

TCP/11/16(488) – 17/01182/IPL - Erection of a dwellinghouse (in principle) on land 30 metres west of 2 Hillview, Tomaknock, Crieff

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TCP/11/16(488) – 17/01182/IPL - Erection of a dwellinghouse (in principle) on land 30 metres west of 2 Hillview, Tomaknock, Crieff

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

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

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

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

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

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

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

Yes ☒ No ☐

Planning authority

Perth and Kinross Council

Planning authority's application reference number

17/011/82/IPL

Site address

Land 30 metres west of 2 Hillview Tomaknock Crieff

Description of proposed
development

Erection of dwelling house (in principle)

Date of application

06/07/17

Date of decision (if any)

03.08.17

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

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

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

Further written submissions – all points highlighted in our additional appeal statement documentation should be fully considered. This has been prepared in detail due to our disagreement with the planning officer's assessment.
Site visit – We believe all the points in our supporting appeal documentation would be best understood by a site visit to the contained site and group of buildings.

Site inspection

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

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

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

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 see statement provided in full in a separate document.

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

Yes

☐

No

☒

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

List of documents and evidence

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

1. We have provided a full appeal statement in a separate document – as requested in the statement of this form.

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

Checklist

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

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

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

Declaration

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

Signed

Date

04.09.17

FERGUS PURDIE ARCHITECT

LOCAL REVIEW BODY APPLICATION - FULL
STATEMENT

APPLICATION NUMBER: 17/01182/IPL

ERECTION OF A DWELLINGHOUSE (IN PRINCIPLE)
LAND 30 METRES WEST OF 2 HILLVIEW
TOMAKNOCK CRIEFF

SEPTEMBER 2017



1. Reasons for Refusal

- The proposal does not comply with any of the categories of the Council's Housing in the Countryside Guide 2014, where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.
- 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.
- 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.
- 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.

2. Reasons for notice of review

2.1. The proposal does in fact comply with two categories of the Council's Housing in the Countryside Guide 2014.

- Building Groups –

The application site currently consists of two 1.5 storey residential buildings, with an additional 1.5 storey detached outbuilding which is used for car parking, storage and first floor accommodation. There is also a large industrial building which occupies a significant part of the north-west part of the site. The new development will consolidate the building group into a clear definable site by establishing a strong western boundary.

The existing flat topography of the site also lends itself to the development of an additional home, as well as a high standard of landscaped amenity area.

- Rural Brownfield Land –

This is characterised within the Council's Housing in the Countryside Guide 2014 as 'redevelopment for small scale housing of brownfield land which was formerly occupied by buildings'.

The proposal identifies the large redundant industrial shed for demolition, as a result of this the land could be characterised as Brownfield.

Upon demolition, the shed would be replaced by a development (1x dwellinghouse) which would provide a significant environmental improvement to the building group and surrounding area.

PKC states that this building, as an 'agricultural building', is not characterised as brownfield. However this building is not used as an agricultural building, it was used for the purposes of the client's family business – a Taxi Company. This included operational, storage and car maintenance facilities. The client and their family, and the existing group of building situated on the site, are not associated or linked with any agricultural operations.

We would like to also highlight the Scottish Planning Policy's definition of brownfield land – 'Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused building and developed land within the settlement boundary where further intensification of use is considered acceptable'.

2.2. The proposal is not contrary to Policy PM1B(a) of the Perth and Kinross Local Development Plan 2014 due to the following:

- The proposal solidifies and consolidates a 'sense of identity' by developing and adding to the existing group of residential buildings in a minimal and coherent way.
- It does not 'erode the character of the countryside', as the proposal replaces an industrial unit with a singular dwellinghouse in keeping with the character of the existing residential buildings which occupies the site.
- The proposal will enhance the character of the countryside by citing Perth and Kinross Council's new Placemaking Guide, as well as following Policy PM1 of the Perth and Kinross Local Development Plan 2014 – 'contributing positively, to the quality of the surrounding built and natural environment'.

It will do so by :

- removal of the existing and unused industrial shed
- ensuring the new proposal is of a high standard of design and finish
- creating a strong defined boundary on the western edge of the site, a 'book-end' to the existing building group. This would in turn discourage and limit any future development to green belt land to the north and west of the site.
- addition of amenity space, in the form of a landscaped courtyard area, is to be created as a result of the proposed building development. Additionally a 'paddock' area is formed within the unproductive agricultural land to the direct west of the application site. This will further strengthen the western boundary, as well as completing the 'triangular' shape of the site.
- creating a positive boundary edge to the southern edge of the site, on the Old Perth Road, enhancing the quality of the approach into the town of Crieff.

2.3. The proposal is not contrary to Policy PM1B(b) of the Perth and Kinross Local Development Plan 2014 due to the following:

- Please see all points of response number 2 above.
- The proposal additionally complies with Policy PM1B (b).

It will do so by:

- Making no topographical change to the existing site
- Has no impact on any views or skylines
- Enhances the character of the countryside (see previous point no.2)

2.4. The proposal is not contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 due to the following:

- The siting of a dwellinghouse in this location has little to no impact on the visual qualities of the landscape. This is due to significant woodland and hedging edges which bound the application site to the north, east, and southern boundary (which acts as a buffer between the site and the busy road), which in turn results in no opportunities for key views into the site, except from a partial view from the south boundary looking towards the existing houses.
- The proposal replaces an industrial unit with a single dwellinghouse in keeping with the character of the existing residential buildings which occupies the site. It will also be of a high standard of design and finish, particularly compared to the existing unused large industrial unit.

3. Conclusion

The proposal shows the addition of one house within an existing contained landscape framework, with an established group of buildings including residential, outbuildings and storage. The aspirations of the client are for the betterment of this settlement – and in the process it will allow the applicant to join the extended family (mother and brother) that have lived at Easter Tomaknock since it was first build.

**TCP/11/16(488) – 17/01182/IPL - Erection of a
dwellinghouse (in principle) on land 30 metres west of 2
Hillview, Tomaknock, Crieff**

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

Miss Jane Brown
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Fergus Purdie
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Date 3rd August 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/01182/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 6th July 2017 for permission for **Erection of a dwellinghouse (in principle) Land 30 Metres West Of 2 Hillview Tomaknock Crieff** 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

17/01182/1

17/01182/3

17/01182/4

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/01182/IPL	
Ward No	P6- Strathearn	
Due Determination Date	05.09.2017	
Case Officer	Sean Panton	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse (in principle).

LOCATION: Land 30 Metres West of 2 Hillview, Tomaknock, Crieff.

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: 10th July 2017

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is on land 30 Metres West of 2 Hillview, Tomaknock, Crieff. The application seeks planning permission in principle for the erection of a dwellinghouse. The proposed site size is approximately 1,992m² and is on a relatively elevated piece of land. The site is bound to the east by the residential properties at Hillview, to the south by an unnamed road, and to the North and West by an agricultural field. The site, which is only 165metres from

the identified settlement boundary of Crieff, would form ribbon development from the existing 2 residential buildings.

SITE HISTORY

88/01167/FUL - CRIEFF ERECT 2 DWELLINGHOUSES - IN PRINCIPLE - AT EASTER TOMAKNOCK 17 November 1988: Application Permitted

99/01487/FUL - Erection of private garages for 2 houses at 21 October 1999: Application Permitted

PRE-APPLICATION CONSULTATION

Pre application Reference: 16/00401/PREAPP

It was highlighted to the agent at pre-application stage that the proposal was not compliant with the relevant policies of the adopted Local Development Plan and thus would be unsupportable.

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.

CONSULTATION RESPONSES

External

Scottish Water:

Scottish Water highlighted that there is currently sufficient capacity in the Turret Water Treatment Works to service the development however there is no Scottish Water Waste Water infrastructure within the vicinity to service the development.

Transport Planning:

No objection to the proposed development.

Contributions Officer:

The Contributions Officer requested a condition to be added to the consent to ensure that the development is in accordance with the Contributions Policy.

Environmental Health:

Environmental Health did not respond to the consultation.

REPRESENTATIONS

No representations were received regarding this proposal.

ADDITIONAL STATEMENTS 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 (Supporting Report)
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 Supporting 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 housing cannot be considered as a building group as there are only 2 residential buildings to be retained.

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 group which would result in sprawl into the countryside, which would detract and destroy the grouping at the entrance to Crieff. The proposal would also lead to ribbon development along the unnamed road. At present, as seen on the page 4 of the provided Supporting Statement, the edge of the development site is only 165metres from the settlement boundary of Crieff. The allowing of ribbon development could seriously compromise the settlement boundary of Crieff as infill development may then become possible. As the site does not have suitable definable boundaries on the western boundary, 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 shed and as such cannot be assessed as being brownfield in terms of the HICG.

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

Design and Layout

As this application is simply seeking to establish the principle of a dwellinghouse on the site, there is no requirement for the submission of any detailed plans relating to the design or layout of the proposed house. All matters in relation to Design and Layout will be considered under a detailed application.

Landscape and Visual Amenity

The site is on a relatively elevated piece of land and therefore highly visible from the surrounding area. The unnamed road to the immediate south of the development is a well-used route into the town of Crieff and therefore it is highly important that this route is protected from development which could have a negative impact upon the landscape character and visual amenity of the area. The existing hedging to the south and post and wire fence to the north and west is not considered sufficient screening to suitably accommodate a dwellinghouse without having a significant impact upon the landscape qualities of the area. Whilst it is noted that there is an existing building on the site, as this is agricultural in nature, it does not appear out of context in its rural setting and is considered to be more appropriate than a dwellinghouse.

In this case, due to the prominence of the site from the road 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. As this application is in principle only and full details have not been submitted, I am unable to comment on the complete visual impact of the proposal.

Residential Amenity

It is considered that a dwellinghouse could be accommodated on this site without detrimentally affecting neighbouring residential amenity. I therefore have no concerns in relation to residential amenity.

Roads and Access

As this application is in principle, full details of the proposed roads and access have not been submitted. It is however considered that an acceptable scheme could be achieved on this site. Furthermore, Transport Planning was consulted as part of this application and has no objection to the proposed development.

Drainage and Flooding

The site is not within an area known to flooding and as such it is therefore considered that there are no flooding implications associated with this proposal. All matters in relation to drainage would be considered under a detailed application.

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 Crieff Primary School.

The Developer Contributions Officer therefore recommended that a condition is added to any consent granted to highlight that any proposed development on the site must be in accordance with the Contributions Policy.

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.

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

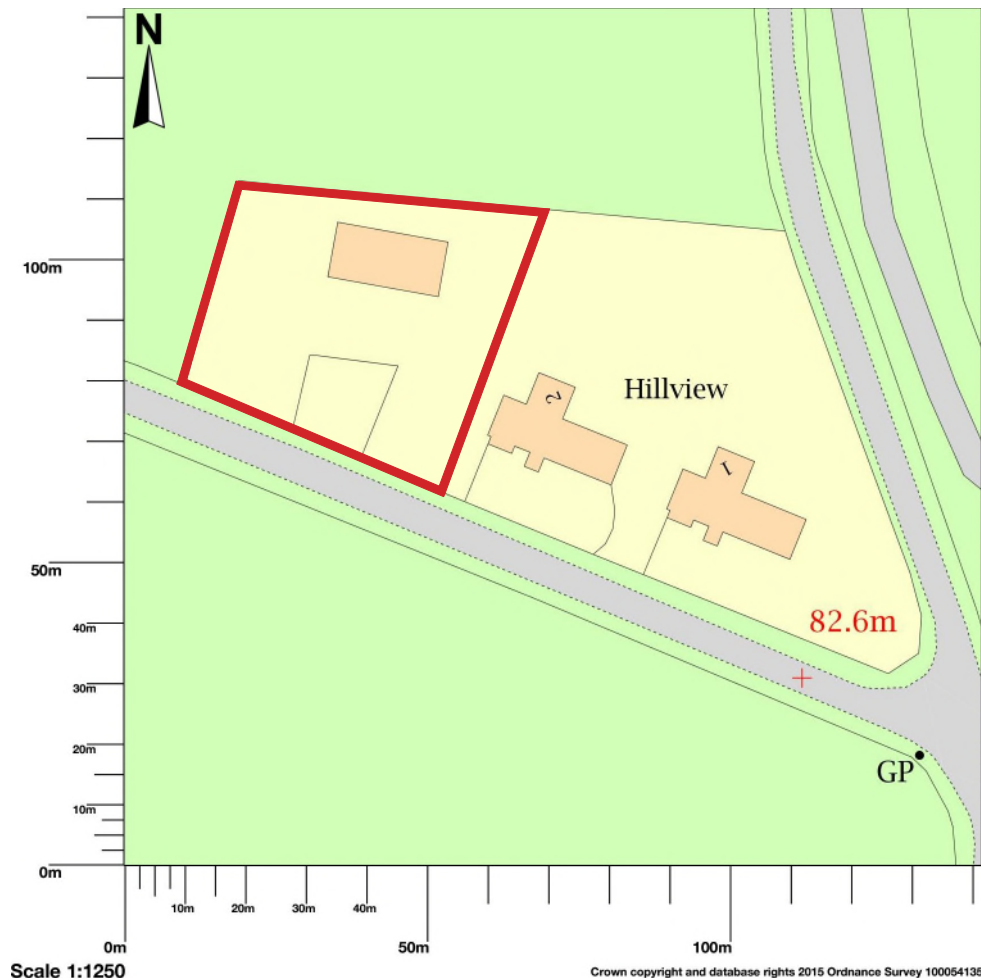
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17/01182/4

Date of Report 3rd August 2017

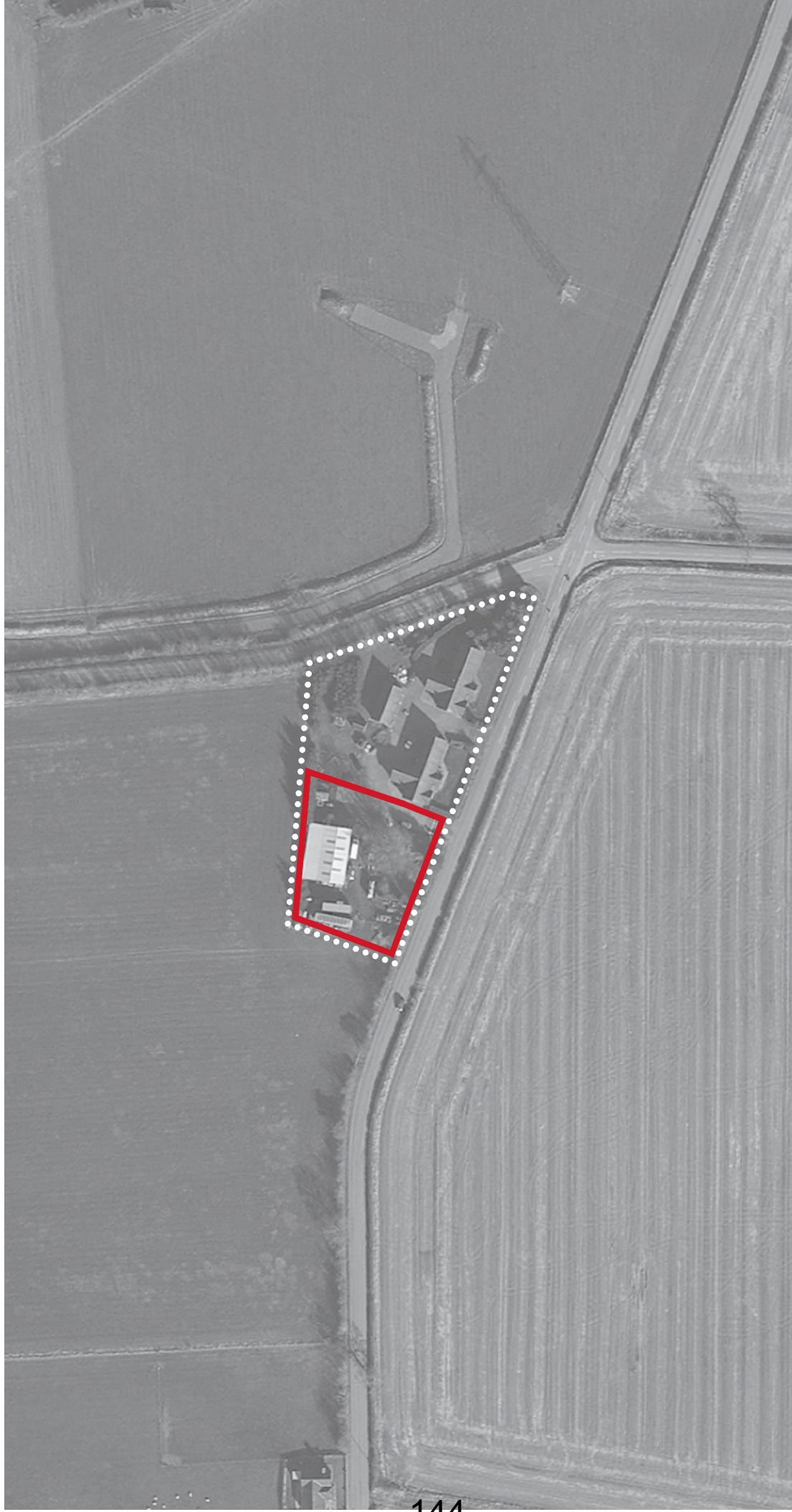
1 Hillview, Tomaknock, Crieff, PH7 3QH



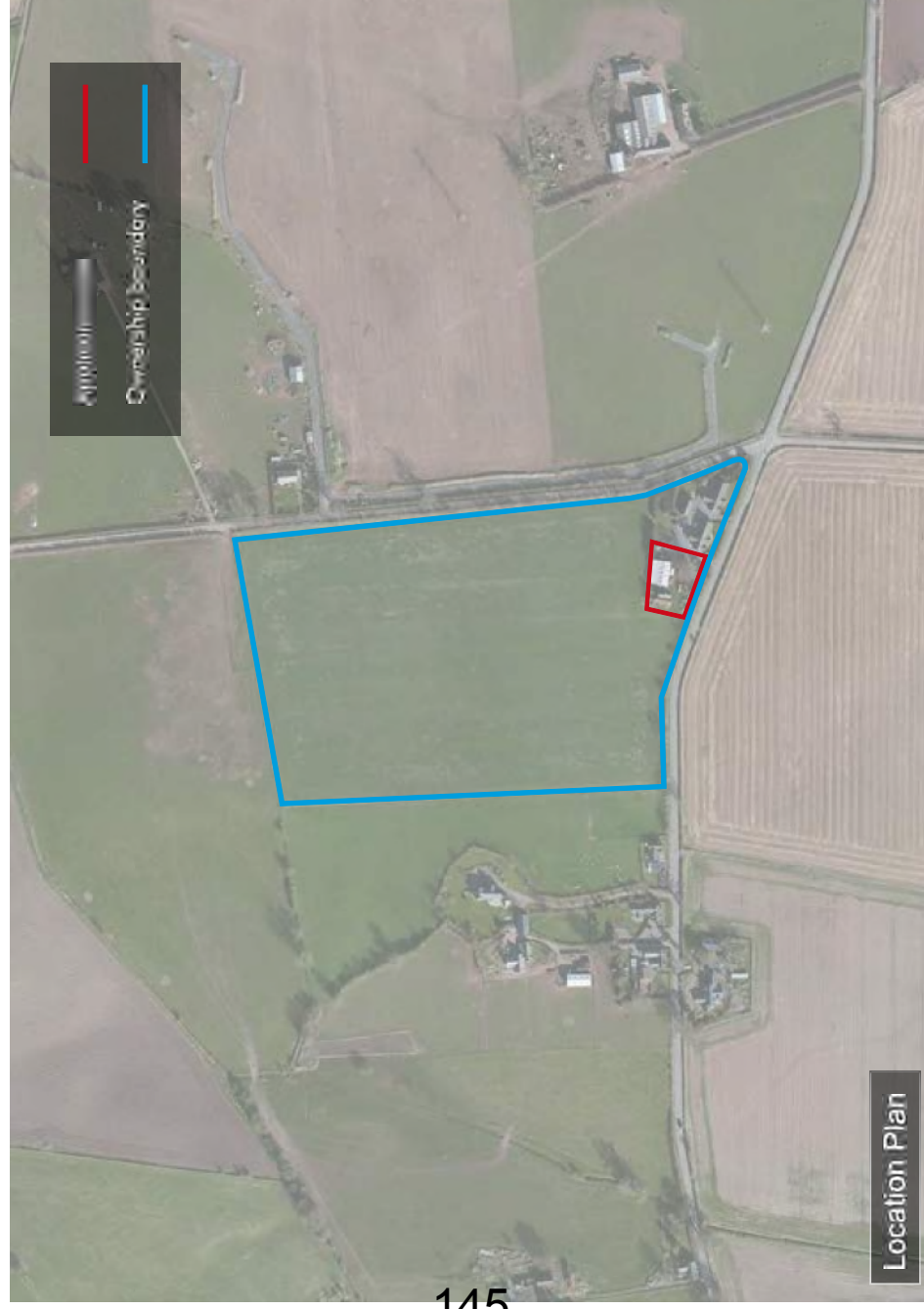
Map shows area bounded by: 288202.28,721542.3,288343.72,721683.7 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Introduction



Introduction to the proposed application site and outline planning application -

This report outlines a proposal for planning in principle for housing at a site situated on the outskirts of the eastern edge of the town of Crieff - Easter Tomaknock.

Currently the building group contains two houses, garage stores, and an industrial shed which has previously been used for commercial purposes.

This application proposes to introduce an additional house within the site, to the west of the existing houses. It will also take the place of the unused industrial shed, which is to be demolished in advance of the development process.

The client currently resides in one of the building group's existing houses with his immediate family, while his mother inhabits the other house. It is the intention that the client's sister will be able to live within the future development, with her immediate family, in the new house.





1. View west from the application site



2. Looking towards western part of site from centre of site



3. View east into application site.



Site Photographs - Location Plan



4. Large industrial shed in north-west area of site

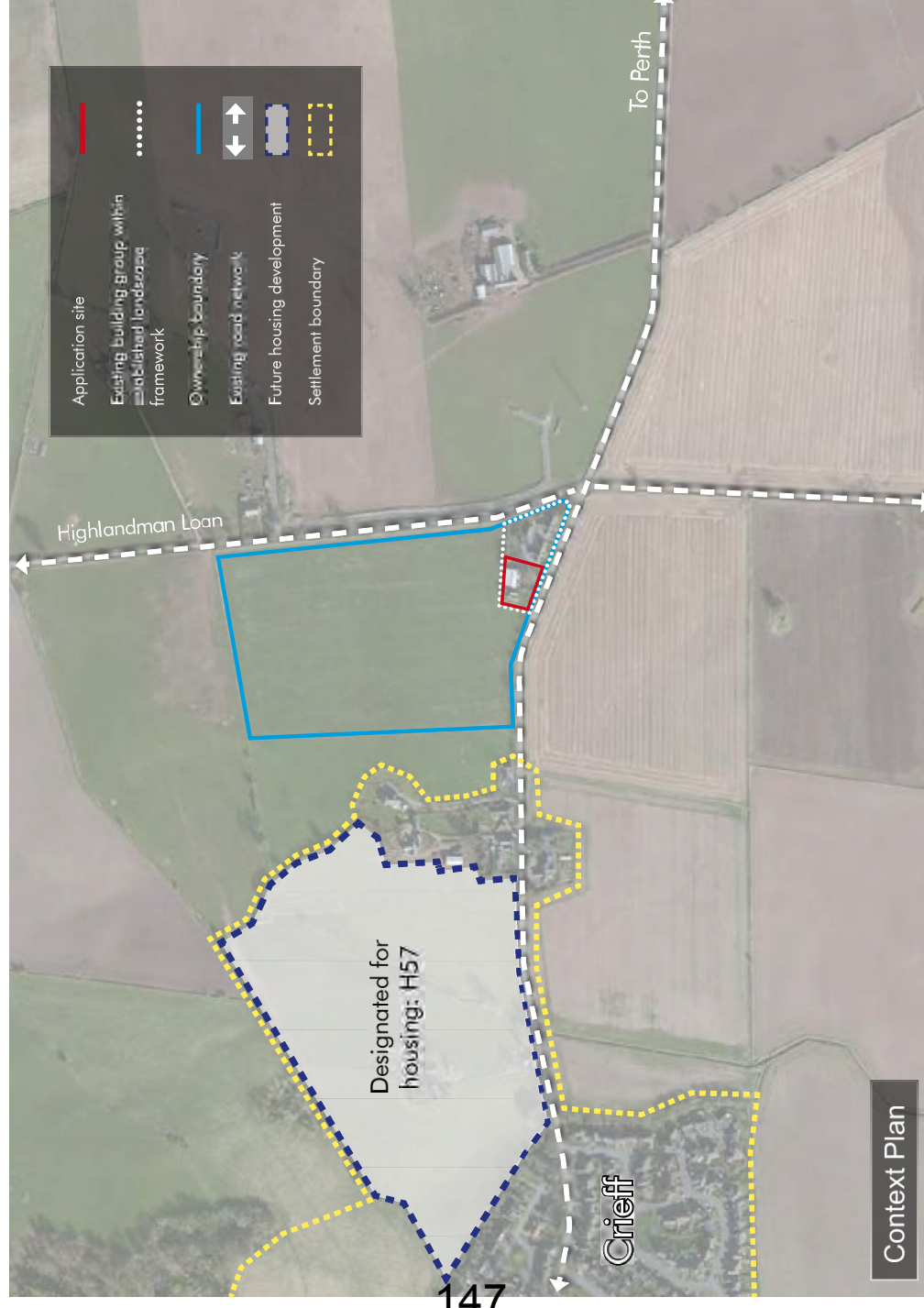


5. View south into application site



6. View along the Old Perth Road with hedging edge on the southern boundary

Wider context



Wider context analysis -

The application site is situated on the outskirts of Crieff, close to the eastern edge of the official settlement boundary.

To the west of the application site, within the Crieff settlement boundary, there is a site which is designated for housing within the Perth and Kinross Local Development Plan. This site is named H57 in the LDP.

The site is situated within, and contained by, the existing road network. The Old Perth Road, which runs from Crieff to Perth, bounds the site to the south, while the Highlandman Loan road runs along the eastern boundary.

To the north and west the site is bounded by productive agricultural land, which also lies within the client's ownership boundary.

The site's location within the landward area within the adopted Local Development Plan 2014 (LDP) means the proposal should be principally considered against Policy RD3: Housing in the Countryside, and its associated supplementary planning guidance 'Housing in the Countryside Guide' (2012).

Site analysis



Site Analysis - exploring key characteristics, site constraints and opportunities -

- The application site is triangular shaped, and self-contained, between an agricultural field to the north and existing road network junction connecting the Old Perth Road with Highlandman Loan.
- There is existing housing situated on the site, as well as a disused large industrial shed which is to be removed. There is also existing access into the site from the Old Perth Road from the southern boundary.
- Currently there is significant woodland and hedging edges which bound the application site to the north, east, and southern boundary (which acts as a buffer between the site and the busy road).
- There are key views out of the site to the west towards the town of Crieff. At the moment there are no opportunities for key views into the site, except from a partial view from the south boundary looking towards the existing houses.

Local Policy



Local Policy -

Within the 'Housing in the Countryside Guide' set out by Perth and Kinross Council, local policy states it 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 several categories. Two of these categories are applicable to this application.

1. Building Groups -

The application currently consists of 1.5 storey residential buildings, with an additional 1.5 storey building which is used for car parking and an first floor living area. There is also a large industrial building which occupies a large part of the north-west part of the site.

The new development will consolidate the building group into a clear definable site by creating a strong western boundary. The existing flat topography of the site also lends itself to the development of additional homes, as well as a high standard of landscaped amenity area.

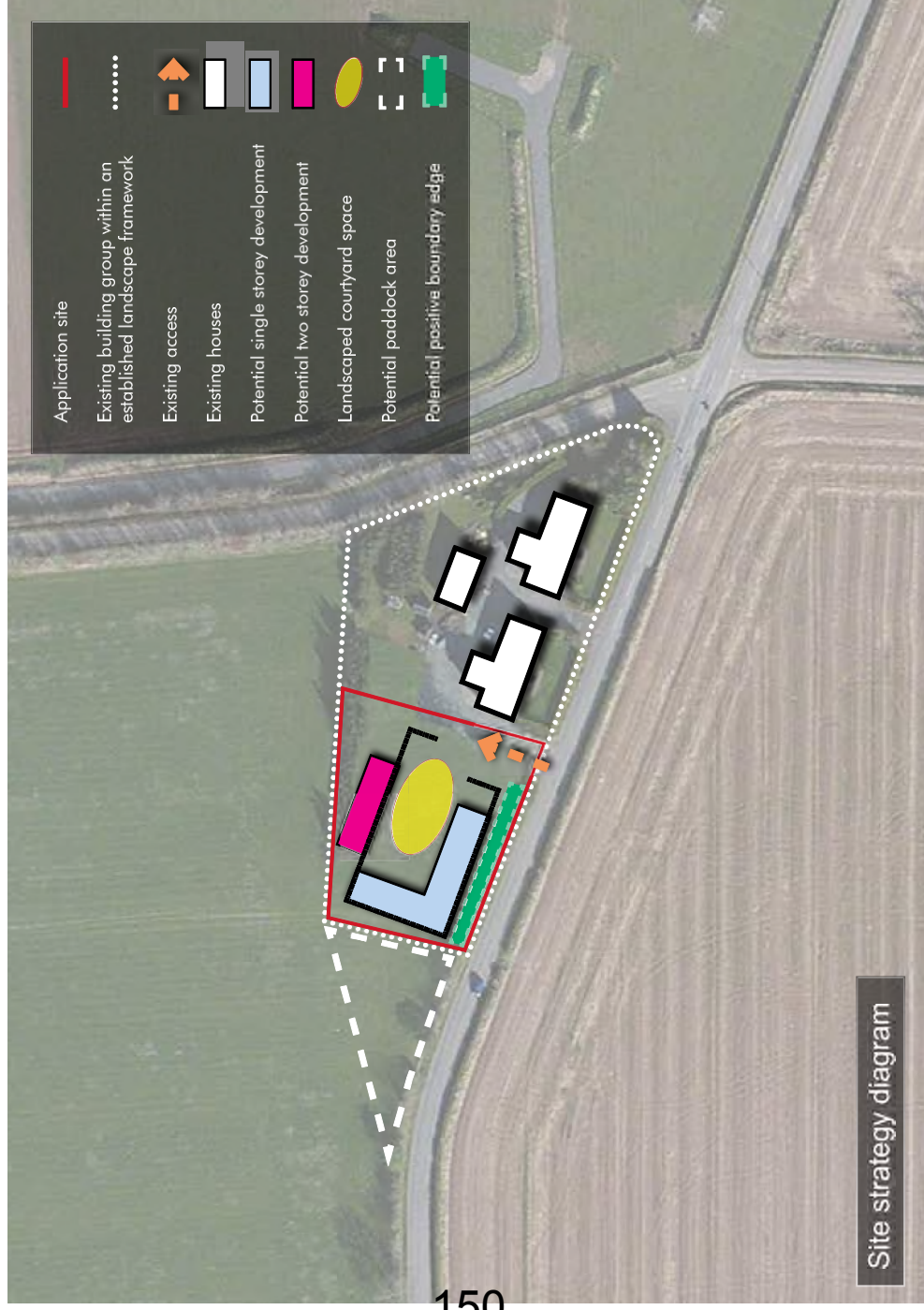
2. Rural Brownfield Land -

Characterised as 'redevelopment for small scale housing of brownfield land which was formerly occupied by buildings'.

The proposal identifies the large redundant industrial shed for demolition (see Site Strategy), as a result of this the land could be characterised as Brownfield.

Upon demolition, the shed would be replaced by a development which would provide a significant environmental improvement to the building group and area

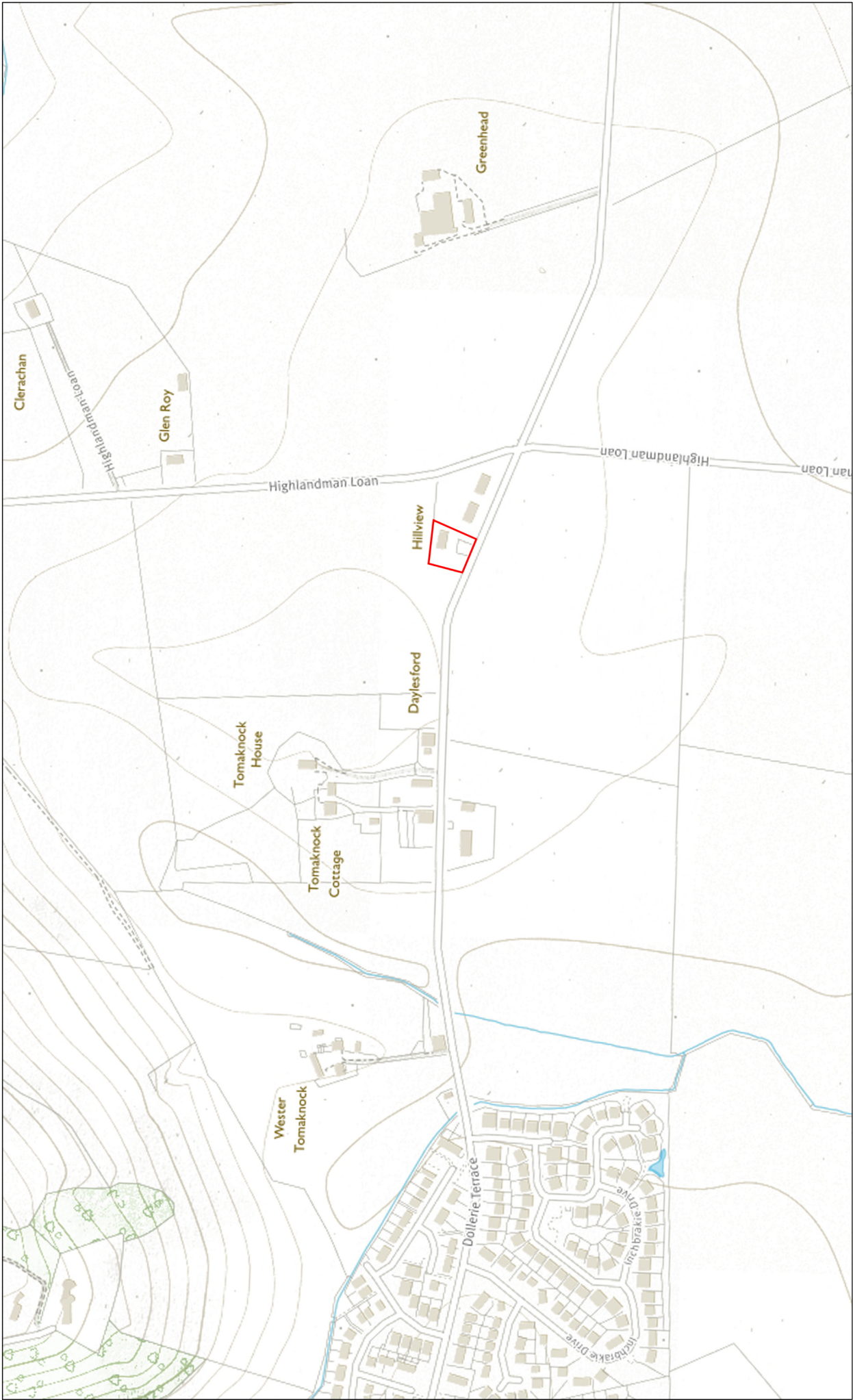
Proposal options



Site strategy diagram

Site strategy - exploring potential development opportunities from the site analysis information -

- Removal of the existing, and unused, industrial shed, which was formerly used for commercial purposes. This land would be defined as brownfield.
- New development to be built on the western part of the application site. The proposed new building form would be of a high standard of design and finish, and would create a strong defined boundary on the western edge of the site, a 'book-end' to the existing building group. This would in turn discourage and limit any future development to green belt land to the north and west of the site.
- Development proposal could include a mix of one and two storey buildings. The single storey element to the front would form part of the active frontage to the old Perth Road, whilst the two storey element would be to the north of the site where the large industrial shed once occupied.
- Amenity space, in the form of a landscaped courtyard area, is to be created as a result of the proposed building development. Additionally a 'paddock' area is formed within the unproductive agricultural land to the direct west of the application site. This will further strengthen the western boundary, as well as completing the 'triangular' shape of the site.
- A positive boundary edge is proposed to the southern edge of the site, on the Old Perth Road, which will enhance the quality of the approach into the town of Crieff.



TCP/11/16(488) – 17/01182/IPL - Erection of a dwellinghouse (in principle) on land 30 metres west of 2 Hillview, Tomaknock, Crieff

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01182/IPL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin Tel: [REDACTED] Email: [REDACTED]
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 30 Metres West Of 2 Hillview Tomaknock, Crieff		
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, 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 Crieff 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 PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure, unless otherwise agreed in writing with the Council as Planning Authority.</p> <p>RCO00 Reason – To ensure the development is in accordance with the terms of the Perth and Kinross Council Local Development Plan 2014 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	17 July 2017		

19th July 2017

Perth & Kinross Council
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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 Sir/Madam

SITE: PH7 Crieff 30 Metres West Of 2 Hillview Tomaknock
PLANNING REF: 17/01182/IPL
OUR REF: 747777
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 **Turret** Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options. The nearest Scottish Water waste infrastructure is over 600m away from this development.

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 normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

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

General notes:

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

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

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

Lisa Lennox

Development Operations Analyst

Lisa.lennox2@scottishwater.co.uk

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01182/IPL	Comments provided by	Tony Maric Transport Planning Officer
Service/Section	Transport Planning	Contact Details	██████████ ████████████████████
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 30 Metres West Of 2 Hillview Tomaknock Crieff		
Comments on the proposal	Insofar as the roads matters are concerned, I have no objections to this proposal.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	24 July 2017		

