

LRB-2021-09
Planning Application – 20/01728/FLL – Erection of 2
dwellinghouses and garages, land at Mennieburn Road,
Aberuthven

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LRB-2021-09

**Planning Application – 20/01728/FLL – Erection of 2
dwellinghouses and garages, land at Mennieburn Road,
Aberuthven**

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100333627-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Suller & Clark		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Karen	Building Name:	Scoutbog Steading
Last Name: *	Clark	Building Number:	
Telephone Number: *	07930566336	Address 1 (Street): *	Oldmeldrum
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Oldmeldrum
Fax Number:		Country: *	UK
		Postcode: *	AB51 0BH
Email Address: *	karen@sullerandclark.com		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Daniel"/>	Building Number: <div></div>
Last Name: *	<input type="text" value="Wilson"/>	Address 1 (Street): *
Company/Organisation	<input type="text"/>	Address 2:
Telephone Number: *	<input type="text"/>	Town/City: *
Extension Number:	<input type="text"/>	Country: *
Mobile Number:	<input type="text"/>	Postcode: *
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="karen@sullerandclark.com"/>	

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="715237"/>	Easting	<input type="text" value="297307"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of 2 dwellinghouses and garages

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to attached Appeal Statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Appendix 1 Application Forms Appendix 2 Refusal Notice Appendix 3 Plans Appendix 4 Report of Handling Appendix 5 3D Images

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/01728/FLL

What date was the application submitted to the planning authority? *

04/12/2020

What date was the decision issued by the planning authority? *

14/01/2021

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

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

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

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 (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Karine Suller

Declaration Date: 05/03/2021



Appeal Statement

**Town and Country Planning (Scotland) Act 1997
as amended**

Appeal against the Refusal of Planning Permission

(Ref 20/01728/FLL)

for

**Full Planning Permission for the Erection of Two Dwelling Houses,
at Land north of Mennieburn Road, Aberuthven.**

On behalf of

Mr Daniel Wilson and Mr Dean Wilson

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2. Background
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Appendixes

Appendix 1 Application Forms

Appendix 2 Refusal Notice

Appendix 5 Plans

Appendix 6 Report of Handling

1. Executive Summary

This appeal statement has been prepared on behalf of Mr Daniel Wilson and Mr Dean Wilson, the appellants, in respect of the decision of Perth and Kinross Council's refusal of full planning permission for the Erection of Two Dwelling Houses, at Land north of Mennieburn Road, Aberuthven.

The Local Review Board is required to consider the proposal de novo and is respectfully requested to uphold the review and grant planning permission.

The Review Statement considers in detail the reasons for refusal and demonstrates that the proposal adheres to the policies of the Scottish Government and Perth and Kinross Council and it is respectfully requested that the appeal is upheld and planning permission is granted

2. Background

The appeal seeks full planning permission for the erection of two houses for local people as an extension to an existing building group on land at Mennieburn Road, Aberuthven. The appellants, currently are in rented accommodation and, with growing families, have outgrown their current accommodation. As long term local residents and business owners, have been searching for appropriate homes in the local area for some time but, due to the limit housing supply and the resultant high property values, have found themselves priced out of the local market, as such the proposed self-build is the only way they can remain in the area, close to family and their established local business.

The site is a corner of a field which, due to the awkward nature, is difficult to cultivate. The proposal will provide an acceptable extension to an existing linear building group. The proposed houses have been designed to fit the site while making a positive contributing to the area.

No representations or objections to the proposal have been received from local residents or the statutory consultees. It is considered that the proposal complies with the current planning policies of the Scottish Government and Perth and Kinross Council.

3. Reasons for Refusal

The application was considered under delegated powers and refused planning consent on the 14th January 2021. The reasons for refusal are provided as the following, (Refusal Notice attached as Appendix 2)

1. The proposed development is contrary to Policy 6 - Settlement Boundaries of the Perth and Kinross Council Local Development Plan 2019 which seeks to prevent the unplanned and ad hoc expansion of those settlements which have a boundary identified in the Local Development Plan. The site is located adjacent to the settlement boundary of Aberuthven. Furthermore, the proposal does not involve rural business and diversification, is not considered to be justifiable on operational need and is not considered to address a shortfall in housing land supply and therefore does not meet any of the development types which

may be considered to be acceptable on a site adjacent to a settlement boundary as outlined in Policy 6.

2. There is clear beneficial physical separation between Aberuthven and the small building group on Mennieburn Road to the north west of the appeal site and development of this site would create visually obvious ribbon development extending from the settlement boundary along Mennieburn Road resulting in the extension of the village of Aberuthven in a haphazard manner along a country road to the detriment of the visual amenity of the area and impacting on the rural landscape character of this edge of settlement location. The proposal is therefore contrary to Policies 1A and B of the Perth and Kinross Local Development Plan 2019.

4. Grounds of Appeal

1. The site does not immediately adjoin or abut the Aberuthven settlement edge, an existing and well-established track separates the site from the settlement boundary. This is confirmed by The Report of Handling which states that “the site boundary is set approximately 5 metres from the settlement boundary”. A long-established farm track separates the appeal site from the settlement boundary. As such Policy 6 Settlement Boundaries is not the appropriate policy to consider the current proposal, rather Policy 19 Housing in the Countryside supported by The Housing in the Countryside Supplementary Guidance 2016, (HITCG) is the appropriate policy. The current proposal is considered to be an appropriate extension to a building group. The proposed self-build homes will provide modest and affordable housing for local people. . The appellants, currently are in rented accommodation and, with growing families, have outgrown their current accommodation. There is currently very limited supply of homes within the immediate area within the price range of local people on modest incomes. The proposed self-build option is the only way that these local people can remain in the area close to relatives and their thriving local construction business. Therefore, the proposal complies with Policy 19 and the associated Supplementary Guidance.
2. The site does not immediately adjoin the settlement of Aberuthven, a well-established track separates the appeal site from the settlement boundary. The proposed development continues the existing development pattern within the area and has been carefully designed so as not to contribute to ribbon development with a shared access from the adjoining road. Given the existence of the existing road which separates the appeal site from the settlement boundary the proposal will not result in an extension of the village of Aberuthven. The design has been carefully considered to make positive contribution to this small existing group of houses while providing much needed, self-build homes for local people and business owners. As such the proposal complies with Policies 1A and B of the Perth and Kinross Local Development Plan 2019.

5. The Appellant

The appellants and their families have lived within the area Aberuthven all of their lives. As local people with strong ties to the area they are keen to remain in the area. They are currently in rented accommodation and, with growing families, have outgrown their current accommodation. Over recent years they have sought to buy a property within Aberuthven, unfortunately with no success. They have found themselves priced out of the local market as a result of the limited supply of housing stock and the consequential high cost of housing within the area.

As local tradesmen and owners of a successful building company based in the area which serves the local area and which currently employs 12 people including a number of apprentices, they need to remain in the area to continue their thriving business. The appellants are closely involved in the local community undertaking coaching roles for local community groups. After a protracted search and careful consideration, the intended self-build is the only way they can remain in the area.

6. Local Housing Market

The appellants are currently renting property in the nearby town of Auchterarder and have been seeking a new home within the Aberuthven area for some time. According to information from the Register of Scotland over the past year only 4 houses have come to the market in Aberuthven with an average house price of £207,375. At the present time there is only one house on the market in Aberuthven.

More generally, the average house price in the PH3 postcode area is significantly higher than other parts of Perthshire. From information collated by Right Move based on information from the Register Scotland indicates the average house price and the recent steep increase.

This table shows the average price and the amount (in brackets) of properties sold for the last available 6 months:

	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20
Residential	£0 (0)	£290,687 (8)	£314,446 (13)	£238,750 (2)	£235,167 (6)	£320,100 (15)

Extract from Right Move indicating houses sold within the PH3 postcode area in the past 6 months

Further the extant Perth Local Development Plan 2019 makes no allocation for new housing within Aberuthven within the current plan period 2019-2029. Given the limited number of houses on the market and the proximity to areas of recognised high demand, this has the impact of restricting the opportunity for local people to secure the homes in the location they need within a modest budget.

7. Site Description

The appeal site measures 0.25 hectares and comprises a corner of an existing field. Due to the awkward shape and the scale of modern farming equipment the farmer has confirmed that the site is difficult to cultivate with the land compacted due to the necessary constant turning. Further the site has never fully recovered from when it was used as a works site associated with the upgrading

of the neighbouring houses. The site slopes west to east and is generally unseen from the road due to existing hedging. The site has existing boundaries on three sides with Mennieburn Road to the south, existing housing to the west and to the east an existing access track with housing beyond. An existing linear row of properties, comprising 10 semi-detached houses with frontage to Mennieburn Road, is located to the west of the site.



Ariel view of site settlement boundary of Aberuthven to east and existing housing row of houses to west



Appeal site plan



Existing houses on Mennieburn Road, west of appeal site.

The wider area is countryside with the settlement of Aberuthven to the east of the site. The site is within easy walking distance to Aberuthven and to the services and facilities found within the village. The village itself is a traditional Scottish village with Main Street running through the town which connects to Auchterarder to the south. There have been new developments in the village recently, most notably the residential development at Loanfoot Park, east of the current appeal site however there are no planned housing development sites within the village.

8. Planning History

The site was subject to a previous planning appeal in 2007. Given the intervening time period and the adoption of new planning policies it is considered appropriate to consider the proposal afresh.

The site was further subject to a pre-application enquiry with a response received 2nd October 2020. In summary the pre-application advice was not encouraging of development on the current site. The current proposal seeks to set out the personal circumstances attached to the proposal whilst responding to the issues highlighted by the pre-application advice.

9. Proposal

The design has developed from the appellants' desire to make best use of this small corner of a field while providing new homes for local people in this rural location, in conjunction with a clear requirement to ensure a high-quality residential environment for both existing and prospective residents and contributing to the area. The most important features in the consideration of the proposal was how the proposed housing would relate to the building group to the west of the current appeal site.

The appeal submission seeks full planning permission for two houses with associated garden ground, off street parking and other required amenities. The proposed houses will continue the existing development pattern in the area following the building line of the existing housing on Mennieburn Road. In order to avoid ribbon development a single, centrally located, shared access will be taken. The houses are orientated to the south making best use of the open views and the solar gain opportunities. The proposed houses are 1 ½ storey and of traditional design and incorporate contemporary design features. The plot areas are generous (Plot 1, 1144sqm, Plot 2, 1171 sqm) with large private rear garden areas.



Proposed indicative layout



3D Image of proposed houses viewed from south



3D image looking west up Mennieburn Road

The proposed houses will be set within an enhanced landscape setting with new landscaping to the north and as much as possible of the existing landscaping to the south retained and enhanced, thereby ensuring views into the site are restricted. The existing pavement which runs to the front/south of the existing properties on Mennieburn Road will be extended providing a safe walking route for existing and prospective residents to Aberuthven.

In terms of servicing, the proposed houses will have SUDs within the plot and individual septic tanks.

10. Sustainability

The scheme utilises an awkward corner of a field which is problematic to cultivate. The houses have been orientated to the south making best use of solar gain opportunities. The detailed design includes sustainable urban drainage systems while the individual properties will be insulated to an enhanced level including PV panels and a form of renewable heating (either air source or ground source), to be confirmed.

11. Development Plan Policy

Scottish Planning Policy 2014 The adopted SPP published June 2014 provides an overview of the key components and overall aims and principles of the planning system in Scotland. In general terms the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality development in sustainable locations.

Paragraph 2 states

“Planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources.”

The SPP encourages rural development that supports prosperous and sustainable communities.

Perth and Kinross Local Development Plan 2019 The policies in relation to the current site are relevant to this proposal.

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 5: Infrastructure Contributions
- Policy 6: Settlement Boundaries
- Policy 19: Housing in the Countryside
- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 38C: Environment and Conservation: Local Designations
- Policy 53B: Water Environment and Drainage: Foul Drainage
- Policy 53C: Water Environment and Drainage: Surface Water Drainage

In addition, the following Supplementary Guidance is of relevance

- Affordable Housing
- Developer contributions
- Housing in the Countryside Supplementary Guidance Placemaking Guidance

These policies will be considered in the Discussion section.

12. Discussion

The Town and Country Planning (Scotland) Act 1997 as amended requires that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

The appeal seeks full planning permission for the erection of 2 self-build homes for local people. The appellants have lived in the area all their lives and have strong family ties to the village. The appellants are currently in rented accommodation and, with growing families, have outgrown their current accommodation. Further, they operate a thriving local construction company which employs local people including a number of apprentices, as such it is essential that they remain in the area. The appellants have been looking for a suitable property for a number of years but, due to the limited housing stock and the consequential high cost of property and the lack of any new planned development in the village, the proposed self-build is the only way these local people can remain in the area. This is demonstrated by the fact that at present there is only one house on the market in Aberuthven and this is out with the appellants budget. Further, the Perth & Kinross Local Development Plan 2019 makes no provision for new housing in the village in the plan period. In order to support the village and the community, it is necessary that small-scale new development is permitted providing local people on modest incomes the opportunity to continue to live in the area.

The appeal site utilises the corner of a field on a clearly definable site which benefits from established boundaries on 3 sides. The Report of Handling confirms the appeal site to be 5 metres from the Aberuthven settlement boundary, separated from the village by an existing long-established farm track. The proposed housing layout has been carefully considered and continues the established linear development pattern within the immediate area, with road facing properties. The proposed houses follow the building line of the existing row of houses located north of Mennieburn Road, west of the appeal site. Detailed plans have been lodged which demonstrate broadly traditional houses with contemporary design features incorporated, with a limited palette of complementary materials proposed to ensure the development integrates with the site and its surroundings. In order to avoid ribbon development a single access has been taken from Mennieburn Road. The plot sizes are generous providing a high level of residential amenity for the prospective residents while protecting the amenity of the existing residents. The development will further extend the existing footpath to the south/front of the proposed houses ensuring safe walking route linking to Aberuthven is provided for existing and prospective residents.

Considering the specific policies of the Perth and Kinross LDP of relevance to the current appeal:

Policy 1A and 1B: Placemaking Development, development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

Response: In the current circumstances the small development of two carefully designed houses utilises a small corner of a field which is difficult to cultivate due to its awkward shape. The development has been designed in such a manner as to contribute and enhance the surrounding area. The proposed housing continues the established linear development pattern in the area with the houses continuing the line of the existing development on Mennieburn Road. The existing building line will be continued, with the roof ridges running parallel to the road, providing south facing houses of a generally traditional design with contemporary features incorporated. The

proposed houses sit on generous plots with large private garden areas. A single shared access will be taken from Mennieburn Road, ensuring the development does not result in ribbon development.

In terms of the specific requirement of Policy 1B we would respond as following

All proposals should meet all the following placemaking criteria:

- (a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.

Response: The proposed development continues the existing linear development pattern with the roof ridges parallel to the adjacent road.

- (b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.

Response: The design respects the west to east slope of the land and the plot layouts reflect this. The existing landscaping will be retained and enhanced.

- (c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

Response: The housing is set on generous plots with large private garden area. As demonstrated by the 3D images lodged in support of the proposal, the housing will complement the existing development with a restricted palette of materials chosen to reflect the area.

- (d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.

Response: The proposed building line follows that of the existing housing to the west and continues the linear development character of the area.

- (e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.

Response: the proposed housing faces towards the road creating a welcoming and safe feature.

- (f) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.

Response: The proposed housing includes ground floor facilities and will be accessible to all. The structure of the building will fully adhere to current building regulations with sustainability at the core of the design.

- (g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.

Response: No comment

- (h) Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks.

Response: The existing pavement on Mennieburn Road will be continued ensuring all housing, existing and proposed, benefits from safe pedestrian access to Main Road, the existing village facilities and the local bus stops.

- (i) Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).

Response: The proposed house designs incorporate facilities for the storage of waste.

- (j) Sustainable design and construction.

Response: The design and construction have been developed to fully adhere to current building standards.

Policy 5: Infrastructure Contributions, the Policy requires developer contributions to be paid where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities.

Response: The consultee response to the proposal from the Developer Contributions Officer confirmed that there are no capacity concerns in the Aberuthven Primary School catchment area at this time and as such no education contribution would be required. However, a contribution would be required towards meeting the cost of delivering the A9 junction improvements which are required in the interests of safety. The appellant is aware of this requirement and is content to make the required contribution.

Policy 6 Development Boundaries This policy applies to land for “Development on sites that adjoin these [identified] settlement boundaries”. As stated the appeal site does not “adjoin” the settlement of Aberuthven but rather the site is bounded to the east by an existing long-established access track, see photo below. This is also clearly evident in both the aerial photographs and Site Layout Plan. This is further confirmed by the Report of Handling which states that the appeal site boundary to be “approximately 5 metres from the settlement boundary due to the position of a farm track between the site and the settlement boundary.” Hence, the appeal site does not adjoin the settlement boundary as is clearly necessary for Policy 6 to apply. The Report of Handling goes on to justify the application of Policy 6 as, in the opinion of the Planning Service the site is “directly associated with the settlement boundary and visually adjacent to the settlement”. With respect the policy clearly requires that for Policy 6 to apply the site must “adjoin” the settlement, which as discussed, the current appeal site does not. To rely on the subjective opinion that the site is “visually adjacent” is not sufficient. As such we would submit that in the current circumstances that as the site does not “adjoin” the settlement Policy 6 is not relevant in the determination of the current appeal.



Existing tarmacked access road clearly separating the appeal site from the Aberuthven settlement boundary

As a result, the proposal falls to be considered under Policy 19 Housing in the Countryside supported by The Housing in the Countryside Supplementary Guidance 2016, (HITCG). These policies confirm support for proposals for the erection, or creation through conversion, of single houses and small groups of houses in the countryside which fall into at least one of the following categories:

1. building groups;
2. infill sites;
3. new houses in the open countryside on defined categories of sites as set out in Section 3 of the Supplementary Guidance;
4. renovation or replacement of houses;
5. conversion or replacement of redundant non-domestic buildings;
6. development on rural brownfield land.

Response It is submitted that the proposal falls to be considered as an extension to an existing Building Group. For the purposes of the Supplementary Guidance a “building group” is defined as “3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group.”

The appeal site is located to the east of an established linear building group which comprises 10 semi-detached dwellings. The site comprises a clearly defined site with established boundaries on 3 sides, comprising existing housing to the west, Mennieburn Road to the south and a long-established unclassified road to the east. As such the proposal complies with the necessary requirements to permit an extension to the building group.

The HITC SG warns proposals which create or contribute towards ribbon development. Ribbon development is defined as a line of houses built along an existing road each served by an individual access. The Guidance goes on to confirm that

“Each case will require to be assessed on its own merits, and it will depend on whether linear development is a character of the area, but in general terms proposals which will result in a continuous line of 5 or more houses will be considered as creating ribbon development and will not be supported. The extension of a linear building group – to create a continuous line of no more than 5 houses – will only be supported where the group is being extended into a readily definable site.”

In the current circumstances linear development is the character of the area with an existing building group located north of Mennieburn Road comprising 10 houses. The current proposal will continue the established linear development pattern into a clearly definable site. Further, in order to minimise any concern with regard to ribbon development a signal shared access will be utilised from the public road.

Therefore, it is submitted that given the above that the extension into an identifiable building group is acceptable and is supported by policy.

In terms of the design considerations

- There are no designations or constraints on the site which affect development.
- The design and layout have been designed to follow the topography of the site
- The design is of traditional scale and proportions with contemporary feature which will compliment local area
- The proposed houses are sympathetic in terms of scale and proportion to other dwellings in the locality
- The houses have a south facing aspect to take maximum advantage of the solar gain opportunities. Further, the detailed design includes sustainable urban drainage systems, the individual properties will be insulated to an enhanced level and will include PV panels and a form of renewable heating (either air source or ground source), to be confirmed.
- A limited palette of locally sources materials will be used within the development.
- As is demonstrated by the 3D images that the proposal will integrate well with the existing landform and in no way dominates the landscape.
- The site benefits from long established boundaries on three sides. The existing landscaping will be enhanced creating an attractive setting for the proposed houses.
- The proposed development incorporates off street parking. However, the development will further provide new pavement along the frontage ensuring safe walking connection is available for all housing on Mennieburn Road.

Policy 32 Embedding Low and Zero Carbon Generating Technology in New Development Proposals for all new buildings will be required to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. A statement will be required to be submitted demonstrating compliance with this requirement. The percentage will increase at the next review of the local development plan

Response: The detailed design includes sustainable urban drainage systems. The individual properties will be insulated to an enhanced level and will include PV panels and a form of renewable heating (either air source or ground source), to be confirmed.

Policy 53A: Water Environment Development at any location and of any scale should protect and where practical improve the water environment (ground and surface water).

Response: There is no issue of flooding or negative impacts on the existing water environment. It is proposed that the housing will be connected to the existing mains water supply, with SUDS in the garden ground and septic tanks for each dwelling. However, if a connection to the public drainage is available this may be the preferred solution.

Summary

The appeal seeks full planning permission for two houses for local people who have strong family and business ties to the local area. The appellants currently live in rented accommodation in Auchterarder and have been searching for suitable new homes in the Aberuthven area for a number of years. However, due to the limited stock, lack of proposed new houses sites and the resulting high prices the proposed self-build option is the only way these local people can remain in the area. The site subject of the appeal is contained within established boundaries on 3 sides and has been confirmed by the farmer as poor performing due to the awkward shape and the compacted nature of the soil.

The Report of Handling confirms the site does not “adjoin” the settlement boundary of Aberuthven but rather is separated from the settlement boundary by the long-established tarmacked road, as such Policy 6 Settlement Boundaries does not apply. Policy 19 Housing in the Countryside supported by The Housing in the Countryside Supplementary Guidance 2016 provides limited opportunities for new development in the countryside, one of these being the extension of an existing building group. It is submitted that the appeal site will extend an established linear building group into a defined and contained site. The design of the houses has been carefully developed to respect and complement the immediate area. The proposal will in no way detract from the amenity of existing residents while at the same time will create a high-quality environment for prospective residents. The proposal is close to Aberuthven and the local facilities and services including transport links found within the settlement. The proposal includes an extension to the existing footpath on Mennieburn Road which will provide safe footpath connection for all housing to Aberuthven, a net community benefit for existing and prospective residents.

It is considered that the proposal complies with all policies of the Scottish Government and Perth and Kinross Local Development Plan and the associated the Housing in the Countryside Supplementary Guidance and as a result we would respectfully request the appeal be upheld and planning permission granted.

Suller & Clark

March 2021



Mr Daniel And Dean Wilson
c/o Suller And Clark
Karen Clark
Scoutbog Steading
Oldmeldrum
AB51 0BH

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **14th January 2021**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **20/01728/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 4th December 2020 for Planning Permission for **Erection of 2 dwellinghouses and garages Land At Mennieburn Road Aberuthven**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- 1 The proposed development is contrary to Policy 6 - Settlement Boundaries of the Perth and Kinross Council Local Development Plan 2019 which seeks to prevent the unplanned and ad hoc expansion of those settlements which have a boundary identified in the Local Development Plan. The site is located adjacent to the settlement boundary of Aberuthven. Furthermore, the proposal does not involve rural business and diversification, is not considered to be justifiable on operational need and is not considered to address a shortfall in housing land supply and therefore does not meet any of the development types which may be considered to be acceptable on a site adjacent to a settlement boundary as outlined in Policy 6.
- 2 There is clear beneficial physical separation between Aberuthven and the small building group on Mennieburn Road to the north west of the application site and development of this site would create visually obvious ribbon development extending from the settlement boundary along Mennieburn Road resulting in the extension of the village of Aberuthven in a haphazard manner along a country road to the detriment of the visual amenity of the area and impacting on the rural landscape character of this edge of settlement location. The proposal is therefore contrary to Policies 1A and B of the Perth and Kinross Local Development Plan 2019.

Justification

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

Notes

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

Plan Reference

01

02

03

04

05

06

REPORT OF HANDLING DELEGATED REPORT

Ref No	20/01728/FLL	
Ward No	P7- Strathallan	
Due Determination Date	3rd February 2021	
Report Drafted Date	14th January 2021	
Report Issued by	JW	Date 14 January 2021

PROPOSAL: Erection of 2 dwellinghouses and garages

LOCATION: Land At Mennieburn Road Aberuthven

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: 14 December 2020

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Full planning permission is sought for the erection of two dwellinghouses on a site measuring 0.25 hectares at Mennieburn Road which is located within the corner of an agricultural field immediately adjacent to but outwith the settlement of Aberuthven. The application site slopes west to east and is currently bound by hedging. The site is bound to the north west by a row of ten semi detached bungalows. To the south east of the site is an existing farm track, to the south is Mennieburn Road and the north boundary is currently open to the adjacent farm land.

The houses are proposed to be accessed from Mennieburn Road with a single central access to serve both houses. Each site is to be provided with a detached the garage. The houses are proposed to be detached dwellings with upstairs accommodation served by rooflights. The plots are proposed to be 1144 sqm and 1171sqm.

It should be noted that a previous application for outline planning permission on this site was refused in 2007 (07/00957/OUT) and subsequently dismissed on appeal by the Scottish Government.

SITE HISTORY

07/00957/OUT Proposed residential development (in outline) 10 July 2007
Application Refused

PRE-APPLICATION CONSULTATION

Pre application Reference: 20/00467/PREAPP which indicated that the principle of development was contrary to the Perth and Kinross Local Development Plan 2019.

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area 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, study and visit, and where businesses choose to invest and create jobs.”

Perth and Kinross Local Development Plan 2 (2019) – Adopted November 2019

The Local Development Plan 2 is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 6: Settlement Boundaries

Policy 19: Housing in the Countryside

Policy 41: Biodiversity

Policy 52: New Development and Flooding

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53C: Water Environment and Drainage: Surface Water Drainage

Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

OTHER POLICIES

National Roads Development Guide

Developer Contributions and Affordable Housing Supplementary Guidance

CONSULTATION RESPONSES

INTERNAL

Development Contributions Officer – contribution towards A9 junction required

Transport Planning – no objection subject to conditions

Biodiversity/Tree Officer – no objection subject to conditions

EXTERNAL

Scottish Water – no objection

REPRESENTATIONS

None received

ADDITIONAL STATEMENTS

Screening Opinion	Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
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 2016 and the adopted Perth and Kinross Local Development Plan 2 (2019).

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.

Principle

The local plan through Policy 6 - Settlement Boundaries specifies that development will not be permitted, except within the defined settlement boundaries which are defined by a settlement boundary in the Plan. It goes on to state that development which is located on sites which adjoining that boundary will only be accepted in certain circumstances. The site lies out with a settlement boundary and the principle of development is normally considered under Policy 19 Housing in the Countryside and the associated Housing in the Countryside supplementary guidance. However in this instance only policy 6 - Settlement Boundaries applies as the Housing in the Countryside Guide under "category 1 - building groups" and "category 2 - infill sites" makes it clear on pages 10 and 11 that:

"proposals adjacent to and outwith a settlement which has a defined boundary in the Local Development Plan 2 will be assessed under Policy 6 Settlement Boundaries and not Policy 19 Housing in the Countryside".

This particular proposal for two dwellinghouses fails to meet any of the categories within policy 6 where development may be accepted adjacent to settlement boundaries. It does not involve rural business or diversification, is not justified under operational need and no evidence of a shortfall in housing land supply has been provided.

The site boundary is set approximately 5m from the settlement boundary due to the position of a farm track between the site and the settlement boundary. The agent considers that this negates any consideration of Policy 6.

The statement submitted with the application states that the site is not immediately adjacent to the settlement boundary as it is separated by this farm access. Whilst there is a farm access between the site and the settlement boundary the site is directly associated with the settlement and visually adjacent to the settlement and the purpose of the policy is to avoid development next to settlements with results in the ad hoc expansion of settlements into countryside locations such as is proposed here, otherwise there would be little point in having a settlement boundary. The presence of a farm access does not alter this conclusion. The purpose of policy 6 is to specifically to prevent the unplanned and ad hoc expansion of those settlements which have a boundary identified in the Local Development Plan. This view is supported by other recent decisions where refusals have been issued in similar circumstances as being contrary to Policy 6. These decisions have also been backed by the Council's Local Review Body upon appeal. It is therefore the established view of the Council to refuse applications adjacent to settlement boundaries regardless of whether there is a farm access/track located between the application site and the settlement boundary. The planning history of the site is also a material consideration and a previous application for outline permission on this site was refused in 2007 and subsequently dismissed by the Scottish Government on appeal (ref:P/PPA/340/616).

If the applicant does wish to pursue development on this site, the most appropriate means to do so would be seek for an alteration of the settlement boundary through review of the Local Development Plan.

Therefore, a proposal for residential development on this site fails to comply with the requirements of policy 6 of the Perth and Kinross Local Development Plan 2019 (LDP2).

Given the information contained within the Housing in the Countryside Guide regarding sites adjacent to settlement boundaries, there is no requirement to assess this proposal against the Housing in the Countryside Guide as the guide makes it clear that policy 6 -settlement boundaries is the relevant policy in this instance.

As outlined above, the proposal is contrary to Policy 6 Settlement Boundaries and therefore the principle of residential development fails to comply with the Perth and Kinross Local Development Plan 2019.

Design and Layout

The design of the dwellings is considered to be acceptable and generally relates to the established character and design of properties in the area. However, there is clear beneficial physical separation between Aberuthven and the small building group on Mennieburn Road to the north west and development of this site would create visually obvious ribbon development extending from the settlement boundary along Mennieburn Road extending the village of Aberuthven in a haphazard manner along a country road to the detriment of the visual amenity of the area and impacting on the rural landscape character of this edge of settlement location contrary to the placemaking policies of the LDP2.

Residential Amenity

The houses are positioned on the site to ensure there is no overlooking between each dwelling and between the new housing and existing housing. There are not considered to be any overshadowing concerns from the development.

Access and Traffic

The proposal requires to meet the criteria outlined in the National Roads Development Guide (NRDG) in relation to parking provision and turning facilities. The site plan indicates the provision of a single access from Mennieburn Road serving both properties with a detached garage to serve each dwelling. Transport Planning have been consulted and consider the development to be acceptable in terms of road safety subject to conditions relating to the design of the access and the provision of a footway. Subject to these conditions the proposal is considered to comply with Policy 60B of the LDP2 and the requirements of the NRDG.

Drainage and Flooding

The application form indicates that the foul drainage will be disposed of to a private system with surface water being drained to a Sustainable Urban Drainage System (SUDS). However the planning statement indicates that the site will connect to the mains sewer so there is some inconsistency in the submission. Scottish Water have indicated that there is scope to connect the development to the public waste water treatment works at Aberuthven. As this application is being recommended for refusal this matter is not being investigated further.

The site is not considered to be at risk from flooding and therefore complies with Policy 52 of the LDP2.

Landscaping and Bio Diversity

The proposed development site is an agricultural field with limited biodiversity value. There are opportunities to enhance the site for biodiversity through planting native trees and shrub species in the proposed landscaping plan. Planting a boundary hedge of native species such as hawthorn, guelder rose and hazel would increase the biodiversity value of the site. This could be secured by a planning condition

should permission be granted. A condition could also be added to ensure the provision of bird boxes within the development.

Personal Circumstances

The planning submission references the personal circumstances of the local applicant in that they have been seeking a house in the local area for some time and that they operate a local construction company which provides employment. It states that self build is the only way in which the local tradesman can remain in the area. The information presented is not considered to be of such significant weight to merit a departure from the Local Development Plan in this case.

Developer Contributions

Education

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.

This proposal is within the catchment of Aberuthven Primary School.

Education & Children's Services have no capacity concerns in this catchment area at this time and therefore no education contribution is required.

Auchterarder A9 Junction

The Council Developer Contributions Supplementary Guidance requires contributions from developments within the Auchterarder and wider Strathearn housing market area towards meeting the cost of delivering the A9 junction improvements which are required in the interests of safety.

The site is located within the A9 Junction contributions zone (Appendix 2 of the Supplementary Guidance) and therefore a contribution of £3450 per dwelling is required.

The applicant's agent was emailed to inform them of this and asked to indicate how they would wish to pay the contribution should planning permission be granted. As the application is contrary to the Local Development Plan and is to be recommended for refusal there is no requirement to await a response in this regard.

Economic Impact

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

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 is considered to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2 (2019). 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 approval subject to conditions.

APPLICATION PROCESSING TIME

The recommendation for this application has been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Reason for Recommendation

The proposed development is contrary to Policy 6 - Settlement Boundaries of the Perth and Kinross Council Local Development Plan 2019 which seeks to prevent the unplanned and ad hoc expansion of those settlements which have a boundary identified in the Local Development Plan. The site is located adjacent to the settlement boundary of Aberuthven. Furthermore, the proposal does not involve rural business and diversification, is not considered to be justifiable on operational need and is not considered to address a shortfall in housing land supply and therefore does not meet any of the development types which may be considered to be acceptable on a site adjacent to a settlement boundary as outlined in Policy 6.

There is clear beneficial physical separation between Aberuthven and the small building group on Mennieburn Road to the north west of the application site and development of this site would create visually obvious ribbon development extending from the settlement boundary along Mennieburn Road resulting in the extension of the village of Aberuthven in a haphazard manner along a country road to the detriment of the visual amenity of the area and impacting on the rural landscape character of this edge of settlement location. The proposal is therefore contrary to Policies 1A and B of the Perth and Kinross Local Development Plan 2019.

Justification

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

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01

02

03

04

05

06



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100333627-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Erection of 2 houses with shared access drive, off street parking and garden ground

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Suller & Clark		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Karen	Building Name:	Scoutbog Steading
Last Name: *	Clark	Building Number:	
Telephone Number: *	07930 566336	Address 1 (Street): *	Oldmeldrum
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Oldmeldrum
Fax Number:		Country: *	UK
		Postcode: *	AB51 0BH
Email Address: *	karen@sullerandclark.com		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Daniel and Dean	Building Number:	
Last Name: *	Wilson	Address 1 (Street): *	
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

715237

Easting

297307

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐

Meeting

☐

Telephone

☐

Letter

☒

Email

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

Pre application enquiry

Title:

Mr

Other title:

First Name:

John

Last Name:

Williamson

Correspondence Reference
Number:

Date (dd/mm/yyyy):

02/10/2020

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

Site Area

Please state the site area:

2486.00

Please state the measurement type used:

☐

Hectares (ha)

☒

Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Agriculture

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☒

Yes

☐

No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

☐

Yes

☒

No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

8

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

☒

Yes

☐

No

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

☐

Yes – connecting to public drainage network

☒

No – proposing to make private drainage arrangements

☐

Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

☒

New/Altered septic tank.

☐

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

☐

Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

☒

Discharge to land via soakaway.

☐

Discharge to watercourse(s) (including partial soakaway).

☐

Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

Please refer to plans

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

☒ Yes ☐ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☒ Yes

☐ No, using a private water supply

☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

☒ Yes ☐ No

If Yes or No, please provide further details: * (Max 500 characters)

Please refer to plans

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☒ Yes ☐ No

How many units do you propose in total? *	<div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">2</div>	Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.
<h2 style="margin: 0;">All Types of Non Housing Development – Proposed New Floorspace</h2>		
Does your proposal alter or create non-residential floorspace? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 		
<h2 style="margin: 0;">Schedule 3 Development</h2>		
Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know 		
<p>If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.</p> <p>If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.</p>		
<h2 style="margin: 0;">Planning Service Employee/Elected Member Interest</h2>		
Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 		
<h2 style="margin: 0;">Certificates and Notices</h2>		
<p>CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013</p> <p>One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.</p>		
Are you/the applicant the sole owner of ALL the land? *		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is any of the land part of an agricultural holding? *		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Do you have any agricultural tenants? *		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are you able to identify and give appropriate notice to ALL the other owners? *		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<h2 style="margin: 0;">Certificate Required</h2>		
The following Land Ownership Certificate is required to complete this section of the proposal: Certificate B		

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr James Haggart

Address:



Date of Service of Notice: *

20/11/2020

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Karen Clark

On behalf of: Mr Daniel and Dean Wilson

Date: 19/11/2020

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
- ☒ Elevations.
- ☒ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☒ Photographs and/or photomontages.
- ☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Planning Statement

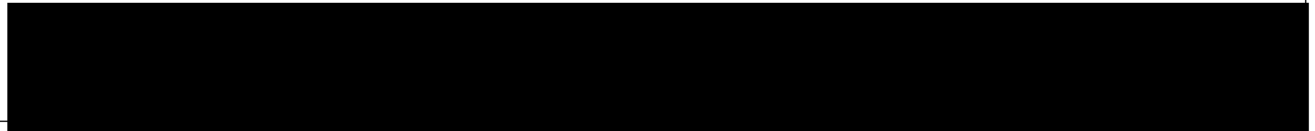
Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mrs Karine Suller

Declaration Date: 19/11/2020

Payment Details



NOTES

THE DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DRAWINGS AND SPECIFICATIONS.

ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE PRIOR TO COMMENCING WORKS. ANY DISCREPANCIES ARE TO BE REPORTED BEFORE COMMENCING WORK.

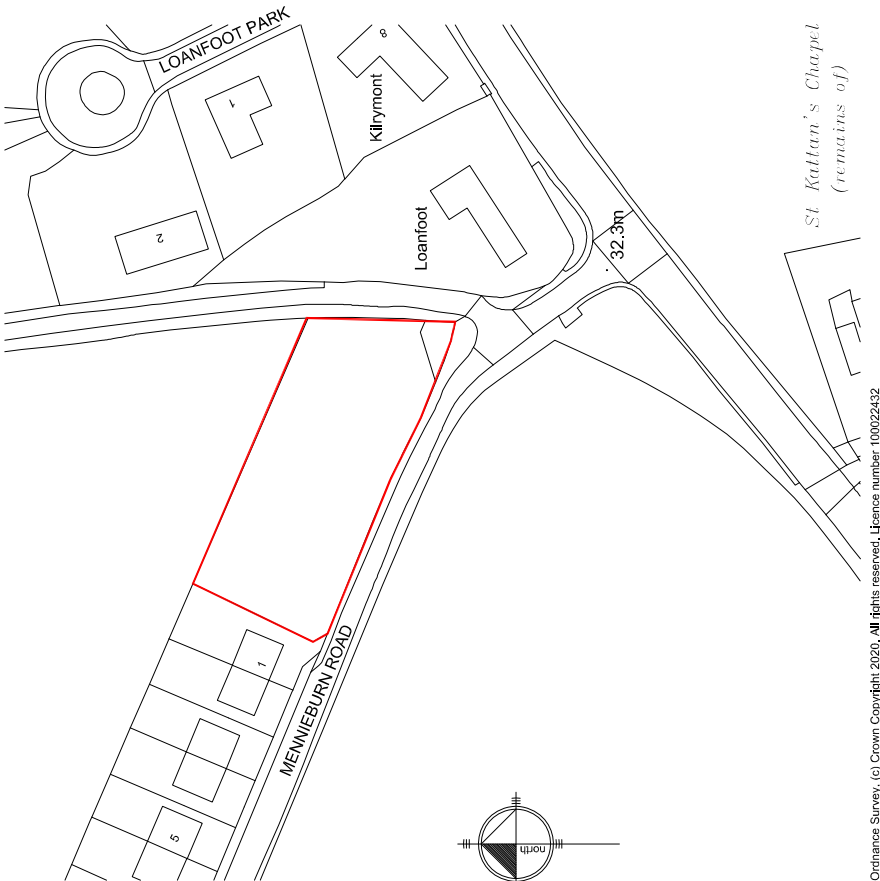
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ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH THE CURRENT LOCAL BUILDING AUTHORITY REGULATIONS AND TO THE BUILDING INSPECTOR'S SATISFACTION.



SITE LOCATION MAP
scale 1:2500

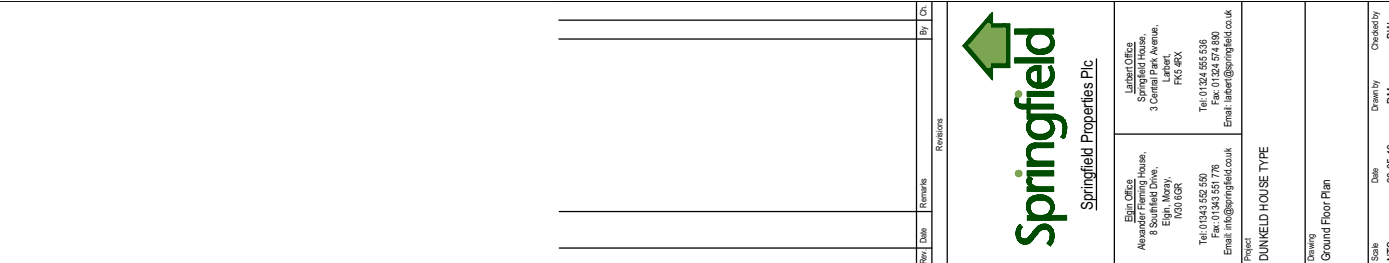


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SITE LOCATION PLAN
scale 1:1250



REV	DATE	REMARKS
DSB DESIGN CHARTERED ARCHITECTURAL TECHNOLOGISTS		
DRAWING TITLE		
SITE LOCATION PLAN		
SCALE: Notes A3		
PROJECT		
DATE: 11.11.2020		
DR No: 318-01		
Proposed Housing Development Land adjacent to Menniebun Road Aberuthven, Perthshire		



Project DUNKELD HOUSE TYPE	Drawing Ground Floor Plan	Scale	Date	Drawn by	Checked by
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Blair Office Alexandra 8 Southfield Drive, Elgin, Moray, 1000 UGR	Laithley Office Southfield 3 Central Park Avenue, Larnet, FK5 4DX
Tel: 01343 582 580 Fax: 01343 551 776 Email: info@blairgroup.co.uk	Tel: 01324 865 536 Fax: 01324 57 680 Email: laithley@springfield.co.uk

URGENT: This is a preliminary drawing. It is not to be used for construction. Any dimensions shown are for information only. All dimensions are to be confirmed by the client. The client is responsible for the accuracy of the information provided. The client is not responsible for the accuracy of the information provided. The client is not responsible for the accuracy of the information provided.

Rev

Date

Remarks

By

CS

Rev

Date

Remarks

By

CS

Springfield

Springfield Properties Plc

Springfield Office

Alexander Fleming House,

8 Southside Drive,

Edinburgh,

Midlothian,

EH10 6ER

Tel: 01343 592 590

Fax: 01343 592 591

Email: info@springfield.co.uk

Linlithgow Office

Springfield House,

3 Central Park Avenue,

Linlithgow,

Fife KY21 4BX

Tel: 01324 955 536

Fax: 01324 954 183

Email: linlithgow@springfield.co.uk

Project

DUNKELD HOUSE TYPE

Drawing

First Floor Plan

Scale

NTS

Date

30.05.16

Drawn by

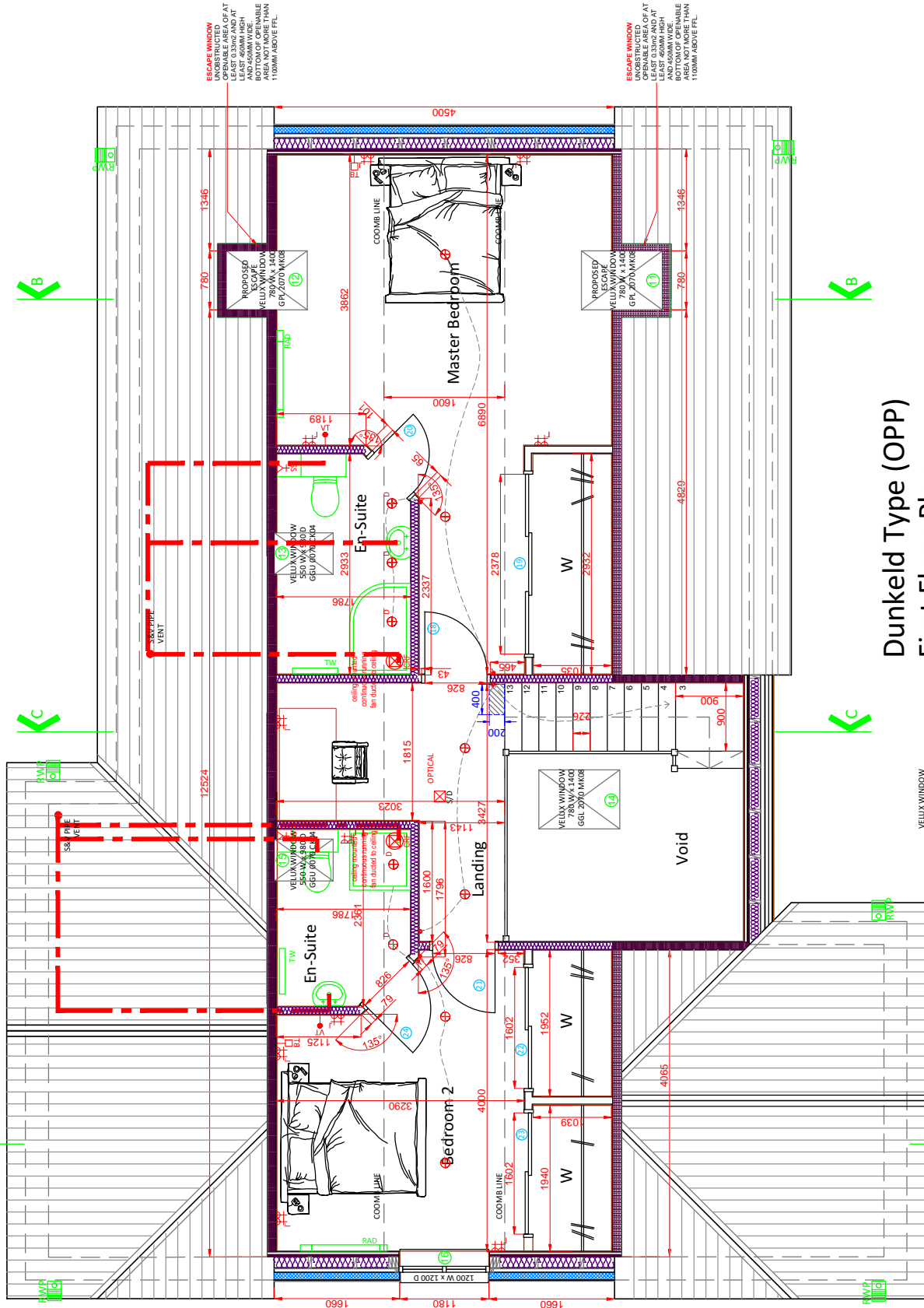
DM

Checked by

BW

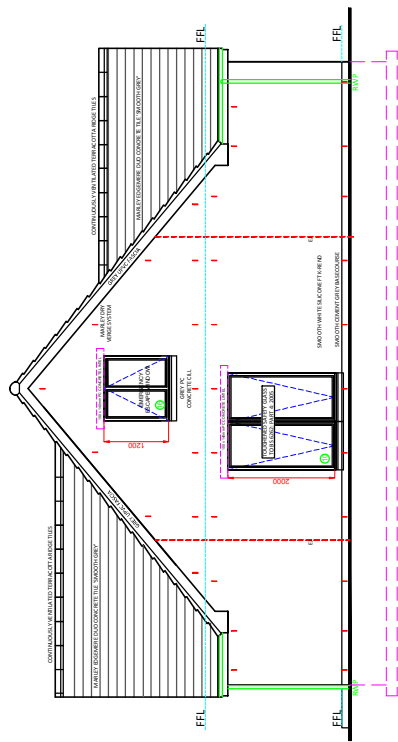
Drawing no.

F005_PLT116_02

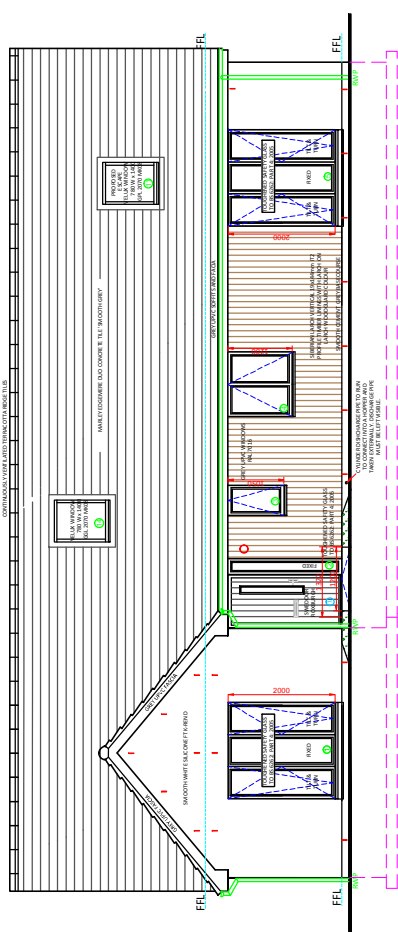


Dunkeld Type (OPP)
First Floor Plan
Internal Floor Area - 71.64m²

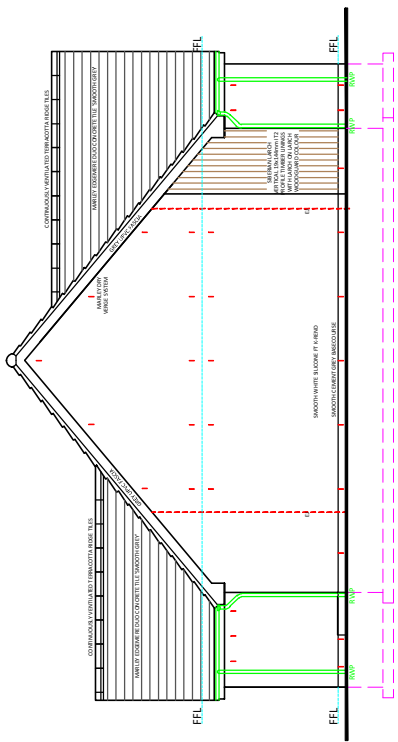
Information for the client and contractor.
No work is to commence on this project until all relevant approvals have been obtained. Any alterations to the design must be approved by the architect. The client is responsible for obtaining all necessary planning and building regulations approvals. The architect is not responsible for any delays or costs incurred by the client or contractor due to any failure to obtain the necessary approvals.



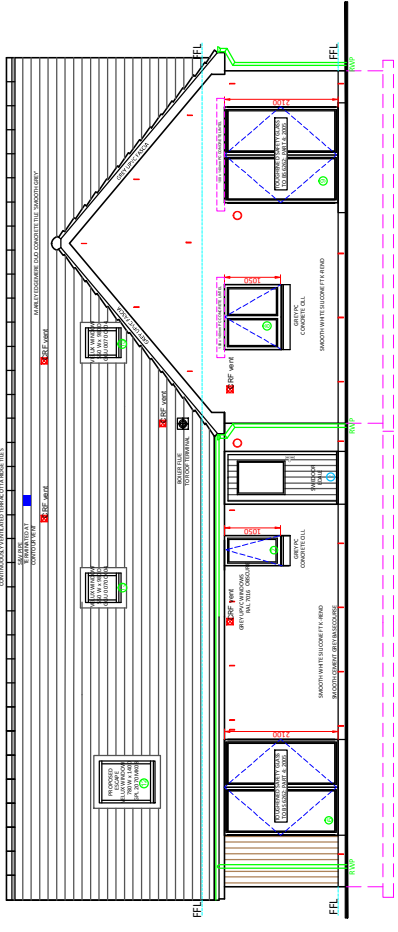
Side Elevation



Front Elevation



Side Elevation



Rear Elevation

Rev	Date	Remarks	By	Ch

Springfield
Springfield Properties Plc

Project DUNKELDHOUSE TYPE	Client Office Alexander Fleming House, 8 Southside Drive, Edinburgh, EH8 6ER	Project Office Springfield House, 3 Central Park Avenue, Edinburgh, EH8 6EX
	Tel: 01343 592 590 Fax: 01343 591 770 Email: info@springfield.co.uk	Tel: 01324 955 536 Fax: 01324 974 860 Email: info@springfield.co.uk
Drawing Elevations	Scale 1:100	Date 30.05.16
	Drawn by DM	Checked by BW
	Drawing no. F005_PLT116_03	Rev

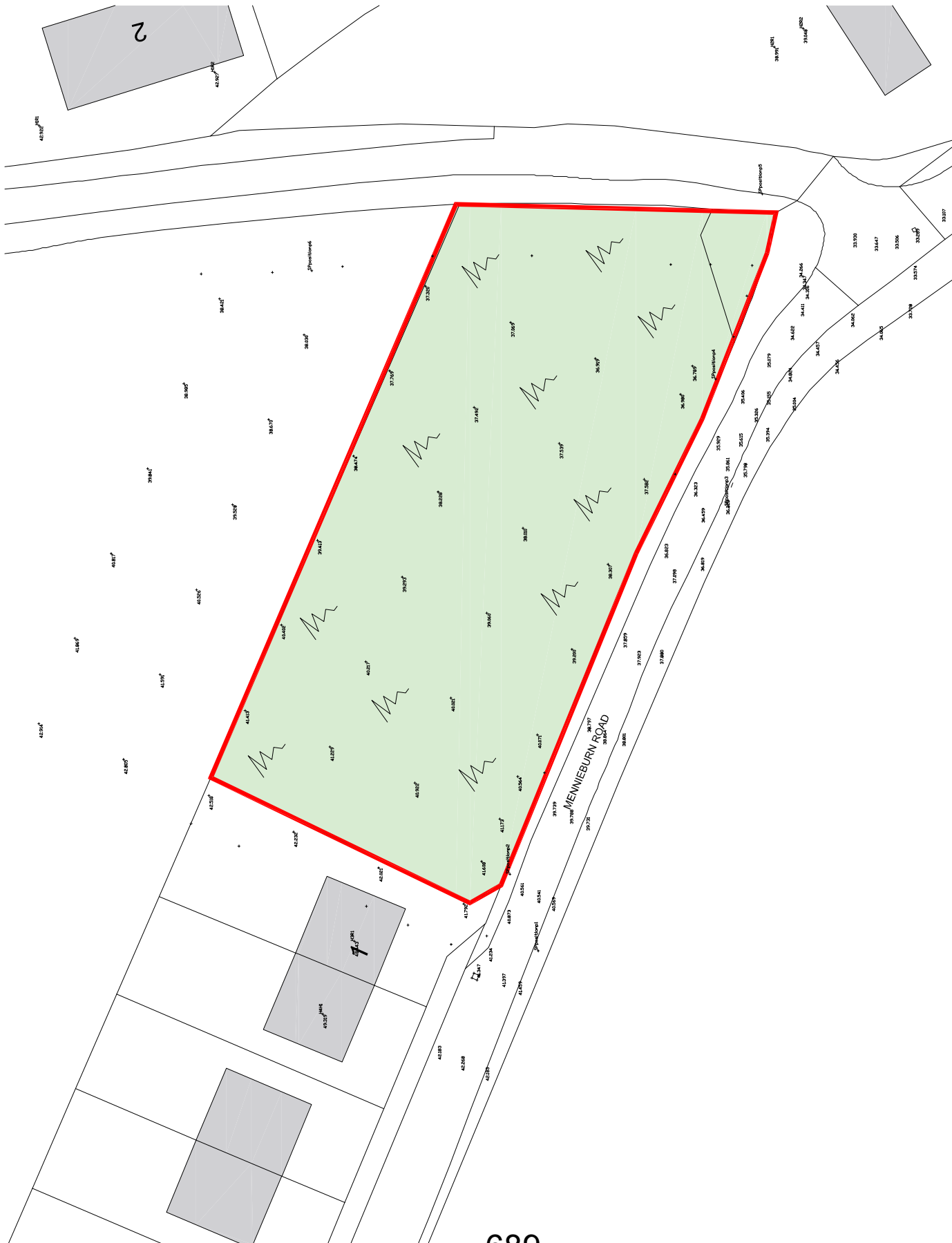
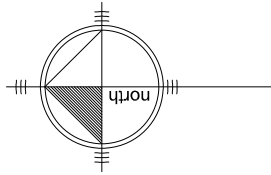
LRB-2021-09
Planning Application – 20/01728/FLL – Erection of 2 dwellinghouses and garages, land at Mennieburn Road, Aberuthven


PLANNING DECISION NOTICE *(included in applicant's submission, pages 659-660)*

REPORT OF HANDLING *(included in applicant's submission, pages 661-669)*

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 681, 682 and 686)*

NOTES
<p>THE DRAWING IS TO BE USED IN CONJUNCTION WITH ALL OTHER RELEVANT DRAWINGS AND SPECIFICATIONS.</p> <p>ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT TO BE REPEATED BEFORE COMMENCING WORK.</p> <p>ALL DIMENSIONS IN MILLIMETRES UNLESS OTHERWISE STATED - DO NOT SCALE FOR CONSTRUCTION PURPOSES.</p> <p>ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH THE INSTRUCTIONS AND SPECIFICATIONS OF THE MANUFACTURERS.</p> <p>ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH THE CURRENT BUILDING REGULATIONS, THE CURRENT ELECTION AND TO THE BUILDING INSPECTOR'S SATISFACTION.</p>



REV	DATE	REMARKS
D&B DESIGN CHARTERED ARCHITECTURAL TECHNOLOGISTS		
DRAWING TITLE		JOB NO: 0308
EXISTING SITE PLAN		SCALE: 1:300-A1
		DR No: SLP-02
PROJECT		DATE: 04/12/2020
 Proposed Housing Development Land adjacent to Mennelebun Road Abernethy, Perthshire		



NOTES

THE DRAWINGS TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DRAWINGS AND SPECIFICATIONS.

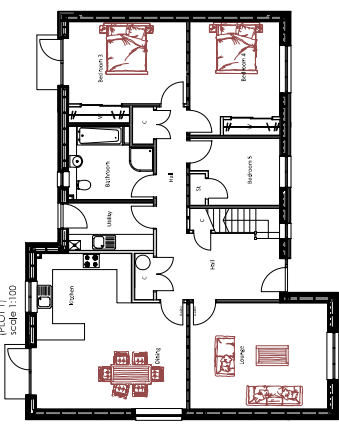
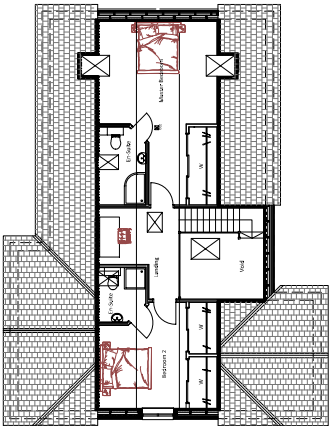
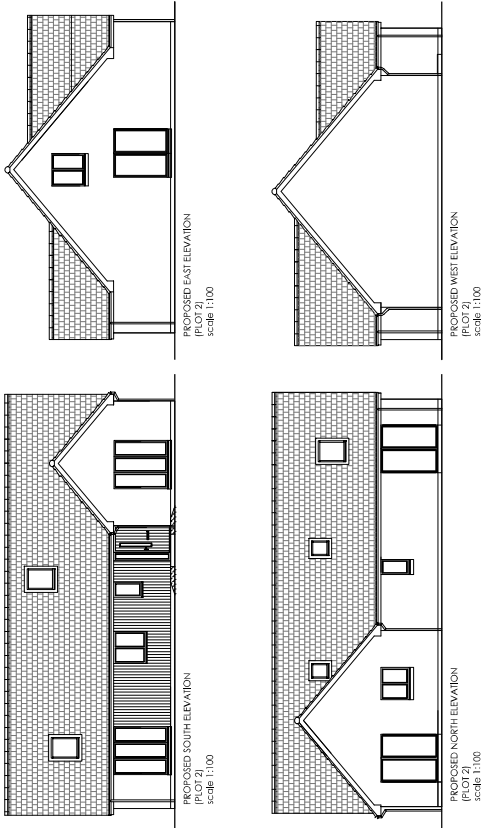
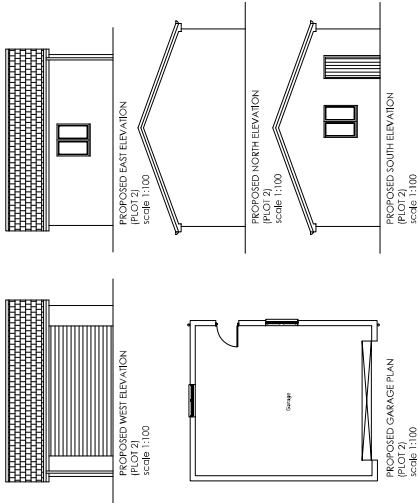
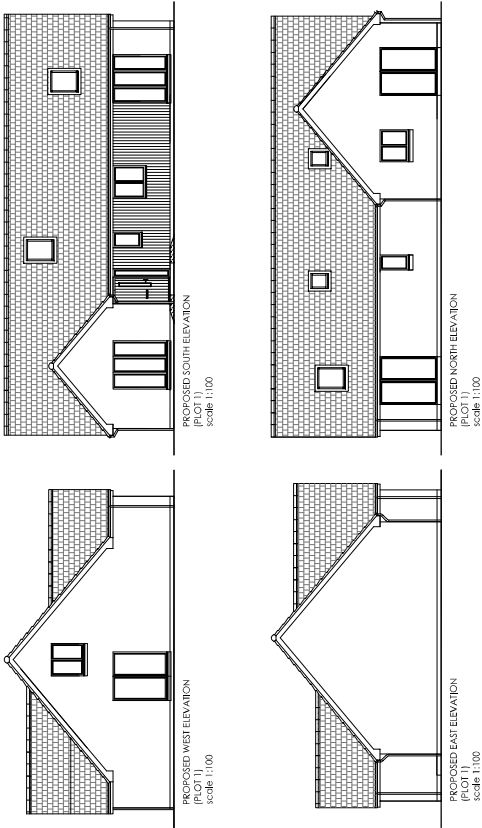
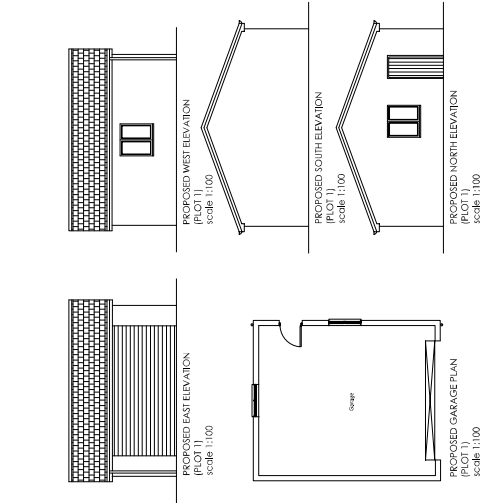
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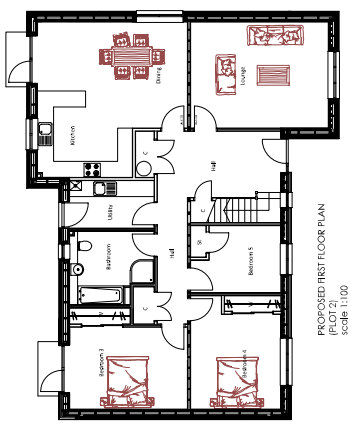
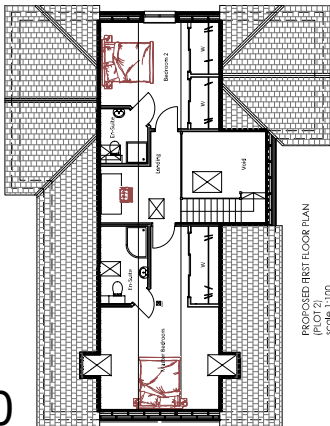
ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH CURRENT BRITISH STANDARDS AND MANUFACTURERS' INSTRUCTIONS AND SPECIFICATIONS.

ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH THE CURRENT LOCAL BUILDING AUTHORITY REGULATIONS AND TO THE BUILDING INSPECTORS SATISFACTION.

REV.	DATE	REMARKS
DDB DESIGN CHARTERED ARCHITECTURAL TECHNOLOGISTS		
DRAWING TITLE		
PROPOSED HOUSE AND GARAGE PLANS		
SCALE: 1:100-A1		
DN No: PL-03		
DATE: 04.12.2020		
PROJECT		
Proposed Housing Development Land adjacent to Merrilaburn Road Aberlourne, Perthshire		



690





Planning Statement

**in support of Full Planning Permission for the Erection of Two Dwelling
Houses,**

at Land north of Mennieburn Road, Aberuthven.

On behalf of

Mr Daniel Wilson and Mr Dean Wilson

■ **Karine Suller B.Sc, M.Sc, MRTPI**
Scoutbog Steading, Oldmeldrum
Aberdeenshire AB51 0BH

Telephone: 07742 613 598
karine@sullerandclark.com

■ **Karen Clark B.Sc (Hons), MRTPI**
Mayriggs, 69 Brechin Road
Kirriemuir DD8 4DE

Mob: 07930 566 336
karen@sullerandclark.com

1. Introduction

1.1 Overview

1.2 The Applicant

2. Site Appraisal

2.1 Site Description

3. Planning History

4. Design Process

4.1 Design Brief

4.3 Response to Site and Context

4.2 Development Proposal

4.3 Sustainability

5. Planning Policy

5.1 Scottish Planning Policy

5.3 Perth and Kinross Local Development Plan 2019

6. Discussion

1. Introduction

1.1 Overview

The Planning Statement is lodged in support of an application for full planning permission for the erection of two houses for local people as an extension to an existing building group land at Mennieburn Road, Aberuthven. The applicants have been searching for a house in the local area for some time but, due to the limit housing supply and the high property values have found themselves priced out of the local market, as such the proposed self-build is the only way they can remain in the area close to family and their established local business.

The site is a corner of a field which, due to the awkward nature, is difficult to cultivate. The proposal will provide an acceptable extension to an existing linear building group. The proposed houses have been designed to fit the site while contributing to the area.

It is considered that the proposal complies with the current planning policies of the Scottish Government and Perth and Kinross Council.

1.2 The Applicant

The applicants and their families have lived within the area all of their lives. As local people with strong ties to the area they are keen to remain in the area. Over recent years they have sought to buy a property within Aberuthven, unfortunately with no success. They have found themselves priced out of the local market as a result of the limited supply of housing stock and the consequential high cost of housing within the area. As local tradesmen and owners of a successful building company based in the area which serves the local area and currently employs 12 people, they need to remain in the area to continue their thriving business. The applicants are closely involved in the local community undertaking coaching roles for local community groups and employing apprentices from the area. After careful consideration the intended self-build is the only way they can remain in the area.

2. Site Appraisal

2.1 Site Description

The application site measures 0.25 hectares and comprises a corner of an existing field. Due to the awkward shape and the scale of modern farming equipment the farmer has confirmed that the site is difficult to cultivate with the land compacted due to constant turning. Further the site has never fully recovered from when the area was used as a works site associated with the upgrading of the neighbouring houses. and The site slopes west to east and is generally unseen from the road due to existing hedging. The site has existing boundaries on three sides with Mennieburn Road to the south, existing housing to the west and to the east an existing access track with housing beyond. An existing linear row of properties, comprising 10 semi-detached houses with frontage to Mennieburn Road, is located to the east of the application site.



Ariel view of site settlement boundary of Aberuthven to east and existing housing row of houses to west



Application site plan



Existing houses on Mennieburn Road, west of application site.

The wider area is countryside with the settlement of Aberuthven to the east of the site. The site is within easy walking distance to Aberuthven and to the services and facilities found within the village. The village itself is a traditional Scottish village with Main Street running through the town which connects to Auchterarder to the south. There have been new developments in the village recently, most notable the residential development at Loanfoot Park, east of the current application site.

3. Planning History

There is no planning application history on the site.

The site was subject to a pre-application enquiry with a response received 2nd October 2020. In summary the pre-application advice was not encouraging of development on the current site. The current application seeks to set out the personal circumstances attached to the application whilst responding to the issues highlighted by the pre-application advice.

4. Design Process

4.1 Design Brief

The design has developed from the applicants' desire to make best use of this small corner of a field while providing new homes for local people in this rural location in conjunction with a clear requirement to ensure a high-quality residential environment for both existing and prospective resultants and contributing to the area.

4.2 Response to Site and Context

The most important features in the consideration of the proposal were how the proposed housing should relate to the building group to the west of the current application.

4.3 Development Proposals

The current application seeks full planning permission for two houses with associated garden ground, off street parking and other required amenities. The proposed houses will continue the existing development pattern in the area following the building line of the existing housing on Mennieburn Road. In order to avoid ribbon development a single, centrally located, shared access will be taken. The houses are orientated to the south making best use of the open views and the solar gain opportunities. The proposed houses are 1 ½ storey and of traditional design and incorporate contemporary design features. The plot areas are generous (Plot 1, 1144sqm, Plot 2, 1171 sqm) with large private rear garden areas.



Proposed indicative layout



3D Image of proposed houses viewed from south



3D image looking west up Mennieburn Road

The proposed houses will be set within an enhanced landscape setting with new landscaping to the north and as much as possible of the existing landscaping to the south retained and enhanced ensuring views into the site are restricted. The existing pavement which runs to the front/south of the existing properties on Mennieburn Road will be extended providing a safe walking route for existing and prospective residents to Aberuthven.

In terms of servicing, the proposed houses will have SUDs within the plot and individual septic tanks.

4.4 Sustainability

The scheme utilises an awkward corner of a field which is problematic to cultivate. The houses have been orientated to the south making best use of solar gain opportunities. The detailed design includes sustainable urban drainage systems while the individual properties will be insulated to an enhanced level including PV panels and a form of renewable heating (either air source or ground source), to be confirmed.

5 Development Plan Policy

5.1 Scottish Planning Policy 2014

The adopted SPP published June 2014 provides an overview of the key components and overall aims and principles of the planning system in Scotland. In general terms the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality development in sustainable locations.

Paragraph 2 states

“Planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources.”

The SPP encourages rural development that supports prosperous and sustainable communities.

5.2 Perth and Kinross Local Development Plan 2019

The policies in relation to the current application site are relevant to this proposal.

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 5: Infrastructure Contributions
- Policy 6: Settlement Boundaries
- Policy 19: Housing in the Countryside
- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 38C: Environment and Conservation: Local Designations
- Policy 53B: Water Environment and Drainage: Foul Drainage
- Policy 53C: Water Environment and Drainage: Surface Water Drainage

In addition, the following Supplementary Guidance is of relevance

- Affordable Housing
- Developer contributions
- Housing in the Countryside Supplementary Guidance Placemaking Guidance

These policies will be considered in the Discussion section.

6. Discussion

The Town and Country Planning (Scotland) Act 1997 as amended requires that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

The application seeks full planning permission for the erection of 2 self-build homes for local people. The applicants have lived in the area all their lives and have strong family ties to the village. Further, they operate a thriving local construction company which employs local people including a number of apprentices as such it is essential that they can remain in the area. The applicants have been looking for a suitable property for a number of years but due to the limited housing stock and the consequential high cost of property the proposed self-build is considered the only way these local tradesmen can remain in the area.

The proposed housing layout has been carefully considered and continues the established linear development pattern within the immediate area, with road facing properties. The proposed houses follow the building line of the existing row of houses located north of Mennieburn Road, west of the application site. Detailed plans have been lodged which demonstrate broadly traditional houses with contemporary design features incorporated, with a limited palette of complementary materials are proposed to ensure the development integrates with the site and its surroundings. In order to avoid ribbon development a single access has been taken from Mennieburn Road. The proposed houses will utilise a corner of a field on a clearly definable site which benefits from established boundaries on 3 sides. The plot sizes are generous providing a high level of residential amenity for the prospective residents while protecting the amenity of the existing residents. The development will further extend the existing footpath to the south/front of the proposed houses ensuring safe walking route linking to Aberuthven is provided for existing and prospective residents.

Considering the specific policies of the Perth and Kinross LDP of relevance to the current application:

Policy 1A and 1B: Placemaking Development, development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

Response: In the current circumstances the small development of two carefully designed houses utilises a small corner of a field which is difficult to cultivate due to its awkward shape. The development has been designed in such a manner as to contribute and enhance the surrounding area. The proposed housing continues the established linear development pattern in the area with the houses continuing the line of the existing development on Mennieburn Road. The existing building line will be continued, with the roof ridges running parallel to the road providing south facing houses of a generally traditional design with contemporary features incorporated. The proposed houses sit on generous plots with large private garden areas. A single shared access will be taken from Mennieburn Road, ensuring the development does not result in ribbon development.

In terms of the specific requirement of Policy 1B we would respond as following

All proposals should meet all the following placemaking criteria:

- (a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.

Response: The proposed development continues the existing linear development pattern with the roof ridges parallel to the adjacent road.

- (b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.

Response: The design respects the west to east slope of the land and the plot layouts reflect this. The existing landscaping will be retained and enhanced.

- (c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

Response: The housing is set on generous plots with large private garden area. As demonstrated by the 3D images lodged in support of the proposal, the housing will complement the existing development with a restricted palette of materials chosen to reflect the area.

- (d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.

Response: The proposed building line follows the building line of the existing housing to the west and continues the linear development character of the area.

- (e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.

Response: the proposed housing faces towards the road creating a welcoming and safe feature

- (f) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.

Response: The proposed housing includes ground floor facilities and will be accessible to all. The structure of the building will fully adhere to current building regulations with sustainability at the core of the design.

- (g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.

Response: No comment

- (h) Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks.

Response: The existing pavement on Mennieburn Road will be continued ensuring all housing, existing and proposed, benefits from safe pedestrian access to Main Road, village facilities and the local bus stops.

- (i) Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).

Response: The proposed house designs incorporate facilities for the storage of waste.

(j) Sustainable design and construction.

Response: The design and construction have been developed to fully adhere to current building standards.

Policy 5: Infrastructure Contributions, the Policy requires developer contributions to be paid where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities.

Response: In the current circumstances the application site falls within the catchment of Auchterarder primary school which has been identified for future investment. The applicants are content to agree to a proportionate contribution should one be required.

Policy 6 Development Boundaries

This policy applies to land which “adjoin” a settlement boundary. In the current circumstances the application site does not “adjoin” the settlement of Aberuthven but rather the site is bounded to the east by an existing long-established access track, see photo below. This is also clearly evident in both the aerial photographs and Site Layout Plan. As such Policy 6 is not relevant in the determination of the current application.



Policy 19 Housing in the Countryside supported by The Housing in the Countryside Supplementary Guidance 2016, (HITCG) looks to balance the need to protect outstanding landscape while allowing development within the rural areas. The Council confirm support for proposals for the erection, or creation through conversion, of single houses and small groups of houses in the countryside which fall into at least one of the following categories:

1. building groups;
2. infill sites;

3. new houses in the open countryside on defined categories of sites as set out in Section 3 of the Supplementary Guidance;
4. renovation or replacement of houses;
5. conversion or replacement of redundant non-domestic buildings;
6. development on rural brownfield land.

Response It is submitted that the proposal falls to be considered as an extension to an existing Building Group.

The application site is located to the east of an established linear building group which comprises 10 semi-detached dwellings. The application site comprises a clearly defined site with established boundaries on 3 sides, comprising existing housing to the west, Mennieburn Road to the south and a long-established unclassified road to the east. As such the proposal complies with the necessary requirements to permit an extension to the building group.

The HITC SG warns proposals which create or contribute towards ribbon development. Ribbon development is defined as a line of houses built along an existing road each served by an individual access. The Guidance goes on to confirm that

“Each case will require to be assessed on its own merits, and it will depend on whether linear development is a character of the area, but in general terms proposals which will result in a continuous line of 5 or more houses will be considered as creating ribbon development and will not be supported. The extension of a linear building group – to create a continuous line of no more than 5 houses – will only be supported where the group is being extended into a readily definable site.”

In the current circumstances an established linear building group is located north of Mennieburn Road and currently comprises 10 houses, the current proposal will continue the established linear development pattern into a clearly definable site. Further, in order to minimise any concern with regard to ribbon development a signal shared access will be utilised from the public road.

Therefore, it is submitted that given the above that the extension into an identifiable building group is acceptable and is supported by policy.

In terms of the design considerations

- There are no designations or constraints on the application site which affect development.
- The design and layout have been designed to follow the topography of the site
- The design is of traditional scale and proportions with contemporary feature which will compliment local area
- The proposed houses are sympathetic in terms of scale and proportion to other dwellings in the locality
- The houses have a south facing aspect to take maximum advantage of the solar gain opportunities. Further, the detailed design includes sustainable urban drainage systems, the individual properties will be insulated to an enhanced level and will include PV panels and a form of renewable heating (either air source or ground source), to be confirmed.
- A limited palette of locally sources materials will be used within the development.
- As is demonstrated by the 3D images that the proposal will integrate well with the existing landform and in no way dominates the landscape.

- The site benefits from long established boundaries on three sides. The existing landscaping will be enhanced creating an attractive setting for the proposed houses.
- The proposed development incorporates off street parking. However, the development will further provide new pavement along the frontage ensuring safe walking connection is available for all housing on Mennieburn Road.

Policy 32 Embedding Low and Zero Carbon Generating Technology in New Development Proposals for all new buildings will be required to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. A statement will be required to be submitted demonstrating compliance with this requirement. The percentage will increase at the next review of the local development plan

Response: The detailed design includes sustainable urban drainage systems. The individual properties will be insulated to an enhanced level and will include PV panels and a form of renewable heating (either air source or ground source), to be confirmed.

Policy 53A: Water Environment Development at any location and of any scale should protect and where practical improve the water environment (ground and surface water).

Response: There is no issue of flooding or negative impacts on the existing water environment. It is proposed that the housing will be connected to the existing mains water supply, with SUDS in the garden ground and septic tanks for each dwelling.

Summary

The current application seeks full planning permission for two houses for local people, the applicants, who have strong family and business ties to the local area, have been searching for a new home in the Aberuthven area for a number of years. However, due to the limited stock and the resulting high prices the proposed self-build option is considered the only way these local people can remain in the area. The site itself has been confirmed by the farmer as poor preforming due to the awkward shape and the compacted nature of the soil. The proposed site will extend an established linear building group into a defined and contained site. The design of the houses has been carefully developed to respect and complement the immediate area. The proposal will in no way detract from the amenity of existing residents while at the same time will create a high-quality environment for prospective residents. The proposal is close to Aberuthven and the local facilities and services including transport links found within the settlement. The proposal includes an extension to the existing footpath on Mennieburn Road which will provide safe footpath connection for all housing to Aberuthven, a net community benefit for existing and prospective residents.

It is considered that the proposal complies with all policies of the Scottish Government and Perth and Kinross Local Development Plan and the associated the Housing in the Countryside Supplementary Guidance and as a result we would respectfully request the application be APPROVED.

Suller & Clark

LRB-2021-09
Planning Application – 20/01728/FLL – Erection of 2
dwellinghouses and garages, land at Mennieburn Road,
Aberuthven

REPRESENTATIONS

Monday, 14 December 2020



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

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

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Sir/Madam

SITE: Land At Mennieburn Road, , Aberuthven, PH3 1EQ
PLANNING REF: 20/01728/FLL
OUR REF: DSCAS-0028742-PDJ
PROPOSAL: Erection of 2 dwellinghouses and garages

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 and 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 TURRET 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

- ▶ There is currently sufficient capacity for a foul only connection in the ABERUTHVEN 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.
-

Asset Impact Assessment

According to our records, the development proposals 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](#) to apply for a diversion.

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

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 Dom 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 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

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,

Planning Application Team

Development Operations Analyst

developmentoperations@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.	20/01728/FLL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner
Description of Proposal	Erection of 2 dwellinghouses and garages		
Address of site	Land At Mennieburn Road Aberuthven		
Comments on the proposal	<p>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p>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>This proposal is within the catchment of Aberuthven Primary School. Education & Children's Services have no capacity concerns in this catchment area at this time.</p> <p>Auchterarder A9 Junction</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires contributions from developments within the Auchterarder and wider Strathearn housing market area towards meeting the cost of delivering the A9 junction improvements which are required in the interests of safety.</p> <p>The site is located within the A9 Junction contributions zone (Appendix 2 of the Supplementary Guidance)</p>		
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: £0 A9 Junction: 2 x £3,450 Total: £6.900</p>		

	<p>Phasing</p> <p>It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant.</p> <p>The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to complete.</p> <p>If a Section 75 Agreement is entered into the full contribution should be received 10 days prior to occupation.</p>
<p>Recommended informative(s) for applicant</p>	<p>Payment</p> <p>Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.</p> <p>Methods of Payment</p> <p>On no account should cash or cheques be remitted.</p> <p>Scheduled within a legal agreement</p> <p>This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.</p> <p>NB: The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.</p> <p>Other methods of payment</p> <p>Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.</p> <p>Bank Transfers</p> <p>All Bank Transfers should use the following account details;</p> <p>Sort Code: 834700</p> <p>Account Number: 11571138</p>

	<p>Please quote the planning application reference.</p> <p>The Council operate an electronic direct debit system whereby payments may be made over the phone. To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand:</p> <ul style="list-style-type: none"> a) Your card details. b) Whether it is a Debit or Credit card. c) The full amount due. d) The planning application to which the payment relates. e) If you are the applicant or paying on behalf of the applicant. f) Your e-mail address so that a receipt may be issued directly. <p>A9 Junction For A9 Junction contributions please quote the following ledger code: 1-30-0060-0002-859136</p> <p>Indexation</p> <p>All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p>Accounting Procedures</p> <p>Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.</p>
Date comments returned	18 December 2020

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/01728/FLL	Comments provided by	Joanna Dick Tree and Biodiversity Officer
Service/Section	Strategy and Policy	Contact Details	Email biodiversity@pkc.gov.uk
Description of Proposal	Erection of 2 dwellinghouses and garages.		
Address of site	Land At Mennieburn Road Aberuthven.		
Comments on the proposal	<p>Policy 41: Biodiversity</p> <p>The Council will seek to protect and enhance all wildlife and habitats, whether formally designated or not, considering natural processes in the area. Planning permission will not be granted for development likely to have an adverse effect on protected species unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated.</p> <p>The proposed development site is an agricultural field with limited biodiversity value. There are opportunities to enhance the site for biodiversity through planting native trees and shrub species in the proposed landscaping plan. Planting a boundary hedge of native species such as hawthorn, guelder rose and hazel would increase the biodiversity value of the site.</p> <p>Tree and house sparrows are red listed as birds of conservation concern and providing nest bricks or boxes for these species would enhance the biodiversity value of the site. Guidance is available on the Tayside Biodiversity Partnership website: http://www.taysidebiodiversity.co.uk/information/information-guides-manuals/</p>		
Recommended planning condition(s)	<ul style="list-style-type: none"> • TR01 Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the further written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority. • NE03 edited Prior to the commencement of development hereby 		

	approved, details of the location and specification of the bird nesting bricks or boxes shall be submitted for the further written agreement of the Council as Planning Authority. Thereafter, the bird nesting bricks or boxes shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit.
Recommended informative(s) for applicant	<ul style="list-style-type: none"> • BIOS Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
Date comments returned	21 December 2020

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/01728/FLL	Comments provided by	Lachlan MacLean Project Officer – Transport Planning
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Erection of 2 dwellinghouses and garages		
Address of site	Land At Mennieburn Road, Aberuthven		
Comments on the proposal	<p>The applicant proposes to build two five bedroomed dwellinghouses and form a new shared vehicle access onto Mennieburn Road. The applicant also proposed to construct a footway access the frontage of the development site.</p> <p>The car parking provided on site, is sufficient for a 5 bedroom property with 3 parking spaces, one within the garage and two on the driveway.</p> <p>The mapping layer used for the planning submission in both the existing site and proposed site, shows that at the northern end of the site at 1 Mennieburn Road, where the existing footway terminates, that the current road verge is wider across the site than is currently in place, when compared with Google Streetview. For the avoidance of doubt, the construction of the footway must not result in a reduction in carriageway width.</p> <p>Insofar as the Roads matters are concerned I have no objections to this proposal on the following conditions.</p>		
Recommended planning condition(s)	<p>Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type C Figure 5.7, of Type C Road construction detail. The Type C Road construction detail shall continue for a minimum of 3m back from the edge of the public road network.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p> <p>Prior to the development hereby approved being completed or brought into use, the footway along the frontage of the development shall be constructed to a minimum of 1.8 metres wide, along with a full height kerb, using the construction detail below for the footway:</p> <ul style="list-style-type: none"> • 25mm Surface Course • 50mm Binder Course • 225mm Sub-base type 1 <p>Dropped kerbs shall be provided across the vehicle access to the proposed dwellinghouses and a dropped kerb shall be provided where it terminates at the south at the vehicle access to Loanhead Cottages. The work shall be supervised by the Area Roads Engineer and in accordance with standards of</p>		

	<p>the Roads Authority. For the avoidance of doubt, the current width of the public road carriageway shall not be reduced to accommodate the footway.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p> <p>Prior to the development hereby approved being completed or brought into use, the access shall be constructed so that no surface water is discharged to the public road.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p> <p>Prior to the commencement of the development hereby approved, full visibility splays of 43 metres 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, insofar as the land is in the control of the applicant, and thereafter maintained.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p>
Recommended informative(s) for applicant	<p>The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.</p>
Date comments returned	<p>23 December 2020</p>

LRB-2021-09
Planning Application – 20/01728/FLL – Erection of 2
dwellinghouses and garages, land at Mennieburn Road,
Aberuthven

FURTHER INFORMATION

CDS Planning Local Review Body

From: Karen Clark <karen@sullerandclark.com>
Sent: 14 June 2021 09:16
To: CDS Planning Local Review Body
Cc: Daniel Wilson
Subject: Re: LRB-2021-09

Follow Up Flag: Follow up
Flag Status: Flagged



Dear Sir/Madam

Perth and Kinross Local Review Body Town & Country Planning (Scotland) Act 1997
The Town & Country Planning (Schemes of Delegation & Local Review Procedure) (Scotland) Regulations 2013
Application Ref: 20/01728/FLL – Erection of 2 dwelling houses and garages, land at Mennieburn Road, Aberuthven
– Mr D Wilson

We refer to the letter of the 11th June 2021 regarding the abovementioned on-going Review and note that the site visit occurred on the 7th June 2021. In response to queries of the Members of the LRB, we would respond as follows

(ii) To investigate with the Planning Service whether, during the preparation of LDP 2 (2019), consideration was given to the incorporation of the application site as part of the defined settlement;

Response: We can confirm that the landowner has not made any representation to the Local Plan Team seeking inclusion of this site in the Perth Local Development Plan. Further, it is our experience that the proposed site would not be considered as appropriate for a housing allocation within the Local Development Plan as it is too small.

(iii) To clarify the inconsistency referred to in the Report of Handling, namely the reference to private foul drainage and the use of a SUDS scheme for surface water but also the reference to a connection to a mains sewer in the planning statement.

Response: At the time of submission of the application we did not appreciate that there was a possibility of a connection to the local Waste Water Treatment works. During the consideration of the application Scottish Water confirmed there to be sufficient capacity for a foul only connection in the Aberuthven Waste Water Treatment works to service the proposed development. However, further investigations are required to be carried out and a formal application submitted to Scottish Water before this can be formally confirmed. Connecting to the mains drainage is the best and preferred solution therefore, if planning consent we to be granted, the detailed proposal would seek to make the required applications to connect to the mains drainage.

However, and as confirmed by Scottish Water, the drainage would only accept the foul drainage and therefore SUDS for the surface water would still be required on site.

Therefore, if the Local Review Board were of a mind to approve, we would suggest a condition be applied requiring the drainage to be to the satisfaction of Perth and Kinross Planning Service, in this way we can ensure a mains

connection will be sought as the preferred option with a fall back to a private system if connection to the public system is not possible.

We hope this responses to the queries of the Board.

Yours Faithfully

Suller & Clark

■ **Karine Suller B.Sc**, M.Sc, MRTPI
Scoutbog Steading, Oldmeldrum
Aberdeenshire AB51 0BH

Telephone: 07742 613 598
karine@sullerandclark.com

■ **Karen Clark B.Sc (Hons)**, MRTPI
Mayriggs, 69 Brechin Road
Kirriemuir DD8 4DE

Mob: 07930 566 336
karen@sullerandclark.com

CDS Planning Local Review Body

From: TES Development Plan - Generic Email Account
Sent: 01 July 2021 18:33
To: CDS Planning Local Review Body
Cc: Brenda Murray; Christine Brien; John Williamson - TES; Development Management - Generic Email Account
Subject: Planning application 20/01728/FLL - LRB-2021-09

Dear Lisa Simpson

Perth and Kinross Local Review Body (ref LRB-2021-09)

Planning application 20/01728/FLL

Proposal: Erection of 2 dwellinghouses and garages

Address: land at Mennieburn Road, Aberuthven

I have been asked to respond directly to you in the matter of the review of the above planning application. Specifically, I write with information requested by the Local Review Body in reason (ii) for deferring the review on 25 May 2021.

As part of the preparation of the Local Development Plan 2, all the settlement boundaries that were adopted in the 2014 Local Development Plan were reviewed:

Main Issues Report stage 2015

- At Main Issues Report stage, it was already clear that the spatial strategy set out in TAYplan was to encourage the majority of development in the Strathearn area to be within the main settlements of Crieff and Auchterarder. These settlements could accommodate large housing allocations in a sustainable manner, and they remained the Council's preferred options for meeting demand for housing sites.
- One of the questions posed in the Main Issues Report requested details of any changes sought to the boundary of any of the towns or villages in the Strathearn Area (Question 38). The Aberuthven settlement boundary was published at that time with a request for details of any changes sought.
- No requests were received in respect of Aberuthven's settlement boundary.

Proposed Local Development Plan 2017

- At Proposed Plan stage, there were no representations in respect of land at Aberuthven. Following examination, the Proposed Plan was adopted with the settlement boundary corresponding with that in the Proposed Local Development Plan.

The reasons this specific site was not given consideration are because the overall strategy for the plan's review directed the majority of development to the main settlements, and no request for specific consideration was received, neither up to nor during the Main Issues Report engagement, nor during the period for representations on the Proposed Local Development Plan.

Please don't hesitate to get in touch if the Local Review Body would like more detailed information on the Local Development Plan review, I or my colleagues will be pleased to assist.

Alasdair Finlayson
Planning Officer, Communities – Planning & Development
Ext.75315 (for voicemail messages as I am working remotely)

