

<p>LRB-2021-13 Planning Application – 20/01365/FLL – Installation of lamp posts, Logiealmond Estate, Logiealmond</p>
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LRB-2021-13

**Planning Application – 20/01365/FLL – Installation of
lamp posts, Logiealmond Estate, Logiealmond**

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

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

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013

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

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

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

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

Yes ☒ No ☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application Date of decision (if any)

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

Nature of application

- | | |
|--|-------------------------------------|
| 1. Application for planning permission (including householder application) | <input checked="" type="checkbox"/> |
| 2. Application for planning permission in principle | <input type="checkbox"/> |
| 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) | <input type="checkbox"/> |
| 4. Application for approval of matters specified in conditions | <input type="checkbox"/> |

Reasons for seeking review

- | | |
|---|-------------------------------------|
| 1. Refusal of application by appointed officer | <input checked="" type="checkbox"/> |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/> |
| 3. Conditions imposed on consent by appointed officer | <input type="checkbox"/> |

Review procedure

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

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

- | | |
|---|-------------------------------------|
| 1. Further written submissions | <input type="checkbox"/> |
| 2. One or more hearing sessions | <input type="checkbox"/> |
| 3. Site inspection | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input type="checkbox"/> |

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

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

Statement

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

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

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

Please see attached statement

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

Yes

☐

No

☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

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

Planning Appeal Statement

Drawings submitted as part of the planning application

Recent photographs of the access track

Refusal Notice

Planning officer's Report of Handling

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

Checklist

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

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

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

Declaration

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

Signed



Date

22nd March 2020

Planning Appeal Statement
Perth & Kinross Council Local Review Body
Proposed Lamp Posts on Land at Logiealmond Estate, Logiealmond

Introduction

This Statement is submitted in support of an appeal by **Logiealmond Estate Ltd** (the Applicants) to Perth & Kinross Council's Local Review Body (LRB) following refusal of a planning application for the **Installation of Lamp Posts at Logiealmond Estate, Logiealmond (Planning Application Ref. No. 20/01365/FLL)**.

Reasons for Refusal

Planning permission was **refused** under delegated powers on **24th December 2020** for the following two reasons:

1. *The proposal is contrary to Policies 1A and 1B 'Placemaking' of the adopted Perth and Kinross Local Development Plan 2 (2019) as the introduction of the proposed ornate lamp posts would not complement its surroundings or contribute positively to the quality of the surrounding area in terms of character or amenity. (my emphasis)*
2. *The proposal is contrary to Policy 39 'Landscape' of the adopted Perth and Kinross Local Development Plan 2 as the introduction of the proposed ornate lamp posts will erode local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience. (my emphasis)*

Brief Description of the Proposals and Associated Background

The proposals seek to install 19 ornate black painted 2.66m high Victorian lamp posts with copper lanterns each at 123m intervals along the 2.5km length of the private access road which leads from the main access gates just off the B8063 through Logiealmond Estate up to the main Logiealmond Lodge. The lighting for the lamp posts will be PIR motion sensor operated with 4W LED bulbs.

The LRB will be aware that since purchasing what was a very run down and dilapidated Estate in early 2019, the applicants have invested heavily in not only carefully restoring to the highest quality of design a significant number of derelict estate buildings for tourist accommodation use, but also in improving and regenerating land, game and forestry management across the Estate. This concentrated programme of restoration and regeneration has collectively created and secured substantial local employment benefits and significantly improved the physical fabric and appearance of the Estate.

The applicants were granted planning permission in September 2020 to erect a formal gated entrance similar in design to that at nearby Glenalmond House to the west, in order to provide a sense of place and arrival to the Estate. (Ref. No. 20/00790/FLL) Although the gates are yet to be erected, the surface of the access road which is the subject of these proposals, has since been significantly improved including the planting of a substantial beech hedge along both sides of the access road up to the

established treed area which signals your arrival on the main approach to Logiealmond Lodge. The proposed lamp posts form an integral and important element of the applicants' entrance and access road improvements as part of their overall refurbishment programme for the Estate.

The Planning Officer in his Delegated Report suggests that the economic impact from the proposed development is likely to be minimal and limited to the construction phase of the development. While perhaps strictly correct within the specific context of the proposed installation of the lamp posts, this fails to recognise that the proposals form an integral part of a substantially larger business investment plan to restore and regenerate the Estate which, as referred to above, has already secured significant local employment benefits.

Consultations and Third Party Representations

It is noted that following consultations with the respective technical departments of the Council, there are no objections to the proposals. Environmental Health has however recommended that should planning permission be granted, a condition should be applied requiring the lighting to be sufficiently screened and aligned so as to ensure that: a) there is no direct illumination of neighbouring land and, (b) light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of neighbouring land.

Only one third party representation has been received in response to the proposals which focuses on perceived adverse impacts on the rural core path by introducing a suburban form of development and, the need to avoid light pollution.

Such matters are addressed in detail below under 'Key Considerations in Assessing the Merits of the Proposals'.

Planning Policy Context

Policies 1A and 1B of the **adopted Perth and Kinross Local Development Plan 2 (2019)** as they relate to the proposals, seek to ensure that all development contributes positively to the quality of both the immediate and wider surrounding landscape and natural environment respecting its character and amenity, while **Policy 39** states that development should be compatible with the distinctive characteristics and features of Perth and Kinross' landscapes.

Within this context, development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and meet the tests set out by the seven criteria of **Policy 39**.

Policy Appraisal

It is acknowledged that the acceptability or otherwise of the design of a proposed development and its compatibility with the objectives and aims of **Policies 1A, 1B and 39** is a wholly subjective matter and very much open to interpretation.

In this regard, contrary to the views of the Planning Officer, it is considered that the proposed lamp posts are consistent with **Policies 1A and 1B** and will make a positive contribution to the quality of both the immediate and wider surrounding landscape and not adversely impact on its established

character and amenity. Furthermore, when assessed against the landscape compatibility tests of **Policy 39**, it is considered the lamp posts compare favourably in that they would:

- (a) not erode or detract from the local distinctiveness, diversity and quality of the landscape character of the surrounding rural area;
- (b) not detract from the visual integrity, identity or scenic quality of the immediate landscape which is an identified part of the core path network;
- (c) not adversely impact on the tranquil qualities of the area's landscape;
- (d) not diminish the relative wildness of the area's landscape;
- (e) not applicable to the proposals;
- (f) not compromise or adversely impact on the visual amenity elements of the landscape; and,
- (g) not compromise or adversely impact on the experience of the night sky in this less developed rural area of Perth and Kinross.

Notwithstanding the very subjective nature of any appraisal of the proposals against the relevant planning policies referred to above, the basis of the applicants' favourable comparative conclusion is predicated on the following key considerations, many of which (as highlighted), do not appear to have been considered by the Planning Officer in his Delegated Report in arriving at his decision to refuse planning permission.

Key Considerations in Assessing the Merits of the Proposals

In terms of adverse impacts and the issue of local distinctiveness within the context of the established character and quality of the surrounding landscape, although acknowledged to be in a less elevated location, the LRB's attention is brought to identical lamp posts along the driveway of Glenalmond House, a short distance away to the west of Logiealmond Estate, which make a positive contribution to both the immediate and wider surrounding landscape. A site visit would confirm this. There is no reference to this in the Planning Officer's Delegated Report which clearly demonstrates that the proposed lamp posts as a piece of 'street furniture' in the countryside, are neither unique nor alien to this part of rural Perth and Kinross.

As acknowledged by the Planning Officer, the proposed lamp posts are primarily required for safety and security reasons. This is on account of the number of recently restored buildings for tourist accommodation which are accessed off the estate road. In addressing this issue, the proposed lamp posts have largely been strategically positioned at the junctions with properties and key gate locations in order to not only maximise their security benefit, but minimise their visual impact on the surrounding landscape. In this latter regard, given the numerous bends in the access road coupled with mature roadside trees, changing levels and the 123m separation distances, there will be very limited and, in most cases, no intervisibility between the lamp posts.

As noted in the Planning Officer's Delegated Report, he was unable to carry out a site visit due to Covid restrictions. In this regard, he was required to rely on an earlier site visit pre-Covid (i.e. before March 2020). As a consequence, he was unable to take into account the substantial beech hedging (26,000 plants) which had been planted later in the year along the full length of both sides of the access road as referred to above. Coupled with the careful strategic positioning of the proposed lamp posts as described above, this beech hedging has a significant part to play in assimilating the proposed lamp posts into the surrounding landscape. (Please see submitted photographs) The expectation is that when mature, the beech hedge will be maintained at a height of approx. 3 metres in order to not only

help screen the lamp posts (2.66 metres) from views in the wider landscape, but direct light onto the access road which is the primary purpose of the proposals, thereby minimising potential light pollution, light spillage and direct illumination onto neighbouring land and adjoining properties, an issue raised by the Council's Environmental Health Officer as referred to above.

Lastly, as highlighted in the Planning Officer's Delegated Report, the lighting for the proposed lamp posts will be PIR motion sensor operated. However, what the Officer failed to take into account in his assessment is that the lights will be controlled to only be on for limited periods of time when they are triggered. They will not be on continuously during the hours of darkness like a standard street light, therefore further limiting their potential visual impact on the wider surrounding area. When triggered, the intention is for the lights to be on for up to a maximum of 5 minutes, which is considered to be an appropriate length of time to allow pedestrians to walk between each lamp post. Vehicles will clearly be quicker. The temporary nature of the lights will help conserve energy and allow for a more efficient and cost effective scheme. To have the lights on continuously during the hours of darkness does not make good economic and energy conservation sense. In this regard, the intention would be to switch the lights off for long periods during the lighter calendar months, with increased use during the darker winter months but, as described above, for temporary periods only. This approach will help minimise visual light impacts on the surrounding area and maximise energy conservation.

Conclusions

To conclude, it is considered that the proposals comply with the spirit, objectives and determining criteria of the relevant **Planning Policies 1A, 1B and 39** of the **adopted Local Development Plan** and, will not cause any demonstrable harm to the quality, tranquillity, integrity, distinctiveness, visual amenity and wildness of both the immediate and wider surrounding landscape; the adjoining core path; or, the experience of the night sky in this part of rural Perth and Kinross. Quite the contrary, they will have a positive impact. It is therefore respectfully suggested that the proposals should be granted planning permission, there being no clear rationale or material consideration(s) which would outweigh this conclusion.

Farningham Planning Ltd
March 2021



Logiealmond Estate Ltd
c/o Allan Corfield
AC Architects
Lewis House
213 East Way
Hillend Industrial Estate
KY11 9JF

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **24th December 2020**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **20/01365/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 28th October 2020 for Planning Permission for **Installation of lamp posts Logiealmond Estate Logiealmond**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- 1 The proposal is contrary to Policies 1A and 1B 'Placemaking' of the adopted Perth and Kinross Local Development Plan 2 (2019) as the introduction of the proposed ornate lampposts would not complement its surroundings or contribute positively to the quality of the surrounding area in terms of character or amenity.
- 2 The proposal is contrary to Policy 39 'Landscape' of the adopted Perth and Kinross Local Development Plan 2 as the introduction of the proposed ornate lampposts will erode local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience.

Justification

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

Notes

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

Plan Reference

01

02

03

04

REPORT OF HANDLING

DELEGATED REPORT

Ref No	20/01365/FLL	
Ward No	P5- Strathtay	
Due Determination Date	27th December 2020	
Report Drafted Date	23th December 2020	
Report Issued by	DN	Date 23/12/2020

PROPOSAL: Installation of lamp posts

LOCATION: Logiealmond Estate Logiealmond

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: N/A Due to Covid Restrictions

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

This application relates to the private access which runs from the B8063 provides the main access to the Logiealmond Lodge and the wider estate. The existing access from the public road to the lodge is approximately 2.5 km long and meanders uphill across the rural landscape. The wider estate was recently purchased and the new owner is seeking to develop the wider estate for commercial game shooting with a number of applications recently approved for the holiday accommodation and a new shooting lodge.

Full planning permission is being sought to install lamppost lighting along the length of the private access of Logiealmond Estate. The proposals comprise of the installation of 19 ornate black painted 2.66m high Victorian Lampposts with copper lanterns, each positioned at 123 metres intervals from the main access gates up to the lodge. The lighting will be PIR motion operated with 4W led bulbs. The proposals also include the installation of the associated power cable along the length of the access track.

In accordance with the on-going restrictions of the coronavirus pandemic, the application site has not been visited by the case officer. The application site and its context have, however, been viewed during a previous site visit relating to the permission for the redevelopment of the bothy and game larder at Logiealmond Lodge. This information means that it is possible and appropriate to determine this application as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

SITE HISTORY

20/00790/FLL Erection of entrance gates, bin store and associated works
APPROVED 25/09/2020

PRE-APPLICATION CONSULTATION

None

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*

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

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

The principal policies are, in summary:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 39: Landscape

OTHER POLICIES

Placemaking Guide 2020

CONSULTATION RESPONSES

Environmental Health (Noise Odour)

No objection but recommend condition to protect the residential amenity of dwellinghouses from light nuisance.

REPRESENTATIONS

The following points were raised in the 1 representation received:

- Lamppost will introduce suburban development to a rural core path
- Lights should be restricted to a few minutes to avoid light pollution

The above points are addressed within the report below.

ADDITIONAL STATEMENTS

Screening Opinion	Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2 (2019).

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

It is considered that Policies 1A & B 'Placemaking' and 39 'Landscape' of the Perth and Kinross Local Development Plan 2 (2019) (LDP2) are directly applicable.

Policy 1A and B seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

Policy 39 outlines that development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross. It also sets out the following criteria which requires that:

- a) they do not erode local distinctiveness, diversity and quality of Perth and Kinross's landscape character areas, the historic and cultural dimension of the area's landscapes, visual and scenic qualities of the landscape, or the quality of landscape experience;
- b) they safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identity or scenic quality;
- c) they safeguard the tranquil qualities of the area's landscapes;

- d) they safeguard the relative wildness of the area's landscapes including, in particular, the areas identified on the 2014 SNH Wild Land Areas map;
- e) they provide high-quality standards in landscape design, including landscape enhancement and mitigation schemes when there is an associated impact on a landscape's qualities;
- f) they incorporate measures for protecting and enhancing the ecological, geological, geomorphological, archaeological, historic, cultural and visual amenity elements of the landscape; and
- g) they conserve the experience of the night sky in less developed areas of Perth and Kinross through design solutions with low light impact.

It is considered that the installation of 19 ornate Victorian lampposts along the estate track is unnecessary and will appear entirely out of context with the surrounding rural landscape, introducing suburban street furniture which would impact on the scenic character of the area. As such, it is considered that the proposals are contrary to placemaking policies 1A & B and Policy 39 of LDP2. The reasoning for this is discussed in greater detail below.

Design and Layout

The design of the proposed lamppost is quite ornate and whilst they may be of a high quality of material and finish, would appear entirely out of place in this rural setting. In certain circumstances, such as along an identifiable formal estate driveway or within the formal grounds of a country house, the installation of such ornate lighting may possibly be acceptable but in this instance the estate access is quite inconspicuous track which meanders uphill across the open countryside.

However, it is noted that the applicant recently obtained approval for the erection of a gated entrance which will provide a formal entrance feature into the estate. I also appreciate that the estate is keen to provide some degree of lighting along the roadside in order to improve security and create a sense of place/arrival. With that in mind an alternative scheme was suggested to the applicant which would have seen the installation of the first 4 proposed lampposts from the entrance gate up to Bonellas Cottage and also the 3 lampposts within the formal grounds of the Logiealmond Lodge. For the remaining 12 lamp posts between the Lodge and Bonellas Cottage it was suggested that alternative PIR operated low level bollard style lighting could be installed which would be less visually intrusive and allow the light to be directed onto the road. Unfortunately, the applicant does not wish to deviate from the proposals as submitted and is not willing to entertain any revisions to the proposal.

As such, it is considered that the proposals in its current form cannot be supported as it will result in an excessive number of 2.66-metre-high ornate lampposts installed across quite an expansive length of rural upland track.

Landscape and Visual Amenity

Development and land use change should be compatible with the distinctive characteristics and features of Perth & Kinross's landscape. Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria of Policy 39 'Landscape'.

The Council generally seek to avoid the introduction of any lampposts within rural areas as it tends to introduce street furniture which is quite alien to their rural surroundings. Furthermore, the number of lamp posts being proposed is excessive and the design of open lantern atop the lamppost will also mean that it will be difficult to prevent the lighting being visible from the surrounding area. As previously discussed, an alternative solution was put to the applicant involving the use of low-level bollard lighting across the most exposed stretch of the track in order to reduce the visual impact of the proposals, but the applicant was not supportive of any amendment to the proposals.

It is therefore assessed that the proposals cannot meet with the criteria set out in Policy 39 of LDP2, as the proposed development will:

- a) erode and detract local distinctiveness, diversity and quality of the landscape character area by introducing of the ornate lampposts into a very rural environment;
- b) detract from the visual integrity, identity or scenic quality of the immediate landscape which is an identified part of the core path network;
- c) impact on the tranquil qualities of the area's landscapes through the introduction of lampposts into a rural environment;
- d) greatly diminish the relative wildness of the area's landscape by introducing lampposts which are generally reserved for suburban areas or the formal grounds of a country house;
- e) Category (e) is not applicable to this assessment;
- f) fail to protect and enhance the visual amenity elements of the landscape; and
- g) fail to conserve the experience of the night sky by introducing lamppost lighting in this less developed, rural area of Perth and Kinross.

Residential Amenity

The closest residential property to the proposed light installations are Bonellas Cottage which is approximately 45 metres away from the nearest proposed lamppost. It is understood that this property is under the control of applicant but the Environmental Health Officer has recommended that should this application be approved, a condition requiring that the lighting is sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.

Roads and Access

There are no issues or concerns in relation to roads and access related matters.

Drainage and Flooding

There are no issues or concerns in relation to drainage or flooding related matters.

Conservation Considerations

There are no issues or concerns in relation to conservation related matters.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal fails to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2 (2019). I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended refusal.

APPLICATION PROCESSING TIME

The recommendation for this application has been made within the statutory determination period, however, the processing of this application has been

significantly affected by the coronavirus (COVID-19) pandemic restrictions causing a significant delay to its output.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Reasons for Recommendation

- 1 The proposal is contrary to Policies 1A and 1B 'Placemaking' of the adopted Perth and Kinross Local Development Plan 2 (2019) as the introduction of the proposed ornate lampposts would not complement its surroundings or contribute positively to the quality of the surrounding area in terms of character or amenity.
- 2 The proposal is contrary to Policy 39 'Landscape' of the adopted Perth and Kinross Local Development Plan 2 as the introduction of the proposed ornate lampposts will erode local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience.

Justification

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

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

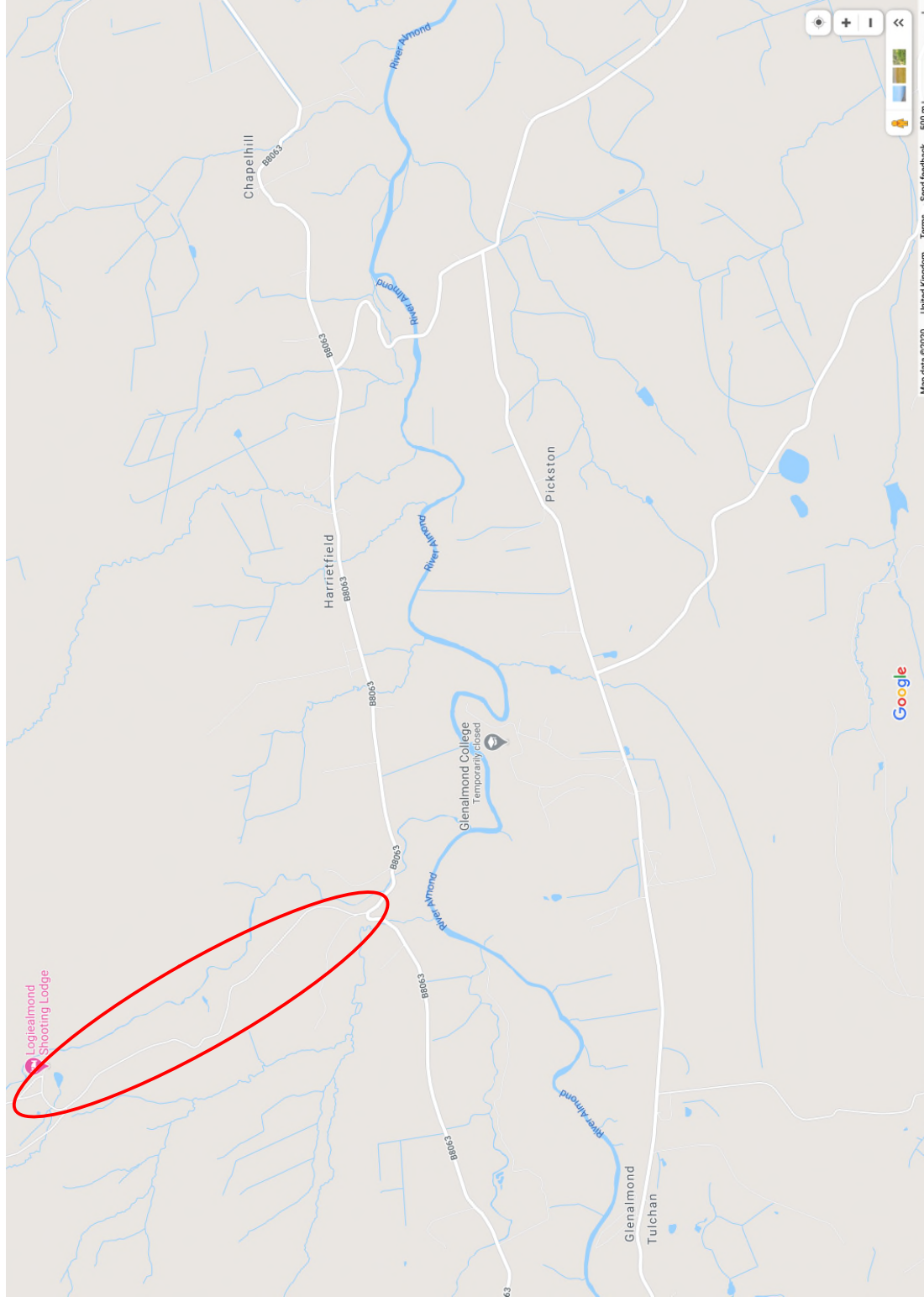
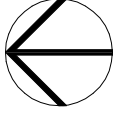
01

02

03

— DENOTES AREA RELEVANT TO APPLICATION

N



ALL DIMENSIONS TO BE CONFIRMED ON
SITE PRIOR TO CONSTRUCTION

DATE	INITIAL	REVISION	SUFFIX

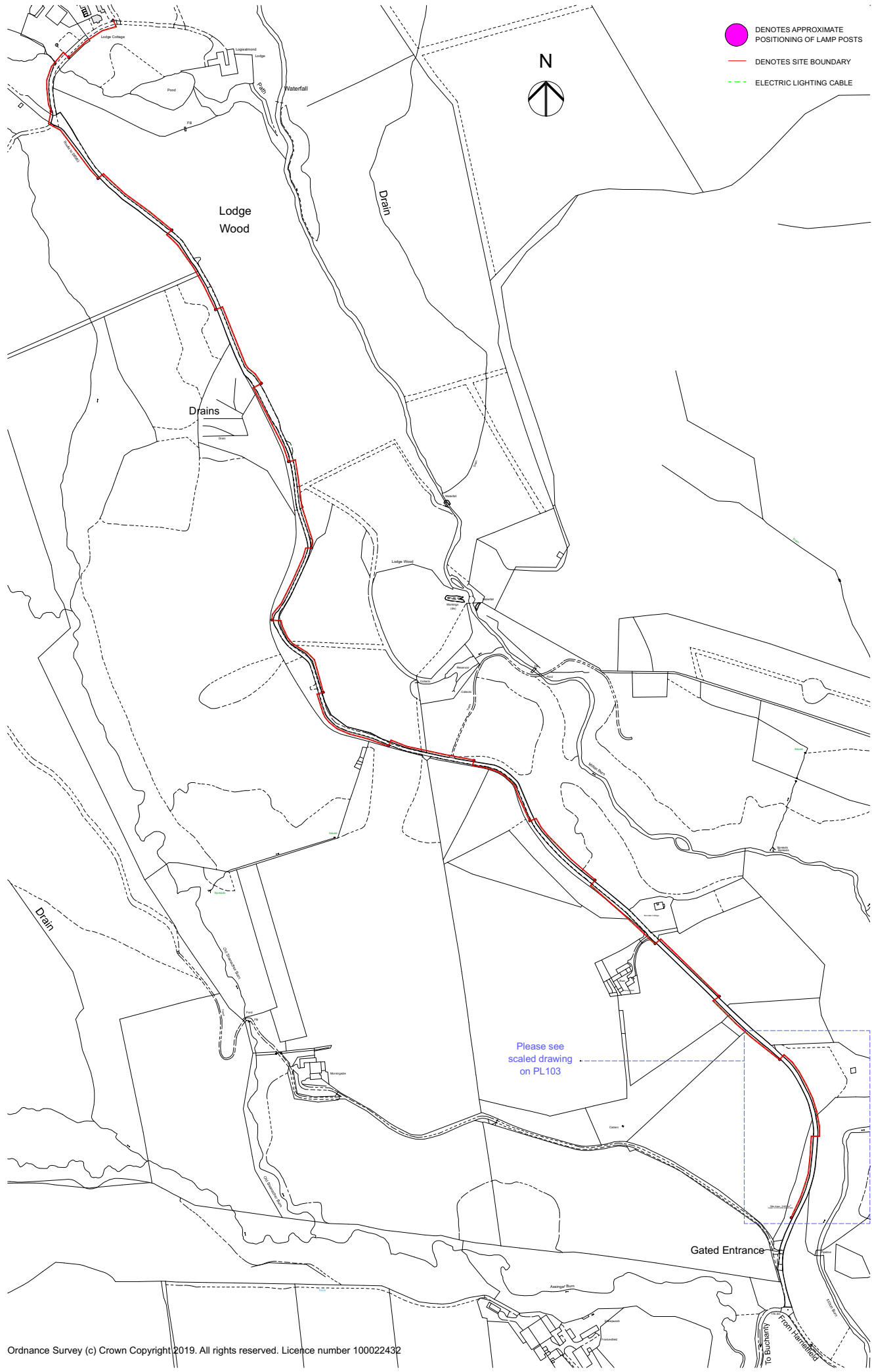


CLIENT	Logiealmond Estate Ltd Example
PROJECT	Logiealmond Estate Perthshire PH1 3TG

TITLE	Rural Location Plan
	PLANNING

SCALE @A3	START DATE	DRAWN	CHECKED
1:25000	Sept 2020	JCS	ACC
No.	376 - PL 101		

REV.	
	LEWIS HOUSE, UNIT 213, EAST WAY HILLEND IND EST, DUNFERMLINE FIFE, KY11 9JF, SCOTLAND
	t - 01383 737101 e - info@acarchitects.biz w - www.acarchitects.biz

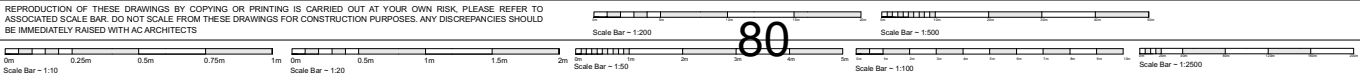


Ordnance Survey (c) Crown Copyright 2019. All rights reserved. Licence number 100022432

376

Site Plan

1:2500



22.10.20	JCS	Site boundary altered	C
07.10.20	JCS	Cable position marked	B
23.09.20	JCS	Change in position of lamp posts	A
DATE	BY	REVISION	NO.
AC Allan Corfield Architects <i>Custom & Self-Build Experts</i>			
Logiealmond Estate Ltd Example			
Logiealmond Estate Perthshire PH1 3TG			
Proposed Site Plan			
PLANNING			
1:2500	Sept 2020	JCS	ACC
376 - PL 102 C			
LEWIS HOUSE, UNIT 213, EAST WAY HILLEND IND EST, DUNFERMLINE FIFE, KY11 5JF, SCOTLAND			
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Lamp posts are Victorian Lamp Post (Copper) from Black Country Metal works Ltd, Oswestry.

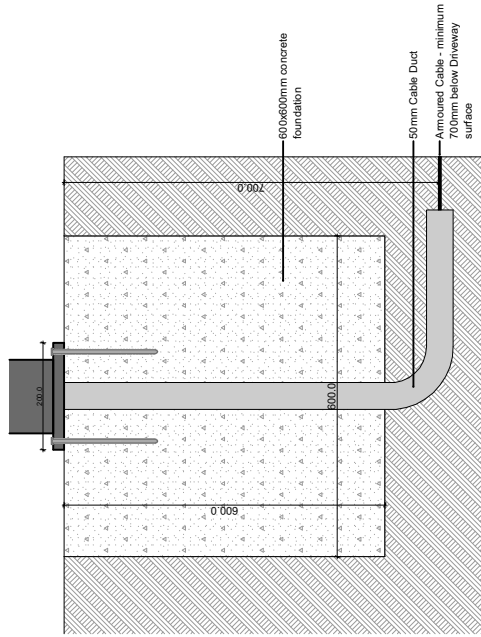
Lamps positioned at approximately every 123m along the driveway

Bulbs to be 4W led glow bulb (warm) which provides 320 lumens. Lights will be fitted with PIR motion sensors so as lamps are only on when activated by moving vehicles

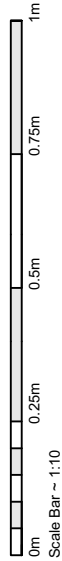
Dimensions & Specification

Total Height:	2.64m (8ft 7")
Lantern Height:	700mm (27 1/2")
Frog Collar Diameter:	70mm (2 3/4")
Post Base (Square):	200mm (7 1/4")
Weight:	38.5kg
Maintenance:	Annually

*All dimensions and weights are approximate.



D-01 Lamp Foundation Detail 1:10



ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION

DATE	INITIAL	REVISION	SUFFIX
08.10.20	JCS	Scale bar added	B
07.10.20	JCS	Details for planning added	A



CLIENT	Logiealmond Estate Ltd Example
PROJECT	Logiealmond Estate Perthshire PH1 3TG

TITLE	Lamp post images and dimensions
	PLANNING

SCALE @A3	START DATE	DRAWN	CHECKED
1:10	Sept 2020	JCS	ACC

No.	376 - PL 300B
REV.	
	LEWIS HOUSE, UNIT 213, EAST WAY HILLEND IND EST, DUNFERMLINE FIFE, KY11 9JF, SCOTLAND
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Recent Photographs of the Access Track













<p>LRB-2021-13 Planning Application – 20/01365/FLL – Installation of lamp posts, Logiealmond Estate, Logiealmond</p>
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PLANNING DECISION NOTICE *(included in
applicant's submission, pages 69-70)*

REPORT OF HANDLING *(included in applicant's
submission, pages 71-78)*

REFERENCE DOCUMENTS *(included in
applicant's submission, pages 79-82)*

LRB-2021-13
Planning Application – 20/01365/FLL – Installation of
lamp posts, Logiealmond Estate, Logiealmond

REPRESENTATIONS

Comments for Planning Application 20/01365/FLL

Application Summary

Application Number: 20/01365/FLL

Address: Logiealmond Estate Logiealmond

Proposal: Installation of lamp posts

Case Officer: David Niven

Customer Details

Name: Mr Mike Heseltine

Address: [REDACTED]

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

- Light Pollution
- Out of Character with the Area

Comment: This application is on the Core Path. I would expect many people who use the core path would not expect the wild Perthshire countryside to be littered with such suburban nonsense. However, please can you rule that the lights are restricted to a few seconds when triggered by a car, rather than causing unwelcome light pollution for many minutes.

Memorandum

To Development Quality Manager

From Regulatory Services Manager

Your ref 20/01365/FLL

Our ref LRE

Date 20 November 2020

Tel No 01738 476462

Housing & Environment

Pullar House, 35 Kinnoull Street, Perth PH1 5G

Consultation on an Application for Planning Permission

20/01365/FLLRE: installation of lamp posts Logiealmond Estate Logiealmond for Logiealmond Estate Ltd.

I refer to your letter dated 30 October 2020 in connection with the above application and have the following comments to make.

Environmental Health

Recommendation

I have no objection in principle to the application but recommend the under noted condition be included on any given consent.

Comments

This application is for the installation of approximately 19 victorian lamp posts along the driveway of the estate and lamp posts will be positioned at approximately every 123m along the driveway.

Each lamp post will have a 4W led glow bulb and each one will be fitted with PIR motion sensor and will come on when activated by a moving vehicle.

The closest residential properties to the proposed light installations are Bonellas Cottage which is approximately 30 metres away from the driveway and Lodge Cottage.

There is one letter of representation at the time of writing this memorandum.

Therefore, to protect the residential amenity of dwellinghouses from light nuisance I recommend that the undernoted condition is included on any given consent

Condition

EH31 All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.

CHX Planning Local Review Body - Generic Email Account

From: Michael Heseltine [REDACTED]
Sent: 07 April 2021 15:03
To: CHX Planning Local Review Body - Generic Email Account
Subject: Re: LRB-2021-13

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Lisa

Further to my previous comments, I would like to highlight the following:

- 1) Lights on this Core Path are pure vanity and will not be relevant to any realistic safety concerns.
- 2) Unnecessary light pollution is a serious problem and every effort has to be made to limit additional light pollution in rural Perthshire. Light pollution poses a serious threat in particular to nocturnal wildlife, having negative impacts on plant and animal physiology. It can confuse the migratory patterns of animals, alter competitive interactions of animals, change predator-prey relations, and cause physiological harm. In this wildlife rich area the effects of light pollution easily outweigh the necessity for vanity lighting.

Best wishes

Mike

CDS Planning Local Review Body

From: Alan Farningham <alan.farningham@farnmac.co.uk>
Sent: 10 May 2021 16:28
To: CDS Planning Local Review Body
Subject: RE: LRB-2021-13

Dear Audrey

I refer to the email below and attached representation from Mr. Michael Heseltine dated 07th April regarding the above appeal.

I have previously responded to this but have just noticed that I have received no acknowledgement. I thought I should therefore make contact again as I had issues with submitting the original review papers.

I would confirm the applicant's response which is: 1) The lights are required for safety reasons as articulated in the Applicant's Review Statement and 2) There is absolutely no evidence to support the claim that the proposed lighting would have any negative impact on plant or animal welfare....either physical or physiological.

I would be grateful if you could please acknowledge receipt.

Kind regards

Alan R Farningham

