

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

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 16-18)*



Mr Robert Erskine
c/o Gordon Morton
Lomond Cottage
Regent Terrance
Dunshalt
KY14 7HB

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **30th November 2023**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **23/01520/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 26th September 2023 for Planning Permission for **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 KY13 9SL**

David Littlejohn
Strategic Lead (Economy, Development and Planning)

Reasons for Refusal

1. The proposal is contrary to Policy 17 Rural Homes of the National Planning Framework 4 (2023) as the proposal fails to meet any of the specific circumstances listed.
2. The proposal is contrary to Policy 19 of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance (March 2020) as it does not meet any of the criteria within the categories 1) Building Groups, 2) Infill sites, 3) New houses in the open countryside, 4) Renovation or replacement of houses, 5) Conversion or replacement of redundant non-domestic buildings and 6) Development on rural brownfield land.
3. The proposal is contrary to Placemaking policies 1A and 1B(b) of the Perth and Kinross Local Development Plan 2 (2019) and the associated supplementary Placemaking Guidance and Policy 14 Design Quality and Place of NPF4 which seeks to ensure that development contributes positively to the quality of the surrounding built and natural environment. The site is within a woodland where the development may result in tree/landscaping loss which would impact the wider landscape character of the area.
4. The proposal is contrary to Policy 40 Forestry Woodland and Trees of the Perth and Kinross Local Development Plan 2 2019 and Policy 6 Forestry, woodland and trees of NPF4 as the

submission fails to consider the impact of the development in relation to trees.

5. The proposals are contrary to policy 3 of National Planning Framework 4 and policy 41, Biodiversity, of the Perth and Kinross Local Development Plan 2 2019 as no ecological impact assessment has been provided to assess the impact on biodiversity of the development and to demonstrate enhancement or mitigation measures.
6. The proposal is contrary to Policy 46A and 46B, Loch Leven Catchment Area, of the Perth and Kinross Local Development Plan 2 (2019) The site lies within the Loch Leven Catchment Area where phosphorus mitigation is required to protect the Loch Leven SPA and Ramsar Site.

No details of phosphorus mitigation have been submitted.

Justification

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

Notes

The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

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REPORT OF HANDLING

DELEGATED REPORT

Ref No	23/01520/FLL	
Ward No	P8- Kinross-shire	
Due Determination Date	25th November 2023 Extended until 14th December 2023	
Draft Report Date	24th November 2023	
Report Issued by	PB	Date 30th November 2023

PROPOSAL: Erection of a dwellinghouse, fence and gate, formation of driveway, parking, landscaping and associated works

LOCATION: Land 50 Metres North West Of Newlands Wood
Newlands Farm Wester Balgedie Kinross KY13 9SL

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 is sought for the erection of a dwellinghouse at a site near Newlands Farm, Wester Balgedie. The proposal is for a single storey detached property to be sited in an existing woodland area. The house will be finished in larch timber cladding and measures around 9m by 6.6m. It is sited around 27m from the public road and includes provision for two car parking spaces. The site includes an existing pond and woodland area. There is an existing klargester septic tank indicated on the plans with a proposed new foul water soakaway to the south east of this.

The submission refers to outline planning permission being granted previously. However the application referred to (08/02374/OUT) was not granted and was refused on appeal to the Directorate for Planning and Environmental Appeals (PPA/340/786). At that time the site consisted of a heavily planted area of scrubland and trees that did not meet any of the criteria of the then housing in the countryside policy. At that time permission had been granted for one dwelling to the south east of the site. This was for a modest single storey property. A house has now been built on this site although larger and in a different position to the original approval following a number of planning applications for a change to the house type and siting. The final design was approved under planning applications 09/00241/FUL, erection of a dwellinghouse with double garage and 10/00126/FLL modification of existing consent (09/00241/FUL) alteration to design of garage).

SITE HISTORY

08/02374/OUT Erection of a dwellinghouse (in outline) (plot 2) application refused 21 January 2009 Refused on appeal to DPEA 17 September 2009.

23/00939/FLL Erection of a dwellinghouse, fence and gate, formation of parking, landscaping and associated works 16 August 2023

PRE-APPLICATION CONSULTATION

Pre application Reference: None.

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 1: Tackling the Climate and Nature Crisis
Policy 2: Climate Mitigation and Adaptation
Policy 3: Biodiversity
Policy 6: Forestry, Woodland and Trees
Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings
Policy 13: Sustainable Transport
Policy 14: Design, Quality and Place
Policy 16: Quality Homes
Policy 17: Rural Homes
Policy 22: Flood Risk and Water Management

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 5: Infrastructure Contributions
Policy 19: Housing in the Countryside
Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
Policy 39: Landscape
Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy
Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development

Policy 41: Biodiversity
Policy 46A: Loch Leven Catchment
Policy 46B: Loch Leven Catchment
Policy 53B: Water Environment and Drainage: Foul Drainage
Policy 53C: Water Environment and Drainage: Surface Water Drainage
Policy 53E: Water Environment and Drainage: Water Supply
Policy 58A: Contaminated and Unstable Land: Contaminated Land
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 - 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 - Loch Leven SPA, the Dunkeld-Blairgowrie Lochs SAC and the River Tay SAC](#)
- [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 51 Planning, Environmental Protection and Regulation
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 69 Planning and Building standards Advice on Flooding
- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places

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.

Designing Streets 2010

Designing Streets is the policy statement in Scotland for street design and changes the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It was created to support the Scottish Government's place-making agenda, alongside Creating 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

Portmoak Community Council
Supports the application.

Scottish Water
Capacity for Scottish Water water supply. No Scottish Water waste water infrastructure in the vicinity. Private arrangements are required.

Structures And Flooding
No objection. Following further discussions additional information would be required with regard to finished floor level and the design of soakaways.

Environmental Health (Contaminated Land)
No adverse comments. A search of the historic records did not raise any concerns regarding ground contamination.

Transportation And Development
No objections subject to conditions and informatives with regard to access and visibility splays, bin stances and tanker emptying access.

Development Contributions Officer
No developer contributions required. This proposal is within the catchment of Portmoak Primary School.

Education & Children's Services have no capacity concerns in this catchment area at this time.

REPRESENTATIONS

1 representation was received from Portmoak Community Council offering support to the proposal.

The PCC offer support for the proposal based on information from the applicant indicating that there had previously been planning permission on the site to replace a now demolished hut. The PCC acknowledged that the proposed house is of modest size and that it is difficult to secure affordable housing in the area.

Additional Statements Received:

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

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.

Policy Appraisal

The Perth and Kinross Local Development Plan (LDP) seeks to encourage development to within settlements that are defined by a settlement boundary in the Local Development Plan. This site lies outwith a settlement boundary in an area where policy 19 Housing in the Countryside applies. Policy 19 and its associated guidance acknowledges 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.

Policy 17 of National Planning Framework 4 also applies to this site. This promotes the development of rural homes, to ensure the needs of communities are met in a sustainable way. Policy 17a) supports proposals for new homes in rural areas where

the development is suitably scale, sited and designed to be in keeping with the character of the area and the development meets a range of criteria. These include that the site is allocated for housing within the LDP, it reuses brownfield land where a return to a natural state has or will not happen without intervention or is necessary for land management of a rural business based at the site where a worker needs permanent accommodation.

The principle of development does not accord with policy 17 of the National Planning Framework. The site is not allocated in the LDP, it is not brownfield land and no supporting information has been submitted to demonstrate that the proposal relates to a rural business / essential need for a house.

The proposal also fails to meet any of the terms of the Council's Housing in the Countryside Supplementary Planning Guidance. This identifies six categories and associated criteria where development will be permitted under Policy 19. The categories are as follows:-

1. Building Groups.
2. Infill sites.
3. New houses in the open 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

This application site does not fit in to the building group category. There is one house to the south and a group of buildings to the north east across the road. The site does not naturally form part of the group and would not create an acceptable extension of a building group. It is not an infill site. It does not meet categories of development in section 3 as no information has been submitted to demonstrate an operational need on the site for a house. The proposal does not involve renovation or replacement of an existing house or non-domestic building. It is not brownfield land. This aspect of the site was covered in detail in the Reporter's decision in 2009. There is no evidence of built development on the site. There is some abandoned machinery on the site but nothing that could not easily be removed and the site would naturally regenerate when the machinery is removed.

The principle therefore does not accord with national and local policies relating to housing in the countryside.

As set out in the sections below the proposal would also contravene policies with regard to placemaking, trees and woodland, biodiversity and Loch Leven Catchment

Design and Layout

The proposal is for a single dwellinghouse within an existing woodland. The proposal is for a modest timber clad dwelling. Placemaking policies require development to contribute positively to the built and natural environment. Construction of a dwellinghouse within the woodland would have an adverse impact on the character of the area. The construction of the house, installation of the access track and establishment of visibility splays would all detract from the existing

wooded area and would be contrary to placemaking policy 1A and the design and siting does not respect the character and amenity of the place.

It also fails to accord with the For All Proposals section of the Housing in the Countryside Supplementary Guidance iii) as the scale, layout and design is not appropriate to, and does not have a good fit with, the landscape character of the area in which it is located. It does not demonstrate a specific design approach that not only integrates the development within its setting but also enhances the surrounding environment.

Landscape

Policy 39, Landscape, requires proposals to meet a number of criteria to demonstrate that development does not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross. The site is within the Loch Leven and Lomond Hills designated Local Landscape Area. Development within the woodland would conflict with a key aim of the policy 39 in that development should not conflict with the aim of maintaining and enhancing landscape qualities of Perth and Kinross. Any submission has to demonstrate with reference to an appropriate landscape capacity study that the seven criteria set out in policy 39 are met. No information has been provided to demonstrate how the proposal complies with policy 39. It is considered that the proposed siting within the woodland is inappropriate and would detract from the surrounding landscape. Development would erode local distinctiveness, diversity and quality of the landscape and detract from its visual integrity and scenic quality and as such is contrary to policy 39 of the LDP.

Residential Amenity

The property is some distance from other residential properties being around 20 metres from the boundary with the residential property to the south. The size and siting of the proposed house would not cause any issues with overlooking or overshadowing of any other properties. A grassed area is indicated to the rear of the proposed house that would give sufficient private amenity space.

Visual Amenity

The development would cause an unnecessary and inappropriate intrusion into an existing woodland and would be detrimental to visual amenity.

Roads and Access

A new vehicle access is to be 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. Transport Planning has requested that a condition be attached to include a designated area of hardstanding for the placement and collection of bins for refuse collection,

A condition is also recommended to ensure an adequate visibility splay for the junction which is onto a road that is National Speed Limit. The splay has not been shown on the submitted plans so it is unclear how this might impact on existing trees.

The two parking spaces shown meet the requirements for parking as set out in the National Roads Guide.

An informative note is also recommended regarding access to the treatment tank for desludging.

The application is being recommended for refusal however Transport Planning comments will be taken into account if the application is to be approved. It should also be noted that there may be conflict between the requirements for a visibility splay and existing trees.

Drainage and Flooding

Flooding

There is a small watercourse/ditch as well as a pond on the site. PKC Flood Team would be satisfied in terms of flood risk if the finished floor level of the development has sufficient freeboard above the watercourse/ditch. Information detailing finished floor level would be required should the application be approved.

Surface water

Surface water drainage should be controlled by Sustainable Urban Drainage Systems (SUDS). Further detailed information design/calculations would be required to ensure that the ground can be appropriately drained and surface water drainage effectively managed.

Foul Drainage

There is no public Scottish Water, Waste Water infrastructure within the vicinity and a private treatment option is required.

The application form indicates that a Klargestert treatment system already exists on the site with plans showing a proposed soakaway to the south of this.

The site lies within the Loch Leven Catchment Area and phosphorus mitigation is required in accordance with Policy 46A and 46B of the adopted Perth & Kinross Local Development Plan 2019 and the Loch Leven SPA and Ramsar Site Supplementary Guidance 2020 (which stipulates 125% phosphorus removal is required).

No details of phosphorus mitigation have been submitted. The proposal is therefore contrary to LDP policies 46A and 46B.

Low and Zero Carbon

Policy 32 of the Local Development Plan requires all proposals to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. Information to satisfy the requirement of policy 32 will be required if the application is approved.

Conservation Considerations

The site is not close to any listed buildings and not within a conservation area. There is unlikely to be any impact on built heritage interests from this development.

Natural Heritage and Biodiversity

Trees and woodland

The proposal is within a woodland however no tree survey has been submitted. Policy 40A requires proposals to protect existing trees and woodland. Policy 40B requires a tree survey to accompany all applications for planning permission where there are trees on the site. The development as proposed is contrary to both policies as no tree survey has been submitted to demonstrate if there is any capacity for development within the woodland and what the impact would be on the existing trees. In addition no tree protection or mitigation measures are indicated to compensate for any tree loss or construction impacts.

Biodiversity

No information with regard to biodiversity has been included in the proposals. Policy 41, Biodiversity, of the LDP requires proposals to protect and enhance all wildlife and wildlife habitats, whether formally designated/protected or not. No information has been submitted that assesses the impact on biodiversity of the development. Proposals cannot be supported unless clear evidence can be provided that any ecological impacts can be satisfactorily mitigated.

The proposals are contrary to policy 41, Biodiversity of the LDP as no ecological impact assessment has been provided.

Developer Contributions

Primary Education

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.

This proposal is within the catchment of Portmoak Primary School. Education & Children's Services have no capacity concerns in this catchment area at this time. No contributions are required.

Contaminated Land

Environmental Health (Contaminated Land) advise that 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. 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.

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

This application was varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended. The variations incorporate changes to

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.

Conditions and Reasons

1. The proposal is contrary to Policy 17 Rural Homes of the National Planning Framework 4 (2023) as the proposal fails to meet any of the specific circumstances listed.
2. The proposal is contrary to Policy 19 of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance (March 2020) as it does not meet any of the criteria within the categories 1) Building Groups, 2) Infill sites, 3) New houses in the open countryside, 4) Renovation or replacement of houses, 5) Conversion or replacement of redundant non-domestic buildings and 6) Development on rural brownfield land.
3. The proposal is contrary to Placemaking policies 1A and 1B(b) of the Perth and Kinross Local Development Plan 2 (2019) and the associated supplementary Placemaking Guidance and Policy 14 Design Quality and Place of NPF4 which seeks to ensure that development contributes positively to the quality of the surrounding built and natural environment. The site is

within a woodland where the development may result in tree/landscaping loss which would impact the wider landscape character of the area.

4. The proposal is contrary to Policy 40 Forestry Woodland and Trees of the Perth and Kinross Local Development Plan 2 2019 and Policy 6 Forestry, woodland and trees of NPF4 as the submission fails to consider the impact of the development in relation to trees.
5. The proposals are contrary to policy 3 of National Planning Framework 4 and policy 41, Biodiversity, of the Perth and Kinross Local Development Plan 2 2019 as no ecological impact assessment has been provided to assess the impact on biodiversity of the development and to demonstrate enhancement or mitigation measures.
6. The proposal is contrary to Policy 46A and 46B, Loch Leven Catchment Area, of the Perth and Kinross Local Development Plan 2 (2019) The site lies within the Loch Leven Catchment Area where phosphorus mitigation is required to protect the Loch Leven SPA and Ramsar Site.

No details of phosphorus mitigation have been submitted.

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

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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 100642759-001

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)

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.

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:

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

GORDON

Building Name:

LOMOND COTTAGE

Last Name: *

MORTON

Building Number:

1

Telephone Number: *

Address 1
(Street): *

REGENT TERRACE

Extension Number:

Address 2:

Mobile Number:

Town/City: *

DUNSHALT

Fax Number:

Country: *

SCOTLAND

Postcode: *

KY14 7HB

Email Address: *

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:

Mr

Other Title:

First Name: *

ROBERT

Last Name: *

ERSKINE

Company/Organisation

Telephone Number: *

Extension Number:

Mobile Number:

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:

NEWLANDS FARM BUNGALOW

Address 2:

WESTER BALGEDIE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

KINROSS

Post Code:

KY13 9SW

Please identify/describe the location of the site or sites

Northing

705067

Easting

315833

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

PLANNING WAS SUBMITTED 23/00939/FLL, MARKED INVALID AS POINTS WERE REQUIRED. APPLICATION WAS RETURNED DUE TO TIME TAKEN TO ADDRESS POINTS SO NEW APPLICATION WITH POINTS COVERED NOW SUBMITTED.

Title:

Other title:

First Name:

Last Name:

Correspondence Reference Number:

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

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)

CURRENTLY WOODLAND AND POND WHERE 2 LIVING HUTS FOR FARM WORKERS USED TO BE NOW DEMOLISHED AFTER VANDALISM

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?

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)? *

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

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

Yes – connecting to public drainage network

No – proposing to make private drainage arrangements

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? *

New/Altered septic tank.

Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).

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: *

KLARGHESTER TREATMENT TANK IS IN PLACE AND WAS PASSED FOR THE PREVIOUSLY PASSED DWELLING WHICH WAS NEVER BUILT. POSITION IS SHOWN ON SITE PLAN. SW SOAKAWAY TO BE INSTALLED TO ENGINEERS SIZE AND DESIGN

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 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)

WASTE SHALL BE SEPARATED IN THE KITCHEN AND COLLECTED BY LA. THIS IS A SMALL HOUSE AND THERE WILL NOT BE A LOT OF WASTE GENERATED.

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: GORDON MORTON

On behalf of: Mr ROBERT ERSKINE

Date: 10/09/2023

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

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

Declaration Date: 10/09/2023

