

TCP/11/16(288)

Planning Application 13/01220/FLL – Erection of dwellinghouse, formation of vehicular access/parking and associated landscaping and drainage works on land 90 Metres South West of Woodlands, Trinafour

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TCP/11/16(288)

Planning Application 13/01220/FLL – Erection of dwellinghouse, formation of vehicular access/parking and associated landscaping and drainage works on land 90 Metres South West of Woodlands, Trinafour

**PAPERS SUBMITTED
BY THE
APPLICANT**

24 DEC 2013
Notice of Review

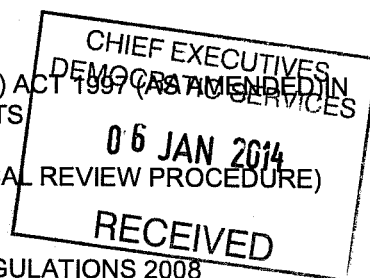
288

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 DEVELOPMENTS) (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)

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BY PITLOCHRY
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Fax No **[REDACTED]**

E-mail* **[REDACTED]**

Agent (if any)

Name **HEBRIDEAN HOMES LTD**

Address **UNIT 4, BUILDING 5
TEMPLETON BUSINESS PARK
62 TEMPLETON STREET
GND 1JA GLASGOW**

Contact Telephone 1 **0141 550 7360**
Contact Telephone 2 **[REDACTED]**
Fax No **[REDACTED]**

E-mail* **Lnfo@hebrideanhomes.com**

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

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

Yes ☒ No ☐

Planning authority

PERTH AND KINROSS COUNCIL

Planning authority's application reference number

13/01220/FEL

Site address

90 METRES SOUTH WEST OF WOODLANDS TRINAFOUR

Description of proposed development

ERECTION OF DWELLING HOUSE AND FORMATION OF VEHICULAR ACCESS / PARKING.

Date of application

28 JULY 2013

Date of decision (if any)

25 SEPTEMBER 2013

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:

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

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.

WE HAVE ASKED FOR A LOCAL REVIEW OF OUR APPLICATION AND TRUST THAT THE DOCUMENTATION WE HAVE SUBMITTED ADDRESSES THE CONCERNS OF THE PLANNING OFFICER.

DOCUMENTATION SUBMITTED

STATEMENT ADDRESSING THE PLANNING OFFICER'S CONCERNS
PHOTOMONTAGE OF PROPOSED HOUSE AND SURROUNDINGS.
PLAN OF ALL TREE PLANTING AS AGREED WITH SGR

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.

WE WERE OF THE OPINION THAT THERE WERE ~~SUITABLE~~ LANDSCAPE BOUNDARIES AND WE ARE NOW SUBMITTING THE TREE PLANTING PLAN AS FURTHER EVIDENCE OF THE COMMITMENT TO ENSURE A SUITABLE LANDSCAPE FRAMEWORK.

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.

STATEMENT ADDRESSING PLANNING OFFICERS CONCERNS
 PHOTOMONTAGE OF PROPOSED HOUSE AND SURROUNDINGS
 PLAN OF ALL TREE PLANTING AS AGREED WITH SSE

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:

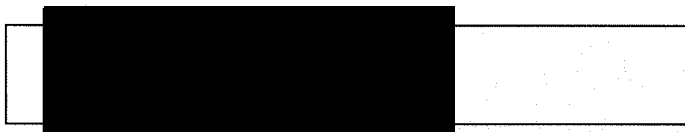
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

22nd JUNE 2013

Statement addressing the Planning Officers Concerns.

Texts in red are sections from the notice regarding the initial planning refusal.
Texts in black detail our response.

Design Issues

In terms of the second issue, the design standard of the dwelling, *Policy 5* of the HALP seeks to ensure that all new developments within the landward area are of a suitably high standard which is appropriate for their location. The proposed house type is a fairly modern design in a traditional form which will utilise high quality finishes. To this end, I have no particular concerns regarding the visual appearance of the dwelling, and consider the proposal to be entirely consistent with the aims of *Policy 5* of the HALP.

All the way along this proposed development we have sought to meet the aims of *Policy 5* of the HALP and the above is noted and welcome.

Landscape Issues

Policy 2 of the HALP seeks (amongst other things) to ensure that all new sites within the landward area have a suitable landscape framework which is capable of absorbing the development proposed, and that the proposed development is compatible with existing land uses. In terms of the compatibility with surrounding land uses, I have no particular concerns as the surrounding uses of any note (with the exception of highland agriculture) are residential.

However, in terms of the existing landscape framework of the site I do have some concerns. The site is extremely open and is essentially part of a far larger area of cleared woodland. Whilst it is acknowledged that the wider site is defined by the public road (south), the private forestry road (west) and the remainder of the tree plantation (north), the actual planning application site is only a small part of the larger site and to this end I am not convinced that it has a good landscape framework as the 'planning' site is essentially being manufactured from a larger one. To this end, the proposal fails the Council's general siting criteria contained in the Local Plan, and those contained in the HITCG 2012.

Noted that there are no concerns over the compatibility with surrounding land uses. On the subject of the landscape framework however you have some concerns as you feel the site is a small part of a larger site. At present this is perhaps partially true as the fencing and replanting that is planned has not yet taken place. This work is being carried out by SSE as the whole wooded area to the west and south of the site had to be reconfigured due to the erection of the new Beaulieu to Denny power line and subsequent removal of the existing power line. All the SSE woodland plans have been developed in conjunction with the planning authorities and approved by same.

The fencing and replanting proposal is shown on the enclosed plan and will provide a good landscape framework for the proposed house together with well defined boundaries. The trees to be planted as part of this approved woodland plan are native broadleaves made up of sessile oak, rowan, silver birch, goat willow, gean and ear willow. In addition to the tree planting in area 4, we would be planting additional trees around the house perimeter and also forming a wildlife hedge to the east of the house along the roadside and west between the house and the new wood. You will note from the date of the replanting plan that this has been long in development; any delays in implementation have been incurred due to delays in the progress of the construction of the new power line. I am glad to report that this area is now almost finished so we anticipate planting to begin this winter / next spring. The above will happen; indeed it is part of the planning agreement which SSE obtained prior to consent for the woodland operations to commence.

Land Use Acceptability

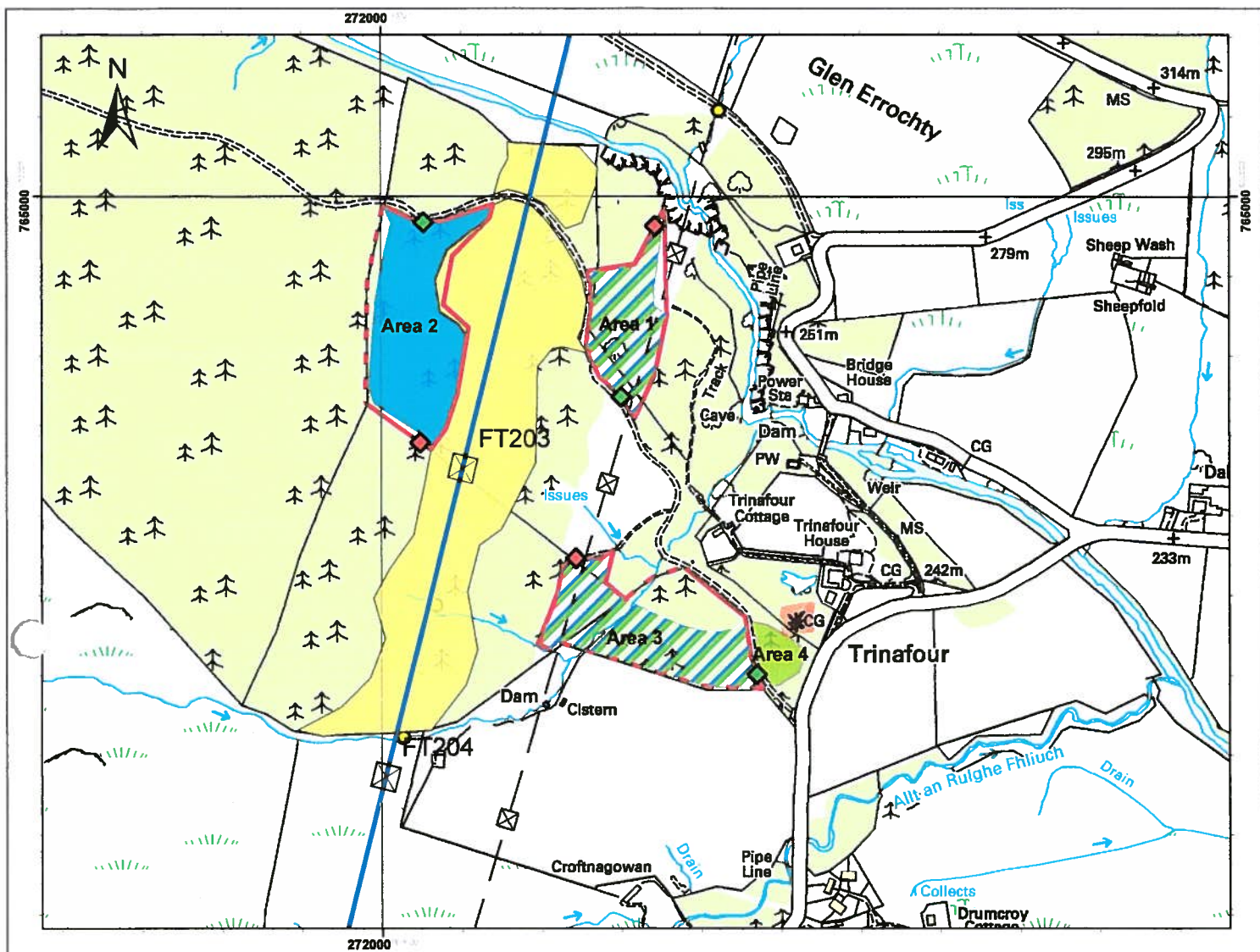
The acceptability of the proposal in land use terms, is ultimately is an assessment of the proposal against the Councils HITCPs as contained firstly in the Local Plan and secondly the revised version of 2012. As the site is fairly isolated and divorced from any of the existing buildings at Trinafour, I consider the proposal to be contrary to all the main sections of *Policy 54* and the HITCG 2012, and in particular the sections relating to developments adjacent to existing building groups.

However, under the terms of *Policy 54* this site lies within an area described as WHP, where a slightly more relaxed criteria for new dwellings is promoted within a number of named building groups. Although there are a number of buildings at Trinafour, Trinafour is nevertheless not specifically listed under the policy as being one of the building groups where more relaxed development opportunities exist. In any event, proposals which are supported under the WHP section of *Policy 54* must still have a good landscape setting and respect the existing building pattern of the area. As the application site as submitted lacks a good landscape framework, and the site is divorced from the existing scattered buildings at Trinafour, the proposal in my view would not accord with the WHP criteria, even if Trinafour was listed as one of the named building groups where development opportunities have been promoted.

The house itself, with its wooden exterior will blend in well to the terrain that surrounds it and this was one of the reasons we opted for this particular style of home. It has very definite visual links to Woodlands and Trinafour House. In the photomontage this is clearly shown. There is one area of the main road which is the only place the house can be seen on the approach from Calvine and that is shielded by some mature trees and the 20 year old planting at the end of the forestry road performs the same function when approaching the site from Kinloch Rannoch.

We would respectfully ask you to reconsider the suggestion that the site is 'divorced from the existing scattered buildings at Trinafour'. It really is not a great distance away, indeed less than 100m from the nearest house. We would suggest that the site is within the existing building group which is within the boundaries of Trinafour village itself and the landscaping mentioned above will simply serve to reinforce this fact. Perhaps Trinafour is not listed specifically, but are all communities in the Council area classified? Surely if the site lies within an area described as WHP, as you confirm above that it does, then the slightly more relaxed criteria should apply, otherwise we are not clear why this WHP policy exists?

Finally, it is not possible to quantify the economic benefits to the area, suffice to say the house is designed to be suitable for wheelchair access and has good accommodation for a full time career if required in due course as both the occupants are elderly. Our wish is to remain at our own home for as long as possible and to this end, the provision of accommodation options for a full time career could well mean less financial strain on NHS services. It is appreciated that this may be a small economic benefit however we would please ask the Planning Authorities to respect our wish to move to a house which will be far more suitable for our needs; smaller and more manageable, warmer, more accessible in our advancing years and yet still very close to the small community we have enjoyed living in for so many years.



Planting Details

*** PROPOSED SITE ***

					Species Break down										
Name	Planting Type	Area (ha)	Stocking Density	No. of plants	Sessile Oak	Rowan	Hairy Birch	Silver Birch	Goat Willow	Gean	Ear Willow	Scots Pine	Juniper		
Area 1	Mixed Native Species	1.19	1500	1785	5%	10%	30%		25%	10%		20%			
Area 2	Native Conifers (80%)	2.16	2000	4320		10%		10%				80%			
Area 3	Mixed Native Species	1.72	1500	2580	20%			20%		5%	5%	40%	10%		
Area 4	Native Broadleaves	0.28	1100	308	50%	10%		10%	10%	10%	10%				
* N.B. - Quantities may be rounded up or down to meet minimum order supply .					Totals	8993	759	641	536	979	477	338	160	4845	258

* N.B. - Quantities may be rounded up or down to meet minimum order supply.

Ground preparation -
Timber/branch residue will be mulched and the areas will be machine mounded.
Mounds will be spaced randomly to provide the stocking densities as shown.

Plant protection -
The planting areas will be protected by standard height red deer fencing around areas 1, 2 & 3.
Area 4 will be protected by 120cm tubex shelters, as the road fragments this area from area 3 making it difficult and unsightly to keep deer proof by fencing.
All trees recommended in this area are broadleaved species which will grow well within the shelters.

Fencing -
The new fencing and existing fence maintenance will be carried out in agreement on site with the landowner.
The situation highlighted above is indicative only.

Planting Stock -
Broadleaved trees will be supplied as 60 - 90cm transplants.
They will be sourced from certified native seed source where possible.
Scots Pine will be supplied as 40 - 60cm transplants and will be from certified native seed source (Red band needle blight has devastated much of the local nursery stock, so this specification may not be met).

Maintenance -
The planting and fence maintenance will be the responsibility of the estate, following completion of the works to the satisfaction of both SSE and Auchleeks Estate.

Legend

Towers	Fencing	Planting Type
Line Route	Deer Fence repair	Mixed Native sp
Wayleave corridor	New Deer Fence	Native B/s
	Pedestrian gate	Native Conifer (80%)
	Vehicular gate	

Beaulay - Denny 400kV Transmission Line

Scottish and Southern Energy
Power Distribution

Title: Auchleeks Landscape Planting Plan (FT203)

Drawing No.: BD/LP/MW1200/rev.1

Date: 22nd September 2011

Scale: 1:5,000



View of the site heading from Kinloch Rannoch to Calvine. The site is screened by the existing beech trees and will be further enhanced with the agreed tree planting scheme (see attached).



View of the site which is 90m south west of 2 existing houses, one of which can be seen on the right of this picture. The site will be further enhanced with a wildlife hedge to the east (see photo montage below).



Photomontage showing proposed build. Please note that this montage does not show the agreed tree planting scheme, details of which can be found on the attached document. A site visit would demonstrate that the proposed build will only be visible from a small section of the road and it is our firm belief that the tree planting will create a very suitable landscape framework.

We would like to finish this appeal with a policy statement taken from Scotland.gov.uk .

"The Scottish Government is working to enable older Scots to live healthy, active and independent lives. It works with the UK Government to tackle pensioner poverty and providing security and dignity for older people is central to its social justice agenda. The Scottish Government wants older people to have the services they need, and to be involved in the planning of those services."

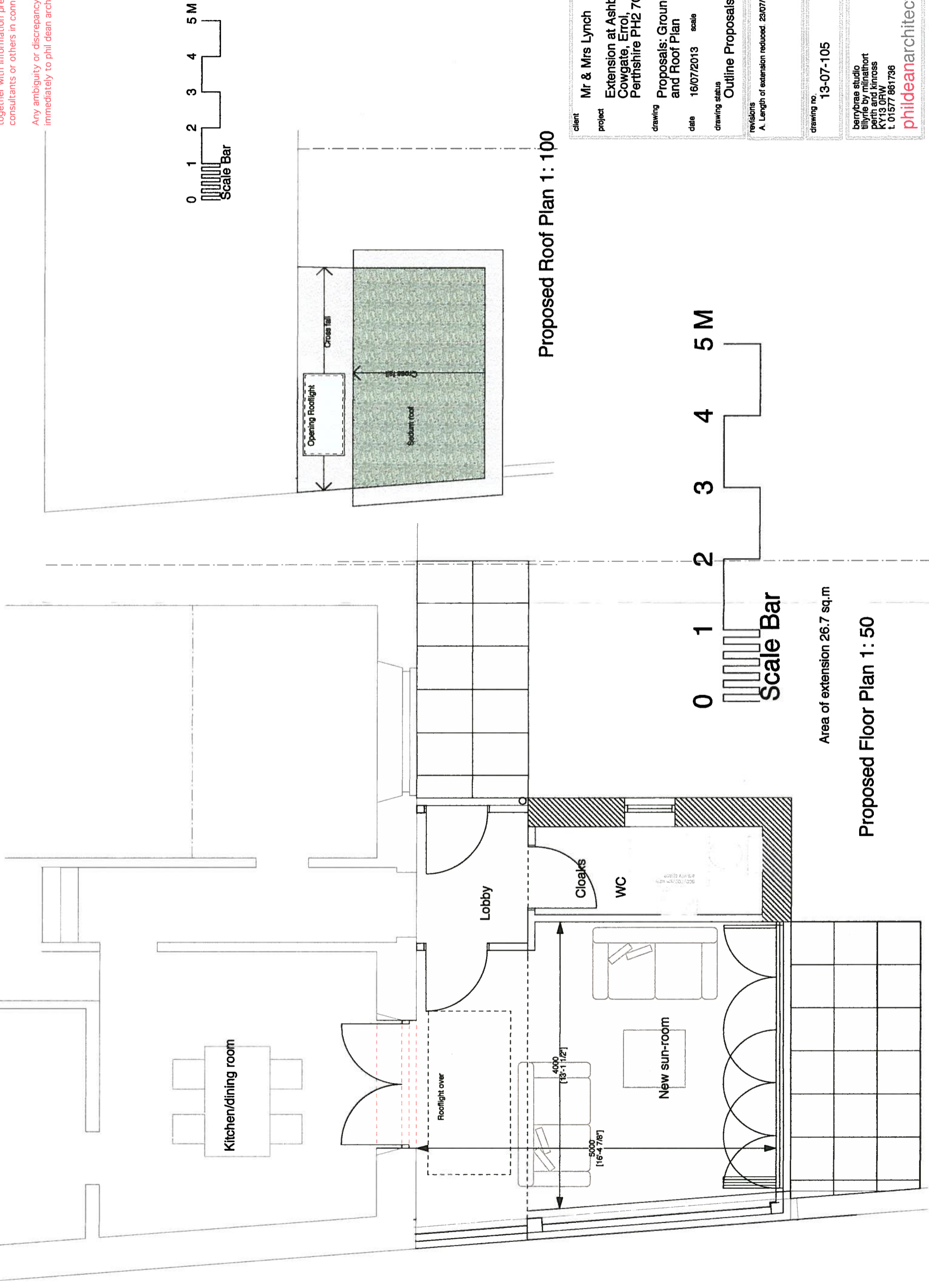
We feel we have addressed any concerns and ask that we are allowed to remain as independent as possible for as long as possible and the granting of this application will allow us to achieve this aim.

Donald and Jean Mackinlay.

This drawing is the copyright of phil dean architect, it must only be used for the purpose stated below and it must not be reproduced by any means without written permission.

This drawing is not to be read in isolation, it should be read in conjunction with other drawings and specifications prepared by phil dean architect together with information prepared by other consultants or others in connection with this project. If in any doubt ask!

Any ambiguity or discrepancy should be reported immediately to phil dean architect.



client	Mr & Mrs Lynch
project	Extension at Ashbank, Cowgate, Errol, Perthshire PH2 7QS
drawing	Proposals: Ground Floor and Roof Plan
date	16/07/2013
scale	1:50 @ A3
drawing status	Outline Proposals
revisions	A. Length of extension reduced 23/07/13
drawing no	13-07-105
revision	B

berrybrae studio
tillyrie by minathort
perth and kinross
KY13 0RW
t. 01577 861736
phildeanarchitect

Date:- 14/11/2013
 By:- A G Coppola
 Project No:- 052148

Project title:- Erection of a dwellinghouse at land 20 metres south
 west of Fungarth Farm Cottage, By Dunkeld.

Phosphorus mitigation calculation

Background		
Average amount of water per person per day	180	litres
Primary treatment (septic tank - standard discharge)	10	mg P/litre
Daily discharge of phosphorus (per person) from primary treatment	1,800	mg P
Tertiary treatment (SBR with phosphate precipitation)	2	mg P/litre
Daily discharge of phosphorus (per person) from tertiary treatment	360	mg P / person

Proposed Development		
1 No. 3-bedroom house	5	P.E.
Tertiary treatment to be installed	2	mg P/l
Daily discharge of phosphorus	1,800	mg P / day

Phosphorus Mitigation		
Mitigation requires a reduction of 125% of the amount of phosphorus to be discharged from the new development	2,250	mg P / day
Mitigation is proposed by upgrading the septic tank for the existing Fungarth Cottage -3 bedroom property with tertiary treatment (SBR with phosphate precipitation)		
Existing Fungarth Cottage	5	P.E.
Existing phosphorus discharge	9,000	mg P / day
Phosphorus discharge after upgrade	1,800	mg P / day
Mitigation offered is by proposals	7,200	mg P / day
Mitigation exceeds the requirements, therefore OK.		

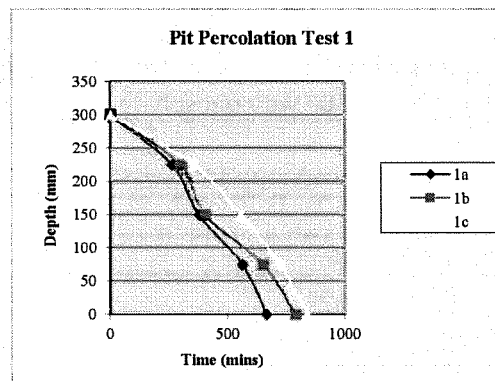
Job No. :- 52148
Location :- Fungarth, By Dunkeld
Date :- 4th December 2013
Weather :- Cold & frosty.

Trial Pit 1

Percolation Tests

Depth	1a Time	1b Time	1c Time
300	0	0	0
225	263	298	355
150	378	405	556
75	563	652	723
0	666	789	838

Time (75%-25%) 300 354 368
 Vp 120 141.6 147.2
 Ave. Vp 136

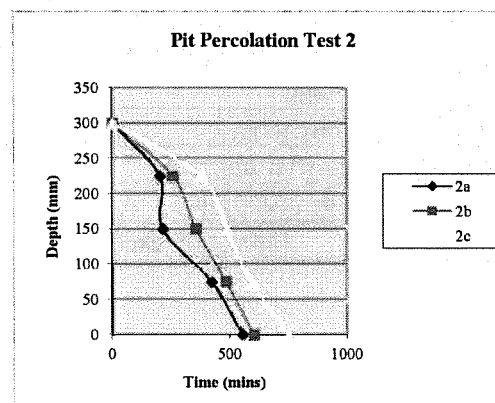


Trial Pit 2

Percolation Tests

Depth	2a Time	2b Time	2c Time
300	0	0	0
225	203	258	378
150	216	357	489
75	423	486	592
0	555	605	752

Time (75%-25%) 220 302.5 376
 Vp 88 121 150.4
 Ave. Vp 120

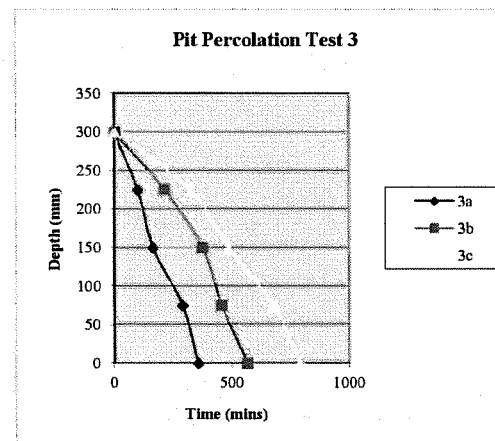


Trial Pit 3

Percolation Tests

Depth	3a Time	3b Time	3c Time
300	0	0	0
225	98	213	324
150	164	375	487
75	289	456	678
0	355	567	789

Time (75%-25%) 191 243 354
 Vp 76.4 97.2 141.6
 Ave. Vp 105



Ground conditions encountered indicate that the permeability of the subsoil to be suitable for a traditional soakaway arrangement

Using an average percolation value of 120 sec/mm.

Foul Soakaway size = 241 m **say 13x19m**

Treatment plant size = 3800 Min. (L) **Use Graf Klaro Easy or equal**

TCP/11/16(288)

Planning Application 13/01220/FLL – Erection of dwellinghouse, formation of vehicular access/parking and associated landscaping and drainage works on land 90 Metres South West of Woodlands, Trinafour

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

Mr Donald Mackinlay
c/o Hebridean Contemporary Homes Ltd
FAO Alistair Braid
Building 5 (Doges)
Unit 4, Templeton Business Centre
Templeton Street
Glasgow
G40 1DA

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 25th September 2013

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **13/01220/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 28th July 2013 for permission for **Erection of dwellinghouse, formation of vehicular access/parking and associated landscaping and drainage works Land 90 Metres South West Of Woodlands Trinafour** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. As the site does not have a good, existing landscape framework, the proposal is contrary to Policies 2 and 54 of the Highland Area Local Plan 2001, the Council's Housing in the Countryside Guide 2012 and Policy RD3 of the proposed Local Development Plan 2012, all of which seek to ensure that all new proposals for housing in the open countryside have a good, existing landscape framework which is capable of absorbing the development proposed.

Justification

The proposal is not in accordance with the Development Plan and there are no other material issues which justify approving the planning application.

Notes

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

Plan Reference

13/01220/1

13/01220/2

13/01220/3

13/01220/4

13/01220/5

13/01220/6

13/01220/7

13/01220/8

13/01220/9

13/01220/10

13/01220/11

13/01220/12

13/01220/13

13/01220/14

13/01220/15

13/01220/16

CHECKED IN

PERTH AND KINROSS COUNCIL

**ERECTION OF DWELLINGHOUSE, FORMATION OF VEHICULAR
ACCESS/PARKING AND ASSOCIATED LANDSCAPING AND DRAINAGE
WORKS AT LAND 90 METRES SOUTH WEST OF WOODLANDS, TRINAFLOUR**

DELEGATED REPORT OF HANDLING

Ref No	13/01220/FLL	Case Officer	Team Leader	Decision to be Issued?	
Ward	N4 – Highland	[Signature]	26/9/13 AC	Yes	No
Target	27 Sep 2013				

RECOMMENDATION

Refuse the planning application on the grounds that the proposal is contrary to the Development Plan and contrary to the Council's Housing in the Countryside Guide 2012 insofar as the proposal is not part of an existing building group and does not have a good existing landscape framework.

BACKGROUND & DESCRIPTION

The application site is part of a 0.5ha area of a former woodland located to the south-west of Trinafour House, a large detached house located in a small hamlet named Trinafour. The actual application site (excluding the access and visibility splays) relates to a far smaller area of approx 0.2ha, which generally slopes north to south. Although there are several post and wire fences and some evidence of walling scattered across the site, the site has no established defined boundaries to the south, east or west. To the north, whilst there is no definitive, defined boundary, the site has the distinctive backdrop of existing mature trees.

This planning application seeks to obtain detailed planning permission for the erection of a single dwelling, which will offer living accommodation over two levels. The upper level of accommodation will be contained within the roofspace. The house will be positioned at the northern part of the site and some levelling of the site will be required to create a flat building platform.

Vehicular access to the site will be via an existing, private forestry track which runs to the west of the site, and joins the public road to the south. At the junction with the public road, it is proposed to improve visibility splays in both directions and the splays have been included within the application site boundaries.

APPRAISAL

Policy Background

Sections 25 & 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of this planning application to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The Development Plan for the area comprises the approved Tay Plan 2012, and the adopted Highland Area Local Plan 2000.

Although there are general policies of relevance contained in the Tay Plan, the principal Development Plan policies directly relevant to this proposal are contained in the adopted Local Plan. Within the Local Plan, the site lies within the landward area of the plan where *Policies 2 (development criteria), 5 (design) and 54 (HITCP)* are all directly applicable.

Policy 2 seeks (amongst other things) to ensure that all new sites have a suitable landscape framework and are compatible with exiting land uses, whilst *Policy 5* seeks to ensure that all new developments have a high design standard. *Policy 54* is the Local Plan version of the HITCP and offers support in principle for new housing in the open countryside in certain instances. This policy identifies West Highland Perthshire (WHP) as an area where development within scattered, but recognised building groups will be supported.

In terms of other material considerations, this principally involves the consideration of other Council policies, namely the approved Developer Contributions 2012 document, the Housing in the Countryside Guide 2012, and the contents of the approved proposed Local Development Plan 2012. The Developer contributions document outlines instances when primary education contributions are required for new housing, whilst the HITCG 2012 is the most recent expression of Council policies towards new housing in the open countryside. In terms of the LDP, within the LDP the site lies within the landward area of the Plan where the plan states that the SPG on HITC is applicable (*Policy RD3*).

Based on the above, I consider the key determining issues for this proposal to ultimately be a) whether or not the proposal has a good (suitable), existing landscape framework and is compatible with the surrounding land uses, b) whether or not the design of the dwelling is of a suitability high standard and c) whether or not the proposal is acceptable in land use terms, bearing in mind the provisions of the Development Plan.

Landscape Issues

Policy 2 of the HALP seeks (amongst other things) to ensure that all new sites within the landward area have a suitable landscape framework which is capable of absorbing the development proposed, and that the proposed development is compatible with existing land uses. In terms of the compatibility with surrounding land uses, I have no particular concerns as the surrounding uses of any note (with the exception of highland agriculture) are residential.

However, in terms of the existing landscape framework of the site I do have some concerns. The site is extremely open and is essentially part of a far larger area of cleared woodland. Whilst it is acknowledged that the wider site is defined by the public road (south), the private forestry road (west) and the reminder of the tree plantation (north), the actual planning application site is only a small part of the larger site and to this end I am not convinced that it has a good landscape framework as the 'planning' site is essentially being manufactured from a larger one. To this end, the proposal fails the Councils general siting criteria contained in the Local Plan, and those contained in the HITCG 2012.

Design Issues

In terms of the second issue, the design standard of the dwelling, *Policy 5* of the HALP seeks to ensure that all new developments within the landward area are of a

suitably high standard which is appropriate for their location. The proposed house type is a fairly modern design in a traditional form which will utilise high quality finishes. To this end, I have no particular concerns regarding the visual appearance of the dwelling, and consider the proposal to be entirely consistent with the aims of *Policy 5* of the HALP.

Land Use Acceptability

The acceptability of the proposal in land use terms, is ultimately is an assessment of the proposal against the Councils HITCPs as contained firstly in the Local Plan and secondly the revised version of 2012. As the site is fairly isolated and divorced from any of the existing buildings at Trinafour, I consider the proposal to be contrary to all the main sections of *Policy 54* and the HITCG 2012, and in particular the sections relating to developments adjacent to existing building groups.

However, under the terms of *Policy 54* this site lies within an area described as WHP, where a slightly more relaxed criteria for new dwellings is promoted within a number of named building groups. Although there are a number of buildings at Trinafour, Trinafour is nevertheless not specifically listed under the policy as being one of the building groups where more relaxed development opportunities exist. In any event, proposals which are supported under the WHP section of *Policy 54* must still have a good landscape setting and respect the existing building pattern of the area. As the application site as submitted lacks a good landscape framework, and the site is divorced from the existing scattered buildings at Trinafour, the proposal in my view would not accord with the WHP criteria, even if Trinafour was listed as one of the named building groups where development opportunities have been promoted.

To this end, I consider the proposed land use (residential) to be contrary to both the HITCP 2012 and *Policy 54* of the HALP.

Other Material Issues

Turning to other material considerations these include road relates matters, private water issues and consideration of the Councils approved Developer Contributions document.

Roads Issues

In terms road and pedestrian safety, subject to appropriate conditions I note my Transport Planning colleagues have raised no particular issue with the proposal, and I have no reason to offer a different view.

Private Water Supply Issues

The development is in a rural area with private water supplies (including Trinafour House and Drumcroy supplies) known to serve properties in the vicinity. The applicant has indicated that they will utilise a private water supply for the development but no other information if given. 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 a number of informatives should be attached to any consent.

Education Contributions

In terms of the approved Developer Contributions document, financial contributions are presently being sought for new housing within the school catchment of areas operating at over 80% capacity. At the time of this decision a formal response from Education & Children Services confirming the capacity at the local primary school had not been received. To this end, prior to any consent being issued, clarification on whether or not a financial contribution of £6395 is required must be obtained.

Conclusion

The proposal as submitted is unacceptable, as it relates to an entirely manufactured site, with no established landscape framework which is divorced from existing buildings. It is slightly unclear as to why the applicant has not used the whole site as their planning unit as that would have perhaps created an argument that the site had a good, existing landscape framework. However, if a planning application was submitted for a larger site comprising the larger 0.5ha+ area, a site of that size, in this location would be somewhat out of keeping with the sizes of the other existing dwellings in the local area, would not respect the building pattern of the area and would also be unacceptable to the Council.

DEVELOPMENT PLAN

The Development Plan for the area comprises the approved Tay Plan 2012 and the adopted Highland Local Plan 2000. As there are no specific policies of relevance contained in the Tay Plan which are directly relevant to this proposal, the key development plan policies are contained in the relevant Local Plan, which is the Highland Local Plan 2001.

Highland Local Plan 2000

Policy 2 (Development Criteria) states that all developments within the landward area will be judged against the following criteria (amongst other things)

- (a) The sites should have a landscape framework capable of absorbing or, if necessary, screening the development and where required opportunities for landscape enhancement will be sought;
- (b) In the case of built development, regard should be had to the scale, form, colour, and density of existing development within the locality;
- (c) The development should be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community;
- (d) The road network should be capable of absorbing the additional traffic generated by the development and a satisfactory access onto that network provided;

Policy 5 (Design) states that the Council will require high standards of design for all development in the Strathearn Area. In particular encouragement will be given to:

- a) The use of appropriate high quality materials;

- b) Innovate modern design incorporating energy efficient technology and materials;
- c) Avoiding the use of extensive under-building on steeply sloping sites;
- d) Ensuring that the proportions of any building are in keeping with its surroundings;
- e) Ensuring that the development fits its location.

Policy 54 (Housing in the Countryside) is the local plan version of the HITCP and offers scope for new housing in the open countryside, subject to the proposals falling within certain categories. This policy also makes reference to developments within West Highland Perthshire.

OTHER COUNCIL POLICIES

Housing in the Countryside Guide 2012

This policy was the most recent expression of Council policy towards new housing in the open countryside when the planning application was submitted, and is applicable across the entire landward area of Perth & Kinross. This policy offers a more up to date expression of Council Policy towards housing in the countryside to that contained the Local Plans and recognises that most new housing will continue to be in or adjacent to existing settlements, and states that the Council will support proposals for the erection of single houses in the countryside which fall into certain specified categories.

Developer Contributions 2012

This guidance sets out (amongst other things) the basis on which Perth and Kinross Council will seek to secure contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements necessary as a consequence of development. All new housing from the date of adoption including those on sites identified in adopted Local Plans will have the policy applied.

Proposed LDP 2012

Within the proposal LDP, the site lies within the landward area of the Plan where the SPG on HITC is applicable. The most recent version of the HITC policy is the Housing in the Countryside Guide 2012.

NATIONAL PLANNING GUIDANCE

The Scottish Government expresses its planning policies through the National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Scottish Historic Environment Policy (SHEP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars. Of relevance to this application are,

Scottish Planning Policy (2010)

The Scottish Government's planning policies are set out in the National Planning Framework, this SPP, Designing Places, Designing Streets and Circulars. This SPP is a statement of Scottish Government policy on land use planning and contains:

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

Of relevance to this application are paragraphs 92-96 which relates to Rural Developments.

SITE HISTORY

None specifically relevant to this proposal.

PKC CONSULTATIONS

The Environmental Health Manager has commented on the planning application and has raised no objections, subject to conditions.

Transport Planning have commented on the planning application and have raised no objections, subject to conditions.

Education & Children Services have been consulted on the planning application, however at the time of this decision, a formal response regarding the capacity at the local primary school had not been received.

EXTERNAL CONSULTATIONS

Scottish Water have commented on the planning application and have raised no objection.

REPRESENTATIONS RECEIVED

None received.

ADDITIONAL STATEMENTS

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Submitted
Report on Impact or Potential Impact	None

PUBLICITY UNDERTAKEN

The application was advertised in the local press on the 19 July 2013.

LEGAL AGREEMENTS REQUIRED

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

ECONOMIC BENEFIT IMPACTS(S)

With the exception of the construction element, which may or may not be undertaken by local tradesmen, this development is unlikely to have a significant economic impact on the local area – either positively or negatively.

RECOMMENDED REASON FOR REFUSAL

As the site does not have a good, existing landscape framework, the proposal is contrary to Policies 2 and 54 of the Highland Area Local Plan 2001, the Council's Housing in the Countryside Guide 2012 and Policy RD3 of the proposed Local Development Plan 2012, all of which seek to ensure that all new proposals for housing in the open countryside have a good, existing landscape framework which is capable of absorbing the development proposed.

JUSTIFICATION

The proposal is not in accordance with the Development Plan and there are no other material issues which justify approving the planning application.

INFORMATIVES

None

PROCEDURAL NOTES

None

REFUSED PLANS

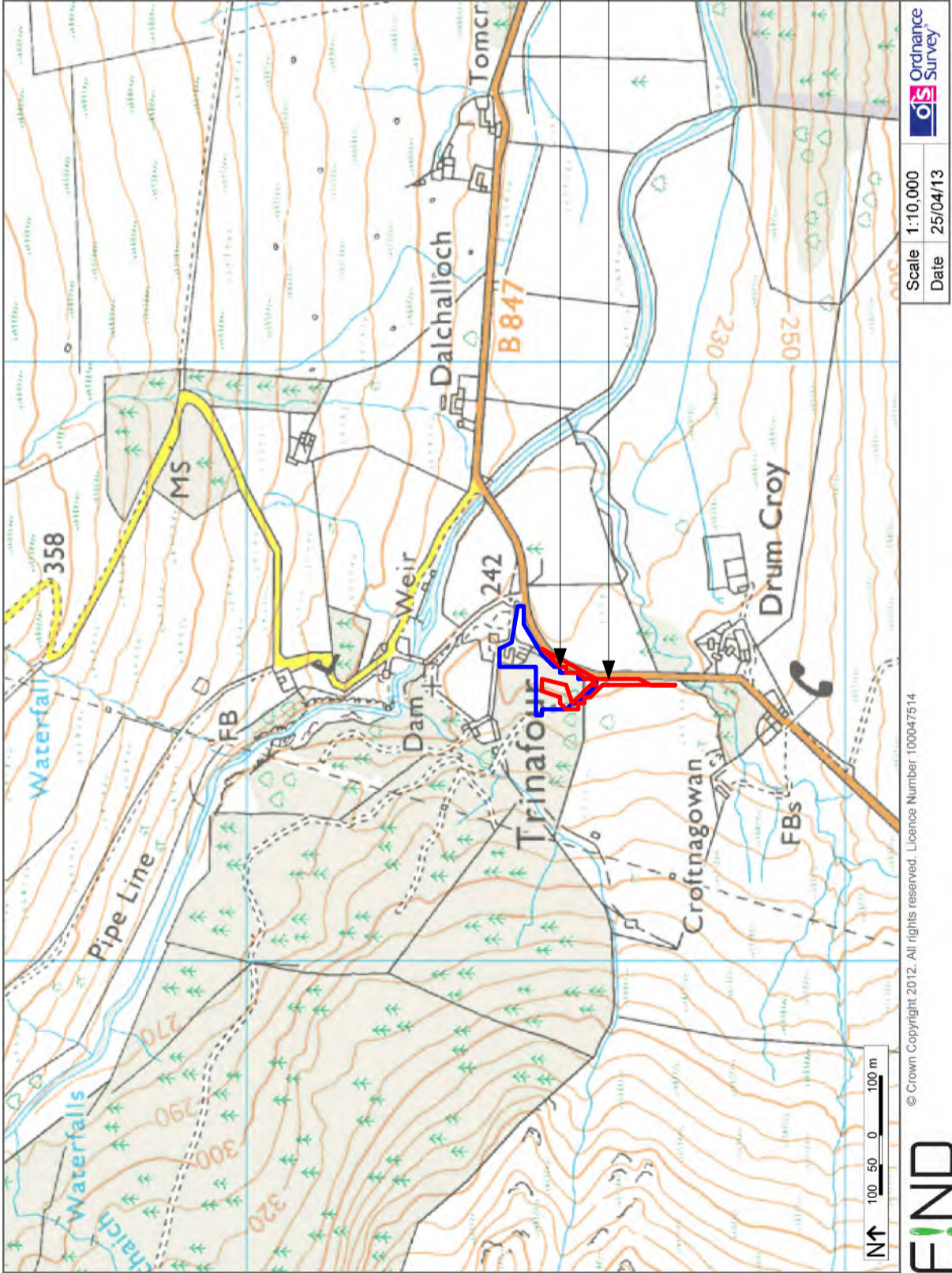
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PROPOSED HOUSE FOR MR DONALD MACKINLAY

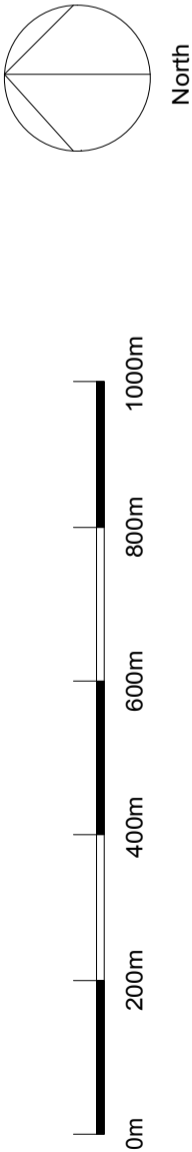
SITE AT TRINAFOUR HOUSE
TRINAFOUR
PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M



Note: Construction must comply with all NHBC and industry standards.



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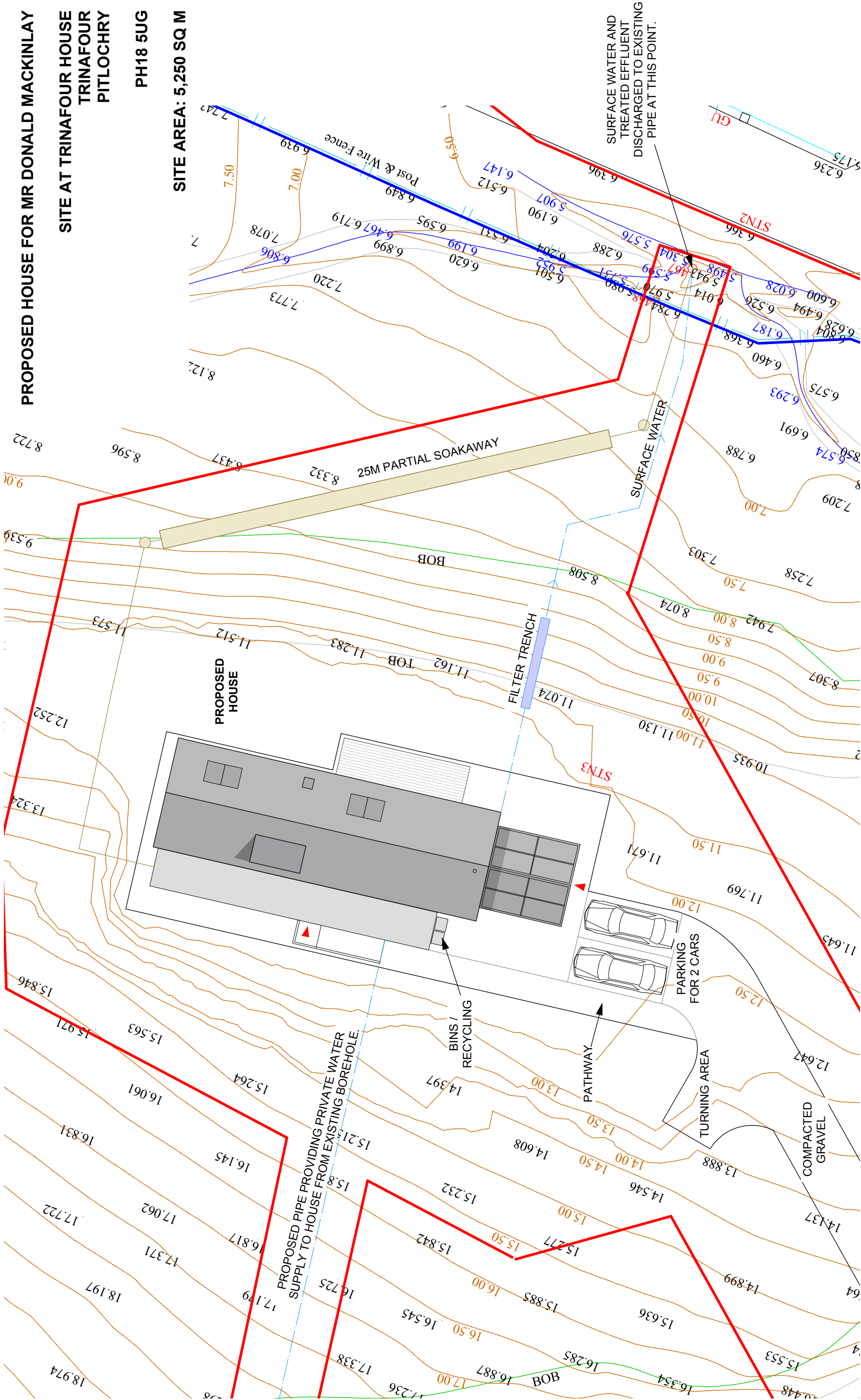
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PROPOSED HOUSE FOR MR DONALD MACKINLAY

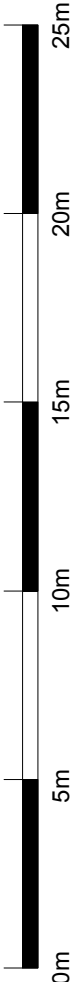
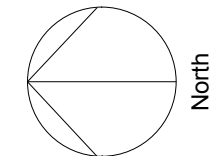
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TRINAFOUR
PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M



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CAD FILE NAME	DATE
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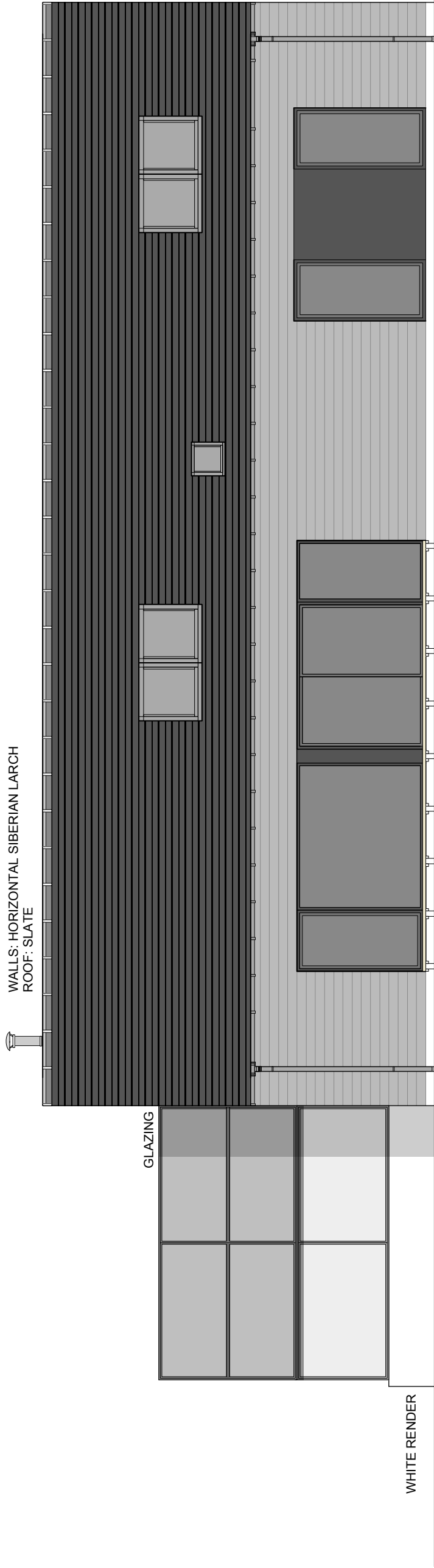
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PROPOSED HOUSE FOR MR DONALD MACKINLAY

SITE AT TRINAFOUR HOUSE
TRINAFOUR
PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M



Note: Construction must comply with all NHBC and industry standards.

DRAWING SET <i>PLANNING</i>	CLIENT <i>321_MACKINLAY</i>		
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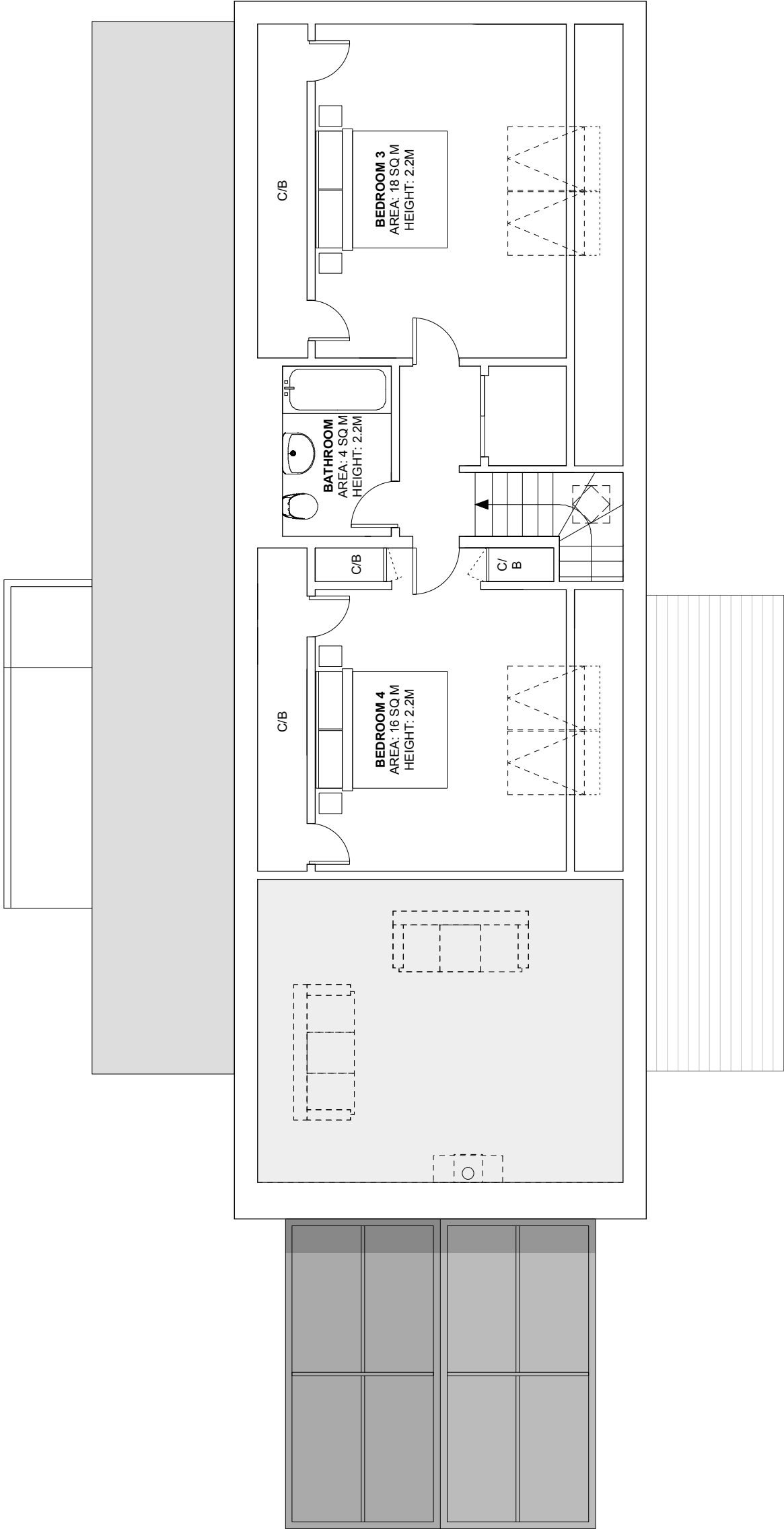


PROPOSED HOUSE FOR MR DONALD MACKINLAY

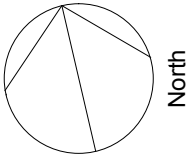
SITE AT TRINAFLOUR HOUSE
TRINAFLOUR
PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M



Note: Construction must comply with all NHBC and industry standards.



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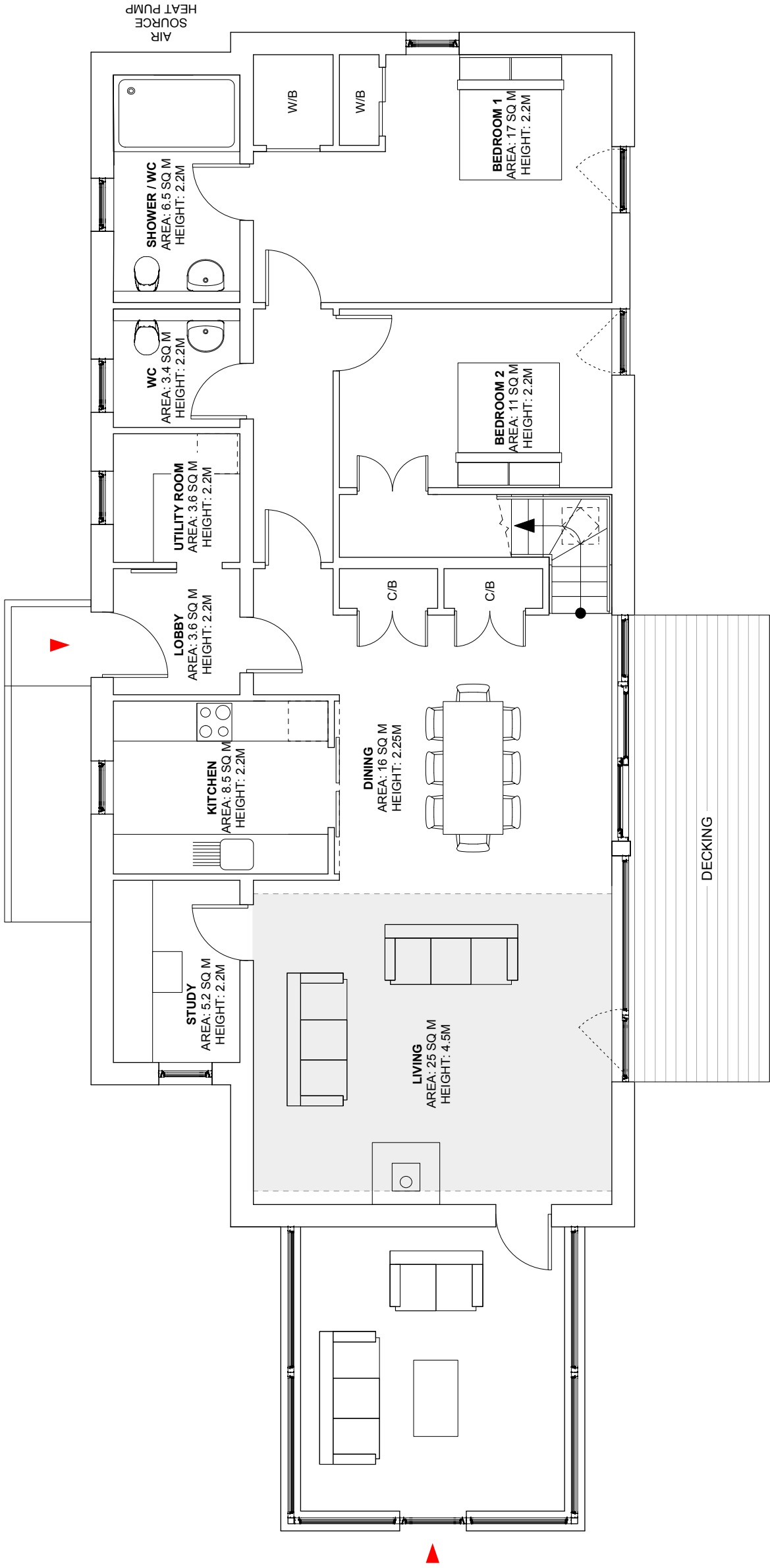
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PROPOSED HOUSE FOR MR DONALD MACKINLAY

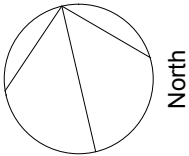
SITE AT TRINAFLOUR HOUSE
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PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M



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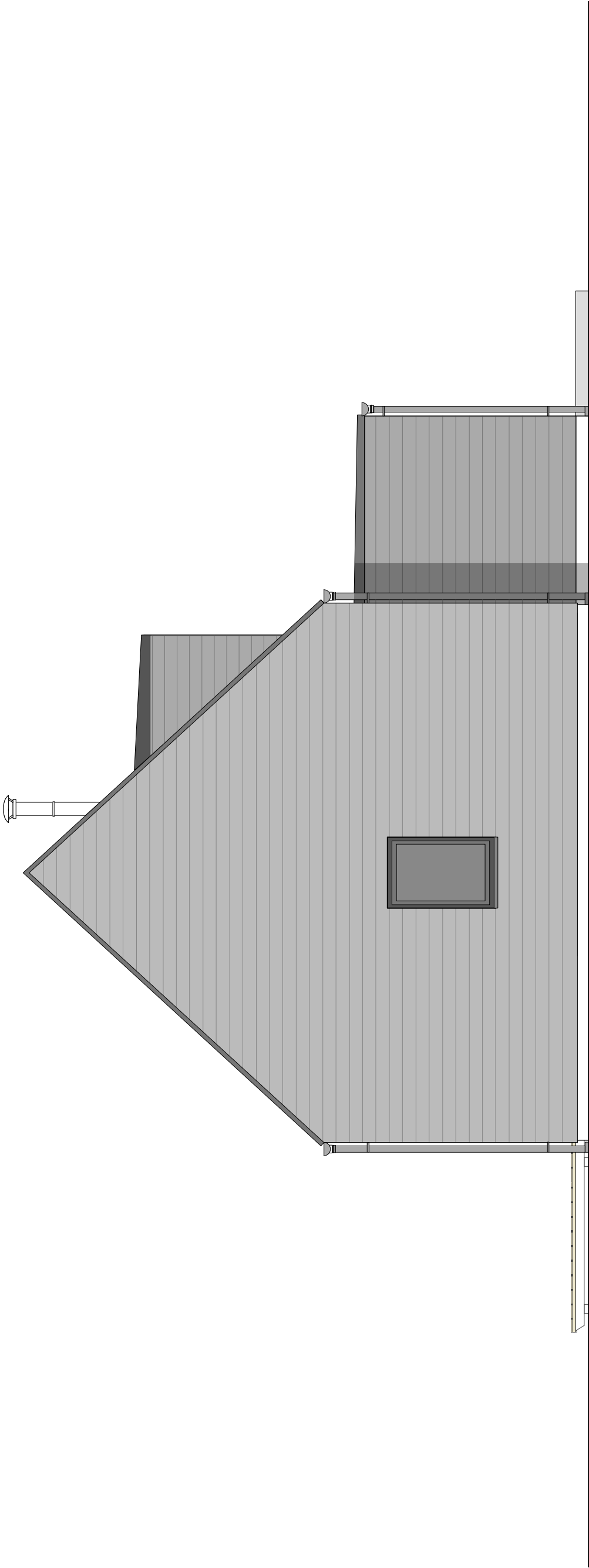
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PROPOSED HOUSE FOR MR DONALD MACKINLAY

SITE AT TRINAFOUR HOUSE
TRINAFOUR
PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M



Note: Construction must comply with all NHBC and industry standards.



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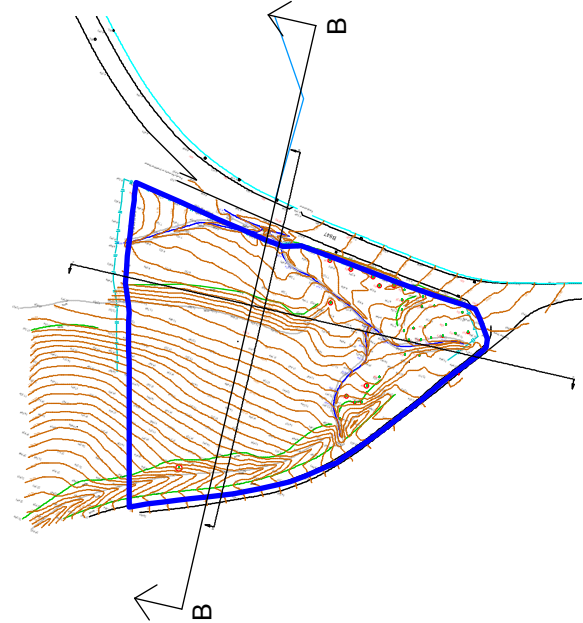
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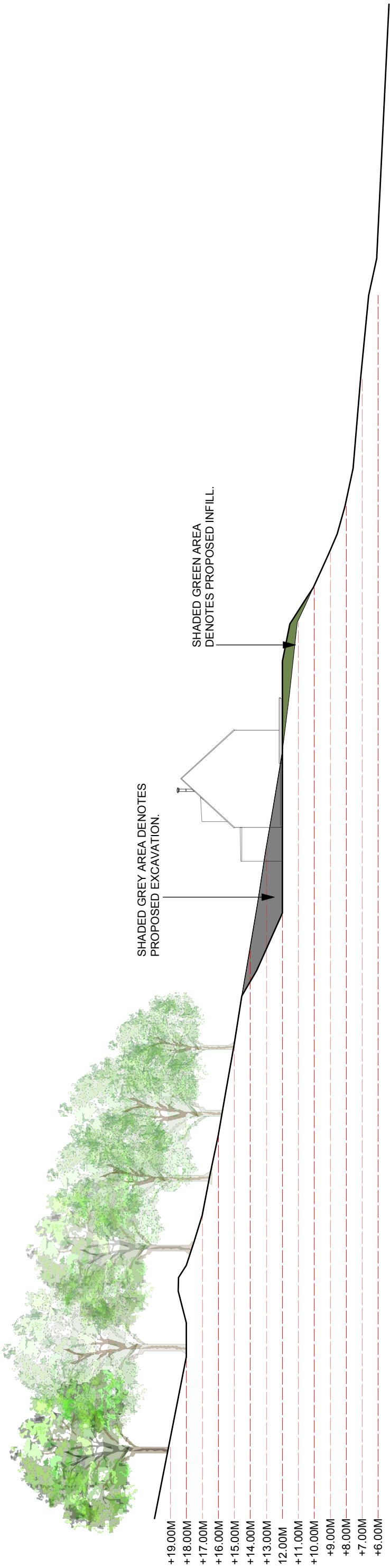
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SHADED GREY AREA DENOTES
PROPOSED EXCAVATION.

SHADED GREEN AREA
DENOTES PROPOSED INFILL.

PROPOSED HOUSE FOR MR DONALD MACKINLAY

SITE AT TRINAFOUR HOUSE
TRINAFOUR
PITLOCHRY

PH18 5UG

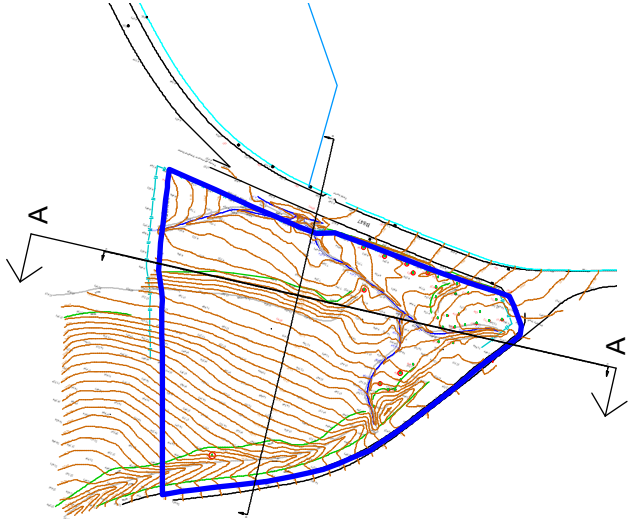
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303	AB
DATE	
26 / 06 / 2013	
CAD FILE NAME	SCALE
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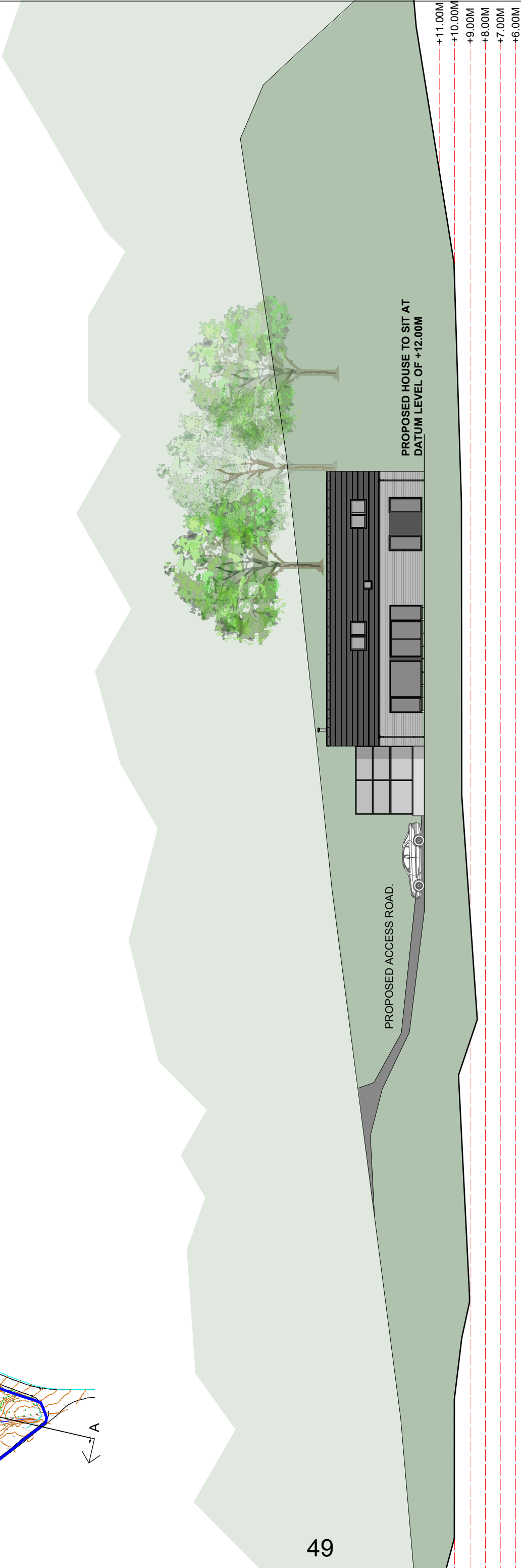


PROPOSED HOUSE FOR MR DONALD MACKINLAY

SITE AT TRINAFOUR HOUSE
TRINAFOUR
PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M

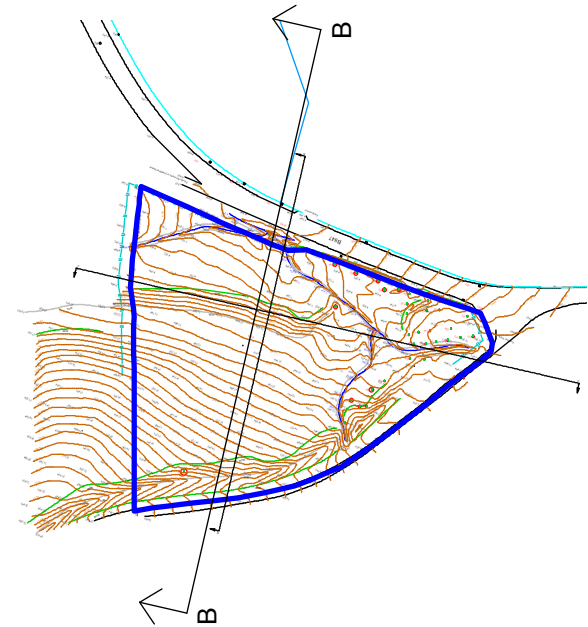


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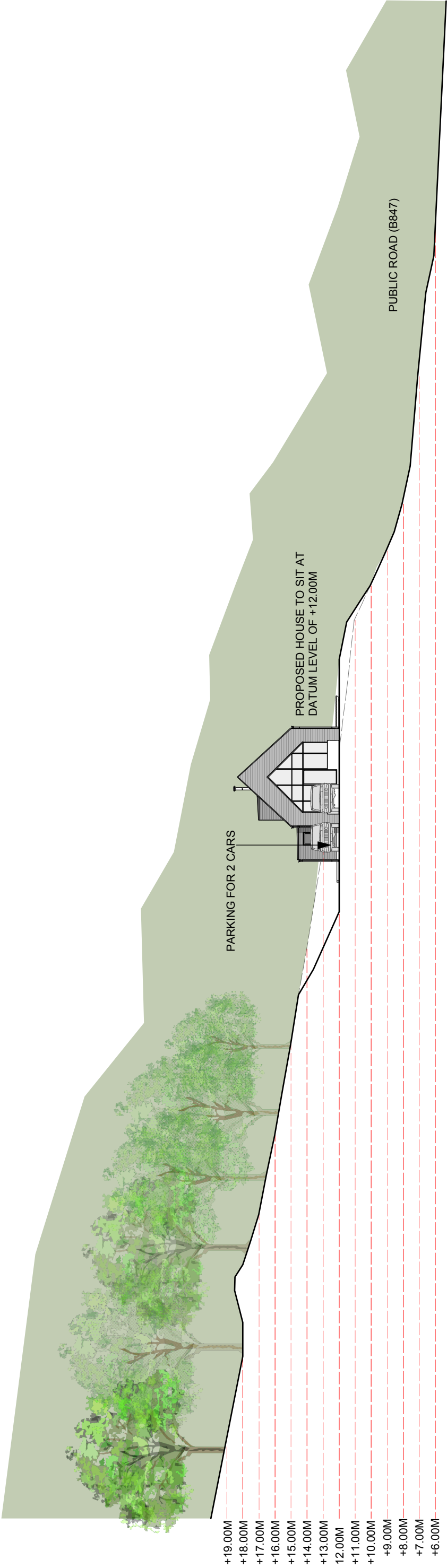
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PROPOSED HOUSE FOR MR DONALD MACKINLAY

SITE AT TRINAFLOUR HOUSE
TRINAFLOUR
PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M

Note: Construction must comply with all NHBC and industry standards.

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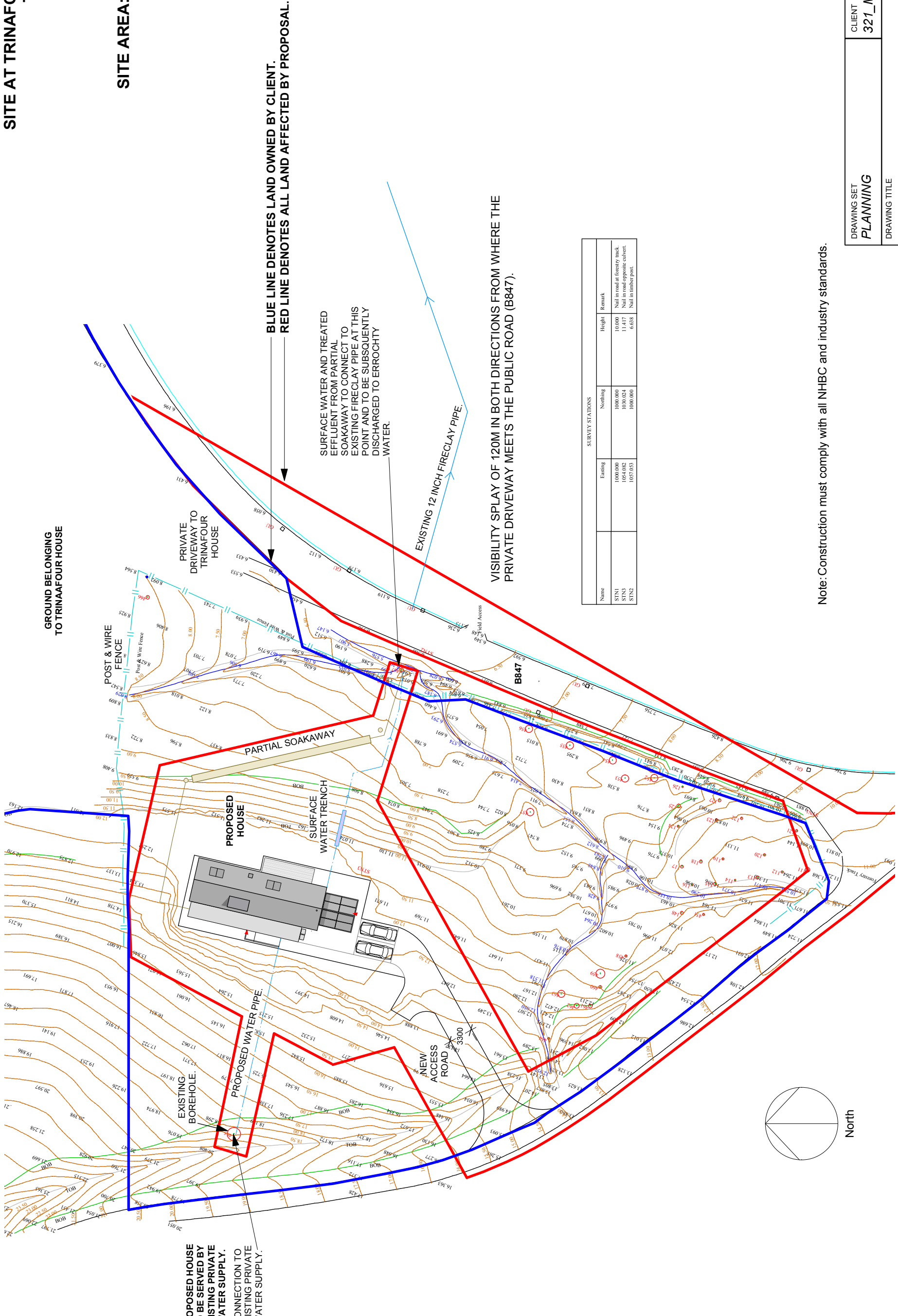
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PROPOSED HOUSE FOR MR DONALD MACKINLAY

SITE AT TRINAFOUR HOUSE
TRINAFOUR
PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M



Note: Construction must comply with all NHBC and industry standards.

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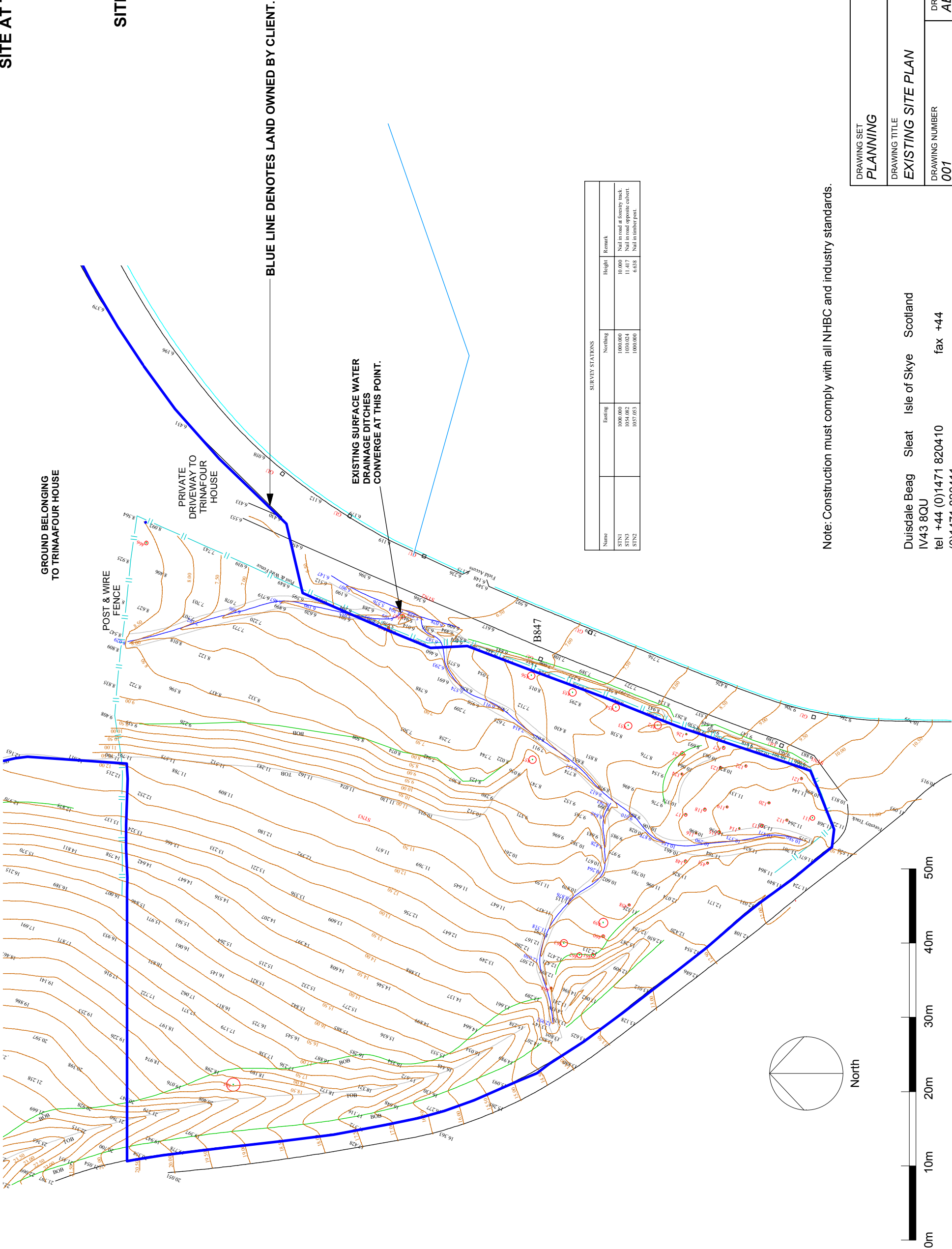
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PROPOSED HOUSE FOR MR DONALD MACKINLAY

SITE AT TRINAFLOUR HOUSE
TRINAFLOUR
PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M



Note: Construction must comply with all NHBC and industry standards.

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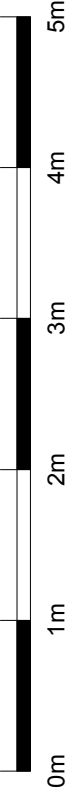
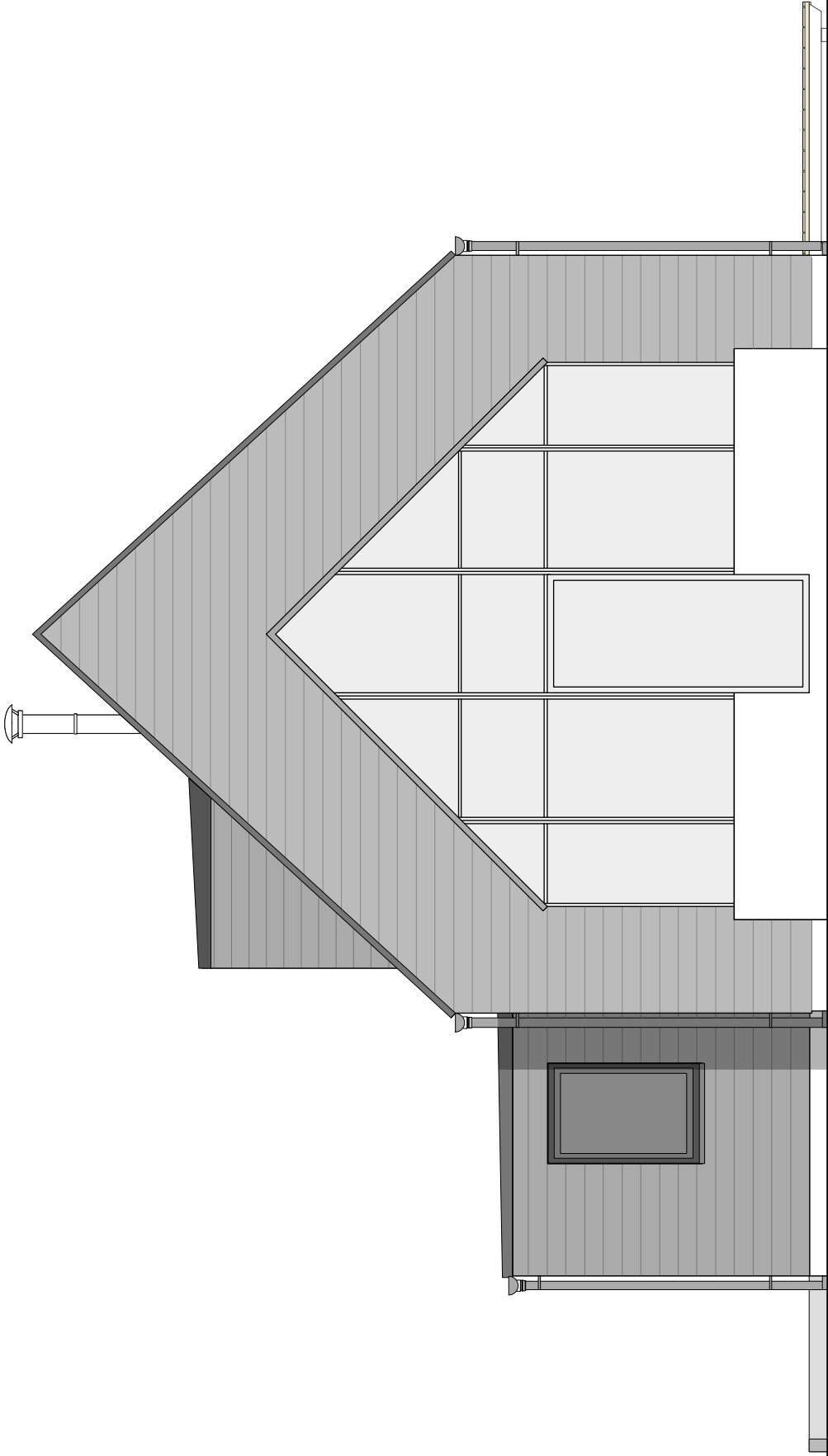
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PROPOSED HOUSE FOR MR DONALD MACKINLAY

SITE AT TRINAFOUR HOUSE
TRINAFOUR
PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M



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DRAWING TITLE PROPOSED SOUTH ELEVATION			
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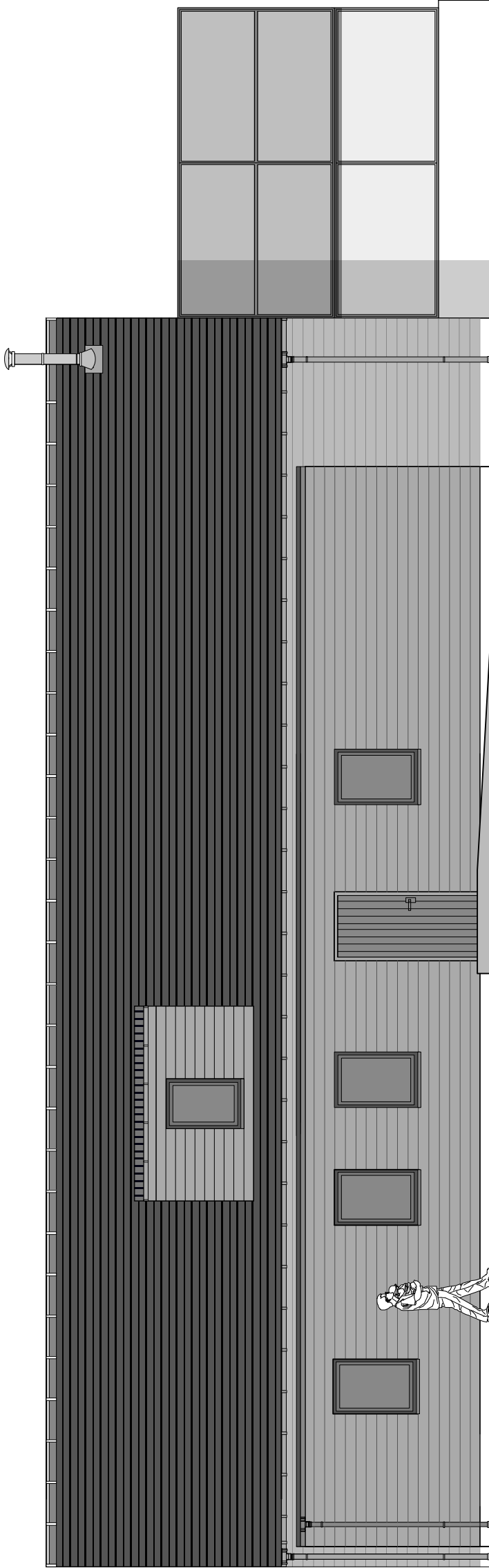
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PROPOSED HOUSE FOR MR DONALD MACKINLAY

SITE AT TRINAFOUR HOUSE
TRINAFOUR
PITLOCHRY

PH18 5UG

SITE AREA: 5,250 SQ M



Note: Construction must comply with all NHBC and industry standards.

DRAWING SET <i>PLANNING</i>	CLIENT <i>321_MACKINLAY</i>		
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specification and all relevant drawings. Contractor to check all dimensions on site. Do
not scale from this drawing. All dimensions to be advised of any variation between the
drawing and site conditions.

www.bebidalebeag.co.uk

HEB HOMES

Design Statement

Trinafour house
Trinafour
Pitlochry
PH18 SUG

(Our Ref: HCH_321_MACKINLAY)

HEB HOMES

Design Statement

BACKGROUND INFORMATION

Name of scheme: Proposed LH502PD

Type of scheme: New-build private house

Applicant: Mr Donald Mackinlay

Architect: Hebridean Contemporary Homes - Alasdair Stephen

Date: 12th June 2013

PROPOSED DESIGN

1. Appraisal
2. Design Principles
3. Key Issues
4. Design Concepts & Solution

1. Appraisal

This planning application concerns a site to the south-west of Trinafour House in Trinafour. Located around 18 miles north-west of Pitlochry, Trinafour is a small village in Perth & Kinross, with the buildings of the area strongly influenced by Scottish building traditions with 18th and 19th century buildings being particularly prevalent. As the area has developed into a popular tourist retreat, the population has slowly increased and there is a need for the construction of new housing to compliment the more historical buildings. The sloping site has recently been clear felled and as such the ground is covered in vegetation and tree roots. The ground to the north and west is dominated by trees, and the brief is to integrate a contemporary Hebridean Homes kit house (the 1.5 storey LH502PD) into this natural rural setting.

HEB HOMES

Design Statement

2. Design Principles

The 4-bedroom house and associated access and landscaping aims to create an environment which is safe and pleasant, welcoming, sustainable and resource efficient. It will therefore aim to respect to the traditions of the local area. The proportions of the buildings in the area have been considered and the proposed house will respect not only the proportions but also the materials of the buildings in Trinafour, and those slightly further afield, in Pitlochry town centre. The photographs below show typical local building materials and simple eaves-to-verge details. The materials of the proposed house have been chosen accordingly, so that they either match or provide a subtle contrast to the surrounding buildings.



The top two images depict buildings adjacent to proposed site. Stone, timber, slate and corrugated metal are the dominant building materials. Below - Atholl Road in Pitlochry shows buildings which typically use simple gable forms and also low ridge heights - something we have emulated in our proposed house.

HEB HOMES

Design Statement

3. Key Issues

The site has an area of 5250m² and it is located to the west of a public road, the B847. There are no buildings currently on the site, with the most noticeable features being the aforementioned vegetation and tree roots on the site and surrounding area. The post and wire fence which currently borders the site will be retained. Access to the site is currently provided in the form of a rough track from the B847 which allow leads to the forested area to the north of the site. As can be seen from Drawing 102_Proposed_Site_Plan the proposed building will be situated on the northern side of the plot. The ground currently slopes downwards from north-west to south-east, so will have to be levelled out in the area immediately around the proposed house to make way for both the house itself and the parking area.



Currently the site is dominated by trees and vegetation.

4. Design Concepts and Solution

As previously mentioned a decision was made to keep the height and proportions of the house as low as possible, with the use of horizontal timber cladding allowing the house to acknowledge the surrounding trees. The slate roof enhances the traditional feel of the house.

Externally the house appears as a one-and-a-half storey building, but internally it contains two storeys. The design is based on the traditional longhouse - a house type built throughout rural Scotland for centuries - which uses a simple gable volume and narrow plan to sit low in the landscape and to offer as much protection as possible from the elements. The use of large east-facing windows gives the proposed house a more contemporary appearance and feel and will bring ample morning sunlight into the living spaces and the bedrooms. In keeping with the simple form used throughout the design, the eaves and verge detailing is also kept as straightforward as possible, with no extended soffit unlike many of the 20th century kit houses in rural Scotland. The lean-to and box dormer (also clad in larch) on the west-facing elevation add a more contemporary contrast to the traditional volume, and face away from the public road. A conservatory on the south-facing gable will provide the inhabitants with a sitting area for the summer months, with the appearance of this enhancing this contemporary feel

HEB HOMES

Design Statement

brought about the said lean-to and box dormer. Care has been taken to ensure that the proportions of the conservatory match those of the main volume of the house.

Access to the house will be provided to the west side, via the utility room, with the open plan living, dining and kitchen taking advantage of the views of the landscape to the east. A small study will be provided off the double-height living space. At the north end of the house are two bedrooms (one with an en suite bathroom) as well as a WC. The first floor consists of a further two bedrooms (naturally-lit by east-facing roof lights) and a central bathroom contained in the box dormer, as well as ample cupboard space.

A new gravel access road will enable vehicular access to the house from the western boundary of the plot, with parking for 2 cars and a turning area provided to the south-west of the house, allowing for easy access between the parking area and the house itself. The bins and recycling area will be tucked in between the lean-to and the main volume of the house, out of public view and sheltered from the wind.

The water supply will come from the same private supply currently used by Trinafour House. An existing borehole near the north-west corner of the site will act as the connection point to this supply, with a new water pipe to be installed between the borehole and the house. Foul drainage will be provided by a partial soakaway, which will then lead to an existing culvert and clay pipe to the eastern boundary of the site. From here the treated effluent will flow to the Errochty Water, around 450m east of the site. Surface water will also be piped here via a separate soakaway. Details of the drainage can be seen on drawings 102_Proposed_Site_Plan and 103_Proposed_Block_Plan and a full drainage report is also included as part of this application (130627iwc01 – Trinafour ReportFIN-3.pdf).



**DRAINAGE ASSESSMENT
FOR A NEW DWELLING
ADJACENT TRINAFOUR HOUSE, TRINAFOUR
JUNE 2013**

www.jig.uk.com

23 Westminster Terrace

Glasgow G3 7RU

Telephone: 0141 221 4747

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Report Compilation Date: 27 June 2013

For and on behalf of JIG Ltd

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1. EXECUTIVE SUMMARY

JIG Ltd was contracted by Hebridean Contemporary Homes to undertake an assessment of the sewage treatment/effluent dispersal and surface water management options for a proposed dwelling to be erected on a site adjacent to and to the southwest of Trinafour House, Trinafour, Perthshire. The dwelling will consist of a 3-bedroom dwelling plus a self-contained upper floor for a live-in carer and as such the PE is considered to be 6/7. It was known that a Scottish Water sewer connection was not readily available thus private solutions had to be secured.

SEWAGE TREATMENT

JIG's investigations indicated that a favourable means of treating the sewage that would be generated by the proposed dwelling would be one based upon a high quality biological treatment system capable of treating to at least 20:30:20 BOD:SS:Ammonia standard on a 95%ile basis. It was advised the treated sewage effluent be discharged via 25 linear metres of newly constructed partial soakaway with a high level overflow to the culverted watercourse which leaves the site on its western boundary and which flows west to the Errochty Water at NGR NN7285 6451.

JIG reported that under the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011, the activity of discharging sewage effluent must be authorised by SEPA and an application for a Registration was submitted to SEPA on the 27th June 2013.

SURFACE WATER MANAGEMENT

Surface water from the dwelling should be directed to the same watercourse as will receive the treated sewage effluent. As a single dwelling is exempt from the need for SUDS this means of disposal would be compliant with General Binding Rule 10 thus SEPA should have no issue regarding the proposed discharge.

2. INTRODUCTION

JIG Ltd was contracted by Hebridean Contemporary Homes to undertake an assessment of the sewage treatment/effluent dispersal and surface water management options for proposed dwelling to be erected on a site adjacent to and to the southwest of Trinafour House, Trinafour, Perthshire. The dwelling will consist of a 3-bedroom dwelling plus a self-contained upper floor for a live-in carer and as such the PE is considered to be 6/7. It was known that a Scottish Water sewer connection was not readily available thus private solutions had to be secured.

2.1. Introduction to Sewage Treatment

The Building (Scotland) Regulations 2004 must be adhered to when a construction project is being undertaken. Regulation 3.7 of the Regulations, as reproduced in Box 1, states that:

Box 1.

Every *wastewater* drainage system serving a *building* must be designed and *constructed* in such a way as to ensure the removal of *wastewater* from the *building* without threatening the health and safety of the people in and around the *building*, and:

- (a) That facilities for the separation and removal of oil, fat, grease and volatile substances from the system are provided;**
- (b) That discharge is to a public sewer or public *wastewater* treatment plant, where it is *reasonably practicable* to do so; and**
- (c) Where discharge is to a public sewer or public *wastewater* treatment plant is not *reasonably practicable* that discharge is to a private *wastewater* treatment plant or septic tank.**

Limitation

Standard 3.7(a) does not apply to a *dwelling*.

It was known a public sewer connection was not available thus a private wastewater treatment plant and traditional soakaway infiltration system option had to be investigated as the preferred route for the treatment and final dispersal of the sewage that would be generated by the dwelling. Section 3.9.1 of the Technical Handbook requires a preliminary “ground assessment” for such infiltration devices.

Under the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011, all activities concerning the discharge of sewage effluent to the water environment, either directly or indirectly via land, require the authorisation of the Scottish Environment Protection Agency (SEPA). This includes discharge activities to infiltration devices including soakaways and raised filtration mounds.

2.2. Introduction to Surface Water Management

With regard to surface water treatment and dispersal, Regulation 3.6 of the Building (Scotland) Regulations 2004, as reproduced in Box 2, states that:

Box 2.

Every *building* and hard surface within the *curtilage* of a *building*, must be designed and constructed with a surface water drainage system that will:

- (a) ensure the disposal of *surface water* without threatening the *building* and the health and safety of the people in and around the *building*; and**
- (b) have facilities for the separation and removal of silt, grit and pollutants.**

Section 3.6.3 of the Technical Handbook provides methods of discharging surface water that, if employed, would meet the requirements of the authorities and following the results of the preliminary “ground assessment” JIG would report upon and advise on the best practicable means.

With regard to SEPA’s requirements, general binding rule (GBR) 10, in pursuance of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 states that a sustainable urban drainage system is not required for a single house.

GBR10: Discharge of surface water run-off from a surface water drainage system to the water environment from construction sites, buildings, roads, yards and any other built-up areas.

Rules:

- a) If the surface water run-off is from areas constructed after 1 April 2007, the site must be drained by a Sustainable Urban Drainage System (SUDS). If the surface water run-off is from a construction site operated after 1 April 2007, the site must be drained by a SUD system or equivalent. The only exceptions are if the run-off is from a single dwelling and its curtilage, or if the discharge is to coastal water.
- b) All reasonable steps must be taken to ensure that the discharge will not result in pollution of the water environment.
- c) The discharge must not contain any trade effluent and must not result in visible discolouration, iridescence, foaming or sewage fungus in the water environment.
- d) The discharge must not result in the destabilisation of the banks or bed of the receiving surface water.
- e) The discharge must not contain any water run-off from any of the following areas constructed after 1 April 2007:
 - fuel delivery areas and areas where vehicles, plant and equipment are refuelled;
 - vehicle loading or unloading bays where potentially polluting matter is handled;
 - oil and chemical storage, handling and delivery areas.
- f) All treatment systems (including oil interceptors, silt traps and SUDS) must be maintained in a good state of repair.
- g) All reasonable steps must be taken to ensure that any matter liable to block, obstruct, or otherwise impair the ability of the SUDS is prevented from entering the system.
- h) The construction and maintenance of the outfall must not result in pollution of the water environment.

(Source; SEPA, The Water Environment (Controlled Activities) (Scotland) Regulations 2011 - A Practical Guide)

3. SITE PROFILE AND GROUND ASSESSMENT

3.1. Topography, Local Drainage and Flooding

The site for the new dwelling is within an area of ground to the southwest of Trinafour House. The site, which slopes down from the northwest to the southeast towards the adjacent B847 has recently been clear felled and is dominated by tree roots. The location for the house within the site is a generally flat area of ground which lies in a southwest/northeast orientation. Access to the site is gained by way of a rough track from the B847 which also allows access to the forested area above the site. The site lies on the northeast side of the access track and is bounded to the southeast by the B847, to the northeast by the grounds of Trinafour House, to the northwest by forestry while to the southwest is grazing land on the opposite side of the access track.

The nearest watercourse is that which forms as a result of the convergence of several drainage ditches and which leaves the site by way of a culvert under the B847 on the southeastern side of the site and then flows in a pipe to the Errochty Water which lies approximately 450m east of the site.

While not specifically considered in this report, the risk of flooding of the site or elsewhere downstream as a result is not considered to be an issue.

3.2. Geology, Groundwater and Abstraction

The superficial deposits are not recorded.

No trial pits were excavated therefore the depth to ground water is not known. Similarly, as infiltration will not be used to disperse treated sewage effluent from the site, no investigations were carried out to determine the presence of any water abstractions points or boreholes used for drinking water within 50m of the site.

3.3. Nature of the Subsoil

The superficial deposits were not recorded as no intrusive excavations were carried out. Observation of the deposits exposed within the bed of the drainage ditches adjacent to the site, however, indicates a clay substrate most likely overlying rock at relatively shallow depth.

3.4. Location of Services

The locations of all existing services are well known and any treatment system location would be sited accordingly with due care and attention taken to avoid any inadvertent disturbance during development works.

3.5. Other Implications of Plot Size or Vegetation

As regards waste-water or sewage, any infiltration device must be located;

- at least 50m from any spring, well or borehole used as a drinking water supply; and,
- at least 10m horizontally from any watercourse (including any inland or coastal waters), permeable drain, road or railway.

This is not applicable as the solution proposed for this development does not rely on infiltration for the dispersal of treated sewage effluent.

Any infiltration system and any treatment plant must also be located;

- at least 5m from a building; and
- at least 5m from a boundary.

The location of any septic tank or treatment plant must ensure that a desludging tanker can gain access to a working area that:

- will provide a clear route for a suction hose from the tanker to the tank; and
- is not more than 25 m from the tank where it is not more than 4m higher than the invert level of the tank; and
- is sufficient to support a vehicle axle load of 14 tonnes.

Following clearance of the site for construction there will be no notable vegetation that might interfere with any system proposed or vice versa.

As regards surface water, any infiltration device must be located;

- at least 5m from any building.

This is not applicable as the solution proposed for this development does not rely on infiltration for the dispersal of surface water.

3.6. Porosity Testing

Percolation tests were not initiated, either at depth or within the top soil layer as the shallow depth of deposits and the potentially impermeable nature of the substrate compromised the ability of the site to be drained by any total infiltration type system compliant with the requirements of SEPA and the Technical Handbook.

4. SEWAGE TREATMENT

4.1. Minimum System Requirements

The size of the system required to treat the sewage that would be generated by the 3-bedroom dwelling and self-contained 1-bedroom flat was calculated in accordance with industry figures as shown in Table 1.

Table 1. Effluent Flow Figures

Development	Maximum Occupancy	Daily Flow (litres/person)	BOD loading per person (g/day)	Treatment capability (kg/BOD)
New Dwelling	7 (based on 3 + 1 bedrooms)	180	60	0.42

Sized in accordance with British Water "Code of Practice - Flows and Loads 3 - Sizing Criteria, Treatment Capacity for Small Wastewater Treatment Systems". 2009

Based on the above information a biological treatment system capable of treating 0.42kg BOD per day would be required.

4.2. Sewage Treatment Solutions

As a result of the ground conditions investigations turned to the provision of an effluent disposal solution based on a discharge of treated sewage effluent to a watercourse.

4.3. Discharge to Watercourse

The only watercourse directly accessible from the site consists of a number of surface water drainage ditches which converge at a point on the site's eastern boundary adjacent to the B847 road beneath which it flows in culvert before entering a 12" fireclay pipe to the Errochty Water at NGR NN7285 6451. This pipe also conveys the effluent from a septic tank which serves Trinafour House and the associated gardener's cottage. A discharge of appropriately treated effluent was proposed to be made to the watercourse at the point where it flowed in culvert beneath the B847.

JIG was aware that SEPA would need to be satisfied with such a proposal and a pre-consultation letter dated the 27th May 2013 based on the provision of septic tank treatment was submitted to SEPA for comment. SEPA responded initially by way of an e-mail dated the 19th June 2013 indicating septic tank treatment was not considered acceptable and that biological treatment would be required. JIG challenged this by way of an e-mail dated the 21st June 2013, however, in an e-mail dated the 25th June 2013 SEPA sustained its position and confirmed biological treatment would be required, see Appendix 3. Effluent should be discharged to the watercourse via 25 linear metres of constructed partial soakaway.

Authorisation under the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 will be required and an application for a Registration was submitted to SEPA on the 27th June 2013.

4.4. Partial Soakaway

Where ground conditions do not allow for a traditional soakaway to disperse effluent fully on a year round basis (perhaps owing to impermeable soils and/or a high seasonal water table) a partial soakaway can be installed as a “buffer” device that should work in theory to help protect watercourses from pollutants during extended periods of dry weather. The partial soakaway would normally take the form of a standard soakaway i.e. a trench containing clean broken stone or gravel with a solid walled perforated pipe set on top of, and covered with, pea gravel and a geotextile prior to backfilling.

The theory is that during dry periods a portion of the effluent may be absorbed by the parched soils surrounding the trench. In addition, and even during less dry periods, the filter media within the trench may remove some of the suspended solid material with which other pollutants are “attached”. During wetter periods all or at least the greater volume of the effluent will reach the end of the pipework and discharge to a watercourse but during such conditions there should be plenty of flow in the watercourse to dilute it sufficiently. Indeed, it is quite likely that the partial soakaway will in fact draw in water from the surrounding ground thus diluting the effluent further.

It should be noted that there is no sound scientific calculation for a partial soakaway's size. Percolation testing has no value in sizing such a device. In addition, if a partial soakaway is being installed because of impermeable ground conditions it is unlikely that there will be sufficient exfiltration from it during dry weather to pose a risk to nearby structures, roads, watercourses and so on.

4.5. Recommendation – Sewage Treatment

JIG recommends that a favourable means of treating the sewage that would be generated by the proposed dwelling would be one based upon a high quality biological treatment system capable of treating to at least 20:30:20 BOD:SS:Ammonia standard on a 95%ile basis. It was advised the treated sewage effluent be discharged via 25 linear metres of newly constructed partial soakaway with a high level overflow to the culverted watercourse which leaves the site on its western boundary and which flows under the B847 west to the Errochty Water at NGR NN7285 6451.

JIG reported that under the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011, the activity of discharging sewage effluent must be authorised by SEPA and an application for a Registration was submitted to SEPA on the 27th June 2013.

5. SURFACE WATER MANAGEMENT

5.1. System Requirements

In pursuit of compliance with Regulation 3.6 of the Building (Scotland) Regulations 2004, Section 3.6.3 of the Technical Handbook provides methods of discharging surface water that, if employed, would meet the requirements:

- a. **a SUDS system designed and constructed in accordance with clause 3.6.4:**
or
- b. **a soakaway constructed in accordance with:**
 - **clause 3.6.5; or**
 - **the guidance in BRE Digest 365, 'Soakaway Design'; or**
 - **National Annex NG 2 of BS EN 752-4: 1998; or**
- c. **A public sewer provided under the Sewerage (Scotland) Act 1968; or**
- d. **An outfall to a watercourse, such as a river, stream or loch or coastal waters, that complies with any notice and/or consent by SEPA; or**
- e. **If the surface water is from a dwelling, to a storage container with an overflow discharging to either [sic] of the 4 options above.**

The areas to be drained will consist of the dwelling's roof and other impermeable surfaces.

5.2. Investigations & Results

The ground conditions did not lend themselves to the use of trench or pit soakaways or other infiltration devices. The surface water could, however, readily be taken to the same watercourse as will receive the discharge of treated sewage effluent from the premises. The same outfall pipe as that serving the foul drainage could be used but the connection to the pipe would have to be made downstream of the sewage treatment system.

5.3. Recommendation – Surface Water Treatment

JIG recommended that the surface water from the dwelling should be directed to the same watercourse as will receive the treated sewage effluent. As a single dwelling is exempt from the need for SUDS this means of disposal would be compliant with General Binding Rule 10 thus SEPA should have no issue regarding the proposed discharge.

6. DISCLAIMER

The content of this assessment is for internal use only, and should not be distributed to third parties unless under the expressed authority of our client. The designs, recommendations and outline proposals shall remain the property of JIG Ltd, and shall not be plagiarised in any form without authority to do so. The comments and recommendations stipulated are solely those expressed by JIG Ltd, and both parties understand that the comments and recommendations expressed are not binding. JIG Ltd. confirms that all reasonable skill, care, and diligence have been applied and that any design element has been carried out using verifiable and approved reference documentation. No responsibility shall be assumed by JIG for system failure as a result of incorrect installation work by contractors assigned by the client or incorrect or inappropriate implementation of JIG's recommendations.

7. REFERENCES

Building (Scotland) Regulations 2004

Building Standards (Scotland) Regulations 1990

British Standard BS6297:2007

British Water Code of Practice: Flows and Loads 3 – Sizing Criteria, Treatment Capacity for Small Sewage Wastewater Treatment Systems, 2009

Environment Act 1995

Phelps, D.S. and Griggs, J. Mound Filter Systems for the Treatment of Domestic Wastewater. BRE Bookshop, Waterford, 2005

SEPA, The Water Environment (Controlled Activities) (Scotland) Regulations 2011 - A Practical Guide

Scottish Building Standards: Technical Handbook: Domestic

Scottish Executive Development Department, 2001. Planning Advice Note PAN 61, Planning and Sustainable Urban Drainage Systems

The Water Environment (Controlled Activities) (Scotland) Regulations 2011

8. APPENDICES

8.1. Appendix 1: Site Location



8.2. Appendix 2: Drainage proposals to SEPA

Our Ref: 130527/iwc01/sd

27 May 2013

Scottish Environment Protection Agency
Strathearn House
Broxden Business Park
Lamberkine Drive
Perth
PH1 1RX

Dear Sir or Madam

**TREATMENT AND DISPOSAL OF FOUL DRAINAGE FROM A PROPOSED DWELLING
ADJACENT TO TRINAFOUR HOUSE, TRINAFOUR, PERTSHIRE PH18 5UG
THE WATER ENVIRONMENT (CONTROLLED ACTIVITIES) (SCOTLAND) REGULATIONS
2011**

We have been retained by our client, Mr Donald Mackinlay via Hebridean Contemporary Homes, to assist in the provision of a cost effective, environmentally acceptable solution for the treatment and disposal of foul drainage arising from a proposed dwelling to be erected on a site adjacent to and to the southwest of Trinafour House, Trinafour, Perthshire. The dwelling is being built to cater for our client's wife who is disabled and will consist of a 3-bedroom dwelling plus a self-contained upper floor for a live-in carer and as such the PE is considered to be 6/7. A map is attached to show the location of the proposed dwelling as are a few photographs which hopefully will allow the site to be seen in context. The NGR for the site is NN7249 6450.

We visited the site on 23 May 2013 to assess what options existed for the treatment and disposal of foul drainage. Trial pits previously excavated by the structural engineer proved the site to be underlain by boulder clay and therefore the use of any infiltration device, above or below ground, to disperse treated sewage effluent was discounted due to the impermeability of the subsoils. Accordingly, our efforts turned to providing a solution which required a discharge of appropriately treated sewage effluent to a watercourse.

There are several drainage ditches within the site on its southern boundary which converge at a point adjacent to the road beyond which a 12" diameter fireclay pipe exists which runs all the way to the Errochty Water at NGR 7285 6451. The route of the pipe is shown on the attached photographs. This pipe also conveys the effluent from a septic tank which serves Trinafour House and the associated gardener's cottage. It is proposed the new dwelling be served by a septic tank of at least 3260 litres capacity with the effluent being conveyed to the Errochty Water via the existing fireclay outfall pipe. No less than 25m² partial soakaway will be incorporated into the outfall from the septic tank prior to discharge to the existing outfall pipe.

We would be obliged if, in principle, SEPA would indicate whether this is an effluent quality it would consider acceptable for discharge as proposed. Should you wish to discuss the proposal further please do not hesitate to contact me directly.

Yours sincerely

Ian Corner

For and on behalf of JIG Limited

8.3. Appendix 3: SEPA response of 25 June 2013

From: McGregor, Calum [mailto:Calum.McGregor@SEPA.org.uk]
Sent: 25 June 2013 16:18
To: Ian Corner
Cc: Trevallion, Helen
Subject: RE: FAO Ian Corner - Proposed House Trinafour, Perthshire

Ian.

Thank you for your email.

From your letter and photographs it was our understating this discharge is being made via a fireclay pipe which conveys flows from drainage ditches to an open section of watercourse before entering the main Errochty Water. We also understand that that effluent from a septic tank serving other properties is discharges into and from this same pipe.

For the above reasons, my email to you indicated that secondary treatment is required at this site.

Calum McGregor
Senior Environment Protection Officer - Perth.
Operations Directorate
Scottish Environment Protection Agency, Strathearn House, Broxden Business Park, Perth,
PH1 1RX
t: 01738 627989 e: calum.mcgregor@sepa.org.uk web:
www.sepa.org.uk

From: Ian Corner [mailto:ian@jig.uk.com]
Sent: 21 June 2013 08:20
To: McGregor, Calum
Subject: FW: FAO Ian Corner - Proposed House Trinafour, Perthshire

Calum,

I'm a little perplexed at this decision as there is clearly much more than 400:1 dilutions available in the main river and I could not see any other impacts that would suggest the watercourse was in any way under pressure from organic/nutrient loading. Could you elucidate the reasoning used by SEPA in assessing the need for a higher level of treatment please.

Regards

Ian Corner
0141 221 4747

From: McGregor, Calum [mailto:Calum.McGregor@SEPA.org.uk]
Sent: 19 June 2013 15:58
To: info@jig.uk.com
Cc: Trevallion, Helen
Subject: FAO Ian Corner - Proposed House Trinafour, Perthshire

Ian.

Helen had to deal with a couple of issues this morning and has since left before she managed to call you back.

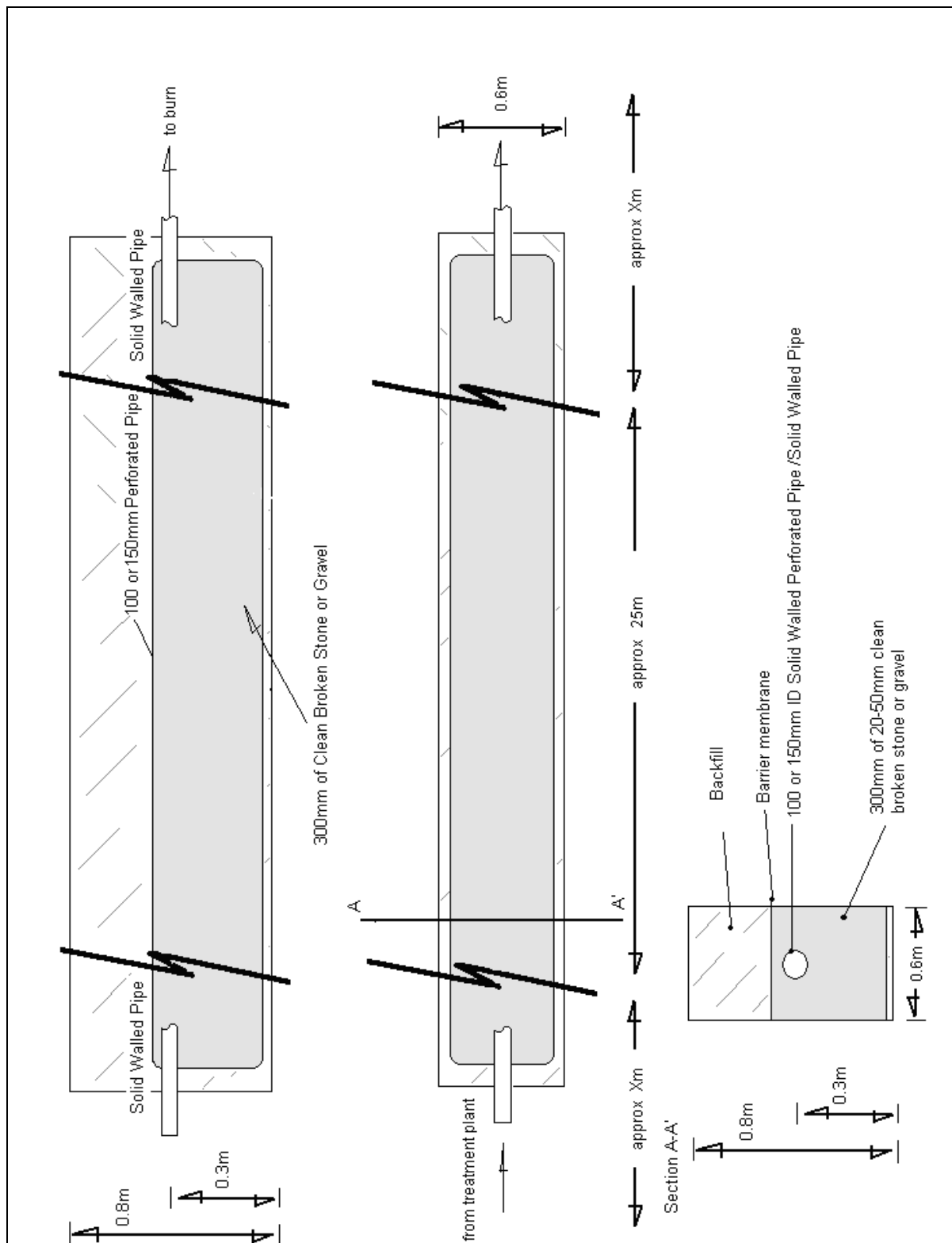
We have had a look at the proposed discharge at Trinafour. A septic tank is unlikely to be acceptable to SEPA at that location, however we would be prepared to agree to some form of secondary treatment prior to discharge to the field drain and then to the Errochty Water.

Once you are ready please complete an application form for a Registration, as you will be aware this can be done on line or by post.

Kind regards

Calum McGregor
Senior Environment Protection Officer - Perth.
Operations Directorate
Scottish Environment Protection Agency, Strathearn House, Broxden Business Park, Perth,
PH1 1RX
t: 01738 627989 e: calum.mcgregor@sepa.org.uk web:
www.sepa.org.uk

8.4. Appendix 4: Typical Partial Soakaway Detail



8.5. Appendix 5: Photographs

Photo No 1 – site in middle foreground looking north towards Trinafour House



Photo No 2 – site in middle foreground looking northwest



Photo No 3 – Existing outfall to Errochty Water



Photo No 4 – Approximate location of discharge from treatment plant





JIG Ltd
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Effluent & Water Quality Management • Waste Management • Sustainability

TCP/11/16(288)

Planning Application 13/01220/FLL – Erection of dwellinghouse, formation of vehicular access/parking and associated landscaping and drainage works on land 90 Metres South West of Woodlands, Trinafour

REPRESENTATIONS

- Representation from Transport Planning Technician, dated 1 August 2013
- Representation from Regulatory Services Manager, dated 8 August 2013



MEMORANDUM

To	Andy Baxter Planning Officer	From	Niall Moran Transport Planning Technician Transport Planning
Our ref:	NM	Tel No.	Ext 76512
Your ref:	13/01220/FLL	Date	1 August 2013

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

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

With reference to the application 13/01220/FLL for planning consent for:- **Erection of dwellinghouse, formation of vehicular access/parking and associated landscaping and drainage works Land 90 Metres South West Of Woodlands Trinafour for Mr Donald Mackinlay**

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

- Prior to the occupation or use of the approved development the vehicular access from the B847 shall be reformed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.
- Visibility splays of 2.4m x 120m measured from the centre line of the private access shall be provided in both directions along the nearside channel of B847 prior to the commencement of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.
- Prior to the occupation or use of the approved development turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
- Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.

The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

I trust these comments are of assistance.

Memorandum

To	Development Quality Manager	From	Regulatory Service Manager
Your ref	PKC/13/01220/FLL	Our ref	MA
Date	8 August 2013	Tel No	01738 476466

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Erection of dwellinghouse, formation of vehicular access/parking and associated landscaping and drainage works Land 90 metres south west of Woodlands Trinafour for Donald McKinlay

I refer to your letter dated 11th July 2013 in connection with the above application and have the following comments to make.

Water (Assessment date 6th August 2013)

Recommendation

I have no objections to the application but recommend the undernoted informatives be included in any given consent. The development is in a rural area with private water supplies (including Trinafour House and Drumcroy supplies) known to serve properties in the vicinity. The applicant has indicated that they will utilise a private water supply for the development but no other information if given. 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 informatives. 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 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.

