

TCP/11/16(478) – 17/00257/FLL – Erection of a garage/workshop on land 50 metres south of 1 Maidenplain Place, Aberuthven

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**TCP/11/16(478) – 17/00257/FLL – Erection of a
garage/workshop on land 50 metres south of 1 Maidenplain
Place, Aberuthven**

**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

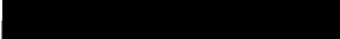
Applicant(s)

Name **D.A. AUCHTERARDE**

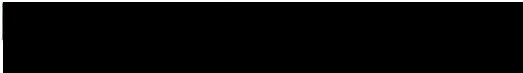
Address **MAIDENPLAINS ENT PARK
ABERUTHVEN**

Postcode **PH3 1EL**

Contact Telephone 1 

Contact Telephone 2 

Fax No 

E-mail* 

Agent (if any)

Name **N/A**

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

PERTH & KINROSS COUNCIL

Planning authority's application reference number

17 / 00257 / FL

Site address

MAIDENPLAIN ENTERPRICE PARK ABERUTHVEN PH3 1EL

Description of proposed
development

AS PER DESCRIPTION ON PLANNING APPLICATION

Date of application

10/02/2017

Date of decision (if any)
(REFUSAL)

05/05/2017

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

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

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

IN ORDER TO ALLOW THE REVIEW BODY TO FULLY APPRECIATE THAT THE PROPOSAL IS NOT A THREAT TO LOCAL RESIDENTIAL AMENITY

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:

NO BUT I WOULD PREFER TO ATTEND ANY SITE MEETING

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.

SEE ATTACHED DOCUMENT

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

Yes No
☐ ☒

If yes, you should explain in the box below, why you are raising 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.

THIS FORM AND COPIES OF SUBMITTED PLANS

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

11/06/2017

Prior to the determination of this application under delegated powers, we had several meetings with the case officer and we understood that her concerns in relation to siting, size, orientation and height of the proposed building had been resolved. It came as a complete surprise, therefore, to learn that the application had been refused since we had offered to consider any modifications to the proposal that would address outstanding concerns. We consider that the proposal has not been properly assessed and, in particular, we wish to make the following points as grounds for an appeal.

1. **ECONOMIC BENEFITS.** The potential for employment-creation or protection is a proper "material consideration" in the determination of a planning application and, in this case, the only reference to this important point is factually wrong. Despite the fact that an existing business operates from the site and a major extension is being proposed, at no point did the case officer enquire about (i) the existing level of employment being sustained by the business, (ii) the importance of the proposal to the continued viability of the business, or, (iii) the increase in employment resulting from the new investment. We wish the Review Board to be informed that we currently employ 6 people and, as we expand, we need to have a workshop on site within which to do pre-delivery inspections (PDIs). Every vehicle must have a PDI carried out before it is delivered to a customer and the present lack of a building and equipment for this purpose means that we have to take every vehicle sold to Stirling to have this work carried out. If consent can be obtained for the appeal proposal we will commence construction of the building immediately (an investment of £100,000)and will recruit 4 engineers to carry out PDI and related work. This will retain all of the employment and investment potential within the Perth and Kinross area. The report on which the refusal of our application was based dismisses the economic significance as follows " The economic impact is likely to be minimal although the development does support an existing business." In our opinion this is a gross misrepresentation of our importance to Aberuthven and the wider community of PKC.

2. **LAND USE ISSUES.** In terms of the planning Use Classes Order our proposal falls within Class 4 Business use, as does the existing business. This means, of course, that it can be carried out without injury to residential amenity and there has, to our knowledge, been no issue of disturbance reported since we commenced operation in 2014. We are, therefore, a "good neighbour" use and we ask the Board to note that we are located within a site designated in the Local Plan as being for " General Employment Use"(E29, page 253).
In her description of the Local Plan policies relevant to the determination of this application the case officer fails to mention Policy ED3 : Rural Business and Diversification which states :
"The Council will give favourable consideration to the expansion of existing businesses and the creation of new ones in rural areas. There is a preference that this will generally be within or adjacent to existing settlements."In our discussions with the case officer we made it clear that we would be happy to agree to a planning condition restricting the hours of operation of the workshop from, say, 8am to 6pm or an agreed alternative, and it is clear from the consultation carried out between the planning and environmental health departments that the latter agreed that potential noise issues could be controlled. It recommended approval subject to four conditions which we would be happy to comply with. It is not clear why the case officer has rejected the opinion of the relevant experts and substituted her own judgement on the matter

3. **RESIDENTIAL AMENITY.** The proposed building will be 5 metres at its closest point and 8 metres at it widest from the boundary with Rossie House and 12.9. metres from the gable of that building. This, in our submission, is a generous distance combined with the fact that, at the case officer's suggestion, we reduced the ridge height form 7 metres to 5.8 metres and re-orientated the building so that it presents a blank wall to the house. We expressed our willingness to consider further adjustments to the size and precise location of the building and external cladding material on the west elevation. That remains the case.

CONCLUSION. Against the above background, we submit that our application has not been properly assessed in terms of its economic benefits or compatibility with the adjacent house from which came the sole objection to our proposal. We therefore respectfully request that our appeal be sustained

**TCP/11/16(478) – 17/00257/FLL – Erection of a
garage/workshop on land 50 metres south of 1 Maidenplain
Place, Aberuthven**

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

The Motorhome Company
c/o D W Tainsh
37 Maple Road
Perth
PH1 1EX

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 5th May 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/00257/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 6th March 2017 for permission for **Erection of a garage/workshop Land 50 Metres South Of No 1 Maidenplain Place Aberuthven** for the reasons undernoted.

Interim Head of Planning

Reasons for Refusal

- 1 The proposal is contrary to policy ED1A, Employment and Mixed Use areas, of the Perth and Kinross Local Development Plan 2014, criteria a) in that due to its scale, siting and potential for noise it would detract from the amenity of the adjoining residential area.
- 2 The proposed development is contrary to Policy PM1A, Placemaking, of the Perth and Kinross Local Development Plan 2014 as the proposal would not contribute positively to the quality of the surrounding built and natural environment and does not respect the character and amenity of the place.

Justification

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

Notes

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

Plan Reference

17/00257/1

17/00257/4

17/00257/5

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/00257/FLL	
Ward No	N7- Strathallan	
Due Determination Date	05.05.2017	
Case Officer	Persephone Beer	
Report Issued by	PRBeer	Date 5.5.2017
Countersigned by		Date

PROPOSAL: Erection of a garage/workshop

LOCATION: Land 50 Metres South Of No 1 Maidenplain Place
Aberuthven

SUMMARY:

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

DATE OF SITE VISIT: 22 March 2017

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission is sought for a free standing workshop located adjacent to an existing motorhome showroom/garage/workshop.

The site is at Maidenplain, Auchterarder and is at the western edge of an existing industrial estate.

Planning permission was granted in 2014 for the construction of a vehicle showroom, workshop and garage. The plans previously approved have been partially implemented although the building has not been built fully in accordance with the plans and a portion of the originally approved building to the east of the site has not been completed as shown on the plans.

An application for a workshop in a similar location to this application was refused in 2016 due to its potential for impacting on residential amenity. This is a re-submission with a slightly revised building design. The building is orientated parallel to the existing rather than gable end on as before. The roof ridge is lower and the building is further from the site boundary.

SITE HISTORY

09/00930/FLL Erection of a vehicle wash bay 8 February 2010 Application Permitted

14/00942/FLL Erection of a vehicle showroom and workshop/garage 12 November 2014 Application Permitted

16/01825/FLL Erection of a garage/workshop 6 January 2017 Application Refused

PRE-APPLICATION CONSULTATION

Pre application Reference: 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 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.

The principal policies are, in summary:

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 PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

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 ED1A - Employment and Mixed Use Areas

Areas identified for employment uses should be retained for such uses and any proposed development must be compatible with surrounding land uses and all six of the policy criteria, in particular retailing is not generally acceptable unless ancillary to the main use.

Policy EP3C - Water, Environment and Drainage

All new developments will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.

Policy EP8 - Noise Pollution

There is a presumption against the siting of proposals which will generate high levels of noise in the locality of noise sensitive uses, and the location of noise sensitive uses near to sources of noise generation.

Policy EP5 - Nuisance from Artificial Light and Light

Consent will not be granted for proposals where the lighting would result in obtrusive and / or intrusive effects.

OTHER POLICIES

None.

CONSULTATION RESPONSES

Internal

Transport Planning

No objection.

Environmental Health

No objection subject to conditions.

External

Scottish Water

No comment.

REPRESENTATIONS

The following points were raised in the 1 representation received:

- Impact on residential amenity, noise, disturbance, overshadowing. The proposed workshop would now be closer to our house than the previous proposal. Although the ridge height of the roof has been

marginally reduced the length and floor area of the building has been increased with it now being only five metres from our back garden.

- Storage of chemicals is a concern
- SUDS – will it cope with the extra capacity required for the proposed workshop
- Contrary to Development Plan.

The above planning matters will be addressed in the appraisal section of the report below.

ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg 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 2012 and the adopted Perth and Kinross Local Development Plan 2014.

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

The site is within an area identified for employment uses under possibly ED1A of the Local Development Plan. The policy supports such uses where they are compatible with surrounding land uses and meet various criteria. In this case the most relevant criteria to assess the application against is (a). This states that proposals should not detract from the amenity of adjoining areas, especially residential, areas.

Other policies that are also relevant considerations include Policy EP5, that deals with light pollution; and Policy EP8 dealing with potential noise pollution from the proposed use.

In addition Policy PM1, Placemaking seeks to ensure that the proposal fits in with its surroundings and policy PM3 concerns developer contributions. In this case the scale of the proposal is not such as to warrant a contribution.

Design and Layout

The proposal is for a free standing workshop building adjacent to an existing building. Planning permission was approved in 2014 for a workshop and showroom building on the site. Only the showroom part of the building has so far been constructed. The proposed new building is for a workshop building only it is free standing and to the southwest of the showroom rather than to the northeast and attached to the main building as originally proposed. This application is a re-submission of a previously refused application which was refused primarily due to its proximity to a neighbouring residential property. This proposal sites the building further from the boundary with the neighbouring property but is now closer to the neighbouring property as it comes further forward than the original proposal.

The height to the ridge has decreased from around 7 metres to 5.8 and the orientation is different with the eaves parallel to the site boundary rather than gable end on as previously. However I still have concerns with the siting of the building in relation to the neighbouring residential property. Previous proposals have also required a hedge along the boundary which has not been planted. This would help to form a buffer between the workshop/showroom site and the dwellinghouse.

Landscape

No landscaping is shown as part of these proposals. There are some mature trees along the A9 boundary with the site. The other boundaries are formed of timber fences. The site plan shows a post and rail fence but this has recently been replaced with the timber fencing. A hedge was required as part of the 2014 application that is still to be planted. There are some trees to the west of the site in the grounds of the nearby listed building. The site would benefit from some soft landscaping.

Residential Amenity

The site is adjacent to an area of residential properties. In particular Rossie House is around 12 metres from the proposed workshop building. There has been one objection with regard to the impact on residential amenity of the proposal. Environmental Health has been consulted and comments that the existing residential properties have the potential to be affected by noise from operations in the proposed workshop. It is also noted that on the previously approved plans the location of the workshop was to the east side of the building furthest away from residential properties. Environmental Health has suggested that it would be preferable for the workshop use to be to that side

although it would be possible for noise to be controlled by condition. However I do still have concerns with the proximity of the building to the neighbouring residential area and the potential for noise and disturbance as well as the impact on residential amenity from the scale and siting of the building. The building is around 5 metres from the boundary and to the front of Rossie House. Although it has been reduced in height it would still be overbearing and oppressive when viewed from the neighbouring residential property and would have an adverse impact on the amenity of the residents of this property. I therefore conclude that the proposal is contrary to criteria a) of policy ED1A in that it would detract from the amenity of the adjoining residential area.

Visual Amenity

The proposed building fits in with its neighbouring commercial building but in such close proximity to and being forward of the adjacent residential property it would have an adverse impact on visual amenity of the residents of Rossie House and would not be compatible with the character of the area.

Craiginver, a listed building, is to the west of the site. There are no concerns in relation to the impact of the proposals on the setting of Craiginver.

Roads and Access

There is no change to the existing access. The Transport Planner does not object to the proposals.

Drainage and Flooding

There have been comments from a neighbour questioning whether the SUDS pond in the southern corner of the site is adequate for the new building. This would be fully assessed at building warrant stage.

Developer Contributions

There are no requirements for developer contributions on this site.

Economic Impact

The economic impact of the proposal is likely to be minimal although the development does support an existing business.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise.

In this respect, the proposal is not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for 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

Conditions and Reasons for Recommendation

1 The proposal is contrary to policy ED1A, Employment and Mixed Use areas, of the Perth and Kinross Local Development Plan 2014, criteria a) in that due to its scale, siting and potential for noise it would detract from the amenity of the adjoining residential area.

2 The proposed development is contrary to Policy PM1A, Placemaking, of the Perth and Kinross Local Development Plan 2014 as the proposal would not contribute positively to the quality of the surrounding built and natural environment and does not respect the character and amenity of the place.

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

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

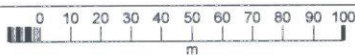
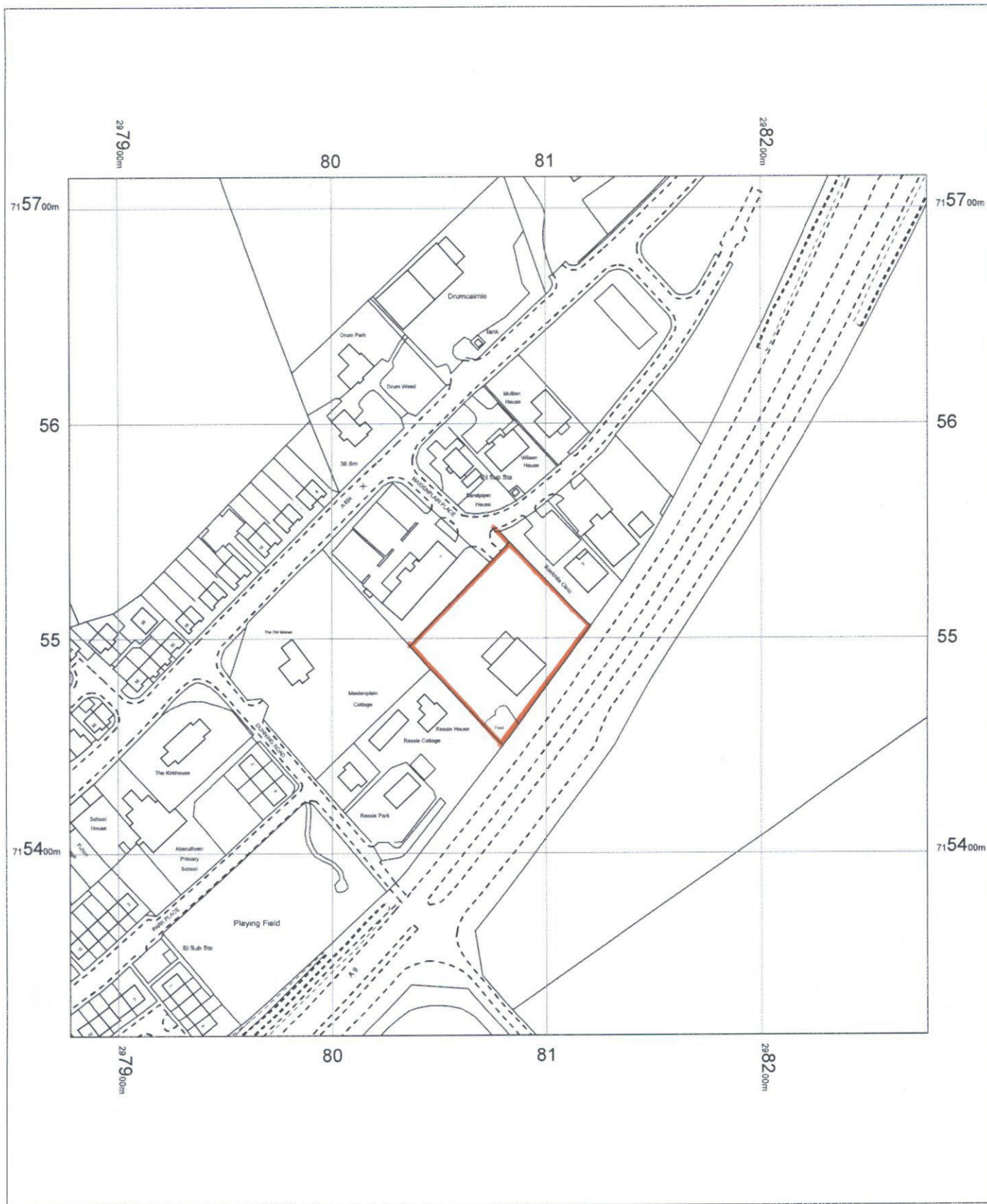
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Date of Report

5 May 2017

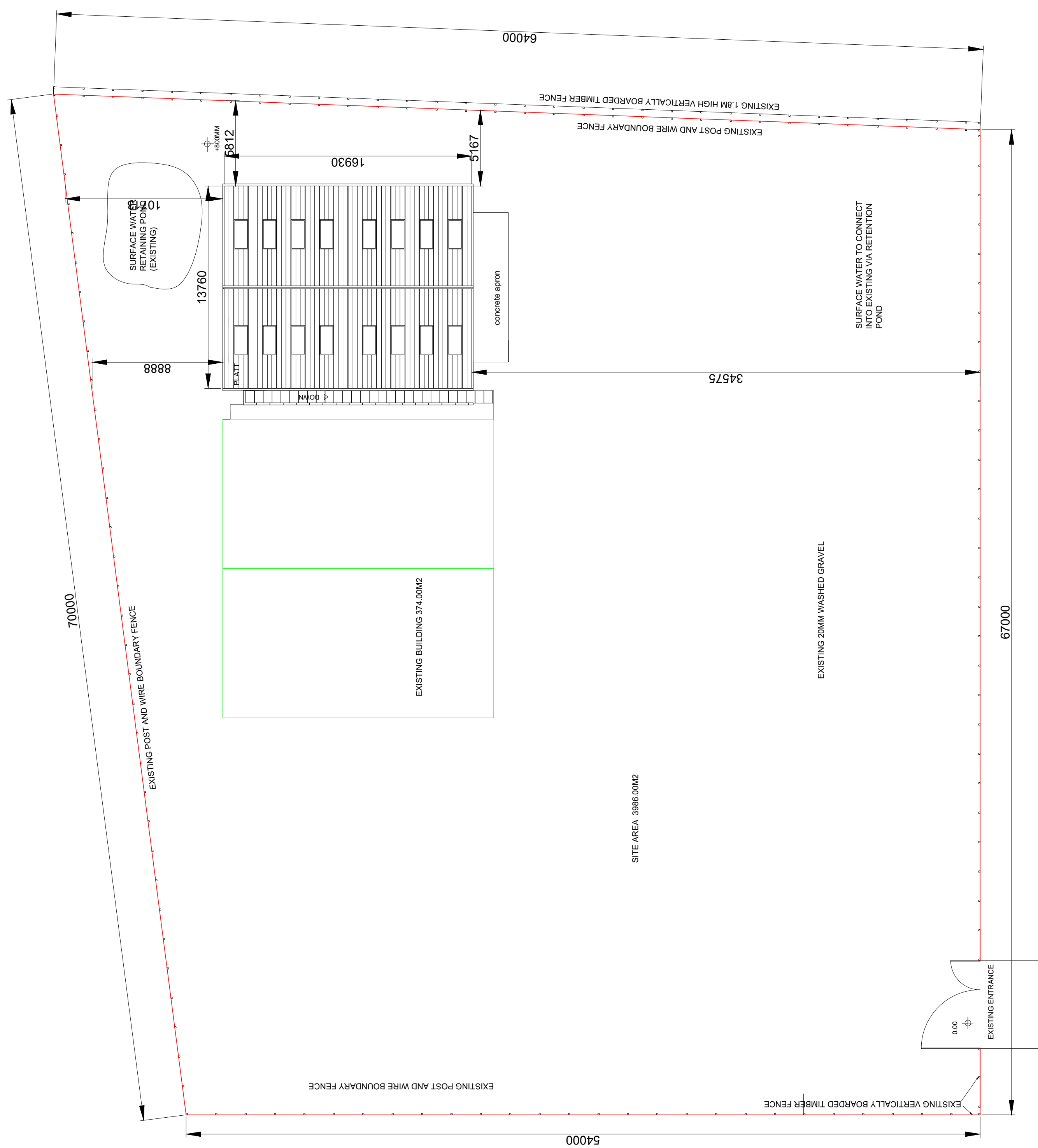


OS MasterMap 1250/2500/10000 scale
03 March 2017, ID: MNOW-00604411
www.nicolsondigital.com

1:2500 scale print at A4, Centre: 298078 E, 715515 N

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no additional site works proposed at this time other than slight reduction in slope to accommodate the proposed building.

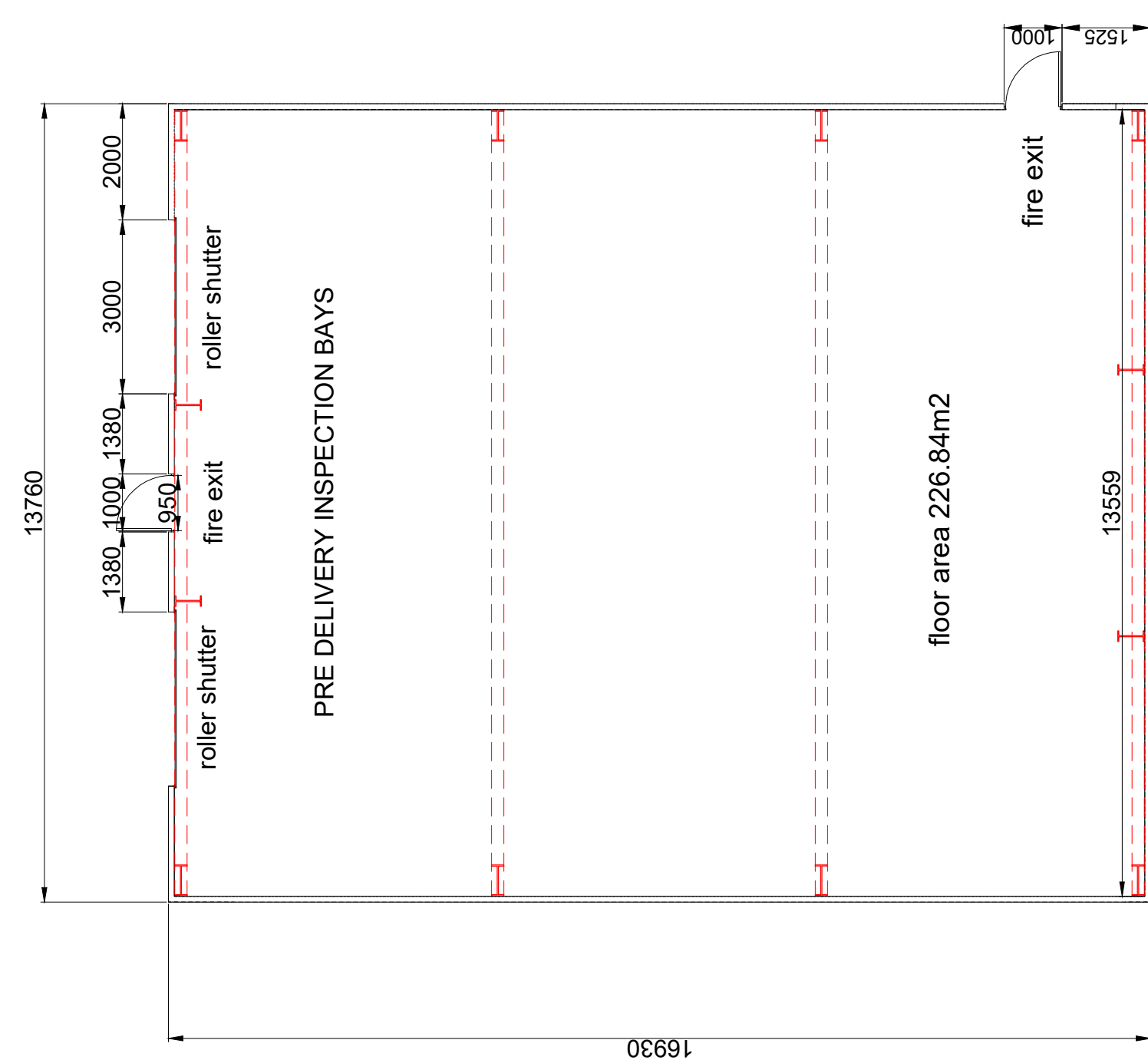
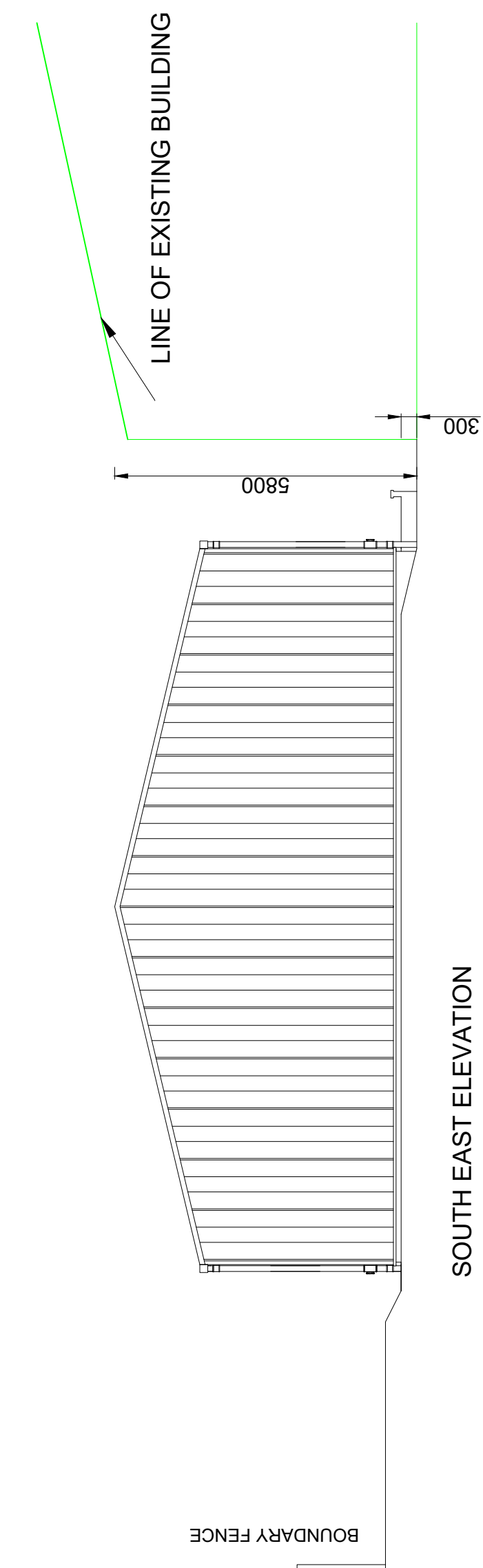
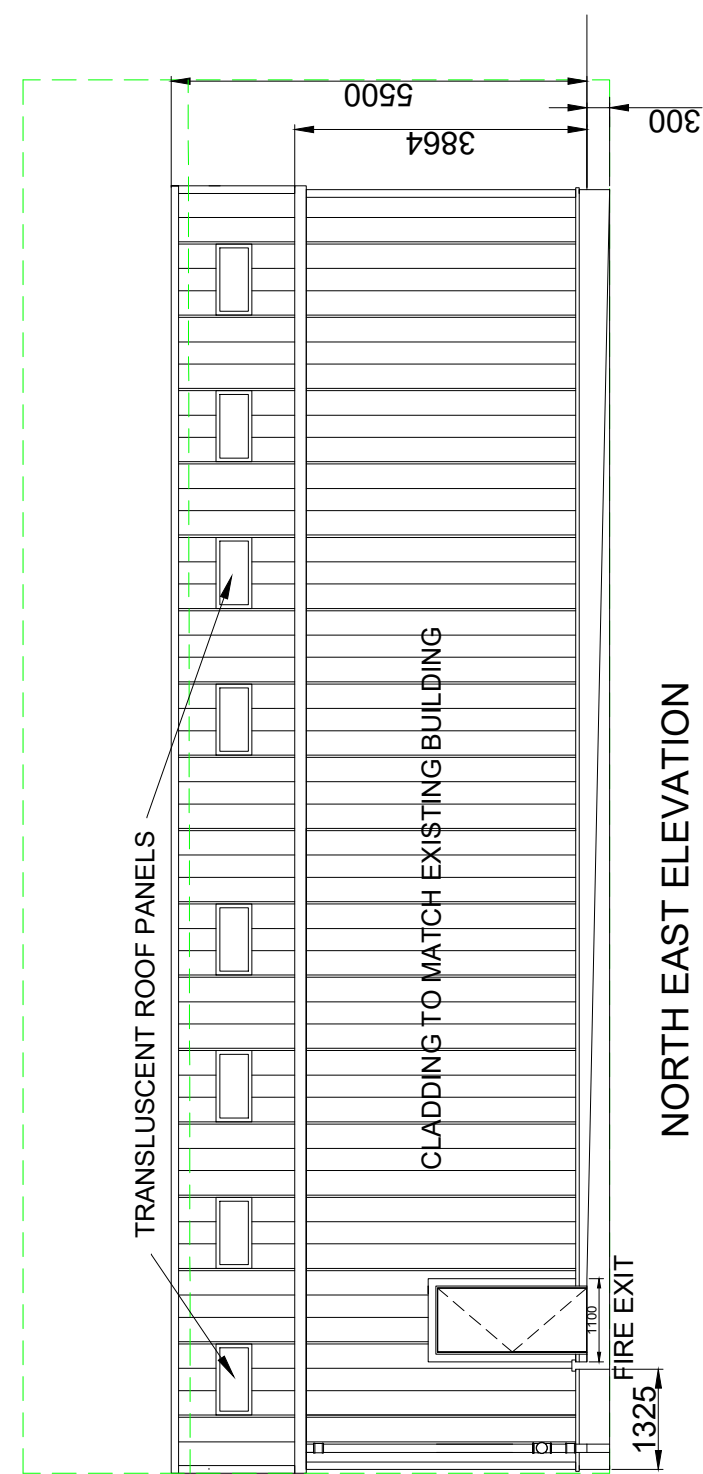
All surface water to be collected into existing system via retention pond (existing) and building will be of stone and brick construction, wall and roof frame construction, wall and roof panels to match those of the existing (light green). Roof to incorporate a number of translucent panels as shown.

Rainwater gullies finished in black PVC, guttering finished in black PVC, all polluting devices to be provided on the North West elevation and two 900mm wide access/escape door provided on the North East elevation along with ramps as shown. 2.0m deep concrete apron to be provided

No works proposed to the existing boundary fences.

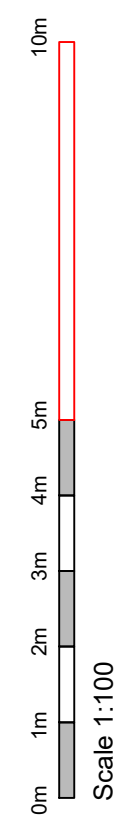
Parking arrangement will remain as existing.

LOCATION
LAND 50M SOUTH OF NO
1 MAIDENPLAIN PLACE,
ABERUTHVEN PH3 1EL



PROPOSED FLOOR PLAN

rev	description	color	date
	repositioning of proposed building		
ELEVATIONS, SITE AND FLOOR PLANS			
CLIENT THE MOTORHOME COMPANY			
PROJECT ERECTION OF PDJ WORKSHOP			
LOCATION LAND 90M SOUTH OF No 1MAIDENPLAIN PLACE, ABERUTHVEN PH3 1EL			
status			
DATE 08/04/2017	SCALE 1:100	drawn DWT	checked by



TCP/11/16(478) – 17/00257/FLL – Erection of a garage/workshop on land 50 metres south of 1 Maidenplain Place, Aberuthven

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/00257/FLL	Comments provided by	Diane Barbary
Service/Section	Conservation	Contact Details	[REDACTED]
Description of Proposal	Erection of garage/ workshop		
Address of site	Land 50m south of 1 Maidenplain Place, Aberuthven, Auchterarder		
Comments on the proposal	<p>The site of the proposed development is to the east of Craiginver, the category C listed former free manse (LB 5823).</p> <p>I can confirm that I have no comments or concerns in relation to the impact of the proposals on the setting of Craiginver.</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	10/03/17		

Comments for Planning Application 17/00257/FLL

Application Summary

Application Number: 17/00257/FLL

Address: Land 50 Metres South Of No 1 Maidenplain Place Aberuthven

Proposal: Erection of a garage/workshop

Case Officer: Persephone Beer

Customer Details

Name: Mr Derek Brown

Address: Rossie House Dunning Road, Aberuthven, Perth And Kinross PH3 1HQ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Affect on Visual Amenity
- Contrary to Development Plan Policy
- Loss Of Sunlight or Daylight
- Noise Pollution
- Out of Character with the Area

Comment: The proposed workshop has been moved forward from the position of the last planning application and now would be closer to our house. Although the ridge height of the roof has been marginally reduced the length and floor area of the building has been increased with it now being only five meters from our back garden and approximately thirteen meters from our house. We have bedrooms and our kitchen/family room at that side of the house all having windows looking out at the proposed workshop. Our back garden is the only private and enclosed part of our garden and which we use regularly. We have concerns over any noise, disturbance and privacy issues so close to our garden and house and the overshadowing the proposed building will cause. We also have concerns that the building could be used to store flammable chemicals from the owners timber preservation company. There is also the chance that change of ownership of the property could cause the change of use of this building with no controls over use, noise etc.

The last application for a workshop on this property was refused on the grounds of :

1 Policy ED1A it's proximity of the building to neighbouring residential area with the potential for noise and disturbance as well as the impact on visual amenity would not be compatible with the character of the area.

2 : Policy PM1A that the proposal would not contribute to the quality of the surrounding built and natural environment and does not respect the character of the area.

The proposed building has been move approximately seven meters forward from the last application brining it closer to our house and back garden and we assume the reasons for refusal on the last planning application would also apply to this application.

We also feel that limiting the hours of use from 07.00 to 19.00 Monday to Saturday is both too early and late for the proposed workshop being so close to a residential property.

The original planning application for the property showed the workshop at the other side of the main building which we feel would be a more suitable location away from a residential area.

Also will the existing Suds retention pond cope with the extra capacity required for the proposed workshop? The bottom of our property frequently has puddles forming and takes a lot longer to dry out since the main building and Suds pond we formed.

Having stayed at this property since 1999 we feel strongly that this proposed workshop would have a detrimental effect on the quality of our day to day living, privacy that we enjoy at the moment and the quality and appeal of our property would be affected.

Memorandum

To Development Quality Manager

From Regulatory Services Manager

Your ref 17/00257/FLL

Our ref LRE

Date 23 March 2017

Tel No 01738 476462

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

PK17/00257/FLL RE: Erection of a garage /workshop land 50 metres south of No 1 Maidenplain Place Aberuthven for the Motorhome company

I refer to your letter dated 7 March 2017 in connection with the above application and have the following comments to make.

Environmental Health (assessment date –23/03/17)

Recommendation

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

Comment

Previous applications ;14/00942/FLL was approved for the erection of a vehicle showroom and workshop/garage, however application 16/01825/FLL was refused for a workshop/garage. This Service made comment in memorandums dated 23 July 2014 and 30 November 2016 with regards to noise.

This application is also for the erection of portal frame building to provide additional workshop facilities for the motorhome company. The plans for this application indicates that the workshop area will still be located to the west, as was in the previous 16/01825/FLL application, of the existing building. This application see the boundary of the site slightly further away from residential from previous 16/01825/FLL, however this new application site is still closer to residential properties than it would have been in the approved 14/00942/FLL application; which indicated the workshop area to the west of existing building.

The previous location site would be the more recommended location for workshop as it would be further away from residential, however the new location site means that the applicant must ensure that the noise from the premises must meet the NR ratings set in the noise condition below.

The closest residential property to the application site is Rossie House, Dunning Road which is approximately 12.9 metres away.

The A9 carriage way sits to the south of the application site.

Noise

An email from the agent dated 18 November 2016 states that the proposed workshop garage building is to be used for pre delivery inspection of vehicles. The intended hours of

operation of the building is Monday to Friday 09:00 to 17 :00 hours. Deliveries to the site are to be minimal, only anticipating one per day. It also states that as it is not intended to be a full blown garage there will be only be a small suppressed compressor sited internally (no ramps etc).

The agent for the applicant confirmed in a telephone conversation dated 23 March 2017 that the information obtained for the agent in the aforementioned email is still applicable for this application and the only change is the size of the proposed building.

Therefore I reiterate my comments and conditions from my previous memo dated 30 November 2016.

There is one letter of objection at the time of writing this memorandum making comment on visual amenity and Noise.

To the best of my knowlegde this Service has not received any complaints with regards to noise from the exisitng buildings at the industrial site.

Conditions

- EH00** The hours of operation for the workshop area shall be restricted to 0700 hours to 1900 hours daily and no work shall be undertaken on the premises on Sunday unless otherwise agreed in writing with the Council as Planning Authority.
- EH02** Servicing of and deliveries to the premises shall be carried out between 0700 and 1900 Monday to Saturday only, with no servicing or deliveries permitted on Sundays.
- EH10** All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.
- 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.



Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/00257/FLL	Comments provided by	Tony Maric Transport Planning Officer
Service/Section	Transport Planning	Contact Details	[REDACTED]
Description of Proposal	Erection of a garage/workshop		
Address of site	Land 50 Metres South Of No 1 Maidenplain Place Aberuthven		
Comments on the proposal	Insofar as the roads matters are concerned, I have no objections to this proposal.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	12 April 2017		

CHX Planning Local Review Body - Generic Email Account

From: DEREK BROWN [REDACTED]
Sent: 10 July 2017 20:50
To: CHX Planning Local Review Body - Generic Email Account; Paige Crighton
Subject: Re: TCP/11/16(478)
Attachments: IMG_0896.JPG; IMG_0897.JPG

Hi,

Further to our previous comments for this planning application I have attached two photo's showing the area of the proposed workshop from the bedroom window and our back door. With the potential of noise and the adverse visual impact this will have I'm sure that nobody, including the applicant, would appreciate a commercial workshop so close to they're residential property. We would have no objections to the workshop being built in the position shown on the original planning application from 2014 showing the workshop at the opposite side of they're main building from our house.

Regards

Derek Brown

Sent from [Outlook](#)





THE
MOTORHOME COMPANY
SCOTLAND

DA Auchterarder Ltd
T/A The Motorhome Company Scotland
Maidenplains Enterprise Park
Aberuthven, PH3 1EL

Web: www.themotorhomecompany.co.uk

27th July 2017

FAO Gillian Taylor
Council Building
2 High Street
Perth
PH1 5PH

Sent by email only - Planninglr@pkc.gov.uk

Dear Ms Taylor,

**Application Ref: 17/00257/FLL – Erection of a garage/workshop on land 50 metres south of
1 Maidenplain Place, Aberuthven – DA Auchterarder Ltd**

The proposed extension will be 5 metres at its closest point and 8 metres at its widest from the boundary with Rossie House and 12.9 metres from the gable of that building. This, in our submission, is a generous distance combined with the fact that, at the case officer's suggestion, we reduced the ridge height from 7 metres to 5.8 metres and re-orientated the building so that it presents a blank wall to the house. There is, therefore, a more-than-adequate separation between the buildings bearing in mind that the house adjoins an industrial estate. In response to Mr. Brown's specific concerns I wish to make the following points.

1. The existing building, and the extension, have been designed to a very high standard but If the Review Board consider that design changes, including finishing materials, could be made to address Mr. Brown's concerns I would be very happy to consider them.
2. As I explained previously, the purpose of the extension is to allow me to carry out pre-delivery inspections (PDI's) of vehicles before they are delivered to customers. At present, this has to be done off-site in Stirling and, by bringing the activity back to Aberuthven, I will be creating full-time employment for four additional engineers. This is not a noisy activity and will take place between 9am and 5 pm. I would be happy therefore to accept a planning condition restricting the use of the building from 8am to 6 pm and I would also be happy to comply with the conditions recommended by the Environmental Health officers. It is not clear why the planning officer chose to ignore that advice.
3. As I pointed out in my previous submission, in terms of the planning Use Classes Order our proposal falls within Class 4 Business use, as does the existing business. This means that it can be carried out without injury to residential amenity and there has, to our knowledge, been no issue of disturbance reported since we commenced operation in 2014. We are, therefore, a "good neighbour" use and we ask the Board to



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note that we are located within a site designated in the Local Plan as being for " General Employment Use"(E29, page 253).

4. In the expansion plan for my business my immediate need is for a building within which I can do the PDIs mentioned in 2 above but, at a future date, I will need a further extension for more general repairs, MOTs etc. As the latter will possibly be a more noisy part of our operation I intend to put it on the other side of the building thereby keeping it as far away from Mr. Brown's property as possible.

If you require any further information please let me know

Regards
Yours faithfully

David Quinn
DA Auchterarder

