

<p><b>LRB-2023-08</b> <b>22/02034/FLL – Erection of dwellinghouse, land 80 metres north west of Spoutwells Farm, Meikleour</b></p>
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**LRB-2023-08**

**22/02034/FLL – Erection of dwellinghouse, land 80 metres  
north west of Spoutwells Farm, Meikleour**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**





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

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

Thank you for completing this application form:

ONLINE REFERENCE 100618188-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Houghton Planning Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Paul	Building Name:	Alloa Business Centre
Last Name: *	Houghton MRTPI	Building Number:	
Telephone Number: *	07780117708	Address 1 (Street): *	Whins Road
Extension Number:		Address 2:	Alloa
Mobile Number:		Town/City: *	Clacks
Fax Number:		Country: *	Scotland
		Postcode: *	FK10 3RF
Email Address: *	paul@houghtonplanning.co.uk		

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="c/o Houghton Planning Ltd"/>
First Name: *	<input type="text" value="Grant"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Roy"/>	Address 1 (Street): * <input type="text" value="Alloa Business Centre"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text" value="Whins Road"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Alloa"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="FK10 3SA"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="paul@houghtonplanning.co.uk"/>	

## Site Address Details

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

Please identify/describe the location of the site or sites

<input type="text" value="Land 80 Metres North West Of Spoutwells Farm Meikleour"/>	
Northing	<input type="text"/>
Easting	<input type="text"/>

## Description of Proposal

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

Erection of dwellinghouse

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

See Local Review Statement

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

☐ Yes ☒ No

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

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

Planning application as submitted, including drawings Report of Handling Decision Notice 2007 Consent Paperwork 2012  
Consent Paperwork Local Review Statement Applicant's Personal Statement

## Application Details

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

22/02034/FLL

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

16/11/2022

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

19/01/2023

## Review Procedure

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

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

☐ Yes ☒ No

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

Please select a further procedure \*

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

See Local Review Statement

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

See Local Review Statement

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No



## Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

## Declare – Notice of Review

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

Declaration Name: Mr Paul Houghton MRTPI

Declaration Date: 17/02/2023



## LOCAL REVIEW STATEMENT

### INTRODUCTION

This Local Review Statement has been prepared on behalf of Mr and Mrs Grant Roy by Paul Houghton MRTPI of Houghton Planning Ltd.

It relates to the refusal under delegated powers of detailed planning application Reference: 22/02034/FLL for “Erection of dwellinghouse” at land 80 metres North West of Spoutwells Farm, Meikleour.

The application was refused by Decision Notice dated 19<sup>th</sup> January 2023 for the following two reasons:

*“1. The site is not part of an existing building group which comprises 3 or more existing buildings, does not have a natural and defined site boundaries which are capable of absorbing the development proposed and would not have a close relationship with the existing buildings by virtue of its physically divorced location. The proposal is therefore contrary to the adopted Perth and Kinross Local Development Plan 2 (2019) Policy 19 (Housing in the Countryside) and the Council's Housing in the Countryside Guide 2020 supplementary guidance, which firstly define a building group as being 3 or more existing properties and secondly seeks to ensure that new development which extends building groups do so into established and natural sites which have a close relationship to the existing grouping.*

*2. The proposal would result in a new dwelling being located in an open corner of a wider agricultural field, with no existing landscape features or site containment to the north and east. This would result in a visually incongruous development within the rural countryside. The proposal is therefore contrary to Policy 17 of the approved National Planning Framework 4 (2023) which requires all new rural homes to be appropriately sited”.*

This Statement sets out the reasons why it is considered that planning permission can be granted in this instance.

It is requested that the Local Review Body undertake a site visit, as in that way they can see the remains of the now demolished cottage, which is central to the case that will be argued below.

A hearing has also been asked for, as that will allow councillors to question Mr Roy, his architect, and Mr Houghton, about the claim made below that a 2007 planning permission for a single dwelling (Reference 07/02624/FUL), and granted to Strathdean Developments Ltd, has been lawfully implemented. It is also possible that a later planning permission (Reference 12/00047/FLL), also granted to Strathdean Developments Ltd, has also been lawfully implemented. The existence of an extant planning permission significantly changes how this local review should be determined for the reasons we discuss below.

The remainder of this Statement follows the same order as the Report of Handling.

**APPLICANT'S PERSONAL STATEMENT**

*"We were both born in Perth and have spent most of our lives living, working and bringing up our children in Perthshire. For myself, this included 20 years with Hydro Electric, working closely with rural communities.*

*We always planned to spend our imminent retirement in the peace and tranquillity of the Perthshire countryside and to ease our transition into retirement with an eco-friendly, self-build project. We sold the family home and moved into rented flat in January 2022 to pursue this dream.*

*When the plot at Kirkton of Lethendy came on the market, it looks like the perfect option. It was for sale by auction, with a guide price of £100k, and had four previously successful planning applications. The auction timescales precluded a deeper planning investigation but the "plot-like" guide price and the very positive planning history suggested that it was a "safe bet."*

*To date, we have spent over £92,000 buying the plot and professional fees to get to the planning stage. This represents approximately one third of our total build budget, described as "very tight" by our architect but our intention was to be very "hands-on" to make up any shortfall.*

*The refusal of planning permission has a devastating affect on our retirement plans. We intended to utilise our collective pension pot to fund a very energy-efficient, low maintenance house. Down the line we planned to draw on the equity that we will be investing, financially and physically, to help fund ongoing retirement.*

*On a personal level, a failure to gain planning permission, does not simply extinguish local couple's rural self-build dream, it shatters our retirement plan. We will need to delay retirement for several years and downscale significantly to cope with the financial loss.*

*We are more than willing to work with planning authority to find a way to permit this development and appreciate your consideration of the options available".*

**BACKGROUND AND DESCRIPTION OF PROPOSAL**

The background to the case, description of development, and description of the site and surrounding area, as set out in the Report of Handling, are agreed.

**SITE HISTORY**

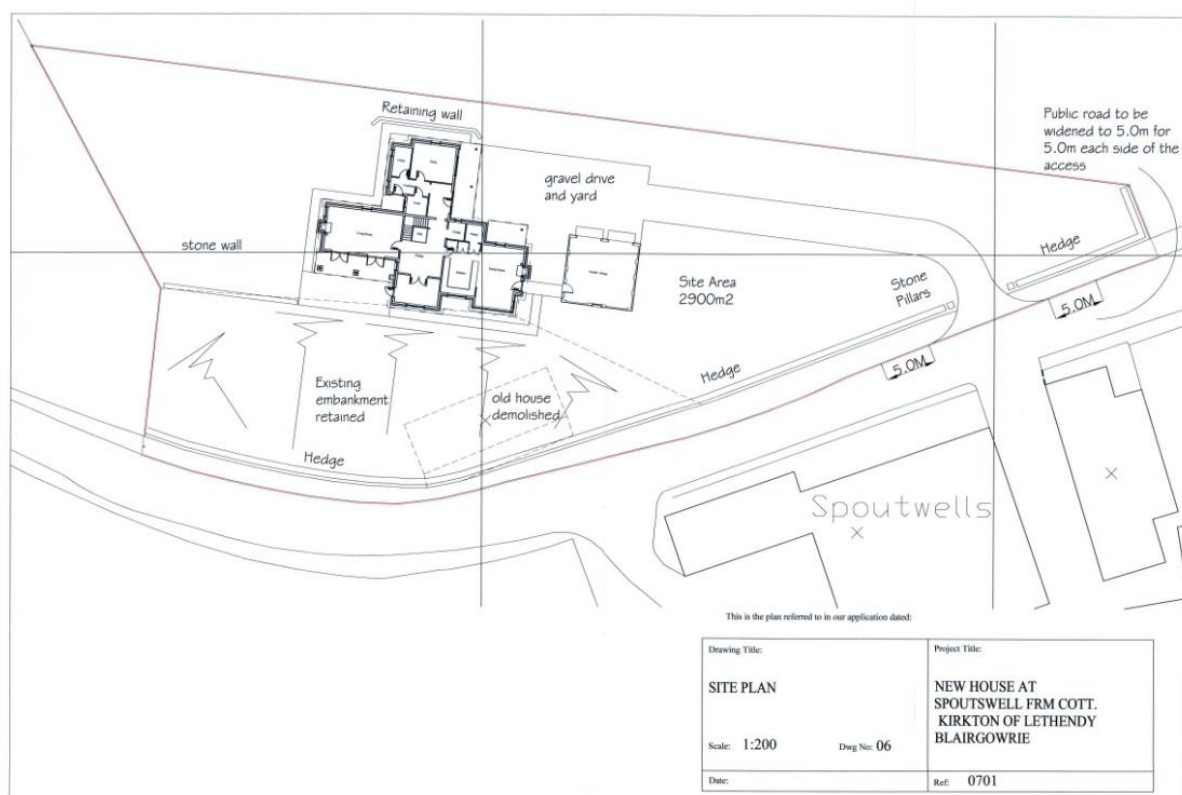
The site has a long, and detailed, planning history extending back to 2004, as below. The drawings, Reports of Handling, and Decision Notices, of the 2007 and 2012 planning applications are being submitted with this Local Review.

- Approved 24th November 2004 - Reference 04/02014/OUT Demolition of existing cottage and erection of a replacement dwellinghouse and formation of a new access (in outline)
- Approved 24th November 2004 - Reference 06/00062/OUT Demolition of the existing cottage and the erection of a replacement dwellinghouse including garage and formation of new access road (in outline)

- Approved 25th February 2008 - Reference 07/02624/FUL Erection of a dwellinghouse
- Approved 12th March 2012 - Reference 12/00047/FLL Erection of a dwellinghouse

The interest that can be gleaned from the earliest planning history in 2004 and 2006 is that until the 2007 planning application was granted, the cottage clearly still existed on site and, significantly, demolition was a key part of the proposed development at that time.

That then brings us to the 2007 planning permission, which does not include demolition in the description of development, but which shows this happening on the approved site plan, with the cottage shown with a hatched line, and for the existing access to be widened (see below). Also important is that this planning permission had no pre-commencement conditions attached, and was 'live', and capable of implementation, until 19<sup>th</sup> February 2013.



For the purposes of this Statement, commencement of development/lawful implementation means the following.

1. Complying with Section 27 of the Town and Country Planning (Scotland) Act 1997 in that a material operation had taken place before planning permission expired, usually 3 years from the date that the planning permission was granted, which was brought in by the Planning etc. (Scotland) Act 2006, which amended Section 58 of the 1997 Act. Prior to that the duration of a planning permission was usually 5 years. A material operation is defined in the Act under sub section (4) as *"(a) any work of construction in the course of the erection of a building, (b) any work of demolition of a building, (c) the digging of a trench which is to contain the foundations, or part of the foundations, of a building, (d) the laying of any underground main or pipe to the foundations, or part of the foundations, of a building or to any such trench as is mentioned in paragraph*

*(c), (da)any placing or assembly of equipment as is mentioned in subsection (6) of section 26 in waters described in paragraph (b) or (c) of that subsection,] (e)any operation in the course of laying out or constructing a road or part of a road, or (f) any change in the use of any land which constitutes material development”.*

2. Complying with Section 27A (1) of the 1997 Act (introduced by section 6 of the 2006 Act), which requires that a planning authority be notified of the date work is expected to commence before the work actually commences on any development for which planning permission has been granted. This is normally done by the submission of a Notice of Initiation of Development. This requirement came into force on 3<sup>rd</sup> of August 2009.
3. Complying with any pre-commencement conditions attached to the grant of planning permission.

In relation to item 3, case law suggests that a distinction must be drawn between: (1) a condition that simply requires some action to be undertaken before development is commenced, which would generally not prevent a development being lawfully commenced; and (2) a condition, which expressly prohibits any development taking place before a particular requirement has been met, i.e. it goes to the heart of the permission, and a breach of which could well mean that a development has not been lawfully commenced.

Applying the above to the 2007 consent, we know that the case officer visited the site on 18<sup>th</sup> January 2008 because it says so in the Report of Handling. We also know that the cottage existed at that point in time because the Report of Handling includes the following photograph that shows that. It also shows a partly formed access in the approved position.



We also know that the cottage was demolished sometime between 18<sup>th</sup> January 2008 and 9<sup>th</sup> February 2012 because the case officer for the 2012 planning permission says so in the Report of Handling for that application, as follows:

*“A small cottage previously stood within the site adjacent to the roadside but this has since been demolished.”*

Therefore, a material operation, in this case the demolition of a building, occurred between those two dates. That is before the 2007 planning permission would have expired on 19<sup>th</sup> February 2013.

The photograph below, taken recently in January 2023, shows the site as it exists today. As can be seen, the cottage has gone, although councillors will be able to see the remains on site if they go there, including some foundations remaining in situ, and the photograph also shows that the access, and road through the site, have been further excavated. The pile of rubble at the end of the site, in the photograph, is material from the demolition of the cottage, which remains on site.





It is accepted that no Notice of Initiation of Development has been submitted, or so we believe. However, that was only required after the 3<sup>rd</sup> of August 2009, so if demolition occurred prior to that, no such Notice was required. If demolition occurred after that date, a Notice would have been required. However, in our view, the absence of a Notice is not of such legal importance that it should render an otherwise lawfully implemented planning permission unlawful. There is no case law that says that, but that would appear to be a reasonable stance to take of what is a technical breach. Put another way, there have been examples of a Notice being submitted retrospectively by Houghton Planning Ltd albeit not in Perth and Kinross that has been accepted by a local planning authority as being legitimate.

Finally, the 2007 planning permission has no pre-commencement conditions.

For the above reasons, it is considered that the 2007 planning permission has been lawfully implemented.

Finally, it is appreciated that the case officer suggests submission of a Certificate of Lawfulness. However, as councillors will appreciate, the evidential bar for that is high, and the onus of proof is on the applicant to show that the planning permission has been implemented on the balance of probabilities. It may be possible to gather the necessary information for such an application. However, in the meantime, it is considered that the evidence provided above shows that a reasonable person can assume that it is more likely than not that the 2007



planning permission has been implemented, which is considered enough for the purposes of considering this Local Review.

## NATIONAL POLICY AND GUIDANCE

The only change since the application was determined relates to the approval of National Planning Framework 4 (NPF4), which the Local Review Body's Planning Advisor will no doubt comment upon

## EXTERNAL CONSULTATION RESPONSES AND REPRESENTATIONS

We have no comments, other than stressing that there were **no comments (objections) on this application from neighbours**.

## APPRAISAL

### Land Use Acceptability

Before considering compliance with policy and guidance, the first question that councillors need to ask themselves is whether the 2007 planning permission is extant. We say it is and, if that is accepted, then this current proposal is simply amending that extant planning permission by changing one house type for another. In that instance, there is no need to really consider policy and guidance at all, and planning permission can be granted.

If, however, councillors are hesitant as to whether the 2007 planning permission is live, then they may only wish to consider this planning history as being a material consideration, with the weight attached to it varying based upon the level of certainty that they give to the evidence of implementation presented above. That weight could range from very significant, i.e. we (as councillors) are pretty certain it is extant, to significant, i.e. we are reasonably certain it is extant, and downwards from there. Our hope is that councillors will see the 2007 planning permission as a very significant, or, at least, a significant material consideration. In either case, it is sufficient, in our view, to grant planning permission provided any non-compliance with policy and guidance is of a minor to middling nature.

Turning then to policy and guidance, it is accepted that the key consideration for this proposal is whether the proposal complies with the Council's Housing in the Countryside Guidance (March 2020). It is also accepted that the Building Groups category (Category 1) does not apply to this site, and nor is it an Infill Site (Category 2). Instead, the two categories that can be considered are the Replacement House one (Category 4) and, to a lesser extent, the Redevelopment of Rural Brownfield Land category (Category 6).

Dealing with the Replacement House category (Category 4) first, then this turns on there being an unbroken line of paperwork from the cottage existing through to the current application, if that is accepted to exist, then planning permission can be granted with the new proposed dwelling being a replacement of the prior existing cottage, which is more or less, we think, what the case officer is suggesting in the Report of Handling.

It is accepted that with the previous cottage being a ruinous house, the current proposal does not fully comply with the current guidance because this assumes that there *"is substantial visible evidence of the structure of the original building above ground level to enable its size and form to be identified"*, which was not the case when the previous consents were granted.

However, we agree with the case officer in that NPF4 Policy 17 helps us in that regard because this policy is more relaxed on this issue than the Council's guidance, and there does not seemingly need to be any remaining evidence on site of a dwelling above ground for the policy to be applied. The Report of Handling comments further on this point.

In terms of brownfield land, the guidance states that Category 6 applies to *"sites which have either been completely cleared of all buildings and structures, or where some foundations or substructures remain providing that buildings above ground level have been removed"*. That more or less applies here, with the main cottage having been demolished, although some of the foundations remain, and could be viewed at a site visit.

It is accepted that a contaminated land investigation, and remediation plan, have not been provided. However, the guidance states that these are required in most, and not all cases. In this case, no contamination condition has ever been attached to any of the previous planning permissions, so it was reasonable for Mr Roy to have not provided one here. A standard contamination, and remediation, condition can be added to any consent granted.

As for the remainder of the guidance, it is considered that the new dwelling will be small scale, as required, and an improvement on what previously existed, i.e. the cottage, and is a well-designed dwelling that will complement the site and surrounding area. The design quality is, indeed, emphasised by the case officer. It will fit well within the existing landscape setting, and further landscaping proposed by the applicant will help it settle in further over the years, as the site matures.

It is appreciated that, as the case officer says, that the site is open at the moment. However, that guidance relates to Category 1, and no such equivalent guidance relates to Categories 4 and 6. That is also the case for his comments on the physical, and visual, relationship of the site with the buildings on the other side of the road, which is a Category 1 issue in the main.

Mr Roy is not aware of any *"pressing requirements for other uses on the site such as business or tourism"*.

### **Visual Amenity, Design and Layout**

We agree with the case officer that the design of the dwelling is of a high standard, and all siting and layout matters raised in the guidance can be addressed.

It is also accepted that the site is open at present. However, that can be changed by a suitably worded landscaping condition being applied, and that being implemented alongside building the dwelling.

### **Residential Amenity**

We agree with the case officer that there will be no amenity impacts for neighbours, and that the new occupiers will also have an acceptable level of private and usable amenity space.

### **Roads and Access**

No comments.

**Drainage and Flooding**

No comments.

**Conservation Considerations**

No comments.

**Natural Heritage and Biodiversity**

No comments.

**Developer Contributions**

A developer contribution is acceptable.

**Economic Impact**

The economy faces a difficult period over the next couple of years at least. This will mean that new housebuilding will contract leading to the possible loss of jobs in the construction and housebuilding sectors. Therefore, it will be important to support and allow new housebuilding to hopefully keep people employed.

To give this perspective, the construction sector is massively important to the Scottish and Perthshire economies in good times and bad. Across Scotland, construction employs around c.7% of the workforce and contributes c. 8% of Gross Value Added. A study in 2016 by Nathaniel Lichfield & Partners 'The economic and social benefits of home building in Scotland' for Homes for Scotland estimated that 4.1 jobs were supported for every single home built, and that each new homeowner will contribute c. £6,000 per annum to the local economy. Those figures will now be much higher. In addition, c. £300,000+ will be invested in the local supply chain by the applicant whilst the Council will benefit directly from Council Tax.

For these reasons, much more weight should be given to this issue than has been by the case officer.

**Conclusion**

Based upon the analysis above, it is considered that the site has an extant planning permission granted in 2007 and, as such, this planning application can be approved as a straightforward amendment to that planning permission.

Secondly, the proposal can anyway be approved, we say, under Category 4 of the Council's Housing in the Countryside Guidance (March 2020). Alternatively, the proposal can be considered acceptable in line with Redevelopment of Rural Brownfield Land (Category 6). In each case, the planning history is a material consideration, with the weight attached to it, in effect, being relative to the strength of the evidence we have provided.

The proposal otherwise conforms to all other policy and guidance, and there are no material considerations that suggest that planning permission should not be granted. Indeed, those that exist suggest approval is the appropriate course of action.

For those reasons, it is hoped that the Local Review Body will allow this local review, and grant detailed planning permission subject to conditions.



### **Personal statement from Grant & Lorna Roy**

We were both born in Perth and have spent most of our lives living, working and bringing up our children in Perthshire. For myself, this included 20 years with Hydro Electric, working closely with rural communities.

We always planned to spend our imminent retirement in the peace and tranquillity of the Perthshire countryside and to ease our transition into retirement with an eco-friendly, self-build project. We sold the family home and moved into rented flat in January 2022 to pursue this dream.

When the plot at Kirkton of Lethendy came on the market, it looks like the perfect option. It was for sale by auction, with a guide price of £100k, and had four previously successful planning applications. The auction timescales precluded a deeper planning investigation but the “plot-like” guide price and the very positive planning history suggested that it was a “safe bet”.

To date, we have spent over £92,000 buying the plot and professional fees to get to the planning stage. This represents approximately one third of our total build budget, described as “very tight” by our architect but our intention was to be very “hands-on” to make up any shortfall.

The refusal of planning permission has a devastating affect on our retirement plans. We intended to utilise our collective pension pot to fund a very energy-efficient, low maintenance house. Down the line we planned to draw on the equity that we will be investing, financially and physically, to help fund ongoing retirement.

On a personal level, a failure to gain planning permission, does not simply extinguish local couple’s rural self-build dream, it shatters our retirement plan. We will need to delay retirement for several years and downscale significantly to cope with the financial loss.

We are more than willing to work with planning authority to find a way to permit this development and appreciate your consideration of the options available.





Mr Grant Roy  
c/o OSA  
Paul O'Shea  
The Mill House  
Clunie  
Blairgowrie  
PH10 6RJ

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **19th January 2023**

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

Application Reference: **22/02034/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 17th November 2022 for Planning Permission for **Erection of dwellinghouse Land 80 Metres North West Of Spoutwells Farm Meikleour**

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

1. The site is not part of an existing building group which comprises 3 or more existing buildings, does not have a natural and defined site boundaries which are capable of absorbing the development proposed and would not have a close relationship with the existing buildings by virtue of its physically divorced location. The proposal is therefore contrary to the adopted Perth and Kinross Local Development Plan 2 (2019) Policy 19 (Housing in the Countryside) and the Council's Housing in the Countryside Guide 2020 supplementary guidance, which firstly define a building group as being 3 or more existing properties and secondly seeks to ensure that new development which extends building groups do so into established and natural sites which have a close relationship to the existing grouping.
2. The proposal would result in a new dwelling being located in an open corner of a wider agricultural field, with no existing landscape features or site containment to the north and east. This would result in a visually incongruous development within the rural countryside. The proposal is therefore contrary to Policy 17 of the approved National Planning Framework 4 (2023) which requires all new rural homes to be appropriately sited.

3. The proposal would result in a new dwelling being located in an open corner of a wider agricultural field, with no existing landscape features or site containment to the north and east. This would result in a visually incongruous development within the rural countryside. The proposal is therefore contrary to Policy 1A of the adopted Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that all new developments do not have an adverse impact on the environment in what they are located.

### **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 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



# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	22/02034/FLL	
Ward No	P5- Strathtay	
Due Determination Date	16th January 2023 <i>(Neighbour notification expired 15th January 2023)</i>	
Draft Report Date	18th January 2023	
Report Issued by	AMB	Date 19 January 2023

**PROPOSAL:** Erection of dwellinghouse

**LOCATION:** Land 80 Metres North West Of Spoutwells Farm,  
Meikleour

### SUMMARY:

This report recommends **refusal** of a detailed planning application for a new dwelling on a rural site at Spoutwells Farm, outside Meikleour 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

This planning application looks to secure a detailed planning permission for the erection of a dwelling which will offer living accommodation over two levels.

The site is just outside Meikleour at Spoutwells Farm.

The site is located to the north of a public road, with an existing farm building and the former farmhouse on the southern side of the road. A former small cottage was located to the north of the road and within the boundaries of the planning site, but that cottage has been demolished and little visual evidence remains.

The site is bounded by the public road to the south, and by an area of woodland to the west. The north and eastern boundaries are relevantly open, and softly merge into a wider agricultural field. There is an existing field (unmade) track to the north and east.

An existing vehicular access on the B947 is to be used, with the internal field track then used as a private driveway for the dwelling.

### PROCEDURAL MATTER

#### Presentation of the adjacent site

The location and block plans submitted with this planning application show several buildings being present to the south of the road. As will be discussed further in this report, the western range of buildings have been removed and that part of the site cleared.

## **SITE HISTORY**

Detailed planning permission was granted on the site in 2007 (07/02624/FUL) for the erection of a dwellinghouse, replacing an existing cottage which was on site. That application was later amended slightly in 2012 (12/00047/FLL) via a further detailed planning application.

From the 2012 file, it appears the cottage was removed before that application was determined however there is limited evidence on the 2007 file to indicate that the 2007 permission had formally commenced. There is also little evidence on the 2012 file relating to that permission commencing either.

The applicant has not presented an argument in relation to this either.

If it was the case that an earlier permission was considered to be extant, the assessment of this planning application (or another proposal for a house on this site) would be slightly altered as any extant permission would be a material consideration.

However, in the absence of a CLUD to confirm the lawfulness of either the 2007 or the 2012 permission, they are considered to have fallen, have expired and this assessment is based on that position.

## **PRE-APPLICATION CONSULTATION**

None undertaken.

## **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.

The SPP supports new housing in the open countryside in suitable locations. It should be noted that whilst this document is current at the present time, this document will however be likely be superseded by the NPF4 in mid- February.

### **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 13<sup>th</sup> February), the NPF4 will have an increased status over previous NPFs and will comprise part of the statutory development plan.

At this stage, it is a significant material consideration.

In light of this, *Policy 17* of the NPF4 which relates to rural housing is relevant to this application.

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2 (2019). It should be noted that after adoption, the NFP4 will also form part of the Development Plan.

### **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 site is located within the landward area of the LDP2 where the following policies are applicable,

Policy 1A: Placemaking  
Policy 1B: Placemaking  
Policy 5: Infrastructure Contributions  
Policy 19: Housing in the Countryside  
Policy 41: Biodiversity

## **OTHER COUNCIL POLICIES**

### **Placemaking Guide 2020**

This is the most recent expression of Council policy towards Placemaking Standards.

### **Developer Contributions and Affordable Housing 2020**

This is the most recent expression of Council policies towards Developer Contributions.

### **Housing in the Countryside Guide 2020**

This is the most recent expression of Council policies towards housing in the open countryside.

## **EXTERNAL CONSULTATION RESPONSES**

**Scottish Water** have no objection to the proposal in terms of water issues.

## INTERNAL COUNCIL COMMENTS

**Transportation And Development** have commented on the proposal in terms of access and parking related issues and have no objection subject to conditions and informative notes being attached.

**Biodiversity Officer** was consulted on the proposal but has not made any specific comment.

**Development Contributions Officer** has commented on the proposal and indicated that there

**Environmental Health** have commented on the proposal in terms of odours and contaminated land and subject to conditions, they have no objections.

## REPRESENTATIONS

None received.

## ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment under Habitats Regulations	AA 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 and the adopted LDP2.

In terms of other material considerations, consideration of the Council's SPGs on Placemaking, Developer Contributions, Biodiversity are all material considerations. The NPF4 is also now a significant consideration until its adoption by the Scottish Ministers, upon which it will form part of the Development Plan.

### Policy Appraisal

In terms of land use policies, the key policies are found with the LDP2, and in the approved NFP4.

The site is located within the landward area where *Policies 1 (Placemaking) and 19 (housing in the countryside)* of the LDP2 are applicable. *Policy 1* looks to ensure that all

new developments do not have an adverse impact on the areas in which they are located, whilst *Policy 19* is the LDP2 version of the housing in the countryside policy (HITCP) and needs to read in conjunction with the SPG of 2020.

In terms of the NPF4, *Policy 17* refers to rural housing and offers support for new housing in suitable locations and in certain instances.

### **Land Use Acceptability**

The key consideration for this proposal is whether or not the proposal complies with the Council's HITCP.

From the information available on the old e-files, the previous detailed planning applications were approved on the basis of a replacement of an existing cottage.

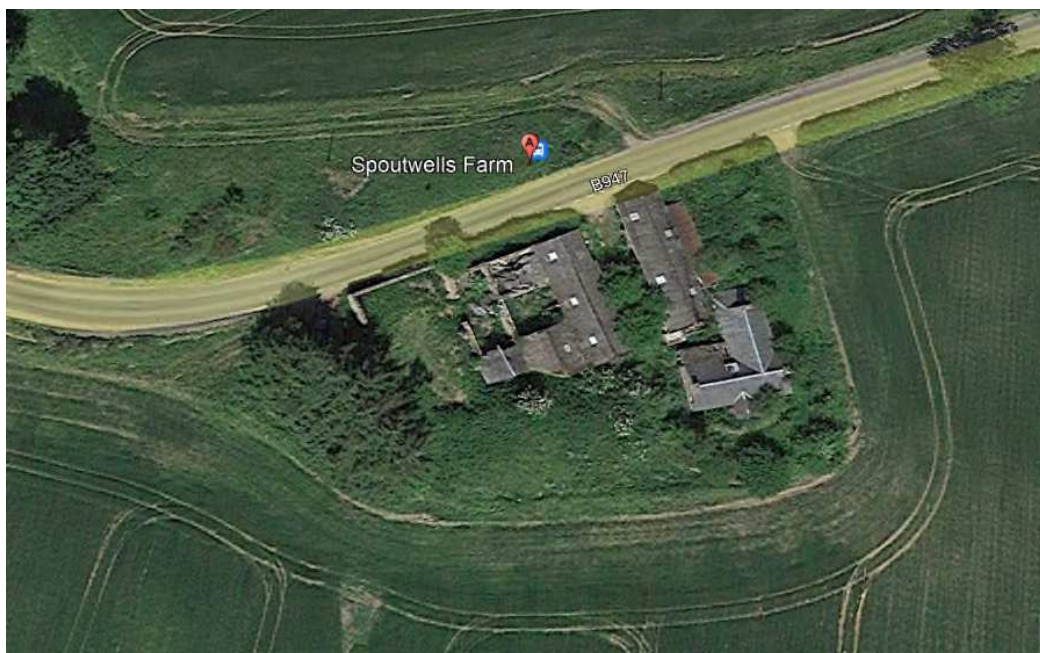
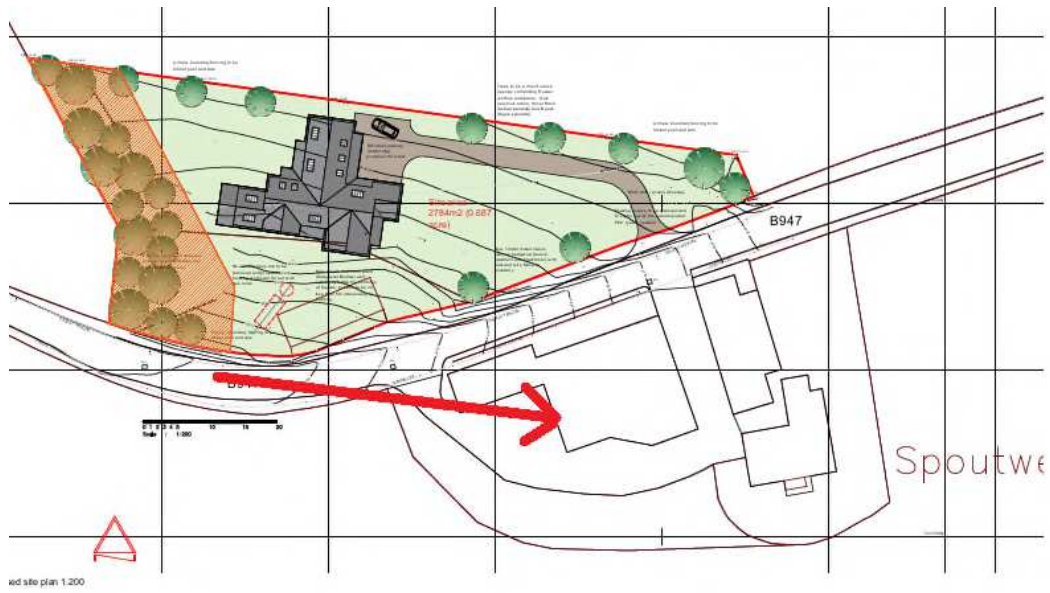
At the moment, the site has been essentially cleared with little evidence of the former cottage, and certainly nothing up to the wall heads. The site has also appeared to be reasonably cleared and tidied up, with some self-vegetation now covering the remains.

It is therefore difficult to make an argument that this proposal should be considered as the replacement of an existing (former) cottage or the redevelopment of a rural brownfield site as the condition of the site does not present itself as having a significant degree of environmental harm, or even present as being a site of dereliction.

A more appropriate assessment approach for this application would be to assess it under the building groups section of the policy. This section of the policy offers support for new dwellings which extend an existing building group into a readily definable site providing that the new dwelling would respect the character, scale and form of the existing building group, and would be integrated into the existing layout and building pattern. In addition, the policy goes on to say that the new housing should not detract from the visual amenity of the group when viewed from the wider landscape.

In terms of the first point, whether or not there is an existing building group, on the north side of the road there are no existing properties. To the south there is one steading and a former farmhouse – which is not occupied. The applicant's block plans indicate the existence of a third building to the west of the house and steading, however from Google Streets/Maps it is clear that this building was removed in its entirety sometime in 2021 – leaving only the two eastern buildings.

The red arrow on the block plan below shows the direction of view, into the site – whilst the other two images are historical satellite views of the site from 2018 (showing the full range of buildings) and current. The gable of the house (the southern building) clearly visible over the area which has been cleared.



June 2018



*August 2021*

On the basis of this evidence, there is not an existing building group in situ as only two principal buildings are remaining. The presence of the former buildings to the west, and also to some degree the former cottage to the north are not relevant in making a case for whether or there is an existing building group (or not).

Accordingly, the proposal fails the first part of the HITCP requirements as there is not an existing building group in situ.

In terms of the remainder of the HITCP requirements, the proposal also has several concerns.

The site is open, with little in the way of natural containment to the north or east. The natural boundaries of the site are the commercial forestry plantation to the north, which is some distance away from the proposed site curtilage. If approved, this dwelling will be viewed as a house in the corner of an open field, and in a prominent location adjacent to a public road. Creating a new landscape framework and site containment is not acceptable, and goes against the spirit of the HITCP, and also the Placemaking principles.

With the removal of the western buildings, there is also a distinct 'gap' and separation between the proposed house and the two existing buildings. This arrangement does not result in a close-knit relationship and would not respect the pattern of development in the area. It would also inevitably create the opportunity for further development by potentially creating 'infill' opportunities between the buildings.

Notwithstanding the design quality of the building, this alone does not make the proposal acceptable, and the proposal remains contrary to the Council's HITCPs, and the Council's Placemaking principles.

As stated previously, the NPF4 has been approved by Parliament and if pending adoption by the Scottish Ministers. Before that adoption (i.e. at this stage), is not part of the Development Plan but remains a significant material planning consideration.



*Policy 17* of the NPF4 relates to rural homes, and looks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right location.

Under *Policy 17 viii)*, support is offered for proposals which reinstates a former dwelling house or is a one for one replacement of an existing permanent house.

Based on this wording, this policy is, on face value, slightly more relaxed than the Council's approach to replacement of houses which are ruinous – which requires 'substantial visible evidence of the structure of the original building above ground to enable its size and form to be identified, or indeed the house to be still standing.

*Policy 17 vii)* use of the word 'reinstates' does not specifically require anything to be there 'currently' which identifies the dwelling's location, scale, form etc, but that simply there 'was' a dwelling there – which is the case here.

The proposal would therefore accord with principles of this part of the policy as there is some evidence of the former cottage via a photo on the 2007 application.

However, *Policy 17* in its preamble states that in addition to complying with the specific criteria listed, *all development proposals for new homes in rural areas will (only) be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area.*

As before, the site's boundaries are very open and does not have a good existing landscape setting or a naturally contained residential curtilage. In light of this, notwithstanding the more relaxed policy criteria, the site is not suitably sited and therefore also fails to accord with this policy also.

### **Visual Amenity, Design and Layout**

In isolation, the design of the dwelling is of a high standard with the use of quality materials. The positioning and layout ensures that all matters relating to parking, access and amenity are addressed and in general terms it raises no concerns.

However, as mentioned above the site's boundaries to the east and north are very open and also elevated, and a new dwelling in this location would have a marked impact on the visual amenity of the area. In the absence of a good landscape framework would be seen to be located in a corner of an open field, which is not ideal from a visual amenity point of view.

### **Residential Amenity**

In terms of the impact on existing residential amenity of existing properties, the isolated location of this site will mean that there would be little direct impact.

In terms of being able to provide for a suitable level of residential amenity for future occupiers of the dwelling, an acceptable level of private and usable amenity space is being provided which meets with the Council's Placemaking Standards.



## **Roads and Access**

The proposal raises no issues in terms of access or parking related matters. In the event of any approval being forthcoming, standard conditions concerning the vehicular access with the public road should be attached to any permission.

## **Drainage and Flooding**

The proposal raises no issues in terms of flooding or drainage issues.

Foul drainage will be via a private system, which will have to be to the standards of both SEPA and Building Standards, whilst surface water will be disposed of via soakaways.

## **Conservation Considerations**

The proposal does not affect any listed building, Conservation Area or local archaeology.

## **Natural Heritage and Biodiversity**

The proposal raises no issues in terms of impacts on existing biodiversity.

In the event of any approval being forthcoming, conditions relating to the installation of bat and swift bats/bricks should be considered to provide for some bio-diversity enhancements,

## **Developer Contributions**

In the event of any approval being forthcoming, a developer contribution in relation to Primary Education would be required. There would be no requirement for either Affordable Housing provision, or Transport related developer contributions.

## **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**

The application has not been varied.

## **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.

- 1 The site is not part of an existing building group which comprises 3 or more existing buildings, does not have a natural and defined site boundaries which are capable of absorbing the development proposed and would not have a close relationship with the existing buildings by virtue of its physically divorced location. The proposal is therefore contrary to the adopted Perth and Kinross Local Development Plan 2 (2019) Policy 19 (Housing in the Countryside) and the Council's Housing in the Countryside Guide 2020 supplementary guidance, which firstly define a building group as being 3 or more existing properties and secondly seeks to ensure that new development which extends building groups do so into established and natural sites which have a close relationship to the existing grouping.
- 2 The proposal would result in a new dwelling being located in an open corner of a wider agricultural field, with no existing landscape features or site containment to the north and east. This would result in a visually incongruous development within the rural countryside. The proposal is therefore contrary to Policy 17 of the approved National Planning Framework 4 (2023) which requires all new rural homes to be appropriately sited.
- 3 The proposal would result in a new dwelling being located in an open corner of a wider agricultural field, with no existing landscape features or site containment to the north and east. This would result in a visually incongruous development within the rural countryside. The proposal is therefore contrary to Policy 1A of the adopted Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that all new developments do not have an adverse impact on the environment in what they are located.

### 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, refusal recommendation.

### Procedural Notes

Not Applicable.

## PLANS AND DOCUMENTS RELATING TO THIS DECISION

01 – 05 (*inclusive*)



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100607283-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Proposed new dwelling house

Is this a temporary permission? \*

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*

☐ Yes ☒ No

Has the work already been started and/or completed? \*

☒ No ☐ Yes – Started ☐ Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	OSA		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Paul	Building Name:	The Mill House
Last Name: *	O'Shea	Building Number:	
Telephone Number: *		Address 1 (Street): *	Clunie
Extension Number:		Address 2:	Blairgowrie
Mobile Number:		Town/City: *	Perthshire
Fax Number:		Country: *	Scotland
		Postcode: *	PH106rj
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Grant	Building Number:	
Last Name: *	Roy	Address 1 (Street): *	
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

site at Kirkton of Lethendy

Northing

741794

Easting

313453

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Site Area

Please state the site area:

2486.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Site of former dwelling (now gone)

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

☒ Yes ☐ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.	
How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	<div style="border: 1px solid black; padding: 2px; width: 100px;">4</div>
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *	<div style="border: 1px solid black; padding: 2px; width: 100px;">4</div>
Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *	
<input type="checkbox"/> Yes – connecting to public drainage network <input checked="" type="checkbox"/> No – proposing to make private drainage arrangements <input type="checkbox"/> Not Applicable – only arrangements for water supply required	
As you have indicated that you are proposing to make private drainage arrangements, please provide further details. What private arrangements are you proposing? *	
<input type="checkbox"/> New/Altered septic tank. <input checked="" type="checkbox"/> Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed). <input type="checkbox"/> Other private drainage arrangement (such as chemical toilets or composting toilets).	
Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *	
<div style="border: 1px solid black; padding: 5px;">         proposed new klargestter Biodisc and soakaway within the confines of the site (see site plan)       </div>	
Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Note:- Please include details of SUDS arrangements on your plans Selecting 'No' to the above question means that you could be in breach of Environmental legislation.	
Are you proposing to connect to the public water supply network? *	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, using a private water supply <input type="checkbox"/> No connection required	
If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).	

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

☐ Yes ☒ No ☐ Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

☒ Yes ☐ No

If Yes or No, please provide further details: \* (Max 500 characters)

Refuse and recycling collection as per PKC current arrangements at site access.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

☒ Yes ☐ No

How many units do you propose in total? \*

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

☐ Yes ☒ No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? \*

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

☐ Yes ☒ No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

☒ Yes ☐ No

Is any of the land part of an agricultural holding? \*

☐ Yes ☒ No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Paul O'Shea

On behalf of: Mr Grant Roy

Date: 16/11/2022

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

☐ Yes ☐ No ☒ Not applicable to this application



Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☐ Cross sections.

☒ Roof plan.

☐ Master Plan/Framework Plan.

☒ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☐ Yes ☒ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☐ Yes ☒ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement. \*

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

## **Declare – For Application to Planning Authority**

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

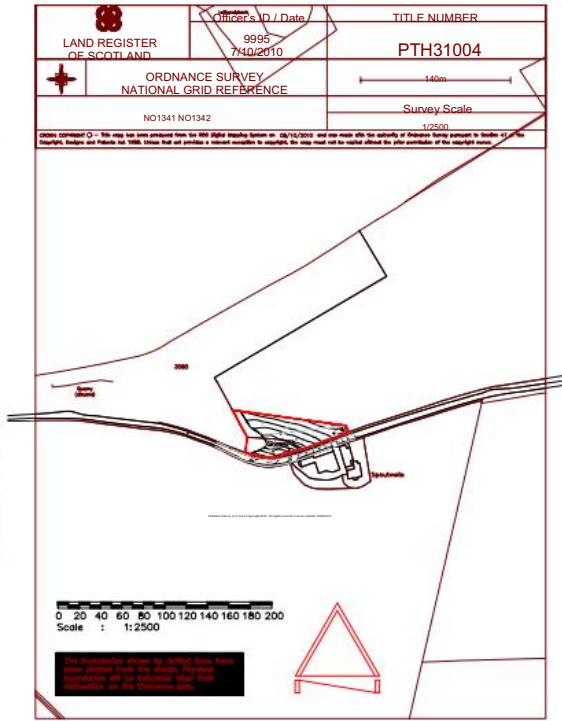
Declaration Name: Mr Paul O'Shea

Declaration Date: 16/11/2022

## **Payment Details**



Site plan as existing 1.200



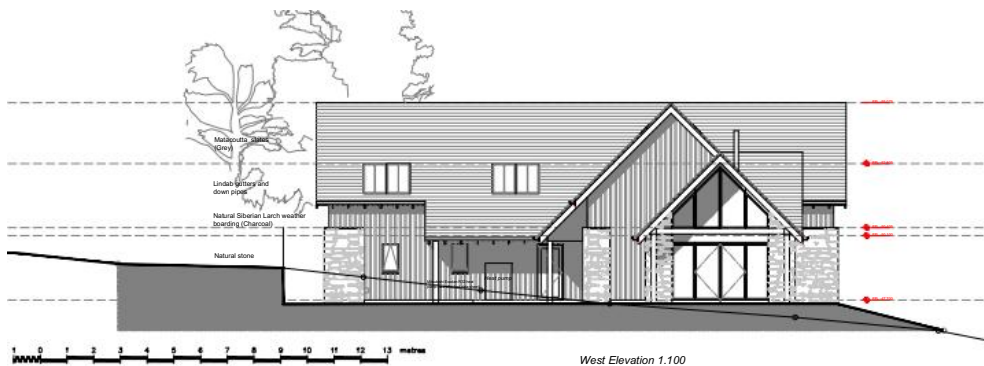
OS Extract 1.2500











# PUZ-WM50VHA(-BS)

Ecodan R32

**Monobloc** Air Source Heat Pump

**R32**

## Key Features:

- A+++ high efficiency system
- Ultra quiet noise levels
- Maintains full heating capacity at low temperatures
- Zero carbon solution
- MELCloud enabled

## Key Benefits:

- Ultra low running cost
- Flexible product placement
- Confident and quick product selection
- Help to tackle the climate crisis
- Remote control, monitoring, maintenance and technical support



**ecodan**<sup>®</sup>  
Renewable Heating Technology

OUTDOOR UNIT		PUZ-WM50VHA(-BS)
HEAT PUMP SPACE HEATER - 55°C	ErP Rating	A++
	$\eta_s$	129%
	SCOP (MCS)	3.22
HEAT PUMP SPACE HEATER - 35°C	ErP Rating	A+++
	$\eta_s$	183%
	SCOP (MCS)	4.57
HEAT PUMP COMBINATION HEATER - Large Profile <sup>*1</sup>	ErP Rating	A+
	$\eta_{wh}$	135%
	Capacity (kW)	5.0
HEATING <sup>*2</sup> (A-7/W35)	Power Input (kW)	1.67
	COP	3.00
OPERATING AMBIENT TEMPERATURE (°C DB)		-20 ~ +35
SOUND DATA <sup>*3</sup>	Pressure Level at 1m (dBA)	52
	Power Level (dBA) <sup>*4</sup>	61
WATER DATA	Pipework Size (mm)	22
	Flow Rate (l/min)	14
	Water Pressure Drop (kPa)	12.0
DIMENSIONS (mm)	Width	950
	Depth	330+30 <sup>*7</sup>
	Height	943
WEIGHT (kg)		71
ELECTRICAL DATA	Electrical Supply	220-240v, 50Hz
	Phase	Single
	Nominal Running Current [MAX] (A) <sup>*5</sup>	4.64 [13]
	Fuse Rating - MCB Sizes (A) <sup>*6</sup>	16
REFRIGERANT CHARGE (kg) / CO <sub>2</sub> EQUIVALENT (t)		R32 (GWP 675) 2.0 / 1.35

## Notes:

\*1 Combination with E\*PT20X Cylinder

\*2 Under normal heating conditions at outdoor temp: -7°CDB / -8°CWB, outlet water temp 35°C, inlet water temp 30°C.

\*3 Under normal heating conditions at outdoor temp: 7°CDB / 6°CWB, outlet water temp 55°C, inlet water temp 47°C as tested to BS EN14511.

\*4 Sound power level tested to BS EN12102.

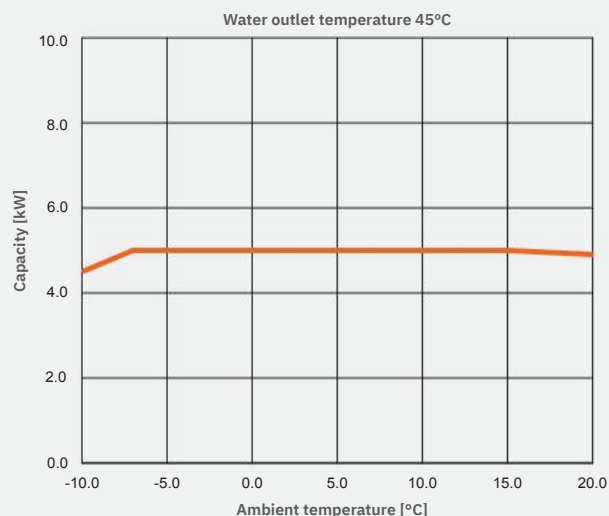
\*5 Under nominal heating conditions at outdoor temp: 7°C, outlet water temp: 35°C.

\*6 MCB Sizes BS EN60898-2 & BS EN60947-2.

\*7 Grille.

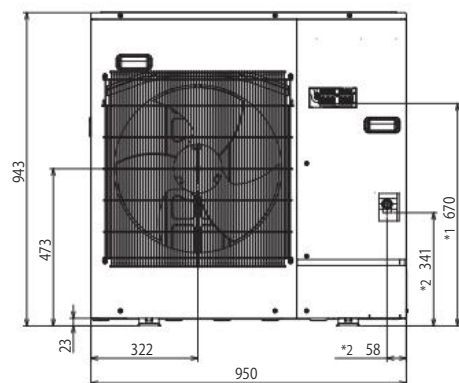
$\eta_s$  is the seasonal space heating energy efficiency (SSHEE)  $\eta_{wh}$  is the water heating energy efficiency

## NOMINAL HEATING CAPACITY

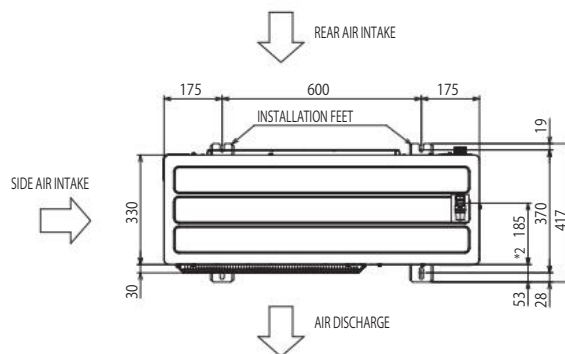


## PUZ-WM50VHA(-BS) DIMENSIONS

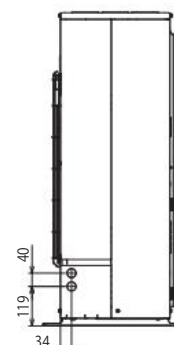
FRONT VIEW



UPPER VIEW



SIDE VIEW

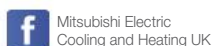


All dimensions (mm)

\*1-- INDICATION OF TERMINAL CONNECTION LOCATION.  
\*2-- INDICATION OF PRESSURE RELIEF VALVE DRAIN PORT.



Telephone: 01707 282880  
email: [heating@meuk.mee.com](mailto:heating@meuk.mee.com)  
[heating.mitsubishielectric.co.uk](http://heating.mitsubishielectric.co.uk)



UNITED KINGDOM Mitsubishi Electric Europe Living Environment Systems Division, Travellers Lane, Hatfield, Hertfordshire, AL10 8XB, England. Telephone: 01707 282880 Fax: 01707 278881  
IRELAND Mitsubishi Electric Europe, Westgate Business Park, Ballymount, Dublin 24, Ireland. Telephone: (01) 419 8800 Fax: (01) 419 8890 International code: (003531)

Country of origin: United Kingdom - Japan - Thailand - Malaysia. ©Mitsubishi Electric Europe 2020. Mitsubishi and Mitsubishi Electric are trademarks of Mitsubishi Electric Europe B.V. The company reserves the right to make any variation in technical specification to the equipment described, or to withdraw or replace products without prior notification or public announcement. Mitsubishi Electric is constantly developing and improving its products. All descriptions, illustrations, drawings and specifications in this publication present only general particulars and shall not form part of any contract. All goods are supplied subject to the Company's General Conditions of Sale, a copy of which is available on request. Third-party product and brand names may be trademarks or registered trademarks of their respective owners.

**Note:** The fuse rating is for guidance only. Please refer to the relevant databook for detailed specification. It is the responsibility of a qualified electrician/electrical engineer to select the correct cable size and fuse rating based on current regulation and site specific conditions. Mitsubishi Electric's air conditioning equipment and heat pump systems contain a fluorinated greenhouse gas, R410A (GWP:2088), R32 (GWP:675), R407C (GWP:1774), R134a (GWP:1430), R513A (GWP:631), R454B (GWP:466), R1234ze (GWP:7) or R1234yf (GWP:4). \*These GWP values are based on Regulation (EU) No 517/2014 from IPCC 4th edition. In case of Regulation (EU) No.626/2011 from IPCC 3rd edition, these are as follows. R410A (GWP:1975), R32 (GWP:550), R407C (GWP:1650) or R134a (GWP:1300).

Effective as of August 2020





# PERTH AND KINROSS COUNCIL

Strathdean Developments Ltd  
C/o G Brown  
38 North Corston Holdings  
Coupar Angus  
Blairgowrie  
Perthshire  
PH13 9JH

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 20 February 2008

Town and Country Planning (Scotland) Acts.

Application Number **07/02624/FUL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 20th December 2007 for planning permission for Erection of a dwellinghouse Spoutwells Farm Cottage Meikleour Perth PH2 6EG subject to the undernoted conditions. One set of the relative plans, duly docketted with reference to this approval, is returned herewith.

Development Quality Manager

## Conditions Referred to Above

1. The development shall be begun within a period of five years from the date of this consent.
2. The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.
3. A new beech hedge shall be planted along the northern site boundary prior to the occupation of the new house all to the satisfaction of the Council as Planning Authority.
4. The proposed hedge shown along the southern boundary with the B947 public road shall be aligned so that it does not interfere with the visibility splay of the new access all to the satisfaction of the Council as Planning Authority.
5. The vehicular access shall be formed in accordance with specification Type B access detail to the satisfaction of the Planning Authority.

The public road over a length of 5m immediately adjacent to the access shall be widened to a minimum of 5m.

The gradient of the access shall not exceed 3% for the first 5 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public road.

Full visibility splays of 2 m by 60m shall be provided to the right and left of the access measured between points 1m above the adjacent road channel level and any road boundary enclosures fences or hedges shall be set back to the rear of such splays.

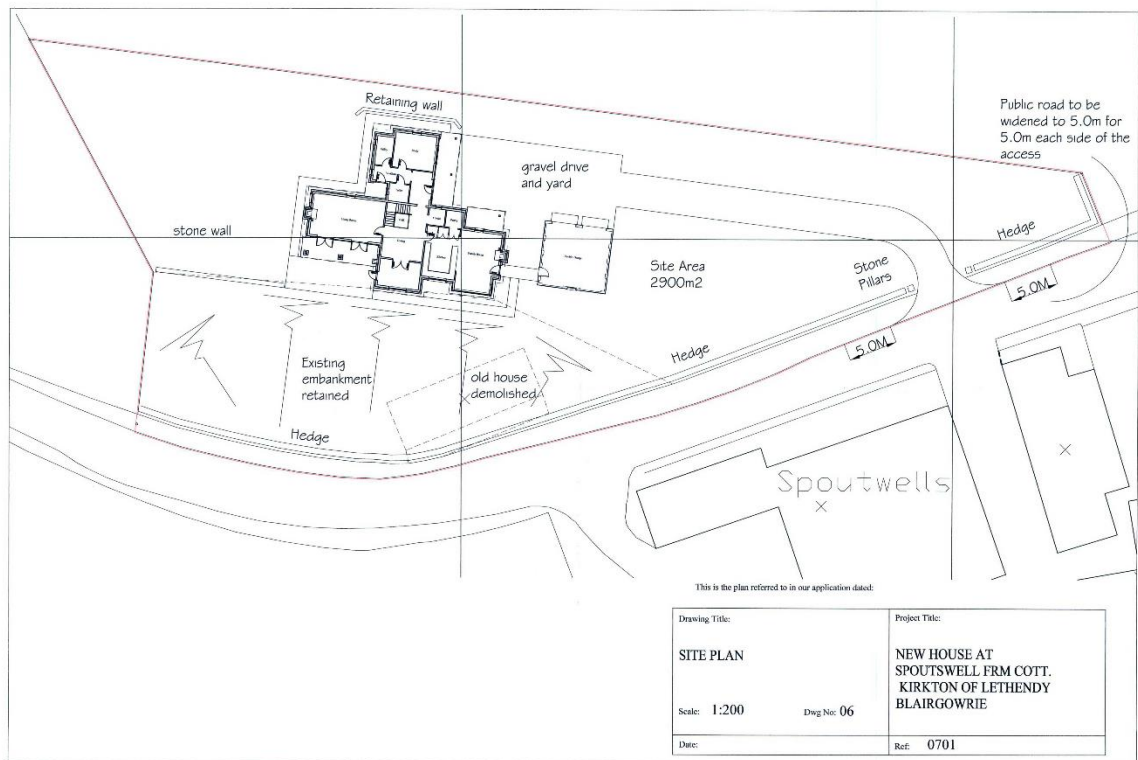
Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.

A minimum of 2 No. car parking spaces shall be provided within the site.

#### Reasons for Conditions

1. In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. To ensure that the development is carried out in accordance with the plans approved.
3. In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 4-5. In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

#### Notes



## DELEGATED REPORT

Ref No	07/02624/FUL
Ward No	N5

**PROPOSAL:** Erection of a dwellinghouse

**LOCATION:** Spoutwells Farm Cottage Meikleour Perth PH2 6EG

**APPLICANT:** Strathdean Developments Ltd

**RECOMMENDATION:** Approve the application

**SITE INSPECTION:** 18 January 2008

**OFFICERS REPORT:**



The application is in full and seeks consent for a replacement house at Spoutwells which is situated between Lethendy and Spittalfield. Outline planning consent was granted under 06/00062/OUT to replace an existing stone built cottage which was demonstrated to be beyond economic repair. The existing cottage sits very close to the public road and the proposed house is to be positioned further back to improve residential amenity and provide better visibility at the access point. The proposed house is of traditional form in basically a 'T' shape with an integral garage to the rear. Traditional finishing materials are used throughout and the proportions of gables fit the rural context. The proposed house although significantly larger than the original has a good landscape context set between established woodland and a range of traditional steading buildings on the opposite side of the road. I am satisfied that in terms of siting and design, the proposal does conform with the Council's own design

advice on the siting of Houses in the Countryside.

The case for a replacement house has already been established previously in line with Policy 49 which allows for a replacement house where the existing house is neither worthy of retention nor capable of rehabilitation economically.

## **DEVELOPMENT PLAN**

Policy 49 in the Eastern Area Local Plan 1998 applies the Council's area wide policy on housing in the countryside within most of the Landward area. Within the Lunan Valley Catchment Area and the Historic Gardens and Designed Landscapes there will be a strong presumption against new houses except on the basis of operational need, but encouragement will be given to the restoration and conversion of buildings to form new houses.

## **OTHER POLICIES**

**The Council's December 2005 policy on Housing in the Countryside does allow for replacement houses where the existing house is beyond economic repair.**

## **PROPERTY HISTORY**

04/02014/OUT Demolition of existing cottage and erection of a replacement dwellinghouse and formation of a new access (in outline)

## **CONSULTATIONS/COMMENTS**

Education And Children's Services	Highlight education constraint at Hill, Primary School.
The Environment Service - Development Management	Conditional approval.
Perth And Kinross Area Archaeologist	No archaeological interests.

**TARGET DATE:** 13 February 2008

## **OBJECTIONS RECEIVED:**

**None.**

## **Conditions:-**

- 1 The development shall be begun within a period of five years from the date of this consent.

- 2 The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.
- 3 A new beech hedge shall be planted along the northern site boundary prior to the occupation of the new house all to the satisfaction of the Council as Planning Authority.
- 4 The proposed hedge shown along the southern boundary with the B947 public road shall be aligned so that it does not interfere with the visibility splay of the new access all to the satisfaction of the Council as Planning Authority.
- 5 The vehicular access shall be formed in accordance with specification Type B access detail to the satisfaction of the Planning Authority.
- 6 The public road over a length of 5m immediately adjacent to the access shall be widened to a minimum of 5m.
- 7 The gradient of the access shall not exceed 3% for the first 5 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public road.
- 8 Full visibility splays of 2 m by 60m shall be provided to the right and left of the access measured between points 1m above the adjacent road channel level and any road boundary enclosures fences or hedges shall be set back to the rear of such splays.
- 9 Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
- 10 A minimum of 2 No. car parking spaces shall be provided within the site.

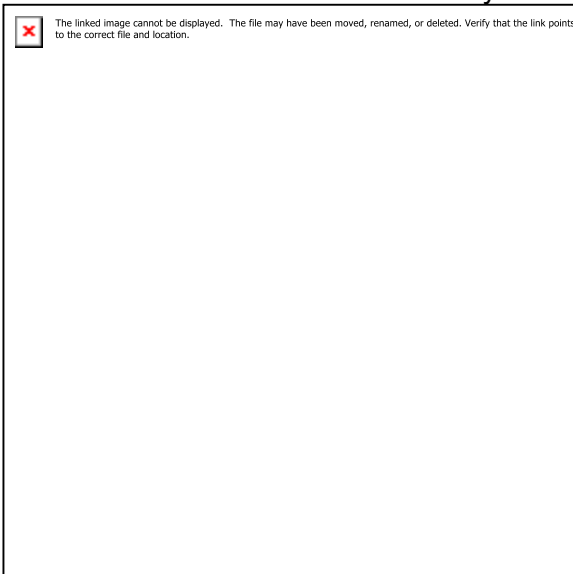
**Reasons:-**

- 1 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure that the development is carried out in accordance with the plans approved.
- 3 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 4-10 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

**Notes**

- 1 The site lies outwith the publicly sewered areas and consequently drainage investigations have not been fully undertaken.
- 2 The applicant is advised that in terms of Sections 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.
- 3 The Executive Director of Education and Children's Services can give no guarantee that any school age children arising from this development could be accomodated at the Hill Primary School.

ADDED VALUE: yes / no – delegated approval within statutory period  
DEVLT PLAN DEPARTURE: yes / no  
REFER TO SE/HS: yes/no  
DRAINAGE: yes/no



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# PERTH AND KINROSS COUNCIL

Strathdean Homes Limited  
Hannay McLean  
FAO John Hannay  
No 1 Glasdale Cottage  
Comrie  
Crieff  
PH6 2JX

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 12 March 2012

Town and Country Planning (Scotland) Acts.

Application Number **12/00047/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 17th January 2012 for planning permission for Erection of a dwellinghouse Site Of Spoutswell Farm Cottage Meikleour subject to the undernoted conditions.

Development Quality Manager

## **Conditions Referred to Above**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. A new beech hedge shall be planted along the northern site boundary prior to the occupation of the new house all to the satisfaction of the Council as Planning Authority.
3. The proposed hedge shown along the southern boundary with the B947 public road shall be aligned so that it does not interfere with the visibility splay of the new access all to the satisfaction of the Council as Planning Authority.
4. Prior to the occupation or use of the approved development the vehicular access shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.

5. Prior to occupation of the approved house the public road over a length of 5m immediately adjacent to the access shall be widened to a minimum of 5m.
6. Visibility splays of 2.00m x 60.00m 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 metre above the adjacent road channel level.
7. 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.
8. Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.

### **Reasons for Conditions**

1. To ensure that the development is carried out in accordance with the plans approved.
2. In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 3-8. In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

### **Justification**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

### **Notes**

1. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
2. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
3. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
4. 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.

5. No work shall be commenced until an application for building warrant has been submitted and approved.

**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**

<b>12/00047/1</b>	<b>12/00047/3</b>
<b>12/00047/2</b>	<b>12/00047/4</b>



# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	12/00047/FLL
Ward No	N5

**PROPOSAL:** Erection of a dwellinghouse

**LOCATION:** Site Of Spoutswell Farm Cottage Meikleour

**APPLICANT:** Strathdean Homes Limited

**RECOMMENDATION:** approve the application

**SITE INSPECTION:** 9 February 2012

### OFFICERS REPORT:

#### Site Description and Proposals

This application relates to an area of land to the north of Spoutswell Farm Cottage, located between Spittalfield and Lethendy. The site is a sloping area of ground bound to the south by the public road, to the west by an area of woodland, and to the north and east lies open farm land. A small cottage previously stood within the site adjacent to the roadside but this has since been demolished.

Full planning permission was approved in 2008 (Ref: 07/02624/FUL) for the erection of a large traditionally designed two storey dwellinghouse with a linked double garage. The applicant is now seeking to make a number of alterations to the design and finish of the proposed house. The changes include a slight increase in the depth of the house, the addition of a store room above the garage accessed via an external staircase, minor alterations to the size/design of the dormers and the introduction of timber cladding to the south and west elevations. The layout and proposed means of access will remain as approved by the previous consent.

#### Assessment

It is considered that the proposed changes to the size and design of the proposed house are relatively minimal and will not significantly alter the general appearance of the approved house design. It is also considered that the introduction of timber cladding to the south and west elevation is acceptable.

- Education

Whilst Education and Children's Services have advised that the local primary school is operating above capacity, the proposals are exempt from the education contribution policy as this application is simply for changes to the design of a house that already has consent.

- Roads

The Transport Planning Officer has advised that he has no objection to the proposals subject to a number of conditions, including a requirement for 2m by 70m visibility splays. The previous

consent that is still extant also has a condition regarding visibility splays but the requirement is set at 2m by 60m. This matter has been discussed with Transport Planning and it is agreed that there would appear to be no specific reason to require an increased visibility splays given that the access details have not changed. It is also important to highlight that the applicant could still develop the site under the previous consent. I have therefore amended the condition to match the requirements of the existing consent in order to be consistent.

## **Conclusion**

It is therefore recommended that the application is approved subject to the same conditions of the previous consent.

## **DEVELOPMENT PLAN**

**There are no strategic issues of relevance raised by the Perth and Kinross Structure Plan, 2003.**

**The principle Development Plan policies of relevance which are found in the Eastern Area Local Plan are:**

**Policy 49 in the Eastern Area Local Plan 1998 applies the Council's area wide policy on housing in the countryside within most of the Landward area. Within the Lunan Valley Catchment Area and the Historic Gardens and Designed Landscapes there will be a strong presumption against new houses except on the basis of operational need, but encouragement will be given to the restoration and conversion of buildings to form new houses.**

### **Perth and Kinross Council Local Development Plan - Proposed Plan January 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. Currently undergoing 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. The principal relevant policies are in summary: -**

#### **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 which fall into at least one of the following categories:**

- (a) Building Groups.**
- (b) Infill sites.**
- (c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.**
- (d) Renovation or replacement of houses.**
- (e) Conversion or replacement of redundant non-domestic buildings.**
- (f) Development on rural brownfield land.**

**This policy does not apply in the Green Belt and its application is limited within the Lunan Valley Catchment Area to economic need, conversions or replacement buildings.**

## **Policy EP6: Lunan Valley Catchment Area**

The Council will protect and seek to enhance the nature conservation and landscape interests of the Lunan Valley Catchment Area. Within the area:

- (a) there will be a presumption against built development except: within settlements; for renovations or alterations to existing buildings; and developments necessary for economic need which the developer can demonstrate will have no adverse impact on the environmental assets of the area nor are likely to result in an unacceptable increase in traffic volumes;
- (b) Recreational pursuits like power water sports, likely to cause disturbance in and around sites of nature conservation interest, will be discouraged;
- (c) Tree planting should be predominantly native species, including Scots Pine, except in cases where it can be proved that the landscape diversity will be improved by the use of a more varied range of species. All planting should be designed to complement the landscape.

**Note:** The Policy on housing in the countryside is limited to economic need, conversions or replacement buildings within the Lunan Valley Catchment Area.

### **Other Policies**

#### **Housing in the Countryside Policy (August 2009)**

A revised Housing in the Countryside Policy was approved by the Council in August 2009. The policy applies over the whole local authority area of Perth and Kinross except where a more relaxed policy applies at present. In practice this means that the revised policy applies to areas with other Local Plan policies and it should be borne in mind that the specific policies relating to these designations will also require to be complied with. The policy aims to:

- Safeguard the character of the countryside;
- Support the viability of communities;
- Meet development needs in appropriate locations;
- Ensure that high standards of siting and design are achieved.

#### **Primary Education and New Housing Development Policy 2009**

Sets out the Council's Policy for securing contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements necessary as a consequence of development.

### **SITE HISTORY**

04/02014/OUT Demolition of existing cottage and erection of a replacement dwellinghouse and formation of a new access (in outline) 24.11.2004

06/00062/OUT Demolition of the existing cottage and the erection of a replacement dwellinghouse including garage and formation of new access road (in outline) 08.02.2006

07/02624/FUL Erection of a dwellinghouse 25.02.2008

## CONSULTATIONS/COMMENTS

Transport Planning	No objection subject to conditions.
Education And Children's Services	Advise that the local school is at capacity and that the Education Contributions Policy should apply.
Environmental Health	No objection
Scottish Water	No objection

**TARGET DATE:** 17 March 2012

## REPRESENTATIONS RECEIVED:

Number Received: 0

## Summary of issues raised by objectors:

n/a

## Response to issues raised by objectors:

n/a

## Additional Statements Received:

Environment Statement n/a

Screening Opinion n/a

Environmental Impact Assessment n/a

Appropriate Assessment n/a

Design Statement or Design and Access Statement No

Report on Impact or Potential Impact eg Flood Risk Assessment No

## Legal Agreement Required:

No

## Direction by Scottish Ministers

None

## Conditions:-

- 1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.



- 2 A new beech hedge shall be planted along the northern site boundary prior to the occupation of the new house all to the satisfaction of the Council as Planning Authority.
- 3 The proposed hedge shown along the southern boundary with the B947 public road shall be aligned so that it does not interfere with the visibility splay of the new access all to the satisfaction of the Council as Planning Authority.
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- 5 Prior to occupation of the approved house the public road over a length of 5m immediately adjacent to the access shall be widened to a minimum of 5m.
- 6 Visibility splays of 2.00m x 60.00m 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 metre above the adjacent road channel level.
- 7 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.
- 8 Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.

#### **Reasons:-**

- 1 To ensure that the development is carried out in accordance with the plans approved.
- 2 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 3 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 4 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 5 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 6 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 7 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 8 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

#### **Justification**

- 1 The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

#### **Notes**

- 1 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning

authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

- 2 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 3 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 4 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.
- 5 No work shall be commenced until an application for building warrant has been submitted and approved.

**LRB-2023-08**

**22/02034/FLL – Erection of dwellinghouse, land 80 metres  
north west of Spoutwells Farm, Meikleour**

**PLANNING DECISION NOTICE** *(included in  
applicant's submission, pages 553-554)*

**REPORT OF HANDLING** *(included in applicant's  
submission, pages 555-564)*

**REFERENCE DOCUMENTS** *(included in applicant's  
submission, pages 573-578)*



**LRB-2023-08**  
**22/02034/FLL – Erection of dwellinghouse, land 80 metres**  
**north west of Spoutwells Farm, Meikleour**

## **REPRESENTATIONS**



Friday, 16 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,

**80 Metres North West Of Spoutwells Farm, Meikleour, PH2 6EN**  
**Planning Ref: 22/02034/FLL**  
**Our Ref: DSCAS-0077998-DTN**  
**Proposal: Erection of dwellinghouse**

**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:

- ▶ This proposed development will be fed from Lintrathen Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

## **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.

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## 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 laundrettes. 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 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,

**Angela Allison**

Development Services Analyst

[PlanningConsultations@scottishwater.co.uk](mailto:PlanningConsultations@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."*

# Memorandum

To Development Management & Building  
Standards Service Manager

From Regulatory Services Manager

Your ref 22/02034/FLL

Our ref CHF

Date 20/12/2022

Communities

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

## **Consultation on an Application for Planning Permission**

**22/02034/FLL RE: Erection of dwellinghouse at Land 80 Metres North West Of Spoutwells Farm Meikleour for Mr Grant Roy**

I refer to your letter dated 13 December 2022 in connection with the above application and have the following comments to make.

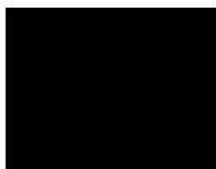
### **Contaminated Land**

#### Comments

A search of the historical mapping has not identified any potential sources of contamination likely to impact upon the proposed development site and there is no further information held by the Authority to indicate that the application area has been affected by contamination. However, it shall be the responsibility of the applicant to satisfy themselves that the ground conditions are suitable for the development for which planning consent has been granted.

#### 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

<b>Planning Application ref.</b>	22/02034/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 dwellinghouse		
<b>Address of site</b>	Land 80 Metres North West Of Spoutwells Farm Meikleour		
<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 proposed dwelling is located within the catchment of Newhill Primary School.</p>		
<b>Recommended planning condition(s)</b>	<p><b>Summary of Requirements</b></p> <p>Education: 1 x £5,164 <b><u>Total: £5,164</u></b></p> <p><b>Phasing</b></p> <p>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.</p> <p>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</p>		



	<p>complete.</p> <p>If a Section 75 Agreement is entered into the full contribution should be received 10 days prior to occupation.</p>
<b>Recommended informative(s) for applicant</b>	<p><b>Payment</b></p> <p><b>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.</b></p> <p><b>Methods of Payment</b></p> <p>On no account should cash or cheques be remitted.</p> <p><b>Scheduled within a legal agreement</b></p> <p>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.</p> <p><b>NB:</b> 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.</p> <p><b>Other methods of payment</b></p> <p>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.</p> <p><b>Bank Transfers</b></p> <p>All Bank Transfers should use the following account details;  <b>Sort Code:</b> 834700  <b>Account Number:</b> 11571138</p> <p>Please quote the planning application reference.</p> <p>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:</p> <ul style="list-style-type: none"> <li>a) Your card details.</li> <li>b) Whether it is a Debit or Credit card.</li> <li>c) The full amount due.</li> </ul>

	<p>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.</p> <p><b>Education Contributions</b>  For Education contributions please quote the following ledger code:  1-30-0060-0001-859136</p> <p><b>Indexation</b></p> <p>All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p><b>Accounting Procedures</b></p> <p>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.</p>
<b>Date comments returned</b>	21 December 2022





# Memorandum

To Development Management & Building  
Standards Service Manager

From Regulatory Services Manager

Your ref 22/02034/FLL

Our ref LRE

Date 23 December 2022

Tel No 01738 476462

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5G

## **Consultation on an Application for Planning Permission**

**22/02034/FLLRE: Erection of dwellinghouse, Land 80 Metres Northwest of Spoutwells Farm, Meikleour for Mr Grant Roy**

I refer to your letter dated 13 December 2022 in connection with the above application and have the following comments to make.

### **Environmental Health**

#### **Recommendation**

**I have no objection to the application but recommend that the undernoted condition and informative are included on any given consent.**

#### **Comments**

The application is for the erection of a dwellinghouse and plans indicate that the applicant proposes to install an Air Source Heat Pump on the west elevation of the dwellinghouse and a two 5kW stoves within living areas.

#### **ASHP**

##### **Noise**

There is the potential for the operation of the proposed units to create noise nuisance at neighbouring residential properties. The supporting technical specification information submitted by the applicant is for PUZ-WM50VHA(-BS) Ecodan R32 Monobloc Air Source Heat Pump which has a sound pressure level of 52dB at 1metre from unit.

The World Health Organisation (WHO) issued guidance in 1999 in relation to noise, at which time it was recommended that the following sound levels should be maintained:  $L_{eq}50-55dB$  (A) in outdoor living areas,  $L_{eq}35dB$  (A) in internal living areas and  $L_{eq}30dB$  (A) in bedrooms. This guidance is consistent with BS8233:1999 which recommends the following sound level ranges:  $L_{eq}30-40dB$  (A) in living areas and  $L_{eq}30-35dB$  (A) in bedrooms.

Given the distance attenuation from the unit to the nearest residential property these levels should be achievable for airborne noise allowing for 10-15dB reduction by a partially open window.

The sound levels recommended in the guidance do not consider the relative noise level at octave frequency bands. Fixed plant of this type can create noise which has characteristics that are not adequately quantified by means of a  $L_{eq}$  limit.

I, therefore, recommend a condition, based on Noise Rating, be included on any given consent to protect residential amenity.

#### **Stoves**

### **Air Quality**

Perth and Kinross Council have a duty to assess biomass boilers for capacity within the range of 50kW to 20MW in terms of nitrogen dioxide and particulate matter based on their effect on air quality in the area. Though the application does not include any information on the stove, plans indicate 5kW stoves therefore, I have no adverse comments to make with regards to air quality.

### **Odour**

Another matter pertaining to the stove which could cause an issue has the potential for smoke or odour disamenity. This Service has seen an increase in complaints with regards to smoke and odour due to the installation of biomass appliances. This can be caused due to poor installation and maintenance of the biomass appliances and also inadequate dispersion of emissions due to the inappropriate location and height of a flue with regards to surrounding buildings.

I note from the submitted plans that the flues terminate below the roof ridge of the dwellinghouse, which may cause slight downwash condition under certain meteorological conditions and dispersion of emissions may be inadequate.

I would advise that smoke/odour could be further minimised through the use of fuel recommended by the stove manufacturer.

In light of the above, the residential amenity at neighbouring dwellinghouses should not be adversely affected by smoke/odour due to the distance attenuation.

I would therefore have no objections to this development provided that the following informative is attached to the consent.

### **Condition**

**EH10** All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

### **Informative**

#### **STOVE**

The approved stove system shall be installed and thereafter operated and maintained in accordance with the manufacturer's recommendations, such that smoke odours are not exhausted into or escape into any neighbouring dwellings. Failure to do so may result in an investigation and possible action by Environmental Health under the Environmental Protection Act 1990.



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

<b>Planning Application ref.</b>	22/02034/FLL	<b>Comments provided by</b>	Dean Salman Lead Officer
<b>Service/Section</b>	Transportation & Development	<b>Contact Details</b>	
<b>Description of Proposal</b>	Erection of dwellinghouse		
<b>Address of site</b>	Land 80 Metres North West Of Spoutwells Farm Meikleour		
<b>Comments on the proposal</b>	Insofar as the Roads matters are concerned, I do not object to this proposal on the following condition.		
<b>Recommended planning condition(s)</b>	Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type C Figure 5.7 access detail, of Type B Road construction detail.		
<b>Recommended informative(s) for applicant</b>	The applicant is advised that, in terms of Sections 56 of the Roads (Scotland) Act 1984, he/she/they must obtain from the Council, as Roads Authority, consent to open an existing road or footway prior to the commencement of works. Information on junction types, requirements for Vehicular Access consents (VA1) and application forms are available at <a href="http://www.pkc.gov.uk/vehicleaccess">www.pkc.gov.uk/vehicleaccess</a> . Advice on the disposal of surface water should be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.		
<b>Date comments returned</b>	05 January 2023		

