

**TCP/11/16(370)**  
**Planning Application 14/02019/FLL - Erection of**  
**replacement dwellinghouse Site Of Former Callelochan,**  
**Acharn**

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**TCP/11/16(370)**  
**Planning Application 14/02019/FLL - Erection of**  
**replacement dwellinghouse Site Of Former Callelochan,**  
**Acharn**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**







Pullar House 35 Kinnoull Street Perth PH1 5GD

Tel: 01738 475300

Fax: 01738 475310

Email: [onlineapps@pkc.gov.uk](mailto: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 000125535-001

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

## Applicant or Agent Details

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

☐ Applicant ☒ Agent

### Agent Details

Please enter Agent details

Company/Organisation: MBM Planning & Development

Ref. Number:

First Name: \*

Last Name: \*

Telephone Number: \*

Extension Number:

Mobile Number:

Fax Number:

Email Address: \*

MBM Planning & Development

Mark

Myles

01738 450506

mm@mbmplanning.co.uk

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

Building Name:

Building Number:

Address 1 (Street): \*

Address 2:

Town/City: \*

Country: \*

Postcode: \*

Algo Business Centre

Glenearn Road

Perth

UK

PH2 0NJ

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mrs"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="Karen"/>
Last Name: *	<input type="text" value="Kelly"/>
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="The Whyte House"/>
Building Number:	<input type="text" value="103"/>
Address 1 (Street): *	<input type="text" value="Strawberry Vale"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Twickenham"/>
Country: *	<input type="text" value="United Kingdom"/>
Postcode: *	<input type="text" value="TW1 4SJ"/>

## 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="Callelochan Farm"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="Acharn"/>	Town/City/Settlement:	<input type="text" value="Aberfeldy"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="PH15 2HU"/>
Address 4:	<input type="text"/>		

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

Northing	<input type="text" value="742299"/>	Easting	<input type="text" value="271924"/>
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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)

Erection of replacement dwellinghouse

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

Please refer to Notice of Review Statement dated July 2015 and also associated Design Review Statement from architect in response to 2nd reason for refusal

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)

Notice of Review Statement; Design Review Statement; Supporting letter from neighbour (Mr Malone); Planning Application forms; Refused Plans; Floor Plans of existing buildings; DM Hall Survey Report; Design Statement; Report of Handling and Decision Notice.

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

14/02109/FLL

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

05/12/14

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

28/05/15

## Review Procedure

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

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

☐ Yes ☒ No

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

Please select a further procedure \*

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? \* (Max 500 characters)

To assess whether the existing building is worthy of retention, the ground levels across the site, the landscape setting of the site and the plans of the proposed replacement dwellinghouse

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

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Prior notification required to ensure access gate is unlocked

## Checklist - Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

## Declare - Notice of Review

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

Declaration Name: Mark Myles

Declaration Date: 08/07/2015

Submission Date: 08/07/2015





## **Notice of Review Statement**

**Erection of Replacement Dwellinghouse at  
Callelochan, Acharn**

**For Mrs K Kelly**

**July 2015**

## **1. Introduction**

- 1.1 This statement should be read in conjunction with the Notice of Review submitted on behalf of Mrs K Kelly for the erection of a replacement dwellinghouse on land at Callelochan, Acharn.
- 1.2 The Notice of Review relates to a planning application that was submitted by CASA Architects in December 2014 (14/02109/FLL).
- 1.3 The proposal requires to be considered under the terms of the development plan policy (in particular Policies PM1B Placemaking and RD3 – Housing in the Countryside of the Perth & Kinross Local Development Plan 2014) but also the revised Housing in the Countryside Policy that was approved as Supplementary Guidance by Perth & Kinross Council (November 2012) as well as the advice contained within Scottish Planning Policy and related Advice Notes.
- 1.4 For the reasons set out in this statement it is considered that the proposal complies with the key policies within the Local Development Plan and the other material considerations also add weight in support of a positive decision.



## 2. Development Plan Policy

- 2.1 Section 25 of the Town & Country Planning (Scotland) Act 1997 (as amended) requires all proposals to be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.
- 2.2 In this case the relevant development plan consists of the Tayplan Strategic Development Plan 2012 (for which there are no directly relevant policies) and the Perth & Kinross Local Development Plan (PKCLDP) – February 2014.
- 2.3 In terms of other material considerations, the council's Housing in the Countryside Policy (approved in November 2012) is the most significant in terms of the detailed criteria it contains for assessing this type of proposal. In addition Scottish Planning Policy (June 2014) and Planning Advice Note 72 – Housing in the Countryside are also considered to be of relevance.
- 2.4 The principle of erecting a house on this site is required to be considered under the terms of Policy RD3 – Housing in the Countryside in the adopted PKCLDP. That policy allows for the erection of individual houses in the countryside which fall into certain categories i.e.
- (1) Building Groups.
  - (2) Infill sites.
  - (3) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.
  - (4) Renovation or replacement of houses.**
  - (5) Conversion or replacement of redundant non-domestic buildings.
  - (6) Rural brownfield land.
- 2.5 Of the 6 categories contained within policy RD3, this proposal requires to be assessed under the terms of Category 4 – *renovation or replacement of houses*.
- 2.6 More detailed guidance on the interpretation of category 4 is provided within the associated Supplementary Guidance which is explained further in Section 3 of this statement.
- 2.7 Policy PM1B in the PKCLDP also requires to be considered which requires all development to contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. Aspects of Policy PM1B are then also covered in the criteria listed in the Housing in the Countryside Supplementary Guidance.
- 2.8 As this is a full planning application any requirement for developer contributions e.g. education, would also require to be resolved at this stage (as referred to by Policy PM3 of the PKCLDP and the Developer Contributions Supplementary Guidance 2014). However no contributions have been identified as being necessary in this case.

### **3 Material Considerations**

3.1 In addition to the development plan policy referred to in section 2, the other material considerations which require to be considered as part of the assessment of this Notice of Review are as follows;

- Scottish Planning Policy - June 2014
- Planning Advice Note 72 – Housing in the Countryside – February 2005
- Perth & Kinross Council – Housing in the Countryside Policy – November 2012.

#### **Scottish Planning Policy**

3.2 SPP is an important material consideration in the determination of this case as its publication post dates the adopted PKCLDP.

3.3 Paragraph 75 of SPP confirms that the planning system should encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

3.4 Under the subject heading of Promoting Rural Development, Scottish Planning Policy paragraphs 81 advocates that ‘plans and decision making should generally set out the circumstances in which new housing outwith settlements may be appropriate, avoiding the use of occupancy conditions.’

3.5 Paragraph 83 also highlights that ‘plans and decision making should include provision for small scale housing and other development which supports sustainable economic growth in a range of locations, taking account of environmental protection policies and addressing issues of location, access, siting, design and environmental impact. Where appropriate allowance should also be made for construction of single houses outwith settlements provided they are well sited and designed to fit with local landscape character and there should be no need to impose occupancy restrictions on housing.’

#### **Planning Advice Note 72 – Housing in the Countryside**

3.6 PAN 72 – Housing in the Countryside was published in February 2005. It predates the publication of SPP and PKCLDP but it is still of relevance as it highlights the opportunities that exist from the changing circumstances created by the rise in the number of people wishing to live in the countryside.

3.7 The document refers to important criteria such as design, landscape setting, layout and access. The PAN states that the *‘overall aim should be to ensure that new housing is carefully located, worthy of its setting, and is the result of an imaginative, responsive and sensitive design process.’*

- 3.8 The PAN concludes by stating that *'there will continue to be a need for new houses in the countryside and this demand will have to be accommodated. This change can be positive, if it is well planned. The location and appearance of each new house must be determined with care and thought, as short term thinking can have a long term impact on the landscape.'*
- 3.9 The advice within PAN72 was published many years before the existing PKCLDP was adopted but the council's Housing in the Countryside Policy – November 2012, acknowledges that the council is keen to assist opportunities for housing in rural areas in accordance with PAN 72.

### **Perth & Kinross Council – Housing in the Countryside Policy**

- 3.10 Perth & Kinross Council approved their current Housing in the Countryside Policy in November 2012 which replaced the previous policy that had been adopted in August 2009. This supplementary guidance therefore forms the key consideration on which to assess this proposal.
- 3.11 Of the 6 section contained within the 2012 policy (and Policy RD3), it is considered that this proposal requires to be assessed under the terms of Section 4 – renovation or replacement of houses. The key focus for the decision on this proposal is therefore criteria c) of Section 4 which states replacement houses will be permitted;
- c) Only if it can be demonstrated that the existing house is*
- i) **Either** not worthy of retention,*
  - ii) **Or** is not capable of rehabilitation at an economic cost,*
- 3.12 Proposals for a new house under category 4 must also be of a high quality design appropriate to its setting and surrounding area (criteria d) and the siting of the new house should be similar to that of the existing building in terms of orientation and distance from the road (criteria f).
- 3.13 Accordingly the proposal is considered to be fully justified on the basis that the proposal is in accordance with the council's revised housing in the countryside policy and also satisfies each of the siting and design criteria contained within the 2012 policy.

#### 4 Assessment of PKC Decision

- 4.1 When considering the 1<sup>st</sup> reason for refusal, the Report of Handling for the planning application correctly identifies the only potential category that this proposal could be accepted under as being Policy RD3 (Section 4c) as set out in section 3 above.
- 4.2 The key consideration under section 4c) is therefore whether the existing house is worthy of retention (4 c) i). Policy 4 c) states '*Only if it can be demonstrated that the existing house is i) **either** not worthy of retention, ii) **or** is not capable of rehabilitation at an economic cost' will replacement be permitted.* The two criteria listed under policy 4 c) are clearly written as '**either or** criteria. In other words an assessment under subsection ii) would **only** ever be required if the existing house is considered to be worthy of retention.
- 4.3 The architect had provided sufficient justification in support of the original planning application along with the evidence contained within the DM Hall report (copy attached) to further demonstrate that the existing house is not worthy of retention in compliance with policy 4 c i).
- 4.4 The DM Hall report highlights a number of problems regarding the condition of the building, backing up the justification for demolition in the design statement prepared by CASA Architects. The sections of the report entitled '*Dampness, Rot and Infestation*' and '*Roofing including Roof Space*', both category 3, which affects both internal and external timbers are of particular concern. To repair these defects would involve substantial stripping back of the internal wall linings, floor and external roof finishes to gain access to renew or repair. From experience very little of the building would remain after these procedures. The architect demonstrated this at a meeting with the planning officer by providing details of a similar project.
- 4.5 Only a part of the house is traditional in construction, it has been altered and extended unsympathetically on a number of occasions in the past, it does not contribute positively to the landscape character of the area and it does not relate to other buildings due to its remote location. The modern incongruous flat roof north extension obliterates the original building as viewed from Loch Tay and also the northern shores of the Loch.
- 4.6 There is nothing within Policy RD3 or the supplementary guidance on housing in the countryside that actually defines or provides a detailed interpretation of what is meant by **not worthy of retention**. It is therefore open to some interpretation and in this case it is considered that the original DM Hall report, along with the architects explanations provided in the original planning application highlighting the poor condition of the existing property combined with the manner in which it has been unsympathetically altered in the past

provides sufficient justification to confirm that the existing building is not worthy of retention.

- 4.7 On this basis there is therefore no requirement to then also meet the 2<sup>nd</sup> criteria concerning 'rehabilitation at economic cost' which the appointed officer has incorrectly interpreted as being the primary requirement of the policy. The appointed officer clearly believes that both aspects of the Section 4 c require to be met which is simply not the case when the policy is clearly worded as an **either; or** policy. The appointed officer has instead interpreted this policy to read if the existing house is not worthy of retention **AND** is not capable of rehabilitation at an economic cost; which is not what the policy stipulates.
- 4.8 Upon visiting the site and inspecting the suitability of the existing buildings being retained and converted to form one house and also incorporating the adjoined and detached sheds, it is evident that the existing differing levels across the site and also within the different buildings would make this difficult and overly expensive (especially in light of the sloping nature of the adjacent sheds floor) to convert in trying to balance out these levels. The existing floor plans are appended for background information.
- 4.9 When assessing the criteria listed in Policy PM1B of PKCLDP in combination with the other siting and design criteria set out in HICP 2012, and specifically addressing the 2<sup>nd</sup> reason for refusal, it is evident that the site is set within a mature and robust landscape framework which is perfectly capable of absorbing the development. The proposal blends in sympathetically with the land form, it would not occupy a prominent, skyline, top of slope location, utilises an identifiable site with long established boundaries, and uses existing trees/landscaping to provide a suitable backdrop, setting and sense of enclosure. The proposed house would be well screened from the surrounding area and wouldn't have any adverse impact on the wider landscape.
- 4.10 The architect had provided a design statement in support of the application to address all aspects concerning the council's placemaking policy guidance and council's guidance on Siting and Design of Housing in Rural Areas. The architect has also prepared a separate appendix to be read in conjunction with this statement that specifically address the 2<sup>nd</sup> reason for refusal and the appointed officer's assertion that the proposed replacement house does not complement its surroundings in terms of appearance, design, scale and massing.
- 4.11 There would be no impact to the amenity of the surrounding area as the access to the proposed replacement house would be taken direct from the public road as per the existing and it is noted that no objections were received from Transport Planning.

- 4.12 The report of handling suggests that the proposal would result in minimal economic impact. This is not the case as the intention of the applicant (as was stated in the design statement) is that the house would also be available for tourist related activity by renting as a high end holiday let thus having a clear positive economic impact on the local area.
- 4.13 It should also be noted that no objections were received from any third party or from the Local Community Council. A letter of support for this proposal has also since been received from Mr A Malone (copy attached) who lived in the property for a period of 5 years and who has highlighted a number of issues associated with the poor quality fabric and structure of the existing building.
- 4.14 The proposal is therefore considered to be in accordance with Section 4c) i) of the Housing in the Countryside Policy as the information submitted in support of the application had shown that the existing building is not worthy of retention. It is also considered to be consistent with all of the criteria listed in Policy PM1B of the LDP for the reasons set out in the architects design statement and also the separate appendix to this statement.

## **5 Conclusions**

- 5.1 The proposal seeks consent to erect a replacement house under the terms of Policy RD3 d) and section 4 c) i) of the council's supplementary guidance on housing in the countryside.
- 5.2 For the reasons set out in this statement and the accompanying information it is considered that there are sufficient and justifiable reasons for allowing the proposed replacement house as it would be consistent with the key policy considerations (policy RD3 in the adopted local plan) and renovation or replacement of houses category of the council's Housing in the Countryside Policy 2012.
- 5.3 The development will not impact on the amenity of any other property and suitable access to the public road would be provided. The proposal can also be considered to be consistent with all of the detailed siting and design criteria set out in Policy PM1B of the adopted development plan as well as the criteria set out Section 4 d) and f) in HICP 2012 as confirmed by the architects design statement and the attached appendix.
- 5.4 There are no technical difficulties or infrastructure issues raised by this application and no developer contributions have been identified as being necessary.
- 5.5 No objections were raised by the community council or any third party to the proposal.
- 5.6 The proposal can therefore be supported under the terms of the Housing in the Countryside Policy as well as being in conformity with SPP, PAN 72, and the relevant policies within the PKCLDP subject to any conditions that may be considered necessary by the LRB.





# PERTH AND KINROSS COUNCIL

Mrs Karen Kelly  
c/o Colin A Smith Architect - CASA  
Colin Smith  
Treetops  
Dull  
Aberfeldy  
Perthshire  
PH15 2JQ

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 28.05.2015

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **14/02109/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 15th December 2014 for permission for **Erection of replacement dwellinghouse Site Of Former Callelochan Acharn** for the reasons undernoted.

Development Quality Manager

### Reasons for Refusal

1. The proposal is contrary to policy RD3 Housing in the Countryside of the adopted Perth and Kinross Local Development Plan 2014 and the associated Supplementary Housing in the Countryside Guide 2012 (section 4c). The existing dwellinghouse is considered to be worthy of retention and insufficient justification has been submitted to demonstrate that it is incapable of rehabilitation at an economic cost.
2. The proposal is contrary to policy PM1B (c ) in that it does not complement its surroundings in terms of appearance, design, scale and massing.

### Justification

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

**The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page**

Plan Reference

14/02109/7

14/02109/7

14/02109/1

14/02109/2

14/02109/3

14/02109/4

14/02109/5

14/02109/6

# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	14/02109/FLL	
Ward No	N4- Highland	
Due Determination Date	14.02.2015	
Case Officer	Persephone Beer	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Erection of replacement dwellinghouse

**LOCATION:** Site Of Former Callelochan Acharn

### 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:** 6 January 2015

### SITE PHOTOGRAPHS



## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

Planning permission is sought for the erection of a replacement dwellinghouse on the site of Callelochan, near Acharn on the south side of Loch Tay.

The proposal involves the demolition of an existing house and its replacement with a larger, modern property.

## **SITE HISTORY**

04/02331/OUT Erection of a dwellinghouse (in outline) 9 February 2005  
Application Refused

07/02664/OUT Erection of a dwellinghouse (in outline) 25 January 2008  
Application Permitted

08/02004/FUL Erection of a dwellinghouse 3 December 2008 Application  
Refused

09/00450/REM Erection of a dwellinghouse 13 May 2009 Application  
Permitted

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: 13/00744/PREAPP

## **NATIONAL POLICY AND GUIDANCE**

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

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

### **TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012**

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs.”*

## **Perth and Kinross Local Development Plan 2014 – Adopted February 2014**

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

The principal policies are, in summary:

### **Policy PM1A - Placemaking**

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

### **Policy 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.

### **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 ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes**

Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

## **OTHER POLICIES**

Siting and Design of Housing in Rural Areas

## **CONSULTATION RESPONSES**

### **Internal comments**

#### **Community Waste Advisor - Environment Service**

Waste and recycling bins will be collected from the main road.

The road and pavement from the bin collection point to the refuse collection vehicle must be at maximum 10 metres and a hard standing surface. It must have a level gradient and a smooth surface; use dropped kerbs where appropriate.

**Transport Planning**

No objection subject to conditions

**Contributions Officer**

No developer contribution required.

**Environmental Health**

No objection. Condition and informative required in relation to private water.

**REPRESENTATIONS**

There have not been any representations received in relation to this application.

**ADDITIONAL STATEMENTS RECEIVED:**

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

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

## Policy Appraisal

The primary policy consideration is policy RD3 of the Perth and Kinross Local Development Plan 2014 with associated supplementary guidance in the form of the Housing in the Countryside Guide 2012.

Section 4 of the guide relates to the renovation or replacement of houses.

This encourages restoration rather than replacement subject to criteria:

- a) Restoration rather than replacement will be favoured where the building is of traditional form and construction, is otherwise of architectural merit, makes a positive contribution to the landscape or contributes to local character.
- b) Any alterations and extension to an existing house should be in harmony with the existing building's form and proportion.
- c) Only if it can be demonstrated that the existing house is
  - i) either not worthy of retention,
  - ii) or is not capable of rehabilitation at an economic cost, will substantial rebuilding or complete replacement be permitted.

Note: Where it is being claimed that a building of architectural quality needs to be wholly or partly demolished to permit rehabilitation or reconstruction an independent expert opinion will be commissioned by the Council, at the applicant's expense, to evaluate the costs of alternative options. Where a house has been demolished prior to the submission of an application or grant of planning consent, there will be no guarantee that a replacement house will be granted.

d) Where rebuilding or demolition is permitted the replacement house shall be of a high quality design appropriate to its setting and surrounding area.

f) The siting of the new house should be similar to that of the existing building in terms of orientation and distance from the road, unless individual site conditions suggest that another position would create a better landscape fit.

In this case the agent suggests that the existing house is not worthy of retention and although part of the house is traditional in construction it has been altered unsympathetically to the rear and does not contribute to the landscape or local character as it cannot be seen from any public place nor has any relationship with any other buildings due to its remote location.

I would disagree with this assessment and consider that the house is worthy of retention. The building does have character and relates well to its setting. Whilst the more recent rear extension does not complement the building I do not consider that the existence of this detracts from its contribution to the overall character of the area along the South Loch Tay Road.

Some information has been submitted suggesting that the existing house is in poor condition and that renovation is not worthwhile. However, insufficient justification has been submitted to suggest that the house is incapable of rehabilitation as required by the policy.

## **Design and Layout**

The proposal is for the demolition of the existing house and its replacement with a new dwellinghouse. The proposed house is partly on the footprint of the existing. It is of contemporary design with an angular block like appearance. It will be finished in a combination of stone and timber cladding with a corrugated aluminium roof. It is designed in a T shape with three bedrooms situated in a similar position to the existing house and the ancillary living accommodation in a large wing protruding at right angles approximately north west from the rear of the building. Most of the accommodation, three bedrooms and ancillary accommodation is at ground floor level with a proposed gym at lower ground floor level and a snug/study at first floor. The house is sited on an area of flat ground downhill from the South Loch Tay road. The rear of the house overlooks Loch Tay and is set within extensive grounds.

## **Landscape**

The site has a number of trees and shrubs which help to integrate the current property into the landscape. The submitted plans show some existing trees but do not give any indication as to whether these are to be retained or any additional planting is proposed.

## **Residential Amenity**

The existing site is residential. The proposed use is compatible with this and there are no properties close by that would be affected in terms of overlooking or overshadowing.

## **Visual Amenity**

The site is within the Loch Tay special landscape area as designated in recent supplementary guidance. This links to policy ER6 of the LDP that seeks to promote development that enhances the landscape qualities of Perth and Kinross. The current dwellinghouse sits comfortably on its site and fits in well with its surroundings. The new property is of a radically different appearance and would be incongruous in its setting and does not fit in to its surroundings. Policy PM1B (c) of the LDP requires development to complement its surroundings in terms of appearance, design, scale and massing. The proposal is contrary to this policy.

## **Roads and Access**

The new house will be served by the existing access from the South Loch Tay public road. Transport Planning has commented and does not object subject to there being no discharge of surface water to the public road.



## **Drainage and Flooding**

There are no concerns with drainage and flooding matters.

## **Private Water**

Should permission be approved Environmental Health has requested conditions with regard to safeguarding private water supplies.

## **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, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.

This proposal is within the catchment of Kenmore Primary School.

The proposal is for a replacement house and will not increase the overall number of dwellings on the site. The Developer Contributions Supplementary Guidance will not apply.

## **Summary of Requirements**

Education: £0

**Total: £0**

## **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 not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal subject to conditions.

## **APPLICATION PROCESSING TIME**

The recommendation for this application has not been made within the statutory determination period. A meeting was held with the agent and additional information was submitted with regard to economic justification for the demolition of the property.

## **LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **RECOMMENDATION**

### **Refuse the application**

#### **Conditions and Reasons for Recommendation**

- 1 The proposal is contrary to policy RD3 Housing in the Countryside of the adopted Perth and Kinross Local Development Plan 2014 and the associated Supplementary Housing in the Countryside Guide 2012 (section 4c). The existing dwellinghouse is considered to be worthy of retention and insufficient justification has been submitted to demonstrate that it is incapable of rehabilitation at an economic cost.
- 2 The proposal is contrary to policy PM1B (c ) in that it does not complement its surroundings in terms of appearance, design, scale and massing.

### **Justification**

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

### **Informatives**

None.

### **Procedural Notes**

Not Applicable.

## **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

14/02109/1

14/02109/2

14/02109/3

14/02109/4

14/02109/5

14/02109/6

14/02109/7

**Date of Report 27.05.2015**





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 000106306-001

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

## Type of Application

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

We strongly recommend that you refer to the help text before you complete this section.

- ☒ 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 existing house and replacement with new 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

Have the works already been started 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:

Colin A Smith Architect -  
CASA

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

Ref. Number:

Building Name:

Treetops

First Name: \*

Colin

Building Number:

Smith

Address 1 (Street): \*

Dull

Last Name: \*

Telephone Number: \*

01887 820815

Address 2:

Aberfeldy

Extension Number:

Town/City: \*

Perthshire

Mobile Number:

Country: \*

UK

Fax Number:

Postcode: \*

PH15 2JQ

Email Address: \*

colin@casarchitect.co.uk

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



Individual



Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: \*

Mrs

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

Other Title:

Building Name:

The Whyte House

First Name: \*

Karen

Building Number:

103

Last Name: \*

Kelly

Address 1 (Street): \*

Strawberry Vale

Company/Organisation:

Address 2:

Town/City: \*

Twickenham

Telephone Number:

Extension Number:

Country: \*

UK

Mobile Number:

Postcode: \*

TW1 4SJ

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: Callelochan Farm

Address 5:

Address 2: Acharn

Town/City/Settlement:

Aberfeldy

Address 3:

Post Code:

PH15 2HU

Address 4:

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

Northing

742299

Easting

271924

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Site Area

Please state the site area:

4100.00

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)

Dwelling House

## Access and Parking

Are you proposing a new or 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 changes to public paths, public rights of way or affecting any public rights 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.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? \*

2

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? \*

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

☐ Yes ☒ No

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.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

☒ Yes ☐ No

If Yes or No, please provide further details:(Max 500 characters)

As per existing.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

☒ Yes ☐ No

How many units do you propose in total? \*

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

## 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) REGULATIONS 2013

One Certificate must be completed and submitted along with this 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: Colin Smith

On behalf of: Mrs Karen Kelly

Date: 04/12/2014

☒ 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 developments (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)

Design Statement

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)

Design Statement

## 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: Colin Smith

Declaration Date: 04/12/2014

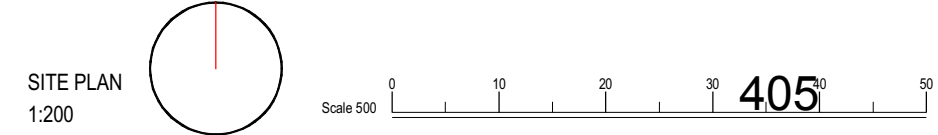
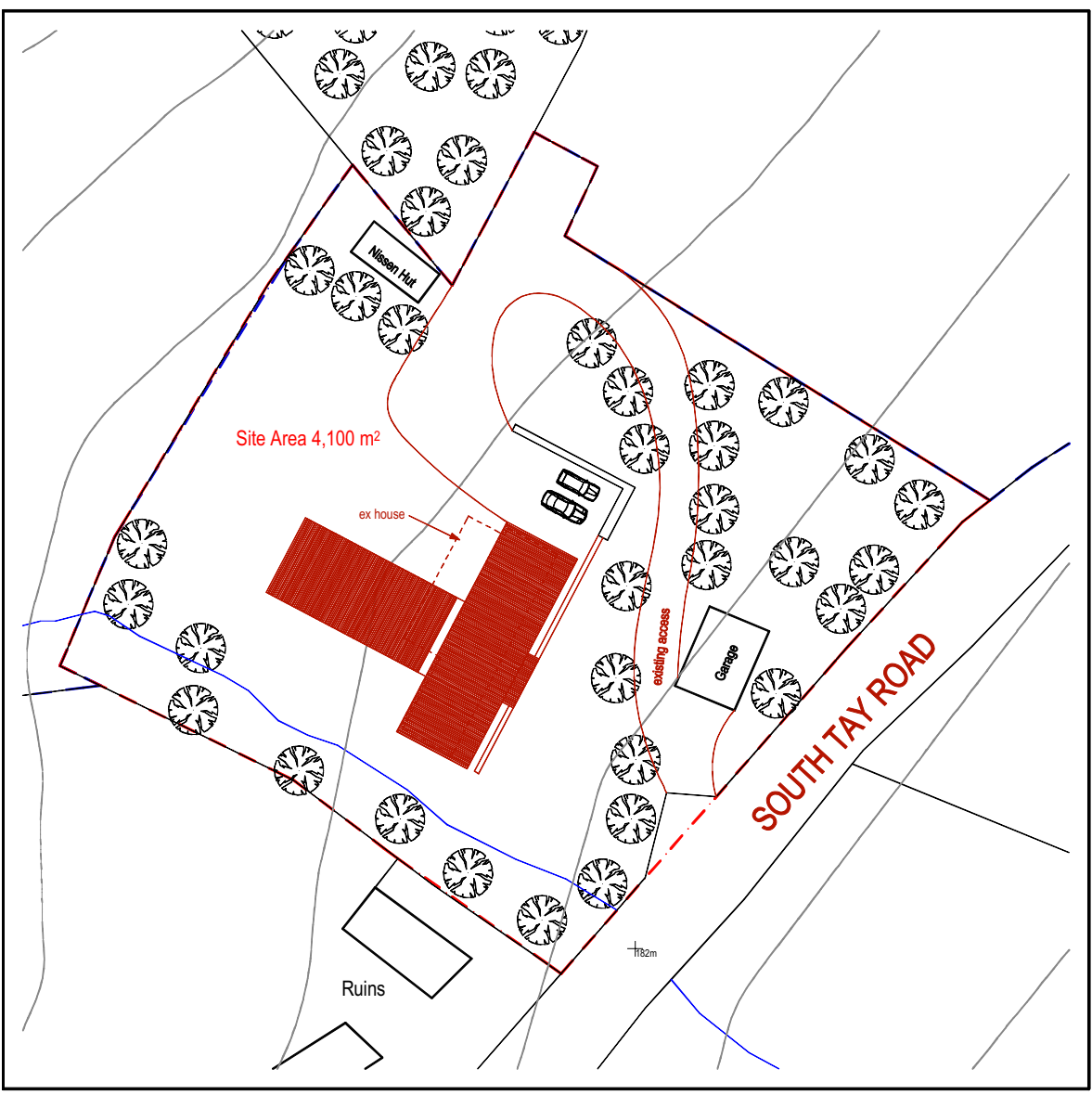
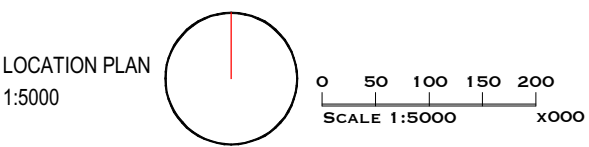
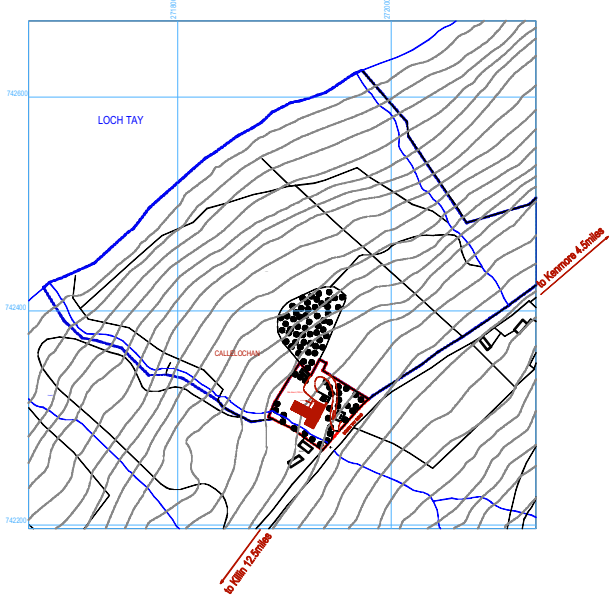
Submission Date: 04/12/2014

## Payment Details

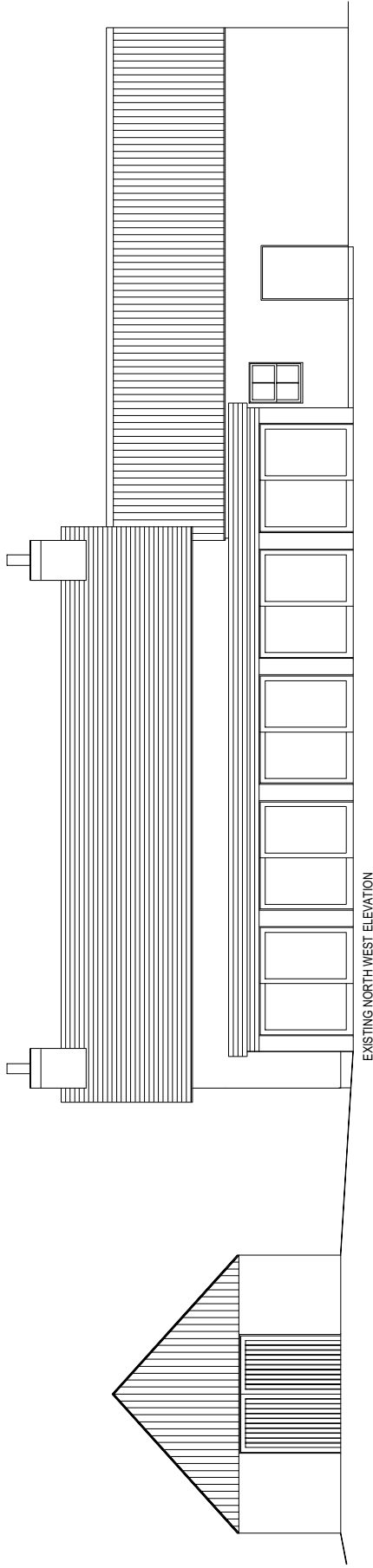
Cheque: Mr A J Kelly & Mrs K Kelly, 200326

Created: 04/12/2014 18:41

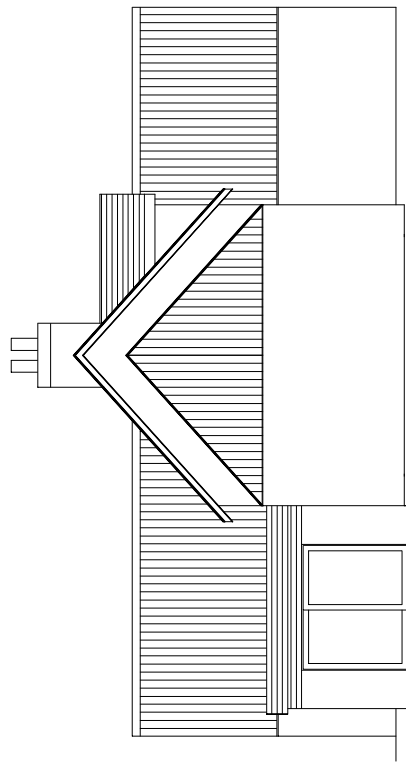




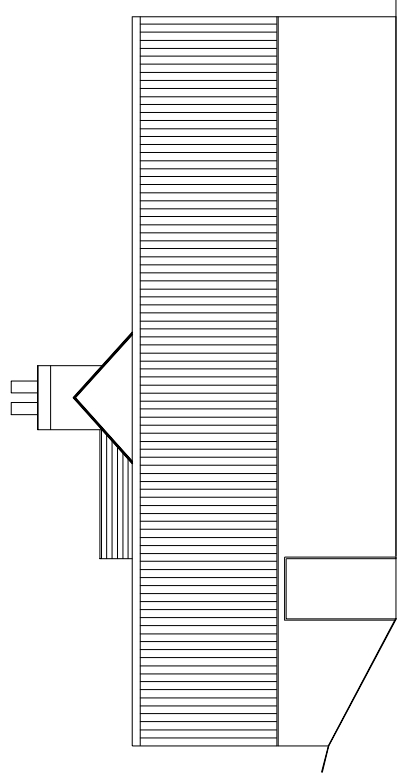
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for:	Karen Kelly
status:	Planning
title:	Site and Location Plan
drawing no:	219-00P
scale:	1:500 and 1:5000 @ A3
Date	November 2014
copyright by Colin A Smith dlu aris all rights reserved	



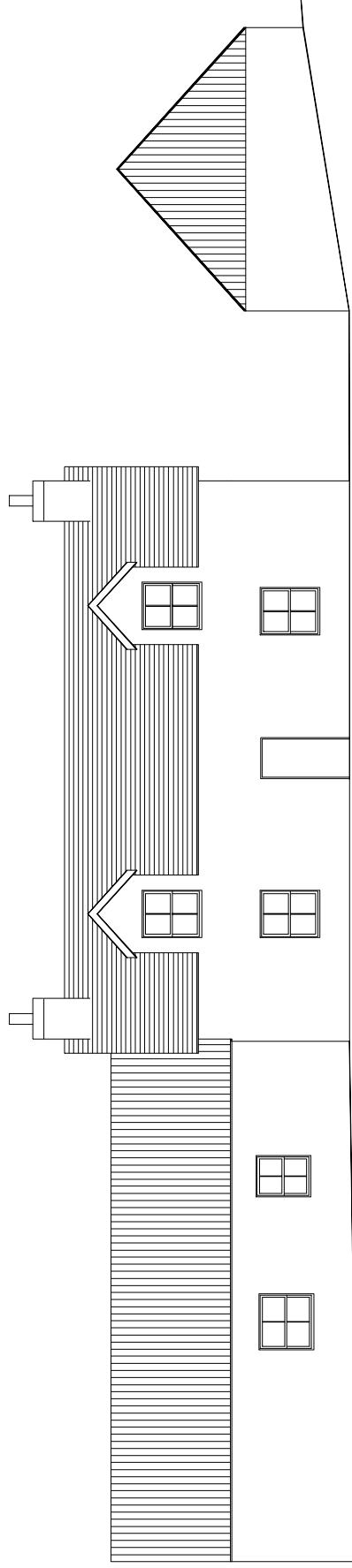
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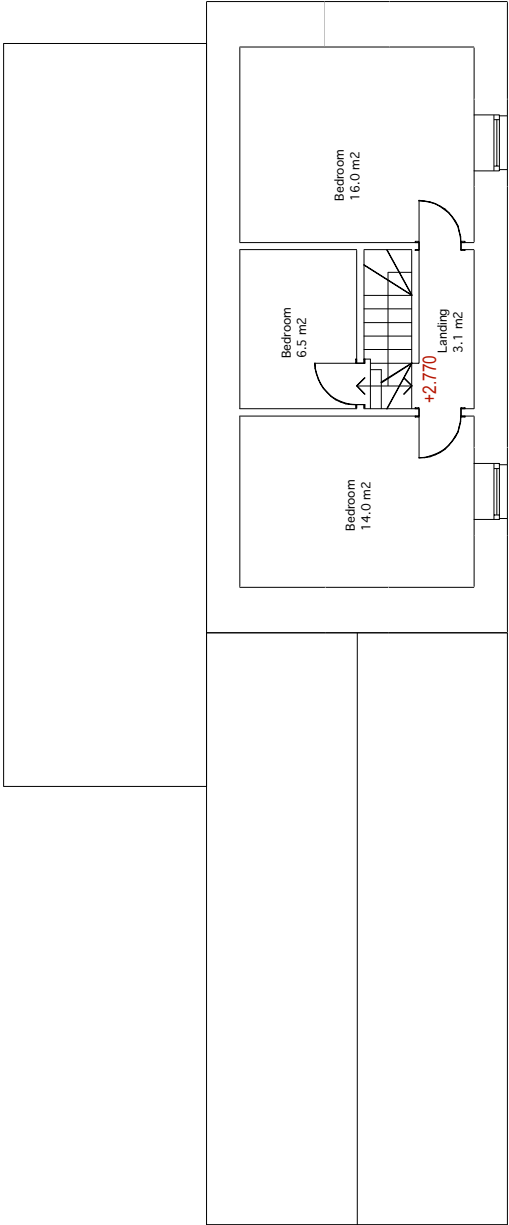
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EXISTING NORTH EAST ELEVATION

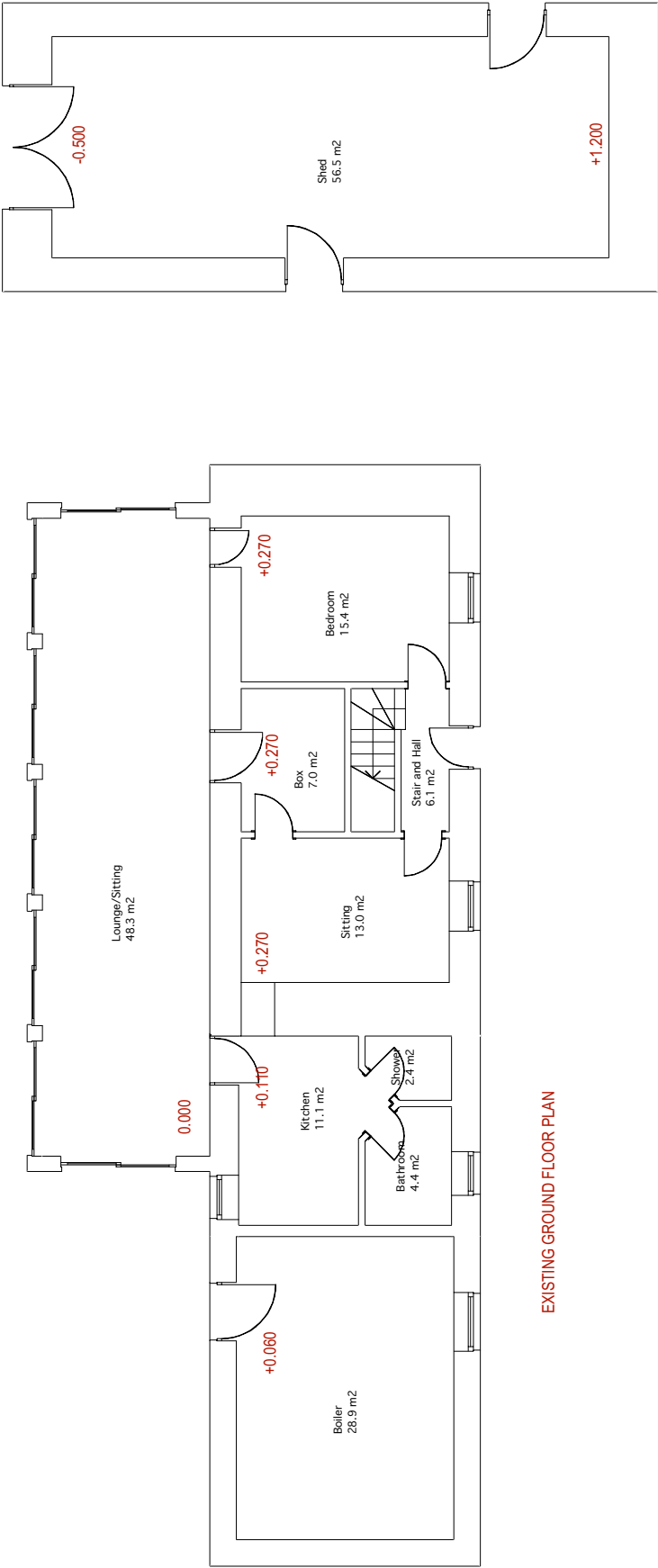


EXISTING SOUTH EAST ELEVATION



EXISTING FIRST FLOOR PLAN

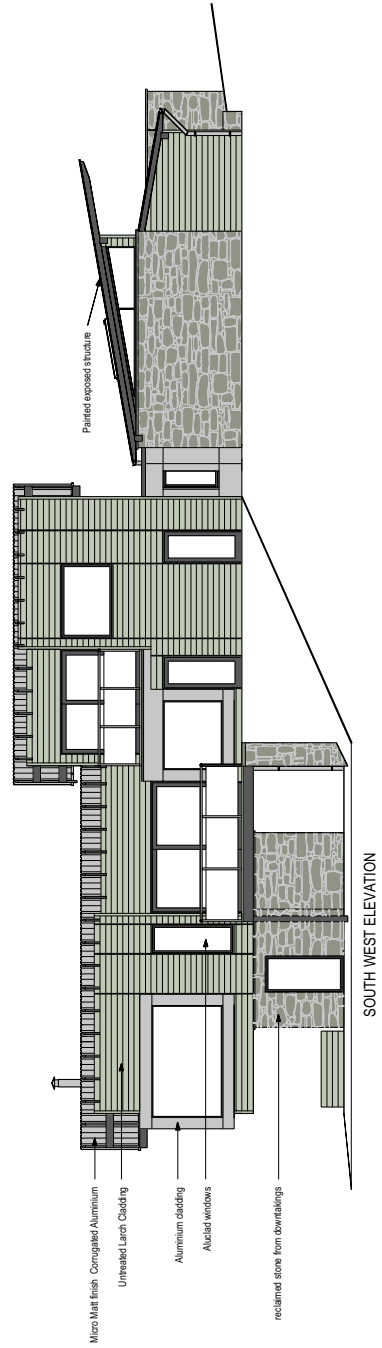
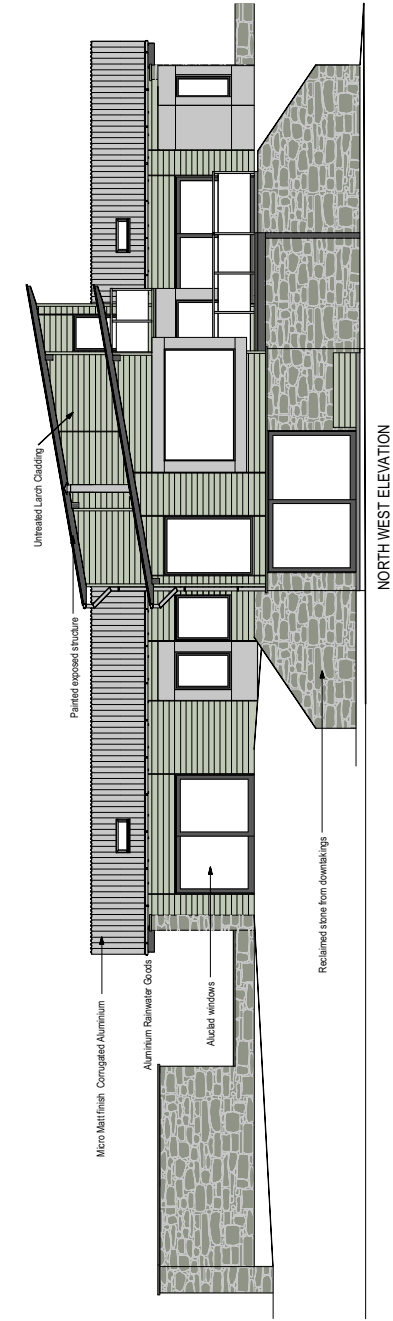
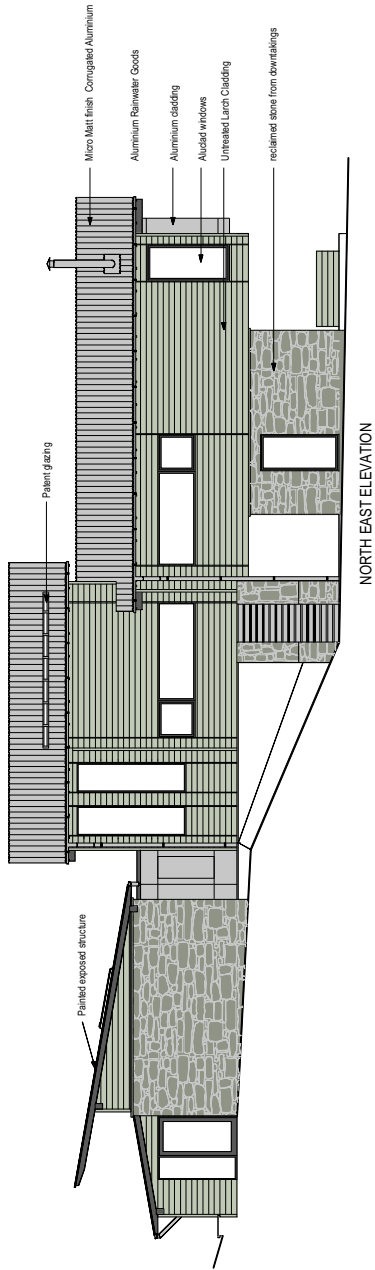
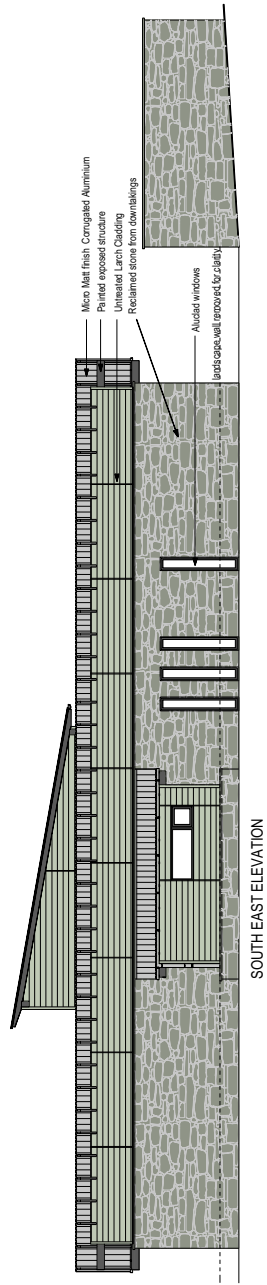
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Replacement House CALLELOCHAN South Tay Road Acharn Aberfeldy Perthshire, PH15 2JU for: Karen Kelly status: Survey title: Existing First Plan drawing no: 219-03S scale: 1:100 @ A3 Date: December 2014	copyright © Colin & Andrew Smith 2014 all rights reserved

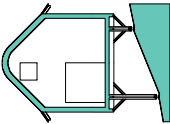


EXISTING GROUND FLOOR PLAN

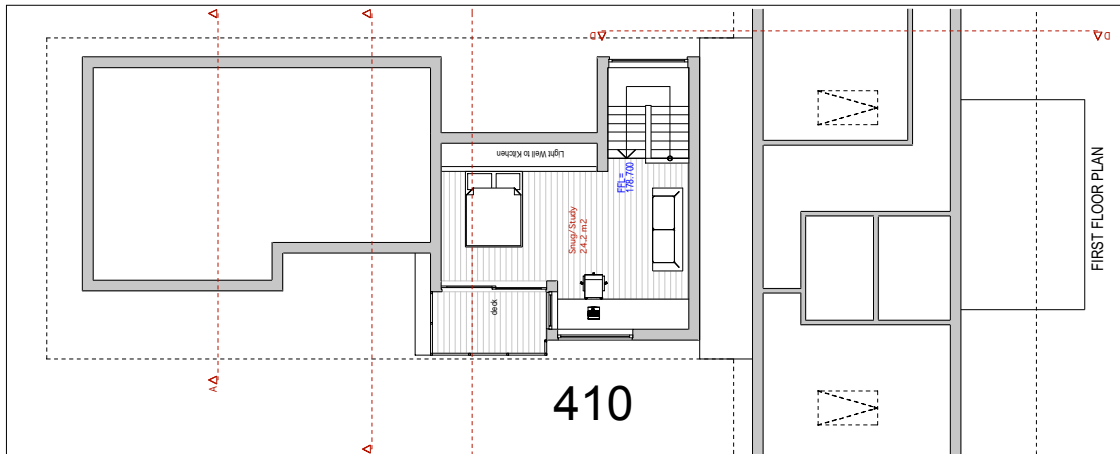
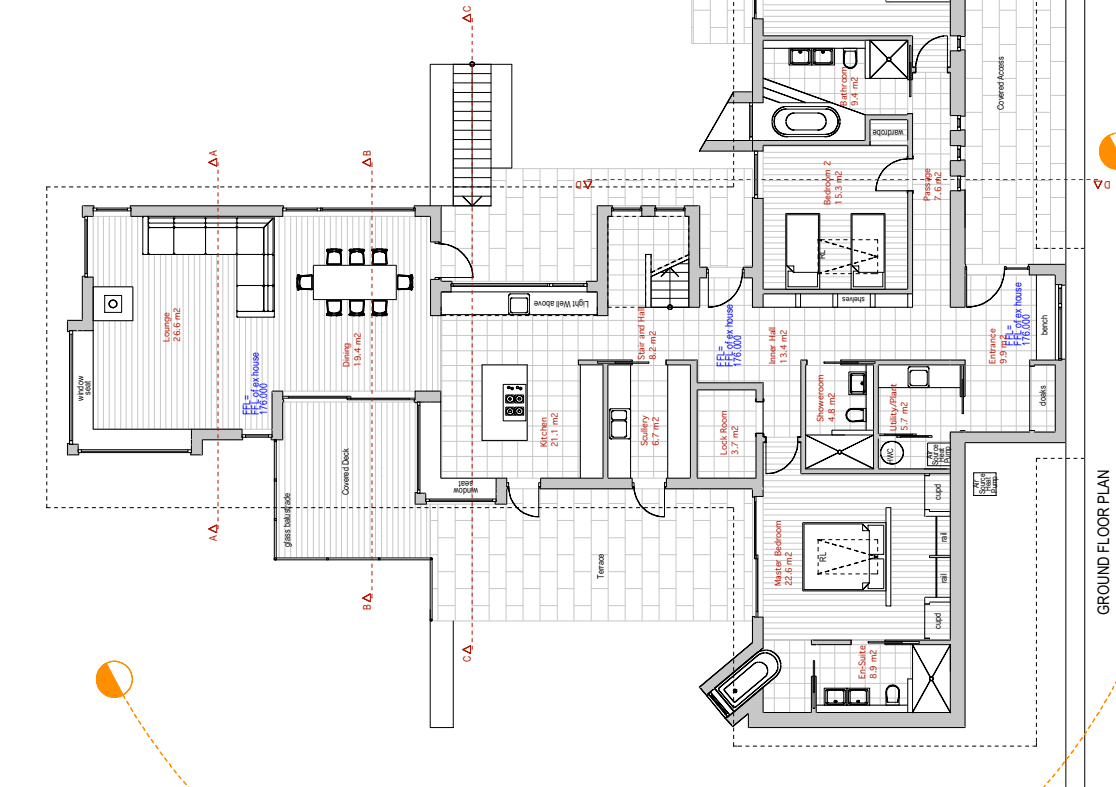
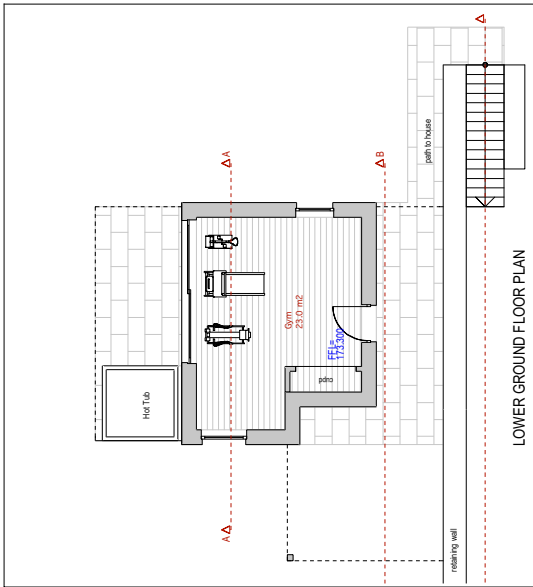
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for:	Karen Kelly
status:	Survey
title:	Existing Ground Plan
drawing no:	219-02S
scale:	1:100 @ A3
Date	December 2014
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casa architectural  
collin, cody, smith, archibald  
0887 8008 11  
collinsville, victoria 3740  
collinsville, victoria 3740

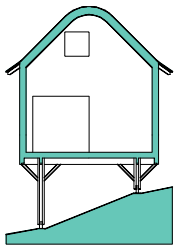


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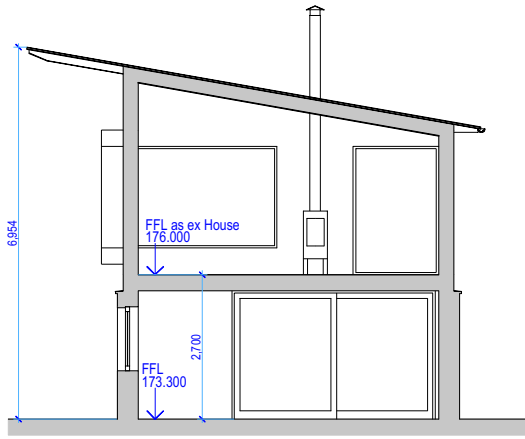
PERMIT/STAMP

Residential House  
CALLEDONIAN  
South Ty Road  
Abertoby  
Perthshire, PH15 2HU  
Architect  
Collin, Cody, Smith, Archibald  
Date  
November 2014

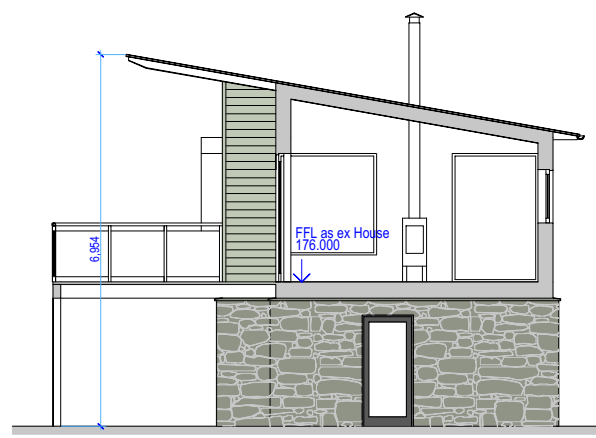
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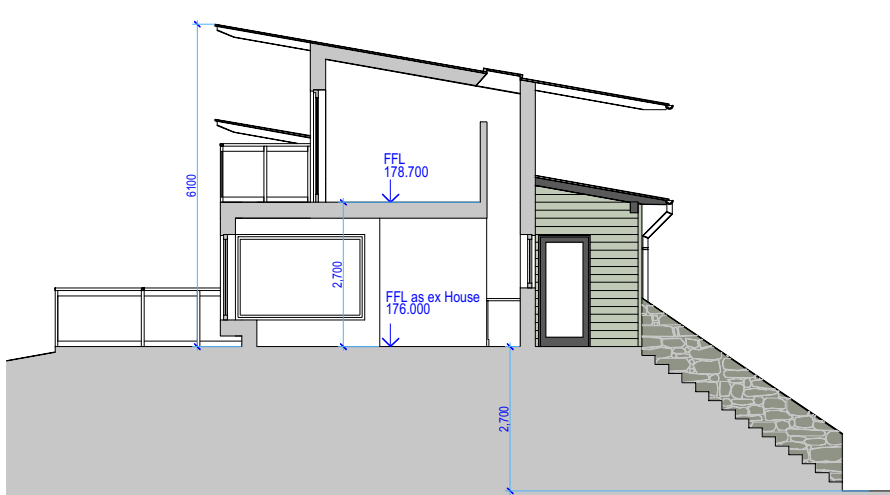
colin . andrew . smith . architect  
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 colin@casarchitect.co.uk



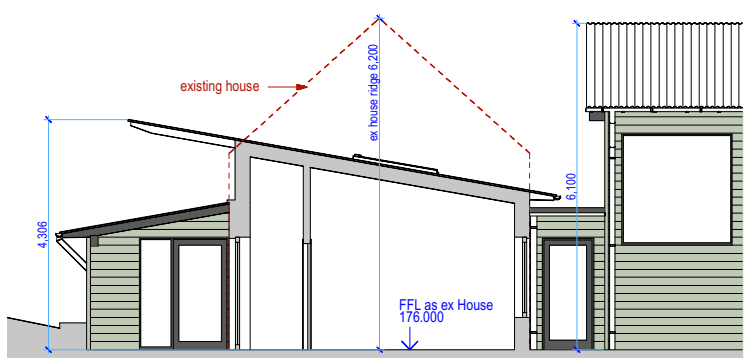
SECTION AA



SECTION BB



SECTION CC



SECTION DD

SCALE 1:100

411

Amendments:

Replacement House  
 CALLELOCHAN  
 South Tay Road  
 Acharn  
 Aberfeldy  
 Perthshire, PH15 2HU

for: Karen Kelly  
 status: Planning  
 title: Sections  
 drawing no: 219-03P  
 scale: 1:100 @ A3  
 Date: November 2014

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House to be demolished is of low architectural significance and aesthetically compromised by poor quality extensions.



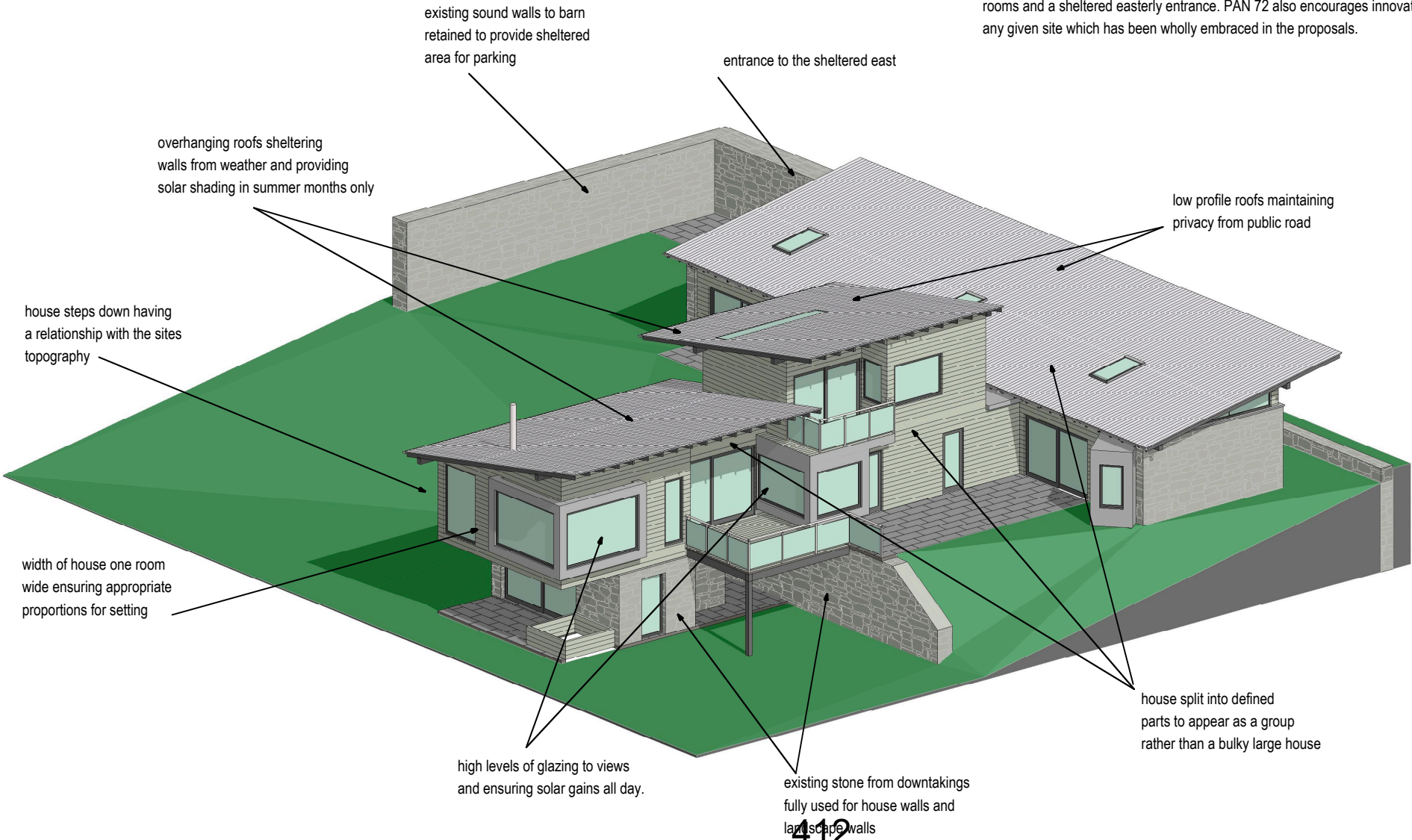
The Traditional part of the house is in poor repair and once stripped for necessary renewals will have lost any perceived architectural value.

The replacement house is sought under the housing in the countryside policy of the LDP 2012 under the section 4. Renovation or Replacement of Houses it complies with the various criteria as follows:

- a) Although part of the house is traditional in construction it has been substantially extended resulting in a house of no architectural merit, it makes no contribution to the landscape or local character as it cannot be seen clearly from any public place and no relationship with any other buildings due to its remote location.
- b) The proposals is for replacement and not alterations.
- c) i) It is not worthy of retention due to the poor fabric condition as highlighted in this design statement.
- c)ii) Costs to substantially demolish and rebuild will be greater than a new build property of higher environmental performance, although c)i) above stands.
- d) The design as demonstrated is of the highest architectural quality designed by local architects CASA who in 8 years of practice have been awarded 11 architectural awards for excellence in design.
- e) Permission is not sought for replacement of an abandoned house but rather one of very poor substandard condition.
- f) The new house is proposed to be located on the footprint of the existing house although extends with a wing to the North West. The site is more than capable of absorbing this extra footprint on account of the site size and topography.



House designed to be low profile from public road to the south east



ECO-CREDENTIALS:

- 1.0 Super Insulated and air-tight building fabric.
- 2.0 Air source renewables heating system with underfloor low temperature output.
- 3.0 Triple glazed 0.7 windows.
- 4.0 Orientated to maximise solar gains within all living spaces.
- 5.0 Deep overhangs to reduce overheating in summer but to maximise solar gain in winter.
- 6.0 Thermal mass with the use of solid floors.
- 7.0 Materials carefully chosen for low embodied energy or zero carbon and used in their natural state. The cladding is Scottish sourced and the aluminium has a high recycled material content and all stone from duntakings has been re-used in the project.

DESIGN STATEMENT

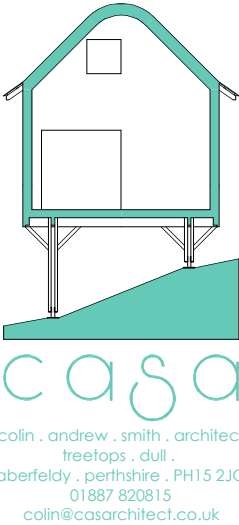
BACKGROUND AND SITE:  
The site currently has a house on it which although has a traditional section is of no architectural significance due to the very large poorly designed flat roofed extension.  
A measured survey of the house was carried out by CASA and a condition survey by DM Hall chartered surveyors, which revealed the following:

- 1.0 Dampness to the inside of external stone walls caused by rising damp and severe condensation.
- 2.0 Timber Rot in structural timbers.
- 3.0 Insect infestation to existing roof timbers and internal woodwork.
- 4.0 Dated electrical systems requiring re-wiring
- 5.0 Inadequate private water supply and sewage system requiring renewal.
- 6.0 Outdated and inadequate plumbing system.
- 7.0 No insulation in roof walls or floor.
- 8.0 Single glazed windows with no draught proofing and rot affecting cills and frames.
- 9.0 Faulty rainwater goods throughout.
- 10.0 Structural movement obvious on a number of stone walls.
- 11.0 Slate roof of considerable age with no underslating felt allowing water penetration to structure.
- 12.0 The existing stair is of a dangerous design and does not comply with current standards.
- 13.0 The many changes of levels throughout the house makes it unusable to disabled persons.
- 14.0 Outdated and inefficient oil heating sysytem.
- 15.0 Outbuildings have corrugated asbestos finish with a structure which will not support a heavier roofing finish.

Although the applicant intends to use the property for her own use it will also be used as high end holiday lets. With regards this end use the property has to be of an excellent standard and with the present cost of energy spiraling the house requires to be highly thermally efficient and be as near carbon neutral as possible. To achieve this standard and considering all the above problems with the existing property and outbuildings the only part of the building which would be left is four external stone walls. The spaces left within these walls are very tight for the standard of accommodation required for the end use and with a very high economic cost to achieve with less gain considering its eco-credentials.  
The decision has been made therefore to demolish the existing house fully and replace it on the original footprint with a new house of considerable architectural quality and low environmental impact..

DESIGN SOLUTION:  
The existing house location allows the house to be hidden from any public way. The intention of this design is to maintain this low profile, no part of the replacement house will be higher than the existing house. Additionally the width of the new house is designed as one room width akin to the existing house ensuring good proportions and sections of the house have been seperated to appear as a series of buildings rather than one large house which reduces perceived bulk again akin to the collection of existing buildings. The house opens itself up to the views of Loch Tay which although is towards the north the orientation has been considered thoughtfully to ensureis both the view and solar gains can be enjoyed. The careful use of existing topography has allowed the house to fit snug to the landform allowing extra accomodation at a storey lower than the existing ground floor level.  
This design solution ensures a building of lasting quality, simplicity, and of its time complementing its setting.

Carefull consideration has been given to PAN 72 in the design of the house with regard being made to the open nature of the site to the rear with its views and more enclosed nature of the site to the road through the existing landscaping. The design incorporates careful orientation to give views out, maximise solar gains in all habitable rooms and a sheltered easterly entrance. PAN 72 also encourages innovative contemporary design solutions for any given site which has been wholly embraced in the proposals.



Amendments:

Replacement House  
CALLELOCHAN  
South Tay Road  
Acharn  
Aberfeldy  
Perthshire, PH15 2HU

for: Karen Kelly  
status: Planning  
title: Design Statement  
drawing no: 219-04P  
scale: nts @ A3  
Date: November 2014

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## 1.0 DESIGN REVIEW in RESPONSE to PKC REASONS FOR REFUSAL 2

- 1.1 Policy PM1 in the Local Development Plan 2014 includes reference to a number of detailed criteria, which all developments are to be assessed against.

**Reason 2** in the refusal notice is that '**The proposal is contrary to policy PM1B(c) in that it does not complement its surroundings in terms of appearance, design, scale and massing.**

- 1.2 It is assumed from this reason that the proposals comply with all the other criteria detailed in the Policy PM1.
- 1.3 The application included a design statement (architects drawing 219-04P and labelled 14/02109//6 in the decision notice), which explains the design of the proposed house showing that the architect took full cognisance of the site and location in the design. In addition to the design statement please note the following showing compliance with the various aspects of PM1B(c).
- 1.4 **Appearance:** Whilst it is accepted that the proposed house looks different from the existing this is in itself not wrong. It would be wrong to expect all new houses to look the same. The architect has designed a house to be unique as the site allows for this due to its remote and well screened location. The current house can only be glimpsed from the public road - see the photographs below taken from various locations on the public road looking towards the house location. Additionally there are no other houses in close proximity displaying any particular architectural style for this house to mimic. Indeed the South Tay Road has many houses of all differing architectural styles.
- 1.5 **Height:** No part of the replacement house is higher than the existing house on the site as demonstrated by Section DD on the architects drawing numbered 219-03P and labelled 14/02109/5 in the decision notice.
- 1.6 **Scale:** The existing house and outbuildings has a total net internal area of 235m<sup>2</sup> and the proposed house has an area of 252m<sup>2</sup>. This means that the proposed house is only 17m<sup>2</sup> larger than the existing buildings. Additionally the architect has used similar one-room widths of the existing building. This ensures that the scale of the proposed house is akin to the house it replaces.
- 1.7 **Massing:** The architect has very carefully considered the massing of the proposed house. The existing buildings on site are a collection of buildings with different proportions this idea has been incorporated in the design. The house has been split into defined parts to appear as a group rather than one large house. The beneficial outcome of this architectural idea is a house consisting of a series of parts rather than one large bulky house. Resulting in a reduced massing.
- 1.8 **Materials and Finishes:** The existing buildings being removed are on the whole built of stone with some areas of timber cladding and roof finishes of slate and corrugated metal. The proposed house is to utilise the stone from down takings on the walls with the remaining walls being finished in naturally weathering Scot Larch. The roof is to be finished in sinusoidal corrugated metal roofing. All these materials are high quality and reflect the materials of the existing building whilst being used in a contemporary manner.
- 1.9 **Colours:** The colours are all in a palette of grey, which is akin to the colour of the existing stone and slate and being neutral and recessive blends with the landscape setting.



- 1.10 The planning officer in her Report of Handling states 'The new property is of a radically different appearance and would be incongruous in its setting and does not fit in to its surroundings'. She is judging design on the subjective matter of appearance by stating that it is 'Radically different'. Design is more important than merely appearance. The house proposed is unashamedly modern which is no reason for refusal. It has been bespoke designed to suit the sloping topography in the manner it steps down the slope, it has been carefully oriented to ensure maximised solar gains and views out, and its construction will ensure low energy use. These are all objective factors considered by the architect, which combined with meeting the criteria in PM1B(c) results in good design. It is a house of considerable design quality and of its time rather than mimicking a bygone era. Planning Advice Note - PAN72 encourages innovative contemporary design solutions for any given site, which this design is an exemplar.
- 1.11 The applicant is committed to good design. The reason she appointed the architect Colin Smith of CASA was due to his track record in design excellence. CASA was formed eight years ago and in that time has been awarded eleven architectural awards, one British national (Roses Design Award), two Scottish national (Scottish Design Award and Saltire Design Award) and eight regional (Dundee Institute of Architects Awards). This proven design experience and skills have been used in the design of the proposed house.
- 1.12 It is the considered opinion that the design of this house wholly complies with Policy PM1B(c). The Planning Officer is therefore wrong in using this as a reason for refusing the application.



**Alan and Eileen Malone**

**Auchroich**

**Acharn ,By Aberfeldy**

**Perthshire PH15 2HU**  


**Mrs Karen Kelly  
Callelochan Farm  
South Loch Tay PH15 2HU**

**24<sup>TH</sup> June 2015**

**Ref Callelochan farm house**

**Dear Mrs Kelly,**

**Further to my discussion with your architect, I would make the following observations:-**

**For approximately 5 years my wife and I lived in Callelochan while we built our new house nearby. We were the first people to live full time in that house for about 40 years. We found the house to have no ventilation other than opening outside doors, the windows having been secondary glazed without the ability to open them. The house was subsequently damp for most of the year, having no proper foundations ,substructure or damp proof course, and most notable in my poor breathing having been asthmatic from birth, and also when my shotgun stored under the stairs in a gunsafe, would start rusting even with the heating on. All in all we felt the house to be generally unhealthy in its present state, and we were very happy to be able to move out on completion of our new house. For the record I have an H.N.D Building, and have now built two of my own houses.**

**Alan D Malone**  






# Single Survey

survey report on:

<b>Property address</b>	Callelochan Farm Acharn ABERFELDY PH15 2HU
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<b>Customer</b>	Dr J & Dr C Ferguson
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<b>Customer address</b>	Callelochan Farm Acharn ABERFELDY PH15 2HU
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<b>Prepared by</b>	DM Hall
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<b>Date of inspection</b>	1st April 2013
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**DM HALL**

chartered surveyors

Callelochan Farm, Acharn,  
ABERFELDY, PH15 2HU  
1st April 2013 PE130352

# Single Survey

## 1. Information and scope of inspection

This section tells you about the type, accommodation, neighbourhood, age and construction of the property. It also tells you about the extent of the inspection and highlights anything that the surveyor could not inspect.

All references to visual inspection refer to an inspection from within the property without moving any obstructions and externally from ground level within the site and adjoining public areas. Any references to left or right in a description of the exterior of the property refer to the view of someone standing facing that part of the property from the outside.

The inspection is carried out without causing damage to the building or its contents and without endangering the occupiers or the surveyor. Heavy furniture, stored items and insulation are not moved. Unless identified in the report the surveyor will assume that no harmful or hazardous materials or techniques have been used in the construction. The presence or possible consequences of any site contamination will not be researched.

Services such as TV/cable connection, internet connection, swimming pools and other leisure facilities etc. will not be inspected or reported on.

<b>Description</b>	The property comprises a detached one and a half storey extended cottage with land extending to approximately 24 acres.
<b>Accommodation</b>	<p>The accommodation within the property comprises as follows:</p> <p>Ground Floor - Entrance hall, sitting room, dining room, study, kitchen, bathroom (with wc), shower room (with wc) and sun lounge/family room.</p> <p>First Floor - Landing and three bedrooms.</p>
<b>Gross internal floor area (m<sup>2</sup>)</b>	156 square metres approximately.
<b>Neighbourhood and location</b>	The property is situated in a rural area to the west of the villages of Acharn and Kenmore, where local facilities and amenities are available. The property is located on a north facing elevated site with views over Loch Tay and the adjoining countryside.
<b>Age</b>	In excess of 200 years.
<b>Weather</b>	Dry.
<b>Chimney stacks</b>	<p><b>Visually inspected with the aid of binoculars where appropriate.</b></p> <p>Chimneys are of a stone construction with pointed finish with adjoining flashings being formed in cement.</p>
<b>Roofing including roof space</b>	<p><b>Sloping roofs were visually inspected with the aid of binoculars where appropriate.</b></p> <p><b>Flat roofs were visually inspected from vantage points within the property and where safe and reasonable to do so from a 3m ladder externally.</b></p> <p><b>Roof spaces were visually inspected and were entered where</b></p>



	<p>there was safe and reasonable access, normally defined as being from a 3m ladder within the property.</p> <p><b>If this is not possible, then physical access to the roof space may be taken by other means if the Surveyor deems it safe and reasonable to do so.</b></p> <p>ROOF</p> <p>The main roof is of a pitched design clad with slates, with there being a zinc ridge and metal lined valleys. The roof over the west projection is of a pitched design clad with corrugated metal sheeting with cement adjoining flashings. The roof over the sun lounge extension is of a flat design clad with what would appear to be rubberised felt.</p> <p>ROOF SPACE</p> <p>Access to the main roof space is obtained by means of a hatch located in the ceiling of the smaller bedroom. The roof is of a traditional timber construction utilising joists, rafters and sarking. Insulation has been laid on top of ceilings. Access to the roof space over the kitchen/bathroom is obtained by means of a wall hatch within the attached barn. This area is generally floored, with there being insulation under the chipboard floor panels. There are roof trusses.</p>
Rainwater fittings	<p><b>Visually inspected with the aid of binoculars where appropriate.</b></p> <p>There are half round gutters and round downpipes formed in cast iron or PVC.</p>
Main walls	<p><b>Visually inspected with the aid of binoculars where appropriate.</b></p> <p><b>Foundations and concealed parts were not exposed or inspected.</b></p> <p>Main walls are of traditional solid stone construction with pointed finish, with the exposed west facing gable of the two storey section being rendered. The walls of the sun lounge are constructed using facing concrete blockwork with pointed finish.</p>
Windows, external doors and joinery	<p><b>Internal and external doors were opened and closed where keys were available.</b></p> <p><b>Random windows were opened and closed where possible.</b></p> <p><b>Doors and windows were not forced open.</b></p> <p>WINDOWS</p> <p>Windows are either of a timber sash and case or timber framed double glazed velux roof window design. There are alloy framed double glazed patio doors serving the sun lounge which are inserted into timber frames. A fixed external system of secondary glazing is provided to the sash and case windows.</p>



	<p><b>DOORS</b></p> <p>The front entrance door is of a timber flush design. Alloy framed double glazed patio doors serve the sun lounge.</p> <p><b>JOINERY</b></p> <p>There are projected roof timbers around the wallhead of the original section of the property, with there being timber facings to the roof of the sun lounge.</p>
<b>External decorations</b>	<p><b>Visually inspected.</b></p> <p>External joinery has a painted finish.</p>
<b>Conservatories / porches</b>	None.
<b>Communal areas</b>	n/a
<b>Garages and permanent outbuildings</b>	<p><b>Visually inspected.</b></p> <p>The property has a range of outbuildings, including an attached stone built barn with pitched corrugated metal roof. Its upper outer gable is timber clad. There is also a detached stone built byre with pitched corrugated metal roof. Its north facing gable has been rebuilt in brick and fitted with a large timber door. Situated adjoining the byre is a corrugated alloy nissan hut built off a concrete block basecourse with timber double doors. Situated near the start of the drive is a concrete panel implement shed/garage with shallow mono pitched felt clad roof. It is served by a metal up and over vehicular door.</p>
<b>Outside areas and boundaries</b>	<p><b>Visually inspected.</b></p> <p>I am informed by the owner that the total land belonging to the property extends to 24 acres or thereby and is located to the north of the public road. It also has approximately 0.25 miles of loch frontage and I am informed by the owner there are trout fishing rights and the right to moor and launch a boat on Loch Tay. The land generally forms rough grazing and woodland, with there being a garden around the house and outbuildings. There is a rough access drive leading to the house.</p>
<b>Ceilings</b>	<p><b>Visually inspected from floor level.</b></p> <p>Of plastered lath or plasterboard, with sections being clad with polystyrene ceiling tiles.</p>



## Single Survey

<b>Internal walls</b>	<p><b>Visually inspected from floor level.</b></p> <p><b>Using a moisture meter, walls were randomly tested for dampness where considered appropriate.</b></p> <p>Generally lined out with plastered lath or plasterboard with sections being plastered on the hard.</p>
<b>Floors including sub floors</b>	<p><b>Surfaces of exposed floors were visually inspected. No carpets or floor coverings were lifted.</b></p> <p>Ground floors are of a solid construction except the sitting room which has a traditional timber floor assumed to be constructed on top of traditional timber joists. Upper floors are of traditional timber construction.</p> <p>No access available to sub-floor.</p>
<b>Internal joinery and kitchen fittings</b>	<p><b>Built-in cupboards were looked into but no stored items were moved.</b></p> <p><b>Kitchen units were visually inspected excluding appliances.</b></p> <p>Internal joinery finishes are of timber, with there being timber skirtings and facings. The kitchen is provided with a range of square edge worktops and storage units. Interior doors are of a timber flush design, with the doors leading from the rooms into the adjoining sun lounge having upper double glazed inserts. The stairs are of a timber construction. There are built-in wardrobes within the bedrooms.</p>
<b>Chimney breasts and fireplaces</b>	<p><b>Visually inspected.</b></p> <p><b>No testing of the flues or fittings was carried out.</b></p> <p>There is a stone fireplace with tiled hearth in the sitting room.</p>
<b>Internal decorations</b>	<p><b>Visually inspected.</b></p> <p>Of painted and papered finishes.</p>
<b>Cellars</b>	None.
<b>Electricity</b>	<p><b>Accessible parts of the wiring were visually inspected without removing fittings. No tests whatsoever were carried out to the system or appliances. Visual inspection does not assess any services to make sure they work properly and efficiently and meet modern standards. If any services are turned off, the surveyor will state that in the report and will not turn them on.</b></p> <p>I understand electricity is from a mains public supply. The meter and fuse box is situated at the bottom of the stairs. Wiring where seen is of PVC clad cabling, with there being some twine light droppers.</p>



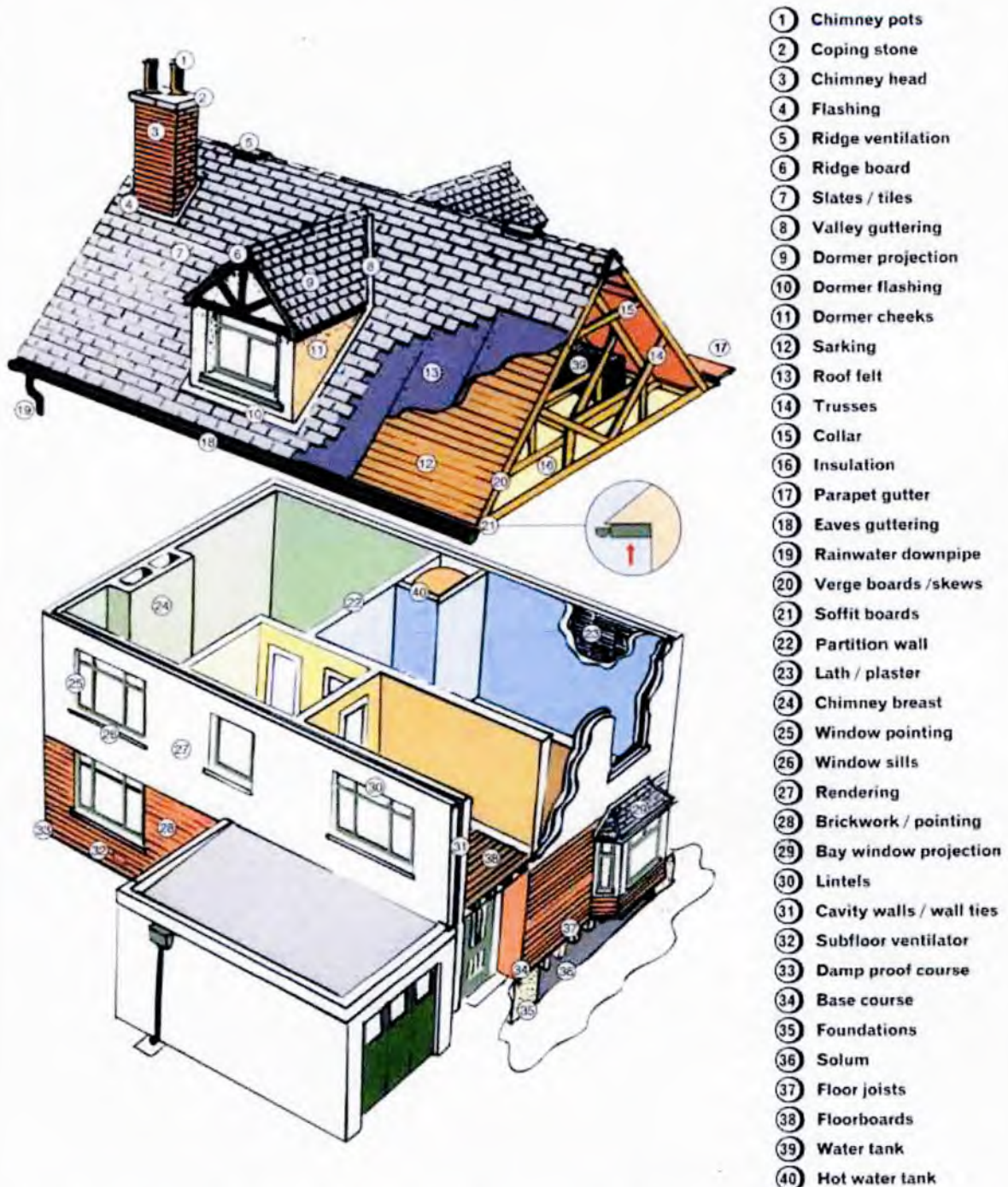
<b>Gas</b>	No supply.
<b>Water, plumbing, bathroom fittings</b>	<p><b>Visual inspection of the accessible pipework, water tanks, cylinders and fittings without removing any insulation.</b></p> <p><b>No tests whatsoever were carried out to the system or appliances.</b></p> <p>I understand from the seller that the property is served by a private water supply obtained from an adjoining burn. There are three large plastic water storage tanks adjoining the burn to the south side of the public road. I understand that there is a water collection chamber further up the hill to the south of the storage tanks. A stopcock is located externally adjoining the dining room south facing window. There is stainless steel sink unit with single drainer in the kitchen. The bath and shower rooms are provided with coloured fittings, with there being mixer showers. There is a fibreglass cold water tank above the hot water cylinder in the roof space over the kitchen.</p>
<b>Heating and hot water</b>	<p><b>Accessible parts of the system were visually inspected apart from communal systems, which were not inspected.</b></p> <p><b>No tests whatsoever were carried out to the system or appliances.</b></p> <p>The property is served by an oil fired hot water radiator central heating system by means of a Rayburn PJ oil fired stove located in the kitchen. There is a pre-insulated hot water tank in the roof space above the kitchen. There is a PVC expansion tank adjoining the hot water tank. A metal oil storage tank is located within the attached barn.</p>
<b>Drainage</b>	<p><b>Drainage covers etc. were not lifted.</b></p> <p><b>Neither drains nor drainage systems were tested.</b></p> <p>I am informed by the seller that drainage is to a private septic tank located in land within the ownership of the property to the north.</p>
<b>Fire, smoke and burglar alarms</b>	<p><b>Visually inspected.</b></p> <p><b>No tests whatsoever were carried out to the system or appliances.</b></p> <p>Ceiling mounted smoke detectors are provided, together with a burglar alarm.</p>
<b>Any additional limits to inspection</b>	<p>At the time of inspection the property was occupied, fully furnished and all floors covered. No suitable access was available in respect of a sub-floor inspection. Access within the roof spaces was restricted due to insulation material together with flooring. Due to the extensive nature of the land belonging to the property, detailed inspection of it together with adjoining boundary fences was not undertaken.</p> <p>I have not carried out an inspection for Japanese Knotweed and</p>

## Single Survey

	unless otherwise stated for the purposes of this report I have assumed that there is no Japanese Knotweed within the boundaries of the property or in neighbouring properties.
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## Sectional Diagram showing elements of a typical house



Reference may be made in this report to some or all of the above component parts of the property. This diagram may assist you in locating and understanding these items.





# Single Survey

## 2. Condition

This section identifies problems and tells you about the urgency of any repairs by using one of the following three categories:

Category 3	Category 2	Category 1
Urgent repairs or replacement are needed now. Failure to deal with them may cause problems to other parts of the property or cause a safety hazard. Estimates for repairs or replacement are needed now.	Repairs or replacement requiring future attention, but estimates are still advised.	No immediate action or repair is needed.

 Structural movement	
Repair category	1
Notes	Evidence of previous movement was noted in the property, but within the limitations of my inspection, I found no evidence to suggest that the movement appears serious or that there were obvious signs of recent movement having occurred. It is my opinion that this evidence would not have an adverse effect on future saleability.

 Dampness, rot and infestation	
Repair category	3
Notes	<p>Woodworm infestation is noted to exposed roof timbers together with stair timberwork.</p> <p>There is evidence of a history of damp penetration shown by staining to roof timbers. Roof timbers inserted into the stonework of main walls is showing signs of deterioration in areas as it is not protected against decay. Sections of plaster finishes are damp stained.</p> <p>Ground floors have been generally lined out from the original stone walls, however traces of dampness were noted to stone walling where access is available. This may indicate rising damp or severe condensation.</p> <p>Floor movement is apparent within the ground floor sitting room indicating possible rot to sub-floor timbers. This floor movement may indicate rot to sub-floor timbers. The condition of the solum in this section of the building could not be ascertained.</p> <p>Externally areas of the external ground level is high relative to the internal floor level although I am informed historical external tanking works had been undertaken by the seller.</p> <p>A timber and damp specialist, who uses guaranteed treatment methods, will be able to give advice in respect of appropriate repairs/treatment work.</p> <p>Condensation can normally be alleviated by paying attention to heating and ventilation.</p>



## Single Survey



### Chimney stacks

<b>Repair category</b>	1
<b>Notes</b>	Cement flashings by their nature will require careful maintenance.



### Roofing including roof space

<b>Repair category</b>	3
<b>Notes</b>	<p><b>ROOF</b></p> <p>The slate roof is of considerable age, with there being no felt between the slates and sarking. A number of chipped and slipped slates are apparent. I understand roof repairs were undertaken following storm damage in recent years. The corrugated metal section of roof will deteriorate with age and will be prone to condensation problems. The roof over the front lounge is showing signs of ponding. Roof systems utilising felt have a limited lifespan in comparison to more traditional forms of roof cladding, although there was no signs of leakage noted at the time of my inspection. Cement and metal flashings to the pitched roof areas will also require careful attention.</p> <p>A reputable roofing contractor will be able to give advice in respect of required repair/renewal work.</p> <p><b>ROOF SPACE</b></p> <p>Woodworm infestation noted together with damp staining. Sections of roof timbers are inserted into adjoining stone walls without protection against decay, with sections showing signs of deterioration. There is no underslate felt, with daylight showing through the roof structure at various points (refer to section on Dampness, Rot &amp; Infestation).</p>



### Rainwater fittings

<b>Repair category</b>	2
<b>Notes</b>	Sections of corroded and off-level gutters are apparent. There is no proper gully provision to some downpipes. A section of the roof over the shower room has no gutter provision also. A plumber will be able to give advice in respect of appropriate repair/renewal work.



### Main walls

<b>Repair category</b>	2
<b>Notes</b>	High external ground levels ideally should be lowered and sub floor vents provided to the suspended timber floor of the sitting room.



## Single Survey



### Windows, external doors and joinery

Repair category	2
Notes	Rot is affecting a number of sills and frames, together with projected roof timbers. Timber framing of patio doors is showing signs of deterioration. The fixed secondary double glazing system does not allow the provision of ventilation. A number of sash cords are missing, with there being some cracked glazing. A joiner will be able to give advice in respect of required repair/renewal work.



### External decorations

Repair category	1
Notes	Underlying timberwork is weathered in areas. Further upgrading of decoration will be required following necessary joinery repairs.



### Conservatories/porches

Repair category	-
Notes	None.



### Communal areas

Repair category	-
Notes	n/a



### Garages and permanent outbuildings







Repair category	1
Notes	The outbuildings are generally in a fair order consistent with age, construction and current use. The roof claddings are of a type which will require a higher degree of ongoing maintenance. A runner for a section of slide door to the nissan hut is damaged although I understand from the seller this will be repaired prior to sale. There is evidence of woodworm infestation together with deteriorate to timberwork in older outbuildings. General structural movement is also apparent to stone built sections.



### Outside areas and boundaries


Repair category	1
Notes	Detailed inspection of the land has not been undertaken due to its extensive nature. Trees/bushes, particularly growing adjoining the property and services, will require to be pruned back on a regular basis. Boundary fences are in a mixed condition. I understand from the owner that there is the remains of a pier on the adjoining loch. Careful attention to site drainage will be necessary. The access drive is rough in areas.




 <b>Ceilings</b>	
<b>Repair category</b>	1
<b>Notes</b>	Polystyrene ceiling tiles can be a hazard in the event of a fire and accordingly removal would be prudent. Selective maintenance to plasterwork, particularly where previous damp penetration has occurred, should be allowed for.
 <b>Internal walls</b>	
<b>Repair category</b>	1
<b>Notes</b>	Some door openings are off-level, indicating previous structural movement. Selective upgrading of plasterwork would be beneficial.
 <b>Floors including sub-floors</b>	
<b>Repair category</b>	1
<b>Notes</b>	Floor vibration noted within the sitting room (refer to section on Dampness, Rot & Infestation). The condition of the solum could not be ascertained.
 <b>Internal joinery and kitchen fittings</b>	
<b>Repair category</b>	1
<b>Notes</b>	Age related wear and tear noted. Some adjustment in respect of window and door mechanisms should be allowed for. Woodworm infestation is affecting stair timbers (refer to section on Dampness, Rot & Infestation).
 <b>Chimney breasts and fireplaces</b>	
<b>Repair category</b>	1
<b>Notes</b>	It is always best to have a chimney flue tested prior to use.
 <b>Internal decorations</b>	
<b>Repair category</b>	1
<b>Notes</b>	No reportable defects identified.





 <b>Cellars</b>	
<b>Repair category</b>	-
<b>Notes</b>	None.

 <b>Electricity</b>	
<b>Repair category</b>	2
<b>Notes</b>	Electrical wiring gives the appearance of being of a mixed vintage and may not fully comply with current standards. An NICEIC registered electrician will be able to give further advice as well as carrying out appropriate safety checks.

 <b>Gas</b>	
<b>Repair category</b>	-
<b>Notes</b>	No supply.

 <b>Water, plumbing and bathroom fittings</b>	
<b>Repair category</b>	2
<b>Notes</b>	Careful attention to waterproofing around shower areas should be allowed for. Sanitary fittings are showing some signs of age-related wear and tear. Water is understood to be from a private source. The provision and upgrading of filter systems may be required. The valuation assumes that a pure and plentiful supply of water is readily available.

 <b>Heating and hot water</b>	
<b>Repair category</b>	1
<b>Notes</b>	A qualified heating engineer will be able to give advice in respect of safety checks and maintenance. I understand that radiators were replaced in recent years.

 <b>Drainage</b>	
<b>Repair category</b>	1
<b>Notes</b>	<p>Private drainage systems require regular on-going maintenance. It is assumed that the drainage provision meets with appropriate SEPA standards. Drainage tests have not been undertaken.</p> <p>Careful attention to site drainage should be allowed for.</p>

## Single Survey

Set out below is a summary of the condition of the property which is provided for reference only. You should refer to the previous comments for detailed information.

Structural movement	1
Dampness, rot and infestation	3
Chimney stacks	1
Roofing including roof space	3
Rainwater fittings	2
Main walls	2
Windows, external doors and joinery	2
External decorations	1
Conservatories/porches	-
Communal areas	-
Garages and permanent outbuildings	1
Outside areas and boundaries	1
Ceilings	1
Internal walls	1
Floors including sub-floors	1
Internal joinery and kitchen fittings	1
Chimney breasts and fireplaces	1
Internal decorations	1
Cellars	-
Electricity	2
Gas	-
Water, plumbing and bathroom fittings	2
Heating and hot water	1
Drainage	1

### Category 3

Urgent repairs or replacement are needed now. Failure to deal with them may cause problems to other parts of the property or cause a safety hazard. Estimates for repairs or replacement are needed now.

### Category 2

Repairs or replacement requiring future attention, but estimates are still advised.

### Category 1

No immediate action or repair is needed.

### Remember

The cost of repairs may influence the amount someone is prepared to pay for the property. We recommend that relevant estimates and reports are obtained in your own name.

### Warning

If left unattended, even for a relatively short period, Category 2 repairs can rapidly develop into more serious Category 3 repairs. The existence of Category 2 or Category 3 repairs may have an adverse effect on marketability, value and the sale price ultimately achieved for the property. This is particularly true during slow market conditions where the effect can be considerable.



## Single Survey

### 3. Accessibility information

#### Guidance notes on accessibility information

*Three steps or fewer to a main entrance door of the property:*

In flatted developments the 'main entrance' would be the flat's own entrance door, not the external door to the communal stair. The 'three steps or fewer' are counted from external ground level to the flat's entrance door. Where a lift is present, the count is based on the number of steps climbed when using the lift.

*Unrestricted parking within 25 metres:*

For this purpose, 'Unrestricted parking' includes parking available by means of a parking permit. Restricted parking includes parking that is subject to parking restrictions, as indicated by the presence of solid yellow, red or white lines at the edge of the road or by a parking control sign, parking meters or other coin-operated machines.

1. Which floor(s) is the living accommodation on?	Ground & First
2. Are there three steps or fewer to a main entrance door of the property?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
3. Is there a lift to the main entrance door of the property?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
4. Are all door openings greater than 750mm?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5. Is there a toilet on the same level as the living room and kitchen?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
6. Is there a toilet on the same level as a bedroom?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
7. Are all rooms on the same level with no internal steps or stairs?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
8. Is there unrestricted parking within 25 metres of an entrance door to the building?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

## 4. Valuation and conveyancer issues

This section highlights information that should be checked with a solicitor or licensed conveyancer. It also gives an opinion of market value and an estimated reinstatement cost for insurance purposes.

### Matters for a solicitor or licensed conveyancer

I am informed by the owner that the land belonging to the property extends to approximately 24 acres comprising the dwelling house and garden plus additional fields and woodland. The valuation assumes that this information is correct. Boundaries together with any mutual maintenance liabilities of boundary fences should be confirmed.

The seller advises me that drainage is to a private septic tank located within the garden. The system has not been inspected and condition, legal and environmental issues have not been investigated. For the purpose of the valuation, all are assumed to be satisfactory. It is assumed that appropriate SEPA registration will be provided.

The seller advises me that water is from a private supply from the adjoining burn. The source of the water together with collection tanks is in land outwith the ownership of the property. It is not possible to comment on legal issues or the quality or quantity of the supply. For the purpose of the valuation all are assumed to be satisfactory. The availability of appropriate water tests should be confirmed.

The property has been altered and extended over a number of years. The sun lounge extension is understood to have been undertaken in 1990. Other works appear to be of some age. The valuation assumes that all appropriate local authority and other consents have been sought and granted, or that the local authority would have no interest in them.

Confirmation should be obtained regarding appropriate trout fishing rights to Loch Tay, together with the right to moor and launch a boat.

### Estimated reinstatement cost for insurance purposes

£525,000 (Five Hundred And Twenty Five Thousand Pounds).

### Valuation and market comments

Market Value - £435,000 (Four Hundred and Thirty Five Thousand Pounds).

This valuation assumes that the cost of Category 3 repairs do not exceed £15,000 in total. Detailed reports and estimates should be obtained prior to purchase.

Market Comment - The property market is experiencing uncertain conditions at this time and activity levels have fluctuated during the past twelve months. Demand is currently being hampered by restricted terms relating to mortgage finance and wider economic issues.

Signed

Security Print Code [481889 = 3876 ]  
Electronically signed



## Single Survey

<b>Report author</b>	T J Laurie
<b>Company name</b>	DM Hall
<b>Address</b>	Gowrie House, 52 Tay Street, Perth, PH1 5TR
<b>Date of report</b>	11th April 2013



## CHX Planning Local Review Body - Generic Email Account

---

**From:** Mark Myles <mm@mbmplanning.co.uk>  
**Sent:** 09 July 2015 13:11  
**To:** CHX Planning Local Review Body - Generic Email Account  
**Subject:** Notice of Review - Application reference : 14/02109/FLL  
**Attachments:** 14\_01967\_FLL-REPORT\_OF\_HANDLING-685830.docx; 14\_01967\_FLL-DECISION\_NOTICE-685904.rtf

Dear Sir/Madam

I refer to the above Notice of Review that I submitted yesterday and would be grateful if this email and attachments could also be included as part of the submitted documentation. I apologise for the late submission of this information but an example of a very similar case overlooking Loch Tummel has just been brought to my attention.

The planning application 14/01967/FLL for a replacement house was submitted one month prior to the application (14/02109/FLL which is subject to this Review) and was determined under delegated powers within the statutory period. I have attached the decision notice as well as a copy of the Report of Handling for application 14/01967/FLL which includes photographs.

No cost analysis was ever sought for application 14/01967/FLL. Instead it was considered to comply with the housing in the countryside policy as the existing house was not deemed to be worthy of retention.

The submission of this further information helps to demonstrate that different planning officers are determining very similar proposals under distinctly different criteria with an apparent lack of consistency in decision making. The planning officers involved in application 14/01967/FLL have clearly taken a balanced view of the policies whereas the application that is now subject to this Notice of Review was assessed unfairly and determined on the basis of an overly strict and incorrect interpretation of policy.

I would therefore be grateful if you could bring this additional information to the attention of the LRB and include as part of the Notice of Review papers.

Once again I apologise for not including this within the original submission yesterday.

Many thanks

Kind regards

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

01738 450506  
07887 801965



# PERTH AND KINROSS COUNCIL

Mr David Balfour  
c/o WTArchitecture  
William Tunnell  
4-6 Gote Lane  
South Queensferry  
Edinburgh  
EH30 9PS

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 19 January 2015

Town and Country Planning (Scotland) Acts.

Application Number **14/01967/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 14th November 2014 for planning permission for **Erection of replacement dwellinghouse and garage** at Site Of Former Mains Of Kynachan Farmhouse Tummel Bridge subject to the undernoted conditions.

Development Quality Manager

## **Conditions referred to above**

- 1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

Reason - To ensure that the development is carried out in accordance with the plans approved.

- 2 Prior to commencement of site works, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways / private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The approved protective or replacement measures shall be put in place before the site works commence and shall be so maintained throughout the period of construction.

Reason - To ensure the new development has an adequate and consistently wholesome supply of water and to maintain water quality and supply in the interests of residential amenity

- 3 All existing trees on site shall be retained and protected in line with BS 5837:2012 Trees in Relation to Design, Demolition and Construction. All protected measures shall be installed prior to the commencement of development and shall remain in place for the duration of site works to the satisfaction of the Council as Planning Authority.

Reason - In order to ensure the retention and protection of existing trees on site.

- 4 No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with Perth and Kinross Heritage Trust.

Reason - To protect archaeological interests.

### **Justification**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

### **Informatives**

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.
- 5 The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.
- 6 The applicant shall ensure the private water supply for the house/ development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to

ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.

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

**Plan Reference**

**14/01967/1**

**14/01967/2**

**14/01967/3**

**14/01967/4**

**14/01967/5**

**14/01967/6**

**14/01967/7**

**14/01967/8**

**14/01967/9**

**14/01967/10**

**14/01967/11**





# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	14/01967/FLL	
Ward No	N4- Highland	
Due Determination Date	13.01.2015	
Case Officer	John Williamson	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Erection of replacement dwellinghouse and garage

**LOCATION:** Site Of Former Mains Of Kynachan Farmhouse Tummel Bridge

### SUMMARY:

This report recommends **approval** of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

**DATE OF SITE VISIT:** 15 January 2015

### SITE PHOTOGRAPHS





## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

Full planning consent is sought for the erection of a replacement dwellinghouse and garage at Main of Kynachan Farmhouse which is located on the south side of Loch Tummel. There is an existing traditional farmhouse dwelling located on the site which has been extended over the years with a number of additions of varying architectural styles. The existing house sits on the shoulder of a hillside above Loch Tummel. The house sits above an existing steading building which sits above a flat flood plain. The site is accessed by an access track from the south west from the B846 Tummel Bridge to Aberfeldy road. The existing cream painted house sits in a relatively prominent position and is clearly visible from the loch and from the opposite side of the loch, although at some distance. The land rises to the south of the house to provide a backdrop. The application site is located within the Loch Tummel National Scenic Area. The proposal involves the demolition of the existing cream four bedroom farm house and an adjacent stone byre and its replacement with a contemporary three bedroom house.

## **SITE HISTORY**

None

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: Email correspondence with David Niven

## **NATIONAL POLICY AND GUIDANCE**

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

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

### **TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012**

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs.”*

### **Perth and Kinross Local Development Plan 2014 – Adopted February 2014**

The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

#### **Policy 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.

#### **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.

#### **Policy NE1B - National Designations**

Development which would affect a National Park, National Scenic Area, Site of Special Scientific Interest or National Nature Reserve will only be permitted where the integrity of the area or the qualities for which it has been designated are not adversely affected or any adverse impacts are clearly outweighed by benefits of national importance.

#### **Policy HE1B - Scheduled Monuments and Non Designated A**

Areas or sites of known archaeological interest and their settings will be protected and there will be a strong presumption in favour of preservation in situ. If not possible provision will be required for survey, excavation, recording and analysis.

#### **Policy PM1B - Placemaking**

All proposals should meet all eight of the placemaking criteria.

## **OTHER POLICIES**

### **Housing in the Countryside Guide 2012**

## **INTERNAL CONSULTATION RESPONSES**

Transport Planning – no objection

Environmental Health – Condition and informatives recommended regarding private water supplies

Education And Children's Services - no contribution required

Contributions Officer – no contribution required

Local Flood Prevention Authority – no comments within statutory period however site is located outwith statutory flood risk area

Community Waste Advisor - Environment Service – advice provided regarding road end collection

Perth And Kinross Area Archaeologist – condition recommended

## **EXTERNAL CONSULTATION RESPONSES**

Scottish Natural Heritage – no objection

## **REPRESENTATIONS**

None received

## **ADDITIONAL STATEMENTS RECEIVED:**

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

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

### **Policy Appraisal**

Policy RD3 of the Local Development Plan 2014 relates to Housing in the Countryside which allows for residential development in the countryside where the proposal meets certain categories and criteria. Policy NE1B relates to National Scenic Areas and states that proposals should not adversely affect the integrity of the area or the qualities for which it has been designated. Other relevant policies include Policy TA1B which relates to access and parking arrangements and Policy PM1B which relates to placemaking.

### **Principal**

As outlined above Policy RD3 relates to Housing in the Countryside. The proposal is not considered to meet any of the criteria outlined in categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside (5) Conversion or Replacement of Redundant Non Domestic Buildings and (6) Brownfield Sites. The most relevant category for this application is category 4 which relates to the renovation or replacement of houses. This states that restoration will be favoured where the existing building is of traditional form and construction, is otherwise of architectural merit and makes a positive contribution to the landscape or contributes to local character. It was clear from my site visit that the existing traditional farmhouse is a relatively simple, functional, example of this type of farmhouse property. It has clearly been developed and extended over a number of years with varying architectural styles used. Criteria (c) of category 4 states that for a replacement dwelling to be permitted the existing house should be not worthy of retention. Whilst the dwellinghouse has some character I am satisfied that in planning terms the demolition of the house meets this requirement. Criteria (d) states that where demolition is permitted, the replacement house shall be of a high quality design, appropriate to its setting and surrounding area. This will be considered in more detail below.

### **Design/Scale/Layout**

The proposed replacement dwelling is to occupy a similar position to the existing dwelling and adjacent bothy and will traverse the sloping land down towards the loch side. The house will have a steading like contemporary form

with narrow gable ends and a flat roof single storey area on the western side to accommodate the access into the property. The access on the western side is considered to have a better relationship with the existing access track into the site. The existing house with a cream painted finish and tall gables and chimneys results in its being relatively prominent in the landscape. The proposed dwellinghouse, although larger in footprint has similar eaves levels but a lower ridge level. The palette of material, which includes stone and timber cladding will allow the house to relate more appropriate to the surrounding natural landscape and lighter weight timber cladding on upper levels will again help to minimise the bulk of the house. The curved ridge also helps to reduce the massing of the house. The position of the house continues lines established by stone dyke walls on the site and relates well to the steading which sits to the north.

A detached garage is proposed on the south side of the site adjacent to the access into the site. This is proposed to have three bays and a kennels area and will be clad in timber to match part of the dwellinghouse and is proposed to have a corrugated steel roof with curved ridge. I am satisfied that the proportions and position of the detached garage are acceptable and compliment the design of the house.

I am satisfied that this unique contemporary design will sit appropriately on the site. It takes account of the sloping nature of the site and its form and materials will ensure it relates appropriately to the surrounding landscape. I am therefore satisfied that the proposal meets the requirements of Policy RD3 where it relates to design and meets the criteria contained within Policy PM1B and NE1B.

### **Access/Parking**

The site is served by an existing private access track from the B846. Given that no increase in traffic will result from the proposal as it involves the replacement of an existing dwelling, I am satisfied that the existing track and access onto the public road are appropriate. Suitable parking and turning facilities are indicated on the site plans. As such the proposal meets the requirements of Policy TA1B of the LDP.

### **Drainage**

The existing house is served by a separate private wastewater system using a septic tank and it is proposed to utilise this same system for the new house. An existing bore hole will provide a private water supply.

### **Developer Contributions**

The application site is located within the catchment area of Kinloch Rannoch Primary School. As this involves the replacement of an existing dwellinghouse no contribution towards education infrastructure is required. The site is located outwith the area where transport infrastructure contributions are required.



## **Archaeology**

Perth and Kinross Heritage Trust have recommended a programme of archaeological works be carried out to record the historic settlement of Kynachan. A condition is recommended to cover this.

## **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 to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions.

## **APPLICATION PROCESSING TIME**

The recommendation for this application has been made outwith the statutory period due to the Christmas break and weather preventing site visit.

## **LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **RECOMMENDATION**

**Approve the application**

## **Conditions and Reasons for Recommendation**

1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

Reason - To ensure that the development is carried out in accordance with the plans approved.

2 Prior to commencement of site works, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways / private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The approved protective or replacement measures shall be put in place before the site works commence and shall be so maintained throughout the period of construction.

Reason - To ensure the new development has an adequate and consistently wholesome supply of water and to maintain water quality and supply in the interests of residential amenity

3 All existing trees on site shall be retained and protected in line with BS 5837:2012 Trees in Relation to Design, Demolition and Construction. All protected measures shall be installed prior to the commencement of development and shall remain in place for the duration of site works to the satisfaction of the Council as Planning Authority.

Reason - In order to ensure the retention and protection of existing trees on site.

4 No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with Perth and Kinross Heritage Trust.

Reason - To protect archaeological interests.

### **Justification**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

## **Informatives**

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.
- 5 The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.
- 6 The applicant shall ensure the private water supply for the house/ development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.

## **Procedural Notes**

Not Applicable.

## **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

14/01967/1  
14/01967/2  
14/01967/3  
14/01967/4  
14/01967/5  
14/01967/6  
14/01967/7  
14/01967/8  
14/01967/9  
14/01967/10  
14/01967/11

**Date of Report 19.01.2015**

**TCP/11/16(370)**  
**Planning Application 14/02019/FLL - Erection of  
replacement dwellinghouse Site Of Former Callelochan,  
Acharn**

**PLANNING DECISION NOTICE** *(included in applicant's  
submission, see pages 385-386)*

**REPORT OF HANDLING** *(included in applicant's  
submission, see pages 387-395)*

**REFERENCE DOCUMENT** *(included in applicant's  
submission, see pages 405-412)*





**TCP/11/16(370)**  
**Planning Application 14/02019/FLL - Erection of**  
**replacement dwellinghouse Site Of Former Callelochan,**  
**Acharn**

## **REPRESENTATIONS**



# Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 14/02109/FLL

Our ref MA

Date 23 Dec 2014

Tel No 01738 476476

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Consultation on an Application for Planning Permission

**RE: Erection of replacement dwellinghouse Site Of Former Callelochan Acharn for Mrs Karen Kelly**

I refer to your letter dated 17 December 2014 in connection with the above application and have the following comments to make.

**Water** (assessment date – 23/12/14)

### Recommendation

**I have no objections to the application but recommend the undernoted informatives be included in any given consent.**

### Comments

The development is for a replacement dwelling house in a rural area with private water supplies known to serve properties in the vicinity. To ensure the new development has an adequate and consistently wholesome supply of water and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance please note the following condition and informative/s. No public objections relating to the water supply were noted at the date above.

### Informative 1

The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.

### Informative 2

The applicant shall ensure the private water supply for the house/ development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.

MA



### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	14/02109/FLL	<b>Comments provided by</b>	Euan McLaughlin
<b>Service/Section</b>	Strategy & Policy	<b>Contact Details</b>	<b>Development Negotiations Officer:</b> Euan McLaughlin Tel: 01738 475381 Email: <a href="mailto:emclaughlin@pkc.gov.uk">emclaughlin@pkc.gov.uk</a>
<b>Description of Proposal</b>	Erection of replacement dwellinghouse		
<b>Address of site</b>	Site Of Former Callelochan Acharn for Mrs Karen Kelly		
<b>Comments on the proposal</b>	<p><b>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</b></p> <p><b>Primary Education</b></p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Kenmore Primary School.</p> <p>The proposal is for a replacement house and will not increase the overall number of dwellings on the site. The Developer Contributions Supplementary Guidance will not apply.</p>		
<b>Recommended planning condition(s)</b>	<p><b>Summary of Requirements</b></p> <p>Education: £0</p> <p><b><u>Total:</u> £0</b></p>		
<b>Recommended informative(s) for applicant</b>	N/A		
<b>Date comments returned</b>	07 January 2015		





### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	14/02109/FLL	<b>Comments provided by</b>	Lucy Garthwaite
<b>Service/Section</b>	Waste Services	<b>Contact Details</b>	01738 475262
<b>Description of Proposal</b>	Erection of replacement dwellinghouse		
<b>Address of site</b>	Site Of Former Callelochan Acharn		
<b>Comments on the proposal</b>	Waste and recycling bins will be collected from the main road.		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>	The road and pavement from the bin collection point to the refuse collection vehicle must be at maximum 10 metres and a hard standing surface. It must have a level gradient and a smooth surface; use dropped kerbs where appropriate.		
<b>Date comments returned</b>	7/1/15		



## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	14/02109/FLL	<b>Comments provided by</b>	Tony Maric Transport Planning Officer
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	75329 amaric@pkc.gov.uk
<b>Description of Proposal</b>	Erection of replacement dwellinghouse		
<b>Address of site</b>	Site Of Former Callelochan Acharn		
<b>Comments on the proposal</b>	<p>I note the proposal is for a replacement dwellinghouse and it is proposed to use the existing access. The existing access is satisfactory, although it may be prudent to cut back some of the vegetation to improve visibility. There is some concern that surface water may discharge onto the public road after the development has been completed.</p> <p>Therefore, I do not object to this application, provided the following condition is attached in the interests of pedestrian and traffic safety.</p>		
<b>Recommended planning condition(s)</b>	<ul style="list-style-type: none"> <li>Surface water shall be disposed of in such a manner that no surface water shall be discharged onto the public road.</li> </ul>		
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	23 January 2015		

