

LRB-2020-19 - 20/00135/IPL – Erection of a dwellinghouse (in principle), land 70 metres north east of Dunvegan, Great North Road, Blairadam

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**LRB-2020-19 - 20/00135/IPL – Erection of a dwellinghouse
(in principle), land 70 metres north east of Dunvegan,
Great North Road, Blairadam**

**PAPERS SUBMITTED
BY THE
APPLICANT**



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100280472-001

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.

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: Arthur Stone Planning & Architectural Design Limited

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1
(Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

info@arthurstoneplanning.co.uk

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="J"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Lillie"/>	Address 1 (Street): *	<input type="text"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="info@arthurstoneplanning.co.uk"/>		

Site Address Details

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

Please identify/describe the location of the site or sites

Northing	<input type="text" value="695610"/>	Easting	<input type="text" value="314499"/>
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Description of Proposal

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

Review for refusal of application 20/00135/IPL Erection of dwelling house in principle at land North east of Dunvegan

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

Please see Supporting document Blairadam LRB final report for details

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

☐ Yes ☒ No

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

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

Blairadam LRB final Report

Application Details

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

20/00135/IPL

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

18/02/2020

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

16/04/2020

Review Procedure

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

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: Mrs Alison Arthur

Declaration Date: 14/07/2020



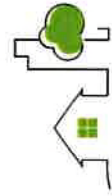
Report to Local Review Body

**Statement of Reasons Against Refusal of Planning
Permission 20/00135/IPL**

Erection of Dwellinghouse in Principle

**Land 70 Metres North East Of Dunvegan Great North
Road Blairadam**

Applicant Mr J Lillie



Arthur Stone Planning
& Architectural Design



85 High Street
Newburgh KY14 8DA

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Arthur Stone Planning
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1.0 Introduction

1.1 This proposal relates to a site approximately 70 metres north east of a house (Dunvegan) at Great North Road, Blairadam. The site is located to the rear of two 1950s style, detached bungalows in a rural area. The site is very well contained by existing trees and shrubbery and the application site is clearly separate from those plots forming its own boundaries. Various photographs of the site are included in Appendix 1.

1.2 The existing bungalows were built on the grounds of a former bus depot and the application site itself was a former sawmill with the site containing various out-buildings. Mining activity including a shaft were also located just to the north of the application site.

1.3 Outline Planning consent was previously approved for a single house on this site in 2010 following a successful appeal to the Scottish Reporters' Office. The planning application was then renewed in 2013. Unfortunately, due to the owner's wife's ill health the application was mistakenly not renewed again in 2016 and therefore lapsed.

1.4 The applicant submitted a new planning application in January 2020 for a single dwellinghouse in principle on the site in order to potentially develop the site once again. However, the Planning Application was refused by Perth and Kinross Council on 16th April 2020 under delegated powers with a single reason for refusal.

1.5 The applicant is seeking a review of this application believing that, on balance, the assessment of the application and the submitted supporting information merited an approval, subject to basic conditions.

1.6 The applicant wishes to develop this site in order to assist in paying for his wife's care home bills, which he is currently self funding at a cost of £1000 per week. We have included a letter sent to the Local Councillor from the applicant which further details the situation in Appendix 2. We would be grateful if this was taken into account in this case.

2.0 Response to Reason for Refusal

2.1 The sole Reason for Refusal refers to the proposal being contrary to Policy 19: Housing in the Countryside and failing to comply with Category 1 Building Groups and Category 6 Rural Brownfield in the Council's Housing in the Countryside Supplementary Planning Guidance (2020) (the Supplementary Guidance).

2.2 The specific reason given is that the group does not consist of 3 existing buildings equivalent to the size of a cottage and the site is not rural brownfield as defined in the Supplementary Guidance. Please see Appendix 3.

2.3 The Justification for the refusal refers to the proposal not being in accordance with the Development Plan and there being no material reason to justify departing from the Development Plan. The applicant is seeking a review of this decision on the basis that:

- the proposal does accord with the Development Plan, albeit that it does not comply to the letter with all the specific detail of the Supplementary Guidance
- there are identified material reasons which justify departing from the Development Plan in this case
- The site has received planning consent in principle (08/00101/OUT), for a single dwellinghouse in 2010. The application was renewed with a consent in 2013 (13/00045/IPL)

Planning Assessment

2.2 In support of the application, the Report of Handling indicated **no** reasons for refusal in its assessment in terms of the range of policies relating to:

- ⇒ Design and Layout
- ⇒ Residential Amenity
- ⇒ Roads and Access – **no** objection from Transportation Services
- ⇒ Drainage and Flooding – **no** objection from Transport Planning
- ⇒ Coal Mining Risk (report previously provided for earlier approval but further report would be submitted by the applicant)

- ⇒ The applicant is agreeable to a planning condition of consent requiring a financial contribution towards primary education.
- ⇒ Contaminated land - The Council's Regulatory Services commented on contaminated land, recommending that, given the nature of former uses, any approval should have an attached condition requiring an evaluation (Preliminary Risk Assessment) for the potential impact of contamination on the site. The applicant is agreeable to such a condition.

2.3 In addition, there were no **representations submitted from neighbouring or nearby properties**.

Compliance with Policy 19: Housing in the Countryside and Supplementary Guidance

2.4 Policy 19 supports proposals for housing in the countryside which falls into specified categories, including (1) Building Groups and (6) Development on Rural Brownfield Land, as set out in the Supplementary Guidance. The Supplementary Guidance includes that 'in accordance with Scottish Planning Policy, Planning Advice Note 72: Housing in the Countryside, and Planning Advice Note 68: Design Statements, the Council's objective is to strike a balance between the need to protect the outstanding landscapes of the Perth & Kinross area, and encourage appropriate housing development in rural areas including the open countryside and outwith settlements'. (SG, page 3)

2.5 The applicant contends that this proposal of such small scale and impact, and with a planning history of approval, can reasonably be considered fully consistent with this objective of the Council. The proposal site does not lie within a designated Local Landscape Area, is not within open countryside and would be well located in terms of the existing houses adjacent to the site and the surrounding area.

2.6 In the Supplementary Guidance section headed 'Adding to a Group' the specific requirements supporting the granting of permission will all be achieved, i.e.:

- *New housing will respect the character, scale and form of the existing group, and will be integrated into the existing layout and building pattern*

- *New housing will not detract from the visual amenity of the group when viewed from the wider landscape.*
- *A high standard of residential amenity will be provided for both existing and new housing.* (SG, page 8)

2.7 The Reason for Refusal states that the proposal does not meet with Category 1 - Building Groups, which defines a group as '3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group'. Although the existing group consists of two houses, and associated outbuildings, it forms a compact building group with a well defined site providing an opportunity for extending the group. In addition, the property Dunvegan incorporates a large ancillary building adjacent to the house, which is of a size and scale equivalent to a small house in its own right.

2.8 Ultimately, the assessment of an appropriate addition to a Building Group will always be subjective, with the Supplementary Guidance acknowledging that even where there are 3 houses an additional site may not be acceptable. In this case, therefore it would seem reasonable to allow the opportunity for a house which meets all the above criteria, using a 'readily definable adjacent site' (SG, page 8).

2.9 The Report of Handling states that the site is used as garden ground and this 'suggests' that it does not meet the requirements of category 6 (rural brownfield land) of the Supplementary Guidance. The applicant believes that it would be reasonable to accept that the site can meet the definition of rural brownfield land. Although not meeting fully with the detail of Category 6 in the Supplementary Guidance, the site has been subject to former industrial uses as detailed in Section 1 and any required decontamination would bring about environmental improvements, with potential benefits to the neighbouring properties.

Material Considerations

2.10 The Report of Handling 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'.

2.17 The consent was renewed in 2013. In essence, this proposal is a renewal of that earlier consent application for planning permission in principle. It is only the personal circumstances of the applicant which has prevented the implementation of the consent, otherwise the site would have been either developed or the original planning application renewed at the very least.

3.0 Conclusion

3.1 The Scottish Government, in explaining the fundamentals of planning in its Guide to the Planning System in Scotland includes that *'Because the Council need to consider all the relevant matters, there is no guarantee that development plan policies will be the deciding factor in all cases. But Councils will usually approve applications for development which are in line with the development plan'*.

3.2 There is an opportunity for the Local Review Body to consider the Development Plan and the weight to be given to material considerations in reaching a balanced decision.

3.3 The proposal may not comply fully with the detail of the Supplementary Guidance but it is supported by the Council's objectives for development in the countryside and that this has been confirmed by an appeal decision. The situation has not changed since that decision was made.

3.4 In addition, the personal circumstances of the applicant have prevented the implementation of the earlier consent, and has made receiving a new consent even more critical, with the consequence that this application has now been made. Otherwise, this application site would be already developed, and the new house would be an entirely appropriate addition to the neighbouring properties.

3.5 The applicant requests, with respect, the Local Review Body's favourable consideration of this application and account taken of the points made by the applicant in this case.

2.11 The Reporter (in para 3, Appeal Decision P/PPA/340/778) considered the policy and guidance in place at that time and reasoned that even if the two houses and their associated buildings was not a 'building group', ***'together they form a fairly compact shape, with some 'sense of place'***. The Reporter reasoned that the proposed house would ***'help to consolidate the group'*** and he was satisfied that the proposal was in accord with ***'at least the spirit'*** of the relevant policy at that time (Policy 64, 1(ii) in the Kinross Area Local Plan 2003).

2.12 The Reporter (in para 4 of the Appeal Decision) also reasoned that the site was brownfield and that, even acknowledging that the site *'now forms part of the garden attached to Dunvegan'* a well designed dwellinghouse would ***'result in net environmental benefit'***.

2.13 The decision of the Scottish Government Reporter, in 2010, to approve the application is a material consideration, which the applicant believes should be given considerable weight in reaching a decision on this current proposal. There appears to have been no consideration of this Appeal decision, or its detail, in the assessment of this current application and the recommendation to refuse. We would therefore ask that this matter is considered now.

2.14 The Report of Handling highlights that this proposal is the same as an earlier consent which was approved on appeal, *'with the reporter at the time concluding that the proposal was within the spirit of the policy for building groups and based on rural brownfield'*.

2.15 However, the Report of Handling includes no further discussion of this important issue as a material consideration. The current situation is no different to that at the time appeal decision. The proposal meets with the requirements of the Supplementary Guidance in all but the detail absolute, but in all other aspects meets with the 'spirit' of the policy as acknowledged by the Reporter. The proposal site is well contained and appears as part of a coherent building group.

2.16 As highlighted by planning case law, it is vital that there should be no failure to take account of a material consideration in decision making. The responses of the consultees and comments submitted in representations are also material considerations. The consultation responses support the proposal and there are no representations from neighbouring properties.

Appendix 1 – Photographs of Site

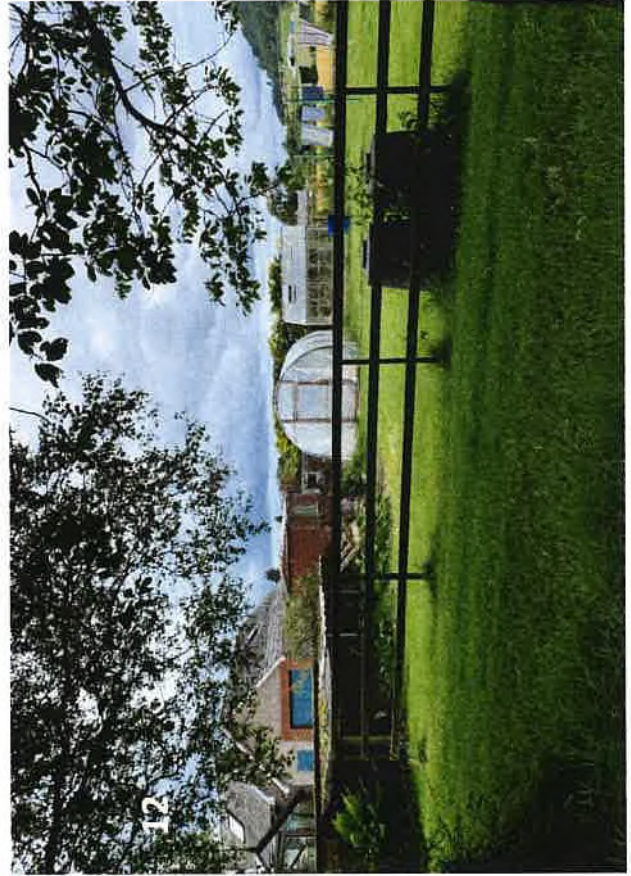


Photo Image of Site and Adjacent Dwellings














Appendix 2 – Letter from Owner of Site to Councillor


 12th May, 2020

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

 Attention David Littlejohn Head of Planning and Development

Application Reference: 20/00135/IPL

 Dear Sir,
 I refer to your letter dated 16th April 2020 regarding the refusal of the above referenced application. Needless to say I am disappointed and surprised by your decision and wish to appeal for reconsideration, on the ground following.

Disappointed: Planning was already granted in 2007 but allowed to lapse. The original application was made by the then owner of the ground which I purchased, not to profit financially myself, but to deter building, as my wife and I valued our privacy. Circumstances have changed dramatically, however as my wife has unfortunately developed dementia now living in a care home and is at this time self funding. As her guardian, I am charged with looking after her interests. Care homes are expensive, over £1000 per week, and her estate is steadily draining away. My plan is to sell this part of our ground and raise enough funds to finance the care costs for another one to two years. If this is not possible then PKC will end up funding the cost that much earlier. My wife is in very good physical health and may require care support for a very long time.

Surprise:

On every side, to the north, east and south new houses are being erected. I can see them from my own windows, the nearest not quarter of a mile away, and more are to follow in the pipeline! Further I have to say that the whole two acre site here was an industrial/brownfield site. Where Brookside and Dunvegan now stand, there was a bus garage and an ambulance station. Behind Brookside there was a wood reclamation business and situated behind Dunvegan there was an NCB building housing the winding engine for hauling wagons up the adit from nearby underground mine workings.

My wife, a retired midwife, and I have always been self sufficient and independent, wish to remain so and not become a drag on the state. I appeal to you and ask that you treat this request sympathetically. I have the Notice of Review forms ready to send to the Local Review Body but was advised to make a direct personal appeal to yourself. I see that I have up to the 16th July 2020 to submit the forms. If it comes to this I would appreciate any words of advice you can impart.

I look forward to your early reply.


 J.L.W. Little



Mr James Lillie
Brookside
Great North Road
Kelty
KY4 0HW

Pullar House
35 Kimball Street
PERTH
PH1 5GD

Date of Notice : 16th April 2020

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: 20/00135/IPL

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 18th February 2020 for permission for **Erection of a dwellinghouse (in principle) Land 70 Metres North East Of Dunvegan Great North Road Blairadam** for the reasons undenoted.

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- The proposal is contrary to Policy 19 of the Perth and Kinross Local Development Plan 2019 and the Council's Housing in the Countryside Supplementary Guidance 2020 as the proposal fails to comply with Category 1 Building Groups as there are not three existing buildings as the site equivalent to the size of a cottage and the site does not meet the definition of Rural Brownfield as defined under Category 6. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses or (5) Conversion or Replacement of Redundant Non Domestic Buildings.

Justification

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

**LRB-2020-19 - 20/00135/IPL – Erection of a dwellinghouse
(in principle), land 70 metres north east of Dunvegan,
Great North Road, Blairadam**

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS



Mr James Lillie
Brookside
Great North Road
Kelty
KY4 0HW

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice : **16th April 2020**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **20/00135/IPL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 18th February 2020 for permission for **Erection of a dwellinghouse (in principle) Land 70 Metres North East Of Dunvegan Great North Road Blairadam** for the reasons undernoted.

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- 1 The proposal is contrary to Policy 19 of the Perth and Kinross Local Development Plan 2019 and the Council's Housing in the Countryside Supplementary Guidance 2020 as the proposal fails to comply with Category 1 Building Groups as there are not three existing buildings as the site equivalent to the size of a cottage and the site does not meet the definition of Rural Brownfield as defined under Category 6. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses or (5) Conversion or Replacement of Redundant Non Domestic Buildings.

Justification

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

Notes

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

Plan Reference

20/00135/1

20/00135/2

20/00135/3

REPORT OF HANDLING

DELEGATED REPORT

Ref No	20/00135/IPL	
Ward No	P8- Kinross-shire	
Due Determination Date	17.04.2020	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 70 Metres North East Of Dunvegan Great North Road
Blairadam

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: 6 March 2020

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application is for erection of a dwellinghouse in principle at Land 70 Metres North East Of Dunvegan Great North Road Blairadam. The site is located to the rear of two dwellings in a rural area.

The site has had permission in 2008 which was later renewed in 2013 for erection of a dwelling in principle which has since lapsed.

SITE HISTORY

07/01162/OUT Erection of a dwellinghouse (in outline) 20 December 2007
Application Withdrawn

08/00101/OUT Erection of house (in outline) 16 April 2009 Application Refused

13/00045/IPL Renewal of consent (08/00101/OUT) - Erection of a dwellinghouse (in principle) 10 April 2013 Application Approved

PRE-APPLICATION CONSULTATION

Pre application Reference: N/A

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2 (2019) – Adopted November 2019

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

The principal policies are, in summary:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 19: Housing in the Countryside

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

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

OTHER POLICIES

Housing in the Countryside Supplementary Guidance

Developer Contributions Guidance

CONSULTATION RESPONSES

Environmental Health (Contaminated Land)	No objection
Transport Planning	No objection
Development Negotiations Officer	Condition would be required
Scottish Water	No objection
The Coal Authority	Objection to proposal
Structures And Flooding	No objection

REPRESENTATIONS

The following points were raised in the 1 representation received:

- Contrary to policy

ADDITIONAL STATEMENTS

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

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2 (2019).

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

Policy Appraisal

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

- 1) Building Groups
- 2) Infill site
- 3) New houses in the countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance
- 4) Renovation or replacement of houses
- 5) Conversion or replacement of redundant non-domestic buildings
- 6) Development on rural brownfield land

The site has planning history. In 2008 an in principle application was refused, but subsequently approved on appeal with the reporter at the time concluding that the proposal was within the spirit of the policy for building groups and based on rural brownfield. A renewal was approved in 2013 but the applicant has let the permission lapse.

The current application does not comply with the Housing in the Countryside Policy/Guide. I have consulted with the policy team who confirm that the policy position has changed since the granting of the original permission and the Supplementary Guidance is now much clearer as to the requirements both under category 1 and 6.

Category 1 Building Groups defines a group as 3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group. The policy is clear that premises which are smaller than a traditional cottage, such as small domestic garages and outbuildings, will not count towards the requirement for at least 3 buildings. The application site is to the rear of two dwellings, these dwellings have outbuildings but these would not qualify as buildings under the policy. The proposal can therefore not be considered to comply with category 1.

As for category 6 Brownfield Land, the policy has been tightened up considerably and to be considered 'rural brownfield land' the site would have to have been so damaged by a former use that it cannot be left to naturalise or be reused for another purpose without first being improved. The site is currently being used as garden ground and this would suggest that it does not meet the requirements of category 6 either.

Given that the previous consent has lapsed there is no option but to conclude that the proposal does not meet any of the categories of the current adopted Housing in the Countryside Supplementary Guidance .

Design and Layout

The application is in principle and no details have been submitted with regards to the design of the dwelling or location within the plot. The site is comparable to the adjacent plot sizes and a dwelling could be accommodated within the site had the principle of development been accepted.

Residential Amenity

The site spans across the rear of the two existing dwellings. No site layout plan has been provided but the site is over 1000sq metres. With some consideration of the position of a dwelling within the plot for example keeping windows 9m away from the adjoining garden boundaries, adequate amenity for existing and the proposed dwelling could be provided.

Roads and Access

Transport Planning have no objection but note that should permission be granted car parking, visibility splays and turning conditions would be required.

Drainage and Flooding

The Flood Team have reviewed the application and highlight that there is a medium probability of surface water and river flooding along the Southern border of the property line. However, as the proposed development is out with the functional floodplain as shown on the SEPA Flood Map they have no objection to this application.

Coal Authority

The site falls within the defined Development High Risk Area and a Coal Mining Risk Assessment, or equivalent report, is required to be submitted to support this application. The applicant has indicated that a report has been completed on the site previously and consent was granted previously on the site. I have not requested the additional information at this time as the principle of development is not accepted.

As the proposed development is on land that is identified as being close to former mineworkings there is therefore the potential for ground gas production that could

possibly impact upon the suitability of the site for the proposed development. Environmental Health therefore recommend that a contaminated land condition be added should permission be granted.

Developer Contributions

Primary Education

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. The application is in principle so a planning condition would be required if the application was to be approved.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered not to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2 (2019). I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal subject to conditions.

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Reasons for Recommendation

The proposal is contrary to Policy 19 of the Perth and Kinross Local Development Plan 2 2019 and the Council's Housing in the Countryside Supplementary Guidance 2020 as the proposal fails to comply with Category 1 Building Groups as there are

not three existing buildings as the site equivalent to the size of a cottage and the site does not meet the definition of Rural Brownfield as defined under Category 6. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses or (5) Conversion or Replacement of Redundant Non Domestic Buildings.

Justification

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

Informatives

N/A

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

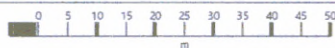
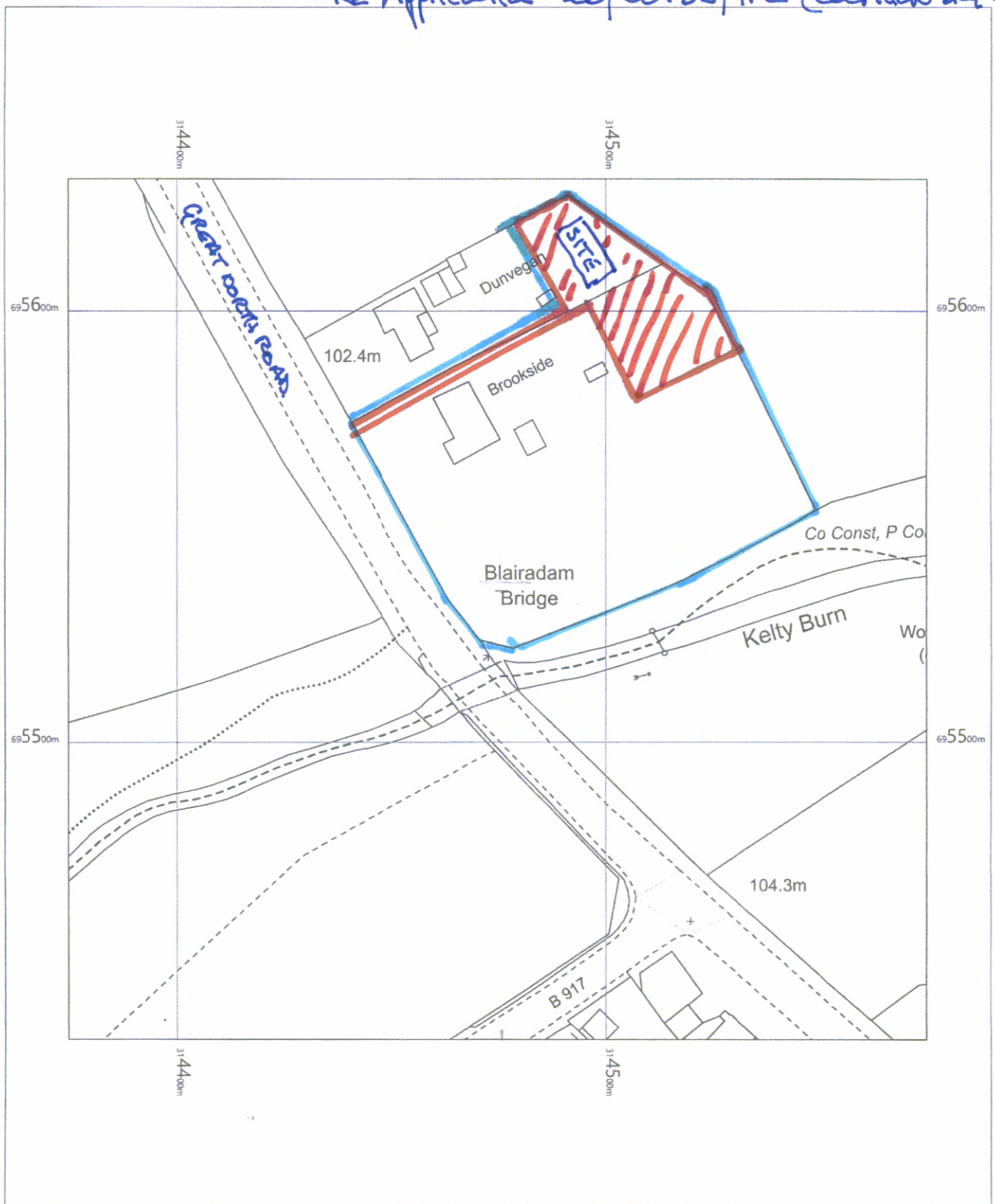
20/00135/1

20/00135/2

20/00135/3

Date of Report 14/04/20

Re Application 20/00135/1PL (LOCATION DRG)

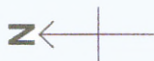


OS MasterMap 1250/2500/10000 scale
Friday, February 7, 2020, ID: M4P-00858828
www.nicolsondigital.com

1:1250 scale print at A4, Centre: 314475 E, 695531 N

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1:500 scale print at A4, Centre:
314478 E, 695585 N

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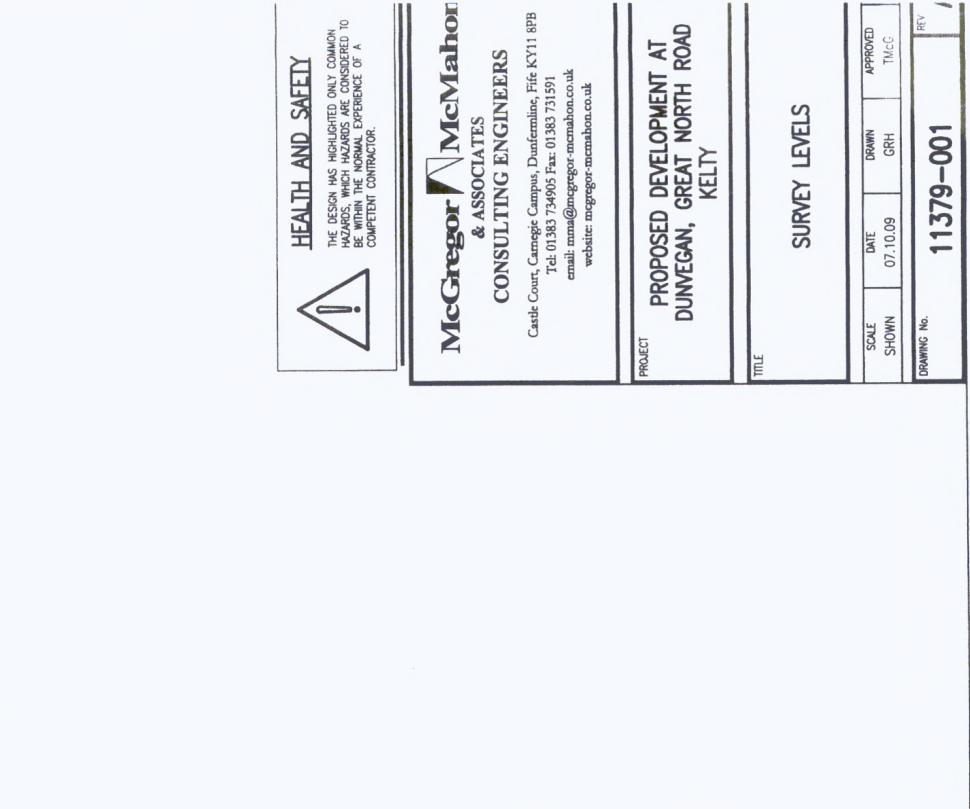
**Proposed New House at
Dunvegan, Great North Road, Kelty**

Flood Risk Assessment

1. It is proposed to construct a new house to the east of the house called Dunvegan at Great North Road, Kelty. The house is located on the north bank of the Kelty Burn. A Location Plan is included in Appendix No1.
2. A survey was carried out by us in October 2009 and a copy of the Survey Drawing is included in Appendix No2. Illustrative Photographs are included in Appendix No 3.
3. The proposed new house is located to the east of the existing house; it will have a finished floor level of 102.0 A.O.D. The existing house has a finished floor level of 102.290 A.O.D. The Kelty Burn emerges from the culvert at a burn bed level of 99.25m. Over the front of the site the burn drops a further 1.2m to 98.03. A gradient of 1 in 50 (2%). Adjacent to the burn and the development side the ground level is generally 99m rising to 99.6m at the northern end of the field. There is also a banking from the field level to the ground surrounding the existing dwellings at 101.2m. Sections A and B on drawing No. 11379-001 show the ground profile. To the East of the site the field level is lower and is generally below 99m. The ground level at the location of the proposed house is presently 101.43m.
4. The proposed new house has a floor level 2.8 metres above the level of the burn where it emerges from the culvert under the Great North Road. Although the land on the south side of the Burn rises quite steeply there is still a large area of low lying ground adjoining the Burn which would cope with any flood water.
5. On this basis the risk of flooding to the new dwelling house is low and compliant with SPP7.

Tom McGregor
BSc(Hons) CEng FICE FStructE

P.P. Gary Heaney



McGregor  **McMahon**
& ASSOCIATES

CONSULTING ENGINEERS

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PROPOSED DEVELOPMENT AT
DUNVEGAN, GREAT NORTH ROAD
KELTY

SURVEY LEVELS

SCALE SHOWN	DATE 07.10.09	DRAWN GRH	APPROVED TmCG
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DRAWING No. 11379-001

LRB-2020-19 - 20/00135/IPL – Erection of a dwellinghouse (in principle), land 70 metres north east of Dunvegan, Great North Road, Blairadam

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/00135/IPL	Comments provided by	Duncan Lewis
Service/Section	HE/Flooding	Contact Details	
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 70 Metres North East Of Dunvegan Great North Road Blairadam		
Comments on the proposal	<p>We have reviewed this application and we would highlight that there is a medium probability of surface water and river flooding along the Southern border of the property line. However, as the proposed development is out with the functional floodplain as shown on the SEPA Flood Map.</p> <p>We have no objection to this application.</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	21/02/20		



26th February 2020

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

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

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

Dear Local Planner

KY4 Blairadam Great North Rd 70 Meters NE Dunvegan
PLANNING APPLICATION NUMBER: 20/00135/IPL
OUR REFERENCE: 789160
PROPOSAL: Erection of a dwellinghouse (in principle)

Please quote our reference in all future correspondence

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

Water

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

Foul

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

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

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

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

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

General notes:

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

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

Next Steps:

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

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

- **10 or more domestic dwellings:**

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

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

- **Non Domestic/Commercial Property:**

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

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

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

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

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

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

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

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

Yours sincerely

Pamela Strachan
Planning Consultations Administrator



The Coal
Authority



INVESTOR IN PEOPLE



RTPI
Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Joanne Ferguson – Case Officer
Perth and Kinross Council

[By Email: developmentmanagement@pkc.gov.uk]

4 March 2020

Dear Ms Ferguson

PLANNING APPLICATION: 20/00135/IPL

Erection of a dwellinghouse (in principle) at Land 70 Metres North East of Dunvegan, Great North Road, Blairadam

Thank you for your consultation letter of 20 February 2020 seeking the views of the Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Fundamental Concern

I have reviewed the site location plans, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the site falls within the defined Development High Risk Area and that a Coal Mining Risk Assessment, or equivalent report, is required to be submitted to support this application.

The Coal Authority records indicate that a recorded mine entry (adit, CA ref. 314695-007) is located adjacent to the north eastern site boundary, with its associated potential zone of influence extending into the site. Due to potential plotting inaccuracies, the actual position of this coal mining related feature could deviate/depart from its plotted position by several metres and, as such, the adit could potentially be present within the application site. Our information also indicates that historic unrecorded underground coal mining is likely to have taken place beneath the site at shallow depth.

In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to

submit a Coal Mining Risk Assessment Report, or equivalent report, to support this planning application. As no relevant information has been submitted at this time the Coal Authority **objects** to this planning application.

We take this opportunity to highlight that any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. Our adopted policy on the matter can be found at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

The Coal Authority would be pleased to receive for further consultation and comment any additional information submitted by the applicant.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

James Smith

James Smith BSc. (Hons), Dip.URP, MRTPI
Planning Liaison Manager

General Information for the Applicant

The Coal Mining Risk Assessment needs to interpret the coal mining risks and should be based on up-to-date information of past coal mining activities in relation to the application site. A variety of Coal Mining Report products which provide baseline information on coal mining legacy risks are available from www.groundstability.com. A Coal Mining Risk Assessment should then take the information contained in the Coal Mining Report and interpret the risks identified specifically in relation to the proposed development. If you merely submit a Non Residential Coal Mining Report, an Enviro All-in-One Report or other factual report obtained from www.groundstability.com (or a similar product from private land search suppliers) this will not overcome our objection to your planning application.

This coal mining information you obtain from a Non-Residential Coal Mining Report, an Enviro-All-in-One Report or other factual report should then be used to assess whether or not past mining activity poses any risk to the development proposal and, where necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive investigation on site to ensure that the Local Planning Authority has sufficient information to determine the planning application.

The Coal Mining Risk Assessment should be prepared by a “competent body”. Links to the relevant professional institutions of competent bodies can be found at:

www.gov.uk/planning-applications-coal-mining-risk-assessments

Guidance on how to produce a Coal Mining Risk Assessment and a template which the “competent body” can utilise is also contained at:

www.gov.uk/planning-applications-coal-mining-risk-assessments

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of the Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from the Coal Authority’s website at:

www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Disclaimer

The above consultation response is provided by the Coal Authority as a Statutory Consultee and is based upon the latest available coal mining data on the date of the response, and electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to the Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by the Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the applicant for consultation purposes.

Memorandum

To Head of Development Management From Regulatory Services Manager

Your ref 20/00135/FLL

Our ref LJA

Date 10 March 2020

Tel No [REDACTED]

Housing and Environment

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission PK20/00135/FLL RE: Erection of a dwellinghouse (in principle) Land 70 Metres North East of Dunvegan Great North Road Blairadam for Mr James Lillie

I refer to your letter dated 26 February 2020 in connection with the above application and have the following comments to make.

Contaminated Land

Comments

The proposed development is on land that is identified as being close to former mineworkings. There is therefore the potential for ground gas production that could possibly impact upon the suitability of the site for the proposed development.

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

Condition

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

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

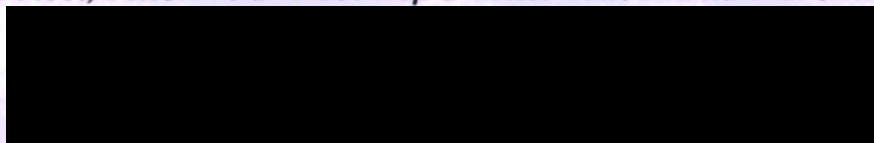
Prior to the completion or bringing into use of any part of the development the agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning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

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/00135/IPL	Comments provided by	Andrew de Jongh Technician – Transport Planning
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 70 Metres North East of Dunvegan, Great North Road, Blairadam		
Comments on the proposal	<p>The applicant should consider the following when submitting a formal planning application:</p> <ul style="list-style-type: none"> • The number of car parking spaces being provided for the dwellinghouse is in accordance with The National Roads Development Guide. • Should a garage be proposed for parking, the size of space within the garage must be a minimum of 7.0m x 3.0m (internal dimensions), as set out in the standards defined in The National Roads Development Guide. • Full visibility splays of 120 metres shall be provided to the left and right of the access measured between points 1.05m above the road level. • Prior to the development hereby approved being completed or brought into use, turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward-facing gear. <p>Insofar as the Roads matters are concerned, I have no objections to this proposal on the following conditions.</p>		
Recommended planning condition(s)	<p>The development shall not commence until the following specified matters have been the subject of a formal planning application for the approval of the Council as Planning Authority: regarding access, car parking, public transport facilities, walking and cycling facilities, the road layout, design and specification (including the disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority (as detailed in the National Roads Development Guide) and to the satisfaction of the Planning Authority.</p>		
Recommended informative(s) for applicant			
Date comments returned	10/03/2020		

KINROSS-SHIRE CIVIC TRUST

Helping protect, conserve and develop a better built and natural environment



Planning and Development Management
Perth & Kinross Council
Pullar House
Perth

By email to: developmentmanagement@pkc.gov.uk

13 March 2020

Dear Sir/Madam

20/00135/IPL Erection of a dwelling house (in principle), land 70 metres North East of Dunvegan, Great North Road, Blairadam

Kinross-shire Civic Trust objects to the above application because it does not appear to comply with the Council's Housing in the Countryside Supplementary Guidance (March 2020).

There are only two existing houses, which does not constitute a group. At least three dwellings constitutes a group. Nor is the proposed site an infill site.

Yours faithfully

Kinross-shire Civic Trust

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/00135/IPL	Comments provided by	Bea Nichol
Service/Section	Planning & Housing Strategy	Contact Details	Planning Officer Development Plans Team
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 70 Metres North East of Dunvegan Great North Road, Blairadam		
Comments on the proposal	<p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Cleish Primary School.</p>		
Recommended planning condition(s)	<p>Primary Education</p> <p>CO01 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with particular regard to primary education infrastructure, or such subsequent Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2016.</p>		
Recommended informative(s) for applicant	N/A		
Date comments returned	19/03/2020		

