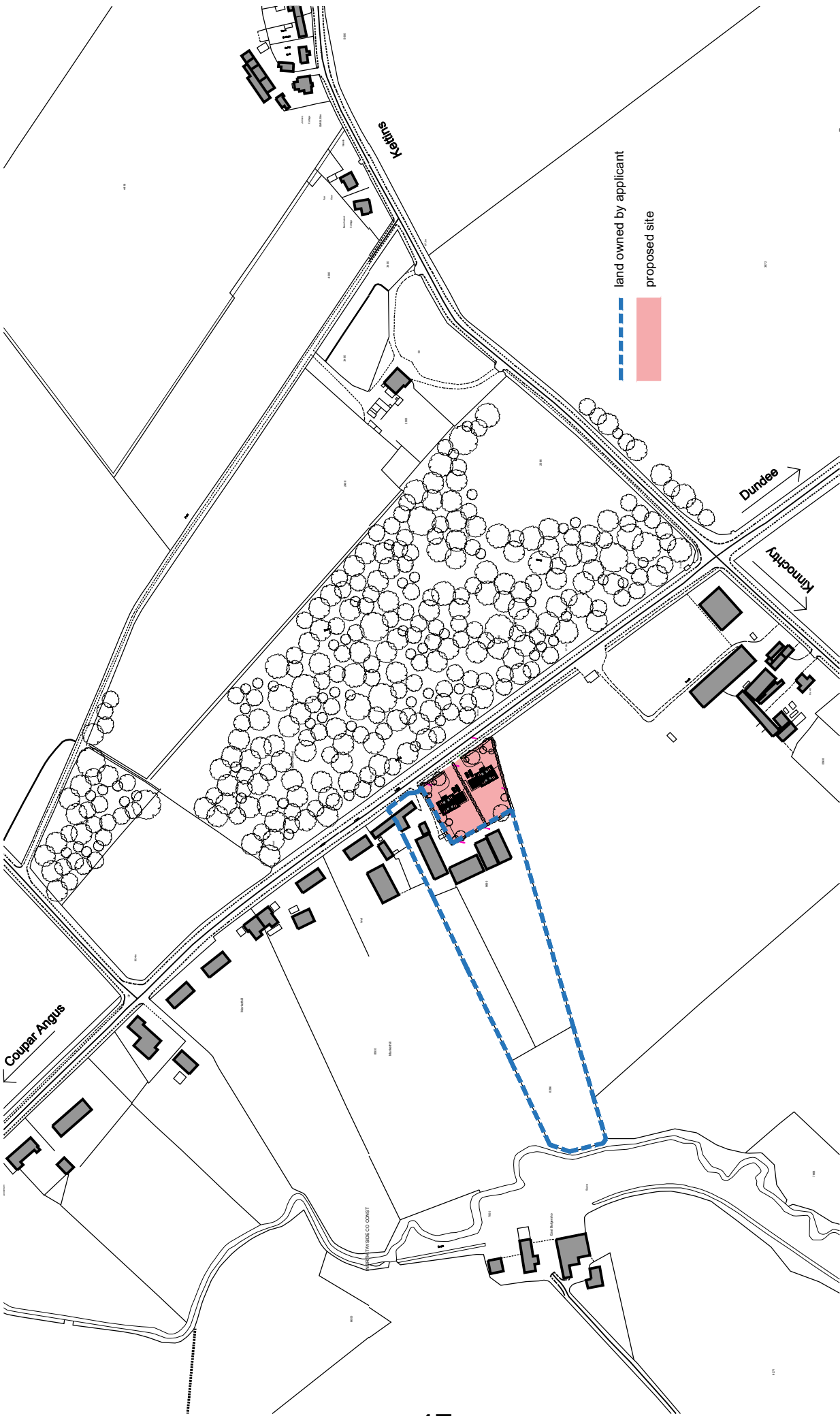
Site Boundary 2537m2
Site Area

TCP/11/16(517) – 17/01429/FLL – Erection of 2 dwellinghouses on land 50 metres south of 1 Markethill, Kettins

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 21-22)*

REPORT OF HANDLING *(included in applicant's submission, see pages 23-32)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 35, 37-40 and 44)*

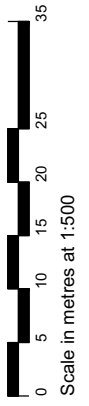
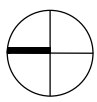




Rev. B - additional information included

LEADINGHAM JAMESON ROGERS + HYND
C H A R T E R E D A R C H I T E C T S
18 South Dy Street Dundee, DD1 1PD, Tel: 01392 220511, Fax: 01392 222529, enquiries@ljrh.co.uk

Job No: 11
Client: Housing Development, Markethill, Kettins
Drawn: [Name]
Date: [Date]
Scale: 1:500 @ A3
Drawing No: 03
Rev: 8
Date: 17 Sept 17



Existing Site Plan

**TCP/11/16(517) – 17/01429/FLL – Erection of 2
dwellinghouses on land 50 metres south of 1 Markethill,
Kettins**

REPRESENTATIONS

From:Yvonne Henderson
Sent:20 Sep 2017 09:28:10 +0100
To:Development Management - Generic Email Account
Cc:Anne Phillips
Subject:Ref 17/01429/FLL our ref 2017/0152/DND

Your Ref: 17/01429/FLL

Our Ref: 2017/0152/DND

Dear Sir/Madam,

PROPOSAL: Erection of 2nr. dwelling houses

LOCATION: Land 50 metres South of 1 Markethill Kettins for Mr Keith Webster

With reference to the above proposed development, it is confirmed that our calculations show that, at the given position and height, this development would not infringe the safeguarding surfaces for Dundee Airport.

Therefore, Dundee Airport Limited has no objections to the proposal.

Regards

Safeguarding Team

on behalf of Dundee Airport Limited

c/o Highlands and Islands Airports Limited Head Office, Inverness Airport, Inverness IV2 7JB

■ [REDACTED]

☐ safeguarding@hial.co.uk ☐ www.hial.co.uk

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For more information please visit <http://www.mimecast.com>

25/09/2017

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



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

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

Dear Local Planner

PH13 Kettins Markethill Land 50 Metres South Of 1
PLANNING APPLICATION NUMBER: 17/01429/FLL
OUR REFERENCE: 750931
PROPOSAL: Erection of 2no. dwellinghouses

Please quote our reference in all future correspondence

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

Water

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

Foul

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

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

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

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 all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

Next Steps:

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

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish

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

- **10 or more domestic dwellings:**

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

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

- **Non Domestic/Commercial Property:**

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

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

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

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

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

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

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units

that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

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

Yours sincerely

Angela Allison

Angela.Allison@scottishwater.co.uk

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01429/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin [REDACTED]
Description of Proposal	Erection of 2no. dwellinghouses		
Address of site	Land 50 Metres South Of 1 Markethill, Kettins		
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, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Kettins Primary School.</p> <p>Education & Children's Services have no capacity concerns in this catchment area at this time.</p>		
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: £0</p> <p><u>Total:</u> £0</p>		
Recommended informative(s) for applicant			
Date comments returned	29 September 2017		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01429/FLL	Comments provided by	Niall Moran
Service/Section	Transport Planning	Contact Details	██████
Description of Proposal	Erection of 2no. dwellinghouses		
Address of site	Land 50 Metres South Of 1 Markethill Kettins		
Comments on the proposal	Insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied.		
Recommended planning condition(s)	<p>AR01 Prior to the development hereby approved being completed or brought into use, the vehicular accesses shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type A access detail.</p> <p>RAR04 Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p> <p>AR04 Prior to the development hereby approved being completed or brought into use, the turning facilities shown on the approved drawings shall be implemented and thereafter maintained.</p> <p>RAR02 Reason - In the interests of road safety; to ensure the provision of acceptable manoeuvring space within the curtilage of the site to enable a vehicle to enter and leave the site in forward gear.</p> <p>AR05 Prior to the development hereby approved being completed or brought into use, the car parking facilities shown on the approved drawings shall be implemented and thereafter maintained.</p> <p>RAR01 Reason - In the interests of road safety; to ensure the provision of adequate off-street car parking facilities.</p>		
Recommended informative(s) for applicant	The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.		
Date comments returned	5 October 2017		

Memorandum

To	Development Quality Manager	From	Regulatory Service Manager
Your ref	17/01429/FLL	Our ref	MP
Date	10 October 2017	Tel No	██████████

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission RE Erection of 2no. dwellinghouses Land 50 Metres South Of 1 Markethill Kettins for Mr Keith Webster

I refer to your letter dated 19 September 2017 in connection with the above application and have the following comments to make.

Recommendation

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

Comments

This application contains provision for a wood burning stove and associated flue. Perth and Kinross Council have a duty to assess biomass boilers of capacity of greater than 50kW based on their effect on air quality in the area, however this will not be necessary with a domestic sized stove.

Another matter pertaining to the stove which could cause issue is the potential for smoke or odour nuisance. This can be minimised by the applicant using fuel recommended by the manufacturer, therefore I recommend this be included as a condition, which I have attached below

Condition

EH50 The stove shall only operate on fuel prescribed and stored in accordance with the manufacturer's instructions. The stove and flue and any constituent parts shall be maintained and serviced in accordance with the manufacturer's instructions. No changes to the biomass specifications shall take place without the prior written agreement of the Council as Planning Authority.

