

**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**

## **REPRESENTATIONS**



Friday, 29 September 2023



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

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

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



Dear Customer,

**Land 50 Metres NW Of Newland, Newlands Wood Newlands Farm,  
Wester Balgedie, KY13 9SL  
Planning Ref: 23/01520/FLL  
Our Ref: DSCAS-0095319-4HF  
Proposal: Erection of a dwellinghouse, fence and gate, formation of driveway,  
parking, landscaping and associated works**

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

### **Audit of Proposal**

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

### **Water Capacity Assessment**

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

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

### **Waste Water Capacity Assessment**

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

## Please Note

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

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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](#).
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## **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 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

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

Yours sincerely,

**Ruth Kerr.**

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."*

**Comments to the Development Management & Building Standards Service Manager on a Planning Application**

<b>Planning Application ref.</b>	23/01520/FLL	<b>Comments provided by</b>	Lucy Sumner
<b>Service/Section</b>	Planning & Housing Strategy	<b>Contact Details</b>	<b>Development Contributions Officer:</b> Lucy Sumner Tel: Email: <a href="mailto:TESDevelopmentContributions@pkc.gov.uk">TESDevelopmentContributions@pkc.gov.uk</a>
<b>Description of Proposal</b>	Erection of a dwellinghouse, fence and gate, formation of driveway, parking, landscaping and associated works		
<b>Address of site</b>	Land 50 Metres North West Of Newlands Wood Newlands Farm Wester Balgedie Kinross KY13 9SL		
<b>Comments on the proposal</b>	<p><b>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</b></p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p><b>Primary Education</b></p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Portmoak Primary School. Education &amp; Children's Services have no capacity concerns in this catchment area at this time.</p>		
<b>Recommended planning condition(s)</b>	<p><b>Summary of Requirements</b></p> <p>Education: £0 <b>Total: £0</b></p>		
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	13 October 2023		

# Memorandum

To Development Management & Building  
Standards Service Manager

From Regulatory Services Manager

Your ref 23/01520/FLL

Our ref CHF

Date 18/10/2023

Communities

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

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

**23/01520/FLL RE: Erection of a dwellinghouse, fence and gate, formation of driveway, parking, landscaping and associated works at Land 50 Metres North West Of Newlands Wood Newlands Farm Wester Balgedie Kinross KY13 9SL for Mr Robert Erskine**

I refer to your letter dated 27 September 2023 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>	23/01520/FLL	<b>Comments provided by</b>	Carlyn Morilly Transportation Development Officer
<b>Service/Section</b>	Transportation & Development	<b>Contact Details</b>	TransportPlanning@pkc.gov.uk
<b>Description of Proposal</b>	Erection of a dwellinghouse, fence and gate, formation of driveway, parking, landscaping, and associated works.		
<b>Address of site</b>	Land 50 Metres Northwest of Newlands Wood Newlands Farm Wester Balgedie Kinross KY13 9S		
<b>Comments on the proposal</b>	<p>The applicant is proposing to erect a two-bedroomed chalet-type dwelling in an existing woodland with associated parking and wooden garden with sliding patio/French doors overlooking the existing pond.</p> <p>The applicant is proposing a new vehicle access taken off the B919. An 800mm high post-and-wire fence is proposed along the frontage onto the B919 along which the vehicular access is proposed. <b>A condition is recommended.</b> Formation of this junction should include a designated area of hardstanding for the placement and collection of bins for refuse collection, at nearest kerbside or other place agreed by the Council.</p> <p>The vehicle access shall be provided with an appropriate visibility splay for the speed of the road, which is National Speed Limit. <b>A condition is recommended.</b></p> <p>The applicant is proposing two parking spaces on the site, in accordance with the National Roads Development Guide.</p> <p>A treatment tank is currently in place and a soakaway is to be installed. An informative is provided below regarding access to the treatment tank for desludging.</p> <p>If the applicant is successful in gaining planning consent, they must apply for a Vehicle Access Consent before starting works on its formation. More information on the process can be found on the following website: <a href="https://www.pkc.gov.uk/vehicleaccess">https://www.pkc.gov.uk/vehicleaccess</a> . Please note, that as planning permission has been applied for, currently no fee is required for the Vehicle Access Consent (VA1 form), please include the planning application number on your VA application form.</p> <p>Insofar as the Roads matters are concerned, I have no objections to this proposal on the following conditions.</p>		
<b>Recommended planning condition(s)</b>	<p>Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth &amp; Kinross Council's Road Development Guide Type B Figure 5.6 access detail with 3 metre radii kerbing of Type A Road construction detail for a minimum distance of 3 metres back from the edge of the public road network.</p> <p><b>Reason</b> - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p>		

	<p>Prior to the commencement of the development hereby approved, full visibility splays of 2.15 metres shall be provided to the left and right of the access measured 1.05 metres above the road level to the standard and specification required by the Council as Roads Authority to the satisfaction of the Planning Authority. The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated outwith the splays. Once formed, the visibility splays shall be permanently retained thereafter, and no visual obstruction above 1.05 metres of any kind shall be permitted within the visibility splays so formed.</p> <p><b>Reason</b> - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p>
<p><b>Recommended informative(s) for applicant</b></p>	<p>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.</p> <p>The private wastewater treatment tank should be provided with an access for desludging. The desludging tanker should be provided with access to a working area that:</p> <ul style="list-style-type: none"> <li>▪ will provide a clear route for the suction hose from the tanker to the tank, and</li> <li>▪ is not more than 25m from the tank where it is not more than 4m higher than the invert level of the tank, and</li> <li>▪ is sufficient to support a vehicle axle load of 14 tonnes.</li> </ul> <p>The applicant is required to ensure that access to the foul waste treatment plant is provided in line with Building Standards.</p>
<p><b>Date comments returned</b></p>	<p>18 October 2023</p>

## Development Management

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**From:** [REDACTED]  
**Sent:** 20 October 2023 12:37  
**To:** Development Management  
**Subject:** Planning application 23/01520/FLL, erection of a dwelling house, Newlands Wood, Newlands Farm, Wester Balgedie

CAUTION: This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.

Dear Sirs

Planning application 23/01520/FLL, erection of a dwelling house, Newlands Wood, Newlands Farm, Wester Balgedie

The above planning application was considered by Portmoak Community Council at their meeting on 10 October 2023. The landowner and his agent were present and explained the proposal.

PCC notes that there have been previous buildings on this site (two living huts for farm workers) and planning consent had previously been given for a house on this site (08/02374/OUT); that sewage treatment facilities are already present on site, in relation to the previous planning approval; that the current proposal would occupy the footprint of one of the earlier huts, was modest in size, being single storey and containing just two bedrooms; its construction was expected to have minimum impact on the existing tree cover.

PCC also discussed the difficulties in the PCC area of securing the provision of affordable housing and noted that this particular proposal was intended to meet the housing need of a family member who had struggled for several years to secure a permanent residence in Kinross-shire.

In conclusion PCC decided to support this planning application.

Yours faithfully

Andrew Miller  
Chair Portmoak Community Council

Sent from my iPhone

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

<b>Planning Application ref.</b>	23/01520/FLL	<b>Comments provided by</b>	Craig Harvey
<b>Service/Section</b>	HE/Flooding	<b>Contact Details</b>	[REDACTED]
<b>Description of Proposal</b>	Erection of a dwellinghouse, fence and gate, formation of driveway, parking, landscaping and associated works		
<b>Address of site</b>	Land 50 Metres North West Of Newlands Wood Newlands Farm Wester Balgedie Kinross KY13 9SL		
<b>Comments on the proposal</b>	No objection. Proposed development outwith surface water and river flooding areas as per SEPA flood maps.		
<b>Recommended planning condition(s)</b>	N/A		
<b>Recommended informative(s) for applicant</b>	The applicant is advised to refer to Perth & Kinross Council's <a href="#">Supplementary guidance on Flood Risk and Flood Risk Assessments 2021</a> as it contains advice relevant to your development.		
<b>Date comments returned</b>	23/11/2023		