

<p><b>LRB-2022-03</b> <b>21/01504/FLL – Erection of boundary wall, West Lodge</b> <b>Caravan Park, Comrie, Crieff</b></p>
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**LRB-2022-03**  
**21/01504/FLL – Erection of boundary wall, West Lodge**  
**Caravan Park, Comrie, Crieff**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

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

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

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

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

Use **BLOCK CAPITALS** if completing in manuscript

## Applicant(s)

Name TRI SCOTLAND

Address C/O AGENT

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

## Agent (if any)

Name DAVID BELL

Address FOUN + BELL ARCHITECTS

Postcode EDINBURGH EH6 7EL

Contact Telephone 1 07767 880488

Contact Telephone 2

Fax No

E-mail\* david.bell@foun-bell.com

Mark this box to confirm all contact should be  
through this representative: ☒ Yes ☐ No

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

☒ Yes ☐ No

Planning authority

PERTH & KINROSS.

Planning authority's application reference number

21/01504/FLL & 21/01689/LBC

Site address

WEST LODGE CARAVAN PARK, COMRIE

Description of proposed  
development

PROPOSED ALTERATIONS TO THE BOUNDARY WALL

Date of application

24 AUGUST 2021

Date of decision (if any)

18 NOV 2021.

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

**Nature of application**

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

**Reasons for seeking review**

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

**Review procedure**

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

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

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

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

AS PER THE ATTACHED SUBMISSION DOCUMENT DATED 16.02.22

**Site inspection**

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

1. Can the site be viewed entirely from public land? ☒ Yes ☐ No
2. 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:

NONE

**Statement**

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

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

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

*AS ATTACHED DOCUMENT.*

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

Yes ☐ No ☒

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

*N/A.*

**List of documents and evidence**

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

210-170 PLO1 A EXISTING SITE LAYOUT.  
 PL02 B PROPOSED SITE LAYOUT.  
 PL03 B " " 1:100.  
 PL04 X PROPOSED WALL DETAIL.  
 SUBMISSION DOCUMENT.

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

**Checklist**

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

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

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

**Declaration**

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

Signed



Date

16.02.22



**PROPOSED ALTERATIONS TO BOUNDARY WALL,  
WEST LODGE CARAVAN PARK, COMRIE.**

**Submission to Local Review Body.**

**Planning references 21/01504/FLL and 21/01659/LBC.**

16 February 2022

**fouin + bell**



architects

1 John's Place  
Edinburgh  
EH6 7EL

## **Content**

- 1.0 General introduction.**
- 2.0 Current planning submission and reason given for refusal.**
- 3.0 Reason for overturning the current refusal.**
- 4.0 Summary and conclusion.**

## 1.0 General introduction

- 1.1 The following submission has been prepared following receipt of the Notice of Refusal in respect of the recent Planning and Listed Building Consent application for alterations to the boundary wall at West Lodge Caravan Park, Comrie.
- 1.2 Our client, Tri Scotland, recently purchased the existing caravan park and has been keen to spend considerable monies carrying up improvements to both the external appearance of the site and also the quality of accommodation it provides.
- 1.3 An initial application was submitted by Brunton Design on behalf of the client on 24 March 2021 under planning reference. No: 21/00488/FLL. This unfortunately was a very poor and badly considered design proposal and application was subsequently refused on 22 June 2021.
- 1.4 The reason for refusal were as follows:-
  1. *The proposed demolition of the existing wall and the realignment of the boundary at the edge of the road would have an adverse impact on the character and visual amenity of the site. The wall relates to the category C listed Lawers West Lodge and is therefore also listed. Its demolition would result in the loss of historic fabric and an adverse impact on the character and setting of the associated listed buildings. The proposal is therefore contrary to Policy 27A of the Perth and Kinross adopted Local Development Plan 2 (2019), which seeks to ensure that the architectural and historic interest of listed buildings is protected; and Policy 1A of the Perth and Kinross adopted Local Development Plan 2 (2019) which seeks to ensure that all new developments respect the character and amenity of the area concerned.*
  2. *The proposed realignment of the boundary wall blocks an existing core path, with no provision made for safe re-routing. The proposal is therefore contrary to Policy 15 of the Perth and Kinross adopted Local Development Plan 2 (2019) which seeks to ensure that new development has no adverse impact on the integrity of any core path.*
  3. *The proposed boundary wall abuts the A85 trunk road carriageway with no consideration given to retaining the trunk verge, the existing bus stop and other street furniture within the verge, or the impact of the proposed boundary walls on the visibility splays at the access to the caravan park. The proposal is unacceptable to Transport Scotland and is contrary to Policy 60B of the Perth and Kinross adopted Local Development Plan 2 (2019) which seeks to ensure that all development proposals should be designed for the safety and convenience of all potential users.*

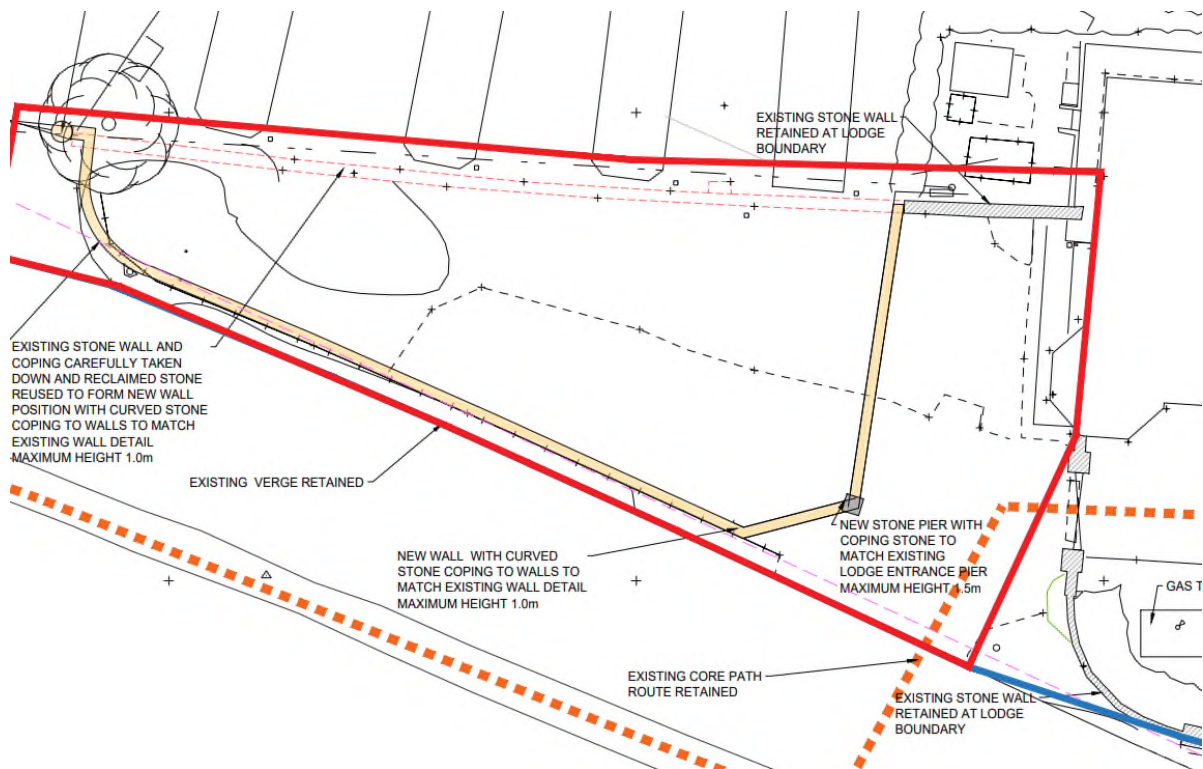
## 2.0 Current planning submission and reason given for refusal.

2.1 Fouin + Bell Architects were then appointed by Tri Scotland to review the current proposals and the reason given for refusal, and to prepare a further fresh submission which it was hoped would address the earlier concerns. The three reasons given for the initial refusal were as follows:-

1. Concerns about the line of the proposed new wall and its relationship to the West Lodge building.
2. The relationship and potential impact of the proposed new wall to the core path route in the local area.
3. The proximity of the proposed wall to the trunk road and the loss of the existing road verge.

2.2 We prepared amended drawings showing that the core path route would not be affected by the new wall and that the existing verge would be retained. We also proposed improvements to the entrance to the caravan site, the upgrading of the existing bus stop and the provision of a bench for people waiting for a bus to arrive.

2.3 The revised proposals amended the gate detail adjacent to the West Lodge building, retained the existing gate, gate pillar and wall to the front of the lodge. We also noted that our client would retain the first 6 metres of the existing stone wall which runs off the west elevation of this building. This is clearly shown on the submission drawing below.



- 2.4 We believe that the revised submission demonstrated that all of these earlier concerns could all be satisfactorily addressed.
- 2.5 The revised scheme was submitted for planning and listed building consent under planning reference Nos: 21/01504/FLL and 21/01659/LBC. This was submitted on 24 August 2021.
- 2.6 On 18 November 2021 we received notification that both these applications had been refused. The reason given for refusal was as follows:-
1. *The existing boundary wall relates to the category C listed Lawers West Lodge and is therefore also listed. Its demolition and the proposed realignment of the boundary would result in the loss of historic fabric and an adverse impact on the character and setting of the associated listed buildings. The proposal is therefore contrary to Policy 27A of the Perth and Kinross Local Development Plan 2 (2019), which seeks to ensure that the architectural and historic interest of listed buildings is protected.*

### **3.0 Reason for overturning the current refusal.**

- 3.1 As can be seen from this refusal, the revised application had fully addressed both the core path and transportation concerns and simply left the issue of the impact of the proposed new wall on the West Lodge building as a matter of concern. The building is C listed. The property was listed in 1981 and the citation reads as follows:-

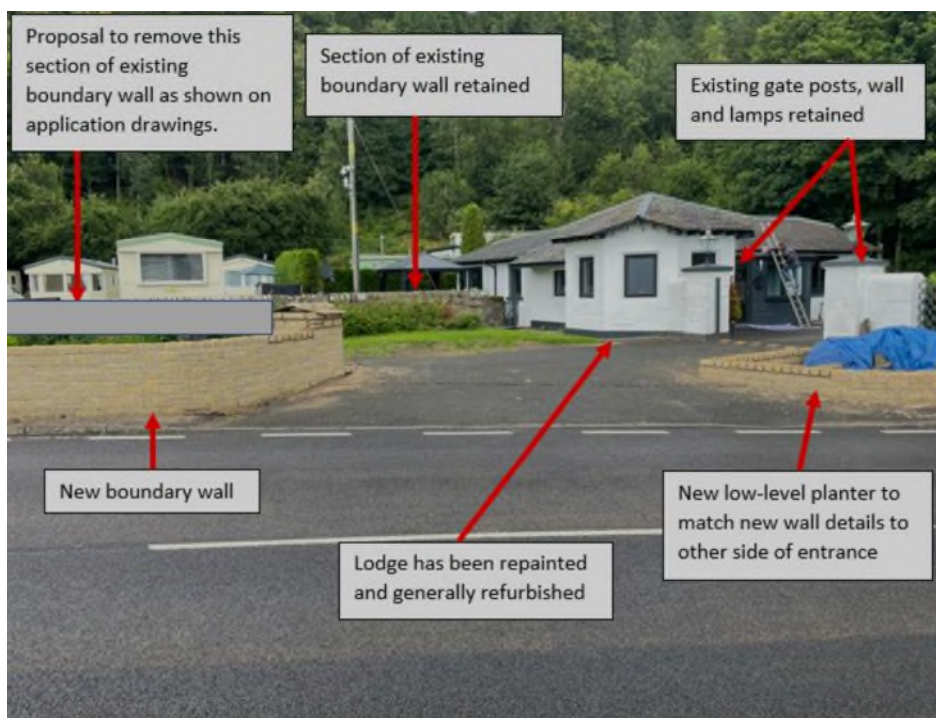
*Single-storey ashlar of similar type to Ochertyre Mid Lodge.  
Segmentally arched trellis verandah, square gate piers and trellis screen.  
Early 19th cent.  
Poorly designed recent additions.*

- 3.2 Based upon this listed, we believe that the property is not particularly special but none the less we are not proposing to carry out any alterations to the building itself. The proposed works are either minimal and not physically connected to the building and the retention of the first section of the west wall means there is no impact on the setting, historic fabric detail, setting or historic character of the listed building.
- 3.3 The existing boundary wall is not part of the listing and is only relevant because it is tied into the west gable.
- 3.4 Our revised scheme also amended the proposed gate detail to the front of the lodge to retain the existing detail.
- 3.5 As a result, believe that the proposed works enhance both the appearance and setting of the building as is demonstrated by the photograph below.



Photograph of West Lodge in context with new walls and planters

3.6 We have annotated this photograph below to highlight the works done or proposed.



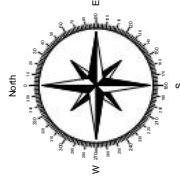
#### **4.0 Summary and conclusion.**

- 4.1 As stated in our introduction, the applicant has recently purchased the West Lodge Caravan Park in Comrie with a view to investing in improving the site and the quality of holiday accommodation this provided.
- 4.2 The original scheme which was refused was poorly consider and failed to take account of the actual situation on the ground.
- 4.3 The revised submission fully addresses the earlier concerns leaving only the matter of whether “the proposed realignment of the boundary would result in the loss of historic fabric and an adverse impact on the character and setting of the associated listed buildings”.
- 4.4 We do not believe this to be the case and hope that the above photograph shows this to be the case.
- 4.5 As a result, we would respectfully request that the Local Review Body reconsider this Refusal Notice and grant both the planning and listed building consents for this project.





<p><b>NOTE:</b>          All proprietary goods and materials are to be fitted in accordance with manufacturers instructions. Colors of finishes and British Standards. Only Scale for Planning purposes, work to figured dimensions only.</p>	
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REVISION / DESCRIPTION / DATE	
A Road Number added	14/09/21



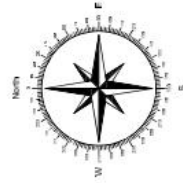
**fouin - bell**  
**architects**  
 1 Levens Place, Edinburgh, EH6 7EL  
 Tel: 0131 220 1111  
 info@fouin-bell.com www.fouin-bell.com

**WEST LODGE  
 CARAVAN PARK**

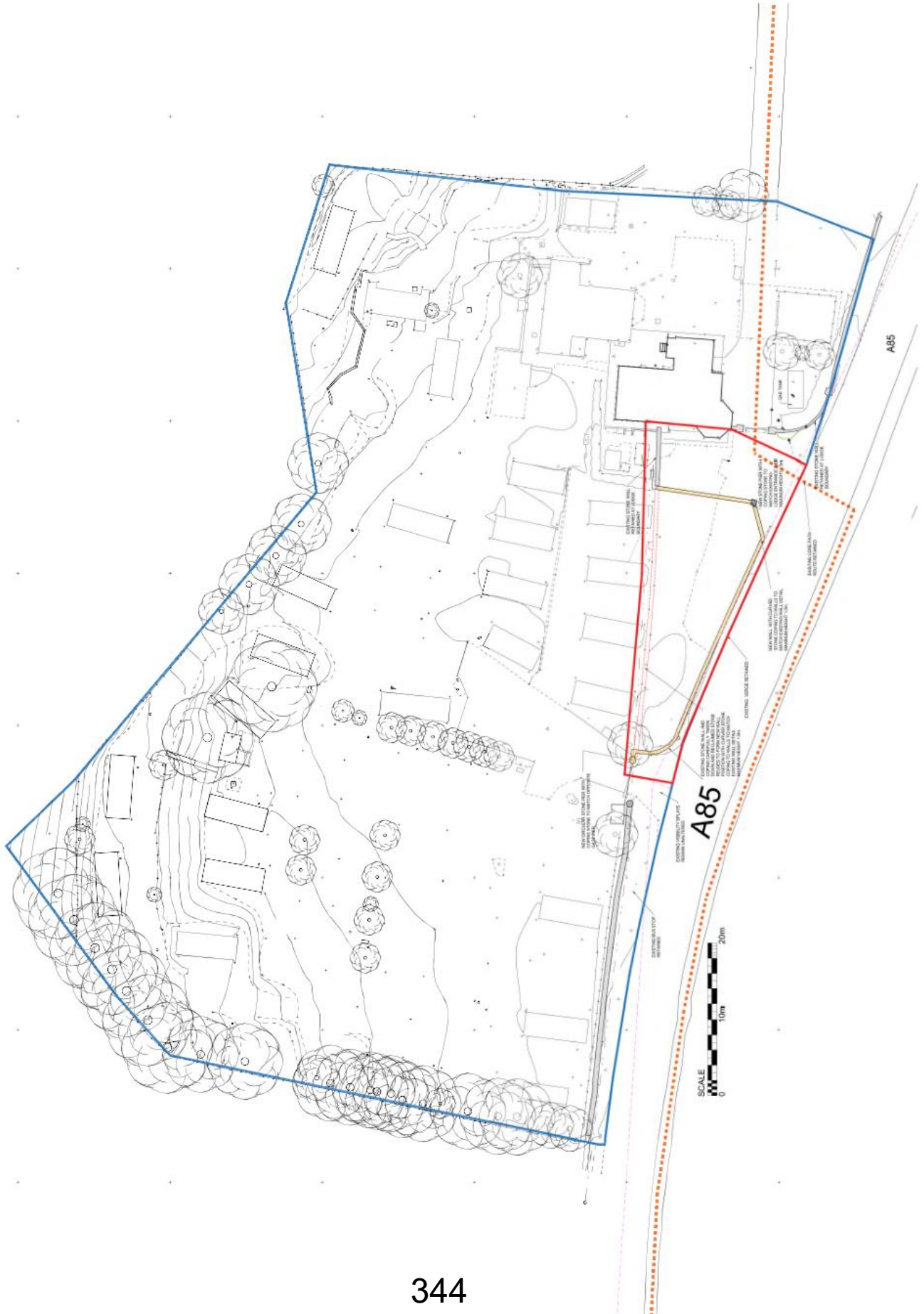
**Proposed works at  
 West Lodge Caravan Park  
 Comrie**

PROJECT	1:250 @ A1 - 1:500 @ A3	DATE	July 2021
DRAWN BY	db	SCALE	Planning
<b>Existing Site Layout Plan</b>			
PROJECT NUMBER	21-170	PLANT	PL01
REVISION			A

NOTES	
All dimensions, levels and materials are to be fixed in accordance with the latest edition of the British Standards Code of Practice for the construction of buildings.	
Only those parts of the drawings which are to be constructed are to be shown.	
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REVISION / DESCRIPTION / DATE	
A	Planning revision
B	Planning revision, red line added
	14.05.21
	21.05.21

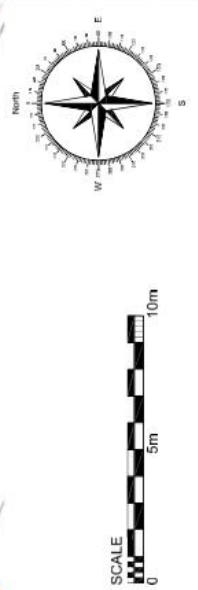


<b>fouin-bell</b> <b>architects</b> 1 John Paul, Edinburgh EH6 6TE Tel: 0131 225 1111 info@fouin-bell.co.uk www.fouin-bell.co.uk	
<b>WEST LODGE</b> <b>CARAVAN PARK</b>	
<b>Proposed works at</b> <b>West Lodge Caravan Park</b> <b>Comrie</b>	
PROJECT NO	1.250 @ A1 - 1.500 @ A3
DATE	Aug 2021
REVISION	db
PROPOSED	Planning
<b>Proposed Site Layout Plan</b>	
PL02	PL02
21-170	B





NOTES	
All proposed works and materials are to be listed in accordance with the specifications in the relevant Codes of Practice and Standards.	
Only work for Planning purposes, work to be done in accordance with the relevant Codes of Practice and Standards.	
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REVISION / DESCRIPTION / DATE	
A	Planning revision
B	Planning revision, red line added
	14.08.21
	21.08.21



<b>fouin + bell</b> <b>architects</b> 1 John Paul, 24a High Street, Bournemouth, Dorset, BH1 1AA 01202 551111 info@fouin-bell.co.uk www.fouin-bell.co.uk	
WEST LODGE CARAVAN PARK	
Proposed works at West Lodge Caravan Park Comrie	
PROJECT NO	1:100 @ A1
DATE	Aug 2021
DESIGNED BY	DB
DRAWN BY	DB
PLANNING	Planning
Proposed Site Layout Plan	
PLANNING NO	21-170
PLANNING NO	PL03
PLANNING NO	B

ENTRANCE GATES



<p><b>LRB-2022-03</b> <b>21/01504/FLL – Erection of boundary wall, West Lodge</b> <b>Caravan Park, Comrie, Crieff</b></p>
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## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS** *(part included in applicant's submission, pages 343-346)*





Tri Scotland Ltd  
c/o Fouin + Bell Architects Ltd  
Fouin Bell  
1 John's Place  
Edinburgh  
EH6 7EL

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **18th November 2021**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **21/01504/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 22nd September 2021 for Planning Permission for **Erection of boundary wall West Lodge Caravan Park Comrie Crieff PH6 2LS**

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

1. The proposed demolition of the existing wall and the realignment of the boundary would have an adverse impact on the character and visual amenity of the site. The wall relates to the category C listed Lawers West Lodge and is therefore also listed. Its demolition would result in the loss of historic fabric and an adverse impact on the character and setting of the associated listed buildings. The proposal is therefore contrary to Policy 27A of the Perth and Kinross Local Development Plan 2 (2019), which seeks to ensure that the architectural and historic interest of listed buildings is protected; and Policy 1A of the Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that all new developments respect the character and amenity of the area concerned.

### **Justification**

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

## Notes

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

### Plan Reference

01

02

03

04

05

06



## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	21/01504/FLL	
Ward No	P6- Strathearn	
Due Determination Date	21st November 2021	
Draft Report Date	17th November 2021	
Report Issued by	DB	Date 17 <sup>th</sup> November 2021

**PROPOSAL:** Erection of boundary wall

**LOCATION:** West Lodge Caravan Park Comrie Crieff PH6 2LS

#### 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.

#### SITE VISIT:

In line with established practices, the need to visit the application site has been carefully considered by the case officer. The application site and its context have been viewed by a variety of remote and electronic means, such as aerial imagery and Streetview, in addition to photographs submitted by interested parties.

This information has meant that, in this case, it is possible and appropriate to determine this application without a physical visit as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

#### SITE PHOTOGRAPHS





## BACKGROUND AND DESCRIPTION OF PROPOSAL

West Lodge Caravan Park is located to the north-east of Comrie, on the north side of the A85 trunk road. It contains a mix of seasonal pitches and static caravans, with the site office/ reception located in West Lodge, a category C listed building. West Lodge was historically the gate lodge for the western entrance to Lawers House, a category A listed building.

The original stone boundary at the south of the site is set back from the road, with substantial stone gate piers at the main entrance and adjacent to West Lodge. Planning permission is sought to construct a new boundary wall further to the south. Work has commenced on site, although the proposals set out in the current application differ from the work that has been carried out to date. A previous application for a new boundary wall was recently refused (21/00488/FLL).

The existing boundary wall is listed due to its association with West Lodge. An accompanying application for listed building consent has been submitted for its demolition (21/01659/LBC).

## **SITE HISTORY**

21/00488/FLL Erection of boundary wall 23 June 2021 Application Refused

21/01659/LBC Alterations to boundary wall Application Pending Consideration

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: Not applicable

## **NATIONAL POLICY AND GUIDANCE**

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

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2 (2019).

### **TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017**

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

### **Perth and Kinross Local Development Plan 2 – Adopted November 2019**

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 27A: Listed Buildings

Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

## **OTHER POLICIES**

Historic Environment Policy for Scotland 2019

This policy supersedes the Historic Environment Policy Statement 2016 and provides guidance to planning authorities on decision-making where it will affect the historic environment.

Managing Change in the Historic Environment: Boundaries (HES, 2010)

This guidance note sets out the principles that apply to altering historic boundary treatments, which are important elements in defining the character of historic buildings and areas.

## **CONSULTATION RESPONSES**

Transport Planning: No comment or objection

Transport Scotland: A holding response was submitted requesting additional information.

## **REPRESENTATIONS**

No representations were received.

## **ADDITIONAL STATEMENTS**

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	AA Not Required
Design Statement or Design and Access Statement	Not 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 and the adopted LDP2.

In this instance, section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities in determining such an application as this to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is relevant and requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated conservation area.

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 Historic Environment Scotland guidance on boundaries states that when planning works to historic boundaries it is important to understand and protect their key characteristics. The boundary wall, gatepiers and trellis at West Lodge are significant, highly visible elements of the character of the listed building which will be either lost or subject to the adverse visual impact of the new boundary wall, which projects in front of the listed building. No justification for the proposed demolition has been provided. The direct adverse impact on the listed building means that the proposal is contrary to Policy 27B of the adopted Local Development Plan 2 (2019).

Prior to the commencement of works on the site, the caravan park had a pleasant setting in spite of its proximity to the A85, being set back from the road with mature trees, green space and a woodland backdrop. The loss of the grass verge, trees, hedge and shrub planting at the south of the site along with the loss of the historic boundary wall will have an adverse impact on the character and visual amenity of the caravan park and its setting, and is contrary to the placemaking policies (Policies 1A and 1B of the Local Development Plan 2) which require development to contribute positively to the quality of the surrounding built and natural environment.

The loss of the verge along with the potential impact on visibility when entering and leaving the site has not been fully explained within the current submission and the proposal is therefore contrary to Policy 60B, which requires developers to include consideration of the impact of proposals on the local and strategic transport network, and to design changes for the safety and convenience of all potential users.

### **Design and Layout**

West Lodge Caravan Park is located on the north side of the A85 on the main route to Comrie from Crieff.

The proposal seeks to erect a new 1-metre-high stone boundary wall at the southern edge of the site on the east side of the existing central vehicular access, adjacent to the road carriageway. The extent of the proposed boundary has been amended from the previously refused proposal to avoid blocking the existing core path CMRI/ 140 and to retain the existing gate piers and trellis/ dwarf wall at West Lodge. Although outwith the scope of the current application, it is proposed to reinstate the wall to the west side of the existing central access, which has recently been demolished.

The remaining stone boundary wall along the south of the site, which is protected by the listing of West Lodge, is to be substantially demolished. While the application documents state that the new wall is to be built using reclaimed stone from the existing wall, the new wall is over 5 metres longer, and no explanation is given as to how the shortfall will be made up.

### **Residential Amenity**

The application is not considered to raise any concerns in relation to residential amenity.

### **Landscape and Visual Amenity**

The proposal is considered to have an adverse impact on visual amenity and the landscape setting of West Lodge due to the loss of the historic boundary wall, and the realignment of the boundary close to the road, which removes the existing grass verge and hedge/ shrub planting and projects across the front of the listed building, encroaching on the principal view from the west.

### **Roads and Access**

Transport Scotland have not formally objected to the proposal but requested additional information before being able to formally comment. In order to assess the acceptability of the proposals, the applicant would be required to undertake a Road Restraint Risk Assessment Process (RRRAP) for the boundary wall in accordance with CD 377 - Requirements for road restraint systems of the Design Manual for Roads and Bridges (DMRB), and to demonstrate in the form of a fully dimensioned drawing that the section of wall between the existing accesses on the A85 trunk road does not impede visibility from either access.

Transport Scotland also advised that the new "Welcome" sign that has recently been erected (which does not form part of the current application) should be relocated away from the trunk road verge.

### **Drainage and Flooding**

The application is not considered to raise any concerns in relation to drainage and flooding.

### **Conservation Considerations**

West Lodge is a category C listed building, with the adjacent square gate piers and trellis screen noted in the list description. The boundary wall proposed for demolition is historically related to both West Lodge and the category A listed Lawers House to



the north-east. The impact of the proposals has been considered in line with the relevant policies as set out above.

### **Natural Heritage and Biodiversity**

The proposed works are considered to have an adverse impact on natural heritage and biodiversity due to the loss of mature trees and shrubs. No compensatory planting has been proposed.

### **Developer Contributions**

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

### **Economic Impact**

Not applicable.

### **VARIATION OF APPLICATION UNDER SECTION 32A**

This application has not been varied prior to determination.

### **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

None required.

### **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

### **CONCLUSION AND REASONS FOR DECISION**

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 2016 and the adopted Local Development Plan 2 (2019). I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

### **Conditions and Reasons**

1. The proposed demolition of the existing wall and the realignment of the boundary would have an adverse impact on the character and visual amenity of the site. The wall relates to the category C listed Lawers West Lodge and is therefore also listed. Its demolition would result in the loss of historic fabric and an adverse impact on the character and setting of the associated listed buildings. The proposal is therefore contrary to Policy 27A of the Perth and Kinross adopted Local Development Plan 2 (2019), which seeks to ensure that the architectural and historic interest of listed buildings is protected; and Policy 1A of the Perth and Kinross adopted Local Development Plan 2 (2019) which seeks to ensure that all new developments respect the character and amenity of the area concerned.

**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**

Not Applicable.

**Procedural Notes**

Not Applicable.

**PLANS AND DOCUMENTS RELATING TO THIS DECISION**

01  
02  
03  
04  
05  
06





# West Lodge Caravan Park



360

September 14, 2021

Listed Buildings

• B

• C

Conservation Areas

1:9,028

0 0.05 0.1 0.2 0.4 km

0 0.1 0.2 0.4 mi

**LRB-2022-03**  
**21/01504/FLL – Erection of boundary wall, West Lodge**  
**Caravan Park, Comrie, Crieff**

## **REPRESENTATIONS**



I acknowledge receipt of the planning application 21/01504/FLL for Erection of boundary wall at West Lodge Caravan Park Comrie Crieff which was received on 28/09/2021.

Planning Officer: Admin To Validate

I am currently assessing the implications of the planning application on the trunk road but will not be able to respond within the normal timescale for the reasons stated below. I should therefore be obliged if you would extend the consultation period until this process is completed.

## **Reasons**

Additional time required for assessment and consideration of proposals

Transport Scotland requires additional time to consider and discuss internally the potential impact of the proposed wall on verge maintenance and road safety on the A85 trunk road.

Until the formal issue of a TR/NPA/2 this Notice must be taken as intent to respond recommending conditions relating to this application, or to refuse the application. On this basis the interest of the Transport Scotland, an agency of the Scottish Government, as a Statutory Body must be taken into account.

Shaun Phillips

e-mail: [development\\_management@transport.gov.scot](mailto:development_management@transport.gov.scot)

08/10/2021





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

<b>Planning Application ref.</b>	21/01504/FLL	<b>Comments provided by</b>	Dean Salman Development Engineer
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	
<b>Description of Proposal</b>	Erection of boundary wall		
<b>Address of site</b>	West Lodge Caravan Park Comrie Crieff PH6 2LS		
<b>Comments on the proposal</b>	Insofar as the Roads matters are concerned, I have no objections to this proposal.		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	12 October 2021		





## CDS Planning Local Review Body

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**From:** [REDACTED]  
**Sent:** 03 March 2022 09:27  
**To:** CDS Planning Local Review Body  
**Cc:** [REDACTED]  
**Subject:** RE: LRB-2022-03

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Dear Lisa,

Thank you for advising Transport Scotland that the decision on this planning application is to be reviewed by the Perth and Kinross Local Review Body. On this matter, Transport Scotland has no further representations to make. We would however advise that the additional information requested in our email correspondence to Perth and Kinross Council dated 20 October 2021 has not been provided by the applicant and therefore remains outstanding.

Regards

a

**Shaun Phillips**  
**Roads Directorate**

[REDACTED]

Transport Scotland  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF

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## CDS Planning Local Review Body

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**From:** David Bell <David.Bell@fouin-bell.com>  
**Sent:** 04 April 2022 12:42  
**To:** CDS Planning Local Review Body  
**Cc:** [REDACTED]  
**Subject:** LRB appeal, West Lodge Caravan Park, Comrie

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Audrey

Sorry of the slight delay in responding to your email of 18 March 2022. We can confirm that the items referred to in the attached email from Transportation dated 20 October 2021, were all dealt with in our revised applications 21/01504/FLL and 21/01659/LBC which was submitted on 24 August 2021. Clearly they are referring to the original submission which was refused on a variety of grounds including comments from Transportation. These were all addressed in the subsequent application and this was confirmed by planning at the time. These items are therefore not outstanding and are not anything to do with the current LRB appeal.

Regards

David



**LRB-2022-03**  
**21/01504/FLL – Erection of boundary wall, West Lodge**  
**Caravan Park, Comrie, Crieff**

## **FURTHER INFORMATION**



**Audrey Brown**

---

**From:** [REDACTED]  
**Sent:** 30 August 2022 16:08  
**To:** Diane Barbary  
**Cc:** Jessica Guild; [REDACTED]  
**Subject:** RE: Planning Application 21/01504/FLL - Transport Scotland Comments

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Diane,

Having checked our records, I am not aware of any response from the applicant or their agent with the information requested in my previous email below. On that basis, it is difficult to reconcile why the applicant would state that Transport Scotland is content with the proposals.

Regards

**a**

**Shaun Phillips**  
**Roads Directorate**

Transport Scotland  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF

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**From:** Diane Barbary [REDACTED]  
**Sent:** 30 August 2022 15:40  
**To:** Phillips S (Shaun) [REDACTED]  
**Cc:** Jessica Guild [REDACTED]  
**Subject:** RE: Planning Application 21/01504/FLL - Transport Scotland Comments

Hi Shaun,

You may recall the application 21/01504/FLL for works at West Lodge Caravan Park, Comrie. You requested additional information as per your email below, but this wasn't submitted to us at the time. The application was refused in November last year.

The applicant has appealed the decision via the Local Review Body, and has stated that Transport Scotland is now content with the proposals. Can you confirm that the required information has been submitted to you and you're happy with it?

Thanks,

Diane

Diane Barbary | Conservation Officer  
Planning & Development | Communities Service | Perth & Kinross Council  
Pullar House | 35 Kinnoull Street | Perth PH1 5GD



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**From:** [Redacted]  
**Sent:** 20 October 2021 12:40  
**To:** Diane Barbary [Redacted]  
**Cc:** [Redacted]  
**Subject:** Planning Application 21/01504/FLL - Transport Scotland Comments

Diane,

Having discussed what has been constructed on site internally, I would advise that prior to commenting further on this planning application, Transport Scotland will require the applicant to undertake a Road Restraint Risk Assessment Process (RRRAP) for the boundary wall in accordance with CD 377 - Requirements for road restraint systems of the Design Manual for Roads and Bridges (DMRB). To assist the applicant, a link to the aforementioned document is provided below.

[CD 377 - Requirements for road restraint systems - DMRB \(standardsforhighways.co.uk\)](https://standardsforhighways.co.uk/CD377/)

In addition to the above, the applicant will also require to demonstrate in the form of a fully dimensioned drawing that the section of wall that has been constructed between the existing accesses on the A85 trunk road does not impede visibility from either access. The required standard for junction visibility is as set out in Section 3 of CD 123 - Geometric design of at-grade priority and signal-controlled junctions of the DMRB. I would refer the applicant to Figures 3.4 and 3.9 of the aforementioned document, a link to which is provided below, and to paragraph 3.8 for the minimum acceptable 'x' set back distance for a simple priority junction. The SSD in this instance is 215m.

[CD 123 - Geometric design of at-grade priority and signal-controlled junctions - DMRB \(standardsforhighways.co.uk\)](https://standardsforhighways.co.uk/CD123/)

The additional information requested above will require to be submitted to, and approved by, Perth & Kinross Council after consultation with Transport Scotland.



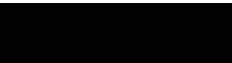
I would also advise the applicant that the new 'Welcome' sign located next to the existing bus stop will require to be relocated off the trunk road verge to an alternative location to be agreed with Transport Scotland.

I trust that the above sets out the current position of Transport Scotland and the additional information required from the applicant. In the meantime, please do not hesitate to contact me should you wish to discuss any of the above in more detail.

Regards

**a**

**Shaun Phillips**  
**Roads Directorate**



Transport Scotland  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF

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## CDS Planning Local Review Body

**From:** David Bell <David.Bell@fouin-bell.com>  
**Sent:** 15 October 2022 13:22  
**To:** CDS Planning Local Review Body  
**Subject:** The Town & Country Planning (Schemes of Delegation & Local Review Application Ref: 21/01504/FLL – Erection of boundary wall, West Lodge Caravan Park, Comrie, Crieff – TRI Scotland Ltd  
**Attachments:** IMG\_0647.jpg; PHOTO-2022-06-29-15-32-14.jpg; PHOTO-2022-06-29-15-32-14.jpg; PHOTO-2022-06-29-15-32-14.jpg  
**Follow Up Flag:** Follow up  
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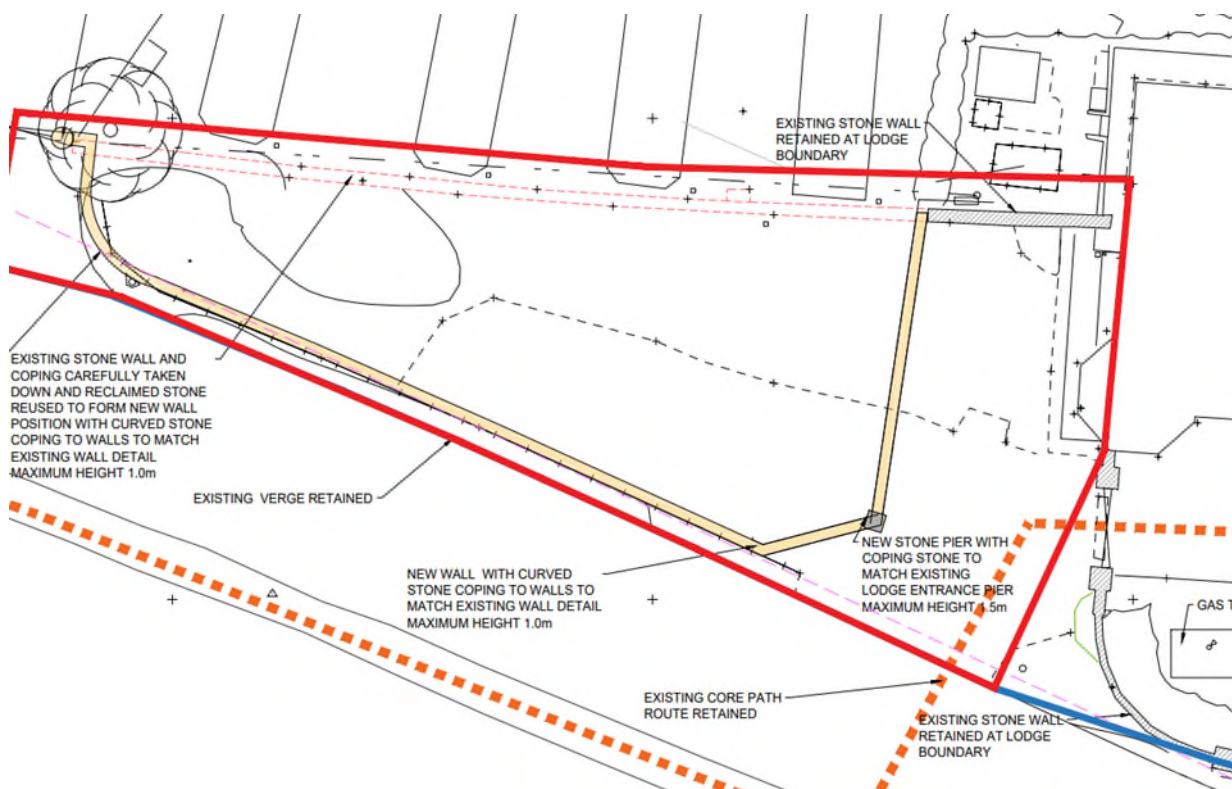
For the attention of Lisa Simpson

Good afternoon Lisa

Apologies for the delay in responding to your earlier letters regarding the above Local Review Body case. In note that you are seeking clarification on two points as noted below:-

(i) further information from the applicant on whether they wish to demolish the existing wall having regard to the configuration of both the new and existing walls;

We are now not intending to demolish the section of wall which is attached to the listed building, as shown on the plan below. I have also attached some photos showing exactly what is currently of site and this will not be amended.



(ii) any comments you may have on the written submission received from Transport Scotland which was requested by the Local Review Body.

The initial application was submitted by Brunton Design on behalf of the client on 24 March 2021 under planning reference. No: 21/00488/FLL. This unfortunately was a very poor and badly considered design proposal and application was subsequently refused on 22 June 2021.

One of the reasons for refusal was:-

3. *The proposed boundary wall abuts the A85 trunk road carriageway with no consideration given to retaining the trunk verge, the existing bus stop and other street furniture within the verge, or the impact of the proposed boundary walls on the visibility splays at the access to the caravan park. The proposal is unacceptable to Transport Scotland and is contrary to Policy 60B of the Perth and Kinross adopted Local Development Plan 2 (2019) which seeks to ensure that all development proposals should be designed for the safety and convenience of all potential users.*

When we got involved, we resubmitted the application to address all of the reasons given for the earlier refusal and with the new south wall located at the rear of the existing road verge. The revised scheme was submitted for planning and listed building consent under planning reference Nos: 21/01504/FLL and 21/01659/LBC.

Transport Scotland were re notified of this revised application and we understand that they had no objection to the revised submission since their earlier concerns had been fully addressed by the revised submission. We note that you have sent us an email dated 20 October 2012, from Transport Scotland to the planning officer in October 2021. Unfortunately this was not forwarded to us at the time. In the delegated decision report however the planner states that Transport Scotland has not objected to the application and the additional information was requested additional information. As noted above this request was never passed on to us at the time. Further the subsequent refusal notice makes no reference to this request for additional information and Transport Scotland were not given as a reason for refusal. The only reason for refusal related to the impact of the boundary wall on the West Lodge Gatehouse. It is this refusal notice we are appealing.

Notwithstanding this apparent communication failure, we have discussed this matter with our clients and they have agreed that they will provide the requested RRRAP and make any adjustments which this may highlight. We are happy for the Local Review Body to approve this as a condition of their decision.

We trust this provides the clarification sought.

Regards

David







