

LRB-2024-11

23/01520/FLL - Erection of a dwellinghouse, fence and gate, formation of driveway, parking, landscaping and associated works, land 50 metres north west of Newlands Wood, Newlands Farm, Wester Balgedie, Kinross

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: 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 100642759-004

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:	<input type="text"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="GORDON"/>	Building Name:	<input type="text" value="LOMOND COTTAGE"/>
Last Name: *	<input type="text" value="MORTON"/>	Building Number:	<input type="text" value="1"/>
Telephone Number: *	<input type="text" value="07739 796217"/>	Address 1 (Street): *	<input type="text" value="REGENT TERRACE"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="DUNSHALT"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="SCOTLAND"/>
		Postcode: *	<input type="text" value="KY14 7HB"/>
Email Address: *	<input type="text" value="glmdesigns@yahoo.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="NEWLANDS FARM BUNGALOW"/>
First Name: *	<input type="text" value="ROBERT"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="ERSKINE"/>	Address 1 (Street): *	<input type="text" value="NEWLANDS FARM"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="MAWCARSE"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="MILNATHORT"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="SCOTLAND"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY13 9SW"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

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" value="NEWLANDS FARM BUNGALOW"/>
Address 2:	<input type="text" value="WESTER BALGEDIE"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="KINROSS"/>
Post Code:	<input type="text" value="KY13 9SW"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="705067"/>	Easting	<input type="text" value="315833"/>
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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 A SMALL 2 BED CHALET TYPE DWELLING IN EXISTING WOODLAND WITH ASSOCIATED PARKING AND WOODED GARDEN WITH SLIDING PATIO/ FRENCH DOORS OVERLOOKING THE EXISTING POND. THE SITE FORMERLY HAD 2 LIVING HUTS FOR FARM WORKERS. TREATMENT PLANT AND SEPA PERMISSIONS ARE ALREADY IN PLACE FOR DEVELOPMENT. THE SITE HAS OUTLINE PERMISSION FOR A HOUSE PASSED UNDER APPEAL IN 08/02374/OUT THIS IS ON THE SITE OF THE FORMER LIVING HUT NUMBER 2. ONE OF THE HUTS WAS VANDALISED.

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.

We are seeking a review as we feel the application has not been considered fully. A full list of reasons and justification is added as supporting information.

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)

1 all submitted planning documents 2 letter of justification and reasons for appealing against refusal

Application Details

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

23/01520/FLL

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

10/09/2023

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

30/11/2023

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

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 GORDON MORTON

Declaration Date: 28/02/2024

23/01520/FLL

Answers and justification for appeal.

The proposal is for a small 2 bed dwelling in a wooded clearing, where infrastructure is in place with a 12-person treatment plant which was installed on the site in 2006. This was to service the new-build house, known as Newlands Wood, which is adjacent to the application site. The excess capacity from this adjacent house could be taken up by the proposed lodge. When the treatment plant was consented, phosphorus mitigation was undertaken on another property to the satisfaction of Perth & Kinross Council.

The proposed lodge will fit into a clearing within the wood. It was stated within the planning application that no trees would be removed. There are no mature trees on this site, only natural scrub trees, mainly birch and rowan, which will remain. The current site is a scrubland it is not mature trees and the house is modest and constructed with materials which will mean that it will fit in with its surroundings. No trees will be harmed and as stated in the planning application if any of the scrub trees are affected then they shall be replaced and replanted so that the house will be shielded by trees and bushes from the road.

There will be no ecological impact because the footprint of the lodge is in an already-present clearing which was previously used for storage. currently the site is scrub land as mentioned earlier and the house is so modest that it will not cause any large impact on the land. There is already a suitable entrance as identified to get into the site.

Portmoak Community Council have expressed support for this application, considering it an ideal location for a modest, affordable eco lodge. Planning is supposed to consider the community council's input.

The house proposed is in line with Policy 18 Housing in the countryside, as it is within a hamlet of dwellings, one to the side of it and a farm with at least 3 houses across the road, this means that it would be within a residential small community.

The house is required for the land owners Daughter who has started to work for her father on the farm and this means she must be on hand to look after livestock and to take on daily farm tasks as her father is stepping back as he is getting older and there is no other suitable accommodation in the surrounding area. working and living on the farm means that there will be no long commutes to be undertaken as well.

The 2 Bed dwelling will be constructed and manufactured by a local Timber Frame company so therefore the carbon footprint of the build will be much less and local employment and industry will be supported.

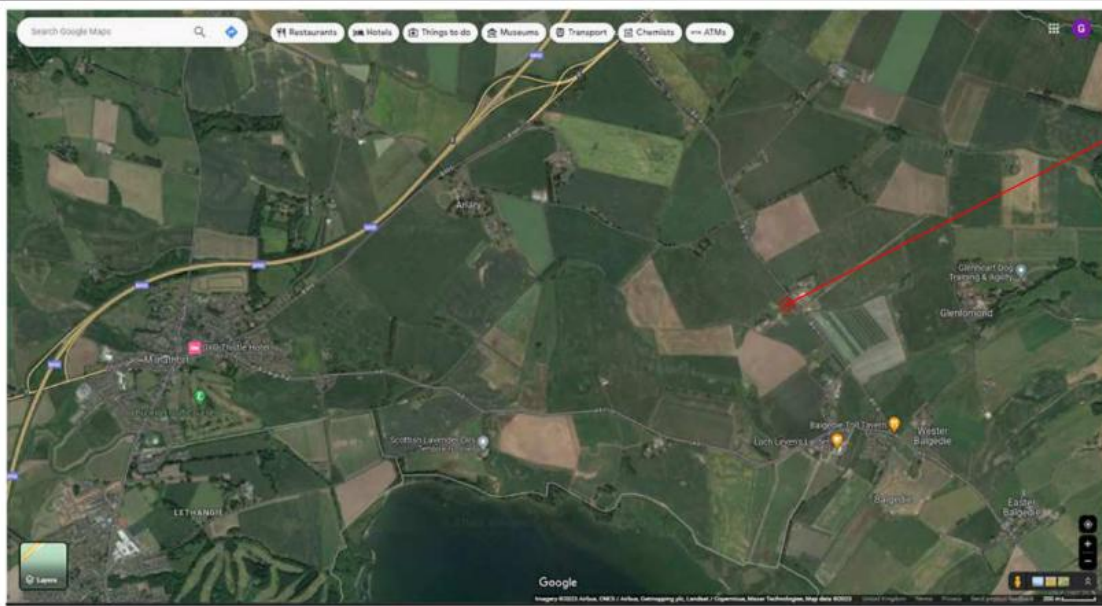
The dwelling is modest in scale and will be highly energy efficient, due to its size it will have very good air tightness, it shall have solar panels and run with an air source heat pump, the thermal U-Values will also be very efficient leading to a warm, comfortable country dwelling with a very low carbon footprint, with a technology led approach providing a low energy dwelling which will be sustainable and easy to maintain and manage.

We hope that you will consider our appeal and look forward to your response.

The clients did have permission which has lapsed for a dwelling on the site and there were formerly 2 living huts for berry pickers on the site.

The area is a countryside location however it is within a small residential hamlet and is only 1 ½ miles from the larger village of Kinnesswood and 5 miles from Milnathort and Kinross which have a good eco system and links to larger towns with park and ride etc. There are also buses which go past the site which go to Glenrothes, Milnathort and Kinross, so transport would not be an issue.

If granted then the current site would be developed with a single dwelling and woodland garden which would look better than the current scrub land at present and enhance the natural beauty of the surrounding area whilst providing a tranquil space for the occupant to live and work on the farm rearing animal and crops and assisting with the local economy and eco system of the area and helping to regenerate a former scrub land in an area where many new regeneration and gap sites are being developed.



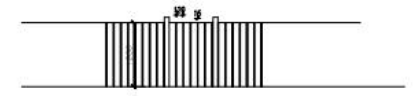
GOOGLE SITE POSITION WITH SCALE AS PER GOOGLE MAPS.

RED CIRCLE INDICATES SITE POSITION.

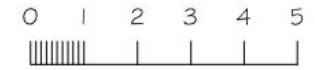


IMAGE OF POST AND RAIL FENCE TO BE USED.

LAND OWNED BY CLIENTS 1:500 SCALE AS BELOW.
SCALEBAR 1:500 IN METRES.



1200MM HIGH CEDAR GATE TO WOODS PROPOSED.



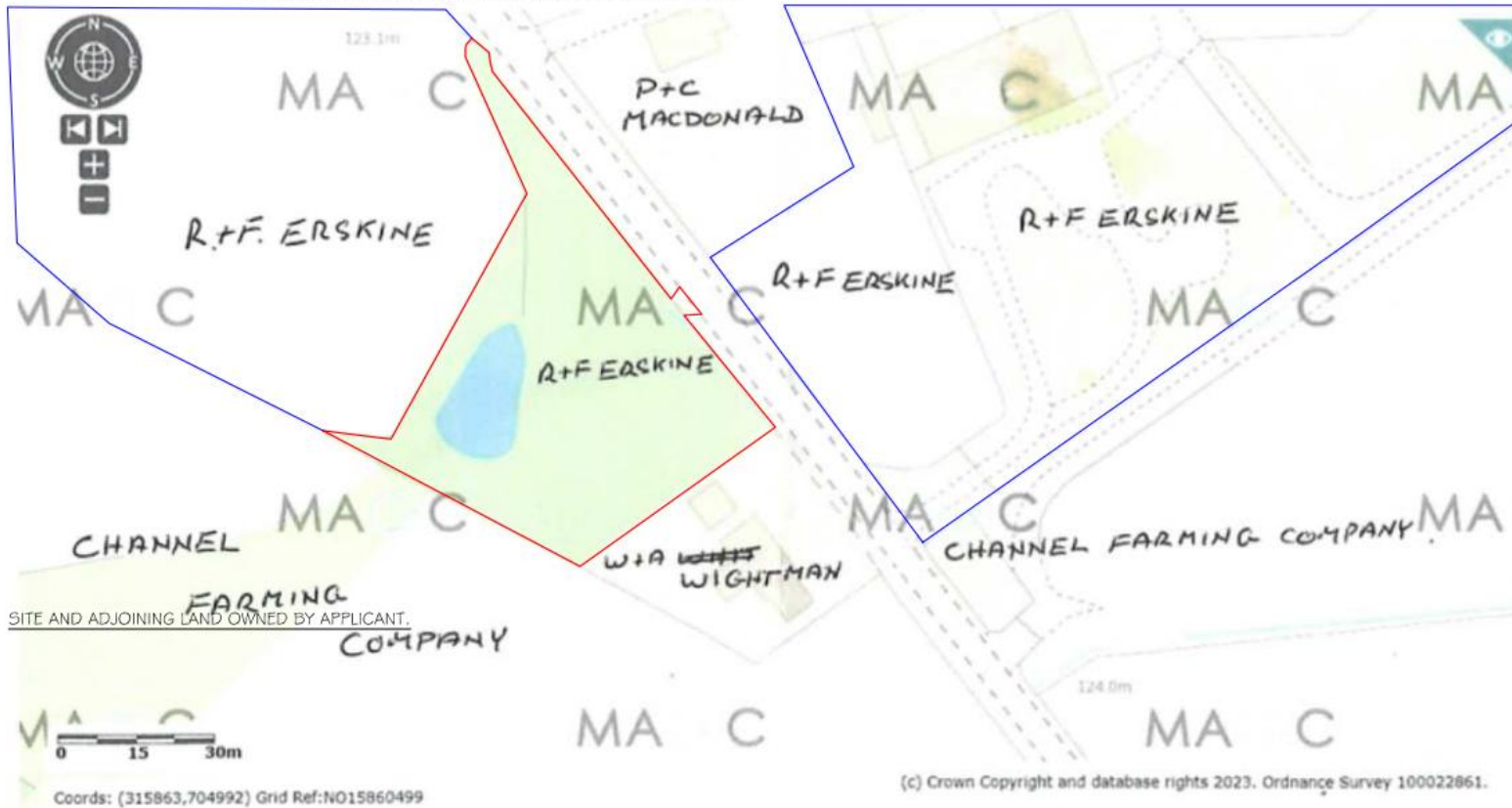
SCALEBAR 1:50 IN METRES.



SECTION THROUGH FENCE & GATE 1:50.



IMAGE OF POST AND WIRE FENCE TO BE USED.



SITE AND ADJOINING LAND OWNED BY APPLICANT.

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[IF IN DOUBT - ASK!]		
NOTE		
<p>THE DETAILS AND SPECIFICATION SHOWN MAY CHANGE BUT ONLY AT THE PRIOR DISCRETION AND APPROVAL OF THE DESIGNER, AND ADDITIONALLY THE LOCAL AUTHORITY WHERE THE BUILDING REGULATIONS APPLY.</p>		
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DATE	REVISION	SIGNED/CHKD
24-0-23	PLANNING POINTS ADDRESSED	U.S.M. A.L.
TITLE:		
CHALET-HOUSETYPE BOUNDARIES-LAND-OWNED		
FOR:		
FOR-MR-F-MRS-ERSKINE. SITE-AT-LIVING-HUT-2 NEWLANDS-WOOD-MAWCARSE.		
Drawn by	Checked by	
U.S.M.	A.L.	
Date		
10-0-23		
Scale		
1:50 @ A1 P/M/T		
Drawing No.		
PL-13-003-23		
Revision		
A.		

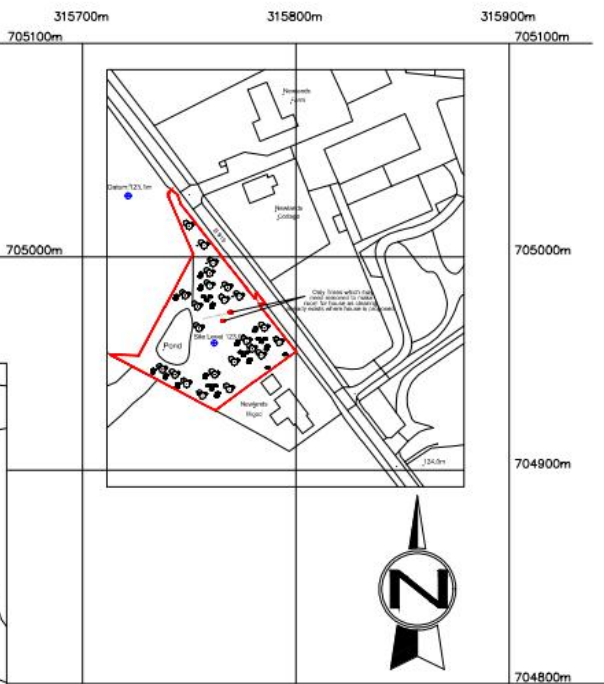
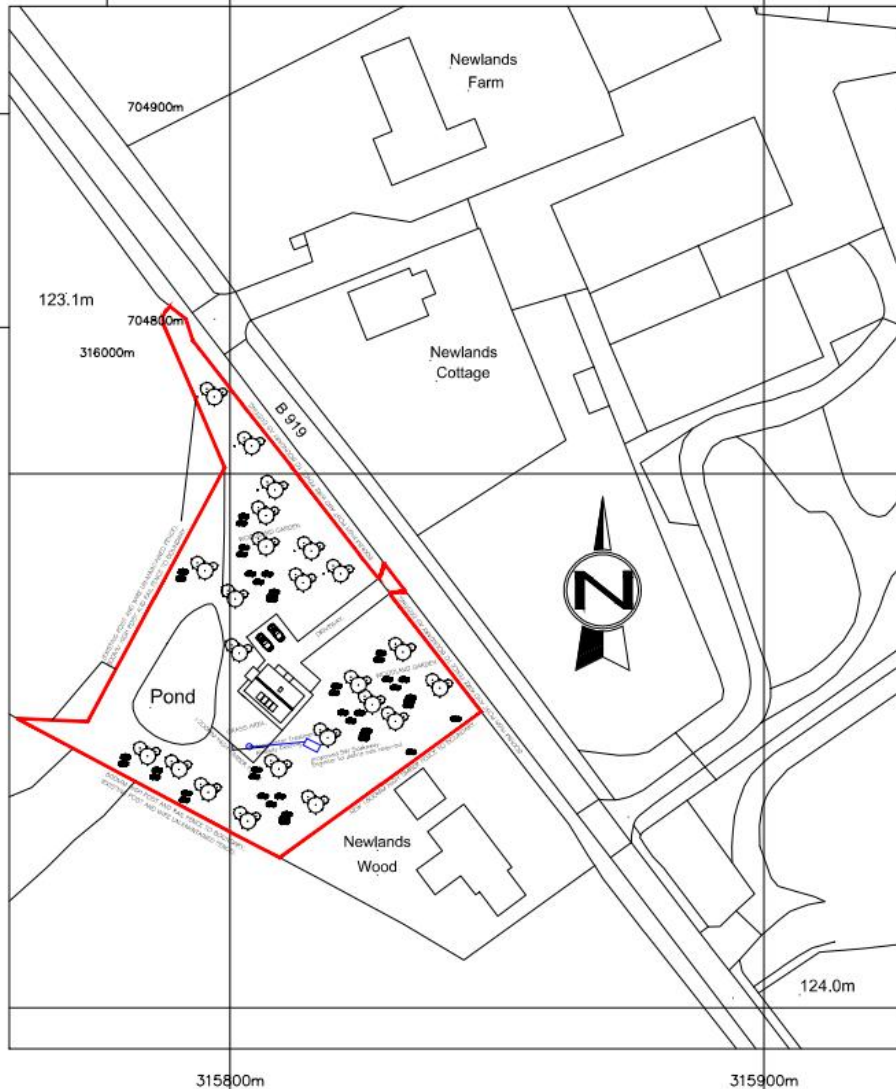


0 20 40 60
SCALEBAR 1:1 250 IN METRES.

LANDSCAPE FINISHES:
 EXTERNAL PATHS & DRIVEWAYS: GREY/TERRACOTTA MONOBLOCK PATHS.
 EXTERNAL SOFT LANDSCAPING: GRASS AREA WHERE SHOWN.
 EXTERNAL BOUNDARIES: HEDGE TO ROADSIDE ON NORTH EAST SIDE WITH POST & WIRE FENCE AS EXISTING.
 EXTERNAL BOUNDARIES: POST AND WIRE FENCES TO ALL BOUNDARIES, TAKEN TO 800MM FOR VISIBILITY AT OPENINGS.
 EXTERNAL BOUNDARIES: POST AND WIRE OR POST AND RAIL FENCE TO HOUSE GARDEN SEPARATING FIELDS AND GARDEN, 4 FT WOODEN FENCE SEPARATING GARDEN AND WOODLAND TO SOUTH EAST WITH A WOODEN ACCESS GATE BETWEEN.
 ADJOINING NEIGHBOURING BOUNDARY: WOODEN FENCE.
 LANDSCAPING: SOFT SHRUBS AND BORDERS WHERE REQUIRED BY CLIENT EXISTING TREES TO BE LEFT TO PROVIDE PRIVACY AND SCREENING AS EXISTING. THE INTENTION IS THAT NO TREES SHALL BE FELLED BUT IF ANY ARE DAMAGED OR FELLED THEY SHALL BE REPLANTED TO CREATE SUSTAINABLE WOODLAND.
 THE EXISTING KLAGHESTER TREATMENT TANK SHALL BE UTILISED WITH A NEW SW SOAKAWAY SUITABLY DESIGNED BY ENGINEER.

House.	Site.	Block.	Garden.
CHALET	3382M2	51.7M2	>100M2

SCALEBAR 1:500 IN METRES.



0 20 40 60
SCALEBAR 1:1 250 IN METRES.

(IF IN DOUBT - ASK!)

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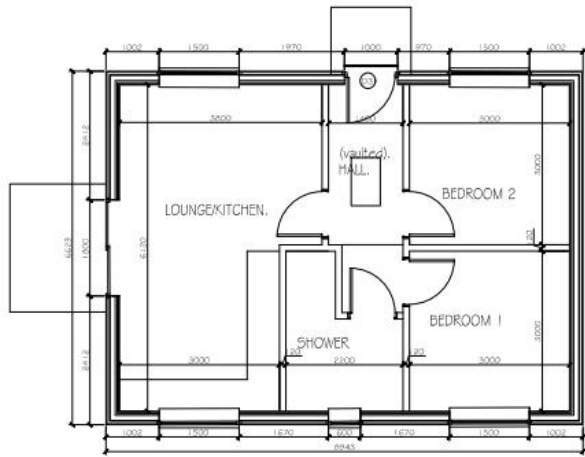
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DATE	REVISION	SIGNED	HECK
24-0-23	PLANNING POINTS ADDRESSED		

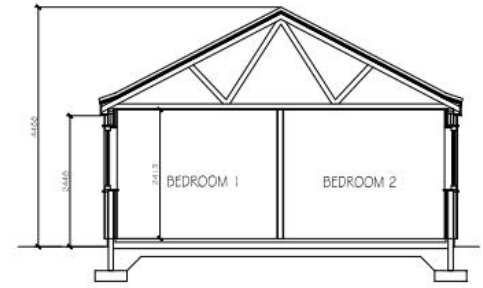
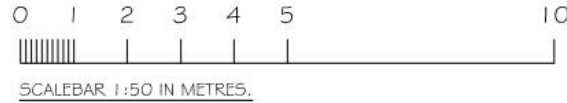
TITLE:
 CHALET-HOUSETYPE
 LOCATION-PLAN.

FOR: FOR-MR-F-MRS-ERSKINE.
 SITE-AT-LIVING-HUT-2
 NEWLANDS-WOOD-MAWCARSE.

Drawn by	Checked by
GM	GM
Date	09-0-23
Scale	1:500 (1:1250@A1)
Drawing No.	PC-P3-001-23
Revision	A



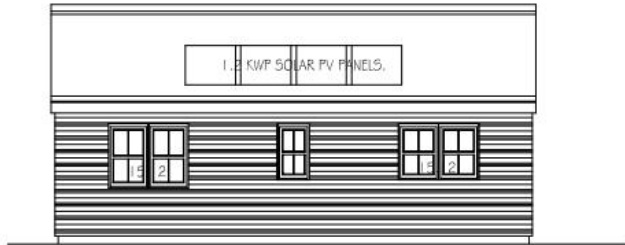
PLAN OF DWELLING: 51.7M².



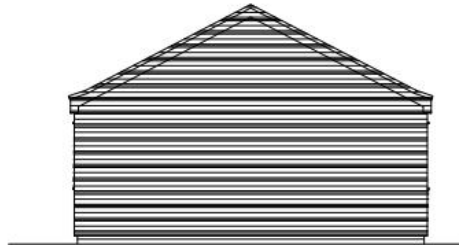
SECTION A-A.

EXTERNAL FINISHES:
 EXTERNAL WALLS: SCOTS LARCH HORIZONTAL TIMBER CLADDING.
 BASE COURSE: BLOCK WITH GREY RENDER FINISH.
 WINDOWS & DOORS: ANTHRACITE GREY UPVC WINDOWS WITH ASTRIGALS FOR A RURAL COTTAGE APPEARANCE AND COLOURED COMPOSITE DOORS.
 SOFFITS, FASCIAS: ANTHRACITE GREY UPVC.
 GUTTERS & DOWNPIPES: BLACK UPVC DOWNPIPES AND GUTTERING.
 ROOF: GREY SLATE LOOK A LIKE TILES.

THE MATERIALS PALETTE IS CHOSEN SO THAT THE HOUSE WILL BLEND IN WITH THE SURROUNDING AREA AND WILL BE UNASSUMING SMALL SCALE DWELLING OF MODEST PROPORTIONS FITTING INTO THE EXISTING LANDSCAPING AND CAUSING AS LITTLE DISRUPTION AS POSSIBLE.



SOUTH WEST ELEVATION.



SOUTH EAST ELEVATION.



NORTH EAST ELEVATION.



NORTH WEST ELEVATION.

(IF IN DOUBT - ASK!)

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DATE	REVISION	SIGNED/INCH

TITLE:
 CHALET-HOUSETYPE
 PLANNING-PROPOSALS.

FOR: FOR-MR-4-MRS-ERSKINE.
 SITE-AT-LIVING-HUT-2
 NEWLANDS-WOOD-MAWCARSE.

Drawn by	Checked by
Date	Date
Scale	Scale
Drawing No.	Drawing No.
Revision	Revision