

**TCP/11/16(242)**

**Planning Application 12/01981/FLL – Erection of a  
dwellinghouse on land 20 metres east of 44 Coltward  
Holding, Campmuir, PH13 9LN**

**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 2008

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 **LEE + JENI FERGUSSON**

Address **24 CROFT COURT**

**BLAIRGOWRIE**

**PERTHSHIRE**

Postcode **PH10 6BB**

Contact Telephone 1 **[REDACTED]**

Contact Telephone 2 **[REDACTED]**

Fax No **[REDACTED]**

E-mail\* **[REDACTED]**

### Agent (if any)

Name **[REDACTED]**

Address **[REDACTED]**

Postcode **[REDACTED]**

Contact Telephone 1 **[REDACTED]**

Contact Telephone 2 **[REDACTED]**

Fax No **[REDACTED]**

E-mail\* **[REDACTED]**

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 + KINKROSS COUNCIL**

Planning authority's application reference number

**12/01981/FL**

Site address

**44 HOLDING, COLTWARD, COLPAR ANGUS, PH13 9LN**

Description of proposed  
development

**ERECTION OF A DWELLING HOUSE**

Date of application **14 NOVEMBER 12.**

Date of decision (if any) **15 JANUARY 13.**

**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:

Proposed new position of Dwellinghouse

**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 checked="" type="checkbox"/> | <input 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.

Enclosed on separate sheet.

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.

statement for review.  
Pre-planning application  
Pre-planning response  
Drawings/Elevations of proposed build.  
Site plan.

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

01.04.13.

Reason for house built in location proposed on "PL-002 Rev A" –

Replace dilapidated shed already on site, thus improving the look of the area.

We took time to look at new houses recently built in this area and they were mostly one and a half storey. We feel that given the pitch of the existing roof at 44 Holding that our design would not impact on the local area. We believe that our house would be similar height to the one already on the property.

We opted to remain with the existing fence, but having re-considered, we would be willing to plant trees/hedges to blend in with the area and maintain the rural characteristics of the area. This would also benefit us by sheltering our house and garden from adverse weather.

Having spoken in detail to both my parents, they have no issues with the loss of visual amenity and character to their house. They feel it would be a big improvement to their grounds and would relieve them of the responsibility of maintaining the ground/area. They have lived in their house for the last 25 years and have not done anything to this area in this time. They also feel that having the sheds in that area all these years, that for us to build a house would not make any difference. My parents are very supportive of us to build a house on this land, and, having no intension of selling, they would have peace of mind in years to come of having family close by. They would also love to have us live beside them to see their children/grandchildren grow up.





Dear Sirs,

My husband and I would like to enquire about some pre-application planning advice. We are looking to build our first family home adjacent my parents house at Coltward Holding, Burrelton, PH13 9LN, and prior to submitting a full planning application, please could you advise us on the following:

- Council support for our proposal
- Any particular information other than typical site location, site plan, floor plans, elevations and confirmation of materials that you would require to determine our application

We have decided on a traditional design to match the local vernacular with sleeping accommodation in the attic. We propose to use a mix traditional & modern materials for durability i.e. white wet dash 'Scots dash' render, dressed sandstone, white PVCu windows & doors, dark grey concrete composite roof tiles, white painted external timber and black rainwater goods. These materials compliment the adjacent property owned and lived in by my parents for 30 years.

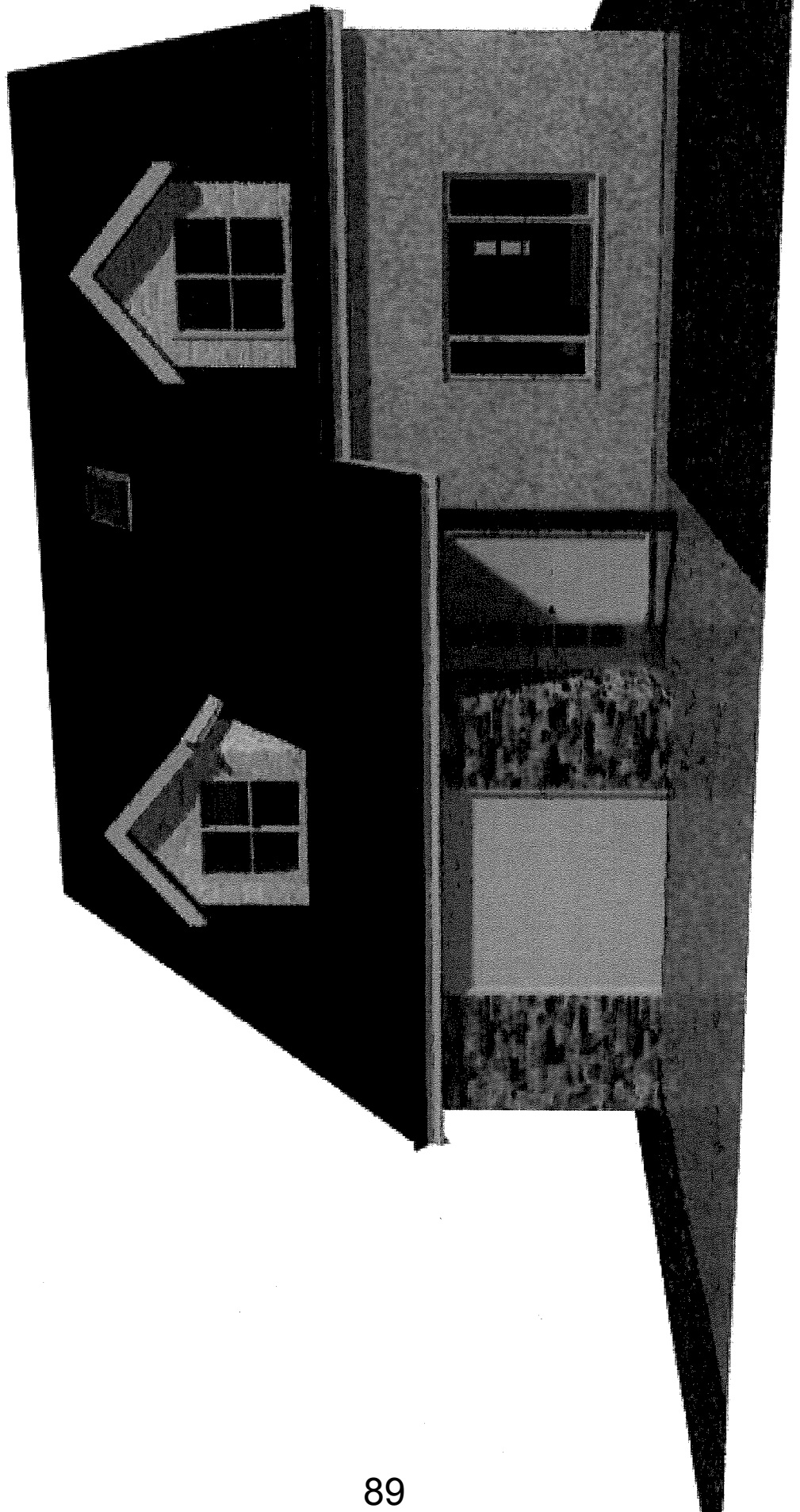
We have attached for your review a site plan, draft floor plans and elevations. We hope you can support our commitment to building a family home next to my parents.

We look forward to hearing from you.

Kind regards,

Jeni and Lee Ferguson





## Unlimited Pages and Expanded Features



No 44

## Works

[illegible]

Mr & Mrs  
Ferguson  
New Build House

## Site Plan

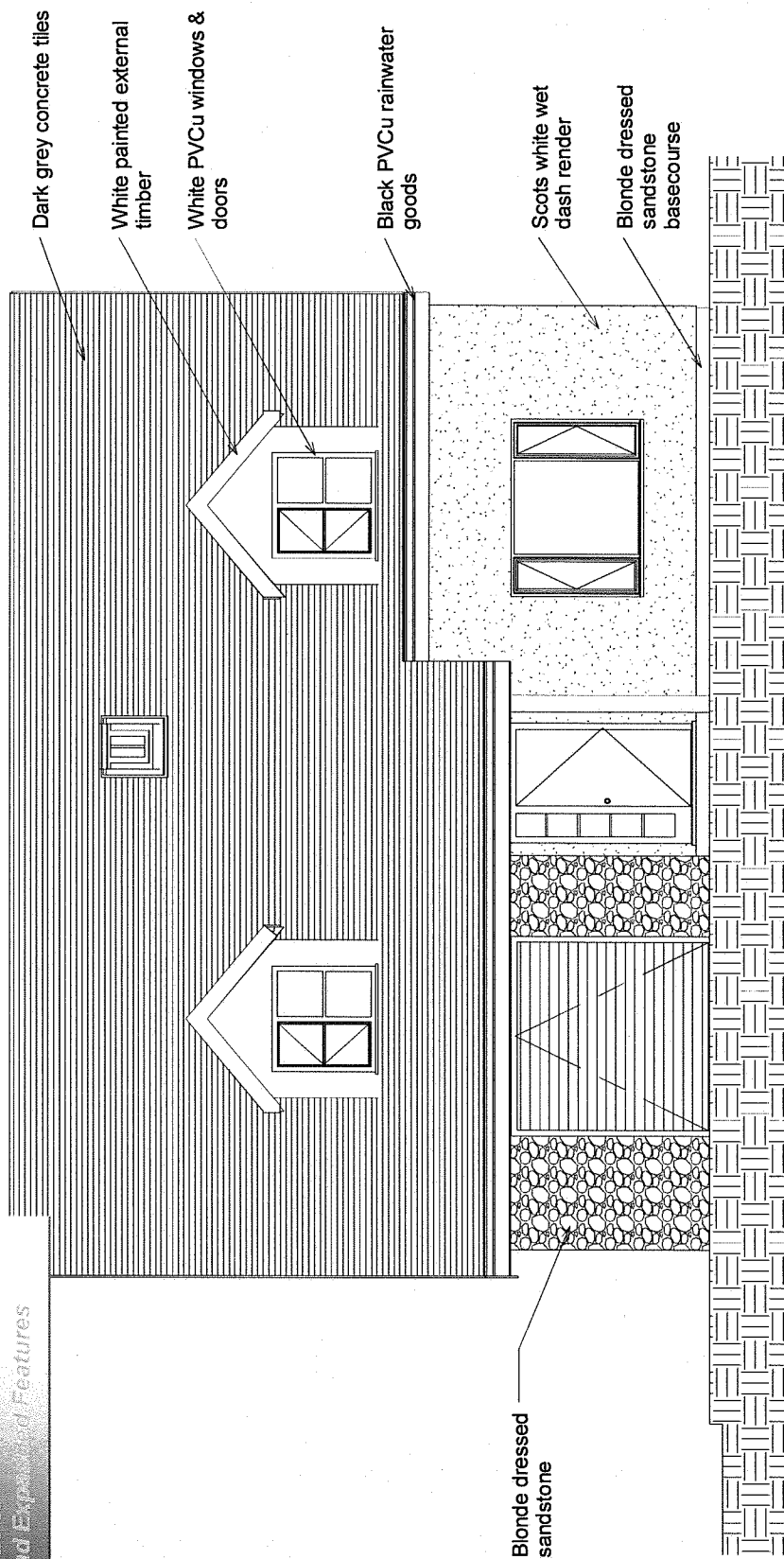
Project number	N/A
Date	Issue Date
Drawn by	Author
Checked by	Checker

L-S-001

Scale  
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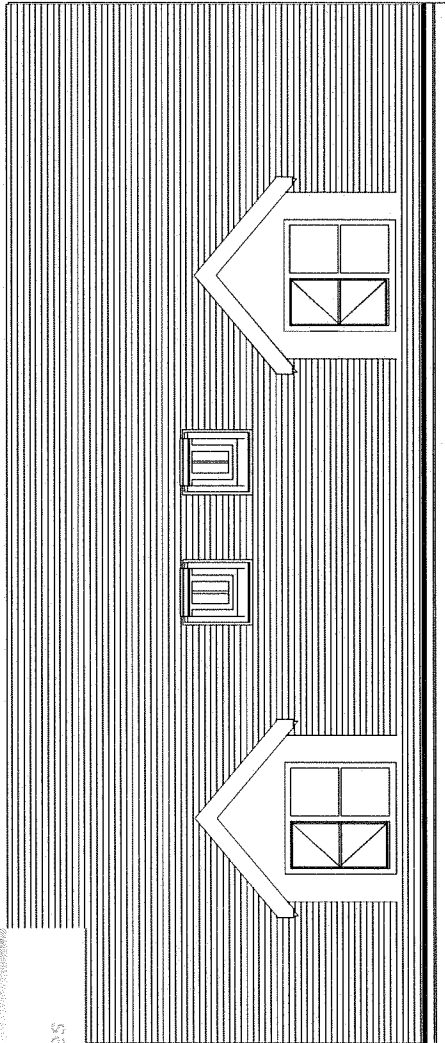


<div>Mr &amp; Mrs Ferguson</div> <div>Coltward Holding, Burrelton</div>		Proposed First Floor	
		Project number	12001
		Date	Issue Date
		Drawn by	Author
		Checked by	Checker
		Scale	
		1 : 50	
SK-003			

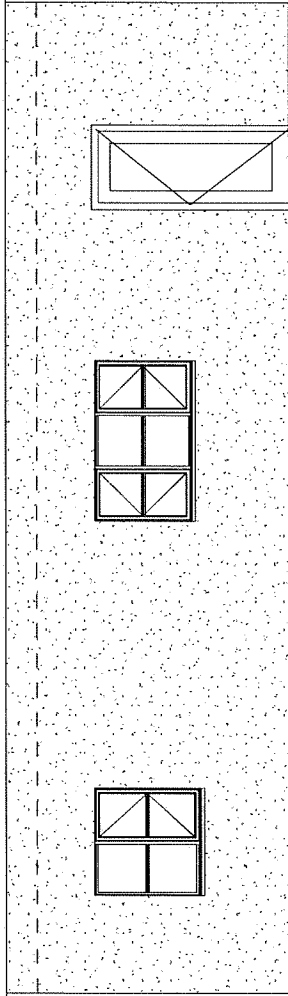


No.		Description	Date	North West Elevation	
				Project number 12001	
				Issue Date	SK-004
				Drawn by SM	Scale 1:50
				Checked by SM	
Mr & Mrs Ferguson Coltward Holding, Burrelton					

--- FGL +7778

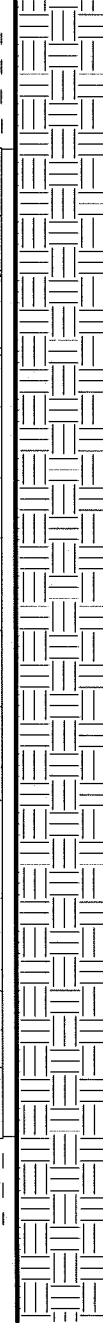


Eaves +3030  
FFL +2700



FFL +0

FGL -150



South East Elevation

Mr & Mrs Ferguson  
Coltward Holding,  
Burrelton

SK-005

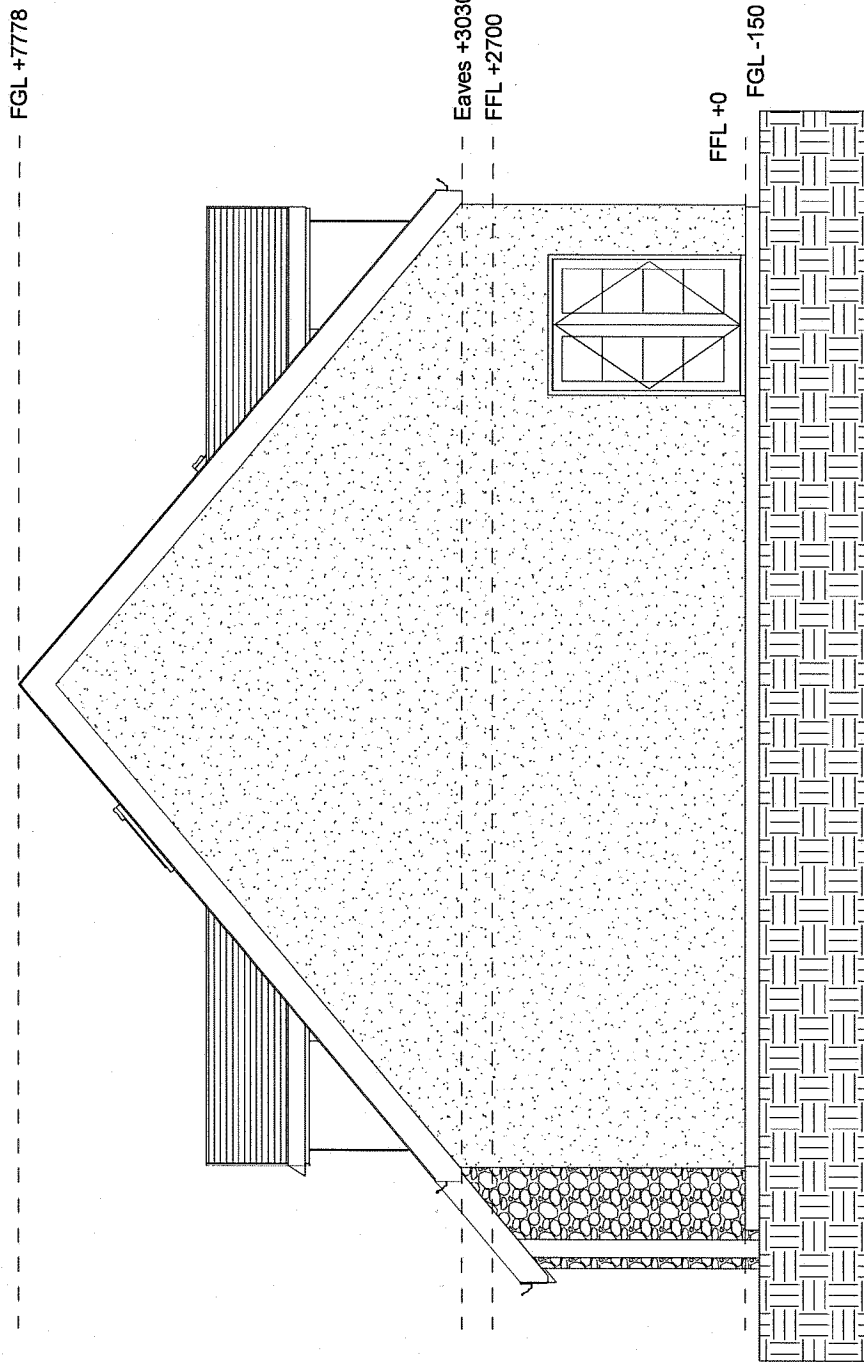
Project number 12001  
Date Issue Date  
Drawn by Author  
Checked by Checker

Scale

1 : 50

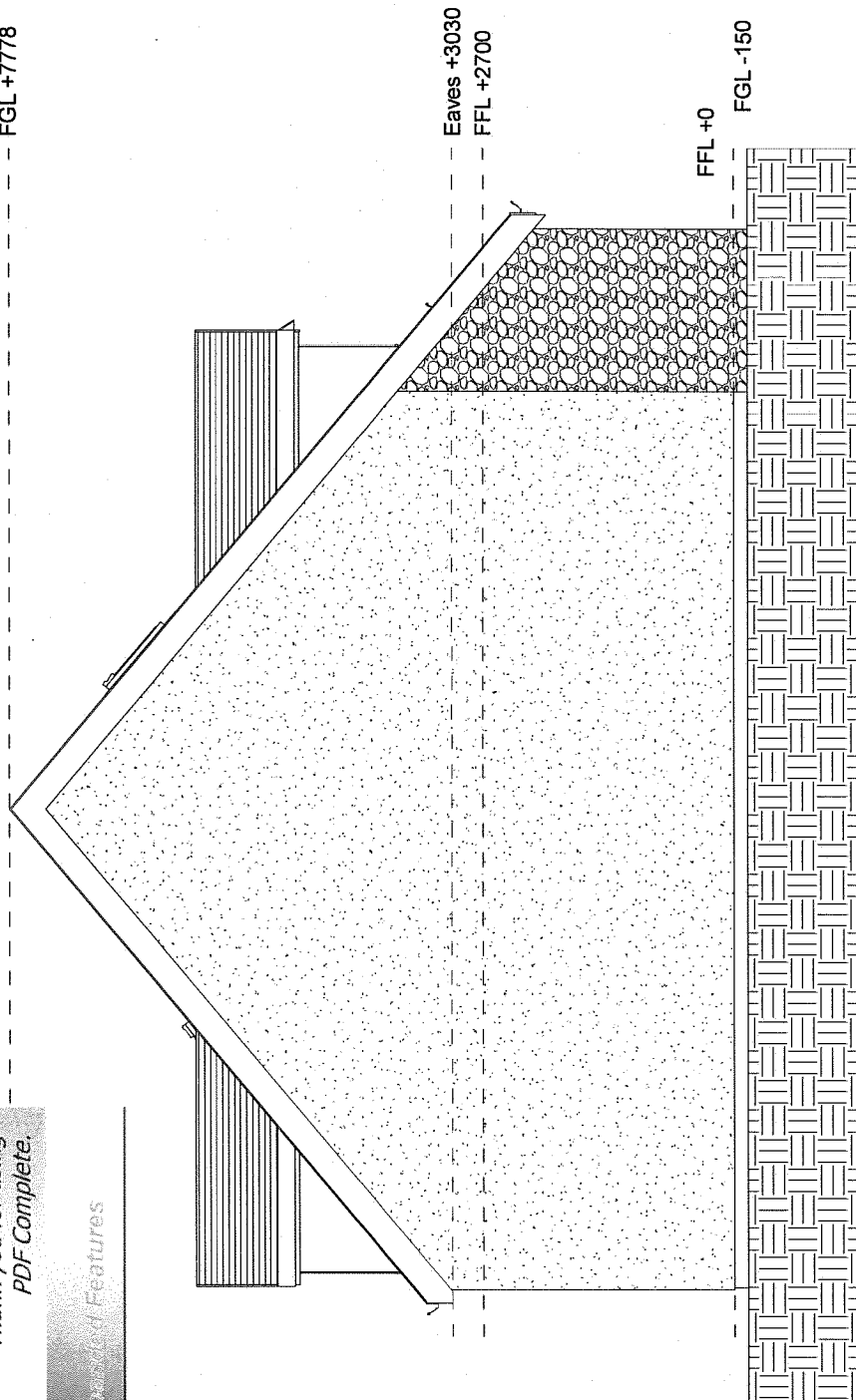
No.	Description	Date





North East Elevation		Project number		12001	
Date		Issue Date		Author	
Drawn by		Checked by		Scale	
				1 : 50	
<p><b>Mr &amp; Mrs Ferguson</b>  <b>Coltward Holding,</b>  <b>Burrelton</b></p>					
No.	Description	Date			

FGL +7778



		North West Elevation		SK-007	
		Project number 12001	Issue Date	Author	Checker
		No.	Description	Date	Scale 1 : 50

Mr & Mrs Ferguson  
Coltward Holding,  
Burrelton

No.	Description	Date
A	Red line boundaries amended	14/11/12

**Mr & Mrs Ferguson  
New Build House @  
Coltward Holding**

# Proposed Site Plan

Project number	12001
----------------	-------

Date
11.11.12

Drawn by **SM**

Checked by	SM
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PL-002 Rev A

Scale  
1 : 200



Dear Mrs Fergusson

Pre-application Enquiry: New House on land at Coltward Holding, Burrelton, PH13 9LN

I am emailing you in relation to the above enquiry dated 1st October.

I can advise that the proposed site lies within the landward area of adopted Eastern Area Local Plan 1998 where the relevant policy consideration is the Housing in the Countryside Policy 2009. This local plan and policy document is available to view online at the Council website.

In regards to the Housing in the Countryside Policy the category that is most relevant to your proposals is 1. Building Groups. This category outlines that the Council may be supportive of proposals for new housing within building groups provided that the site is well defined by existing well established landscape features and respects the character, layout and building pattern of the group.

It is my initial view that there may be scope for the erection of a house within the grounds of your parents house but I do not consider that the indicative plans submitted are acceptable at this stage. I would suggest that the house should be positioned in line with the existing house and that the existing plot should be split into two equally sized plots. This would reflect the existing relationship with the public road and also allow for an area of private rear garden amenity space (for the avoidance of doubt, the plot must not extend beyond the existing plot boundaries). In regards to the design, the suggested finishes are acceptable and the general design concept appears sound i.e 1.5 storey, but the proportions of the house seem slightly odd. However I accept that these plans are possibly only a draft at this stage and with more work from an architect the design may improve.

I would therefore suggest that you should proceed to submit an application for planning permission but I would strongly advise that you discuss your proposals with an architect before submitting the application.

Please note that the above advice is not based on a site visit and it is only upon the submission of an application will the proposals be fully assessed. Therefore the Council is not bound by this advice.

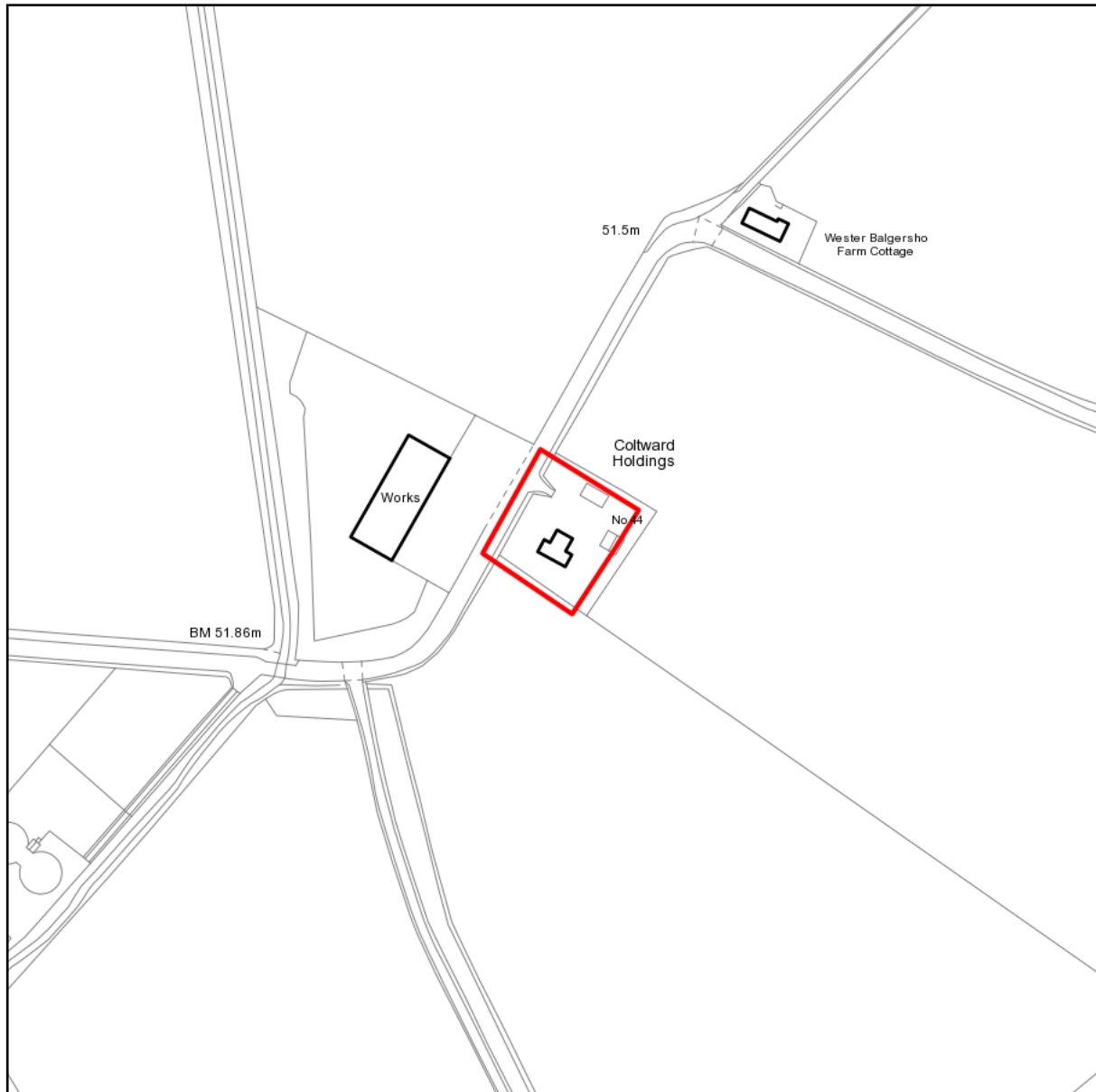
Regards

David Niven  
Planning Officer  
PKC Council



Email received - 25 October 2012.



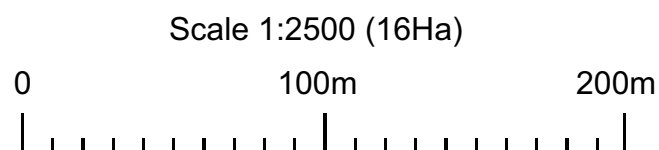
44 Coltward Holding, Campmuir, Blairgowrie, PH13 9LN



Information

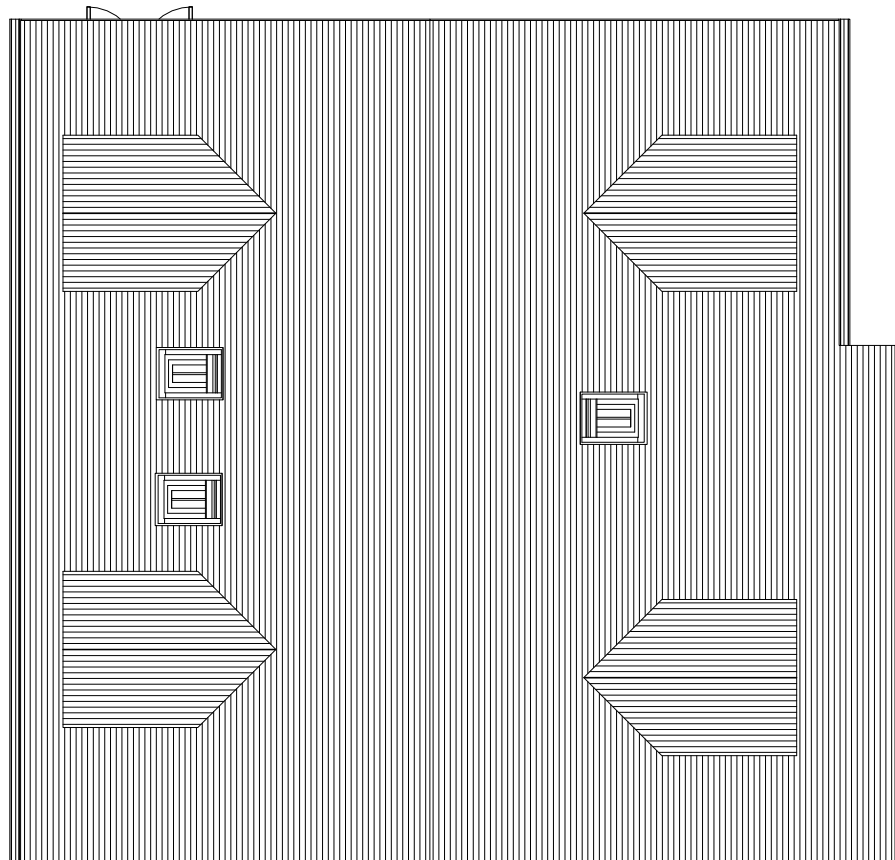
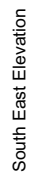
-  Application Boundary
-  Land in Ownership

Online Ref:  
000051845  
Date: 11/11/2012



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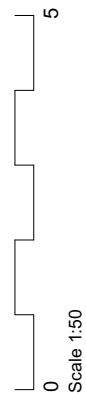
North East Elevation



South West Elevation



North West Elevation

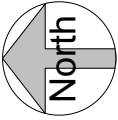
[illegible]

Mr & Mrs Ferguson  
New Build @ Coltward  
Holding, Burrelton

## Proposed Roof Plan

Project number	12001
Date	11.11.12
Drawn by	SM
Checked by	SM
PL-011	
Scale	1 : 50





No.	Description	Date

Mr & Mrs Ferguson New Build House @ Coltward Holding		
Proposed Site Plan		
Project number	12001	
Date	11.11.12	
Drawn by	SM	
Checked by	SM	
PL-002		
Scale	1: 200	

# Coltward Holding

No 44

Blue indicate outline of sheds to be demolished

Existing post and wire fence to South - East Boundary

Hedge boundary between No 44 and new build

Existing post and wire fence to South - West Boundary

Existing conifers and post & wire fence to North - East Boundary

Existing Driveway Entrance

Refuge Storage  
Shared  
carparking  
gravel  
driveway

Existing Barn

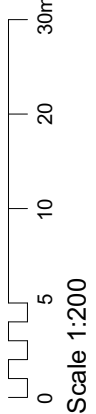
existing tree

Existing No.44 at Coltward Holding

No.44 Garden Space

Existing Bushes to North - West Boundary

Main Road to Burrelton



No.	Description	Date

Mr & Mrs Ferguson  
New Build @ Colward  
Holding, Burrelton

Ground Floor Plan

Project number  
12001

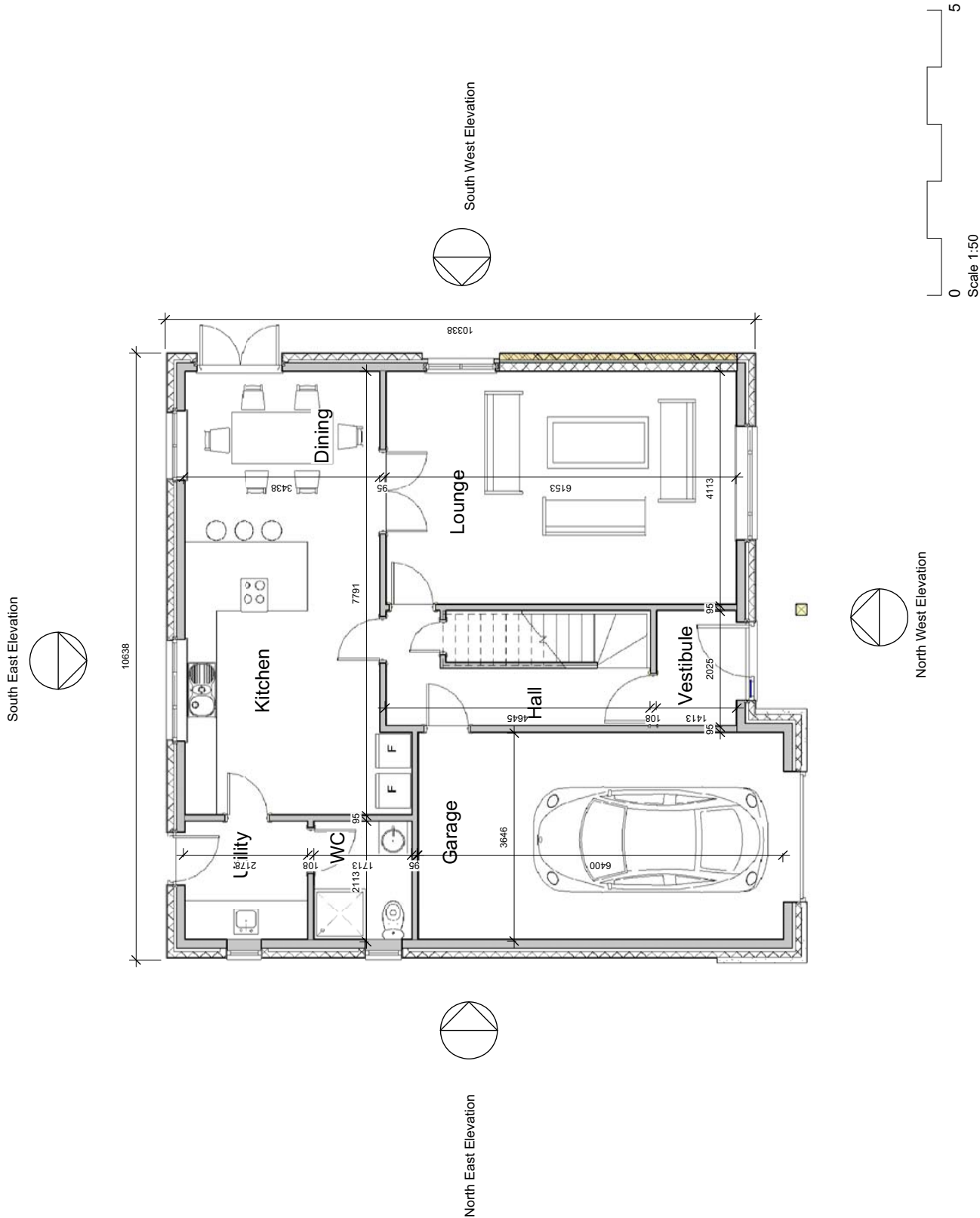
Date  
11.11.12

Drawn by  
SM

Checked by  
SM

PL-003

Scale  
1 : 50

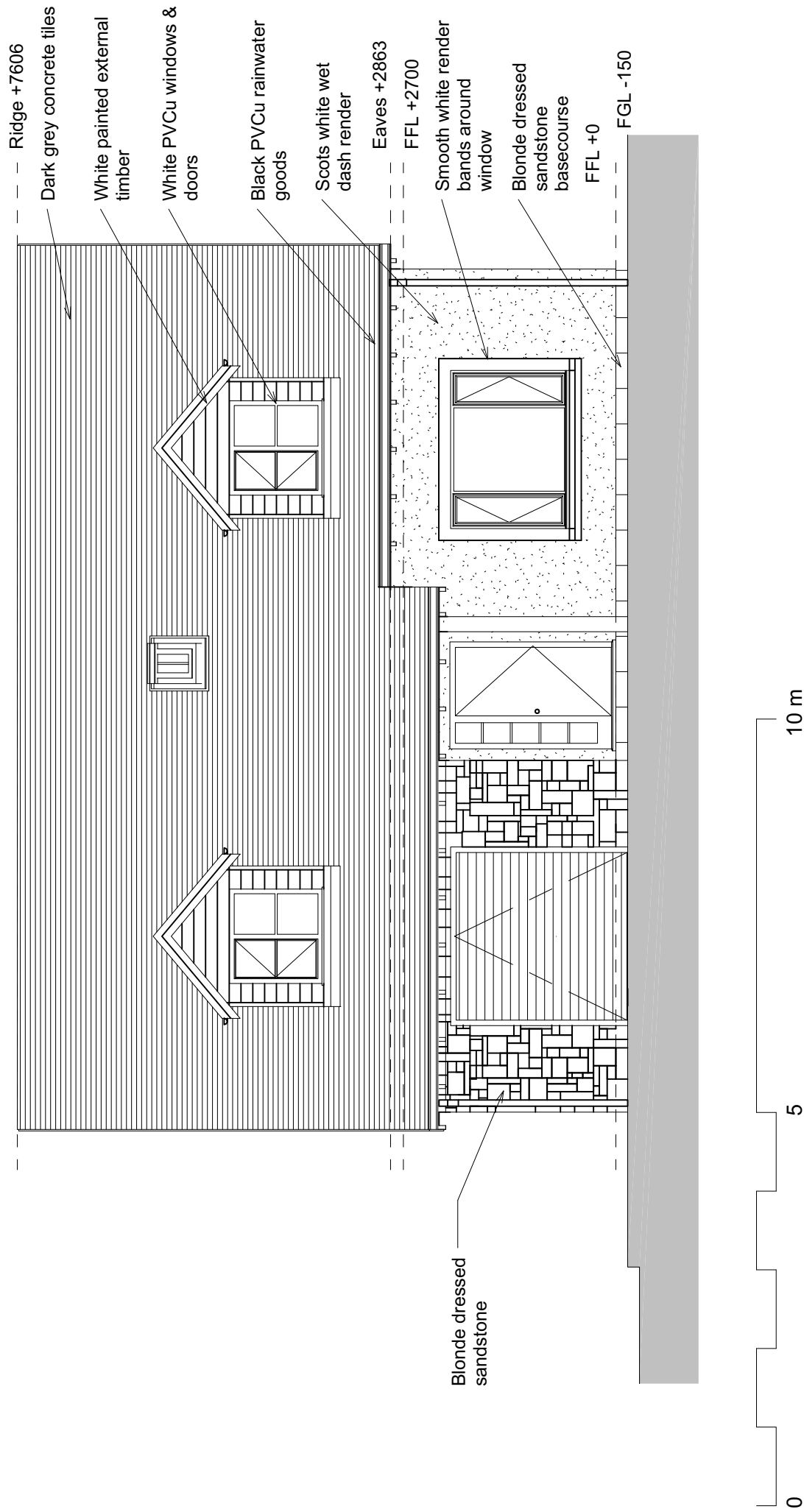


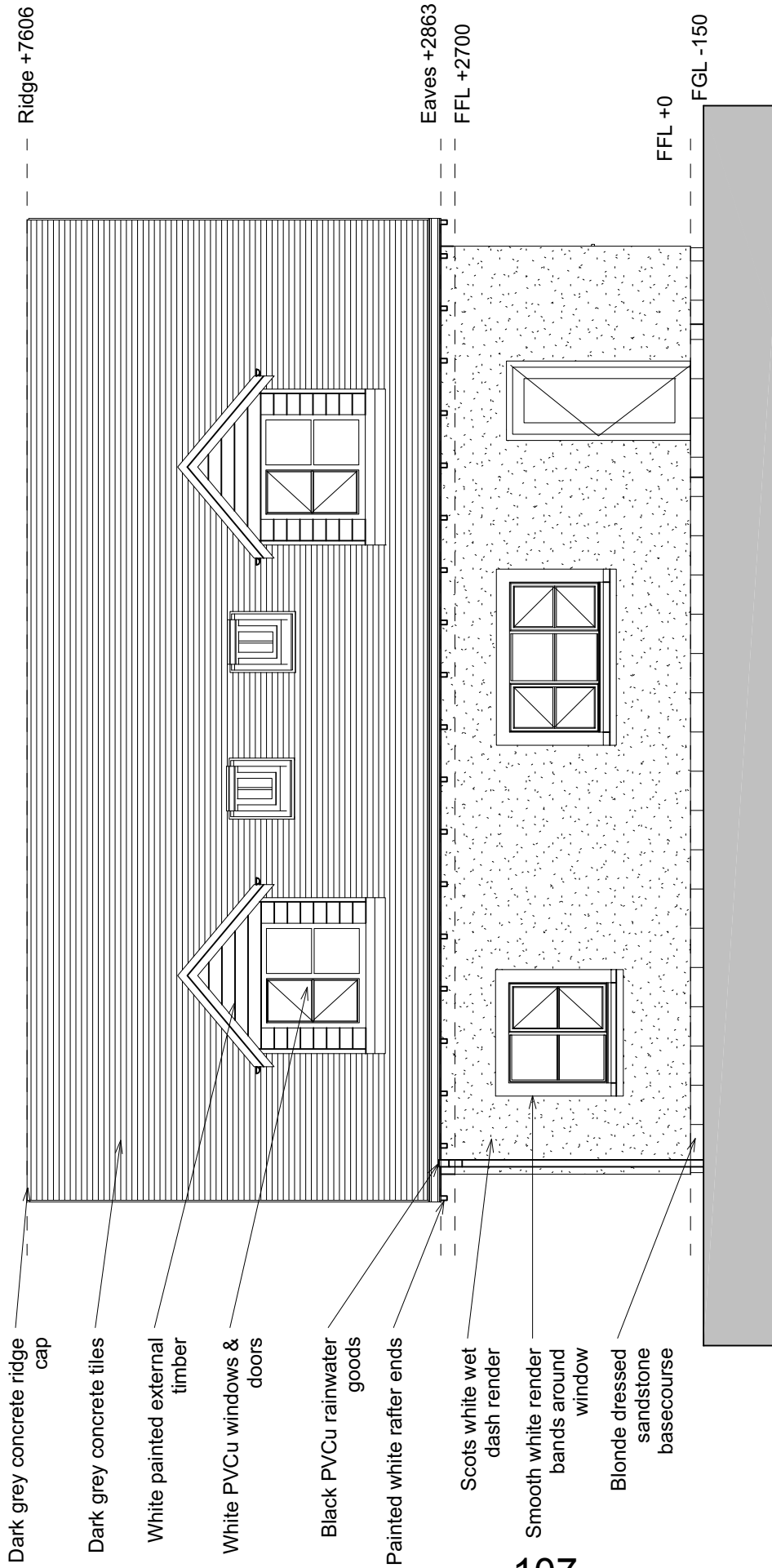


Mr & Mrs Ferguson  
New Build @ Coltward  
Holding, Burrelton

Proposed First Floor

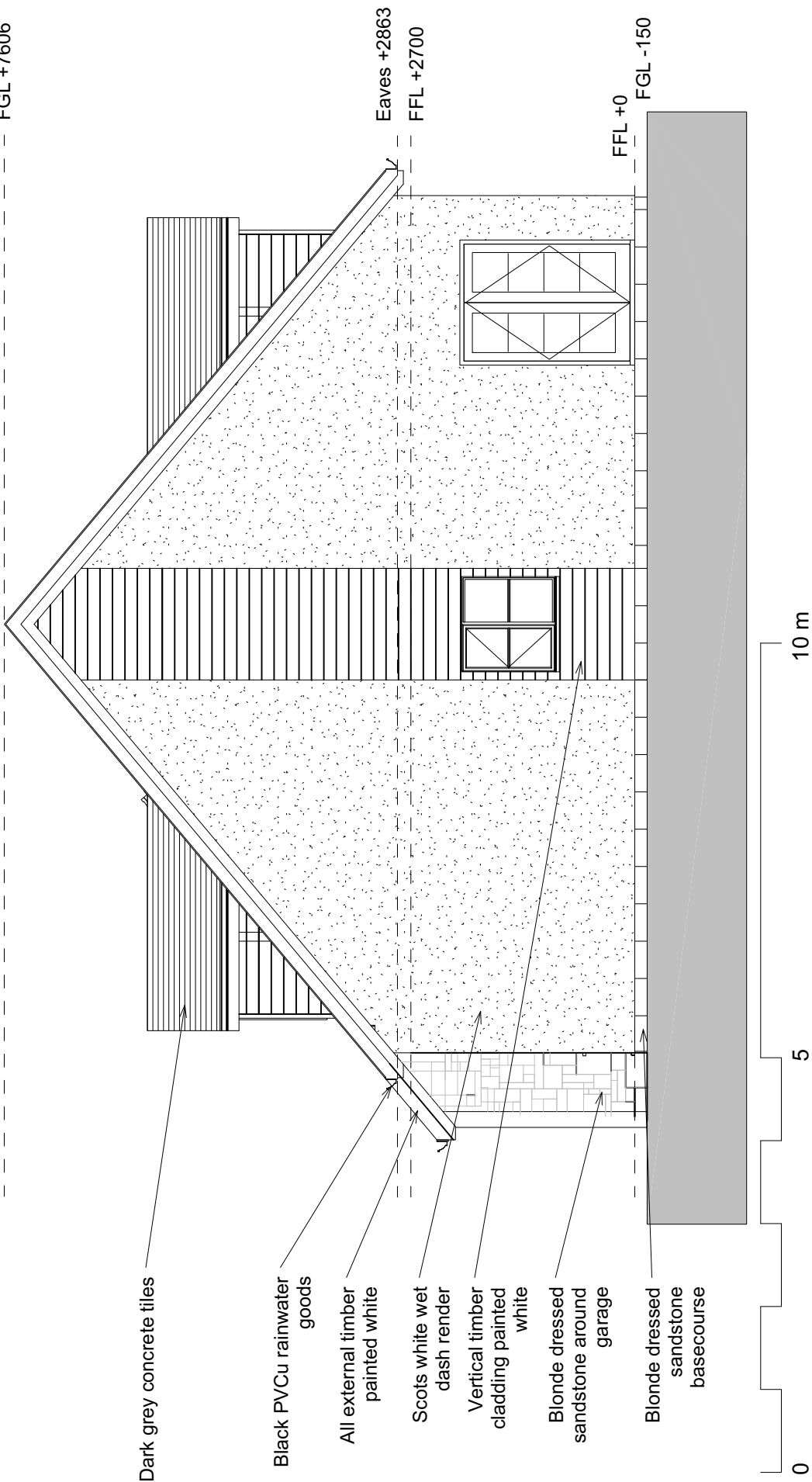
Project number	12001
Date	11.11.12
Drawn by	SM
Checked by	SM
PL-004	
Scale	1 : 50

[illegible]



			<div>Mr &amp; Mrs Ferguson</div> <div>New Build @ Coltward Holding, Burrelton</div>			South East Elevation			<div>PL-006</div>																																						
						Project number						12001																																			
						Date						11.11.12																																			
						Drawn by						SM																																			
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No.	Description	Date																																													

FGl +7606



South West Elevation

Mr & Mrs Ferguson

New Build @ Coltward  
Holding, Burrelton

PL-007

Project number 12001

Date 11.11.12

Drawn by SM

Checked by SM

Scale

1 : 50

No.	Description	Date

Ridge +7606

Dark grey concrete tiles

White painted external timber

White PVCu windows & doors

Black PVCu rainwater goods

Scots white wet dash render

Smooth white render bands around window

Blonde dressed sandstone basecourse

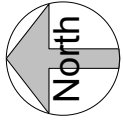
Eaves +2863  
FFL +2700

FFL +0  
FGL -150



Scale 1:50

Mr & Mrs Ferguson New Build @ Coltward Holding, Burrelton		North East Elevation		PL-008	
		Project number	12001	Drawn by	SM
		Date	11.11.12	Checked by	SM
		Scale	1 : 50		
	No.	Description	Date		

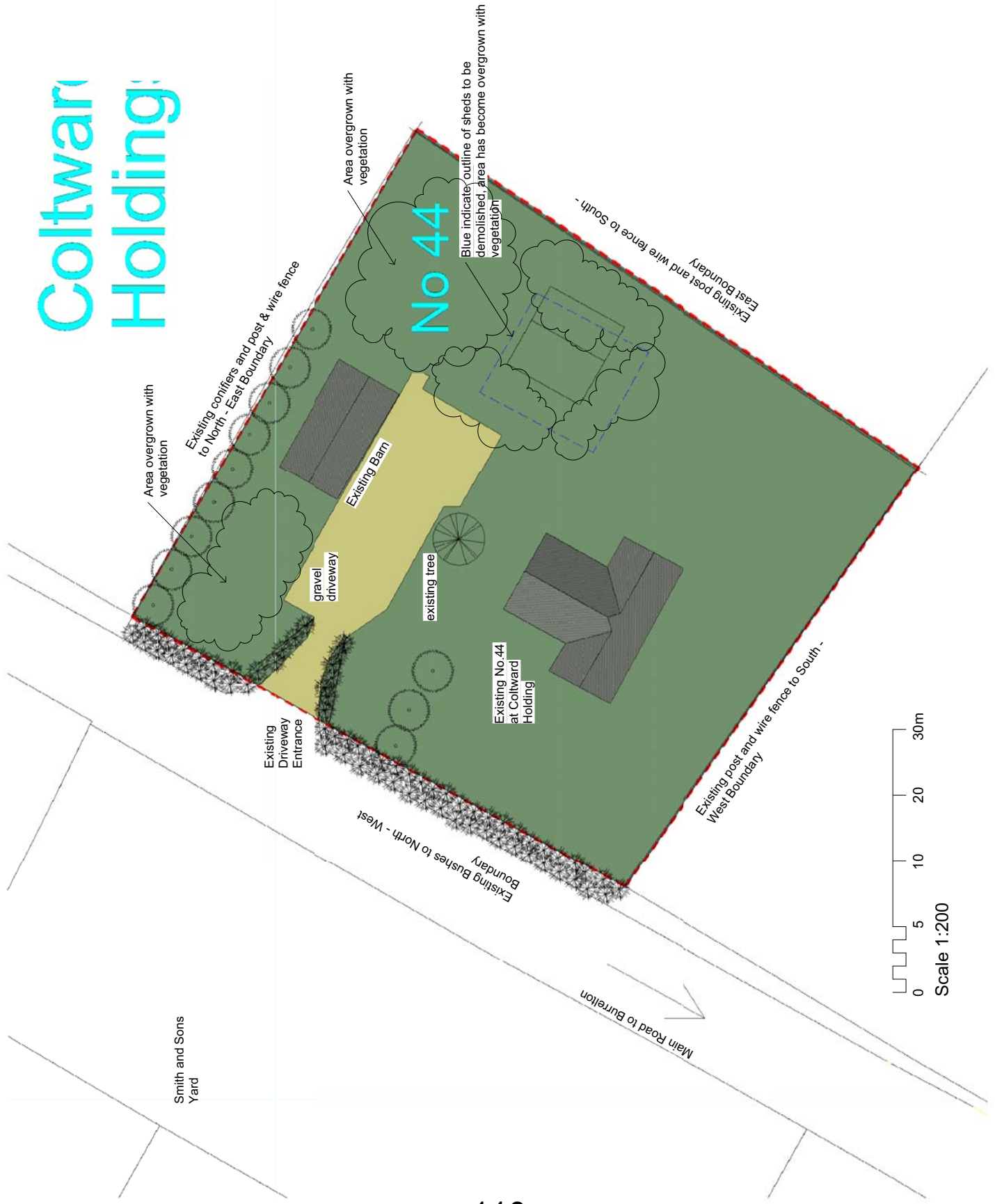


No.	Description	Date
1	Revision 1	Date 1

Mr & Mrs Ferguson New Build House @ Coltward Holding		
Existing Site Plan		
Project number	12001	
Date	11.11.12	
Drawn by	SM	
Checked by	SM	
PL-001		
Scale	1 : 200	

# Coltward Holding

No 44



Smith and Sons  
Yard





South West Facing Elevation



North West Facing Elevation

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No.	Description	Date

Mr & Mrs Ferguson  
New Build @ Colward  
Holding, Burrelton

Indicative 3d Perspectives 01				
Project number	12001	PL-009		
Date	11.11.12	Drawn by	Author	Checker
Checked by				Scale



North East Facing Elevation



South East Facing Elevation

	Indicative 3d Perspectives 02			PL-010
	Project number			
	Date			
	Drawn by			
	Checked by			
			Scale	
			Checker	
Mr & Mrs Ferguson				
New Build @ Coltward				
Holding, Burrelton				

No.	Description	Date

**TCP/11/16(242)**

**Planning Application 12/01981/FLL – Erection of a dwellinghouse on land 20 metres east of 44 Coltward Holding, Campmuir, PH13 9LN**

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

**REFERENCE DOCUMENTS** *(included in applicant's submission, see pages 101-102 and 104-112)*



# PERTH AND KINROSS COUNCIL

Mr Lee And Jeni Ferguson  
c/o Strone McCue  
42 Glenshee Drive  
Blairgowrie  
PH10 7AR

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 15th January 2013

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/01981/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 15th November 2012 for permission for **Erection of a dwellinghouse Land 20 Metres East Of 44 Coltward Holding Campmuir** for the reasons undernoted.

Development Quality Manager

### Reasons for Refusal

1. The proposal is contrary to Policy 2 and 38 of the Eastern Area Local Plan (1998) in failing to suitably meet the associated criteria of development, including scale, form, colour and density of existing development. The development would result in a loss of visual amenity and character to the existing dwelling plot by virtue of its siting, design and scale.
2. The proposal is contrary to Policy 49 of the Eastern Area Local Plan (1998), HICP Guide (2012) and Policy RD3 HICP of the Proposed Local Plan (2012) in failing to fully meet and satisfy associated policy criteria of development within a building group. In particular, the proposal fails to respect criteria m 'For All Proposals' and sub criteria 1 - Building Groups.
3. The proposal is contrary to Policy PM1A and Policy PM1B of the Proposed Local Plan (2012) in failing to fully satisfy all of the associated policy criteria. In particular, the proposal does not appropriately reflect the scale, position and design of the existing residential dwelling and would consequently adversely compromise the setting and character of the existing dwelling and the wider building group.

## **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 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**

12/01981/1

12/01981/2

12/01981/3

12/01981/4

12/01981/5

12/01981/6

12/01981/7

12/01981/8

12/01981/9

12/01981/10

## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	12/01981/FLL
Ward No	N2- Strathmore

**PROPOSAL:** Erection of a dwellinghouse

**LOCATION:** Land 20 Metres East Of 44 Coltward Holding Campmuir

**APPLICANT:** Mr Lee and Jeni Ferguson

**RECOMMENDATION:** REFUSE THE APPLICATION

**SITE INSPECTION:** 29 November 2012



#### OFFICERS REPORT:

##### DESCRIPTION & BACKGROUND

The application relates to Coltward Holding, just outside the village of Burrelton, in the Eastern Area Local Plan landward area. No. 44 Coltward holding includes a regular shaped plot area of 1800 sqm, with a large (9.5m x 5m) pitched roof, solid built shed and dilapidated timber structures to the rear. A static caravan is also sited in the rear garden, within the proposed red site line area. A large, pitched roof coach works building, clad in metal profile sheet is located directly opposite N0.44 with associated coach and car parking used by a local coach operator. The existing

residential building is an early 20<sup>th</sup> century bungalow with traditional proportions and finishes, including a rosemary tiled roof. The proposed red site line includes a shared access, leading to a large rectangular area to the rear of the existing traditional shed and residential dwelling.

## **PROPOSAL**

The proposal includes the part subdivision of the plot to provide an additional detached dwelling to the rear (east) of the plot on the approximate area of dilapidated timber outbuildings. The proposed dwelling includes a deep plan (in excess of 11m at narrowest point), 1.5 storey design with integral garage. A range of materials have been proposed including natural sandstone, wet dash render, UPVC windows and doors and concrete roof tiles.

## **ASSESSMENT**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 as amended by Planning Etc (Scotland) Act 2006 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. 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. The most relevant policies of the Eastern Area Local Plan 1998 are listed within this document. The Council's Proposed Local Development Plan 2012 is a relevant material consideration in this instance.

### **Principle**

The principle of an additional dwelling within the wider plot of Coltward holding may have some scope, in line with the building group criteria of the 2012 HICP. However, the current submission fails to respect the setting and character of the existing dwelling. The proposed dwelling is higher in height, deeper in depth and set back (backland) behind No. 44, which, particularly in the relatively small site context, is considered to compromise the setting and character of No.44.

It is considered that; subject to sensitive planning and design there may be some scope for a semi-detached dwelling to be developed on the northern gable of the existing dwelling. This would be expected to respect the existing build line, architecture and scale of the dwelling currently on site. Any proposal would also have to respect the context of the existing shed to the north of the site. There is considered to be no scope for a residential dwelling in the format of that currently proposed.

### **Pre-application**

No recorded discussion exists in relation to pre-application advice on this site. However, case officer involvement relating to this matter acknowledged that whilst scope may exist for an additional house within the wider plot of No.44, the details and location submitted (as per this application) were not given any indication of support (to my knowledge).

### **Drainage**

Comments have been made from a neighbouring property in relation to the drainage arrangement proposed. The proposal identifies the existing property to drain into a soakaway within the neighbouring field, with the additional dwelling proposed to tie into this soakaway with upgrading as necessary. This has been suggested to not be the case, with the existing property draining directly into the field, which then links into a field drain. Any successful development should be controlled and designed in



line with current building standards and would be re-assessed appropriately at this time.

### **Education**

In terms of other material considerations, this involves an assessment against the approved Planning Guidance Note on Primary Education and New Housing Developments. The PGN seeks a financial contribution of £6,395 per mainstream residential unit in areas where the local primary school is operating close or over its 80% capacity.

Education and Children's Services have indicated that Burrelton Primary School is currently at capacity and therefore the Finalised Primary Education and New Housing Contributions Policy should be applied which requires a contribution of £6395 to be paid toward education infrastructure. If any consent is granted at Local Review Body this contribution should be requested.

### **Access**

No objection on roads grounds.

### **Policy 2 & Policy 38**

The proposal fails to respect the scale, form and density of the existing buildings within the locality. Development as proposed would compromise the existing built form character and would therefore fail to fully satisfy the policy.

### **Policy 49**

The proposal partly complies with criteria 3 (b) Building Groups. The proposed development would however significantly detract from the character and amenity of the existing house in the group and would therefore fail to fully satisfy the policy.

### **Conclusion**

The proposed dwelling is considered to be backland development, compromising the setting and character of No.44, failing to fully satisfy several policy criteria and should not be supported. There is no scope for an amendment or re-submission due to the site area currently proposed. A completely fresh planning application with a different red site line boundary accommodating a modest, semi-detached proposal may with sensitive design be supported. The application as currently submitted is recommended for refusal.

### **DEVELOPMENT PLAN**

The Scottish Government expresses its planning policies through The National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars.

#### The Scottish Planning Policy 2010

This SPP is a statement of Scottish Government policy on land use planning and contains:

- the Scottish Government's view of the purpose of planning,
- the core principles for the operation of the system and the objectives for key parts of the system,
- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,

- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

Of relevance to this application is paragraphs 92-97 which relates to rural development

#### Planning Advice Note 73 – Housing in the Countryside

*Designing Places*, published in November 2001, sets out the then Scottish Executive's expectations of the planning system to deliver high standards of design in development for rural and urban areas. The design based Planning Advice Note (PAN) series is an additional means by which we can maintain the profile of design and identify best practice in planning for high quality development. This PAN supersedes and reinforces many of the key themes set out in *PAN 36 Siting and Design of New Housing in the Countryside* (published in 1991) and brings the advice up to date with the new emphasis on design and quality. The advice in this PAN sets out key design principles which need to be taken into account: by applicants when planning a new development and by planning authorities, when preparing development plans and supporting guidance, and determining applications. The purpose is to create more opportunities for good quality rural housing which respects Scottish landscapes and building traditions. The advice should not, however, be seen as a constraint on architects and designers wishing to pursue innovative and carefully considered contemporary designs.

#### **DEVELOPMENT PLAN**

The Development Plan for the area comprises the approved Tay Plan 2012 and the adopted Eastern Area Local Plan 1998. Within the Tay Plan there are no specific policies of specific relevance relevant to this proposal.

Within the Local Plan, the site lies within the landward area, where the following policies are directly relevant.

*Policies 2 and 38 (General Development)* states that all developments within the Plan area will be judged against the following criteria (amongst others)

- The site should have a landscape framework capable of absorbing, and if necessary, screening the development, and where appropriate opportunities for landscape enhancement will be sought.
- The development should be compatible with it's surroundings in land use terms and should not result in a significant loss of amenity to the local community.

*Policy 49 (Housing in the Countryside Policy)* is the local plan version of the Council in the Housing in the Countryside Policy which offers support for new housing providing that certain criteria can be met.

#### **OTHER COUNCIL POLICIES**

#### Perth and Kinross Proposed Local Development Plan 2012

On the 30 January 2012 the Proposed Plan was published. The adopted Local Plan will eventually be replaced by the Proposed Local Development Plan. The Council's Development Plan Scheme sets out the timescale and stages leading up to adoption. It has recently undergone a period of representation; the Proposed Local Development Plan may be modified and will be subject to examination prior to adoption. This means that it is not expected that the Council will be in a position to adopt the Local Development Plan before December 2014. It is therefore a material consideration in the determination of this application.

Under the proposed LDP the principal relevant policies are:-

**Policy PM1: Placemaking**

Development must contribute successfully to the quality of the surrounding built and natural environment.

**Policy RD3: Housing in the Countryside**

The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside.

Housing in the Countryside Guide 2012

This policy is the most recent expression of Council policy towards new housing in the open countryside, and is applicable across the entire landward area of Perth & Kinross. This policy offers a more up to date expression of Council Policy towards housing in the countryside to that contained the Local Plans and recognises that most new housing will continue to be in or adjacent to existing settlements, and states that the Council will support proposals for the erection of single houses in the countryside which fall into certain specified categories. Of particular relevance to this planning application are Section 1, building groups.

Planning Guidance Note – Developer Contributions 2012

Across Scotland local authorities are having difficulty maintaining and developing infrastructure in order to keep up with the pressures of new development. Additional funding sources beyond that of the local authority are required to ensure that infrastructure constraints do not inhibit sustainable economic growth.

Planning Guidance Note–Primary Education & New Housing Development May 2009

This guidance sets out the basis on which Perth and Kinross Council will seek to secure contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements necessary as a consequence of development. All new housing from the date of adoption including those on sites identified in adopted Local Plans will have the policy applied.

**SITE HISTORY**

12/00927/PREAPP

**CONSULTATIONS/COMMENTS**

Education Services	And Children's	Request payment where applicable (Burrelton Primary school over 80%).
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Transport Planning	No objection subject to conditions.
Scottish Water	No objection – capacity at local treatment plant.
BP Consultations	No comment – do not advise against.

**TARGET DATE:** 15 January 2013

**REPRESENTATIONS RECEIVED:**

Number Received: 1

**Summary of issues raised by objectors:**

Drainage issues through any resultant dwelling.

**Response to issues raised by objectors:**

Addressed in officers assessment.

**Additional Statements Received:**

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	None
Report on Impact or Potential Impact	None

**Legal Agreement Required: N/A**

Summary of terms - None

**Direction by Scottish Ministers**

**Reasons:-**

- 1 The proposal is contrary to Policy 2 and 38 of the Eastern Area Local Plan (1998) in failing to suitably meet the associated criteria of development, including scale, form, colour and density of existing development. The development would result in a loss of visual amenity and character to the existing dwelling plot by virtue of its siting, design and scale.
- 2 The proposal is contrary to Policy 49 of the Eastern Area Local Plan (1998), HICP Guide (2012) and Policy RD3 HICP of the Proposed Local Plan (2012) in failing to fully meet and satisfy associated policy criteria of development

within a building group. In particular, the proposal fails to respect criteria m 'For All Proposals' and sub criteria 1 - Building Groups.

- 3 The proposal is contrary to Policy PM1A and Policy PM1B of the Proposed Local Plan (2012) in failing to fully satisfy all of the associated policy criteria. In particular, the proposal does not appropriately reflect the scale, position and design of the existing residential dwelling and would consequently adversely compromise the setting and character of the existing dwelling and the wider building group.

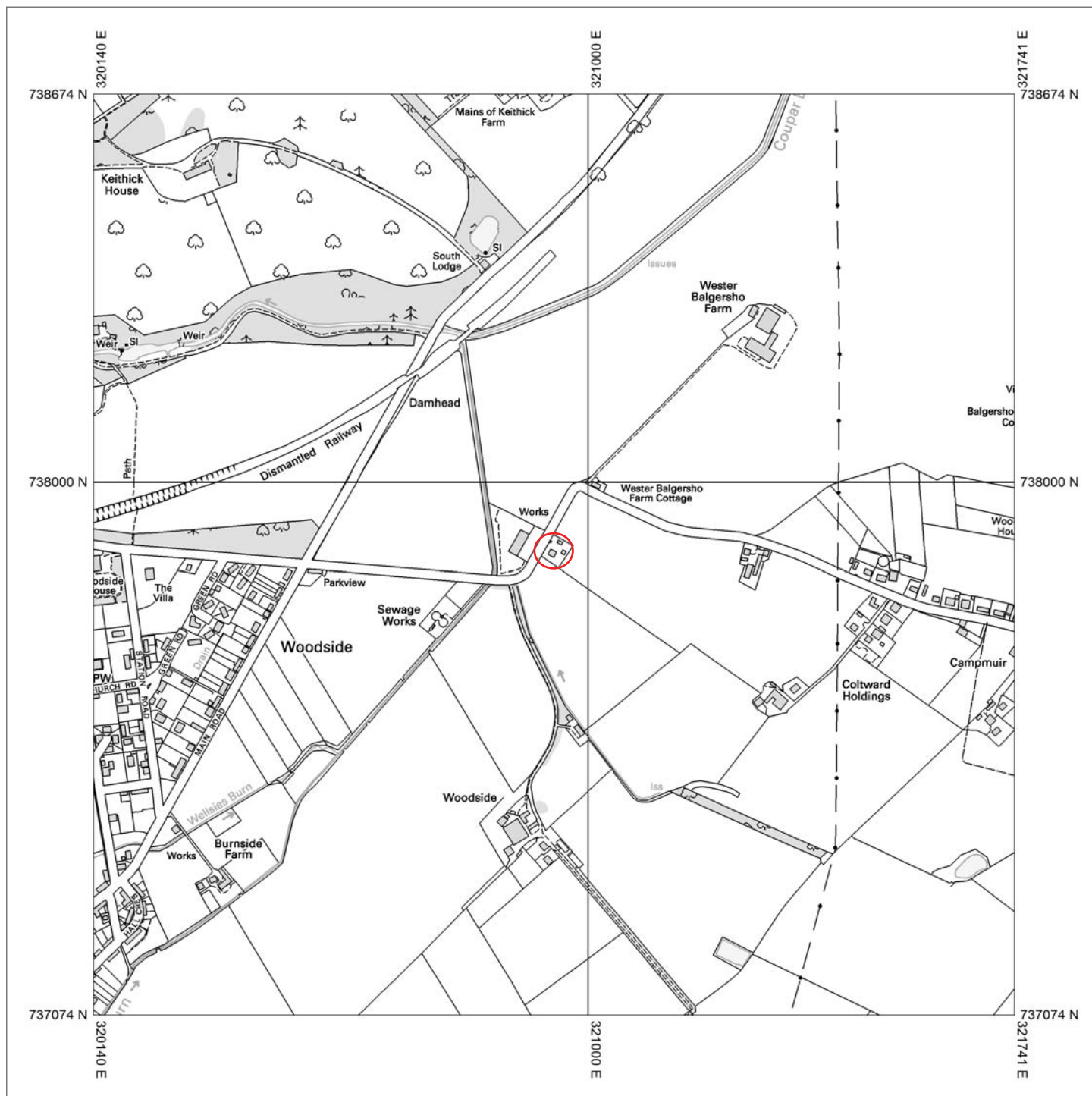
### **Justification**

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

### **Notes**

Possible enforcement action regarding possible occupation of the static caravan in the rear garden area.





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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.

0 200 400

Scale 1:10000

Supplied By: **Danscot Perth**

Serial number: 001071858

Plot Centre Coordinates: 320940, 737874

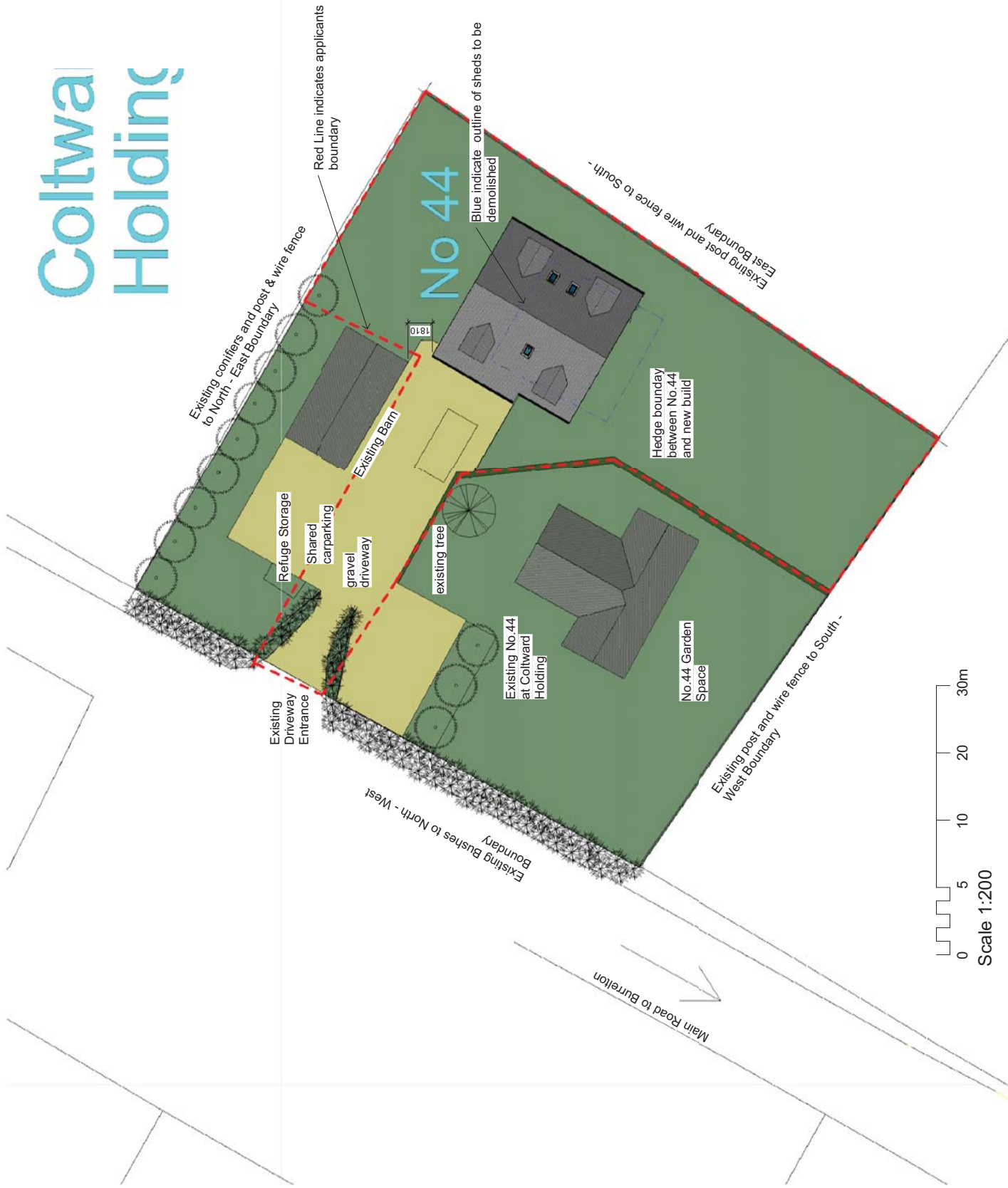


No.	Description	Date
A	Red line boundary amended	14/11/12

Mr & Mrs Ferguson New Build House @ Coltward Holding		
Proposed Site Plan		
Project number	12001	
Date	11.11.12	
Drawn by	SM	
Checked by	SM	
PL-002 Rev A		
Scale	1: 200	

Coltwa  
Holding

No 44



Scale 1:200



**TCP/11/16(242)**

**Planning Application 12/01981/FLL – Erection of a dwellinghouse on land 20 metres east of 44 Coltward Holding, Campmuir, PH13 9LN**

## **REPRESENTATIONS**

- Representation from Education and Children's Services, dated 21 November 2012
- Representation from Mr and Mrs Smith, dated 4 December 2012
- Representation from Transport Planning, dated 14 December 2012



# Memorandum

To	Nick Brian Development Quality Manager	From	Gillian Reeves Assistant Asset Management Officer
Your ref	12/01981/FLL	Our ref	GR/CW
Date	21 November 2012	Tel No	(4) 763395

Education & Children's Services

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Planning Application Ref No 12/01981/FLL

This development falls within the Burrelton Primary School catchment area.

Based on current information this school will reach the 80% capacity threshold.

Approved capacity	98
Highest projected 7 year roll	95
Potential additional children from previously Approved applications	21.60
Possible roll	116.60
Potential % capacity	119%

Therefore I request that the Finalised Primary Education and New Housing Contributions Policy be applied to this application.

Please do not hesitate to contact me should you require any further information.

*Support Services is committed to providing a high level of customer service designed to meet the needs and expectations of all who may come into contact with us. Should you have any comments or suggestions you feel may improve or enhance this service, please contact [ecssupportservices@pkc.gov.uk](mailto:ecssupportservices@pkc.gov.uk)*



RE  
10 DEC 2012

Coltward Farm  
Coupar Angus  
Blairgowrie  
Perthshire  
PH13 9LN  
4<sup>th</sup> December 2012

Mr David Niven  
Perth & Kinross Council  
Planning Department  
35 Kinnoull Street  
PERTH  
PH1 5GD

**PLANNING APPLICATION NUMBER: 12/01981/FLL**  
**44 Coltward Holding, Campmuir, Blairgowrie PH13 9LN**

Dear Mr Niven

We refer to the above planning application and would comment as follows:

While we have no objection to a house being erected at 44 Coltward Holding we would like to record the following information to the planning department regarding the outfall drain from the existing septic tank at number 44. This outfall drain goes through part of our field and eventually joins a field drain and goes straight to the burn. Therefore at present there is no soakaway in the field.

Yours sincerely



David & Irene Smith







# MEMORANDUM

To	Callum Petrie Planning Officer	From	Niall Moran Transport Planning Technician Transport Planning
Our ref:	NM	Tel No.	Ext 76512
Your ref:	12/01981/FLL	Date	14 December 2012

Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 & ROADS (SCOTLAND) ACT 1984

With reference to the application 12/01981/FLL for planning consent for:- **Erection of a dwellinghouse Land 20 Metres East Of 44 Coltward Holding Campmuir for Mr Lee And Jeni Ferguson**

Insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied, in the interests of pedestrian and traffic safety.

- Prior to the occupation or use of the approved development the vehicular access shall be reformed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.
- Visibility splays of 2.4m x 70m measured from the centre line of the new access shall be provided in both directions along the nearside channel of the public road prior to the commencement of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.
- Prior to the occupation or use of the approved development turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
- Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.

The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

I trust these comments are of assistance.

