

**TCP/11/16(314)**  
**Planning Application 14/00596/FLL – Erection of dwellinghouse, formation of vehicular access and erection of garage, 5 Marshall Way, Luncarty, Perth, PH1 3UX**

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**TCP/11/16(314)**  
**Planning Application 14/00596/FLL – Erection of dwellinghouse, formation of vehicular access and erection of garage, 5 Marshall Way, Luncarty, Perth, PH1 3UX**

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

Thank you for completing this application form:

ONLINE REFERENCE 000096974-001

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.

## 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: MBM Planning & Development

Ref. Number:

First Name: \* Mark

Last Name: \* Myles

Telephone Number: \* 01738 450506

Extension Number:

Mobile Number:

Fax Number: 01738 450507

Email Address: \* mm@mbmplanning.co.uk

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

Building Name: Algo Business Centre

Building Number:

Address 1 (Street): \* Glenearn Road

Address 2:

Town/City: \* Perth

Country: \* UK

Postcode: \* PH2 0NJ

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"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="Bill"/>
Last Name: *	<input type="text" value="Ramsay"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

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

Building Name:	<input type="text"/>
Building Number:	<input type="text" value="5"/>
Address 1 (Street): *	<input type="text" value="Marshall Way"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Luncarty"/>
Country: *	<input type="text" value="Scotland"/>
Postcode: *	<input type="text" value="PH1 3UX"/>

## Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
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Full postal address of the site (including postcode where available):

Address 1:	<input type="text" value="5 Marshall Way"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="Luncarty"/>	Town/City/Settlement:	<input type="text" value="Perth"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="PH1 3UX"/>
Address 4:	<input type="text"/>		

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

Northing	<input type="text" value="729407"/>	Easting	<input type="text" value="309685"/>
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## Description of the Proposal

Please provide a description of the 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 dwellinghouse, formation of vehicular access and erection of garage

## 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 of 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 separate supporting document

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 now be considered in your review: \* (Max 500 characters)

Additional site plan provided to show location of mature tree and trial pits dug to specifically address 1st reason for refusal and photographs also provided to show that there would be no impact on the root system of the mature tree and no adverse impact on visual amenity or on the general character of the area

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)

Planning application forms, refused plans, plan showing location of mature tree and trial pits and photographs.

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

14/00596/FLL

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

01/04/14

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

27/06/14

## 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

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

Please select a further procedure \*

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? \* (Max 500 characters)

In order to fully assess the character, scale, house to plot ratios and orientation of existing housing in the surrounding area as well as the relationship of the proposed house to the mature tree

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: Mark Myles

Declaration Date: 08/08/2014

Submission Date: 08/08/2014



<b>1. Introduction</b>
------------------------

- 1.1 This appeal statement should be read in conjunction with the Notice of Review submitted on 8<sup>th</sup> August 2014, on behalf of Mr Bill Ramsay for erection of a dwellinghouse, formation of vehicular access and erection of garage at 5 Marshall Way, Luncarty. The planning application (14/00596/FLL) was refused by PKC on 27<sup>th</sup> June 2014.
- 1.2 The proposal requires to be considered under the terms of the Perth & Kinross Local Development Plan (PKLDP) (**Policies RD1, PM1A and PM1B**) which was adopted in February 2014.
- 1.3 We contest the council's grounds for refusal of the planning application for the reasons set out in this statement.

## **2. Response to PKC Reasons for Refusal**

- 2.1 As highlighted above the planning application was refused on 27<sup>th</sup> June 2014 for two reasons.
- 2.2 Both reasons for refusal refer to Policies PM1A and RD1 of the PKLDP which was adopted in February 2014. It is not the '**Proposed**' Local Development Plan as incorrectly stated in both reasons for refusal. Significantly there is also no Report of Handling available online for this application so it is not possible to consider the manner in which the application was assessed by the appointed officer. However what is clear is that the criteria listed under Policy PM1B (which are relevant to the consideration of this case) have not been included within the reasons for refusal.
- 2.3 The first reason for refusal focuses on the relationship of the proposed new house and the root system of an existing mature tree.
- 2.4 Firstly it is worth reiterating that there has been a significant change in circumstances since the previous application was refused by the council in July 2013. A & J Stephen who own Martin's Lane to the north, removed three mature trees that were located adjacent to the northern boundary of this application site. The potential impact to the root system of those trees had previously been raised as a concern during the determination of the previous application but that concern has now been removed. During consideration of that previous application the potential impact on the root system of the beech tree located to the northwest of the site, had not been raised as a concern.
- 2.5 In addition following determination of the 2013 application, pre-application discussions then took place with the planning officer, and the proposed house was moved further forward in the plot by around 2 metres, to provide greater separation distance from the northern boundary thus ensuring added protection to the existing beech hedge. Again no specific reference or concern was raised about the beech tree.
- 2.6 The mature beech tree that the first reason for refusal relates to is located approximately 6 metres from the north west corner of the site boundary as shown on the attached plan. The canopy of that tree extends across the corner of the proposed house plot but extends further into the neighbouring property located to the west.
- 2.7 It would appear that the appointed officer has failed to recognise that the existing double garage (which is to be demolished) is actually located closer to the tree than the proposed new house. Therefore the proposed location of the new house would have a lesser impact on the root system of this mature tree than the current garage building on the site. The applicant has also dug 2 trial pits including one at the position of the north west corner of the proposed house, and it is evident that the root system of the tree does not extend that far. Photographs of this are attached as evidence as

well as photographs of the tree and its relationship to the proposed plot and building line of the new house to assist the LRB.

- 2.8 As the proposed new house will be located further from the tree than the existing double garage, the proposal will not have a detrimental impact on the visual amenity of the area.
- 2.9 The second reason for refusal states that the proposed new house will be located on a 'manufactured and squeezed in site' which would have an adverse impact on both the visual amenity and general character of the area.
- 2.10 In support of this appeal we have included photographs showing the existing property and also how it fits into the surrounding area. We believe that these help to show that the 2nd reason for refusal by the appointed officer is simply incorrect.
- 2.11 Being located within the Luncarty settlement boundary, Policy RD1 would apply to this application. This policy seeks to encourage residential and compatible uses where existing residential amenity will be protected and where possible improved.
- 2.12 In particular Policy RD1 states that encouragement will be given to proposals which fall into one or more of the categories listed under the policy, and which are compatible with the amenity and character of the area. The key category consideration for this proposal is category a) which reads **'infill residential development at a density which represents the most efficient use of the site while respecting its environs.'**
- 2.13 Policy PM1 within the Local Development Plan further adds that the design, density and siting of development should respect the character and amenity of the place. Category c) of Policy PM1B specifically states that **the design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.**
- 2.14 This part of the village is residential in character and all properties in the vicinity of the site are single storey in nature. This proposal involves development of a single storey house of a style, design, roof pitch and external finish and colour which matches the surrounding properties.
- 2.15 Within the vicinity of the site there is a mix of sizes of houses including semi detached properties located diagonally opposite (which have also been granted extensions by the council) resulting in very small useable garden areas. There are also larger bungalows located on larger plots to the north. There is therefore already a variety in the densities and house to plot ratios within the surrounding residential area, so for the appointed officer to suggest that this proposal is located on a manufactured and squeezed in site, does not accurately reflect the sites context in terms of the layout, density and scale of development in the surrounding local area.

- 2.16 There is also a mix of orientations and angles evident with elevations and also some gables facing the public road. In fact the house located immediately across the road has its gable facing Marshall Way as would the proposed new house. This proposal therefore blends in with this overall mix, whilst representing an efficient use of the site and respecting the local environment without causing any adverse impact to existing or proposed residential amenity in accordance with Policy RD1.
- 2.17 It is also significant that 16 neighbour notifications were issued by the council and there were no objections from any neighbours or from the Community Council to this application which further supports the view that there would be no adverse impact on existing residential amenity. No neighbouring properties would be adversely affected by the proposals in terms of overlooking or overshadowing, given their relative positions and orientations.
- 2.18 The proposed drawings show that the proposed plot will be 0.045 ha whereas the existing house would be on a 0.055 ha site. These plot sizes are consistent with those in the surrounding area where there are also some larger and some smaller plots. The distance between the existing and proposed house is 2.5m at the closest point with no facing windows and both the existing and proposed properties would have rear private useable garden space that meets with the council's normal standards.
- 2.19 The character of the surrounding area is 1980's and 1990's single storey bungalows and semi-detached properties. The proposed application can be considered as being compatible with the character of the area and is an infill development which is of a density that respects its environs, without any adverse impact on the amenity of the area.
- 2.20 The proposal therefore satisfies the key criteria as set out in Policy RD1 and PM1A and PM1B of the Perth & Kinross Local Development Plan and therefore can be approved as being in accordance with the Development Plan.
- 2.21 We therefore simply ask that the LRB take all of the above into account and we would also strongly encourage the LRB to visit the site to consider how the proposed development fits into the surrounding area in accordance with the requirements of the Local Development Plan.

<b>3</b>	<b>Conclusion</b>
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- 3.1 The reasons for refusal are not considered to be valid as the proposals are considered acceptable in terms of scale, massing, proportions, density and the overall relationship with the mature tree, the existing house and also the neighbouring properties such that there would be no adverse impact or detriment to the character or environment of the surrounding area.
- 3.2 No objections were received from any neighbouring property and there would be no loss of amenity or privacy to any neighbouring property.
- 3.3 We would therefore respectfully request that this Notice of Review is determined as being in accordance with Policy RD1 and PM1A/PM1B of the Local Development Plan and that the appointed officers decision is overturned subject to any conditions that may be considered necessary by the Local Review Body.







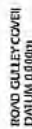






The copyright of this drawing or part thereof belongs to Highland Plane.

MARTIN'S LANE



EXISTING SITE AREA = 0.100 Hectares

**PROPOSED**  
5 MARSHALL WAY  
PLOT = 0.055 Hectares  
HOUSE (inc Garage) = 154m<sup>2</sup>

**NEW HOUSE**  
PLOT = 0.045 Hectares  
HOUSE = 95m<sup>2</sup>

NEW HOUSE  
PLOT = 0,045 Hectares  
HOUSE = 95m2

A	LEVELS ADDED FROM SURVEY	J6:4:14
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MR. W. RAMSAY  
5 MARSHALL WAY  
LUNCARTY PH1 3UX

Pharmaceuticals, Gungahlin, N.S.W. 2610, Australia. Tel: +61 (0)2 6177 7777. Fax: +61 (0)2 6177 7777. Email: [info@highlandpharms.com.au](mailto:info@highlandpharms.com.au)

# PROPOSED SITE PLAN & LOCATION PLAN

SCALE	1:200	DATE	25.3.14	DRAWN
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DRAWING No.	J415-01
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REVISION

67













































# PERTH AND KINROSS COUNCIL

Mr Bill Ramsay  
c/o MBM Planning & Development  
Mark Myles  
Algo Business Centre  
Glenearn Road  
Perth  
PH2 0NJ

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 27th June 2014

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **14/00596/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 17th April 2014 for permission for **Erection of dwellinghouse, formation of vehicular access and erection of garage 5 Marshall Way Luncarty Perth PH1 3UX** for the reasons undernoted.

Development Quality Manager

### Reasons for Refusal

1. As the proposal (the new dwelling), by virtue of its location on the plot, would have an adverse impact on the root system of an existing mature tree which contributes positively to the visual amenity of the area, the proposal will have a detrimental impact on the visual amenity of the area, the proposal is contrary to Policies PM1A and Policy RD1 of the Proposed Local Development Plan 2014 which both seek (amongst other things) to protect the visual amenity of existing areas.
2. As the proposal (the new dwelling), by virtue of being a manufactured and 'squeezed in' site, would result in a development that would have an adverse impact on both the visual amenity and general character of the local area, the proposal is contrary to Policies PM1A and Policy RD1 of the Proposed Local Development Plan 2014 which both seek (amongst other things) to protect the visual amenity and character of existing areas from inappropriate developments.

## **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](http://www.pkc.gov.uk) "Online Planning Applications" page

## **Plan Reference**

14/00596/1

14/00696/2

14/00696/3

14/00696/4

14/00696/5

14/00696/6





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 000086488-001

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)

Demolition of double garage, erect dwelling house and single garage and formation of new vehicular access

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:	MBM Planning & Development
Ref. Number:	
First Name: *	Mark
Last Name: *	Myles
Telephone Number: *	01738 450506
Extension Number:	
Mobile Number:	
Fax Number:	01738 450507
Email Address: *	mm@mbmplanning.co.uk

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

Building Name:	Algo Business Centre
Building Number:	
Address 1 (Street): *	Glennearn Road
Address 2:	
Town/City: *	Perth
Country: *	UK
Postcode: *	PH2 0NJ

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: *	Mr
Other Title:	
First Name: *	Bill
Last Name: *	Ramsay
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:	5
Address 1 (Street): *	Marshall Way
Address 2:	
Town/City: *	Luncarty
Country: *	Scotland
Postcode: *	PH1 3UX

## Site Address Details

Planning Authority: Perth and Kinross Council

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

Address 1: 5 Marshall Way

Address 5:

Address 2: Luncarty

Town/City/Settlement:

Perth

Address 3:

Post Code:

PH1 3UX

Address 4:

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

Northing

729407

Easting

309685

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☒ Yes ☐ No

## Pre-Application Discussion Details

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)

Meeting took place to discuss the reasons for refusal of the earlier application and the ways in which the issues could be addressed. The footprint of the house has since been pulled further forward on the site - away from the boundary hedge and provides larger rear garden. The mature trees that were located closest to the boundary have since been removed by A & J Stephen (the owner of the land).

Title: Miss

Other title:

First Name:

Persephone

Last Name:

Beer

Correspondence Reference Number:

Date (dd/mm/yyyy):

29/08/13

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:

0.10

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)

Garage, hardstanding area

## 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? \*

4

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

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)

Hardstanding area adjacent to driveway for 3 wheelie bins

## 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

## 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 2013? \*

☐ 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 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

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

## Certificate Required

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

Certificate A

## Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) 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.

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

Signed: Mark Myles

On behalf of: Mr Bill Ramsay

Date: 01/04/2014

☒ Please tick here to certify this Certificate. \*

## Checklist - Application for Planning Permission

Town and County 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 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 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.

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: Mark Myles

Declaration Date: 01/04/2014



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REVISION NOTES

**EXISTING SITE AREA = 0.100 Hectares**

**PROPOSED**

**5 MARSHALL WAY**

**PLOT = 0.055 Hectares**

**HOUSE (inc Garage) = 154m<sup>2</sup>**

**NEW HOUSE**

**PLOT = 0.045 Hectares**

**HOUSE = 95m<sup>2</sup>**

**MR. W. RAMSAY**

**5 MARSHALL WAY**

**LUNCARTY PH1 3UX**

**HIGHLAND PLANS**

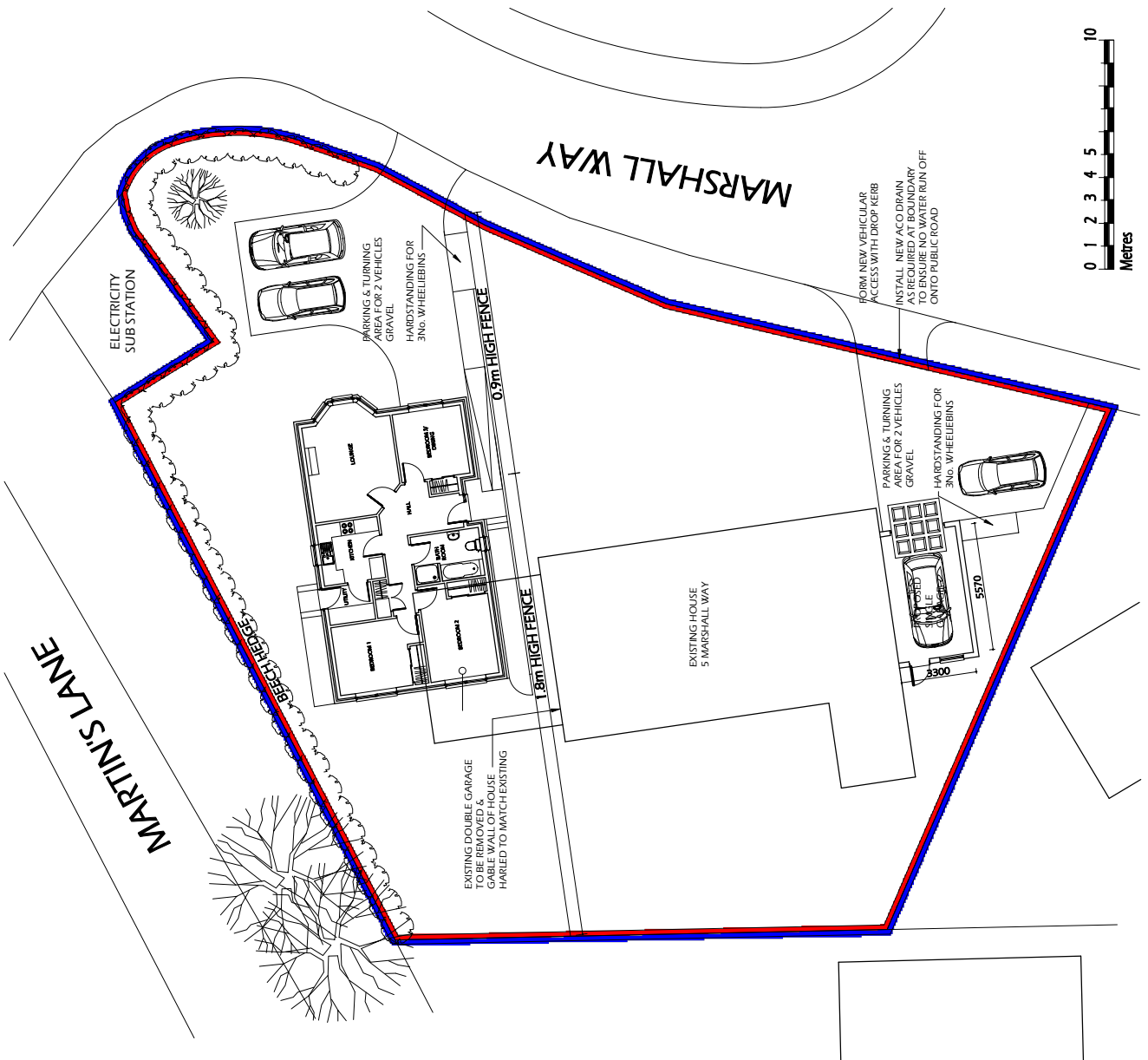
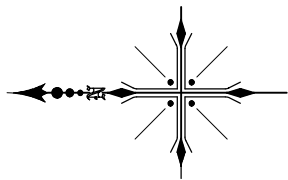
Charis Studio, Guay, Nr. Ballinluig, Perthshire PH9 0NT  
M : 07773 123555 T : 01796 482764  
E : dave@highlandplans.com W : www.highlandplans.com

**PROPOSED SITE PLAN & LOCATION PLAN**

SCALE **1:200** DATE **25.3.14** DRAWN

DRAWING No **1415-01**

REVISION



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REVISION NOTES

**EXISTING SITE AREA = 0.100 Hectares**

**PROPOSED**  
**5 MARSHALL WAY**  
**PLOT = 0.055 Hectares**  
**HOUSE (inc Garage) = 154m<sup>2</sup>**

**NEW HOUSE**  
**PLOT = 0.045 Hectares**  
**HOUSE = 95m<sup>2</sup>**

**A LEVELS ADDED FROM SURVEY**  
**16.4:14**

**MR. W. RAMSAY**  
**5 MARSHALL WAY**  
**LUNCARTY PH1 3UX**

**HIGHLAND PLANS**

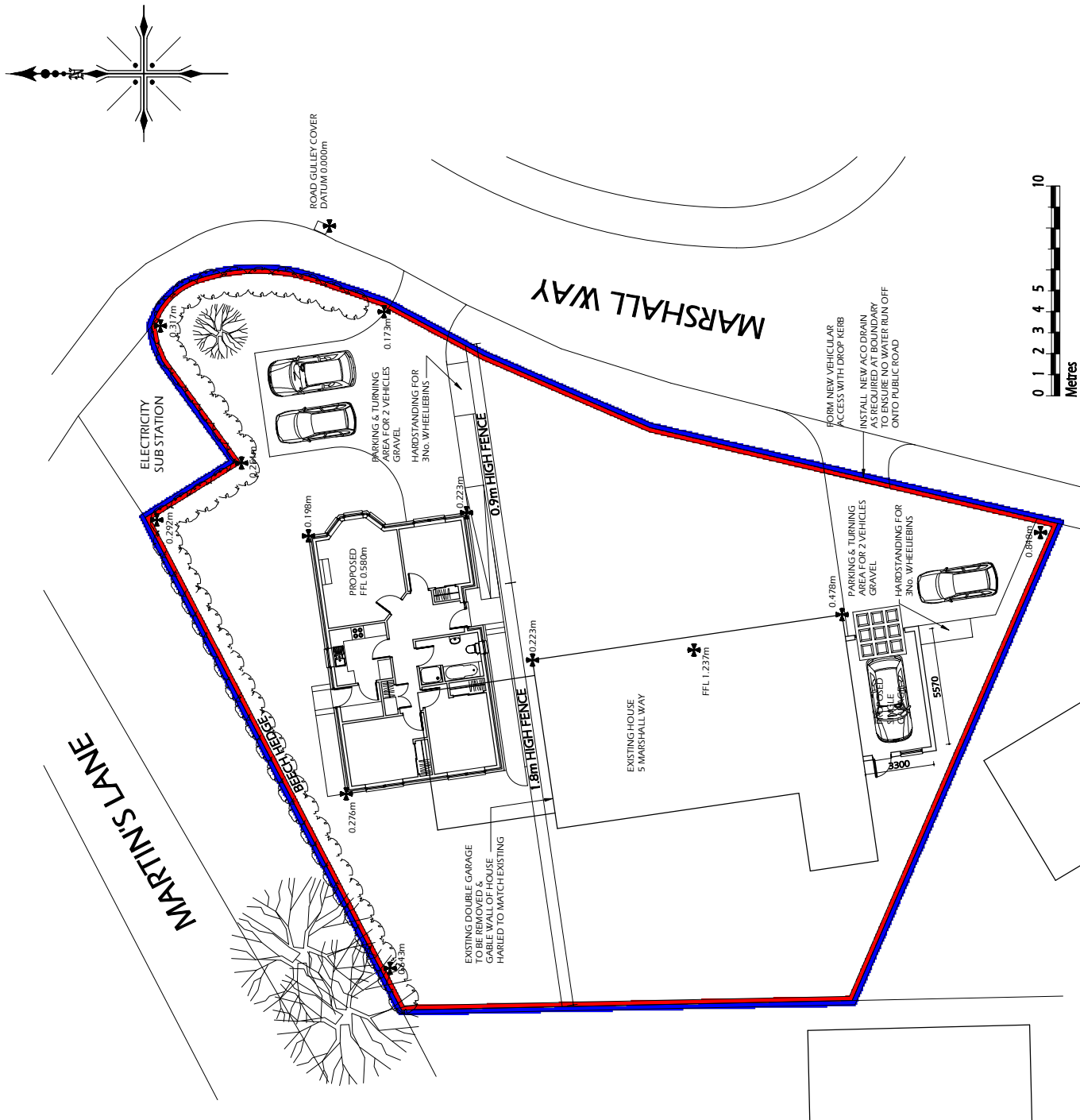
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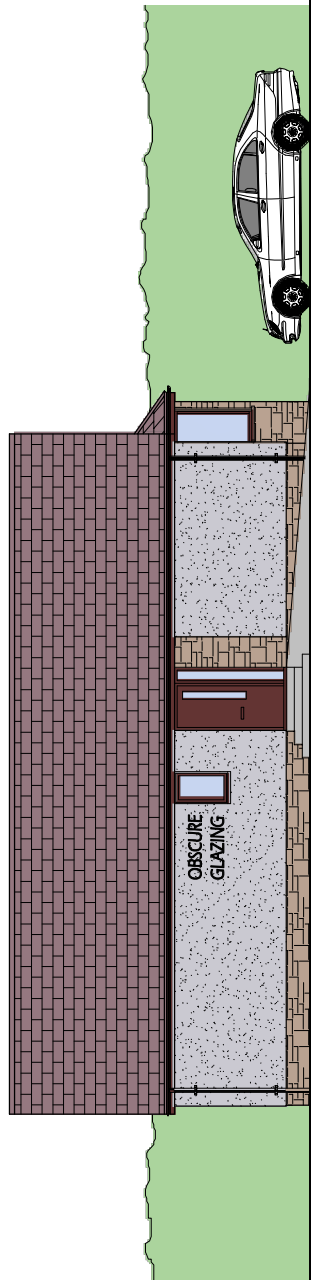
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SCALE **1:200** DATE **25.3.14** DRAWN

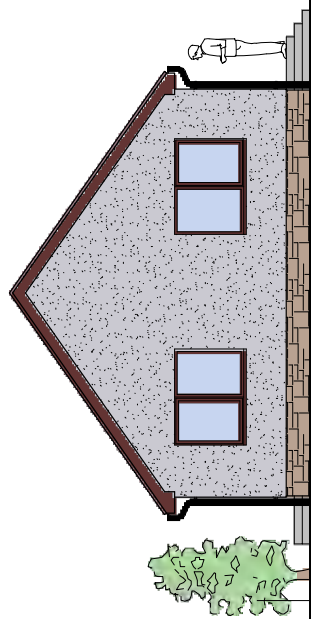
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REVISION **A**

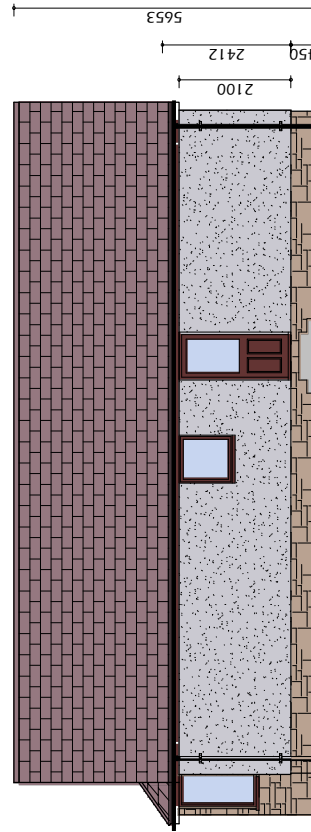




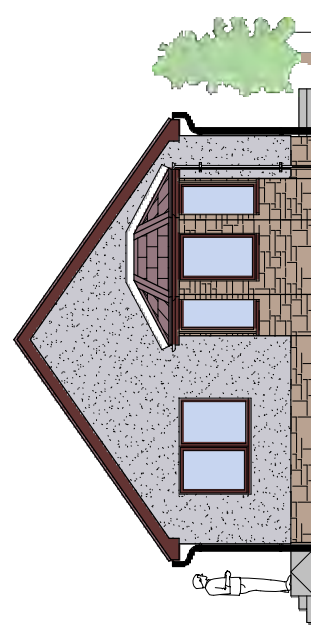
SOUTH ELEVATION



WEST ELEVATION



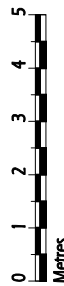
NORTH ELEVATION



EAST ELEVATION

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REVISION NOTES

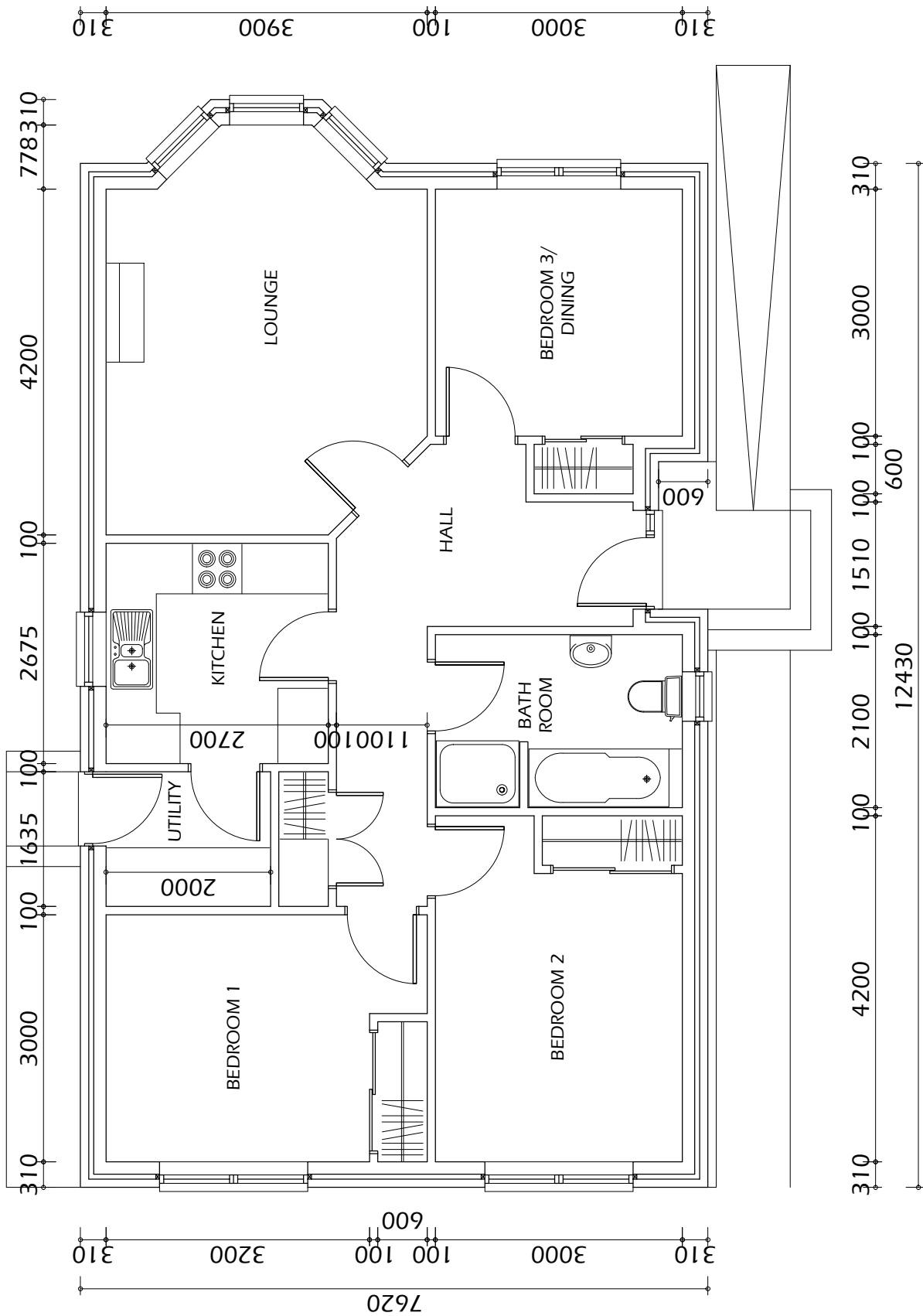
CONCRETE INTERLOCKING ROOF TILES  
HARLED WALLS WITH RECONSTITUTED BLOCK BELOW DPC & AT LOUNGE BAY  
TIMBER DG WINDOWS & DOORS STAINED/PAINTED  
PVC RAINWATER GOODS  
ALL EXTERNAL FINISHES TO MATCH 5 MARSHALL WAY

MR. W. RAMSAY  
5 MARSHALL WAY  
LUNCARTY PH1 3UX

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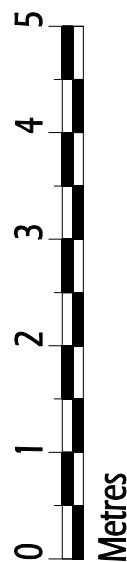
PROPOSED ELEVATIONS

SCALE 1:100	DATE 25.3.14	DRAWN
DRAWING No.	1415-03	
REVISION		



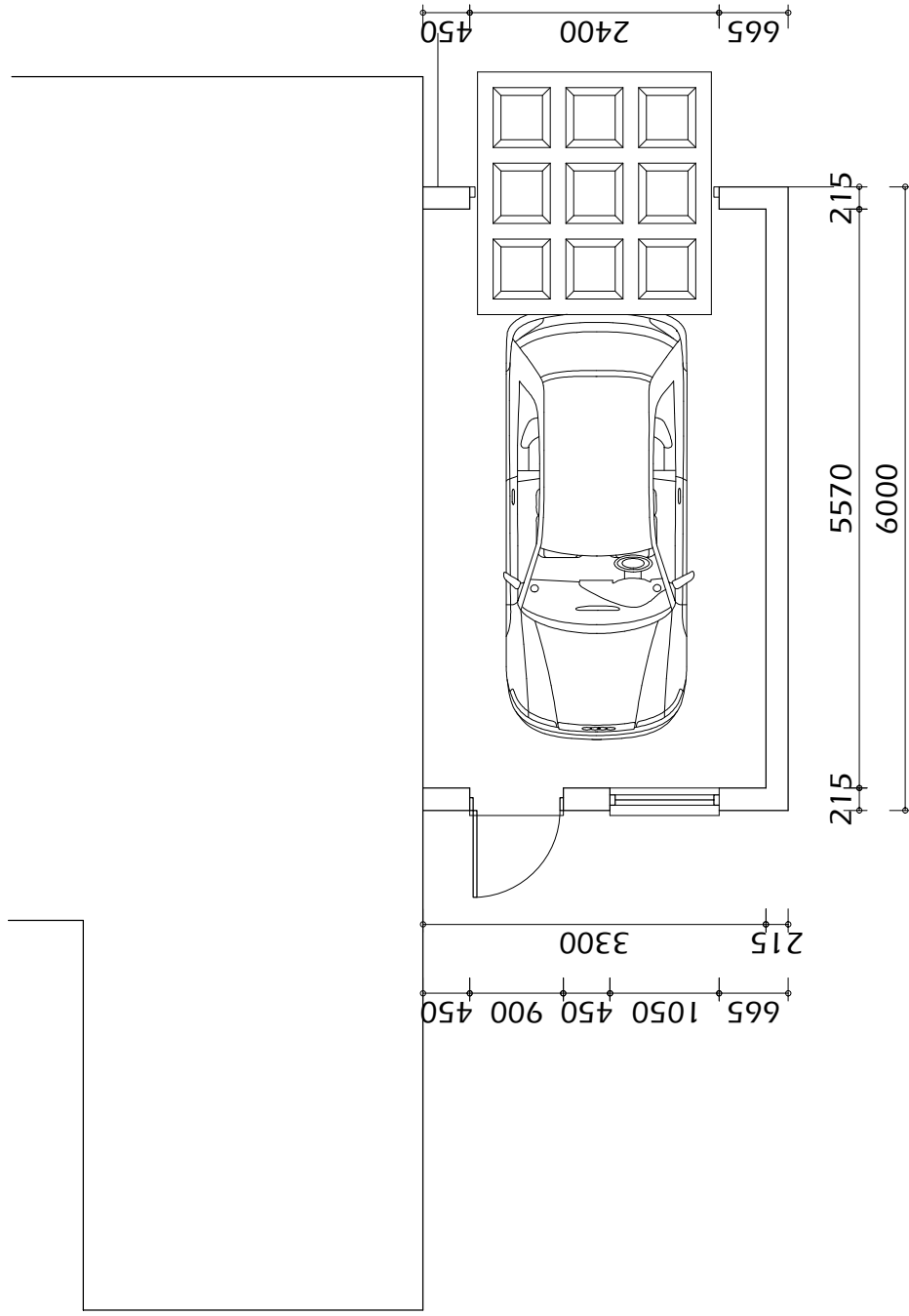
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REVISION NOTES

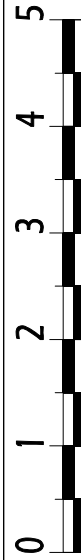
**MR. W. RAMSAY**  
**5 MARSHALL WAY**  
**LUNCARTY PH1 3UX**  
**HIGHLAND PLANS**  
Charis Studio, Guay, Nr. Ballinluig, Perthshire PH9 0NT  
M : 07773 123555 T : 01796 482764  
E : dave@highlandplans.com W : www.highlandplans.com

<b>PROPOSED FLOOR PLAN</b>			
SCALE	1:50	DATE	25.3.14
DRAWN			
DRAWING No.	1415-02		
REVISION			



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REVISION NOTES



## Metres

MR. W. RAMSAY  
5 MARSHALL WAY  
LUNCARTY PH1 3UX

# HIGHLAND PLANS

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M: 07773 123555 T: 01796 482764 W: [www.highlandplans.com](http://www.highlandplans.com)  
E: [dave@highlandplans.com](mailto:dave@highlandplans.com)

## PROPOSED GARAGE PLAN

SCALE 1:50

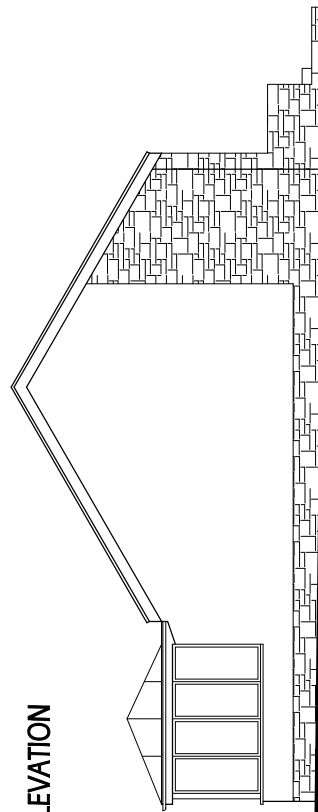
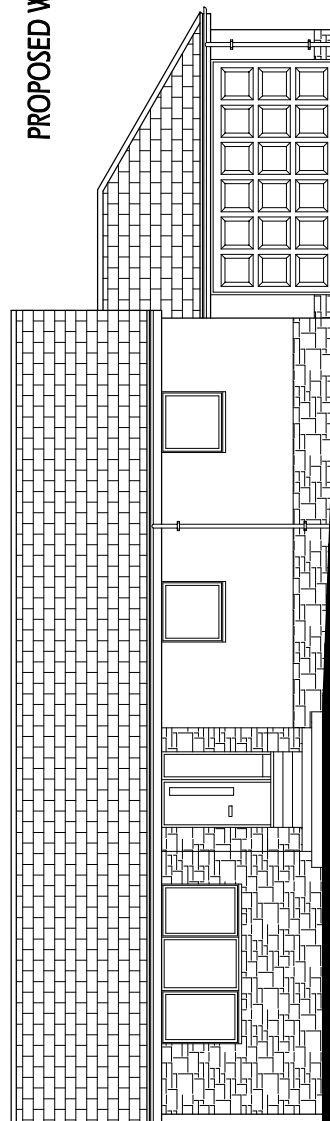
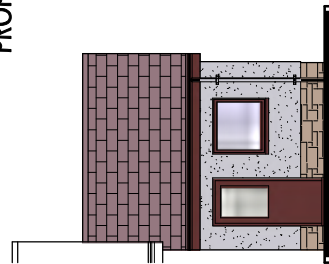
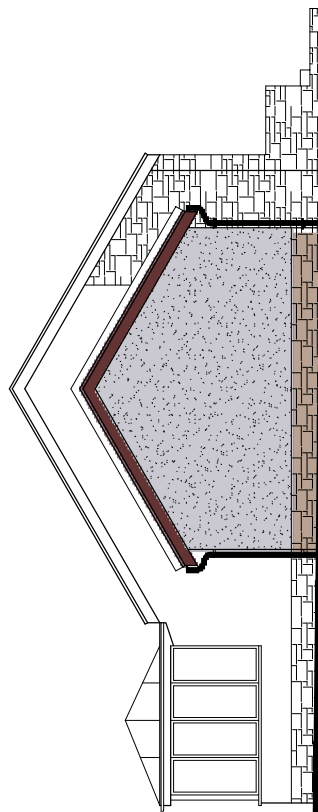
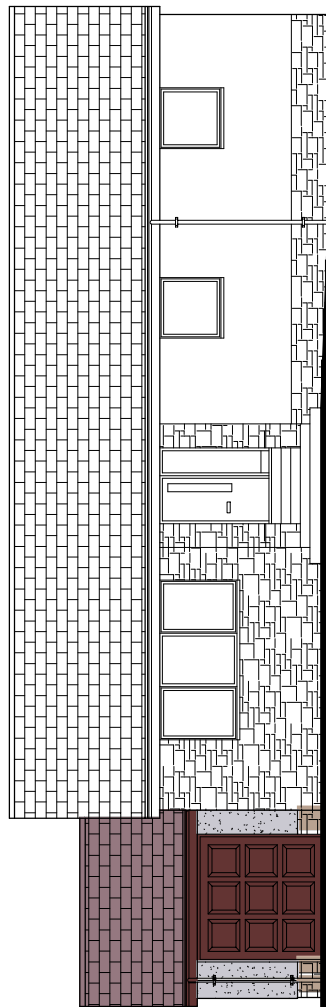
DRAWN

DRAWING No.

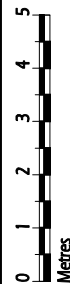
**1415-05**

REVISION





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CONCRETE INTERLOCKING ROOF TILES  
HARLED WALLS WITH RECONSTITUTED BLOCK BELOW DPC  
UP & OVER GARAGE DOOR  
PVC RAINWATER GOODS  
ALL EXTERNAL FINISHES TO MATCH HOUSE

MR. W. RAMSAY  
5 MARSHALL WAY  
LUNCARTY PH1 3UX

## HIGHLAND PLANS

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E: [dave@highlandplans.com](mailto:dave@highlandplans.com)

## PROPOSED GARAGE ELEVATIONS

SCALE 1:100

DATE	75-3-14
DRAWN	

DRAWN

DRAWING No.

**1415-04**

REVISION

**TCP/11/16(314)**

**Planning Application 14/00596/FLL – Erection of dwellinghouse, formation of vehicular access and erection of garage, 5 Marshall Way, Luncarty, Perth, PH1 3UX**

**PLANNING DECISION NOTICE** *(included in applicant's submission, see pages 79-80)*

**REPORT OF HANDLING**

**REFERENCE DOCUMENT** *(included in applicant's submission, see pages 89-94)*





# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	14/00596/FLL	
Ward No	N5- Strathtay	
Due Determination Date	16.06.2014	
Case Officer	Andrew Baxter	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Erection of dwellinghouse, formation of vehicular access and erection of garage

**LOCATION:** 5 Marshall Way, Luncarty, Perth, PH1 3UX

### SUMMARY:

This report recommends **refusal** of a detailed planning application for the erection of a dwelling and the erection of a new single garage 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:** 11 June 2014, in sunny conditions.

### SITE PHOTOGRAPHS



## BACKGROUND AND DESCRIPTION OF PROPOSAL

The application seeks to obtain detailed planning permission for the demolition of an existing double garage, the erection of a dwelling house, the erection of a single garage and the formation of a new vehicular access at 5 Marshall Way, Luncarty. 5 Marshall Way is part of a fairly modern residential area, which is adjacent to a privately owned but publicly used road that links into a Core Path.

The proposal has two principal elements. The first is the erection of a dwelling on approx. 0.46ha site which is presently garden ground and a double garage (which is proposed to be demolished), and secondly, the erection of a new garage on the southern side of the existing house.

The proposed house will offer living accommodation over one level only, be sited north of the existing bungalow and will measure approximately 12.4m in its length (east to west) and approx. 7.6m in its width. The dwelling will be set at a slight angle with an existing mature beech hedge that forms the boundary between the existing house site and the private track which lies adjacent to the northern boundary. This track is lined by an existing hedge and a very large beech tree at the NW corner of the site (outwith the site). Several other mature trees which were on the southern side of the track have recently been removed.

Parking and turning spaces are proposed to the front of the property, and to facilitate the development it is proposed to remove the existing double garage from the north side of the existing dwelling house and construct a single garage to the south of the existing house.

In terms of the new garage, this will be re-located to the southern end of the dwelling and will be a typical single garage attached to the existing dwelling.

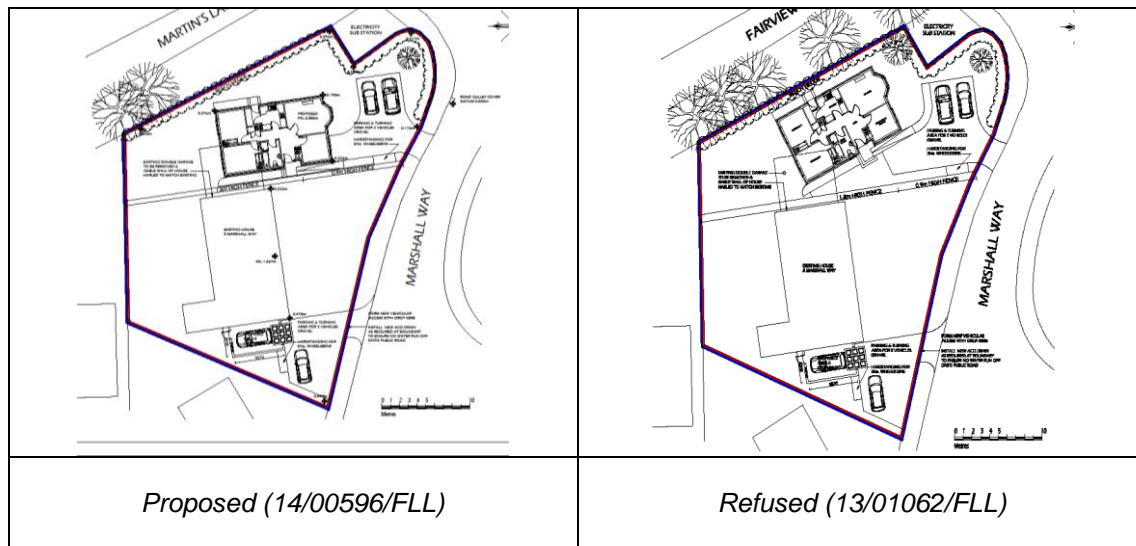
## SITE HISTORY

A similar detailed planning application for the demolition of the double garage, the erection of a dwelling house was refused planning permission in 2013 (13/01062/FLL) on the grounds that,

- 1     *The proposal is contrary to Policy 71 of the adopted Perth Area Local Plan 1995 in that it would constitute over-intensive development of the site to the detriment of the visual amenity of the area.*
- 2     *The development would have an adverse impact on the mature trees and beech hedge located in the adjacent lane in that the proposed house would impact on the root protection area of the trees and would be detrimental to their setting. The development is detrimental to the quality of the surrounding built and natural environment, contrary to Policy PM1 of the Proposed Local Development Plan 2012.*

- 3      *The proposal is contrary to Policy RD1 of the Proposed Local Development Plan in that the proposed development is not compatible with the character of the area.*

There has been a slight change in circumstances since the previous refusal insofar as in addition to the slight repositioning of the dwelling on the site several mature trees which aligned the private track have been removed – leaving only one mature beech tree and a large attractive hedge.



In addition to this, two previous outline applications were refused on the site in 2000 and 2001 (00/00639/OUT and 01/00854/OUT).

## PRE-APPLICATION CONSULTATION

None undertaken.

## NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework 1, 2 and 3, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars. As this proposal is for a relatively minor proposal within an existing settlement, there are no specific national planning policies or guidance that are directly applicable to this proposal.

## DEVELOPMENT PLAN

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

## **TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012**

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

## **Perth and Kinross Local Development Plan 2014 – Adopted February 2014**

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

Within the Local Development Plan, the site lies within the settlement boundary of Luncarty where the following policies are directly applicable.

### **Policy RD1 - Residential Areas**

In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private open space to be retained changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

### **Policy PM1A - Placemaking**

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

### **Policy PM3 - Infrastructure Contributions**

Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

## **OTHER COUNCIL POLICIES**

### **Developer Contributions 2012**

This policy seeks to secure financial contributions for both A9 junction improvements and for primary education in certain circumstances.

## Developer Contributions, Transport Infrastructure 2014

This following Supplementary Guidance is about facilitating development. It sets out the basis on which the Council will seek contributions from developments in and around Perth towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites and to support the growth of Perth and Kinross.

This Supplementary Guidance should be read in conjunction with Local Development Plan *Policy PM3: Infrastructure Contributions and Developer Contributions Supplementary Guidance*.

## CONSULTATION RESPONSES

**Head Of Public Space Management** has commented on the planning application and raised concerns regarding the proximity of the proposed dwelling to existing mature tree.

**Education And Children's Services** has commented on the planning application and indicated that the local primary school is operating at over its 80% capacity.

**Scottish Water** have commented on the planning application and raised no concerns.

## REPRESENTATIONS

No letters of representations have been received.

## ADDITIONAL STATEMENTS RECEIVED

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg <i>Flood Risk Assessment</i>	Not Required

## **APPRAISAL**

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

In terms of other material considerations, these include the (recent) site history and consideration of the implications of the Council's approved Developer Contributions 2012 document and the Developer Contributions, Transport Infrastructure 2014 document.

### **Policy Appraisal**

Since the previous refusal, there has been a significant change in Council policy in the area insofar as the Council has now adopted its new Local Development Plan 2014 – which replaces the former Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000).

In the new Local Development Plan, the site lies within an area identified as being residential with compatible uses where *Policies RD1 and PM1* are directly applicable. Both these policies seek similar objectives which are focused on protecting existing residential amenity and ensuring that new developments contribute positively to the quality of the surrounding built and natural environment by respecting the character and amenity of the existing area.

For reasons stated elsewhere, I consider the proposal to be contrary to these policies.

### **Land Use**

In terms of the acceptability of the proposed land use (for a new dwelling), the proposal must be assessed against the requirements of *Policies RD1 and PM1A* of the Local Development Plan, which generally seeks to protect existing residential amenity, and to ensure that new developments contribute positively to the quality of the surrounding built and natural environment by respecting the character and amenity of the existing area. The existing area is clearly residential in character, therefore in principle a residential use proposed is in keeping with the existing character of the area – in terms of land use.

However, the acceptability of the proposal in land use terms is also an assessment of whether or not the site is suitable for the use proposed in terms of its impact on the visual amenity, character (insofar as building pattern) and general density of the local area.

The site (for the new dwelling) appears to be somewhat manufactured resulting in a dwelling which will sit at right angles with the existing dwelling and will project out pass the front of the existing dwelling by some 7m. I note that the previous planning officer opined that this part of the Luncarty was typified by relatively generous house plots and the erection of a new dwelling on this corner, side plot would not be in character with the existing area and not be in keeping with the density of surrounding properties. I agree with this view, and consider the erection of a dwelling on this site to have an adverse impact on the character, density and visual amenity of the area by virtue of its manufactured nature – particularly bearing in mind that a garage (for the proposed house) isn't included as part of the submission.

In terms of the new garage element, I have no concerns in terms of land use.

### **Impact on Existing Trees / Hedge**

One of the previous reasons for refusal stated that '*The development would have an adverse impact on the mature trees and beech hedge located in the adjacent lane in that the proposed house would impact on the root protection area of the trees and would be detrimental to their setting. The development is detrimental to the quality of the surrounding built and natural environment, contrary to Policy PM1 of the Proposed Local Development Plan 2012*'.

Since the previous decision was made, a number of trees have been removed along the private track leaving only the large hedge and a large beech tree. The proposed dwelling will be located within 15m of the trunk of the remaining beech tree which means that the root protection area of that tree would be compromised if the dwelling was built in the location proposed. The existing tree is a very large impressive specimen and if the dwelling were to be erected as per the plans submitted, this tree would inevitably suffer severe die-back as a result of its roots being damaged/removed which would ultimately be to detriment of the area due its high visual amenity value.

In terms of the impact on the existing hedge, the proposed new dwelling is outwith the 2m root protection area so the root system of the hedge should not be affected by the development. However, the existing hedge does have a high amenity value and should be protected in the event that this application is supported.

The new garage element raises no issues in terms of the existing trees / hedges due to its location on the southern side of the existing house.

### **Design and Layout**

In terms of the actual design and layout, I have no concerns in relation to the new garage.

However, in terms of the new dwelling, whilst the elevational design of the dwelling itself does not raise any particular issues, I do have an issue over its size and location on the plot. As stated previously, whilst this area of Luncarty is residential in

character, it's nevertheless my view that the development of a new dwelling on the northern section of the garden ground of 5 Marshall Way would result in a development that would appear 'squeezed in' and out of character with the general area – which is typically characterised by its spacious plots. It is also noted that the addition of a garage (which any potential occupiers would evitable wish to have) will exacerbate this position further.

### **Residential Amenity**

In terms of the impact on existing residential amenity, neither the new dwelling nor the new garage will have significant direct impact on either the applicant's existing dwelling or any other neighbours.

### **Visual Amenity**

The elevations of the proposed dwelling and the new garage in isolation raises no particular issues; however, in relation to the new dwelling, the fact that the dwelling will be positioned in a forward position from that of the existing dwelling will result in a slightly awkward visual appearance from the public road. Due to the physical shape and width of the plot, it would be practically impossible to re-position the dwelling so that it was fully set behind the exiting house so any new dwelling on this plot would be positioned in an advanced position on the plot. Whilst there are some dwellings that are located fairly close to the public road, it's my view that the relationship between the existing house and the proposed (in its forward location) will result in a slightly incongruous streetscene which will be to the detriment of the visual amenity of the area.

### **Roads and Access**

The proposal raises no issues in terms of road relates matters.

### **Drainage and Flooding**

The proposal raises no issues in terms drainage or flooding issues.

### **Developer Contributions**

#### **Primary Education**

The site lies within the catchment of a primary school which is operating at over 80% capacity. To this end, a financial contribution that is in line with the requirements of the Developer Contributions 2012 document is necessary if the application is approved.



## Transport Infrastructure

The site lies within the catchment area for transport infrastructure contributions, as per the Developer Contributions, Transport Infrastructure 2012 document. To this end, a financial contribution that is in line with the requirements of Developer Contributions, Transport Infrastructure 2014 document is necessary if the application is approved.

## **Economic Impact**

With the exception of works associated with the construction phases, which may or may not be undertaken by local tradesmen, this development is unlikely to have a significant economic impact on the local area – either positively or negatively.

## **Conclusion**

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, whilst I have no particular concerns with the new garage element, the new house development is considered to be contrary with the approved TAYplan 2012 and the Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the Development Plan. On that basis the application is recommended for a refusal for the reasons listed the end of this report.

## **APPLICATION PROCESSING TIME**

The recommendation for this application has not been made within the statutory determination period.

## **LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **RECOMMENDATION**

**Refuse the application, for the following reasons,**

1. As the proposal (the new dwelling), by virtue of its location on the plot, would have an adverse impact on the root system of an existing mature tree which contributes positively to the visual amenity of the area, the proposal will have

a detrimental impact on the visual amenity of the area, the proposal is contrary to Policies PM1A and Policy RD1 of the Proposed Local Development Plan 2014 which both seek (amongst other things) to protect the visual amenity of existing areas.

2. As the proposal (the new dwelling), by virtue of being a manufactured and 'squeezed in' site, would result in a development that would have an adverse impact on both the visual amenity and general character of the local area, the proposal is contrary to Policies PM1A and Policy RD1 of the Proposed Local Development Plan 2014 which both seek (amongst other things) to protect the visual amenity and character of existing areas from inappropriate developments.

### **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 due to the application being recommended for refusal.

### **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

14/00596/1 - 14/00596/6 (*inclusive*)

**Date of Report 25.06.2014**

**TCP/11/16(314)**

**Planning Application 14/00596/FLL – Erection of dwellinghouse, formation of vehicular access and erection of garage, 5 Marshall Way, Luncarty, Perth, PH1 3UX**

## **REPRESENTATIONS**

- Representation from Transport Planning, dated 14 May 2014
- Representation from Education and Children's Services, dated 20 May 2014
- Representation from Scottish Water, dated 27 May 2014





# MEMORANDUM

To	Andy Baxter Planning Officer	From	Niall Moran Transport Planning Officer Transport Planning
Our ref:	NM	Tel No.	Ext 76512
Your ref:	14/00596/FLL	Date	14 May 2014

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

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 & ROADS (SCOTLAND) ACT 1984

With reference to the application 14/00596/FLL for planning consent for:- **Erection of dwelling house, formation of vehicular access and erection of garage 5 Marshall Way Luncarty Perth PH1 3UX for Mr Bill Ramsay**

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.

- Prior to the occupation or use of the approved development the new vehicular access shall be formed in accordance with specification Type A, Fig 5.5 access detail to the satisfaction of the Planning Authority.
- Prior to the occupation or use of the approved development turning facilities shall be provided within the plots 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 each plot site.

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.

I trust these comments are of assistance.





# Memorandum

To	Nick Brian Development Quality Manager	From	Gillian Reeves Assistant Asset Management Officer
Your ref	14/00596/FLL	Our ref	
Date	20 May 2014	Tel No	(4) 76395

Education & Children's Services

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Planning Application Ref No 14/00596/FLL

This development falls within the Luncarty Primary School catchment area.

Based on current information this school will reach the 80% capacity threshold.

Approved capacity	194
Highest projected 7 year roll	155
Potential additional children from previously approved applications	3.24
Possible roll	158.24
Potential % capacity	81.5%

Therefore I request that the Finalised Primary Education and New Housing Contributions Policy be applied to this application.

Please do not hesitate to contact me should you require any further information.



27<sup>th</sup> May 2014



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

**SCOTTISH WATER**

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

Central Support Team  
T: 0141 414 7162  
W: [www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Dear Sir Madam

**PLANNING APPLICATION NUMBER: 14/00596/FLL**  
**DEVELOPMENT: E Luncarty 5 Marshall Way**  
**OUR REFERENCE: 688288**  
**PROPOSAL: Erection of dwellinghouse, formation of vehicular access and erection of garage**

**Please quote our reference in all future correspondence**

Scottish Water has no objection to this planning application. This response is made based on the information available to us at this time and does not guarantee a connection to Scottish Water's infrastructure. A separate application should be submitted to us made for connection to our infrastructure after full planning has been granted.

Perth Water Treatment Works may have capacity to service this proposed development.

Water Network – Our initial investigations have highlighted there may be a requirement for the Developer to carry out works on the local network to ensure there is no loss of service to existing customers. The Developer should discuss the implications directly with Scottish Water.

Perth City Waste Water Treatment Works may have capacity to service this proposed development.

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

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

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws. If the developer wishes to enquire about Scottish Water's procedure for

checking the water pressure in the area then they should write to the Customer Connections department at the above address.

If the connection to public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s). This should be done through a deed of servitude.

It is possible this proposed development may involve building over or obstruct access to existing Scottish Water infrastructure. On receipt of an application Scottish Water will provide advice that will require to be implemented by the developer to protect our existing apparatus.

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

Yours faithfully

**Lisa Main**  
Customer Connections Administrator  
Tel: 0141 414 7193  
[Lisa.Main@scottishwater.co.uk](mailto:Lisa.Main@scottishwater.co.uk)