

<p>TCP/11/16(309) Planning Application 14/00128/IPL – Erection of a dwellinghouse (in principle), land 60 metres north of South Cairnies Farm, Glenalmond College, Glenalmond</p>

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TCP/11/16(309)

Planning Application 14/00128/IPL – Erection of a dwellinghouse (in principle), land 60 metres north of South Cairnies Farm, Glenalmond College, Glenalmond

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	<input type="text" value="Mr & Mrs"/>	Ref No.	<input type="text"/>
Forename	<input type="text" value="R."/>	Forename	<input type="text" value="James R."/>
Surname	<input type="text" value="Blyth"/>	Surname	<input type="text" value="Brown"/>
Company Name	<input type="text"/>	Company Name	<input type="text" value="J R Brown Building Design"/>
Building No./Name	<input type="text" value="13"/>	Building No./Name	<input type="text" value="5"/>
Address Line 1	<input type="text" value="Newmiln Road"/>	Address Line 1	<input type="text" value="St Mary's Drive"/>
Address Line 2	<input type="text"/>	Address Line 2	<input type="text"/>
Town/City	<input type="text" value="Perth"/>	Town/City	<input type="text" value="Perth"/>
Postcode	<input type="text" value="PH1 1QX"/>	Postcode	<input type="text" value="PH2 7BY"/>
Telephone	<input type="text" value=""/>	Telephone	<input type="text" value="01738 635641"/>
Mobile	<input type="text"/>	Mobile	<input type="text" value="07796 794850"/>
Fax	<input type="text"/>	Fax	<input type="text"/>
Email	<input type="text"/>	Email	<input type="text" value="jrbrown66@talktalkbusiness.net"/>

3. Application Details	
Planning authority	<input type="text" value="Perth & Kinross Council"/>
Planning authority's application reference number	<input type="text" value="14/00128/IPL"/>
Site address	
<input style="width: 100%; height: 100%;" type="text" value="Land 60 metres North of South CairniesFarm, Glenalmond, Perthshire PH1 3RY"/>	
Description of proposed development	
<input style="width: 100%; height: 100%;" type="text" value="Erection of Dwellinghouse (in principle)"/>	

Date of application 29/01/2014

Date of decision (if any) 08/04/2014

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

- Application for planning permission (including householder application) ☐
- Application for planning permission in principle ☒
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition) ☐
- Application for approval of matters specified in conditions ☐

5. Reasons for seeking review

- Refusal of application by appointed officer ☒
- Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
- Conditions imposed on consent by appointed officer ☐

6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions ☒
- One or more hearing sessions ☒
- Site inspection ☒
- Assessment of review documents only, with no further procedure ☐

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

The applicants would like the opportunity to put their case directly to elected Councillors as they feel that policies are not being decided in a consistent manner, as several other houses in and around Glenalmond have been approved, whilst theirs was refused.

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land? ☐
- Is it possible for the site to be accessed safely, and without barriers to entry? ☐

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Client would need to be present to open the access gate.

8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

See attached statement.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes ☒ No ☐

If yes, please explain below a) why you are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

Examples of other new houses in the countryside in the Glenalmond area which have recently been granted planning permission.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

1. Application Form.
2. Supporting Statement
3. Copy of decision Notice (Annex 1.)
4. Site Location Plan - (Annex 2.)
5. House a Sluidubh, Glenalmond - (Annex 3.)
6. Building at Wester Pickston, Glenalmond (Annex 4)
7. Building at Wester Pickston, Glenalmond (Annex 5)

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form ☒

Statement of your reasons for requesting a review ☒

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review. ☒

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name:

James R Brown

Date:

30/6/14

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

Supporting Statement In Respect to

Notice of Review

For
Refusal of Planning Application for Erection of Dwellinghouse
at
Land to North of South Cairnies Farm, Glenalmond
Ref. No. 14/00128/IPL

Reason for Review Application

Although the delegated Planning Officer refused this application, stating that it is contrary to some of the Development Plan policies and the Houses in the Countryside Act, my clients feel very strongly that, in fact, this proposal fulfils, almost ideally, many of the requirements of these, policies, and also the Scottish Government policies, in relation to houses in the countryside, and in small building groups.

For instance, the house would be :-

- well screened on all sides by existing woodland and boundary planting.
- set within well defined topographical features - ie. Woodland & ditch & exiting boundaries fences.
- "infill" land between two small building groups to the North & South - and not ribbon development.
- sympathetic in plot size and house size to the existing small building groups
- providing a high amenity residential home in a rural setting.

We also note that Section 3 of "Supplementary Guide to Housing in the Countryside - Nov.2012" states - "Consent will be granted for houses which extend the (*small housing*) group into definable and/or well established landscaped features which will provide a suitable setting"

My Clients feel that their application meets all of the above requirement, but has not been treated in a fair or consistent manner when compared with recently approved houses in the Glenalmond area.

For instance - in the "Decision Notice" the Planning Officer stated that the proposal was "*part of an established building group*" - but that "*it fails to relate to the existing building group*"
(See Annex 1 attached)

The two halves of this sentence completely contradict each other and the decision to refuse my clients' application is totally opposite to the view taken when the house for Mr K. McGregor was approved on the adjoining plot two years ago (See attached plan - Annex 2).

The two plots are more or less identical in situation - so both should meet most of the requirements of the Housing in the Countryside Act - namely :-

- They are within an established building group.
- They are well screened by existing woodland and boundary planting.
- They are set within well defined topographical features.
(In my clients' case there is a ditch & fences at the North boundary - a fence between the woodland And open fields on the East boundary - and woodland and boundary fences at the South & West sides)
- The house and plot would be sympathetic in size and design to the existing building group.

Further - the Planning Officer stated that the *"the site fails to relate to the existing building group and its associated landscape containment"*

My clients believe that this is ridiculous, as their plot is contained within exactly the same woodland setting as the previously approved house for Mr K. McGregor.

Also - the Planning Officer stated that the house *"would be detrimental to the existing natural visual amenity of the area"*

My clients contend that their proposed house would not even be seen from any viewpoint in the surrounding area as it would be completely surrounded in woodland - whereas the approved house for Mr K. McGregor has virtually no woodland screening from the South & Southwest sides.

My clients cannot understand why some other houses in the countryside, in the Glenalmond area, have been approved - whilst theirs - which appears to meet more of the criteria for housing in the countryside, has been refused. (for example - House at Sluidubh - Annex 3, and buildings at Wester Pickston - Annex 4 & 5)

For all these reasons my clients feel that their application has been treated unfairly as the policies have been applied in a completely different and inconsistent manner to other approved houses in the area - particularly the house for Mr K. McGregor - and that their application has been unjustly singled out for refusal.

Summary

My clients therefore respectfully request that the Review Panel approve this application - or at least defer a decision until the Panel has had time to carry out a site visit.

J R Brown Building Design
5 St Mary's Drive
Perth
PH2 7BY
Tel. 01738 635641
jrbrown66@talktalkbusiness.net

June 2014

PERTH AND KINROSS COUNCIL

Mr And Mrs R Blyth
c/o J R Brown Building Design
5 St Mary's Drive
Perth
PH2 7BY

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 8th April 2014

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: 14/00128/IPL

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 28th January 2014 for permission for **Erection of a dwellinghouse (in principle) Land 60 Metres North Of South Cairnies Farm Glenalmond College Glenalmond** for the reasons undernoted.



 Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to policy RD3 of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with any of 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) Rural Brownfield Land. The site is located adjacent to and part of an established building group but the proposed site fails to relate to the existing building group and its associated landscaped containment. Approval would be of detriment to the existing natural visual amenity and established character of the area.

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

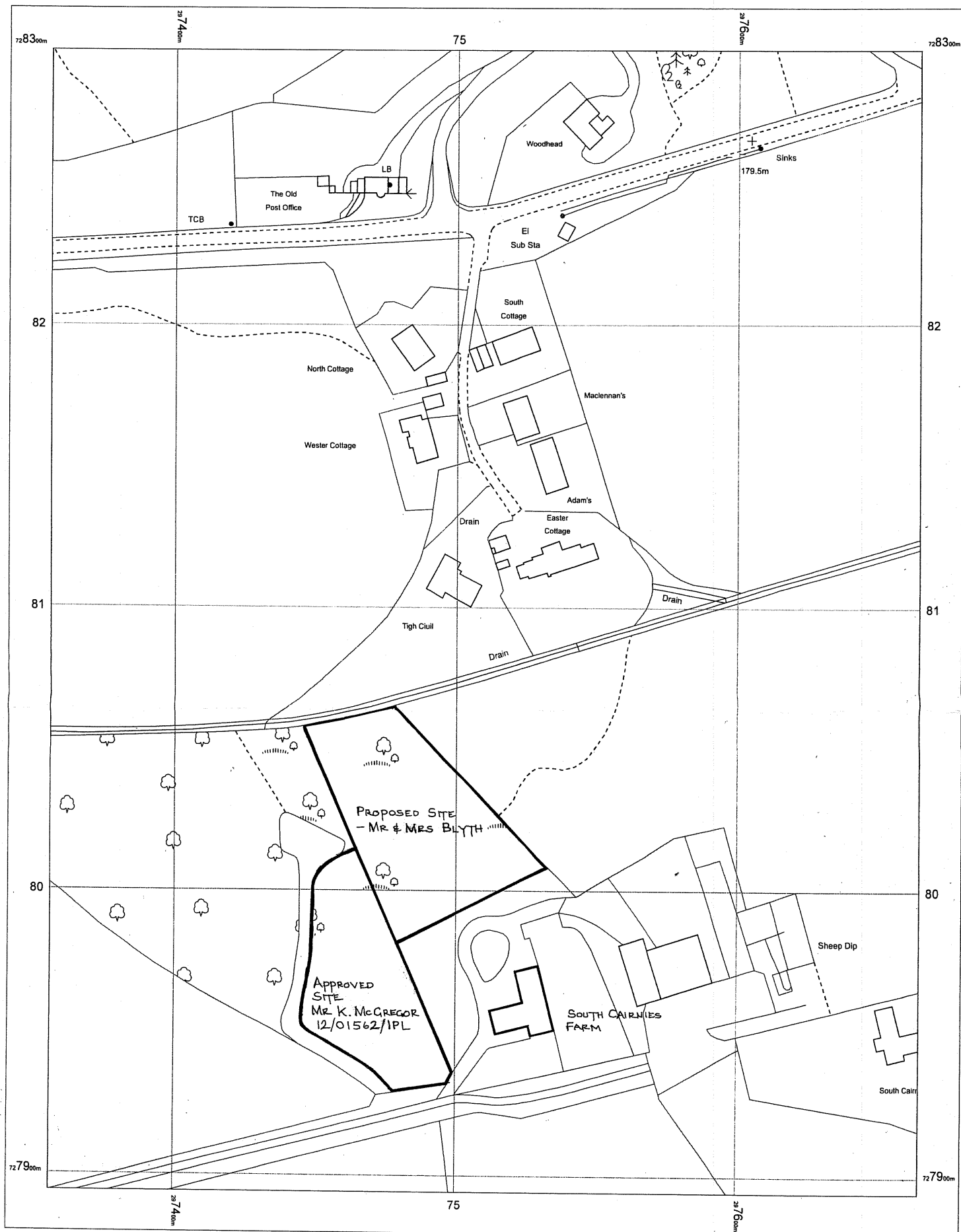
The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

14/00128/1

14/00128/2

14/00128/3



ANNEX 2

OS MasterMap 1250/2500/10000 scale
11 December 2013, ID: MNOW-00281248
mapsnow.co.uk

1:1250 scale print at A3, Centre: 297510 E, 728096 N

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New Dwellinghouse at Sluidubh, Glenalmond - June 2014

Annex 4.



Building No. 1 at Wester Pickston, Glenalmond - June 2014

Annex 5.



Building No. 2 at Wester Pickston, Glen almond - June 2014

TCP/11/16(309)

Planning Application 14/00128/IPL – Erection of a dwellinghouse (in principle), land 60 metres north of South Cairnies Farm, Glenalmond College, Glenalmond

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 45-46)*

REPORT OF HANDLING

REFERENCE DOCUMENT

REPORT OF HANDLING

DELEGATED REPORT

Ref No	14/00128/IPL	
Ward No	N9- Almond And Earn	
Due Determination Date	27.03.2014	
Case Officer	David Niven	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 60 Metres North Of South Cairnies Farm Glenalmond
College Glenalmond

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.

DATE OF SITE VISIT: 20 February 2014

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

This application relates to a flat area of partially wooded rough grassland that extends to approximately 0.2ha, located immediately to the north of South Cairnies Farm, just south of Glenalmond College. The site is bound to the north by a drainage ditch beyond which lies a small group of houses accessed from the public road. To the west of the site the ground is more heavily

wooded and to the east the ground is similar to the application site, with areas of rough grassland and wooded areas. The site is presently accessed via a small track that enters onto a long private access track to the south which connects with the Methven to Buchanty public road to the north west.

Planning permission in principle is being sought for the erection of a house within the site and the formation of a new 400 metre long private access connecting with the public road to the north east. The applicant has not submitted any elevations but an indicative layout has been submitted showing a single house with detached garage positioned within the southern half of the site with the septic tank and soakaway located to the north.

SITE HISTORY

13/00202/IPL Erection of a dwellinghouse (in principle) 19 July 2013 Application Withdrawn

PRE-APPLICATION CONSULTATION

Pre application Reference: There is no record of any pre application enquiry.

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy PM1A - Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy RD3 - Housing in the Countryside

The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

OTHER POLICIES

Housing in the Countryside Guide (2012)

Developer Contributions Guide (November 2012)

CONSULTATION RESPONSES

Education And Children's Services

As this application is only “in principle” it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.

Transport Planning

Further information required to demonstrate that a suitable visibility splay can be achieved and what measures are required to achieve this (eg tree felling, hedge removal etc.).

Environmental Health

No objection but recommend condition and informative in relation to private water supplies.

Scottish Water

Scottish Water does not object to this planning application. However any planning approval granted by the Local Authority does not guarantee a connection to SW infrastructure. Approval for connection can only be given by SW when the appropriate application and technical details have been received.

REPRESENTATIONS

The following points were raised in the 5 representation(s) received:

- Contrary to LDP and HICG 2012
This is addressed in Policy Appraisal paragraph
- Impact on rural setting/character of surrounding area
This is addressed in Visual Amenity paragraph
- Visual impact of proposed new access arrangement
This is addressed in Roads and Access paragraph
- Unsafe access onto public road
This is addressed in Roads and Access paragraph
- Waste Water Drainage
This is addressed in Drainage paragraph

Additional Statements Received:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	No
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

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

As the site lies within the landward area within the adopted Local Development Plan 2014, the proposal falls to be principally considered against *Policy RD3: Housing in the Countryside* and its associated SPG on Housing in the Countryside, which is the most recent expression of Council policy towards new housing in the open countryside. The 2012 guide offers

support for new developments within existing building groups providing the proposal does not detract from the character of the area and that the development will take place in a defined site with natural containment and a good landscape framework.

In this particular instance, whilst it is acknowledged that there is an existing group of buildings at South Cairnies Farm, the proposed site does not provide a logical extension to the building group. It is considered that the site extends beyond the definable boundary of the existing group, onto an area of rough woodland that provides a visual break between the buildings at South Cairnies Farm and the housing to the north accessed from the public road. As such, it is considered that the proposed site not only doesn't provide a definable site for the formation of an extension to the existing building group at South Cairnies but it would also erode the woodland that separates the two distinctly separate buildings groups, leading to the coalescence of the two building groups. Furthermore, the approval of this development would set a dangerous precedent for further unsustainable incremental development on the land to the east and west of the site.

It is therefore considered that, in principle, the proposed site fails to comply with the requirements of Policy RD3 and the associated Housing in the Countryside Guide 2012.

Roads and Access

The proposals involve the formation a highly contrived 400 metre long private access that runs east along the existing drainage ditch and then meanders north along the field edge adjacent to the garden grounds of four houses before eventually meeting with the public road. The introduction of this proposed access in such prominent and exposed area of open land would result in a significant adverse impact on the visual character of the area. The access would also result in to the loss of a large number of trees that run along the field boundary adjacent to the drainage ditch which would only serve to further compound the visual impact of the proposed private access.

In response to the above concerns the applicant has advised that they would have no particular problem with using the existing private access that serves South Cairnies. Nevertheless, whilst the use of the existing private access would greatly reduce the visual impact of the proposals, it would still not resolve the concerns outlined above regarding the actual principle of residential development on the site.

Private Water Supply

The Environmental Health Officer has advised that development is in a rural area with private water supplies (namely Glenalmond Supply) known to serve properties in the vicinity. The applicant has indicated that they will connect to a private water supply. Whilst the EHO has no objection to the proposals, a condition is recommended to ensure that the new development has an adequate and consistently wholesome supply of water and / or to maintain

water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance

Waste Water Drainage

A concern has been raised regarding the discharge of effluent into the drainage ditch, particularly during period when the water level is low. This application is only seeking to establish the principle of residential development and the details relating to the proposed waste water drainage for the house would form part of any subsequent application for detailed proposals if this application were to be approved. It is however noted that the applicant intends to install a standard septic tank and soakaway arrangement within the site.

Developer Contributions

In terms of the approved Developer Contributions Guide 2012, as this application is only “in principle” it is not possible to apply the contribution guidance at this stage and the determination of appropriate contribution, if required, will be based on the status of the school when a detailed application is received. However if this application were to be approved a condition will be required to ensure that any future application for the detailed proposals fully complies with the requirements of the Development Contributions Guide.

Economic Impact

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

Application Processing Time

The recommendation for this application has not been made within the statutory determination period as the officer’s report was not completed in advance of the statutory date.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal does not comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014, specifically in regards to *Policy RD3: Housing in the Countryside* and its associated SPG on Housing in the Countryside. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

- 1 The proposal is contrary to policy RD3 of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with any of 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) Rural Brownfield Land. The site is located adjacent to an established building group but the proposed site fails to relate to the existing building group and its associated landscaped containment. Approval would be of detriment to the existing natural visual amenity and established character of the area.

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

14/00128/1

14/00128/2

14/00128/3

Date of Report 04.04.2014



PERTH AND KINROSS COUNCIL

DRAWING REF: 14/00128/1

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The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.

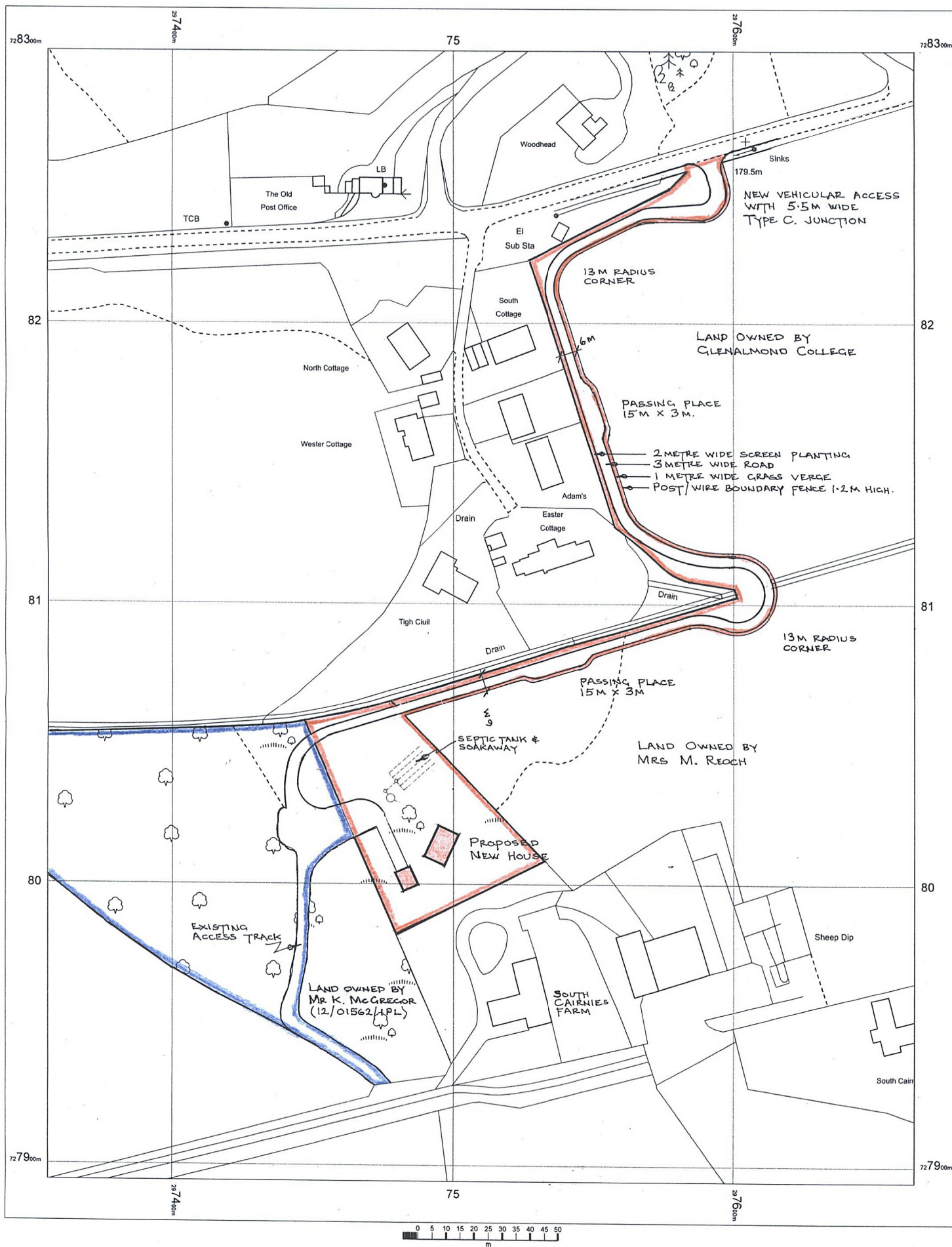


Scale 1:10000

Supplied By: **Danscot Perth**

Serial number: 001068585

Plot Centre Coordinates: 297463, 728304



PERTH AND KINROSS COUNCIL

OS MasterMap 1250/2500/10000 scale
11 December 2013, ID: MNOW-00281248
mapsnow.co.uk

1:1250 scale print at A3, Centre: 297510 E, 728096 N

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DRAWING REF: 14/00128/2



Perth & Kinross Council
TYPE C JUNCTION

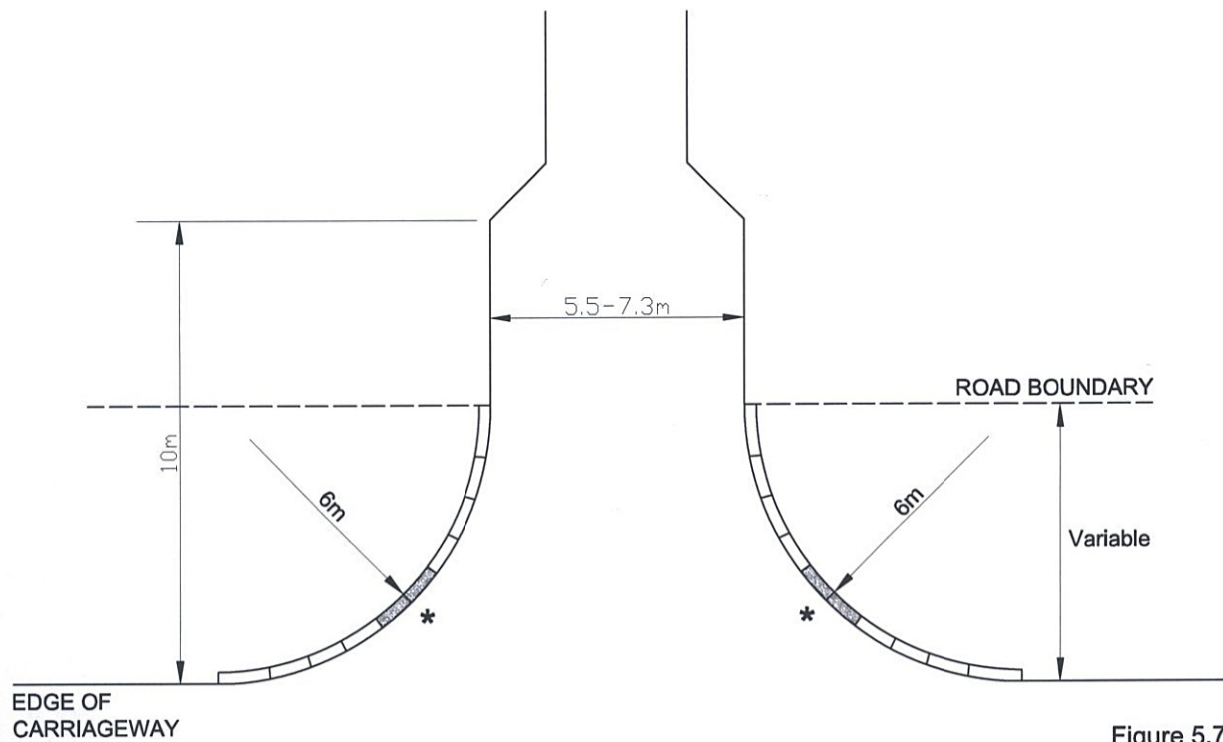


Figure 5.7

* Dropped kerb crossing for wheelchairs, prams, etc., should be provided where new junction interrupts existing footway.

Perth & Kinross Council
TYPE D JUNCTION

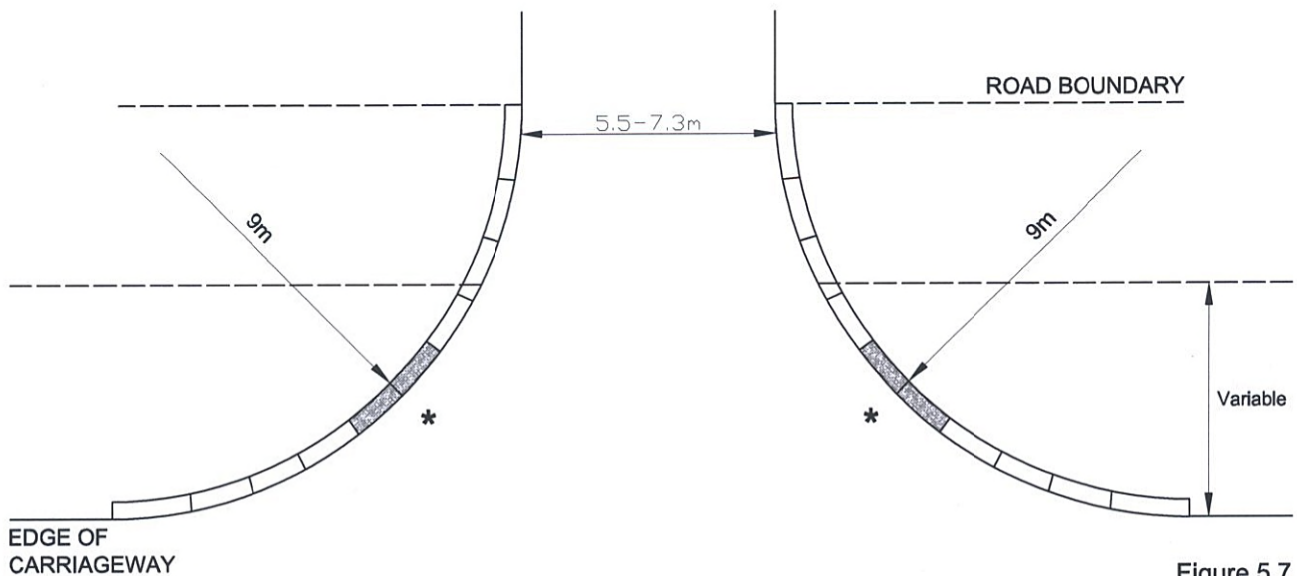


Figure 5.7

* Dropped kerb crossing for wheelchairs, prams, etc., should be provided where new junction interrupts existing footway.

PERTH AND KINROSS COUNCIL

DRAWING REF: 14/00128/3

TCP/11/16(309)
Planning Application 14/00128/IPL – Erection of a dwellinghouse (in principle), land 60 metres north of South Cairnies Farm, Glenalmond College, Glenalmond

REPRESENTATIONS

- Representation from Regulatory Services Manager, dated 12 February 2014
- Representation from Mr and Mrs Blyth, dated 20 February 2014
- Representation from Scottish Water, dated 24 February 2014
- Representation from Transport Planning, dated 25 February 2014
- Objection from Mr and Mrs Norrie, dated 26 February 2014
- Objection from Mr L Billingham
- Objection from Mr T Smith
- Objection from Mr and Mrs Mullan
- Representation from Mr and Mrs Norrie, dated 29 July 2014
- Representation from Mr and Mrs Mullan, dated 29 July 2014
- Agent's response to representations, dated 12 August 2014

Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 14/00128/IPL

Our ref MA

Date 12 Feb 2014

Tel No 01738 476476

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

**RE: Erection of a dwellinghouse (in principle) Land 60 Metres North Of South Cairnies Farm
Glenalmond College Glenalmond for Mr And Mrs R Blyth**

I refer to your letter dated 4 Feb 2014 in connection with the above application and have the following comments to make.

Water (assessment date – 12/02/14)

Recommendation

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

Comments

The development is in a rural area with private water supplies (namely Glenalmond Supply) known to serve properties in the vicinity. The applicant has indicated that they will connect to a private water supply. To ensure the new development has an adequate and consistently wholesome supply of water and / or to maintain water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance please note the following condition and informatives. No public comments of objection have been received to date

Condition

Prior to commencement of site works, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways / private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The approved protective or replacement measures shall be put in place before the site works commence and shall be so maintained throughout the period of construction.

Informatives

- The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.
- The applicant shall ensure the private water supply for the house /development complies with the Water Scotland Act 1980 (Section 63) and the Private Water

Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks / pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.

Kirsty Graham

From: [REDACTED]
Sent: 20 February 2014 15:42
To: Development Management - Generic Email Account
Subject: FW: Planning Application

Start again - something wrong with this email - only sending part messages!

Please ensure that an evergreen hedge/screen is put up along the boundary fence to the North of South Cairnies Farm, and the new proposed development site!
Application 14/00128/IPL Mr/s R Blyth

Thank you
CC Fawcett
DR Weetman
South Cairnies Farm
Glenalmond
Perthshire

From: [REDACTED]
Sent: 20 February 2014 15:38
To: 'DevelopmentManagement@pkc.gov.uk'
Subject: Planning Application

Reference No. 14/00128/IPL
Mr & Mrs R Blyth

Re proposed site 60 metres North of South Cairnies Farm, Glenalmond, Perthshire.



24th February 2014



Perth & Kinross Council
Pullar House, 35 Kinnoull Street
Perth
PH1 5GD

SCOTTISH WATER

Customer Connections
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Customer Support Team
T: 0141 414 7162
W: www.scottishwater.co.uk
E: individualconnections@scottishwater.co.uk

Dear Sir Madam

PLANNING APPLICATION NUMBER: 14/00128/IPL
DEVELOPMENT: Glenalmond Glenalmond College
OUR REFERENCE: 650417
PROPOSAL: Erection of a dwellinghouse (in principle)

Please quote our reference in all future correspondence

In terms of planning consent, Scottish Water does not object to this planning application. However, please note that any planning approval granted by the Local Authority does not guarantee a connection to our infrastructure. Approval for connection can only be given by Scottish Water when the appropriate application and technical details have been received.

There may be no public sewers in the vicinity of the proposed development.

There may be no public water mains in the vicinity proposed development site.

In some circumstances it may be necessary for the Developer to fund works on existing infrastructure to enable their development to connect. Should we become aware of any issues such as flooding, low pressure, etc the Developer will be required to fund works to mitigate the effect of the development on existing customers. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules.

A totally separate drainage system may require with the surface water discharging to a suitable outlet. Scottish Water requires a sustainable urban drainage system (SUDS) as detailed in Sewers for Scotland 2 if the system is to be considered for adoption.

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 installed, subject to compliance with the current 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 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). This should be done through a deed of servitude.

Should the developer require information regarding the location of Scottish Water infrastructure they should contact our Property Searches Department, Bullion House, Dundee, DD2 5BB. Tel – 0845 601 8855.

If the developer requires any further assistance or information on our response, please contact me on the above number or alternatively additional information is available on our website:
www.scottishwater.co.uk.

Yours faithfully

Lisa Main
Customer Connections Administrator



MEMORANDUM

To	David Niven Planning Officer	From	Niall Moran Transport Planning Technician Transport Planning
Our ref:	NM	Tel No.	Ext 76512
Your ref:	14/00128/IPL	Date	25 February 2014

Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, - ROADS (SCOTLAND) ACT 1984

With reference to the application 14/00128/IPL for planning consent for:- **Erection of a dwellinghouse (in principle) Land 60 Metres North Of South Cairnies Farm Glenalmond College Glenalmond for Mr And Mrs R Blyth**

I note that this proposal is for a single dwelling to be served by a new access onto the public road, however it is unclear from the submitted plans what visibility is available from the proposed new access point and what level of control the applicant has of the land required to improve the visibility to an acceptable standard.

Therefore I would wish to see a revised drawing submitted demonstrating that a suitable visibility splay can be achieved and what measures are required to achieve this (eg tree felling, hedge removal etc.).

I trust these comments are of assistance.

South Sportfield Cottage
Glenalmond
PH1 3RY

26 February 2014

Dear Sir/Madam,

PLANNING APPLICATION REFERENCE 14/00128/IPL

We refer to the above application and would make the following objections:-

1. GENERAL PLANNING POLICY

a. In support of our objections, we believe that the proposed development does not fall within any category of accepted development within the Council's Policy on Housing in the Countryside (2005), ie building new houses in the countryside etc. Approval would therefore be contrary to that policy and to Policy 32 of the Perth Area Local Plan 1995 (as amended).

b. In addition, the proposal does not fall into any of the potential approval categories detailed in the Strathearn Local Plan (Policy 54).

In particular the proposed property site is not contained by housing or other buildings. Also the site does not extend the existing group into a definable site formed by existing topography or well established landscape features, and is likely to lead to further development. This is contrary to the provisions of the above Policy and Plan.

2. ACCESS TO THE PROPOSED DEVELOPMENT

The applicant has submitted a plan which includes a proposed new access road running to the north of the plot, over land owned by Glenalmond College to the public road. The Bursar of the College has advised us that no discussions have taken place with them in relation to purchasing land for this road, and that such an approach would be rejected. The Site Location Plan shows that the proposed development would also have access to the existing track (through neighbouring land) running towards Sportfield cottages, which would then become the only access available. In a previous decision the Council has already deemed this dirt track unsuitable for increased usage as per information provided below.

On 17 January 2008 the Planning Department refused a previous application in the vicinity (07/02435/OUT) which proposed using the dirt track past Sportfield Cottages and the Glenalmond golf course. Reasons given by the Council related to the unsuitability of the track to take further traffic. Reasons (2 and 3) were given as follows:-

"The proposed means of access to the site is of an insufficient standard to accommodate the additional traffic which would be generated by the development in terms of width, surface, quality and drainage provision. Approval would therefore be contrary to Policy 54 of the Strathearn Area Local Plan 2001 relating to housing in the countryside which stated that, for proposals, satisfactory access should be available."

and

"The proposal is contrary to the Council's approved Policy on Housing in the Countryside December 2005 which required that all proposed sites should have a satisfactory access, be capable of providing a suitable resident environment and should not conflict with any other local plan policy."

We would also wish to cite the Strathearn Local Plan (Policy 54) and in particular Development Criteria, Policy 2(a) which states that:-

“The road network should be capable of absorbing the additional traffic generated by the development and satisfactory access onto that network provided.”

The Council has also previously refused further development on the basis that the track has a dangerous bell mouth close to a blind summit.

Further to above, as the Council is already aware, the existing access is a narrow dirt track (very narrow indeed past Sportfield Cottages) which is regularly subject to often severe potholing (as it is at present). There is also a dangerous blind bend at the narrowest part of the track. There is inadequate drainage in some parts and deep ditches on either side in other parts. The entrance to the track is a dangerous bell mouth close to a blind summit. Since the refusal of application 07/02435/OUT the road continues to be subject to severe deterioration particularly during winter months, increasing the difficulties and dangers during these times. As this is a private track there is no Council snow clearance or gritting and the track is regularly covered with thick, uneven, impacted ice during winter months rendering it impassable by some types of vehicle. At other times, patches are applied to parts the track but these deteriorate quickly with the current vehicle usage which includes heavy farm machinery. Some parts of the track are not patched and are even more severely potholed and dangerous. This is particularly true of the section at Sportfield cottages which is also the narrowest section of the track, and at the dangerous blind bend. As the Council has already acknowledged in its previous decision, the track is of insufficient standard to accommodate additional traffic and the dangerous bell mouth and the nearby blind summit pose additional dangers. There have been no improvements to the track since the above decision to refuse was taken, and in its current very potholed state, possibly some real deterioration. Also the dangerous bell mouth and blind summit continue to pose a risk to vehicles accessing and leaving the track. We would therefore ask that the Council should be consistent in its approach and to apply its previous assessment which is still entirely relevant, and make a decision to refuse this application.

IN SUMMARY

1. The proposed development does not fall within any category of accepted development within the Council's Policy on Housing in the Countryside (2005). In particular granting this application will is highly likely to lead to further development.
2. The Council has already established in its own assessment and report that the track is of insufficient standard to sustain any increase in traffic, and that the bell mouth entrance and nearby blind summit pose a substantial risk. We would re-iterate that this is a matter that is of extreme concern to us, and one that affects our lives (and indeed the quality of our lives) on a daily basis. Whilst this document is written on our own behalf, the Council will be aware from objections to previous applications that neighbours share the same serious concerns about the potential negative impact on their lives that any increased usage of the dirt track and dangerous bell mouth would bring.

We would therefore ask the following of the Council:-

- 1) **That it rejects the current application based on its failure to comply with the Council's Policy on Housing in the Countryside (2005), and in particular based on the proposition that approval would be highly likely to lead to further development.**
- 2) **That it should take a consistent approach by adhering to its own previous assessment of the dangerous access and unsuitability of the track for increased usage as further reason refusing this application.**

Dennis and Jennifer Norrie

Comments for Planning Application 14/00128/IPL

Application Summary

Application Number: 14/00128/IPL

Address: Land 60 Metres North Of South Cairnies Farm Glenalmond College Glenalmond

Proposal: Erection of a dwellinghouse (in principle)

Case Officer: David Niven

Customer Details

Name: Mr Lloyd Billingham

Address: Tigh Ciuil Access Road Off The C409 Serving Properties, Glenalmond College, Glenalmond, Perth And Kinross PH1 3RY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Housing In Countryside
- Contrary to Local Plan
- Loss Of Visual Amenity
- out of character with the area
- Over Looking
- Unsafe Access

Comment: We object to this planning application for the following reasons.

1. This area of elevated ground around South Cairnies Farm has been subject to numerous speculative development attempts. The adjacent plot now has outline planning permission and as expected attempts to develop the area further have followed. This particular application if approved would represent the beginning of a ribbon type development of high impact which is out of character with the surrounding area. We expect little of this proposal will comply with the council's housing in the countryside policy.

2. The proposed access track in part will be constructed along one of our property boundaries and would result in significant loss of amenity through extensive loss of privacy and an increase in noise. The area currently is relatively undisturbed farmland and construction of a track closely following field boundaries would significantly alter the character of the area. Construction of a 500m track to access a property is an extreme solution considering a track to the south is available. While this may be in poor condition with other problems unknown to us, its use would minimise impact of any development. The plans indicate this track will also pass through the adjacent plot with outline planning permission, so it is likely the track will serve more than one property resulting in significant traffic flow. Current and additional development may well be served

by this track furthering the impact on our property.

3. With no mains sewerage available to this plot or the adjacent plot we have concerns regarding waste water disposal . There is a drainage ditch which is in poor condition running parallel to our boundary which would provide land drainage for these developments. There is little flow and the water often stagnates during drier weather making it unsuitable to receive waste water without providing additional nuisance. Additionally the developments and associated track will generate significant water runoff which the ditch is not capable of receiving.

4. The proposed track will join the road in close proximity to the existing junctions serving Glenalmond college which have been the scene of several road traffic accidents. Additional junctions in this vicinity are unwelcome to all road users. In addition turning right from the track onto the road will be a hazardous manoeuvre. There is poor visibility immediately to the west due to a curve in the road and as the road is unrestricted collisions are inevitable.

Overall this application is of little merit and represents a high impact, inconsiderate development and we fully support its refusal.

Comments for Planning Application 14/00128/IPL

Application Summary

Application Number: 14/00128/IPL

Address: Land 60 Metres North Of South Cairnies Farm Glenalmond College Glenalmond

Proposal: Erection of a dwellinghouse (in principle)

Case Officer: David Niven

Customer Details

Name: Mr Thomas Smith

Address: Easter Cottage Access Road Off The C409 Serving Properties, Glenalmond College, Glenalmond, Perth And Kinross PH1 3RY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Housing In Countryside
- Density Of Houses
- inappropriate land use
- Loss Of Open Space
- Loss Of Sunlight or Day light
- Loss Of Trees
- Loss Of Visual Amenity
- noise pollution
- out of character with the area
- Over Intensive Development
- Over Looking
- Road Safety Hazard
- To Much Traffic for Public Road
- too many houses in area
- Unsafe Access

Comment:

Dear Sirs

We wish to make the following objections regarding the following planning application:-

14/00128/IPL-Erection of a dwellinghouse (in principle) at Land 60 Metres North Of South Cairnies Farm, Glenalmond College, Glenalmond .

Our property lies to the North-East of the property in question. Our objections are:

1. The proposed location of the house falls in between two existing groups of houses but will form a natural extension of neither. It will also involve the destruction of what is a natural break between the two groups of existing properties. In addition the site proposed has few natural boundaries. It will materially change the nature of the ground, and will reduce the amenity of surrounding properties.
2. The proposed development involves a very long access track which will run along two sides of our property; this will dramatically reduce the amenity and privacy by completely surrounding our property. Our garden is currently bordered by open grazing land to the East and South.
3. The access road further presents, if approved, the likelihood of further developments leading off it which would potentially destroy the character and amenity of the area. It also is very much an urbanising of the countryside.
4. The access road is intended to form a junction with the public road just to the west of the main access to Glenalmond College. To the west of this junction is a hump in the road which obscures traffic from this direction and, with this already being a relatively busy area with much turning traffic, has already been the cause of several accidents. To add another junction will cause serious potential safety issues.
5. The property will, I assume, require access to the private Glenalmond water supply. This supply has had several failures recently, and adding another property can only make the situation more problematic.
6. Drainage will be to the north of the property to a ditch which forms the southern boundary to our land. This ditch is not free flowing during dry periods and any septic tank discharge could stagnate. The proposed road also crosses this ditch at the junction of another drainage ditch running from our land, this gives rise to concerns of a potential blockage of the drains.

Comments for Planning Application 14/00128/IPL

Application Summary

Application Number: 14/00128/IPL

Address: Land 60 Metres North Of South Cairnies Farm Glenalmond College Glenalmond

Proposal: Erection of a dwellinghouse (in principle)

Case Officer: David Niven

Customer Details

Name: Mrs Marion Mullan

Address: Sportsfield Cottage West Access Road Off C409 To South Cairnies Farm, Glenalmond College, Glenalmond, Perth And Kinross PH1 3RY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Housing In Countryside
- Contrary to Local Plan
- Contrary to Policy
- out of character with the area
- Road Safety Hazard
- Unsafe Access

Comment: West Sportsfield Cottage

Glenalmond

PH1 3RY

25 February 2014

Dear Sirs

PLANNING APPLICATION REFERENCE 14/00128/IPL

We refer to the above application and would make the following objections:-

1. GENERAL PLANNING POLICY

a. In support of our objections, we believe that the proposed development does not fall within any category of accepted development within the Councils Policy on Housing in the Countryside (2005), ie building new houses in the countryside etc. Approval would therefore be contrary to that policy and to Policy 32 of the Perth Area Local Plan 1995 (as amended).

b. In addition, the proposal does not fall into any of the potential approval categories detailed in the Strathearn Local Plan (Policy 54).

In particular the proposed property site is not contained by housing or other buildings. Also the site does not extend the existing group into a definable site formed by existing topography or well established landscape features, and is likely to lead to further development. This is contrary to the provisions of the above Policy and Plan.

2. ACCESS TO THE PROPOSED DEVELOPMENT

The applicant has submitted a plan which includes a proposed new access road running to the north of the plot, over land owned by Glenalmond College to the public road. The Bursar of the College has advised us that no discussions have taken place with them in relation to purchasing land for this road, and that such an approach would be rejected. The Site Location Plan shows that the proposed development would also have access to the existing track (through neighbouring land) running towards Sportfield cottages, which would then become the only access available. In a previous decision the Council has already deemed this dirt track unsuitable for increased usage as per information provided below.

On 17 January 2008 the Planning Department refused a previous application in the vicinity (07/02435/OUT) which proposed using the dirt track past Sportfield Cottages and the Glenalmond golf course. Reasons given by the Council related to the unsuitability of the track to take further traffic. Reasons (2 and 3) were given as follows:-

The proposed means of access to the site is of an insufficient standard to accommodate the additional traffic which would be generated by the development in terms of width, surface, quality and drainage provision. Approval would therefore be contrary to Policy 54 of the Strathearn Area Local Plan 2001 relating to housing in the countryside which stated that, for proposals, satisfactory access should be available.

and

The proposal is contrary to the Councils approved Policy on Housing in the Countryside December 2005 which required that all proposed sites should have a satisfactory access, be capable of providing a suitable resident environment and should not conflict with any other local plan policy.

We would also wish to cite the Strathearn Local Plan (Policy 54) and in particular Development Criteria, Policy 2(a) which states that:-

The road network should be capable of absorbing the additional traffic generated by the development and satisfactory access onto that network provided.

The Council has also previously refused further development on the basis that the track has a dangerous bell mouth close to a blind summit.

Further to above, as the Council is already aware, the existing access is a narrow dirt track (very narrow indeed past Sportfield Cottages) which is regularly subject to often severe potholing (as it is at present). There is also a dangerous blind bend at the narrowest part of the track. There is inadequate drainage in some parts and deep ditches on either side in other parts. The entrance to the track is a dangerous bell mouth close to a blind summit. Since the refusal of application 07/02435/OUT the road continues to be subject to severe deterioration particularly during winter months, increasing the difficulties and dangers during these times. As this is a private track there is no Council snow clearance or gritting and the track is regularly covered with thick, uneven, impacted ice during winter months rendering it impassable by some types of vehicle. At other times, patches are applied to parts the track but these deteriorate quickly with the current vehicle usage which includes heavy farm machinery. Some parts of the track are not patched and are even more severely potholed and dangerous. This is particularly true of the section at Sportfield cottages which is also the narrowest section of the track, and at the dangerous blind bend. As the Council has already acknowledged in its previous decision, the track is of insufficient standard to accommodate additional traffic and the dangerous bell mouth and the nearby blind summit pose additional dangers. There have been no improvements to the track since the above decision to refuse was taken, and in its current very potholed state, possibly some real deterioration. Also the dangerous bell mouth and blind summit continue to pose a risk to vehicles accessing and leaving the track. We would therefore ask that the Council should be consistent in its approach and to apply its previous assessment which is still entirely relevant, and make a decision to refuse this application.

IN SUMMARY

1. The proposed development does not fall within any category of accepted development within the Councils Policy on Housing in the Countryside (2005). In particular granting this application will be highly likely to lead to further development.
2. The Council has already established in its own assessment and report that the track is of insufficient standard to sustain any increase in traffic, and that the bell mouth entrance and nearby blind summit pose a substantial risk. We would re-iterate that this is a matter that is of extreme concern to us, and one that affects our lives (and indeed the quality of our lives) on a daily basis. Whilst this document is written on our own behalf, the Council will be aware from objections to previous applications that neighbours share the same serious concerns about the potential negative impact on their lives that any increased usage of the dirt track and dangerous bell mouth would bring.

We would therefore ask the following of the Council:-

- 1) That it rejects the current application based on its failure to comply with the Councils Policy on Housing in the Countryside (2005), and in particular based on the proposition that approval would be highly likely to lead to further development.

2) That it should take a consistent approach by adhering to its own previous assessment of the dangerous access and unsuitability of the track for increased usage as further reason refusing this application.

Marion and Stewart Mullan

From: [REDACTED]
Sent: 29 July 2014 22:30
To: Development Management - Generic Email Account
Subject: Planning Review Body

South Sportfield Cottage

Glenalmond

PH1 3RY

Dear Sir/Madam,

PLANNING APPLICATION REFERENCE 14/00128/IPL

We refer to the above application and the referral of it to the Review Body. Our previous objection still stands and, as you state, this will be put to the Review Body. However, I was concerned to read the applicants agent had written to the Council on 31 March stating that they would be happy to withdraw their plan for a new access road and road junction and suggested they would use the existing track access from the west. They state that their client owns a 'substantial section' of this track – from my information, at least over 50% of the track is owned by Glenalmond College. What do they class as 'substantial'. I would also like to have comments from the College on the agents suggestion that their client would 'contribute to up-grading of the other part'.

Finally, I would stress our concern over the additional traffic being added to the current track which is already heavily used and the access at the end of the track onto the public road which is close to the blind corner.

Yours sincerely

Dennis and Jennifer Norrie

Ref No	14/00128/IPL
Ward No	N9- Almond And Earn

Comments for Review Body

Marion and Stewart Mullan, West Sportfield Cottage, Glenalmond

1. Development Plan

We would re-iterate our original objection that the development is contrary to the relevant provisions of the Development Plan. This was also the view of the Reporting Officer in his Delegated Report.

2. Roads and Access – proposal to use the existing track

Notwithstanding the Council's decision above, we note that Agents for the applicant have made the following comment in response to objections to the formation of a new access road:-

'My clients are however perfectly happy to use the existing access road from the west. They actually own a substantial section of this road and would be prepared to upgrade their portion and contribute to the upgrading of the other parts.'

In his Delegated Report, the reporting officer responds to this comment as follows:-

'In response to the above concerns the applicant has advised that they would have no particular problem with using the existing private access that serves South Cairnies. Nevertheless, whilst the use of the existing private access would greatly reduce the visual impact of the proposals, it would still not resolve the concerns outlined above regarding the actual principle of residential development on the site.'

Our comments on the matter of access are as follows:-

- a. We have always been led to believe by the College that they retained ownership of the entire track when they sold the land. However, this is relatively unimportant as we are absolutely certain that Glenalmond College does own the track from just west of St Barbara's. This is the part of the track that has been the subject of our objections and those of others in the Sportfield Cottages in response to this and other applications. This part of the track is extremely narrow in places with deep ditches on either side. It includes a dangerous bell mouth close to a blind summit and also a dangerous blind bend, physical features that would be impossible to remedy. Details of additional problems which make this track unsuitable for increased traffic are contained in our original objections. We would emphasise that in our dealings with the college, they have always stated that they have no interest in upgrading the track. It is clear that the applicants do not have it in their gift to make any changes to this part of the track.

- b. The Council have already deemed the track to be unsuitable for further traffic. We would remind the Council that on 17 January 2008 the Planning Department refused a previous application in the vicinity (07/02435/OUT) which proposed using the dirt track past Sportfield Cottages and the Glenalmond golf course. Reasons given by the Council related to the unsuitability of the track to take further traffic. Reasons (2 and 3) were given as follows:-

“The proposed means of access to the site is of an insufficient standard to accommodate the additional traffic which would be generated by the development in terms of width, surface, quality and drainage provision. Approval would therefore be contrary to Policy 54 of the Strathearn Area Local Plan 2001 relating to housing in the countryside which stated that, for proposals, satisfactory access should be available.”

and

“The proposal is contrary to the Council’s approved Policy on Housing in the Countryside December 2005 which required that all proposed sites should have a satisfactory access, be capable of providing a suitable resident environment and should not conflict with any other local plan policy.”

We have also previously referred the Council to the Strathearn Local Plan, Development Criteria, Policy 2(a) which states that:-

“The road network should be capable of absorbing the additional traffic generated by the development and satisfactory access onto that network provided.”

Summary

We support the Council’s conclusion that the development is contrary to the relevant provisions of the Development Plan, and would ask the Review Board to concur.

In relation to access via the track to the west of the proposed development, we would re-iterate our concern regarding the impact that increased traffic on an inadequate dirt track would have on our safety. We would respectfully urge the Council and the Review Board to take cognisance of the previous decision noted above in relation to access. Although it would be in no one’s interest financially, the strength of our concerns is such that, should the application be allowed to proceed, we would feel forced to consider taking the matter to Judicial Review. We hope that this will not be necessary and that the Council will maintain a consistent approach to its decision making on the matter of access.

Marion and Stewart Mullan
West Sportfield Cottage
Glenalmond

James R Brown

Building Design

CHIEF EXECUTIVES
DEMOCRATIC SERVICES

13 AUG 2014

RECEIVED

MCIOB

5 St Mary`s Drive,
Kinnoull,
Perth,
PH2 7BY

Tel / Fax

01738 635641

Mobile

07796 794850

Email ... jrbrown66@talktalkbusiness.net

12th August 2014

The Secretary,
Local review Body,
Perth & Kinross Council,
Committee Services,
2 High St.,
Perth.
PH1 5PH

Attention of Gillian a Taylor (Clerk to the Local Review Body)

Dear Ms Taylor,

Notice of Review

Erection of Dwelling house (in principle) on Land 60 metres North of South Cairnies Farm, Glenalmond
For Mr & Mrs R. Blyth - 14/00128/IPL - TCP/11/16/(309)

In response to the comments by Mr & Mrs Mullan and Mr & Mrs Norrie regarding maintenance of the access lane - my clients would like to confirm that they own a 270 metre section of the lane from South Cairnies Farm to St Barbara`s house.

When they owned and lived in South Cairnies Farm from 1991 to 2003 they maintained this part of the lane - and indeed maintained the area passed St Barbaras and Sportsfield - filling in pot holes and clearing the ditch along the wooded area to the golf course.

In addition they always cleared the snow from the entire length of the lane down to the public road every Winter.

My clients believe that this demonstrates that they are not only willing and able to contribute to the maintenance of the lane, but would, in fact, make a very positive contribution to the local neighbourhood.

Yours sincerely


J R Brown.

C.C. - Client

