

**LRB-2023-40**

**23/00923/IPL - Erection of a dwellinghouse (in principle),  
land 75 metres north west of Mullmach, Saucher, Kinross**

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

**REFERENCE DOCUMENTS** *(part included in  
applicant's submission, pages 253-257 and 260-286)*





Mr James Sinclair  
c/o Interurban Developments Ltd  
John Russell  
Inveralmond Business Centre  
6 Auld Bond Road  
Perth  
PH1 3FX

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

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

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

Application Reference: **23/00923/IPL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 13th June 2023 for permission for **Erection of a dwellinghouse (in principle) Land 75 Metres North West Of Mullmac Saucher Kinrossie PH2 6HY** for the reasons undernoted.

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

### **Reasons for Refusal**

- 1 The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as whilst the proposed indicative position of the house is within the existing building group, the proposed convoluted new access into the site is located outwith the building group and fails to respect the character and building pattern of the existing well nucleated grouping as required by Category 1 of the SG. The proposal also fails to meet any of the other categories of development outlined in the SG.
- 2 The proposal is contrary to Policy 9(b) of National Planning Framework 4 (NPF4) as the proposal is on a greenfield site and is not explicitly supported by policies of the Perth and Kinross Local Development Plan 2 (2019). The proposal also fails to meet any of the categories of development allowed by Policy 17: Rural Homes of NPF4.
- 3 The proposed new access into the site would result in Mullmac and Kanrosmar being sandwiched between two accesses to the detriment of the residential amenity

of these properties. The proposal is therefore contrary to Policy 1A of the Perth and Kinross Local Development Plan 2019 (LDP2) and Policy 14(c) of National Planning Framework 4 (NPF4) as the proposal fails to respect the residential amenity of the area.

- 4 The proposal is contrary to Policy 1A and 1B(d) of the Perth and Kinross Local Development Plan 2 (2019) and Policy 14(b) of National Planning Framework 4 (NPF4) as the proposed new access fails to contribute positively to the surrounding built and natural environment and fails to reinforce the existing streetscene and building pattern of the grouping.

**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

06

07

08

09

10

11

# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	23/00923/IPL	
Ward No	P2- Strathmore	
Due Determination Date	12th August 2023	
Draft Report Date	18th July 2023	
Report Issued by	JW	Date 18 July 2023

**PROPOSAL:** Erection of a dwellinghouse (in principle)

**LOCATION:** Land 75 Metres North West Of Mullmac Saucher  
Kinrossie PH2 6HY

### SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

### BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission in principle is sought for the erection of a dwellinghouse and formation of a new access within a small hamlet called Saucher which is located to the north east of Perth. There are approximately 14 dwellings within the hamlet set around a square green. The application sites is located in the north east corner of the hamlet and extends to 0.27 hectares. The application site is rectangular and an indicative site plan has been submitted showing the possible position of a dwelling in the southern corner. Access is proposed to be taken from the public road to the east partly using an existing access and a new lengthy driveway which is proposed to travel in a north westerly direction to the rear of Mullmac and Kanrosmar to the site.

### SITE HISTORY

None

### PRE-APPLICATION CONSULTATION

Pre application Reference: 23/00047/PREAPL

### DEVELOPMENT PLAN

The Development Plan for the area comprises National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2 (2019) (LDP2).

### National Planning Framework 4

The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy

sets out how to improve people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the following policies of NPF4 :

Policy 3: Biodiversity

Policy 4: Natural Places

Policy 5: Soils

Policy 6: Forestry, Woodland and Trees

Policy 14: Design, Quality and Place

Policy 15: Local Living and 20 Minute Neighbourhoods

Policy 16: Quality Homes

Policy 17: Rural Homes

Policy 22: Flood Risk and Water Management

Policy 29: Rural Development

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

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

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 2: Design Statements

Policy 5: Infrastructure Contributions

Policy 6: Settlement Boundaries

Policy 19: Housing in the Countryside

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

Policy 39: Landscape

Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development

Policy 41: Biodiversity

Policy 51: Soils

Policy 53B: Water Environment and Drainage: Foul Drainage

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

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

### **Statutory Supplementary Guidance**

- [Supplementary Guidance - Developer Contributions & Affordable Housing](#) (adopted in 2020)
- [Supplementary Guidance - Flood Risk and Flood Risk Assessments](#) (adopted in 2021)
- [Supplementary Guidance - Forest & Woodland Strategy](#) (adopted in 2020)
- [Supplementary Guidance - Housing in the Countryside](#) (adopted in 2020)
- [Supplementary Guidance - Landscape](#) (adopted in 2020)
- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

### **OTHER POLICIES**

#### **Non Statutory Guidance**

- [Planning Guidance - Planning & Biodiversity](#)

### **NATIONAL GUIDANCE**

The Scottish Government expresses its planning policies through The National Planning Framework, Planning Advice Notes, Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

#### **Planning Advice Notes**

The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 75 Planning for Transport

## **Creating Places 2013**

Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

## **National Roads Development Guide 2014**

This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

## **CONSULTATION RESPONSES**

### **INTERNAL**

Transportation And Development – no objections subject to conditions

Biodiversity/Tree Officer – no comments

Development Contributions Officer – condition recommended

### **EXTERNAL**

Scottish Water – no objection

## **REPRESENTATIONS**

A total of nine representations have been received which raise the following issues.

- Impact on farming operations/access
- Lack of sewage capacity
- Inappropriate land use
- Inappropriate housing density
- Lack of car parking
- Light pollution
- Loss of open space
- Loss of sunlight or daylight
- Loss of trees
- Noise Pollution
- Out of character with area
- Overlooking



- Impact of new access road on character/amenity
- Noise from construction operations
- Ecological impact
- Impact on character and density of area
- Maintenance of private road
- Road safety
- Flood risk
- Loss of prime agricultural land
- Contrary to Development Plan

These issues are addressed within the appraisal section of this report.

#### **Additional Statements Received:**

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

## **APPRAISAL**

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises NPF4 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

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

### **Principle**

In policy 19 - Housing in the Countryside of the LDP2, it is acknowledged that opportunities do exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and

design is achieved. Thus the development of single houses or groups of houses which fall within the six identified categories will be supported. This is also referenced in the recently adopted National Planning Framework 4 (NPF4) where Policy 9 states that greenfield sites will be supported where there are explicitly supported by LDP policies.

Policy 17 of NPF4 is also relevant and seeks to encourage and promote and facilitate affordable and sustainable homes in the right locations and provides criteria in which proposals for new rural homes will be accepted.

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:

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

The proposal does not meet any the criteria for categories 2-6 of the SG, however the proposed site is considered to be within a building group and therefore the criteria within category 1 requires to be considered.

Category 1 states that development will be granted for houses within building groups provided it can be demonstrated that:

- New housing will respect the character, scale and form of the existing group and will be integrated into the existing layout and building pattern.
- New housing will not detract from the visual amenity of the group when viewed from the wider landscape.
- A high standard of residential amenity will be provided for both existing and new housing.

In this instance the proposed position of the dwelling is considered to be located within the existing building group, being adjacent to two existing dwellings and the indicative layout which has been provided demonstrates that there is scope for the dwelling to relate successfully to the character, layout and building pattern of the group provided it is appropriately sited and appropriate landscaping is provided as per the submitted drawings. However, the proposed access into the site runs along the edge and outwith of the grouping as it is not possible to access the site from the current access which serves the wider grouping. The introduction of a new access extending approximately 70 metres along the edge and outwith the well nucleated building group fails to respect the existing layout and building pattern of the group. The placemaking policies of the LDP2 state that accesses should reinforce the streetscene and open space. The proposed access fails to do so. As mentioned elsewhere and within pre application comments the grouping is considered to be

very well nucleated and is served by an existing access which contributes to the character and building pattern of the grouping. The introduction of a new access of this length is considered to completely alter the established character of the grouping and fails to relate to the building pattern of the grouping contrary to the criteria outlined within Category 1 of the Housing in the Countryside SG. The proposed access arrangements are also considered to be contrary to Placemaking Policy 1A and 1B(d) of the LDP2 and Policy 14(b) of NPF4 which requires accesses to reinforce the existing street scene and development overall to contribute positively to the quality of the surrounding built and natural environment. If there was scope for an alternative access which utilises the existing access arrangement within the group the proposal may be looked upon more favourably, but based upon the existing access arrangement the proposal is considered to be contrary to policy.

### **Design and Layout**

Generally, the design and scale of development should respect its surroundings and adhere to Policies 1A and B of LDP2 which relate to placemaking and Policy 14 of NPF4 which seeks to deliver well designed development. Further guidance is also provided within the associated Placemaking Supplementary Guidance. Furthermore, the siting criteria outlined within the Housing in the Countryside Supplementary Guidance is also relevant. Policy 4(a) of NPF4 is also applicable and seeks to ensure that the development does not have an unacceptable impact on the natural environment.

The proposal seeks to form a new access which will result in Kanrosmar and Mullmac being sandwiched between two accesses which is not considered to be appropriate in terms of residential amenity. Furthermore the new access fails to respect the existing building pattern and built form of the grouping. The other properties within the small hamlet are accessed using an existing access arrangement including an access track which is located between Mullmac/Kanrosmar to the north and a row of terraced cottages to the south. This access continues to the west to serve the remaining properties within the hamlet. The application site is not proposed to be served by this existing access arrangement and instead a new convoluted access is proposed along the edge and outwith the building group. As outlined above this is considered to be contrary to the siting criteria outlined in the Housing in the Countryside SG and placemaking and design/layout policies of the LDP2 and NPF4.

### **Residential Amenity**

The site is of sufficient scale and there is an opportunity to position any dwelling in a location which ensures that the neighbouring properties are not overlooked. Furthermore, boundary planting to provide some screening and containment for the site could be secured by condition at detailed stage should any permission be granted. As this application is only in principle there is no opportunity to assess this in detail, at this stage, however this can be assessed when a detailed application is received should any permission be granted. It is noted that the site is elevated above the site to the south and this would mean that the orientation and scale of the dwelling would require to be carefully considered to ensure it does not impact on the amenity of the neighbour. It is considered that there is scope to do so but this would be considered through any detailed application. Window position and boundary

treatments would require to be carefully considered and would require to be orientated to the north west and north east to avoid overlooking neighbours. Furthermore, the scale and height of the dwelling would require to be limited to ensure it does not result in overshadowing to the neighbours.

The orientation of the house and height, together with the window positions will be an important consideration in the detailed application. Overall, this issue can be addressed at the detailed application stage should the application be supported.

Whilst the house location is considered to be potentially supportable, the position of the new access would result in Kanrosmar and Mullmac being sandwiched between two access to the front and rear which is considered to detrimentally impact on their residential amenity. The proposed layout would result in vehicular traffic passing to the front and rear of these properties, resulting in potential noise and light pollution from moving vehicles. The proposed access is therefore considered to be contrary to the relevant policies of the LDP2 and NPF4 where they relate to respecting residential amenity.

### **Roads and Traffic**

The site is capable of being safely accessed from the public road and the detailed development will be subject to a further detailed application which will require to comply with the LDP2 and National Roads Development Guide in terms of parking provision, turning facilities, road safety and access. Transportation and Development have been consulted on the application and offered no objections. However, the access arrangements are considered to be unacceptable given the residential amenity and building pattern/character concerns as outlined elsewhere in this report.

It is noted that part of the access may be used for agricultural operations currently. If this is the case an agreement would require to be reached between the farm and developer regarding this issue. This is considered to be a private civil matter and not material to the assessment of this application.

### **Drainage**

The application form indicates that the site is to connect to be served by a private drainage system with surface water system catered for through a SUDS system. This is in accordance with Policy 53B and C of the LD2 and Policy 22 of NPF4. The proposal for a sustainable urban drainage system is considered to be sufficient to cater for surface water drainage at the site. The specific location of the drainage system will require to be indicated in the detailed application and its location relative to neighbours. The letters of representation indicate that there may be capacity constraints with the existing village septic tank. This could potentially be resolved through provision of a new private system serving the dwelling and could be considered further should a detailed application be submitted.

### **Flood Risk**

The site is not considered to be at risk from flooding.

## **Developer Contributions**

As this application is only in principle it is not possible to determine whether the local school is at capacity. However, to cover this aspect a condition is recommended to ensure the Council's Developer Contributions Policy and Supplementary Guidance is adhered to should any detailed application be forthcoming.

## **Ecology**

The existing trees may be habitat to protected species and therefore Policy 41 of LDP2 applies which requires the protection of all wildlife and wildlife habitats and ecological assessments to be undertaken to understand the extent of impact. Policy 3(a) Bio Diversity of NPF4 seeks to protect but also enhance bio diversity on a site. Policy 40 of the LDP2 is also applicable which requires tree surveys to be prepared. An ecological survey could be secured by condition should any planning permission be granted.

## **Trees**

The Council will apply the principles of the Scottish Government Policy on Control of Woodland Removal and there will be a presumption in favour of protecting woodland resources. Where the loss of woodland is unavoidable, mitigation measures in the form of compensatory planting will be required. This is outlined within Policy 40B of the LDP2 and NPF4 Policy 6(a). The proposal does not indicate any intention to fell trees and mentions that the trees on the north west boundary would be retained. Should any planning permission be granted this should be subject to a condition which ensures the retention of these trees. A further condition could also limit the build footprint of the house to ensure it is remote from the trees, which would therefore ensure that no tree survey would be necessary.

## **Construction Noise**

Whilst it is appreciated that there would be disturbance associated with construction operations this would be for a temporary period and is not considered to have any significant weighting in this determination.

## **Prime Agricultural Land**

The site is identified as level 3.1 in terms of the soils classification for agriculture: "Land capable of producing consistently high yields of a narrow range of crops or moderate yields of a wider range of crops". The area of land which would be lost is considered to be limited and would not occupy a significant level of the existing agricultural fields. The proposal is therefore not considered to have a significant impact on the availability of agricultural land in the area and therefore meets the requirements of Policy 5 of NPF4.

## **Maintenance of Private Access**

The letters of representation raise concerns about the condition of the private access, the presence of potholes and the possibility of additional traffic exacerbating the poor condition.

There are a number of potholes and Transportation and Development have offered no objections to its use to serve the site. No upgrade is recommended to serve a single dwelling. There will however, be responsibility for any future owner of the site to contribute towards maintenance of the track. This matter is a private civil issue which will require to be agreed between users of the track. The maintenance of the track during construction periods will also be a private matter between the parties involved and not something which planning legislation can dictate.

### **Economic Impact**

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

### **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.

### **Reasons for Refusal**

- 1 The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as whilst the proposed indicative position of the house is within the existing building group, the proposed convoluted new access into the site is located outwith the building group and fails to respect the character and building pattern of the existing well nucleated grouping as required by Category 1 of the SG. The proposal also fails to meet any of the other categories of development outlined in the SG.
- 2 The proposal is contrary to Policy 9(b) of National Planning Framework 4 (NPF4) as the proposal is on a greenfield site and is not explicitly supported by policies of the Perth and Kinross Local Development Plan 2 (2019). The proposal also fails to meet any of the categories of development allowed by Policy 17: Rural Homes of NPF4.
- 3 The proposed new access into the site would result in Mullmac and Kanrosmar being sandwiched between two accesses to the detriment of the

residential amenity of these properties. The proposal is therefore contrary to Policy 1A of the Perth and Kinross Local Development Plan 2019 (LDP2) and Policy 14(c) of National Planning Framework 4 (NPF4) as the proposal fails to respect the residential amenity of the area.

- 4 The proposal is contrary to Policy 1A and 1B(d) of the Perth and Kinross Local Development Plan 2 (2019) and Policy 14(b) of National Planning Framework 4 (NPF4) as the proposed new access fails to contribute positively to the surrounding built and natural environment and fails to reinforce the existing streetscene and building pattern of the grouping.

### **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

### **Procedural Notes**

Not Applicable.

### **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

01

02

03

04

05

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08

09

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11



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 100631100-001

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)

Short Term Let

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



## 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="Balhousie Street"/>
First Name: *	<input type="text" value="Bartlomiej"/>	Building Number:	<input type="text" value="81"/>
Last Name: *	<input type="text" value="Szmajdzinski"/>	Address 1 (Street): *	<input type="text" value="81 Balhousie Street"/>
Company/Organisation	<input type="text" value="Bart Properties Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Perth"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Perth"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PH1 5BG"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## 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="64H SOUTH STREET"/>
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" value="PERTH"/>
Post Code:	<input type="text" value="PH2 8PD"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="723446"/>	Easting	<input type="text" value="311875"/>
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## Pre-Application Discussion

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

Yes  No

## Site Area

Please state the site area:

50.00

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)

Unoccupied

## 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? \*

Yes  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?

0

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)? \*

0

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).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Do your proposals make provision for sustainable drainage of surface water?? \* (e.g. SUDS arrangements) \*

Yes  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? \*

Yes

No, using a private water supply

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 **T** 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 **T** No ≤ Don't Know

## Trees

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

≤ Yes **T** 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 **T** No

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

N/A - Existing bin arrangements unaltered

## Residential Units Including Conversion

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

≤ Yes **T** No

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

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

≤ Yes **T** 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 **T** 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 **T** 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~~ C - Revised certificate to follow

## 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: Mr Bartlomiej Szmajdzinski

On behalf of:

Date: 06/06/2023

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 principal 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

Name	Address	Date of Service of Notice

Signed:

On behalf of:

Date:

**CERTIFICATE C**

Certificate C is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where it has not been possible to identify ALL or ANY owners/agricultural tenants.

(1) I have  been unable to serve notice on **every** person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates.

**or**

(2) I have  been unable to serve notice on **any** person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner of any part of the land to which the application relates.

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

**or**

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have  been unable to serve notice on any person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant.

**or**

(5) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding I have  served notice on each of the following persons other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name	Address	Date of Service of Notice
Owner/Occupier		20/07/23
Owner/Occupier		20/07/23
Owner/Occupier		20/07/23
Owner/Occupier		20/07/23
Owner/Occupier		20/07/23
Owner/Occupier		20/07/23

(6) I have \_\_\_\_\_ taken reasonable steps, as listed below, to ascertain the names and addresses of all other owners or agricultural tenants and have \_\_\_\_\_ been unable to do so.

Steps taken:

I've knocked at the neighbors doors and handed them the Notice to Owners.  
The neighbors are -  
[REDACTED]

Signed:

[REDACTED]

On behalf of:

Bartlomiej Szmajdzinski

Date:

09/08/23

### CERTIFICATE D

Certificate D is for use where the application is for mineral development.

(1) No person other than myself \_\_\_\_\_ was an owner 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.

or

(2) I have \_\_\_\_\_ served notice on each of the following persons other than myself \_\_\_\_\_ who, at the beginning of the period of 21 days ending with the date of the accompanying application, was to the applicant's knowledge, the owner, of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

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

or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have \_\_\_\_\_ served notice on each of the following persons other than myself \_\_\_\_\_ who, at the beginning of the period of 21 days ending with the date of the application, was an agricultural tenant.

(5) Notice of the application as set out below has been published and displayed by public notice

Signed:

\_\_\_\_\_

On behalf of:

\_\_\_\_\_

Date:

\_\_\_\_\_

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. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
A Design Statement or Design and Access Statement. *	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A
A Flood Risk Assessment. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Drainage/SUDS layout. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
A Transport Assessment or Travel Plan	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Contaminated Land Assessment. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Habitat Survey. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
A Processing Agreement. *	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 Bartłomiej Szmajdzinski

Declaration Date: 06/06/2023

## Payment Details