

LRB-2024-22

23/02071/FLL – Erection of replacement dwellinghouse and associated works, 42 Muirend Road, Perth, PH1 1JU

REPRESENTATIONS

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 23/02071/FLL

Our ref OLW/LRE

Date 14 December 2023

Tel No 01738 476958/476462

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission PKC 23/02071/FLL RE: Erection of replacement dwellinghouse and associated works, 42 Muirend Road, Perth, PH1 1JU for Mr Crawford Allan

I refer to your letter dated 14 December 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 condition and informative are included on any given consent.

Comments

This application is for the erection of a replacement dwellinghouse which will include the provision of a single woodburning stove and associated flue and an air source heat pump.

Air Quality

Perth and Kinross Council have a duty to assess biomass boilers for capacity within the range of 50kW to 20MW in terms of nitrogen dioxide and particulate matter based on their effect on air quality in the area. Though the application does not include any information on the stove, it is likely to be domestic sized and therefore I have no adverse comments to make with regards to air quality.

Odour

Another matter pertaining to the stove which could cause an issue has the potential for smoke or odour disamenity. This Service has seen an increase in complaints with regards to smoke and odour due to the installation of biomass appliances. This can be caused due to poor installation and maintenance of the biomass appliances and also inadequate dispersion of emissions due to the inappropriate location and height of a flue with regards to surrounding buildings.

I note from the submitted plans that the flue will terminate above roof ridge height, which will aid in dispersion of emissions. I would advise that smoke/odour could be further minimised through the use of fuel recommended by the stove manufacturer.

In light of the above, the residential amenity at neighbouring dwellinghouses should not be adversely affected by smoke/odour.

I would therefore have no objections to this development provided that the following informative is attached to the consent.

Air Source Heat Pump

Noise

The ground floor plan indicates that the applicant proposes to install a NIBE F2040 air source heat pump at the west elevation to the property.

There is the potential for the operation of the proposed unit to create noise nuisance at neighbouring residential properties.

The applicant has not submitted a data specification sheet for the NIBE F2040 which has models 8,12 and 16 in the NIBE F2040 range the sound pressure levels range from 40dB, 43dB and 47dB all 2 metres from the units.

The World Health Organisation (WHO) issued guidance in 1999 in relation to noise, at which time it was recommended that the following sound levels should be maintained: Leq50-55dB(A) in outdoor living areas, Leq35dB(A) in internal living areas and Leq30dB(A) in bedrooms. This guidance is consistent with BS8233:2014 which recommends the following sound level ranges: Leq30-40dB(A) in living areas and Leq30-35dB(A) in bedrooms.

Given the distance attenuation to existing residential properties these levels should be achievable for airborne noise allowing for 10-15dB reduction by a partially open window.

The sound levels recommended in the guidance does not consider the relative noise level at octave frequency bands. Fixed plant of this type can create noise which has characteristics that are not adequately quantified by means of a Leq limit.

I would therefore recommend the following condition be attached to any given consent.

Condition

EH10 All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Informative 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 Management & Building Standards Service Manager
on a Planning Application**

Planning Application ref.	23/02071/FLL	Comments provided by	Lucy Sumner
Service/Section	Planning & Housing Strategy	Contact Details	Development Contributions Officer: Lucy Sumner Email: TESDevelopmentContributions@pkc.gov.uk
Description of Proposal	Erection of replacement dwellinghouse and associated works		
Address of site	42 Muirend Road Perth PH1 1JU		
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 <u>MUST</u> BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>A replacement dwelling will not require a contribution.</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 'Full' Transport Infrastructure contributions zone (Appendix 3 of the Supplementary Guidance). A replacement dwelling will not require a contribution.</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	19 December 2023		

Tuesday, 19 December 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,

42 Muirend Road Perth, PH1 1JU
Planning Ref: 23/02071/FLL
Our Ref: DSCAS-0100504-GMZ
Proposal: Erection of replacement dwellinghouse and associated works

Please quote our reference in all future correspondence

Audit of Proposal

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

Water Capacity Assessment

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

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

Waste Water Capacity Assessment

- ▶ This proposed development will be serviced by Perth City Waste 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.

Please Note

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

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ 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](#).
-

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,

Ruth Kerr.

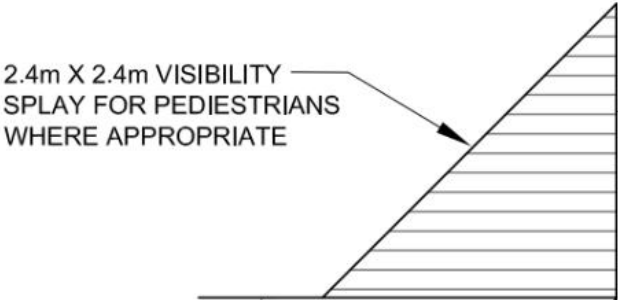
Development Services Analyst

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.	23/02071/FLL	Comments provided by	Carlyn Morilly Transportation Development Officer
Service/Section	Transportation & Development	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Erection of replacement dwellinghouse and associated works		
Address of site	42 Muirend Road, Perth, PH1 1JU		
Comments on the proposal	<p>The applicant is seeking planning permission for demolition of an existing dwelling and the erection of a replacement dwelling. Vehicular access is proposed via the existing access onto Muirend Road and three parking bays are proposed to remain. Visibility onto the existing footway is obstructed by the existing hedge. A 2.4m x 2.4m pedestrian inter-visibility splay to the footway will be required so that drivers have clear sight of pedestrians when emerging onto the footway and roadway (Figure 1). A condition is recommended.</p> <div style="text-align: center;">  <p>2.4m X 2.4m VISIBILITY SPLAY FOR PEDIESTRIANS WHERE APPROPRIATE</p> </div> <p>Insofar as the Roads matters are concerned, I have no objections to this proposal on the following condition.</p>		
Recommended planning condition(s)	<p>Prior to the commencement of the development hereby approved, full pedestrian visibility splays of 2.4m x 2.4m 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><u>Reason</u> - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p>		
Recommended informative(s) for applicant			
Date comments returned	22 December 2023.		

Mrs Karen Meiklem (Supports)

Comment submitted date: Thu 04 Jan 2024

Dear Joanne

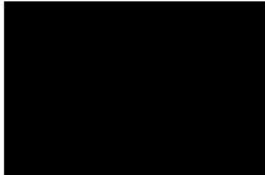
I am writing with reference to the planning application 23/02071/FLL.

After reviewing all documentation, I would like to register my note of full support for Mr Allan for the proposals at 42 Muirend Road, Perth, PH1 1JU.

I am the home owner of [REDACT].

Best wishes




Karen Meiklem



5th January 2024.

Planning Application Reference 23/02071/FLL

In consultation with my home maintenance and family members I wish to point out the following:

- Concerns over the height of the proposed two storey building
- Impact of front elevation in relation to properties on either side
- The heat pump which closely borders my property (size and noise impact)
- No windows on the top storey 

- Bordering the height on the east side could overshadow 
in the morning.

These are my concerns outlined above.

Yours sincerely,

Marjorie Bruce.



Development Management

From: Liam Barn [REDACTED]
Sent: 11 January 2024 13:42
To: Development Management
Subject: 23/02071/FLL | Erection of replacement dwellinghouse and associated works | 42 Muirend Road Perth PH1 1JU

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

Good afternoon,

I am writing with reference to the planning application 23/02071/FLL.

After reviewing all documentation, I would like to register my note of full support for Mr Allan for the proposals at 42 Muirend Road, Perth, PH1 1JU.

Please don't hesitate to get in touch with any questions.

Kind regards

Liam Barn
[REDACTED]

Development Management

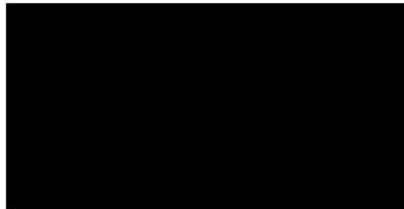
From: Kris Esson [REDACTED]
Sent: 11 January 2024 21:31
To: Development Management
Subject: Planning Reference 23/02071/FLL Erection of Replacement Dwelling - 42 Muirend Road, Perth

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Perth and Kinross Planning Department

Pullar House

35 Kinnoull Street, Perth



11 January 2024

To Whom it May concern

Erection of Replacement Dwellinghouse and associated works –

42 Muirend Road, Perth PH1 1JU

I refer to the planning application reference 23/02071/FLL in respect of the above address, and having reviewed all the information and documentation, I write to confirm my support in respect of the proposals made by Mr Allan.

Please do not hesitate to contact me at my neighbouring address, should you wish me to clarify anything further regarding my comments.

Yours faithfully

Mr Kris Esson

Perth and Kinross Council,
Planning and Development,
Pullar House,
35 Kinnoull Street,
Perth.
PH1 5GD



11/1/24

Dear Sir,

Planning Notification on Neighbouring Land
Planning Application Reference No: - 23/02071/FLL

We would like to make the following comments regarding the above planning application.

1. The demolition of a bungalow, being replaced by a two-storey building. We object to this as it is not in keeping with the other houses in the immediate vicinity. The height of this construction will tower above the other properties blocking out the light and will also have an impact on the aesthetics of the area.
2. Heat Pump. We object to this as the position of the heat pump will have a detrimental affect on our well being with the continuous noise emitting from the pump. Especially at night as our bedrooms face the front of our building opposite the proposed installation site.

I trust you will take these objections into consideration when dealing with this application.

Yours faithfully,



Mr. A. McPhee
Mrs. I McPhee

Miss Jo Meiklem (Supports)

Comment submitted date: Thu 11 Jan 2024

'Dear Sir/Madam

23/02071/FLL

I am looking to give my support in relation to the plans for 42 Muirend Road, Perth.

Being a local resident, I believe the proposed plans look positive and I have no concerns with them.

My address is (REDACTED)

Kind regards
Jo Meiklem

Mrs Lynn Cameron (Supports)

Comment submitted date: Fri 12 Jan 2024

Having reviewed the proposed plans for the replacement of the existing dwelling at no 42. I feel this will have a positive impact on the area. Some of the properties adjacent this property already compromise of 2 stories therefor i see no detrimental visual impact.

As for the Air source heat pump installation, Current building standards only permit a noise output of <45dB where as a gas boilers flue has a range of 30 -60dB.

Mr Michael O'Donnell (Supports)

Comment submitted date: Fri 12 Jan 2024

Having reviewed the proposed plans for the replacement of the existing dwelling at no 42. I feel this will have a positive impact on the area. The properties in the area are around 50/60 years old. I understand to renovate and upgrade the existing structure would not be as cost efficient as rebuilding a new dwelling. A new dwelling would be constructed to a high energy efficiency rating therefore contributing the the countries net zero targets.

CDS Planning Local Review Body

From: Marjorie Bruce [REDACTED]
Sent: 19 May 2024 16:11
To: CDS Planning Local Review Body
Subject: Ref: LRB-2024-22

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Perth and Kinross Local Review Body
Council Building
2 High Street
Perth, PH1 5PH

Ref: LRB-2024-22

May 16th, 2024

Dear Members of the Review Body,

In response to the applicant's request for a review of the refusal of the original planning application, I would like to reaffirm my objections to the planned building. I am very concerned about the drastic size difference between the planned two storey building and the bungalows surrounding the lot at 42 Muirend Road. I believe it would be out of character for the area and would significantly affect the light and ambiance of my property.

Furthermore, it is my belief that none of the people who wrote in favour of the application are local residents except for Mrs Meiklem and her daughter.

Thank you for the opportunity to re-state my concerns and I very much hope that you will uphold your original decision to refuse the planning application.

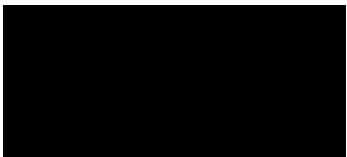
Yours sincerely,

Marjorie Bruce
[REDACTED]



Virus-free. www.avg.com

Perth and Kinross Council,
Local Review Body,
Council Building
2 High Street,
Perth.
PH1 5PH



Your Ref: LRB-2024-22

21 May 2024

Dear Sir,

Planning Notification on Neighbouring Land
Planning Application Reference No: - 23/02071/FLL

In reply to your letter relating to the above Planning Application for a review of the refusal of the original application, we would like to confirm that our objections have not changed. Furthermore, we agree with the Planning Authority's reasons for refusal of this development.

We hope you take into consideration our continued concerns and adhere to your original decision to refuse the planning application.

Yours faithfully,

Mr. A. McPhee
Mrs. I McPhee