

TCP/11/16(283)**Planning Application 13/01349/FLL – Erection of a dwellinghouse and outbuilding, land 30 metres south of Fungarth Farm Cottage, Dunkeld**

INDEX

- (a) Papers submitted by the Applicant (***Pages 449-482***)
- (b) Decision Notice (***Pages 485-486***)
 - Report of Handling (***Pages 487-493***)
 - Reference Documents (***Pages 473-482 and 495***)
- (c) Representations (***Pages 497-504***)
- (d) Further Information requested by the LRB (***Pages 505-514***)

TCP/11/16(283)
Planning Application 13/01349/FLL – Erection of a
dwellinghouse and outbuilding, land 30 metres south of
Fungarth Farm Cottage, Dunkeld

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name KEITH GENDES

Address OLD WOODLANDS COFFAGE
WOODLANDS ROAD
BLAIRGOWRIE

Postcode PH10 6JU

Contact Telephone 1 /

Contact Telephone 2 /

Fax No /

E-mail* /

Agent (if any)

Name DUALCHAS ARCHITECTS

Address MUSDALE BEACH,
SLEAT, ISLE OF SKUE

Postcode IV43 8QU

Contact Telephone 1 01471 833 300

Contact Telephone 2 /

Fax No /

E-mail* info@dualchas.com

Mark this box to confirm all contact should be
through this representative: ☒

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes/ No
☒ ☐

Planning authority

PERTH & KINROSS COUNCIL

Planning authority's application reference number

13/01349/FUL

Site address

LAND 30 MTRS SOUTH OF FONGARTH FARM, BUNKELD

Description of proposed
development

ERECTION OF HOUSE & OUTBUILDING

Date of application

24/07/2013

Date of decision (if any)

19/09/2013

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☒

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

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

1. Can the site be viewed entirely from public land? ☒ Yes ☒ No
2. Is it possible for the site to be accessed safely, and without barriers to entry? ☒ Yes ☐ No

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

Statement

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

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

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

REASONS FOR NOTICE OF REVIEW - ATTACHED APPENDIX 1.

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

PLANNING APPLICATION ATTACHED - APPENDIX 2.

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

Checklist

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

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

Declaration

I the ~~applicant~~/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

08/10/2013

Grounds of Review

13/01349/FLL - Erection of a dwelling house and outbuilding on land 30 Metres South of Fungarth Farm Cottage, Dunkeld

These grounds of appeal have been prepared by Mary Arnold-Forster RIAS of Dualchas Architects and should be read in conjunction with the material submitted in support of the original planning application (**See Appendix 1**)

1. The applicant, Keith Geddes, was brought up in Blairgowrie. He worked for 22 years at Glenmore Lodge Scotland's Outdoor centre near Aviemore and is an international mountain guide, ski instructor, specialising in avalanche awareness and ex-head of the mountain rescue in Scotland. He also works on rope access projects as a specialist safety inspector. His elderly father lives locally as does his daughter. He has been working abroad for the last 15 years and has never owned his own house. He would like to come home to the area and offer his time and experience to mountain rescue, the avalanche and turbine safety industry on both a voluntary and commercial basis. He would like to set up as a consultant in this field and this location with its excellent transport facilities both for road and rail would be the ideal place to do so.
2. The application site lies in the small hamlet of Fungarth near Dunkeld. It is surrounded by stone buildings; estate cottages; a steading; small sheds and one late 20th century bungalow. It incorporates the former Ploughman's Cottage (remnants of which still exist on the site) which sat at the heart of the hamlet behind the steading and next to the Farmhouse and is surrounded on its four sides by existing buildings. The site is currently used as a dumping ground for a neighbour's redundant farm machinery and in its present condition has, in my opinion, an adverse effect on the character and appearance of the area. Photographic evidence of the Ploughmans cottage is contained within the original applications design statement.
3. Outline Planning Permission was previously granted for the erection of a dwelling house on the site in July 2009 under Planning Application Register Reference Number 09/00799/IPL. Whilst this consent has now expired its recent existence recognises that the site was previously considered by the Council as being suitable for the erection of a dwelling house.
4. The application submitted to and refused by the Appointed Officer sought detailed planning permission for the erection of a small two bedroom cottage less than 100 sq. metres in area in the same location as the former Ploughman's Cottage. It was reduced in size from the withdrawn application. The design aims to continue the steading form and create a grouping around a slate slab courtyard. The roof would be of an identical (though asbestos free) material with untreated larch being proposed in lieu of stone. An existing workshop to the south of the site forms the third side of the courtyard and a new outbuilding on the eastern side forms the fourth side.

5. It is strongly considered that the proposed dwelling house would contribute to rather than detract from the character and appearance of the area given that, as previously noted, the site is currently used for storing redundant farm machinery. The rebuilding of the stone wall to the west of site would be pure restoration and as such should according to P+K policy be encouraged.
6. Policy 54 of the Highland Area Local Plan supports the development of individual houses within existing small groups where sites are contained by housing or other buildings, and where further development would not significantly detract from the character and amenity of existing housing or lead to an extension of the group. The application site at Fungarth occupies a central location within the group and is considered to comply with the terms of this policy.
7. Whilst the application site is located within the Lunan Valley Catchment Area where Policy 53 contains a presumption against new development, except for renovations and alterations to existing buildings, the Council has set aside that policy presumption on a number of occasions and approved the following new housing developments:
 - 12/01570/FUL – Renewal of Planning (07/00649/ful) for replacement of former bothy with a house – granted 23rd October 2012.
 - 12/01552/FLL – Erection of dwellinghouse (modification of previous consent 11/01899/FLL) at Hatton Grange, Dunkeld – granted 01st October 2012.
 - 12/00457/IPL – Erection of house and garage in principle (renewal of 08/01712/OUT) at Sholach, Wester Essendy – granted 11th June 2012.
 - 12/00047/FLL – Erection of dwelling house at Spoutswell Farm Cottage, Neiklour – granted 12th March 2012.
 - 11/00298/IPL – Erection of house and garage at Wester Essendy – granted 10th August 2011
 - 10/01873/FLL – Erection of house at Middle Cardney, Butterstone – granted 10th December 2010.
 - 09/01888/FLL – Erection of house at Middle Cardney, Butterstone – granted 26th January 2010.

In light of the fact that planning permission in principle (formerly outline planning permission) was previously granted for the erection of a dwelling house on the application site the above referenced decisions lend considerable support to the granting of permission for the current site.

8. There have been no objections raised against the proposed dwelling house from statutory consultees or from third parties.
9. This application site is unique as are the proposals which have been designed for it. It is an established principle of planning law that all applications should be considered on their own individual merits. Given the planning history associated with the site and its specific characteristics it is not accepted that the granting of planning permission for the proposal would set a precedent for the granting of similar developments in the Lunan Valley Catchment Area.



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 necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000052942-002

The online ref number 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: *

We strongly recommend that you refer to the help text before you complete this section.

- ☒ 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 new build house with outbuilding - site adjacent to Fungarth Steading, Dunkeld, PH8 0ES

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

Have the works already been started 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:

Ref. Number:

First Name: *

Last Name: *

Telephone Number: *

Extension Number:

Mobile Number:

Fax Number:

Email Address: *

You must enter a Building Name or Number, or both:*

Building Name:

Building Number:

Address 1 (Street): *

Address 2:

Town/City: *

Country: *

Postcode: *

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *

Other Title:

First Name: *

Last Name: *

Company/Organisation:

Telephone Number:

Extension Number:

Mobile Number:

Fax Number:

Email Address:

You must enter a Building Name or Number, or both:*

Building Name:

Building Number:

Address 1 (Street): *

Address 2:

Town/City: *

Country: *

Postcode: *

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

Please identify/describe the location of the site or sites.

Northing

743230

Easting

303545

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

625.00

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)

Vacant land

Access and Parking

Are you proposing a new or 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 changes to public paths, public rights of way or affecting any public rights 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)? *

2

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, cycle 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

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).

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: * (Max 500 characters)

Shared treatment tank 12PE Balmoral

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)

As shown.

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? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☒ Yes ☐ No

All Types of Non Housing Development - Proposed New Floorspace Details

For planning permission in principal applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Don't Know

Gross (proposed) floorspace (In square metres, sq.m) or number of new (additional) rooms (If class 7 or 8): *

27

If Class 1, please give details of internal floorspace:

Net trading space:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Greenhouse & Store

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2008) *

☐ Yes ☒ No ☐ Don't Know

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.

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.

Planning Service Employee/Elected Member Interest

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? *

☐ Yes ☒ No

Certificates and Notices

Certificate and Notice under Regulation 15 8 – Town and Country Planning (General Development Management Procedure) (Scotland) Order 1992 (GDPO 1992) Regulations 2008

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land ? *

☐ Yes ☒ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Are you able to identify and give appropriate notice to ALL the other owners? *

☒ Yes ☐ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Certificates

The certificate you have selected requires you to distribute copies of the Notice 1 document below to all of the Owners/Agricultural tenants that you have provided before you can complete your certificates.

Notice 1 is Required

☒ I understand my obligations to provide the above notice(s) before I can complete the certificates. *

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

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: Ms Mary Arnold-Forster

Address: The Shed, Tokavaig, Sleat, Isle of Skye, Scotland, IV44 8QL

Date of Service of Notice: *

22/07/13

(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: Mary Arnold-Forster

On behalf of: Mr Keith Geddes

Date: 19/07/2013

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

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, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments (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 County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

c) 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 2008, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

d) 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 2008) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) 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

f) 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)

N/A

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)

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: Mary Arnold-Forster

Declaration Date: 24/07/2013

Submission Date: 24/07/2013

Design Statement

NEW HOUSE – SITE ADJACENT TO FUNGARTH STEADING

BACKGROUND INFORMATION

Name of scheme

666_Geddes_Fungarth

Type of scheme

Replacement house and outbuilding

Applicant

Keith Geddes

Architect

Dualchas Architects

Date:

16 May 2013

Outline Planning Permission Granted – 1st August 2009 (Ref: 09/00799/OUT)

PROPOSAL

The site lies in the small hamlet of Fungarth near Dunkeld. It is surrounded by stone buildings; estate cottages; a steading; small sheds and one late 20th century bungalow.

There was up until recently a cottage built into the bank to the north of the site along with a boundary wall to the west. The remnants of these structures can be seen on site though overgrown.

It is proposed to build a 2 bed cottage into the bank in the same location as the demolished cottage and rebuild the stone boundary wall. The aim is to continue the steading form and create a grouping around a slate slab courtyard. The existing workshop to the south of the site forms the third side of the courtyard with a new outbuilding on the east boundary forming the fourth. Careful study of the scale and proportion of the existing structures and the section through the site has resulted in a low-lying proposal narrow in plan and tucked low in the landscape. It has been designed to have minimum impact on the neighbour's views.

A number of the existing trees on the north boundary of the site will need to be removed or cut back.

The existing entrance area to the site has been re-used.

It is proposed to use a simple palette of materials in response to the local vernacular. Stone wall, untreated larch, black coloured corrugated roofing to match the steading. The colours are predominantly muted greys to reflect the local stonework.

The cottage will incorporate a heat pump, photovoltaic panels (flushed low into the roof), triple glazing and additional insulation. The water supply is from a shared supply managed by Athol Estates and the drainage will be by way of a new shared treatment plant and soakaway.

Design Statement

This project has been designed after a careful study of the Housing in the Countryside Guide. It is felt it meets many of the requirements of the guide. It is a development on a brownfield site, a replacement of an existing house, an infill site and part of a building group. It is a sustainable development in terms of minimising travel, re-uses existing traditional materials from site and adding additional economic activity to the area. The size and design of the infill houses is in sympathy to the existing buildings.

However this site lies on the edge of the Lunan Valley Catchment Area and therefore limits the application of The Housing in the Countryside November 2012 Guidelines to

- Economic need.
- Conversions
- Replacement buildings.

In response we would suggest the following:

Fungarth does not lie naturally within this Catchment area. In terms of its social geography it is felt it lies within the Dunkeld catchment area as it is only a short walk from the village and is located within the village golf course. It is in a sense a suburb of Dunkeld. In terms of its physical geography the catchment of the streams that feed the Loch of the Lowes and the entire valley fall to the east of the site.

Both the applicant and the agent strongly support Perth and Kinross's policy to protect the open countryside and unique landscape qualities of this valley from new development and as such this site was chosen as it was part of an existing settlement. It is an attempt to restore the heart of the hamlet with a sympathetic solution in terms of materials, massing and scale. It is after all a small (less than 100sq.m) 2 bedroom cottage built on a brownfield site, the footprint of the old Ploughman's cottage. It is felt that if this site is left undeveloped it may continue to be a dumping ground for neighbour's unwanted possessions.

The cottage has been designed as an extension to the existing steading conceptually as well as physically. It creates a courtyard rather than a house surrounded by garden. The boundary wall to the west of the site is to be restored and rebuilt and it has been agreed with the owner that it be rebuilt as it was up to the existing steading building. It is proposed to complete the courtyard with an outbuilding/greenhouse that connects to the existing steading with a short deer fence. The materials of stone, untreated larch and black corrugated roof chosen were inspired by the existing steading buildings. (See Appendix i)

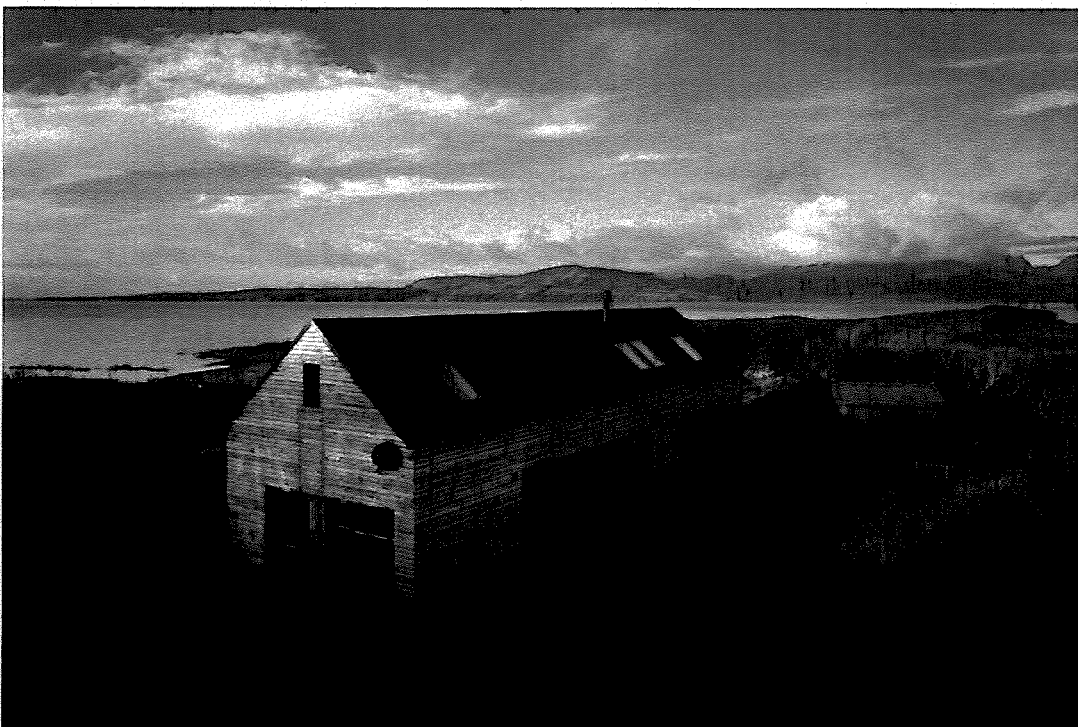
The Ploughmans cottage that stood there was at the heart physically and economically of the old farm steading and is described on several old and current maps. It is remembered in detail by the retired farm Managers wife whose aunt used to stay there and she is keen to see it rebuilt. (See appendix ii)

The applicant, Keith Geddes, was brought up in Blairgowrie. He worked for 22 years at Glenmore Lodge Scotland's Outdoor centre near Aviemore and is an international mountain guide, ski instructor, specialising in avalanche awareness and ex-head of the mountain rescue in Scotland. He also works on rope access projects as a specialist safety inspector. His elderly father lives locally as does his daughter. He has been working abroad for the last 15 years and has never owned his own house. He would like to come home to the area and offer his time and experience to mountain rescue, the avalanche and turbine safety industry on both a voluntary and commercial basis. He would like to set up as a consultant in this field and this location with its excellent transport facilities both for road and rail would be the ideal place to do so.

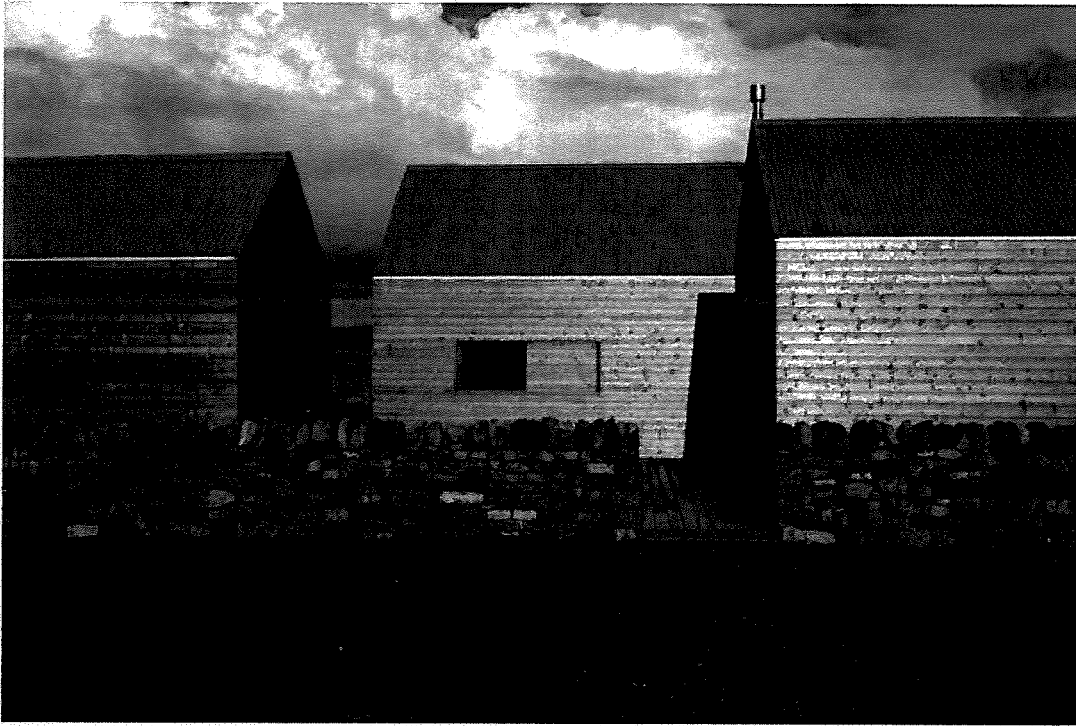
Design Statement

APPENDIX I

Attached images below of similar houses designed by Dualchas Architects based on the aesthetics of agricultural buildings.

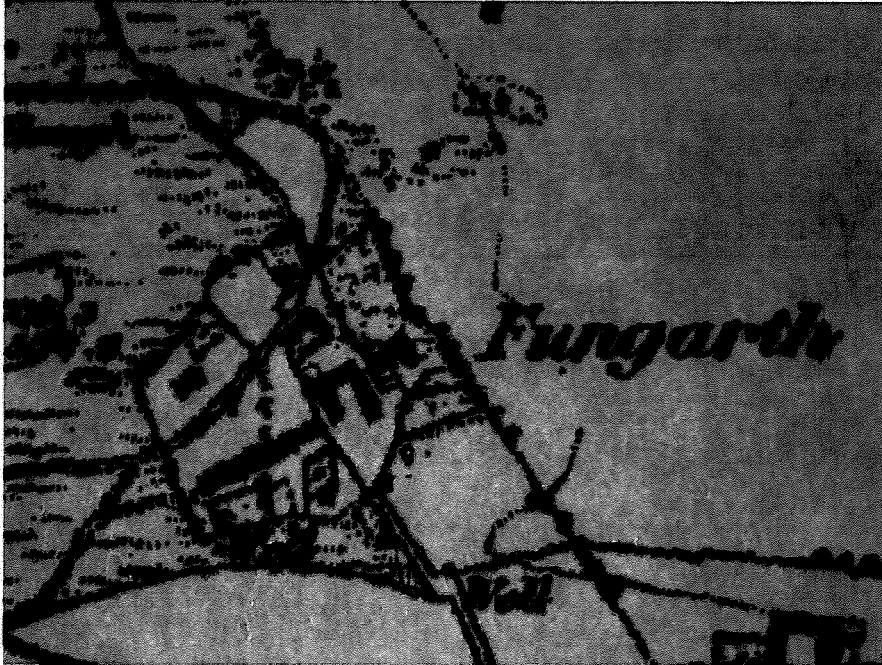


Design Statement



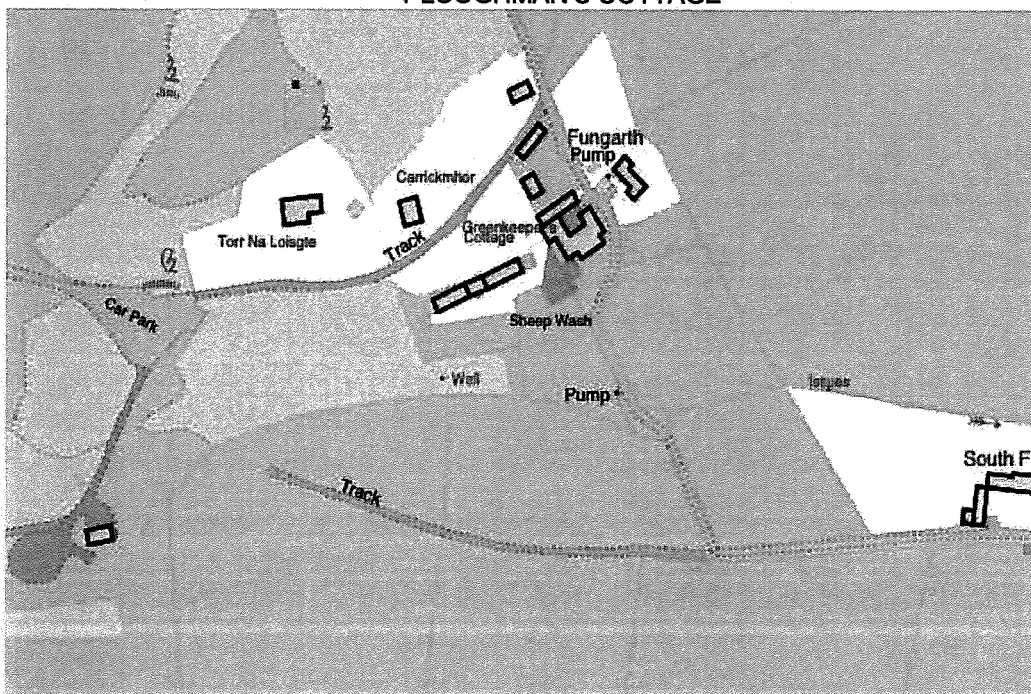
Design Statement

APPENDIX II



1:10,560 DATE 1867

PLOUGHMAN'S COTTAGE



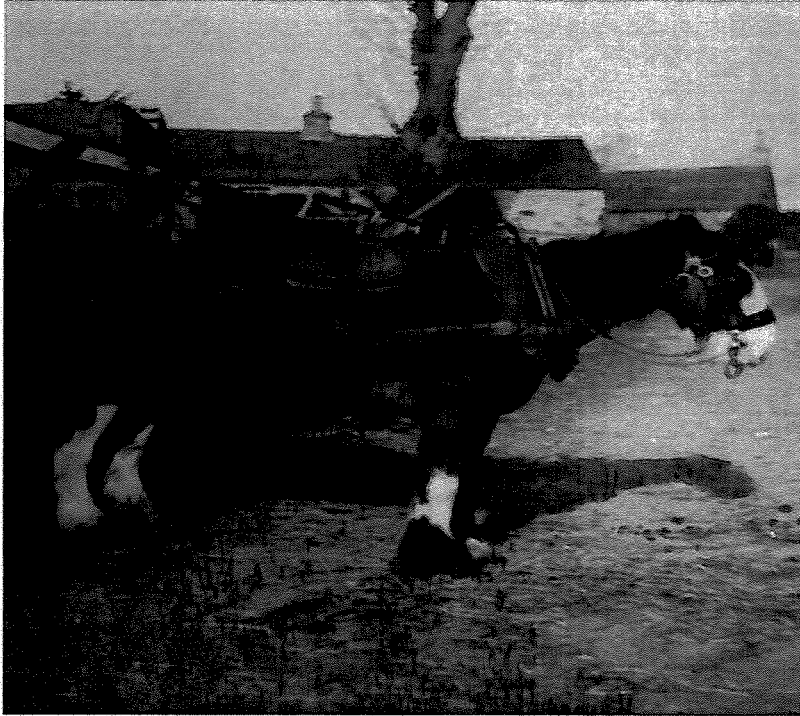
MAP PUBLISHED BY DUNKELD HOUSE HOTEL

Design Statement

APPENDIX III

PLOUGHMAN'S COTTAGE

EXISTING COTTAGE BEHIND



PLOUGHMAN'S COTTAGE





Design Statement

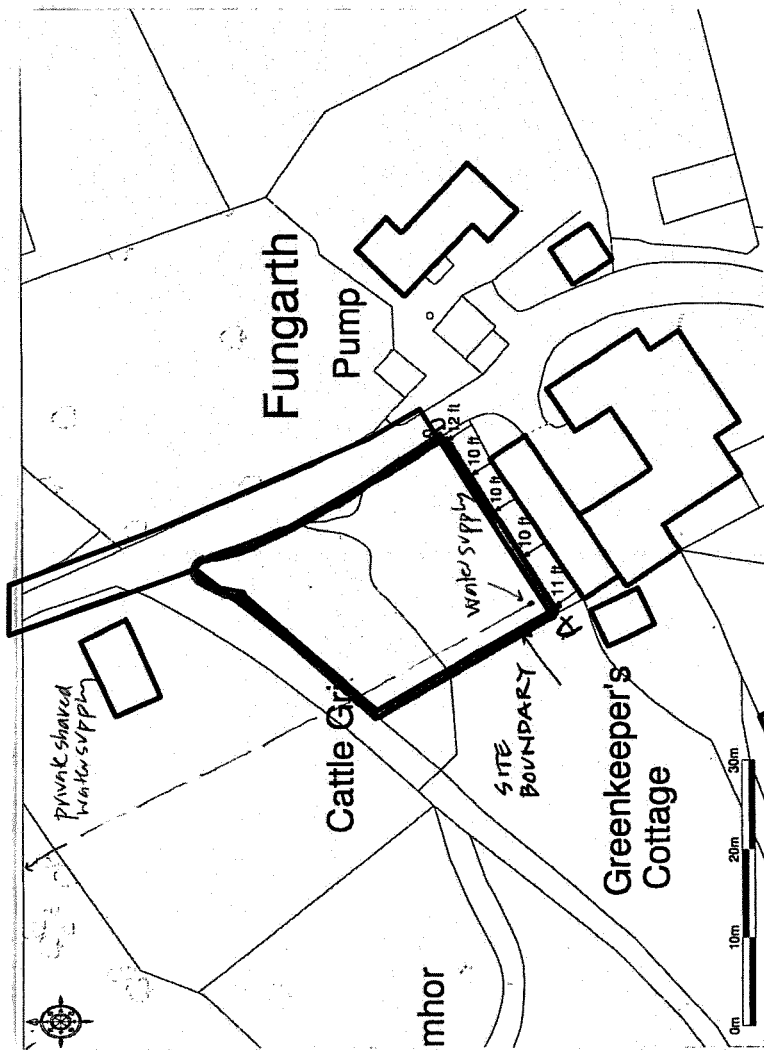
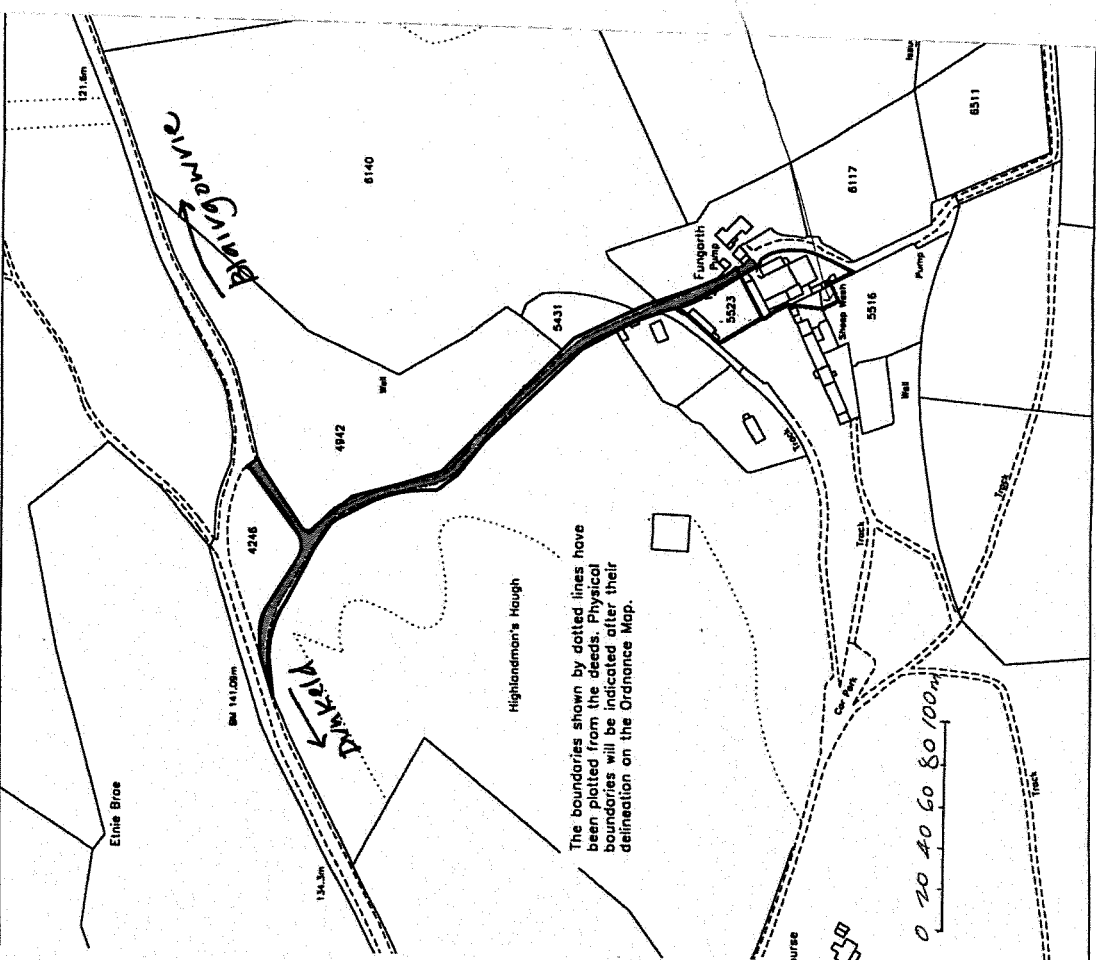
PLOUGHMAN'S COTTAGE



FUNGARTH FARM

| | | |
|---|---------------------|--------------|
|  LAND REGISTER OF SCOTLAND | Officer's ID / Date | TITLE NUMBER |
| | 3486 27/3/2001 | PTH4678 |
|  ORDNANCE SURVEY NATIONAL GRID REFERENCE | Scale | |
| | 1/2500 | |
| NO0343 NO04SW | Survey Scale | |
| | 1/2500 | |

CROWN COPYRIGHT © - This copy has been produced from the RDS Digital Mapping System on 08/10/2007 and was made with the authority of Ordnance Survey pursuant to Section 47 of the Copyright, Designs and Patents Act 1988. Unless that act provides a relevant exception in copyright, the copy must not be copied without the prior permission of the copyright owner.



Site Area 632m²

location of replacement sewage treatment tank 12PE Balmoral Cap to be shared with neighbour Hamish Moore

DUALCHAS

ARCHITECTS

SKYE
Dunstable Boag, Skelton, Isle of Skye IV43 8GU T: 01471 833 300

GLASGOW
Unit 4, Building 6, Templeton Business Centre, Glasgow G40 1DA T: 0141 550 1401

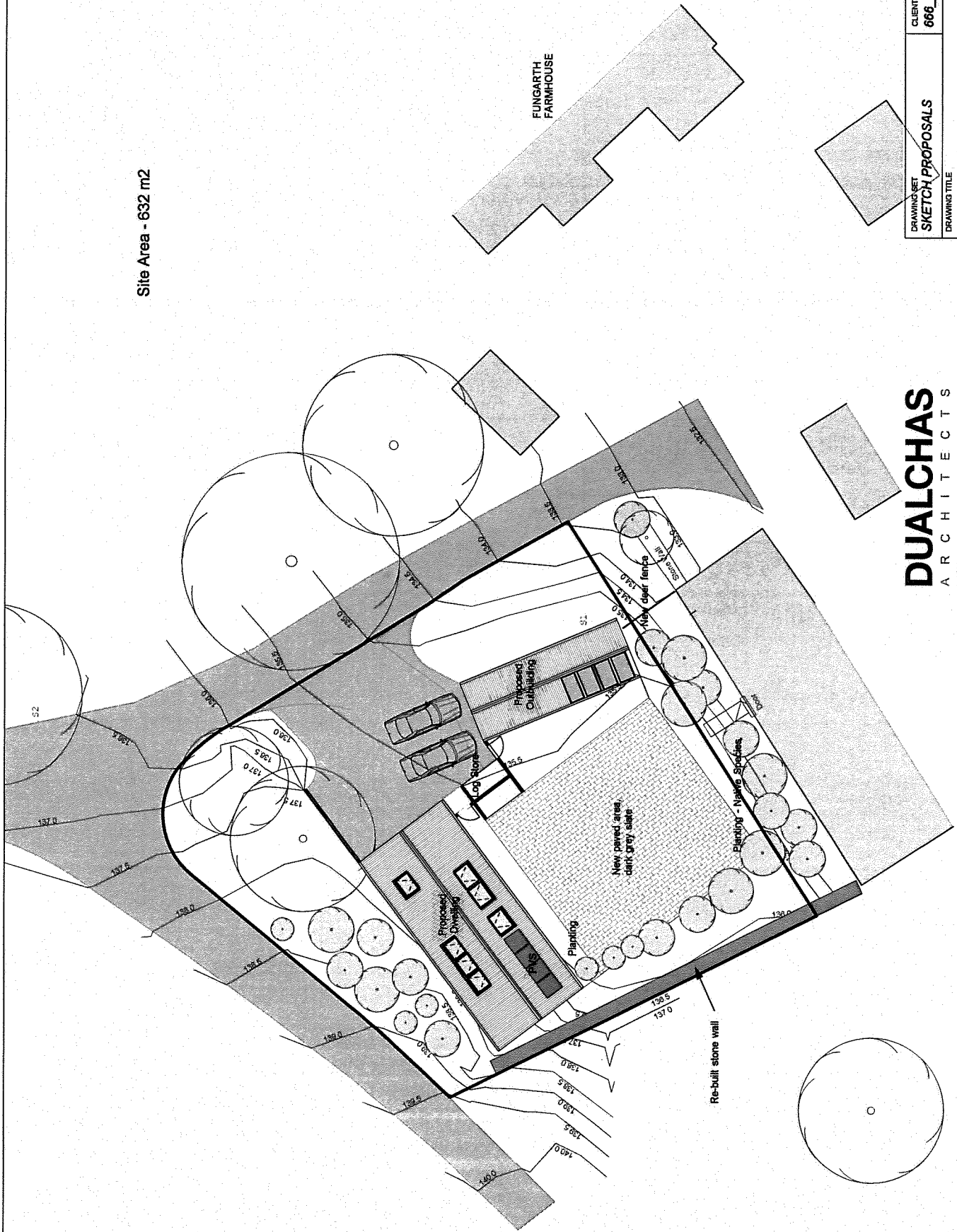
E: info@dualchas.com W: www.dualchas.com

© Dualchas Architects. To be used in conjunction with the specification and all relevant drawings. Care must be taken to check all dimensions on site. Do not email from this drawing. Architects to be advised of any variation between the drawings and site conditions.

| | |
|-------------------|-------------|
| DRAWING SET | CLIENT |
| SKETCH PROPOSALS | 666_GEDDES |
| DRAWING TITLE | |
| 101 LOCATION PLAN | |
| DRAWING NUMBER | DRAWN BY |
| 666_PL_101 | JM |
| CAD FILE NAME | DATE |
| 666_SK_BASE | 01.05.13 |
| | SCALE |
| | 1:2500 @ A3 |



Site Area - 632 m2



DUALCHAS

ARCHITECTS

SKYE
Duisdale Beag, Skiat, Isle of Skye IV43 8DU T: 01471 833 300

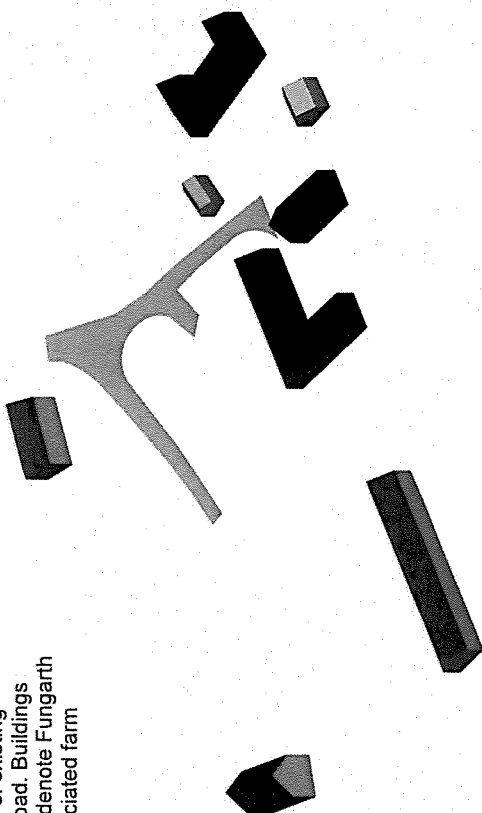
GLASGOW
Unit 4, Building 5, Templeton Business Centre, Glasgow G40 1DA T: 0141 550 1401

E: info@dualchas.com W: www.dualchas.com

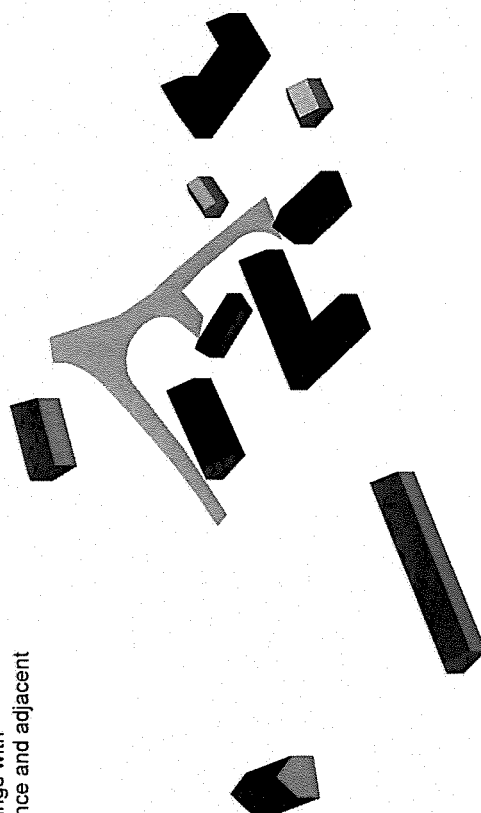
© Dualchas Architects. To be used in conjunction with the specifications and all relevant drawings. Contractors to check all dimensions on site. Do not build from this drawing. Architects to be advised of any variations between the drawings and site conditions.

| | |
|--|-----------------------------|
| DRAWING SET SKETCH PROPOSALS | CLIENT 666_GEDDES |
| DRAWING TITLE PR_SITE_PLAN | |
| DRAWING NUMBER 666_PL_103 | DRAWN BY JM |
| CAD FILE NAME 666_SK_BASE | DATE 01.05.13 |
| | SCALE 1:200 @A3 |

Current massing of existing structures with road. Buildings shown in colour denote Fungarth House and associated farm buildings.



Massing of buildings with proposed residence and adjacent outbuilding



NB.
Scale of buildings intended as diagrammatic only

DUALCHAS

A R C H I T E C T S

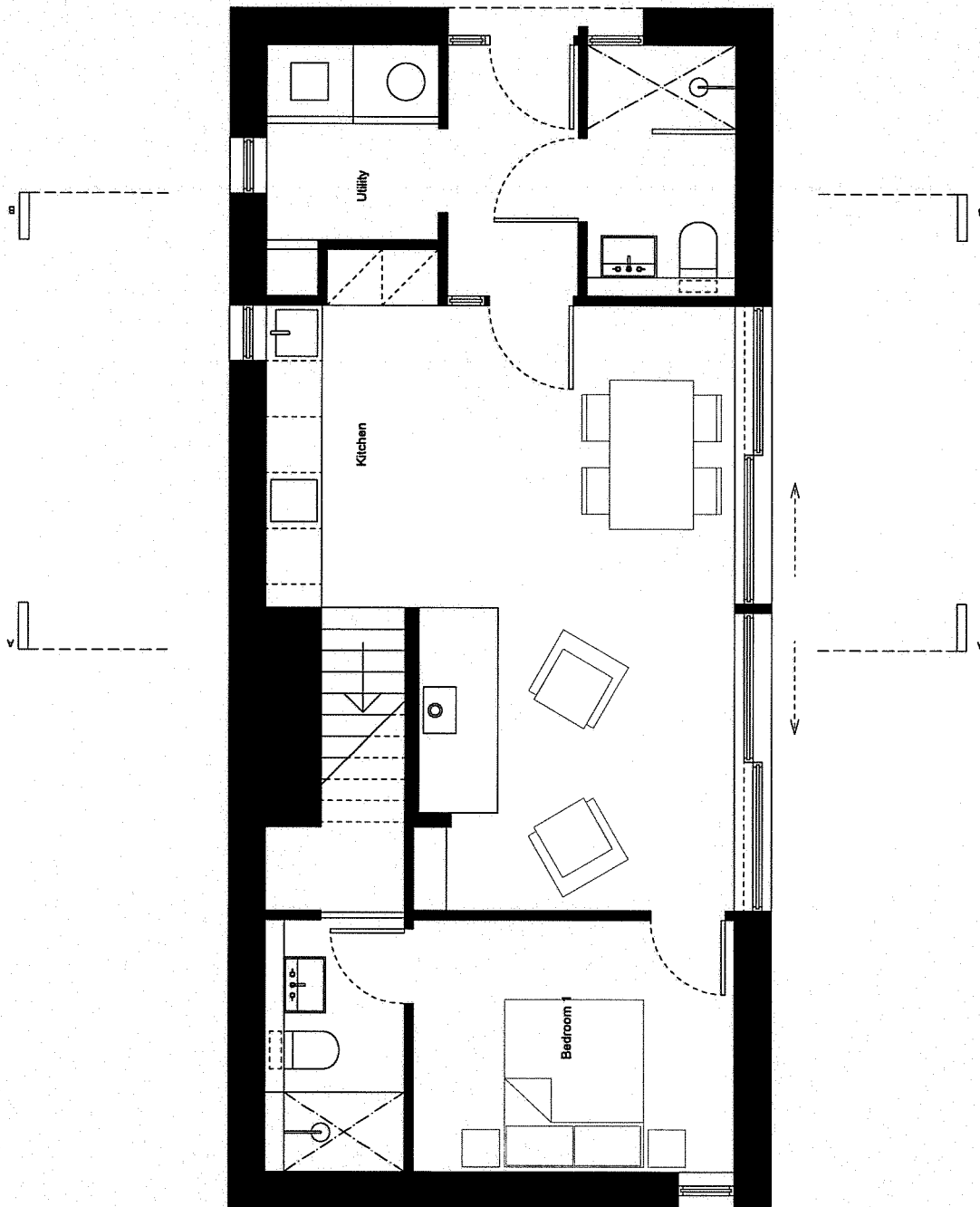
SKYE
Dunsdale Bess, Skat. Isle of Skye IV43 8QU T: 01471 833 300

GLASGOW
Unit 4, Building 5, Templeton Business Centre, Glasgow G40 1DA T: 0141 550 1401

E: info@dualchas.com W: www.dualchas.com

© Dualchas Architects. To be used in conjunction with the specification and all relevant drawings. Contractor to check all dimensions on site. Do not scale from this drawing. Architect to be advised of any variation between the drawings and site conditions.

| | |
|---|----------------------|
| DRAWING SET SKETCH PROPOSALS | CLIENT 666_GEDDES |
| DRAWING TITLE EXISTING + PROPOSED MASSING SITE DIAGRAM | |
| DRAWING NUMBER 666_PL_601 | DRAWN BY JM |
| CAD FILE NAME 666_SK_BASE | DATE 07.05.2013 |
| | SCALE NTS |



DUALCHAS

ARCHITECTS

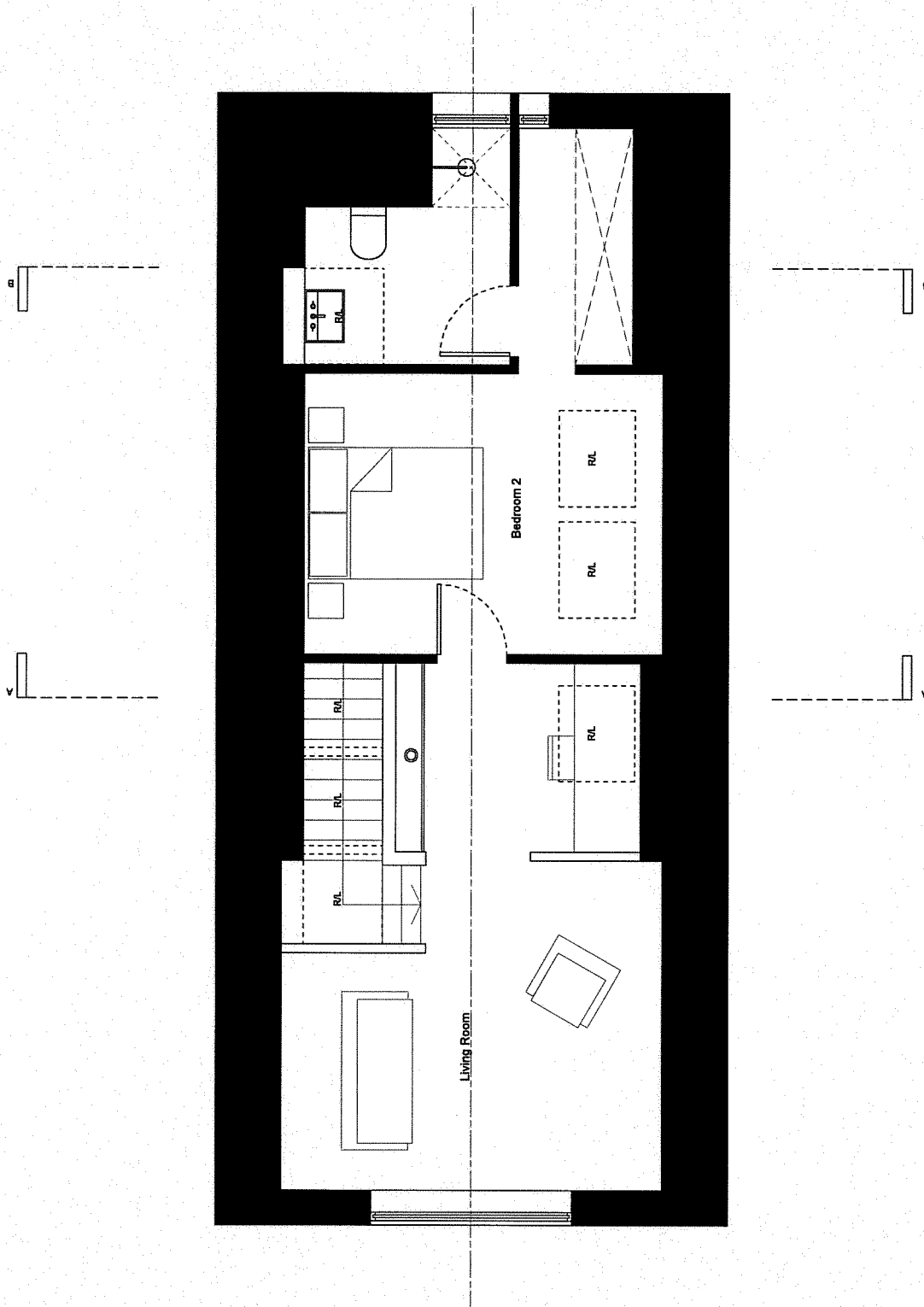
SKYE
Dunstable Bess, Sleat, Isle of Skye IV43 8QU T: 01471 833 300

GLASGOW
Unit 4, Building 5, Templeton Business Centre, Glasgow G40 1DA T: 0141 550 1401

E: info@dualchas.com W: www.dualchas.com

© Dualchas Architects. To be used in conjunction with the specification and all relevant drawings. Contractors to check all dimensions on site. Errors and omissions are the responsibility of the architect. Architects to be advised of any variation between the drawings and site conditions.

| | |
|---|----------------------|
| DRAWING SET SKETCH PROPOSALS | CLIENT 666_GEDDES |
| DRAWING TITLE PROPOSED GROUND FLOOR PLAN | |
| DRAWING NUMBER 666_SK_201 | DRAWN BY JM |
| CAD FILE NAME 666_SK_BASE | DATE 07.05.2013 |
| | SCALE 1:50 @ A3 |



DUALCHAS

ARCHITECTS

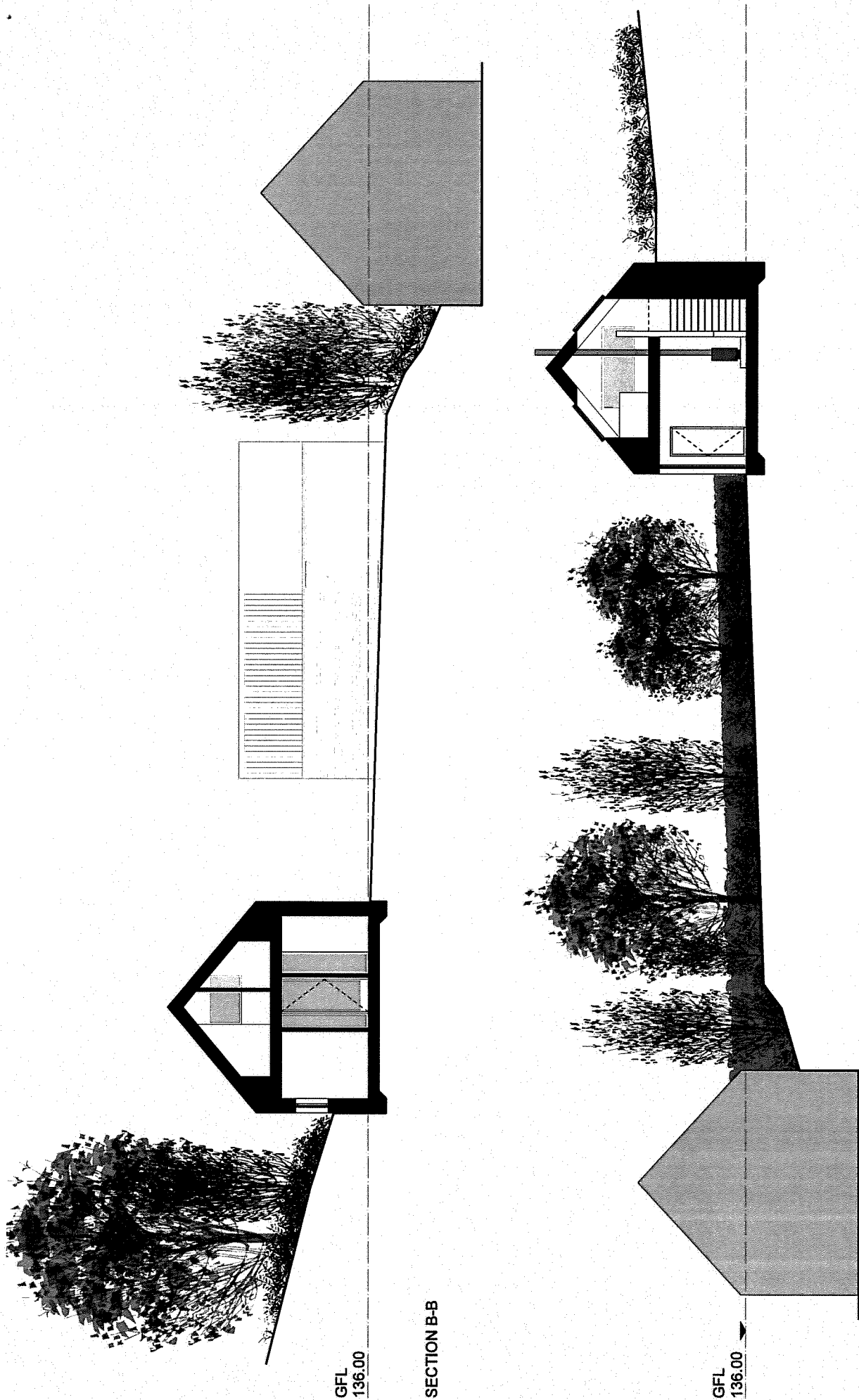
SKYE
Dunstable Begg, Skett, Isle of Skye IV43 8QU T: 01471 833 300

GLASGOW
Unit 4, Building 5, Templeton Business Centre, Glasgow G40 1DA T: 0141 550 1401

E: info@dualchas.com W: www.dualchas.com

© Dualchas Architects. To be used in conjunction with the specification and all relevant drawings. Contractor to check all dimensions on site. For and on behalf of the architect. Architect to be advised of any variation between the drawings and site conditions.

| | |
|--|----------------------|
| DRAWING SET SKETCH PROPOSALS | CLIENT 666_GEDDES |
| DRAWING TITLE PROPOSED FIRST FLOOR PLAN | |
| DRAWING NUMBER 666_SK_202 | DRAWN BY JM |
| CAD FILE NAME 666_SK_BASE | DATE 01.05.2013 |
| | SCALE 1:50 @ A3 |



SECTION B-B

SECTION A-A

DUALCHAS

A R C H I T E C T S

SKYE
Duallach Beg, Sleat, Isle of Skye IV43 8QU T: 01471 833 300

GLASGOW
Unit 4, Building 5, Templeton Business Centre, Glasgow G40 1DA T: 0141 550 1401

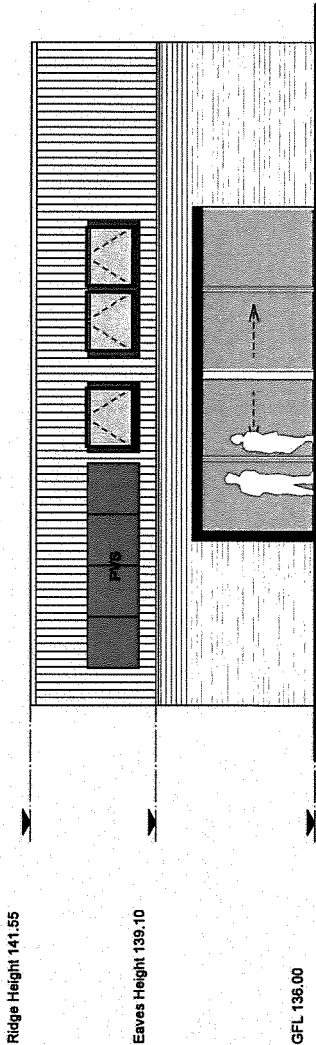
E: info@duallchas.com W: www.duallchas.com

© Dualchas Architects. To be read in conjunction with the specification and all relevant drawings. Contractor to check all dimensions on site. Do not create from this drawing. Architect to be informed of any variation between the drawings and site conditions.

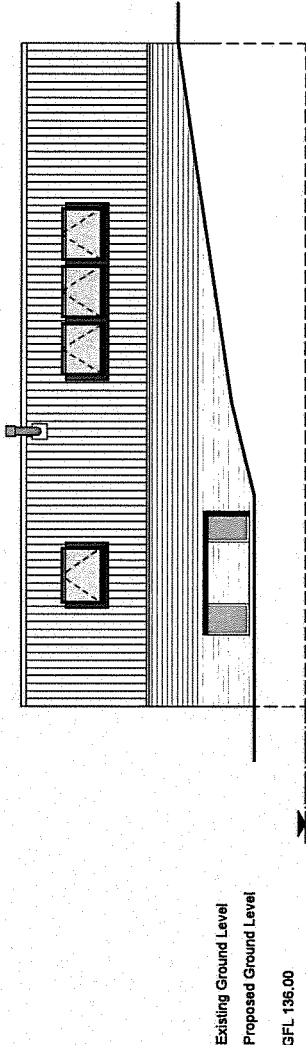
| | |
|-----------------------------------|----------------------|
| DRAWING SET SKETCH PROPOSALS | CLIENT 666_GEDDES |
| DRAWING TITLE SECTIONS AA + BB | |
| DRAWING NUMBER 666_SK_301 | DRAWN BY JM |
| CAD FILE NAME 666_SK_BASE | DATE 01.05.2013 |
| | SCALE 1:100 @ A3 |

MATERIALS

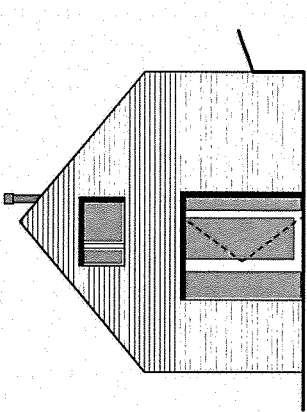
WALLS - HORIZONTAL LARCH TIMBER CLADDING
ROOF - SINUSOIDAL PROFILE METAL SHEET



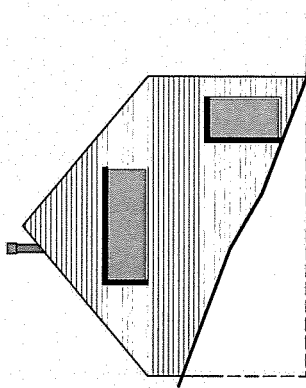
SOUTH EAST ELEVATION



NORTH WEST ELEVATION



NORTH EAST ELEVATION



SOUTH WEST ELEVATION

DUALCHAS

ARCHITECTS

SKYE
Dunstable Bays, Skye IV43 8QU T: 01471 833 300

GLASGOW
Unit 4, Building 5, Templeton Business Centre, Glasgow G40 1DA T: 0141 550 1401

E: info@dualchas.com W: www.dualchas.com

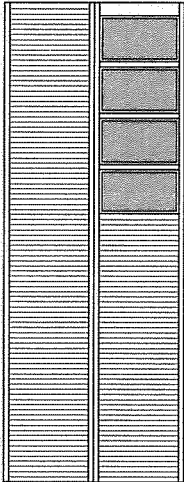
© Dualchas Architects. To be used in conjunction with the specification and all relevant drawings. Contractors to check all dimensions on site.

Do not trade from this drawing. Architect to be advised of any variation between the drawings and site conditions.

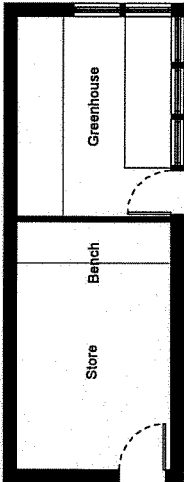
| | |
|--------------------------------------|----------------------|
| DRAWING SET SKETCH PROPOSALS | CLIENT 666_GEDDES |
| DRAWING TITLE PROPOSED ELEVATIONS | |
| DRAWING NUMBER 666_PL_401 | DRAWN BY JM |
| CAD FILE NAME 666_SK_BASE | DATE 01.05.2013 |
| | SCALE 1:100 @ A3 |

MATERIALS

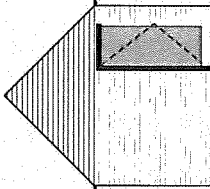
WALLS - HORIZONTAL TIMBER CLADDING
ROOF - SINUSOIDAL PROFILE METAL SHEET



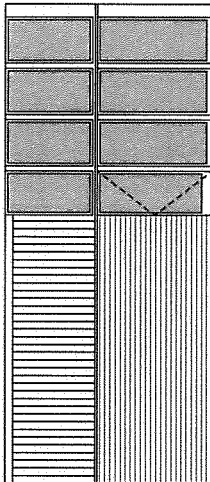
ROOF PLAN



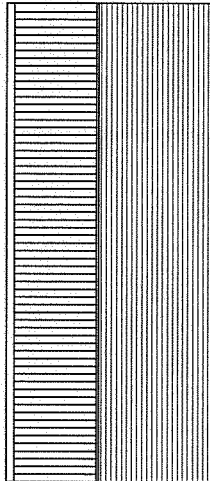
FLOOR PLAN



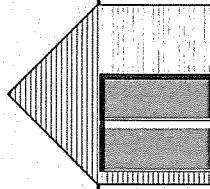
NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION

DUALCHAS

ARCHITECTS

SKYE
Duisdale Beag, Sleat, Isle of Skye IV43 8QU T: 01471 833 300

GLASGOW
Unit 4, Building 5, Templeton Business Centre, Glasgow G40 1DA T: 0141 550 1401

E: info@dualchas.com W: www.dualchas.com

© Dualchas Architects. To be read in conjunction with the specification and all relevant drawings. Contractor to check all dimensions on site.
Do not scale from this drawing. Architect to be advised of any variation between the drawings and site conditions.

| | |
|---------------------------------------|----------------------|
| DRAWING SET SKETCH PROPOSALS | CLIENT 666_GEDDES |
| DRAWING TITLE PROPOSED OUTBUILDING | |
| DRAWING NUMBER 666_PL_701 | DRAWN BY JM |
| CAD FILE NAME 666_SK_BASE | |
| DATE 01.05.2013 | |
| SCALE 1:100 @ A3 | |

TCP/11/16(283)
Planning Application 13/01349/FLL – Erection of a dwellinghouse and outbuilding, land 30 metres south of Fungarth Farm Cottage, Dunkeld P

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(submitted as part of applicant's submission, see pages 473-482)*

PERTH AND KINROSS COUNCIL

Mr Keith Geddes
c/o Dualchas Architects
FAO Mary Arnold-Foster
Dualchas Architects
Duisdale Beag
Sleat
Isle Of Skye
IV43 8QU

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 19th September 2013

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **13/01349/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 24th July 2013 for permission for **Erection of a dwellinghouse and outbuilding Land 30 Metres South Of Fungarth Farm Cottage Dunkeld** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to Policies 53 and 54 of the Highland Area Local Plan 2000 as it does not meet the requirements for development in the Lunan Valley Catchment Area in terms of operational need, conversions or replacement buildings.
2. The proposal is contrary to Policy RD3 - Housing in the Countryside and EP6 - Lunan Valley Catchment Area of the Proposed Local Development Plan 2012 in that the proposal does not meet the requirements for development in the Lunan Valley Catchment Area in terms of economic need, conversions or replacement buildings.

3. The proposal is contrary to the Council's Housing in the Countryside policy as contained within the Housing in the Countryside Guide 2012. The proposal does not meet the requirements for development in the Lunan Valley Catchment Area in terms of economic need, conversions or replacement buildings.
4. Granting of planning permission, contrary to policy, would set a precedent for similar developments within the Lunan Valley Catchment Area.

Justification

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

Notes

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

Plan Reference

13/01349/1

13/01349/2

13/01349/3

13/01349/4

13/01349/5

13/01349/6

13/01349/8

13/01349/9

13/01349/10

13/01349/11

REPORT OF HANDLING

DELEGATED REPORT

| | |
|---------|---------------|
| Ref No | 13/01349/FLL |
| Ward No | N5- Strathtay |

PROPOSAL: Erection of a dwellinghouse and outbuilding

LOCATION: Land 30 Metres South Of Fungarth Farm Cottage Dunkeld

APPLICANT: Mr Keith Geddes

RECOMMENDATION: REFUSE THE APPLICATION

SITE INSPECTION: 6 September 2013



OFFICERS REPORT:

Full planning consent is sought for the erection of a dwellinghouse on land at Fungarth, near Dunkeld.

The site extends to around 625 square metres. There is an existing traditional stone built building to the south of the site. It is proposed to build a two bedroom cottage set into the bank to the north west of the site. There is a row of large trees on the top of the bank. Some of these trees would be removed to enable the house to be constructed. The proposed house has been designed to fit in with the contours of the

land and to be of an agricultural style, predominantly constructed of timber, set around a courtyard along with an associated out building.

The site is located within a designated National Scenic Area and within the Lunan Valley Catchment Area.

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 as amended by Planning Etc (Scotland) Act 2006 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The determining issues in this case are whether: - the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy

The Adopted Local Plan comprises the TayPlan 2012 and Highland Area Local Plan 2000. The most relevant policies in this instance are Policy 53: Lunan Valley Catchment Area and Policy 54: Housing in the Countryside. The Proposed Local Development Plan (2012) is a material consideration. Policy RD3: Housing in the Countryside and its associated Housing in the Countryside Guide (2012) and Policy EP6: Lunan Valley Catchment Area are all relevant material considerations.

Policy 53 of the adopted Highland Area Local Plan 2000 states that there is a presumption against built development within the Lunan Valley Catchment Area, except for renovations or alterations to existing buildings and developments necessary for operational need. Policy 54 of the Highland Area Local Plan 2000 sets out a number of criteria that need to be met before the principle of residential development in the countryside can be established. However, as the site is located within the Lunan Valley Catchment Area there is a presumption against new houses unless required on the basis of operational need but encouragement will be given to the restoration and conversion of buildings to form new houses. In this case there are no buildings existing on the site to alter or convert.

The proposed Local Development Plan 2012 and its associated Housing in the Countryside Guide is a material consideration.

Policy RD3: Housing in the countryside and EP6 Lunan Valley Catchment Area limits developments in the Lunan Valley Catchment Area to those required for economic need, conversions or replacement buildings. There are no buildings on the site to convert or replace.

Appraisal

Outline planning permission granted in 2009 has now expired. At that time the proposal was judged to be contrary to the adopted Local Plan but did accord with the approved 2005 Housing in the Countryside policy as this allowed for the replacement of non domestic buildings and introduced a new category of 'brownfield sites'. At that time there was an existing agricultural building on the site used for vehicle storage and it was felt that the removal of this building would bring about an environmental improvement and that housing development on the site could be justified under the 'brownfield' category. Objections from SNH under Policy 53 Lunan Valley Catchment Area regarding the possible increase in phosphorous loading to the 'Lochs System' were resolved by the submission of details on the drainage arrangements.

As the outline consent has now expired the application now needs to be judged on current policy. The adopted Local Plan remains the 2000 Highland Area Local Plan and the Proposed Local Development Plan (2012) and its associated Housing in the Countryside Guide (2012) is a material consideration.

A previous, similar, application was withdrawn. This application is a re-submission of the earlier application which now contains further background information to support the application. The policy in the adopted plan for housing in the countryside in the Lunan Valley Catchment is limited to dwellings required for operational need, conversions or replacement buildings. In the Proposed Local Development Plan it is limited to housing required for economic need, conversions or replacement buildings.

The supporting statement submitted by the agent suggests that the development is in accordance with the housing in the countryside policy in that it is on a brownfield site, is the replacement of an existing house, is an infill site and is part of a building group. However, as the site is within the Lunan Valley Catchment Area the housing in the countryside policy is limited to economic need, conversions or replacement buildings.

As already mentioned above there is no building on site to convert. In terms of the Lunan Valley Catchment the policy allows for replacement buildings where a new building replaces an existing building to achieve an improvement in discharge from the drainage system to the Lunan Valley Catchment. This site does not comply with this requirement. There is insufficient evidence of any previous house on the site so there is no building to be converted or replaced. The planning statement mentions that a cottage existed on site around 50 years ago. There is no visible evidence of this structure on the site to enable its size and form to be identified and certainly insufficient evidence of a building that is capable of conversion or replacement as required by the policy.

The supporting statement questions the inclusion of Fungarth in the Lunan Valley Catchment Area. However this is fixed by SNH and is based on the topography of the area and the fact that Fungarth drains to the Lunan Lochs area.

The only section of the policy that could be used to justify a new dwelling in this instance is whether there is a justification based on operational or economic need. It is stated in the submission that the applicant would like to set up as a consultant and operate from Fungarth. However, the type of business proposed does not specifically require a countryside location so the justification on the basis of operational or economic need has not been established.

Conclusion

I therefore conclude that the principle of development on this site is contrary to Policy 53 and 54 of the adopted Highland Area Local Plan (2000), Policy EP6 and RD3 of the Proposed Local Development Plan (2012) and the Housing in the Countryside Guide (2012). Granting of planning permission on this site, contrary to policy, would also set a precedent for other similar applications within the Lunan Valley Catchment Area.

I recommend that the application be refused.

DEVELOPMENT PLAN

The Development Plan comprises the TayPlan 2012 and the Highland Area Local Plan 2000.

TayPlan 2012

Policy 1 - Location Priorities - focus the majority of development in the region's principal settlements.

Policy 3 - Managing TayPlan's Assets - safeguard the countryside and designated areas; manage long term planned growth.

Highland Area Local Plan 2000

H_053 Lunan Valley Catchment Area

The Council will protect and seek to enhance the nature conservation and landscape interests of the Lunan Valley catchment area identified on Proposals Map 1. In particular :-

(a) There will be a presumption against built development within the area, except for renovations or alterations to existing buildings and developments necessary for operational need, which can be shown by the developer to have no adverse impact on the environmental assets of the area and not result in an unacceptable increase in traffic volumes.

(b) There will be a presumption against recreational pursuits, such as powered water sports, likely to cause disturbance in and around the sites of nature conservation interest.

(c) All tree planting should be designed in such a way as to complement the landscape.

Note: See also Policy 54

H_054 Housing in the countryside

The Council will normally only support proposals for the erection of individual houses in the countryside which fall into at least one of the following categories:

(a) Building Groups

(b) Renovation or Replacement of Houses

(c) Conversion or Replacement of Non-Domestic Buildings

(d) Operational Need

Exceptionally, where there is an operational need for a house in the countryside, subject to the satisfactory siting and design of the house and to a condition controlling its occupancy.

(e) Western Highland Perthshire

This policy will apply to Gallin; Bridge of Balgie; Innerwick and Invervar in Glen Lyon, and Killichonan; Bridge of Gaur; Finnart and Camghouran on Loch Rannoch as well as to other appropriate locations in the area. Where pressure for a number of houses is concentrated in a single location the Council will defer consideration of applications until an Advisory Plan has been approved by the Council for the area. Planning applications for outline consent for new housing in these areas are unlikely to be acceptable without detailed plans including elevations showing the new building in its setting.

Within the Lunan Valley catchment area and the Historic Gardens and Designed Landscapes there will be a presumption against new houses except on the basis of operational need, but encouragement will be given to the restoration and conversion of buildings to form new houses.

H_018 Designated Landscapes

The Council will oppose developments which would have an adverse impact on the landscape character and visual amenity of the National Scenic Areas identified on Proposals Map 1.

OTHER POLICIES

The Scottish Planning Policy 2010

This SPP is a statement of Scottish Government policy on land use planning and contains:

- o the Scottish Government's view of the purpose of planning,
- o the core principles for the operation of the system and the objectives for key parts of the system,
- o statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- o concise subject planning policies, including the implications for development planning and development management, and
- o the Scottish Government's expectations of the intended outcomes of the planning system.

Of relevance to this application are:

Paragraphs 92 - 96: Rural Development.

Proposed Local Development Plan 2012

Policy RD3: Housing in the Countryside

The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

- (a) Building Groups
- (b) Infill
- (c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance
- (d) Renovation or replacement of houses
- (e) Conversion or replacement of redundant non-domestic buildings
- (f) Development on rural brownfield land.

This policy does not apply in the Greenbelt and its application is limited within the Lunan Valley Catchment Area to economic need, conversions or replacement buildings.

All proposals must also meet a list of criteria. Further guidance is contained within the Housing in the Countryside Guide.

Housing in the Countryside Guide November 2012

The Council's revised Housing in the Countryside Guide 2012 supports policy RD3 and stipulates the criteria under which new housing may be considered outwith settlement boundaries. The Guidance has been approved by the Council and subject to the Housing in the Countryside Policy being approved by Scottish Ministers it will form statutory supplementary guidance when the new Local Development Plan is adopted.

EP6: Lunan Valley Catchment Area

There will be a presumption against built development except; within settlements; for renovations or alterations to existing buildings; and developments necessary for economic need which the developer can demonstrate will have no adverse impact on the environmental assets of the area nor are likely to result in an unacceptable increase in traffic volumes.

Note: The Policy on housing in the countryside is limited to economic need, conversions or replacement buildings within the Lunan Valley Catchment Area.

SITE HISTORY

07/02094/OUT Residential development (in outline) 18 December 2007 Application Refused

09/00799/IPL Erection of a dwellinghouse and installation of additional aeration plant (in outline) 7 August 2009 Application Permitted

12/02077/FLL Erection of a dwellinghouse with outbuilding 19 February 2013 Application Withdrawn

CONSULTATIONS/COMMENTS

| | |
|--|---|
| Environmental Health | No objection subject to conditions and informatives being attached to any consent with regard to private water supply. |
| Scottish Water | No objection. |
| Transport Planning | No objection. |
| Education And Children's Services | Education & Children's Services have no capacity concerns in this catchment area as at today's date. |
| Frances Berry/Jane Pritchard - Access Officers | No objection subject to condition with regard to Core Path. |
| Scottish Natural Heritage | Satisfied that that the application includes measures to ensure that the drainage system for the proposed development would not have significant effect upon the protected features of the Dunkeld-Blairgowrie Lochs Special Area of Conservation. Content that the measures previously discussed have been included in this planning application, and, therefore, have no further comment to make on this development. |

TARGET DATE: 24 September 2013

REPRESENTATIONS RECEIVED:

Number Received: 0

Summary of issues raised by objectors: N/A

Response to issues raised by objectors: N/A

Additional Statements Received:

| | |
|--|---------------------------------|
| Environment Statement | Not required |
| Screening Opinion | Not required |
| Environmental Impact Assessment | Not required |
| Appropriate Assessment | Not required |
| Design Statement / Design and Access Statement | Supporting statement submitted. |
| Report on Impact or Potential Impact | None. |

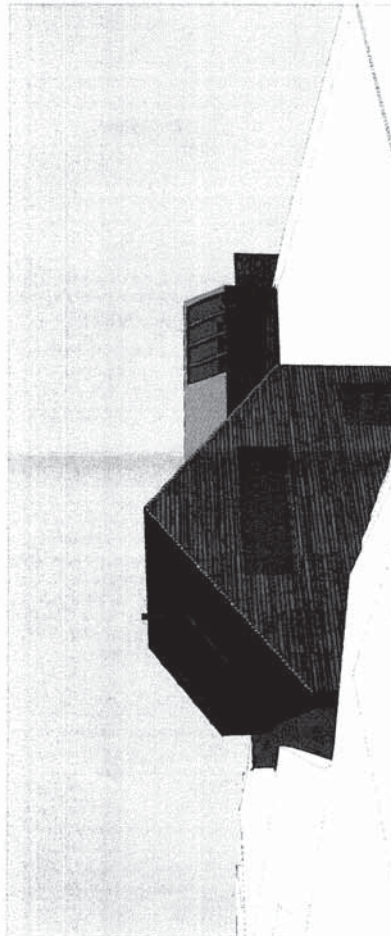
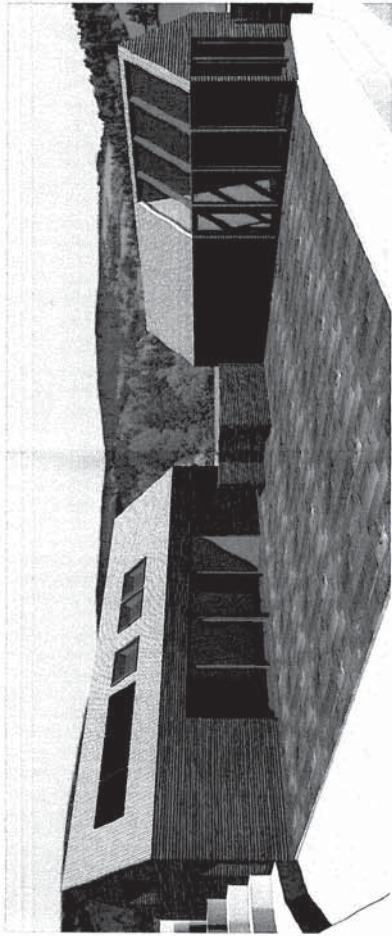
Reasons:-

- 1 The proposal is contrary to Policies 53 and 54 of the Highland Area Local Plan 2000 as it does not meet the requirements for development in the Lunan Valley Catchment Area in terms of operational need, conversions or replacement buildings.
- 2 The proposal is contrary to Policy RD3 - Housing in the Countryside and EP6 - Lunan Valley Catchment Area of the Proposed Local Development Plan 2012 in that the proposal does not meet the requirements for development in the Lunan Valley Catchment Area in terms of economic need, conversions or replacement buildings.
- 3 The proposal is contrary to the Council's Housing in the Countryside policy as contained within the Housing in the Countryside Guide 2012. The proposal does not meet the requirements for development in the Lunan Valley Catchment Area in terms of economic need, conversions or replacement buildings.
- 4 Granting of planning permission, contrary to policy, would set a precedent for similar developments within the Lunan Valley Catchment Area.

Justification

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

Notes



DUALCHAS ARCHITECTS

SKYE
Dunstable Bag, Sleat, Isle of Skye IV43 8QU T: 01471 833 300

GLASGOW
Unit 4, Building 5, Templeton Business Centre, Glasgow G40 1DA T: 0141 550 1401

E: info@dualchas.com W: www.dualchas.com

© Dualchas Architects. To be used in conjunction with the specification and all related drawings. Contractors to check all dimensions on site.
Drawn from this drawing. Subject to be altered in accordance with the specification.

| | |
|--|----------------------|
| DRAWING SET SKETCH PROPOSALS | CLIENT 666_GEDDES |
| DRAWING TITLE PROPOSED PERSPECTIVES | |
| DRAWING NUMBER 666_PL_602 | DRAWN BY JM |
| CAD FILE NAME 666_SK_BASE | DATE 01.05.2013 |
| | SCALE NTS |

TCP/11/16(283)
Planning Application 13/01349/FLL – Erection of a dwellinghouse and outbuilding, land 30 metres south of Fungarth Farm Cottage, Dunkeld

REPRESENTATIONS

- Representation from Transport Planning, dated 15 August 2013
- Representation from Policy Officer (Access and Infrastructure), dated 16 August 2013
- Representation from Regulatory Service Manager, dated 19 August 2013



MEMORANDUM

| | | | |
|-----------|-------------------------------------|---------|--|
| To | Persephone Beer Planning Officer | From | Tony Maric Transport Planning Officer Transport Planning |
| Our ref: | TM | Tel No. | Ext 75329 |
| Your ref: | 13/01349/FLL | Date | 15 August 2013 |

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

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

With reference to the application 13/01349/FLL for planning consent for:- **Erection of dwellinghouse with outbuilding Land 30 Metres South of Fungarth Farm Cottage Dunkeld for Mr Keith Geddes**

Insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied, in the interests of pedestrian and traffic safety.

- Visibility splays of 2.50m x 50.00m measured from the centre line of the new access shall be provided in both directions along the nearside channel of the A923 public road prior to the commencement of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.
- Prior to the occupation or use of the approved development turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
- Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.

I trust these comments are of assistance.

Memorandum

To Nick Brian
Development Quality Manager

From Frances Berry
Policy Officer (Access & Infrastructure)

Your ref 13/01349/FLL

Our ref cc32gen/FB

Date 16 August 2013

Tel No 01738 475324

The Environment Service

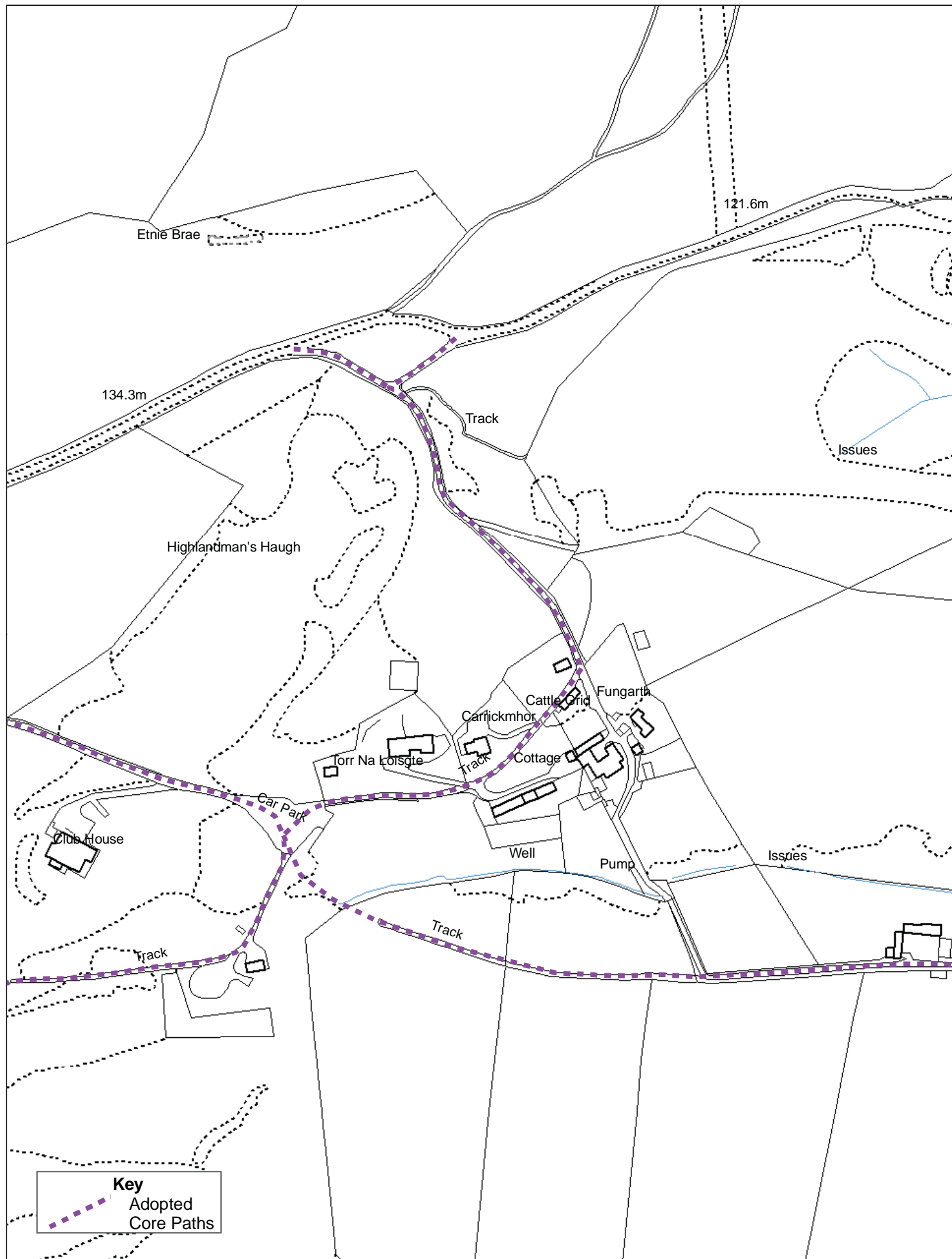
Pullar House, 35 Kinnoull Street, Perth PH1 5GD

With reference to the application for the erection of a dwelling house with outbuilding 30 metres south of Fungarth Farm Cottage, Dunkeld please note that a core path and right of way provides access to the development site. A condition is essential here. Please see map attached.

Suggested Condition: The core path and right of way shown in PURPLE on the attached plan must not be obstructed during building works or on completion. Any damage done to the route and associated signage during building works must be made good before the dwelling house is occupied.

Reason: To ensure continued public access along the public paths.

Please contact Frances Berry, Policy Officer (Access & Infrastructure), on Ext 75324 if you wish to discuss matters.



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right (2013). All rights reserved. 100016971.

Core Paths at Fungarth, Dunkeld

Contact: F Berry

Date: 14 Jan 2013

Map for use in connection with Council duties
under the Land Reform (Scotland) Act 2003

Scale:
1:3,000



Memorandum

| | | | |
|----------|-----------------------------|---------|----------------------------|
| To | Development Quality Manager | From | Regulatory Service Manager |
| Your ref | PKc/13/01349/FLL | Our ref | MA |
| Date | 19 August 2013 | Tel No | 01738 476466 |

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Erection of dwellinghouse with outbuilding Land 30 Metres South Of Fungarth Farm Cottage Dunkeld for Mr Keith Geddes

I refer to your letter dated 29th July 2013 in connection with the above application and have the following comments to make.

Environmental Health

No adverse comments

Water (Assessment date 5th August 2013)

Recommendation

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

The development is in a rural area with a private water supply (namely Fungarth Supply) known to serve properties in the vicinity. The applicant has indicated that they utilise a private water supply, it is assumed to be the Fungarth Supply. To ensure the new development has an adequate and consistently wholesome supply of water and to maintain water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance please note the following informatives. No public objections relating to the water supply were noted at the date above.

Informative 1

The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.

Informative 2

The applicant shall ensure the private water supply for the house /development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the

nature, location and adequacy of the source, any storage tanks / pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.



TCP/11/16(283)
Planning Application 13/01349/FLL – Erection of a dwellinghouse and outbuilding, land 30 metres south of Fungarth Farm Cottage, Dunkeld

**FURTHER INFORMATION
REQUESTED BY THE LRB**

Your Ref :

Our Ref : PPR/ABW

13 April 2012

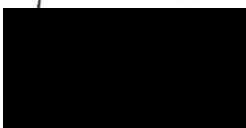
Mr H Moore
Fungarth Steading
Dunkeld
Perthshire
PH8 0ES

Dear Hamish

**Sale of Land Fungarth
Septic Tank**

Further to your email on the 6th April, I can confirm that under provision seven of our feu disposition of Fungarth Steading, you, and any successors in ownership have the right to install a septic tank/soakaway in our adjacent land in a location to be approved by us, should there not be a suitable location within the ownership boundaries of Fungarth Steading to service a second property.

Yours sincerely



Andrew Bruce Wootton
General Manager

Direct email: abw@atholl-estates.co.uk

Hamish Moore
Fungarth Farm Steading
Dunkeld Perthshire

Mary Arnold-Forster ARIAS
Dualchas Architects
Duisdale
Isle of Skye
IV43 8QU

10th February 2014

Dear Mary,

I confirm my consent to have installed a biodisc or similar biological treatment plant shared with the new plot just north of Fungarth Farm Steading as a replacement for my existing septic tank and outfall.

Yours sincerely,

A large black rectangular box redacting the signature of Hamish Moore.

Hamish Moore

4 February 2014

Mary Arnold-Forster
mary@dualchas.com

Dear Mary,

DISPOSAL OF FOUL DRAINAGE FROM A PROPOSED NEW 2-BEDROOM DWELLING AT FINGARTH FARM, FUNGARTH, DUNKELD COMPLIANCE WITH SEPA REQUIREMENTS

We refer to the above site and to our communications commencing in early 2012 regarding the provision of an environmentally acceptable solution for the treatment and disposal of foul drainage from the above proposed dwelling.

SEPA policy in respect of new discharges within the Luan Lochs catchment is such that any new discharge will require to ensure that there is no net increase in the Phosphorus (P) loading within the catchment. This effectively means that no new discharge will be allowed without some existing discharge being upgraded, or some other P mitigation measure being enacted, to ensure that the net P loading from both discharges is at least no greater than from the existing discharge alone. The normally adopted mechanism for P mitigation is to replace an existing septic tank serving a domestic property with a communal package sewage treatment plant or two individual units and this is what is proposed for this site.

Regarding the site, it is understood an agreement exists with the seller of the site that the septic tank serving an adjacent existing property will be removed and replaced with a 12 PE package biological treatment plant to which the existing property and the proposed dwelling will connect. We can confirm that this level of upgrade would ensure compliance with SEPA's policy as regards the Luan Lochs catchment in terms of P mitigation.

The discharge from the treatment plant will require to be authorised by SEPA and the level of authorisation would be a Registration. This authorisation would almost certainly be required in advance of you applying for a building warrant.

We trust this information is sufficient for your needs but should you wish to discuss this matter further please do not hesitate to contact me directly.

Yours sincerely



Ian Corner
For and on behalf of JIG Ltd

JIG Limited
23 Westminster Terrace
Glasgow G3 7RU
Telephone: 0141 221 4747
Facsimile: 0141 221 4343
Email: info@jig.uk.com
www.jig.uk.com

From: Meikle, Bruce [mailto:Bruce.Meikle@SEPA.org.uk]
Sent: 24 February 2014 12:16
To: Ian Corner
Subject: RE: Fungarth

Ian

I have approved the registration application for Fungarth on the basis that an existing septic tank serving 1 property has been replaced with a secondary treatment plant for 2 houses and a partial soakaway. Based on figures of 10mg/l and 5 mg/l P for septic tank and Secondary treatment plants respectively there should be no increase in the P loading to the catchment. I hope this helps
Regards

Bruce Meikle
Environment Protection Officer
Scottish Environment Protection Agency, Strathearn House, Broxden Business Park, Perth,
PH1 1RX
Tel: 01738 627989
e-mail: bruce.meikle@sepa.org.uk:
web: www.sepa.org.uk

The information contained in this email is confidential and is intended solely for the use of the named addressee. Access, copying or re-use of the information in it by any other is not authorised. If you are not the intended recipient please notify us immediately by return email to postmaster@sepa.org.uk.

SEPA registered office: Erskine Court, Castle Business Park, Stirling, FK9 4TR. Under the Regulation of Investigatory Powers Act 2000, the email system at SEPA may be subject to monitoring from time to time.

