

TCP/11/16(301)
Planning Application 13/02264/FLL – Demolition of garage and erection of a dwellinghouse, Hillview, Cockairney, Cleish, KY13 0LQ

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TCP/11/16(301)
Planning Application 13/02264/FLL – Demolition of garage
and erection of a dwellinghouse, Hillview, Cockairney,
Cleish, KY13 0LQ

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD

Tel: 01738 475300

Fax: 01738 475310

Email: onlineapps@pkc.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 000078292-002

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

First Name: *

Last Name: *

Telephone Number: *

Extension Number:

Mobile Number:

Fax Number:

Email Address: *

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

Building Name:

Building Number:

Address 1 (Street): *

Address 2:

Town/City: *

Country: *

Postcode: *

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

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

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

Building Name:	<input type="text" value="Hillview"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Cockairney"/>
Address 2:	<input type="text" value="Cleish"/>
Town/City: *	<input type="text" value="Kinross"/>
Country: *	<input type="text" value="UK"/>
Postcode: *	<input type="text" value="KY13 0LQ"/>

Site Address Details

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

Address 1:	<input type="text" value="Hillview Cockairney"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="Cleish"/>	Town/City/Settlement:	<input type="text" value="Kinross"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="KY13 0LQ"/>
Address 4:	<input type="text"/>		

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

Northing	<input type="text" value="698585"/>	Easting	<input type="text" value="309563"/>
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Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See attached sheet.

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

Yes No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Reasons for the appeal. Design Statement. Location plans, site plans, floor plan, elevations.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

13/02264/FLL

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

16/12/13

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

10/02/14

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist - Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare - Notice of Review

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

Declaration Name: Peter Inglis

Declaration Date: 08/04/2014

Submission Date: 09/04/2014

PROPOSED NEW HOUSE @ 'HILLVIEW', CLEISH, KINROSS.

Reasons for the Appeal

Application no. 13/02264/FLL.

The proposed new dwelling would sit on the site of the current large garage and concrete hard standing serving the house at 'Hillview' which forms part of an established building group.

The building group comprises three dwellings aligned along the west boundary and the garage mentioned above.

The eastern boundary of this triangular site is the B9097 road, which means that the extents are clear and indisputable.

The existing vehicular access to the building group is unaffected by this proposal.

The visual impact of a new house will resemble the scale and position of the existing large garage.

The private amenity ground available to the proposed new house and the existing ground at 'Hillview' are quite similar.

The public rooms in 'Hillview' face west and will be unaffected by the proposed new dwelling.

Regarding the lack of drainage details in the original submission, we understand from the SEPA website that the principal source of phosphorus in the Loch Leven catchment area is from soil erosion. Already, regulatory means have reduced the phosphorus inputs from industrial discharges and sewage disposal by over 70% and we would specify an appropriate Bio-Disc system to achieve the required standard of disposal. Clearly, soil erosion is not an issue here.

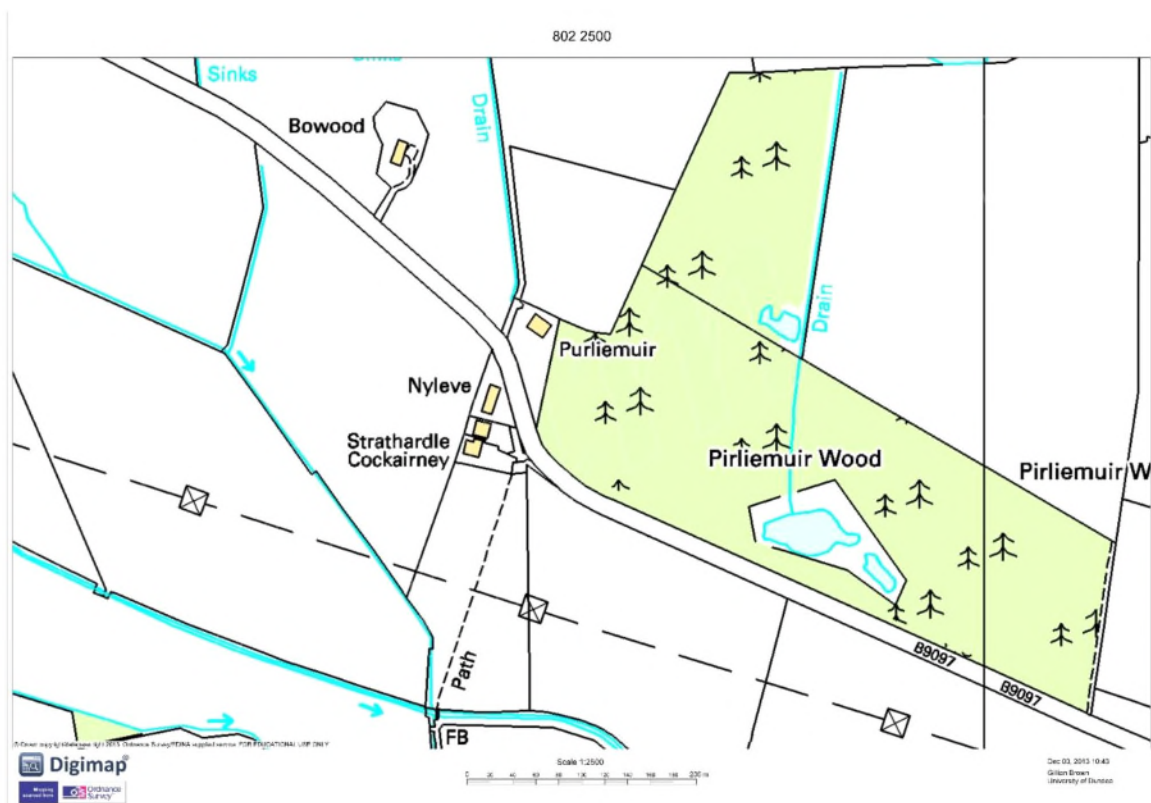
Peter Inglis

April 2014.

PROPOSED DWELLING

HILLVIEW, CLEISH.

This application seeks to remove the double garage that occupies the eastern half of the plot at 'Hillview', Cleish and erect a single storey dwelling thereon.



Location plan.

'Hillview' forms a building grouping with 'Strathardle' and 'Nyleve' and the site is bounded to the east by the B9097.

The new dwelling would share the same access as the other dwellings in the grouping.

The proposed dwelling would be single storey and no taller than the existing garage on the site.

The cladding materials for the dwelling would be facing brick and render which closely relate to the other dwellings.

The new dwelling would be designed to incorporate the latest eco-friendly technology including air-source heating as well as enhanced insulation levels.

The foul drainage system would be through a bio-disc system and the surface water would be taken to a soakaway.



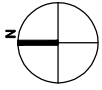
The existing building group.

The remaining garden ground for 'Hillview' would be 175 square metres and for the proposed dwelling 144 square metres.

Two parking spaces would be available to each house.

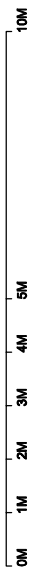
P A Inglis

December 2013.



439

GROUND FLOOR LEVEL
SCALE 1:100



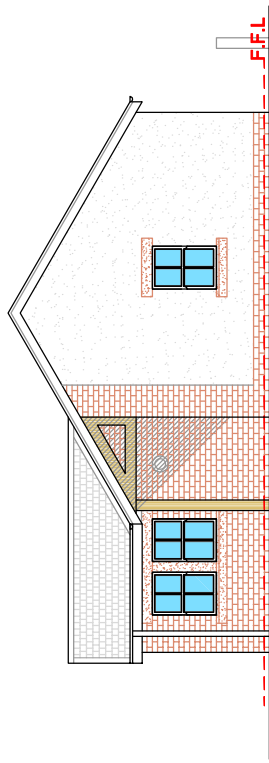
Rev.	Date	Description	SR Initial
A	09.07.2013	GENERAL REVISIONS	SR

Drawn:	SR
Check:	A
Date:	DECEMBER 2013
Scale:	1:100 @ A3

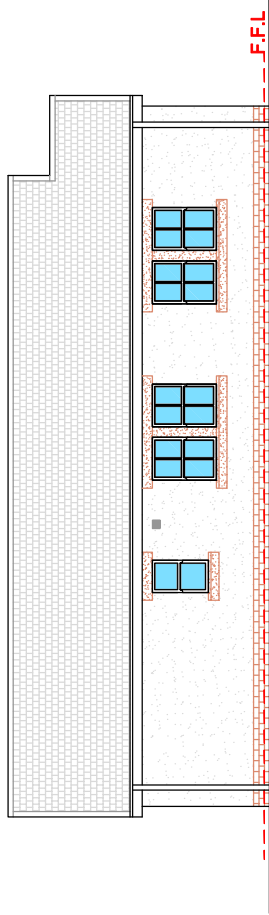
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 Drawing Title: PROPOSED GROUND FLOOR PLAN

Draw No: 802.100.01
 Date: DECEMBER 2013
 Scale: 1:100 @ A3

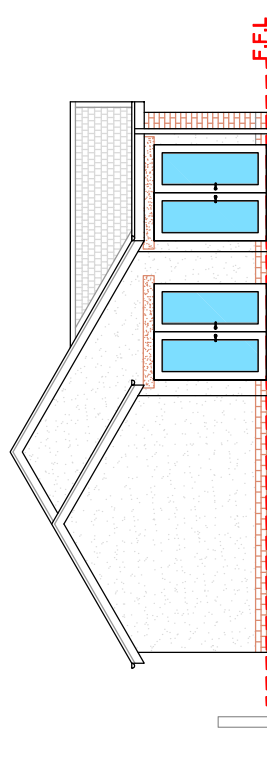
Architect: Peter Ingilis Architects
 Registered Architects
 Chamber of Commerce
 202-758
 Telephone: 01382 56287



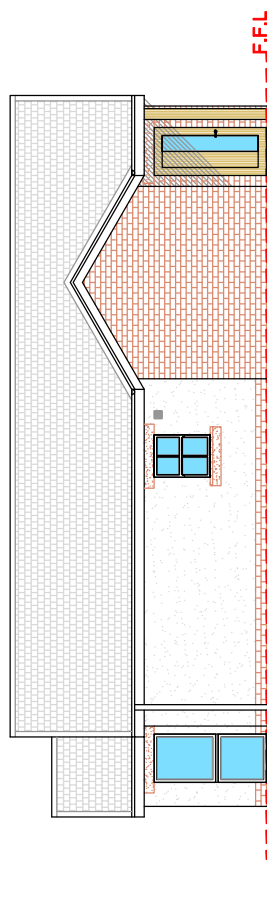
SOUTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100



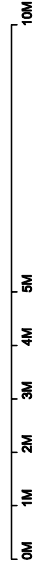
WEST ELEVATION
SCALE 1:100

FINISHING MATERIALS

BASECOURSE WALLS: FORTICRETE SPLIT FACE BLOCK, COLOUR 'YORKSTONE' AND ASHTON CREAM CHIP ROUGHCAST.

ROOF: MARLEY MARQUESS ROOF TILES, COLOUR 'TUSCAN RED', BROWN UPVC RAINWATER GOODS.

WINDOWS & DOORS: BROWN UPVC DOUBLE GLAZED WINDOW UNITS. UPVC DOORS, COLOUR BROWN, WITH TOUGHENED DOUBLE GLAZED PANELS. ALL TO ACHIEVE A U-VALUE OF 1.6W/MPK.



Job Title PROPOSED DWELLING, HILLVIEW, CLEISH, KINROSS, KY13 0LQ	Draw No. 802.100.02	Rev. A	SR
	Date DECEMBER 2013	Drawn. SR	
Drawing Title PROPOSED ELEVATIONS	Scale 1:100 @ A3	Rev. Date A 09.07.2013	GENERAL REVISIONS Description
			SR Initial

Peter Ingilis Architects
 100th Avenue, Unit 21
 Burnaby, BC V5A 2R6
 Telephone: 604.425.5087



SITE BOUNDARY

WOODSIDE HOUSE

B9097

EXISTING WALL

1800MM HIGH CLOSE BOARDED TIMBER FENCE

PRIVATE AMENITY
175MF

SURFACE WATER
SOAKAWAY

F.F.L.
+098.35

PRIVATE AMENITY
144MF

HILLVIEW

EXISTING SEPTIC TANK

EXISTING FENCE

MUTUAL GRAVEL
DRIVEWAY

PERMEABLE
BLOCK PAVING

BAY 01

BAY 02

PROPOSED
SOAKAWAY

PROPOSED
BIO DISC

1200MM HIGH BOUNDARY WALL

+098.10

SHARED
ACCESS

STRATHARDLE



SITE AREA
857M²

SITE PLAN
SCALE 1:200

D 07/01/2014
C 12/12/2013
B 09/07/2013
A 02/08/2010

SR
GB
SR
SR
SR

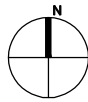
BOUNDARY REVISED
DRAINAGE ADDED
GENERAL REVISIONS
GENERAL REVISIONS
GENERAL REVISIONS

Rev. Date Description



Peter Pinglis Architects
Project: Hill View 21
1001/1002
Bayside
Bayside, VIC 3081
Telephone: 01302 56287

Job Title	PROPOSED DWELLING, HILLVIEW, CLEISH, KINROSS, KY13 0LQ
Drawn Title	PROPOSED SITE PLAN
Draw No.	802.200.01
Date	DECEMBER 2013
Scale	1:200 @ A3
Rev.	D
Drawn	SR



FARMLAND

PIRLIEMUIR

B9091

WOODSIDE HOUSE

HILLVIEW

PIRLIEMUIR WOOD

STRATHARDLE

SITE AREA
836M²

0M 10M 20M 30M 40M 50M 75M

SITE PLAN
SCALE 1:500

Job Title:
PROPOSED DWELLING, HILLVIEW, CLEISH,
KINROSS, KY13 0LQ

Drawing Title:
EXISTING SITE PLAN

442

Dwg No.
802.500.01

Date:
DECEMBER 2013

Scale:
1:500 @ A3

Rev.

Drawn:
SR

Rev. Date

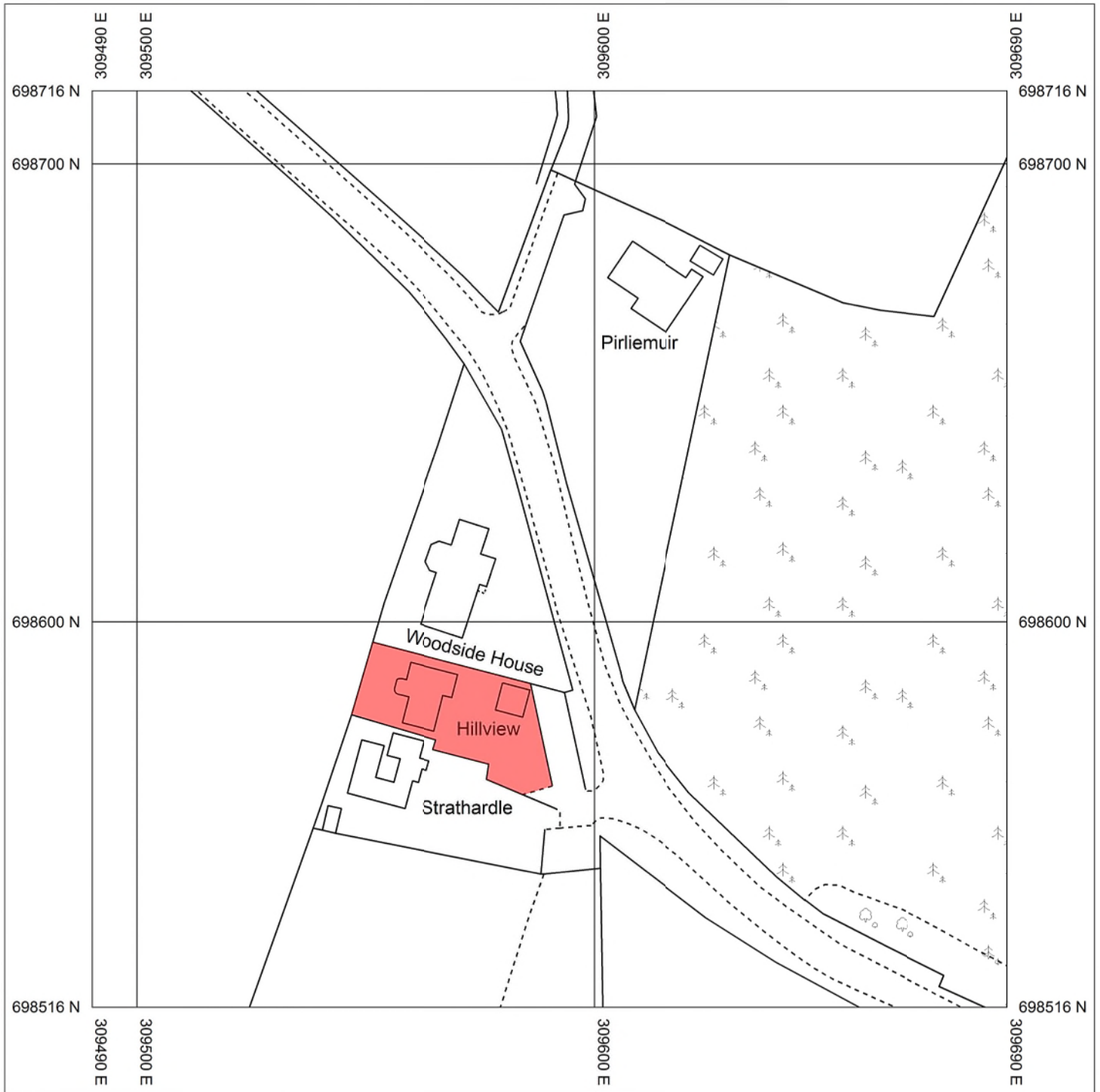
Description

Initial



Peter Inglis Architects
Prospect III Unit 21
Glenis Crescent
Dundee
DD2 1SW

Telephone 01382 562067



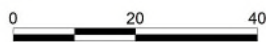
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The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.



Scale 1:1250

Supplied By: **PDQ Dundee**

Serial number: 001105934

Plot Centre Coordinates: 309590, 698616



0M 40M 100M 200M 300M 500M 1:2500

SITE PLAN
SCALE 1:2500

Job Title:
PROPOSED DWELLING, HILLVIEW, CLEISH,
KINROSS, KY13 0LQ

Drawing Title:
LOCATION PLAN

444

Draw No.
802.2500.01

Date:
DECEMBER 2013

Scale:
1:2500 @ A3

Rev.

Drawn:
SR

Rev. Date. Description. Initial.

 **Peter
Inglis**
architects

Peter Inglis Architects
Prospect III Unit 21
Garnock Crescent
Dundee
DD2 1SW
Telephone 01382 562067

TCP/11/16(301)

Planning Application 13/02264/FLL – Demolition of garage and erection of a dwellinghouse, Hillview, Cockairney, Cleish, KY13 0LQ

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENT *(included in applicant's submission, see pages 437-442 and 444)*

PERTH AND KINROSS COUNCIL

Mr Abraham Reid
c/o Peter Inglis Architect
FAO Peter Inglis
Prospect III
Gemini Crescent
Dundee
DD2 1SW

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 10th February 2014

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **13/02264/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 16th December 2013 for permission for **Demolition of garage and erection of a dwellinghouse Hillview Cockairney Cleish Kinross KY13 0LQ** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to policy RD3 of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to comply with any of the categories (2) Infill Sites (3) New Houses in the Open Countryside (4) Renovation or Replacement of Houses (5) Conversion or Replacement of Redundant Non Domestic Buildings and (6) Rural Brownfield Land. The site is located adjacent to an established building group but the size of the site fails to relate to other plots in the vicinity and the location of the plot also fails to relate to the established linear character and building line of the existing group and approval would be of detriment to the visual amenity and established character of the area.

2. The location of the new house and position of an 1800mm high closed boarded timber fence within 4m of the east elevation of Hillview would be of detriment to the residential amenity of Hillview due to loss of outlook. As such the proposal is considered contrary to policy PM1A and RD3 of the Local Development Plan 2014 which both seek to protect the residential amenity of the area.
3. The proposal is contrary to Policy EP7C of the Local Development Plan 2014 as no details of the proposed drainage system have been submitted to demonstrate adequate levels of phosphorus mitigation within the Loch Leven Catchment Area.

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

13/02264/1

13/02264/2

13/02264/3

13/02264/4

13/02264/5

13/02264/6

REPORT OF HANDLING

DELEGATED REPORT

Ref No	13/02264/FLL
Ward No	N8- Kinross-shire

PROPOSAL: Demolition of garage and erection of a dwellinghouse

LOCATION: Hillview Cockairney Cleish Kinross KY13 0LQ

APPLICANT: Mr Abraham Reid

RECOMMENDATION: REFUSE THE APPLICATION

SITE INSPECTION: 23 January 2014

OFFICERS REPORT:

Full planning consent is sought for the demolition of a domestic garage and the erection of a dwellinghouse at Hillview, Cockairney to the north of Cleish. The application site is effectively the front garden of Hillview (to the east of the house) which sits as the central house in a small group of three properties with Woodside House to the north and Strathardle to the south. The proposed house is a 3 bedroom bungalow with an L shaped footprint. The finishing materials include marley roof tiles, cream roughcast and facing block. The rainwater goods and windows are proposed to be brown upvc.

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 as amended by Planning Etc (Scotland) Act 2006 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. 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. The most relevant policies of the Local Development Plan 2014 are outlined in the policy section below.

Principle

The Housing in the Countryside Guide 2012 sets out the categories and criteria upon which any residential development in the countryside would be assessed against. The most relevant category is the building group category. The proposal does not comply with any of the other categories within the guide

In relation to the building groups category this states that consent will be granted for houses which extend a group into a definable site formed by existing topography and/or well established landscape features which provide a suitable setting. It can be argued that this proposal does extend the existing building group of 3 houses into a definable site created by the established boundaries of the existing property. However this category also requires all proposals to respect the character, layout and building pattern of the group. The existing group has a very clear building pattern with each of the three properties following a similar building line from north to south set back from the bend on the public road. This building line establishes the linear

character of this small building group and gives the grouping a clear relationship with the public road. The erection of a house to the east of Hillview fails to relate to the established character and layout and extends the grouping beyond the clearly defined building line to the detriment of the character, layout and visual amenity of the area. This is a particular concern given the sites visibility from the public road. As such the proposal fails to meet the relevant criteria in relation to building groups. Furthermore the application site is significantly smaller than the established plot sizes within this small building group which would only serve to further undermine the character of the area.

It is noted that this proposal relates to the replacement of an existing domestic garage. As indicated during pre application discussions I do not consider the fact that the existing garage is being replaced to add any weight to a recommendation of approval of this application as this Housing in the Countryside Guide does not allow for the replacement of domestic buildings with housing. The existing garage building is smaller in scale than the main group and can be easily identified as an ancillary building due to its scale and therefore has a very different character to the main group of housing.

Residential Amenity

The proposed house allows for a reasonable level of private amenity space and leaves the existing house with an appropriate level of amenity space. The proposal does, however result in window to boundary distance from the existing house to the proposed boundary of only 4 metres and in my view the creation of an 1800mm fence to the east of the front (east) elevation of the existing house would be very oppressive in nature and be detrimental to the outlook of the existing house.

Furthermore the patio door serving the kitchen/dining area on the north elevation sits within approximately 4.4m of the boundary with Woodside House to the north. This patio door would result in overlooking to the neighbour to the north. Whilst the front garden area of Woodside house would be overlooked the windows on their front (east) elevation are approximately 19m from the patio door and as such I believe this distance would mitigate any concerns in relation to overlooking. Overall, however I consider the proposed house to be of detriment to the residential amenity of Hillview to the west.

Design

The design is relatively simple. The scale of the house relates to the established character of the area with the three existing properties in the building group all bungalows. The tiled roof and brown upvc windows also relate to the materials on the existing houses. I therefore have no concerns in regard to the design of the house.

Access

The house is proposed to use the existing access off the B9097 which serves the three existing houses. Transport Planning have indicated that the access is capable of accommodating the additional traffic which would be generated by this proposal. It is also noted that the site can just accommodate the required two car parking spaces and turning area and as such Transport Planning offer no objection.

Education

Cleish Primary School is currently considered to be at capacity and as such the Developer Contributions Guidance Note in relation to Primary Education would apply in this instance and a contribution of £6395 would be required.

Drainage

It is proposed to connect the house to a private drainage system. The application site is located within the Loch Leven Catchment Area and as such Policy EP7 of the LDP requires each application to include details of the proposed method of drainage to ensure suitable phosphorous mitigation. No evidence of phosphorus mitigation have been included with the application and as such the proposal is also considered contrary to Policy EP7C of the LDP.

Contamination

The proposed development is south east of an area of land that was once an old quarry. Although disused for a long time, the original size and depth of the quarry is unknown, as is the material used to infill the quarry after work there ceased. There is therefore the potential for localised ground gas production that could possibly impact on any residential properties being built close by.

There is also the possibility of contaminants being present in the fill therefore a full ground risk assessment should be carried out prior to building commencing. A suitably worded condition could cover this aspect.

Economic Development

The development of the house will have limited impact on the economy of the area other than the granting of a construction contract for the build.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, it is clear that the proposal does not comply with 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 recommend for refusal.

NATIONAL GUIDANCE

Scottish Planning Policy 2010

This SPP is a statement of Scottish Government policy on land use planning and contains:

- the Scottish Government's view of the purpose of planning,
- the core principles for the operation of the system and the objectives for key parts of the system,
- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,

- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

DEVELOPMENT PLAN

Tayplan: Strategic Development Plan 2012-2032

No strategic policies of relevance

Local Development Plan 2014

PM1: Placemaking

PM1A

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

PM1B

All proposals should meet the placemaking criteria set out.

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.

RD3: Housing in the Countryside

The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

EP7C Loch Leven Catchment

Unless mitigation measures can be implemented that are capable of removing 125% of phosphorus likely to be generated by the development from the catchment, the proposal will be refused.

EP12: Contaminated Land

The creation of new contamination will be prevented. Consideration will be given to proposals for the development of contaminated land where it can be demonstrated that remediation measures will ensure the site / land is suitable for the proposed use.

OTHER POLICIES

Housing in the Countryside Guide 2012

A revised Housing in the Countryside Policy was approved by the Council in 2012. The policy applies over the whole local authority area of Perth and Kinross except where a more relaxed policy applies at present. In practice this means that the revised policy applies to areas with other Local Plan policies and it should be borne in mind that the specific policies relating to these designations will also require to be complied with. The policy aims to:

- Safeguard the character of the countryside;
- Support the viability of communities;
- Meet development needs in appropriate locations;
- Ensure that high standards of siting and design are achieved.

Planning Guidance Note: Primary Education and New Housing Development 2012

This developer contributions policy was approved by the Council on 6 May 2009 and has recently been updated in November 2012. The policy applies over the whole local authority area of Perth and Kinross. This guidance sets out the basis on which Perth and Kinross Council will seek to secure contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements necessary as a consequence of development.

SITE HISTORY

02/02000/OUT Erection of a single storey dwellinghouse (in outline) on 6 February 2003 Application Withdrawn

03/01185/OUT Erection of a dwellinghouse (in outline) at 8 January 2004 Application Permitted

04/02350/REM Erection of a dwellinghouse and garage 3 March 2005 Application Permitted

CONSULTATIONS/COMMENTS

Transport Planning	No objection subject to condition
Education And Children's Services	Contribution required
Scottish Water	No objection
Environmental Health	Contaminated land condition recommended

TARGET DATE: 16 February 2014

REPRESENTATIONS RECEIVED:	Yes
Number Received:	Four
Summary of issues raised by objectors:	
Access	
Drainage	
Out of character with area	
Residential amenity/overlooking	
Response to issues raised by objectors:	See officer's report
Additional Statements Received:	Not required
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
Legal Agreement Required:	Not required
Summary of terms	Not required
Direction by Scottish Ministers	Not required

Reason for Refusal:-

- 1 The proposal is contrary to policy RD3 of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to comply with any of the categories (2) Infill Sites (3) New Houses in the Open Countryside (4) Renovation or Replacement of Houses (5) Conversion or Replacement of Redundant Non Domestic Buildings and (6) Rural Brownfield Land. The site is located adjacent to an established building group but the size of the site fails to relate to other plots in the vicinity and the location of the plot also fails to relate to the established linear character and building line of the existing group and approval would be of detriment to the visual amenity and established character of the area.
- 2 The location of the new house and position of an 1800mm high closed boarded timber fence within 4m of the east elevation of Hillview would be of

detriment to the residential amenity of Hillview due to loss of outlook. As such the proposal is considered contrary to policy PM1A and RD3 of the Local Development Plan 2014 which both seek to protect the residential amenity of the area.

- 3 The proposal is contrary to Policy EP7C of the Local Development Plan 2014 as no details of the proposed drainage system have been submitted to demonstrate adequate levels of phosphorus mitigation within the Loch Leven Catchment Area.

Justification

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

Notes

None

TCP/11/16(301)

Planning Application 13/02264/FLL – Demolition of garage and erection of a dwellinghouse, Hillview, Cockairney, Cleish, KY13 0LQ

REPRESENTATIONS

- Objection from Dr and Mrs Alcock, dated 21 December 2013
- Objection from Jean Blackwood, dated 27 December 2013
- Objection from Mr and Mrs Haworth, dated 30 December 2013
- Objection from Mr and Mrs Savage, dated 5 January 2014
- Representation from Education and Children’s Services, dated 7 January 2014
- Representation from Regulatory Service Manager, dated 9 January 2014
- Representation from Scottish Water, dated 15 January 2014
- Representation from Transport Planning, dated 29 January 2014

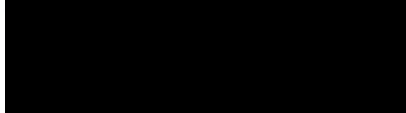
OW

Dr James Alcock MBE

RECEIVED

24 DEC 2013

Bowood House,
Cleish
Kinross
KY13 0LQ



Development Management.
Perth & Kinross Council.
Pulley House
35 Kinnoull St
Perth.
PH1 5GD.

ENTERED IN COMPUTER
03 JAN 2014

21st December 2013

Dear Sirs,

Ref. 13/02264/FLL
Proposal to erect a dwelling house adjacent
to Hillview, Cockairney Terrace Cleish.

This proposal should in my opinion be
rejected. on the following grounds.

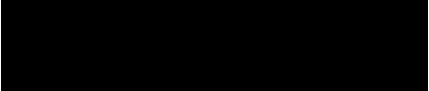
- ① The site is too small to accept more dwellings
- ② The proposal is completely out of character with nearby residences.
- ③ Access to this site is already inadequate there are three properties, all with several vehicles on a bad double bend with one access point. The proposal of this development has himself commercial business traffic as well as private vehicles and trailers.

Please keep me informed

Yours sincerely



These comments are supported by me, Fiona M Alcock
living at the above address



JW .

Tracy McManamon

From: JEAN BLACKWOOD [REDACTED]
Sent: 27 December 2013 12:37
To: Development Management - Generic Email Account
Subject: Planning Application 13/02264/FLL

Dear Perth & Kinross Planning & Registration,

Planning Application 13/02264/FLL

This application is not in-keeping as a rural dwelling, as the existing three houses in this plot are already the maximum size suitable for this plot. Another additional dwelling would make the plot look very cramped.

The shared access to the existing middle property would be difficult. The plot access being from a bend in the B9097 which carries a significant amount of heavy traffic.

Regards,
Mrs Jean Blackwood
Pirliemuir
Cleish
Kinross
KY13 0LQ



OW

Tracy McManamon

From: David Haworth [REDACTED]
Sent: 30 December 2013 15:04
To: Development Management - Generic Email Account
Subject: re: Planning application Hillview. 13/02264/FLL

Planning application Hillview. 13/02264/FLL

Dear Sir/Madam,

We are writing with our comments on the proposed house development at Hillview. In our opinion there is not sufficient space for another house on this plot and the end result would look out of place with the other properties in the area. We would object because this would not be an appropriate development for the area.

The proposed house is not in the building line and because of this the public rooms would overlook the front of our house, in particular it will look directly into our main bedroom at quite close range, which we find unacceptable and would object.

From the plans it would appear that parking will be very limited. The vehicles may not be able to turn round and may have to reverse out onto our access road, which is not ideal. There would appear to be little space for visitor parking. Our concern is that cars may park in the access road and block access to our house which would be unacceptable and we would object.

Each house will need an oil storage tank and this is not shown on the plan. There is little space left for oil storage without further limiting car parking.

We believe the site plan does not show the present situation correctly with regard to our entrance. Our entrance gates line up with the existing wall along the shared access road. The plans for the new house show that the wall would be moved roughly 2 metres nearer to the road. Our own entrance gates would then need to be moved in order to maintain access for larger vehicles such as oil delivery tankers and emergency vehicles. One tree overhanging our access road will have to be removed or severely pruned.

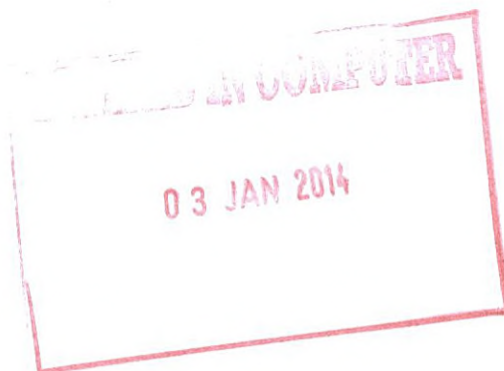
We see that in preliminary discussion with planning it was suggested that this development would be "Contrary to Housing in the Countryside Policy" which reinforces our view that this development is not appropriate for the area.

Regards,

Mr David Haworth

Mrs Linda M Haworth

Woodside House
Cockairney Feus,
Cleish
Kinross
KY13 0LQ,



TW

Tracy McManamon

From: Frank Savage [REDACTED]
Sent: 05 January 2014 19:57
To: Development Management - Generic Email Account
Cc: Joan Savage
Subject: Comment on Planning application Ref 13/02264/FLL

Comment on Planning application Ref 13/02264/FLL

Thank you for your notice to us, as owners of land within 20 meters of of the site the above referred planning permission application.

We share an existing biodisc with Hillview, referred to on the SITE PLAN (13/02264/5 as the "existing septic tank" sited within Hillview. The control system for this biodisc is located within the existing garage at Hillview which we note is proposed be demolished.

If this were to take place we would object unless controlled by a planning condition to ensure the suitable relocation of the control system for the biodisc which we share with Hillview.

Joan Savage
Frank Savage

Strathardle
Cockairney Feus
Cleish Kinross KY130LQ



Memorandum

To	Nick Brian Development Quality Manager	From	Janette Clark Information Assistant
Your ref	13/02264/FLL	Our ref	
Date	07 January 2014	Tel No	(4) 76308

Education & Children's Services

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Planning Application Ref No 13/02264/FLL

This development falls within the Cleish Primary School catchment area.

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

Approved capacity	64
Highest projected 7 year roll	57
Potential additional children from this and previously approved/yet to be determined applications	10
Possible roll	67
Potential % capacity	104.3%

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

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

Memorandum

To	Development Quality Manager	From	Regulatory Service Manager
Your ref	13/02264/FLL	Our ref	SAL
Date	09 January 2014	Tel No	01738 476476

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Demolition of garage and erection of a dwellinghouse Hillview Cockairney Cleish Kinross KY13 0LQ for Mr Abraham Reid

I refer to your letter dated 7 January 2014 in connection with the above application and have the following comments to make.

Water (assessment date – 09/01/14)

Recommendation

I have no objections to the application.

Comments

The application relates to the demolition of a garage and erection of a dwellinghouse; the applicant has stated that Public Mains water will be used at the development, therefore it is our understanding that no existing private water supplies will be affected by the proposed activities so we have no comment at this time.

Contaminated Land (assessment date – 09/01/2014)

Recommendation

The proposed development is south east of an area of land that was once an old quarry. Although disused for a long time, the original size and depth of the quarry is unknown, as is the material used to infill the quarry after work there ceased. There is therefore the potential for localised ground gas production that could possibly impact on any residential properties being built close by.

There is also the possibility of contaminants being present in the fill therefore a full ground risk assessment should be carried out prior to building commencing.

I therefore recommend the following condition be applied to the application.

Condition

Development should not begin until a scheme to deal with the contamination on the site has been submitted to and approved in writing by the planning authority. The scheme shall contain proposals to deal with the contamination to include:

- I. the nature, extent and type(s) of contamination on the site
- II. measures to treat/remove contamination to ensure the site is fit for the use proposed
- III. measures to deal with contamination during construction works
- IV. condition of the site on completion of decontamination measures

Before any residential unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the planning authority. Verification that the schemes proposals have been fully implemented must also be submitted to the planning authority.

SA

15th January 2014



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

SCOTTISH WATER

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

Customer Support Team
T: 0141 414 7660
W: www.scottishwater.co.uk
E: individualconnections@scottishwater.co.uk

Dear Sir Madam

PLANNING APPLICATION NUMBER: 13/02264/FLL
DEVELOPMENT: Kinross Cleish Hillview Cockai
OUR REFERENCE: 647132
PROPOSAL: Demolition of garage and erection of a dwellinghouse

Please quote our reference in all future correspondence

In terms of planning consent, Scottish Water does not object to this planning application. However, please note that any planning approval granted by the Local Authority does not guarantee a connection to our infrastructure. Approval for connection can only be given by Scottish Water when the appropriate application and technical details have been received.

Glendevon Water Treatment Works currently has capacity to service this proposed development.

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

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

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

Should the developer require information regarding the location of Scottish Water infrastructure they should contact our Property Searches Department, Bullion House, Dundee, DD2 5BB. Tel – 0845 601 8855.

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

Yours faithfully

597208

Stephen Scully
Customer Connections Administrator
Tel: 0141 414 7260



The Environment
Service

MEMORANDUM

To	John Williamson Planning Officer	From	Niall Moran Transport Planning Technician Transport Planning
Our ref:	NM	Tel No.	Ext 76512
Your ref:	13/02264/FLL	Date	29 January 2014

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

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, - ROADS (SCOTLAND) ACT 1984

With reference to the application 13/02264/FLL for planning consent for:- **Demolition of garage and erection of a dwellinghouse Hillview Cockairney Cleish Kinross KY13 0LQ for Mr Abraham Reid**

This application is for an additional house utilising an existing access from the B9097 which can accommodate the small amount of additional traffic likely to be generated by this development. While the proposed site layout for both the existing house and the new house are restricted in terms of parking and turning, it does appear that the minimum requirement of 2 parking spaces and turning facilities can be accommodated within the overall site.

Therefore, insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied, in the interests of pedestrian and traffic safety.

- Prior to the occupation or use of the approved development turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
- Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.

I trust these comments are of assistance.

