

LRB-2023-43

23/00466/FLL - Siting of a holiday accommodation unit, formation of vehicular access and parking area and associated landscaping, land 30 metres south east of Fairygreen Cottage, Kinrossie

REPRESENTATIONS

Friday, 28 April 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
www.scottishwater.co.uk



Dear Customer,

Land 30 Metres South East Of Fairygreen Cottage, Kinrossie, PH2 6JA
Planning Ref: 23/00466/FLL
Our Ref: DSCAS-0085751-635
Proposal: Siting of a holiday accommodation unit, formation of vehicular access and parking area and associated landscaping

Please quote our reference in all future correspondence

Audit of Proposal

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

Water Capacity Assessment

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

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

Waste Water Capacity Assessment

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

Please Note

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

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
 - ▶ 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

▶ 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 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

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.

Yours sincerely,

Angela Allison

Development Services Analyst

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 Quality Manager on a Planning Application

Planning Application ref.	23/00466/FLL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner Email: [REDACTED]
Description of Proposal	Siting of a holiday accommodation unit, formation of vehicular access and parking area and associated landscaping		
Address of site	Land 30 Metres South East Of Fairygreen Cottage Kinrossie		
Comments on the proposal	<p>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.</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>Transport Infrastructure</p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> <p>The site is located in the 'Reduced' Transport Infrastructure contributions zone (Appendix 3 of the Supplementary Guidance) Holiday accommodation units are assessed under the Residential (Affordable) category.</p>		
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Transport Infrastructure: 1 x £1,370 Total: £1,370</p> <p>Phasing</p> <p>It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant.</p> <p>The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to complete.</p>		

**Recommended
informative(s) for
applicant**

Payment

Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.

Methods of Payment

On no account should cash or cheques be remitted.

Scheduled within a legal agreement

This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.

NB: The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.

Other methods of payment

Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.

Bank Transfers

All Bank Transfers should use the following account details;

Sort Code: 834700

Account Number: 11571138

Please quote the planning application reference.

The Council operate an electronic direct debit system whereby payments may be made over the phone.

To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand:

- a) Your card details.
- b) Whether it is a Debit or Credit card.
- c) The full amount due.
- d) The planning application to which the payment relates.
- e) If you are the applicant or paying on behalf of the applicant.
- f) Your e-mail address so that a receipt may be issued directly.

	<p>Transport Infrastructure For Transport infrastructure contributions please quote the following ledger code: 1-30-0060-0003-859136</p> <p>Indexation</p> <p>All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p>Accounting Procedures</p> <p>Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.</p>
Date comments returned	09 May 2023

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 23/00466/FLL

Our ref DAT

Date 09 May 2023

Tel No 01738 476481

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

23/00466/FLL RE: Siting of a holiday accommodation unit, formation of vehicular access and parking area and associated landscaping Land 30 Metres South East Of Fairygreen Cottage Kinrossie

I refer to your letter dated 26 April 2023 in connection with the above application and have the following comments to make.

Environmental Health

Recommendation

I have no objections to the application but recommend the undernoted informatives be included in any given consent.

Comments

This application is for the siting of a holiday accommodation unit (cabin) on currently vacant land adjacent to Fairygreen Cottage, Kinrossie which is within the ownership of the applicant. Supporting information states that Fairygreen Cottage will also be utilised as holiday accommodation. The application includes the provision of a wood burning stove and associated flue. Given the dimensions of the proposed cabin, this structure would not fall under the definition of a caravan and as such no site licence will be required.

Noise - Holiday Accommodation

As the development is for a holiday accommodation unit, there is the potential for noise from the users of the property to affect neighbouring residential properties, however due to the introduction of Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, this will be required to be licensed and noise conditions will form part of the licence.

Stove

The plans show that a wood burning stove and associated flue will be fitted within the unit. Whilst there is no supporting information on the make/model of the stove, the plans indicate that this will be domestic sized and as such I have no comments in relation to air quality and would recommend the standard stove informative be applied to any given consent.

Therefore, whilst I have no objections to the application, I would recommend the following informatives be attached to any given consent.

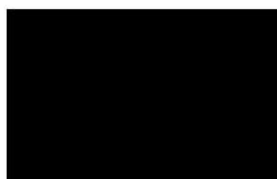
Informatives

Short Term Let

The applicant is advised that under The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, a licence is required to operate a short-term let. More information can be found at <https://www.pkc.gov.uk/shorttermlets>

STOVE

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



Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	23/00466/FLL	Comments provided by	Lachlan MacLean Project Officer – Transport Planning
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Siting of a holiday accommodation unit, formation of vehicular access and parking area and associated landscaping		
Address of site	Land 30 Metres South East Of Fairygreen Cottage Kinrossie		
Comments on the proposal	<p>The applicant is proposing to erect a one bedroomed holiday accommodation unit south east of Fairygreen Cottage. The applicant has erroneously shown that the public road network is the A94 and A924, which it is neither, it is the C440.</p> <p>The current vehicle access onto the C440 is unsurfaced and will be required to be brought up to current standards. The gradient of the access shall not exceed 3% for the first five metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public road. A condition is recommended.</p> <p>The applicant shall provide a visibility splay of 120 metres to the left and right of the vehicle access from a distance of 2.4 metres back from the edge of the carriageway. This will require the trimming of vegetation to provide a suitable splay. A condition is recommended.</p> <p>Waste for the proposed holiday accommodation unit will be presented at the road end, as a result a suitable waste collection area shall be provided for the wheelie bins. A condition is recommended.</p> <p>If the applicant is successful in gaining planning consent, they must apply for a Vehicle Access Consent before starting works on its upgrade. This will allow the applicants contractor to apply for the necessary consents to work within the public road network. More information on the process can be found on the following website: https://www.pkc.gov.uk/vehicleaccess. 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>		

<p>Recommended planning condition(s)</p>	<p>Prior to the commencement of the development, the applicant shall provide a detailed drawing showing the bin presentation area at the vehicle access to the site, shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority. The bin presentation area, as approved in writing, shall be implemented in accordance with the approved details to the satisfaction of the Council as Planning Authority prior to the development occupation of the development.</p> <p>Reason - In the interests of road safety; to ensure the provision of adequate bin storage facilities</p> <p>Prior to the commencement of the development hereby approved, full visibility splays of 120 metres along the channel line shall be provided to the left and right of the access, at a set-back of 2.4 metres measured 1.05m 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 of any kind shall be permitted within the visibility splays so formed.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p> <p>Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type C Figure 5.7 access detail, of Type B Road construction detail. The Type B Road construction detail shall continue to the entrance of the development for 6 metres back from the edge of the public road network.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p> <p>Prior to the development hereby approved being completed or brought into use, the access shall be constructed so that no surface water or surfacing aggregate is discharged onto the public road.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p>
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Recommended informative(s) for applicant	<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 www.pkc.gov.uk/vehicleaccess. 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 applicant is advised that, in terms of Sections 109 of the New Roads and Street Works Act 1991, he/she/they must obtain from the Council, to place, maintain or adjust apparatus in, or under a Road or remove apparatus from a road. Application forms are available at https://www.pkc.gov.uk/article/14916/Road-and-footway-permits.</p>
Date comments returned	17 May 2023



To: John Cooney, Planning Officer

From: Grace Woolmer-White, Historic Environment Officer

Tel: 01738 477056

Email: GWoolmer@pkht.org.uk

Date: 1st June 2023

23/00466/FLL | Siting of a holiday accommodation unit, formation of vehicular access and parking area and associated landscaping | Land 30 Metres South East Of Fairygreen Cottage Kinrossie

Thank you for consulting PKHT on the above application.

With respect to archaeology and the planning process, as outlined by NPF4, the proposed development does not raise any significant issues. No archaeological mitigation is required in this instance.

