

TCP/11/16(505) – 17/01299/FLL – Erection of a dwellinghouse and garage on land 70 metres north east of Middlebank, Waterloo, Bankfoot, Perth

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TCP/11/16(505) – 17/01299/FLL – Erection of a dwellinghouse and garage on land 70 metres north east of Middlebank, Waterloo, Bankfoot, Perth

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

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

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	Mike	Forename	John
Surname	Guild	Surname	Culbert
Company Name		Company Name	
Building No./Name	The Old School	Building No./Name	Tay Farmhouse
Address Line 1	Coxland Crescent	Address Line 1	Meikleour
Address Line 2	Bankfoot	Address Line 2	
Town/City	Perth	Town/City	Perth
Postcode	PH1 4BX	Postcode	PH2 6EE
Telephone		Telephone	01250883382
Mobile		Mobile	07534521765
Fax		Fax	
Email		Email	johncculbert@gmail.com

3. Application Details	
Planning authority	Perth and Kinross Council
Planning authority's application reference number	17/01299/FLL
Site address	Land 70 metres north east of Middlebank, Waterloo, Bankfoot, Perth
Description of proposed development	Erection of dwellinghouse and garage

Date of application

1st August 2017

Date of decision (if any)

25th September 2017

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

4. Nature of Application

Application for planning permission (including householder application)

☒

Application for planning permission in principle

☐

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

☐

Application for approval of matters specified in conditions

☐

5. Reasons for seeking review

Refusal of application by appointed officer

☒

Failure by appointed officer to determine the application within the period allowed for determination of the application

☐

Conditions imposed on consent by appointed officer

☐

6. Review procedure

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

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

Further written submissions

☐

One or more hearing sessions

☒

Site inspection

☐

Assessment of review documents only, with no further procedure

☐

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

The appellant wishes his application to be fully reconsidered in the light of all the attached supporting submissions and also feels that it is imperative that a site visit is carried out by the members to appreciate the physical attributes of the site.

7. Site inspection

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

Can the site be viewed entirely from public land?

☐

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

☒

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

None

8. Statement

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

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

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

Please refer to attached 'Grounds of Appeal Statement' and the associated folder containing a 'Visual and Landscape appraisal of the site and its context.'

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes ☐ No ☒

If yes, please explain below a) why you are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

1 Copy of application forms 1st August 2017
2 Copy of Delegated Report 25th September
3 Copy of refusal notice 25th September 2017

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

10. Checklist

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

Full completion of all parts of this form ☒

Statement of your reasons for requesting a review ☒

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review. ☒

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

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name: John Culbert

Date: 1st December 2017

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.



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 100060962-001

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)

Proposed New Dwelling on Land Adjacent to "Middleton", Muirlands Farm, Waterloo, Nr Bankfoot, Perthshire PH1 4AR

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☐ Yes ☒ No

(Answer 'No' if there is no change of use.) *

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:	CFY Design @ Old Faskally		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Peter	Building Name:	The Lodge
Last Name: *	Miller	Building Number:	
Telephone Number: *	01796473436	Address 1 (Street): *	Old Faskally
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Killiecrankie
Fax Number:		Country: *	Perthshire
		Postcode: *	PH16 5LG
Email Address: *	cfydesign@oldfaskally.co.uk		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Mike	Building Number:	
Last Name: *	Guild	Address 1 (Street): *	
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
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:

Muirlands Farm

Address 2:

Waterloo

Address 3:

Bankfoot

Address 4:

Address 5:

Town/City/Settlement:

Perth

Post Code:

PH1 4AR

Please identify/describe the location of the site or sites

Northing

737663

Easting

305507

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 enquiry was submitted. Response was unsupportive of our initial proposal, based on a basic outline sketch proposal; he appeared to be unconvinced on the boundary definition and appeared to class the site as 'Greenfield' as opposed to what is clearly a 'Brownfield' opportunity. However, he did stress that his initial comments were purely desk base and he had not had the opportunity of visiting the site to be better able to more fully assess the context and the surroundings.

Title:

Mr

Other title:

First Name:

David

Last Name:

Niven

Correspondence Reference Number:

Date (dd/mm/yyyy):

01/05/2016

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:

1412.00

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)

Un-used land previously the site of Middleton Farmhouse and Steading

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)? *

3

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).

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

Installation of new bio-disc with soakaway.

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)

Screened bin store to be located adjacent to garage

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

Are you able to identify and give appropriate notice to ALL the other owners? *

☒ Yes ☐ No

Certificate Required

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

Certificate B

Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or -

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr Robert Baillie

Address:

[REDACTED]

Date of Service of Notice: *

27/07/2017

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

or -

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

[REDACTED]

Address:

[REDACTED]

Date of Service of Notice: *

[REDACTED]

Signed: Peter Miller

On behalf of: Mr Mike Guild

Date: 27/07/2017

☒ 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)

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: Mr Peter Miller

Declaration Date: 27/07/2017

Payment Details

Cheque: AM. Guild, 004731

Created: 27/07/2017 11:34

PERTH AND KINROSS COUNCIL

Mr Mike Guild
c/o CFY Design @ Old Faskally
Peter Miller
The Lodge
Old Faskally
Killiecrankie
Perthshire
PH16 5LG

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 25th September 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/01299/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 1st August 2017 for permission for **Erection of a dwellinghouse and garage Land 70 Metres North East Of Middleton Waterloo Bankfoot** for the reasons undernoted.

Interim Head of Planning

Reasons for Refusal

1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2014 as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.
2. The proposal is contrary to Policy PM1B, criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside.
3. The proposal is contrary to Policy PM1B, criterion (b) of the Perth and Kinross Local Development Plan 2014, as the siting of dwellinghouse on this prominent piece of land would erode and dilute the areas landscape character.

4. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character. This includes eroding the visual and scenic qualities of the landscape and the quality of landscape experience through the siting of the dwellinghouse on this prominent piece of land.

Justification

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

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

Plan Reference

17/01299/1

17/01299/2

17/01299/3

17/01299/4

17/01299/5

17/01299/6

17/01299/7

17/01299/8

17/01299/9

17/01299/10

17/01299/11

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/01299/FLL	
Ward No	P5- Strathtay	
Due Determination Date	30.09.2017	
Case Officer	Sean Panton	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse and garage.

LOCATION: Land 70 Metres North East of Middleton, Waterloo, Bankfoot.

SUMMARY:

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

DATE OF SITE VISIT: 7th August 2017

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is on land 70metres North East of Middleton, Waterloo, Bankfoot. The application seeks detailed permission for the erection of a dwellinghouse and a double garage.

The proposed dwellinghouse is 1 ¾ storey and has 3 double bedrooms and a study. The proposal at maximum width is approximately 13metres and at maximum length is approximately 14metres. The overall footprint of the house

is approximately 145m². The maximum height of the house (excluding the chimney) is approximately 8metres.

The proposed detached double garage is approximately 6.4metres in length, 6.5metres in width and 5metres at maximum height.

In relation to materials for both the dwellinghouse and garage, the roof is to be slate clad and the walls are to be finished in a white smooth cement render with stone quoins. The windows and doors will be coloured powder coated aluminium exterior with timber internal frame units. The balcony element will have a structural glass balustrade with stainless steel posts.

SITE HISTORY

None.

PRE-APPLICATION CONSULTATION

Pre-application Reference: 16/00310/PREAPP

It was highlighted at pre-application stage that the proposal is not compliant with Policy RD3: Housing in the Countryside at the proposal fails to meet any of the required criteria.

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 TAYplan 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 is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions

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

Policy PM4 - Settlement Boundaries

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

Policy RD3 - Housing in the Countryside

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

Policy TA1B - Transport Standards and Accessibility Requirements

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

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

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

OTHER POLICIES

Housing in the Countryside Guide

A revised Housing in the Countryside Guide was adopted by the Council in October 2014. The guide 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 guide 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 guide aims to:

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

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

Development Contributions and Affordable Housing Guide 2016

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

CONSULTATION RESPONSES

Environmental Health:

No objection to the proposed development however recommends an informative to be added to any consent granted in relation to private water supply.

Transport Planning:

No objection to the proposed development.

Developer Contributions:

£2,639.00 transport contribution is required.

REPRESENTATIONS

1 letter of representation was received objecting to this proposal. In summary, the letter highlighted the following concerns:

- Adverse impact on visual amenity
- Contrary to local development plan
- Inappropriate land use
- Road safety concerns/ usage of road
- Impact upon water supply
- Footprint of farm buildings does not match
- Site is greenfield and should not be developed

ADDITIONAL INFORMATION RECEIVED:

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

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

APPRAISAL

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

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

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

Having had the opportunity to undertake a site visit and assess the plans, like the pre-application advice given for the site, I consider the application does not relate to:-

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

The agent has indicated through the provided Design Statement that the application should be considered under criterion (a), building groups, and criterion (f), development on rural brownfield land.

Building Groups

In relation to criterion (a), building groups, an existing building group is defined as 3 or more buildings of a size at least equivalent to a traditional cottage, whether they are of a residential and/or business/agricultural nature. In this case the neighbouring house cannot be considered as a building group as it stands alone to the adjacent farm buildings which are a further 90metres away. The existing house, Middleton, is not considered to be part of the farm holding as suggested by the applicant due to the vast distance between them.

Notwithstanding the above, I therefore again turn to supplementary guidance, 'The Housing in the Countryside Guide' that was adopted by the Council in October 2014, which assists with the assessment of Policy RD3. This highlights that:-

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

Proposals which contribute towards ribbon development will not be supported.

In this case, the proposal constitutes an unacceptable extension to the existing house and nearby grouping which would result in sprawl into the countryside, which would detract and destroy the character of the area. The proposal would also lead to ribbon development along the unnamed road. The allowing of ribbon development could seriously compromise the area as infill development may then become possible on created sites. As the site does not have suitable definable boundaries on the northern and eastern boundaries, as stated as a requirement in the guidance, this could set a precedent for future ribbon development in this location. The existing post and wire fence is not considered to make a definable site.

Brownfield Land

With regards to criterion (f), rural brownfield land, the agent has indicated that the proposal should be considered under development on rural brownfield land, however this site is not considered rural brownfield land as the current state of the site cannot be considered as 'brownfield' as the policy defines brownfield land as land that was formerly occupied by buildings. In this instance the site contains a large pile of rubble and as such cannot be assessed as being brownfield in terms of the HICG. This pile of rubble is not considered to be suitable evidence of former buildings and as such the site is considered to be greenfield, as highlighted at pre-application stage. I also do

not consider that the existence of rubble within the site provides any basis to confirm the site as brownfield. In any case the site is almost entirely laid to grass and the removal of the rubble from the site would not result in the removal of dereliction or result in a significant environmental improvement. The below photograph shows the rubble on site from the site visit:



Taking the above into account, the principle of housing development on the site is contrary to Policy RD3.

Design, Layout and Landscape

The site is on a relatively elevated piece of land and therefore highly visible from the surrounding area. Whilst the design of the proposed dwellinghouse is considered to be of a high quality, due to its scale on this elevated piece of land, the proposal is considered to erode the landscape qualities and visual amenity of the area. The proposed boundary treatments are not considered sufficient screening to suitably accommodate a dwellinghouse of this scale without having a significant impact upon the landscape qualities of the area.

Due to the prominence of the site from the surrounding area and the proposed siting of the dwellinghouse being highly visible upon the landscape, it is therefore considered that the development of this site into a dwellinghouse could negatively impact upon the landscape character of the area whilst eroding the quality of place.

It should however be noted that I have no outstanding concerns in relation to the layout of the site.

Residential Amenity

The proposed dwellinghouse is approximately 64metres from the neighbouring dwellinghouse. This is considered to be a sufficient distance. The proposal also has a suitable amount of garden ground which provides suitable amenity ground for any future residents of the property. I therefore have no concerns in relation to residential amenity.

Roads and Access

Concern was raised through a letter of representation received in relation to roads and access. On reviewing the submitted plans, I do not consider the provision of a single dwellinghouse on this site will result in traffic generation that is unsuitable for the area. Furthermore, my colleagues in Transport Planning were consulted as part of this application and have no objection to make.

Drainage and Flooding

There are no drainage and flooding implications associated with this proposed development. The site is not within an area of known flood risk.

Developer Contributions

Primary Education

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

This proposal is within the catchment of Auchtergaven Primary School.

Education & Children's Services have no capacity concerns in this catchment area at this time and as such no education contribution is required.

Transport Infrastructure

The Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.

The site is within the reduced Transport Infrastructure contributions area therefore £2,639.00 transport contribution is required. This has not been sought from the applicant due to the application being recommended for refusal.

Economic Impact

The development of this site will count towards local housing targets, accounting for short term economic investment through the short term construction period and indirect economic investment of future occupiers of the associated development.

Conclusion

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

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application.

Conditions and Reasons for Recommendation

- 1 The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2014 as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.
- 2 The proposal is contrary to Policy PM1B, criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside.
- 3 The proposal is contrary to Policy PM1B, criterion (b) of the Perth and Kinross Local Development Plan 2014, as the siting of dwellinghouse on this prominent piece of land would erode and dilute the areas landscape character.
- 4 The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character. This includes eroding the visual and scenic qualities of the landscape and the quality of landscape experience through the siting of the dwellinghouse on this prominent piece of land.

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

Not Applicable.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

17/01299/1
17/01299/2
17/01299/3
17/01299/4
17/01299/5
17/01299/6
17/01299/7
17/01299/8
17/01299/9
17/01299/10
17/01299/11

Date of Report 25th September 2017

Grounds of Appeal Statement
for
the Erection of a Dwellinghouse on land adjacent to
Middlebank, Waterloo, Bankfoot
17/01299/FLL
for
Mr and Mrs Mike Guild



John Culbert
Chartered Town Planner
1st December 2017

Introduction

This appeal is submitted on behalf of Mr and Mrs Mike Guild in respect of Perth and Kinross Council's refusal of a full planning application 17/01299/FLL for the erection of a dwellinghouse on land 70 metres north east of Middleton, Waterloo, Bankfoot, Perth.

The application was registered by Perth and Kinross Council on the 1st August 2017 and was refused under delegated powers on the 25th September 2017. The reasons given for refusal were as follows:

1. *The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2014 as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.*
2. *The proposal is contrary to Policy PM1B, criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside.*
3. *The proposal is contrary to Policy PM1B, criterion (b) of the Perth and Kinross Local Development Plan 2014, as the siting of dwellinghouse on this prominent piece of land would erode and dilute the areas landscape character.*
4. *The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character. This includes eroding the visual and scenic qualities of the landscape and the quality of landscape experience through the siting of the dwellinghouse on this prominent piece of land.*

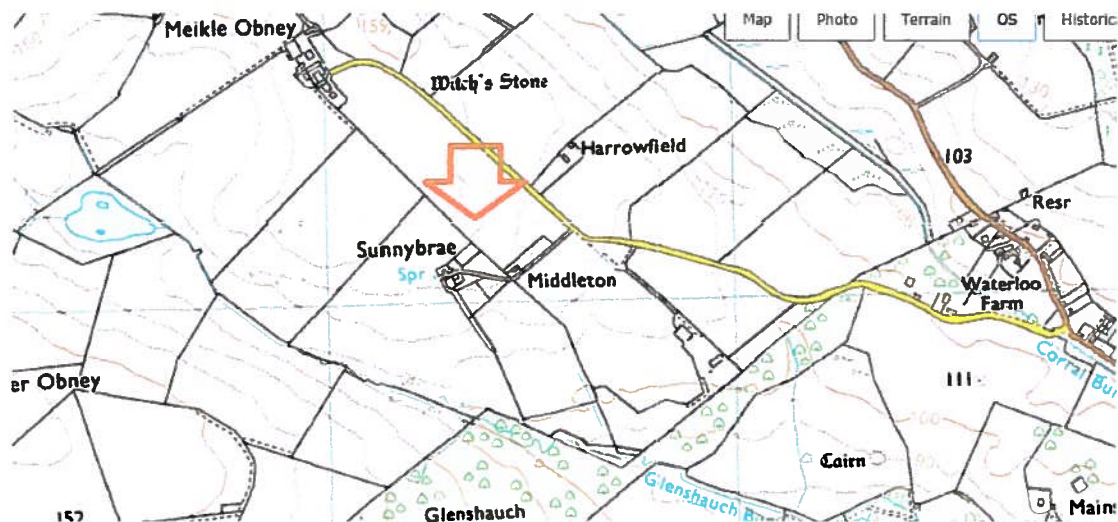
and the justification as follows :

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

This statement will set out the appellants grounds for appealing by addressing the above reasons in the light of the development plan policies and relevant material considerations. In addition, a separate portfolio containing aerial photographs, view point images of the site, copies of historical maps and details of recent neighbouring planning consents has also been included in support of this appeal.

The Site and Location

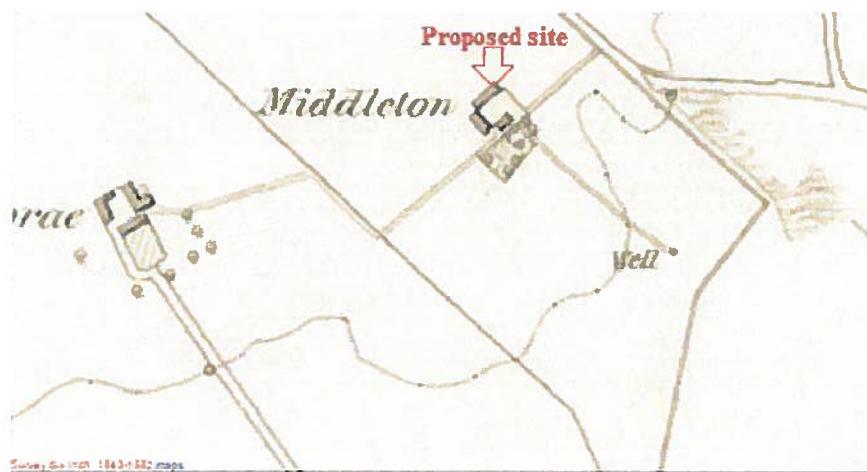
The site about two miles due north west of Bankfoot within the Meikle Obney area and comprises the stone remains of the former Middleton Farmhouse and outbuildings. Access is via the Meikle Obney unclassified road turning off at Waterloo village from the A class Bankfoot to Dunkeld Public Road.



The site area extends to about 0.25ha and comprises a small maintained lawn area to one end and the downtakings from the former buildings within the other half of the site where a group of trees combined with a significant drop in level on the east boundary forming a distinctive landscape feature. The site itself is closely associated with a small building group comprising the bungalow known as 'Middleton' immediately adjacent to the site and its neighbour immediately to the west known as 'Sunnybrae', a farmhouse with separate stone built steading.

The former remains of the original Middleton farmhouse which are very much in evidence on site can be authenticated directly from the historical map below.

Source: Historical OS Map 1843-1882



Pre-application Enquiry

A Pre-application enquiry was submitted to the Council in May 2016 and a response was received from Mr David Niven who was unsupportive of our initial proposal which was based on a basic outline sketch proposal; he appeared to be unconvinced on the boundary definition and appeared to class the site as 'Greenfield' as opposed to what is clearly a 'Brownfield' opportunity. However, he did stress that his initial

comments were purely desk base and he had not had the opportunity of visiting the site to be better able to more fully assess the context and the surroundings.

Following the submission of the planning application both the applicant and the agent contacted the Case Officer Mr Sean Panton and asked him to make contact to discuss any issues arising. However, the decision was issued without any contact in an arbitrary fashion.

The Proposal

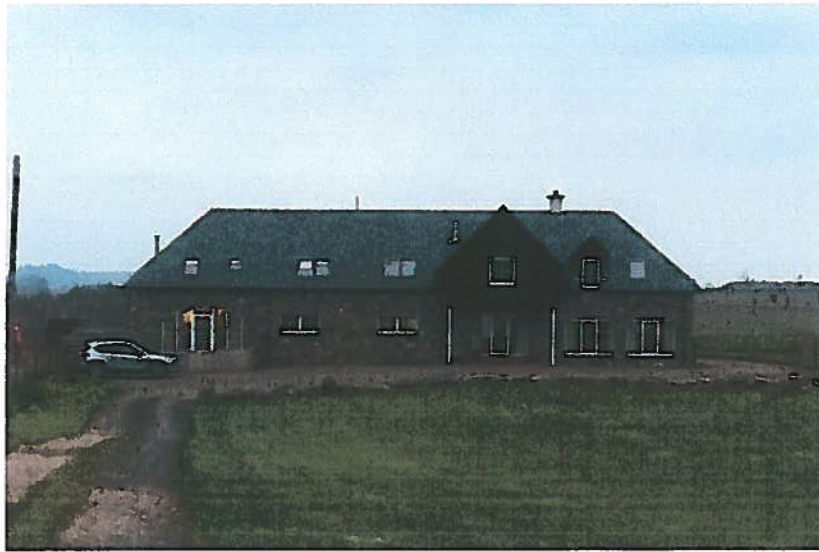
The applicant seeks to develop the site for a one and a half storey 3 bedroomed dwellinghouse of traditional form and using a combination of natural stone facing and wet dash render with a roof clad with natural slate.



The design details and selection of external finishes was partly modelled on the nearby house to the north east of the site known as 'Harrowfield' which sits very comfortably in its rural setting as evident in the photo below.

Third Party Objection

One objection was made to the application from a local landowner expressing concerns with regard to water supply drainage and access limitations, but these issues were commented on by the Case Officer and dismissed as invalid concerns. It is also interesting that other issues raised confirm the presence of the former buildings on site, yet go on to refer to it as a 'greenfield site' rather than as a 'brownfield site' as defined in the Council's own policy.



National policy and Guidance

The Scottish Government expresses its planning policies through The National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, 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:

RD3: Supplementary Guidance: 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.

It is also an essential general requirement of the **RD3** that all new developments should take place within a clearly defined site with natural containment and a good landscape framework.

Reason 1 for refusal implies that the proposal does not fit **any** of policy categories including '*Building Groups*' and '*Brownfield Sites*'.

Placemaking Policies PM1A and PM1B

Policy **PM1A** requires (in summary) new development to contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place, and including appropriate new landscape and planting works, while policy **PM1B** in summary requires proposals to complement the design and density of the surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

Reason 2 and 3 relate to Placemaking policy **PM1B** and in particular, criteria (a) and (b) as follows:

(a) '*the proposal fails to create a sense of identity and erodes the character of the countryside*'

(b) '*the siting of dwellinghouse on this prominent piece of land would erode and dilute the areas landscape character*'

As the Case Officer has not included placemaking policy **PM1A** in the reasons for refusal which must imply that the Council is satisfied that the proposal sits comfortably with the relevant policy criteria stating that the development should '*contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place*'

The acceptance of the above criteria in **PM1A** directly contradicts the Council's objections under policy **PM1B**.

ER6 Managing Future Landscape Change

Reason 4 lists that the proposal contravenes this policy, however, this policy specifically relates to the 'Special Landscape Areas' designated and approved by the Council in Supplementary Landscape Guidance 17th June 2015. The appeal site does not lie within a Special Landscape Area nor is it affected by any other landscape designation.

Grounds of Appeal

This appeal requires to be determined in accordance with the Development Plan unless material considerations dictate otherwise.

I am satisfied that there are sound planning reasons for granting this appeal for the erection of a dwellinghouse.

The material considerations which are critical in this appeal in summary are as follows:

- The site does conform to the 'Housing in the Countryside' (HITCP) policy in respect of both the categories relating to Section 1 'Building Groups' as (a) it forms a logical extension to an existing cluster of three buildings and (b) constitutes a 'Brownfield site' under Section 5 as both evidence of former buildings are evident on site and also verified by OS maps.
- In landscape terms the site is well contained by existing trees and physical features which provide 'an identifiable site' raising no adverse visual or residential amenity issues.
- In terms of the design and layout, the Case Officer himself states that the design is of a high quality and he also has no objections to the site layout.
- Within a 250 metre radius of the appeal site, recent developments have been approved within the last three years and under the current HITCP immediately to the north and to the south of the appeal site where a much more relaxed interpretation of the HITCP has been exercised.
- The Case Officer has clearly sought to apply every possible reason to refuse this application, including reason 4 which refers to ER6 which is a protective landscape policy which is only intended to apply to the Council's 11 'Special Landscape Areas', but does not apply to the appeal site itself, as it lies outwith any of these designated areas and its application can have no justification. Highlighting the over strict and dogmatic application of Council policies.
- The appellants have lived in Bankfoot for over 30 years (?) and clearly feel aggrieved at such a rigid interpretation of the policy criteria, particularly as Section 3.4 specifically appears to support 'Local People' in their housing aspirations.

Detailed Appraisal of RD3 'Housing in the Countryside' (Reason 1 for Refusal)

The site lies within the landward area within the adopted Local Development Plan 2014, the most relevant policy guidance is comprised in **Policy RD3: 'Housing in the Countryside'** and its associated SPG 2012 on Housing in the Countryside, which is the most recent expression of Council policy towards new housing in the open countryside. The 2012 guide identifies various categories of development opportunity under Sections 1-6. In this case two sections would appear to be particularly relevant as follows:

.In summary, under Section 1 '*Building groups*', the policy encourages the extension of existing building groups into well defined sites. It is also an essential general requirement of the policy that all new developments should take place within a clearly defined site with natural containment and a good landscape framework. In addition, under Section 6 '*Rural Brownfield land*' the policy identifies opportunities for new development on sites formerly occupied by buildings where it would either remove dereliction or could be judged as resulting in a positive environmental improvement.

The proposed site is situated within the context of a small building group as defined in the policy as constituting at least **three** significant buildings, not necessarily houses but at least of cottage size. Immediately adjacent to the proposed plot is a single storey house known as 'Middleton' and immediately beyond that is the farmhouse known as 'Sunnybrae' with a significant steading building to its rear, thereby qualifying under the policy as a building group. The proposed site forms a logical extension to this small building group, being well contained within established boundaries and benefits from a group of semi mature trees and a physical change in level (a containing topographical feature) at its far end which would act as a physical stop or buffer to any further development beyond as illustrated in the photo below.



Development would also be appropriate in terms of the existing building pattern and would not detract from the amenity of the other houses in the group. Understandably, the planner in his initial desk based assessment was not immediately aware of the physical attributes of the site and the fact that characteristics of the group are very typical of other rural groups within the surrounding area. It would certainly appear that the proposal would be very much in line with the objectives and requirements of Section 1.

However, the Case Officer disagrees with this assessment and considers the gap between buildings is too large, however, the spacing is very typical of small rural building clusters in this area.

In terms of Section 6 where it relates to '*Rural Brownfield land*', the proposed site originally comprised the site of the former 'Middleton Farmhouse' and its associated outbuildings as evidenced in the copy of the historical map dating back to 1882 and would certainly qualify under this section of the policy. The doughtings of these buildings are still very much in evidence on site where they collectively present an appearance of significant dereliction all to the detriment of the visual and residential amenity of neighbours. The policy simply requires a site to have been formerly occupied by buildings and two alternative requirements of either (a) removing dereliction or (b) constituting an environmental improvement. The historical map

provides firm evidence of former buildings and the evidence on site of the ruinous remains certainly constitutes dereliction detrimental to visual amenity. The site is identifiable as a potential building plot and there is no other alternative feasible use for the ground. The policy also allows up to five houses on rural brownfield sites, but in this case the applicant is only seeking consent for a single house. A further requirement is the landscaping/remedial works for the site which in this case, includes the retention of existing trees and the laying out of the garden to include a pond feature and further tree planting. The tidying up and redevelopment of this site would certainly result in a local environmental improvement as additionally required under the policy and the proposal would appear to more than satisfy all the essential qualifying policy criteria.



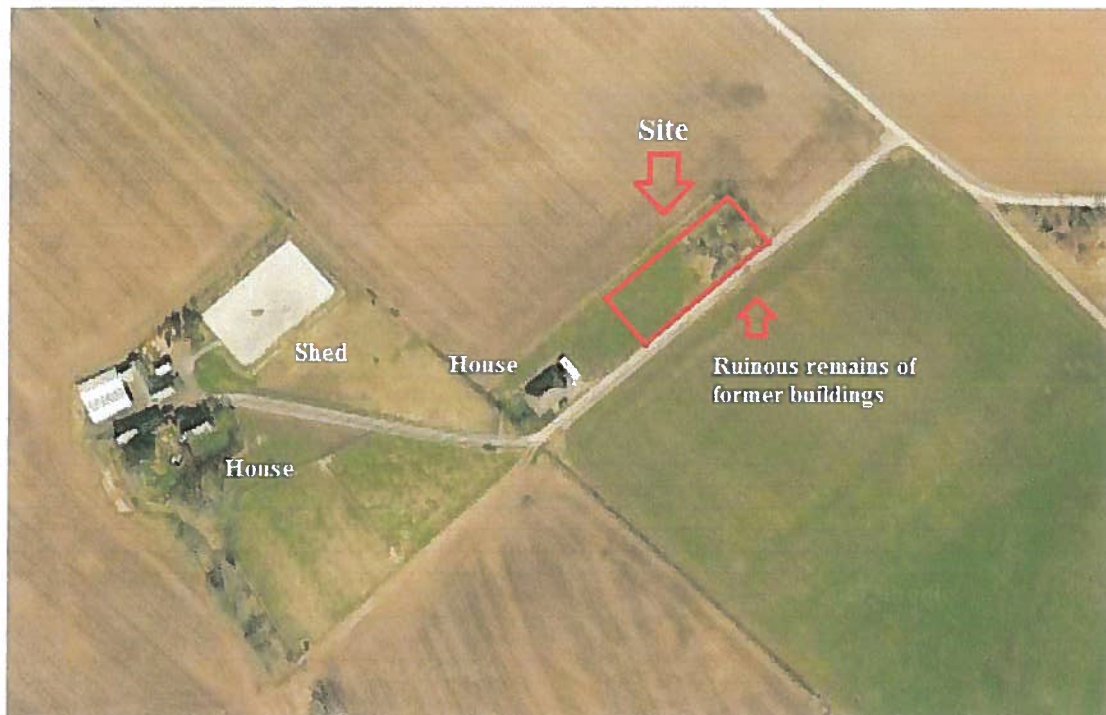
The Case Officer has deliberately downplayed the obvious evidence of the former use using a photograph showing just three stones on site and not even acknowledging the indisputable evidence of historic O.S. maps. The policy is quite clear in this respect and simply states '*a site formerly occupied by buildings*' it does not require the buildings to be still standing. In terms of the second test, the Case Officer clearly does not agree that the dountakings on site constitute 'dereliction', nor does he recognise that there would be a positive 'environmental improvement'. The policy does not define either of these descriptions, but it does appear logical that the replacement of a large pile of rubble (in the Case Officer's own words) with a house of a high quality of design (Case Officer's own words) would be a qualifying improvement in visual terms.

A further more general requirement of the policy RD3 requires sites to be clearly defined with natural containment and a good landscape framework. In the case this site, it is contained by an existing house curtilage, a road, belt of trees and a change in level which is a well established landscape feature and with post and wire fencing on the remaining rear boundary providing complete physical enclosure. The Case Officer objects to the presence of a post and wire fence as a boundary definition. However, I would point out that there are plenty of precedents where post and wire fences have been accepted as a means of enclosure, subject to new boundary landscaping and in this regard, I would refer to applications 14/01424/IPL and 14/01425/IPL; both these applications involved sites where the rear boundaries comprised post and wire

fencing. It is more important that the site is 'identifiable' with a good setting and provides a good 'landscape fit' for the intended new development so that it will blend in with local surroundings. The aerial photograph above clearly illustrates the physical and topographical features, including the boundary fencing which all combine to create what is a completely contained site, fully in line with the general policy requirements.

Placemaking Policies PM1A and PM1B Landscape issues (Reason 2 and 3 for Refusal)

The Council's Placemaking policies PM1A and PM1B seek compatibility with the surroundings and local character in the context of any proposed development, the characteristics of site and likely impacts on both visual and residential amenity. Clearly, the applicant's intention is to build a modest one and a half storey house of simple rural proportions in a traditional form and respectful of the local vernacular and finished in a palette comprising wet dash, stone, timber and natural slate appropriate to its context and setting. The Case Officer has confirmed in his Report of Handling that the proposed house is of a high standard of design and has no objections to the layout on site.



In regard to amenity considerations, as already outlined above, the site is set well back from any main 'A' class public roads and any visual impact would be minimal and very localised. In addition, the proposed house would not impinge on the amenity of its neighbours through proximity or overlooking and does not raise any residential amenity issues and this is not contested. I am satisfied that the proposed development would not present any conflict with the placemaking policy PM1B as claimed as there would be no adverse impacts on local character and the proposed development would be respectful of the surroundings raising no visual or residential amenity issues.

It has also been suggested that the proposal would lead to 'ribbon development'. However, the official definition of ribbon development is as follows:

'the building of houses along a main road, especially one leading out of a town or village.'

Clearly, this would not be relevant to this particularly rural location which is served by a minor private access.

The Case Officer also refers to the proposed site establishing a precedent for further building. However, there is no concept of binding precedents in the planning system as each individual planning application is treated on its own individual merits.

Obvious contradiction where the development is judged to be acceptable under PM1A, but yet conflict with similar criteria in Policy PM1B, particularly as he feels the proposal would detract and destroy the character of the area. Policy PM1A states the following:

'contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place'

Clearly, the fact that the proposal does not conflict with the above statement of policy contradicts his own landscape assessment about eroding landscape character.

Neighbouring Development Sites (Less rigid policy interpretation)

The following two sites lie to the north and south of the appeal site within a radius of approximately 250 metres (refer to plan below) and are the nearest recent development sites and in each case reflect a much more flexible interpretation of the HITCP.

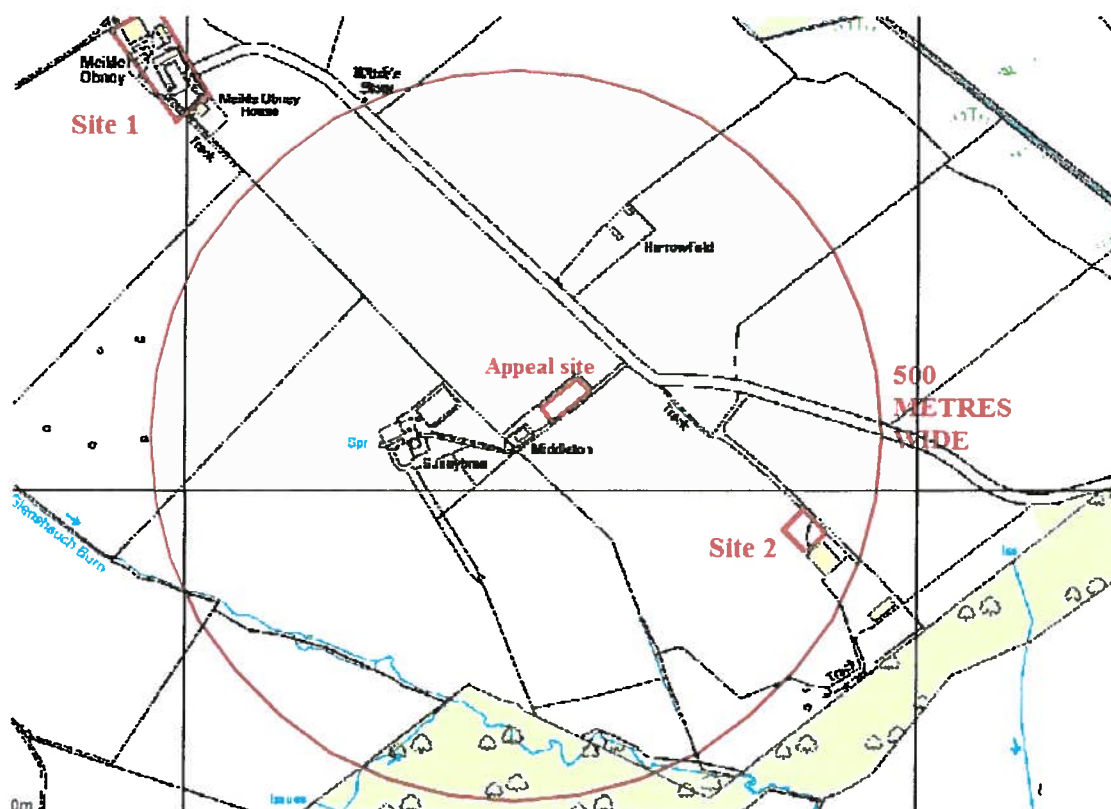
Site 1 Land adjacent to Meikle Obney Farm Cottage

Planning consent was recently granted under 14/02080/FLL (6 houses) 14/02081/FLL (5 houses) to demolish existing stone built steadings and erect a total of 11 new houses. The current HITCP would have applied which under the conversion of non domestic buildings operates a presumption in favour of conversion rather than demolition and replacement with new build housing. However, earlier lapsed consents for up to 18 houses on the site persuaded the planners that a case could be made for demolition, even though it was contrary to the spirit of the current policy which seeks to retain traditional stone buildings in the countryside. A total of 11 new detached executive style houses bearing little resemblance to a stone built farm steading conversion and yet, were not seen as detracting from the character of the local landscape.

Site 2 Land 400 Metres South East Of Middleton

An application for a new house next to an isolated permitted development farm shed was approved under 10/00532/FLL on grounds of economic need based on horse breeding with an occupancy condition attached. A new landscape context was to be

created by planning condition as the site was simply in the corner of an open field. However the site was recently sold and a change of housetype submitted under 15/01046/FLL and approved as being in line with the current HITCP and this time with the occupancy clause removed. Thereby granting consent for an isolated house in the countryside normally seen as directly contrary to policy RD4 and also with no concerns expressed with regard to visual impact or harm to the character of the landscape.



ER6 Landscape (Reason 4 for Refusal)

The Perth and Kinross Local Development Plan includes Supplementary Guide on Landscape as follows:

'The Landscape Supplementary Guidance was adopted by the Council on 17 June 2015 and became the statutory supplementary guidance to the Adopted Local Development Plan. It has been produced to include the review and update of Local Landscape Designations in Perth and Kinross into the Council's planning policy framework. It also provides further advice on the implementation of Local Development Policy ER6: Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes within the 11 Special Landscape Areas, and will help to bring forward land management initiatives to protect and enhance these areas.'

This reason is invalid as this policy strictly applies within the 11 'Special Landscape Areas' but does not apply to the appeal site itself which lies outwith any of these designated areas, its application can therefore have no justification. Highlighting again the overly strict yet confusing application of Council policies.

The appeal site is unaffected by any other form of landscape designations.

Policy bias against 'Local People'

Policy RD4 'Housing in the Countryside' under Section 3.4 encourages housing opportunities for 'Local People', yet the recent planning history on neighbouring development sites referred to above, indicates a preference for open market housing based on a more relaxed interpretation of the Council's HITCP. Clearly, in this case the reasons for refusal have been applied in a very dogmatic matter and display obvious contradictions and in the case of ER6 an invalid reason. It is little wonder that my clients feel that bias has been exercised in favour of the larger developer unfairly penalising opportunities and aspirations for a local family.

Further Procedure

The appellants would encourage that the Local Review Body to select the available option of a site visit to fully appreciate the site context in relation to its surroundings.

Accordingly, this appeal should be allowed and planning permission granted.

APPEAL PORTFOLIO

FOR PROPOSED NEW HOUSE

AT MIDDLETON, MEIKLE OBNEY

FOR MR A M GUILD

STATEMENT

This portfolio bids to clarify and confirm the following points which we strongly contest from points stated in the planning officer's refusal statements.

- a) The site is not a greenfield site as it without question was the site of a previous farmhouse and outbuildings complex as evidenced by on site rubble and structures and most tellingly, clearly is identified in this location by historical, official OS map documentation.
- b) The proposed site whilst not within a close group of houses, clearly lies central to several closely adjacent houses and farm buildings.
- c) The proposed site is not a stand out individual site set within pristine, unadulterated landscape.
- d) The site will not be openly visible from public access roads, namely the B867.
- e) Planning permissions have already been granted for 1 No. house to the south field area and 11 No. houses to the north field area all set within the same alleged pristine landscape (10/00532/FLL and 14/02080/FLL).

CONTENTS

1. SATTELITE OVERVIEW OF SITE AND SURROUNDING AREA
2. PHOTOGRAPHS SHOWING VIEWS TO AND FROM SITE
3. HISTORIC OS MAP SHOWING PREVIOUS BUILDINGS
4. PLANNING PERMISSIONS GRANTED FOR ADJACENT SITES

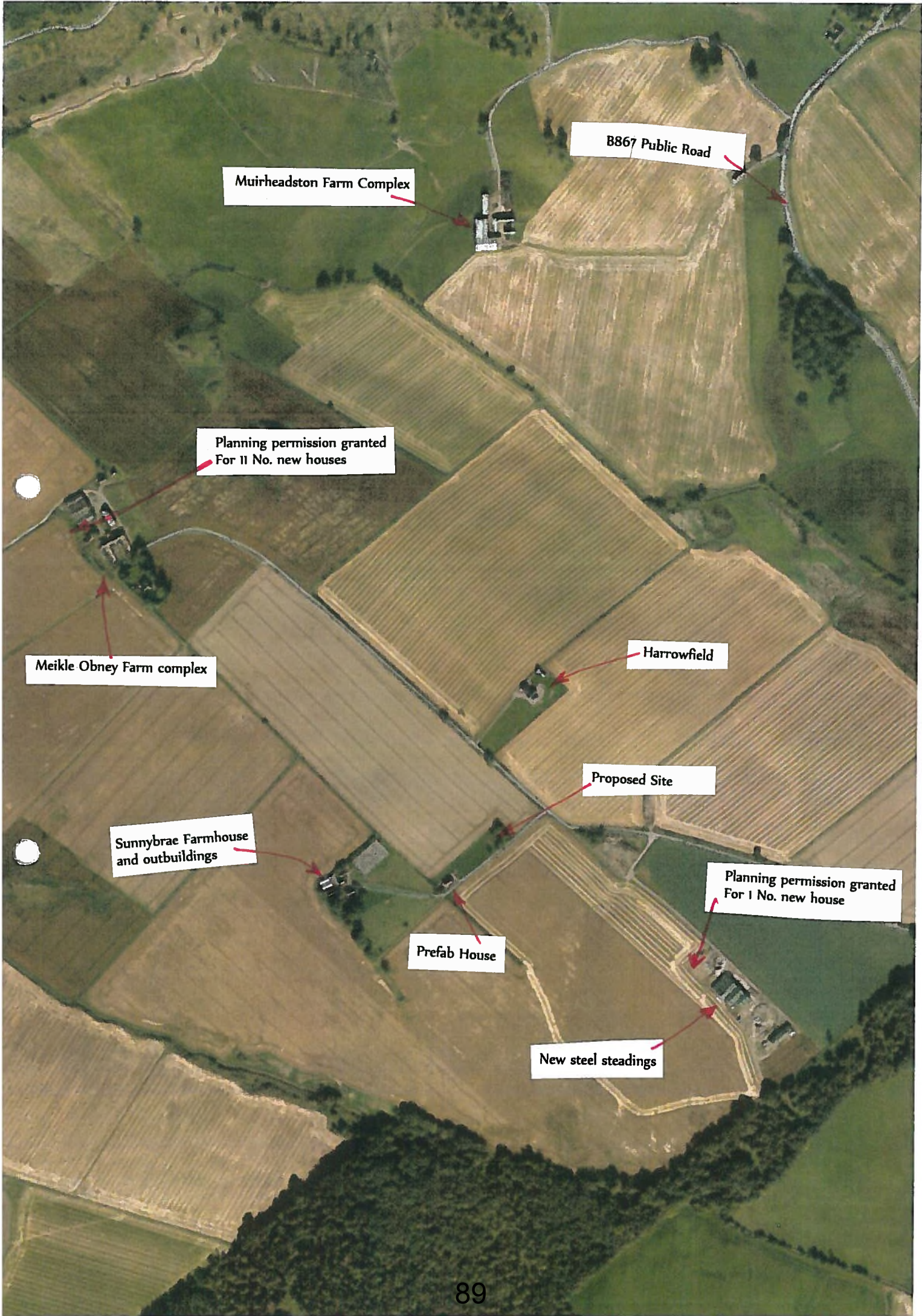


Harrowfield converted cottages

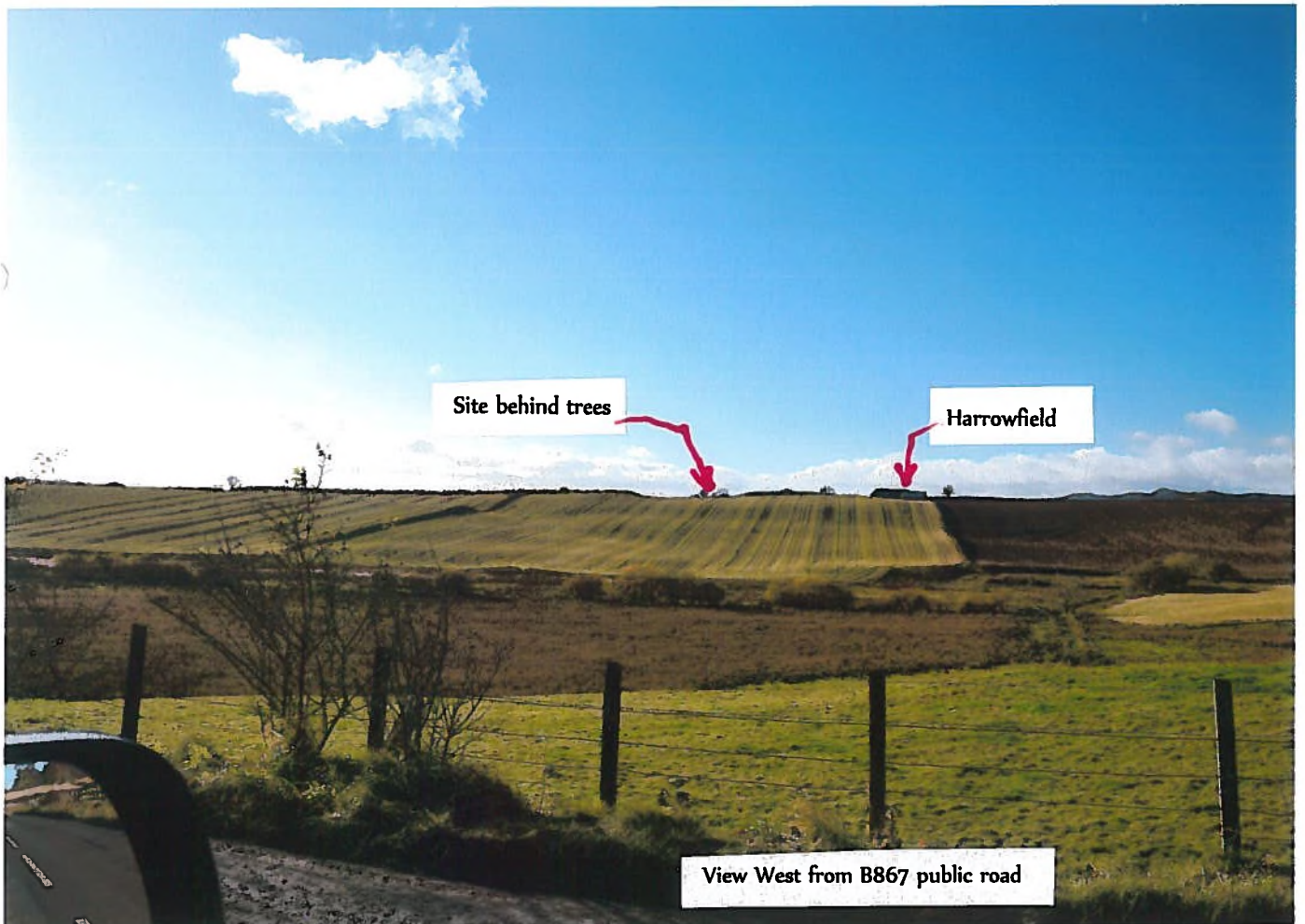
Proposed Site

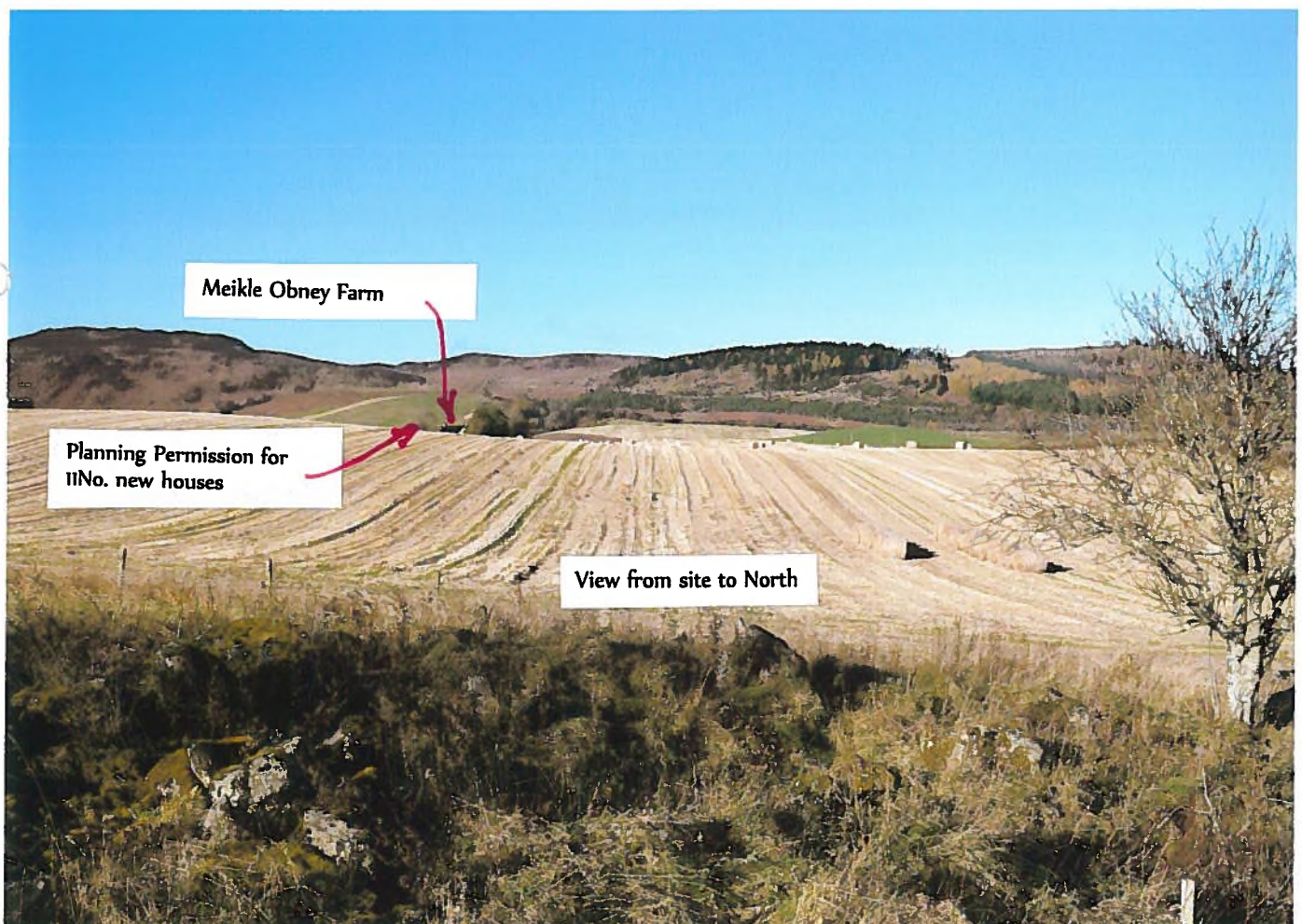
1960's Prefab House

Sunnybrae Farmhouse
and outbuildings



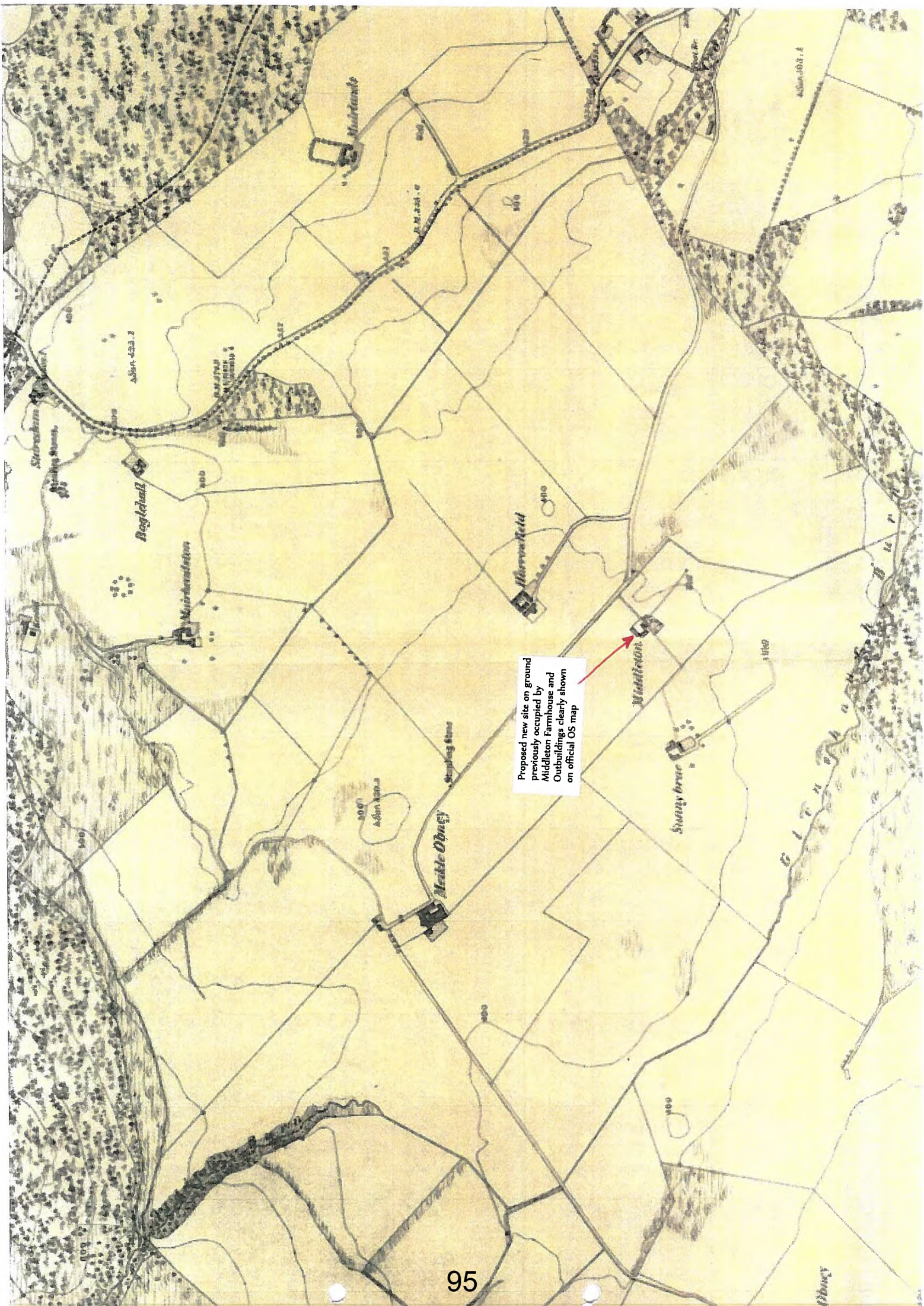












Proposed new site on ground
previously occupied by
Middleton Farmhouse and
Outbuildings clearly shown
on official OS map

Print Version

Close Window Print

Summary

Reference	14/02080/FLL
Alternative Reference	000105218-001
Application Received	Mon 01 Dec 2014
Application Validated	Thu 11 Dec 2014
Address	Land 80 Metres South Of Meikle Obney Farm Cottage Waterloo Bankfoot
Proposal	Erection of 6 dwellinghouses
Status	Decided
Decision	Approve the application
Decision Issued Date	Fri 06 Feb 2015
Appeal Status	Unknown
Appeal Decision	Not Available

Further Information

Application Type	planning permission local
Decision	Approve the application
Actual Decision Level	Delegated Decision
Expected Decision Level	Not Available
Case Officer	John Williamson
Community Council	Not Available
Ward	Strathtay
Applicant Name	Tayvalley Homes
Agent Name	OSA
Agent Company Name	Not Available
Agent Address	Paul O'Shea 3 Bowerswell Waterloo Perthshire PH1 4FG
Agent Phone Number	Not Available

Environmental Assessment Required No

Contacts

Agent

OSA

EMAIL osheaarchitecture@hotmail.co.uk

Phone 01738 787533

Ward Councillors

Councillor Grant Laing

Address Redgalle 11 Park Grove Spittalfield Perth PH1 4LH

Councillor Barbara Vaughan OBE

Address Taymount House Caputh Perth PH1 4JJ

Important Dates

Application Received Date	Mon 01 Dec 2014
Application Validated Date	Thu 11 Dec 2014
Neighbour Consultation Expiry Date	Sat 24 Jan 2015
Decision Issued Date	Fri 06 Feb 2015
Permission Expiry Date	Mon 05 Feb 2018

Environmental Impact Assessment Received Not Available

Related Information

There are 29 documents associated with this application.

There are 0 cases associated with this application.

DO NOT SCALE.

ALL DIMENSIONS TO BE CHECKED ON SITE AND DISCREPANCIES FRANK TO BE COMMENCEMENT OF WORKS.

PERTH AND KINROSS COUNCIL

DRAWING REF: *h/00532/1*

REV	DESCRIPTION	DATE
A	Extent of proposed works - locally	08.04.10

ARCHITECTS

JACOBSEN FRENCH

The Studio Old Main, Dundee Ave. off Perth Road, Old 100

Tel 0141 656 6474 Fax 0141 656 6465

CLIENT

James Paton & Co.

PROJECT

New Melkie Obney Farmhouse, Bankfoot

TITLE

Locality Plan

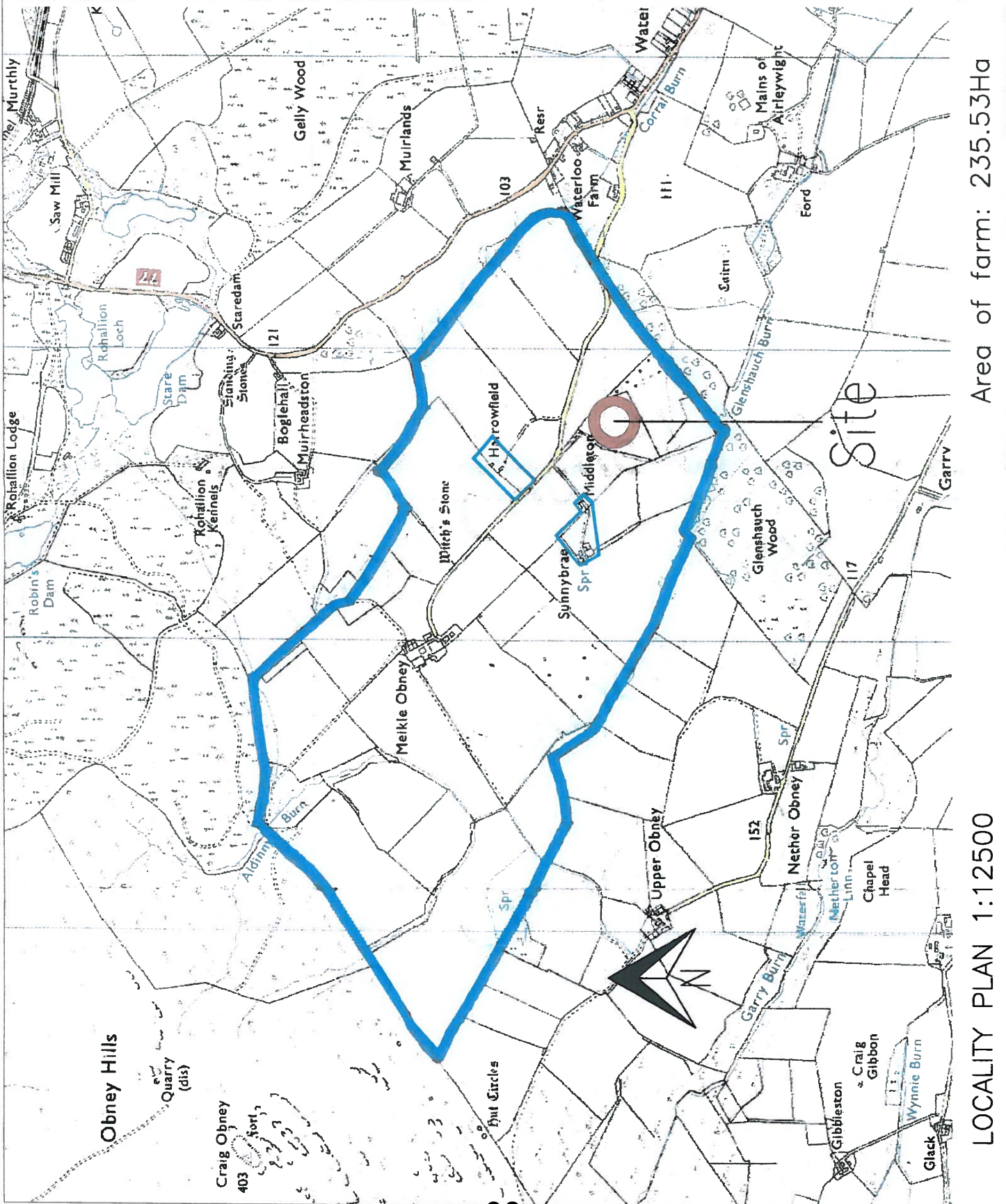
SCALE

1:12500 @ A3

DATE

Mar. 2010

REV	DESCRIPTION	DATE
1151	12	A



Area of farm: 235.53Ha

LOCALITY PLAN 1:12500

X REF J=1:200/1:51-00

DO NOT SCALE.
ALL DIMENSIONS TO BE CHECKED ON
SITE. ANY DISCREPANCIES SHOULD BE
APPLIED TO COMMENCEMENT OF WORKS.

REV. DESCRIPTION DATE

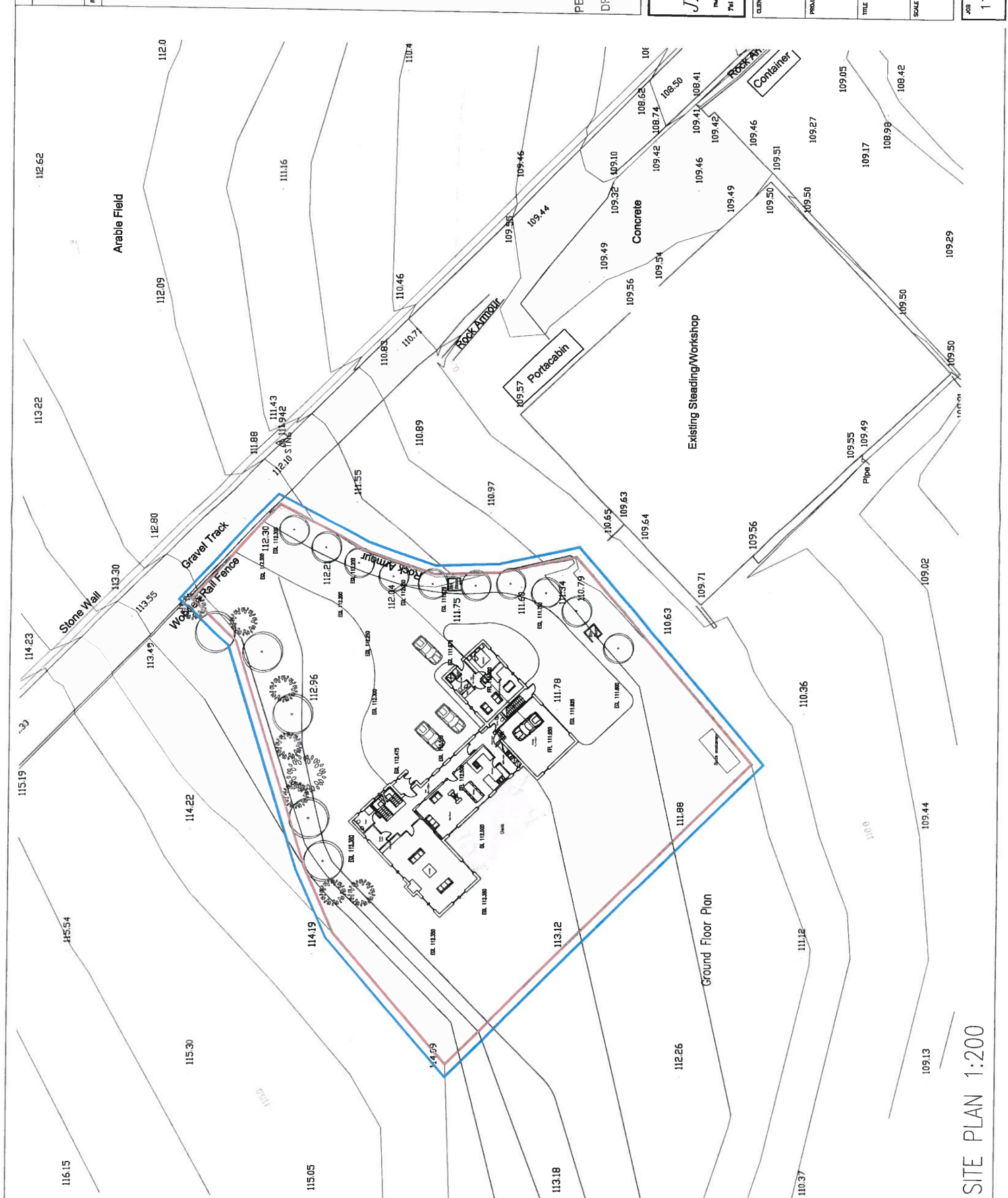
REV.	DESCRIPTION	DATE

PERTH AND KINROSS COUNCIL
DRAWING REF: 10/00532/13
25 MAR 2010

ARCHITECTS
JACOBSEN FRENCH
The Studio Old John Colquhoun Ave Oldham Glasgow G12 8SD
Tel 0141 838 8474 Fax 0141 838 8866

CLIENT	James Paton & Co.
PROJECT	New Melkie Obney Farmhouse, Bankfoot
TITLE	Site Plan
SCALE	1:200
DATE	Mar. 2010

JOB	DRAWING	REV
1151	08	



SITE PLAN 1:200

Print Version

[Close Window](#) [Print](#)

Summary

Reference	10/00532/FLL
Alternative Reference	Not Available
Application Received	Fri 26 Mar 2010
Application Validated	Mon 12 Apr 2010
Address	Meikle Obney Farm Waterloo Bankfoot
Proposal	Erection of a dwellinghouse
Status	Decided
Decision	Approve the application
Decision Issued Date	Tue 20 Sep 2011
Appeal Status	Unknown
Appeal Decision	Not Available

Further Information

Application Type	planning permission local
Decision	Approve the application
Actual Decision Level	Delegated Decision
Expected Decision Level	Not Available
Case Officer	David Niven
Community Council	Auchtergaven
Ward	Strathtay
Applicant Name	James Paton And Co
Agent Name	Jacobsen French Architects
Agent Company Name	Not Available
Agent Address	The Studio Old Mains Cadzow Avenue Glasgow G46 6RD
Agent Phone Number	Not Available

Environmental Assessment Required No

Contacts

Ward Councillors

Councillor Grant Laing

Address Redgalle 11 Park Grove Spittalfield Perth PH1 4LH

Councillor Barbara Vaughan OBE

Address Taymount House Caputh Perth PH1 4JJ

Important Dates

Application Received Date	Fri 26 Mar 2010
Application Validated Date	Mon 12 Apr 2010
Neighbour Consultation Expiry Date	Not Available
Decision Issued Date	Tue 20 Sep 2011
Permission Expiry Date	Sat 20 Sep 2014

Environmental Impact Assessment Received Not Available

Related Information

There are 32 documents associated with this application.

There is 1 case associated with this application.

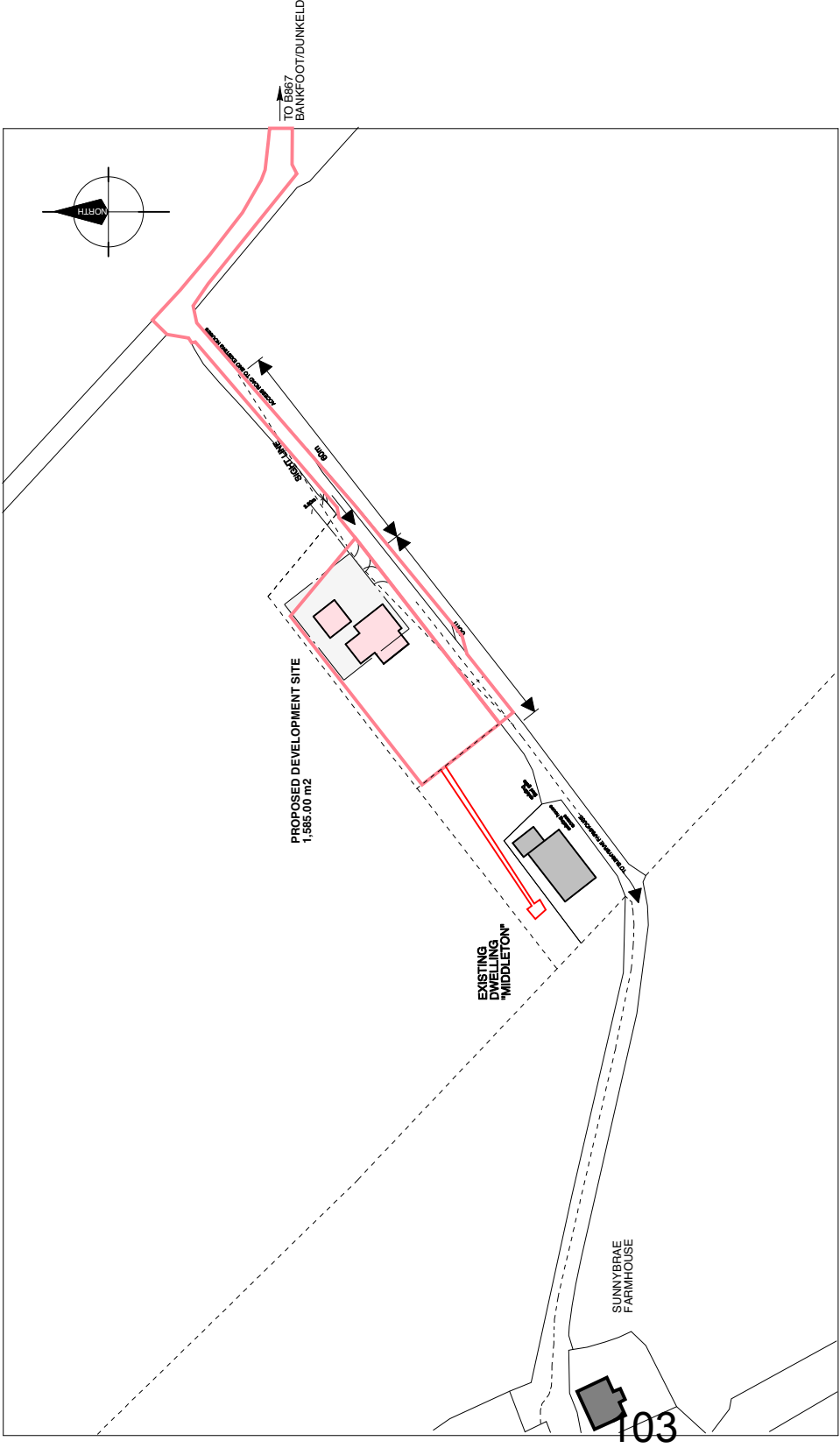
There are 2 properties associated with this application.

TCP/11/16(505) – 17/01299/FLL – Erection of a dwellinghouse and garage on land 70 metres north east of Middlebank, Waterloo, Bankfoot, Perth

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 61-62)*

REPORT OF HANDLING *(included in applicant's submission, see pages 63-72)*

REFERENCE DOCUMENTS



1:1250

PROPOSED NEW DWELLING AT MIDDLETON, WATERLOO,
NR BANKFOOT, PERTSHIRE
FOR MR & MRS M GUILD

LOCATION PLAN

CFY DESIGN @ OLD FASKALLY

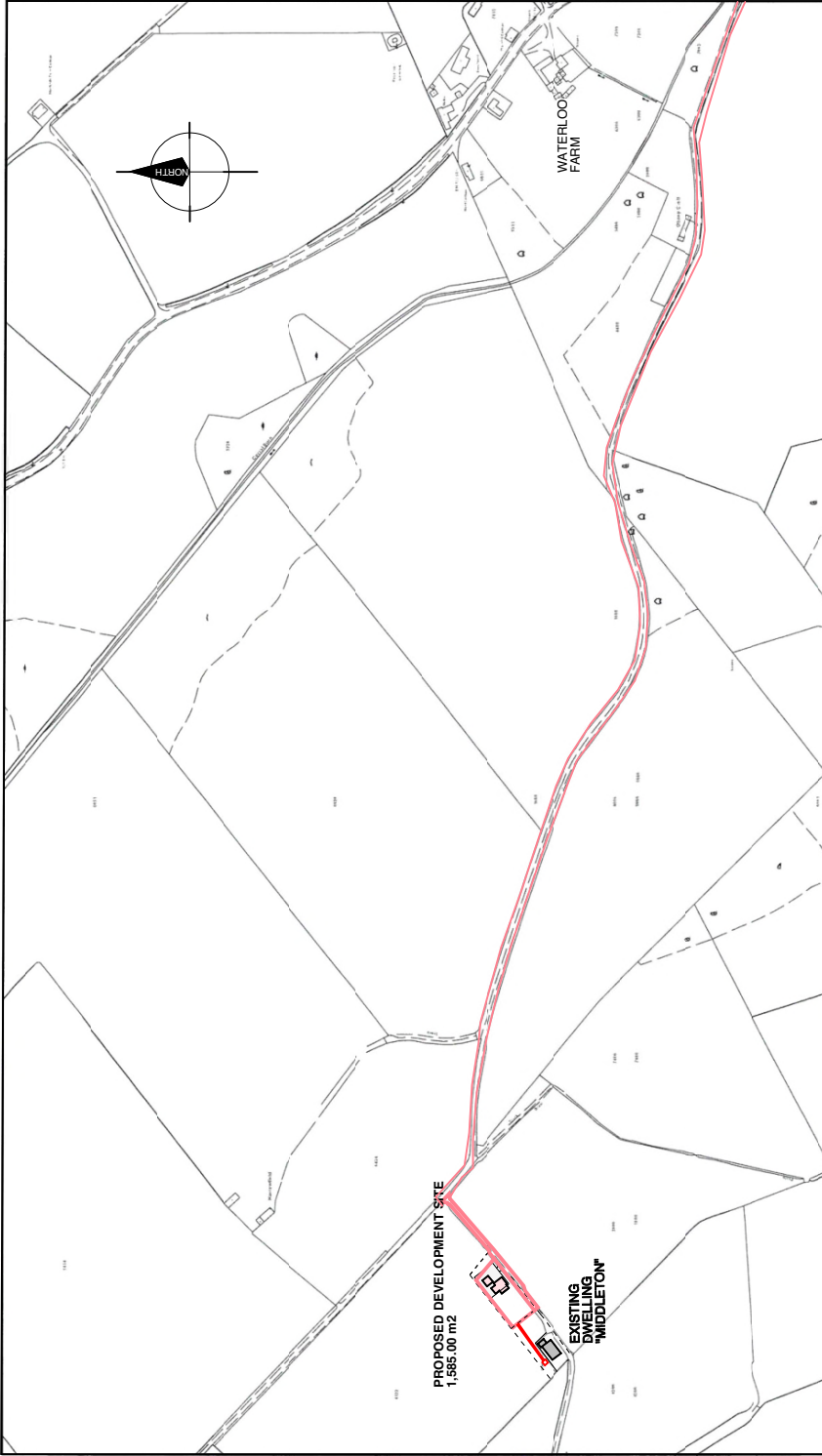
architecture in the Highland Perthshire community

Drg No.: **P230** [**A**] **2B**

Scale: 1:1250 Date: 04/17 Drawn: PM



The Lodge, Old Faskally, Kilmarnock
Perthshire PH16 5LG
Telephone: 01796 473 436
Mobile: 07792 473 635
e-mail: cfydesign@oldfaskally.co.uk



0 50 100 150 200 250 1:5000

PROPOSED NEW DWELLING AT MIDDLETON, WATERLOO,
NR BANKFOOT, PERTSHIRE
FOR MR & MRS M GUILD

LOCATION MAP

CFY DESIGN @ OLD FASKALLY
architecture in the Highland Perthshire community

Drg No.: P230 [A] 1B

Scale: 1:5000 Date: 04/17 Drawn: PM



The Lodge, Old Faskally, Killcraggie
Perthshire PH16 5LG
Telephone: 01796 473 436
Mobile: 07776 473 635
e-mail: cfdesign@oldfaskally.co.uk

DUNKELD
B867

DEVELOPMENT
SITE

UNDESIGNATED
ACCESS ROAD

WATERLOO

BANKFOOT



PROPOSED NEW DWELLING AT MIDDLETON, WATERLOO,
NR BANKFOOT, PERTSHIRE
FOR MR & MRS M GUILD

LOCATION MAP 1:10,000

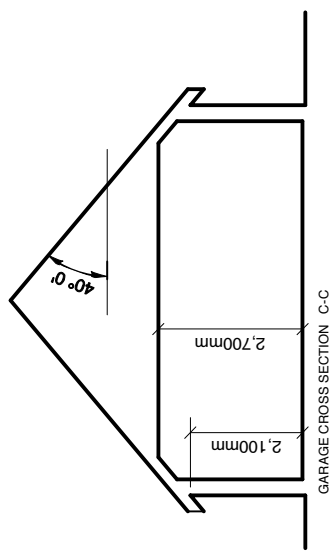
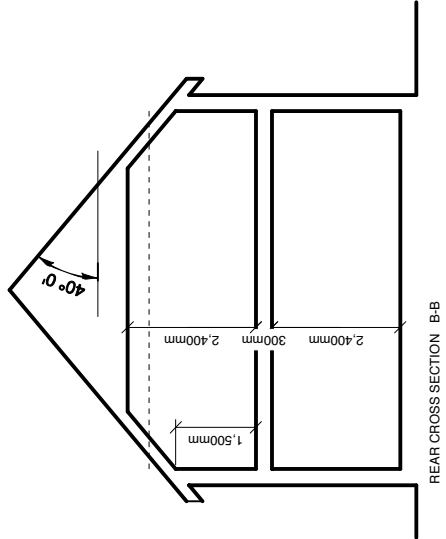
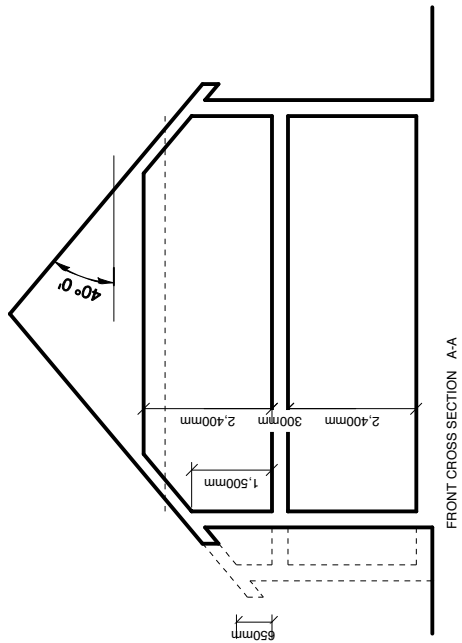
CFY DESIGN @ OLD FASKALLY
architecture in the Highland Perthshire community

Drg No.: P230 [A] 4

Scale: 1:1000 Date: 04/17 Drawn: PM



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Perthshire PH16 5LG
Telephone: 01796 473 436
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e-mail: cfydesign@oldfaskally.co.uk



PROPOSED NEW DWELLING AT MIDDLETON, WATERLOO,
NR BANKFOOT, PERTSHIRE
FOR MR & MRS M GUILD

SCHEME DESIGN - CROSS SECTIONS

CFY DESIGN @ OLD FASKALLY
architecture in the Highland Perthshire community

Dwg No.: **P230 [D] 3A**
Scale: 1:100 Date: 04/17Drawn: PM

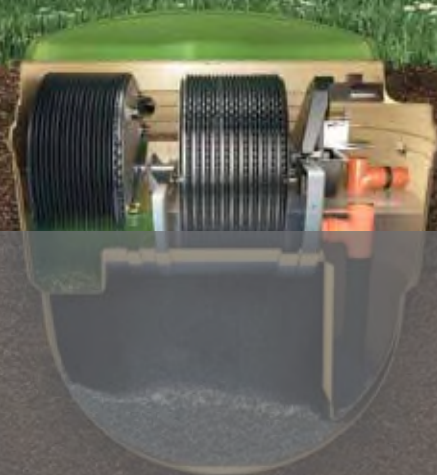


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Mobile: 07583 473 638
e-mail: cfydesign@oldfaskally.co.uk

BioDisc®

DOMESTIC WASTEWATER SOLUTIONS

PREMIUM SEWAGE TREATMENT PLANT FOR HOMES FROM
THE EXPERTS IN WASTEWATER TREATMENT





60 YEARS OF EXPERTISE

Kingspan Klargester

For over 60 years, Kingspan Klargester has designed and manufactured innovative ways to treat, pump, separate and recycle wastewater. We pioneered the world's first GRP septic tank and the patented RBC (Rotational Biological Contactor) BioDisc® wastewater treatment system - leading change in our sector and setting industry standards around the world.

As established global market leaders, we offer a diverse range of innovative and 100% compliant wastewater treatment solutions for domestic, commercial and industrial applications. We give you relevant advice and support throughout the wastewater treatment purchasing process based on our in-depth local knowledge and expertise.

The Wastewater Solutions Experts

Kingspan Klargester are the wastewater management experts with over 60 years of innovation and knowledge. Our mission is to design and manufacture premium tried and tested wastewater management solutions on a global scale whilst offering one of the largest and most technologically advanced wastewater ranges available.

Operating in 85 countries worldwide, we offer a global distribution network backed by experienced sales and technical teams. Our support teams provide focused customer service from delivery scheduling to consultancy and installation guidance. We give you the confidence of support over the lifetime of the product and beyond.



85
COUNTRIES
WORLDWIDE

BioDisc®



Kingspan Klargester BioDisc® wastewater treatment plant

Our Kingspan Klargester BioDisc® sewage treatment range benefits from a wealth of industry experience and knowledge that allowed us to bring to market the first Rotational Biological Contactor treatment system over 40 years ago.

The patented BioDisc® is engineered to treat wastewater to the highest level of standards. In terms of ongoing service and maintenance, it offers one of the best returns on investment compared to other treatment processes. Each BioDisc® is designed to ensure 100% compliance with industry requirements, including national and international regulations such as BS EN12566.

The aim of BioDisc® is simple – quality product and quality customer service for total peace of mind.



EXPERTISE

- › With over 60 years' experience delivering high performance and reliable wastewater treatment systems worldwide, you can trust Kingspan Klargester.

RELIABILITY

- › BioDisc uses the tried and tested Rotating Biological Contactor technology. This proven technology ensures continued high performance and hassle free sewage treatment for the entire lifetime of your product.

TRUST

- › Kingspan Klargester provide you with the confidence that comes from a world leading wastewater brand. Our experienced team offer guidance on choosing your correct plant right through to after-sales service and maintenance.



BioDisc®

PROTECTING YOUR HOME AND THE ENVIRONMENT

ULTIMATE RELIABILITY

4 EASY STEPS TO THE PERFECT WASTEWATER TREATMENT SOLUTION



Step 1

Contact us and we'll arrange for a local Kingspan Klargester expert to visit your home for a full site assessment, should you need it.



Step 2

Our professional team will work with you to help choose the correct BioDisc® model.



Step 3

A Kingspan professional can be arranged to commission and activate your tank.



Step 4

We offer tailored service and maintenance packages for your BioDisc® treatment plant.



KINGSPAN KLARGESTER
Expertise, Reliability and Trust



KEY BENEFITS

In an increasingly regulated world with new Environment Agency and SEPA standards, it's more important than ever to choose a sewage treatment plant that delivers peace of mind by guaranteeing safe and reliable treatment of wastewater.

BioDisc® from Kingspan Klargester is built on the back of 60 years' experience and offers the following benefits:

LOW RUNNING COSTS

The robust patented design of the BioDisc® treatment plant offers complete peace of mind. With low running costs and minimal servicing and maintenance required, the BioDisc® is a high-quality lifetime investment that helps safeguard the health of you and your family.



FULLY COMPLIANT SOLUTION

BioDisc® is tested and certified to European standard EN 12566, the European standard for small treatment plants and was awarded its Performance Certificate by delivering high levels of pollution removal (up to 97.5%). As a homeowner you can rest assured that the BioDisc® will operate optimally at all times, saving you time, money and hassle.



EXPERTISE AND KNOWLEDGE

BioDisc® is backed by 60 years' of expertise and technical knowledge. Our expert team is on hand to guide you on the best choice of sewage treatment system for your home.

60

*Subject to stock levels and other conditions. Free delivery from our distribution hubs.



BioDisc®

HOW IT WORKS

The Rotational Biological Contactor (RBC) is central to the operation of each Kingspan Klargester BioDisc®. It supports a biologically active film or biomass onto which aerobic micro-organisms, naturally found in sewage, become established. Natural breakdown of sewage can then occur as described below.

UNIT SIZE	SINGLE HOUSE		MULTIPLE HOUSES	
	BA	BA-X	BB	BC
Population Equivalent	1 House up to 4 bedrooms	1 House up to 7 bedrooms	2 House up to 8 bedrooms	3 House up to 12 bedrooms
Overall diameter / Width (mm)	1995	1995	1995	2450
Standard drain inlet (mm)	750*	750*	750*	600†
Standard outlet (mm)	835	835	835	685
Depth from invert to base (mm)	1400	1400	1400	1820
Pipework Diameter (mm)	110	110	110	110
Sludge storage period (Approx)	12 Months	9 Months	6 Months	7 Months
Standard power supply	Single Phase	Single Phase	Single Phase	Single Phase
Motor rating	50W	50W	50W	75W
Empty weight (KG)	325 Kgs	350 Kgs	350 Kgs	650 Kgs

* BA-BB 450/1250 † BC 11000



PRIMARY SETTLEMENT TANK

Wastewater and sewage flows into the primary settlement tank where the large solids are retained for future removal.



FIRST STAGE BIOLOGICAL TREATMENT

The liquor and fine solids then flow into the Biological Treatment Zone 1 where the first stage of treatment occurs.

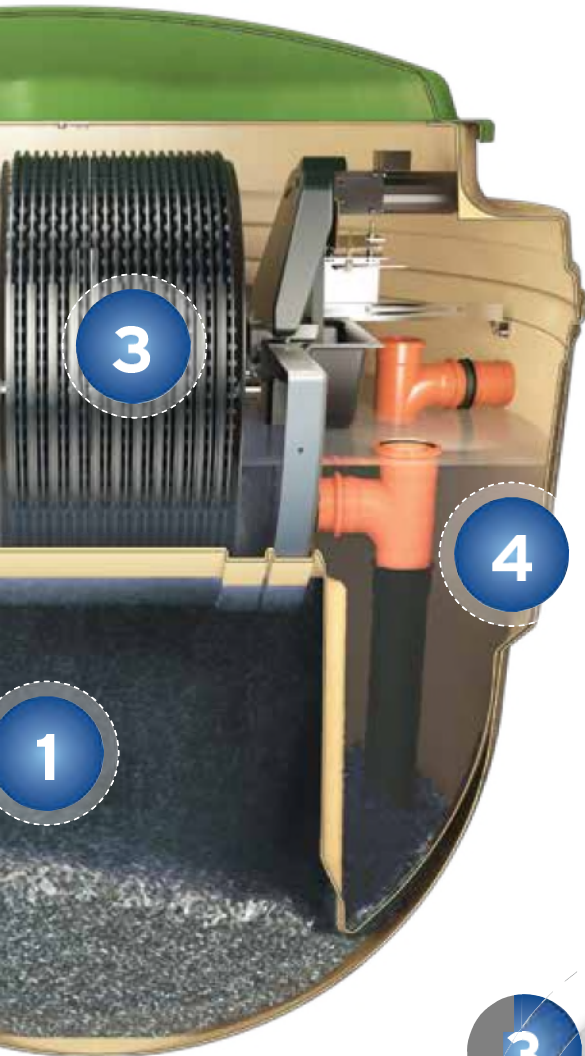


KINGSPAN KLARGESTAR
Expertise, Reliability and Trust



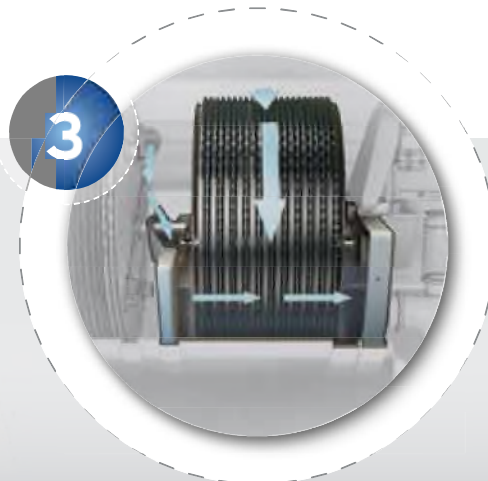
ROTATING BIOLOGICAL CONTACTOR (RBC)

The RBC comprises banks of vacuum formed polypropylene media supported by a steel shaft. This is slowly rotated by a low energy consumption electric motor and drive assembly.



BioDisc® from Kingspan Klargestar

For further technical information and videos on the BioDisc® treatment plant visit our website at kingspanklargestar.com



SECOND STAGE BIOLOGICAL TREATMENT

The liquor is then fed forward at a controlled rate into Biological Treatment Zone 2 for further cleaning.



FINAL SETTLEMENT TANK

The clean liquid passes into the final settlement tank where it can be discharged to ground or water course.

BioDisc®

CHOOSING THE CORRECT SEWAGE TREATMENT PLANT FOR YOUR HOME

At Kingspan Klargester we offer a full range of options and professional insight to help you choose the perfect sewage treatment plant for

your home. All our compact BioDisc® models cater for properties housing between 4-16 people. The premium BioDisc® sewage treatment system is available in four sizes for all types of domestic applications.

For single house applications we offer the BA and BAX models and, for multiple homes, the Kingspan Klargester BB and BC BioDisc®

Because various inlet and outlet options are available, we carry out a free comprehensive site assessment to ensure the correct system model and size for your home.





WHAT DETERMINES MY CHOICE OF SEWAGE TREATMENT PLANT?

The BioDisc® is technically engineered with high performance and quality in mind. Each component of the BioDisc® has been manufactured and chosen with care, to ensure continuous operation of a tried and tested wastewater treatment process.

What else do I need to consider when choosing my sewage treatment plant?

- ✓ • **The size of treatment plant needed**
We'll take you through the best practice guidelines from British Water's 'Flows and Loads' sizing criteria to help you make the correct choice.
- ✓ • **Ground conditions around the plant**
We'll establish whether it's a wet or dry site to determine the choice of backfill used on the tank.
- ✓ • **Wastewater discharge options**
With the new Environmental Agency regulations for domestic plants, it's now more important than ever to take responsibility for wastewater discharges.
- ✓ • **Ground conditions around the plant**
Kingspan Klargester offer a range of drain invert level options to match your site conditions.





REED BEDS

For some installations, Kingspan Klargester BioDisc treatment plants are used alongside a reed bed filtration process to further enhance the quality of the effluent migrating into drainage fields or a surrounding watercourse. Reed beds are an optional extra and are supplied separately from the BioDisc sewage treatment plant.

DESIGN
Advanced Patented design delivers superior performance
Pre-fabricated to ensure correct sizing
Modules designed with a hydraulic gradient across the length of the units
Performance tested in Germany to EN12566-3 in combination with a Part 3 plant
Modular system comprising of: <ul style="list-style-type: none">• Two individual reed beds = single house application• Four individual reed beds = two house application
Adjustable outlet weir allows water level control
One piece GRP moulding installed flush to the ground
Reeds and GRP beds supplied. Washed pea gravel, 'growing' media by others (not included)
Effluent discharge is typically improved by at least 50%, providing reduced BOD and suspended solids
Provides rooting zone depth of 600mm (required by Phragmites Australis)

- Benefits**
- › Tertiary treatment for new applications with tight discharge consents
 - › Satisfies new building regulations
 - › Improved effluent quality for existing works
 - › Very low maintenance
 - › Aesthetically pleasing and environmentally friendly
 - › Easy to install and maintain





KINGSPAN KLARGESTER
Expertise, Reliability and Trust

CUSTOMER SUPPORT

We stand by the quality and performance of Kingspan Klargester products and our support doesn't stop once your tank is installed. We're on standby 24/7 with guidance on servicing and maintenance and offer tailored warranty options. Our trained professional support team is only a phone call away.

Peace of mind with extended warranty options

We offer an extended and tailored warranty or bond on your sewage treatment plant to suit your needs and budget. This cost effective package offers the benefits of scheduled maintenance inspections to ensure your system performs at optimum levels at all times.

Customer support when you need it

Our friendly local customer service team are on hand with professional advice. We operate a dedicated helpline on 01296 633 000 and a support email address for customers on klargester@kingspan.com

Service and maintenance

We recommend that you service your BioDisc sewage treatment plant once a year. Under new Environment Agency regulations, it's now your responsibility to ensure smooth running of your plant. Our in house Service department offer a range of service packages including Gold, Silver and Bronze to cater for all homeowners' needs. To find out more about how you could benefit from a tailored service package from Kingspan, call us on **0844 846 0500** or email helpingyou@kingspan.com.



WE OFFER AN EXTENDED

**2 YEAR
GUARANTEE***

ON YOUR BioDisc® TREATMENT PLANT.

Register at:
kingspanenviro.com/guarantee

*One year guarantee offered on the domestic BioDisc plant as standard. You must register your BioDisc guarantee online to avail of the extended two year guarantee.



BioDisc®



UK

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E: klargesterinfo@kingspan.com
W: www.kingspanklargester.com/ie



GB: 0844 846 0500
NI: 028 3836 4600
ROI: 048 3836 4600
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Skovveien 47, 1410 Kolbotn
T: +47 22 02 19 20
E: klargesterno@kingspan.com
W: www.kingspanklargester.com/no
W: www.kingspanklargester.com/se



Disclaimer: We take every care and precaution to ensure that information in this document is accurate at the point of publish but with continuous product development the details given in this document are subject to alteration without notice.

Kingspan Klargester - Biodisc Domestic Brochure - English- June 2016

Supporting Planning Statement

for

**the Erection of a Dwellinghouse on land adjacent to
Middlebank, Waterloo, Bankfoot**

for

Mr and Mrs Mike Guild



John Culbert
Chartered Town Planner
7th May 2017

The Site and Location

The site about two miles due north west of Bankfoot within the Meikle Obney area and comprises the stone remains of the former Middleton Farmhouse and outbuildings. Access is via the Meikle Obney unclassified road turning off at Waterloo village from the A class Bankfoot to Dunkeld Public Road.



The site area extends to about 0.25ha and comprises a small maintained lawn area to one end and the duntakings from the former buildings within the other half of the site where a group of trees combined with a significant drop in level on the east boundary forming a distinctive landscape feature. The site itself is closely associated with a small building group comprising the bungalow known as 'Middleton' immediately adjacent to the site and its neighbour immediately to the west known as 'Sunnybrae', a farmhouse with separate stone built steading.

The former remains of the original Middleton farmhouse which are very much in evidence on site can be authenticated directly from the historical map below.

Source: Historical OS Map 1843-1882



Pre-application Enquiry

A Pre-application enquiry was submitted to the Council in May 2016 and a response was received from Mr David Niven who was unsupportive of our initial proposal which was based on a basic outline sketch proposal; he appeared to be unconvinced on the boundary definition and appeared to class the site as 'Greenfield' as opposed to what is clearly a 'Brownfield' opportunity. However, he did stress that his initial comments were purely desk base and he had not had the opportunity of visiting the site to be better able to more fully assess the context and the surroundings.

The Proposal

The applicant seeks to develop the site for a one and a half storey 3 bedroomed dwellinghouse of traditional form and using a combination of natural stone facing and wet dash render with a roof clad with natural slate.



The design details and selection of external finishes was partly modelled on the nearby house to the north east of the site known as 'Harrowfield' which sits very comfortably in its rural setting as evident in the photo below.



National policy and Guidance

The Scottish Government expresses its planning policies through The National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, 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:

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.

It is also an essential general requirement of the RD3 that all new developments should take place within a clearly defined site with natural containment and a good landscape framework.

PM1A Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

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

PM1B Placemaking

All proposals should meet all eight of the placemaking criteria as follows:

- (a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*
- (b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.*
- (c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
- (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.*
- (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.*
- (f) Buildings and spaces should be designed with future adaptability in mind wherever possible.*
- (g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*
- (h) Incorporate green infrastructure into new developments and make connections where possible to green networks.*

Policy Appraisal.

The site lies within the landward area within the adopted Local Development Plan 2014, the most relevant policy guidance is comprised in **Policy RD3: 'Housing in the Countryside'** and its associated SPG 2012 on Housing in the Countryside, which is the most recent expression of Council policy towards new housing in the open countryside. The 2012 guide identifies various categories of development opportunity under Sections 1-6. In this case two sections would appear to be particularly relevant as follows:

.In summary, under Section 1 '*Building groups*', the policy encourages the extension of existing building groups into well defined sites. It is also an essential general requirement of the policy that all new developments should take place within a clearly

defined site with natural containment and a good landscape framework. In addition, under Section 6 '*Rural Brownfield land*' the policy identifies opportunities for new development on sites formerly occupied by buildings where it would either remove dereliction or could be judged as resulting in a positive environmental improvement.

The proposed site is situated within the context of a small building group as defined in the policy as constituting at least **three** significant buildings, not necessarily houses but at least of cottage size. Immediately adjacent to the proposed plot is a single storey house known as 'Middleton' and immediately beyond that is the farmhouse known as 'Sunnybrae' with a significant steading building to its rear, thereby qualifying under the policy as a building group. The proposed site forms a logical extension to this small building group, being well contained within established boundaries and benefits from a group of semi mature trees and a physical change in level (a containing topographical feature) at its far end which would act as a physical stop or buffer to any further development beyond as illustrated in the photo below.



Development would also be appropriate in terms of the existing building pattern and would not detract from the amenity of the other houses in the group. Understandably, the planner in his initial desk based assessment was not immediately aware of the physical attributes of the site and the fact that characteristics of the group are very typical of other rural groups within the surrounding area. It would certainly appear that the proposal would be very much in line with the objectives and requirements of Section 1.

In terms of Section 6 where it relates to '*Rural Brownfield land*', the proposed site originally comprised the site of the former 'Middleton Farmhouse' and its associated outbuildings as evidenced in the copy of the historical map dating back to 1882 and would certainly qualify under this section of the policy. The stone remains of these buildings are still very much in evidence on site where they collectively present an appearance of significant dereliction all to the detriment of the visual and residential amenity of neighbours. The policy simply requires a site to have been formerly occupied by buildings and two alternative requirements of either (a) removing

dereliction or (b) constituting an environmental improvement. The historical map provides firm evidence of former buildings and the evidence on site of the ruinous remains certainly constitutes dereliction detrimental to visual amenity. The site is identifiable as a potential building plot and there is no other alternative feasible use for the ground. The policy also allows up to five houses on rural brownfield sites, but in this case the applicant is only seeking consent for a single house. A further requirement is the landscaping/remedial works for the site which in this case, includes the retention of existing trees and the laying out of the garden to include a pond feature and further tree planting. The tidying up and redevelopment of this site would certainly result in a local environmental improvement as additionally required under the policy and the proposal would appear to more than satisfy all the essential qualifying policy criteria.

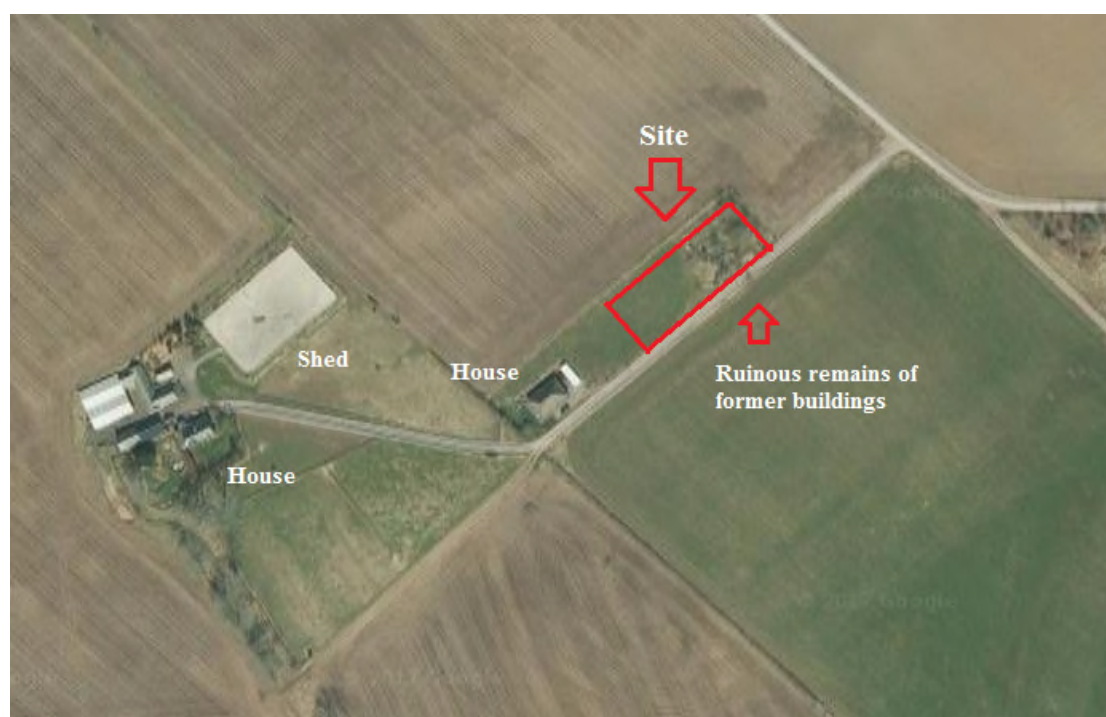


The planning officer in his response to the pre-application enquiry under 'rural brownfield land' appeared to expect evidence of a recognisable ruinous building on site, rather than the lower expectation of the policy which simply requires the site to have been formerly occupied by buildings. The proposed house is on the site of the former Middleton farmhouse and steading as evidenced on historical maps and I

would again stress that the stone downtakings are still very much in evidence on site as illustrated in the photos above. Clearly, all these positive aspects will be self evident to the planning officer when he has the opportunity of visiting the site.

A further more general requirement of the policy which requires sites to be clearly defined with natural containment and a good landscape framework. In the case this site, it is contained by an existing house curtilage, a road, belt of trees and a change in level which is a well established landscape feature and with post and wire fencing on the remaining rear boundary providing complete physical enclosure. I would also point out that there are plenty of precedents where post and wire fences have been accepted as a means of enclosure, subject to new boundary landscaping and in this regard, I would refer to applications 14/01424/IPL and 14/01425/IPL; both these applications involved sites where the rear boundaries comprised post and wire fencing. It is more important that the site is 'identifiable' with a good setting and provides a good 'landscape fit' for the intended new development so that it will blend in with local surroundings. The aerial photograph above clearly illustrates the physical and topographical features, including the boundary fencing which all combine to create what is a completely contained site, fully in line with the general policy requirements.

The Council's Placemaking policies PM1A and PM1B seek compatibility with the surroundings and local character in the context of any proposed development, the characteristics of site and likely impacts on both visual and residential amenity. Clearly, the applicant's intention is to build a modest one and a half storey house of simple rural proportions in a traditional form and respectful of the local vernacular and finished in a palette comprising wet dash, stone, timber and natural slate appropriate to its context and setting.



In regard to amenity considerations, as already outlined above, the site is set well back from any main 'A' class public roads and any visual impact would be minimal and

very localised. In addition, the proposed house would not impinge on the amenity of its neighbours through proximity or overlooking and does not raise any residential amenity issues. I am satisfied that the proposed development would not present any conflict with the placemaking policies PM1A and PM1B as there would be no adverse impacts on local character and the proposed development would be respectful of the surroundings raising no visual or residential amenity issues.

Developer Contributions

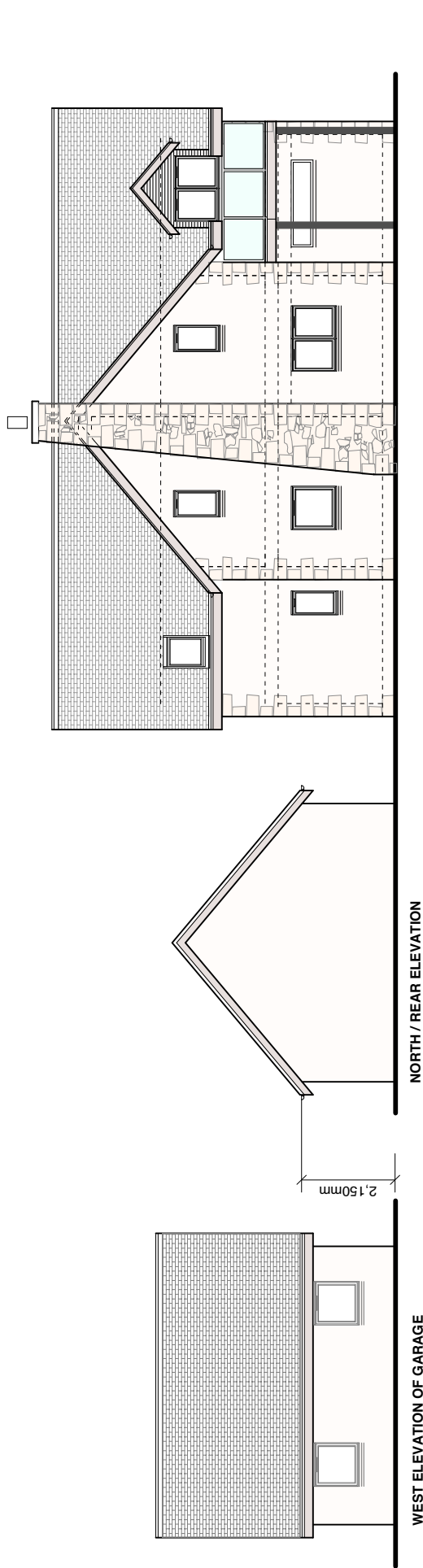
In terms of the approved Developer Contributions 2012 document, financial contributions are presently being sought for new housing within the school catchment of areas operating at over 80% capacity. The Bankfoot local primary school is not currently operating at over its 80% capacity, and to this end there would not at this time be a requirement for any educational contribution.

In terms of the Supplementary Guidance relating to 'Transport Infrastructure' approved in April 2014, the site lies within a PTF Full Contribution Area.

The applicant would be happy to enter into a Section 75 Agreement on the basis of a phased payment arrangement in this regard.

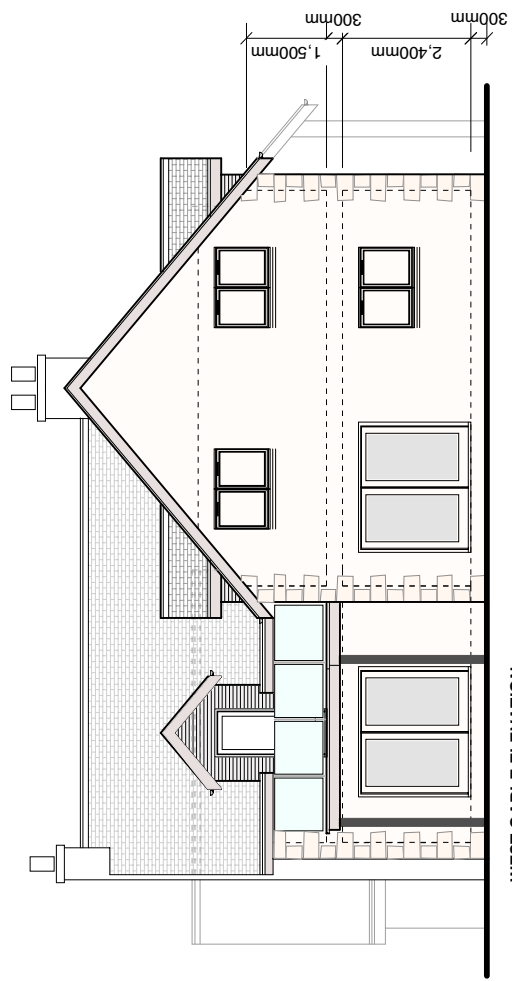
Conclusion

It would certainly appear that the proposal is fully compliant with the SPG 2012 relating to 'Housing in the Countryside' in particular regard to '*building groups*' and '*rural brownfield land*'. The obvious suitability of the site itself as being a clearly defined site in regard to landscape fit, fulfilling general policy siting requirements. In addition, the proposal respects the local vernacular character in regard to design and external finishes together with additional landscaping; the applicant would be happy to accept any necessary planning conditions in this regard. It is our view that development would blend in with the surroundings and would not raise any visual or residential amenity issues all compliant with the Placemaking policies PM1A and PM1B, where relevant to rural houses in the countryside.



WEST ELEVATION OF GARAGE

NORTH / REAR ELEVATION



WEST GABLE ELEVATION

- ROOFS FINISHES :** SLATE CLADDING WITH ZINC RIDGES AND VALLEYS
DOWNPIPPES, CHIMNEYS, DORMERS TO BE CLAD IN
COLOURED UPVC WEATHERBOARDING
ROOF PITCH 40 DEG
- EAVES FINISHES :** COLOURED UPVC EAVES AND VERGE CLADDING SYSTEM
WITH PVC GUTTERS & DOWNPIPES
- WALLS :** GENERAL FINISH TO BE WHITE SMOOTH CEMENT RENDER
WITH STONE QUOINS
CHIMNEY TO BE CONSTRUCTED WITH DENFIND COURED
STONE AND QUOINS
- WINDOWS :** COLOURED POWDER COATED ALUMINIUM EXTERIOR WITH
TIMBER INTERNAL FRAME
- DOORS :** COLOURED POWDER COATED ALUMINIUM EXTERIOR WITH
TIMBER INTERNAL FRAME
- BALCONY :** STRUCTURAL GLASS BALUSTRADE WITH STAINLESS STEEL
POSTS



PROPOSED NEW DWELLING AT MIDDLETON, WATERLOO,
NR BANKFOOT, PERTSHIRE
FOR MR & MRS M GUILD d

SCHEME DESIGN - NORTH & WEST ELEVATIONS

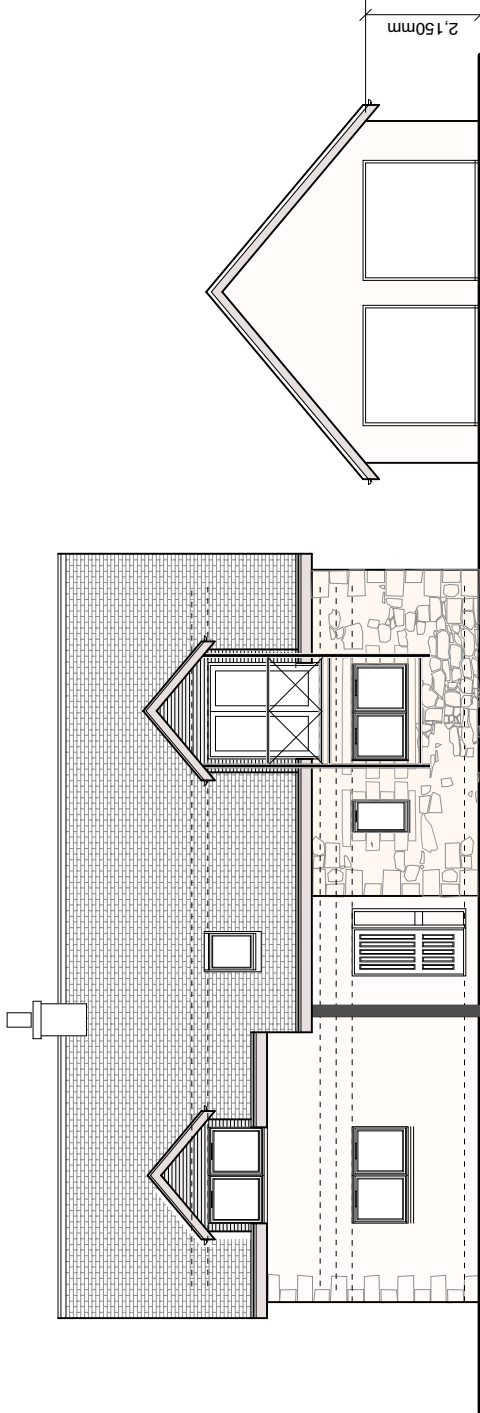
CFY DESIGN @ OLD FASKALLY
architecture in the Highland Perthshire community

Drig No.: **P230** [D] **5A**

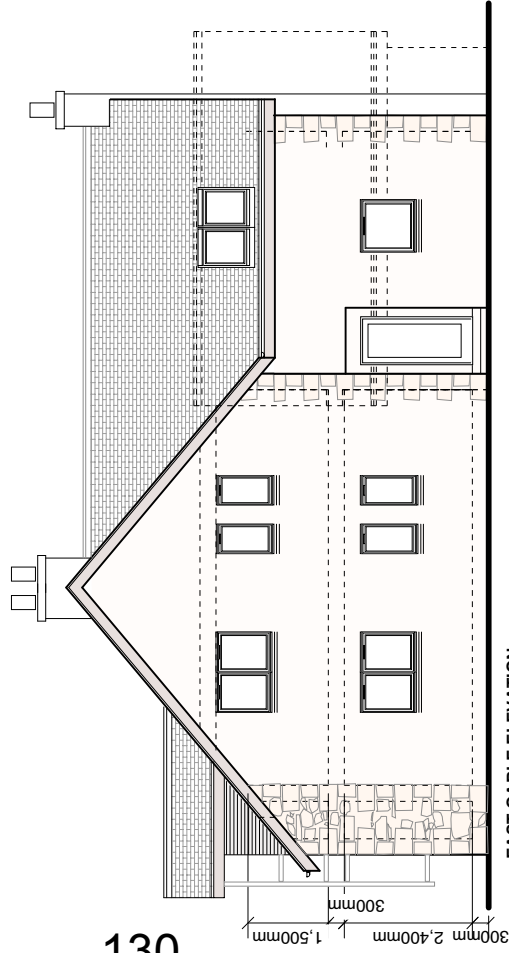
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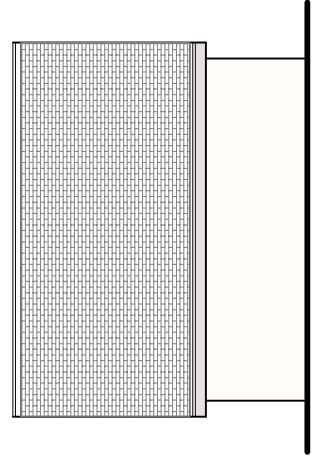
The Lodge, Old Faskally, Killecronkie
Perthshire PH15 5LG
Telephone: 01794 473 456
Email: cfydesign@oldfaskally.co.uk



SOUTH / FRONT ELEVATION



EAST GABLE ELEVATION



EAST ELEVATION OF GARAGE

- ROOFS FINISHES : SLATE CLADDING WITH ZINC RIDGES AND VALLEYS
DAD EL SHINGS TO CHIMNEYS
DORMERS TO FACES AND CHEEKS TO BE CLAD IN
COLOURED UPVC WEATHERBOARDING
ROOF PITCH 40 DEG
- EAVES FINISHES : COLOURED UPVC EAVES AND VERGE CLADDING SYSTEM
WITH PVC GUTTERS & DOWNPIPES
- WALLS : GENERAL FINISH TO BE WHITE SMOOTH CEMENT RENDER
WITH STONE QUOINS TO BE CONSTRUCTED WITH DENFIND
FOUR CORNERS TO BE CONSTRUCTED WITH DENFIND
COURSED STONE AND QUOINS
- WINDOWS : COLOURED POWDER COATED ALUMINIUM EXTERIOR WITH
TIMBER INTERNAL FRAME
- DOORS : COLOURED POWDER COATED ALUMINIUM EXTERIOR WITH
TIMBER INTERNAL FRAME
- BALCONY : STRUCTURAL GLASS BALUSTRADE WITH STAINLESS STEEL
POSTS



PROPOSED NEW DWELLING AT MIDDLETON, WATERLOO,
NR BANKFOOT, PERTSHIRE
FOR MR & MRS M GUILD

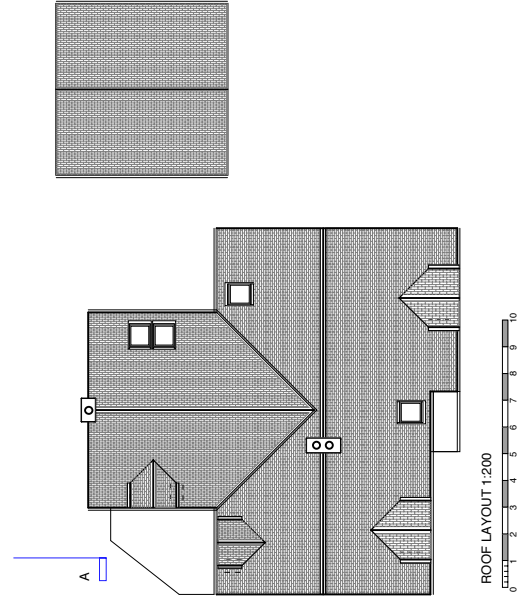
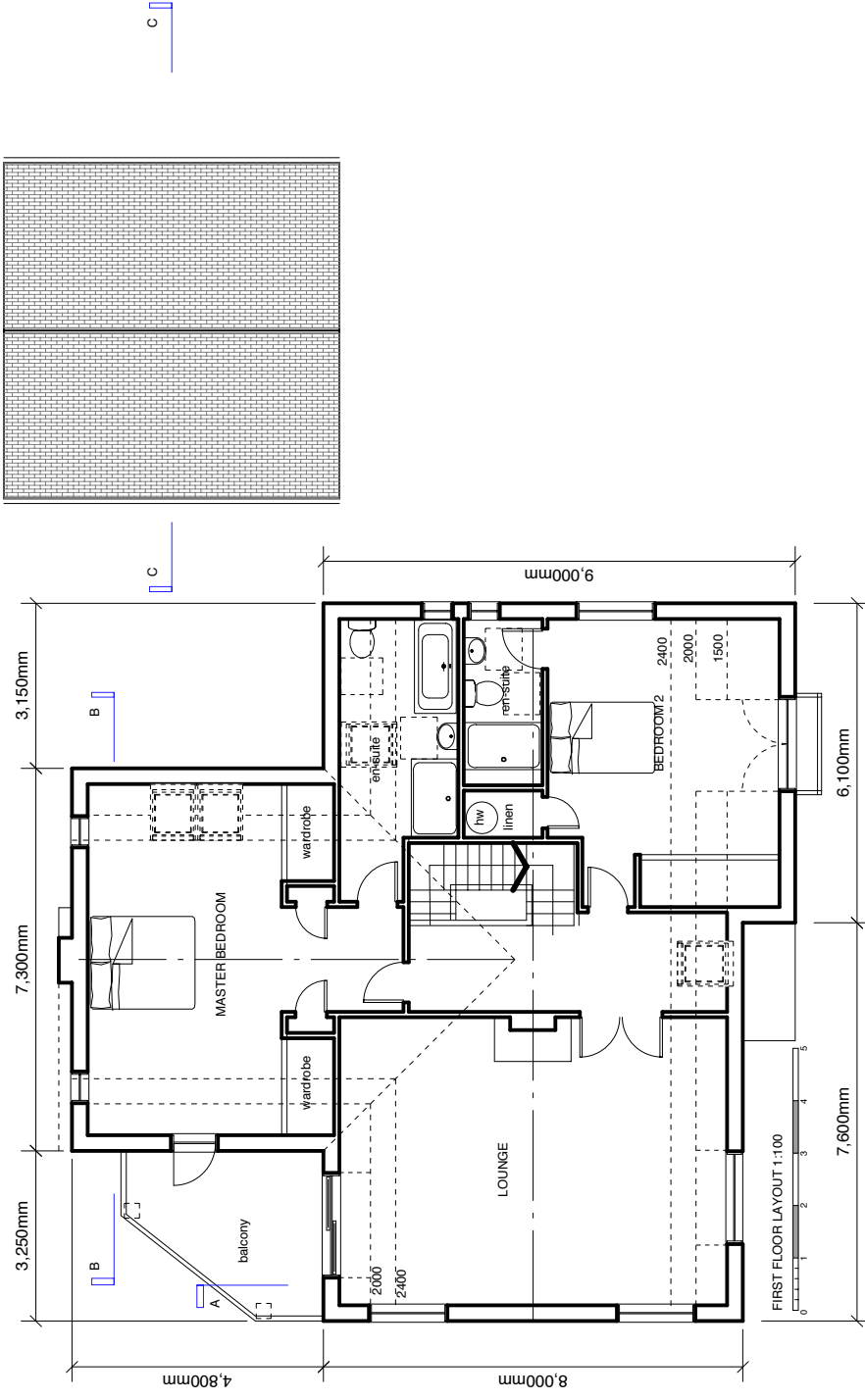
SCHEME DESIGN - SOUTH & EAST ELEVATIONS

CFY DESIGN @ OLD FASKALLY
architecture in the Highland Perthshire community

Drig No.: **P230** [**D**] **4B**
Scale: **1:100** Date: **04/17** Drawn: **PM**



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PROPOSED NEW DWELLING AT MIDDLETON, WATERLOO,
NR BANKFOOT, PERTSHIRE
FOR MR & MRS M GUILD
SCHEME DESIGN - FIRST FLOOR LAYOUT & ROOF PLAN

CFY DESIGN @ OLD FASKALLY
architecture in the Highland Perthshire community

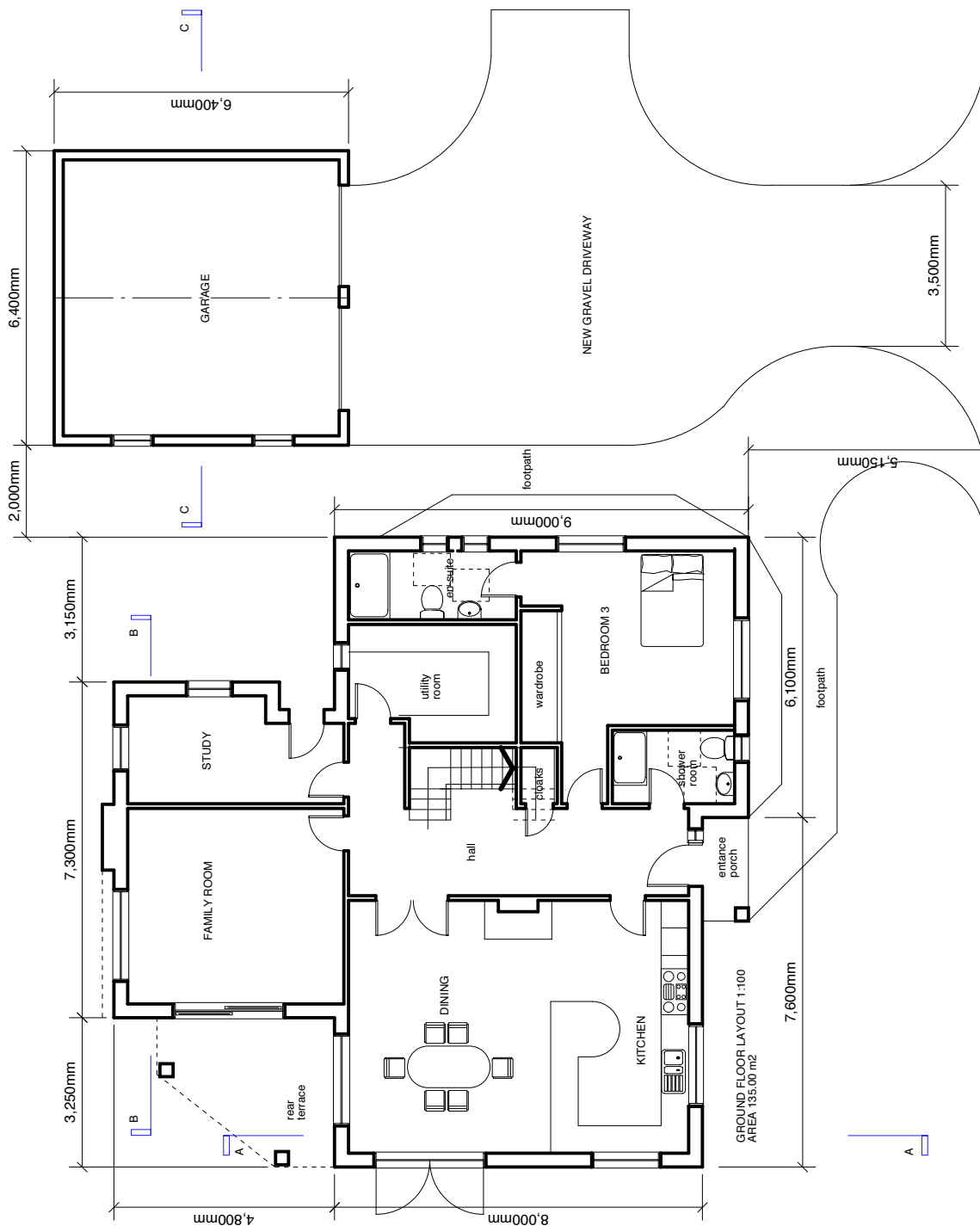
Drg No.: **P230** [D] **2C**
Scale: 1:100 Date: 04/17 Drawn: PM



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BOUNDARY FENCE



FARM ROAD



PROPOSED NEW DWELLING AT MIDDLETON, WATERLOO,
NR BANKFOOT, PERTSHIRE
FOR MR & MRS M GUILD

SCHEME DESIGN - GROUND FLOOR LAYOUT

CFY DESIGN @ OLD FASKALLY
architecture in the Highland Perthshire community

Dwg No.: **P230 [D] 1C**
Scale: 1:100 Date: 04/17 Drawn: PM



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TCP/11/16(505) – 17/01299/FLL – Erection of a dwellinghouse and garage on land 70 metres north east of Middlebank, Waterloo, Bankfoot, Perth

REPRESENTATIONS

Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 17/01299/FLL

Our ref ALS

Date 11/08/2017

Tel No [REDACTED]

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Erection of a dwellinghouse and garage Land 70 Metres North East Of Middleton Waterloo Bankfoot for Mr Mike Guild

I refer to your letter dated 08/08/2017 in connection with the above application and have the following comments to make.

Water (assessment date – 11/08/17)

Recommendation

I have no objections to the application but recommend the undernoted condition and informatives be included in any given consent.

Comments

The development is for a dwelling house in a rural area with private water supplies (including Meikle Obney supply) believed to serve properties in the vicinity. To ensure the new development has an adequate and consistently wholesome supply of water please note the following condition and informative/s. No public objections relating to the water supply were noted at the date above.

PWS - Informative 2

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.



Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01299/FLL	Comments provided by	Tony Maric Transport Planning Officer
Service/Section	Transport Planning	Contact Details	[REDACTED]
Description of Proposal	Erection of a dwellinghouse and garage		
Address of site	Land 70 Metres North East Of Middleton Waterloo Bankfoot		
Comments on the proposal	Insofar as the roads matters are concerned, I do not object to this proposal.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	18 August 2017		

Comments for Planning Application 17/01299/FLL

Application Summary

Application Number: 17/01299/FLL

Address: Land 70 Metres North East Of Middleton Waterloo Bankfoot

Proposal: Erection of a dwellinghouse and garage

Case Officer: Sean Panton

Customer Details

Name: Mrs ANGELA SCOTT

Address: Market Chambers, Caledonian Road, Perth PH1 5NJ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Affect on Visual Amenity
- Contrary to Development Plan Policy
- Inappropriate Land Use
- Road Safety Concerns

Comment: Comment of objection from Wyllie and Henderson, Solicitors on behalf of J. A. H. Chalmers, Esq, heritable proprietor of adjacent farm and lands of Meikle Obney, Waterloo, Bankfoot PH1 4AS, registered in the Land Register of Scotland under PTH43321.

Our client objects to this planning application on the following grounds:-

1. Our client was not notified of this planning application despite the fact that the subjects to which the application relates is situated in the middle of our client's property.
2. Our client is concerned about the adverse impact of the increased burden of usage of the water supply and drainage serving the development.
3. Our client is concerned about the adverse impact of the increased burden of usage of the access road to the development.
4. The footprint of the previous farmhouse and outbuildings does not accord with our client's understanding of the footprint of the former farm buildings. Our client believes the farmhouse was located on his property, to the south east of the proposed development.
5. It is our client's understanding that this is a Greenfield site and therefore should not be developed for residential purposes.

6. Our client understands that the existing house on the site was built there as a replacement for the former farmhouse and steading, on condition that no further development of housing would be permitted on the site.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01299/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin [REDACTED]
Description of Proposal	Erection of a dwellinghouse and garage		
Address of site	Land 70 Metres North East Of Middleton, Waterloo, Bankfoot		
Comments on the proposal	<p>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Auchtergaven Primary School.</p> <p>Education & Children's Services have no capacity concerns in this catchment area at this time.</p> <p>Transport Infrastructure</p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> <p>The site is within the reduced Transport Infrastructure contributions area.</p>		
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: £0</p>		

	<p>Transport Infrastructure: £2,639 (1 x £2,639)</p> <p><u>Total: £2,639</u></p> <p>Phasing</p> <p>It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant.</p> <p>The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to complete.</p> <p>If a Section 75 Agreement is entered into the full contribution should be received 10 days after occupation.</p>
<p>Recommended informative(s) for applicant</p>	<p>Payment</p> <p>Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.</p> <p>Methods of Payment</p> <p>On no account should cash be remitted.</p> <p>Scheduled within a legal agreement</p> <p>This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.</p> <p>NB: The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.</p> <p>Other methods of payment</p> <p>Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.</p> <p>Remittance by Cheque</p>

	<p>The Planning Officer will be informed that payment has been made when a cheque is received. However this may require a period of 14 days from date of receipt before the Planning Officer will be informed that the Planning Decision Notice may be issued.</p> <p>Cheques should be addressed to 'Perth and Kinross Council' and forwarded with a covering letter to the following: Perth and Kinross Council Pullar House 35 Kinnoull Street Perth PH15GD</p> <p>Bank Transfers All Bank Transfers should use the following account details; Sort Code: 834700 Account Number: 11571138</p> <p>Please quote the planning application reference.</p> <p>Direct Debit The Council operate an electronic direct debit system whereby payments may be made over the phone. To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand:</p> <ul style="list-style-type: none"> a) Your card details. b) Whether it is a Debit or Credit card. c) The full amount due. d) The planning application to which the payment relates. e) If you are the applicant or paying on behalf of the applicant. f) Your e-mail address so that a receipt may be issued directly. <p>Transport Infrastructure For Transport infrastructure contributions please quote the following ledger code: 1-30-0060-0003-859136</p> <p>Indexation</p> <p>All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p>Accounting Procedures</p> <p>Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.</p>
Date comments returned	25 September 2017

CHX Planning Local Review Body - Generic Email Account

From: Angela L. Scott [REDACTED]
Sent: 19 December 2017 12:54
To: CHX Planning Local Review Body - Generic Email Account
Subject: RE Review of Planning Application Ref 17/011299/FLL - Waterloo, Bankfoot

Importance: High

Dear Sirs,

We act on behalf of J.A.H.Chalmers and we submitted representations on behalf of our client in respect of Mr M Guild's application for planning permission for the erection of a dwellinghouse at Waterloo, Bankfoot.

We should be obliged if you would ensure that our client's original representations are considered in your review of the decision and on behalf of our client we wish to add a further representation for consideration, namely:

It is understood that the planning application includes a proposal to create a bellmouth for a new access to the proposed new dwellinghouse at a point along the access road, other than the current access which serves the existing dwellinghouse.

Our client objects to the formation of a second access point from the road and to the creation of a bellmouth, which he believes would have an adverse impact on the visual and scenic qualities of the landscape.

We should be most obliged if you would acknowledge receipt of this further representation and please confirm it will be taken into consideration in your review decision.

Thank you.

--

Angela Scott BA(Hons) LLB Dip LP NP WS
Partner

Wyllie & Henderson
Solicitors & Estate Agents



Partners : Ian K Lindsay & Angela L Scott

This email does not constitute or form part of a contract or unilateral obligation.

