

LRB-2020-04 – 19/01453/IPL – Erection of a dwellinghouse (in principle), land 30 metres north west of 37 Percy Street, Murray Place, Stanley

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**LRB-2020-04 – 19/01453/IPL – Erection of a dwellinghouse
(in principle), land 30 metres north west of 37 Percy
Street, Murray Place, Stanley**

**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 ABERTAY PROPERTY Co. LTD

Address 56 SUSAN BURNES ARCHIBALD
FARMHOUSE FAIRFICHD MANNS
GARDYNE
ARRANATH
DD 11 3RX

Postcode DD 11 3RX

Contact Telephone 1 AS PER AGENT

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name STUART MACGARVIE

Address LITTLEHILL
KEIR
DUNBLANK

Postcode FK15 9NU

Contact Telephone 1 07885 512815

Contact Telephone 2

Fax No

E-mail* smacgarvieandco@outlook.com

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

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

Yes ☒ No ☐

Planning authority

PERTH & KINROSS COUNCIL

Planning authority's application reference number

19/01453/IPL

Site address

LAND 30m NW of 37 Percy St, MURRAY PARK, STANLEY

Description of proposed
development

ERECTOR OF ONE DUELLINGHOUSE (IN PRINCIPLE)

Date of application

20 September 2019

Date of decision (if any)

19 November 2019

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:

THE HEARING SESSION IS CONSIDERED NECESSARY TO PROMOTE THE MERITS OF THIS PROPOSAL, WHICH OTHERWISE MAY BE DILUTED BY WRITTEN SUBMISSIONS. A SITE VISIT IS SPECIFICALLY REQUIRED TO UNDERSTAND THE SITE AND ADJACENT BUILDING FORM.

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:

THE PREFERENCE IS FOR AN ACCOMPANIED SITE VISIT, AS PART OF THE SITE CONTAINS VARIOUS BUILDINGS.

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 Planning Statement and supporting information including Appendix 1 - 35.

SM.

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.

IN ORDER TO ASSIST MEMBERS AND TO UNDERSTAND THE PROPOSAL, INTER ALIA THE BUILT FORM AND CONTEXT OF THE SURROUNDING AREA, SOME INDICATIVE SKETCHES HAVE BEEN PREPARED TO SUPPORT THE PPP SUBJECT TO THIS NOTICE OF REVIEW. THIS ASSISTS IN CONSIDERING REASON FOR REFUSAL 2.

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.

- | | |
|---------------------------------|-----------------------|
| * COPY OF PLANNING APPLICATION | — APPENDIX 1 |
| * COPY OF PLANNING REFUSAL | — APPENDIX 2a |
| * SUPPORTING PLANNING STATEMENT | — APPENDIX 1 |
| * REPORT OF HANDLING | — APPENDIX 2 |
| * INDICATIVE DRAWINGS | — APPENDICES 3-3a-3b. |

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

12th February 2020



Littlehill, Keir, Dunblane,
Perthshire FK15 9NU
E: smacgarvieandco@outlook.com

12TH February 2020

The Secretary
Local Review Body
Perth & Kinross Council
Committee Services
Council Buildings
2 High Street
Perth
PH1 5PH



Dear Sir/Madam,

Notice of Review: Planning Application 19/01453/PL

I enclose for your attention Notice of Review for the above application, refused by delegated powers on the 19 November 2019.

The Notice of Review is therefore timeously lodged. (An electronic copy was submitted on the 13 February 2020,)

The Notice of Review comprises:

- Notice of Review
- Planning Statement
- Appendix 1 – Copy of Planning Application (PPP) inc: Reasoned Justification & Design Statement and photograph
- Appendix 2 – Report of Handling
- Appendix 2a – Perth & Kinross Refusal Notice
- Appendix 3 – Location/Site Plan
- Appendix 3a – Aerial View: East and West Views



- Appendix 3b – Proposed Flor Plans and Street View and Interior.

Within the Notice of Review a hearing and site visit has been requested.

Please confirm receipt of this Notice of Review.

Yours Faithfully,


Stuart MacGarvie

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

**ERECTION OF DWELLINGHOUSE (in principle) LAND 30m NORTH WEST OF 37 PERCY
STREET, MURRAY PLACE, STANLEY.**

PLANNING APPLICATION 19/01453/IPL

PLANNING STATEMENT

12 February 2020

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1. THE PROPOSAL.

The proposal is to demolish an existing old building (formerly used as a car repair business – now ceased) and replace with a suitable sized single dwelling house.

A PPP application, location and site plan along with a Justification and design Statement was prepared and lodged with Perth & Kinross Planning Department, which was registered on the 20 September 2109. (See Appendix 1).

2. PLANNING REFUSAL.

The application was refused on the 19 November 2019 by delegated decision. (See Appendix 2a). There are two reasons for refusal, namely:

- “The proposal is contrary to Policy RD1 Residential Areas of the Perth and Kinross Local Development Plan 2014, which seeks to ensure that development is compatible with the character and amenity of the area. The site by virtue of its position and proximity to existing dwellings would result in a detrimental impact upon the amenity, the character of the area and residential amenity.”
- “ The proposal is contrary to Policy PM1A: Place making of the Perth & Kinross Local Development Plan 2014 which seeks to ensure that the design, density and siting of development should respect the character and amenity of the place. As the application is in principle it has not been demonstrated that the site could accommodate a dwelling without detrimental impact upon a residential amenity.”

3. NOTICE OF REVIEW.

The application was refused on the 19 November 2019. (See Appendix 2). As the application was determined by delegated powers, there is a three month period within which a Notice of Review Procedure can be submitted. This Notice of Review is therefore timeously lodged to The Secretary of The Local Review Body of Perth & Kinross Council.

4. PLANNING STATEMENT AND JUSTIFICATION.

It is proposed to address each of the two reasons for refusal in sequential order, drawing upon the Planning Officers Report of Handling, (Appendix 2) the extant Local Development Plan 2014 and mitigating circumstances.

It is noted that there are no technical objections from Statutory Consultees including the Council's Transport Division.

Under the terms of the Town and Country Planning (Scotland) Act 1997 (as amended) Local Planning Authorities are required to determine planning applications in accordance with the relevant Local Development Plan, unless material considerations apply.

a) Local Development Plan:

The site subject to this Notice of Review is to be considered under LDP Policy RD1 as referred to in the Council's Report of Handling (See Appendix 2, page 5).

POLICY RD1:

The site is located within the settlement boundary of Stanley and within an area zoned for residential and compatible uses. Small areas of private and open space will be retained where they are of amenity value and infill sites will be supported at a density which represents an efficient use of the site and respects the amenity and character of the area.

Within the terms of the T&C Planning (Scotland) Act 1997 (as amended) there is therefore a presumption in favour of development. The proposed site is not situated in the Greenbelt or Countryside around towns, rather it is situated within the settlement boundary and can be classed as a brownfield site under the relevant Use Classes Order. It is advocated that this is a suitable use of a brownfield site, with a settlement boundary. The site can be fairly considered as an infill site, where its existing use certainly cannot be classed as having any amenity value. On the contrary it is considered that the development of this site will improve the local character and amenity of this area.

The Planning Officer confirms in the Report of Handling (See Appendix 2, page 5) that "the application is in principle and from the plans submitted the site is large enough to accommodate a dwelling."

It is my opinion that in a land use Policy context, the erection of one suitably designed dwelling house on this infill site, is an efficient use of the site and as such complies with the principles of POLICY RD1.

POLICY PM1A:

This policy requires that the design, density and siting of the development respects the character and amenity of the place.

The matter to consider therefore, is whether the design of the proposed dwelling house has a detrimental impact upon the character and amenity of the local area.

It is already conceded by the Planning Officer that density and siting is not an issue as the dwelling house fits comfortably within the existing site boundaries. The proposed design as part of the PPP application provided information on height, style and design of building (see Appendix 1).

That therefore leaves one Policy criteria to consider, whether the design of the proposed dwelling house has a detrimental impact upon the character and amenity of the local area. This can be further refined as the Planning Officer confirms in the Report of Handling (See Appendix 2, page 5) that there is no impact upon the houses along Percy Street. According to the Planning Officer's Report of Handling under Residential Amenity, (page 5) the site is located in close proximity to the

rear gardens of the dwellings on Murray Place and that these dwellings sit on a higher level and have been extended locating windows within 9 metres of their rear boundary. The Planning Officer also suggests that there will be a degree of overlooking and loss of privacy.

In order to further expand on these matters, additional supporting indicative sketches have been provided by the Architect (See Appendix 3).

It is my opinion that there is no difference in level between the four terraced houses along Murray Place and the proposed site and this can be ascertained on the requested site visit. It is also clear that the extensions referred to in the Report of Handling comprise one conservatory and one rear extension. Both these 'extensions' are situated to the furthest end of the site and in my opinion are not materially affected by the proposed new dwelling house. This is shown on 'aerial' view plans marked 'East View' and 'West View'. (See Appendix 3 and 3a+b). This delineates the extent of the proposed dwelling house, which extends just beyond the hedge line of No 5, Murray Place.

It is also important to note that the dwelling house is designed with the gables facing the street, in-keeping with adjacent properties. The south section of the building is 2 storey to match adjacent properties, with the north section reduced to a single storey where it is in closer proximity to the houses that back onto the site from Murray Place. Due to this part of the building being north facing and single storey it causes no shading and no loss of light to the neighbouring properties. The proposed roof finish and pitch is slate and walls rendered to match neighbouring properties. (See Appendices 3-3b)

The Planning Officer in the Report of Handling also makes reference to the fact that two of the houses along Murray Place have been extended locating windows within 9 metres of their rear boundary. It is assumed planning permission has been granted for these extensions despite the extensions/windows being located within 9 metres of their own garden boundary. The fact here is that this is the extent of their garden boundary and this proposal is not to be confused with sub-division of garden ground to facilitate new dwelling houses.

It is also worthwhile noting that there is an existing footpath (to be retained) which runs between the existing rear gardens and the proposed dwelling house. The matter of privacy therefore requires to be taken into context due to the existence of this public footpath.

In terms of privacy it is also important to note that there is no overlooking of private garden space. The dwelling house is designed whereby there are no windows on either wall facing the rear gardens on both Murray Place and Percy Street. The introduction of landscaping/planting and complementary timber fencing further reduces any perceived impact. (See Appendix 3-3b showing the Street View and floor plans).

It is therefore my opinion that there is no loss of privacy and no degree of overlooking at either Percy Street or Murray Place.

B. MATERIAL CONSIDERATIONS:

As previously stated, it is my opinion that under the Town and Country Planning (Scotland) Act 1997 (as amended) there is a presumption in favour of this development.

As part of the Notice of Review, the matter of built form requires to be considered. The siting of the proposed dwelling house is on land owned by the applicant. The site comprises rather old buildings previously used until recently as a car repair facility. It has been proven and accepted by the Council that the plot size can accommodate a suitable sized dwelling house and there are no technical

objections from any statutory consultees. The proposed development utilises existing street layout and access/egress to and from the public road and therefore there is no change to the pattern of development. Mention has been made by the Planning Officer that the construction of a dwelling house at this site would not reflect the character and building pattern in the area.

An assessment of the building pattern, as viewed on site and from the attached aerial view (See Appendix 3-3b) confirms that there is no one accepted development pattern. The proposed site is not in a Conservation Area and there are no listed buildings nearby.

It is also important to note that similar dwelling houses have been built opposite the site along Murray Place, between two existing liner rows, which is designed in exactly the same manner as those along Percy Street and Murray Place. It is clear therefore that the Council has already approved houses in a similar manner and there should be no difference in determining this proposal.

It is my opinion that the design of this site is consistent with the pattern of the development of the existing area.

C. CONCLUSIONS:

- The removal of the existing 'commercial' garage and replacement with a suitable designed dwelling house is an improvement to the site and streetscape.
- The provision of such a designed dwelling house will provide for affordable local accommodation.
- Scottish Planning Policy encourages a flexible approach to development in such circumstances, utilising such infill sites in an efficient manner.
- The proposed land use complies with Residential Policy RD1.
- The proposal complies with Policy PM1A
- The proposed development has negligible impact on the adjacent area.
- There is no loss of privacy.
- There are no Statutory objections to this proposal.
- The houses opposite the site across Montgomery Place are designed in a similar manner.
- The supporting indicative drawings confirm that the site can be effectively developed in compliance with Policies RD1 and supports PM1A.

D. RECOMMENDATIONS:

It is respectfully recommended that The Review Body considers the information before it and grants PPP with associated conditions.

[Redacted Signature]

Stuart MacGarvie Ba(Hons) M.Phil MBA MRTPI

12th February 2020.

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Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100178570-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Demolition of garage and erection of single dwelling house

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☒ Yes ☐ No

Has the work already been started and/or completed? *

☒ No ☐ Yes - Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Susan Burness Architect Ltd.		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Susan	Building Name:	Farmhouse Fairfield Mains
Last Name: *	Burness	Building Number:	
Telephone Number: *	07887686105	Address 1 (Street): *	Gardyne
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Arbroath
Fax Number:		Country: *	Angus
		Postcode: *	DD11 3RX
Email Address: *	sburness@sky.com		

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

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Brian	Building Number:	
Last Name: *	McLean	Address 1 (Street): *	
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

3 MURRAY PLACE LOCK-UPS

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

MURRAY PLACE

Post Code:

STANLEY

Please identify/describe the location of the site or sites

Northing

733086

Easting

310935

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

445.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Garage and parking

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- ☒ Yes – connecting to public drainage network
☐ No – proposing to make private drainage arrangements
☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

☒ Yes ☐ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- ☒ Yes
☐ No, using a private water supply
☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

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

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

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

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

☒ Yes ☐ No

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

☐ Yes ☒ No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

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

Signed: Susan Bumess

On behalf of: Aberlay property Company Limited

Date: 30/08/2019

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☒ Yes ☐ No ☐ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
- ☐ Elevations.
- ☐ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☒ Yes ☐ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☒ Yes ☐ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

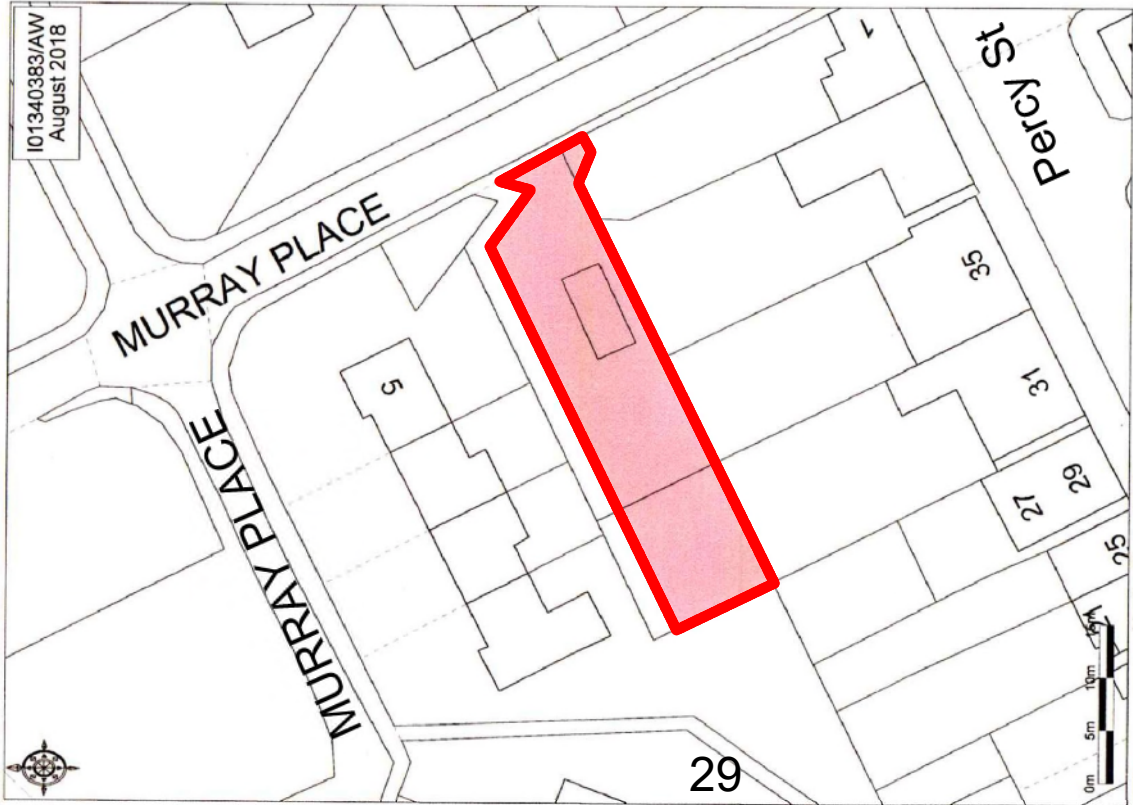
Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

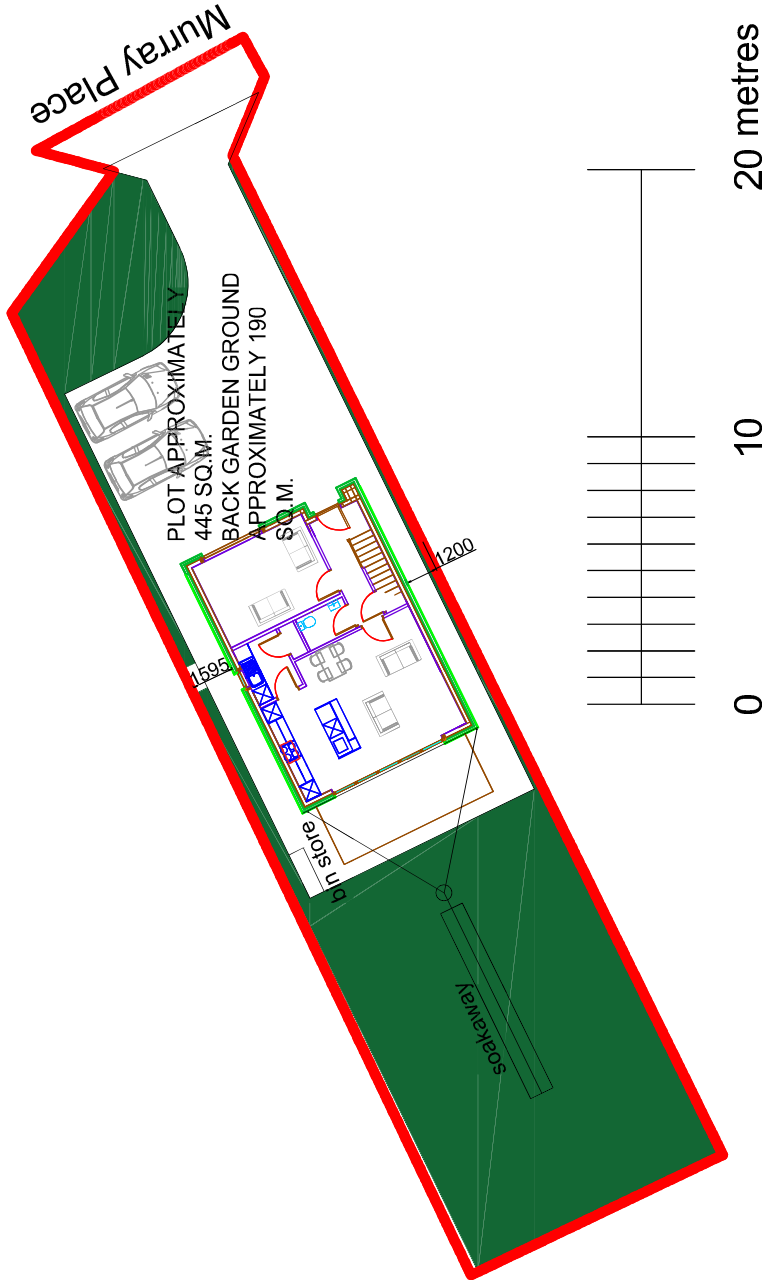
Declaration Name: Mrs Susan Burness

Declaration Date: 30/08/2019

Payment Details



LOCATION PLAN
SCALE 1:500



SITE PLAN SCALE
1:200

Revision	Date
<div><div></div><div>Susan Burness Gardyne Homes Director Tel: 01241 860244 Mobile: 07700 123456 E-mail: sburness@gsh.com</div></div>	
Client Aberlay Property Company Ltd.	
Project 3 Murray Place, Stanley	
Title Location Plan/ Site Plan	
Branch	Telephone 01241 860244
Drawn SB	Date 28_08_19
Checked CI	Drg Size A3
Job No. 005	Scale 1:200/ 1:500
Drg No. 005_001_LOCATIONPLAN_R0	Rev A

Reasoned Justification and Design Statement

3 Murray Place

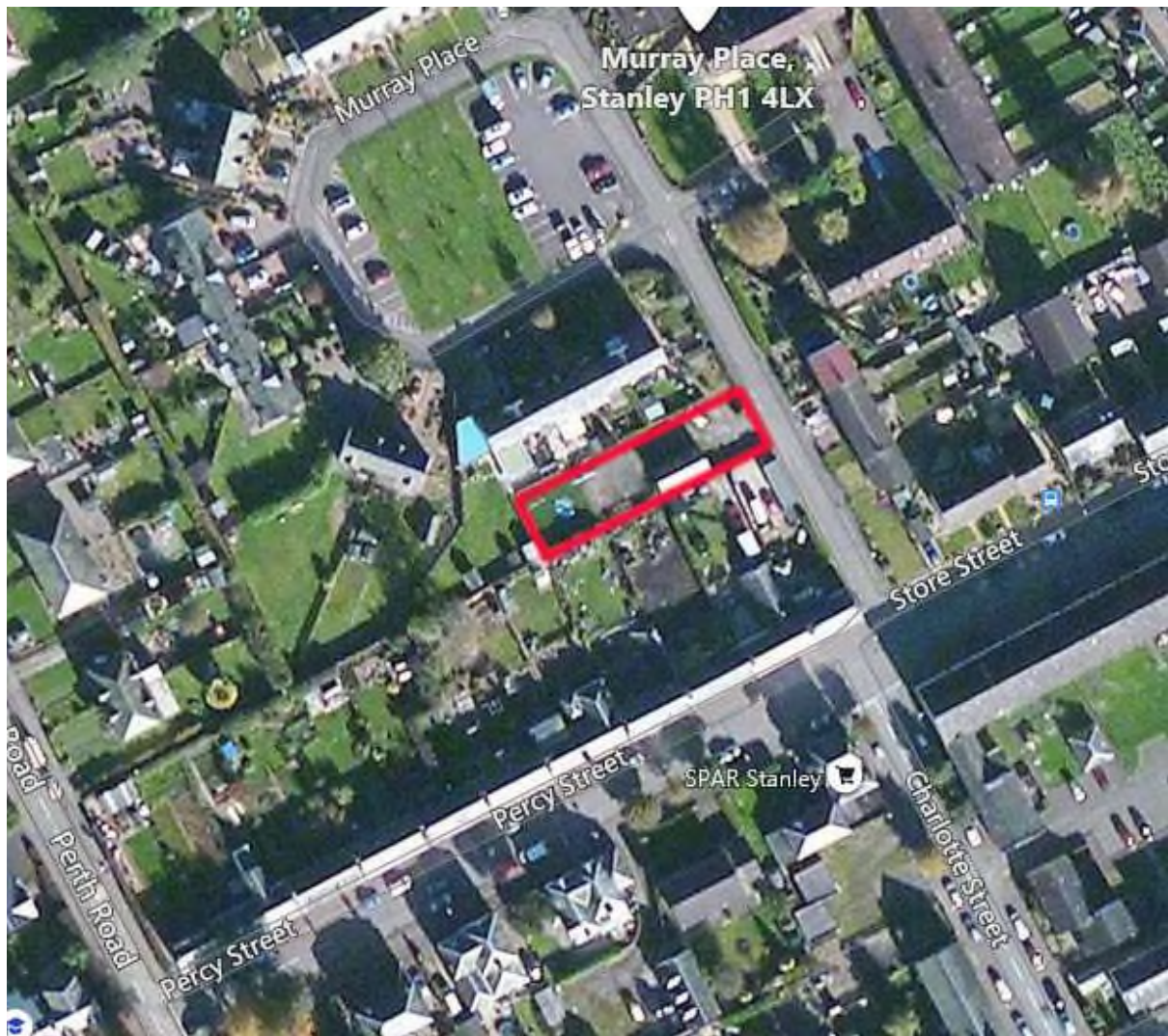
Stanley

Perthshire



Demolition of existing garage and
erection of single dwelling house

28/08/2019



The site is in a residential area

Close to amenities

The demolition of the garage will remove potential commercial and incompatible use from residential area.

The site is approximately 445 sqm meters and similar in size to neighbouring plots.

Access is provided of Murray Place, a quite residential street.

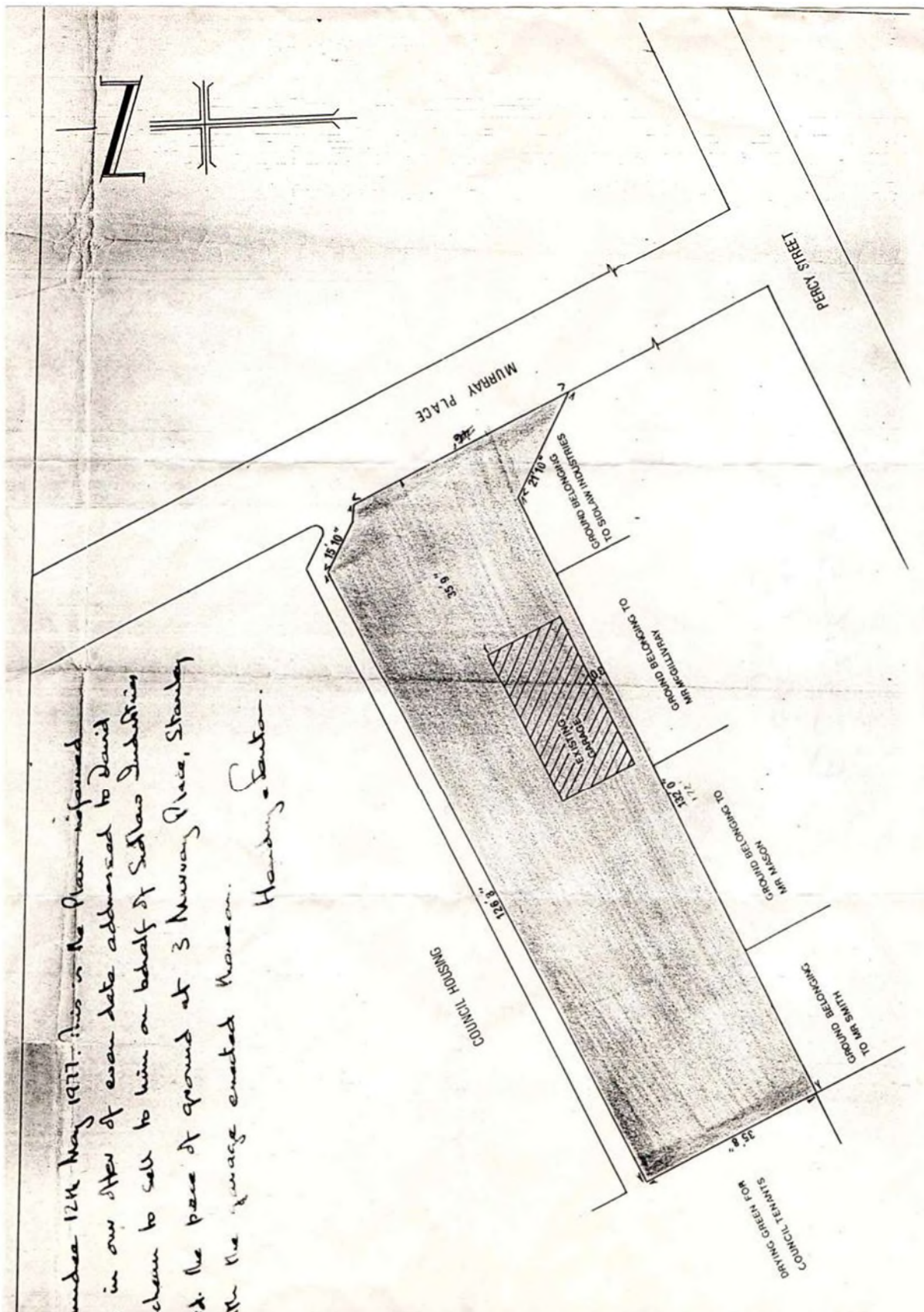
There proposed house can be designed to ensure no issues with overlooking other properties.

The development of the site will provide environmental improvement to the area.

Surface water will be disposed of via SUDS.

under 12th May 1977. As in the Plan referred
 in our letter of even date addressed to David
 Chen to sell to him on behalf of Sidlaw Industries
 the piece of ground at 3 Murray Place, Stanley
 the the garage erected thereon.

Handing - Letter.





REPORT OF HANDLING DELEGATED REPORT

Ref No	19/01453/IPL	
Ward No	P5- Strathtay	
Due Determination Date	19.11.2019	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 30 Metres North West Of 37 Percy Street
Murray Place Stanley

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: 30 September 2019

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application is for erection of a dwelling in principle at Land 30 Metres North West Of 37 Percy Street Murray Place Stanley. The site is located within the settlement boundary of Stanley

The site runs along the rear of 4 dwellings to the south which front Percy Street, a further dwelling bounds the site to the west, Murray Place is to the east and a row of 4 terraced dwellings lies to the north which front the green on Murray Place. The site has a timber garage in situ and has otherwise been

used as an informal parking area with two vehicular accesses formed through the site.

The proposal is in principle and details have been submitted to show how a dwelling could be accommodated within the site.

SITE HISTORY

No recent site history

PRE-APPLICATION CONSULTATION

Pre application Reference: N/A

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 2014.

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 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 RD1 - Residential Areas

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

Policy TA1B - Transport Standards and Accessibility Requirements

Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

The Proposed LDP2 2017 represents Perth & Kinross Council's settled view in relation to land use planning and is a material consideration in determining planning applications. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. The Council approved the Proposed LDP (as so modified by the Examination Report) on 25 September 2019. The Council is progressing the Proposed Plan towards adoption, with submission to the Scottish Ministers. It is expected that LDP2 will be adopted by 28 November 2019. The Proposed LDP2, its policies and proposals are referred to within this report where they are material to the recommendation or decision.

OTHER POLICIES

No other policies

CONSULTATION RESPONSES

Scottish Water

No objection

Development Negotiations Officer

Condition would be required

Transport Planning

No objection

REPRESENTATIONS

The following points were raised in the 10 representations received:

- Adverse Effect on Visual Amenity
- Inappropriate Land Use
- Over Intensive Development
- Over Looking
- Increased Traffic
- Lack or loss Of Car parking
- Loss Of Open Space
- Loss Of Sunlight or Daylight
- Loss Of Trees
- Road Safety concerns
- Provision of SUDs impact on neighbouring land

The following points are not material planning considerations.

- Legal access rights
- Devaluation of property

ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Submitted
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 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 located within the settlement boundary of Stanley within an area zoned for residential and compatible uses under Policy RD1 Residential Areas. This policy states that small areas of private and public open space will be retained where they are of amenity value. Infill development will be supported at a density which represents the most efficient use of the site whilst respecting its environs. Proposals should be compatible with the amenity and character of the area. Policy PM1 Placemaking also requires that the design, density and siting of development respect the character and amenity of the place.

The existing built development is characterised by two rows of dwellings running east - west which front Percy Street to the south and Murray Place to the north. The proposed site is runs along the rear boundaries of these streets forming a linear plot. I consider that the development of the site would not reflect the character and building pattern of existing development as the plot does not relate to either street frontage.

I consider that the principle of development would not comply with policy.

Design and Layout

The indicative site plan shows the dwelling centrally located within the plot with parking/turning to the east and amenity space to the west.

Residential Amenity

The application is in principle and from the plans submitted the site is large enough to accommodate a dwelling. The orientation of the dwelling would be east - west so that windows would not need to be located on the north – south boundary elevations. The dwellings located on Percy Street have generous rear garden depths which means that window to boundary distances (from the rear of these dwellings to the application site would be in excess of 9metres). The development of the site will therefore not directly impact on the amenity of these dwellings.

The site is located in close proximity to the rear gardens of the dwellings located on Murray Place. These dwellings sit at a higher level and have been extended locating windows within 9metres of the rear boundary. There is an access path which is to be retained to these dwellings however that combined with the garden depths would not give adequate separation between the dwellings and the site. I therefore consider that there would be a loss of privacy and a degree of overlooking between the existing housing to the north and the proposed site.

Roads and Access

The site access is proposed to be taken from Murray Place with parking and turning provided within the site. A path is to be retained to allow pedestrian access to the rear of Murray Place.

It is noted that the residents have enjoyed unrestricted use of this area for parking with some forming accesses to their rear gardens through the application site. The loss of this area for private parking and legal rights regarding the access are not material planning considerations.

Drainage and Flooding

Scottish water has no objection to the proposal. The site is also not within a flood risk area.

A soakaway is indicatively shown within the site. Should the development of the site have been accepted then a detailed sustainable urban drainage system (SUDS) would have been required and developed in accordance with the technical guidance contained in The SUDS Manual and the Council's Flood Risk and Flood Risk Assessments Developer Guidance.

Developer Contributions

Primary Education

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 at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.

This proposal is within the catchment of Stanley Primary School.

Transport Infrastructure

The Councils Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.

The application falls within the identified Transport Infrastructure Supplementary Guidance boundary.

Conditions regarding Transport Infrastructure and Education contributions would be required to ensure these are secured at detailed stage if permission was to be granted.

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 is considered not to comply with the approved TAYplan 2016 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

Reasons for Recommendation

1 The proposal is contrary to Policy RD1 Residential Areas of the Perth and Kinross Local Development Plan 2014, which seeks to ensure that development is compatible with the character and amenity of the area. The site by virtue of its position and proximity to existing dwellings would result in a detrimental impact on the amenity, the character of the area and residential amenity.

2 The proposal is contrary to Policy PM1A: Placemaking of the Perth and Kinross Local Development Plan 2014 which seeks to ensure that the design, density and siting of development should respect the character and amenity of the place. As the application is in principle it has not been demonstrated that the site could accommodate a dwelling without detrimental impact on 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 required

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

19/01453/1
19/01453/2

Date of Report 19.11.19

PERTH AND KINROSS COUNCIL

Abertay Property Company Limited
c/o Susan Burness Architect Ltd
Farmhouse Fairfield Mains
Gardyne
Arbroath
DD11 3RX

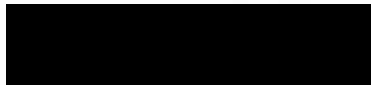
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 19th November 2019

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: 19/01453/IPL

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 20th September 2019 for permission for **Erection of a dwellinghouse (in principle) Land 30 Metres North West Of 37 Percy Street Murray Place Stanley** for the reasons undemoted.



 Head of Planning and Development

Reasons for Refusal

1. The proposal is contrary to Policy RD1 Residential Areas of the Perth and Kinross Local Development Plan 2014, which seeks to ensure that development is compatible with the character and amenity of the area. The site by virtue of its position and proximity to existing dwellings would result in a detrimental impact on the amenity, the character of the area and residential amenity.
2. The proposal is contrary to Policy PM1A: Placemaking of the Perth and Kinross Local Development Plan 2014 which seeks to ensure that the design, density and siting of development should respect the character and amenity of the place. As the application is in principle it has not been demonstrated that the site could accommodate a dwelling without detrimental impact on residential amenity.

Justification

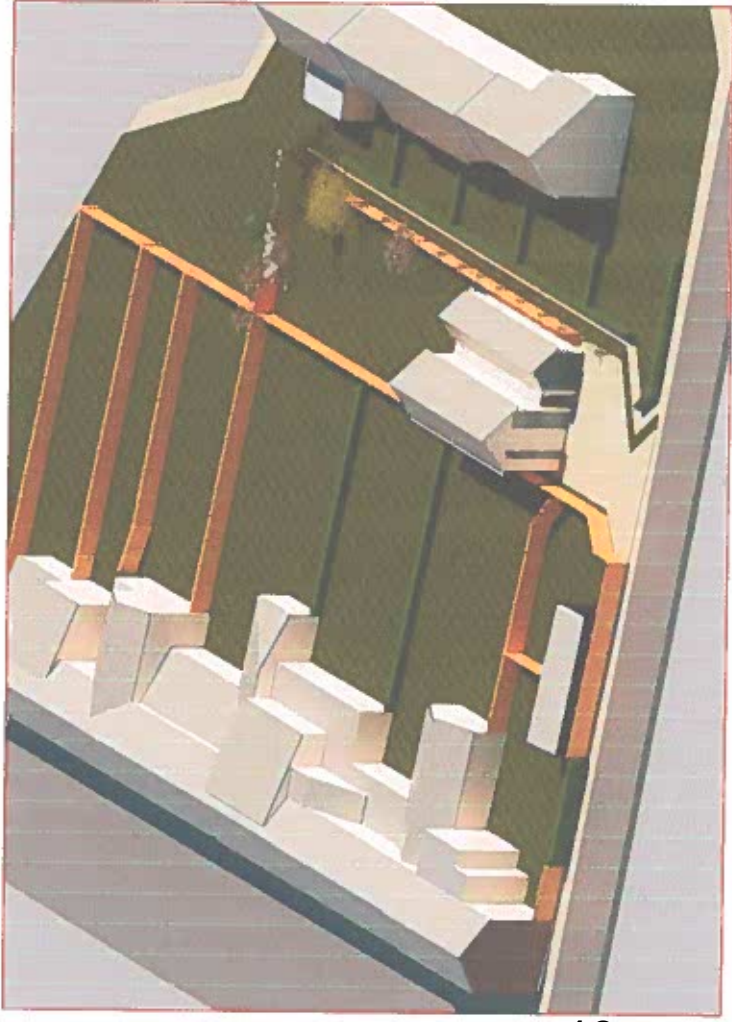
The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

The plans 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

19/01453/1

19/01453/2




East View



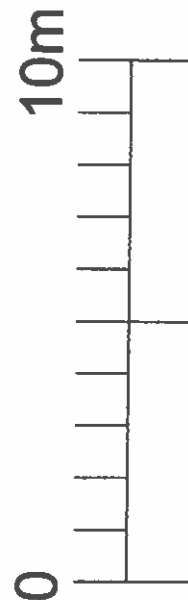
West View

3 Murray Place

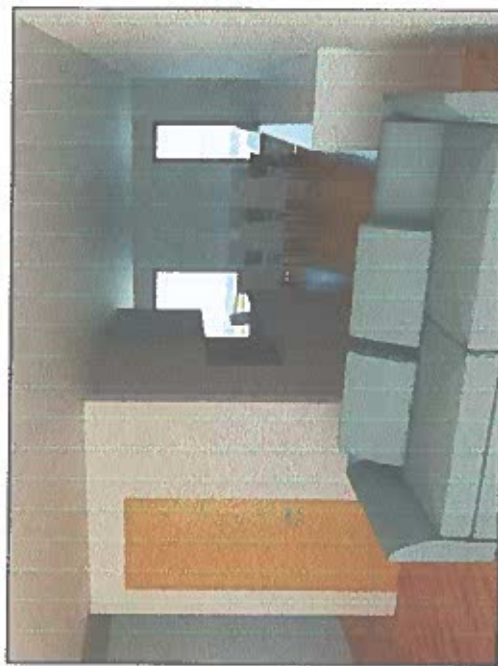
Revision	Date	
<div><div></div><div><div>Susan Burness Gardyne Homes</div><div>Susan Burness Director</div><div>Tel: 01241 880244 Mob: 07927 988105 Email: susan@ghw.com</div></div></div>		
Client Abbey Property Company Ltd		
Project 3 Murray Place, Stanley		
Title Aerial View		
Branch Telephone 01241 880244		
Drawn SB	Date 11_02_20	Checked CI
Job No 005	Scale NTS	
Dwg No 005_003_AERIALVIEW_R0	Rev 0	




FLOOR AREA (Excluding garage) 107 sq.m.



SCALE 1:100



INTERIOR

Revision		Susan Burness Gardyne Homes Sales/Burness Director Tel: 01247 860244 Fax: 01247 860245 E: susan.burness@gly.gov.uk		Dates
		Client	Aberley Property Company Ltd	
		Project	3 Murray Place, Stanley	
		Title	Floor Plans	
		Branch	Telephone 01247 860244	
		Drawn	Date	Checked
		SB	11_07_20	AJ SB
		Job No	Scale	
		005	1:200 / 1:500	
		Orig No.	Rev	
		005_002_FLOORPLANS	Rev	

LRB-2020-04 – 19/01453/IPL – Erection of a dwellinghouse (in principle), land 30 metres north west of 37 Percy Street, Murray Place, Stanley

PLANNING DECISION NOTICE *(included in applicant's submission, pages 43-44)*

REPORT OF HANDLING *(included in applicant's submission, pages 35-42)*

REFERENCE DOCUMENTS *(included in applicant's submission, pages 29-32)*

LRB-2020-04 – 19/01453/IPL – Erection of a dwellinghouse (in principle), land 30 metres north west of 37 Percy Street, Murray Place, Stanley

REPRESENTATIONS



8th October 2019

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

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Local Planner

PH1 Stanley 37 Percy St 30 Metres North West Of
PLANNING APPLICATION NUMBER: 19/01453/IPL
OUR REFERENCE: 783477
PROPOSAL: Erection of a dwellinghouse (in principle)

Please quote our reference in all future correspondence

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

- There is currently sufficient capacity in the PERTH Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

- There is currently sufficient capacity in the STANLEY Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will **not** accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is proposed, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

Next Steps:

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

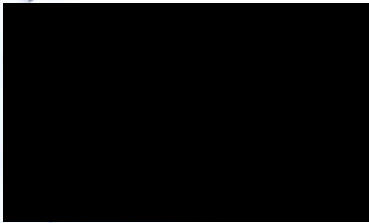
The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at planningconsultations@scottishwater.co.uk.

Yours sincerely

Pamela Strachan
Planning Consultations Administrator

General .
'cross'



11 October 2019

ENTERED IN COMPUTER

16 OCT 2019

Ref :- 19/01453/IPL

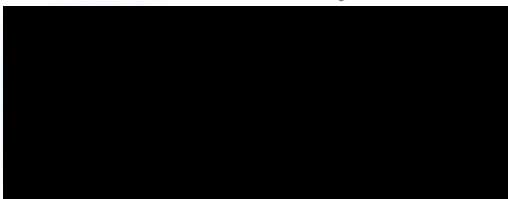
To the Development Quality Manager.

I am in receipt of your letter regarding the proposed development of land 30m North West of 37 Percy street Stanley and I would like to draw your attention to the following point.

You will see from the attached plan that my property borders the proposed development site at the bottom of my back garden. I currently have access to my back garden through double gates onto my driveway and I have had this access since I moved into the property thirty three years ago. After the first twenty years of unchallenged access I approached my solicitor (Aberdeen Considine) to have this right of access made official.

I use this driveway for access for my car and also receiving certain deliveries such as firewood or any building materials I require. I would appreciate if you could confirm in writing that my legal right of access will not be restricted or interfered with as a result of this proposed development.

Yours sincerely



James Stanley Cross

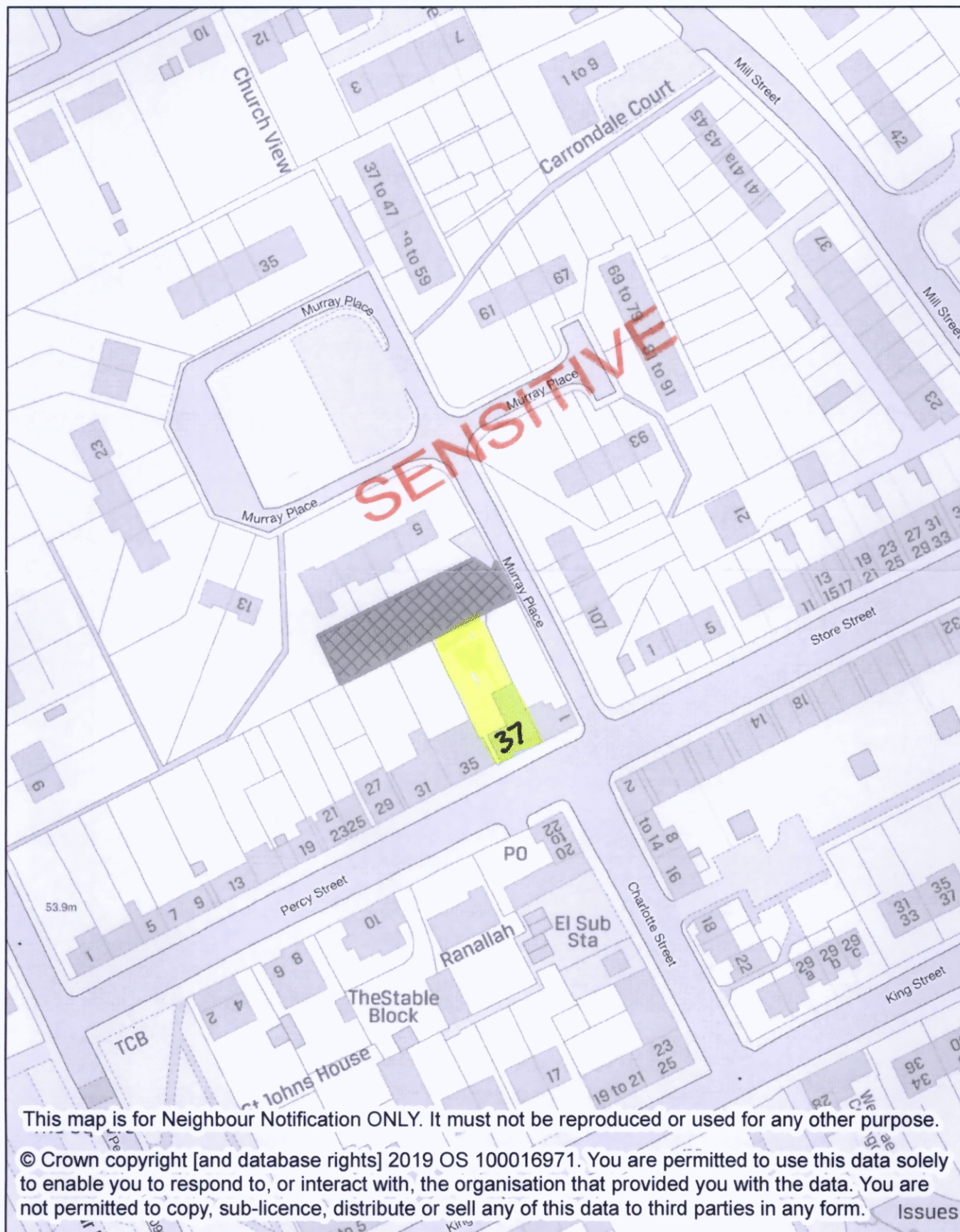
RECEIVED

11 OCT 2019

Perth & Kinross Council

NEIGHBOUR NOTIFICATION

Location Plan showing planning application site



This map is for Neighbour Notification ONLY. It must not be reproduced or used for any other purpose.

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Issues

Comments for Planning Application 19/01453/IPL

Application Summary

Application Number: 19/01453/IPL

Address: Land 30 Metres North West Of 37 Percy Street Murray Place Stanley

Proposal: Erection of a dwellinghouse (in principle)

Case Officer: Joanne Ferguson

Customer Details

Name: Mr Chris Davidson

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Effect on Visual Amenity
- Inappropriate Land Use
- Over Intensive Development
- Over Looking

Comment: Objection lodged based on over development of the site which has never been used for residential. The site is neighboured by many properties. Concerns raised for being overlooked and trees potentially being removed close to boundary fencing which would result in a loss of privacy for surrounding properties. Increased traffic use on the access road.

Comments for Planning Application 19/01453/IPL

Application Summary

Application Number: 19/01453/IPL

Address: Land 30 Metres North West Of 37 Percy Street Murray Place Stanley

Proposal: Erection of a dwellinghouse (in principle)

Case Officer: Joanne Ferguson

Customer Details

Name: Mr James Stanley Cross

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Effect on Visual Amenity
- Inappropriate Land Use
- Lack or loss Of Car parking
- Loss Of Open Space
- Over Looking

Comment: Dear Sir

I would like to reflect a change to my letter dated 11th October 2019, to show my objection to the proposed development:

Ref :- 19/01453/IPL

To the Development Quality Manager.

I am in receipt of your letter regarding the proposed development of land 30m North West of 37 Percy street Stanley and I would like to object to the proposed development, with my main objection being that the development will restrict or remove my legal right of access.

You will see from the attached plan that my property borders the proposed development site at the bottom of my back garden. I currently have access to my back garden through double gates onto my driveway and I have had this access since I moved into the property thirty three years ago. After the first twenty years of unchallenged access I approached my solicitor (Aberdeen Considine) to have this right of access made official.

I use this driveway for access for my car and also receiving certain deliveries such as firewood or any building materials I require. This is also my only access to receive heating oil deliveries, which I require for my house. I would appreciate if you could confirm in writing that my legal right of access will not be restricted or interfered with as a result of this proposed development.

Yours sincerely

James Stanley Cross

Tracy McManamon

From: shirley blyth [REDACTED]
Sent: 20 October 2019 17:30
To: Development Management - Generic Email Account
Subject: 19/01453/IPL

Dear Sir/Madam

I would like to propose an objection to the above reference for the erection of a dwellinghouse. The reasons I give are that for the last 35 years since purchasing my home at [REDACTED] I have maintained/had access and parked with no objections or concerns or had any conversations with said owner of the ground or council. (I believe adverse possession of land is applicable).

In all these years the access to my property has never been restricted or questioned. [REDACTED]

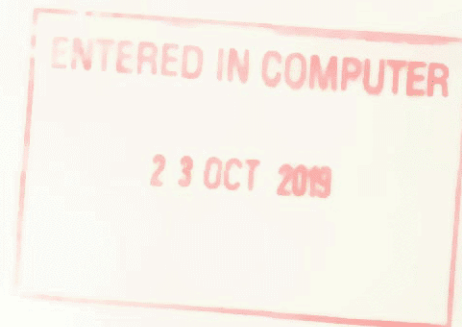
Plans for the development of my property for an extension to my home [REDACTED] was passed by your department and indeed whoever may have owned the ground. My pathing has been sloped accordingly to my main gate. It is imperative that I keep the parking and vehicle access [REDACTED]

I trust you will give this your full attention and consideration and I will have confirmation of this objection.

Mary I Nicoll

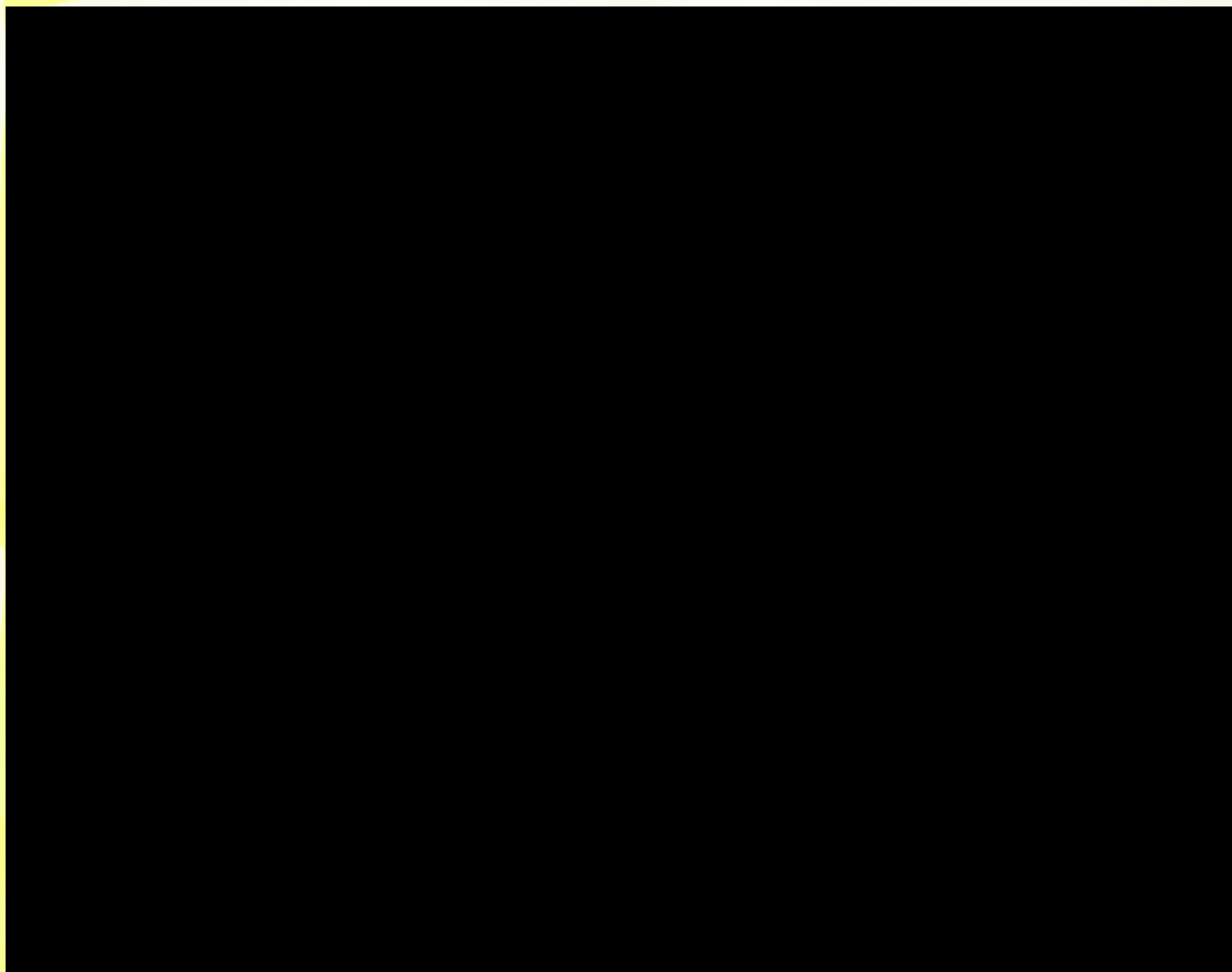
Sent from my iPhone

Sent from my iPhone



Tracy McManamon

From: Shirley Clubley [redacted]
Sent: 23 October 2019 12:09
To: Development Management - Generic Email Account
Subject: Re: Planning Application Reference 19/01453/IPL



> From: Shirley Clubley [mailto:[redacted]]
> Sent: 22 October 2019 22:35
> To: Development Management - Generic Email Account
> Subject: Planning Application Reference 19/01453/IPL
>
> To Development Quality Manager
>
> I am writing to you to register my objection to the proposed erection of a dwelling house on land 30 meters North West of 37 Percy Street Murray Place Stanley.
>
> My main objections to this planning application are listed below.
>
> 1. Accessing my property:
>
> This development would stop any access I have to the rear of my property. I currently have access to my driveway where 2 motor vehicles are parked. I would also note that I have had access to the rear of my property for over 20 years. Due to having access since purchasing the property, i have landscaped the rear of the property to include a driveway and the construction of outbuildings at a considerable cost. There is a possibility that I could construct a

new driveway, however if I put this driveway in i would not be able to access the driveway due to the parked cars at the entrance to Murray Place

>

> 2. Financial Implications:

>

> If this development was to be approved and my access blocked, in order to park my vehicles I would have to demolish the existing driveway and an out building. I would have to construct a new driveway and out building with access from the entrance to Murray Place. This would be a considerable cost and I am not in a position to finance a project of this size.

I believe that preventing my access will impact the value price of my property as a recent reevaluation/home report has increased the value of my property and is a significant selling point. The proposed development would obscure light/sunlight which would also impact the house value and reduce my privacy as it is currently not overlooked by anyone. The current heating system in the property is oil fired central heating. The oil tank is situated at the rear of the property opposite the proposed dwelling. Rear access is required on a by monthly basis for oil delivery. If the development was approved, access would no longer be available which would result in a new heating system having to be installed which would incur financial costs that I am not prepared to pay for.

>

> 3. Safety Implications:

>

> If the development was approved and I was forced to alter the street access to my property, the current congestion at the entrance to Murray Place would make it impossible for me to access my property. Refuse collection requires the bins to be collected at the rear of the property, if the development went ahead and my access was restricted, my refuse bins would need to be positioned on the road at all times which would cause obstruction to traffic and pedestrians. Murray Place and Percy Street are already highly congested, restricting access to multiple property's will further the congestion and considering this is a major school route I feel this would be detrimental to the safety of the community.

>

> I appreciate your due consideration to the points I have raised.

>

> Yours faithfully

>

> Shirley Clubley

>

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>

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>

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	19/01453/IPL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin [REDACTED] [REDACTED]
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 30 Metres North West Of 37 Percy Street, Murray Place, Stanley		
Comments on the proposal	<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 at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Stanley Primary School.</p> <p>Transport Infrastructure</p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> <p>The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning application granted.</p>		
Recommended planning condition(s)	<p>Primary Education</p> <p>CO01 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure or such replacement Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure that the development approved makes a contribution towards increasing primary school provision, in accordance with Development Plan Policy and Supplementary Guidance.</p>		

	<p>Transport Infrastructure</p> <p>CO00 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to transport infrastructure or such replacement Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure that the development approved makes a contribution towards improvements of regional transport infrastructure, in accordance with Development Plan policy and Supplementary Guidance.</p>
Recommended informative(s) for applicant	N/A
Date comments returned	23 October 2019

Comments for Planning Application 19/01453/IPL

Application Summary

Application Number: 19/01453/IPL

Address: Land 30 Metres North West Of 37 Percy Street Murray Place Stanley

Proposal: Erection of a dwellinghouse (in principle)

Case Officer: Joanne Ferguson

Customer Details

Name: Mr Alastair Christie

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Effect on Visual Amenity
- Inappropriate Land Use
- Lack or loss Of Car parking
- Loss Of Sunlight or Daylight
- Loss Of Trees
- Over Intensive Development
- Over Looking
- Traffic Congestion

Comment: I hereby submit my objection to Planning application 19/01453/IPL with regard to the proposed Erection of a dwellinghouse (in principle) on Land 30 Metres North West Of 37 Percy Street Murray Place Stanley.

My Objection to said application is because this would be over development of a site which has not previously been used for residential purposes. The proposed site would be overbearing and overlooking on the many neighbouring properties due to close proximity to same properties, as a result, loss of privacy would be incurred by those neighbouring properties as would vehicular access to several properties.

Ingress of natural daylight to neighbouring properties would be blocked as would outlook from neighbouring properties.

Established trees would have to be removed on boundary of site in order to erect proposed dwellinghouse.

Increased construction traffic use on the access road would cause congestion in Murray Place.

Tracy McManamon

From: James C Christie [REDACTED]
Sent: 24 October 2019 00:53
To: Development Management - Generic Email Account
Subject: Planning Application Ref: 19/01453/IPL - Objection to Planning Application

To the Development Quality Manager.

From Mr JC Christie, [REDACTED]

Dear Sir/Madam

With Reference to Planning Application 19/01453/IPL, I wish to register my objection to the proposed erection of a dwelling house on land 30 metres, North West of 37 Percy Street Murray Place, Stanley. My Reasons for this is as follows:

- Adverse effect on visual amenity
- Inappropriate land use
- Lack or loss of parking
- Loss of open space
- Loss of sunlight or daylight
- Over looking
- Road safety concerns

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25 OCT 2019

Lack or loss of parking

Murray Place is no longer a quiet residential street. Building on this site is ultimately forcing residents, whom have parked their vehicles on this land for more than 40 years to vacate their rightful spots to a car park that is no longer fit for purpose. Vehicle security is at risk in the main car park and bidding for car park spaces at peak times is impossible. Due to historical incidents of vandalism and theft from motor vehicles parked in the main car park, residents, including myself now park immediately outside our homes. Although I have a driveway on my property the knock on effect for myself from any future development would be to install another driveway...an added expense I cannot support.

Loss of sunlight or daylight

During Autumn and Winter when the sun is low in the West any proposed building would cut out any residual sunlight at the end of the day especially to my living room. The sun elevation in mid-winter does not generally rise above 10 degrees in Scotland and therefore can cast long shadows. 'The 25 Degree Rule of Thumb' must be taken into consideration - (Building Research Establishment Report Site Layout for Daylight and Sunlight: A Guide to Good Practice by P J Littlefair) (1991)

Over looking

When I purchased my property, I was unaware that land / open space actually belonged to anyone. This land has sat for ever undeveloped. Now after 17 years I could potentially have someone looking directly into my living room and master bedroom. This is not something I would relish after such along time over looking an empty / open space.

I hope that you take all my comments into thoughtful consideration.

Warm Regards

Clark Christie

Tracy McManamon

From: Helen Trevallion [REDACTED]
Sent: 24 October 2019 22:26
To: Development Management - Generic Email Account
Subject: Planning Objection - Ref:19/01453/IPL.

Dear Sirs,

I hereby submit my objection to the Planning application for the Erection of a dwellinghouse (in principle) on the Land 30 Metres North West Of 37 Percy Street Murray Place Stanley - reference 19/01453/IPL.

This area of land is very narrow and has not been used for residential purposes in the past. It is sandwiched in between houses from Murray Place and Percy Street and is currently used as recreational area and a drying green by the neighbouring houses in Murray Place and as vehicular access by the houses in Murray Place and two houses in Percy Street. As far as I am aware this usage and access has been ongoing with no objections for over 30 years. If vehicular access were to be removed, these cars would have to park somewhere, either on Murray Place, increasing vehicle traffic here, or on Percy Street where cars would be parked opposite the Spar which is already very busy with cars coming and going using the shop.

I also object on the grounds that the house would overlook the properties on Murray Place and Percy Street and, due to the limited space available, it would block natural light from the properties on Murray Place.

Construction traffic would cause problems on the narrow access point on Murray Place as well as issues with noise due to the limited space. I also have concerns regarding the provision of SUDS for the site. The area proposed for the soakaway for surface water is often wet anyway, so if the volume of water drained into this area is substantially increased as proposed I am unsure if this area could cope with this without affecting the land of neighbouring properties.

The proposal to site a house here, in very limited space which does not appear to be owned by the applicant, taking away access and recreational space from neighbouring houses, overlooking and blocking light from properties does not appear to be very in keeping with the surroundings of the village (especially the listed neighbouring buildings on Percy Street) and is not a sensible or sympathetic use of space.

Yours faithfully
Helen Trevallion

Sent from Outlook

To the Development Quality Manager.
From Miss Kirsty Harris and Mr Mark Simpson

Dear Sir/Madam

In reference to the Planning Application 19/01453/IPL, we would like to raise an objection to the proposed erection of a dwelling house on land 30 metres, North West of 37 Percy Street Murray Place, Stanley. Our concerns are as follows:

- Road safety concerns
- Lack or loss of parking
- Some loss of sunlight or daylight

Lack or loss of parking

Murray Place is now a busy residential street and although there is a car park this is no longer fit for purpose as there are not enough spaces for the number of resident's cars and the security of vehicles is at risk within the car park. Due to previous incidents of vandalism and theft from motor vehicles parked in the main car park we all park right outside our homes. This is not ideal as the road is narrow and as a result of this we would like, in future to put a driveway at our house. We are concerned that access to the proposed dwelling house would affect our current parking and the possibility of installing a driveway in the future.

Loss of sunlight or daylight

We are also concerned that the proposed building would affect any natural daylight into our house, especially during the Autumn and Winter months when the sun is low.

I would appreciate if you would give consideration to our concerns.

Kind Regards

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	19/01453/IPL	Comments provided by	Andrew de Jongh Technician – Transport Planning
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 30 Metres North West Of 37 Percy Street, Murray Place, Stanley		
Comments on the proposal	Insofar as the Roads matters are concerned I have no objections to this proposal on the following condition.		
Recommended planning condition(s)	The development shall not commence until the following specified matters have been the subject of a formal planning application for the approval of the Council as Planning Authority: regarding access, car parking, public transport facilities, walking and cycling facilities, the road layout, design and specification (including the disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority (as detailed in the National Roads Development Guide) and to the satisfaction of the Planning Authority.		
Recommended informative(s) for applicant			
Date comments returned	25/10/2019		

2nd from same household.

Tracy McManamon

From: David Trevallion <[REDACTED]>
Sent: 25 October 2019 19:14
To: Development Management - Generic Email Account
Subject: Planning Objection - Ref:19/01453/IPL

Dear Sirs,

I hereby submit my objection to the Planning application for the Erection of a dwellinghouse (in principle) on the Land 30 Metres North West Of 37 Percy Street Murray Place Stanley - reference 19/01453/IPL.

This area of land is very narrow and has not been used for residential purposes in the past. It is sandwiched in between houses from Murray Place and Percy Street and is currently used as recreational area and a drying green by the neighbouring houses in Murray Place and as vehicular access by the houses in Murray Place and two houses in Percy Street. As far as I am aware this usage and access has been ongoing with no objections for over 30 years. If vehicular access were to be removed, these cars would have to park somewhere, either on Murray Place, increasing vehicle traffic here, or on Percy Street where cars would be parked opposite the Spar which is already very busy with cars coming and going using the shop.

I also object on the grounds that the house would overlook the properties on Murray Place and Percy Street and, due to the limited space available, it would block natural light from the properties on Murray Place.

Construction traffic would cause problems on the narrow access point on Murray Place as well as issues with noise due to the limited space. I also have concerns regarding the provision of SUDS for the site. The area proposed for the soakaway for surface water is often wet anyway, so if the volume of water drained into this area is substantially increased as proposed I am unsure if this area could cope with this without affecting the land of neighbouring properties.

The proposal to site a house here, in very limited space which does not appear to be owned by the applicant, taking away access and recreational space from neighbouring houses, overlooking and blocking light from properties does not appear to be very in keeping with the surroundings of the village (especially the listed neighbouring buildings on Percy Street) and is not a sensible or sympathetic use of space.

yours sincerely
David Trevallion

[REDACTED]
Sent from Outlook

ENTERED IN COMPUTER

28 OCT 2019

