

TCP/11/16(372)

Planning Application – 15/00769/FLL – Change of use of holiday lodges (numbers 1-5 inclusive) to dwellinghouses (class 9) Altamount Park Coupar Angus Road Blairgowrie PH10 6JN

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TCP/11/16(372)

Planning Application – 15/00769/FLL – Change of use of holiday lodges (numbers 1-5 inclusive) to dwellinghouses (class 9) Altamount Park Coupar Angus Road Blairgowrie PH10 6JN

**PAPERS SUBMITTED
BY THE
APPLICANT**



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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 000127187-001

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:

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="Steven"/>
Last Name: *	<input type="text" value="Pilmott"/>
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" value="c/o MBM Planning"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Glenearn Road"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Perth"/>
Country: *	<input type="text" value="scotland"/>
Postcode: *	<input type="text" value="PH2 0NJ"/>

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="Altamount Park"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="Coupar Angus Road"/>	Town/City/Settlement:	<input type="text" value="Blairgowrie"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="PH10 6JN"/>
Address 4:	<input type="text"/>		

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

Northing	<input type="text" value="744530"/>	Easting	<input type="text" value="318016"/>
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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)

Change of use of holiday lodges (numbers 1-5 inclusive) to dwellinghouses (class 9) at Altamount Park, Coupar Angus Road, Blairgowrie

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 statement attached

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

☐ Yes ☒ No

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)

Statement in support of Notice of Review; Copy of site plan (14/00790/FLL) for house recently built at Edinburgh Road, Bridge of Earn; Copy of the refused plans; Decision Notice and Report of Handling

Application Details

Please provide details of the application and decision.

What is the application reference number? *

15/00769/FLL

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

06/05/15

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

14/07/15

Review Procedure

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

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist - Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare - Notice of Review

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

Declaration Name: Mark Myles

Declaration Date: 27/07/2015

Submission Date: 27/07/2015

Statement in Support of Notice of Review

Change of use of holiday lodges to residential use at Plots 1-5 Mary Young Drive, Altamount Park, Blairgowrie

Background

The application site is located within the settlement of Blairgowrie and to the south of the Altamount House Hotel. The 5 plots form part of a crescent layout of 10 holiday units in total. This proposal relates solely to Plot nos. 1-5 which are in different ownership to nos. 6-10.

A previous application to remove condition no. 6 from all 10 holiday units (13/00097/FLL) was refused by the council on 2nd April 2013 and a subsequent appeal against that decision was dismissed by a Reporter in October 2013.

A revised application to remove condition no.6 from units 1-5 only (14/02228/FLL) was then submitted in December 2014 but following detailed discussions with the planning officer the application was withdrawn prior to determination in order to specifically allow this new change of use application to be formally considered. In particular the planning department considered that a change of description of the application to 'a change of use' rather than removal of a condition would be clearer and easier for all interested parties including any future purchasers to understand should the proposal be approved. The applicant therefore agreed to proceed on this basis.

Proposal and Justification

There are material differences between the previous applications to remove the occupancy condition and this current application for a change of use.

This proposal relates only to Plots 1-5. The issues raised in respect of lack of amenity space for plots 6-10 during the consideration of application 13/00097/FLL and then the subsequent appeal simply do not apply to this current proposal.

Boundary fencing has also since been erected between Plots 1-5 and the proposed plans submitted in support of this change of use application had also clearly shown further fencing to be erected as part of the proposal in order to provide further separation and privacy between each of the plots. The appointed officer did not properly assess this application as the plan showing the additional fencing that is proposed has not been taken into account.

The proposal requires to be considered under the terms of the Perth & Kinross Local Development Plan (PKLDP) (Policies RD1 and PM1) which was adopted in February 2014.

When assessing the concerns that were raised with the previous planning applications for these 5 units, the only issue as noted in the previous Development Management Committee Report from 27th March 2013 and also by the Reporter in his decision letter was the window to window separation distances between the lodges.

When approving any residential development the normal minimum window to window separation standards that the council seeks to apply can and often does vary depending on the nature of the topography, landscaping and boundary treatments.

At the time of the previous application to remove the condition, there were no physical boundaries or planting between the lodges. Fencing has since been erected on the boundaries between the properties and the further fencing now shown on the submitted detailed site plan would remove any direct overlooking thereby resolving any issue relating to loss of privacy. This has simply been ignored or not taken into account by the appointed officer.

The Report of Handling voices a concern in respect of the *'sides/entrances to the lodges being extremely open with no level of privacy or sense of personal space. The fences which have been erected only start approx. half way along the gables (where the windows are) which does leave a large area, essentially communal area between the lodges.'* The Report does however then recognise that the frontages and sides of private dwellings are not always private or fully enclosed but the *'sheer openness in this case is not one that you would normally expect to see in a residential street.'*

To address this specific concern the additional plans that had been submitted with this application had therefore shown the 1.8m high fencing being continued towards the front of each property thereby removing any sense of communal area between the lodges and also providing a private enclosed garden area at the side of each lodge. This type of boundary enclosure and separation between properties is certainly not uncommon in residential streets.

It is noted that paragraph 27 of the previous Development Management Committee Report 27th March 2013 stated that *'in the event that members resolve to approve this planning application (subject to developer contributions being paid/secured) it is highly recommended that additional landscaping and boundary treatments are implemented throughout the development to try and reduce overlooking between neighbours and to improve the residential amenity of future occupiers.'*

The plans submitted with this change of use application for Plots 1-5, responded directly to that statement and therefore provided a solution to the residential amenity and privacy issues previously raised.

Being located within the Blairgowrie settlement boundary, Policy RD1 would apply to the consideration of this application. This policy seeks to encourage residential and compatible uses where existing residential amenity will be protected and where possible improved.

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 policy 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.'*

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.

This application relates to 5 properties that already exist on site and the height, scale, materials, finishes and colours of the buildings complement and contribute to the overall mix of the character and amenity found in the surrounding area in accordance with Policy PM1.

A review of the OS plan of the surrounding area (particularly to the south) highlights that there are many other residential properties in the vicinity of the site that have much smaller private garden spaces, and are also located much closer to neighbours.

No neighbouring properties would be affected by this application in terms of overlooking or overshadowing, given their relative positions, orientations and surrounding vegetation. The proposed change of use to residential does not alter that position in any way. The Report of Handling does acknowledge this by stating that *'whilst the planning application has attracted several objections (3 in total) from local residents, a proposal to change the use of the existing holiday lodges to main stream dwellings would have little direct impact on any existing residential amenity. The separation distances between the existing, neighbouring dwellings and the lodges are also acceptable and are compliant with the council's normal separation standards.'*

The proposed application is considered to be compatible with the character of the area and would allow residential use of the buildings that fully respect their environs, without resulting in any adverse impact on the amenity of the area or neighbouring properties. The only potential issue for this application is whether a suitable level of residential amenity would be achieved for the residents of Plots 1-5.

The fencing that has already been erected combined with the additional close boarded fencing proposed provides would provide sufficient enclosure for each property and also a level of residential amenity and privacy that is compliant with all normal standards. The fencing also reduces the 'openness' at the frontage of each property and ensures a sense of enclosure for each of the 5 properties. The height of the fencing that divides the rear gardens (1.2m) is also not an uncommon feature in residential developments where new property owners would normally discuss and agree if they want to provide further screening between their rear gardens. If this was the only remaining concern, then the fencing could easily be raised to 1.8m or additional planting introduced. This could also be easily resolved by means of a planning condition and is therefore not a justified reason for refusal of an application.

Any concerns about Plot 1 having insufficient private amenity space are also completely unfounded as the plans clearly show that a usable garden area of at least 11m x 12m (132 sq m), is provided towards the side and rear of the property which exceeds the council's minimum standards of 100 sq m. There are also no other properties overlooking this private space.

Numerous other similar examples where side garden space has been accepted as meeting the council's standard can be found throughout Perth & Kinross. One recent example is on Edinburgh Road in Bridge of Earn where a house has been built (14/00790/FLL) within 1.5 m of the frontage of the site and edge of footpath and within a distance of only 5 m from the rear boundary (copy site plan attached).

The proposal is therefore considered to satisfy all of the key criteria as set out in Policy RD1 and PM1 of the Perth & Kinross Local Development Plan and therefore can be approved as being in accordance with the Development Plan subject to any conditions considered necessary.

Conclusions

In land use planning terms these 5 properties have already been considered acceptable in terms of their scale, massing, proportions, density and the overall relationship with the neighbouring properties, such that there would be no adverse impact or detriment to the character or environment of the surrounding area.

There are significant material changes in circumstances since the previous applications to remove the condition i.e.

- This planning application is now for a change of use to residential and relates to Plots 1-5 only.
- Plots 1-5 have generous amounts of private garden space/amenity space that exceed the normal standards set by the council.
- Plot 1 is located closer to the rear boundary than Plots 2-5 but as the site plan clearly shows, it is also on a wider plot that provides more than sufficient levels of private usable amenity space to the side and rear.
- The only material issue for Plots 1-5 related to the perceived unacceptable window to window separation distances. That has since been resolved by the fencing that has been erected and the further fencing proposed between the plot boundaries as shown on the submitted site plan. The appointed officer did not properly assess this application as he has not taken account of the plan showing the additional fencing proposed.
- A condition can be imposed on any approval to ensure the retention of the fencing in perpetuity and additional planting could also be incorporated along the boundaries thus ensuring that there will be no loss of privacy for the occupants of the properties.
- A condition can also be imposed to remove permitted development rights (as was the case with the application 14/00790/FLL referred to above).
- Approval of this proposal would not set a precedent for plots 6-10 to be approved as those plots clearly do not have the standards of private garden space/amenity space that would be required for mainstream housing (as confirmed in the previous Reporter's decision).
- The development plan policy has also changed since the original approval for the lodges with the adoption of the PKLDP in February 2014.

Finally the applicant has consistently acknowledged and accepted that developer contributions would be required towards affordable housing and education if this proposal were to be approved. The applicant would provide the payment of £38,356.25 to the council immediately upon being advised of a positive decision by the Local Review Body thus avoiding the need for any legal agreement.

We therefore respectfully request that for the reasons set out above, this proposal is materially different from the previous applications and is determined on its own merits as being in accordance with RD1 and PM1 of the Local Development Plan.

PERTH AND KINROSS COUNCIL

Mr Steven Pilmott
c/o MBM Planning And Development
Mark Myles
Algo Business Centre
Glenearn Road
Perth
PH2 0NJ

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 14.07.2015

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **15/00769/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 7th May 2015 for permission for **Change of use of holiday lodges (numbers 1-5 inclusive) to dwellinghouses (class 9) Altamount Park Coupar Angus Road Blairgowrie PH10 6JN** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. As the 'as built' layout offers a lack of amenity space (lodge 1) and would collectively (lodges 1-5) create an environment which is not suitable for mainstream residential use, the proposed use of the lodges as main stream dwellings would be contrary to the aims of Policies RD1 and PM1A of the Perth and Kinross Council Local Development Plan 2014 which both seek to protect residential amenity.

Justification

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

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

15/00769/1

15/00769/2

REPORT OF HANDLING

DELEGATED REPORT

Ref No	15/00769/FLL	
Ward No	N3- Blairgowrie And Glens	
Due Determination Date	06.07.2015	
Case Officer	Andy Baxter	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Change of use of holiday lodges (numbers 1-5 inclusive) to dwellinghouses (class 9)

LOCATION: Altamount Park, Coupar Angus Road, Blairgowrie,
PH10 6JN

SUMMARY:

This report recommends **refusal** of a detailed planning application for the change of use of 5 existing holiday lodges to main stream dwellings at the Altamount Park 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: 30 June 2015

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

This planning application seeks to obtain detailed planning permission for the change of use of 5 existing holiday lodges to mainstream dwellings at the Altamount House Hotel, Blairgowrie. The existing holiday homes were granted planning consent with a planning consent that stated that *'All the lodges have been approved as holiday accommodation only and shall not be occupied as the sole or main residence of any occupant, to the satisfaction of the Council as Planning Authority'*.

The 5 existing lodges are part of a larger development comprising 10 holiday lodges – all of which have been built and are in use.

The existing lodges are located to the south of the Altamount House Hotel in a crescent layout, which is served partly by a shared vehicular access – which also serves the hotel and the other 5 lodges. The lodges are bounded by an unused chalet site to the north and to the south and west by the other 5 holiday lodges.

A planning application for the removal of the occupancy condition for all 10 lodges was refused in 2013 (13/00097/FLL) and a subsequent appeal to the Scottish Government was dismissed.

A further planning application for the removal of the occupancy condition (14/02228/FLL) was submitted in 2014 but was withdrawn prior to it being determined.

SITE HISTORY

A detailed planning application (10/02127/FLL) for the erection of 10 holiday lodges was approved by the Development Management Committee in 2010, subject to a restrictive condition which read *'All the lodges have been approved as holiday accommodation only and shall not be occupied as the sole or main residence of any occupant, to the satisfaction of the Council as Planning Authority'*.

This consent has since been implemented in full, and all 10 of the lodges are in active use.

Further to that planning application, an application to remove the restrictive occupancy condition for all 10 lodges was refused planning permission in 2013 (13/00097/FLL) on the grounds that,

As the 'as built' layout will result in an unacceptable level of residential amenity for future occupiers (in terms of lack of private amenity space and the potential for direct overlooking and loss of privacy to occur), the proposed use of the lodges as main stream 'dwellings' would be contrary to the aims of Policy 56 of the Eastern Area Local Plan 1998 which seeks to protect residential amenity.

Earlier this year, a further planning application seeking the removal of the occupancy condition (14/02228/FLL) was withdrawn prior to it being determined.

PRE-APPLICATION CONSULTATION

None undertaken.

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars. Due to the low key nature of this proposal, there are no specific national policies or guidance specifically relevant to this planning application.

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 is the most recent statement of Council policy and is augmented by Supplementary Guidance.

Within the Local Development Plan 2014, the site lies within an area which has been identified as being residential with compatible uses, where the following policies are applicable,

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.

Policy RD1 - Residential Areas

In identified areas, residential amenity will be protected and, where possible, improved.

OTHER COUNCIL POLICIES

Affordable Housing Policy 2005 / Supplementary Guide 2014

This policy states that the Council will seek an affordable housing quota of 25% on all housing sites of 5 units and above, except where individual Local Plans vary this quota. In the case of Perth city centre, the quota is 50%. This quota will be applied to all relevant new sites identified in Local Plan and planning applications. Unless prior agreement has been reached with landowners/developers, this policy will not apply retrospectively to sites with planning consent or the subject of an approved master plan or planning brief.

Developer Contributions 2014

This supplementary guidance seeks to secure both A9 junction contributions and education contributions in certain circumstances. This Supplementary Guidance should be read in conjunction with Local Development Plan *Policy PM3: Infrastructure Contributions and Developer Contributions Supplementary Guidance*.

Developer Contributions, Transport Infrastructure 2014

This 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*.

EXTERNAL CONSULTATION RESPONSES

None undertaken.

INTERNAL COUNCIL RESPONSES

Transport Planning have commented on the proposal and raised no objections in terms of the access and parking arrangements.

Education And Children's Services have indicated that the local primary school is operating at capacity and that a financial contribution in respect of Primary Education should be sought in line with the requirements of the Developer Contributions 2014 document.

Contributions Officer has indicated that developer contributions in relation to both Affordable Housing and Primary Education are required if the proposal is approved.

REPRESENTATIONS

Three letters of representations have been received, all objecting to the proposal. The main issues raised by the objectors are,

- Lodges never designed to be dwellings
- Road issues
- Impact on residential amenity

These issues are addressed in the main section of the report.

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	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, the sites (recent) site history and compliance with the Councils Developer Contributions 2014 and Affordable Housing Policy 2005 are all material considerations.

Policy Appraisal

In terms of land use policy issues, the two key policies are *Policies RD1* and also *PM1A* of the Local Development Plan 2014. Both these policies essentially seek to ensure that new developments within existing residential areas do not have an adverse impact on any existing residential amenity, provides a suitable residential amenity for any future occupiers (if residential development is proposed) and that the proposed development contributes

positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

For reasons stated below, I consider the proposal to be contrary to both these aforementioned policies.

Residential Amenity / Layout

Whilst the planning application has attracted several objections from local residents, a proposal to change the use of the existing holiday lodges to main stream dwellings would have little direct on any existing residential amenity. There are a number of existing residential properties to the rear of the existing lodges, however these are set at a lower level and are screened by existing trees. The separation distances between the existing, neighbouring dwellings and the lodges are also acceptable and are compliant with the Council's normal separation standards.

As was the case for the previous planning applications, the key issue as to whether or not this planning application is acceptable is ultimately whether a suitable level of residential amenity would be achieved for the new 'residents' of the dwellings.

There is no question that the general layout of lodges 1-5 is not one which would ordinarily be acceptable for a residential development. Windows at both ground floor and first floor level are located close to the boundaries, and even though a series of fences have been erected between the lodges to try and attempt to negate direct window to window interaction at ground floor level, having windows so close to a solid fence does not create a pleasant and acceptable environment for future occupiers.

Within the applicants supporting documents, they has highlighted the fact that the some of the windows at ground level are opaque glassing serving bathrooms and that there could be scope to change dining room windows into opaque glass too. They also comment on the fact that the upstairs windows have not been specifically referenced to previously.

I do accept that the erection of the fences has to some degree reduced the level of direct window to window interaction at first floor level; however I'm still not convinced that this is sufficient to make this development acceptable as a residential development.

The sides/entrances to the lodges are extremely open with no level of privacy or sense of personal space. The fences which have been erected only start approx. half way along the gables (where the windows are) which does leave a large area, essentially communal area between the lodges. Whilst the frontage and sides of private dwellings are not always private or enclosed, I consider the arrangement here to slightly awkward and its sheer openness is one which you would not normally expect to see in a residential street.

In addition to this, all of the frontages are gravelled and any usable private amenity space would only be available to the rear. Whilst lodges 2-5 would be able to provide an adequate level of private amenity, the private amenity space associated with lodge number 1 is significantly limited and would not offer the level of private amenity space which you would expect to see for a family sized dwelling.

I'm also conscious of the fact that the existing fences which divide the rear gardens are approx. 1m height, which offers little in the form of any screening between the users of neighbouring gardens. Whilst an increase in the height of fence, or new landscaping could be introduced this add simply adds to the case that this layout is not suitable for mainstream units.

Visual Amenity

In terms of visual impact, the proposal will have no impact (adverse or otherwise) on the visual amenity of the area as there are no changes to the units proposed. However, if the units were to become dwellings, there would be potential pressure in the future for changes, including extensions, alterations etc.

Roads and Access

In terms of road and pedestrian safety related matters, I have no concerns regarding the proposal. I understand from the applicant that the intention is keep the 5 proposed 'dwellings' as a private gated estate, with access limited to the public from the entrance gates to the hotel. To this end, the Council does not require the access to be ungraded or improved; however the lack of an adoptable standard vehicular access may affect the Councils willingness to service the development in terms of refuse collections etc.

Drainage and Flooding

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

Developer Contributions

In the event that the proposal is approved, the applicant would be required to accord with the both the Councils approved Affordable Housing Policy 2005 and the approved Development Contributions 2014 in terms of Primary Education contributions. This would require Developer Contributions for both Affordable Housing and Primary Education provision.

Impact on Listed Building

As no physical works are currently proposed, the proposal will have no impact on the setting of the adjacent listed building.

Impact of Trees

As no physical works are currently proposed, the proposal will have no additional impact on existing trees. However, it might be the case that some existing trees within the rear gardens could be under threat from new owners who may wish to increase the size of the usable area by removing existing trees.

Economic Impact

The proposal is unlikely to have any economic impact on the area, either positively or otherwise.

Conclusion

In conclusion, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the Development Plan, and on that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application for the following reason,

As the 'as built' layout offers a lack of amenity space (lodge 1) and would collectively (lodges 1-5) create an environment which is not suitable for mainstream residential use, the proposed use of the lodges as main stream dwellings would be contrary to the aims of Policies RD1 and PM1A of the Perth and Kinross Council Local Development Plan 2014 which both seek to protect residential amenity.

Justification

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

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

15/00769/1

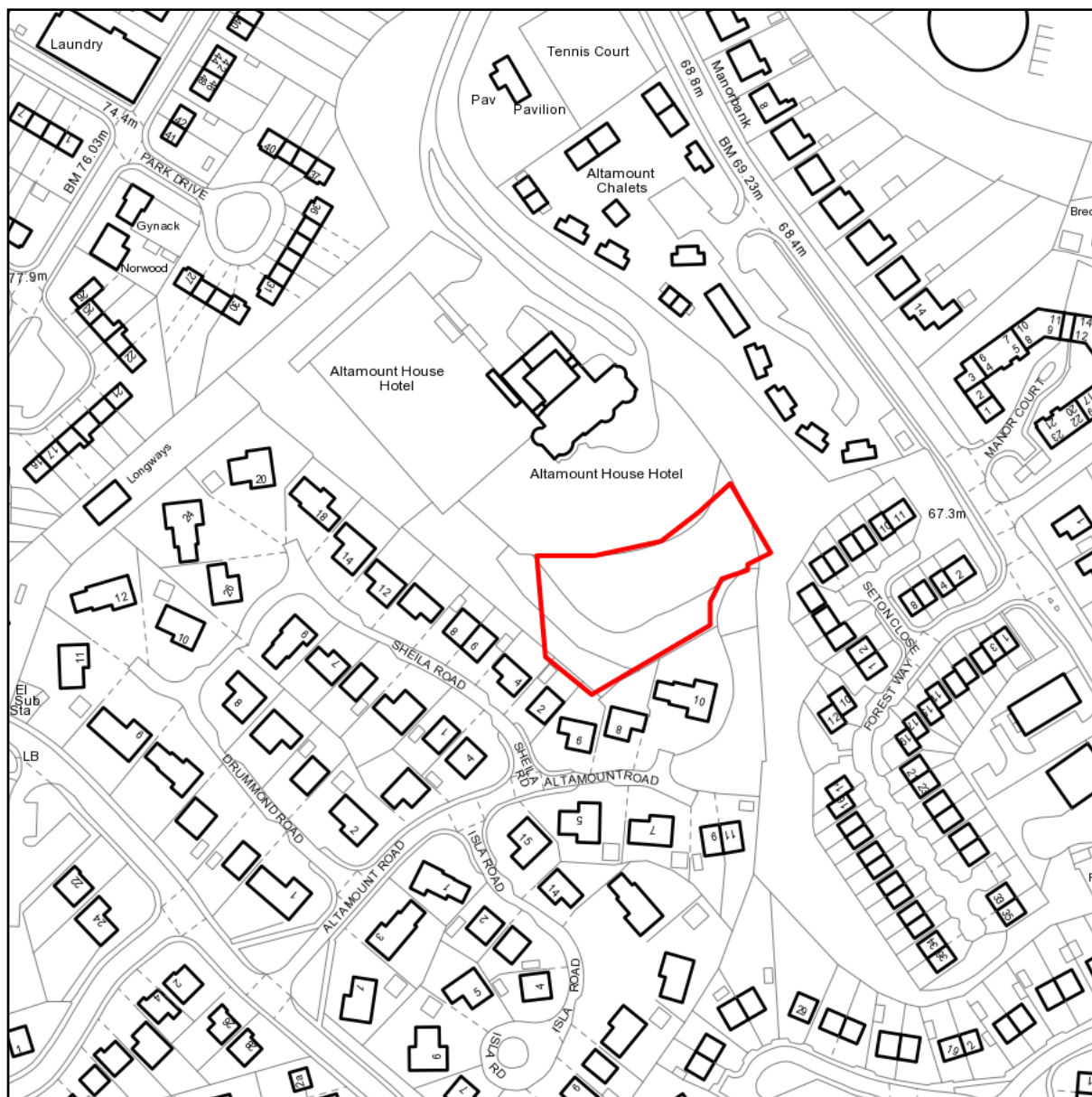
15/00769/2

BACKGROUND PAPERS

- 1 Development Management Committee, Report of Handling by Development Quality Manager dated the 27 March 2013
- 2 Scottish Government, Appeal Decision Notice dated the 18 October 2013

Date of Report 2.07.2015

Altamont Park, Coupar Angus Road, Blairgowrie, PH10 6JN



Information

 Application Boundary

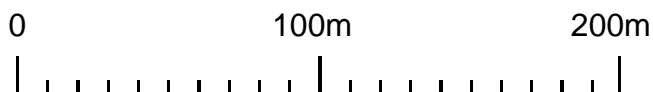
 Land in Ownership

Online Ref:

000107792

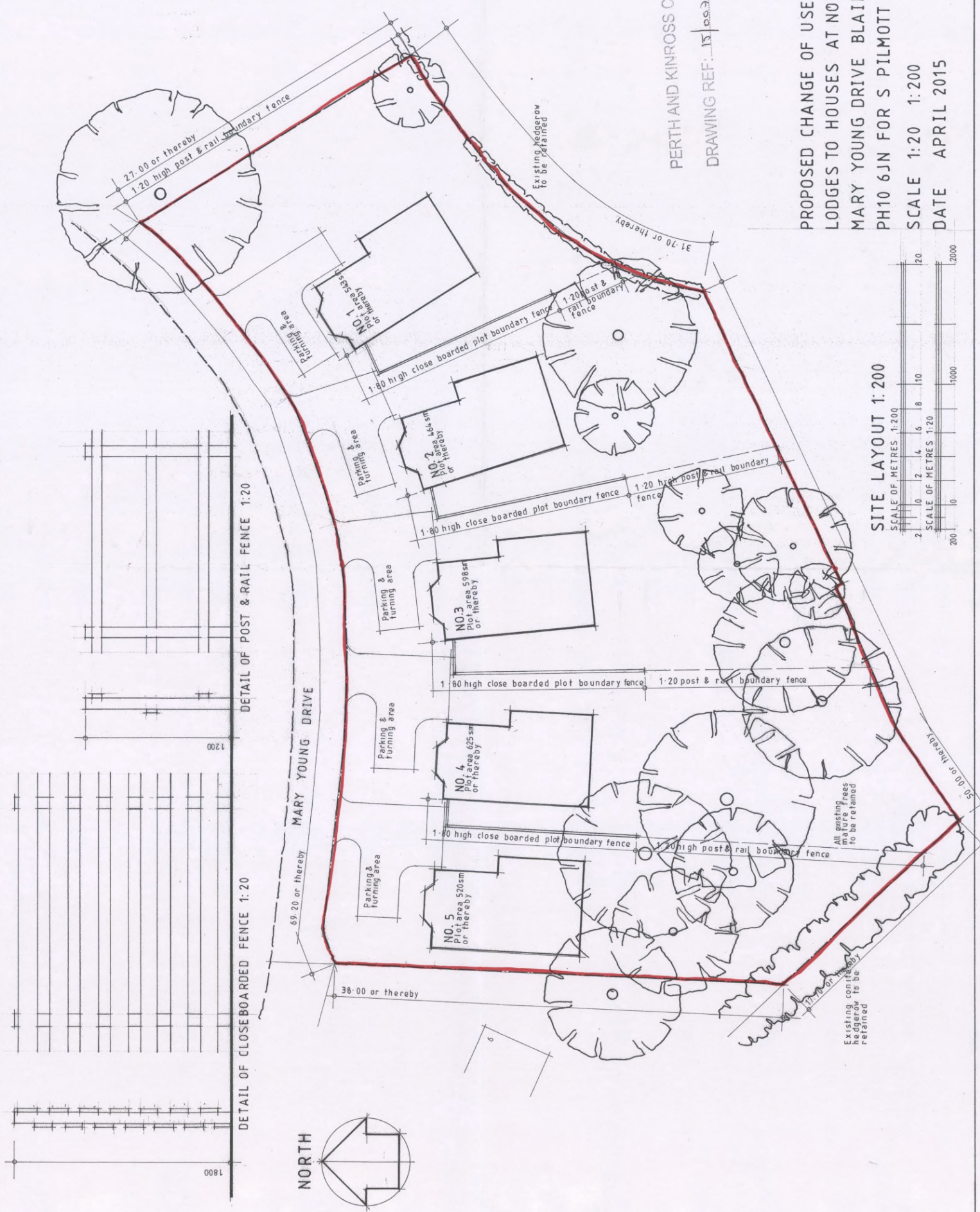
Date: 23/12/2014

Scale 1:2500 (16Ha)



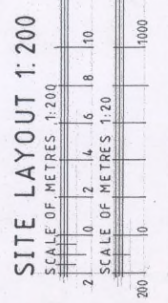
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PERTH AND KINROSS COUNCIL
DRAWING REF: 13/05369/7

PROPOSED CHANGE OF USE OF HOLIDAY
LODGES TO HOUSES AT NOS.1-5
MARY YOUNG DRIVE BLAIRGOWRIE
PH10 6JN FOR S PILMOTT ESQ
SCALE 1:20 1:200
DATE APRIL 2015



NOTES

All levels and dimensions to be checked by contractor prior to commencement of site works

All spot levels shown are existing

Rev'n	Date	Description	By
A	13 Dec 13	House footprint reduced in area	d.d.g.
B	7 Feb 14	Notes and drive added	d.v.
C	23 Feb 14	Added surrounding context OS and section-lines	d.d.g.
D	04 May 14	House based on approved building	d.v.

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Proposed Dwellinghouse
for Mr and Mrs D Gahan
at Bronton, Bridge of Earn

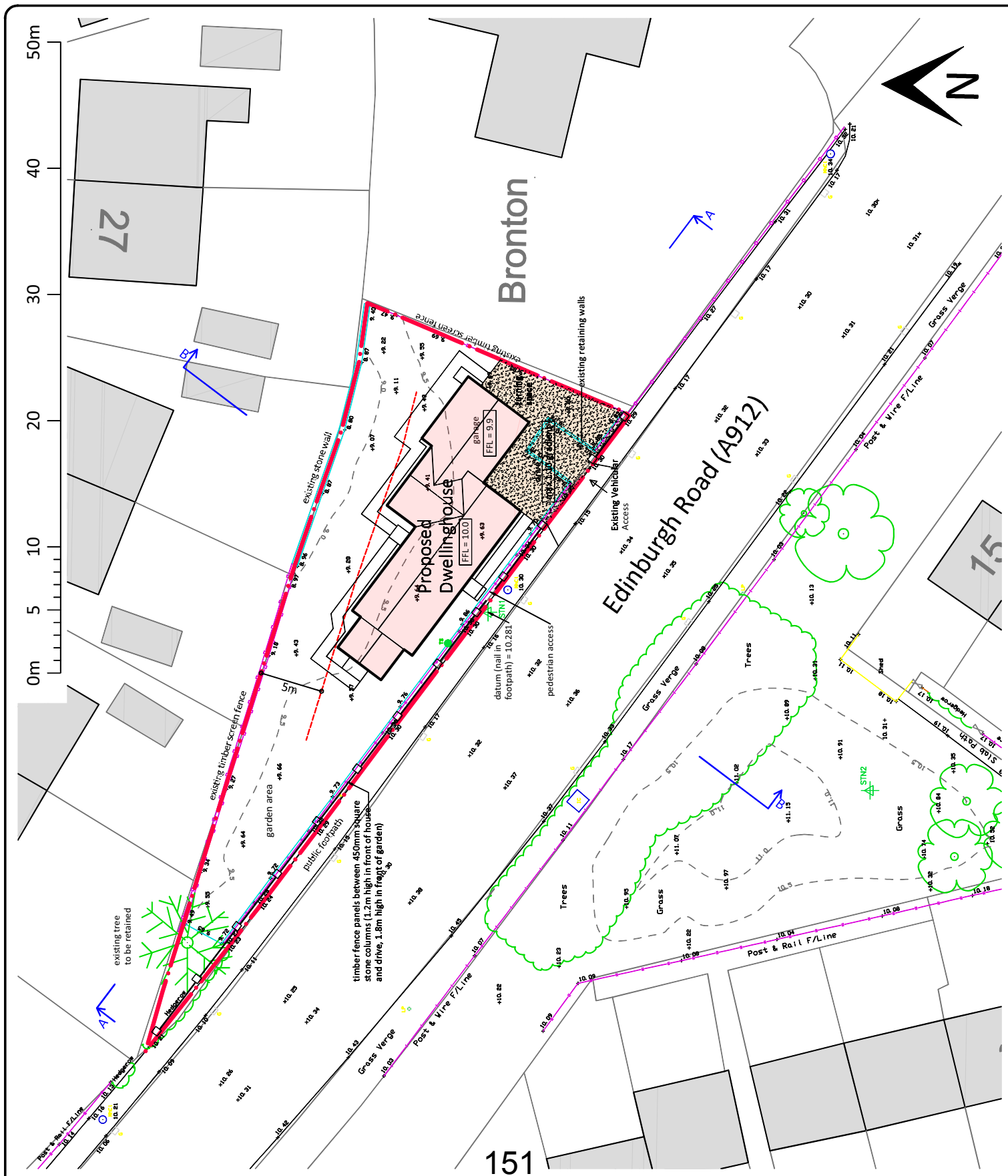
Drawing Title:

Site Plan



A: 317 Rona Place, Glenrothes, Fife, KY7 6RR
T: 07925-372034 / 07925-130388
E: enquiries@DX2consultancy.com
W: www.DX2consultancy.com

Project Reference: 13-054-BRONTON		Scales: 1:200	Date: 09 Sep 13
Drawing Number: 13-054-001		Sheet size: A2	Drawn: d.d.g.
		Revision: D	Checked: d.v.



TCP/11/16(372)

Planning Application – 15/00769/FLL – Change of use of holiday lodges (numbers 1-5 inclusive) to dwellinghouses (class 9) Altamount Park Coupar Angus Road Blairgowrie PH10 6JN

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 137-138)*

REPORT OF HANDLING *(included in applicant's submission, see pages 139-148)*

REFERENCE DOCUMENT *(included in applicant's submission, see pages 149-150)*

TCP/11/16(372)

Planning Application – 15/00769/FLL – Change of use of holiday lodges (numbers 1-5 inclusive) to dwellinghouses (class 9) Altamount Park Coupar Angus Road Blairgowrie PH10 6JN

REPRESENTATIONS

AMB .

Tracy McManamon

From: Ryder, Peter (GE Oil & Gas) [REDACTED]
Sent: 18 May 2015 09:54
To: Development Management - Generic Email Account
Subject: 15/00769/FLL
Attachments: IMG_20150518_0001.pdf

Dear Sir/Madam,

With reference to your communication dated 13th May 2015.

May I refer you to the previous Planning application 14/02228/FLL, which was withdrawn by the applicant/agent (see the attached communication – which includes all objections)

I obviously can't speak for the other affected people that objected on 14/02228/FLL, but my objections **STILL APPLY** - so would appreciate if you could transfer those to 15/00769/FLL.

If Mr Pilmotts actions are to annoy 'us' (the affected people) into submission, then I'm guessing (based on previous applications) he may well be travelling a never ending road of objections.

Should you feel the need to contact myself to discuss, please do not hesitate to do so.

Best regards,
Peter Ryder

10 Altamont Road
Blairgowrie
PH10-6QL

ENTERED IN COMPUTER

21 MAY 2015



Planning and Regeneration
Head of Service David Littlejohn

Pullar House, 35 Kinnoull Street, PERTH PH1 5GD
Tel 01738 475300 Fax 01738 475310

Peter Ryder
10 Altamount Road
Blairgowrie
PH10 6QL

Contact Andrew Baxter
Direct Dial 01738 475339
Email ABaxter@pkc.gov.uk

Ref No 14/02228/FLL

Date 5 March 2015

Dear Sir, Madam

The Town and Country Planning (Scotland) Act 1997

**Removal of condition 6 (holiday accommodation) of permission
10/02127/FLL (Erection of 10 holiday units) for plots 1-5 Altamount Park
Coupar Angus Road Blairgowrie PH10 6JN for Mr Steven Pilmott**

I refer to your letter regarding the planning application submitted for the above proposal.

The application has been withdrawn by the applicant/agent.

Please note that this representation will not be transferred to any subsequent application resubmitted at a later date.

Should you require further information regarding the outcome please do not hesitate to contact the officer named above.

Yours faithfully

Nick Brian
Development Quality Manager

Tracy McManamon

AMB

From: Ryder, Peter [REDACTED]
Sent: 14 January 2015 15:05
To: Andy Baxter
Cc: Development Management - Generic Email Account
Subject: 14/02228/FLL
Attachments: IMG_20150114_0002.pdf; altamount houses.docx

Dear Sir,

With reference to the attached Planning Application which was delivered to my home today.

On the 28th Nov 2014, my wife & I became the new owners of [REDACTED]

Information given to me at the time prior to purchase, highlighted no planning permissions were ongoing around the house – which at the time, might well have been the case.

If this issue had been ongoing, I may well have thought twice over its purchase.

Not knowing all the history regarding these 'holiday houses', do I assume that original planning permission for them was only passed, because they were to be holiday houses ONLY (part of the Altamount House Hotel complex) and NEVER meant to be individual houses which could be sold 'to the public'?

I also see that this issue of Removal of Condition 6 reared its head in 2013, but was rejected.

I don't see why two years later, this decision should change.

I also see (on the www), ReMax were recently trying to sell the 10 units (job lot) for £2,500,000 (as per the attached 'word' doc).

It seems to show these have been taken off the market – possibly subject to this planning application.

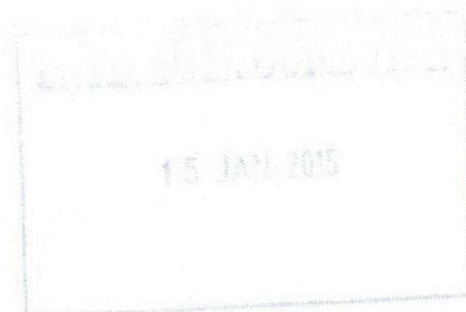
Dependant on approval, these 'now' individual houses, may well go back on the market to be sold individually.

If planning permission was only given for these to be holiday accommodation, then in my opinion that's how they should remain.

Issues as important as this, should NOT be allowed to change just to suit someone's changing circumstances.

Should you wish to discuss, please don't hesitate to call [REDACTED]

Regards,
Peter (Ryder)



This property has been removed by the agent.
It may be sold or temporarily removed from the market.

[View similar properties >](#)

House for sale

10 Altamount Houses, Mary Young Drive Coupar Angus Road, Blairgowrie

Fixed Price
£2,500,000



Open House

< of 19 >

Description

Map & Schools

Street View

Market Info

This property is marketed by:



Remax Town & Country, Perth
18 Charlotte Street, Perth, PH1 5LL

[View properties from this agent](#)

[Save property](#)

[Add notes](#)

[Print](#)

[Send to Friend](#)

Share this property

[f Share](#)

[Twitter](#)

[Print](#)

Property sold nearby



19 Mar 2003

Altamount House Hotel, Coupar **£402,500**

[View more >](#)

Don't forget

Check broadband availability
and speeds in this area

[Check now >](#)



AMB

Tracy McManamon

From: [REDACTED]
Sent: 29 January 2015 11:33
To: Development Management - Generic Email Account
Subject: Planning Application14/02228/FLL
Attachments: Planning Objection.docx

Re the above planning application. Please find attached letter of objection.

I can be contacted on [REDACTED]

Regards

John McLaren

29 JAN 2015



29th January, 2015

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

PLANNING APPLICATION 14/02228/FLL

Dear Sirs,

Re the above application to remove section 6, I herewith submit my objection to the proposal, the reasons being as follow.....

1. When the plans for these buildings were first submitted they were classed as chalets and are in fact five bedroom houses.
2. The properties are supposed to be holiday lets but there appears to be two houses which have full-time residents
3. We were told that a security fence would be erected between the houses and our property, this has never been carried out.
4. I personally had to contact Liz Grant our local councillor about trees being felled in the area between ourselves and the houses as these trees in fact carry a preservation order. Had I not done so I am sure they would have continued to fell more.
5. I am also concerned for the wildlife i.e. the Red squirrels we see regularly in the wooden area.

I would like you to take all the above into consideration. Also the fact the application was submitted in 2013 and was rejected.

If you wish to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

John McLaren

Tracy McManamon

14/02228/PL

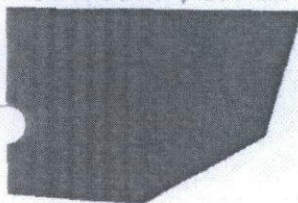
AMB

From: [REDACTED]
Sent: 29 January 2015 14:00
To: Development Management - Generic Email Account
Subject: Re: Altamount Park For the attention of Andy Baxter

Dear Tracy

Our full postal address is:

Ian and Jenny Oswald



From: Development Management - Generic Email Account
Sent: Thursday, January 29, 2015 11:11 AM
To: [mailto:\[REDACTED\]](mailto:[REDACTED])
Subject: RE: Altamount Park For the attention of Andy Baxter

Dear Mr and Mrs Oswald

To enable us to register your comments we will need your full postal address including postcode.

Regards

Tracy McManamon
Senior Support Assistant
Planning and Development
35 Kinnoull Street
Perth
PH1 5GD

Telephone 01738 475334

From: [REDACTED]
Sent: 28 January 2015 15:26
To: Development Management - Generic Email Account
Subject: Altamount Park For the attention of Andy Baxter

Dear Mr Baxter

Removal of condition 6 (holiday accommodation) from planning permission 10/02/27/FLL – Plots 1-5 Mary Young Drive Blairgowrie

With reference to the above planning application, we are the owners of Altamount Lodge at the bottom of the drive to Altamount House Hotel. We have lived there 28 years come May of this year. We were not sent a copy of the planning application which was sent to the neighbours of the lodges which is strange since we received a copy of the original planning application for the lodges in 2007. We did not know about the application until we saw the planning application in the Courier. All vehicular traffic going to the hotel and lodges have to pass our house and drive.

We object to the removal of condition 6 for the lodges at 1-5 Mary Young Drive as we feel there would be an increased flow of traffic on the drive which is not suitable for 2-way traffic. During the building of these lodges, there was considerable erosion of the road with constant heavy traffic. Also in our missives for the house and land we have, it states that we are liable for a tenth of the upkeep of the road from the gate pillars to our drive. This may involve increased cost to us. Also we are no longer sure who owns the drive with all the owners of the different parts of the estate now.

This removal of condition 6 has been tried before and rejected. The lodges were never intended to be sold as private properties and we see no reason why this should be changed now. According to the owners at the time they were to be part of the Altamount House complex to be used for holiday lets or for guests at weddings at the hotel to use.

Should you wish to discuss this matter with us, please call us on [REDACTED]

Yours sincerely

Ian and Jenny Oswald

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AMB

28 JAN 2015

DEVELOPMENT QUALITY MANAGER,
PERTH and KINROSS COUNCIL,
PLANNING and REGENERATION
POLLAR HOUSE
35 KINNDULL STREET,
PERTH PH1 5GD.



29 JAN 2015

Dear Sir/Madam,

Planning Application Ref: 14/02228/FLL

OUR OBJECTIONS TO THIS APPLICATION ARE AS FOLLOWS:

1. THE HOUSES WHEN BUILT WERE ONLY SUPPOSED TO BE SINGLE STOREY CHALETS. (NOT 4 BEDROOMED HOUSES)
2. THE COMPANY ARE TRYING TO SELL THESE HOLIDAY HOMES AS PERMANENT DWELLINGS APPLYING TO GET RESIDENTIAL STATUS WITH RETROSPECTIVE PLANNING PERMISSION.
3. THERE IS NO PUBLIC ACCESS INTO THE HOUSES.
4. THE SITE HAS NOT BEEN COMPLETED AS PER PLANNING PERMISSION AS A 2METRE FENCE WAS SUPPOSED TO BE ERECTED AROUND THE SITE. ALSO THE GRAVEL WAS TO HAVE MULCH PUT DOWN TO SOFTEN THE NOISE OF CARS IN and OUT.
5. WE PURCHASED THIS HOUSE IN NOVEMBER 2013 AND OUR LAWYERS DID A THOROUGH SEARCH ABOUT THE DWELLINGS AND WERE TOLD THEY WOULD ALWAYS BE USED AS HOLIDAY CHALETS.
6. THIS IS NOT THE FIRST TIME THIS COMPANY HAVE TRIED TO GET RESIDENTIAL PLANNING PERMISSION FOR THESE HOUSES THROUGH A LOOPHOLE IN PLANNING.

WE HOPE YOU WILL LOOK FAVOURABLY ON THESE OBJECTIONS SO WE CAN LIVE OUT OUR OLD AGE IN PEACE AND QUIET AS WE THOUGHT WHEN WE PURCHASED OUR HOUSE.

AMB

Tracy McManamon

From: CHRISTOPHE MCCLEERY [REDACTED]
Sent: 25 January 2015 15:10
To: Development Management - Generic Email Account
Subject: Altamount Hotel, 14/02228/SLL Repeal of condition 6

Dear Sir/Madam,

I feel it is most important that Condition 6 is retained. These very controversial chalets were allowed on the condition that they remained as Hotel property, ostensibly to cater for the anticipated wedding trade to Blairgowrie. Building these Chalets reduced the woodland habitat for the small colony of red squirrels and if the chalets were to be sold the habitat would certainly be reduced further with new owners wanting free car access and garages etc.

The Hotel Management have tried to sell off these chalets on the internet before and had to be reminded that this would not be legal.

Yours faithfully, Dr C.H. McCleery.

[REDACTED]

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	15/00769/FLL	Comments provided by	ECS										
Service/Section		Contact Details	Maureen Watt ext 76308										
Description of Proposal													
Address of site													
Comments on the proposal	<p>This development falls within the Newhill Primary School catchment area.</p> <p>Based on current information this school will reach the 80% capacity threshold.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">Approved capacity</td> <td style="text-align: right;">423</td> </tr> <tr> <td>Highest projected 7 year roll</td> <td style="text-align: right;">370</td> </tr> <tr> <td>Potential additional children from previously approved applications</td> <td style="text-align: right;">40.77</td> </tr> <tr> <td>Possible roll</td> <td style="text-align: right;">410.77</td> </tr> <tr> <td>Potential % capacity</td> <td style="text-align: right;">97.1%</td> </tr> </table>			Approved capacity	423	Highest projected 7 year roll	370	Potential additional children from previously approved applications	40.77	Possible roll	410.77	Potential % capacity	97.1%
Approved capacity	423												
Highest projected 7 year roll	370												
Potential additional children from previously approved applications	40.77												
Possible roll	410.77												
Potential % capacity	97.1%												
Recommended planning condition(s)	<p>I request that the Finalised Primary Education and New Housing Contributions Policy be applied to this application.</p>												
Recommended informative(s) for applicant													
Date comments returned													

Tracy McManamon

From: Ryder, Peter (GE Oil & Gas) [REDACTED]
Sent: 25 May 2015 13:57
To: Development Management - Generic Email Account
Subject: Addendum to my earlier Objection 15/00769/FLL
Attachments: Courier article.pdf

Dear Sir/Madam,

A little bit of 'digging' on my part, uncovered the attached article (dated 13th Nov 2013).

This highlights the Scottish Governments refusal of an identical planning permission request for the lodges

I would appreciate if you could add this 'addendum', to my earlier objection notification.

Regards,
Peter Ryder

Peter Ryder
Consultant Engineer/Technologist – ePIMS Administrator GE Oil & Gas (Drilling & Production)

ENTERED IN COMPUTER

25 MAY 2015

GE Imagination at work

-----Original Message-----

From: developmentmanagement@pkc.gov.uk [<mailto:developmentmanagement@pkc.gov.uk>]
Sent: 21 May 2015 12:06
To: Ryder, Peter (GE Oil & Gas)
Subject: Contributor Acknowledgement Letter for Application Number 15/00769/FLL

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OMA
(copy 2 - documents for 2011/12)
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General enquiries to Live Active Leisure Limited should be made to enquiries@liveactive.co.uk or 01738 454600.

General enquiries to TACTRAN should be made to info@tactran.gov.uk or 01738 475775.

Securing the future... - Improving services - Enhancing quality of life - Making best use of public resources.

Perth & Perthshire edition

Local Matters

THE COURIER

WIN £3,000

TO SPEND AT **TESCO** See details on page 8

Platinum price tag

Dolly Parton fans in ticket price shock – page 3



Wednesday, November 13, 2013

No. 50,908 60p

Winter Olympics role for Fair City

by **Richard Burdge**

PERTH HAS been chosen to play a vital role in preparing the UK's elite Olympians for next year's winter games.

It was revealed yesterday that thanks to a £500,000 investment, the Dewars Centre in the city will act as a low Scottish base



PERTH

Blair lodges full-time bid refused

A Perthshire hotel's bid to turn 10 holiday lodges into full-time homes has been turned down by the Scottish Government.

The owners of the Altamount House Hotel in Blairgowrie lodged the appeal after their initial planning application was refused by Perth and Kinross Council.

The five houses and five cottages were constructed in 2011.

page 6

Hollywood

No to hotel lodges plan

by Kirsty Topping

A PERTHSHIRE hotel's bid to turn 10 holiday lodges into full-time homes has been turned down by the Scottish Government.

The owners of the Altamount House Hotel in Blairgowrie lodged the appeal after their initial planning application was refused by Perth and Kinross Council.

The five houses and five cottages were constructed in 2011 with the condition that they were not to be used as a main or sole residence.

Owners Strathblair Ltd wanted to remove the condition, blaming the recession for a downturn in holiday lets.

In a letter to the Scottish Government, the company wrote: "When we started out on this project in 2005 the economy was buoyant and demand was high and over a six-year period Strathblair Ltd has invested over £3 million in upgrading the Altamount House and its grounds and building these extremely high-quality houses and cottages.

"However, now that we face our sixth year of recession and low economic growth, demand has shrunk and we need to make the most use of the properties.

"Our holiday let season has shrunk to May till September, although demand for short-term residential lets has risen due to property shortages and people's inability to obtain mortgages from the banks"

Strathblair wanted to offer six-month leases and to sell a small number of the properties in order to raise funds for upgrading other parts of the estate and said that no objections to the plans had been received from local residents.

Perth and Kinross Council refused the application on the grounds that it did not fit

in with the Local Plan and that the buildings were too close together.

Local councillor Caroline Shiers and Provost Liz Grant urged ministers to reject the appeal.

Councillor Shiers wrote: "I am firmly opposed to the request to modify the condition attached to the lodges at the Altamount House Hotel and I believe any change to their status would set a damaging precedent.

"The history of planning breaches in association with these lodges is a lengthy one, which I hope you are appraised of as part of your deliberations."

Provost Grant added: "I can concur with Councillor Shiers' comments on this matter as I was also involved on several occasions with the applicants and planning officers, mostly in relation to non-compliance issues with the chalet build.

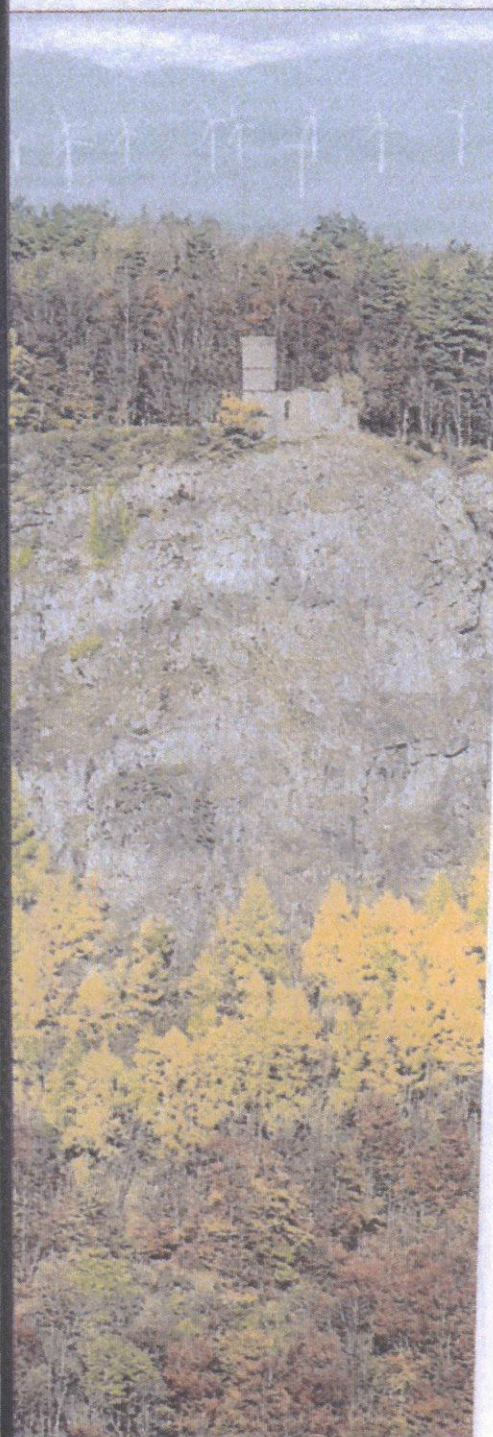
"It was quite explicit at the time of the original consent that these chalets were for holiday lets only and I am not supportive of the proposed change of use."

Richard Hickman, a planning reporter appointed by the Scottish Ministers, refused the appeal by Strathblair Ltd.

In his decision, he wrote: "I conclude that residential use of these holiday lodges would result in very low levels of privacy for most of the dwellings and very limited provision of genuinely private amenity space at five of the 10 plots. I agree with the council that there would be an unacceptably low level of residential amenity, resulting in a breach of the local plan policy..."

He said it had not been demonstrated that "the financial climate has so undermined the viability of the lodge holiday letting business as to justify the acceptance" of that "very poor level of residential amenity".

ktopping@thecourier.co.uk



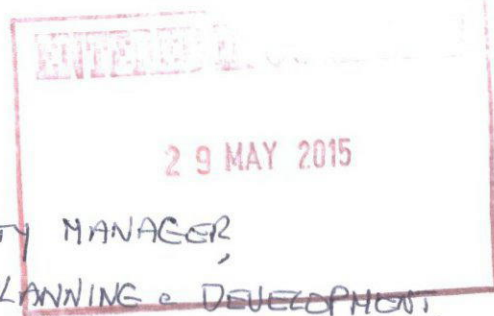
Autumn colours surround Kinnoull Hill Tower at Farm behind. Picture: Angus Findlay.



Busin speed

THE OWNER
an online com
who drove throu

AMB



4 SHEILA ROAD
BLAIRGOWRIE PH10 6RP

DATE AS POSTMARK.

DEVELOPMENT QUALITY MANAGER,
PERTH & KINROSS PLANNING & DEVELOPMENT,
PULLAR HOUSE,
35 KINNOULL STREET,
PERTH PH1 5GD.

Received at
29 MAY 2015

Dear Sir/ Madam,
Planning Application Ref: 15/00769/FLL

OUR OBJECTIONS TO SAID PLAN ARE AS FOLLOWS:

1. When originally built these Villas were supposed to be Single Storey Chalets for Holiday use only.
2. There is no public access into the Houses only via the "ALTAHOUNT HOTEL"
3. The site was never completed as per planning permission as a 2metre fence was supposed to be erected around the site which was never done. They were supposed to lay gravel as a mulch to soften the noise of the cars which was never done.
4. This company has been trying to sell these villas with retrospective residential planning which we don't think should be allowed.
5. We purchased our bungalow in Sheila Road in November 2013 and our lawyer did a thorough search on the "Holiday Chalets" and assured us that "PERTH COUNCIL" said that is all they would remain.

We hope you will take our objections seriously and give thought to the residents of Sheila Road a lot of whom are now elderly and do not wish families at the back of them.

Yours faithfully



J. McLaren Esq.,
8 Altamount Road,
BLAIRGOWRIE
PH10 6 QL

1ST June, 2015

Planning Application Reference....15/00769/LI.

Dear Sirs,

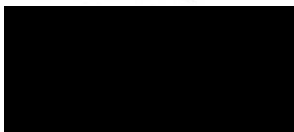
Re the above planning application I would herewith like it noted that I still object to the change of use.

I enclose a copy of my original letter of objection e mailed on the 29th January, 2015 and my views remain the same.

I also attach a copy of the letter received 5th March, 2015 stating representation would not be transferred to any subsequent applications resubmitted, which in my view meant no further applications would be tendered.

If you wish to discuss anything further , please do not hesitate to contact me.

Yours faithfully,



John McLaren.

8 Altamont Road,
BLAIRGOWRIE
Tayside
PH10

29th January, 2015

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

PLANNING APPLICATION 14/02228/FLL

Dear Sirs,

Re the above application to remove section 6, I herewith submit my objection to the proposal, the reasons being as follow.....

1. When the plans for these buildings were first submitted they were classed as chalets and are in fact five bedroom houses.
2. The properties are supposed to be holiday lets but there appears to be two houses which have full-time residents
3. We were told that a security fence would be erected between the houses and our property, this has never been carried out.
4. I personally had to contact Liz Grant our local councillor about trees being felled in the area between ourselves and the houses as these trees in fact carry a preservation order. Had I not done so I am sure they would have continued to fell more.
5. I am also concerned for the wildlife i.e. the Red squirrels we see regularly in the wooden area.

I would like you to take all the above into consideration. Also the fact the application was submitted in 2013 and was rejected.

If you wish to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

John McLaren

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	15/00769/FLL	Comments provided by	Euan McLaughlin Stuart McLaren
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin Tel: 01738 475381 Email: emclaughlin@pkc.gov.uk Affordable Housing Enabler: Stuart McLaren Tel: 01738 476405 Email: simclaren@pkc.gov.uk
Description of Proposal	Change of use of holiday lodges (1-5 inclusive) to dwellinghouses (class 9)		
Address of site	Altamount Park Coupar Angus Road Blairgowrie PH10 6JN for Mr Steven Pilmott		
Comments on the proposal	<p>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p>Affordable Housing</p> <p>With reference to the above planning application the Council's Affordable Housing Policy requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing.</p> <p>The affordable housing requirement is 1.25 affordable units.</p> <p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Newhill Primary School.</p>		
Recommended planning condition(s)	Summary of Requirements Affordable Housing: £14,375 (1.25 x £11,500) Education: £23,981.25 (3.75 x £6,395)		

	<p><u>Total:</u> £38,356.25</p> <p>Phasing</p> <p>It is advised that the preferred method of payment would be upfront of release of planning permission.</p> <p>Due to the scale of the contribution requirement it may be appropriate to enter into a S.75 Legal Agreement.</p> <p>If S.75 entered into the phasing of financial contributions will be based on occupation of open market units with payments made 10 days after occupation.</p> <p>Payment for each open market unit will be £7,671.25 (£38,356.25/ 5 = £7,671.25).</p>
<p>Recommended informative(s) for applicant</p>	<p>Payment</p> <p>Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.</p> <p>Methods of Payment</p> <p>On no account should cash be remitted.</p> <p>Scheduled within a legal agreement</p> <p>This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.</p> <p>NB: The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.</p> <p>Other methods of payment</p> <p>Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.</p> <p>Remittance by Cheque</p> <p>The Planning Officer will be informed that payment has been made when a cheque is received. However this will require a period of 14 days from date of receipt before the Planning Officer will be informed that the Planning Decision</p>

	<p>Notice may be issued.</p> <p>Cheques should be addressed to 'Perth and Kinross Council' and forwarded with a covering letter to the following: Perth and Kinross Council Pullar House 35 Kinnoull Street Perth PH15GD</p> <p>Bank Transfers All Bank Transfers should use the following account details; Sort Code: 834700 Account Number: 11571138</p> <p>Affordable Housing For Affordable Housing contributions please quote the following ledger code: 1-30-0060-0000-859136</p> <p>Education Contributions For Education contributions please quote the following ledger code: 1-30-0060-0001-859136</p> <p>Direct Debit The Council operate an electronic direct debit system whereby payments may be made over the phone. To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand:</p> <ul style="list-style-type: none"> a) Your card details. b) Whether it is a Debit or Credit card. c) The full amount due. d) The planning application to which the payment relates. e) If you are the applicant or paying on behalf of the applicant. f) Your e-mail address so that a receipt may be issued directly. <p>Indexation</p> <p>All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p>Accounting Procedures</p> <p>Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.</p>
Date comments returned	04 June 2015

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	15/00769/FLL	Comments provided by	Tony Maric Transport Planning Officer
Service/Section	Transport Planning	Contact Details	75329 amaric@pkc.gov.uk
Description of Proposal	Change of use of holiday lodges (numbers 1-5 inclusive) to dwellinghouses (class 9)		
Address of site	Altamount Park Coupar Angus Road Blairgowrie PH10 6JN		
Comments on the proposal	Please note I have no objections to this proposal.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	02 July 2015		

Audrey Brown - CHX

From: Ryder, Peter [REDACTED]
Sent: 12 August 2015 09:19
To: CHX Planning Local Review Body - Generic Email Account
Subject: RE: TCP/11/16(372)
Attachments: altamount house.docx

Dear Sir/Madam,

My objections based on 14/02228/FLL & 15/00769/FLL still apply

May I also highlight that the owner of these 'Holiday Lets', seems to be presently trying to 'rent them out' longer term

The Next Home Estate Agent paperwork, CLEARLY highlights they are NOT suitable as a sole/main residence

I'm surprised they're able to let them out on a more permanent basis, seeing they are seen as Holiday lets ('holidays' being a few days to a couple of weeks 'max' – my opinion obviously)

One of my neighbours seems to think that one of the other holiday lets has been used by the same 'person/s' for a number of months now

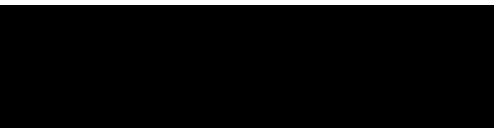
Some holiday – sorry, a touch of sarcasm on my part !!

So, I'm not sure if the owner is sticking two fingers up at everyone

I'm also intending to contact Environmental Health, as I have a feeling they are dumping grass cuttings against (or close to) the hedge between our house and the back of one of the Holiday lets

Regards,
Peter

Peter Ryder
Consultant Engineer/Technologist – ePIMS Administrator
GE Oil & Gas (Drilling & Production)



GE Imagination at work

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http://www.nexthomeonline.co.uk/lettings/our

ePIMS - USER: Peter Ryder

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**10 Mary Young Drive, Coupar Angus Road,
Blairgowrie**

£800.00 (Monthly)

Part Furnished

A rare opportunity to let this stunning 2 BEDROOM DETACHED VILLA situated within the Ava Estate. The property offers spacious open plan accommodation over 2 floors and all appliances are included. Viewings are highl...

Arrange a Viewing >

PHOTOS

MAP

PRINT

EMAIL

TWEET THIS

SHARE ON FACEBO

MAP

A rare opportunity to let this stunning 2 BEDROOM DETACHED VILLA situated within the Ava Estate. The property offers spacious open plan accommodation over 2 floors and all appliances are included. Viewings are highly recommended.

A rare opportunity to let this stunning 2 BEDROOM DETACHED VILLA situated within the Ava Estate. The property is quietly tucked away within the manicured garden grounds and has the benefit of feeling semi rural which an abundance of wildlife on your door step yet is just minutes from the town centre. The property offers spacious open plan accommodation over 2 floors. Heat is by gas central heating, windows are fully double glazed and all appliances are included. This well presented property can be available fully furnished or part furnished. Viewings are highly recommended. This property is not suitable for use as a sole or main residence and is ideally suited as a short term/temporary let.

CHIEF EXECUTIVES
DEMOCRATIC SERVICES

24 AUG 2015

RECEIVED

4 SHEILA ROAD
BLAIRGOWRIE
PH10 6RP

DEAR SIR

IT SEEMS LIKE RIR S PILMOT
WANTS TO TRY EVERY WAY HE CAN TRY
TO OBTAIN CHANGE OF USE FROM HOLIDAY
LODGE AT 1-5 ALBAMOUNT PARK COURAN ANGUS
ROAD.

HE HAS BEEN TO EDINBURGH COURT
TO TRY TO GET PERTH AND KIRKROSS COUNCIL
DECISIONS OVER TURNER AND WAS TOLD
HE HAD TO WAIT TEN YEARS TILL HE REAPPLIED
YET HE STILL KEEPS TRYING TO GET CHANGE
OF USE. HE STILL HAS NOT COMPLETED THE
SITE AS PER HIS ORIGINAL PLANNING PERMISSION.

HE HAS HAD SEVERAL INTERESTS IN BYING
THE HOMES BUT WHEN THEY FIND THEY HAVE
GUES HOLIDAY USE ONLY HAVE WITH DRAWN

THOR OFFERS,

ALSO WITHIN I PURCHASED MY
HOUSE THE LAWYER INFORMED ME
THERE WAS NO PLANNING APPLICATIONS
EXISTING.

Yours Sincerely

[REDACTED]

John McLaren,
8 Altamont Road,
BLAIRGOWRIE
PH10 6QL

Perth & Kinross
The Atrium
137 Glover Street,
PERTH
PH2 OLQ

24TH August, 2015

PLANNING APPLICATION REF.....TCP/11/16 (372)


Dear Sirs,

Re the above planning application I would herewith like to confirm my objection to the proposal being resubmitted.

I would also like to enquire as to why there are properties being advertised for long term let as the whole complex was original passed as holiday lets only.

Perhaps you could enlighten me on the matter.

Yours faithfully,

A black rectangular box redacting the signature of John McLaren.

John McLaren

CHX Planning Local Review Body - Generic Email Account

From: Mark Myles <mm@mbmplanning.co.uk>
Sent: 02 September 2015 09:22
To: CHX Planning Local Review Body - Generic Email Account
Subject: RE: TCP/11/16(372)

Dear Audrey

Thank you for your letter of 31st August enclosing copies of the further representations received to the above Notice of Review.

In response I would highlight that the 3 objectors appear to have been misinformed or do not fully understand this current proposal.

The properties that are subject to this Notice of Review appeal (nos. 1-5 Mary Young Drive) are not currently being marketed for residential use. The property that Mr Ryder is referring to is no. 10 Mary Young Drive which does not form part of this application site.

Numbers 1-5 have been in the ownership of my client and in completely separate ownership from numbers 6-10 since February 2014. This has all been explained in the previous statements.

The detailed supporting statement that accompanied this planning application and also the statement that I provided in support of this Notice of Review also set out a clear explanation of the material differences between the previous application, the Reporter's appeal decision and this current proposal.

The previous application had proposed the removal of a condition on all 10 properties which were in the same ownership at that time.

This proposal relates only to numbers 1-5 Mary Young Drive and for the numerous reasons set out in the statements already provided to the LRB, the concerns about overlooking between numbers 1-5 and a lack of private amenity space for number 1 were overstated by the appointed officer; were also addressed in the plans that accompanied the application, and can also be further controlled through planning conditions if required.

None of the objectors have actually responded to the specific reason for refusal of the application and none of them have acknowledged any of the statements or the plans that we have submitted in support of the application or to the Notice of Review appeal.

We therefore respectfully request that for the reasons set out in the appeal statement this proposal is materially different from the previous application and if determined on its own merits, can be accepted in accordance with RD1 and PM1 of the Local Development Plan subject to any conditions considered necessary by the LRB.

I look forward to hearing from you to confirm when this Notice of Review will be considered by the LRB.

Yours sincerely

Kind regards

Mark Myles
MBM Planning & Development
Algo Business Centre
Glenearn Road
PERTH
PH2 0NJ

01738 450506
07887 801965

