TCP/11/16(346)
Planning Application 14/02106/FLL – Erection of dwellinghouse, land 10 metres north west of Cairn Cottage, Coupar Angus Road, Blairgowrie

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TCP/11/16(346)
Planning Application 14/02106/FLL – Erection of dwellinghouse, land 10 metres north west of Cairn Cottage, Coupar Angus Road, Blairgowrie

PAPERS SUBMITTED BY THE APPLICANT

CHIEF EXECUTIVES
DEMOCRATIC SERVICES
19 FEB 2015
RECEIVED

18 FEB 2015

CUSTOMER SERVICE POINT
17 FEB 2015
RECEIVED

NOTICE OF REVIEW

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

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

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

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name	MR. B. McINTYRE
Address	MOYNESS NURSERY COUPAR ANGUS ROAD BLAIRGOWRIE
Postcode	
Contact Telephone 1	
Contact Telephone 2	
Fax No	
E-mail*	

Agent *(if any)*

Name	HIGHLAND PLANS
Address	CHARIS GUAY BALLINLUIG
Postcode	PH9 0NT
Contact Telephone 1	07773 123555
Contact Telephone 2	
Fax No	
E-mail*	dave@highlandplans.com

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 & KINROSS COUNCIL
Planning authority's application reference number	14/02106/FLL
Site address	LAND NORTH WEST OF CAIRN COTTAGE, COUPAR ANGUS ROAD, BLAIRGOWRIE
Description of proposed development	ERECTION OF 1 ½ STOREY DWELLING

Date of application 4/12/14 Date of decision (if any) 27/1/15

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:

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

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

THE PROPOSED BOUNDARY BETWEEN THE SITE + CAIRN COTTAGE HAS NOT BEEN DEFINED + WILL NEED TO BE EXPLAINED AS THE POSITIONING OF THE BOUNDARY IS A POINT FOR NEGOTIATION IF THAT HELPS THE APPLICATION TO BE APPROVED.

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.

Reason for notice of review

We disagree with the refusal made on the basis of the following Policy.

Policy PM1A - Placemaking
Development must contribute positively to the quality of the surrounding built & natural environment, respecting the character & amenity of the place.
Policy RD1
New development will not adversely affect the character or amenity of the existing area.

We note the following from the planning Officer's delegated report: -

1. No neighbours raised any objection to the proposed dwelling
2. Scottish Water raised no objection
3. Transport Planning raised no objection
4. 400m2 is normally considered a suitable size for a new residential plot. The proposed plot is 25% **larger** than this.
5. There is no loss of privacy to/from neighbours.
6. There is adequate amenity ground around the proposed dwelling.
7. The design reflects the adjacent Cairn Cottage in terms of building line, ridge height, 2 hipped dormers, & matching external finishes. All of which are deemed acceptable in the report.

We strongly contend that the proposals will in no way detract from the visual amenity & character of the existing area. In terms of the ratio of building footprint to site area, the proposals result in a lower building density than the adjacent bungalow sites to the northwest. In terms of proximity to Cairn Cottage, the proposed dwelling at a distance of 6.5m is further from its neighbour than Grainston & The Brackens (3.9m approx) on the opposite side of the A923.

We agree with the request from the Planning Officer that "in the event of any approval, restrictive conditions should be attached to any consent requiring the retention and protection of these hedges." This would retain the 8' high screen between the pavement and the site obscuring all but the top 1.5m of roof of both the proposed house and Cairn Cottage. This would only apply to pedestrians and drivers on the opposite side of the A923. Those on the adjacent side of the road to the site would not see either house, other than briefly at the drive entrances. For car occupants and the rare pedestrian on this stretch of road, this can in no way constitute a "loss of visual amenity & character."

We therefore respectfully request that Planning Approval be granted.

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.

1435-01B PROPOSED SITE PLAN
1435-02A FLOOR PLANS
1435-03B ELEVATIONS
1435-04 LOCATION PLAN
SUPPORTING STATEMENT
PHOTOGRAPH SHOWING THE DEGREE TO WHICH THE PROPOSED + EXISTING DWELLINGS WILL BE VISIBLE OVER THE HEDGE AS SEEN FROM THE OPPOSITE SIDE OF THE ROAD.

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

Checklist

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

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

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

Declaration

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

Signed [redacted] Date 16/2/15

Proposed New Dwelling at Cairn Cottage

1. Site Area

The existing site at Cairn Cottage is 0.15ha. The proposed site of 0.05ha represents a 2/3rd to 1/3rd division of the site. See table below for comparative building area to site area ratios. The proposed house will have proportionately more garden ground than both The Shieling and Minmore (exc. their shared access road).

	Proposed House	Cairn Cottage	Minmore	The Shieling
Building Area	81m2	153m2	174m2	218m2
Site Area	500m2	1,500m2	742m2	830m2
Ratio	0.16	0.10	0.23	0.26

2. Density

The proposed dwelling will be sited approximately 6.5m from the gable wall of Cairn Cottage. The two adjacent properties on the Coupar Angus Road, The Shieling and Minmore are approximately 7m apart. Therefore in terms of the immediate streetscape the proposals do not conflict with what exists.

3. Design

The house design provides the accommodation levels required by the client, whilst ensuring that the ridge height and roof pitch matches that of Cairn Cottage. The elevation facing the street incorporates a larch-clad porch and two hipped dormer windows, which also reflect those of Cairn Cottage.

We have been careful to design the house such that there are no overlooking issues with neighbours. The gable wall facing Brucefield Road and Minmore has no windows at all. The gable wall facing Cairn Cottage has no windows at first floor level and only a utility door and shower room window at ground floor level, both of which would have obscure glazing. The rear elevation facing Beech House has only a bathroom window at first floor level, which again would have obscure glazing.

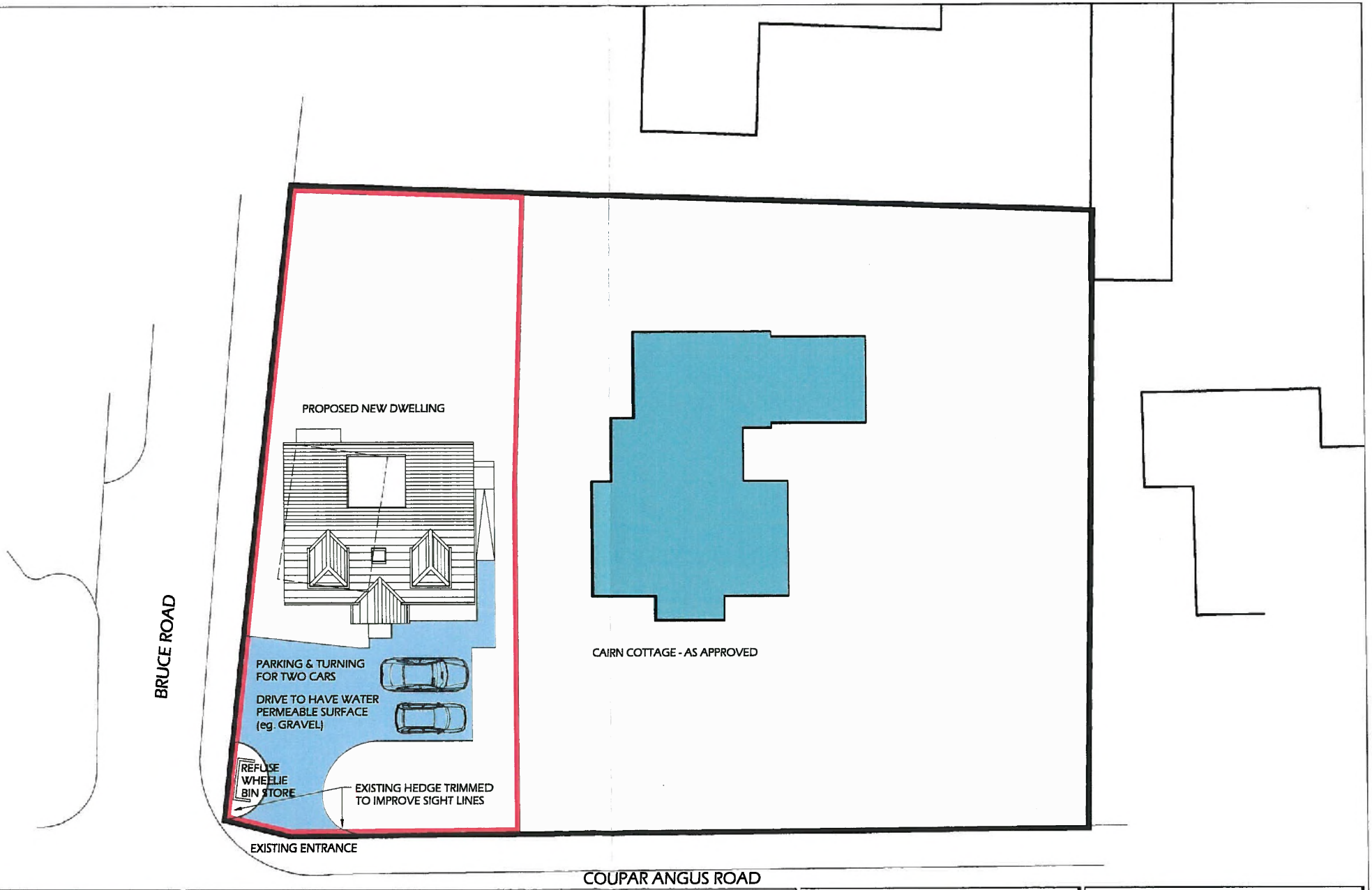
4. Finishes

The external finishes in terms of roof tiles, harling, timber cladding, window frames & rainwater goods will also match those approved by Planning for Cairn Cottage.

5. Access

The original access serving Cairn Cottage, complete with dropped kerb, will be retained. A new access point for Cairn Cottage has already been provided as part of the development works being carried out there as approved by Planning. The intention would be to trim/remove the existing beech hedge around the original access to the development plot in order to comply with visibility splay/sight line requirements.

There is ample space on the proposed site for the parking and turning of two cars, such that they may enter and exit the site independently in forward gear.



Contractor to check all dimensions on site prior to starting work.
The copyright of this drawing or part thereof belongs to Highland Plans.

REVISION NOTES

B	NOTES AMENDED	4:12:14
A	DESIGN AMENDED	1:12:14

0 1 2 3 4 5 10
Metres

NOTE; RIDGE TO BE SAME HEIGHT AS CAIRN COTTAGE

MR & MRS B. McINTYRE
CAIRN COTTAGE, COUPAR ANGUS RD
ROSEMOUNT, BLAIRGOWRIE

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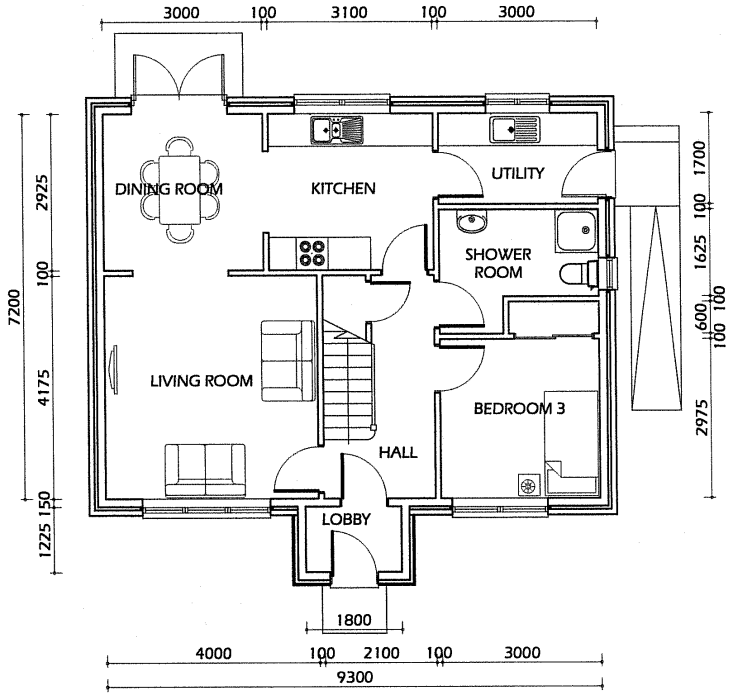
PROPOSED DWELLING
PROPOSED SITE PLAN

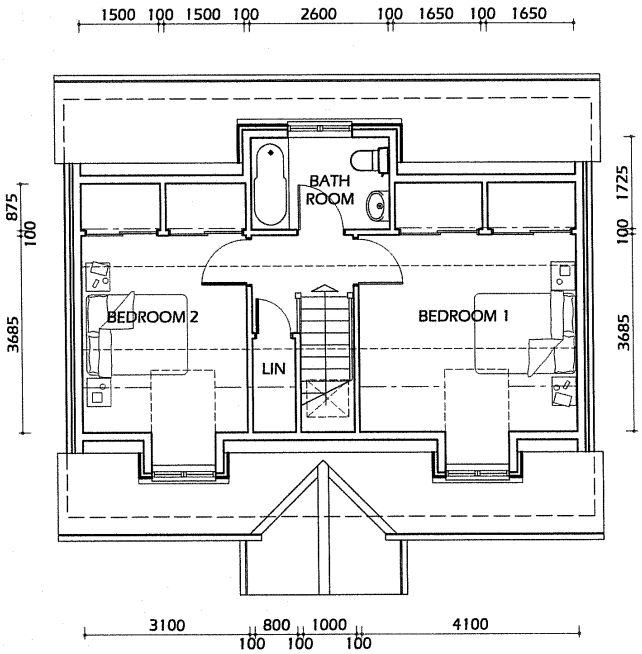
SCALE	DATE	DRAWN
1:200	18:11:14	

DRAWING No. 1435-01

REVISION A B



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Contractor to check all dimensions on site prior to starting work.
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REVISION NOTES

A	DESIGN AMENDED	1:12:14

0 1 2 3 4 5
Metres

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PROPOSED DWELLING
FLOOR PLANS

SCALE	DATE	DRAWN
1:100	18:11:14	

DRAWING No.	1435-02
REVISION	A

Contractor to check all dimensions on site prior to starting work.
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REVISION NOTES

B	NOTE AMENDED	4:12:14
A	DESIGN AMENDED	1:12:14

0 1 2 3 4 5
Metres

ALL EXTERNAL FINISHES TO MATCH CAIRN COTTAGE

ROOF: SMOOTH GREY INTERLOCKING CONCRETE TILES
WALLS: SMOOTH RENDER - OFF WHITE
TIMBER CLADDING: LARCH
DOORS & WINDOWS: WHITE UPVC DOUBLE GLAZED
SILLS: PC CONCRETE SILLS
RAINWATER GOODS: BLACK UPVC

MR & MRS B. McINTYRE
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PROPOSED DWELLING
ELEVATIONS

SCALE	DATE	DRAWN
1:100	18:11:14	

DRAWING No. 1435-03

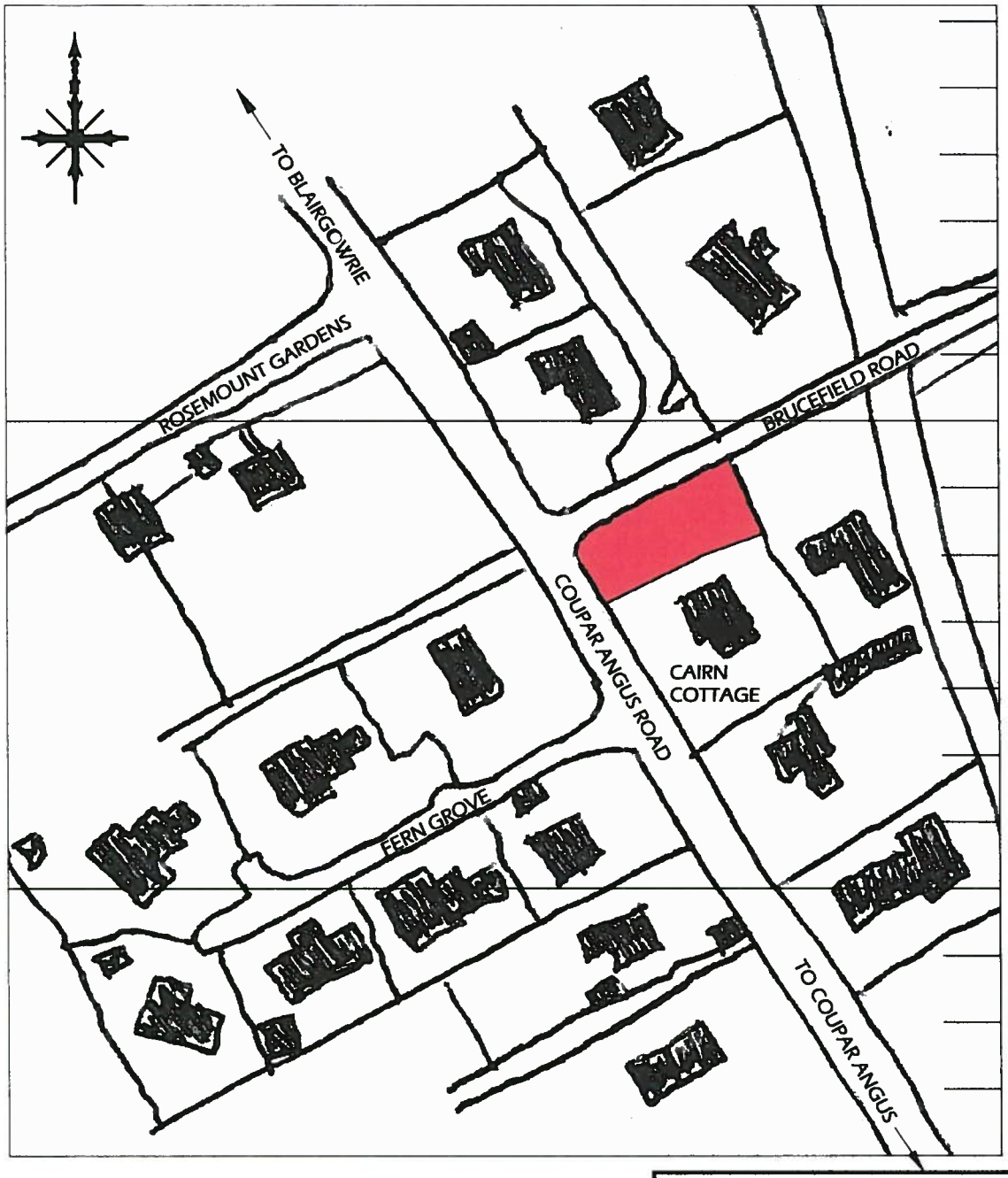
REVISION A B

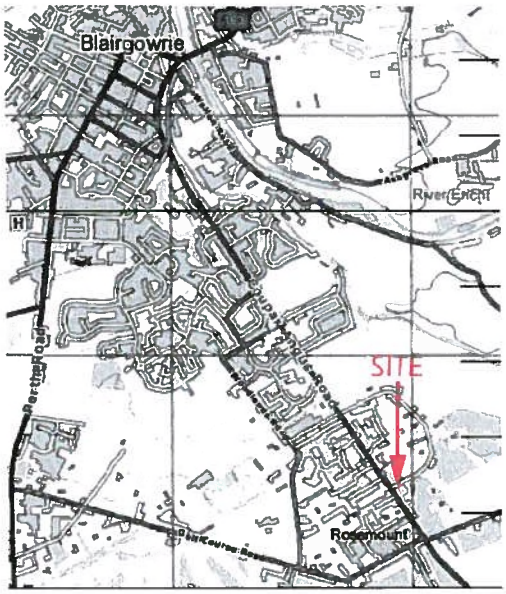
PHOTOGRAPH SHOWING HEDGE SCREENING

PHOTOGRAPH SHOWING HOUSES ON THE OPPOSITE SIDE OF THE ROAD IN CLOSER PROXIMITY TO EACH OTHER THAN THE PROPOSED HOUSE IS TO CAIRN COTTAGE.

Contractor to check all dimensions on site prior to starting work.
The copyright of this drawing or part thereof belongs to Highland Plans.

0 5 10 15 20 25 50
Metres - 1:1250





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PROPOSED NEW DWELLING
LOCATION PLAN

SCALE	DATE	DRAWN
1:1250	4:12:14	

DRAWING No.	1435-04
REVISION	

TCP/11/16(346)
Planning Application 14/02106/FLL – Erection of dwellinghouse, land 10 metres north west of Cairn Cottage, Coupar Angus Road, Blairgowrie

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENT *(part included in applicant's submission, see pages 725-727 and 729)*

PERTH AND KINROSS COUNCIL

Mr Ben McIntyre
c/o Highland Plans
Dave Philip
Charis
Guay
Ballinluig
PH9 0NT

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 27th January 2015

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **14/02106/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 4th December 2014 for permission for **Erection of dwellinghouse Land 10 Metres North West Of Cairn Cottage Coupar Angus Road Blairgowrie** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. As the proposal, by virtue of the sites size and its 'squeezed in' nature would result in a development that would have an adverse impact on both the density and general character of the local area, the proposal is contrary to Policies PM1A and Policy RD1 of the Local Development Plan 2014 which both seek (amongst other things) to protect the visual amenity and character of existing areas from inappropriate developments.

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

14/02106/1

14/02106/2

14/02106/3

14/02106/4

REPORT OF HANDLING

DELEGATED REPORT

Ref No	**14/02106/FLL**	
Ward No	**-**	
Due Determination Date	**03.02.2015**	
Case Officer	**Andy Baxter**	
Report Issued by		**Date**
Countersigned by		**Date**

PROPOSAL: Erection of dwellinghouse

LOCATION: Land 10 Metres North West Of Cairn Cottage, Coupar Angus Road, Blairgowrie

SUMMARY:

This report recommends **refusal** of a detailed planning application for the erection of a dwelling on an area of existing garden ground associated with a residential property in Blairgowrie 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: 20 January 2015

SITE PHOTOGRAPHS

	
	*Above, Above Left and Left – all views of the site looking towards it from the west.*

BACKGROUND AND DESCRIPTION OF PROPOSAL

The application seeks to obtain detailed planning permission for the erection of a new dwelling on an area of garden ground associated with a residential property in Blairgowrie – which is located adjacent to Coupar Angus Road, which is predominately a residential area.

The site is a corner plot, located on the corner of the junction of Brucefield Road and Coupar Angus Road and is roughly rectangular in shape, with a road side frontage of approx. 15m (north and south) and a depth of approx. 35m (west and east). A small garage is currently located on the western corner of the site.

A new access (approved under a previous permission) has been formed directly into Coupar Road. With the exception of the access, the road side boundaries are defined by beech hedging, which has been tapered back slightly at the junction point - presumably to offer better slight lines for anyone leaving the site.

The proposed dwelling will offer living accommodation over two levels, with the upper level contained within the roofspace via the use of front and rear dormers. The dwelling will be located in a central position on the plot, in line with the existing dwelling with the existing access proposed to be utilised.

SITE HISTORY

None relevant to this proposal.

PRE-APPLICATION CONSULTATION

None undertaken.

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, and a series of Circulars. Due to the relatively minor nature of the proposal, there are no national policies or guidance of specific relevance to this application.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

Within the Local Development Plan, the site lies within the settlement boundary of Blairgowrie, where the following policies are directly applicable.

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 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 RD1 - Residential Areas

In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private open space to be retained changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

OTHER COUNCIL POLICIES

Developer Contributions 2014

This Supplementary Guidance seeks to secure developer contributions for A9 upgrades and primary education improvements in certain circumstances. This Supplementary Guidance should be read in conjunction with Local Development Plan *Policy PM3: Infrastructure Contributions and Developer Contributions Supplementary Guidance*.

Developer Contributions, Transport Infrastructure 2014

This Supplementary Guidance is about facilitating development. It sets out the basis on which the Council will seek contributions from developments in and around Perth towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites and to support the growth of Perth and Kinross. This Supplementary Guidance should be read in conjunction with Local Development Plan *Policy PM3: Infrastructure Contributions and Developer Contributions Supplementary Guidance*.

EXTERNAL CONSULTATION RESPONSES

Scottish Water have commented on the planning application and raised no objection.

INTERNAL CONSULTATION RESPONSES

Environmental Health have made no specific comment on the planning application.

Transport Planning have commented on the planning application and raised no objections in terms of the proposed access arrangements.

Education And Children's Services have indicated that the local primary school is currently operating at over its 80% capacity.

Contributions Officer have indicated that a developer contribution in relation to Primary Education is required.

REPRESENTATIONS

No letters of representations have been received.

ADDITIONAL STATEMENTS RECEIVED

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact	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.

In terms of other material considerations, this principally involves consideration of the contents of the Developer Contributions 2012 and the Developer Contributions, Transport Infrastructure 2014 documents

Policy Appraisal

In terms of the Development Plan, the key land use policy is contained within the Local Development Plan 2014. Within that Plan, the site is located within the settlement boundary of Blairgowrie where *Policy RD1* is directly relevant.

Policy RD1 identifies areas of residential and compatible uses where new development will only be acceptable where the use proposed is compatible with existing (residential uses) and will not adversely affect the character or amenity of the existing area.

In addition to this, *Policy PM1A* is also directly applicable to all new proposals, and seeks to ensure that the quality of the surrounding built and natural environment is maintained and that all new development respects the existing character and amenity of the existing areas

For reasons stated elsewhere in this report, I consider the proposal to be contrary to the aims of *Policies RD1 and PM1A* of the Local Development Plan 2014.

Land Use

In terms of land use issues, the site is located within an area which is clearly residential in character. Within the local area there have been a number of infill sites adjacent to Coupar Road and some (such as directly opposite) recently approved. However, whilst the land use (residential) may be in principle acceptable in terms of compatibility with existing uses, the physical size and location of this site is of some concern. The site appears to be slightly squeezed in and its area of approx. 500sq m is somewhat smaller than other infill sites which have occurred in the area.

Whilst 400sq m is normally considered a suitable size for a new residential plot, this figure must be read in the context of the surrounding building pattern and density. The area of Rosemount and Coupar Angus Road is distinctly defined by the size of the house plots within the area - with the majority being significantly more than 500sq m.

To this end, based on the physical size and perhaps so some degree the shape of the site, I consider a residential development on this site would have an adverse impact on the density and character of the area and be out of keeping with the general building pattern of the area. I therefore consider the proposed land use to be unacceptable.

Residential Amenity

Impact on existing Residential Amenity

The principal area of potential conflict would be with the existing dwelling. Whilst there is a dormer proposed on the rear elevation, I do not consider this arrangement to cause any degree of overlooking or loss of privacy which would not ordinarily be expected within a built up area.
Proposed Level of Residential Amenity

The size of the plot and its regular shape means that a suitable level of private amenity space can be achieved to the rear of the proposed dwelling.

Visual Amenity

In terms of the impact on the visual amenity of the area, there is no doubt that Coupar Angus Road is a busy and popular road, which in turn, means the site is in a highly visible position within the local streetscene. Whilst I have no particular issues with the proposed design of the dwelling, as previously mentioned I do have an issue over the proposal appearing ‘squeezed’ in. This scenario will in my view result in a development which would appear out of character with the area and to this end, I consider the proposed visual amenity of the area to be compromised by the development proposed.

Roads and Access

The proposal raises no road or access issues, and I note that my colleagues in Transport Planning have commented on the application and raised no concerns.

Drainage and Flooding

There are no drainage or flooding issues associated with this proposal.

Impact on existing hedges

As stated previously, there are a number of hedges along the sites boundaries along Coupar Angus Road and Brucefield Road. In the event of any approval, restrictive conditions should be attached to any consent requiring the retention and protection of these hedges.

Developer Contributions

Primary Education

As the local primary school is operating at over its 80% capacity, in the event that the planning application is approved, a developer contribution in relation to Primary Education will be required.

Transport Infrastructure

The application site is outwith the catchment area for contributions, therefore a contribution in respect of Transport Infrastructure is not required.

Economic Impact

With the exception of the works during the construction phase, which may or may not be undertaken by local tradesmen, this development is unlikely to have a significant economic impact on the local area – either positively or negatively.

Conclusion

In conclusion, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to contrary to adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan, and 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 for the following reason,

As the proposal, by virtue of the sites size and its 'squeezed in' nature would result in a development that would have an adverse impact on both the density and general character of the local area, the proposal is contrary to Policies PM1A and Policy RD1 of the Local Development Plan 2014 which both seek (amongst other things) to protect the visual amenity and character of existing areas from inappropriate developments.

Justification

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

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

14/02106/1 - 14/02106/4 *(inclusive)*

Date of Report 26.01.2015

TCP/11/16(346)
Planning Application 14/02106/FLL – Erection of dwellinghouse, land 10 metres north west of Cairn Cottage, Coupar Angus Road, Blairgowrie

REPRESENTATIONS

- Representation from Education and Children's Services
- Representation from Development Negotiations Officer, dated 17 December 2014
- Representation from Regulatory Service Manager, dated 9 January 2014
- Representation from Transport Planning, dated 12 January 2015

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	14/02106/FLL	**Comments provided by**	ECS
Service/Section		**Contact Details**	Maureen Watt ext 76308
Description of Proposal			
Address of site			
Comments on the proposal	This development falls within the Newhill Primary School catchment area. Based on current information this school will reach the 80% capacity threshold. Approved capacity 423 Highest projected 7 year roll 372 Potential additional children from previously approved applications 45.9 Possible roll 417.9 Potential % capacity 98.8%		
Recommended planning condition(s)	I request that the Finalised Primary Education and New Housing Contributions Policy be applied to this application.		
Recommended informative(s) for applicant	.		
Date comments returned			

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	14/02106/FLL	**Comments provided by**	Euan McLaughlin
Service/Section	Strategy & Policy	**Contact Details**	**Development Negotiations Officer:** Euan McLaughlin Tel: 01738 475381 Email: emclaughlin@pkc.gov.uk
Description of Proposal	Erection of dwellinghouse		
Address of site	Land 10 Metres North West Of Cairn Cottage Coupar Angus Road Blairgowrie for Mr Ben McIntyre		
Comments on the proposal	**NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.** THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, MAY FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE. **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. 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 Newhill Primary School.		
Recommended planning condition(s)	**Summary of Requirements** Education: £6,395 (1 x £6,395) **Total: £6,395** **Phasing** It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant. The contribution may be secured by way of a Section 75 Agreement. Please		

	be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to complete. If a Section 75 Agreement is entered into the full contribution should be received 10 days after occupation.
Recommended informative(s) for applicant	**Payment** **Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.** **Methods of Payment** On no account should cash be remitted. **Scheduled within a legal agreement** This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice. **NB:** The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue. **Other methods of payment** Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice. **Remittance by Cheque** The Planning Officer will be informed that payment has been made when a cheque is received. However this will require a period of 14 days from date of receipt before the Planning Officer will be informed that the Planning Decision Notice may be issued. Cheques should be addressed to 'Perth and Kinross Council' and forwarded with a covering letter to the following: Perth and Kinross Council Pullar House 35 Kinnoull Street Perth PH15GD

	Bank Transfers All Bank Transfers should use the following account details; **Sort Code:** 834700 **Account Number:** 11571138 Education Contributions For Education contributions please quote the following ledger code: 1-30-0060-0001-859136 Direct Debit The Council operate an electronic direct debit system whereby payments may be made over the phone. To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand: a) Your card details. b) Whether it is a Debit or Credit card. c) The full amount due. d) The planning application to which the payment relates. e) If you are the applicant or paying on behalf of the applicant. f) Your e-mail address so that a receipt may be issued directly. **Indexation** All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index. **Accounting Procedures** Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.
Date comments returned	17 December 2014

M e m o r a n d u m

To	Development Quality Manager	From	Regulatory Service Manager
Your ref	PK14/02106/FLL	Our ref	LJA
Date	9 January 2015	Tel No	(4)75248

The Environment Service **Pullar House, 35 Kinnoull Street, Perth PH1 5GD**

Consultation on an Application for Planning Permission

PK14/02106/FLL RE: Erection of dwellinghouse Land 10 Metres North West Of Cairn Cottage Coupar Angus Road Blairgowrie for Mr Ben McIntyre

I refer to your letter dated 17 December 2014 in connection with the above application and have the following comments to make.

Contaminated Land (assessment date – 09/01/2015)

Recommendation

A search of the historic records did not raise any concerns regarding ground contamination and therefore I have no adverse comments to make on the application.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	14/02106/FLL	**Comments provided by**	Niall Moran
Service/Section	Transport Planning	**Contact Details**	x76512
Description of Proposal	Erection of dwellinghouse		
Address of site	Land 10 Metres North West Of Cairn Cottage Coupar Angus Road Blairgowrie		
Comments on the proposal	As the proposals will use an existing vehicular access with no intensification of its use and adequate parking and turning facilities are shown on the proposed plans, I have no objections to this application.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	12 January 2014		