

**LRB-2023-11****22/02012/FLL – Erection of a dwellinghouse, land 50 metres south east of Woodfield Farm House, Kinclaven****INDEX**

(a) Papers submitted by the Applicant (***Pages 11-46***)

(b) Decision Notice (***Pages 21-22***)

Report of Handling (***Pages 23-29***)

Reference Documents (***Pages 30-46***)

(c) Representations (***Pages 49-56***)



**LRB-2023-11**  
**22/02012/FLL – Erection of a dwellinghouse, land 50**  
**metres south east of Woodfield Farm House, Kinclaven**

**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)

Name	MEIKLEOUR TRUST
Address	4 THE OLD DAIRY MEIKLEOUR
Postcode	PH2 6FB
Contact Telephone 1	
Contact Telephone 2	
Fax No	
E-mail*	

## Agent (if any)

Name	NORMAN A MACLEOD
Address	18 WALNUT GROVE BLAIRGOWRIE
Postcode	PH10 6TH
Contact Telephone 1	07884177328
Contact Telephone 2	
Fax No	
E-mail*	namacleod@aol.com

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

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

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Planning authority

PERTH AND KINROSS

Planning authority's application reference number

22/02012/FLL

Site address

Land 50 Metres South East Of Woodfield Farm House Kinclaven

Description of proposed  
development

Relocation of a dwellinghouse from flood risk land

Date of application

02/12/2022

Date of decision (if any)

07/02/2023

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:

NOT APPLICABLE

### 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?

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<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:

NOT APPLICABLE

### 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 THE ATTACHED SEPARATE DOCUMENTS –

1. NOTICE OF REVIEW WRITTEN STATEMENT
2. NOTICE OF REVIEW SUBMISSION APPENDIX

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.

NOT APPLICABLE

### 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.

NOTICE OF REVIEW WRITTEN STATEMENT  
NOTICE OF REVIEW SUBMISSION APPENDIX

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

Date

22/02/2023



## NOTICE OF REVIEW SUBMISSION APPENDIX

1. Notice of Review Form
2. Notice of Review Written Statement
3. Perth and Kinross Council Decision Notice
4. Perth and Kinross Council Report of Handling
5. Appeal Statement by Meikleour Trust
6. Supporting Statement and Photos
7. Google Map Location Plan
8. Location Plan A4 1TO2500
9. Proposed Block Plan A1 1TO200
10. Existing and Proposed Block Plans A1 1TO500
11. Proposed Elevations A1 1TO50
12. Proposed Floor Plan A1 1TO50
13. Vertical Cross Sections A1 1TO50



# MEIKLEOUR TRUST

4 The Old Dairy, Meikleour, Perth PH2 6FB

---

Local Review Body  
Perth & Kinross Council  
2 High Street  
Perth  
PH1 5PH

13 February, 2023

Dear Councillors,

**Replacement of Westhaugh Cottage, Kinclaven, Stanley, Perth, PH1 4QW  
22/02012/FLL  
LRB APPEAL SUPPORTING STATEMENT**

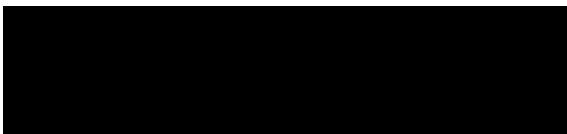
We first enquired about relocating Westhaugh Cottage in 2011 (11/00704/PREAPP) and were advised that while it was clear the house was in a flood risk area, we would need to apply for a specific site for it to be considered fully. In 2018 (18/01305/FLL) we submitted a proposal with a particular site. The application was rejected as it was felt there was a more suitable site closer to the existing dwellinghouse. We then submitted the most recent proposal (22/02012/FLL) which was also rejected. However, in this case the reason was not due to the position and nature of the new proposed site, but because the Housing in the Countryside Policy had subsequently been updated to require houses to be occupied before they can be relocated.

While we understand why the planning officer felt it necessary to reject this application, we hope the LRB might be able to make a decision considering the lengthy and somewhat circular planning history.

It may also be worth noting that there were no objections to our proposal, the location is on the site of former farm buildings, it is next to two existing houses with shared access to the public road and, as with the two neighbouring houses, we would intend to make this house available for long term rental.

Finally, it would seem rather wasteful to renovate and occupy the existing cottage so we could then re-apply and knock it down.

Kind regards,



Sam Mercer Nairne

01250 883424

office@meikleour.com

www.meikleour.com



Meikleour Trust  
c/o Norman MacLeod  
18 Walnut Grove  
Blairgowrie  
PH10 6TH

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **7th February 2023**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **22/02012/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 2nd December 2022 for Planning Permission for **Erection of a dwellinghouse Land 50 Metres South East Of Woodfield Farm House Kinclaven**

**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 satisfactorily comply with category (1) Building Groups and Category (2) infill sites. It is also considered that the proposal cannot satisfy any of the remaining categories (3) New Houses in the Open Countryside (4) Renovation or Replacement of Houses, (5) Conversion or replacement of redundant non-domestic buildings and (6) Rural Brownfield 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.

### **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](http://www.pkc.gov.uk) "Online Planning Applications" page

Plan Reference

01

02

03

04

05

06

07

08

## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	22/02012/FLL	
Ward No	P5- Strathtay	
Due Determination Date	1st February 2023	
Draft Report Date	6th February 2023 Extended to 1 <sup>st</sup> April 2023	
Report Issued by	JF	Date 06/02/2023

**PROPOSAL:** Erection of a dwellinghouse

**LOCATION:** Land 50 Metres South East Of Woodfield Farm  
House Kinclaven

#### 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.

#### BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is within a rural area to the southwest of Meikleour. It forms part of a former farm steading with a dwelling, steading converted to form a dwelling and an area of hardstanding which was formerly occupied by buildings. The proposed site for the dwelling forms the cleared area which lies to the east of the two existing dwellings across a track.

The proposal follows on from a 2018 application for the erection of a dwelling to replace one located within a flood risk area. This application was on a different site to the one proposed here and was refused as it did not meet the siting criteria set out in policy and furthermore didn't meet any other criteria.

This application still seeks to replace the flood risk dwelling but on a different site to the refused application.

#### SITE HISTORY

No history on application site.

#### 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.

## **National Planning Framework 4**

The National Planning Framework 4 (NPF4) was approved by the Scottish Parliament on 11 January 2023. Once adopted by the Scottish Ministers (expected to be 13th February), the NPF4 will have an increased status over previous NPFs and will comprise part of the statutory development plan.

At this stage, it remains a significant material consideration.

In light of this, Policy 17 Rural Homes which states that development will be supported where development reuses brownfield land where a return to a natural state has not or will not happen without intervention.

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises NPF4 (as mentioned above) the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2 (2019).

### **TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017**

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

### **Perth and Kinross Local Development Plan 2 – Adopted November 2019**

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 19: Housing in the Countryside

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

Policy 52: New Development and Flooding

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53C: Water Environment and Drainage: Surface Water Drainage

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



## OTHER POLICIES

Placemaking Supplementary Guidance  
Developer Contributions Supplementary Guidance  
Housing in the Countryside Policy and Guidance

## CONSULTATION RESPONSES

Scottish Water	No objection
Transportation And Development	No objection
Development Contributions Officer	No contributions required

## REPRESENTATIONS

No representations were received

## ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment under Habitats Regulations	Habitats Regulations AA Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

## APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises NFP4, the approved TAYplan and the adopted LDP2.

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

### Policy Appraisal

The site is not located within a settlement boundary and therefore the principle of developing the site falls to be considered under Policy 19 Housing in the Countryside and the associated 2020 Guide. Policy 19 states that development of single houses or groups of houses which fall within the six identified categories will be supported.

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

The proposal is primarily considered under Category 3 New houses in the open countryside where defined categories are set out in the Supplementary Guidance. The applicable category is 3.2 Houses in areas of Flood Risk.

The previous proposal to replace the flood risk dwelling Westhaugh Cottage was assessed in 2018 under the 2012 version of the Housing in the Countryside Supplementary Guidance. At this time the new site selected for the replacement dwelling was not acceptable in terms of meeting the siting criteria. This application seeks to address this reason for refusal by revising the location.

However, the supplementary guidance has been replaced by the 2020 updated version and this has revised the wording of the applicable category 3.2 which is now as follows

a) Proposals for the relocation of an **occupied** house from within an identified flood risk area to the best and nearest alternative site will be supported. The flooding risk must relate to the house itself and not only to garden ground. The flood risk house must be demolished, the site made good, and any ad-hoc protection measures associated with the at-risk property removed within one month of the occupation of the replacement house. If any additional ad-hoc protection measures are in or on the banks of a watercourse advice should be sought from SEPA on the opportunities for restoration and any regulatory requirements.

What is clear from the submission is that the property has not been occupied for a considerable amount of time (since the early 1990s). In a change from the 2012 version of the guidance the word **occupied** has been added to this category. Therefore the proposal does not comply with the policy/guidance as the property is not inhabited.

Additionally, the proposal is considered against the remaining categories of the policy/guidance. The site does not lie within a building group as there are only two dwellings, the site is not an infill, the proposal is not renovation or replacement of houses under category 4 as the sites are remote from each other, the proposal is not the conversion or replacement of redundant non-domestic buildings.

The applicant has indicated that the site chosen is brownfield land once occupied by buildings but there is no physical evidence of any recent building on the site (although ariel imagery shows some sheds). Category 6 permits the development of sites where they have been damaged by a former use that it cannot be left to naturalise or be reused for another purpose without first being improved. It further

states that this category of the policy is not intended to allow the redevelopment of sites like these, nor is it intended to permit the redevelopment of sites for housing where buildings have simply been allowed to fall into disrepair. This category is intended to allow small scale housing proposals on cleared sites which have been significantly degraded by a former use or activity, and where the redevelopment of the site for housing is the only means by which it is viable to remediate the site. There is no evidence of any footings, concrete plinths etc on the site and no further information has been submitted to indicate how the land has been significantly degraded or how there is significant risk to human health or the wider environment by not developing the site. The proposal therefore does not comply with Category 6.

NPG4 supports the reuse of brownfield land but states that development will be supported where a return to a natural state has not or will not happen without intervention, the site does not meet this definition and no evidence has been provided to justify that this is the case.

The proposal is therefore considered to be contrary to policy and guidance.

### **Design and Layout**

The proposal is for a single storey dwellinghouse comprising two bedrooms and a lounge/kitchen area. The building measures around 22 metres by 6 metres with a height to the roof ridge of 4.9 metres. It will be finished in wet dash render with slate roof.

The site would require boundary treatments and planting to provide a setting as its open and bound by farmland, hedging is shown to provide containment.

### **Residential Amenity**

The site is separated from the two existing dwellings by the access track and as such there would not be any impact on existing residential amenity.

### **Roads and Access**

The property access is taken off a private track which leads south to the C419 public road to Kinclaven. No changes are proposed for the existing vehicle access to the property. The works will create parking for four vehicles.

The level of car parking proposed for the site meets the requirements of the National Roads Development Guide.

### **Drainage and Flooding**

The dwelling will be served by a new septic tank and soakaway.

### **Developer Contributions**

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary

school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.

This proposal is within the catchment of Stanley Primary School. Education & Children's Services have no capacity concerns in this catchment area at this time.

### **Economic Impact**

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

### **VARIATION OF APPLICATION UNDER SECTION 32A**

This application was not varied prior to determination.

### **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

None required.

### **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

### **CONCLUSION AND REASONS FOR DECISION**

To conclude, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the Development Plan.

Accordingly the proposal is refused on the grounds identified below.

### **Conditions and Reasons**

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 satisfactorily comply with category (1) Building Groups and Category (2) infill sites. It is also considered that the proposal cannot satisfy any of the remaining categories (3) New Houses in the Open Countryside (4) Renovation or Replacement of Houses, (5) Conversion or replacement of redundant non-domestic buildings and (6) Rural Brownfield 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**

N/A

**Procedural Notes**

Not Applicable.

**PLANS AND DOCUMENTS RELATING TO THIS DECISION**

01  
02  
03  
04  
05  
06  
07  
08



# MEIKLEOUR TRUST

4 The Old Dairy, Meikleour, Perth PH2 6FB

---

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

9 November, 2022

Dear Sir or Madam,

## **SUPPORTING STATEMENT REPLACEMENT OF WESTHAUGH COTTAGE**

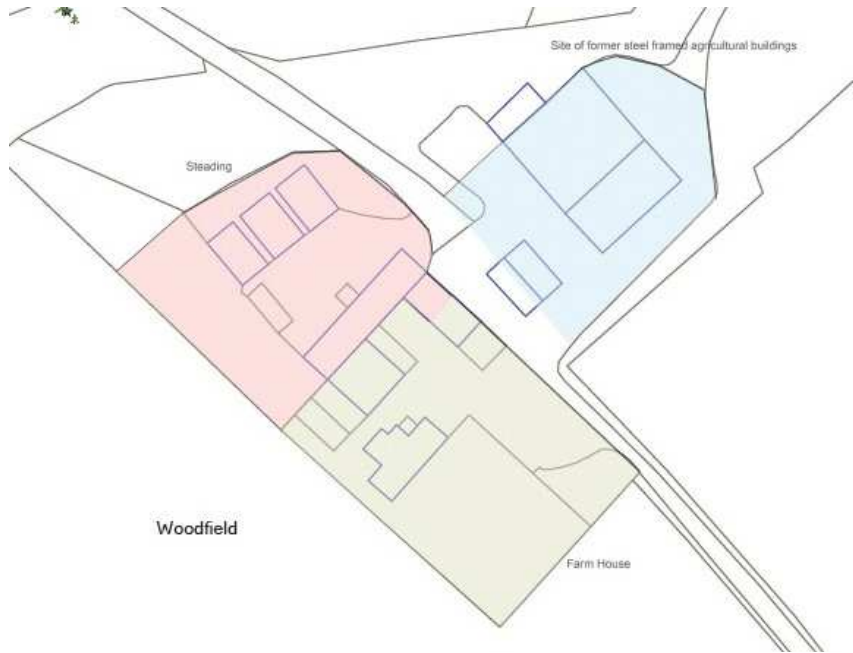
Westhaugh Cottage, Kinclaven, Stanley, Perth, PH1 4QW has been abandoned for many years due to its position within a flood risk area. We would like to relocate this house to the best and nearest alternative site as determined by PKC's Housing in the Countryside Supplementary Guidance (March 2020).

We applied under 18/01305/FLL to relocate the house, but were refused:

*In this case, whilst the existing house is within a flood risk area, the proposal does not meet the criteria for siting of a new dwelling if accepted under this category. It also fails to meet any of the other categories that supports housing in the countryside. It is not part of a building group, is not infill, is not the renovation of an existing house nor the conversion or replacement of redundant non-domestic buildings. It is also not a brownfield site.*

We have considered what alternative location would fit the requirements detailed and feel the brownfield area of the former steel framed agricultural buildings at Woodfield Farm is compliant and closest.

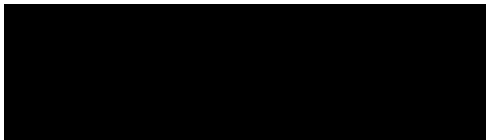
This farm was run independently until 2009 when it was incorporated into our main farm, based at Hallhole, PH13 9HQ. Since that time, the farm buildings have been redundant. We renovated the Farm House in 2013 (12/02089/FLL) and converted the stone steading into a dwelling in 2019 (19/00385/FLL). We also removed the steel framed buildings to the North West of the Farm House in 2015. This brownfield area comprises entirely crushed rock with some concrete floors / foundations and no longer serves any business or agricultural purpose.



We feel this proposed site is the best and nearest alternative site for Westhaugh Cottage. While it does not benefit greatly from fences, hedges or trees, the site is identifiable. There is a steep bank to the North, road and houses to the West and field to the South and the extent is clear from the former buildings. We therefore feel it complies with the requirements set out under category 3.

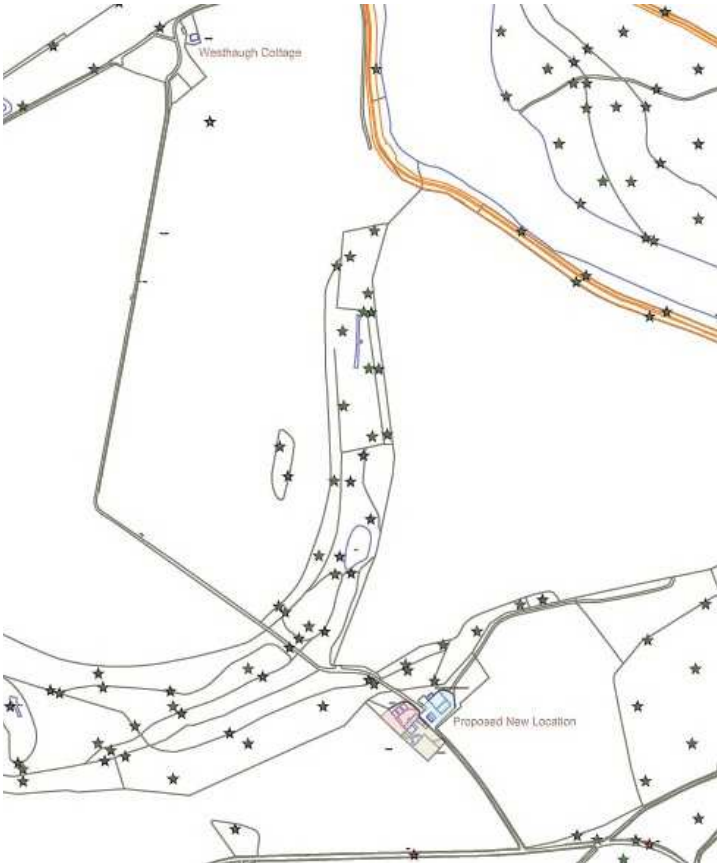
Furthermore, we feel the proposal to build a house on this site is compliant with category 6 relating to brownfield redevelopment. The site of the former steel framed agricultural buildings is visually and ecologically significantly degraded and we feel that its redevelopment for housing is the only means by which it is viable to remediate it.

Kind regards,



Sam Mercer Nairne

Map of existing and proposed locations





Photos of Westhaugh cottage











Photos of site of former steel framed agricultural buildings

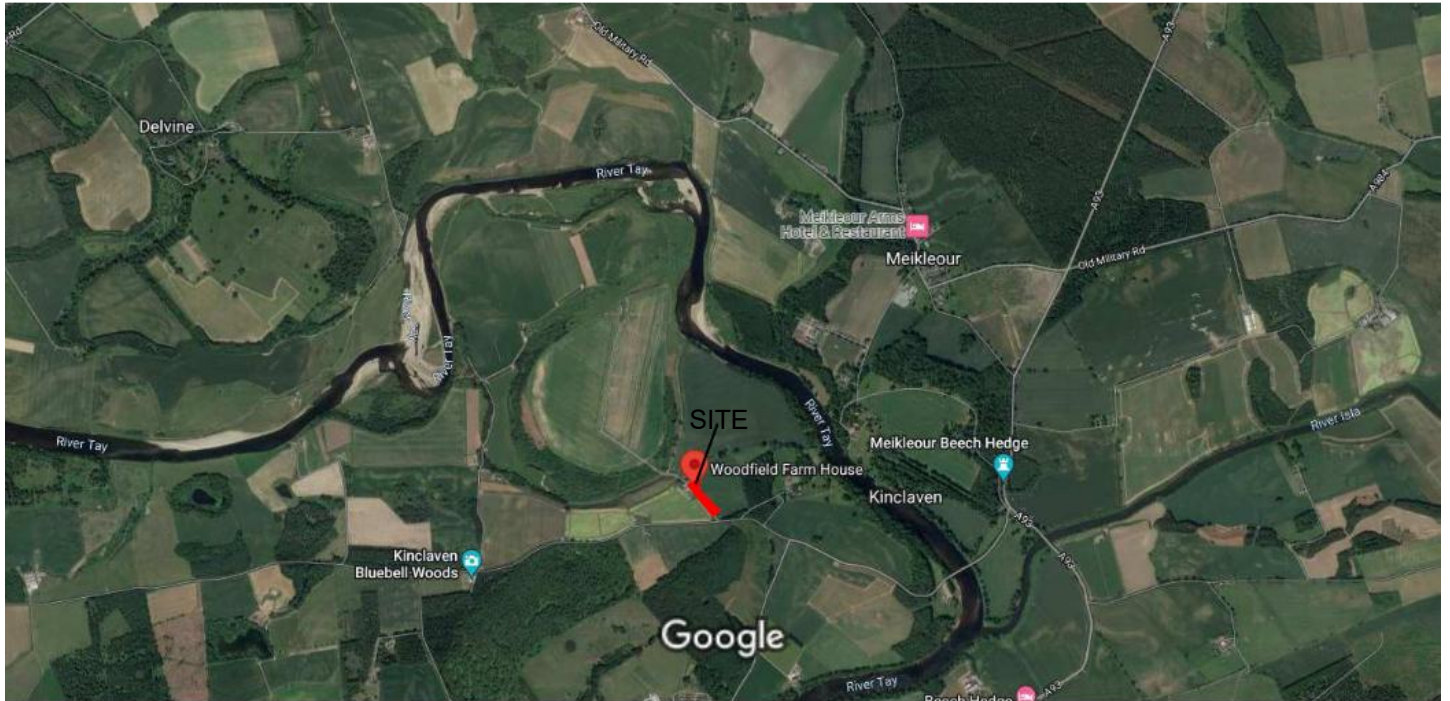






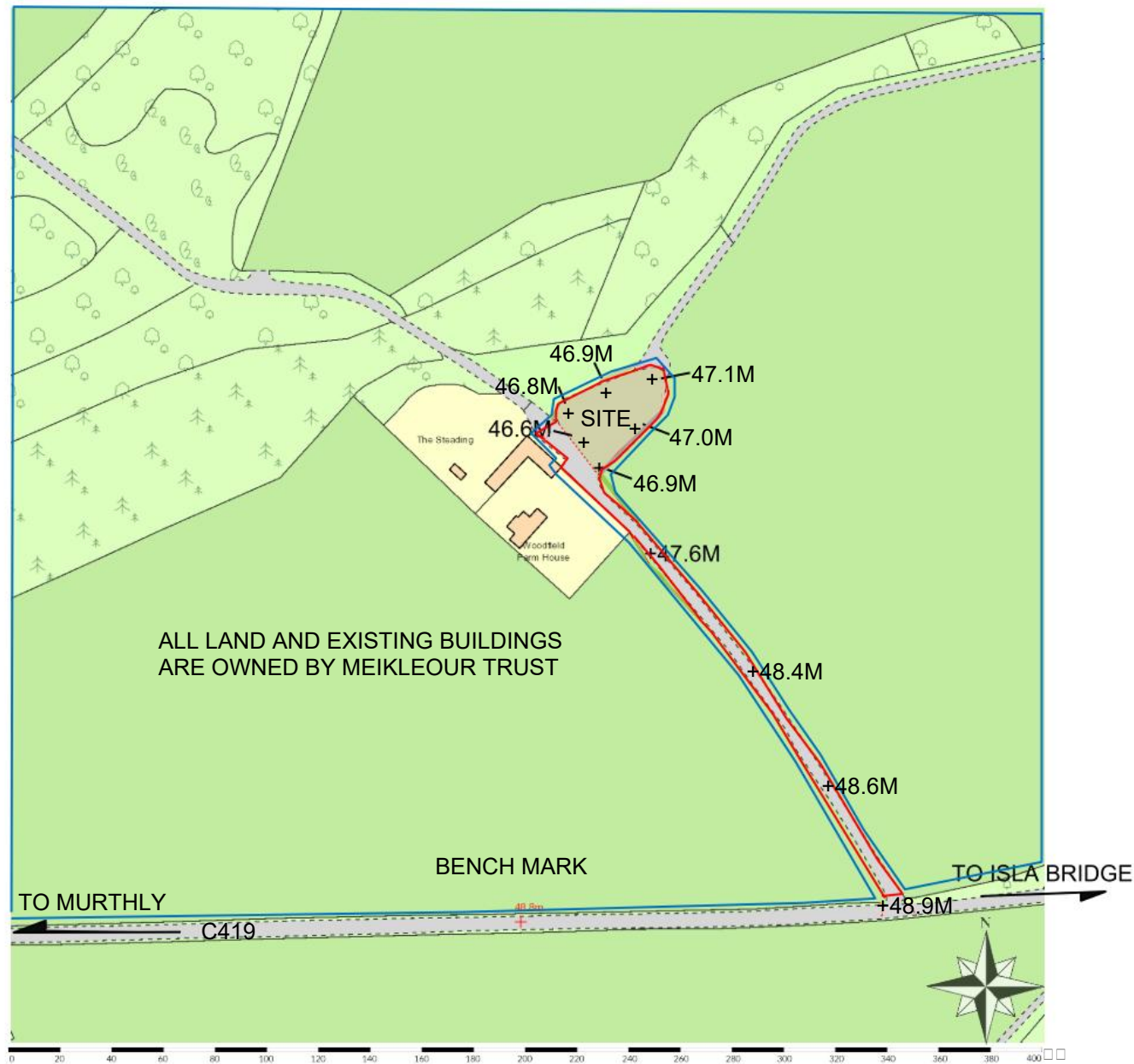
Aerial photo of Woodfield Farm in 2010 showing steel framed buildings



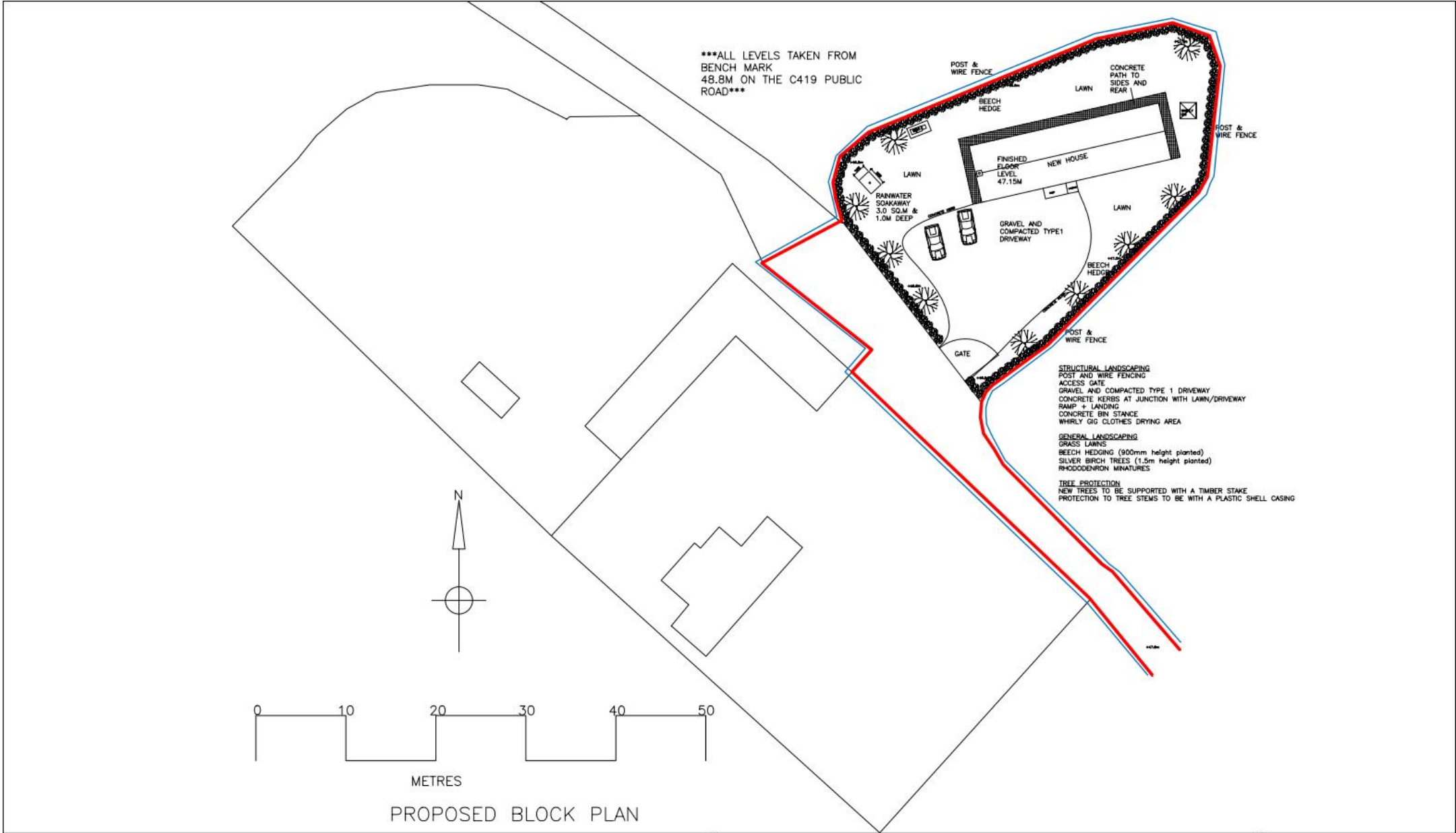


Imagery ©2022 CNES / Airbus, Getmapping plc, Landsat / Copernicus, Maxar Technologies, Map data ©2022 500 m





Scale: 1:2500 | Area 16Ha | Grid Reference: 314593,738431 | Paper Size: A4



PROJECT: Relocation of a dwelling house to Woodfield, Kinclaven PH1 4QW

DRAWING REF: Proposed Block Plan

PAPER SIZE: A1

NORMAN A MACLEOD

namacleod@aol.com

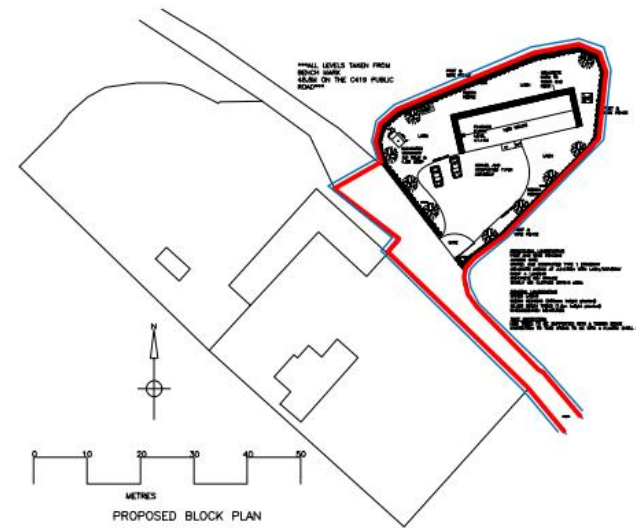
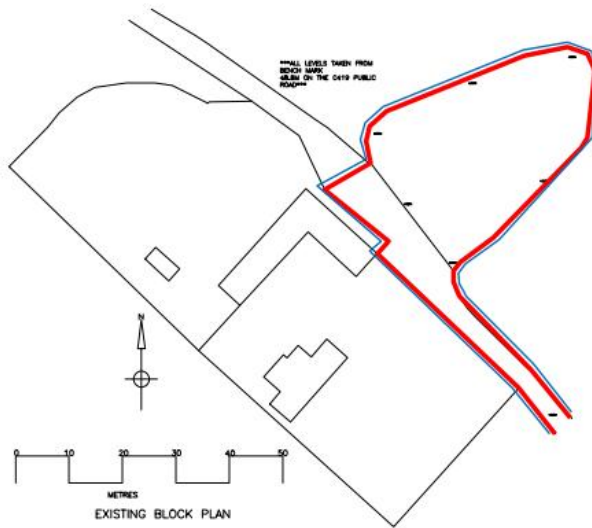
Tel: 07884177328

DATE:Nov2022

SCALE:1to200

DRAWING NO:2

REVISION:



PROJECT: Relocation of a dwelling house to Woodfield, Kinclaven PH1 4QW

DRAWING REF: Existing and Proposed Block Plans

PAPER SIZE: A1

NORMAN A MACLEOD

namacleod@aol.com

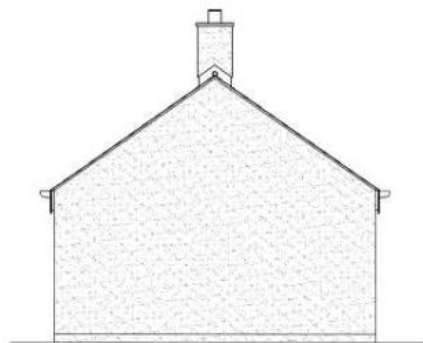
Tel: 07884177328

DATE: Nov 2022

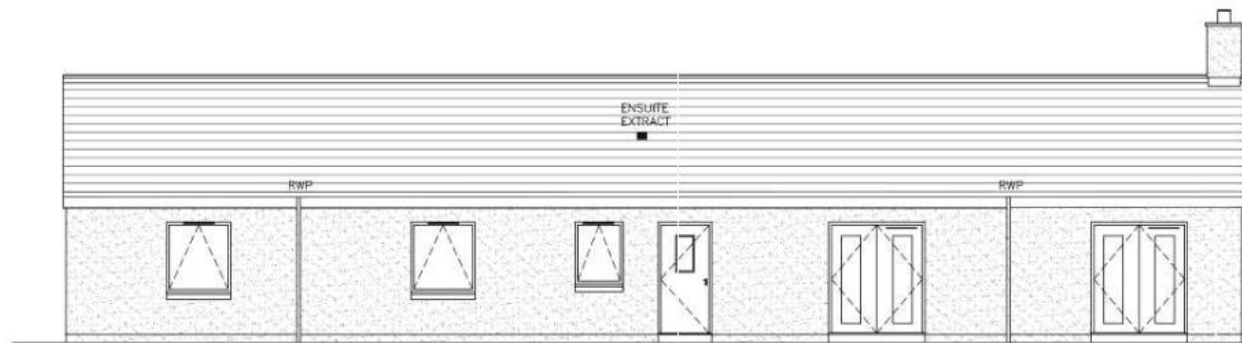
SCALE: 1 to 500

DRAWING NO: 1

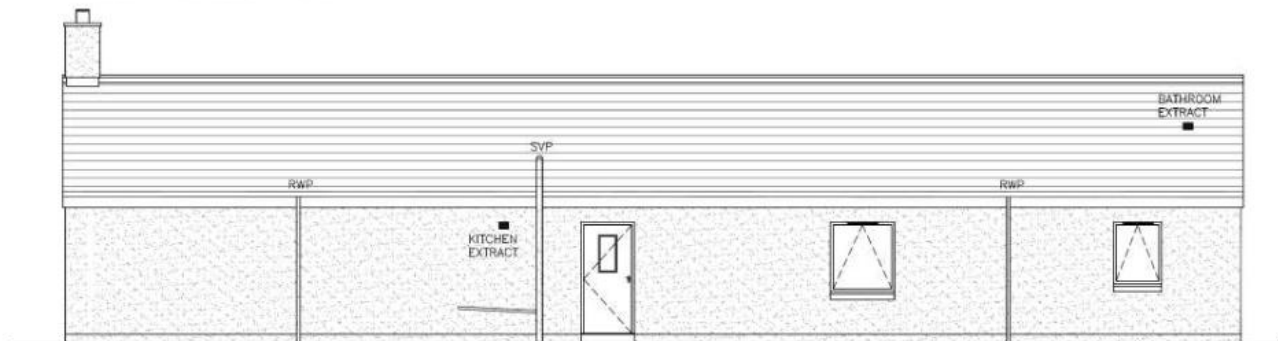
REVISION:



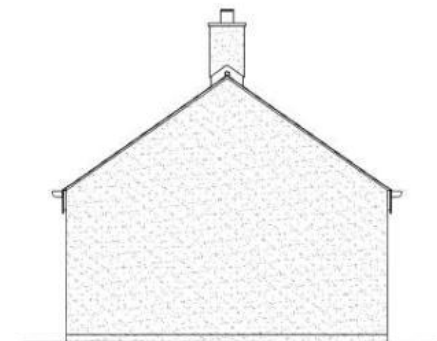
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



EXTERNAL FINISHES  
 ROOF - SLATE WITH ZINC RIDGE  
 EXTERNAL WALL - GREY WET DASH RENDER  
 WINDOWS AND DOORS - WHITE TIMBER WITH DOUBLE GLAZED UNITS

PROJECT: Relocation of a dwelling house to Woodfield, Kinclaven PH1 4QW

DRAWING REF: Proposed Elevations

PAPER SIZE: A1

NORMAN A MACLEOD

namacleod@aol.com

Tel: 07884177328

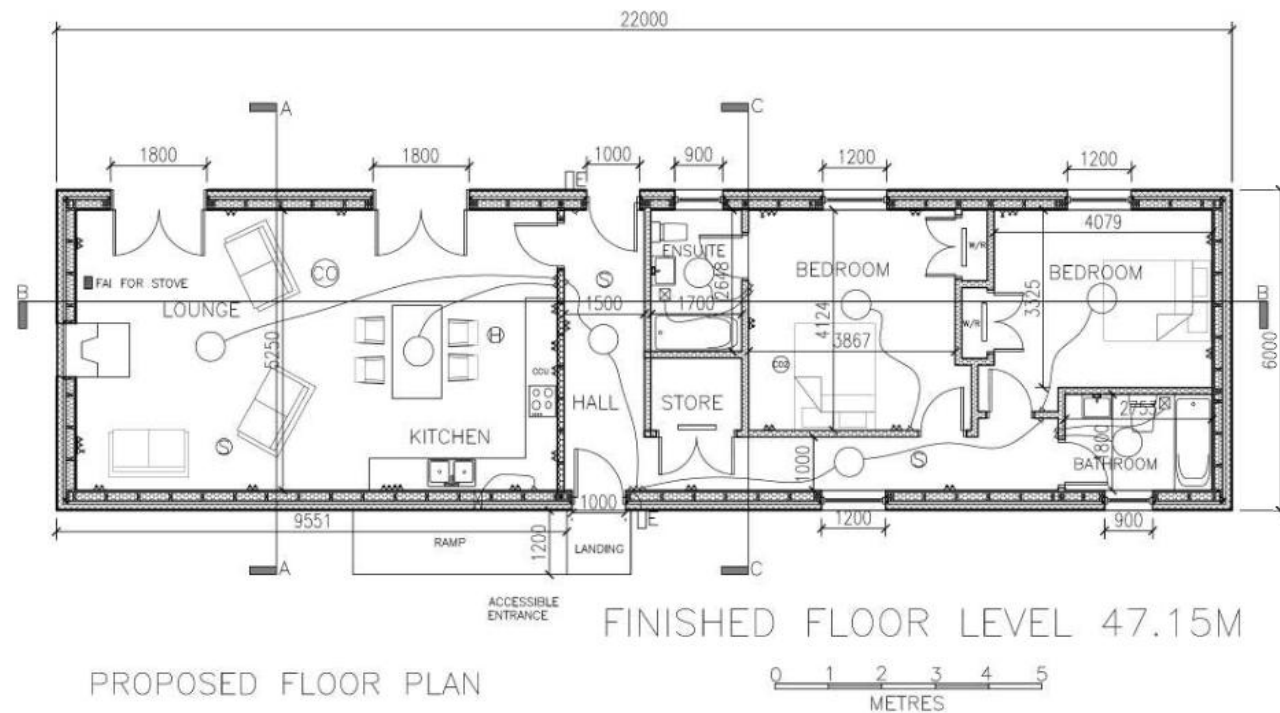
DATE: Nov 2022

SCALE: 1 to 50

DRAWING NO: 3

REVISION:

ELECTRICAL LEGEND	
TWIN 13A SOCKET OUTLET	⌘
FUSED SPURS	⌘
COOKER CONTROL UNIT	COU
LIGHT SWITCH	*
DOWNLIGHTER	o
SMOKE DETECTOR	S
EXTRACTOR FAN	⊠
HEAT DETECTOR	⊕
CARBON MONOXIDE DETECTOR	CO
CARBON DIOXIDE DETECTOR	CD
PENDANT LIGHT	○
EXTERNAL LIGHT	⊞
TV POINT	△
AUTOMATIC STORE LIGHTS	—
Electrical work to be undertaken and certified by a SELECT or NICEIC approved Electrician	



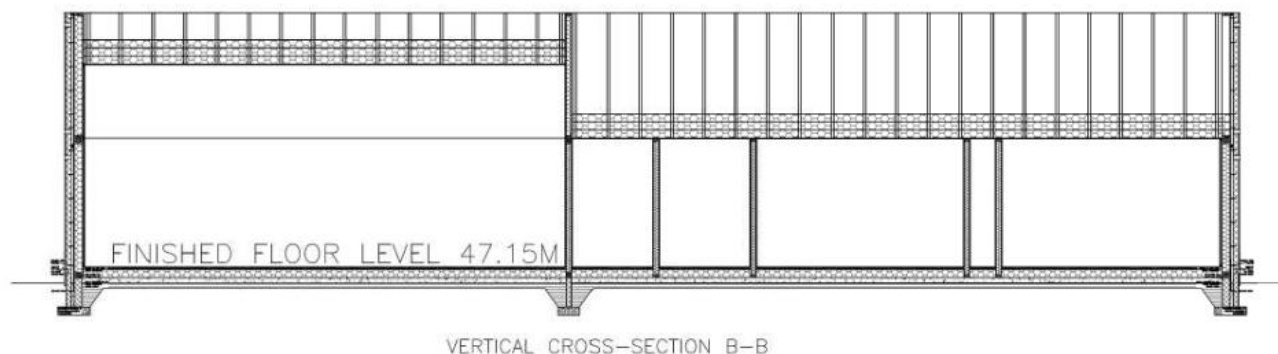
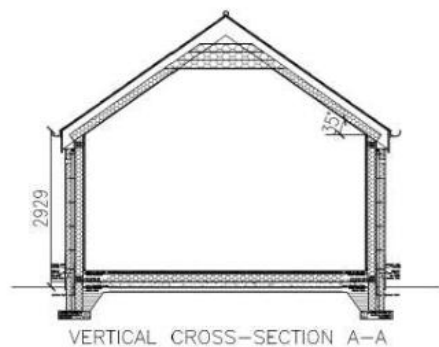
PROJECT: Relocation of a dwelling house to Woodfield, Kinclaven PH1 4QW

DRAWING REF: Proposed Floor Plan

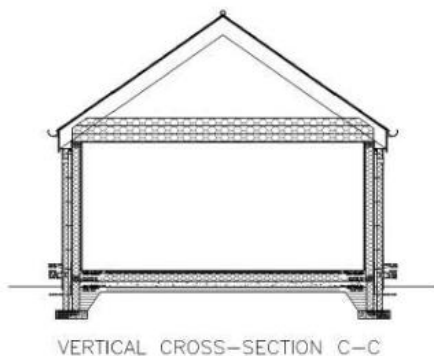
PAPER SIZE: A1

NORMAN A MACLEOD  
namacleod@aol.com  
Tel: 07884177328

DATE:Nov2022  
SCALE:1to50  
DRAWING NO:4  
REVISION:



FINISHED FLOOR LEVEL 47.15M



PROJECT: Relocation of a dwelling house to Woodfield, Kinclaven PH1 4QW

DRAWING REF: Vertical Cross-Sections AA, BB and CC

PAPER SIZE: A1

NORMAN A MACLEOD

[namacleod@aol.com](mailto:namacleod@aol.com)

Tel: 07884177328

DATE: Nov2022

SCALE: 1 to 50

DRAWING NO: 5

REVISION:

<p><b>LRB-2023-11</b> <b>22/02012/FLL – Erection of a dwellinghouse, land 50 metres south east of Woodfield Farm House, Kinclaven</b></p>
---

**PLANNING DECISION NOTICE** *(included in applicant's submission, pages 21-22)*

**REPORT OF HANDLING** *(included in applicant's submission, pages 23-29)*

**REFERENCE DOCUMENTS** *(included in applicant's submission, pages 30-46)*





**LRB-2023-11**  
**22/02012/FLL – Erection of a dwellinghouse, land 50**  
**metres south east of Woodfield Farm House, Kinclaven**

## **REPRESENTATIONS**



Thursday, 08 December 2022



Local Planner  
Planning and Development  
Perth and Kinross Council  
Perth  
PH1 5GD

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

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

**Land 50 Metres South East Of, Woodfield Farm House, Kinclaven, PH1 4HA**  
**Planning Ref: 22/02012/FLL**  
**Our Ref: DSCAS-0077701-MBH**  
**Proposal: 22/02012/FLL Erection of a dwellinghouse | Land 50 Metres South East Of Woodfield Farm House Kinclaven**

**Please quote our reference in all future correspondence**

### **Audit of Proposal**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

### **Water Capacity Assessment**

Scottish Water has carried out a Capacity review and we can confirm the following:

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

### **Waste Water Capacity Assessment**

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options

---

## Please Note

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

## Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

---

## Surface Water

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

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

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

## General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
- ▶ Site Investigation Services (UK) Ltd
- ▶ Tel: 0333 123 1223
- ▶ Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)
- ▶ [www.sisplan.co.uk](http://www.sisplan.co.uk)
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.



- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).

---

### **Next Steps:**

#### **▶ All Proposed Developments**

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

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

#### **▶ Non Domestic/Commercial Property:**

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

#### **▶ Trade Effluent Discharge from Non-Domestic Property:**

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

- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).

- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

Ruth Kerr  
**Planning Application Team**  
 Development Operations Analyst  
 Tel: 0800 389 0379  
[developmentoperations@scottishwater.co.uk](mailto:developmentoperations@scottishwater.co.uk)

### **Scottish Water Disclaimer:**

*"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."*

## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	22/02012/FLL	<b>Comments provided by</b>	Lachlan MacLean Project Officer – Transport Planning
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	TransportPlanning@pkc.gov.uk
<b>Description of Proposal</b>	Erection of a dwellinghouse		
<b>Address of site</b>	Land 50 Metres South East Of Woodfield Farm House, Kinclaven		
<b>Comments on the proposal</b>	<p>The applicant is proposing to move a two bedroomed dwellinghouse from another site to vacant land adjacent to Woodfield Farm House.</p> <p>The property access is taken off a private track which leads south to the C419 public road to Kinclaven. No changes are proposed for the existing vehicle access to the property. The works will create parking for four vehicles.</p> <p>The level of car parking proposed for the site meets the requirements of the National Roads Development Guide.</p> <p>Insofar as the Roads matters are concerned, I have no objections to this proposal.</p>		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	19 December 2022		

## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	22/02012/FLL	<b>Comments provided by</b>	Lucy Sumner
<b>Service/Section</b>	Strategy & Policy	<b>Contact Details</b>	<b>Development Contributions Officer:</b> Lucy Sumner Email: [REDACTED]
<b>Description of Proposal</b>	Erection of a dwellinghouse		
<b>Address of site</b>	Land 50 Metres South East Of Woodfield Farm House Kinclaven		
<b>Comments on the proposal</b>	<p><b>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.</b></p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p><b>Primary Education</b></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 Stanley Primary School. Education &amp; Children's Services have no capacity concerns in this catchment area at this time.</p>		
<b>Recommended planning condition(s)</b>	<p><b>Summary of Requirements</b></p> <p>Education: £0 <b>Total: £0</b></p>		
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	20 December 2022		