

LRB-2022-27
21/02268/FLL - Erection of a dwellinghouse, land 50 metres west of Keltney House, Keltneyburn

INDEX

- (a) Papers submitted by the Applicant (*Pages 101-350*)

- (b) Decision Notice (*Pages 306-307*)
Report of Handling (*Pages 297-305*)
Reference Documents (*Pages 158-288 and 353*)

- (c) Representations (*Pages 355-366*)

LRB-2022-27

21/02268/FLL - Erection of a dwellinghouse, land 50 metres west of Keltney House, Keltneyburn

**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 100517186-002

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:	Maria Francke Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Maria	Building Name:	Maria Francke Planning
Last Name: *	Francke	Building Number:	
Telephone Number: *	07539389078	Address 1 (Street): *	PO Box 7658
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	United Kingdom
		Postcode: *	G42 2JA
Email Address: *	maria@mfplanning.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="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr and Mrs"/>	Building Name:	<input type="text" value="Keltney House"/>
First Name: *	<input type="text" value="Thomas James B"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Stewart"/>	Address 1 (Street): *	<input type="text" value="Keltneyburn"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="ABERFELDY"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PH15 2LF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

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="Site approximately 80m to the west of Keltney House and to the north of the public road C448"/>

Northing	<input type="text" value="748923"/>	Easting	<input type="text" value="277137"/>
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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 50 Metres West Of Keltney House, Keltneyburn

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 see attached Notice of Review 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 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)

All documents and plans that formed part of the planning application. Delegated Report of Handling and Decision Notice dated 23 March 2022. Review Statement to Perth and Kinross Council Local Review Body. List of Documents Delegated Reports of Handling for Application Refs. 21/02268/FLL, 09/01714/FLL, 10/00830/FLL, 21/01868/FLL and 20/01619/FLL.

Application Details

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

21/02268/FLL

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

21/12/2021

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

23/03/2022

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

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: Ms Maria Francke

Declaration Date: 08/06/2022

Local Review Statement

Erection of residential house and associated works,
Keltneyburn, Aberfeldy

8 June 2022

Submitted on behalf of Mr and Mrs Stewart



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Contents

1. Introduction..... 1

2. **Statement of Case**..... **2**

3. **Development Plan Assessment**..... **25**

4. **Determining Issues**..... **27**

Appendices

- Appendix 1 Additional Photomontages of Proposed House
- Appendix 2 Cross Section Drawing

LIST OF DOCUMENTS

K1	Application Form and Certificates
K2	Planning Application Cover Letter dated 21 December 2021
K3	Design Statement, HebHomes Ltd
K4	Planning Statement, Maria Francké Planning Ltd
K5	Drainage Solutions Report, Mabbett & Associates Ltd
K6	Ground Investigation Report, IPM Associates (Scotland) Ltd
K7	Application Drawings <ul style="list-style-type: none"> • 832_PL_001_ELP, Existing Location Plan @1:1250 • XXX_PL_002_EBP, Existing Block Plan @1:200 • 832_PL_102_PLP1, Proposed Location Plan @1:1250 • 832_PL_103_PSP, Proposed Site Plan @1:500 • 832_PL_104_PBP, Proposed Block Plan @1:200 • 832_PL_201_GF, Ground Floor Plan @1:50 • 832_PL_401_NE, North Elevation @1:50 • 832_PL_402_SE, South Elevation @ 1:50 • 832_PL_403_WE, West Elevation @1:50 • 832_PL_403_EE, East Elevation @1:50 • 832_PL_600_WS, View from South - Photomontage
K8	Pre-application advice to the Applicant dated 12 October 2021
K9	Delegated Report of Handling for LRB Review Proposal (Ref.21/02268/FLL) dated 23 March 2022
K10	Decision Notice for LRB Review Proposal (Ref.21/02268/FLL) dated 23 March 2022
K11	Delegated Report of Handling for Application Ref.21/02268/FLL, Erection of a dwellinghouse, Land 60 Metres East of The Bothy Upper Blairish Keltneyburn dated 9 February 2015
K12	Delegated Report of Handling for Application Ref: 09/01714/FLL, Nether Blairish Farm Keltneyburn Aberfeldy PH15 2LQ
K13	Delegated Report of Handling for Application Ref: 10/00830/FLL, Nether Blairish Farm, Keltneyburn, Aberfeldy, PH15 2LQ
K14	Delegated Report of Handling for Application Ref: 21/01868/FLL, Land 300 Metres North West Of Comrie Farm, Keltneyburn, Aberfeldy, PH15 2LS
K15	Delegated Report of Handling for Application Ref: 20/01619/FLL, Land 200m South of Riverview, Keltneyburn

1. Introduction

1.1 This Local Review Statement has been prepared by Maria Francké Planning Ltd on behalf of **Mr and Mrs Stewart** in response to a refusal under delegated powers of Planning Application Ref. **21/02268/FLL** for the:

Erection of a dwellinghouse Land 50 Metres West of Keltney House, Keltneyburn.

1.2 The application for review is made under s43 A of The Town and Country Planning (Scotland) Act 1997 as amended, also Regulation 9 of The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.

1.3 The Statement of Case sets out the grounds and reasoning for the requested local review.

1.4 The request for local review should consider the various drawings and information and correspondence lodged by the Appellant to support the planning application.

1.5 Some reference is made in this statement to the Applicant's original Planning Statement (Document K4), drawings and other submissions which are listed as Document Nos. K1-K7. These Documents were all previously considered by the Appointed Officer and should be considered again by the Local Review Body (LRB), de novo.

1.6 In addition, the following appendices are attached to this Review Statement in response to the decision letter and specific matters arising from the Appointed Officer's Report on Handling to corroborate the proposed siting of the house given that no site visit was undertaken by the planning case officer.

- Appendix 1: Additional photomontages of proposed house
- Appendix 2: Cross section drawing

1.7 The submitted photomontages show the visual impact of the proposed house in the landscape setting (both before and after the proposed landscaping becoming established), and an assessment of the house in its landscape setting can be made by the LRB with the aid of these submissions. However, the Appellant respectfully recommends that a site visit is undertaken as one of the determining issues rests on the anticipated prominence of the new house in its landscape setting and whether this in any way will have a detrimental effect upon the Loch Tay Special Landscape Area. Adjacent houses can also be readily viewed on the site visit.

1.8 The request for local review is lodged timeously within the three-month limit as prescribed by the Regulations.

2. Statement of Case

2.1 Two reasons for refusal of planning permission were given under the Appointed Officer's decision set out in the Decision Notice (Document K10), videlicet:

- 1 The proposal is contrary to Policy 19, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2 (2019) and its associated supplementary guidance. The proposal does not comply with the siting criteria set out in category 3 of the guidance that requires proposals to use an identifiable site with long established boundaries which separates the site naturally from the surrounding ground.**

- 2 The proposal is contrary to Policy 1A, Placemaking, of the Perth and Kinross Local Development Plan 2 (2019) that requires development to make a positive contribution to the built and natural environment. The proposal for development in an agricultural field with no established landscaped framework would be visually prominent, would not blend in with its surroundings and would not make a positive contribution to the Loch Tay Special Landscape Area.**

2.2 Section 25 of the 1997 Act requires that the decision-maker determine whether the Application accords with the development plan, or not; and, in either case, whether any material considerations indicate a different decision should be made.

2.3 The case of *Edinburgh City Council v. Secretary of State for Scotland*¹ confirms the correct approach to be:

- *consideration of the development plan, identifying any provisions which are relevant to the proposed development and making a proper interpretation of these provisions;*

- *consideration of whether the proposed development does or does not accord with the development plan. There may be some points in the development plan that support the proposal, but there may be some considerations pointing in the opposite direction. The decision-maker is required to assess all of these and then decide whether in light of the whole plan the proposal does or does not accord with it;*

- *identification of all other material considerations which are relevant to the application and to which the decision-maker should have regard. The decision-maker must note which considerations support the application and which do not, and then assess the weight to be given to all of these considerations;*

¹ 1998, S.L.T. 120, per Lord Clyde at 127G-L

- *having weighed these material considerations the decision-maker must decide whether there are considerations of such weight as to indicate that the development plan should not be accorded the priority which the 1997 Act has given to it; and*
- *having weighed these considerations and determined these matters the decision-maker is required to determine the application.*

Development Plan

- 2.4 The development plan is the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2 (2019). We ask the LRB to refer to the planning policy assessment which is set out in full in the applicant's Planning Statement (Document K4).
- 2.5 The planning authority considered the proposals to comply with the strategic policies of TAYplan and has raised no issues of concern or conflict with the TAYplan policies in its Delegated Report of Handling (Document K9).
- 2.6 The relevant development plan policies for consideration by the LRB are those in the Local Development Plan and the two principal policies cited in the reasons for refusal are assessed below.

Comments on the First Reason for Refusal

- 2.7 The first reason for refusal states:

1 *The proposal is contrary to Policy 19, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2 (2019) and its associated supplementary guidance. The proposal does not comply with the siting criteria set out in category 3 of the guidance that requires proposals to use an identifiable site with long established boundaries which separates the site naturally from the surrounding ground.*

- 2.8 **Policy 19, Housing in the Countryside** is the main policy under which the principle of development has been assessed. In tandem with this policy the Council's **Supplementary Guidance (SG) on Housing in the Countryside** needs to be referred to, as Policy 19 makes direct reference to this SG.

- 2.9 Policy 19 reads:

Policy 19: Housing in the Countryside
The Council will support proposals for the erection, or creation through conversion, of single houses and small groups of houses in the countryside which fall into at least one of the following categories:

- (1) building groups;*
- (2) infill sites;*

- (3) new houses in the open countryside on defined categories of sites as set out in Section 3 of the Supplementary Guidance;*
- (4) renovation or replacement of houses;*
- (5) conversion or replacement of redundant non-domestic buildings;*
- (6) development on rural brownfield land.*

The application of this policy is limited within the Green Belt to proven economic need, conversions or replacement buildings.

Development proposals should not result in adverse effects, either individually or in combination, on the integrity of the Firth of Tay and Eden Estuary, Loch Leven, South Tayside Goose Roosts and Forest of Clunie SPAs and Dunkeld-Blairgowrie Loch and the River Tay SACs. Applications shall be supported by sufficient information to allow the Council to conclude that there would be no such adverse effects.

- 2.10 In the pre-application advice to the Applicant (Document K8) and in the Delegated Report of Handling (page 4 of Document K9), the planning authority acknowledges that when considering housing for local people the wording of this policy can also apply where a person's living accommodation does not meet their needs. This is the Applicants' case. Evidence was supplied to the planning authority to corroborate the Applicant's long-term residency within Keltneyburn and their medical conditions which affect their mental health and mobility levels which means that they are 'inadequately housed' and accordingly, now require single storey accommodation. Furthermore, Mr Stewart's condition of Alzheimer's also necessitated the new house being positioned close to their existing house, on adjacent land to ensure familiarity of place and support his mental wellbeing.
- 2.11 The planning authority in its assessment of this policy accepts the housing situation of the Applicants and their need for a suitable house complies with Section 3.4 of Policy 19, Housing in the Countryside which relates to houses for local people.
- 2.12 The planning authority also accepts that the Applicants' current house is no longer suitable for their accommodation needs given their ill health and that there is no alternative accommodation within a search area, the limits of which were specified by the planning authority in its pre-application advice.
- 2.5 **The principle of a new house in the countryside under section 3.4 Houses for Local People has therefore been fully accepted by the Council, subject to satisfying the other LDP policy requirements. There is no dispute on this issue.**
- 2.6 The main policy issue for the LRB to consider is the weight to be placed on the Siting Criteria which are listed in the SG. It states that proposals should meet the four Siting Criteria when viewed from surrounding vantage points and read that:
- *It blends sympathetically with land form.*

- *It uses existing trees, buildings, slopes or other natural features to provide a backdrop.*
- *It uses an identifiable site (except in the case of proposals for new country estates) with long established boundaries which separates the site naturally from the surrounding ground. For example, a dry-stone dyke, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site. The sub-division of a field or other land, for example by post and wire fence or newly planted hedge or tree belt specifically in order to create the site, will not be acceptable.*
- *It will make a positive contribution to the surrounding landscape.*

2.13 In terms of the four siting criteria, the proposals meet three of the four requirements and that there is only requirement which cannot be met by virtue of the fact that the application site is not an identifiable site. Our full assessment of the proposals against these criteria follows.

2.14 In relation to point 1 that the proposal must '*blend sympathetically with the landform*', the landform is rural countryside, and the site is an agricultural grassed field at the lower part of a hillside (refer to cross section drawing in Appendix 2). There are two houses directly to the east – Tigh Na Dalloch and Keltney House and housing also to the west. The houses on the east are sited closer to the road edge whereas to the west the houses are positioned higher up on the hill slope. The style and design of all these houses also varies considerably as shown in the photographs below.

Figure 1: Design of adjacent houses



Image 1. Keltney House (Applicant's existing house)



Image 2. Tigh Na Dalloch – south/east of application site



Image 3. House to the west of application site



Image 4. House to the west of application site



Image 5. Houses to the west of application site



Image 6. Garth Wood House, Upper Blairish (consented in 2015 -Ref.14/01860/FLL) on brow of hill, northeast of application site

- 2.15 It is contended that the proposed house, which will be seen against the backdrop of the hillside is not incongruous in its landscape setting and will blend sympathetically with the landform. The Applicant's submitted photomontage (Document K7) shows the proposed house with the perimeter landscaping.
- 2.16 Regarding point 2 of the siting criteria, it uses the natural backdrop of the hillside to help it blend into the landscape (see cross section drawing in Appendix 2). It is not visible in the skyline and this criterion is met.
- 2.17 In relation to point 3, the application site cannot meet this requirement as there is a need to create a new site boundary to the north by subdividing the agricultural field to create a new plot.
- 2.18 This has been achieved through the creation of a deep planted tree border of between 3 to 5m in depth. This border can be planted with mixed native tree species and will create a strong landscaped edge to the site, providing separation from the agricultural field and a strong sense of enclosure and privacy for the occupants. The landscape border is proposed on all sides of the garden ground as shown in the Proposed Site Plan (Document K7 , Drawing No. 832_PL_103_PSP), with the northern boundary having a more extensive depth of planting to provide a defensible site edge.
- 2.19 On the final bullet point of its contribution to the surrounding landscape, it is maintained that the proposals make a positive contribution to the landscape through additional tree planting (with an increased biodiversity value) and the establishment of an attractive rural house which is in keeping with houses in the area. Whilst the application site is included within the Loch Tay Special Landscape Area (SLA), it is located around 3km to the north of the loch and separated from it by the wide belt of coniferous forest of the Tay Forest Park.
- 2.20 The Council's Supplementary Planning Guidance on Landscape, 2015 considers the designation of the Loch Tay SLA and it states that one of the objectives is to maintain the distinctive character of local buildings, through the use of stone or timber, particular where these are in prominent roadside locations. The proposed

house is a low-profile, single storey dwelling which will have white rendered walls and slate roof finish to tie in with local vernacular buildings; its height, massing, scale and density are all in keeping with its surroundings. It is set back from the roadside and will have a boundary planting around the garden; it is not in an overly prominent location given its position against the backdrop of a hillside. It is contended that the development will have no material adverse impact on the Loch Tay SLA.

- 2.21 Non-compliance with a single policy criterion does not and should not mean that a development proposal is automatically refused planning permission. As noted in the Court judgement of *Edinburgh City Council v. Secretary of State for Scotland* (refer to paragraph 2.3), an assessment has to be made on the development's overall conformity with the development plan through:

“consideration of whether the proposed development does or does not accord with the development plan. There may be some points in the development plan that support the proposal, but there may be some considerations pointing in the opposite direction. The decision-maker is required to assess all of these and then decide whether in light of the whole plan the proposal does or does not accord with it;

- 2.22 It is a matter of planning judgement as to the impact of this single storey house in a rural countryside location. All four siting criteria requirements cannot be met on the application site due to the proposals failing point 3. However, the proposed boundary tree planting is a matter that can be conditioned by the planning authority and will offer significant biodiversity enhancement of the site.
- 2.23 **It is contended in this Local Review that the application proposals meet all the other LDP policy requirements, bar the above single criterion for an identifiable site.**
- 2.24 The applications conformity with all other LDP policy requirements is set out in full the Applicant's Planning Statement (Document K4).

Comments on the Second Reason for Refusal

- 2.25 The second reason for refusal states:

2 *The proposal is contrary to Policy 1A, Placemaking, of the Perth and Kinross Local Development Plan 2 (2019) that requires development to make a positive contribution to the built and natural environment. The proposal for development in an agricultural field with no established landscaped framework would be visually prominent, would not blend in with its surroundings and would not make a positive contribution to the Loch Tay Special Landscape Area.*

2.26 **Policy 1A: Placemaking** is reproduced in full below. It states:

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

The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

- 2.27 The first part of Policy 1A requires that all development should be planned and designed with reference to climate change, mitigation and adaptation. The HEBHomes design is a sustainable design with energy efficiency in its core construction with the use of Structural Insulated Panels (SIPs) and the proposed method of heating via air source heat pumps. In addition to Policy 1A, **Policy 32: Embedding Low and Zero Carbon Generating Technology in New Development** also requires the installation and operation of low and zero-carbon generating technologies. The planning authority is satisfied that the application proposals meet both these policy climate change requirements, as confirmed on page 7 of the Delegated Report (Document K9).
- 2.28 In terms of mitigation, the Applicant is proposing substantive tree planting around all the site borders to lesson any visual impact of the house in its landscape setting. Regarding adaption, the proposed house is a three-bedroom, single storey property with a large garden area and whilst the Applicants are an elderly couple with an acknowledged housing need for single storey accommodation, the design of the house and garden would be equally suitable as family accommodation.
- 2.29 The proposed house has been sensitively positioned on the site to take account of its natural environment context. It is sited on the lower part of a sloping agricultural field where the topography of the site has a very slight gradient, and it will be seen from the roadside against the backdrop of the hillside. The degree of the likely prominence of the house in the landscape setting has been objectively assessed by the Applicant and a photomontage was submitted with the application. The photomontage is an architectural rendition which is produced to scale and shows the proposed dwelling within the site that has had the benefit of perimeter landscape planting – as proposed by the Applicant. The photomontage is the view of the proposal from the south, taken from an elevated vantage point on agricultural land owned by the Applicant and shows the proposal in the context of the neighbouring houses to the west and east.

Figure 2: Photomontage of Proposed House from field to the south – with established planting



2.30 An additional photomontage has been submitted to assist the LRB and show the prospective view of the proposed house without the established landscaping. This is contained in Appendix 1 (and shown below in Figure 3) and illustrates the view of the house on completion with the landscaping yet to become established.

Figure 3: Photomontage of Proposed House from field to the south – on completion



- 2.31 These photomontages are not however how the public would view the development which would instead be from a lower vantage point from the C448 main road. At road level, when approaching the site travelling from the west along the C448 main road, the house would have the backdrop of the hill and trees which line the edge of the field and the garden ground of the Applicant's existing house. It would not be visually prominent in the landscape and with the addition of perimeter landscaping would be imbedded further into the landscape framework. An additional photomontage of the house from the west is attached in Appendix 1 and shown below in Figure 4.

Figure 4: Photomontage of Proposed House from west



- 2.32 The proposed planting by the Applicant will further provide a landscape framework and will soften the visual appearance of the southern and western elevations of the house when viewed travelling from westerly direction along the C448.
- 2.33 From an easterly directly, as one passes the neighbouring house of Tigh Na Dalloch, the high hedge of Tigh Na Dalloch's garden which lines the road edge completely screens the application site. The proposed house would therefore not be seen when approaching from the east.
- 2.34 The planning authority itself acknowledges that the proposed planting '*may soften the appearance of development on this site*' (refer to Page 6 of the Delegated Report) and like any proposed new planting scheme for a development site, it will take time to mature and become established. The proposals here are no different to any other site that proposes a landscaping scheme to help soften the visual impact of a building.
- 2.35 The planning authority also states: '*the siting part way up the sloping site with no established planting or landscape framework would have an adverse impact on the surrounding landscape*'. The proposal is in fact situated on the lowest part of the hill slope as verified in the cross-section drawing submitted as Appendix 2 which clearly shows the position of the house at the lower part of the slope and set

against the hillside which rises up to around 900m AOD to the north. A site visit would clearly have clarified this matter for the planning authority.

2.36 There are already houses to the west of the application site which are situated on land much higher up the face of the hillside. These houses are also white rendered properties with trees and shrubs within their gardens. These properties being higher up the slope of the hillside (Refer to Figure 1 – photos 3,4,5 and 6) are arguably more prominent than the application proposal would be.

2.37 The modern house (Garth Wood House) shown in Image no. 6 of Figure 1 was also consented by the planning authority in 2015 (Ref. 14/021860/FLL) on the basis that,

“The black stained timber cladding is considered to relate successfully to the woodland which sits to the north and behind the house and to the nearby stone dwellings. A cut and fill operation is proposed on the hillside so that the house sits down into the site which will help reduce its visual impact.”

2.38 A copy of the Delegated Report is attached as Document K11. This house is visible on the brow of the hill to the north from the application site. This applicant had submitted photomontages of this proposal against the backdrop of a commercial woodland as shown in Figure 5.

Figure 5: Consented visualisations of Garth Wood House, Upper Blairish



Image 7. Garth Wood House – consented visualisation from Southeast

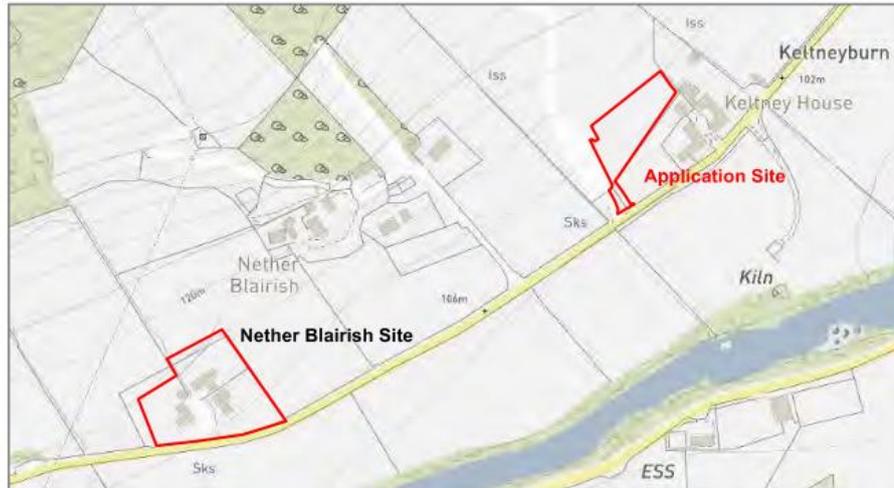


Image 8. Garth Wood House – consented visualisation from Southwest

- 2.39 All the trees in this woodland have since been felled and as can be seen from the photograph in Figure 1, Image no. 6 (shown below) which was taken in May 2022, the house is very prominent on the skyline.



- 2.40 We respectfully ask that the LRB undertakes a site visit whereby the matter of visual prominence can be assessed in situ and the proposed landscaping also be taken into account, as it forms a part of the application proposals.
- 2.41 It is natural for any proposed landscaping scheme for a site to have a time lag before the planting matures and fulfils the development aims for enhanced green space, increased biodiversity, softening and screening. The fact that landscaping will take a few years to establish should not be a reason for refusal of a planning application.
- 2.42 We wish the LRB to specifically note that the planning authority has been happy to impose landscaping conditions on other development proposals in the Loch Tay Special Landscape Area; development proposals which are arguably much more prominent than the application proposals for a single storey dwelling house. Some of these applications are summarised below.
- **Application Ref: 10/00830/FLL**
Modification of existing consent (09/01714/FLL) Erection of a dwellinghouse (Plot 3), Nether Blairish Farm, Keltneyburn Aberfeldy, PH15 2LQ



2.43 Some 300m to the west of the application site is Nether Blairish Farm and here, the planning authority has granted planning permission for a roadside and prominent development of three dwellings (Application Ref Nos. 09/01714/FLL, 09/01712/FLL, 09/01713/FLL and 10/00830/FLL). This site is also within the Loch Tay SLA. A copy of the Delegated Reports for the house on plot 3 (Application Ref. 09/01714/FLL and 10/00830/FLL) are attached as Documents K12 and K13.

2.44 In the Delegated Report of Handling for the original consent (Ref. 09/01714/FLL) the planning authority's assessment of the proposal (on page 3) reads:

'Given the relatively exposed nature of the site I intend to attach a condition to any consent given to ensure a landscaping plan is submitted prior to the commencement of development to provide a more suitable enclosure to the site. It may appropriate to provide one single landscaping plan which can be applied to all three applications.'

2.45 Accordingly, both the original permission and the subsequent modification of the permission imposed the following two planning conditions relating to landscaping:

- 3 *A detailed landscaping and planting scheme for the site shall be submitted for the further approval of this Planning Authority prior to the commencement of the development. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, species, height, size and density of trees and shrubs to be planted and shall focus in particular on the east and south boundaries of the site and the scheme as subsequently approved shall be carried out and completed during the development of the site and thereafter maintained unless otherwise agreed in writing with this Planning Authority.*

Reason

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

- 4 Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size and species to the satisfaction of the Planning Authority.

Reason

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

(Conditions attached to consent refs 09/01714/FLL and 10/00830/FLL)

- 2.46 Photographs taken in May 2022 (Figure 6) show these new houses in their landscaped gardens; landscaping which has contributed to the development's acceptability in the landscape setting.

Figure 6: Nether Blairish Housing – west of application site



Image 9: Nether Blairish housing



Image 10: Nether Blairish housing



Image 11: Nether Blairish landscaping at road boundary



Image 12: Nether Blairish hedge planting and post and wire fence

- **Application Ref: 21/01868/FLL**
Erection of an agricultural building and associated works (in part retrospect), Land 300 Metres North West Of Comrie Farm Keltneyburn Aberfeldy PH15 2LS



- 2.47 This application was approved in February this year and is for a large modern agricultural shed measuring 14 metres in width, 20 metres in depth and 5.6 metres in height. The site is an open and undeveloped field adjacent to the road. The site is also within the Loch Tay Special Landscape Area. In the Delegated Report of Handling (Document K14) the planning officer's assessment states:

"The agricultural building has been erected at the northern boundary of the site, adjacent to the unclassified road, the U179. There is limited soft landscaping along the roadside, which allows uninterrupted views into the site from the roadside. Although the agricultural building is positioned remotely from other agricultural buildings, in a prominent roadside location, it has been located near to the existing electricity substation, which does give it some form of context. The agricultural building itself does not have a significant visual or landscape impact in this rural environment.

However, the formation of a 2.5-metres-tall close-boarded timber fence enclosure around the compound does raise concerns with regards to its visual and landscape impact. The fence design is visually impenetrable, and its design would be more suited to a suburban environment. Its presence results in an incongruous feature on the landscape which harms the established rural character of the area. In response to these concerns, the applicant's agent has confirmed that the applicant is prepared to replace the unauthorised fence with a 2-metres-tall stock proof deer fence. This is an appropriate alternative specification as it provides the necessary height and enclosure that is functionally required at the same time as minimising its visual and landscape impact in a rural location. The replacement fence is to be supplemented with beech hedging. Planning conditions should secure their implementation."

2.48 In this instance, the building itself is a large modern shed. It is very prominent and in a roadside location in an open and undeveloped field. Contrary to the planning authority’s assessment of the application proposal for a single storey Scottish vernacular house which is the subject of this Local Review, the shed was considered by the case officer “*not to have a significant visual or landscape impact in this rural environment*”. The planning authority granted consent for this proposal and imposed a landscaping planning condition to ensure the inclusion of beech hedge instead of a timber fence:

3 *The beech hedge hereby approved shall take the form of a double-staggered row with plants at 600mm spacings and it shall be implemented within the first available planting season. Any plants failing to establish within the first five years shall be replaced with plants of a similar species.*

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and to protect the established character of the place.

- **Application Ref: 20/01619/FLL**
Change of use from agricultural land to equestrian business and erection of stores and field shelters; siting of reception/office caravan, shepherd’s hut and storage container; alterations to vehicular access; formation of outdoor riding arenas and car parking and associated works (in part retrospect), Land 200 Metres South of Riverview, Keltneyburn



2.49 This application granted in 2021 was for the change of use from agricultural land to equestrian business on a field that lies within both the Loch Tay Special Landscape Area and within the Taymouth Castle Historic Gardens and Designed

Landscapes (HGDL) area. The Delegated Report of Handling (Document K15) states in the planning officer's assessment that:

"The site sits within an open field with no visual containment in an area which is readily visible from the public road and in a location where views into the HGDL from the public road are available. The site also appears to be very temporary in nature which contributes to what is considered to be a detrimental impact on visual amenity. During pre-application discussions the applicant's agent was advised that a robust landscaping scheme would be required in order to provide screening and containment to the site. Native planting is proposed on the boundaries, together with a raised mound on the north west side of the site to screen from the public road."

And

"A condition is recommended to ensure the implementation of the landscape scheme within an appropriate timescale and to ensure that it is maintained."

2.50 The following planning condition was also imposed:

3 *The detailed landscaping and planting scheme which is hereby approved shall be completed in full within the first available planting season (October to March) following the granting of this permission. The approved scheme shall thereafter be maintained to the satisfaction of the Council as Planning Authority, with any planting which fails to become established within five years being replaced in the following planting season with others of a size and species as previously approved.*

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

2.51 The buildings now developed, comprise a mix of of temporary sheds/ stables, field shelters, reception office and a former shipping container (Figure 7). The landscaping does not yet appear to have been instigated.

Figure 7: Riverview stables development



Image 13: Newly developed stables – comprising sheds, stables, field shelters, reception office and shipping container

- 2.52 Acknowledging that each application has to be considered on its own merits, the Applicants respectfully ask for consistency in decision making by the planning authority. It appears that on sites that are equally, if not more prominent, than that of the application site (which has the benefit of a hillside as a backdrop) that the planning authority has granted planning permission for a range of development proposals – all of which are visually more prominent in themselves than the application proposals; all of them are on open exposed field sites; all of them are within the Loch Tay SLA and all are in roadside locations. In every case, the planning authority has imposed landscaping planning conditions to make the development proposals acceptable.
- 2.53 The planning authority has the means by which to ensure that the application site is landscaped, thereby mitigating any assumed visual prominence. Planning decisions on applications should be taken with a longer-term view in mind, not based just on the here and now. New buildings will endure for a lifetime and to refuse planning permission on the basis that the house is considered to be too prominent in the landscape belittles the very intent of the Applicant's landscape proposals, which can be controlled by the planning authority through the imposition of a planning condition.
- 2.54 In relation to the proportion and scale of the house itself, the planning authority accepts the house design as stated in the Delegated Report (refer to page 5 of Delegated Report, Document K9) but expressed concern about the colour of the render. The Report states: *"A white rendered building is likely to be quite prominent in the landscape here and would be an incongruous addition to the established group of buildings. The house design in terms of proportion and scale is acceptable but the siting is not supported."*

- 2.55 If the colour of the render is an issue for the Council, asking the Applicant to submit details of the external materials by way of a pre-commencement planning condition can also help ensure that the render colour is deemed suitable by the planning authority. The proposed single storey house is a traditional vernacular style of housing (based on a traditional 'longhouse' style of building). The proposed external materials of white render and slate roof are evident in nearby houses and can be seen in the two houses located immediately to the west of the application site. (Refer to Images 3, 4 and 5). The siting of the house is also at the bottom of the hill, unlike other white rendered housing to the west which is higher up the slope and more visually prominent. We contend that the siting of the house respects the character and amenity of the area but would be happy to accept a planning condition requesting the submission of material samples and colours for approval by the planning authority.
- 2.56 Policy 1A also asks that proposals incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.
- 2.57 This is exactly what the Applicant is proposing to do – incorporating landscaping and structural planting to help assimilate the house into the landscape setting. As stated in the application submission, the proposed landscaping can be controlled by the planning authority through a planning condition, and we respectfully ask the LRB to consider imposing such a planning condition to provide the planning certainty that this will be undertaken by the Applicant.
- 2.58 The final part of Policy 1A against which the planning authority takes issue is that it states that the development would not '*make a positive contribution to the Loch Tay Special Landscape Area.*' In this respect the question is whether the proposed single dwelling house would in any way harm the character or appearance of the Loch Tay Special Landscape Area (SLA) and to answer this question the local environmental qualities of the application site and the surrounding area need to be considered. This was undertaken as part of the planning submission and presented in the Planning Statement (Document K4).
- 2.59 The application site is within the Loch Tay SLA as shown in Figure 6 (the red dot shows the site location). It is in the north-eastern corner of the SLA, north of the Tay Forest Park and River Lyon in the settlement of Keltneyburn, where the settlement landscape is typified by agricultural grazing fields and a dispersed settlement pattern with a mixture of some isolated housing sites and small nucleated pockets of housing, as can be seen in Figure 8.

Figure 8: Loch Tay Special Landscape Area

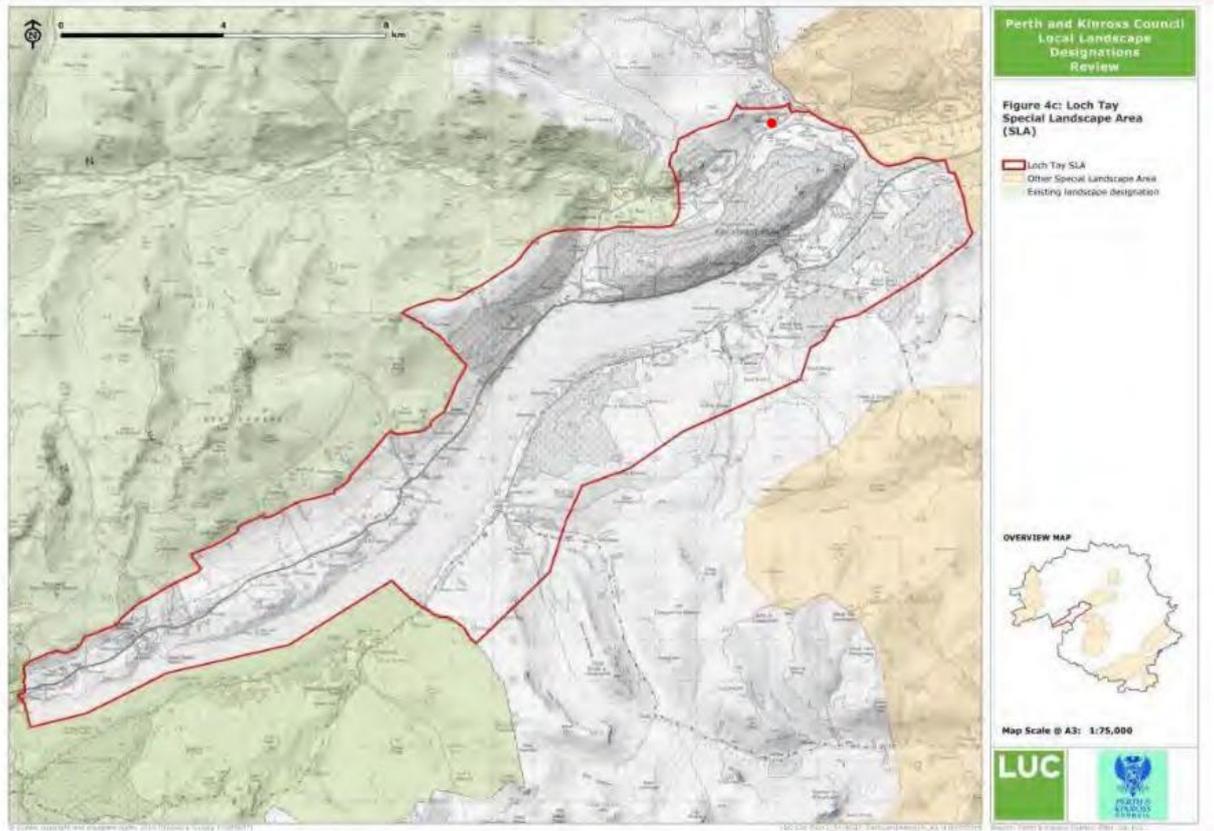


Figure 9: Keltneyburn Settlement Pattern in SLA



2.60 The proposed housing site is shown in the above aerial image with a yellow circle and will form a small group of 3 houses with the adjacent properties of Tigh Na Dalloch and Keltney House. As can be seen by the red circles on the aerial photo, this is in keeping with the existing settlement pattern in this part of the SLA. The proposed house will not be an isolated development and will sit comfortably in the

landscape setting against the backdrop of the hillside (as discussed previously in this Review Statement).

2.61 The design of the house itself is a single storey 'longhouse' in a typical Scottish vernacular. It is in keeping with the design of other houses in the local area and will not look out of place in the landscape. It is contended that the proposed single storey dwelling will made a positive contribution to the Loch Tay SLA and will in no way harm its character or integrity.

2.62 As evidenced in other planning authority decisions on other development proposals in the Loch Tay SLA (refer to paragraphs 2.42 to 2.53) the planning authority has been happy to impose landscaping conditions on sites that are more open and exposed than the application site.

2.63 **Overall, we can find no conflict with Policy 1A: Placemaking and contend that the development accords with Policy 1A.**

2.64 For completeness, we have also assessed the proposals against the second part of Policy 1: Placemaking. **Policy 1B** requires proposals to meet all seven placemaking criteria, including to consider and respect the wider landscape character of the area and that the design and density should complement its surroundings. Many of these placemaking criterion are not easily applicable to the application proposal for a single house however consideration against the relevant criteria follows:

(a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.

2.65 This criterion is more applicable to larger proposals with multiple buildings as opposed to the application proposals for a single house. Nonetheless, the design of the house and the garden ground will create a sense of local identity by creating an enclosed and landscaped plot that can be safely accessed from the main road. The house also responds well to the adjacent properties of Tigh Na Dalloch and Keltney House, forming a compact grouping of three residential properties, all with comparable plot sizes and contributing to the sense of place (Figure 10).

Figure 10: Similar plot sizes to adjacent properties and creation of a sense of identity



2.66 **The proposals conform with Policy 1B(a).**

(b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area

2.67 As stated in the above paragraphs nos. 2.8 to 2.20 , the development respects the site topography. There are no important landmarks, views or skylines in the vicinity of the application site. The application proposals respect the wider landscape character of the area and with the additional proposed perimeter planting, the landscape character of the area will be sensitively enhanced.

2.68 **The proposals conform with Policy 1B(b).**

(c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

2.69 The proposed single house is based on a traditional Scottish 'longhouse' design and has a simple palette of materials which are common in the local context. The house's linear form allows it to slot easily into the landscape, while internally it is spacious and open planned. The elevations have been kept simple. If the planning authority has concerns about the colour of the external white render, a planning condition can be imposed by the LRB asking for a sample of materials to be

submitted prior to development commencing. A softer colour tone can be specified by the LRB which would reduce the visual impact of the house.

2.70 We contend that the proposals conform with Policy 1B(c).

(d) Respect an existing building line where appropriate or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.

2.71 The position of the plot forms of small group of 3 houses which is typical in the local area. The configuration of the plot to the rear of a neighbouring house does not allow for a building line to be created. The orientation of the proposed house on the site is so that the open plan kitchen/diner and living room have a southerly aspect with all the bedroom accommodation grouped at the northern and eastern end of the house.

2.72 We contend that the proposals conform with Policy 1B(d).

(e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.

2.73 A Design Statement (Document No. K3) was submitted with the application and demonstrated that the house and garden ground was inclusive by design. The Applicant has a priority requirement for all of these components to be met (by designing for Alzheimer's) in the design of the house both internally and in all external garden spaces.

2.74 The house is also accessible and on a local bus route which passes the house on the C448. Bus stops are a 4 minute (c. 320m) walk at the Keltneyburn war memorial.

2.75 The proposals conform with Policy 1B(e).

(f) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.

2.76 As set out under the assessment of Policy 1A (paragraphs 2.27 and 2.28), the house has been designed with future adaptability, climate change and resource efficiency in mind.

2.77 The proposals conform with Policy 1B(f).

(g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.

2.78 There are no existing buildings, structures or natural features on the site that contribute to the local townscape. The site is part of the Loch Tay SLA and the

siting of the house fully respects the SLA and is integrated into its rural landscape setting.

2.79 The proposals conform with Policy 1B(g).

(h) Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks.

2.80 The proposals include a significant amount of new mixed native tree planting which will contribute locally to the existing green networks of the Loch Tay SLA. This can be controlled via a planning condition which the Applicant is happy to accept. Connectivity by active travel means can be readily undertaken to Aberfeldy and the core path network.

2.81 The proposals conform with Policy 1B(h).

(i) Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).

2.82 The design of the garden ground and access to the property allows for adequate space of the storage and collection of refuse and recyclable materials.

2.83 The proposals conform with Policy 1B(i).

(j) Sustainable design and construction.

2.84 As noted in the Applicants' original Planning Statement (Document K4) and Design Statement (Document K3), the house is of a sustainable design with energy efficiency in its core construction (through SIP construction) and proposed method of heating (air source heat pump).

2.85 The proposals conform with Policy 1B(j).

2.86 Overall, it is contended that the application proposals accord with all the relevant parts of Policy 1: Placemaking 1A and 1B.

3. Development Plan Assessment

3.1 The application proposals overall conformity with the development plan is an important consideration for the LRB. It is firmly contended that aside from the single siting criterion under Policy 19: Housing in the Countryside that requires the use of ‘an identifiable site with long established boundaries’ which the application cannot meet, **the application proposals accord with the development plan in all other respects.**

3.2 The relevant LDP policies were identified by the planning authority in the pre-application advice and are as follows:

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 2: Design Statements
- Policy 5: Infrastructure Contributions
- Policy 15: Public Access
- Policy 19: Housing in the Countryside
- Policy 31: Other Historic Environment Assets
- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 39: Landscape
- Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
- Policy 41: Biodiversity
- Policy 52: New Development and Flooding
- 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 39: Landscape
- Policy 59: Digital Infrastructure
- Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

3.3 A full assessment against all the above development plan policies was undertaken as part of the application submission and this is contained in the Planning Statement (Document K4). We ask that the LRB refers to this document to ascertain wider policy compliance of the proposals and the agreement on these matters by the planning authority – confirmed in the Delegated Report of Handling (Document K9).

3.4 The planning authority accepts that the application proposal meets all the above listed policies bar Policy 1A Placemaking and Policy 19: Housing in the Countryside which are cited as the two reasons for refusal.

3.5 This Review Statement conversely contends that all the requirements under Policy 1A and 1B Placemaking can be adhered to, and that it is a matter of planning judgement as to the potential visual impact of the single dwelling house in the landscape and whether this is considered to have so great a detrimental effect

upon the rural landscape and the Loch Tay SLA so as to warrant a refusal of planning permission.

- 3.6 The Applicant's proposed landscaping must also be taken into consideration and this element can also be conditioned by the planning authority. The use of landscaping conditions to mitigate the visual impact of a range of other development proposals sited in the Loch Tay SLA have been readily applied by the planning authority (refer to Documents K11 to K15) and it is contended that such a planning condition could also be applied here.
- 3.7 In relation to Policy 19: Housing in the Countryside, we respectfully ask the LRB to apply its judgement, as per planning case law, and make a proper interpretation of the LDP policy provisions and then, in the light of the whole plan, to decide whether the proposal accords with it.
- 3.8 It is contended that with only element of the siting criteria that cannot be complied with, that it is a balanced planning assessment that the proposals can be judged to be in accordance with the development plan and as such, it is in the proper planning interests of the area to grant planning permission for the single dwelling house.

4. Determining Issues

4.1 To conclude this Statement of Review, the determining issues are:

- i. The overall LDP policy compliance of the proposals and the weight to be placed on this
- ii. The anticipated visual impact of the proposed house in the landscape setting, and
- iii. Whether the development impacts adversely on the Loch Tay Special Landscape Area?
- iv. Whether there are any material considerations that should be taken into account?

4.2 These issues are addressed below.

- i. **The overall LDP policy compliance of the proposals and the weight to be placed on this**

4.3 The principal consideration for the LRB is how much weight should be placed on this matter, given it is the Applicant's position that the application proposals conform fully with all relevant parts of LDP policy except for just one of the siting criteria listed in the Supplementary Guidance for Policy 19: Housing in the Countryside?

4.4 In the light of planning case law, it is respectfully suggested that the LRB has a responsibility in considering the development to weigh up the proposal's overall conformity in the light of the whole plan. The planning authority itself does not dispute the fact that the proposals comply on all other counts with the relevant LDP policies excepting Policy 1A.

- ii. **The anticipated visual impact of the proposed house in the landscape setting**

4.5 The matter of visual and landscape impact is a subjective one, but this matter has been objectively appraised in the original application submission (refer to Design Statement, Document K3 and Planning Statement, Document K4). The submitted Photomontage (Document K8) is deemed to be a realistic visual impression of the proposals; a single storey property of traditional form and materials, low lying and unobtrusive in its landscape setting and seen against the backdrop of a hillside. We are confident that the proposals represent a suitable house type that can be brought forward which would not be out of character with the surrounding area.

4.6 Should the LRB have any concerns about the visual impact of the proposed house, the applicant is happy to accept planning conditions to ensure the implementation of a landscaping scheme and/or the submission of external materials for the prior approval of the planning authority which can alter the colour of the proposed white render. The Applicant has proposed the creation of a significant planted site boundary which will comprise hedging and mixed native

tree planting on all sides of the plot with the northern edge of the site having a deeper 3 to 5m perimeter planted edge. This will result in a strong defensible boundary to the north of the site. The use of landscaping planning conditions have been readily deployed by the planning authority on a number of other sites in the Loch Tay SLA to reduce the visual impact of proposals.

iii. Whether the development impacts adversely on the Loch Tay Special Landscape Area

- 4.7 Full consideration has been given to the special characteristics of the Loch Tay SLA and the characteristics of the rural locality of the application proposals. A decision on this Local Review involves consideration of the appearance of the proposed development and its relationship to its rural surroundings. Relevant matters for the LRB to consider include the design and visual impact of neighbouring houses and other consented developments in the Loch Tay SLA, the materials to be used; the height, scale, massing and layout of the proposed house in comparison to buildings in the surrounding area; landscaping and privacy, both for the adjacent properties of Tigh Na Dalloch and Keltney House and the occupiers of the proposed development.
- 4.8 It is contended that the proposed single storey house is a sensitively designed building in the style of a typical Scottish vernacular longhouse. The proposed external materials of white rendered walls and slate roof can be seen in other adjacent houses which are also situated within the Loch Tay SLA.
- 4.9 Scrutiny of other planning decisions for developments within the Loch Tay SLA have been made acceptable in planning and visual impact terms through the imposition of planning conditions on landscaping. It is contended that a similar position can be adopted here by the LRB with no detrimental impacts on the special characteristics of the Loch Tay SLA.

iv. Whether there are any material considerations that should be taken into account

- 4.10 In the Applicant's original submission, reference was also made to the fact that the Applicants are an elderly couple who have lived in Keltneyburn and contributed to the local community for decades.
- 4.11 The provision of a single storey house within Keltneyburn will enable them to continue living within their own home and not rely upon Council provision of sheltered accommodation. There will be no burden on publicly-funded local services.
- 4.12 It is considered that on balance, it is in the proper planning interests of the area to enable the development proposals and that they can be considered, in the round, to be compliant with the development plan.
- 4.13 We respectfully ask that the LRB approves this application proposal.

Appendix 1

Additional Photomontages of Proposed House

(NB. Attached separately)



141

DRAWING SET PLANNING APPLICATION	CLIENT H_832_McAulay_Stewart
DRAWING TITLE VIEW FROM SOUTH (on completion)	DRAWN BY JW
DRAWING NUMBER 832_PL_901	DATE 18/05/2022
CAD FILE NAME H_832_PL_Stewart_McAulay_001	SCALE N/A

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To be used in conjunction with the specification and all relevant drawings. Contractor to check all dimensions on site. Do not scale from this drawing for production or construction. Architect to be advised of any variation between the drawings and site conditions.

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Original image

PROPOSED HOUSE FOR:
 Barbara Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF

SITE AREA: 3180m²



DRAWING SET PLANNING APPLICATION	CLIENT H_832_McAulay_Stewart
DRAWING TITLE VIEW FROM WEST (on completion)	DRAWN BY JW
DRAWING NUMBER 832_PL_902	DATE 08/06/2022
CAD FILE NAME H_832_PL_Stewart_McAulay_001	SCALE N/A

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Note: Construction must comply with all VMEC and industry standards.



Original image

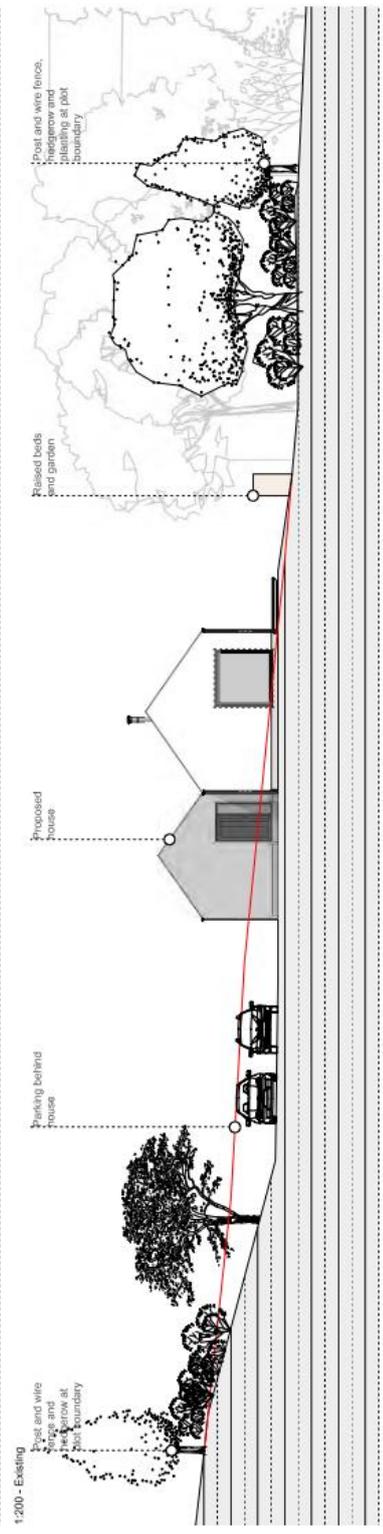
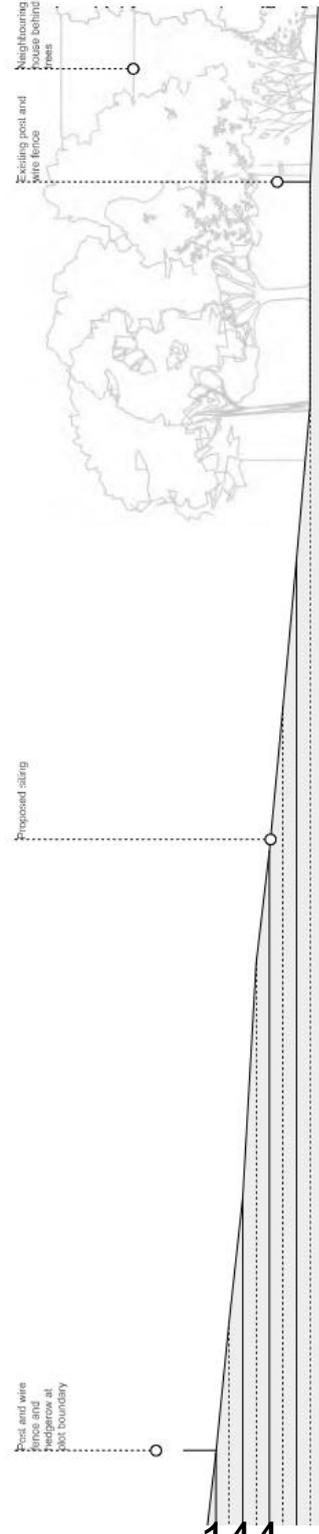
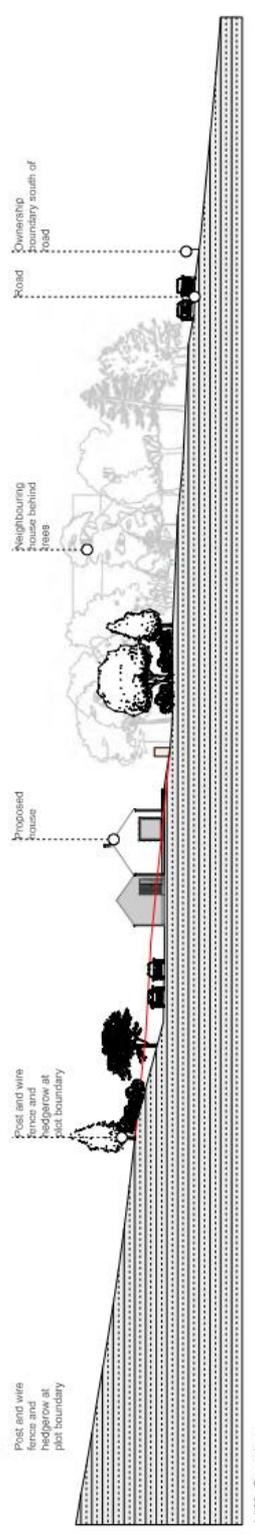
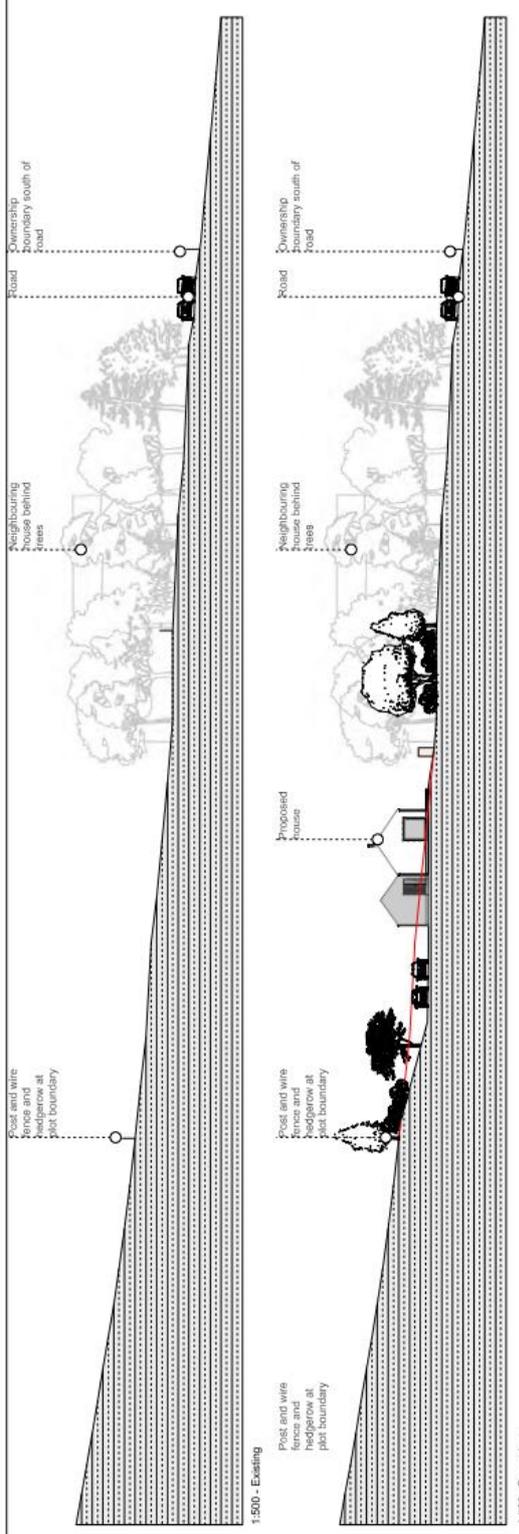
PROPOSED HOUSE FOR:
 Barbara Stewart
SITE ADDRESS:
 Kelliney House
 Kellineyburn
 Aberfeldy
 PH15 2LF

SITE AREA: 3180m²

Appendix 2

Cross Section Drawing

(NB. Attached separately)



PROPOSED HOUSE FOR:
Barbra Stewart
SITE ADDRESS:
Keltney House
Keltneyburn
Aberfeldy
PH15 2LF
SITE AREA: 3180m²

Proposed External Finishes
Walls: Block and White Render
Roof: Columbia Slate or Similar
Gutters: Black metal
Windows: Timber framed windows in dark grey

0 0.5 2.5m

0 3 5 7 9 11 13 15 M 1:500

0 3 5 7 9 11 13 15 M 1:200

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Note: Construction must comply with all NHBC and industry standards.

DRAWING SET PLANNING APPLICATION	CLIENT H_832_McAulay_Stewart
DRAWING TITLE PROPOSED SITE SECTION	DRAWN BY JW
DRAWING NUMBER 300_PL_300_PSS	DATE 18/05/2022
CAD FILE NAME H_832_PL_Stewart_McAulay_001	SCALE VARIABLES





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 100517186-001

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.

Type of Application

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

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

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

Erection of a dwellinghouse and associated works, Keltneyburn, Aberfeldy

Is this a temporary permission? *

Yes No

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

Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Maria Francke Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Maria	Building Name:	Maria Francke Planning
Last Name: *	Francke	Building Number:	
Telephone Number: *	07539389078	Address 1 (Street): *	PO Box 7658
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	United Kingdom
		Postcode: *	G42 2JA
Email Address: *	maria@mfplanning.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr and Mrs	Building Name:	Keltney House
First Name: *	Thomas James B	Building Number:	
Last Name: *	Stewart	Address 1 (Street): *	Keltneyburn
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	ABERFELDY
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PH15 2LF
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Site approximately 80m to the west of Keltney House and to the north of the public road C448

Northing

748923

Easting

277137

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Pre-application advice received on 12.10.21 . Advice was that the proposal would be assessed in terms of its compatibility with section 3.4 of Policy 19, Housing in Countryside, of the LDP . Council accepted that there may be other instances where a person's living accommodation does not meet their needs such as that of the Applicant. Advised to consider a wider search area such as Aberfeldy. Compliance with the siting criteria of the Housing in the Countryside SG will need to be considered.

Title:

Ms

Other title:

First Name:

Persephone

Last Name:

Beer

Correspondence Reference Number:

21/00532/PREAPP

Date (dd/mm/yyyy):

12/10/2021

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

3180.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

Agricultural field

Access and Parking

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

Yes No

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

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

Yes No

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

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

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

Yes No

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

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

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

- New/Altered septic tank.
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- Discharge to land via soakaway.
 Discharge to watercourse(s) (including partial soakaway).
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

Septic tank with soakaway arrangement of at least 25.05m² (refer to Drainage Solutions Report)

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

Yes No

Note:-

Please include details of SUDS arrangements on your plans

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

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

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

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

Assessment of Flood Risk

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

Yes No Don't Know

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

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

Yes No Don't Know

Trees

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

Yes No

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

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details: * (Max 500 characters)

There is adequate space within the curtilage of the property for bin storage and recycling facilities

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

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

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

Yes No

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

Yes No

Do you have any agricultural tenants? *

Yes No

Certificate Required

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

Certificate E

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so –

Signed: Maria Francke

On behalf of: Mr and Mrs Thomas James B Stewart

Date: 21/12/2021

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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

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

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

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

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

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

Site Investigation Report; Planning Statement

Declare – For Application to Planning Authority

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

Declaration Name: Ms Maria Francke

Declaration Date: 21/12/2021

Payment Details

Pay Direct

Created: 21/12/2021 14:35

maria francké planning

Chartered Town Planning Consultants

Address: PO Box 7658, Glasgow, G42 2JA

Direct Line: 07539 389078

Email: maria@mfpplanning.co.uk

Web: www.mfpplanning.co.uk



Development Management
Perth and Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

Our Ref: PKC201221/094PAL

20 December 2021

Dear Sir/Madam

Erection of a Single Dwelling House at Keltneyburn, Aberfeldy, PH15 2LF

On behalf of my clients, Mr and Mrs Stewart of Keltney House, Keltneyburn, Aberfeldy please find enclosed a completed planning application form and supporting documents seeking planning permission for the erection of a dwelling house at Keltneyburn, near Aberfeldy, under the terms of the Town and Country Planning (Scotland) Act 1997 (as amended).

Enclosed with the application form and certificates are the following documents and drawings:

Documents

- Design Statement - HebHomes Ltd
- Planning Statement - Maria Francké Planning
- Drainage Solutions Report - Mabbett & Associates Ltd
- Ground Investigation Report - IPM Associates (Scotland) Ltd

Drawing Reference No.	Description and Scale
• 832_PL_001_ELP	Existing Location Plan @1:1250
• XXX_PL_002_EBP	Existing Block Plan @1:200
• 832_PL_102_PLP1	Proposed Location Plan @1:1250
• 832_PL_103_PSP	Proposed Site Plan @1:500
• 832_PL_104_PBP	Proposed Block Plan @1:200
• 832_PL_201_GF	Ground Floor Plan @1:50
• 832_PL_401_NE	North Elevation @1:50
• 832_PL_402_SE	South Elevation @ 1:50
• 832_PL_403_WE	West Elevation @1:50
• 832_PL_403_EE	East Elevation @1:50

- 832_PL_600_WS View from South – Photomontage

The application form and supporting documents have been submitted to Perth & Kinross Council electronically via the 'e-planning' portal. The planning application fee is being paid directly to the Council by electronic BACS payment.

I look forward to hearing from you with confirmation that the application has been validated.

Yours faithfully

Maria Francké BSc MBA MRTPI

Enc.

cc. Mr and Mrs Stewart, Keltney House, Keltneyburn



HebHomes Accessible Longhouse Range - Design Statement

Job Reference:	H_832_Stewart_McAulay
Client Name:	Barbra Stewart and Rachel McAulay
Date:	15/11/21
House Type:	ALH201P
Agent:	HebHomes

Contents:

1. Background Information
2. Context & Site Appraisal
3. The HebHomes Design Ethos
4. Siting & External Design
5. Environmental & Internal Design



Accessible Longhouse Design by HebHomes Ltd

HebHomes Limited (Company Registered in Scotland. Registration No. SC262482)

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T: 01471 833 300

E: info@hebhomes.com W: www.hebhomes.com



1. Background Information

The purpose of this document is to explain the ethos and rationale influencing the above proposal while supporting the drawing package, submitted for the planning application. The applicant for this project, Mr and Mrs Stewart, own a plot which enjoys scenic views downhill across land owned by the client toward the River Lyon. The site extends to approximately 3180m².

The proposal will accommodate a well integrated design solution that reflects the landscape setting and a house design that pays tribute to the vernacular style of the area while not obstructing views to or from neighbouring properties. On the contrary, the surroundings can be enhanced through use of appropriate materials and considered proportions.

2. Context and Site Appraisal

This Design Statement accompanies the planning application for the applicants at their site at Keltneyburn, Aberfeldy. Keltneyburn is a small hamlet at the eastern end of Glen Lyon, to the west of Aberfeldy in Perth and Kinross. The site enjoys magnificent views southwards to the River Lyon and the landscape beyond.

This application concerns the vacant 3180m² plot which forms part of the field beside the applicants' current home. As the quality of traditional, old rural housing degrades, there is a need for the construction of new housing to compliment the more historical buildings in the area. The brief for this project requires a modern, energy efficient home in the form of a traditional Longhouse, while exploiting the benefits of block and render walls and a slate roof. The Longhouse dwelling type has been popular throughout Scottish history and countless examples can still be found across the country. Such homes remain popular due to their simple, geometrically correct proportions, simple detailing, and robust appearance.

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3. HebHomes Design Ethos

HebHomes aim to design dwellings that are:

- Distinctive
- Safe and pleasant
- Welcoming
- Connected
- Adaptive
- Resource-efficient

We design houses that respect the building traditions of the Scottish countryside, based on the traditional longhouse, white house or Airigh – housing types built throughout rural Scotland for centuries – which all use simple gable volumes and narrow plans. We use simple eaves-to-verge details and the materials of the local buildings are always considered in our proposals. White render, stone, metal profiles and timber, are the prevalent building materials used in rural Scotland, all creating natural weathered monochrome tones. Our aim at HebHomes is to create energy efficient, spacious and comfortable homes that bring back the traditional housing types of Scotland with a modern touch.



Longhouse Design by HebHomes Ltd

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4. Siting and Design

The site is accessed via an existing forestry access track which connects to main public road; access to the field for agricultural vehicles will be retained. The proposed property will be located on the left of the field, behind the neighbouring property.

The siting of the proposed new dwellinghouse will create a small group of 3 no. properties with the adjoining houses of Tigh Na Dalloch and Keltney House. It is not an isolated site but will be tucked in behind the property and garden ground of Tigh Na Dalloch. The overall feel of the natural landscape surrounding site will be retained. The proposal is a low-lying single-story design which aesthetically looks like an agricultural shed, fitting seamlessly into the rural setting.

The proposed house has been designed so that it uses scale and materials appropriate to the existing vernacular. The massing of the house consists of two simple gable forms with a pitched roof pitch. These are all geometrically correct, simple forms which do not detract from the surrounding landscape, but rather enhance it by alluding to the common agricultural shed. The proportions and materiality are typical of the building style of the local area. The eaves-to-verge detailing is kept simple so that the integrity of these simple masses is retained. The proposed house will not encroach on the views from any of the surrounding buildings due to its low height and position on the site.

The dwelling will have a footprint of 143m². On the north east and south westerly elevations, the windows are kept small in order to relate to those of the nearby buildings. On the opposite façades (facing south) however, they are much larger, with their floor-to-ceiling height creating a more modern contrast to the more traditionally proportioned windows. The proposed house will contain no ornamentation, with the eaves detailing kept as simple as possible. The colour scheme is also kept simple, with a white render wall, slate roofing and grey windows allowing the house to further blend into its surroundings with its simple colour palate.

The house is sited in the field beside the applicant's current home, Keltney House. Keltney House is no longer suitable to meet the applicants' accommodation needs and it is important that they have a house suited to their needs in an area in which they have spent most of their lives. The decision to site the house outwith the immediate garden grounds of Keltney House was to prevent any challenging and distressing situations between the applicant and the existing house's future inhabitants. By locating the house in the neighbouring field, it is possible to create a safe and secure space for somebody living with dementia.

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5. Environmental and Internal Design

There is parking and turning space for 2 + cars, space for refuse and a private drainage solution. The house is entered via a lobby on the south west façade, doors then lead to either the master bedroom, utility room, store or the main living space. The open plan kitchen/dining/living area enjoys full height ceiling that follows the pitch of the roof, adding a sense of architectural drama. Two bedrooms are located at gable end along with one public bathroom which is fully accessible.

The large expanse of south facing glazing will become a great source of solar gain for the winter months as well as giving fantastic elevated views. The plot enjoys expansive views out to the distant countryside to the south. Doors to the garden will be finished in a contrasting colour so that they're easily recognisable as a door rather than a window. HebHomes strive to achieve great sustainable design in our homes and therefore encourage clients to use heat pumps, heat recovery ventilation units and solar panels where possible, however these decisions are not finalised until project costs become more concrete. This application therefore includes the provision for an air source heat pump however this may be omitted for another technology. These aspirations, coupled with the highly insulated SIP construction proposed, allow the dwelling to become a strong advocate for environmental design.

In summary, the proposed design for the vacant site Keltneyburn will be a subtle neo-traditional Scottish dwelling that alludes to the Longhouse design whilst containing a modern and energy efficient dwelling internally.



Image of the proposed house

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6. Garden design and dementia

The boundaries of the site will be defined strongly with a deep planting buffer of between 3-5m on the northern and eastern edges of the site. The planting specification for this boundary edge can be controlled through the imposition of a planning condition to ensure biodiversity enhancement in line with local plan policy.

The garden ground for the proposed Longhouse extends to 3180 sq m. This is akin to the neighbouring garden sizes of the adjacent properties of Tigh Na Dalloch – with a garden area of 3660 sq m and the applicant's current house of Keltney House which has a garden area of 3120sq. m.

The scale of the garden area is proportionate to neighbouring properties and importantly, provides the opportunity to design an outdoor space which meets the applicants' bespoke living requirements. As stated in the application submission, planning permission is being sought for Mr and Mrs Stewart under the policy requirements of a new house in the open countryside for local people who are currently 'inadequately housed'. Mr Stewart's diagnosis of Alzheimer's and Mrs Stewart's mobility restrictions renders their current accommodation as unsuitable.

Gardens, and more generally outdoor spaces for people with dementia need to be safe and accessible while being meaningful, understandable, giving the occupants space for pleasure and activity. The garden for the proposed house has been split into distinct areas, connected through looping walkways with no dead ends.

The proposed garden provides a secure environment within which someone with dementia cannot 'escape' into a potentially harmful environment. When lost and confused, being confronted with a locked gate can be incredibly distressing. By providing visual cues and varying routes with barrier free access around the garden, while concealing the only exit from the site, it is possible to create a safe and pleasant space for the applicant..

By adding a trellis to the front of the house, as well as benches, a pergola, and raised planting beds around the garden there are spaces for rest, shelter, and meaningful activity around the site. The shed is a great place to potter, the pergola and trellis also provide an attractive space to go through and direct movement.

The garden will be filled with local flora and fauna, as well as creating a safe habitat and improving biodiversity, plants, trees and flowers can trigger memory and are particularly useful for stimulating conversation. The colours and smells of them can illicit memories while also making the change in season easily recognisable helping to ground the applicants in the real world.

There are many things that take place outside: planting, harvesting fruit and vegetables, family parties, games, working in the shed, hanging up washing and so on. All of these promote activity and actively encourage memory and discussion. The same is true of sitting alone the garden, feeling the breeze and season on your face and smelling plants. This is important to keep older people and people living with dementia as healthy and happy as possible. As the costs of care is an enormous consideration, getting vitamin D and taking exercise is proved to be extremely important to maintain good physical health, preventing falls and in maintaining cognition. All these factors help to offset both the time at which care is needed and the amount of care. Happy people are easier to care for; the HebHomes Longhouse design is ideally suited to the applicants' requirements and provides an open door to the outside which can reduce behaviour that challenges and stresses.

The large, open garden is considered essential for the health and wellbeing of the applicants and is in keeping with the scale of garden ground in the adjacent properties.

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Planning Statement

Erection of residential house and associated works,
Keltneyburn, Aberfeldy

21 December 2021

Submitted on behalf of Mr and Mrs Stewart



maria francké planning
Chartered Town Planning Consultants
maria@mfplanning.co.uk
www.mfplanning.co.uk

Contents

1.	Introduction	1
2.	Site and Surroundings	4
3.	Proposed Development	7
4.	Planning Policy Assessment	12
5.	Material Considerations	20
6.	Conclusion	22

APPENDICES

Appendix 1 – Letter from Revenue and Benefits Department of Perth and Kinross Council

Appendix 2 - Letter from GP dated 27.7.21

Appendix 3 – Pre-application Consultation Advice dated 12.10.21

Appendix 4 – Letter from Chief Planner John McNairney dated 3.4.20

1. Introduction

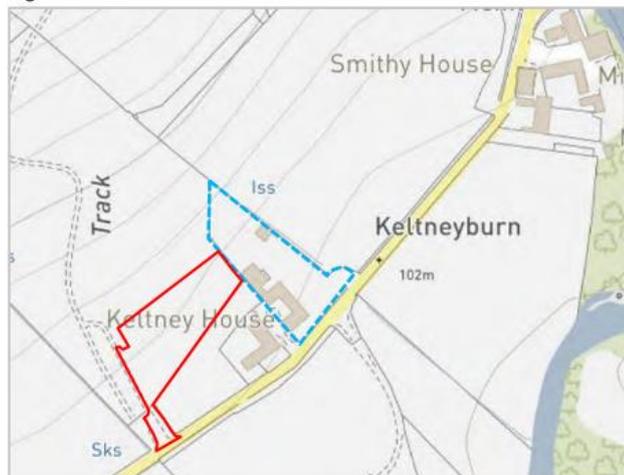
- 1.1 This Planning Statement has been prepared by Maria Francké Planning on behalf of **Mr and Mrs Stewart** to support a full planning application for planning permission for the:

Erection of a dwellinghouse and associated works, Keltneyburn, Aberfeldy.

The Applicant

- 1.2 Mr and Mrs Stewart currently reside in Keltney House which is a 1½ storey 3 bedroomed stone steading conversion property in Keltneyburn, which is a small village located at the eastern end of Glen Lyon and around 6 miles to the west of Aberfeldy. The location of their current house is shown with the dashed blue line in Figure 1 with the proposed application site outlined in a solid red line. Access to their house is taken directly from the C448. The plot size of their existing house extends to 3,250 sq. m and the garden ground is well established with a mix of gravel driveway area with space for car parking, planted beds, vegetable raised beds and areas of lawn with mature borders. There are also several shed/workshops and covered storage/drying shed areas located within the curtilage of the property.

Figure 1: Location Plan



- 1.3 The Applicants are an elderly couple. Mrs Stewart has lived in the Keltneyburn area almost all her life, while Mr Stewart has also lived there since they met and married. He has run several successful businesses in the area that provided employment for other locals. Appendix 1 contains a copy of a letter from the Revenue and Benefits Department of Perth and Kinross Council and verifies that they have been registered at their current property Keltney House, Aberfeldy, PH15 2LF for Council Tax purposes since 1 April 1993.
- 1.4 Their levels of mobility have significantly changed in the last few years as Mrs Stewart now has a debilitating level of arthritis and also fell and broke her hip last

November and can now only walk a short distance with the aid of two sticks. Mr Stewart has a diagnosis of Alzheimer’s which is now also affecting his mobility.

- 1.5 The accommodation in their current house is on two levels, with all the bedroom accommodation on the first floor. There are two bathrooms in the property, but the downstairs facility only has a wash hand basin and toilet. A letter from their GP is attached in Appendix 2, verifying their levels of mobility and accommodation requirements for single storey living.
- 1.6 The application proposals for a single storey house on adjacent land will enable the Applicants to continue to live in Keltneyburn, close to established ties.

Content of Application

- 1.7 This Planning Statement provides details on the application proposals and an assessment against the salient policies in the adopted Development Plan, consideration of relevant national planning policy and other material considerations.
- 1.8 The planning application and statement is supported by the plans listed underneath:

Drawing Ref. No	Description and Scale
832_PL_001_ELP	Existing Location Plan @1:1250
XXX_PL_002_EBP	Existing Block Plan @1:200
832_PL_102_PLP1	Proposed Location Plan @1:1250
832_PL_103_PSP	Proposed Site Plan @1:500
832_PL_104_PBP	Proposed Block Plan @1:200
832_PL_201_GF	Ground Floor Plan @1:50
832_PL_401_NE	North Elevation @1:50
832_PL_402_SE	South Elevation @ 1:50
832_PL_403_WE	West Elevation @1:50
832_PL_403_EE	East Elevation @1:50
832_PL_600_WS	View from South - Photomontage

- 1.9 Documents submitted in support of this application are:

Report	Consultant
Design Statement	HebHomes Ltd
Planning Statement	Maria Francké Planning
Drainage Solutions Report	Mabbett & Associates Ltd
Ground Investigation Report	IPM Associates (Scotland) Ltd

- 1.10 This Statement comprises the following sections:

- Section 2: Site and Surroundings
- Section 3: Proposed Development
- Section 4: Planning Policy Assessment
- Section 5: Material Considerations
- Section 6: Conclusions

2. Site and Surroundings

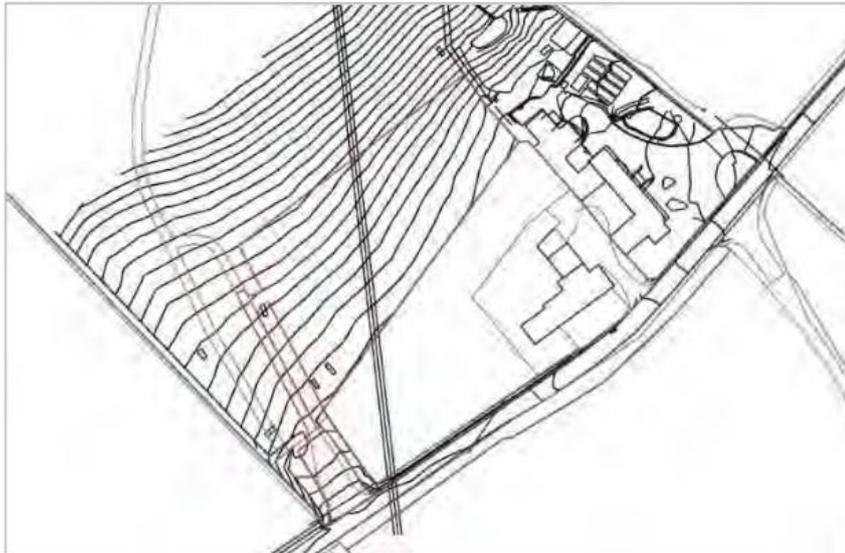
Location

- 2.1 Keltneyburn is a small village located at the eastern end of Glen Lyon and around 7 miles to the west of Aberfeldy. Access to the village is from the B846 and the application site entrance lies approximately 750m to the west of the junction with the C448 local road.

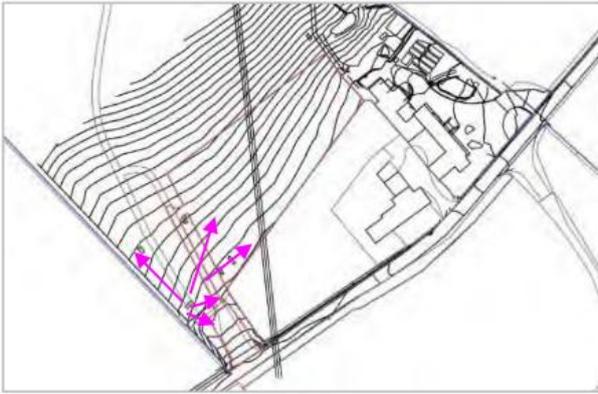
Description of the Site

- 2.2 The proposed site is a grazed agricultural field which sits to the north of an existing residential property of Tigh Na Dalloch and to the west of the Applicant's current abode at Keltney House. The landscape is agricultural with houses set into the landscape setting.
- 2.3 The Application Site is shown outlined in red in Figure 2.

Figure 2: Application Site



- 2.4 The topography of the Site rises gently from south to north and then rises more steeply to the crest of the hill in the north. Existing site photographs are included below.



Photograph location plan



Photo 1: View looking north



Photo 2: View looking north east across site



Photo 3: View looking east across site



Photo 4: View looking east showing existing field access



Photo 5: View looking south east showing existing junction and access

Planning History of the Site

- 2.5 The Council's planning portal shows the following planning history for parts of the site:

Reference Number	Proposal	Decision Date and Status
04/00001/HYDRO	Section 36 Application for a Hydro Generating Scheme	24.9.2008 Approved
08/00934/FUL	Formation of hardstanding and alterations to access	11.06.2008 Approved
18/00594/PNF	Prior Notification for formation of a forestry track at Garth Wood, Keltneyburn	15.05.2018 Approved

Pre-Application Consultation Advice

- 2.6 Pre-application consultation advice was received from Ms Persephone Beer, Planning Officer, on 12 October 2021 (Ref No. 21/00532/PREAPP). A copy of this is attached in Appendix 3. The pre-application advice considered the draft application proposals against Policy 19, Housing in Countryside, of the Perth and Kinross Local Development Plan 2 (2019). Concerns were raised from the case officer about the open nature of the agricultural field within which the proposed house is to be sited and the lack of an existing site boundary to the north of the plot.
- 2.7 In terms of the particular circumstances of the Applicant and the intention to submit an application under Section 3.4 of the policy which covers the category houses for local people, the planning authority's advice was that the property search area should be widened to include Aberfeldy. This has been undertaken and the results are included in Section 4 Policy Assessment.
- 2.8 In submitting this application, further consideration has been given to the positioning of the house on the site and measures have been taken to reinforce the northern boundary edge in particular. This will serve to overcome concerns of the site appearing isolated. Sections 3 and 4 of this Planning Statement explain in detail how the site fits into the landscape setting and forms a small group of houses with the adjacent properties.

3. Proposed Development

3.1 This application seeks planning permission in principle for the:

'Erection of a dwellinghouse and associated works, Keltneyburn, Aberfeldy.'

Siting and Design

3.2 The proposed housing site is situated to the west of two existing residential properties, Keltney House and Tigh Na Dalloch. The site is currently an agricultural field owned by the Applicant and used for sheep grazing. Access to the field is through an existing field entry point to the west of Tigh Na Dalloch and it is proposed that the new house would share this access point.

3.3 The shape and scale of site has been designed to fit neatly adjacent to the west and north of Keltney House and Tigh Na Dalloch, forming a compact grouping of three residential properties, all with comparable plot sizes.

Figure 3: Grouping of properties



3.4 There is no existing field boundary to the north which would mark the edge of the application plot. The landform however is a hill which rises gently to the north and provides a natural landscaped backdrop for the setting of the house. The northern boundary of the site will be reinforced with a deep 3 to 5m edge of planting which

will form a strong boundary to the site and will help to consolidate this small group of houses.

- 3.5 When viewed from the south, the proposed new house is nestled into its landscape setting as can be seen from the architect's photomontage.

Figure 4: Photomontage of Proposed House



- 3.6 The single storey design of the house, its landscape setting against the hillside and the pattern of houses both to the east and west of the application site results in a form of development which is keeping with the countryside setting. As seen in the photomontage, the anticipated visual impact of this proposed house is completely acceptable and would not be in any way prominent or obtrusive.
- 3.7 The design of the house is an aesthetic single storey property based on HebHomes traditional "longhouse" design.

Figure 5: HebHomes traditional 'longhouse' designs



- 3.8 This linear form allows the house to slot easily into the landscape setting at Keltneyburn. The elevations have been kept simple with materials of block and render walls and slate roof which are common local vernacular materials.
- 3.9 Internally, the accommodation provides 3 no bedrooms one of which is an en-suite master bedroom, lobby and utility room, family bathroom and an open plan kitchen, dining area and lounge area. As with all longhouses, the main living area space is open to the apex of the roof, adding drama. The focal point for the main living area is a central stove. Large picture windows in the living area open onto the garden of the property, bringing the outside in. The living room windows frame the best view and provide a generous level of natural daylight to the accommodation, making use of passive solar gain throughout the year.

Energy Efficiency

- 3.10 The development proposes the use of Structural Insulated Panels (SIPs) to create houses which are at the cutting edge of construction techniques. The system is



energy efficient and environmentally sustainable. HEBHomes also offer a revolutionary new expandable foam insulation called Icynene. SIP is more than just a timber kit; it is an engineered, structural shell with guaranteed insulation of 0.2 W/m². It saves time and money, due to a quick build process with further benefits and cost savings from follow-on trades. Due to the super insulation factor and a sealed

structure the heating system can be dramatically downsized, lowering both capital outlay and long-term heating bills.

- 3.11 Timber frame construction is a tried and trusted building technique used throughout the world. HEBHomes has developed their own system using 150mm stud wall, battens and counter battens, low-E reflective insulating breather membrane and Icynene foam insulation. This creates an airtight breathable wall, eliminates cold bridging and far exceeds current building regulations.
- 3.12 The application also includes the provision for an energy efficient air source heat pump with underfloor heating which will lower the carbon footprint of the house and generate less CO₂ than many conventional heating systems.
- 3.13 These intentions, coupled with the highly insulated SIP construction proposed, allow the dwelling to become a strong advocate for environmental design.

Access and Car Parking

- 3.14 The proposed access to the site will use the existing field access junction with the C448 public road. This access is within the land ownership of the Applicant. A previous planning consent granted in 2008 for access for timber extraction (Ref. 08/00934/FUL) provided for the creation of *'full visibility splays of 2.00 metres by 90.00 metres to the left and right of the access measured between points 1.05m above the road level insofar as the land is in the control of the applicant.'*
- 3.15 The proposed access will be segregated to enable safe vehicular access to the proposed house and access for agricultural vehicles to access the field to the north. The house will have a private driveway, providing parking and turning space for 2 cars.

Flood Risk and Drainage

- 3.16 A drainage assessment has been undertaken for the proposals by Mabbett Engineering and accompanies the application submission. The Drainage Solution Report advises that the site is of low risk of flooding according to the SEPA Flood Map. Intrusive site investigations revealed sand and gravel deposits which may offer sufficient permeability to allow for the use of a soakaway for the disposal of surface water arising from the roof of the proposed house. For foul drainage, a septic tank is proposed which would be compliant with SEPA requirements.

Landscaping and Biodiversity

- 3.17 The boundary treatment around the entire site is for a post and wire fence reinforced with hedging and planting. On the northern site boundary, given the lack of an existing field boundary the proposals are for a deep 3-5m landscaped edge. This can be controlled via the imposition of a planning condition on any permission granted and will result in a strong, defensible northern boundary to the site.
- 3.18 In terms of biodiversity, the application site is a grazed field with no existing landscape features; it is considered to have a low biodiversity value. The change from this into garden ground and the planting of a perimeter hedge and mixed native species tree border will represent a significant biodiversity uplift on the site. The 3-5m tree border to the site will be supplemented by flower and vegetable beds within the garden which will add plant diversity and pollinator diversity.
- 3.19 Providing a generous landscaped garden area for the Applicants' health and well-being is an important component of this planning application; it goes hand in hand with the requirement for single storey accommodation which is needed for medical reasons (refer to GP's letter in Appendix 2). Ecological planting, permeability through the garden via a circular path, composting and water recycling will help to sustain all-important biodiversity and promote restorative well-being.

4. Planning Policy Assessment

- 4.1 The purpose of this section is to assess the policies that are relevant to the determination of the planning application.
- 4.2 Section 25 of the Town and Country Planning (Scotland) Act 1997 sets out the status of development plans and states that:

'Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise, to be made in accordance with that plan.'

- 4.3 In this case, the development plan framework comprises:
- TAYplan Strategic Development Plan 2016-2036, and the
 - Perth and Kinross Local Development Plan 2 (2019)

TAYplan Strategic Development Plan 2016-2036

- 4.4 The pre-application consultation response from Ms Persephone Beer, Planning Officer at Perth and Kinross Council advised that the following sections of TAYplan 2016 will be important in the assessment of the application:
- Policy 1: Locational Priorities
 - Policy 2: Shaping Better Quality Places
 - Policy 4: Homes
 - Policy 6: Developer Contributions
 - Policy 8: Green Networks
 - Policy 9: Managing TAYplan's Assets
 - Policy 10: Connecting People, Places and Markets
- 4.5 We have provided a summary comment on these policies below.

Table 1: TAYplan Policy Assessment

Policy	Assessment Comment
Policy 1: Locational Priorities	<p>Part C of the policy notes Local Development Plans may also provide for some development in settlements that are not defined as principal settlements (Policy 1A). This is provided that it can be accommodated and supported by the settlement, and in the countryside; that the development genuinely contributes to the outcomes of this Plan; and it meets specific local needs.</p> <p>This application accords with Policy 1; it is for a specific local housing need and there is no adverse landscape impact as a result of the proposal.</p>

Policy	Assessment Comment
<p>Policy 2: Shaping Better Quality Places</p>	<p>The policy seeks to deliver better quality development and places which respond to climate change. It states that</p> <p><i>'Enhancing quality of life through Policy 2 requires measures that improve place quality to be designed-in at the outset and help ensure that design contributes to preventing unnecessary spending, risk and related poor physical and mental health.'</i></p> <p>and</p> <p><i>'It encourages innovation and place-led solutions to deliver development capable of supporting more sustainable ways of life for the people and businesses that use them'</i></p> <p>Policy 2 also advocates lifetime communities, stating that <i>'These are places that support independent living for all people throughout their lives.'</i></p> <p>This application accords with Policy 2. It is a place-led solution which will deliver a house for Mr and Mrs Stewart, supporting a more sustainable way of life for this elderly couple. The application proposal is responsive to the local environment and is resource efficient in the orientation and design of the house, its proposals for energy efficient construction and heating design.</p>
<p>Policy 4: Homes</p>	<p>The supporting text for this policy states that:</p> <p><i>'The vision seeks a TAYplan where more people choose to live, work and study. This Plan is fundamentally about providing for good quality homes and communities to best ensure that there are homes for everyone to live in.'</i></p> <p>This application accords with Policy 4. This is a proposal for a single house on a windfall site which delivers a sustainable pattern of development in Keltneyburn. It does not result in any sub-urbanisation of the countryside or contribute to unsustainable travel patterns. As a windfall site it is in addition to the housing land supply figures for the Greater Dundee Housing Market Area.</p>
<p>Policy 6: Developer Contributions</p>	<p>This policy states that local development plans should set out a policy framework for seeking developer contributions to mitigate any adverse impact on infrastructure, services and amenities brought about by development.</p>

Policy	Assessment Comment
	<p>There is no conflict with Policy 6. There are not considered to be any infrastructure deficiencies created because of this proposal.</p>
<p>Policy 8: Green Networks</p>	<p>The plan states that Green Networks are <i>'part of a holistic strategy in this Plan to improve place quality, safeguard important assets and to improve health and quality of life.'</i></p> <p>There is no conflict with Policy 8. There is no impact on any identified Green Network as a result of this proposal.</p>
<p>Policy 9: Managing TAYplan's Assets</p>	<p>The plan states that:</p> <p><i>'Development that contributes to sustainable development respects the inherent value of the finite resources, and the natural and historic assets that enhance our quality of life. The right type of good quality development in the right places can bring social, economic and environmental benefits.'</i></p> <p>There is no conflict with Policy 9. The application proposal is for a sustainable, rural development on a site which can be well integrated into its landscape setting.</p>
<p>Policy 10: Connecting People, Places and Markets</p>	<p>Policy 10 safeguards land for strategic infrastructure or the infrastructure itself to ensure that it is not lost to alternative land uses.</p> <p>There is no conflict with Policy 10; no strategic infrastructure is impacted on by this development.</p>

4.6 In addition to these policies, on page 3 of TAYplan – Leadership and Action, it states that the *'plan's vision centres on improving people's quality of life.'* This application seeks to do exactly that for Mr and Mrs Stewart in a manner which is cognisant of the landscape setting of the village and the immediate rural surroundings of the site.

4.7 The overall vision of the TAYplan supports the proposals and 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

- 4.8 The main issues in relation to this application are whether the proposed development accords with relevant Perth and Kinross Local Development Plan 2 (LDP) policies and whether there are any material considerations that justify a departure from the development plan.
- 4.9 The Council has cited a considerable number of policies in its pre-application response to be considered in the assessment of the proposed development:
- Policy 1A: Placemaking
 - Policy 1B: Placemaking
 - Policy 2: Design Statements
 - Policy 5: Infrastructure Contributions
 - Policy 15: Public Access
 - Policy 19: Housing in the Countryside
 - Policy 31: Other Historic Environment Assets
 - Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
 - Policy 39: Landscape
 - Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
 - Policy 41: Biodiversity
 - Policy 52: New Development and Flooding
 - 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 39: Landscape
 - Policy 59: Digital Infrastructure
 - Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals
- 4.10 Other Council policies to be considered include:
- Placemaking Guide 2020
 - Housing in the Countryside Guide 2020
- 4.11 An assessment of the development proposals against these policies has been undertaken against the following key planning considerations:
- Principle of Development
 - Design
 - Landscape and Biodiversity
 - Residential Amenity
 - Roads and Access
 - Flood Risk & Drainage
- 4.12 Each of these issues is considered below.

PRINCIPLE OF DEVELOPMENT

- 4.13 In terms of the principle of development, the relevant local plan policy is **Policy 19: Housing in the Countryside** and the related Supplementary Guidance (SG) on housing in the countryside which are key to the principle as to whether a new house can be supported on the application site. Policy 19 reads:

Policy 19: Housing in the Countryside

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

- (1) building groups;*
- (2) infill sites;*
- (3) new houses in the open countryside on defined categories of sites as set out in Section 3 of the Supplementary Guidance;*
- (4) renovation or replacement of houses;*
- (5) conversion or replacement of redundant non-domestic buildings;*
- (6) development on rural brownfield land.*

The application of this policy is limited within the Green Belt to proven economic need, conversions or replacement buildings. Development proposals should not result in adverse effects, either individually or in combination, on the integrity of the Firth of Tay and Eden Estuary, Loch Leven, South Tayside Goose Roosts and Forest of Clunie SPAs and Dunkeld-Blairgowrie Loch and the River Tay SACs. Applications shall be supported by sufficient information to allow the Council to conclude that there would be no such adverse effects.

- 4.14 The relevant category is (3) where the Supplementary Guidance states:

- 1) *Category 3 – New Houses in the Open Countryside:*

Usually, the most sustainable option for new houses in the countryside will be within existing small settlements or building groups, or the re-use of existing buildings or sites. In some cases, however, there will be a genuine need for a new house or houses in the open countryside and proposals for these will be considered favourably where they fall into at least one of the following categories:

- 3.1 Existing Gardens*
- 3.2 Houses in Areas of Flood Risk*
- 3.3 Economic Activity*
- 3.4 Houses for Local People*
- 3.5 Houses for Sustainable Living*

- 4.15 This planning application is made under Section 3.4 – Houses for Local People where the guidance states that:

'Proposals will be supported for a house for a local person or family who have lived and/or worked in the area for at least 3 years, and who are currently inadequately housed. Proof that the existing house is the sole residence and has been occupied on a permanent basis for the full 3 year period may be required.'

- 4.16 The guidance states that *'inadequately housed'* means a person or household who are currently living in:

Insecure housing – where a person or household can demonstrate that they are to lose their current tied, service or private rented accommodation within six months or their Private Residential Tenancy is coming to an end.

OR

Unsuitable accommodation – where the needs of someone within the household has changed and they now require a different type of accommodation, for example, a house which is suitable for a wheelchair user.....

In all cases the applicant will be required to demonstrate that no alternative accommodation is available to them within the local area.

- 4.17 In terms of the first part of this policy, Mr and Mrs Stewart are a local family who have lived and/or worked in the area for at least 3 years. Mrs Stewart has lived in the Keltneyburn area almost all her life, while Mr Stewart has also lived there since they met and married. He has run several successful businesses in the area that provided employment for other locals. A letter is attached in Appendix 1 from the Revenue and Benefits Department of Perth and Kinross Council which verifies that they have been registered at their current property Keltney House, Aberfeldy, PH15 2LF for Council Tax purposes since 1 April 1993.

- 4.18 **The Applicant therefore meets the first part of this policy requirement.**

- 4.19 In terms of Mr and Mrs Stewart being *'inadequately housed'*, they are currently living in *'unsuitable accommodation'*. Their levels of mobility have significantly changed in the last few years as Mrs Stewart now has a debilitating level of arthritis and also fell and broke her hip in 2020 and can now only walk a short distance with the aid of two sticks. Mr Stewart has a diagnosis of Alzheimer's which is now also affecting his mobility.

- 4.20 Their current accommodation in Keltney House is on two levels, with all the bedroom accommodation on the first floor. There are two bathrooms in the property, but the downstairs facility only has a wash hand basin and toilet. A letter from their local GP is attached in Appendix 2 to verify their levels of mobility and accommodation requirements for single storey living.

- 4.21 The final part of this policy asks the applicant to demonstrate that no alternative accommodation is available to them within the local area. The pre-application advice letter from the Council advised that a property search should be extended beyond just the village of Keltneyburn and should include Aberfeldy. Whilst the Applicants would naturally prefer to remain resident within the village (having long established ties and the medical condition of Alzheimer’s which demands familiarity of surroundings¹) a property search has been undertaken.
- 4.22 A search for single storey accommodation on Rightmove, Zoopla, TSPC, Savills, PrimeLocation (December 2021) for available properties for sale within the wider area of Keltneyburn and Aberfeldy produced 2 No. findings, with one property being an upper apartment which is unsuitable for the Applicants’ requirement for ground floor living. Both properties shown as available are not yet built; they are part of a planned housing development by the Lomond Group. The search area and location of the properties found are shown in Figure 6.

Figure 6: Search Area for property for sale within Keltneyburn and Aberfeldy area (December 2021)



Table 2: Results of Property for sale within Keltneyburn and Aberfeldy (December 2021)

Search Result	Address	Description	Link	Comment
1	Fishers Bung 7, Home Street, Aberfeldy, Perthshire, PH15	3 bed detached house being developed by the Lomond Group. Anticipated to be ready in Sept. 2022	https://www.rightmove.co.uk/properties/104936198#/?channel=RES_NEW	Property is not yet built. Risk of uncertainty of delivery. Timescale is unsuitable.
2	Home Street, Aberfeldy, Perthshire, PH15	2-bedroom apartment being developed by the Lomond Group. Anticipated to be ready by end of Nov 2022	https://www.rightmove.co.uk/properties/101345456#/?channel=RES_BUY	Apartment is on the upper level and unsuitable for the Applicant. Property is not yet built. Timescale is unsuitable.

¹ Alzheimer’s Scotland advises that major changes to surroundings can cause anxiety for dementia sufferers. Ref. Understanding stress and distress in dementia, Alzheimer’s Scotland, 2018 <https://www.alzscot.org/sites/default/files/2019-11/Understanding%20stress%20and%20distress%20in%20dementia.pdf>

- 4.23 The property search reveals that there are no suitable single storey houses which are available for Mr and Mrs Stewart. **The Applicant therefore meets the second and final part of this policy requirement.**
- 4.24 There are then four Siting Criteria stating that the proposals require to demonstrate that it meets all of the following criteria when viewed from surrounding vantage points:
- *It blends sympathetically with land form.*
 - *It uses existing trees, buildings, slopes or other natural features to provide a backdrop.*
 - *It uses an identifiable site (except in the case of proposals for new country estates) with long established boundaries which separates the site naturally from the surrounding ground. For example, a dry-stone dyke, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site. The sub-division of a field or other land, for example by post and wire fence or newly planted hedge or tree belt specifically in order to create the site, will not be acceptable.*
 - *It will make a positive contribution to the surrounding landscape.*
- 4.25 In relation to point 1, the proposal is considered to blend sympathetically with the landform. The design of the house is single storey and is based on a traditional longhouse design which is a Scottish vernacular. The building, as shown in the photomontage (Figure 4, page 7) is at the base of a hill and is nestled into the hillside; it is not incongruous in its landscape setting.
- 4.26 It uses the natural backdrop of the hillside to help it blend into the landscape and thereby conforms with point 2.
- 4.27 In relation to point 3, there is however no identifiable site being part of an agricultural field and the application therefore necessitates the creation of a new northern boundary in the field to delineate the plot. This has been achieved through the creation of a deep planted tree border of between 3 to 5m in depth. This border can be planted with mixed native tree species and will create a strong landscaped edge to the site, providing separation from the agricultural field and a strong sense of enclosure and privacy for the occupants.
- 4.28 On the final matter of its contribution to the surrounding landscape, it is maintained that the proposals make a positive contribution to the landscape through additional tree planting (with its increased biodiversity value) and the establishment of an attractive rural house which is in keeping with houses in the area. Whilst the application site is included within the Loch Tay Special Landscape Area (SLA), it is located around 3km to the north of the loch and separated from it by the wide belt of coniferous forest of the Tay Forest Park.
- 4.29 The Council's Supplementary Planning Guidance on Landscape, 2015 considers the designation and it states that one of the objectives for the Loch Tay SLA is to maintain the distinctive character of local buildings, such as use of stone or timber,

particular where these are in prominent roadside locations. The proposed house is a low-profile, single storey dwelling which will have a render and slate roof finish to tie in with local vernacular buildings; its height, massing, scale and density are all in keeping with its surroundings. It is not in a prominent location. Its development will have no material impact on the Loch Tay SLA.

4.30 Overall, the Siting Criteria requirements cannot be met on the application site due to the proposals failing point 3. However, the proposed boundary tree planting is considered to offer significant compensation and is a relevant material consideration in the determination of the application.

4.31 **Policy 1: Placemaking** also pertains to the principle of development on the site. In terms of **Policy 1A**, this requires development to contribute positively to the quality of the surrounding and built environment and states that the design, density and siting of development should respect the character and amenity of the place. **Policy 1B** requires proposals to meet seven placemaking criteria, including to consider and respect the wider landscape character of the area and that the design and density should complement its surroundings. Some of these placemaking criterion do not readily apply to a proposal for a single house and assessment has only been undertaken against the relevant criteria which include matters such as the proposal's impact on the wider landscape and its design in relation to its surroundings.

Table 3: Policy 1A and 1B Assessment

Policy	Assessment
Policy 1A	
<p><i>Development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.</i></p>	<p>The development is sensitively sited in the landscape context. It is not visually obtrusive and has the backdrop of the hillside to help assimilate it into the natural environment. A photomontage shows the house viewed from the south and demonstrates its minimal visual impact.</p> <p>The house, designed by HEBHomes is a sustainable design with energy efficiency in its core construction (SIP) and proposed method of heating (air source heat pump). Mitigation – in terms of any visual impact is provided through substantive tree planting around all the site borders. This can be controlled by the planning authority through a planning condition. Whilst the Applicants are an elderly couple requiring a single storey property, the design of the house and garden grounds would be equally suitable for family accommodation.</p> <p>The proposals conform with Policy 1A</p>
<p><i>The design, density and siting of development should respect the character and amenity of the place, and should create and improve links</i></p>	<p>The development is sensitively sited in respect of the neighbouring properties. There is no overlooking and the privacy and amenity of the neighbouring 2 houses will be safeguarded.</p>

Policy	Assessment
<i>within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.</i>	<p>Perimeter tree planting is proposed, and this is appropriate to the local context and the scale and nature of development.</p> <p>The proposals conform with Policy 1A</p>
Policy 1B	
<i>(a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.</i>	n/a
<i>(b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area</i>	<p>As can be seen from the photomontage submitted with the application, the development respects the site topography. The proposed house is tucked in behind the existing garden ground of the adjacent property and any visual impact is further minimised by proposed additional planting.</p> <p>The proposals conform with Policy 1B(b)</p>
<i>(c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.</i>	<p>The proposed single house is based on a traditional Scottish 'longhouse' design and has a simple palette of materials which are common in the local context. The house's linear form allows it to slot easily into the landscape, while internally it is spacious and open planned. The elevations have been kept simple.</p> <p>The proposals conform with Policy 1B(c)</p>
<i>(d) Respect an existing building line where appropriate or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.</i>	n/a
<i>(e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.</i>	<p>The proposed house, garden ground and access are safe, accessible and inclusive by design. The submitted Design Statement expands on these issues given that the Applicant has a priority requirement for all of these components to be met (by designing for Alzheimer's) in the design of the house both internally and in all external garden spaces. The house is accessible and on a local bus route which passes the house on the C448. Bus stops are a 4 minute (c. 320m) walk at the Keltneyburn war memorial.</p> <p>The proposals conform with Policy 1B(e)</p>
<i>(f) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.</i>	<p>As set out under Policy 1A above, the house has been designed with future adaptability, climate change and resource efficiency in mind.</p> <p>The proposals conform with Policy 1B(f)</p>

Policy	Assessment
<i>(h) Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks.</i>	<p>The proposals include a significant amount of new mixed native tree planting which will contribute locally to the existing green networks of the Loch Tay SLA. Connectivity by active travel means can be readily undertaken to Aberfeldy and the core path network.</p> <p>The proposals conform with Policy 1B(h)</p>
<i>(i) Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).</i>	<p>The design of the garden ground and access to the property allows for adequate space of the storage and collection of refuse and recyclable materials.</p> <p>The proposals conform with Policy 1B(i)</p>
<i>(j) Sustainable design and construction.</i>	<p>As noted under Policy 1A, the house is a sustainable design with energy efficiency in its core construction (SIP) and proposed method of heating (air source heat pump).</p> <p>The proposals conform with Policy 1B(j)</p>

DESIGN

4.32 **Policy 2: Design Statements** was highlighted by the Council in the pre-app response. It is noted that the policy states that *“A design statement may also be required to accompany a planning application for other forms of development where design sensitivity is considered a critical issue.”*

4.33 A Design Statement accompanies the application and adheres to the guidance in the Council’s Supplementary Guidance on Placemaking. It fully demonstrates that the application proposals respond to the six key Scottish Government Placemaking principles:

Table 4: Scottish Government and SG Placemaking Adherence

Distinctive	Welcoming
<ul style="list-style-type: none"> Materials, colours and details of the traditional 'longhouse' cottage fit in with the rural character of the area. The materials proposed are common to HEBHomes houses throughout rural Scotland – white rendered walls and slate roof. Both materials are common local vernacular materials. Density, scale, height and massing are appropriate for the given context without creating a poor imitation of what exists. Appropriate boundary treatment is used to define the plot 	<ul style="list-style-type: none"> The proposal fits into the rural landscape and the natural topography - as evidenced in the photomontage, and there is no excessive re-levelling or terracing of the site. It introduces structural landscaping on the northern site boundary. Open spaces are biodiverse, safe and maintenance efficient. All open areas within the garden space have a purpose and a defined function and will be designed for the Applicants' use and enjoyment in terms of free flow of pathways,

	<p>connectivity and a variety of planting (through garden design for Alzheimer's).</p> <ul style="list-style-type: none"> Planting and landscaping requirements have been met.
<p>Safe & Pleasant</p> <ul style="list-style-type: none"> Flood risk has been considered and mitigated against. Drainage and SUDS are considered from the outset and are designed, based on the existing natural drainage patterns and as part of the wider green infrastructure There is prominent frontage, and the garden ground is enclosed within the property. Parking is provided to the rear. 	<p>Adaptable</p> <ul style="list-style-type: none"> The built form of the HEBHomes house is flexible and allows for changes over time. The proposal supports local infrastructure in Keltneyburn
<p>Easy to move around and beyond</p> <ul style="list-style-type: none"> The proposal fits in with the existing built form and is well connected to local streets and green spaces. Public transport nodes in the vicinity of the site are easily accessible from the development (bus stops at the war memorial are 4 mins walk from the site). 	<p>Resource efficient</p> <ul style="list-style-type: none"> The house and public spaces are orientated to maximise solar gain and views to the wider landscape or greenspaces. Shelter is maximised by the topography of land and the proposed permitter tree planting Renewable energy solutions have been incorporated. Local materials are used where practical in order reduce the development's carbon footprint. Recycling facilities and initiatives have been incorporated.

4.34 It is contended that the proposed massing, height and scale of the proposed house takes into cognisance the surrounding mix of housing styles and character in Keltneyburn and proposes a high quality, contemporary house on the site. The proposed house is low-lying, of traditional proportions and form, narrow in span on a ground bearing slab and retains a familiar and discreet profile. **The proposals fully comply with Policy 2: Design Statements.**

4.35 The construction of the house is with Structural Insulated Panels (SIPs), a system which is energy efficient and environmentally sustainable. In addition to the proposed air source heat pump this ensures that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met. (Reference paragraphs 3.10-3.13 and assessment under Policy 1A, Table 3).

4.36 **The proposal complies with Policy 32: Embedding Low and Zero Carbon Generating Technology in New Development.**

4.37 Regarding digital connectivity, the proposed house will provide digital and mobile communications broadband infrastructure to improve quality of life for the

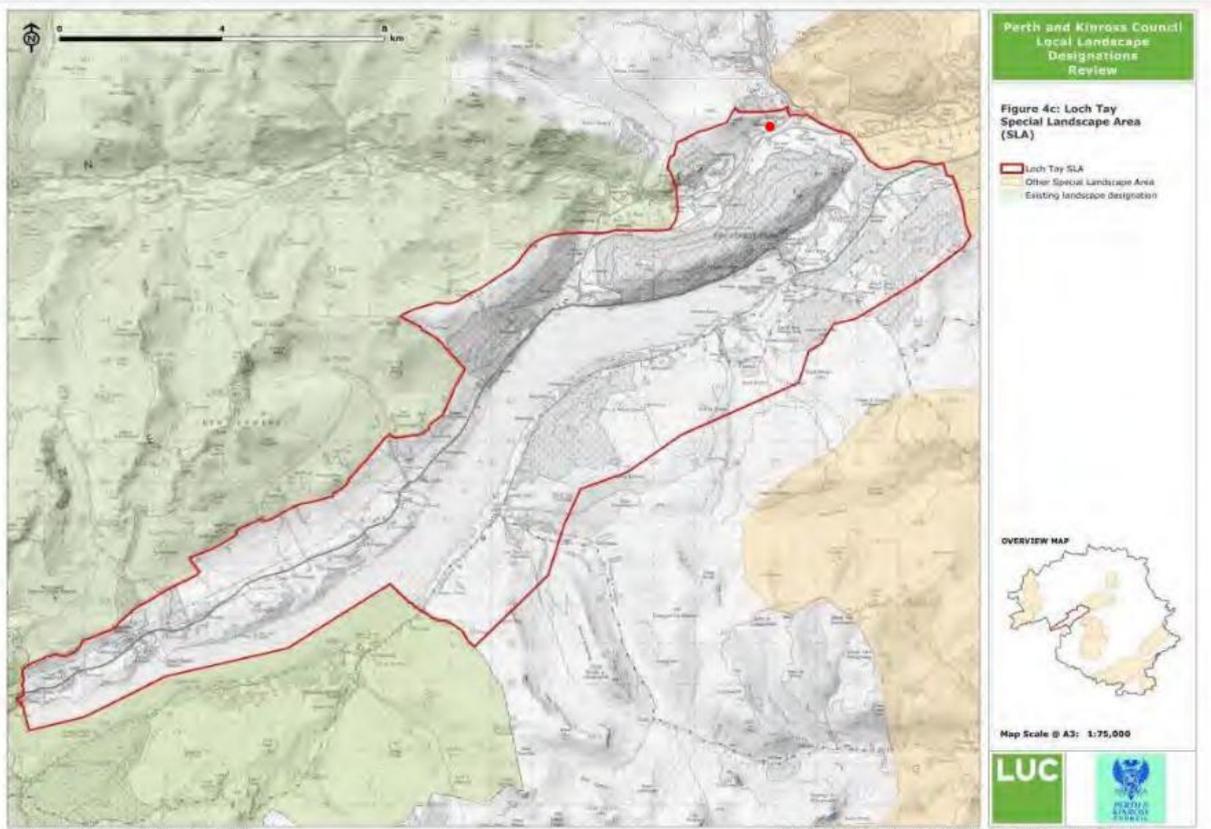
Applicants. There will be no external visual impact on the site as a result of this connectivity. **This fully conforms to requirements set out in Policy 59: Digital Infrastructure.**

LANDSCAPE AND BIODIVERSITY

4.38 **Policy 39: Landscape** requires development and land use change to be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes; which requires reference to the Tayside Landscape Character Assessment.

4.39 The application site is within the Loch Tay SLA as shown in Figure 7 (red dot).

Figure 7: Loch Tay Special Landscape Area



4.40 It is in the north-eastern corner of the SLA, north of the Tay Forest Pak and River Lyon in the settlement of Keltneyburn, where the settlement landscape is typified by agricultural grazing fields and a dispersed settlement pattern with a mixture of some isolated housing sites and small nucleated pockets of housing, as can be seen in Figure 8.

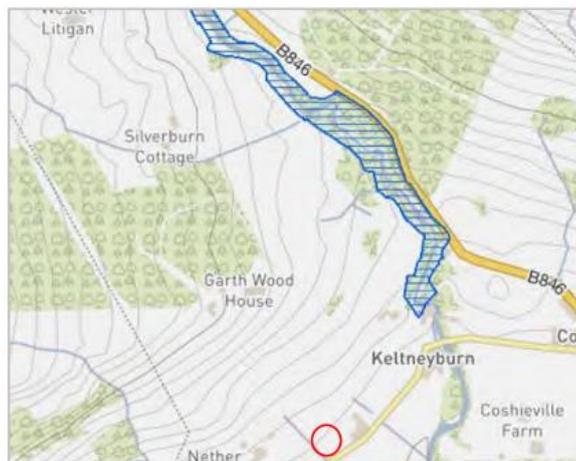
Figure 8: Keltneyburn Settlement Pattern



- 4.41 The proposed housing site with the two adjacent properties of Tigh Na Dalloch and Keltney House is shown in the above image with a solid line red and will form a small cluster. This is in keeping with the existing settlement pattern. It will not be an isolated development and will sit comfortably in the landscape setting against the backdrop of the hillside (refer to photomontage in Figure 4, page 8).
- 4.42 There are no designated sites, including Sites of Special Scientific Interest (SSSI), Special Protection Area, Special Area of Conservation and Geological Conservation Review Sites that are located on the Site or within close proximity to it. The Keltneyburn Special Area of Conservation (SAC) and the Keltneyburn Site of Special Scientific Interest (SSSI) are shown in Figure 9 located to the north east of the application site. There is no impact on these as a result of the development.

Figure 9: Landscape Designations

Keltneyburn Special Areas of Conservation (SAC)



Keltneyburn Site of Special Scientific Interest (SSSI)



4.43 Overall it is submitted that the development will fit with the local landscape character and pattern of development in Keltneyburn. **The application proposals comply with Policy 39: Landscape.**

4.44 There are no existing trees on the site. The application proposals will establish a significant area of new native, mixed tree planting around the perimeter of the site. Along the northern site boundary this will be structural planting edge which will act as a strong site boundary. This will deliver both environmental and biodiversity benefits. The structural planting and border treatment can be controlled by a planning condition.

4.45 The proposals comply with **Policy 40B: Trees, Woodland and Development and Policy 41: Biodiversity.**

RESIDENTIAL AMENITY

4.46 Issues to be considered regarding a development's potential effect on neighbouring properties is set out in the Placemaking Supplementary Guidance. This was adopted by the Council in March 2020. Key issues to consider are stated to be:

- *the effect that any development has on the internal living space of neighbouring residential properties*
- *the impact that overshadowing has on neighbouring properties including garden ground*
- *the privacy of adjacent properties both internal and within the garden*
- *access to any new development and who this might affect in neighbouring properties.*

4.47 In terms of the likely impact on residential amenity of the adjacent occupiers in Tigh Na Dalloch, the new house would have limited direct impact on this property which is situated approximately 50m to the south east at its closest point. There will be no conflict in terms of privacy or overlooking from windows.

4.48 Perimeter landscaping at the proposed plot on the southern boundary would also provide additional screening to preserve the residential amenity of the adjacent property and its garden ground.

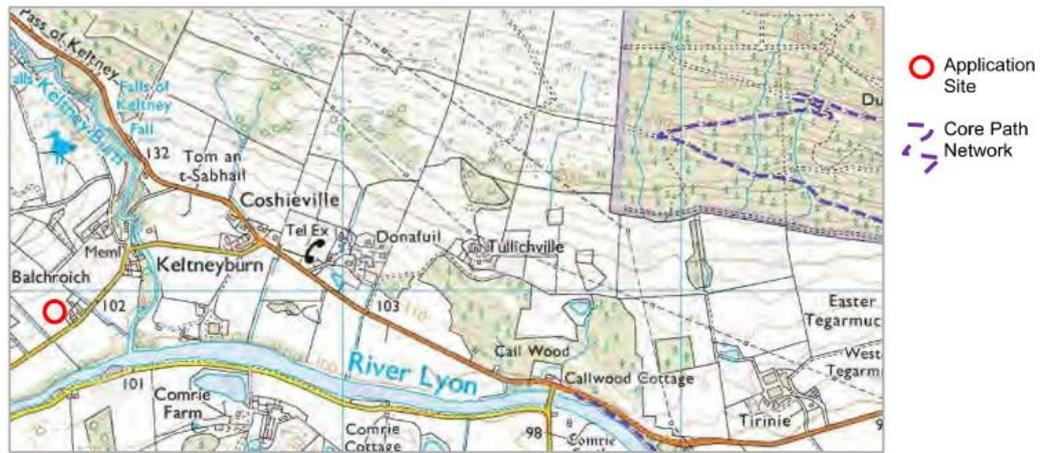
4.49 The Guidance advises that all new houses should benefit from private garden space, for drying clothes, accommodating pets, children's play, quiet enjoyment etc. Private space is required to be size appropriate to the property it serves, proportionate to the size and the layout of the building, with appropriate screening with hedges, walls or fencing to ensure that the garden space is not overlooked from surrounding houses or gardens. As can be seen from the adjacent housing plots outlined in Figure 3, the proposed plot size is akin to the two neighbouring properties.

- 4.50 Because of the separation distances, there would be no intrusion into the privacy of habitable rooms in either Tigh Na Dalloch or Keltney House to the west.
- 4.51 **The residential development on the site is therefore compatible with neighbouring residential amenity.**

ROADS AND ACCESS

- 4.52 With regards to **Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals** the development is for a single house in a rural countryside location. Within the design of the site itself, car parking is provided in line with the Council's maximum on-site parking standards. Being within the village of Keltneyburn, there are connections via active travel to the core path network links on the east side of the village.

Figure 10: Core Path Network



- 4.53 There is no adverse impact on the integrity any existing or proposed core path. **Accordingly, the proposals conform to Policy 15: Public Access.**
- 4.54 The application site is also accessible by public transport. There are two bus routes which pass the site with buses travelling along the C448.

Figure 11: Bus routes through Keltneyburn



- Bus No. 91 - Aberfeldy - Fortingall + Kenmore circular Bus Route
- Bus No. 91A - Aberfeldy - Kenmore + Fortingall circular Bus Route

4.55 The development is easily accessible to all modes of transport in particular the sustainable modes of walking, cycling and public transport.

4.56 **The proposal conforms to Policy 60B: New Development Proposals.**

FLOOD RISK AND DRAINAGE

4.57 In terms of **Policies 52, 53B, 53C and 53E** the proposed drainage strategy and flood risk assessment of the site have been informed by intrusive site investigations. These reports are submitted with the application and show that SUDS proposals have been incorporated into the design proposals for the surface water system through a proposed soakaway and foul drainage being addressed through a septic tank system. The Drainage Strategy report also notes that the SEPA Flood Map identifies the site as being at low risk of flooding. The proposed house will also connect to the public water supply.

4.58 **The application proposals comply with Policies 52, 53B, 53C and 53E.**

CONCLUSION

4.59 Overall, regarding the Perth and Kinross Local Development Plan 2019 the development proposals do not conform in their entirety with the Siting Criteria for Housing in the Countryside. There is one criterion (point 3), under which the application proposals would fail as there is no established site boundary. The Applicant has proposed the creation of a significant planted site boundary which will comprise of a 3 to 5m deep hedge and mixed native tree planting border on the northern edge of the site. This can be controlled by the planning authority via a planning condition which the Applicant is happy to accept.

4.60 It is the responsibility of the planning authority in considering the proposals to weigh up the proposal's overall conformity in the light of the whole plan and as to whether the proposals accord with it, and then, if there are material considerations of such weight to indicate that the proposals can be supported.

4.61 This policy assessment provides a robust consideration of all the salient development plan policies. The matter of landscape impact is a subjective one, but this matter has been objectively considered in this report. The submitted Photomontage is deemed to be a realistic impression of the proposals; a single storey property of traditional form and materials, low lying and unobtrusive in its landscape setting and seen against the backdrop of a hillside.

4.62 It is considered that on balance, it is in the proper planning interests of the area to enable the development proposals and that they can be considered, in the round, to be compliant with the development plan. The presumption in favour of development which accords with the provisions of the plan therefore applies.

5. Material Considerations

5.1 Material considerations which are considered relevant to the planning application are:

- Scottish Planning Policy
- Appearance of the proposed development and its relationship to its surroundings
- Personal circumstances of the Applicant

Scottish Planning Policy

5.2 Scottish Planning Policy (SPP) was published in 2014 and sets out the national planning policies which reflect Scottish Minister's priorities for the planning system along with policies for the use and development of land. In terms of the Core Values of the Planning Service, it states that Scottish Ministers expect the service to:

"play a key role in facilitating sustainable economic growth, particularly the creation of new jobs and the strengthening of economic capacity and resilience within communities;"

5.3 Paragraph 2 of SPP states:

"Planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources."

5.4 SPP's two principal policies relate to "sustainability" and "placemaking". SPP introduces a presumption in favour of sustainable development (paragraph 27) and continues in paragraph 29 to set out a number of principles by which policies and decisions should be guided:

- *Giving due weight to net economic benefit*
- *Responding to economic issues, challenges and opportunities, as outline in local economic strategies*
- *Supporting good design and the six qualities of successful places*
- *Making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration principles*
- *Supporting delivery of accessible housing, business, retailing and leisure development;*
- *Supporting delivery of infrastructure, for example transport, education, energy, digital and water;*
- *Supporting climate change mitigation and adaptation including taking account of flood risk*
- *Improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;*

- *Having regard to the principles for sustainable land use set out in the Land Use Strategy;*
- *Protecting, enhancing and promoting access to cultural heritage, including the historic environment;*
- *Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;*
- *Reducing waste, facilitating its management and promoting resource recovery; and*
- *Avoiding over development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.*

- 5.5 In respect of “placemaking”, SPP Planning’s purpose is to create better places. The outcome should be sustainable, well-designed places and homes which meet people’s needs. Planning should direct development to the right place.
- 5.6 This Statement and the documents submitted with the application demonstrate that the proposed development accords with these principles regarding sustainability, good design and the six qualities of successful places.

Appearance of the Proposed Development and its relationship to its Surroundings

- 5.7 The decision on this application involves consideration of the appearance of the proposed development and its relationship to its surroundings. Relevant matters for the planning authority to consider include the materials to be used; the height, scale, massing and layout of the proposed house in comparison to buildings in the surrounding area; landscaping and privacy, both for the adjacent properties of Tigh Na Dalloch and Keltney House and the occupiers of the proposed development.
- 5.8 It is submitted that in line with Scottish Government guidance, the development proposals result in the creation of a high-quality place which has incorporated a sustainable, design-led approach to its siting and design. The proposed house is nestled into the landscape setting and would have no detrimental impact on the character or appearance of the Loch Tay Special Landscape Area or on the amenity of adjacent residential properties.

Personal Circumstances of the Applicant

- 5.9 There are instances where the personal circumstances of any Applicant should be given weight in the determination of planning applications. Considerations may include ill health or old age and/or the lack of suitable accommodation in accordance with their accommodation needs. The Stewarts are an elderly couple who are currently ‘*inadequately housed*’, as defined by the Council’s development plan. The benefits to the Applicant of being able to continue to live in Keltneyburn

include the ability to maintain family and local friendship bonds and be close to community village facilities and local health services.

5.10 These personal circumstances are considered relevant where there is potential conflict with a single criterion in the Development Plan, as in this case with the Council's Siting Criteria for new houses in the countryside.

5.11 The Scottish Government's former Chief Planning Officer has informed the planning profession that:

'Planning has a crucial part to play within and beyond the immediate emergency. A high performing planning system will have a critical role in supporting our future economic and societal recovery, and our future health and wellbeing. Those of us involved in planning, across sectors, must do what we can to keep plans and proposals moving through the system, throughout this period of uncertainty and in the months and years ahead. That might mean being prepared to adopt some new approaches; measuring risk and taking a pragmatic view of how we can best continue to plan and make the decisions vital to the recovery of our communities and businesses.'

(John McNairney 3 April 2020)

5.12 In addition, the Chief Planner advises: *'we will need an innovative, pragmatic, practical and flexible approach.'* The Chief Planning Officers letter is included as Appendix 4. With the impact of the coronavirus pandemic changing the social, environmental and economic structure in Scotland, this means people are having to adapt to different ways to live. The Applicants are long established residents in Keltneyburn and through personal, health and medical necessity are looking to develop a sustainable home which keeps them in the familiar village setting of Keltneyburn.

5.13 Their proposals to remain within the village on a site adjacent to their current house would have no adverse impact on established residential amenity. The proposed form, site layout, density and high-quality design of the proposals would be wholly in keeping with the prevailing residential character and pattern of development within Keltneyburn and would contribute positively to, rather than detract from, the quality of the surrounding built and natural environment.

6. Conclusion

- 6.1 This Planning Statement has comprehensively assessed the planning policy issues pertaining to the application proposals for the development of a single house in Keltneyburn. It provides a reasoned and balanced interpretation of the merits of the proposals against the relevant planning policy tests and associated supplementary guidance in respect of design, density, site layout and residential amenity matters.
- 6.2 The application is made under section 3.4 of Policy 19, Housing in Countryside, of the Perth and Kinross Local Development Plan 2 (2019). This relates to the houses for local people category. In the pre-application advice to the Applicant, the planning authority acknowledges that the wording of this policy when considering housing for local people can also apply where a person's living accommodation does not meet their needs. This is the Applicants' case; evidence has been supplied to corroborate their long-term residency within Keltneyburn and their medical conditions which require single storey accommodation.
- 6.3 The proposed site for the new house is in the field adjacent to their existing property of Keltney House. It is at the base of a hill and is not an isolated site; it is tucked in behind the adjacent property and its garden ground. Together, the two adjacent existing properties and the application proposal form a small group of three houses. This grouping of houses is akin to the nucleated settlement pattern in Keltneyburn.
- 6.4 This Statement concludes that on balance, that there is potential for compliance with the Development Plan and that the presumption in favour of sustainable development should apply. At the strategic level and at the local level, the application proposals are found to be generally in accordance. Where the application fails is in respect of one of the four criteria listed under the Siting Criteria for new housing in the countryside, which requires proposals to use an identifiable site with established boundaries.
- 6.5 It is considered that the landscape setting of the proposed house and the planned landscaping of the site boundaries (which can be controlled by the planning authority through planning condition) is a material and significant consideration which will help to assimilate the house into its landscape setting and create a strong defensible boundary to the north.
- 6.6 The supporting documentation submitted with the application demonstrates that there will be no detrimental impact on the surrounding environment as a result of the proposals. We respectfully ask that the Council approve this proposal.

APPENDICES

APPENDIX 1

Letter from Revenue and Benefits Department of Perth and Kinross Council

**Delayed Office Opening for
Employee Training**

*This office will be closed from
8.45 am – 11.00 am on the 1st
Thursday of each month*



Mr John Stewart & Mrs Barbara Stewart
Keltney House
Aberfeldy
PH15 2LF

**Revenues and Benefits
Alan Taylor**

Revenues Division PO Box 7300 Perth PH1 5WH
Tel: 01738 475000 Fax: 01738 475610

Contact: Local Taxes
Direct Dial 01738 477430
Email: Localtaxes@pkc.gov.uk
www.pkc.gov.uk
Our Ref: MC
Your Ref:
Date: 15-JUL-2021

Dear Mr & Mrs Stewart

Property Reference Number: 73765118
Account Number: 47376511801-0
Property Address: Keltney House, Aberfeldy, PH15 2LF

I refer to the above noted property.

On checking my records I can confirm that you have been registered at Keltney House, Aberfeldy, PH15 2LF for Council Tax purposes since 1 April 1993.

I trust that this information is of assistance to you, however, should you have any further enquiries, please contact my office by dialling (01738) 477430.

Yours sincerely



Margaret Carruthers
Revenues Assistant

APPENDIX 2
Letter from GP dated 27.7.21

ABERFELDY AND KINLOCH RANNOCH MEDICAL PRACTICE

Aberfeldy Medical Practice
Tigh an Daraich
Taybridge Road
Aberfeldy
PH15 2BH

Tel: 01887 820366

Kinloch Rannoch Medical Practice
The Surgery
Kinloch Rannoch
Perthshire
PH16 5PR

Tel: 01882 632216

www.aberfeldyandrannochsurgery.co.uk

27 July 2021

To Whom It May Concern:

Re: Mrs Barbara Stewart
Keltney House
Keltneyburn Aberfeldy
PH15 2LF

[REDACTED]

I am writing in my capacity as general practitioner for the above named patient. She has asked me to write a letter detailing her reasons for wanting to build a single storey house which is nearer to the main road than her current property. She tells me her current house is a two storey converted steading with steps down to the kitchen and steps up to the sitting room, as well as a flight of stairs up to the first floor. She is getting to the stage where she struggles to use the stairs, and has told me that a stair lift was considered but was not thought to be a viable option by an engineer who inspected the property. She tells me her husband has dementia and she feels he struggles with managing the stairs in their home also. Another problem is that their current house only has a bathroom up the stairs, although there is a toilet down the stairs.

She would also like their new property to be nearer the main road for ease of access

I would support her application to build this new property as described, for the reasons stated above.

Yours faithfully,



Dr Peter Oates
GP

APPENDIX 3
Pre-application Consultation Advice dated 12.10.21



Planning & Development
Head of Service David Littlejohn

Pullar House
35 Kinnoull Street,
PERTH PH1 5GD

Tel 01738 475300

Ref No 21/00532/PREAPP

Date 12 October 2021

Mr And Mrs Stewart
c/o Maria Francke

Dear Sir/Madam,

Town and Country Planning (Scotland) Act, 1997

RE: Erection of a dwellinghouse at Land 50 Metres North West Of Tigh Na Dalloch
Keltneyburn

Please find attached a response to your pre application enquiry.

Yours faithfully

Persephone Beer

Planning Officer

Pre-Application Service



**PERTH &
KINROSS
COUNCIL**

NON-HOUSEHOLDER PRE-APPLICATION ADVICE

All applicants are advised that Perth & Kinross Council encourages the completion of Processing Agreements with all planning applications. The Agreement will set out timescales for the processing of the application, the submission of additional information if required and a target date for the decision or committee date.

All comments are based on the information submitted and are made without prejudice to any decision Perth & Kinross Council may make in the future. It is not usually possible for an officer to consult on a proposal at the pre-application stage but this is part of the formal planning application process, as is public notification. Additional issues may arise as a result of detailed analysis of any submitted application, associated plans and supporting documentation. A site visit will be carried out during the consideration of the application if the case officer considers it necessary.

Further discussion on a revised proposal will normally require to be the subject of a fresh pre-application enquiry (and incurring a further fee). Clarification of comments contained below can be provided by the case officer but no further discussion will be entered into at this stage as to how the policies are interpreted or applied.

CASE DETAILS	
Reference number of pre-app	21/00532/PREAPP
Site Address/location	Land 50 Metres North West Of Tigh Na Dalloch Keltneyburn
Details of Proposal	Erection of a dwellinghouse
Case Officer	Persephone Beer
Date	12 October 2021

SITE DESIGNATIONS AND CONSTRAINTS
Loch Tay Special Landscape Area 180m from River Tay Special Area of Conservation Housing in the Countryside policy applies – outwith any settlement boundary. Breadalbane Academy Catchment

RELEVANT PLANNING POLICIES AND GUIDANCE

<p>TAYplan2 Policies</p> <p>https://www.tayplan-sdpa.gov.uk/strategic_development_plan</p>	<p>TAYPlan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:</p> <p>“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”</p> <p>The following sections of the TAYplan 2016 will be of particular importance in the assessment of this proposal.</p> <p>Policy 1: Locational Priorities Policy 2: Shaping Better Quality Places Policy 4: Homes Policy 6: Developer Contributions Policy 8: Green Networks Policy 9: Managing TAYplan’s Assets Policy 10: Connecting People, Places and Markets</p>
<p>Perth & Kinross Local Development Plan Policies</p> <p>www.pkc.gov.uk/developmentplan</p>	<p>The Local Development Plan 2 is the most recent statement of Council policy and is augmented by Supplementary Guidance.</p> <p>The principal policies are:</p> <p>Policy 1A: Placemaking Policy 1B: Placemaking Policy 2: Design Statements Policy 5: Infrastructure Contributions Policy 15: Public Access Policy 19: Housing in the Countryside Policy 31: Other Historic Environment Assets Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development Policy 39: Landscape Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development Policy 41: Biodiversity</p>

	<p>Policy 52: New Development and Flooding</p> <p>Policy 53B: Water Environment and Drainage: Foul Drainage</p> <p>Policy 53C: Water Environment and Drainage: Surface Water Drainage</p> <p>Policy 53E: Water Environment and Drainage: Water Supply</p> <p>Policy 39: Landscape</p> <p>Policy 59: Digital Infrastructure</p> <p>Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals</p>
<p>Other Policies and Guidance</p> <p>https://beta.gov.scot/policies/planning-architecture/planning-guidance/</p> <p>https://www.pkc.gov.uk/ldp2guidance</p>	<p><u>National</u></p> <p>Creating Places: A policy statement on architecture and place for Scotland 2013</p> <p>Designing Streets: A Policy Statement for Scotland 2010</p> <p>National Roads Development Guide 2014</p> <p><u>Perth & Kinross Council</u></p> <p>Developer contributions</p> <p>Flood Risk and Flood Risk Assessments</p> <p>Housing in the Countryside Supplementary Guidance</p> <p>Placemaking Guide 2020</p>
LIKELY CONSULTEES	
PKC Internal	<p>Transport Planning</p> <p>Environmental Health</p> <p>Development Negotiations Officer (Contributions)</p> <p>Structures and Flooding</p> <p>Biodiversity</p>
External	<p>Scottish Water</p> <p>Scottish Environmental Protection Agency</p> <p>Scottish Natural Heritage</p> <p>Historic Environment Scotland</p>

SUMMARY OF CONSIDERATIONS

Planning Principle

The proposal would be assessed in terms of its compatibility with section 3.4 of Policy 19, Housing in Countryside, of the Perth and Kinross Local Development Plan 2 (2019). This relates to the houses for local people category. The main intention with this section of the policy was to allow for houses to be built for rural workers i.e. people who have a work reason for needing to live in the countryside but that are struggling to access suitable accommodation. However the wording is not that specific and it is accepted that there may be other instances where a person's living accommodation does not meet their needs. The policy requires this to be demonstrated and that there is no suitable accommodation to be found in the local area. In this respect consideration should be given to a wider area than just next to the existing house. For example it would be expected that accommodation is considered within areas such as Aberfeldy which is only around 6 miles away and would have good access to local services and facilities

Should it be demonstrated that there is no suitable accommodation within a reasonable distance from the existing house the site selected would still need to demonstrate compliance with the siting criteria of the Housing in the Countryside Supplementary Guidance as set out below:

- It blends sympathetically with land form.
- It uses existing trees, buildings, slopes or other natural features to provide a backdrop.
- It uses an identifiable site (except in the case of proposals for new country estates) with long established boundaries which separates the site naturally from the surrounding ground.
- It will make a positive contribution to the surrounding landscape.

In particular the site does not appear to comply with the third point above in terms of using an identifiable site and may not make a positive contribution to the landscape (fourth point) which is part of the Loch Tay Special Landscape Area.

Whilst the slope of the site does look to form a backdrop the site does not appear to be readily identifiable and looks to be part of a field with no natural boundaries or established landscaping. As such it would not meet the required siting criteria. The selected site appears to be detached from the existing building group and opportunities that better meet the siting criteria should be explored in the first instance.

As an aside the pre-app submission refers to sea views from the site which even on a good day would be impossible.

Design and Layout

The house site is relatively isolated from existing development and within an open field with a limited landscaped setting. This would be contrary to placemaking policies which requires development to contribute positively to the built and natural environment. See the Council's Placemaking policy and supplementary guidance for further information. [Perth & Kinross Council - Local Development Plan - Supplementary Guidance \(pkc.gov.uk\)](http://perth.gov.uk/placemaking-policy)

Residential amenity

Impact on existing and future residential amenity would be fully assessed should a planning application be submitted. However consideration should be given to aspects such as privacy, overlooking, overshadowing and extent of garden ground which should be appropriate for the size of house and include private amenity space for utility use such as clothes drying, bin storage, garden implement storage etc.

Natural heritage and biodiversity

It is the Council's policy to halt the loss of biodiversity. Proposals must demonstrate how they will make a positive contribution to the biodiversity of the site. Examples of how this could be achieved include: planting native boundary hedges and trees, building integrated nest boxes into stonework, or providing new nest boxes.

Policy 41 states that planning permission will not be granted for development that would be likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation (Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act (1992)).

Trees

Any application containing trees on the site would need to be accompanied by a Tree Survey, undertaken by a suitably qualified professional (Policy 40B). The scope and nature of the survey should reflect the known or potential amenity, nature conservation and /or recreational value of the trees on the site.

Drainage and flooding

Flood risk

The site is not identified as being at risk of flooding on SEPA flood maps.

Foul drainage

In line with Policy 53B, Foul Drainage, a feasible foul drainage solution is a requirement of all development. Submissions should indicate what drainage arrangements are proposed and indicate these on the plans where private systems are proposed.

Surface Water Drainage

Policy 53C, Surface Water Drainage, requires all new development to employ Sustainable Urban Drainage Systems (SUDS) measures including relevant temporary measures at the construction phase. SUDS will be encouraged to achieve multiple benefits, such as floodwater management, landscape, green infrastructure, biodiversity and opportunities to experience nature near where people live. Ecological solutions to SUDs will be sought and SUDS integration with green/blue networks wherever possible.

Further guidance on flooding and drainage is available in Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2020. This includes information on when a Drainage Impact Assessment is required and design of surface water drainage systems. See - [Perth & Kinross Council - Supplementary Guidance - Flood Risk and Flood Risk Assessments \(pkc.gov.uk\)](https://www.pkc.gov.uk/~/media/Perth%20Kinross%20Council/Assets/Supplementary%20Guidance%20on%20Flood%20Risk%20and%20Flood%20Risk%20Assessments%202020.pdf)

Roads and Access

Policy 60B states that the aim of all development should be to reduce travel demand by car. It should be demonstrated that there are transport linkages which provide a viable alternative to the private car. The site is in a rural area and may not be readily accessible other than by private car which would be contrary to the housing in the countryside policy and policy 60B. It is noted that an existing access is to be used to join the public road.

Developer contributions

All proposals require to comply with Policy 5: Infrastructure Contributions, and the Developer Contributions and Affordable Housing Supplementary Guidance. In this case the site is not within an area where transport infrastructure contributions would apply but may be subject to primary education contributions depending on the capacity of the catchment primary school at the time a planning application is submitted. There is currently no requirement for an education contribution in the Breadalbane catchment. Further information can be found in [DC AH SG July 2020 Mastercopy.pdf \(pkc.gov.uk\)](#)

Low carbon

Proposals for new buildings should comply with policy 32 of the Development Plan. This requires proposals for all new buildings to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. A statement will be required to be submitted demonstrating compliance with this requirement.

Lighting

Development should not cause light pollution (Policy 55).

Digital connectivity

Policy 59 requires developers should make provision for digital infrastructure in all new-built development in urban and rural areas as an integral part of the development.

Conclusion

A case for a house under 3.4 of the policy would need to be demonstrated and the search for a site/suitable accommodation should be more extensive than the hamlet of Keltneyburn. If it can be demonstrated that there is no suitable accommodation in the local area the site selected would need to meet the siting criteria under category 3 which would be problematic due to the lack of "an identifiable site with long established boundaries which separates the site naturally from the surrounding ground".

Should a planning application be submitted it would be subject to public consultation and formal consultation with other Council offices/services. It should be noted that no site visit has been undertaken as part of this pre-application enquiry.

PLANS AND DOCUMENTS REQUIRED WITH PLANNING APPLICATION SUBMISSION

For information on what you will need to submit with your application please see our [application checklists](#) which can be found on our website at www.pkc.gov.uk/planning . The document [Additional Supporting Information Guidance](#) identifies the circumstances where further information will be required to allow us and consultees to fully consider your planning application. Failure to provide this information at the time of submission may delay the consideration of your application. You should also submit photographs of the site with your application as this may speed up the assessment.

PLEASE NOTE THAT THIS RESPONSE IS THE CONSIDERED OPINION OF A PLANNING OFFICER. NO FURTHER DISCUSSION WILL BE ENTERED INTO AS TO HOW THE POLICIES ARE INTERPRETED OR APPLIED.

APPENDIX 4

Letter from Chief Planner John McNairney dated 3.4.20

T: 0131-244-0237
E: chief.planner@gov.scot

3 April 2020

Dear Colleague,

Planning Procedures and COVID-19

We had been planning recently to write to you all with an update of the work of the Planning and Architecture Division through 2020. That would have included progress towards Scotland's fourth National Planning Framework, the implementation of the Planning (Scotland) Act 2019, wider planning reforms and launch of the Digital Strategy for Planning. It was already shaping up to be a crucial, busy year for planning in Scotland.

Events of the last few weeks have of course turned life upside down for everyone and have forced an urgent rethink. As with so many others, all officials in the Planning and Architecture Division are now adjusting to working at home, and finding new and different ways to keep in touch with our stakeholders and with each other.

Planning has a crucial part to play within and beyond the immediate emergency. A high performing planning system will have a critical role in supporting our future economic and societal recovery, and our future health and wellbeing. Those of us involved in planning, across sectors, must do what we can to keep plans and proposals moving through the system, throughout this period of uncertainty and in the months and years ahead. That might mean being prepared to adopt some new approaches; measuring risk and taking a pragmatic view of how we can best continue to plan and make the decisions vital to the recovery of our communities and businesses.

Some aspects of our planning system, including a number of processes and requirements, are affected by the impacts of the Coronavirus (COVID-19) outbreak and the resultant need for social distancing. We have been exploring with a number of stakeholders the obstacles and the temporary solutions needed to get us through this period and ensure the continued functioning of our planning system. Some of this requires urgent legislative change, while for other aspects we will need an innovative, pragmatic, practical and flexible approach.

Prioritising our work

We have been reassessing our priorities so that we can focus on the most immediate pressing needs. For our team, that means prioritising our work to focus primarily on:

- Ensuring our planning system, and those who work within it, can continue to operate throughout this emergency period.
- Playing our own part by progressing the statutory casework we handle, including notified and called in planning applications and our responsibilities on development plans.
- Maintaining the operation of the eDevelopment service and helpdesk, so ensuring a continued flow of new applications and supporting information through to planning authorities.
- Engaging our digital planning team in exploring how digital tools might most effectively support planning authorities to deliver their services in the short term.
- Maintaining our work to support wider government interests in meeting statutory requirements for the strategic environmental assessment of policies and plans.

This naturally means some implications for other aspects of our work, which we will explain.

COVID-19: maintaining a functioning planning system

This is the top priority for our team right now.

We have written in recent weeks in relation to the importance of not taking enforcement action against businesses, such as supermarkets, which may need to operate beyond the terms of their planning conditions in order to maintain key services or to continue to operate while complying with social distancing requirements. There may be other situations to come, not explicitly catered for within those letters where, in the current period, it will be equally important to take that reasonable and pragmatic view. Other examples might be where temporary developments or changes of use can contribute to the response to COVID-19, or where staged payments fall to be due under the terms of planning agreements in relation to development sites which have temporarily ceased construction work.

In recent days, we have been discussing with representatives from both public and private sectors and with the RTPI, what urgent steps we need to take to maintain operation of the planning system during the current period. Working together, we are seeking to adopt that same practical and pragmatic view of changes and different approaches which might be taken, temporarily over this period, to ensure planning can continue to operate and to contribute to the economic and social recovery. Our current thinking and actions on a range of matters arising is set out below.

These are temporary steps we are taking, to get us through this period. It does not affect our ongoing commitment to the improvements to the planning system being led through implementation of our new Planning Act. Indeed, the current situation may have highlighted procedures and methods of working that would benefit from new, digitally enabled, arrangements. We hope to learn some valuable lessons from current experiences as we take forward implementation of the Act.

Pre-application consultation with communities

Regulations require pre-application consultation on major and national developments to include at least one public event, which currently cannot take place as a public gathering. We intend to bring forward regulations as soon as we can which will, for this emergency period, suspend this requirement.

We stress that this provision does not reduce the Government's commitment to early engagement in relation to major development proposals. It does reflect the reality that face-to-face contact must be avoided for now and for a temporary period going forward. We will expect prospective applicants to replace this requirement for a physical, face-to-face public event with an alternative, online version so that local people can still be engaged and have an opportunity to have an influence on proposals that affect them. In consultation with stakeholders, we will move quickly to produce some guidance on expectations and good practice for online engagement, which may be supplemented through conversations between applicants and planning authorities about appropriate steps.

This is a temporary change. We have committed within our planning reform programme to enhance community engagement in planning; including improvements to the pre-application process, such as the introduction of a mandatory second public event. That commitment remains and we will continue to make progress on this for future implementation.

Duration of planning permission

Some planning permissions will be due to expire over the coming weeks and months and, for various reasons caused by current restrictions, there will be difficulties in commencing development or carrying out necessary processes, such as the submission of applications for approval of matters specified in conditions, before deadlines pass.

The duration of planning permission is set out in primary legislation. Recognising that activity is likely to slow considerably over coming months, we included provisions in the [Coronavirus \(Scotland\) Bill](#) which will extend the duration of all planning permissions which are due to expire during an 'emergency period' of 6 months, so that the relevant permission or time limit shall not lapse for a period of 12 months from the date those provisions come into force.

Documents for public inspection

There are a number of circumstances within the planning system that require public bodies to publish certain documents in a particular way or to make them available for physical inspection at a specified location. This is not limited to planning; similar requirements apply across wider legislation. Where libraries and offices are closed to the public due to the COVID-19 outbreak, organisations are unable to comply with these statutory duties; and so in some cases that would mean business could not progress. To address this the Coronavirus (Scotland) Bill also includes provisions which will allow bodies not to comply with these requirements, but instead to publish documents and information online where possible during the emergency period. When the COVID-19 outbreak is over, public bodies will need to either publish the information in line with the original duty, or explain why they are not doing so (for example if the information is no longer relevant).

Neighbour notification, public and site notices and hard copy documents

Neighbour notification requires the printing and postage of information by planning authorities both in relation to local development plans and to planning applications. We are currently exploring this with Heads of Planning Scotland to understand the extent of any barriers to this while offices are closed. There is a related issue with regard to representations and any other information posted in hard copy to closed planning authority offices. We will consider any further action or advice in terms of handling these issues shortly.

We are exploring the position relating to the requirement for site notices relating to certain applications, and will bring forward regulations to suspend that requirement if needed.

New applications posted in hard copy to planning authority offices, will in most cases not be able to be validated and progressed until those offices reopen. The vast majority of applications (well over 90%) and supporting information are now lodged through the [eDevelopment.scot](https://www.edevelopment.scot) service; which is the method we recommend all applicants use, particularly during this period, to ensure they are received.

Decision-making: committee meetings, local reviews and schemes of delegation

There are options available to enable decisions to continue to be made on planning matters. Local authorities already have the power to hold meetings virtually. The Coronavirus (Scotland) Bill provides that, for the duration of the coronavirus crisis, local authorities have the power to exclude the public from their meetings on health grounds, to protect the public and local authority council members. Consistent with that, we will also bring forward regulations which will suspend the requirement for local review bodies to meet in public.

Planning authorities already have extensive powers to delegate decisions under the Local Government (Scotland) Act 1973. Where authorities require to amend their schemes of delegation under the Planning Act, those will require approval by the Scottish Government; we will process those to approval very quickly. We will liaise with Heads of Planning Scotland over the coming weeks to monitor any changes to decision-making processes using these existing powers.

Hazardous Substances Consent: storage of hazardous substances without consent

As part of the fight against COVID-19, hazardous substances such as medical oxygen, and ethanol, may be required. There may be circumstances where for those hazardous substances:

- they are in greater quantities than consented for;
- there is no hazardous substance consent;
- they are being held at new locations on a site; or
- they are temporarily or transitorily present.

While enforcement action by planning authorities is discretionary, any breach of hazardous substances consent is an offence and is also liable to prosecution. In such cases the planning authority should immediately contact the Health and Safety Executive (HSE) at HazSubCon.CEMHD5@hse.gov.uk or by telephone 0203 028 4812 if urgent.

Hazardous substances consent: Health and Safety Executive input

There is a statutory time limit for HSE to reply to consultations by planning authorities on applications for hazardous substances consent. If no reply is received from HSE within the consultation period, the planning authority could decide to determine an application without HSE input. However, if HSE matters are not being given due consideration this could result in long term exposure of the surrounding populations to high levels of risk. This also has the potential to place further avoidable strain on the emergency services.

Given the current COVID 19 outbreak, unless permission has been obtained from Scottish Ministers, planning authorities should not determine applications for hazardous substances consent until a HSE response is received. Where an authority receives an application for planning permission or hazardous substances consent where an urgent decision is required to support the fight against COVID-19, the authority should immediately contact HSE at HazSubCon.CEMHD5@hse.gov.uk or by telephone 0203 028 4812.

Contacting us: COVID-19 related issues

To ensure we keep on top of all issues and requests in relation to the operation of the planning system during this period, please can you address any queries to this mailbox: covid19planningenquiries@gov.scot.

Wider Planning and Architecture Division work programme

Beyond those essential activities, and recognising the impacts of new urgent workstreams on the capacity of our team, we have been looking again at all other parts of our work programme. It has become increasingly clear that it will not be possible to maintain progress and deliver all aspects to the timetables previously planned. So we will say a bit more on how we intend to handle our work schedule over the coming months.

National Planning Framework 4

It is crucial that we continue to progress work on NPF4, given its role in supporting our future economic recovery, future health and wellbeing and responding to climate change. Completion of NPF4 will influence the timing and content of planning authorities' local development plans in the longer term; but that is now likely to be to a longer timetable. We recently extended the deadline on the Call for Ideas by a month, to the end of April, and we hope that has allowed people the space and time to still contribute through this early engagement phase.

The workshop and drop-in sessions held around Scotland have been very helpful in exploring a wide range of ideas and aspirations for Scotland's development to 2050.

We have a range of resources available to draw upon, to help you get involved and feed your thoughts and ideas through to us. These are available on our new website www.transformingplanning.scot. We hope you can find the time to contribute, if you have not done so already.

We had previously expected to produce a draft of NPF4 for consultation in September 2020. However slippage in the programme is now inevitable, given the reduced capacity of stakeholders to collaborate as well as the need for our own staff to support the ongoing emergency response, and the continuing need for alignment with wider plans and strategies.

We will provide a revised timetable for NPF4 as soon as we can, but it now looks likely that we will lay a draft in the Scottish Parliament and consult publicly during 2021.

In the meantime we will continue to work closely with our stakeholders. We are working with Heads of Planning Scotland to provide support to authorities who are preparing indicative Regional Spatial Strategies and will continue to collaborate with others to build our approach to setting out targets for the use of land for housing in NPF4.

Contacting us about NPF4: please address any queries to the mailbox scotplan@gov.scot.

Digital Planning

Over this period, we are refocusing the work of the Digital Planning team on COVID-19 related activities, whilst maintaining essential support for operational priorities such as the eDevelopment.scot service and NPF4. We will prioritise and fast track the investigation and implementation of digital tools to help support local authorities and other partners with the current challenges being faced across the planning system. We are also working across Scottish Government on the use of digital mapping tools and additional support the team can provide.

Accordingly, we will delay publication of the Digital Strategy for Planning until later in the year when we will publish a scaled-down version in a digital format. An official launch of the programme will be held subsequently and we will provide more detail on revised timelines in due course. Scaled back work will continue on preparation of the Strategy in the meantime. However, this approach will allow us to focus on immediate priorities, and we will work closely with local authority stakeholders to understand how best to provide any relevant digital solutions to support continuing smooth operation of the planning system, including consideration of any immediate changes to the eDevelopment.scot service.

Contacting us about the digital planning programme: please address any queries to the mailbox DigitalPlanning@gov.scot.

Planning Act implementation and planning reform programme

Last autumn we set out our work programme for implementation of the Planning (Scotland) Act 2019 and wider planning reforms. That work is already underway, with some of the Act's provisions having been commenced, working groups convened to collaborate over future regulations and guidance, and public consultations on some elements having been completed.

Our progress towards delivery of some of the work packages will, out of necessity, be less rapid than previously intended. We remain committed both to completion of the full package of planning reforms, and to doing so in close collaboration with planning stakeholders and following thorough public consultation. The pressure on everybody's time and the logistical difficulties around engagement right now mean that this work programme and timetable also needs to be revisited.

Within this rescheduling, it is important to have the new development planning regulations in place alongside NPF4, so that new local development plans can proceed as soon as possible afterwards; so we will maintain a focus on this.

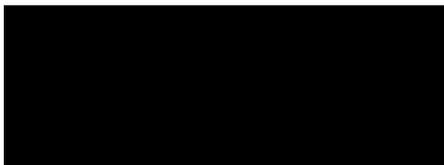
We are also determined to move forward with the community engagement work package as best we can. By its nature, this needs close collaboration with community interests, which is more difficult just now but we are seeking ways to keep this going. We have also committed to consult on regulations in relation to the arrangements for designating Short-Term Let Control Areas, and had been preparing to publish that consultation this spring. This has been paused out of necessity while we focus on the steps to keep the planning system operating, however we will move this forward again at the earliest opportunity, after the immediate pressures ease. We have already consulted on changes to the planning fees and performance management arrangements, as a high priority within the work programme. We are also pausing this for now and will pick up again when the timing is more appropriate.

We will provide an updated schedule for the Transforming Planning in Practice work programme when we are able to do so. You can also keep up-to-date with progress on www.transformingplanning.scot.

Contacting us about the planning reform programme: please address any queries to the mailbox Planning.Reform@gov.scot.

Staying in touch

We recognise there is a lot to take in from this letter, in what has been – and will likely remain – a fast-paced evolving situation for all of us. We will write again whenever we have more to update on. Meantime, please also make sure you follow us on Twitter [@ScotGovPlanning](https://twitter.com/ScotGovPlanning), and register for our [Planning and Building update](#) emails.



John McNairney
Chief Planner



Kevin Stewart
Minister for Local Government, Housing and Planning



19 July 2021

Project No: 310066

Drainage Solutions Report: Proposed Dwelling at Keltney House, Aberfeldy, PH15 2LF

Prepared for:
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Contents Amendment Record

This report has been issued and amended as follows:

Revision	Description	Date	Signed
1.0	First Release	19 July 2021	D Clark



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Acknowledgement

This report has been prepared for the sole and exclusive use of Hebhomes Ltd in accordance with the scope of work presented by Mabbett & Associates Ltd (Mabbett) via email dated 08 June 2021. This report is based on information and data collected by Mabbett. Should any of the information be incorrect, incomplete or subject to change, Mabbett may wish to revise the report accordingly.

This report has been prepared by the following Mabbett personnel:

MABBETT & ASSOCIATES LTD



David Clark, BSc (Hons)
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This report has been reviewed and approved by the following Mabbett personnel:

MABBETT & ASSOCIATES LTD



James Forbes, CEng, CEnv, CWEM, MCIWEM
Manager, Engineering

Table of Contents

Section 1.0	Introduction	1
1.1	Introduction to Sewage Treatment	1
1.2	Introduction to Surface Water Treatment	1
Section 2.0	Site Profile and Ground Assessment	3
2.1	Topography and Local Drainage	3
2.2	Geology and Groundwater	3
2.3	Location of Services	3
2.4	Other Implications of Plot Size or Vegetation	3
2.5	Percolation Testing	3
Section 3.0	Sewage Treatment	5
3.1	Recommendation – Sewage Effluent	5
3.2	Minimum System Requirements	5
Section 4.0	Surface Water	6
4.1	Minimum System Requirements	6
4.2	Investigations and Results	6
4.3	Recommendation - Surface Water	6
Section 5.0	Disclaimer	7
Section 6.0	References	8
Appendix 1:	Location Plan	9
Appendix 2:	Trial Pit Locations	10
Appendix 3:	Foul Soakaway (Indicative only)	11
Appendix 4:	Surface Water Calculations	12
Appendix 5:	Surface Water Soakaway (Indicative only)	13
Appendix 6:	Photographs	14

Section 1.0 Introduction

Mabbett & Associates Ltd (Mabbett) was contracted by Hebhomes Ltd to undertake an assessment of the sewage and surface water treatment and effluent dispersal options for proposed 3-bedroom dwelling to be built on a site located at Keltney House, Aberfeldy, PH15 2LF at or about NGR NN 77132 48912.

It was known a Scottish Water sewer connection was not available thus a private treatment and disposal solution had to be secured.

1.1 Introduction to Sewage Treatment

The Building (Scotland) Regulations 2004 must be adhered to when a construction project is being undertaken. Regulation 3.7 of the Regulations, as reproduced below, states that:

Every wastewater drainage system serving a building must be designed and constructed in such a way as to ensure the removal of wastewater from the building without threatening the health and safety of the people in and around the building, and:

- (a) That facilities for the separation and removal of oil, fat, grease and volatile substances from the system are provided;*
- (b) That discharge is to a public sewer or public wastewater treatment plant, where it is reasonably practicable to do so; and*
- (c) Where discharge is to a public sewer or public wastewater treatment plant is not reasonably practicable that discharge is to a private wastewater treatment plant or septic tank.*

Limitation

Standard 3.7(a) does not apply to a dwelling.

As a public sewer connection was not possible, a private septic tank/waste-water treatment plant and traditional soakaway infiltration system option was the preferred route to pursue for the treatment and final dispersal of the sewage that would be generated from the proposed dwelling. Section 3.9.1 of the Technical Handbook requires a preliminary “ground assessment” and this was undertaken by Mabbett.

1.2 Introduction to Surface Water Treatment

With regard to surface water treatment and dispersal, Regulation 3.6 of the Building (Scotland) Regulations 2004, as reproduced below, states that:

Every building and hard surface within the curtilage of a building, must be designed and constructed with a surface water drainage system that will:

- (a) ensure the disposal of surface water without threatening the building and the health and safety of the people in and around the building; and*
- (b) have facilities for the separation and removal of silt, grit and pollutants.*

Section 3.6.3 of the Technical Handbook provides methods of discharging surface water that, if employed, would meet the requirements of the authorities.

With regard to SEPA’s requirements, General Binding Rule (GBR) 10, in pursuance of the Water Environment (Controlled Activities) (Scotland) Regulations 2011, states that the provision of a sustainable urban drainage system (SUDS) is required unless the discharge arises from a single house or if the discharge is to be made to coastal waters. GBR10 and the relevant associated rule is outlined below.

GBR10:

- a) *Discharge of surface water run-off from a surface water drainage system to the water environment from:*
- i. *Up to 60 hectares of land used for residential premises;*
 - ii. *Land used for non-residential premises or yards, except where the buildings or yards are in an industrial estate;*
 - iii. *Land used as a motorised vehicle parking area with up to 1,000 parking spaces;*
 - iv. *Metalled roads other than motorways and A roads;*
 - v. *Waterbound roads; or*
- b) *Discharge of water run-off from a construction site to the water environment where the site, including any constructed access tracks does not:*
- i. *Exceed 4 hectares;*
 - ii. *Contain a road or track length in excess of 5 km; or*
 - iii. *Including any area of more than 1 hectare or any length of more than 500 metres on ground with a slope in excess of 25°.*

Rules:

- d) *the discharge must not contain any water run-off from any built developments, the construction of which is completed on or after 01 April 2007, or from construction sites operated on or after 01 April 2007, unless:*
- i. *during construction those developments are drained by a SUD system or equivalent systems equipped to avoid pollution of the water environment;*
 - ii. *following construction those developments are drained by a SUD system equipped to avoid pollution of the water environment;*
 - iii. *the run-off is from a development that is a single dwelling and its curtilage; or*
 - iv. *the discharge is to coastal water.*

Source: SEPA: The Water Environment (Controlled Activities) (Scotland) Regulations 2011 - A Practical Guide) Version 8.4, October 2019.

Section 2.0 Site Profile and Ground Assessment

2.1 Topography and Local Drainage

The site for the proposed dwelling is located at Keltney House, Aberfeldy, PH15 2LF at or about NGR NN 77132 48912.

The site is accessed from the track leading from the B846 to the east.

A watercourse exists to the east of the site which flows to the River Lyon.

The SEPA Flood Map identifies the site as being at low risk of flooding.

2.2 Geology and Groundwater

The British Geological Survey indicates the superficial deposits underlying the site could consist of Glacial Deposits which may offer sufficient permeability to allow for the use of a soakaway. Sand and Gravel Deposits was confirmed during Mabbett's intrusive investigation on the 25 June 2021, which were carried out in conjunction with IPM (Scotland) Associates (IPM), structural engineers.

2.3 Location of Services

The developer reportedly knows the locations of all services and any treatment system location would be sited accordingly with due care and attention taken to avoid any inadvertent disturbance during development works.

2.4 Other Implications of Plot Size or Vegetation

Any infiltration device for sewage or wastewater must be located:

- at least 50m from any spring, well or borehole used as a drinking water supply, and
- at least 10m horizontally from any watercourse (including any inland or coastal waters), permeable drain, road or railway.

Any infiltration system and any treatment plant must also be located:

- at least 5m from a building, and
- at least 5m from a boundary.

The location of any septic tank or treatment plant must ensure that a desludging tanker can gain access to a working area that:

- will provide a clear route for a suction hose from the tanker to the tank,
- is not more than 25 m from the tank where it is not more than 4m higher than the invert level of the tank, and
- is sufficient to support a vehicle axle load of 14 tonnes.

There should be no notable vegetation that might interfere with any system proposed or vice versa.

2.5 Percolation Testing

Formal porosity testing for the purpose of evaluating the length and position of a traditional soakaway was undertaken by Mabbett on 25 June 2021.

Weather conditions on 25 June 2021 were as follows:

- Approximately 6°C.
- Clear throughout the test.

The conditions were not considered abnormal for the time of year.

Five trial pits were excavated with two being used to carry out percolation tests in accordance with *BS6297:2007: Code of Good Practice for the Design and Installation of Drainage Fields for use in Wastewater Treatment*. As can be seen in Table 1 below, the percolation tests yielded an average percolation value of (Vp) of 24.1 sec/mm for Test Pit 2 and 13.6 sec/mm for Test Pit 5. This gives an average Vp for the area covered by the trial pits of 18.9 sec/mm.

The percolation test results confirmed the ground conditions as being conducive to the use of a soakaway for the dispersal of foul water drainage.

No groundwater was noted in either of the percolation test pits excavated or the adjacent 1.9m deep excavation.

Table 1: Percolation Test

PERCOLATION CALCULATOR											
Site:		Keltney House, Aberfeldy, PH15 2LF									
Date		25/06/2021									
TP 2	0.5m deep										
Test 1	11:25:00	225	12:15:00	75	00:50:00	150	0	50	0	3000	20.0
Test 2	12:17:00	225	13:23:00	75	01:06:00	150	1	6	0	3960	26.4
Test 3	13:25:00	225	14:30:00	75	01:05:00	150	1	5	0	3900	26.0
										1-3 avg	24.1
TP 5	0.8m deep										
Test 1	12:15:00	150	12:40:00	75	00:25:00	150	0	25	0	1500	10.0
Test 2	12:45:00	150	13:18:00	75	00:33:00	150	0	33	0	1980	13.2
Test 3	13:21:00	150	14:05:00	75	00:44:00	150	0	44	0	2640	17.6
										1-3 avg	13.6
										SITE AVERAGE Vp	18.9

The average percolation value (Vp) of the percolation tests carried out in the trial pits was found to be >15secs/mm. This dictates that primary treatment is suitable in accordance with the guidance contained within SEPA's policy/regulatory method RM-04 *Regulation of Indirect Sewage Discharges to Groundwater*.

The soakaway area in square metres is calculated by the formula $A = Vp \times \text{population equivalent (PE)} \times 0.25$. For the 4-bedroom dwelling (6PE) this results in a soakaway area of **25.05m²**. It is anticipated the soakaway would be located at or about NGR NN 77148 48905.

Section 3.0 Sewage Treatment

3.1 Recommendation – Sewage Effluent

Mabbett's investigations indicated that a favourable means of treating the sewage that would be generated by the proposed dwelling would be one based upon a septic tank. The resultant effluent would, in order to be compliant with SEPA requirements, be dispersed into the surrounding subsoil via a constructed soakaway arrangement of at least 25.05m², see Appendix 3.

Under the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011, the activity of discharging sewage effluent to land must be authorised by SEPA and a Registration obtained prior to the system being used.

3.2 Minimum System Requirements

The size of the septic tank required to treat the sewage that would be generated by the proposed 4-bedroom dwelling was calculated according to recognised industry figures as shown in Table 1 below.

Table 1

Development	Maximum Occupancy	Daily Flow (litres/person)	Septic Tank Capacity (litres)
3-bedroom dwelling	5	150	2,750 (Including 2,000 litre sludge capacity)

Sized in accordance with British Water "Code of Practice - Flows and Loads 4 - Sizing Criteria, Treatment Capacity for Small Wastewater Treatment Systems". 2013

Based on the above information a septic tank of minimum capacity of 2,750 litres would be required. Consideration should be given to installing a septic tank of a larger capacity to accommodate possible future expansion of the dwelling.

Section 4.0 Surface Water

4.1 Minimum System Requirements

In pursuit of compliance with Regulation 3.6 of the Building (Scotland) Regulations 2004, Section 3.6.3 of the Technical Handbook provides methods of discharging surface water that, if employed, would meet the requirements:

- (a) *a SUD system designed and constructed in accordance with clause 3.6.4;*
- (b) *a soakaway constructed in accordance with:*
 - *clause 3.6.5;*
 - *the guidance in BRE Digest 365, 'Soakaway Design', or*
 - *National Annex NG 2 of BS EN 752-4: 1998;*
- (c) *A public sewer provided under the Sewerage (Scotland) Act 1968;*
- (d) *An outfall to a watercourse, such as a river, stream or loch or coastal waters, that complies with any notice and/or consent by SEPA, or*
- (e) *If the surface water is from a dwelling, to a storage container with an overflow discharging to either of the 4 options above.*

The area to be drained consists of the roof of the dwelling and associated hardstandings.

The area to be drained, 173.3m², consists of the roof of the dwelling and associated hardstandings.

4.2 Investigations and Results

Site conditions proved suitable for the use of a trench or pit type soakaway for the disposal of surface water arising from the roof area of the dwelling.

4.3 Recommendation - Surface Water

Mabbett recommends the surface water from the roof area and any hardstandings associated with the proposed dwelling could be directed to an infiltration trench, with backfill of 30% void space granular fill, 10m long x 1m wide x 0.8m effective depth. Other dimensions of trench may fit better within the site.

It is anticipated the soakaway would be located at or about NGR NN 77150 48909.

Section 5.0 Disclaimer

The content of this assessment is for internal use only and should not be distributed to third parties unless under the expressed authority of our client. The designs, recommendations and outline proposals shall remain the property of Mabbett & Associates Ltd and shall not be plagiarised in any form without authority to do so. The comments and recommendations stipulated are solely those expressed by Mabbett & Associates Ltd, and both parties understand that the comments and recommendations expressed are not binding. Mabbett & Associates Ltd confirms that reasonable skill, care, and diligence have been applied and that any design element has been carried out using verifiable and approved reference documentation. No responsibility shall be assumed by Mabbett & Associates Ltd for system failure as a result of incorrect installation work by contractors assigned by the client or incorrect or inappropriate implementation of Mabbett & Associates Ltd's recommendations.

Section 6.0 References

Building (Scotland) Regulations 2004

The Scottish Building Standards: Technical Handbook 2019: Domestic

British Standard BS6297:2007 Code of Good Practice for the Design and Installation of Drainage Fields for use in Wastewater Treatment

British Water Code of Practice: Flows and Loads 4 - Sizing Criteria, Treatment Capacity for Small Sewage Wastewater Treatment Systems, 2013

The Water Environment (Controlled Activities) (Scotland) Regulations 2011

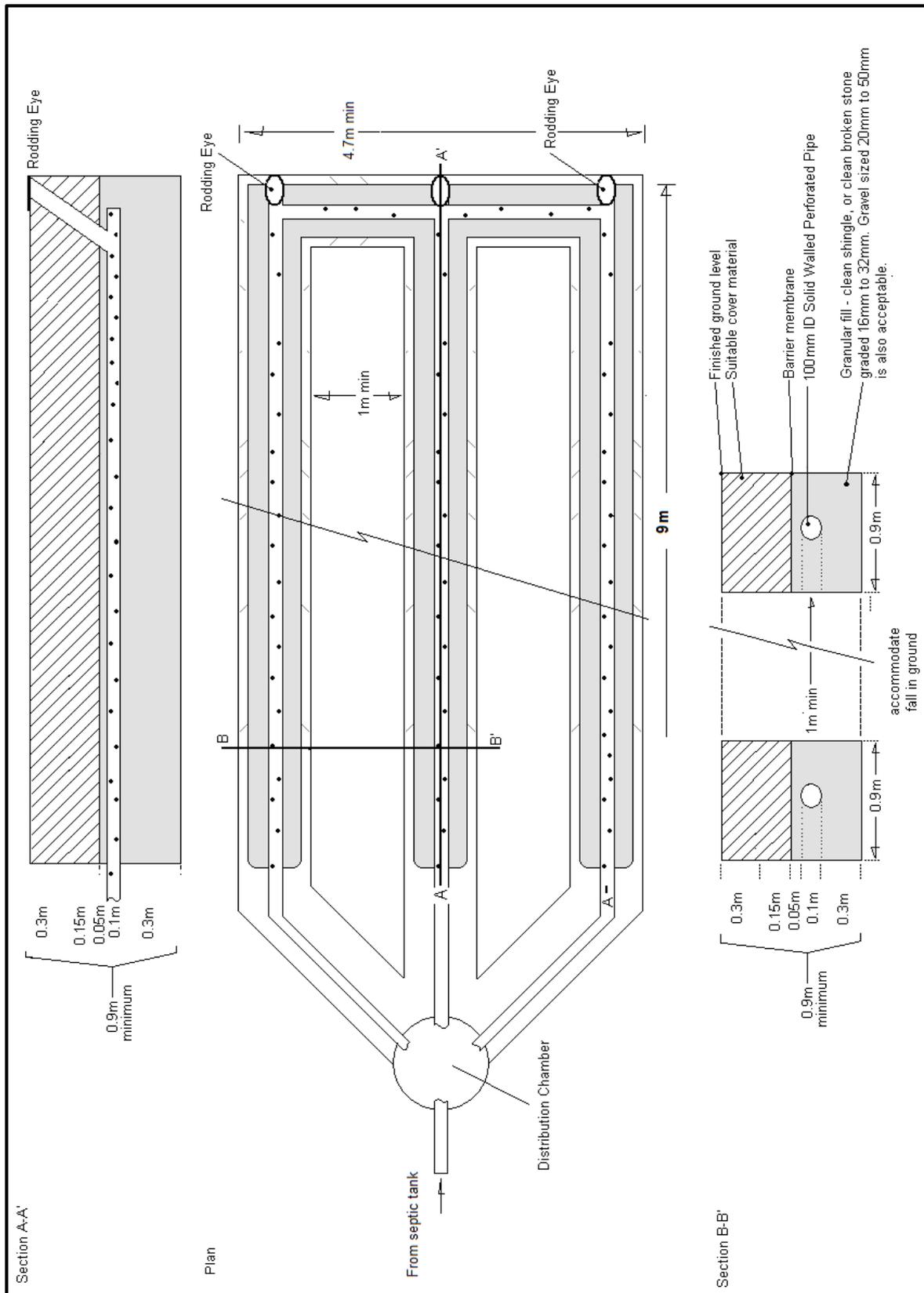
SEPA: The Water Environment (Controlled Activities) (Scotland) Regulations 2011 - A Practical Guide) Version 8.4, October 2019.

SEPA: Regulatory Method WAT-RM-03: Regulation of Sewage Discharges to Surface Water.

SEPA: Regulatory Method WAT-RM-04 Regulation of Indirect Sewage Discharges to Groundwater

Environment Act 1995

Appendix 3: Foul Soakaway (Indicative only)



Appendix 4: Surface Water Calculations

$(A \times 0.0143) - (a \times 1 \times 15 \times 00) = S$

Road length	10
Effective Depth	
Depth of water	0.8
Width of pit	1
Void Space	0.0 (assuming standard granular fill)

Thus, Storage in Assumed Soakaway = 3.4 m^3

Thus and Plus Storage in Pipe = 1.73 m^3 TOTAL = 5.17 m^3

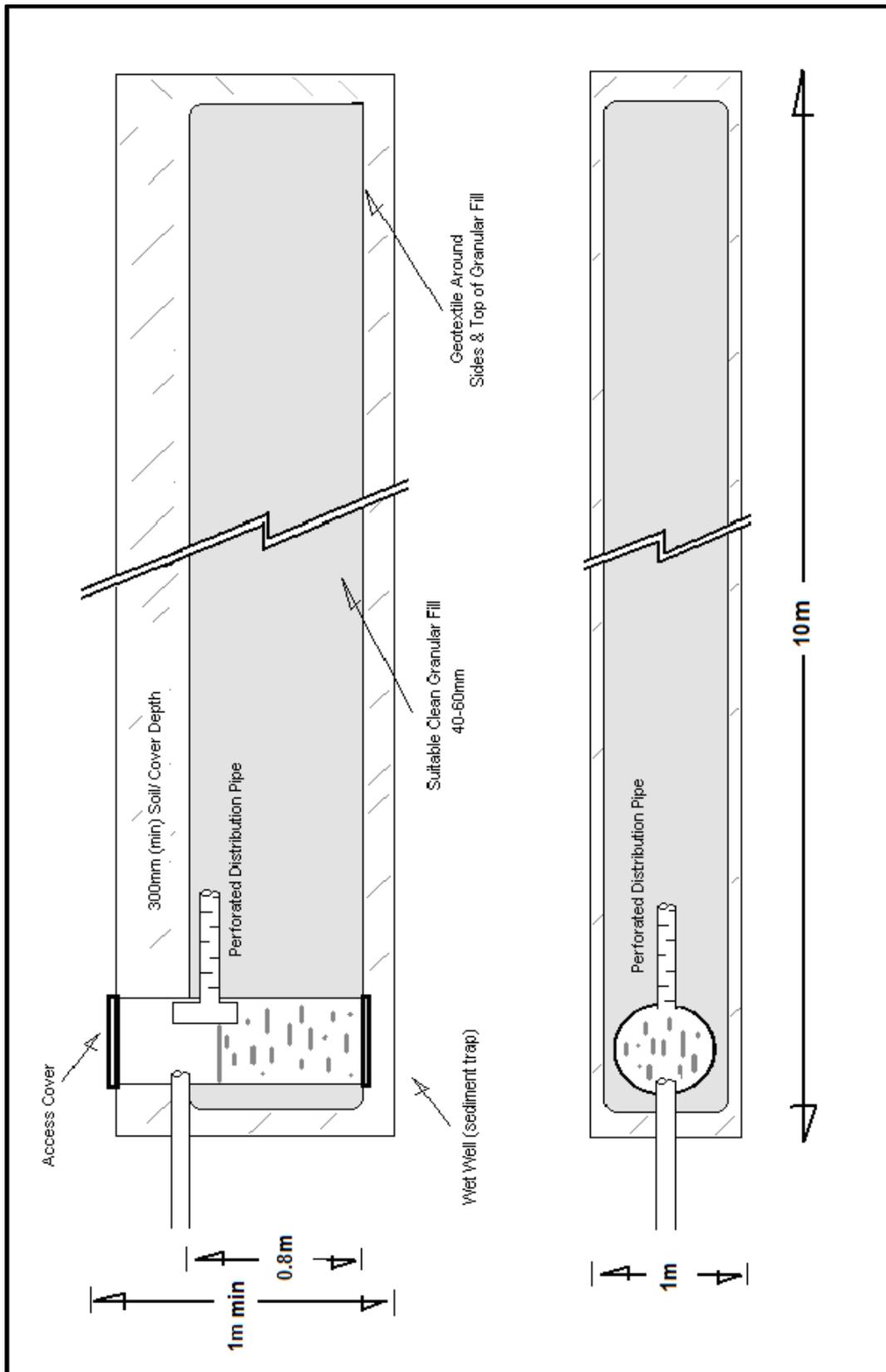
$A \text{ (m}^2\text{)} = 173.2$
 $k = 0.05$
 $T \text{ (Time (h)) and } V \text{ (m}^3\text{)} = 18.9 \text{ seconds}$ so $T = 5.24 \times 10^{-5} \text{ hrs}$

$S \text{ (storage required)} = 5.17 \text{ m}^3$

Road length	10
Diameter of Pipe	0.1
Void Space	1 (assuming standard granular fill)

A 10m(l) x 1m(w) x 0.8m effective depth soakaway trench is recommended

Appendix 5: Surface Water Soakaway (Indicative only)



Appendix 6: Photographs

Photos 1 & 2 – Site location



Photos 3 & 4 – Trial pit locations



Photo 5 – Percolation test in trial pit



Proposed Dwelling House

Keltney House
Keltneyburn
Aberfeldy
Perthshire
PH15 2LF

Ground Investigation Report

For Mrs Barbra Stewart

Report compiled by C.D. Moss
21.07.2021

IPM Associates (Scotland) Ltd
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Tighnabruaich
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Table of Contents

1. Introduction	2
1.1 <i>Executive Summary</i>	2
1.2 <i>Ground Investigation Methods</i>	2
1.3 <i>Safety Issues</i>	3
1.4 <i>Reporting of Information</i>	3
2.1 Site Investigation	3
2.1 <i>Background Information</i>	3
2.2 <i>Site Description</i>	4
2.3 <i>Desk study</i>	4
2.4 <i>Coal Mining Activity</i>	5
2.5 <i>Trial pit exploration</i>	5
2.6 <i>Contamination</i>	5
2.7 <i>Radon Gas</i>	5
2.8 <i>Assessment of Trial Pits & Ground Conditions</i>	6
3. Determination of Soil Characteristics	7
3.1 <i>Assessment of Allowable Bearing Value</i>	7
3.2 <i>Presumed Allowable Bearing Value for Formation Strata</i>	8
3.3 <i>Foundation Design</i>	8

Appendix 1. Site Location Plan

Appendix 2. Geological map indicating superficial deposits
Geological map indicating bedrock geology
Coal Mining Reporting Area

Appendix 3. Trial Pit Location Plan

Appendix 4. Trial Pit Logs

Appendix 5. Photographic Records

Appendix 6. Radon Map

1. Introduction

1.1 Executive Summary

IPM Associates (Scotland) Ltd were contracted by Mrs Barbra Stewart, via Hebridean Homes, to undertake an assessment of the ground conditions for the construction of a detached dwelling house on land to the west of Keltney House, Keltneyburn near Aberfeldy.

The excavations showed some variation in the depths of superficial deposits overlying bedrock across the investigation area. Generally overlying deposits were sandy and gravelly in their nature. The ground conditions encountered would be suitable for the formation of reinforced concrete strip foundations and ground bearing floor slabs. The proposed foundation formation should be onto the medium dense brown gravelly SAND layer which is assumed to have a safe bearing capacity in the region of 100kN/m². Due to the variations encountered during the investigation should differing types of strata be encountered during the excavation of the foundations the structural engineer should be notified prior to the placement of any concrete.

Inspection of the British Geological Survey (BGS) data would suggest that the site lies within an area with a 1-3% radon potential, due to this it is recommended that a site-specific report is obtained to accurately determine the risk level and protection measures required.

1.2. Ground Investigation Methods

As defined in Section 5 of BS 5930: 1999 + AS:2010 the primary objectives of the site investigation are reproduced in Box 1;

Box 1.

5 Primary objectives

Investigation of the site is an essential preliminary to the construction of all civil engineering and building works and the objects in making such investigations are as follows.

- a) **Suitability.** To assess the general suitability of the site and environs for the proposed works including where applicable, the implications of any previous use or contamination of the site.
- b) **Design.** To enable an adequate and economic design to be prepared, including the design of temporary works.
- c) **Construction.** To plan the best method of construction; to foresee and provide against difficulties and delays that may arise during construction due to ground, groundwater and other local conditions; in appropriate cases, to explore sources of indigenous materials for use in construction; and to select sites for the disposal of waste or surplus materials.
- d) **Effect of changes.** To determine the changes that may arise in the ground and environmental conditions, either naturally or as a result of the works, and the effect of such changes on the works, on adjacent works, and on the environment in general.
- e) **Choice of site.** Where alternatives exist, to advise on the relative suitability of different sites or different parts of the same site.
- f) **Existing works.** Unless contrary can be demonstrated, it should be assumed that site investigations are necessary in reporting upon the existing works, and for investigating cases where failure has occurred.

The use of trial pits for the determination of ground conditions for low rise buildings are generally seen to be the most economical way gathering information relating to the under lying strata. Trial pits should be dug to a minimum depth of at least 1m below the proposed foundation for a 600mm wide strip footing and where possible be a minimum depth of 2.5m to 3.0m.

Where suitable formation strata are not encountered within the scope of the trial pits, further investigative methods, such as shell and auger boreholes, may be required to determine ground conditions at a greater depth (Atkinson, 1993).

1.3. Safety Issues

Where trial pits exceed 1.2m in depth access to these pits will not be possible unless adequate support for the excavation side is provided. Further information in relation to the safety of personnel and the protection of excavation can be found in BS 6031: 2009 Code of Practice for Earth Works.

Consideration must be given to any adjacent buildings when locating the trial pits and a minimum horizontal distance of 3.0m from any structures should be adhered to where possible.

1.4. Reporting of Information

Information gathered from the site investigation should be formulated in a written report formatted in accordance with 47.2 of BS 5930: 1999 + AS:2010. Information contained within this report will provide the basis for design of elements of the proposed buildings structural foundations and support structure.

2.1 Site Investigation

From an initial load assessment and estimate of likely foundation depth, it was determined that trial pits would be adequate to give sufficient information. Trial pit locations were chosen to ensure coverage of the proposed structures, refer to Appendix 3 for the trial pit locations. Trial pit excavations were carried out using a tracked excavator under instruction. As the trial pits were excavated soil types and depths were recorded and a visual assessment made of the underlying layers of strata.

2.1 Background Information

The proposed development is for the construction of a detached dwelling house, associated access and services. The proposed dwelling is expected to be 1 & ½ storeys and have a timber superstructure either clad with timber or masonry blockwork. It is expected that the dwelling will be supported on reinforced strip foundations and have a ground bearing floor slab.

2.2. Site Description

- Land Use - Agricultural grazing.
- Topography - The site slopes gently upwards from SE to NW.
- Vegetation - The site is generally covered with rough grass.
- Access - The site is accessed from the public road via an existing access track.
- Water Courses/Bodies - There were no watercourses or bodies within the investigation area.
- Site Boundaries - Site boundaries were defined by post & wire fencing.
- Geology - It is expected that the proposed development site is located within an area that would have been subject to glacial erosion & deposition.
- Aspect and Height - The proposed development site has a south easterly aspect and is located at 108.00m AOD and is approximately.

2.3. Desk study

Through the utilisation of British Geological Survey data, the likely superficial deposits overlying the bedrock may be identified. The British Geological Survey define superficial deposits as;

"Superficial deposits (formerly known as 'drift' by BGS) are the youngest geological deposits formed during the most recent period of geological time, the Quaternary, which extends back about 2.6 million years from the present. They rest on older deposits or rocks referred to as bedrock."

It has been identified that the likely underlying superficial may fall into the following categories;

- Hummocky (moundy) Glacial Deposits – Diamicton, sand and gravel.

British Geological Survey data also allows for the identification of the bedrock geology that may be found on site; bedrock geology is defined by the British Geological Survey as;

"Bedrock geology (formerly known as 'solid' geology by BGS) is a term used for the main mass of rocks forming the Earth and present everywhere, whether exposed at the surface in outcrops or concealed beneath superficial deposits or water. The bedrock has formed over vast lengths of geological time ranging from ancient and highly altered rocks of the Proterozoic, some 2500 million years ago, or older, up to the relatively young Pliocene, 2.6 million years ago."

It has been identified that the likely underlying bedrock may fall into the following categories;

- Pitlochry Schist Formation – Psammite and semipelite.

Appendix 2 provides geological maps with the proposed development site location in relation to the identified geology.

This information provides a guide as to the type of underlying ground conditions that are likely to be encountered during excavations. It is expected that bedrock will be encountered on site during excavations.

2.4. Coal Mining Activity

No coal mining activity has been mapped for this area, refer to Appendix 2.

2.5. Trial pit exploration

The site investigation was carried out on Friday 25th June 2021, the weather on the day of the investigation was dry and sunny. The weather prior to the site investigation had been settled.

There was a small pond located in the upper part of the site that is spring fed with discharges to the east and south. There were numerous sheds located at the bottom of the site.

Overhead electric cables ran across the site to the east from north to south. A below ground hydro electric pipe was also identified to the east of the site.

2.6. Contamination

No presence of contaminated materials or gases were encountered during the excavations, however should the presence of contaminated materials or gases become present during further excavations, works should cease and the appropriate authority notified. Where contaminated material is discovered further site investigation may be required and should be carried out in accordance with BS 10175: 2001 Investigation of potentially contaminated sites - Code of practice.

2.7. Radon Gas

Inspection of the British Geological Survey (BGS) data would suggest that the site lies within an area with a 1-3% radon potential, due to this it is recommended that a site-specific report is obtained to accurately determine the risk level and protection measures required. Refer to Appendix 6 for details.

2.8. Assessment of Trial Pits & Ground Conditions

Excavation of the trial pits showed similar layers of strata, below the existing ground level. Below is an overview of the trial pits excavated;

- Trial pit 1 - 2.3m deep. 1.3m firm dark brown slightly gravelly SILT (possible made ground), over 0.2m firm black SILT, over 0.8m medium dense brown silty gravelly SAND to an undefined depth.
- Trial pit 2 - 1.1m deep. 0.4m firm dark brown gravelly SILT (possible made ground), over 0.4m firm dark brown slightly gravelly SILT, over 0.3m medium dense brown silty gravelly SAND, over assumed BEDROCK.
- Trial pit 3 - 2.3m deep. 0.5m firm dark brown slightly gravelly SILT (possible made ground), over 0.3m firm dark brown slightly gravelly SILT, over 0.8m medium dense brown gravelly SAND, over 0.7m medium dense brown gravelly SAND with occasional sub-angular cobbles to an undefined depth.
- Trial pit 4 - 1.9m deep. 0.6m firm dark brown slightly gravelly SILT with occasional angular cobbles, over 1.3m medium dense brown gravelly SAND with occasional friable boulders to an undefined depth.
- Trial pit 5 - 1.6m deep. 0.4m firm dark brown gravelly SILT, over 1.2m medium dense brown very silty SAND with friable rock and gravel, over friable BEDROCK.

Superficial deposits were typical of those described in the desk study as was the bedrock encountered. No groundwater was encountered in any of the trial pits during the period of the investigation and the pit sides remained stable. The sandy material were similar in density across all pit in which they were encountered.

Trial pit locations can be found in Appendix 3 and further detail regarding the trial pits can be found in Appendix 4.

3. Determination of Soil Characteristics

Through visual inspection of the under lying layers of strata an assessment of the presumed allowable bearing value under static loading can be made using guidelines as set out in BS 8004: 1986 Code of practice for Foundations.

3.1 Assessment of Allowable Bearing Value

Assessment of the applicable ground bearing value has been done using BS 8004: 1986, Code of Practice for Foundations, Table 1 as replicated in Box 2.

Box 2.

Table 1 - Presumed allowable bearing values under static loading (see 1.2.3 and 1.2.4)				
NOTE These values are for preliminary design purposes only, and may need alteration upwards or downwards. No addition has been made for the depth of embedment of the foundation (see 3.1.2.3.2 and 2.1.2.3.3)				
Category	Types of rocks and soils	Presumed allowable bearing value		Remarks
		kN/m ² ^a	kgf/cm ² ^a tonf/ft ²	
Rocks	Strong igneous and gneissic rocks in sound condition	10,000	100	These values are based on the assumption that the foundations are taken down to un-weathered rock. For weak, weathered and broken rock, see 2.2.2.3.1.12
	Strong limestone's and strong sandstones	4,000	40	
	Schist's and slates	3,000	30	
	Strong shale's, strong mudstones and strong siltstones	2,000	20	
Non-cohesive soils	Dense gravel, or dense sand and gravel	> 600	> 6	Width of foundation not less than 1m. Groundwater level assumed to be a depth not less than below the base of the foundation. For effect of relative density and groundwater level, see 2.2.2.3.2.
	Medium dense gravel, or medium dense sand and gravel	< 200 to 600	< 2 to 6	
	Loose gravel, or loose sand and gravel	< 200	< 2	
	Compact sand	> 300	> 3	
	Medium dense sand	100 to 300	1 to 3	
	Loose sand	< 100	< 1	
Cohesive soils	Very stiff boulder clays and hard clays	300 to 600	3 to 6	Group 3 is susceptible to long term consolidation settlement (see 2.1.2.3.3) For consistencies of clays see Table 5
	Stiff clays	150 to 300	1.5 to 3	
	Firm clays	75 to 150	0.75 to 1.5	
	Soft clays and silts	< 75	< 0.75	
	Very soft clays and silts	Not applicable		
Peat and organic soils	Not applicable		See 2.2.2.3.4	
Made ground or fill	Not applicable		See 2.2.2.3.5	

^a 107.25 kN/m² = 1.094 kgf/cm² = 1 tonf/ft².

3.2. Presumed Allowable Bearing Value for Formation Strata

Due to the type of construction, it is likely the potential formation would be onto the layers identified below which are assumed to have a bearing capacity as indicated. This has been identified from Table 1 of BS 8004: 1986, the presumed allowable bearing pressures for the material are indicated;

- Category - Non-cohesive soils.
- Type of rocks and soils - Medium dense sand.
- Presumed allowable bearing value - 100 kN/m²

3.3. Foundation Design

Foundations should be designed so that the loads are proportioned to give roughly equal pressure on the strata below the foundations, this is to minimise the possibility of differential settlement. The adoption of the 100 kN/m² design bearing value should give a maximum total settlement of circa 5mm for foundations up to 1 metre wide.

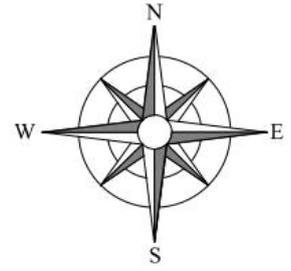
The ground conditions would be suitable for the formation of strip foundations and ground bearing slabs; however, consideration may require to be given to the potential varying nature of the ground conditions as bedrock was encountered in places across the investigation area, should varying types of strata be encountered during the excavation of the foundations the Engineer should be notified prior to the placement of concrete. The proposed foundation formation should be onto the medium dense brown gravelly SAND layer, ensuring all loose and soft material is removed and no water is present in the excavations prior to the placement of concrete.

Foundations should be mesh reinforced as an anti-crack measure and to ensure satisfactory bridging over any localised soft spots. It should be noted that all foundations should be constructed within the same layer of strata, as indicated above, to minimise the risk of differential settlement. Where layers of strata may vary within the construction of the foundations specific design will require to be carried out to eliminate the risk of differential settlement and the structural engineer should be notified.

Due to limited information in relation to the dwelling location trial pits excavated may fall within footprint of the proposed structures, therefore they should be excavated and in filled with 15N/mm² mass concrete, where required, to minimise the risk of settlement below the structure.

Appendix 1.

Site Location Plan



21/07/2021 11:41:02

<p>IPM Associates (Scotland) Ltd Tober Dhu Tighnabruaich Argyll PA21 2EG</p>	<p>Mrs Barbra Stewart Proposed Dwelling House</p>	<p>Site Location Plan</p>		
<p>Tel : 01700811811 e-mail : info@ipm-associates.uk</p>	<p>Keltney House Kelyneyburn Aberfeldy Perthshire PH15 2LF</p>	<p>Project number 2400-21</p>	<p>LOC01</p>	
		<p>Date 21.07.21</p>		
		<p>Drawn by CDM</p>		
		<p>Checked by CDM</p>	<p>Scale 1 : 25000</p>	

Appendix 2.

Geological map indicating superficial deposits

Geological map indicating bedrock geology

Coal mining reporting area

Map Key

Superficial deposits 1:50,000 scale

-  GLACIOFLUVIAL DEPOSITS - GRAVEL, SAND AND SILT
-  TILL, DEVENSIAN - DIAMICTON
-  HUMMOCKY (MOUNDY) GLACIAL DEPOSITS - DIAMICTON, SAND AND GRAVEL
-  ALLUVIUM - CLAY, SILT, SAND AND GRAVEL
-  RIVER TERRACE DEPOSITS (UNDIFFERENTIATED) - GRAVEL, SAND, SILT AND CLAY
-  PEAT - PEAT

Selection Results

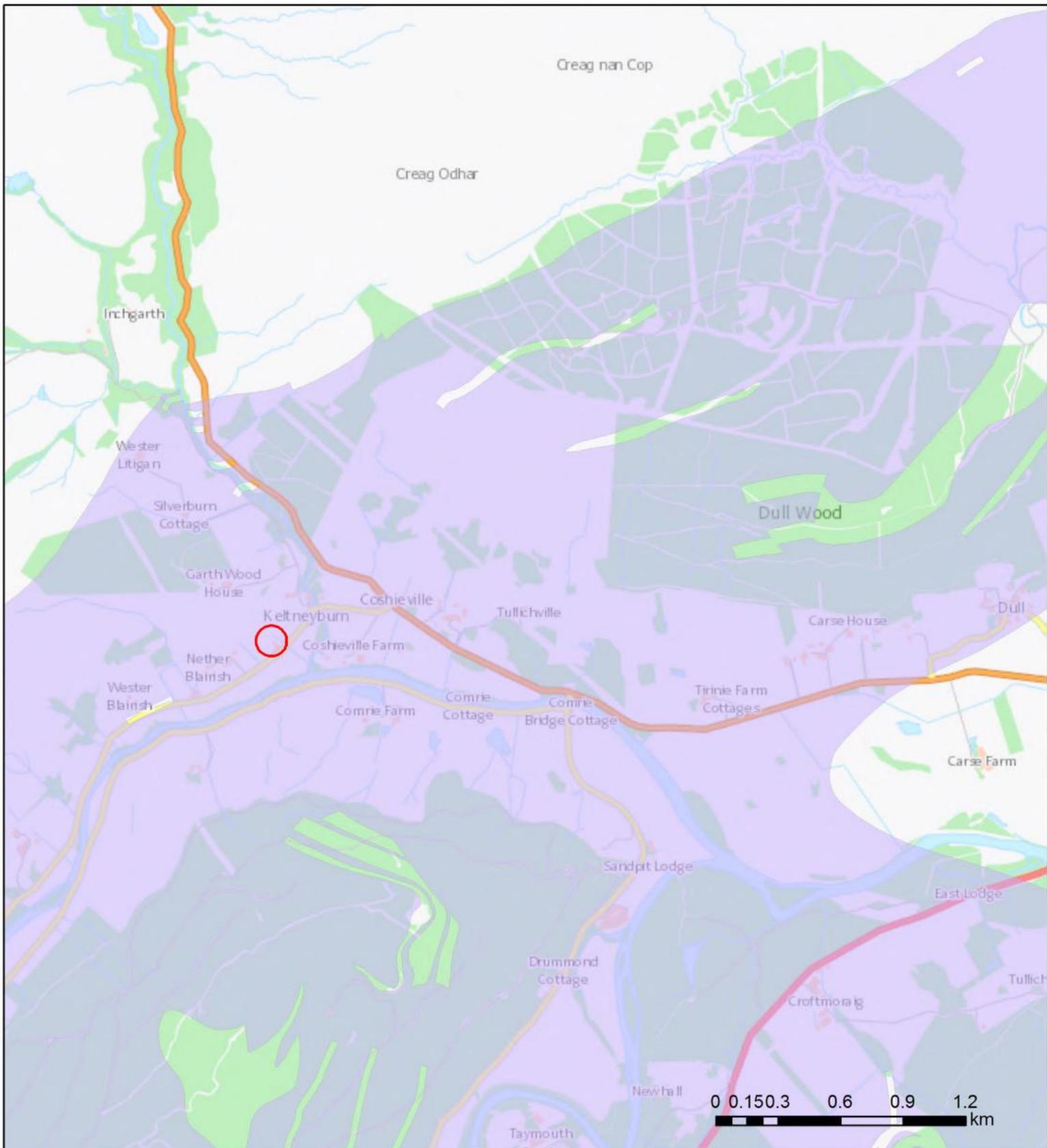
Superficial deposits 1:50,000 scale

Description	Details
HUMMOCKY (MOUNDY) GLACIAL DEPOSITS - DIAMICTON, SAND AND GRAVEL	More Information

Bedrock Geology



British Geological Survey



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GeolIndex Onshore Data Sources: NERC, Natural England, English Heritage and Ordnance Survey

Map Key

Bedrock geology 1:50,000 scale

-  BEN LUI SCHIST FORMATION - SEMIPELITE
-  PITLOCHRY SCHIST FORMATION - PSAMMITE AND SEMIPELITE
-  BEN LAWERS SCHIST FORMATION - PELITE, CALCAREOUS
-  SOUTHERN HIGHLAND GROUP - PSAMMITE AND SEMIPELITE
-  LOCH TAY LIMESTONE FORMATION - METALIMESTONE
-  BEN EAGACH SCHIST FORMATION - PELITE, GRAPHITIC
-  CARN MAIRG QUARTZITE FORMATION - PSAMMITE, GRITTY
-  PITLOCHRY SCHIST FORMATION - PSAMMITE, MICACEOUS
-  NORTH BRITAIN SILURO-DEVONIAN CALC-ALKALINE DYKE SUITE - MICRODIORITE
-  FARRAGON VOLCANIC FORMATION - METALAVA AND METATUFF
-  FARRAGON VOLCANIC FORMATION - QUARTZITE
-  BEN EAGACH SCHIST FORMATION - QUARTZITE
-  NORTH BRITAIN SILURO-DEVONIAN CALC-ALKALINE DYKE SUITE - FELSITE
-  UNNAMED IGNEOUS INTRUSION OF UNKNOWN AGE - AMPHIBOLITE

Selection Results

Bedrock geology 1:50,000 scale

Description	Details
PITLOCHRY SCHIST FORMATION - PSAMMITE AND SEMPIELITE	More Information



The Coal Authority

Interactive Map

Enter location

- Map Key**
- Mine Entry
- Adit
- Gutter Pit
- Shaft
- Abandoned Mines Catalogue
- Development High Risk Area
- Surface Coal Resource Areas
- Mine Entry Potential Zone of Influence
- Fissures and Breaklines
- Surface Mining (Past and Current)
- Past Shallow Coal Mine Workings
- Probable Shallow Coal Mine Workings
- Coal Outcrops
- NE Mining & Groundwater Constraints
- Mine Entry Potential Zone of Influence
- Fissures and Breaklines
- Coal Mining Reporting Area

255



- Planning**
- Grey layers cannot be viewed at this scale. Click on a layer name for layer information.
- Mine Entry
- Abandoned Mines Catalogue
- Development High Risk Area
- Surface Coal Resource Areas
- Mine Entry Potential Zone of Influence
- Fissures and Breaklines
- Surface Mining (Past and Current)
- Probable Shallow Coal Mine Workings
- Coal Outcrops
- NE Mining & Groundwater Constraints
- Coal Mining Reporting Area

0% 100% Transparency

Key

Help

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Location: 282156, 751671

Appendix 3.

Trial Pit Location Plan

Do Not Scale From This Drawing.



257

LEGEND

- Bottom of Bank
- Building
- Bushes/Trees
- Concrete
- Channel Line
- Timber Edging
- Invert of Ditch
- Trial Pit Footprint
- Electricity Wires
- Fence
- Foot Path
- Grass Edge
- Kerb
- Road Line
- Top of Bank
- Track Edge
- BT Cables
- Well
- Trial Pit
- Gate



IPM Associates (Scotland) Ltd Consulting Civil & Structural Engineers Tober Dhu Tighnabraich Argyll PA21 2EG Tel. 01700 811811 E-mail. info@ipm-associates.uk	Proposed Dwelling House Keltynney House Keltynneyburn Aberfeldy Perthshire PH15 2LF	Revision Notes.	
		Date.	02.07.21
		Project No.	2400-21
		Drawing No.	02
		Scale @ A3	1:500
		Drawing Title.	Trial Pit Location Plan

Appendix 4.

Trial Pit Logs

 IPM Associates (Scotland) Ltd An Tober Dhu Tighnabraich PA21 2EG	Project Dwelling House, Keltney House, Keltneyburn, PH15 2LF				Job no. 2400-21	
	Calcs for Trial Pit Logs				Start page no./Revision 2	
	Calcs by CM	Calcs date 21/07/2021	Checked by	Checked date	Approved by	Approved date

TRIAL PIT LOG

Trial pit reference TP2					Sheet 1 of 1
Water	Reduced Level (m)	Legend	Depth (m)	Description	
	109.50				
	109.10	x o x o o x o x x o x o o x o x x o x o o x o x x o x o	(0.40) 0.40	Firm dark brown gravelly SILT (possible made ground)	
	108.70	x o x o o x o x x o x o o x o x x o x o o x o x x o x o	(0.40) 0.80	Firm dark brown slightly gravelly SILT	
	108.40	: : : : : : : : : : : : : : :	(0.30) 1.10	Medium dense brown silty gravelly SAND	
				Trial pit ends	

Not shown to scale

Additional notes: Excavation terminated at assumed bedrock.

Appendix 5.

Photographic Records



Trial pit 1.



Trial pit 1 excavated material.



Trial pit 1.



Trial pit 2.



Trial pit 2 excavated material.



Trial pit 3.



Trial pit 3 excavated material.



Trial pit 3.



Trial pit 4.



Trial pit 4 excavated material.



Trial pit 4.



Trial pit 5.



Trial pit 5 excavated material.



Trial pit 5.



View across the site looking south east.



View towards the site looking south west.

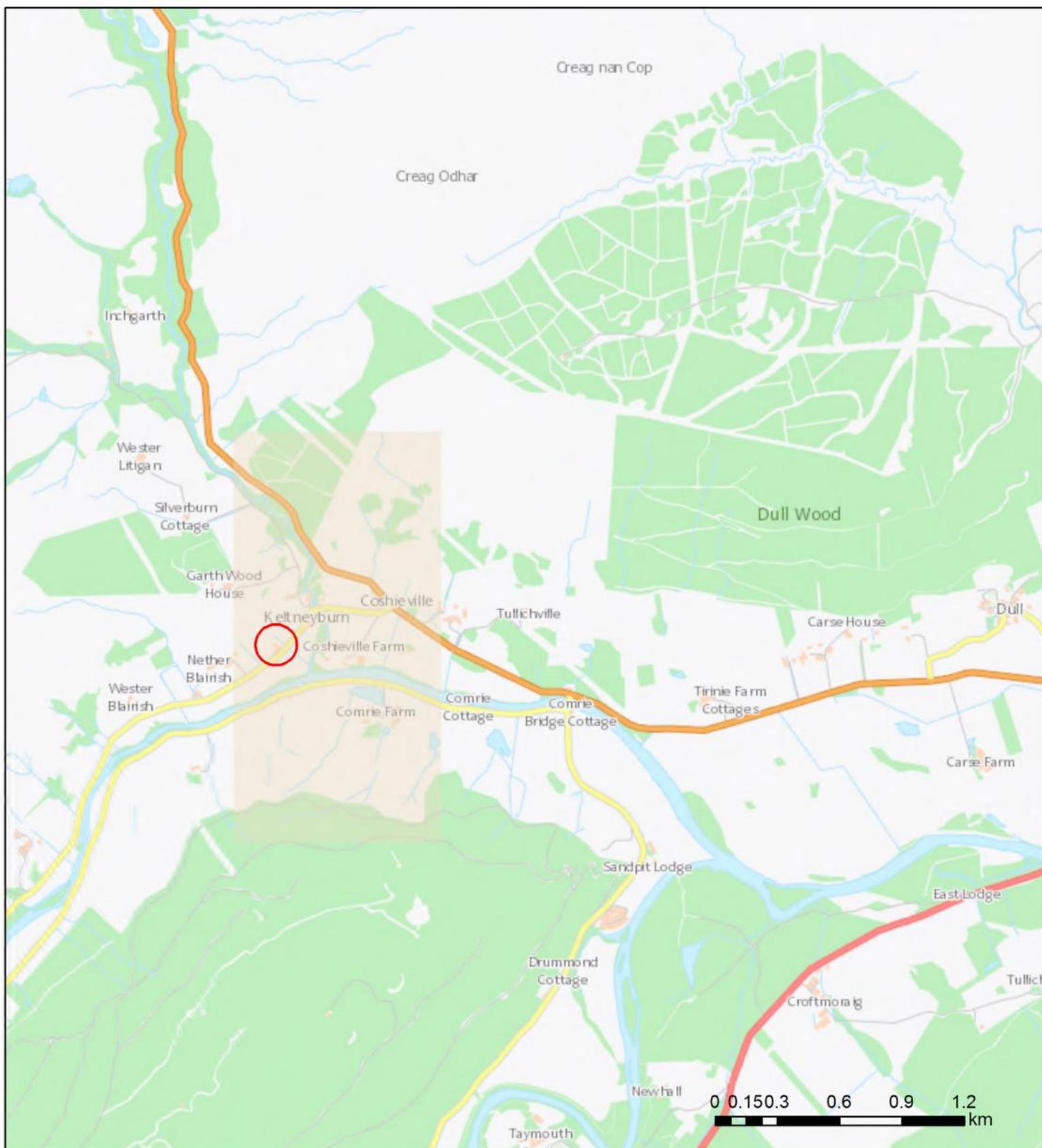
Appendix 6.

Radon Maps

Radon Potential



British Geological Survey

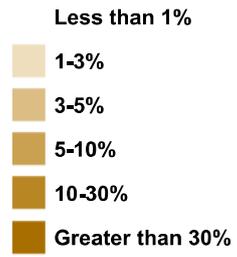


Contains OS data © Crown Copyright and database right 2020

GeoIndex Onshore Data Sources: NERC, Natural England, English Heritage and Ordnance Survey

Map Key

Radon potential (1km grid)



Selection Results

Radon potential (1km grid)

Highest radon potential in 1km grid square

Some parts of this 1km grid square are in bands of elevated radon potential. Maximum radon potential is 1-3%. Check the radon potential of individual addresses at UKRadon.org

Some parts of this 1km grid square are in bands of elevated radon potential. Maximum radon potential is 1-3%. Check the radon potential of individual addresses at UKRadon.org

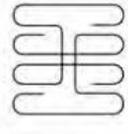


BLUE LINE DENOTES EXTENT OF LAND AREA OWNED BY APPLICANT
RED LINE DENOTES EXTENT OF LAND AFFECTED BY PROPOSAL
GREEN LINE DENOTES APPROX ROUTE OF DRAINAGE

PROPOSED HOUSE FOR:
 Barbara Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²

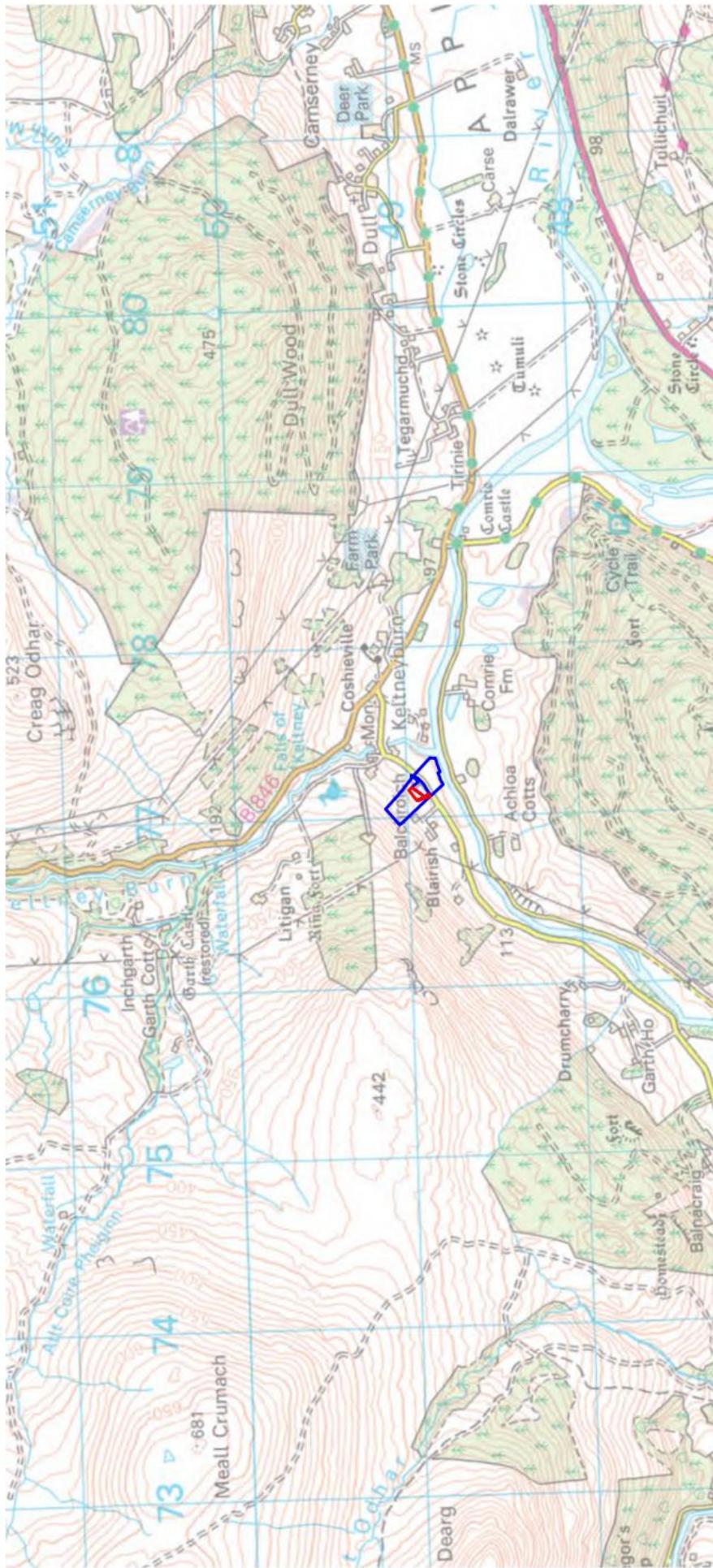
Proposed External Finishes
Walls: Block and White Render
Roof: Columbia Slate or Similar
Gutters: Black metal
Windows: Timber framed windows in dark grey




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DRAWING TITLE SUPPLEMENTARY LOCATION PLAN	DRAWN BY JW
DRAWING NUMBER 832_PL_101_SLP	DATE 12/01/2022
CAD FILE NAME H_832_PL_Stewart_McAulay_001	SCALE 1:2500 @ A3



BLUE LINE DENOTES EXTENT OF LAND AREA OWNED BY APPLICANT
 RED LINE DENOTES EXTENT OF LAND AFFECTED BY PROPOSAL
 GREEN LINE DENOTES APPROX ROUTE OF DRAINAGE

PROPOSED HOUSE FOR:

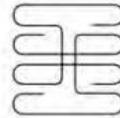
Barbra Stewart
SITE ADDRESS:
 Keltneymore House
 Keltneymore
 Aberfeldy
 PH15 2LF

SITE AREA: 3180m²



Proposed External Finishes

Walls: Block and White Render
Roof: Columbia Slate or Similar
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DRAWING TITLE SUPPLEMENTARY LOCATION PLAN OS	DRAWING NUMBER 832_PL_101_SLP
	DRAWN BY JW
	DATE 12/01/2022
	SCALE 1:25000 @ A3
	CAD FILE NAME H_832_PL_Stewart_McAulay_001



279

PROPOSED HOUSE FOR:
 Barbra Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²

Proposed External Finishes
Walls: Block and White Render
Roof: Columbia Slate or Similar
Gutters: Black metal
Windows: Timber framed windows in dark grey

BLUE LINE DENOTES EXTENT OF LAND OWNED BY APPLICANT
RED LINE DENOTES EXTENT OF LAND AFFECTED BY PROPOSAL
GREEN LINE DENOTES APPROX. ROUTE OF DRAINAGE

0 2 10m

Proposed External Finishes
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DRAWING TITLE EXISTING BLOCK PLAN	DRAWN BY XX
DRAWING NUMBER XXX_PL_002_EBP	DATE 17/12/2021
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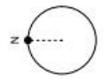


280

PROPOSED HOUSE FOR:
 Barbara Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²

BLUE LINE DENOTES EXTENT OF LAND OWNED BY APPLICANT
RED LINE DENOTES EXTENT OF LAND AFFECTED BY PROPOSAL
GREEN LINE DENOTES APPROX. ROUTE OF DRAINAGE

Proposed External Finishes
Walls: Block and White Render
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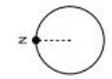
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DRAWING TITLE EXISTING BLOCK PLAN	DRAWN BY XX
DRAWING NUMBER XXX_PL_002_EBP	DATE 17/12/2021
CAD FILE NAME H_832_PL_Stewart_McAulay_001	SCALE 1:200 @ A3



DRAWING SET	CLIENT
PLANNING APPLICATION	H_832_McAulay_Stewart
DRAWING TITLE	
PROPOSED SITE PLAN	
DRAWING NUMBER	DRAWN BY
832_PL_103_PSP	JW
DATE	SCALE
17/12/2021	1:500 @ A3
CAD FILE NAME	
H_832_PL_Stewart_McAulay_001	

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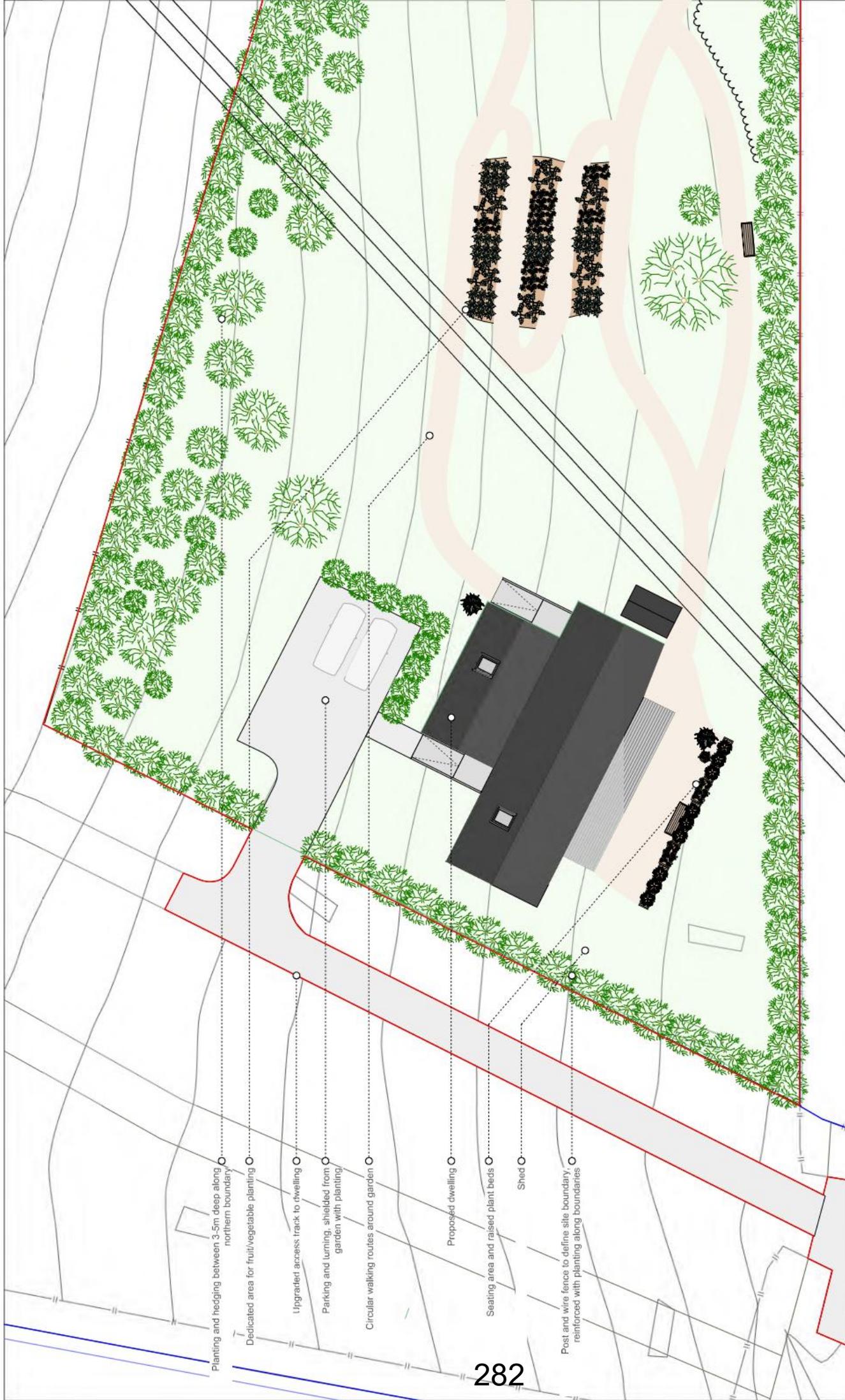
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0 5 25m

- Proposed External Finishes**
- Walls: Block and White Render
 - Roof: Columbia Slate or Similar
 - Gutters: Black metal
 - Windows: Timber framed windows in dark grey

PROPOSED HOUSE FOR:
 Barbara Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²



- Planting and hedging between 3-5m deep along northern boundary
- Dedicated area for fruit/vegetable planting
- Upgraded access track to dwelling
- Parking and turning, shielded from garden with planting
- Circular walking routes around garden
- Proposed dwelling
- Seating area and raised plant beds
- Shed
- Post and wire fence to define site boundary, reinforced with planting along boundaries

282

DRAWING SET PLANNING APPLICATION	CLIENT H_832_McAulay_Stewart
DRAWING TITLE PROPOSED BLOCK PLAN	
DRAWING NUMBER 832_PL_104_PBP	DRAWN BY JW
DATE 17/12/2021	
SCALE 1:200 @ A3	
CAD FILE NAME H_832_PL_Stewart_McAulay_001	

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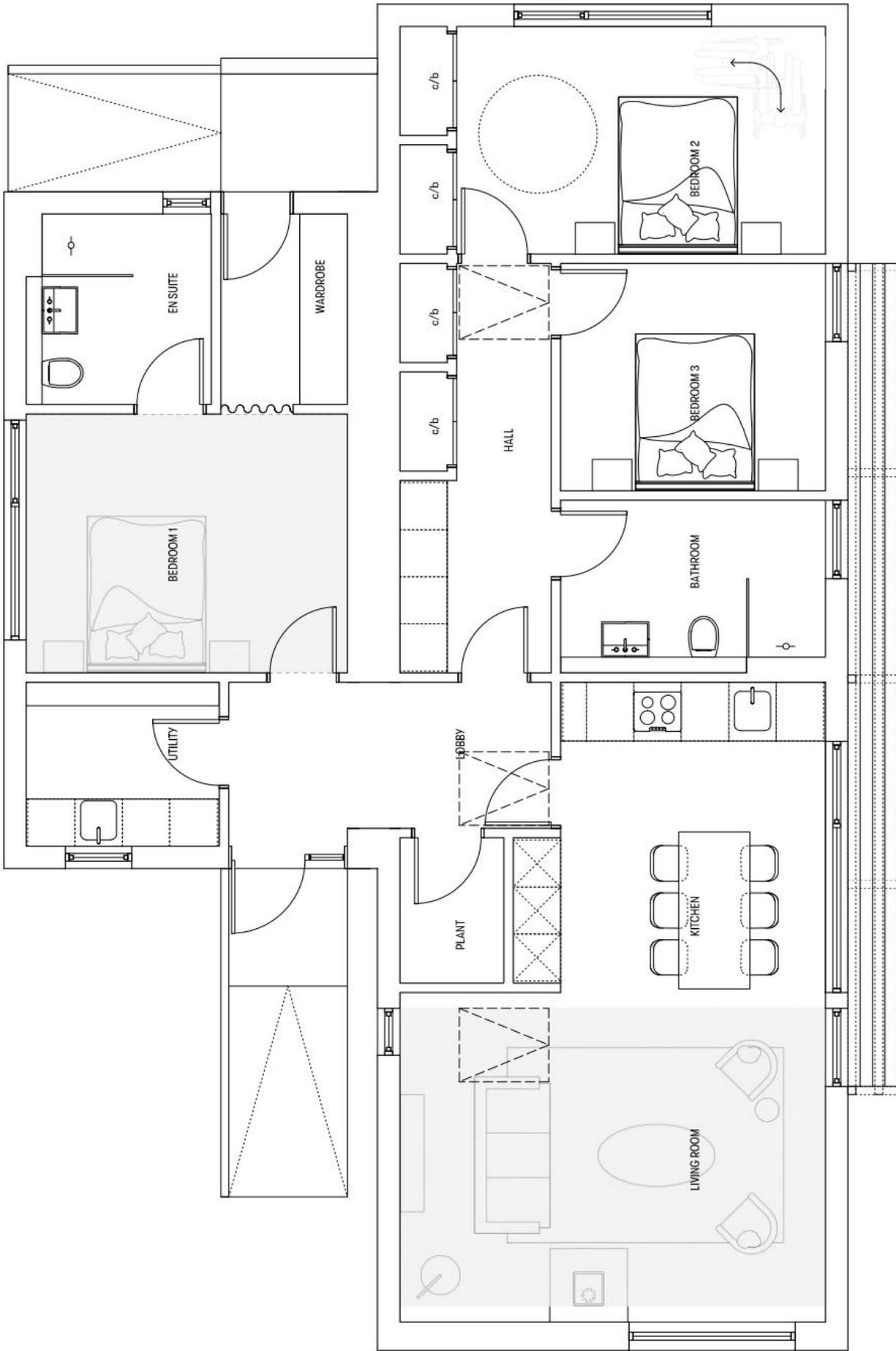
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0 2 10m

- Proposed External Finishes**
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 - Roof: Columbia Slate or Similar
 - Gutters: Black metal
 - Windows: Timber framed windows in dark grey

PROPOSED HOUSE FOR:
 Barbara Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²



DRAWING SET PLANNING APPLICATION	CLIENT H_832_McAulay_Stewart
DRAWING TITLE GROUND FLOOR	DRAWN BY JW
DRAWING NUMBER 832_PL_201_GF	DATE 12/01/2022
CAD FILE NAME H_832_PL_Stewart_McAulay_001	SCALE 1:50 @ A3

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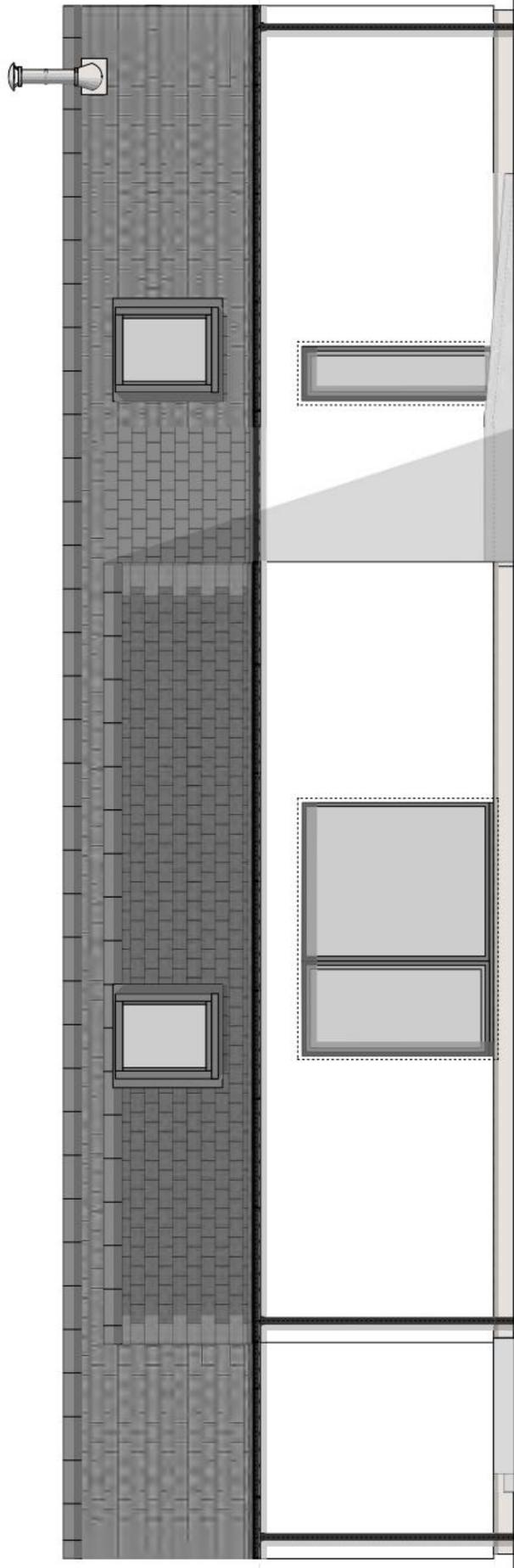
0 0.5 2.5m

Proposed External Finishes
Walls: Block and White Render
Roof: Columbia Slate or Similar
Gutters: Black metal
Windows: Timber framed windows in dark grey

PROPOSED HOUSE FOR:
 Barbara Stewart
SITE ADDRESS:
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 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²

PROPOSED HOUSE FOR:
 Barbra Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF

SITE AREA: 3180m²



284



PROPOSED HOUSE FOR:
 Barbra Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²



Proposed External Finishes
Walls: Block and White Render
Roof: Columbia Slate or Similar
Gutters: Black metal
Windows: Timber framed windows in dark grey

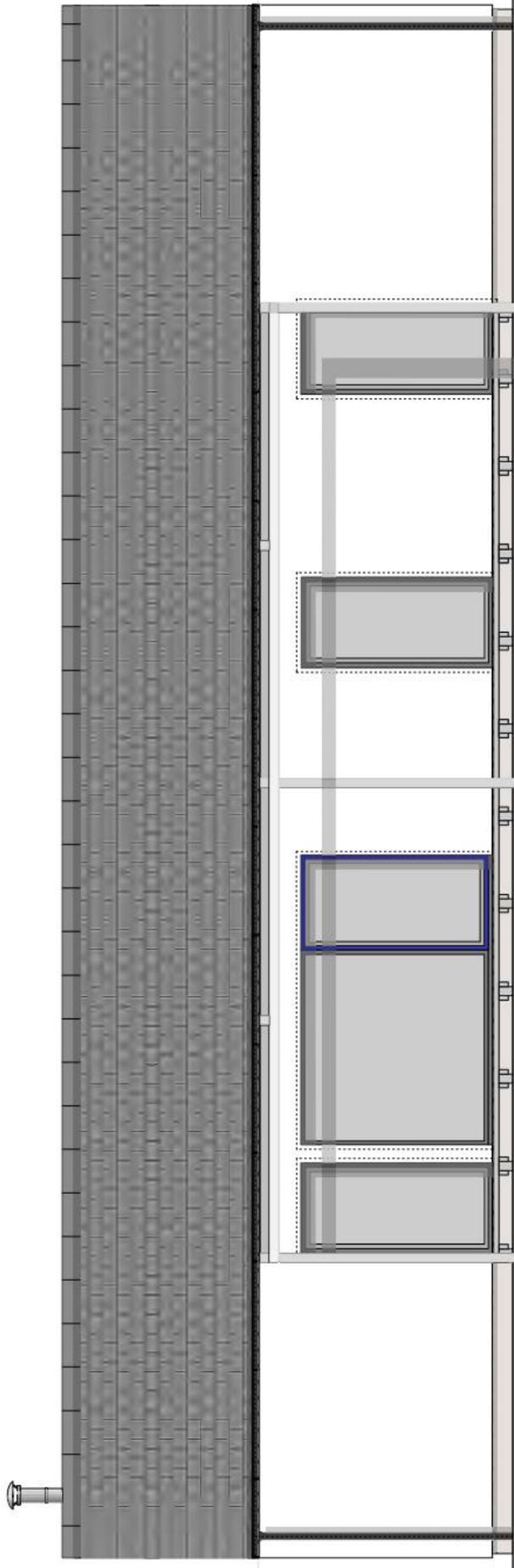
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DRAWING TITLE NORTH ELEVATION	DRAWN BY JW
DRAWING NUMBER 832_PL_401_NE	DATE 17/12/2021
CAD FILE NAME H_832_PL_Stewart_McAulay_001	
SCALE 1:50 @ A3	

PROPOSED HOUSE FOR:
 Barbra Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF

SITE AREA: 3180m²



285



PROPOSED HOUSE FOR:
 Barbra Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²



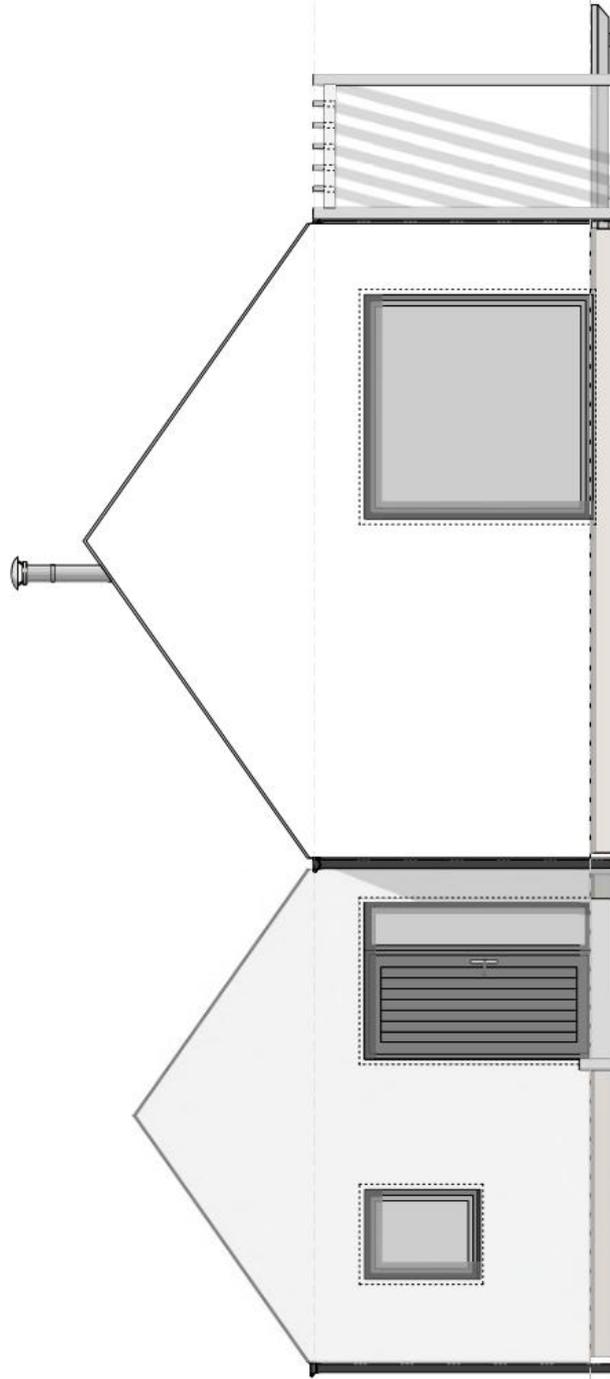
Proposed External Finishes
Walls: Block and White Render
Roof: Columbia Slate or Similar
Gutters: Black metal
Windows: Timber framed windows in dark grey

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DRAWING TITLE SOUTH ELEVATION	DRAWN BY JW
DRAWING NUMBER 832_PL_402_SE	DATE 17/12/2021
CAD FILE NAME H_832_PL_Stewart_McAulay_001	
SCALE 1:50 @ A3	

PROPOSED HOUSE FOR:
 Barbra Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²



286



PROPOSED HOUSE FOR:
 Barbra Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²



Proposed External Finishes

Walls: Block and White Render
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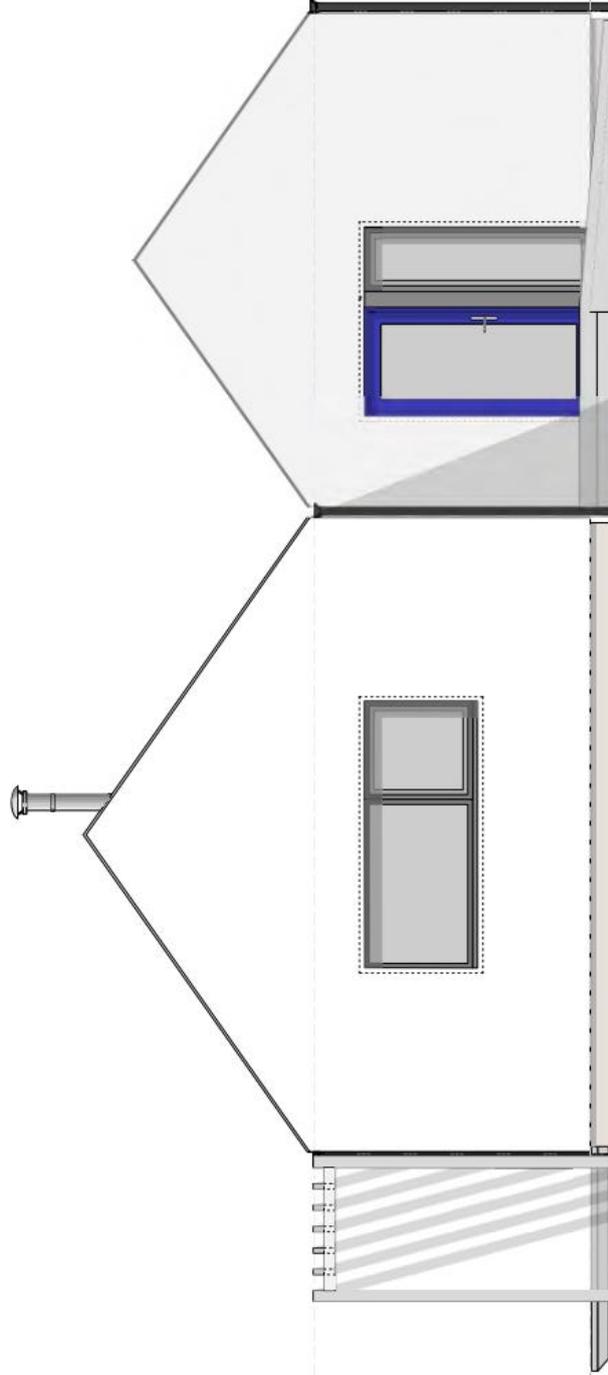
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DRAWING TITLE WEST ELEVATION	DRAWN BY JW
DRAWING NUMBER 832_PL_404_WE	DATE 17/12/2021
CAD FILE NAME H_832_PL_Stewart_McAulay_001	SCALE 1:50 @ A3

PROPOSED HOUSE FOR:
 Barbra Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF

SITE AREA: 3180m²



287



PROPOSED HOUSE FOR:
 Barbra Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²



Proposed External Finishes
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Roof: Columbia Slate or Similar
Gutters: Black metal
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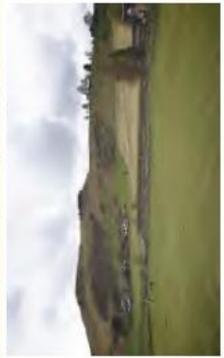
DRAWING SET PLANNING APPLICATION	CLIENT H_832_McAulay_Stewart
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DRAWING NUMBER 832_PL_403_EE	DATE 17/12/2021
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SCALE 1:50 @ A3	



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DRAWING TITLE VIEW FROM SOUTH	DRAWING NUMBER 832_PL_600_WS
DRAWN BY JW	DATE 06/12/2021
CAD FILE NAME H_832_PL_Stewart_McAulay_001	SCALE N/A

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Original image

PROPOSED HOUSE FOR:
 Barbara Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²



Planning & Development
Head of Service David Littlejohn

Pullar House
35 Kinnoull Street,
PERTH PH1 5GD

Tel 01738 475300

Ref No 21/00532/PREAPP

Date 12 October 2021

Mr And Mrs Stewart
c/o Maria Francke

Dear Sir/Madam,

Town and Country Planning (Scotland) Act, 1997

RE: Erection of a dwellinghouse at Land 50 Metres North West Of Tigh Na Dalloch
Keltneyburn

Please find attached a response to your pre application enquiry.

Yours faithfully

Persephone Beer

Planning Officer

Pre-Application Service



**PERTH &
KINROSS
COUNCIL**

NON-HOUSEHOLDER PRE-APPLICATION ADVICE

All applicants are advised that Perth & Kinross Council encourages the completion of Processing Agreements with all planning applications. The Agreement will set out timescales for the processing of the application, the submission of additional information if required and a target date for the decision or committee date.

All comments are based on the information submitted and are made without prejudice to any decision Perth & Kinross Council may make in the future. It is not usually possible for an officer to consult on a proposal at the pre-application stage but this is part of the formal planning application process, as is public notification. Additional issues may arise as a result of detailed analysis of any submitted application, associated plans and supporting documentation. A site visit will be carried out during the consideration of the application if the case officer considers it necessary.

Further discussion on a revised proposal will normally require to be the subject of a fresh pre-application enquiry (and incurring a further fee). Clarification of comments contained below can be provided by the case officer but no further discussion will be entered into at this stage as to how the policies are interpreted or applied.

CASE DETAILS	
Reference number of pre-app	21/00532/PREAPP
Site Address/location	Land 50 Metres North West Of Tigh Na Dalloch Keltneyburn
Details of Proposal	Erection of a dwellinghouse
Case Officer	Persephone Beer
Date	12 October 2021

SITE DESIGNATIONS AND CONSTRAINTS
Loch Tay Special Landscape Area 180m from River Tay Special Area of Conservation Housing in the Countryside policy applies – outwith any settlement boundary. Breadalbane Academy Catchment

RELEVANT PLANNING POLICIES AND GUIDANCE

<p>TAYplan2 Policies</p> <p>https://www.tayplan-sdpa.gov.uk/strategic_development_plan</p>	<p>TAYPlan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:</p> <p>“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”</p> <p>The following sections of the TAYplan 2016 will be of particular importance in the assessment of this proposal.</p> <p>Policy 1: Locational Priorities Policy 2: Shaping Better Quality Places Policy 4: Homes Policy 6: Developer Contributions Policy 8: Green Networks Policy 9: Managing TAYplan’s Assets Policy 10: Connecting People, Places and Markets</p>
<p>Perth & Kinross Local Development Plan Policies</p> <p>www.pkc.gov.uk/developmentplan</p>	<p>The Local Development Plan 2 is the most recent statement of Council policy and is augmented by Supplementary Guidance.</p> <p>The principal policies are:</p> <p>Policy 1A: Placemaking Policy 1B: Placemaking Policy 2: Design Statements Policy 5: Infrastructure Contributions Policy 15: Public Access Policy 19: Housing in the Countryside Policy 31: Other Historic Environment Assets Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development Policy 39: Landscape Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development Policy 41: Biodiversity</p>

	<p>Policy 52: New Development and Flooding</p> <p>Policy 53B: Water Environment and Drainage: Foul Drainage</p> <p>Policy 53C: Water Environment and Drainage: Surface Water Drainage</p> <p>Policy 53E: Water Environment and Drainage: Water Supply</p> <p>Policy 39: Landscape</p> <p>Policy 59: Digital Infrastructure</p> <p>Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals</p>
<p>Other Policies and Guidance</p> <p>https://beta.gov.scot/policies/planning-architecture/planning-guidance/</p> <p>https://www.pkc.gov.uk/ldp2guidance</p>	<p><u>National</u></p> <p>Creating Places: A policy statement on architecture and place for Scotland 2013</p> <p>Designing Streets: A Policy Statement for Scotland 2010</p> <p>National Roads Development Guide 2014</p> <p><u>Perth & Kinross Council</u></p> <p>Developer contributions</p> <p>Flood Risk and Flood Risk Assessments</p> <p>Housing in the Countryside Supplementary Guidance</p> <p>Placemaking Guide 2020</p>
LIKELY CONSULTEES	
PKC Internal	<p>Transport Planning</p> <p>Environmental Health</p> <p>Development Negotiations Officer (Contributions)</p> <p>Structures and Flooding</p> <p>Biodiversity</p>
External	<p>Scottish Water</p> <p>Scottish Environmental Protection Agency</p> <p>Scottish Natural Heritage</p> <p>Historic Environment Scotland</p>

SUMMARY OF CONSIDERATIONS

Planning Principle

The proposal would be assessed in terms of its compatibility with section 3.4 of Policy 19, Housing in Countryside, of the Perth and Kinross Local Development Plan 2 (2019). This relates to the houses for local people category. The main intention with this section of the policy was to allow for houses to be built for rural workers i.e. people who have a work reason for needing to live in the countryside but that are struggling to access suitable accommodation. However the wording is not that specific and it is accepted that there may be other instances where a person's living accommodation does not meet their needs. The policy requires this to be demonstrated and that there is no suitable accommodation to be found in the local area. In this respect consideration should be given to a wider area than just next to the existing house. For example it would be expected that accommodation is considered within areas such as Aberfeldy which is only around 6 miles away and would have good access to local services and facilities

Should it be demonstrated that there is no suitable accommodation within a reasonable distance from the existing house the site selected would still need to demonstrate compliance with the siting criteria of the Housing in the Countryside Supplementary Guidance as set out below:

- It blends sympathetically with land form.
- It uses existing trees, buildings, slopes or other natural features to provide a backdrop.
- It uses an identifiable site (except in the case of proposals for new country estates) with long established boundaries which separates the site naturally from the surrounding ground.
- It will make a positive contribution to the surrounding landscape.

In particular the site does not appear to comply with the third point above in terms of using an identifiable site and may not make a positive contribution to the landscape (fourth point) which is part of the Loch Tay Special Landscape Area.

Whilst the slope of the site does look to form a backdrop the site does not appear to be readily identifiable and looks to be part of a field with no natural boundaries or established landscaping. As such it would not meet the required siting criteria. The selected site appears to be detached from the existing building group and opportunities that better meet the siting criteria should be explored in the first instance.

As an aside the pre-app submission refers to sea views from the site which even on a good day would be impossible.

Design and Layout

The house site is relatively isolated from existing development and within an open field with a limited landscaped setting. This would be contrary to placemaking policies which requires development to contribute positively to the built and natural environment. See the Council's Placemaking policy and supplementary guidance for further information. [Perth & Kinross Council - Local Development Plan - Supplementary Guidance \(pkc.gov.uk\)](http://perth.gov.uk/placemaking-policy)

Residential amenity

Impact on existing and future residential amenity would be fully assessed should a planning application be submitted. However consideration should be given to aspects such as privacy, overlooking, overshadowing and extent of garden ground which should be appropriate for the size of house and include private amenity space for utility use such as clothes drying, bin storage, garden implement storage etc.

Natural heritage and biodiversity

It is the Council's policy to halt the loss of biodiversity. Proposals must demonstrate how they will make a positive contribution to the biodiversity of the site. Examples of how this could be achieved include: planting native boundary hedges and trees, building integrated nest boxes into stonework, or providing new nest boxes.

Policy 41 states that planning permission will not be granted for development that would be likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation (Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act (1992).

Trees

Any application containing trees on the site would need to be accompanied by a Tree Survey, undertaken by a suitably qualified professional (Policy 40B). The scope and nature of the survey should reflect the known or potential amenity, nature conservation and /or recreational value of the trees on the site.

Drainage and flooding

Flood risk

The site is not identified as being at risk of flooding on SEPA flood maps.

Foul drainage

In line with Policy 53B, Foul Drainage, a feasible foul drainage solution is a requirement of all development. Submissions should indicate what drainage arrangements are proposed and indicate these on the plans where private systems are proposed.

Surface Water Drainage

Policy 53C, Surface Water Drainage, requires all new development to employ Sustainable Urban Drainage Systems (SUDS) measures including relevant temporary measures at the construction phase. SUDS will be encouraged to achieve multiple benefits, such as floodwater management, landscape, green infrastructure, biodiversity and opportunities to experience nature near where people live. Ecological solutions to SUDs will be sought and SUDS integration with green/blue networks wherever possible.

Further guidance on flooding and drainage is available in Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2020. This includes information on when a Drainage Impact Assessment is required and design of surface water drainage systems. See - [Perth & Kinross Council - Supplementary Guidance - Flood Risk and Flood Risk Assessments \(pkc.gov.uk\)](https://www.pkc.gov.uk)

Roads and Access

Policy 60B states that the aim of all development should be to reduce travel demand by car. It should be demonstrated that there are transport linkages which provide a viable alternative to the private car. The site is in a rural area and may not be readily accessible other than by private car which would be contrary to the housing in the countryside policy and policy 60B. It is noted that an existing access is to be used to join the public road.

Developer contributions

All proposals require to comply with Policy 5: Infrastructure Contributions, and the Developer Contributions and Affordable Housing Supplementary Guidance. In this case the site is not within an area where transport infrastructure contributions would apply but may be subject to primary education contributions depending on the capacity of the catchment primary school at the time a planning application is submitted. There is currently no requirement for an education contribution in the Breadalbane catchment. Further information can be found in [DC AH SG July 2020 Mastercopy.pdf \(pkc.gov.uk\)](#)

Low carbon

Proposals for new buildings should comply with policy 32 of the Development Plan. This requires proposals for all new buildings to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. A statement will be required to be submitted demonstrating compliance with this requirement.

Lighting

Development should not cause light pollution (Policy 55).

Digital connectivity

Policy 59 requires developers should make provision for digital infrastructure in all new-built development in urban and rural areas as an integral part of the development.

Conclusion

A case for a house under 3.4 of the policy would need to be demonstrated and the search for a site/suitable accommodation should be more extensive than the hamlet of Keltneyburn. If it can be demonstrated that there is no suitable accommodation in the local area the site selected would need to meet the siting criteria under category 3 which would be problematic due to the lack of "an identifiable site with long established boundaries which separates the site naturally from the surrounding ground".

Should a planning application be submitted it would be subject to public consultation and formal consultation with other Council offices/services. It should be noted that no site visit has been undertaken as part of this pre-application enquiry.

PLANS AND DOCUMENTS REQUIRED WITH PLANNING APPLICATION SUBMISSION

For information on what you will need to submit with your application please see our [application checklists](#) which can be found on our website at www.pkc.gov.uk/planning . The document [Additional Supporting Information Guidance](#) identifies the circumstances where further information will be required to allow us and consultees to fully consider your planning application. Failure to provide this information at the time of submission may delay the consideration of your application. You should also submit photographs of the site with your application as this may speed up the assessment.

PLEASE NOTE THAT THIS RESPONSE IS THE CONSIDERED OPINION OF A PLANNING OFFICER. NO FURTHER DISCUSSION WILL BE ENTERED INTO AS TO HOW THE POLICIES ARE INTERPRETED OR APPLIED.

REPORT OF HANDLING

DELEGATED REPORT

Ref No	21/02268/FLL	
Ward No	P6- Strathearn	
Due Determination Date	12th March 2022	
Draft Report Date	3rd March 2022	
Report Issued by	PB	Date 23 March 2022

PROPOSAL: Erection of a dwellinghouse

LOCATION: Land 50 Metres West Of Keltney House Keltneyburn

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.

This information has meant that, in this case, it is possible and appropriate to determine this application without a physical visit as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a dwellinghouse on land at Keltneyburn to the west of Keltney House. The site measures some 3180 sqm and is part of a field located to the west of the applicants existing home. The proposal is for a single storey three bed property finished in white render and block with a slate roof. The design is reminiscent of a Scottish longhouse and the house has a footprint of 143sqm.

The supporting information states that the applicants existing house is no longer suitable for their requirements and a new property is required.

SITE HISTORY

None.

PRE-APPLICATION CONSULTATION

Pre application Reference: 21/00532/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 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 6: Settlement Boundaries

Policy 19: Housing in the Countryside

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

Policy 39: Landscape

Policy 41: Biodiversity

Policy 47: River Tay Catchment Area

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 59: Digital Infrastructure

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

OTHER POLICIES

Housing in the Countryside Supplementary Guidance 2020

CONSULTATION RESPONSES

Scottish Water

Capacity for water supply at Killiecrankie treatment works. No Scottish Water public waste water treatment in the vicinity. Private treatment required.

Development Contributions Officer

No developer contributions required.

Transport Planning

No objection subject to condition and informative note with regard to the vehicular access.

Planning And Housing Strategy

Contrary to housing in the countryside policy.

REPRESENTATIONS

No representations 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.

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 on this site is primarily considered in terms of its compatibility with section 3.4 of Policy 19, Housing in Countryside, of the Perth and Kinross Local Development Plan 2 (2019). This relates to the houses for local people category. As noted at pre-application stage, the main intention behind category 3.4 is to allow for houses to be built for rural workers. However, it is accepted that the applicants have lived in the area for many years and would appear to be currently in accommodation which is unsuitable for their needs as they require accommodation on one level.

The policy requires it to be demonstrated that there is no suitable accommodation in the area and information to demonstrate this has been submitted. Following pre-application advice the search for suitable properties included Aberfeldy rather than just the Keltneyburn area. This has indicated that no alternative house is currently available to the applicants which meets their specific need for accommodation on a single level in the area.

Proposals under category 3.4 must also meet the siting criteria set out on p.12 of the Housing in the Countryside supplementary guidance. Specifically.

- o It blends sympathetically with land form.
- o It uses existing trees, buildings, slopes or other natural features to provide a backdrop.

- o It uses an identifiable site (except in the case of proposals for new country estates) with long established boundaries which separates the site naturally from the surrounding ground.
- o It will make a positive contribution to the surrounding landscape.

From the information provided in support of the application it is acknowledged that the proposed house uses the existing slope to the rear to provide a backdrop and that landscaping is proposed around the site. However the site is relatively featureless and the extent to which it will blend in with the existing landform will depend largely on the extent and quality of the landscaping proposed. This will take time to become established and the site is currently very open and the new house would be detached from nearby buildings.

The site does also not comply with the third point above in terms of using an identifiable site. It cannot be described as an identifiable site and does not have long established boundaries which separates the site naturally from surrounding ground. It would also not make a positive contribution to the landscape (fourth point) which is part of the Loch Tay Special Landscape Area. The proposal relies on the creation of new boundaries and the sub-division of a field in order to create a site. The Housing in the Countryside guidance specifically states that the sub-division of a field in order to create a site will not be acceptable. The proposal does not therefore, comply with the Housing in the Countryside Policy siting criteria category 3.

The conflict with the housing in the countryside siting criteria was raised at pre-application stage and further discussions have been held with the agent as to whether suitable accommodation could be provided either within the existing domestic curtilage of Keltney House or closer to existing buildings. However the applicants preference is for the site applied for and whilst their personal circumstances and requirements have been considered these do not outweigh the policies in the Development Plan and the proposal is considered to be contrary to the Housing in the Countryside Policy.

Other aspects of the proposal will be considered in the sections below.

Design and Layout

The house design is of a “longhouse” style building on a single level finished in white render. There is extensive garden ground proposed to the northeast to serve the house. The site is accessed from the public road from an existing access with a new track being constructed to the house and proposed rear parking area. The buildings closest to the site to the east and northeast are more discretely positioned within an established landscape framework and are largely finished in stone. A white rendered building is likely to be quite prominent in the landscape here and would be an incongruous addition to the established group of buildings. The house design in terms of proportion and scale is acceptable but the siting is not supported.

Landscape and visual impact

The site is within the Loch Tay Special Landscape Area. The proposal includes extensive planting which over time may soften the appearance of development on this site. However the siting part way up the sloping site with no established planting or landscape framework would have an adverse impact on the surrounding landscape.

Residential amenity

The proposed dwellinghouse is removed from other residential properties and will not impact on them in terms of loss of privacy, overlooking or overshadowing. Extensive garden ground is proposed along with private amenity space for utility use. Impact on existing residential amenity is acceptable.

Natural heritage and biodiversity

The site is currently part of a field with limited biodiversity interest. The landscaping proposals would make a positive contribution to the biodiversity of the site.

Drainage and flooding

Flood risk

The site is identified as being at low risk of flooding on SEPA flood maps.

Foul and surface water drainage

Information has been submitted to demonstrate the suitability of the site for a private foul drainage system, and surface water soakaway.

Roads and Access

There is an existing access to the public road that would be utilised. Transport Planning has been consulted and does not object subject to a condition and informative note with regard to specification of access construction details. Information on public transport in the area has also been submitted.

Developer contributions

Primary Education

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating 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.

This proposal is within the catchment of Breadlabane Primary School.

Education & Children's Services have no capacity concerns in this catchment area at this time. No developer contributions are required.

Low carbon

Proposals for new buildings should comply with policy 32 of the Development Plan. This requires proposals for all new buildings to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. The submission includes various measures that would satisfy this requirement.

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, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended.

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.

Conditions and Reasons

1 The proposal is contrary to Policy 19, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2 (2019) and its associated supplementary guidance. The proposal does not comply with the siting criteria set out in category 3 of the guidance that requires proposals to use an identifiable site with long established boundaries which separates the site naturally from the surrounding ground.

2 The proposal is contrary to Policy 1A, Placemaking, of the Perth and Kinross Local Development Plan 2 (2019) that requires development to make a positive contribution to the built and natural environment. The proposal for development in an agricultural field with no established landscaped framework would be visually prominent, would not blend in with its surroundings and would not make a positive contribution to the Loch Tay Special Landscape Area.

Justification

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

Informatives

None.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

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Mr And Mrs Thomas James B Stewart
 c/o Maria Francke Planning
 Maria Francke
 PO Box 7658
 Glasgow
 G42 2JA

Pullar House
 35 Kinnoull Street
 PERTH
 PH1 5GD

Date of Notice: **23rd March 2022**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **21/02268/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 13th January 2022 for Planning Permission for **Erection of a dwellinghouse Land 50 Metres West Of Keltney House Keltneyburn**

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 its associated supplementary guidance. The proposal does not comply with the siting criteria set out in category 3 of the guidance that requires proposals to use an identifiable site with long established boundaries which separates the site naturally from the surrounding ground.
2. The proposal is contrary to Policy 1A, Placemaking, of the Perth and Kinross Local Development Plan 2 (2019) that requires development to make a positive contribution to the built and natural environment. The proposal for development in an agricultural field with no established landscaped framework would be visually prominent, would not blend in with its surroundings and would not make a positive contribution to the Loch Tay Special Landscape Area.

Justification

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

Notes

The plans 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" page

Plan Reference

17

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NOTES

1. If the applicant is aggrieved by the decision to refuse planning permission or an application for approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the Planning Authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to:

The Secretary
Local Review Body
Perth and Kinross Council
Committee Services
Council Building
2 High Street
Perth
PH1 5PH

Email planninglr@pkc.gov.uk

The 'Notice of Review' form together with guidance notes for completion can be obtained from Perth & Kinross Council website www.pkc.gov.uk

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

The foregoing notes are explanatory only and reference must be made to the Town and Country Planning (Scotland) Acts and the appropriate Regulations or Orders for their full context.

REPORT OF HANDLING

DELEGATED REPORT

Ref No	14/01860/FLL	
Ward No	N4- Highland	
Due Determination Date	17.02.2015	
Case Officer	John Williamson	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse

LOCATION: Land 60 Metres East Of The Bothy Upper
Blairish Keltneyburn

SUMMARY:

This report recommends **approval** of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

DATE OF SITE VISIT: 5 February 2015

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning consent is sought for the erection of a dwellinghouse at land 60 metres east of The Bothy, Upper Blairish, Keltneyburn. The proposal relates to Plot 2 of a consent granted in 2006 (06/017803/FUL) which was subsequently modified in 2014 (14/01454/FLL). The applicant now wishes to alter the external elevations of the house and extend the garden ground of the plot to the east to accommodate the septic tank and soakway. The original application site is a long stretch of sloping land which is sandwiched between an access track to the south and woodland to the north. This revised proposals seeks to develop a contemporary designed house. It is proposed to have a multi pitched

roof and is proposed to be clad in a timber cladding, stained black. The roof is to be a grey profiled metal sheeting. A set of solar panels are also proposed on the south facing roof of the house. The position of the house within the plot remains similar to the existing consent.

SITE HISTORY

06/01703/FUL Erection of two dwellinghouses 25 September 2006 Application Permitted

14/01454/FLL Modification of permission 06/01703/FUL (Erection of two dwellinghouses) Change of house type at Plot 2 17 October 2014 Application Permitted

14/02207/FLL Erection of dwellinghouse 13 January 2015

PRE-APPLICATION CONSULTATION

Pre application Reference:

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 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan was adopted by Perth and Kinross Council on 3

February 2014. It 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 adaptation.

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

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.

OTHER POLICIES

Housing in the Countryside Guide 2012

EXTERNAL CONSULTATION RESPONSES

None

INTERNAL CONSULTATION RESPONSES

Community Waste Advisor - Environment Service – details provided regarding road end waste collection service

Transport Planning – no objection

Education And Children's Services – no objection given extant consent

Contributions Officer – no contribution due to extant consent

Environmental Health – informatives relating to private water supplies recommended

REPRESENTATIONS

None received

ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	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	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 2012 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

Policy RD3 relates to Housing in the Countryside. The principle of development on this site has already been established by the previous consent which remains extant. This proposal therefore only relates to the modified design of the house and the extension of the garden ground to the east. Policy PM1B outlines a list of criteria upon which new development will be assessed. This includes ensuring the design, scale and materials of the building relates to the surrounding established character and visual amenity. The scale of the proposed house remains similar to the existing consent and its overall form and design retains much of the contemporary design of the existing consent. The black stained timber cladding is considered to relate successfully to the woodland which sits to the north and behind the house and to the nearby stone dwellings. A cut and fill operation is proposed on the hillside so that the house sits down into the site which will help reduce its visual impact. I am satisfied that the revised design, materials and position comply with the criteria contained within Policy PM1B of the LDP.

Residential Amenity

The nearest point of the proposed house is 10 metres away from the boundary with plot 1 and given the orientation of the house there will be no direct

overlooking to the neighbouring plot. I am therefore satisfied that the repositioning of the house will not have any detrimental impact on the house approved on plot 1.

Trees

The position of the house will require the felling of some trees however these are part of a commercial woodland and as such I do not have any concerns with the felling proposed.

Conditions

I intend to attach the same condition as the previous consent which relate to the access track. I do not intend to attach conditions relating to parking and turning facilities as these are indicated on the submitted site plan.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Private Water

Environmental Health have recommended informatives to make the applicant aware of their responsibilities in regard to private water supplies.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered 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 approval subject to conditions.

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

Approve the application

Conditions and Reasons for Recommendation

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

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

2 Prior to the occupation of the dwellinghouse, the existing private access shall be provided with intervisible passing places at approximately 150m centres and shall be provided with a bound surface to the satisfaction of the Planning Authority.

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

Justification

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

Informatives

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this

statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.
- 5 The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.
- 6 The applicant shall ensure the private water supply for the house/development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

14/01860/1

14/01860/2

14/01860/3

14/01860/4

14/01860/5

14/01860/6

14/01860/7

14/01860/8

14/01860/9

14/01860/10

14/01860/11

14/01860/12

14/01860/13

14/01860/14

14/01860/15

Date of Report 09.02.2015

REPORT OF HANDLING

DELEGATED REPORT

Ref No	09/01714/FLL
Ward No	N4

PROPOSAL: Erection of a dwellinghouse (Plot 3)

LOCATION: Nether Blairish Farm Keltneyburn Aberfeldy PH15 2LQ

APPLICANT: Mr Gavin Dickson

RECOMMENDATION: Approve the application

SITE INSPECTION: 5 November 2009



OFFICERS REPORT:

Full planning consent is sought for the erection of a dwellinghouse on the site of a former piggery at Nether Blairish to the west of Keltneyburn. This application is one of 3 separate applications for the piggery site, all of which relate to single dwellinghouses. The other applications for this site are (09/01712/FLL) and (09/01713/FLL). This proposal is for one of two attached units which form an L shape footprint and is the southernmost of the two plots (indicated as plot 3 on the submitted drawings). Application 09/01712/FLL is for a single detached unit and has

been recommended for approval under delegated powers. The application site is currently quite overgrown and is occupied by a number of disused brick built buildings which housed a piggery. This application site and the site to the north where plot 2 is proposed is occupied by 4 separate former piggery buildings which occupy a total floor area of 280sqm. There are a number of small trees on site, some of which have grown within the former piggery buildings. The application site is not particularly well defined.

A revised Housing in the Countryside Policy 2009 was approved at E and I Committee on 26 August 2009 and then Full Council on 30 September 2009. An agreement was put in place that any proposals which were subject to pre application discussion before the approval at the E and I Committee of 26 August 2009 would be considered against the Housing in the Countryside Policy 2005. That is the case in this instance and the applicant has supplied copies of pre application discussion which took place in May 2009 with discussion based on the 2005 policy. This assessment will therefore be based on the 2005 policy.

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 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. The most relevant policies of the Highland Area Local Plan (SALP) in this instance are Policies 2,3, 4, 5 and 54. The Council's Housing in the Countryside Policy 2005 is a material consideration in this instance.

Category (c) of Policy 54 applies in this case as the site is currently occupied by two brick built single storey piggery former piggery buildings. Category (c) does allow for the replacement of non domestic buildings with dwellings subject to certain criteria. However this policy explicitly states that a new house should be the replacement of a well located traditional building rather than a modern agricultural building. The existing building is a brick built, single storey, monopitch roof structure and is not considered a 'traditional' building and therefore the proposal again does not meet the requirements of this part of the policy.

The Council's Housing in the Countryside Policy 2005 is therefore a material consideration in this case. Category 5 of this policy allows for the replacement of non domestic buildings. This proposed house falls on the whole on the footprint of the existing buildings although some of the proposed development is located outwith the footprint to allow for an attractive courtyard arrangement to be created. The proposed development of 3 units provides an attractive courtyard style layout which is considered to relate well to the rural character of the area. Category 5 advises that the conversion of redundant farm buildings is favoured where they are of traditional form and construction, of architectural merit, make a positive contribution to the landscape, or contribute to local character. Where the existing buildings do not fall into any of these categories or in cases where there is objective evidence that the existing buildings require to be reconstructed because of structural deficiencies which cannot be remedied at an economic cost, replacement will be permissible.

I am satisfied that the buildings are now redundant and have clearly not been in used for some time, due to their scale and condition they are not worthy of retention and I consider the proposed replacement dwelling(s) to be appropriate to this rural location. There are also a number of disused vehicles on the site and I intend to condition for these to be removed from site.

The design proposed is traditional in its scale and massing, utilising steeply pitched gable ends. The design does utilise some more contemporary fenestration arrangements. The finishing materials of this house and its neighbour to the north include a natural slate finish to the roof, natural stone cladding to the majority of elevations and some cedar or larch cladding. These two proposed houses to the east have slightly different finishing materials to the house to the west (as they utilise more stone work) to provide an element of contrast between this detached house and the two semi detached units and I consider this to be appropriate.

The proposal is therefore considered to be a suitable rural development replacing a now redundant piggery with an attractive residential development which relates well to the rural location. The proposal is therefore considered to comply with the Housing in the Countryside Policy 2005 and Policies 2 and 5 of the Highland Area Local Plan 2000.

The Council's Roads Engineers have no objections to the proposal in regard to access and traffic safety subject to conditions relating to the bell mouth of the access, the provision of suitable visibility splays and the provision of parking and turning facilities on site.

The submitted plans indicate some additional planting on the east, north and south boundaries of the site but there is no indication of what species or sizes of planting/trees are proposed. Given the relatively exposed nature of the site I intend to attach a condition to any consent given to ensure a landscaping plan is submitted prior to the commencement of development to provide a more suitable enclosure to the site. It may appropriate to provide one single landscaping plan which can be applied to all three applications.

Education and Children's Services have indicated that there is currently no capacity issue at Breadalbane Primary School and therefore the Council's recently adopted policy on Developer Contribution's does not apply in this instance.

The proposal fails to comply with Policy 54 Housing in the Countryside of the Highland Area Local Plan. The Housing in the Countryside Policy 2005 is therefore a material consideration in this case. As the proposal complies with this more up to date policy I consider there to be sufficient justification to depart from the Development Plan in this case and as such my recommendation is for approval.

DEVELOPMENT PLAN

Highland Area Local Plan 2000

Policy 2 Highland Development Criteria

All developments within the Plan area will be judged against the following criteria:-

- (a) The site should have a landscape framework capable of absorbing, and if necessary, screening the development, and where appropriate opportunities for landscape enhancement will be sought.
- (b) In the case of built development, regard should be had to the scale, form, colour, and density of development within the locality.
- (c) The development should be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community.
- (d) The local road network should be capable of absorbing the additional traffic generated by the development and a satisfactory access onto that network provided.

- (e) Where applicable, there should be sufficient spare capacity in drainage, water and education services to cater for the new development.
- (f) The site should be large enough to accommodate the impact of the development satisfactorily in site planning terms.
- (g) Buildings and layouts for new development should be designed so as to be energy efficient.
- (h) Built development should, where possible be located in those settlements which are the subject of inset maps.

Policy 3 Highland Landscape

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

Policy 4 Highland Landscape

Details of landscape treatment should be submitted with development proposals including, where appropriate, boundary treatment, treatment of settlement edges, and impact on key views.

Developers will be required to demonstrate that satisfactory arrangements will be made, in perpetuity, for the maintenance of areas of landscaping.

Policy 5 Highland Design

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

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

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

Policy 54 Highland Area Housing in the Countryside

The District Council's District wide policy on Housing in the Countryside will apply within most of the Landward Area.

In the western half of the landward area, as shown on Proposals Map 1, Consent may be granted for houses within scattered but recognisable building groups or places subject to specific criteria.

OTHER POLICIES

Housing in the Countryside Policy 2005

A revised Housing in the Countryside Policy was approved by the Council in December 2005. 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.

Planning Guidance Note: Primary Education and New Housing Development 2009

This developer contributions policy was approved by the Council on 6 May 2009. The policy applies over the whole local authority area of Perth and Kinross. This guidance sets out the basis on which Perth and Kinross Council will seek to secure contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements necessary as a consequence of development.

SITE HISTORY

09/01712/FLL Erection of a dwellinghouse and detached garage at Plot 1

09/01713/FLL Erection of a dwellinghouse (Plot 2)

09/01714/FLL Erection of a dwellinghouse (Plot 3)

CONSULTATIONS/COMMENTS

Transport Planning	No objections subject to conditions
Scottish Water	No objections
Glenlyon And Loch Tay Community Council	Concerns raised regarding landscaping and requirement for a condition to cover this aspect

TARGET DATE: 28 November 2009

REPRESENTATIONS RECEIVED: **None**

Number Received: N/A

Summary of issues raised by objectors: N/A

Response to issues raised by objectors: N/A

Additional Statements Received: **Not required**

Environment Statement Not required

Screening Opinion	Not required
Environmental Impact Assessment	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	Not required
Legal Agreement Required:	Not required
Summary of terms	Not required
Direction by Scottish Ministers	Not required

Conditions:-

- 1 The development shall be begun within a period of three years from the date of this consent.
- 2 The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.
- 3 A detailed landscaping and planting scheme for the site shall be submitted for the further approval of this Planning Authority prior to the commencement of the development. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, species, height, size and density of trees and shrubs to be planted and shall focus in particular on the east and south boundaries of the site and the scheme as subsequently approved shall be carried out and completed during the development of the site and thereafter maintained unless otherwise agreed in writing with this Planning Authority.
- 4 Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size and species to the satisfaction of the Planning Authority.
- 5 The site shall be served by the proposed private access which, prior to the occupation of the dwellinghouse, shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.
- 6 Prior to the occupation of the dwellinghouse, turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.

- 7 Prior to the occupation of the dwellinghouse, a minimum of two off-street car parking spaces shall be provided within the curtilage of the site to the satisfaction of the Planning Authority prior to the occupation of the dwelling.
- 8 Full visibility splays of 2.5m x 70m shall be provided to the left and right of the access measured between points 1.05m above the road level insofar as the land is in the control of the applicant.
- 9 The disused vehicles currently occupying the site shall be removed in their entirety prior to the occupation of the dwellinghouse.

Reasons:-

- 1 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning etc (Scotland) Act 2006.
- 2 To ensure that the development is carried out in accordance with the plans approved.
- 3 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 4 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 5 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 6 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 7 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 8 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 9 To ensure the site is suitable for residential purposes.

Justification:

- 1 The proposal fails to comply with the Highland Area Local Plan, in particular Policy 54, however the Housing in the Countryside Policy 2005 is a material consideration in this instance. The proposal complies with category 5 of this policy and as such there is considered to be sufficient justification for a departure from the Development Plan in this case.

Notes

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

REPORT OF HANDLING

DELEGATED REPORT

Ref No	10/00830/FLL
Ward No	N4

PROPOSAL: Modification of existing consent (09/01714/FLL) Erection of a dwellinghouse (Plot 3)

LOCATION: Nether Blairish Farm Keltneyburn Aberfeldy PH15 2LQ

APPLICANT: AKG Homes

RECOMMENDATION: Approve the application

SITE INSPECTION: 10 June 2010

OFFICERS REPORT:

Full planning consent is sought to modify an existing consent for the erection of a dwellinghouse at Nether Blairish Farm, Keltneyburn. Planning consent was granted on 24 November 2009 for the erection of a house on plot 3, there are also associated consents for plot 1 (09/01712/FLL) and plot 2 (09/01713/FLL). The existing consent sees plots 2 and 3 as two connected units with an L shape footprint. Plot 1 sits to the west forming what was considered to be a steading like grouping. The principle of the dwellinghouses has been established by the previous consent and the assessment of this can be viewed in the previous Reports of Handling for each application. This proposal seeks to slightly alter the layout and separate plot 2 from plot 3 but still retaining the general layout. There is an associated application for plot 2 (10/00831/FLL). The separation of the units is considered to be a material change to the proposal and therefore an application for both units was requested.

As the application for plot 2 also seeks the separation of the units, the assessment of both applications will be similar.

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 as amended by Planning Etc (Scotland) Act 2006 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. 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. The most relevant policies of the Highland Area Local Plan (HALP) in this instance are Policies 2 and 5.

Design/House Position

The design and materials of plot 3 remain identical to the previous approval with the majority of the finishes remaining as natural stone. The use of these materials were supported in the previous application and are therefore still considered acceptable. Whilst the separation of plots 2 and 3 is not ideal as it loses part of the steading grouping appearance, the units still remain within very close proximity although not connected to each other. In my view, when seen from the public road they will still

visually appear as one building as the distance between the north gable of plot 3 and south gable of plot 2 is only 1.5 metres. The proposed house group will still retain much of the traditional steading like character, particularly with the use of natural stone. The separation of the units is not considered to be detrimental to the visual amenity of the area and is considered acceptable in planning terms. For the avoidance of doubt I intend to attach the same conditions to this consent as applied to the previous consent.

Conclusion

The proposal meets the terms of the Development Plan policy and there are no material considerations which would outweigh the contents of the Development Plan in this instance.

DEVELOPMENT PLAN

Highland Area Local Plan 2000

Policy 2 Highland Development Criteria

All developments within the Plan area will be judged against the following criteria:-

- (a) The site should have a landscape framework capable of absorbing, and if necessary, screening the development, and where appropriate opportunities for landscape enhancement will be sought.
- (b) In the case of built development, regard should be had to the scale, form, colour, and density of development within the locality.
- (c) The development should be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community.
- (d) The local road network should be capable of absorbing the additional traffic generated by the development and a satisfactory access onto that network provided.
- (e) Where applicable, there should be sufficient spare capacity in drainage, water and education services to cater for the new development.
- (f) The site should be large enough to accommodate the impact of the development satisfactorily in site planning terms.
- (g) Buildings and layouts for new development should be designed so as to be energy efficient.
- (h) Built development should, where possible be located in those settlements which are the subject of inset maps.

Policy 5 Highland Design

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

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

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

OTHER POLICIES

SITE HISTORY

09/01712/FLL Erection of a dwellinghouse and detached garage at Plot 126.11.2009

09/01713/FLL Erection of a dwellinghouse (Plot 2)26.11.2009

09/01714/FLL Erection of a dwellinghouse (Plot 3)26.11.2009

10/00831/FLL Modification of existing consent (09/01713/FLL) Erection of a dwellinghouse (Plot 2)

CONSULTATIONS/COMMENTS

Scottish Water

No objections

TARGET DATE: 25 July 2010

REPRESENTATIONS RECEIVED:

Yes

Number Received:

One

Summary of issues raised by objectors:

Concerns regarding principle of development (already established through previous permission)

Concern regarding change of materials (no change of materials is proposed on plot 3)

Concerns regarding access onto public road (conditions attached regarding visibility splay and widening of bellmouth to ensure road traffic safety after discussions with roads engineers)

Response to issues raised by objectors:

See above

Additional Statements Received:

Not required

Environment Statement

Not required

Screening Opinion

Not required

Environmental Impact Assessment

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 Not required

Legal Agreement Required:	Not required
Summary of terms	Not required
Direction by Scottish Ministers	Not required

Conditions:-

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

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

- 3 A detailed landscaping and planting scheme for the site shall be submitted for the further approval of this Planning Authority prior to the commencement of the development. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, species, height, size and density of trees and shrubs to be planted and shall focus in particular on the east and south boundaries of the site and the scheme as subsequently approved shall be carried out and completed during the development of the site and thereafter maintained unless otherwise agreed in writing with this Planning Authority.

- 4 Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size and species to the satisfaction of the Planning Authority.

- 5 The site shall be served by the proposed private access which, prior to the occupation of the dwellinghouse, shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.

- 6 Prior to the occupation of the dwellinghouse, turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.

- 7 Prior to the occupation of the dwellinghouse, a minimum of two off-street car parking spaces shall be provided within the curtilage of the site to the satisfaction of the Planning Authority prior to the occupation of the dwelling.

- 8 Full visibility splays of 2.5m x 70m shall be provided to the left and right of the access measured between points 1.05m above the road level insofar as the land is in the control of the applicant.

- 9 The disused vehicles currently occupying the site shall be removed in their entirety prior to the occupation of the dwellinghouse.

Reasons:-

- 1 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning etc (Scotland) Act 2006.
- 2 To ensure that the development is carried out in accordance with the plans approved.
- 3 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 4 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 5 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 6 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 7 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 8 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 9 To ensure the site is suitable for residential purposes.

Justification:

- 1 The proposal is considered to comply with the contents of the Highland Area Local Plan, in particular Policies 2 and 5 and no material considerations are apparent which would outweigh the contents of the Development Plan.

Notes

- 1 No work shall be commenced until an application for building warrant has been submitted and approved.
- 2 Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD



After development

BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is Land 300 Metres North West Of Comrie Farm, near Keltneyburn, Aberfeldy. Until 2019, the site was an open and undeveloped field, which had a small field access immediately to the east of the existing electricity substation. This access has been widened, an agricultural building has been erected and a compound enclosure has been formed by a 2.5-metres-tall close-boarded timber fence, along with 1.8-metres-tall stock proof fencing. A Planning Contravention Notice was served under Ref: 20/00035/ALUNDV and this application now seeks partly retrospective planning permission for the unauthorised works.

SITE HISTORY

None

PRE-APPLICATION CONSULTATION

Pre application Reference: Not Applicable.

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 + 1B: Placemaking

Policy 39: Landscape

OTHER POLICIES

None

INTERNAL COMMENTS

Structures And Flooding

No response within allocated timeline.

Transport Planning

No objections – planning condition and informative note suggested.

REPRESENTATIONS

No letters of representation have been received in relation to this proposal.

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	Not Required
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.

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

Development which is directly associated with an established agricultural operation is generally considered to be acceptable in principle. Nevertheless, consideration must be given to the specific details of the proposed development, within the context of the application site, and whether it would have an adverse impact on amenity or the character and appearance of the place.

Design and Layout

The application site is Land 300 Metres North West Of Comrie Farm, near Keltneyburn, Aberfeldy. Until 2019, the site was an open and undeveloped field, which had a small field access immediately to the east of the existing electricity substation. The access has now been widened to accommodate larger agricultural vehicles. However, as the access is taken from an unclassified road (U179), planning permission is not required for such works.

A pitched roof agricultural building, measuring 14 metres in width, 20 metres in depth and 5.6 metres in height has been erected at the northern boundary of the site, adjacent to the unclassified road. The shed is finished with a combination of open-boarded timber panelling and Juniper Green profiled sheet metal cladding.

A compound enclosure has also been formed with the erection of a 2.5-metres-tall close-boarded timber fence. Additional stock proof fencing and a galvanised metal access gate has been erected at a height of 1.8-metres-tall. A Planning Contravention Notice was served under Ref: 20/00035/ALUNDV and this application now seeks partly retrospective planning permission for the unauthorised works.

Visual and Landscape Impact

The application site is located within the Loch Tay Local Landscape Area designation, where Policies 1A, 1B and 39 of the Perth & Kinross Local Development Plan 2 2019 apply. These policies state that;

“Policy 1A Placemaking: Development must contribute positively to the quality of the surrounding built and natural environment... The design, density and siting of development should respect the character and amenity of the place.

Policy 1B Placemaking: All proposals should... (b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area, and (c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

Policy 39 Landscape: Local Landscape Areas (LLAs) are the local landscape designation. Development should only be permitted where it will not have a significant adverse impact on their special character or qualities, or where these impacts are clearly outweighed by social and economic benefits that are more than of local significance to Perth and Kinross”.

The agricultural building has been erected at the northern boundary of the site, adjacent to the unclassified road, the U179. There is limited soft landscaping along the roadside, which allows uninterrupted views into the site from the roadside. Although the agricultural building is positioned remotely from other agricultural buildings, in a prominent roadside location, it has been located near to the existing electricity substation, which does give it some form of context. The agricultural building itself does not have a significant visual or landscape impact in this rural environment.

However, the formation of a 2.5-metres-tall close-boarded timber fence enclosure around the compound does raise concerns with regards to its visual and landscape impact. The fence design is visually impenetrable, and its design would be more suited to a suburban environment. Its presence results in an incongruous feature on the landscape which harms the established rural character of the area. In response to these concerns, the applicant’s agent has confirmed that the applicant is prepared to replace the unauthorised fence with a 2-metres-tall stock proof deer fence. This is an appropriate alternative specification as it provides the necessary height and enclosure that is functionally required at the same time as minimising its visual and landscape impact in a rural location. The replacement fence is to be supplemented with beech hedging. Planning conditions should secure their implementation.

Residential Amenity

Given the position and nature of the retrospectively proposed agricultural building, there are no adverse impacts upon neighbouring residential amenity.

Roads and Access

As noted above, the enlargement of the small field access on the unclassified road U179, to accommodate larger agricultural vehicles, does not require planning permission. However, the applicant's attention should be brought to standards of the Council's Roads Authority. This can be satisfactorily secured by way of an informative note on the decision notice.

Drainage and Flooding

There are no drainage or flooding implications associated with this proposed development. However, the applicant's attention should be brought to drainage issues by way of an informative note on the decision notice.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

No business case/economic impact report has been submitted with the application. The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development and the farming operation.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

VARIATION OF APPLICATION UNDER SECTION 32A

This application was varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended. The variations incorporate changes to the specification of the enclosure.

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 partially comply with the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2 (2019). 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 approved subject to the following conditions.

Conditions and Reasons

- 1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

- 2 The unauthorised 2.5-metres-tall close-boarded timber fence shall be replaced with the 2-metres-tall stock proof deer fence hereby approved within three months of this decision notice.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and to protect the established character of the place.

- 3 The beech hedge hereby approved shall take the form of a double-staggered row with plants at 600mm spacings and it shall be implemented within the first available planting season. Any plants failing to establish within the first five years shall be replaced with plants of a similar species.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and to protect the established character of the place.

Justification

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

Informative Notes

- 1 The unauthorised 2.5-metres-tall close-boarded timber fence should be removed in its entirety within a period of three months of the date of this decision notice and the applicant should send photographic evidence of its removal to the Development Management Enforcement Officer PlanningEnforcement@pkc.gov.uk . Failure to do so could result in formal enforcement action.
- 2 An application for Building Warrant may be required.
- 3 Records indicate that at least part of the proposed development site lies within a radon affected area where the measurement/monitoring of radon gas and the installation of mitigation measures may be required.

Further information on radon gas and the associated reports that can be obtained is available at www.ukradon.org and at <http://shop.bgs.ac.uk/georeports/>

- 4 The applicant is advised to contact the Council's Transport Planning Development Engineer with respect to any alterations that have been and/or will be made to the field access, to ensure that it is formed to an appropriate standard.
- 5 The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he/she/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.

Procedural Notes

The Development Management Enforcement Officer should be advised of the outcome of the application, with a view to monitoring and/or enforcing removal of the unauthorised 2.5-metres-tall close-boarded timber fence.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

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02

04

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REPORT OF HANDLING

DELEGATED REPORT

Ref No	20/01619/FLL	
Ward No	P4- Highland	
Due Determination Date	24th January 2021	
Report Drafted Date	7th January 2021	
Report Issued by	JW	Date 7 January 2021

PROPOSAL: Change of use from agricultural land to equestrian business and erection of stores and field shelters; siting of reception/office caravan, shepherd's hut and storage container; alterations to vehicular access; formation of outdoor riding arenas and car parking and associated works (in part retrospect)

LOCATION: Land 200 Metres South Of Riverview
Keltneyburn

SUMMARY:

This report recommends **approval** of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

DATE OF SITE VISIT: Not undertaken due to Covid 19 restrictions, however site has been previously visited by officer prior to planning submission.

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Full planning permission is sought for the change of use from agricultural land to equestrian business and erection of stores and field shelters; siting of reception/office caravan, shepherd's hut and storage container; alterations to vehicular access; formation of outdoor riding arenas and car parking and associated works (in part retrospect) at land south of Riverview on the road between Kenmore and Keltneyburn. The works relate to the Mains of Taymouth holiday complex where the stables facilities have been relocated from land adjacent to the existing holiday lodges in Kenmore to a larger site beyond the Mains of Taymouth Golf Course.

The submission indicates that the caravan functions as both the reception to the stables and an admin/office space. It also hosts the local Pony Club on Saturdays where children learn stable management and equine welfare skills. The shepherd's hut functions as a shelter for visitors and a small function space which can cater for parties. The remaining structures are primarily for storage and day to day running the stables site. The field shelters and holding pen offers space to get horses ready for client's before riding sessions.

In accordance with the on-going restrictions of the coronavirus pandemic, the application site has not been visited during assessment of this application. The application site and its context have, however, been viewed by StreetView imagery and through various photographs supplied by the applicant's agent. The officer also visited the site prior to the formal planning submission being made.

This information means that it is possible and appropriate to determine the application as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

SITE HISTORY

None

PRE-APPLICATION CONSULTATION

Pre application Reference: 20/00026/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 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 (2019) – Adopted November 2019

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

The principal policies are, in summary:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 6: Settlement Boundaries

Policy 8: Rural Business and Diversification

Policy 27A: Listed Buildings

Policy 29: Gardens and Designed Landscapes

Policy 39: Landscape

Policy 41: Biodiversity

Policy 53B: Water Environment and Drainage: Foul Drainage

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

Policy 56: Noise Pollution

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

OTHER POLICIES

Supplementary Guidance – Placemaking

Supplementary Guidance - Landscape

CONSULTATION RESPONSES

INTERNAL

Commercial Waste Team – no objection

Development Contributions Officer – no contribution required

Perth And Kinross Heritage Trust – no archaeological work required

Transport Planning – no objection subject to condition

EXTERNAL

Historic Environment Scotland – no objection

REPRESENTATIONS

None received

ADDITIONAL STATEMENTS

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

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 2 (2019).

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

Policy 1 of the Tayplan advocates the developing of land within the principal settlements rather than developing land outside of them. It does however acknowledge the need to sustain rural economies while protecting the countryside where it genuinely contributes to the outcomes of the Plan however suburbanisation of the countryside and unsustainable travel and development patterns should be avoided.

The implementation of this principle has been translated into the adopted 2019 Local Development Plan with Policy 6 - Settlement Boundaries stipulating that for settlements which are defined by a settlement boundary in the Plan, development will not be permitted, except within the defined settlement boundary.

Although the proposal is not located within the settlement boundary and therefore fails to comply with Policy 1 of Tayplan and Policy 6 of the Local Plan there are exceptions that can be made to this presumption against development outwith a settlement boundary through Policy 8: Rural Business Diversification.

Policy 8 also gives favourable consideration to the expansion of existing businesses and the creation of new business associated with a site specific resource or opportunity.

In this instance the application site is not located within the identified settlement of Kenmore but is located fairly close by and within walking distance along existing core paths or a short drive. The policy states that sites outwith settlements may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This proposal relates to the provision of a stables facility associated with the wider operation of the Mains of Taymouth Estate which was previously located within the settlement boundary of Kenmore. As such it would appear that the proposal relates specifically to the use of the land for equestrian purposes, directly associated with the operation of the Main of Taymouth Estate. A supporting statement accompanies the application and details that Mains of Taymouth has been operating for approximately 18 years and that the relocation of the stables came about due to the increasing popularity of the equestrian part of the business and the need for improved working and living conditions for horses. The former location was located on

a constrained site between the golf course and the bistro building which limited its ability to extend and car parking was restricted. There was also limited visibility onto the public road which created difficulties in bringing horses to the site from fields for riding. Furthermore there is planning permission in place for caravans on this part of the site.

The application site is located within a wide field area and serves 22 horses that are managed and cared for by Mains of Taymouth Estate. The site allows direct access from the stables into the fields and allows the horses to be turned out daily in the fields rather than remaining in the stables. The site also allows for improved parking facilities and direct access to the paths on Drummond Hill to the north. Overall the principle of developing the site for equestrian use is considered to be acceptable and to accord with the requirements of policy 8 of the LDP2.

Access and Traffic

The applicant is proposing to upgrade the vehicle access onto the U177 and have demonstrated that the visibility splay of 215 metres can be provided to the left and right of the vehicle access. It is also proposed that the vehicle access will be upgraded to a Type B access with 3m radius corners. A condition is recommended to secure the construction of the access to a satisfactory standard. Measures should be taken to prevent water from running off the public road network down the vehicle access.

The applicant has also advised that a gate to the site will be erected at a minimum distance of 8 metres away from the public road network, this is an acceptable distance for the intended vehicles that will be accessing the site to wait off road and open the gate to gain access.

Subject to the above conditions and implementation, the access arrangements for the site are considered to be acceptable in accordance with policy 60B of the LDP.

Landscape and Visual Impact

Policy 29 seeks to protect and enhance the integrity of Historic Garden's and Designed Landscapes (HGDL). The site is located within the Taymouth Castle HGDL. This policy requires the appropriate management of the HGDL to ensure that developments protects and enhances the integrity of the HGDL. It was also identified at pre application stage that the site may have intervisibility with the category A listed Taymouth Castle which is located to the south west but this is at some distance. Policy 27A is therefore applicable. The site is also located within the Loch Tay Special Landscape Area (SLA) and therefore policy 39 relating to landscape is applicable. As is the associated Supplementary Guidance. This states that new development will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross. As such the site is considered to be important in terms of both local and national landscape designations.

The site sits within an open field with no visual containment in an area which is readily visible from the public road and in a location where views into the HGDL from the public road are available. The site also appears to be very temporary in nature which contributes to what is considered to be a detrimental impact on visual amenity. During pre application discussions the applicant's agent was advised that a robust landscaping scheme would be required in order to provide screening and containment to the site. Native planting is proposed on the boundaries, together with a raised mound on the north west side of the site to screen from the public road. A Landscape and Visual Impact Assessment accompanies the application and demonstrates the impact of the development from numerous receptors. This demonstrates that there is no intervisibility between the site and the category A listed Teymouth Castle. The proposed landscaping scheme is considered to be sufficient to address the issues outlined above and therefore, subject to implementation meets the requirements of policies 27A and 39 of the LDP2. A condition is recommended to ensure the implementation of the landscape scheme within an appropriate timescale and to ensure that it is maintained.

Residential Amenity

Planning control has a duty to future occupiers not to create situations of potential conflict between neighbours.

From the site visit and review of the plans there is not considered to be an adverse impact on neighbouring residential amenity from overlooking or overshadowing from the proposed site.

It is noted that the site is relatively remote from other residential dwellings and no objections have been received despite the site having operated for some time without permission. To this end, it is considered that the proposal will not be detrimental to the amenity of neighbouring residents. The development therefore complies with policy 56 and the residential amenity criteria within policies 1A and B.

Natural Heritage and Bio Diversity

Given the open nature of the site there are not considered to be any natural heritage issues associated with the development.

Drainage and Flooding

Surface water drainage should be dealt with through a SUDS system which accords with policy 53C of the LDP. There are no flooding issues associated with this site.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2 (2019). 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 approval subject to conditions.

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

Approve the application

Conditions and Reasons for Recommendation

1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

2 Within six months of the date of this decision notice, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type B Figure 5.6 access detail, of Type B Road construction detail. The Type B Road construction detail shall continue for a minimum of 8 metres back from the edge of the road carriageway.

Reason - In the interests of pedestrian and traffic safety.

3 The detailed landscaping and planting scheme which is hereby approved shall be completed in full within the first available planting season (October to March) following the granting of this permission. The approved scheme shall thereafter be maintained to the satisfaction of the Council as Planning Authority, with any planting which fails to become established within five years being replaced in the following planting season with others of a size and species as previously approved.

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

4 Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.

Reason - To ensure the provision of effective drainage for the site.

Justification

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

Informatives

1 Records indicate that at least part of the proposed development site lies within a radon affected area where the measurement/monitoring of radon gas and the installation of mitigation measures may be required.

Further information on radon gas and the associated reports that can be obtained is available at www.ukradon.org and at <http://shop.bgs.ac.uk/georeports/>.

2 The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he/she/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.

- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 The developer should discuss the requirements for any commercial waste collection with Perth and Kinross Council - Commercial Waste Team via www.pkc.gov.uk/commercial

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

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LRB-2022-27

21/02268/FLL - Erection of a dwellinghouse, land 50 metres west of Keltney House, Keltneyburn

PLANNING DECISION NOTICE *(included in applicant's submission, pages 306-307)*

REPORT OF HANDLING *(included in applicant's submission, pages 297-305)*

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 158-288)*

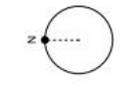


353

DRAWING SET PLANNING APPLICATION	CLIENT H_832_McAulay_Stewart
DRAWING TITLE PROPOSED LOCATION PLAN	DRAWN BY JW
DRAWING NUMBER 832_PL_102_PL1	DATE 17/12/2021
CAD FILE NAME H_832_PL_Stewart_McAulay_001	SCALE 1:1250 @ A3

Hebridean Homes
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Proposed External Finishes

- Walls: Block and White Render
- Roof: Columbia Slate or Similar
- Gutters: Black metal
- Windows: Timber framed windows in dark grey

PROPOSED HOUSE FOR:
 Barbara Stewart
SITE ADDRESS:
 Keltney House
 Keltneyburn
 Aberfeldy
 PH15 2LF
SITE AREA: 3180m²

BLUE LINE DENOTES EXISTING LAND AREA OWNED BY APPLICANT
 RED LINE DENOTES EXISTING LAND AFFECTED BY PROPOSAL
 GREEN LINE DENOTES APPROX. ROUTE OF DRAINAGE

LRB-2022-27

21/02268/FLL - Erection of a dwellinghouse, land 50 metres west of Keltney House, Keltneyburn

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
Steps
Glasgow
G33 6FB

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



Dear Customer,

50 Metres West Of Keltney House, Keltneyburn, PH15 2LF
Planning Ref: 21/02268/FLL
Our Ref: DSCAS-0057022-K9T
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 KILLIECRANKIE 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.

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](#).
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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 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 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,

Pamela Strachan
Development Services Analyst
Tel: 0800 389 0379
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.	21/02268/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 50 Metres West Of Keltney House Keltneyburn		
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 Breadlabane Primary School. 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 Total: £0</p>		
Recommended informative(s) for applicant			
Date comments returned	11 February 2022		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/02268/FLL	Comments provided by	Dean Salman Development Engineer
Service/Section	Transport Planning	Contact Details	
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 50 Metres West Of Keltney House Keltneyburn		
Comments on the proposal	Insofar as the Roads matters are concerned, I have no objection on the condition below.		
Recommended planning condition(s)	Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Type B Road construction detail for the first 5.0 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public highway.		
Recommended informative(s) for applicant	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.		
Date comments returned	14 February 2022		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/02268/FLL	Comments provided by	Katrina Walker
Service/Section	Development Plans	Contact Details	[REDACTED]
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 50 Metres West Of Keltney House, Keltneyburn		
Comments on the proposal	<p>This proposal is for a new house under category 3.4 Houses for Local People of the Housing and the Countryside policy and associated supplementary guidance.</p> <p>As noted at pre-app stage, the main intention behind category 3.4 is to allow for houses to be built for rural workers. I would accept, however, that the applicants have lived in the area for many years and would appear to be currently in accommodation which is unsuitable for their needs. I note the information which has been provided which indicates that no alternative house is currently available to them which meets their specific need for accommodation on a single level in the local area, and I also note that the search area extended to Aberfeldy as was requested at pre-app stage.</p> <p>Proposals under category 3.4, however, must also meet the siting criteria set out on p.12 of the Housing in the Countryside SG. I have not visited the site but from the information provided in support of the application I would acknowledge that the proposed house uses the existing slope to the rear to provide a backdrop. The extent to which it will blend in with the existing landform and make a positive contribution to the surrounding landscape, however, will depend largely on the extent and quality of the landscaping provided around the plot once mature. The landscaping being proposed around the boundary may well eventually result in a house which nestles within the landscape as is suggested in the supporting statement. This will take time to mature, however, and until then I am concerned that the house may stand out (especially considering that there would appear to be little in the way of existing landscaping on the southern boundary with the existing property at Tigh Na Dalloch) resulting in the potential for adverse impact, particularly considering the sensitive location of the site within the Loch Tay SLA.</p> <p>I am also concerned that, similar to that proposed at pre-app stage, this site cannot be described as an identifiable site which has long established boundaries which separates the site naturally from the surrounding ground. I appreciate that efforts have been made to create an overall plot size which is comparable to the existing two properties, but ultimately the proposal still relies on the creation of new boundaries. The HiC guidance specifically states that the sub-division of a field in order to create a site will not be acceptable.</p>		

	Overall therefore, it is my view that the proposal as it currently stands does not comply with the siting criteria set out in category 3.
Recommended planning condition(s)	
Recommended informative(s) for applicant	
Date comments returned	3/3/22