

**LRB-2023-24**  
**22/02096/FLL – Erection of a dwellinghouse, land 70 metres south east of Mylnefield House, Invergowrie**

## **REPRESENTATIONS**



**From:** Nyree Millar Bell  
**Sent:** 24 March 2023 15:30  
**To:** Development Management  
**Subject:** Planning Application Consultation for Application No 22/02096/FLL

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Your Ref: 22/02096/FLL  
Our Ref: 2023/080/DND

Dear Sir/Madam,

Proposal: Erection of a dwellinghouse  
Location: Site Land 70 Metres South East Of Mylnefield House Invergowrie


With reference to the above proposal, our preliminary assessment shows that, at the given position and height, this development would not infringe the safeguarding criteria and operation of Dundee Airport.

Therefore, Highlands and Islands Airports Limited has no objections to the proposal.

Any variation of the parameters (which include the location, dimensions, form, and finishing materials) then as a statutory consultee HIAL requires that it be further consulted on any such changes prior to any planning permission, or any consent being granted.

Kind regards,

Nyree

Nyree Millar-Bell  
**Aerodrome Safeguarding and Operational Support Officer**  
**Highlands and Islands Airports Limited**  
 Visit our Website at [www.hial.co.uk](http://www.hial.co.uk)

Friday, 03 March 2023



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

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

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



Dear Customer,

**Land 70 Metres South East Of, Mylnefield House, Invergowrie, DD2 5EG**  
**Planning Ref: 22/02096/FLL**  
**Our Ref: DSCAS-0082160-GCX**  
**Proposal: Erection of a dwellinghouse**

**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 Clatto 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**

- ▶ There is currently sufficient capacity for a foul only connection in the Hatton PFI Waste 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.

## 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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## Asset Impact Assessment

Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) for an appraisal of the proposals.

The applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Written permission must be obtained before any works are started within the area of our apparatus

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## Surface Water

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

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

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

### General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
  - ▶ Site Investigation Services (UK) Ltd
  - ▶ Tel: 0333 123 1223



- ▶ Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)
  - ▶ [www.sisplan.co.uk](http://www.sisplan.co.uk)
  
  - ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
  
  - ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
  
  - ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
  
  - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
  
  - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
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## **Next Steps:**

### ▶ **All Proposed Developments**

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

### ▶ **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

### ▶ **Trade Effluent Discharge from Non-Domestic Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

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

Yours sincerely,

**Ruth Kerr.**

Development Services Analyst

[PlanningConsultations@scottishwater.co.uk](mailto:PlanningConsultations@scottishwater.co.uk)

**Scottish Water Disclaimer:**

*"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."*



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

<b>Planning Application ref.</b>	22/02096/FLL	<b>Comments provided by</b>	Lucy Sumner
<b>Service/Section</b>	Strategy & Policy	<b>Contact Details</b>	<b>Development Contributions Officer:</b> Lucy Sumner Email: [REDACTED]
<b>Description of Proposal</b>	Erection of a dwellinghouse		
<b>Address of site</b>	Land 70 Metres South East Of Mylnefield House Invergowrie		
<b>Comments on the proposal</b>	<p><b>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</b></p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p><b>Primary Education</b></p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Invergowrie Primary School. Education &amp; Children's Services have no capacity concerns in this catchment area at this time.</p>		
<b>Recommended planning condition(s)</b>	<p><b>Summary of Requirements</b></p> <p>Education: £0 <b>Total: £0</b></p>		
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	17 March 2023		

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

<b>Planning Application ref.</b>	22/02096/FLL	<b>Comments provided by</b>	Lachlan MacLean Project Officer – Transport Planning
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	TransportPlanning@pkc.gov.uk
<b>Description of Proposal</b>	Erection of a dwellinghouse		
<b>Address of site</b>	Land 70 Metres South East Of Mylnefield House, Invergowrie		
<b>Comments on the proposal</b>	<p>The applicant is proposing to erect a three bedroomed dwellinghouse on the foundations of what was proposed to be a swimming pool building, but the applicant has never completed the development for 2009, under application 09/00043/FUL.</p> <p>The applicant is proposing to provide two car parking spaces, which is inline with the requirements of the National Roads Development Guide.</p> <p>The access and egress for this property is directly off of the A90 Trunk Road, so it is recommended that the planning officer also makes contact with Transport Scotland for comments.</p> <p>Insofar as the Roads matters are concerned, I have no objections to this proposal.</p>		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	22 March 2023		



To:	Joanne Ferguson, Planning Officer
From:	Sophie Nicol, Historic Environment Officer
Tel:	01738 477027
Email:	Sophie.Nicol@pkht.org.uk
Date:	23 <sup>rd</sup> March 2023

## 22/02096/FLL | Erection of a dwellinghouse | Land 70 Metres South East Of Mylnefield House Invergowrie

Thank you for consulting PKHT on the above application. I can confirm that the proposed development site lies within an area that has known archaeological remains and is considered to have high archaeological potential.

The grounds of Mylnefield House are recorded in the PKHER as the site of a prehistoric stone circle, which consisted of six large boulders (MPK5189). Although the stone circle's location is presently unknown, the possibility that archaeological remains associated are present within the development area is a material consideration. In addition, the fields to the east, south and west of the grounds of Mylnefield House contain the remains of unenclosed prehistoric settlements (MPK5129, MPK5130, MPK7211). These remains have been identified from cropmarks recorded by aerial photographic survey. In 2009 in advance of a swimming pool a small archaeological evaluation was undertaken at the south of this development site. These results showed rubble material from the former Old Mynefield House and no earlier remains. However, given the proposal of a new access there are still undisturbed areas of the proposed development to be assessed.

The extent, density, and proximity of known archaeological remains in the areas adjacent the grounds of Mylnefield House indicate the significant potential for unidentified archaeology being present within the development area despite the negative results of the earlier excavation at the south. It might be given the nature of the potential here and type of works that archaeological monitoring is undertaken on all ground-breaking works associated with the new access only, as the house footprint has in the most part been assessed.

Therefore, we recommend that a programme of archaeological works is attached to consent to ensure the development and its impact on unknown archaeological remains is appropriately dealt with. The details of this programme should be agreed in advance of works in a Written Scheme of Investigation.

### **Recommendation:**

In line with the National Planning Framework 4's historic environment section (Policy 7, Historic Assets and Places, pages 45-47) it is recommended that the following condition for a programme of archaeological works should be attached to consent, if granted:

**HE25** *Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.*

Notes:

- 1. Should consent be given, it is important that the developer, or their agent, contact me as soon as possible. I can then explain the procedure of works required and, if necessary, prepare for them written Terms of Reference.**
2. This advice is based on information held on the Perth and Kinross Historic Environment Record. This database of archaeological sites and historic buildings is regularly updated.

## CDS Planning Local Review Body

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**From:** Grace Woolmer  
**Sent:** 20 July 2023 15:03  
**To:** CDS Planning Local Review Body  
**Cc:** Development Management; Joanne Ferguson  
**Subject:** RE: LRB- 2023-24

Dear Magda,

Many thanks for notifying us. A response to the application (22/02096/FLL) was submitted to PKC by my colleague on the 23<sup>rd</sup> March 2023 and we would still support this. Should the review grant the scheme consent, we would stand by our recommendation that a condition for a programme of archaeological works is attached to consent, to ensure the development and its impact on unknown archaeological remains is appropriately dealt with.

Best wishes,  
Grace

• **Grace Woolmer-White** • **Historic Environment Officer**

Please note I now work both from home (Mon, Wed, Fri) and the office (Tues, Thurs) and am best reached by email.



Lower City Mills  
West Mill Street  
Perth  
PH1 5QP

Scottish Charity: SC 003139    Tel: 01738 477056 • [www.pkht.org.uk](http://www.pkht.org.uk)

*Working independently and collaboratively to preserve, enhance and increase understanding of Perth and Kinross's historic environment*



