

LRB-2020-06 - 19/01577/IPL – Residential development (in principle), land 80 metres south of Bowerswell Road, Bankfoot

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LRB-2020-06 - 19/01577/IPL – Residential development (in principle), land 80 metres south of Bowerswell Road, Bankfoot

**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 2013

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.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	B	Forename	Magnus
Surname	Baillie	Surname	Heron
Company Name		Company Name	Keir and Co.
Building No./Name		Building No./Name	29
Address Line 1		Address Line 1	Barossa Place
Address Line 2		Address Line 2	
Town/City		Town/City	Perth
Postcode		Postcode	PH1 5HH
Telephone		Telephone	01738 621 243
Mobile		Mobile	
Fax		Fax	
Email		Email	magnus@keirandco.co.uk

3. Application Details	
Planning authority	Perth & Kinross Council
Planning authority's application reference number	19/01577/IPL
Site address	Land 80 metres south of Bowerswell Waterloo Bankfoot
Description of proposed development	Residential development (in principle)

Date of application	14/10/2019	Date of decision (if any)	25/11/2019
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Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)	<input type="checkbox"/>
Application for planning permission in principle	<input checked="" type="checkbox"/>
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)	<input type="checkbox"/>
Application for approval of matters specified in conditions	<input type="checkbox"/>

5. Reasons for seeking review

Refusal of application by appointed officer	<input checked="" type="checkbox"/>
Failure by appointed officer to determine the application within the period allowed for determination of the application	<input type="checkbox"/>
Conditions imposed on consent by appointed officer	<input type="checkbox"/>

6. 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.

Further written submissions	<input type="checkbox"/>
One or more hearing sessions	<input type="checkbox"/>
Site inspection	<input type="checkbox"/>
Assessment of review documents only, with no further procedure	<input checked="" type="checkbox"/>

If you have marked either of the first 2 options, 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 necessary.

7. Site inspection

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

Can the site be viewed entirely from public land?	<input checked="" type="checkbox"/>
Is it possible for the site to be accessed safely, and without barriers to entry?	<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:

8. Statement

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

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

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

Please see attached.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes ☐ No ☒

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. 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

Local Review Body Supporting Statement

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.

10. Checklist

Please mark the appropriate boxes to confirm that 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 requesting 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 hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

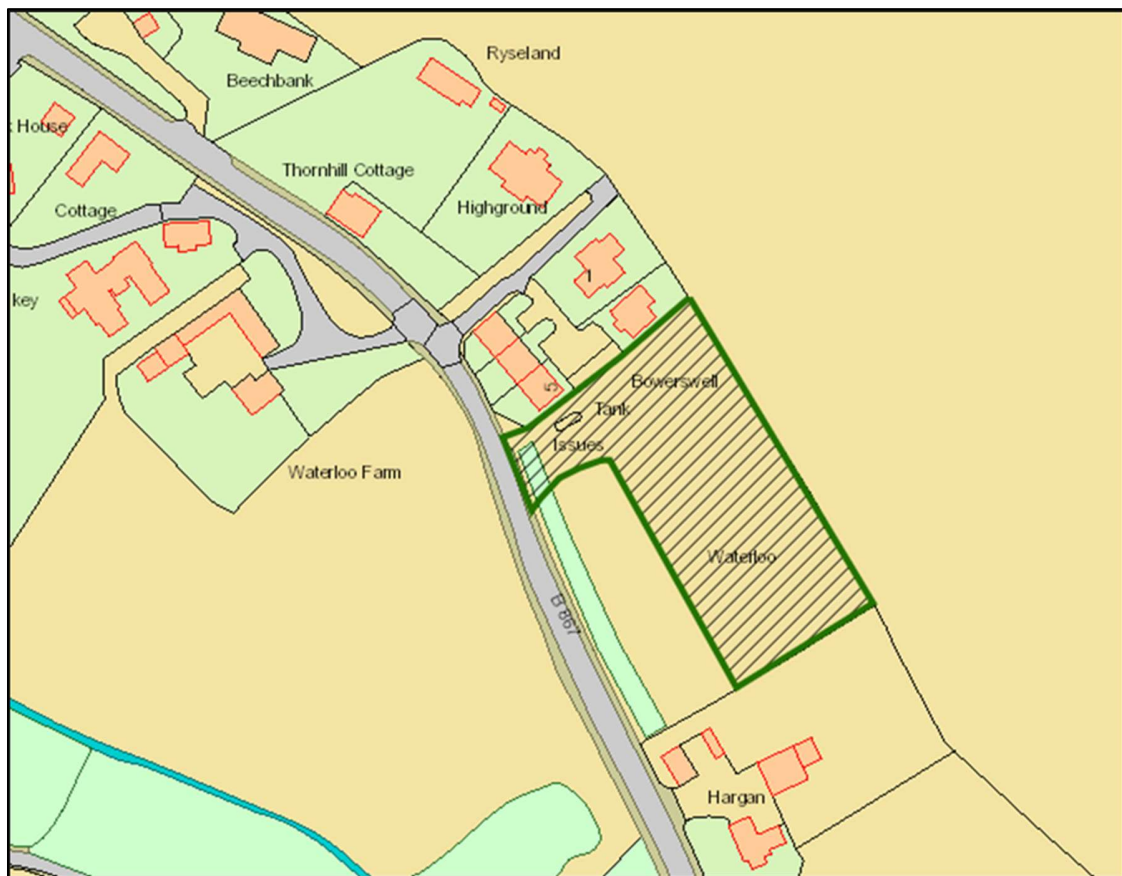
Signature: Name: Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

**Residential development (in principle)
Land 80 Metres South Of Bowerswell,
Waterloo, Bankfoot 19/01577/IPL.**

LRB Statement

21st February 2020



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1.0 Introduction

On behalf of our client, we request that the Council's Local Review Body review the decision to refuse the Planning Permission in Principle (PPP) Application (Ref:19/01577/IPL) which proposed Residential Development, (in principle), at **Land 80 Metres South Of Bowerswell, Waterloo, Bankfoot, Perthshire.**

The Planning Application proposed residential development of the site. A planning application was previously submitted proposing the residential development of the site (**17/01953/IPL**). This application was refused consent on the 28TH September 2018.

This Statement is intended to set out the facts of the case and make reference to and analyse the relevant planning policy, allowing the LRB to make a balanced and informed view as to whether the decision to refuse the PPP application should be overturned or not.

Map 1: Example of two detached houses that could occupy the site.



2.0 Site Description

The proposed site lies within the hamlet of Waterloo, Waterloo is a hamlet which has grown sporadically and organically.

The hamlet of Waterloo is elongated, stretches for approximately $\frac{1}{2}$ a mile and straddles either side of the B867 road. It is reasonably dispersed and sporadic.

Over time, gap/infill sites within the hamlet and sites on the fringe have been developed into houses.

The site lies between residential properties to the north west and residential properties to the south east.

The site is surrounded by a robust landscape framework. It is bounded to the northeast by a dry stone dyke, to the southeast by a mature hedge and houses, to the southwest by the B867 road and a mature native hedgerow and to the northwest by a number of houses.

The site rises from south west to north east, the site is laid to grass. There is an existing access to the site providing access onto/off the B867 road.

Map 2: Part of waterloo building group and proposed sites.



The application sites currently serves no purpose and is fallow.

Photograph 1: Looking westwards over the site and towards the established building group.



Photograph 2: Looking towards the site from the south-east



Photograph 3: The mature Hedgrow bordering to the south-east



Photograph 4: Looking over the site and dry stone dyke from the south-east



3.0 Planning History

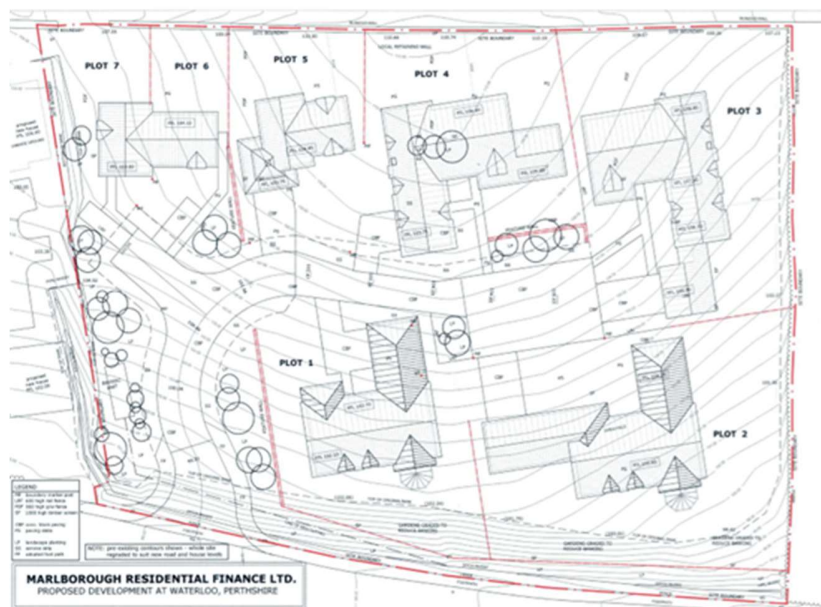
This site has been subject to a significant amount of development pressure over the years.

Waterloo was identified as a settlement in the draft Perth Area Local Plan 2004. The subject site lay within the settlement boundary.

Two Planning Applications have been made and determined on this site. In 2009, a detailed planning application (09/01526/FLL) was submitted proposing the erection of seven houses.

This application was refused in 2016, primarily as there were too many houses proposed (7), this proposal did not respect the character and amenity of the existing group and it would not offer a suitable level of residential amenity for future occupiers of the proposed dwellings.

The principle of residential development was considered by the original planning officer dealing with the application (Brian Duncan) to be acceptable. He however, felt that there were too many houses and some of the house types were not appropriate for the area.



A Planning Permission in Principle Application (17/01953/IPL) was submitted in 2017.

Whilst the application was in principle, it proposed the erection of four detached houses. This planning application was refused.

This application was refused by the delegated planning officer – who considered it was contrary to the relevant provisions of the Development Plan, (LDP and HITCG 2012) and there were no material considerations apparent which outweigh the Development Plan.



Planning application 19/01577/IPL was submitted based upon the previous 2017 application with a new Planning statement document addressing the issues raised in the delegated report.

However, during the course of the planning application, the plan above which shows an indicative layout for four houses was superseded by an amended indicative plan confirming that a development of two houses is what is envisaged.

A sketch plan was submitted and then a basic masterplan was also submitted. Please see below.





4.0 Overview of the Decision to Refuse Consent

4.1 Reasons for refusal of PPP Application

The decision to refuse the PPP Application was made by a Planning Officer under delegated powers.

There were three reasons for refusing the planning consent. The reasons for refusal are set out below:

1 By virtue of the distance between the existing buildings, the site is not considered to be located within an existing building group, but is considered to be an extension to an existing group and / or an infill site. The site does not have a) a good landscape framework which is capable of absorbing the proposal, b) site boundaries which are capable of providing a suitable enclosure and c) comparable plot sizes/shape which would respect the existing building pattern/size of neighbouring plots. To this end, the proposal is contrary to the specific requirements of both the building groups and infill sites sections of the Council's Housing in the Countryside Guide 2012 and Policy RD3 of Perth and Kinross Council's Local Development Plan 2014, which both seek to ensure that all proposals which extend existing building groups or takes places between existing buildings (infill), takes place within definable sites that are formed by existing topography and / or well established landscape features, have a good landscape setting with suitable site boundaries and would result in a development that respects the existing building pattern of the area.

2 The site elevated above the public road and is in a prominent position in the landscape. As it has not been demonstrated that the development would not have adverse impact on the visual amenity of the area, the proposal is therefore contrary to Policy PM1A of the Perth and Kinross Council's Local Development Plan 2014. This policy seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment.

3 The site elevated above the public road and is in a prominent position in the landscape. As it has not been demonstrated that the development would not have adverse impact on the visual amenity of the area, the proposal is therefore contrary to Policy PM1B (b) of the Perth and Kinross Council's Local Development Plan 2014. This policy requires all proposals to respect site topography and any surrounding important landmarks, views or skylines as well as the wider landscape character of the area.

4.2 Overview of the decision and the Report of Handling

It should be noted that all three reasons for refusing planning consent are entirely based on the Planning Officers interpretation of the relevant Planning Policies and his subjective view of whether the application complied with these Policies or not.

We are of the view that site could be both an extension to a building group and an infill site. That said, throughout the latest planning application it was considered that the site met all the requirements once a two dwelling proposal was put forward, of an infill site as laid out in the Council's Housing in the Countryside Guide 2012 – infilling the gap between the building group to the north-west and the single dwelling house to the south west known as Hargan.

The planning officer stated in the report :

It is noted that whilst the applicant initially re-submitted the same plans as those previous refused in 2018, and which showed an indicative layout of 4 units, the applicant subsequently amended these and

confirmed that a development of 2 is what is being envisaged. An updated indicative layout showing this has been lodged.

Notwithstanding the indicative layout submitted by the applicant, which this is a planning in principle, however it is useful to know that the applicant's (revised) position in terms of numbers.

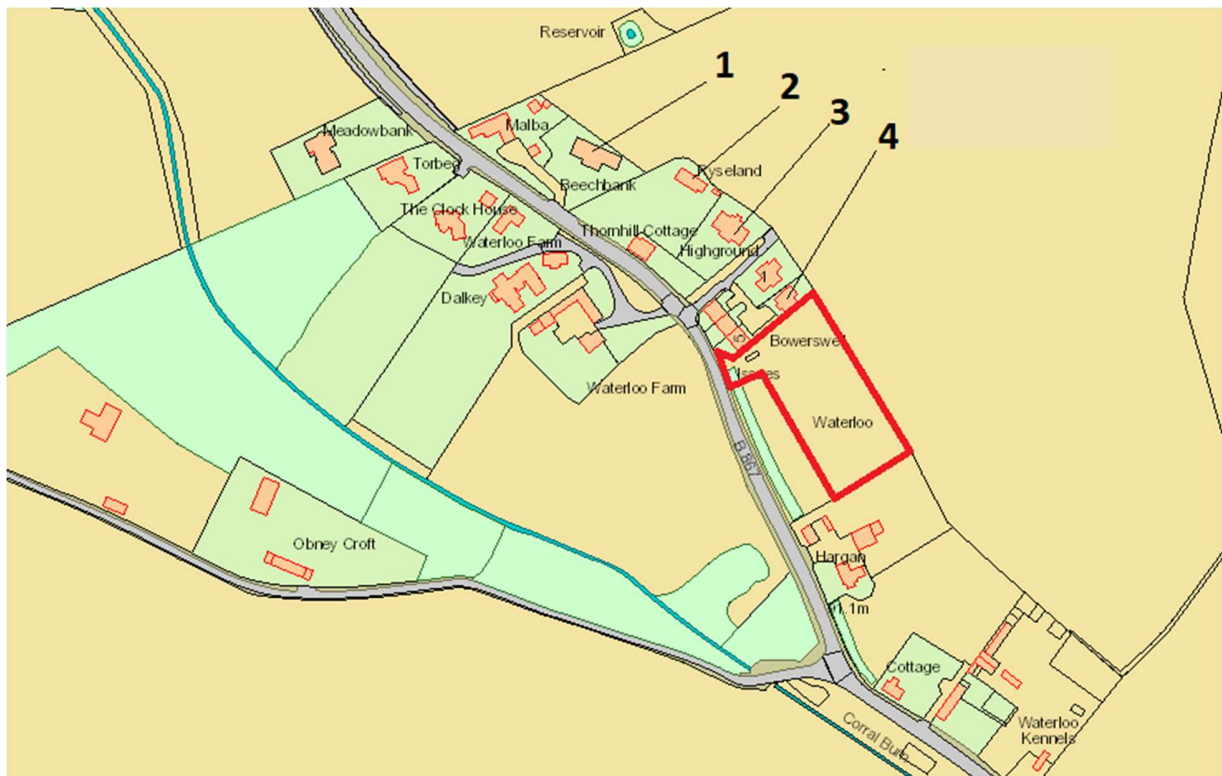
A two-dwelling proposal, would meet accord with first requirement of 'infill' sites in terms of the numbers along and it would also fill the top part of the 'gap' between the two building groups at either end.

In section 1 of the Recommendation for Refusal section of the report the planning officer gave the following reasons to support the refusal of the application:

The site does not have

a) a good landscape framework which is capable of absorbing the proposal,

Response: The landscape framework is the same as much of the development north of the B867 within Waterloo , a good proportion of the housing is set well back from the road and elevated, including the housing bounding the north west of the site. Illustrations were included in the planning statement to support this. Please see below:



b) site boundaries which are capable of providing a suitable enclosure

Response: As already stated and illustrated in this document within the Site Description section:

The site is surrounded by a robust landscape framework. It is bounded to the northeast by a dry stone dyke, to the southeast by a mature hedge and houses, to the southwest by the B867 road and a mature native hedgerow and to the northwest by a number of houses.

Although a small section of the natural site has not been included within the application, this steep and thought undevelopable, section of land will be brought into use via a separate application to join it to the proposed two dwellinghouses as garden ground.

Response: The two new plots formed would be comparable in size to this neighbouring dwelling, as well as others in Waterloo. Please see the map below.



Despite the comparable plots sizes and the above map being provided in the Supporting Statement which accompanied the planning application, the Planning Officer stated in the Report of Handling;

A two-dwelling proposal, would meet accord with first requirement of 'infill' sites in terms of the numbers along and it would also fill the top part of the 'gap' between the two building groups at either end.

However, the sizes of the resultant two plots would bear little reasonable resemblance to the sizes the curtilages of the adjacent buildings and dwellings to the north and south, and certainly would not respect it. There are some larger plots further away which may be more comparable in their widths, but very few which would be comparable in terms of both their width and overall plots sizes.

This statement, in our opinion, is incorrect – as illustrated on the map above.

Sections 2 and 3 of the Recommendation for Refusal section of the report address the elevated site and the planning officer gave the following reasons to support the refusal of the application:

The site elevated above the public road and is in a prominent position in the landscape. As it has not been demonstrated that the development would not have adverse impact on the visual amenity of the area...

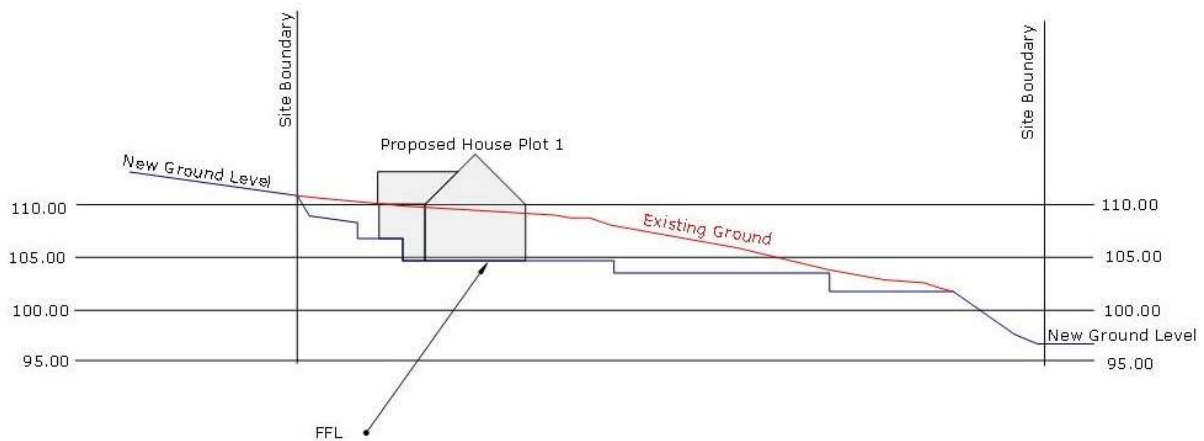
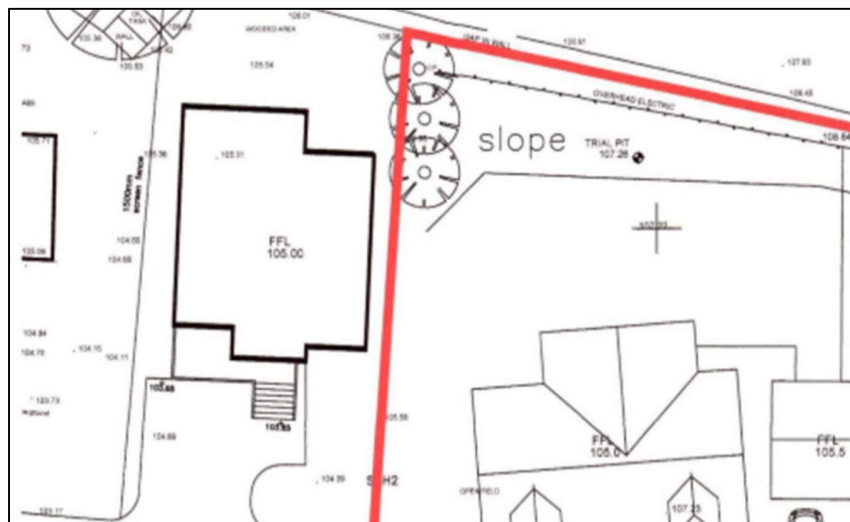
And

..policy requires all proposals to respect site topography and any surrounding important landmarks, views or skylines as well as the wider landscape character of the area.

It was our opinion that enough had been demonstrated for the proposed development in outline to be in accordance with the policy requirements stated above.

This was illustrated through photographs from road level, a cross section as well as the topographic survey on the original plans.

This shows the neighbouring property adjoining at the rear north-west boundary to have a FFL at 105m. The proposed houses in the application would have an FFL at slightly below this and as similar in construction would be below the ridge height. Please see below:



For the purpose of further illustrating the compliance to Policy PM1A and PM1B as positive part of the natural and built environment and wider landscape character of the area, a photo montage has now also been created to demonstrate the point. Please see below:



As previously stated, many of the existing houses within Waterloo are set a good distance back from the road and elevated. Please see photograph taken from the road further south in Waterloo below:



As the planning application is a PPP application, there is no requirement for the submission of detailed plans relating to the design and layout of the proposed houses. However, an indicative layout of the two proposed houses is illustrated below – which illustrates the houses would be of similar footprints and positioning within the plot as the adjacent houses. It is proposed that the houses would incorporate traditional building materials, be of a contemporary design and would be respectful of the architecture of the surrounding houses.



The planning officer also states in the report :

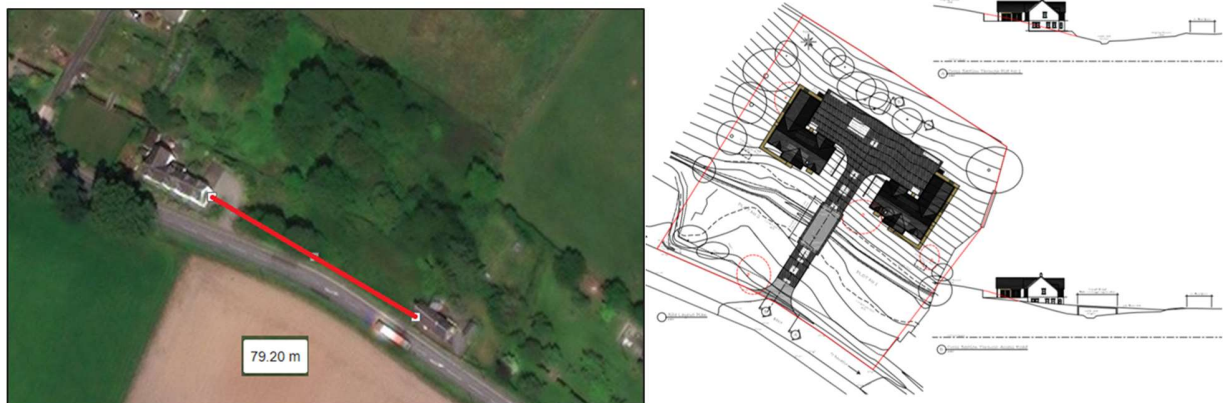
The full extent of the gap between the curtilage of the dwellings to the north east and south west is over 90m, which is not insignificant.

This distance between the boundaries had in the previous application been mentioned and was addressed by showing the comparable plot sizes and comparable cases, as shown below:

5.0 Comparable Consented Cases

Planning consent was granted for a proposal to erect 2 houses, along the road from this site and within Waterloo (17/00581/FLL). This site is between two single residential houses and the distance between the two houses is approximately 80 metres. This is an important and direct comparison within Waterloo itself.

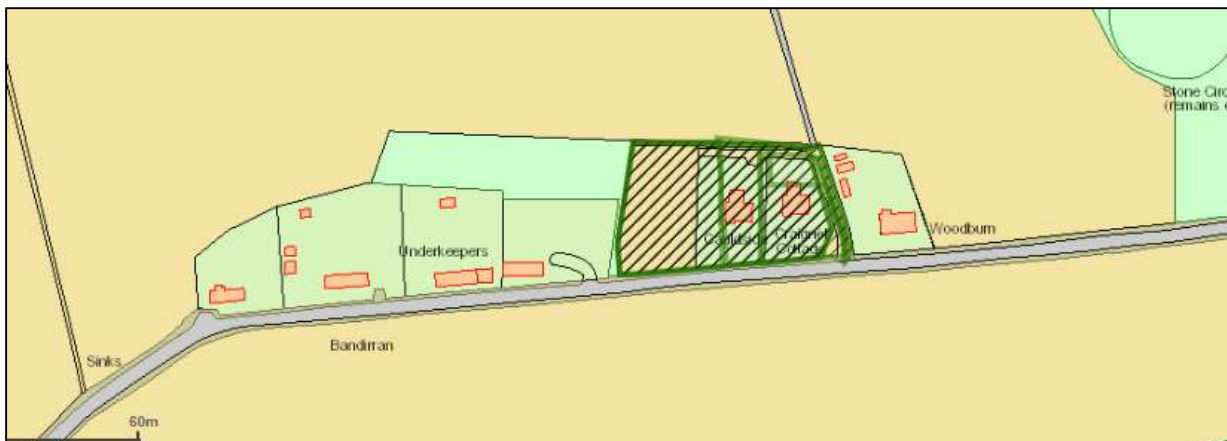
Please see the proposed site layout plan and aerial map illustrating the extent of the gap and the direct similarities below.



The Council have granted planning consent for a large number of planning applications proposing 2 houses within a gap site. As illustrated in some examples below, the gaps have been considerably more than 90m in the subject case.

Location: Ground To The West Of Woodburn Cottage, Kinrossie, Perth

Proposal: Erection of two houses (06/02006/OUT, 09/01405/FLL & 09/01046/AML)



The distance between the two houses either of the gap site is 145m, as illustrated below.



Location: The Smithy, Cargill, Perthshire

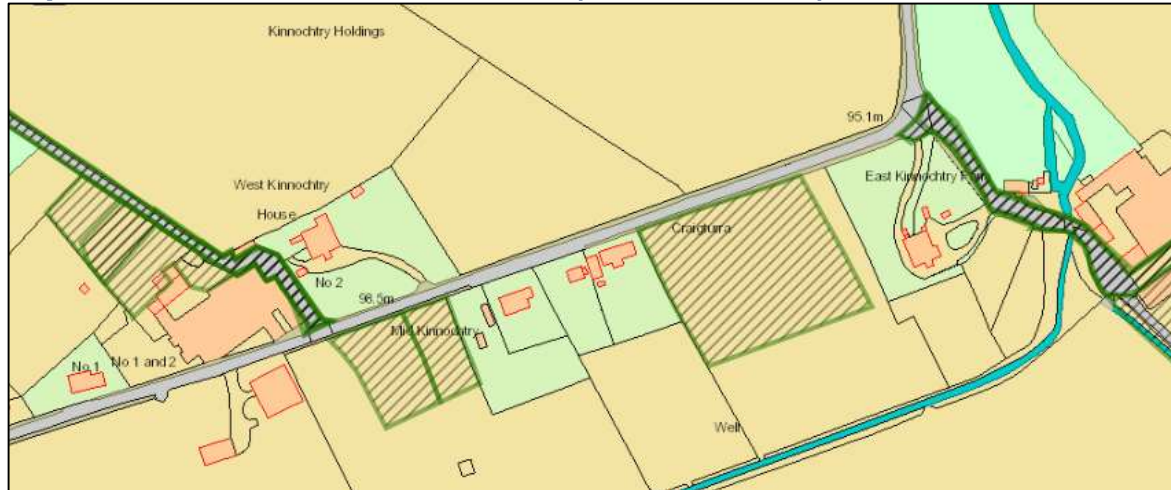
**Proposal: A) Erection of two houses. (15/02202/FLL & 12/01436/FLL).
B) Erection of a house (08/00084/FUL).**



Notes: The site at present is an open paddock (to quote the planning officer in the Report of Handling). The distance between the two houses either of the gap site is 157m.



Location: Land At East Kinnochtry, Burrelton Perthshire
Proposal: Erection of two houses (06/00092/FUL)



Notes: The southern boundary of the plots is open field – as illustrated on the aerial map below.



Location: Land 80 Metres South East of Over Kinfauns Farm, Church Road, Kinfauns

Proposal: Erection of two houses (11/00897/IPL)



Notes: The eastern boundary of the site is open. The distance between the two houses either of the gap site is 140m.



6.0 National Planning Policy

SPP states that

the planning system should, in all rural and island areas, promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces, encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

It also states that

...the National Planning Framework aims to facilitate new housing development ... through innovative approaches to rural housing provision.

The proposed development complies with the above extracts from SPP.

7.0 Representations

Four letters of representations have been received, objecting to the proposal.

- Proposal contrary to the Development Plan
- Proposal is contrary to the HITCG
- Impact on Residential Amenity
- Flooding concerns
- Impact on main sewerage system
- Inappropriate (indicative) layout

These issues were addressed before the decision notice via email.

Please see below

I write to you in response to the 4 objections which have been made to the Planning Application (19/01577/IPL).

All 4 objections appear to be made by neighbouring home-owners or people who live close by. Whilst we respect peoples right to object to this planning application, as is often the case with neighbouring home-owners objections, the basis of the objection/comments tends to centre around the impact the development will have on their house.

Rather than respond to each of the objections individually, I have identified the key and common concerns which have been raised and responded to them. See below. I have not responded to all of the concerns/issues, as some of them are fairly remote and tenuous.

- **The proposed houses are out of character for Waterloo.** *In previous planning applications, a larger number of houses was proposed. In the case of 09/01526/FLL, seven houses was proposed. The concern that this number of houses would be out of character with Waterloo is possibly a fair comment. Whilst this application is a PPP Application, we now propose that **2 houses** be built on the site and have revised the Proposed Indicative Layout accordingly. We believe two well designed houses would be in character with Waterloo (and recent developments/planning consents within Waterloo). The two plots would also be broadly similar in size and frontage to some of the surrounding houses. As this is a PPP application there is no details on the design and scale of the houses. Therefore, at this stage, it could not be argued that the houses would be out of character with Waterloo.*
- **Overlooking (neighbouring properties).** *As mentioned, we are proposing two houses. It is very unlikely that the neighbouring houses will be overlooked. Ultimately, these concerns can be addressed and dealt with at the detailed planning application stage.*
- **Overlooking (listed buildings/properties of historical interest).** *As illustrated on the attached map (identifying the location of the listed buildings in Waterloo), the application site **does not** overlook any listed buildings or properties of historical interest.*
- **Sensitive Site.** *The site is not historically or environmentally sensitive.*

- **Elevated Site.** The site is at a similar height to the other houses to the north of the public road. The 'Visual Amenity' Section of the Planning Statement deals with this unsubstantiated concern/issue.
- **Surface Water Drainage Issues (with adjacent new houses).** This is a PPP application, therefore there is no details about the drainage proposal. We have no concerns regarding surface water drainage. It is also unfair to assume that the proposed site would have the same issues.
- **Foul Drainage Issues (assumed to be for adjacent houses).** This is a PPP application, therefore there are no details about the drainage proposal. We have no concerns regarding foul drainage. Again, it is also unfair to assume that the proposed site would have the same issues.
- **Water pressure.** We have no concerns regarding the water pressure.
- **Flooding concerns.** The construction of two houses on this site will not increase the flood risk in the wider area.
- **Designated Agricultural Land.** The land is **not** Designated Agricultural Land.
- **Dangerous precedent.** Granting consent for two houses will not set a dangerous precedent. To the contrary, it would be in keeping with the recent planning application which have been consented to in Waterloo.

I trust the above comments sufficiently addresses the Objectors comments. The proposal to build 2 houses (rather than 4) would certainly address/mitigate a number of the concerns/issues raised. For example, Mr Graham Hardie's closing objection paragraph, notes; **'We are not against future housing in Waterloo, but the cul-de-sac design – trying to cram as many houses in as possible – is more suitable for larger villages and towns and obliterates the essence of the hamlet and of country living, with many residents of Waterloo enjoy'**. Additionally, some of the objection comments are more directed towards ensuring a high standard of development (which I fully respect) rather than being overwhelmingly against the principal of any residential development on the site.

Kindest regards

Keir and Co

8.0 Summary

We are firmly of the opinion that the proposal to build two houses on the application site, complies with the 'Infill Sites' Category of the HITC.

Taking into account the facts of the case, the planning attributes of the site, the relevant planning policy and the local precedence, there is fairly overwhelming argument for overturning the Planning Officers decision to refuse this planning application.

Appendix 1: Planning Decision Notice

Appendix 2: Report of Handling

PERTH AND KINROSS COUNCIL

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c/o Keir And Co
Magnus Heron
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PH1 5EP

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 25th November 2019

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **19/01577/IPL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 14th October 2019 for permission for **Residential development (in principle) Land 80 Metres South Of Bowerswell Waterloo Bankfoot** for the reasons undernoted.

Head of Planning and Development

Reasons for Refusal

1. By virtue of the distance between the existing buildings, the site is not considered to be located within an existing building group, but is considered to be an extension to an existing group and / or an infill site. The site does not have a) a good landscape framework which is capable of absorbing the proposal, b) site boundaries which are capable of providing a suitable enclosure and c) comparable plot sizes/shape which would respect the existing building pattern/size of neighbouring plots. To this end, the proposal is contrary to the specific requirements of both the building groups and infill sites sections of the Council's Housing in the Countryside Guide 2012 and Policy RD3 of Perth and Kinross Council's Local Development Plan 2014, which both seek to ensure that all proposals which extend existing building groups or takes places between existing buildings (infill), takes place within definable sites that are formed by existing topography and / or well established landscape features, have a good landscape setting with suitable site boundaries and would result in a development that respects the existing building pattern of the area.

2. The site is elevated above the public road and is in a prominent position in the landscape. As it has not been demonstrated that the development would not have adverse impact on the visual amenity of the area, the proposal is therefore contrary to Policy PM1A of the Perth and Kinross Council's Local Development Plan 2014. This policy seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment.
3. The site is elevated above the public road and is in a prominent position in the landscape. As it has not been demonstrated that the development would not have adverse impact on the visual amenity of the area, the proposal is therefore contrary to Policy PM1B (b) of the Perth and Kinross Council's Local Development Plan 2014. This policy requires all proposals to respect site topography and any surrounding important landmarks, views or skylines as well as the wider landscape character of the area.

Justification

4. 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 "Online Planning Applications" page

Plan Reference

19/01577/1

19/01577/3

19/01577/4

REPORT OF HANDLING

DELEGATED REPORT

Ref No	19/01577/IPL	
Ward No	P5- Strathtay	
Due Determination Date	13.12.2019	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Residential development (in principle)

LOCATION: Land 80 Metres South Of Bowerswell,
Waterloo, Bankfoot

SUMMARY:

This report recommends **refusal** of a planning in principle application for a residential development on a rural site outside Bankfoot at Waterloo, as the development is considered to be contrary to the relevant provisions of the Development Plan, and there are no material considerations apparent which outweigh the Development Plan.

DATE OF SITE VISIT: 29 October 2019

SITE PHOTOGRAPH



Panoramic View from the top (east) of the site looking towards the public road.

BACKGROUND AND DESCRIPTION OF PROPOSAL

This planning application seeks to obtain a planning in principle consent for a residential development on an elevated site at Waterloo - a small hamlet located to the north of Bankfoot.

The main part of the site is located to the east of the public road, elevated above the public road and measures approx. 40m in its depth (east to west) and approx. 95m in length (north to south). An additional area of land to the west adjoining the public road is also included with the application site and has been included to provide for a new vehicular access into the site from the public road.

The site is sandwiched between a relevantly new housing development to the north west and a residential curtilage of an adjacent residential property to the south east. The sites boundaries exclude an area of land to the west - which runs alongside to the public road but remains within the applicant's ownership control.

A similar planning in principle application was refused by the Council in 2008.

The difference between this application and that one determined in 2018 is that an indicative layout of 4 dwellings was proposed in 2018, whilst an indicative layout of 2 dwellings have now been shown as part of this proposal.

SITE HISTORY

The site does have previous site history.

In 2009 a detailed planning application for the erection of 7 dwellings on a larger site (09/01526/FLL) which submitted to the Council, and was ultimately refused planning consent in 2016 on the grounds that,

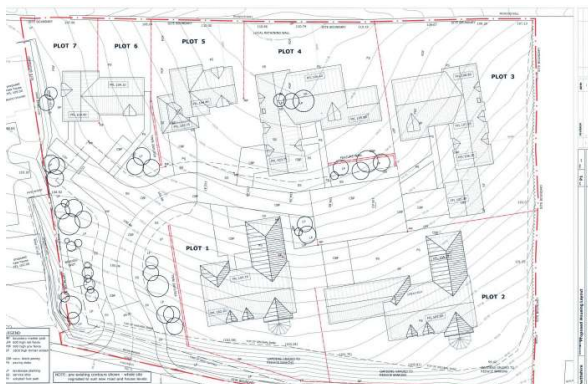
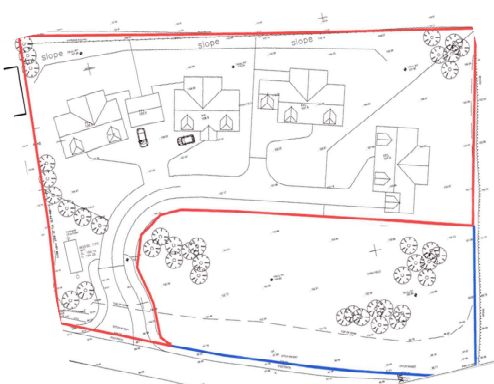
- 1 *By virtue of the density, layout and house types the proposal would have an adverse impact on the character of the existing group of buildings. To this end, the proposal is contrary to Policy RD3 of Perth and Kinross Council's Local Development Plan 2014 and Perth and Kinross Council's Housing in the Countryside Guide 2012 both of which require new developments within existing groups to respect the character and amenity of the existing group.*
2. *As the proposal comprises a development of more than 2 dwellings (seven), the proposal is contrary Policy RD3 of Perth and Kinross Council's Local Development Plan 2014 and Perth and Kinross Council's Housing in the Countryside Guide 2012 both of which supports infill developments of up to two dwellings only.*
- 3 *As the proposed house types, by virtue of their steep roof pitches and in the case of 6 of the 7 plots their awkward roof to wall ratios, would*

introduce an incongruous feature into the rural area, the proposal is contrary to Policy PM1A of Perth and Kinross Council's Local Development Plan which seeks to ensure that all new development is of a suitably high design standard.

- 4 *The proposal, by virtue of the layout and the sloping nature of the proposed private amenity spaces, would not offer a suitable level of residential amenity for future occupiers of the proposed dwellings. Therefore the proposal is contrary to Policy PM1A of Perth and Kinross Council's Local Development Plan 2014 which seeks to ensure that all new development is a positive addition to the environment.*

In addition to that application, a more recent planning application for a residential development in principle, which showed 4 dwellings indicatively was refused by the Council in 2008 for the following reason,

By virtue of the distance between the existing buildings, the site is not considered to be located within an existing building group, but is considered to be an extension to an existing group and / or an infill site. The site does not have a) a good landscape framework which is capable of absorbing the proposal, b) site boundaries which are capable of providing a suitable enclosure and c) comparable plot sizes/shape which would respect the existing building pattern/size of neighbouring plots. To this end, the proposal is contrary to the specific requirements of both the building groups and infill sites sections of the Council's Housing in the Countryside Guide 2012 and Policy RD3 of Perth and Kinross Council's adopted Local Development Plan 2014, which both seek to ensure that all proposals which extend existing building groups or takes places between existing buildings (infill) takes place within definable sites that are formed by existing topography and / or well established landscape features, have a good landscape setting with suitable site boundaries and would result in a development that respects the existing building pattern of the area.

	
<p><i>Refused Site layout in 2016 (09/01526/FLL)</i></p>	<p><i>Refused details in 2018 (17/01953/IPL)</i></p>

PRE-APPLICATION CONSULTATION

None undertaken.

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.

Of relevance to this planning application are,

The Scottish Planning Policy 2014

The Scottish Planning Policy (SPP) was published in June 2014 and it sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

Of specific relevance to planning application are,

- Paragraphs 74 - 83, which relates to Promoting Rural Development
- Paragraphs 109 -134, which relates to Enabling Delivery of New Homes

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

live, work, study and visit, and where businesses choose to invest and create jobs.”

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

In terms of the Local Development Plan, the site lies within the landward area where the following policies are applicable,

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions

Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

Policy RD3 - Housing in the Countryside

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

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

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

In relation to this development, there are no policies or proposals within the LDP2 which are materially different from those contained within the current LDP.

OTHER COUNCIL POLICIES

Housing in the Countryside Guide 2012

This is the most recent expression of Council policy towards new housing in the open countryside.

Developer Contributions and Affordable Housing (2016)

This policy outlines the Councils position in relation to developer contributions in relation to primary education, transport infrastructure and A9 junction improvements, as well as our Affordable Housing provision requirements.

EXTERNAL CONSULTATION RESPONSES

Scottish Water have commented on the proposal and in raised no concerns.

INTERNAL COUNCIL COMMENTS

Transport Planning have commented on the proposal in terms of access and parking related matters and have raised no objections.

Development Negotiations Officer has commented on the proposal in relation to Developer Contributions and indicated that standard conditions should be applied to any permission.

REPRESENTATIONS

Four letters of representations have been received, objecting to the proposal.

- Proposal contrary to the Development Plan
- Proposal is contrary to the HITCG
- Impact on Residential Amenity
- Flooding concerns
- Impact on main sewerage system
- Inappropriate (indicative) layout

These issues are addressed below in the main appraisal section.

In addition to these objections, an objection from the local community council has also been received which focuses on similar issues to the above.

ADDITIONAL INFORMATION

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Planning statement submitted
Report on Impact or Potential Impact	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 2017 and the adopted Perth and Kinross Local Development Plan 2014.

In terms of other material considerations, the sites planning history and compliance with the HITCG and Developer Contributions and Affordable Housing Policy are material considerations.

Policy Appraisal

In terms of land use policies, as was the case for the 2017 planning application, the principal Development Plan land use policies directly relevant to this proposal are largely contained in the adopted Local Development Plan.

Within that Plan, the site lies within the landward area where *Policies PM1A (placemaking)* and *RD3 (HITCP)* would be directly applicable to a new residential proposal.

Policy PM1A seeks to ensure that all new developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the existing area, whilst *Policy RD3* relates to new Housing in the Countryside and states that the supplementary planning guidance (SPG) will be applicable to new proposals in the landward area. The most recent SPG on Housing in the Countryside is the 2012 version, which was adopted in 2014 as part of the LDP process.

For reasons outlined below, the proposal is considered contrary to both the LDP and the Housing in the Countryside Guide 2012.

Land Use Acceptability

The site remains within the landward area of the adopted Local Development Plan, and the sites status remains the same within the pending LDP2.

To this end, *Policy RD3* of the LDP is directly applicable to this proposal. *Policy RD3* relates to the Housing in the Countryside Policy and is directly linked to the associated SPG, the Housing in the Countryside Guide 2012 (HITCG) which offers a more detailed policy background and is the most recent expression of Council opinion towards new housing in the open countryside.

In addition to the Council's Housing in the Countryside Policies, *Policy PM1A* of the LDP also states (amongst other things) that all proposals should respect the character and amenity of the existing area.

The acceptability of the proposal in land use terms therefore comes down to an assessment of the proposal against the HITCG 2012, and also the more general aims of *Policy PM1A* of the LDP.

The site forms part of the gap or 'space' between a small group of residential properties located to the north west, and other residential properties and their curtilages to the south east.

Accordingly, the relevant sections of the HITCG which would be applicable to this proposal would be building groups and infill sites.

By definition of what is proposed (*i.e. the proposal is not a conversion, replacement non-residential building, replacement house, operational need/local worker house or development on rural brownfield land*), the other sections of the HITCG are not relevant, and this position is generally shared by the applicant's agent.

To this end, the proposal needs to be against both the building groups, and infill sections.

In terms of acceptable new development within or adjacent to an existing group, the HITCG states that consent will be granted for new houses that are located within existing building groups provided they do not detract from both the residential and visual amenity of the group. The policy goes on to say that consent will also be granted for houses which extend the group providing that the development takes place in definable sites which is formed by existing topography and or well established landscape features that would provide a suitable setting. All acceptable proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed house(s).

The full extent of the gap between the curtilage of the dwellings to the north east and south west is over 90m, which is not insignificant. It is also the case

that the planning units' boundaries do not take into account the full extent of the 'gap' and excludes a fairly significant area which is adjacent to the public road.

As was the case in 2018, it is fully appreciated that the applicant is looking to obtain a planning application in principle only to establish the principle of a small residential development, however the distances involved are of such a scale that the site is not considered to be within an existing building group – even though there may be buildings at either end of the site. The site is simply not considered to be closely related to the buildings at either end.

Accordingly, the proposal is not considered acceptable as development within an existing building group, as the development site is not considered to be *within* a building group.

In terms of an *extension* of existing building groups, it is accepted that there is an established building group to the north west -which is typically defined as being 3 or more dwellings or buildings of reasonable scale. However, the site excludes a large area along the road side where there is little in the way of natural site containment. The site simply merges into the further large area of land which has been excluded from the application site. This openness is not acceptable and does not provide any degree of landscape containment or site definition for a new development.

The proposal is therefore also considered to be contrary to the specific requirement of the requirements of building groups, in relation to the *extension* of existing building groups.

In terms of infill sites, the HITCG policy offers support for new development of up to 2 new houses in gaps between established houses or a house and another substantial building at least equivalent in size to a traditional cottage may be acceptable where,

- The plot(s) created are comparable in size to the neighbouring residential property(s) and have a similar size of road frontage
- The proportion of each plot occupied by new building should be no greater than that exhibited by the existing house(s)
- There are no uses in the vicinity which would prevent the achievement of an adequate standard of amenity for the proposed house(s), and the amenity of the existing house(s) is maintained
- The size and design of the infill houses should be in sympathy with the existing house(s)
- The full extent of the gap must be included within the new plot(s)
- It complies with the siting criteria set out under category 3.

The siting criteria referred to under category 3 is listed as,

a) it blends sympathetically with land form;

b) it uses existing trees, buildings, slopes or other natural features to provide a backdrop;

c) it uses an identifiable site, (except in the case of proposals for new country estates) with long established boundaries which must separate the site naturally from the surrounding ground (eg a dry stone dyke, a hedge at minimum height of one metre, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site). The sub-division of a field or other land artificially, for example by post and wire fence or newly planted hedge or tree belt in order to create the site, will not be acceptable;

d) it does not have a detrimental impact on the surrounding landscape.

Alternatively a new house site will not be acceptable if when viewed from surrounding vantage points;

a) it occupies a prominent, skyline, top of slope/ridge location;

b) the site lacks existing mature boundaries (for example, dry stone dyke, a hedge at minimum height of one metre, woodland or a group of trees or a slope forming an immediate backdrop to the site) and

c) is unable to provide a suitable degree of enclosure for a new house in the countryside.

It is noted that whilst the applicant initially re-submitted the same plans as those previously refused in 2018, and which showed an indicative layout of 4 units, the applicant subsequently amended these and confirmed that a development of 2 is what is being envisaged. An updated indicative layout showing this has been lodged.

Notwithstanding the indicative layout submitted by the applicant, which this is a planning in principle, however it is useful to know that the applicant's (revised) position in terms of numbers.

A two-dwelling proposal, would meet accord with first requirement of 'infill' sites in terms of the numbers along and it would also fill the top part of the 'gap' between the two building groups at either end.

However, the sizes of the resultant two plots would bear little reasonable resemblance to the sizes the curtilages of the adjacent buildings and dwellings to the north and south, and certainly would not respect it. There are some larger plots further away which may be more comparable in their widths, but very few which would be comparable in terms of both their width and overall plots sizes.

In terms of other issues, both developments involving building groups and also infill opportunities should be acceptable from a visual point of view, and also should not be located on prominent, skyline locations. In this case, the site is significantly elevated and any development would have a clear impact

on the visual amenity of the area. It is noted that no house types are under consideration at this stage, however it is challenging to picture a development on this site which would not have a marked visual impact, which would be to detriment of the area.

In all, the proposal is considered to be contrary to the Council's Housing in the Countryside Policies.

Design and Layout

This is a planning in principle application so no layout or designs are under detailed consideration.

It should however be noted that the indicative layout submitted showing two dwellings, which indicates the applicant's aspirations for the site, is considered to be contrary to Council policies for reasons stated above.

Residential Amenity

In terms of the impact on existing residential amenity, this planning application is only in principle so specific details of the house positions and their elevations are not under consideration at this stage.

However, the elevated nature of the site is of concern and in the event of any approval being forthcoming, care would need to be taken to ensure that existing residential amenity is protected.

With regards to being able to provide a suitable level of residential amenity for future occupiers of the dwelling, subject to appropriate house types, orientation and location there is unlikely to be any significant issues with delivering a good level of residential amenity.

Visual Amenity

The proposal has the potential to have an adverse impact on the visual amenity of the area. The site is elevated above the road on a very prominent position.

At this stage, it has not been demonstrated that the visual amenity of the area would not be adversely affected by a development on this site.

Roads and Access

In terms of road related matters, in principle the proposal raises no issues.

Drainage and Flooding

In terms of drainage and flooding matters there are no concerns at this stage.

As a result of the elevated levels of the site, consideration of surface water disposal will need to be considered if the development is progressed.

Conservation Considerations

There are no listed buildings, conservations areas or archaeology affected by the proposal. There is also no known local or scheduled archaeology on the site.

Comparable Other Permissions

The applicant in their supporting statement has cited planning permission 17/00581/FLL as a comparable site to the current planning application, and that its approval sets a precedent for approving this current application.

There are several key differences between the two applications.

17/00581/FLL was approved as an infill site, however contrary to the applicant's statement, the sites width is approx. 20m narrower than the current site not the less than 10m difference stated by the applicant. A clear difference.

17/00581/FLL related to the full extent of the site not just part of it like the current planning application.

Lastly, the site covered by 17/00581/FLL less elevated and less prominent in the streetscene / landscape than the current planning application and would result in less of a visual impact than the current proposal.

The two sites are therefore not directly comparable.

Developer Contributions

Affordable Housing

As this is a planning in principle application over a relevantly large site, the requirements of the Developer Contributions and Affordable Housing policy should be applied to this proposal in relation to affordable housing provision.

Primary Education

As this is a planning in principle application over a relevantly large site, the requirements of the Developer Contributions and Affordable Housing policy should be applied to this proposal in relation to Primary Education provision.

Transport Infrastructure

As this is a planning in principle application over a relevantly large site, the requirements of the Developer Contributions and Affordable Housing policy should be applied to this proposal in relation to Transport Infrastructure.

A9 Junction Improvements

The site is located outwith the catchment area for the A9 Junction Improvements

Economic Impact

The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

Conclusion

In conclusion, the planning application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the adopted Local Development Plan 2014 and the HITCG 2012. Other material considerations have been considered, and there are none that would justify overriding the Development Plan.

On that basis the planning application is recommended refusal.

APPLICATION PROCESSING TIME

The recommendation for this planning application has been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the planning application because of the following reason,

- 1 By virtue of the distance between the existing buildings, the site is not considered to be located within an existing building group, but is considered to be an extension to an existing group and / or an infill site. The site does not have a) a good landscape framework which is capable of absorbing the proposal, b) site boundaries which are capable of providing a suitable enclosure and c) comparable plot sizes/shape which would respect the existing building pattern/size of neighbouring plots. To this end, the proposal is contrary to the specific requirements of both the building groups and infill sites sections of the Council's Housing in the Countryside Guide 2012 and Policy RD3 of Perth and Kinross Council's Local Development Plan 2014, which both seek to ensure that all proposals which extend existing building groups or takes places between existing buildings (infill), takes place within definable sites that are formed by existing topography and / or well established landscape features, have a good landscape setting with suitable site boundaries and would result in a development that respects the existing building pattern of the area.
- 2 The site elevated above the public road and is in a prominent position in the landscape. As it has not been demonstrated that the development would not have adverse impact on the visual amenity of the area, the proposal is therefore contrary to Policy PM1A of the Perth and Kinross Council's Local Development Plan 2014. This policy seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment.
- 3 The site elevated above the public road and is in a prominent position in the landscape. As it has not been demonstrated that the development would not have adverse impact on the visual amenity of the area, the proposal is therefore contrary to Policy PM1B (b) of the Perth and Kinross Council's Local Development Plan 2014. This policy requires all proposals to respect site topography and any surrounding important landmarks, views or skylines as well as the wider landscape character of the area.

Justification

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

Informatives

None, refusal recommended.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

19/01577/1, 19/01577/3 and 19/01577/4

Date of Report - 21 November 2019



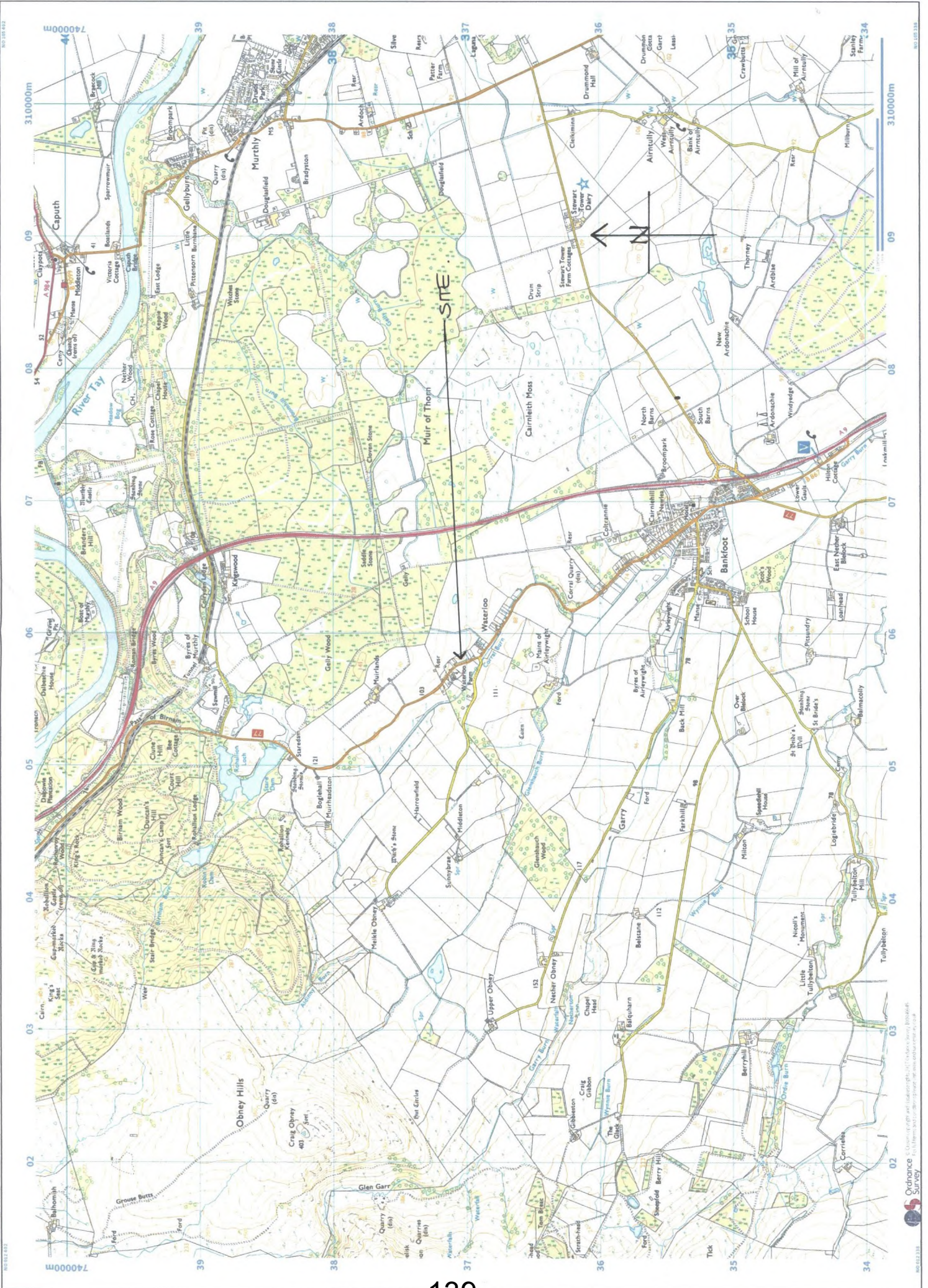


<p>LRB-2020-06 - 19/01577/IPL – Residential development (in principle), land 80 metres south of Bowerswell Road, Bankfoot</p>
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PLANNING DECISION NOTICE *(included in applicant's submission, pages 117-118)*

REPORT OF HANDLING *(included in applicant's submission, pages 119-133)*

REFERENCE DOCUMENTS



Land 80 Metres South of Bowerswell Waterloo Bankfoot



Site Owner: M Baillie And Sons

Muirlands Farm

Bankfoot

PH1 4AR

Agent/Planning



Consultant: Keir + Co

29 Barossa Place

Perth

PH1 5HH

Contents:

1.0 Introduction

2.0 Site Description

3.0 Waterloo

4.0 Site Attributes

5.0 Planning History

6.0 Planning Policy Appraisal

7.0 Comparable Consented Cases



A planning application was previously submitted proposing the residential development of the site (**17/01953/IPL**). This application was refused consent on the 28TH September 2018.



2.0 Site Description

The site lies between residential properties to the north west and residential properties to the south east.

The site is surrounded by a robust landscape framework. It is bounded to the northeast by a dry stone dyke, to the southeast by a mature hedge and houses, to the southwest by the B867 road and a mature native hedgerow and to the northwest by a number of houses.

The site rises from south west to north east, the site is laid to grass. There is an existing access to the site providing access onto/off the B867 road.

3.0 Waterloo Settlement

Waterloo is a hamlet which has grown sporadically and organically.

The hamlet of Waterloo is elongated, stretches for approximately ½ a mile and straddles either side of the B867 road. It is reasonably dispersed and sporadic.

Over time, gap/infill sites within the hamlet and sites on the fringe have been developed into houses.

The map opposite demonstrates the piecemeal way in which gap/infill sites within Waterloo have been developed.





4.0 Site Attributes

The site is surrounded by a robust landscape framework, contained by houses at either end, a public road and a dry stone dyke.

The topography of the site is also ideally suited for accommodating a small residential development.

There is already an access into the site, at which point the visibility splays in either direction along the public road are satisfactory.

5.0 Planning History

This site has been subject to a significant amount of development pressure over the years.

Waterloo was identified as a settlement in the draft Perth Area Local Plan 2004. The subject site lay within the settlement boundary.

Two Planning Applications have been made and determined on this site.

In 2009, a detailed planning application **(09/01526/FLL)** was submitted proposing the erection of seven houses.

This application was refused in 2016, primarily as there were too many houses proposed (7), this proposal did not respect the character and amenity of the existing group and it would not offer a suitable level of residential amenity for future occupiers of the proposed dwellings.

The principle of residential development was considered by the original planning officer dealing with the application (Brian Duncan) to be acceptable. He however, felt that there were too many houses and type of some of the house types was not appropriate for the area.



A Planning Permission in Principle Application (17/01953/IPL) was submitted in 2017.

Whilst the application was in principle, it proposed the erection of four detached houses. This planning application was refused. This application was refused by the delegated planning officer – who considered it was contrary to the relevant provisions of the Development Plan, (LDP and HITCG 2012) and there were no material considerations apparent which outweigh the Development Plan.



6.0 Planning Policy Appraisal

6.1 PKC Housing in the Countryside Policy and Guide

As Waterloo is not identified in the Local Development Plan (LDP) as a settlement with a settlement boundary around it, the proposal will be considered against the Housing in the Countryside Policy within the LDP and the Council's Housing in the Countryside Guide.

In assessing the 2017 Application against the Council's Housing in the Countryside Policy, the Planning Officer in the Report of Handling, noted:

‘The site is within part of the gap or ‘space’ between a small grouping of residential properties to the North West, and other residential properties to the South East. Accordingly, the relevant sections of the HITCG that would be applicable to this proposal would be building groups, and infill sites. By definition of what is proposed (i.e. the proposal is not a conversion, replacement non-residential building, replacement house, operational need/local worker house or development on rural brownfield land), the other sections of the HITCG are not relevant’.

In making the decision to refuse the planning application, the planning officer is of the opinion that the proposal did not comply with either the ‘Infill’ or ‘Building Groups’ categories of the Housing in the Countryside Policy or Guide.

Infill / Gap Site

We consider that the site lies within a building group and therefore the site is a natural infill site and complies with the 'Infill' Category of the Housing in the Countryside Policy & Guide.

In dealing with 2017 application, the planning officer was of opinion that the proposal did not comply with the Infill Category;

'I do appreciate this planning application is in principle only, however in my view, the distances involved is of such a scale that I would not consider this to be development within an existing building group – even though there may be buildings at either end of the site, the site is not considered to be closely related to both sets of buildings at either end'.

As previously stated, the planning officer originally dealing with the 2009 application (Brian Duncan) was of the opinion that the site was within a building group and that developing houses within the infill/gap site was acceptable. The Report of Handling for this application (Appendix 1) also refers to a single building group as opposed to multiple groups.

Accordingly, between the 2009 and the 2017 application, the Council appear to have changed their view of whether the site is within a building group (as per the 2009 application) or whether it lies between two buildings groups (as per the 2017 application).

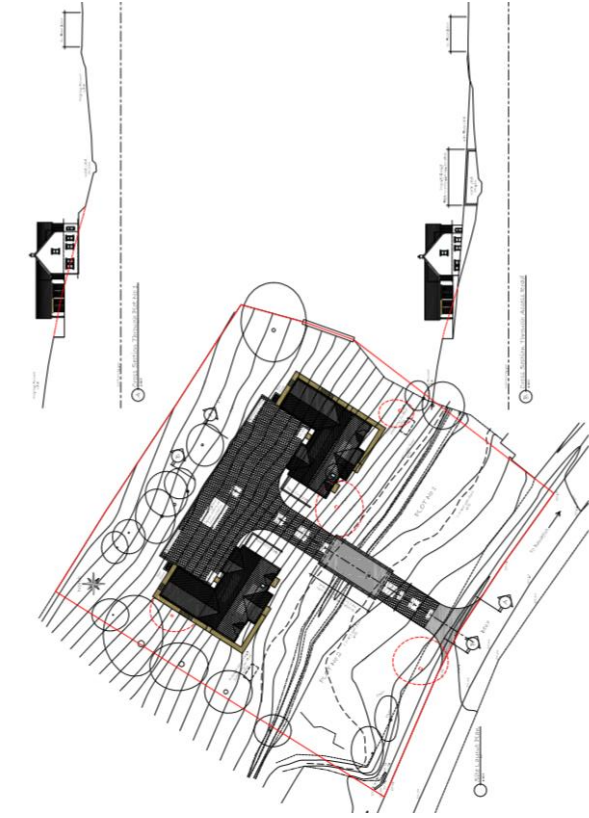
In the Report of Handling for the 2017 application, the Planning Officer makes reference to the size of the gap;

'The full extent of the gap between the curtilage of the dwellings to the north east and south west is over 90m, which is a large area. It is also the case that the site's boundaries do not include the full 'gap' between buildings and excludes a fairly significant area which is adjacent to the public road. No reason for this exclusion has been offered'.

Firstly, it should be clarified that there is no gap between the buildings at either end of the infill/gap site. A steep section field running parallel to the public road was left out as it is fairly steep and the original planning officer dealing with the 2009 application, had been critical of proposing houses on this section of the site.

Secondly, we do not consider 90 meters to be a significant gap. Planning precedent also suggests that the Council shares the same view with gaps sites of similar/larger sizes such as this being consented. Interestingly, planning consent was granted for a proposal to erect 2 houses, along the road from this site and within Waterloo (**17/00581/FLL**) – please refer back to the Map in Section 3: Waterloo Settlement. This site is between two single residential houses and the distance between the two houses is approximately 80 metres. See Proposed Site Layout plan and aerial map illustrating the extent of the gap, below.

150



The Infill Sites Category (in the LDP and HITCP) is stated below:

2. Infill Sites

The development of up to 2 new houses in gaps between established houses or a house and another substantial building at least equivalent in size to a traditional cottage may be acceptable where:

- *The plot(s) created are comparable in size to the neighbouring residential property(s) and have a similar size of road frontage*
- *The proportion of each plot occupied by new building should be no greater than that exhibited by the existing house(s)*
- *There are no uses in the vicinity which would prevent the achievement of an adequate standard of amenity for the proposed house(s), and the amenity of the existing house(s) is maintained*
- *The size and design of the infill houses should be in sympathy with the existing house(s)*
- *The full extent of the gap must be included within the new plot(s)*
- *It complies with the siting criteria set out under category 3.*

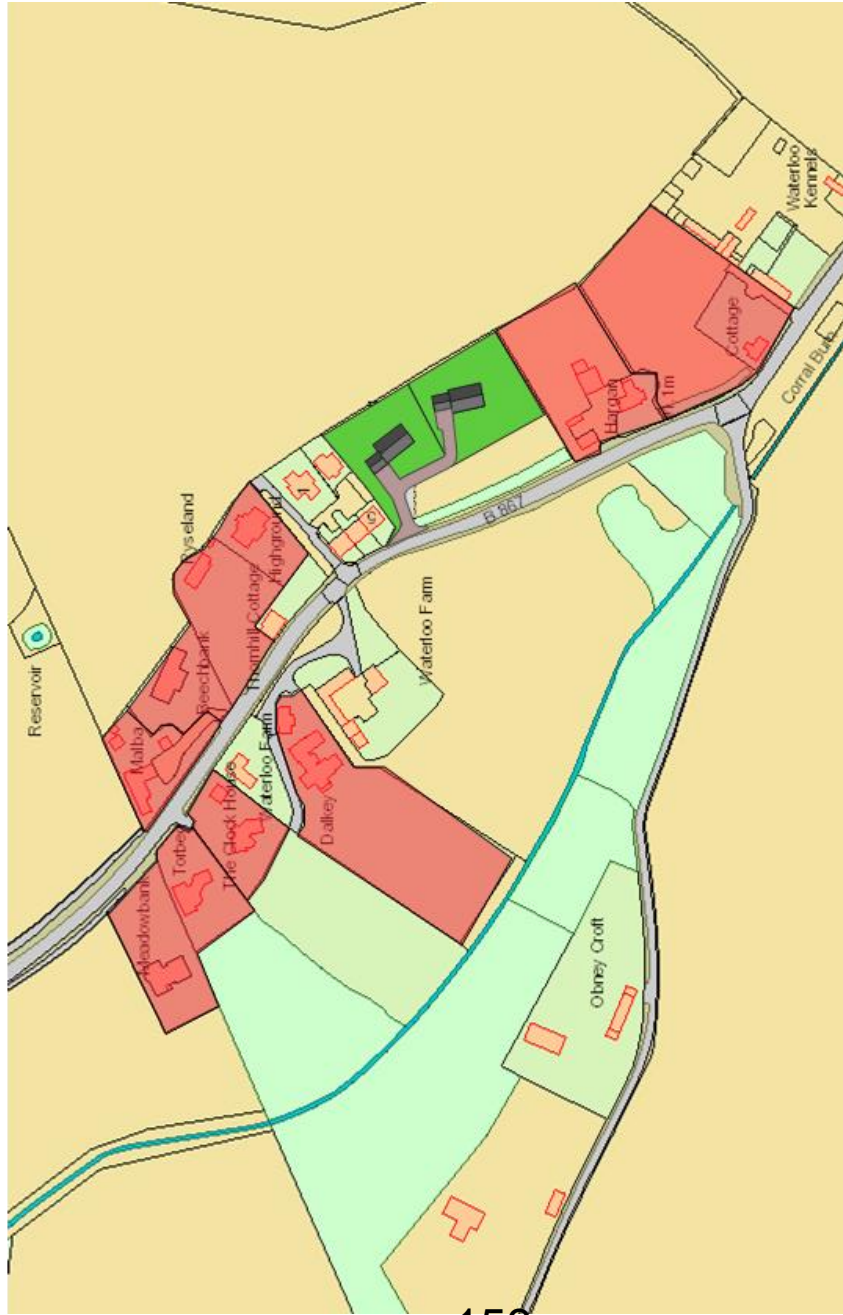
Proposals in any location, which contribute towards ribbon development will not be supported, nor will proposals which would result in the extension of a settlement boundary.



In the Report of Handling for the 2017 application, the Planning Officer states:

Notwithstanding the indicative layout submitted by the applicant, which shows four dwellings, this is a planning in principle, so the development could be advanced with only two dwellings, which would meet with the two house requirement of 'infill sites'. However, whilst such a proposal could potentially extend the full width of the 'gap', the sizes of the resultant two plots would bear no reasonable resemblance to the sizes the curtilages of the dwellings to the north and south, and certainly would not respect it. I therefore consider there to be clear conflict with the infill section of the HITCG.

We have illustrated how 2 houses would fit within the site on an indicative proposed layout drawing (opposite).



As illustrated, on the above indicative drawing on the previous page and the map opposite, two plots in this gap site would indeed, be comparable in size to neighbouring residential properties, have similar road frontages and the full extent of the gap is included within the new plots.

Building Groups

We are also firmly of the view that the proposal also complies with the Building Groups Category.

The Building Groups Category (in the LDP and HITCP) is stated below:

1. Building Groups

Consent will be granted for houses within building groups provided they do not detract from both the residential and visual amenity of the group. Consent will also be granted for houses which extend the group into definable sites formed by existing topography and or well established landscape features which will provide a suitable setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed house(s).

In the 2017 Application, the Planning Officer did not consider the proposal to be within a building group or an acceptable extension to a building group.

Reference in the report of Handing to an existing Group:

‘I do appreciate this planning application is in principle only, however in my view, the distances involved is of such a scale that I would not consider this to be development within an existing building group – even though there may be buildings at either end of the site, the site is not considered to be closely related to both sets of buildings at either end. I therefore do not consider the proposal to be acceptable as development within an existing building group, as the development site is not within a building group’.

We disagree with this subjective view. In dealing with the 2009 planning application, the planning officer shared our view that the site was within a building group. Furthermore, planning consent was recently granted for a very a similar proposal within a very similar sized gap within the same hamlet (17/00581/FLL).

Reference in the report of Handing to extending a Group

‘In terms of an extension of building groups, I accept that there is an established building group to the north, which is typically defined as being 3 or more dwellings or buildings of reasonable scale. However, the site excludes a large area along the road side where there is little in the way of natural site containment - the site simply merges into the area of land excluded from the application site. I accept that the site may have some containment to the east (by a stone wall) and to the north and south (curtilages of neighbours), but there is no means of containment to the west and there remains a feeling of openness across the site which is not acceptable. Ultimately, I do not consider the collective boundaries and landscape of the site to provide a suitable level / degree of landscape containment or site definition. I therefore consider this proposal to be contrary to the specific requirement of the requirements of building groups, in relation to the extension of existing building groups’.

In the above extract, the planning officer acknowledges that the site is contained to the north (houses), south (houses), east (stone wall). However, the exclusion of a strip of land between the site boundary and the road appears to be an issue for the planning officer. As previously stated, this strip of land was omitted from the application boundary, as the original planning officer dealing with the 2009 application, felt this land was to steep to build houses on.

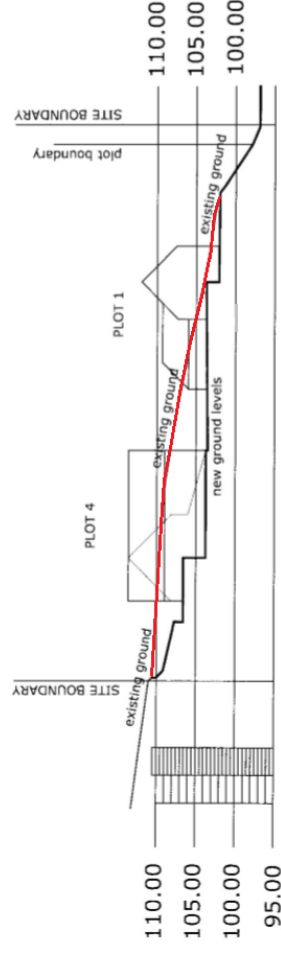
Visual Amenity

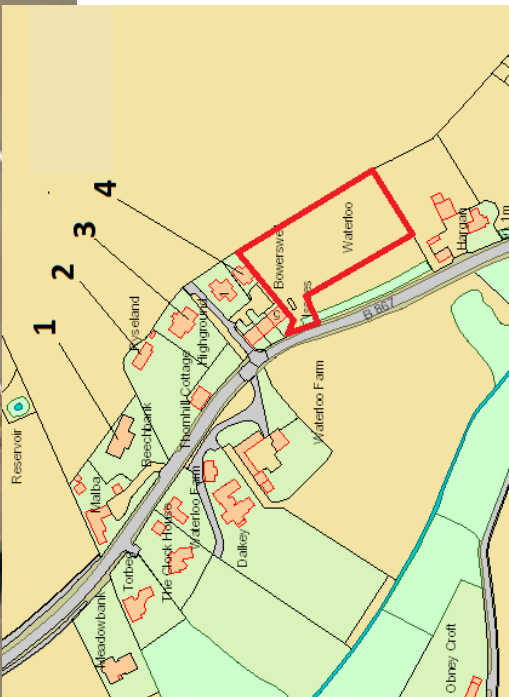
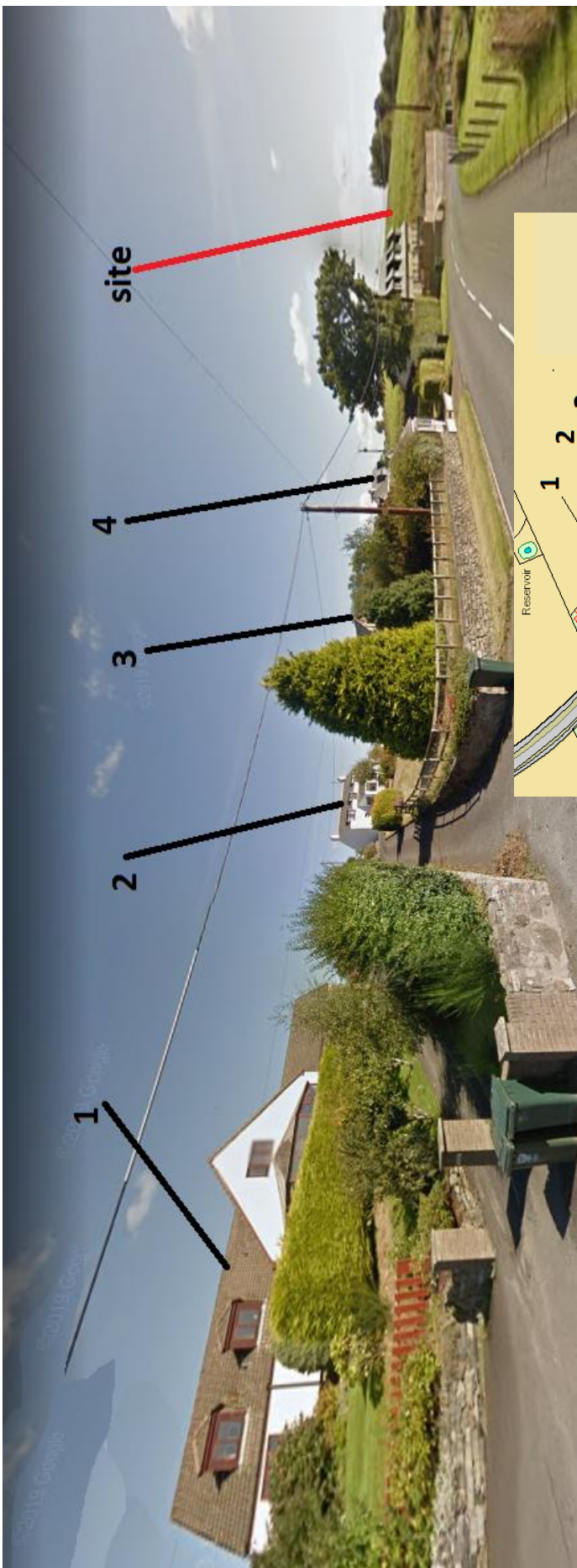
In the 2017 Application, the Planning Officer stated:

‘The proposal has the potential to have an adverse impact on the visual amenity of the area. The site is elevated above the road on a very prominent position. An indicative sectional detail has been submitted by the applicant across the site, but this does not show the sloping / elevated nature of the site or include the area outwith the application site which is adjacent to the road.’

At this stage, it has therefore not been demonstrated that the visual amenity of the area is not adversely affected.’

In our view the positioning of the proposed development is consistent with many of the neighbouring properties located to the north of the B867. The visual amenity of the area will not be adversely affected by the proposal. In the 2009 application a cross section was supplied to show the building levels, this, a map and photographs of the neighbouring properties are shown below.





6.2 National Planning Policy

6.2.1 Scottish Planning Policy (SPP)

SPP states that: *‘the planning system should, in all rural and island areas, promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces, encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.*

It also states that

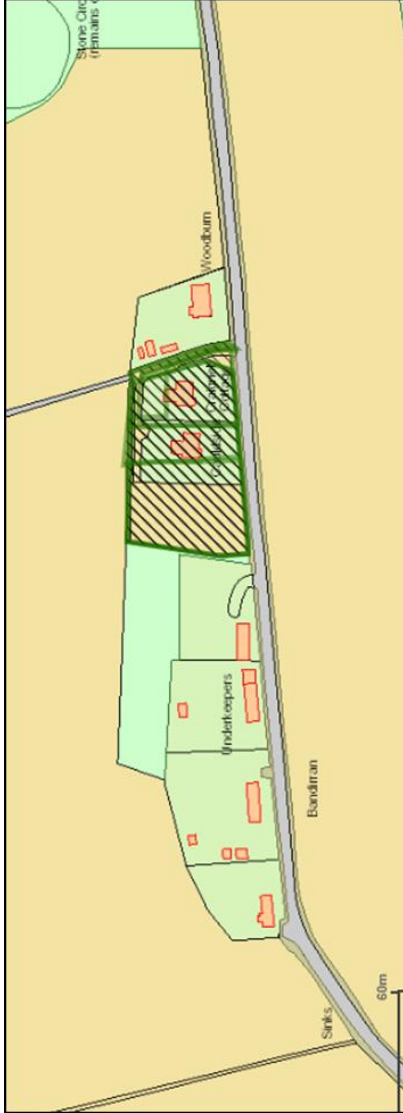
‘...the National Planning Framework aims to facilitate new housing development ... through innovative approaches to rural housing provision’.

The proposed development complies with the above extracts from SPP.

6.2.2 PAN 72

Planning Advice Note 72: Housing in the Countryside, is also encouraging of developing houses within/adjacent to building groups in rural areas;

‘New groups of houses Housing related to existing groupings will usually be preferable to new isolated developments. The groupings should not be suburban. They should be small in size, and sympathetic in terms of orientation, topography, scale, proportion and materials to other buildings in the locality. They should take account of sustainable development criteria in location and infrastructure needs’.



7.0 Comparable Consented

Cases

The Council have granted planning consent for a large number of planning applications proposing 2 houses within a gap site. As illustrated in some examples below, the gaps have been considerably more than 90m in the subject case.

Location: Ground to The West Of Woodburn Cottage, Kinrossie, Perth

Proposal: Erection of two houses (06/02006/OUT, 09/01405/FLL & 09/01046/AML)

Notes: The distance between the two houses either of the gap site is 145m, as illustrated opposite.



Location: The Smithy, Cargill, Perthshire

Proposal: A) Erection of two houses. (15/02202/FLL & 12/01436/FLL). B) Erection of a house (08/00084/FUL).

Notes: The site at present is an open paddock (to quote the planning officer in the Report of Handling). The distance between the two houses either of the gap site is 157m.





Location: Land at East Kinnochtry,
Burrelton Perthshire

Proposal: Erection of two houses
(06/00092/FUL)

Notes: The southern boundary of
the plots is open field – as
illustrated on the aerial map
opposite.

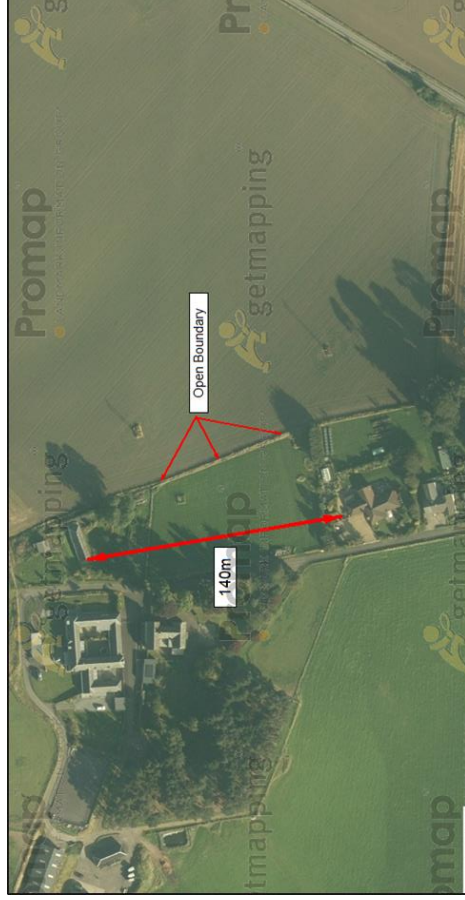




Location: Land 80 Metres South East of Over Kinfauns Farm, Church Road, Kinfauns

Proposal: Erection of two houses (11/00897/IPL)

Notes: The eastern boundary of the site is open. The distance between the two houses either of the gap site is 140m.

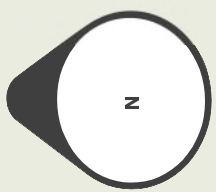


Waterloo Perthshire





A Proposed Development at Land 60 Miles South of Bournemouth, Wiltshire
Scale: 1:1000



LRB-2020-06 - 19/01577/IPL – Residential development (in principle), land 80 metres south of Bowerswell Road, Bankfoot

REPRESENTATIONS

19th October 2019

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



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

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

Dear Local Planner

PH1 Bankfoot Bowerswell Land 80M South
PLANNING APPLICATION NUMBER: 19/01577/IPL
OUR REFERENCE: 783957
PROPOSAL: Residential development (in principle)

Please quote our reference in all future correspondence

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

Water

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

Foul

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

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

Infrastructure close to boundary

According to our records, the development proposals may impact on existing Scottish Water assets.

The applicant should identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at service.relocation@scottishwater.co.uk.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

Scottish Water Disclaimer

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Surface Water

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

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

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

General notes:

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

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping

arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/Business-and-Developers/Connecting-to-Our-Network>**

Next Steps:

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

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

- **10 or more domestic dwellings:**

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

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

- **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider

to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

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

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

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

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

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

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

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

Yours sincerely

Angela Allison

Angela.Allison@scottishwater.co.uk

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	19/01577/IPL	Comments provided by	Dean Salman Development Engineer
Service/Section	Transport Planning	Contact Details	
Description of Proposal	Residential development (in principle)		
Address of site	Land 80 Metres South Of Bowerswell, Waterloo, Bankfoot		
Comments on the proposal	<p>Perth & Kinross Council Public Transport Unit have advised that the proposed development would require additional bus infrastructure to be provided in the form of two hard stand bus stop areas (with appropriate flags, poles and pedestrian dropped kerbs). These would be required to serve bus routes traveling in both directions on the B867. The applicant is advised to contact the Public Transport Unit prior to detailed proposals to confirm required specifications and suitable locations of the bus infrastructure.</p> <p>Insofar as the Roads matters are concerned, I have no objections to this proposal on the following conditions.</p>		
Recommended planning condition(s)	<p>Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type C Figure 5.7 access detail, of Type B Road construction detail.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p>		
Recommended informative(s) for applicant	<p>The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 they 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.</p>		
Date comments returned	01 November 2019		

Auchtergaven Community Council (Bankfoot)



4 November 2019

Andrew Baxter
The Planning Service
Perth and Kinross Council
Pullar House
Kinnoull Street
Perth
PH1 5DG

Dear Andrew,

Application for Planning Permission In Principle 19/01577/IPL
Residential development (in principle) - Land 80 Metres South Of Bowerswell
Waterloo Bankfoot
Objection

The Auchtergaven Community Council (ACC) has considered the above referenced application as well as receiving a number of representations from members of the community in Waterloo.

The ACC has previously objected to the applications for this site, reference 08/01624/FUL (withdrawn), 09/01526/FLL (refused) and 17/01953/IPL (refused).

It is not clear what the application is applying for – the accompanying drawing referenced in the application form indicates 4 houses, but there is a planning statement on the online planning portal, which does not appear to be referenced in the planning application form, in which the number of houses proposed is not clear.

The ACC maintains its objection to this current application, which appears not to have addressed any of the reasons for refusal of the 17/01953/IPL application.

Yours faithfully,


Chris Pasteur
On behalf of the Auchtergaven Community Council

Chair: Catriona Davies
Secretary: Chris Pasteur
Treasurer: Andrew Lear
Committee: Rhona Pollok, Alan Squair

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	19/01577/IPL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin [REDACTED] [REDACTED]
Description of Proposal	Residential development (in principle)		
Address of site	Land 80 Metres South Of Bowerswell, Waterloo, Bankfoot		
Comments on the proposal	<p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Auchtergaven Primary School.</p> <p>Transport Infrastructure</p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> <p>The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning application granted.</p>		
Recommended planning condition(s)	<p>Primary Education</p> <p>CO01 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure or such replacement Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure that the development approved makes a contribution towards increasing primary school provision, in accordance with Development Plan Policy and Supplementary Guidance.</p>		

	<p>Transport Infrastructure</p> <p>CO00 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to transport infrastructure or such replacement Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure that the development approved makes a contribution towards improvements of regional transport infrastructure, in accordance with Development Plan policy and Supplementary Guidance.</p>
Recommended informative(s) for applicant	N/A
Date comments returned	04 November 2019



The Development Quality Manager
Perth and Kinross Council Planning and Development
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

3rd November 2019

Ref: 19/ 01577/ IPL

Dear Sir/ Madam,

I object to the proposed plans, as I did to the previous application 17/01953/ IPL, for the following reasons:

- The proposed houses are out of character within the hamlet of Waterloo and furthermore, remain contrary to Perth and Kinross *Housing in the Countryside* policy;
- The elevation of the proposed houses overlooks our property;
- There are currently drainage problems from the last development at Bowerswell, Waterloo, resulting in water crossing the road causing the following: flooding to the field opposite the properties; flooding the road (B867), causing dangerous driving conditions when freezing; and travelling into our property and the Waterloo burn adding to the historical issues of flooding in the nearby village of Bankfoot.
- The sewage system currently being used has a bad smell and future houses would have to use the same system that is not fit for purpose, thus adding to the problem.

- The last development at Bowerswell, Waterloo also had a cul-de-sac design and when conditions are freezing or there is snow on the ground, vehicles currently have a problem driving up the drive and have no alternative, other than to park on the main road. I can see this being a similar problem with the proposed planning, given the elevation of the properties, with the potential of up to 8-10 additional vehicles being parked on the main road in bad weather conditions.

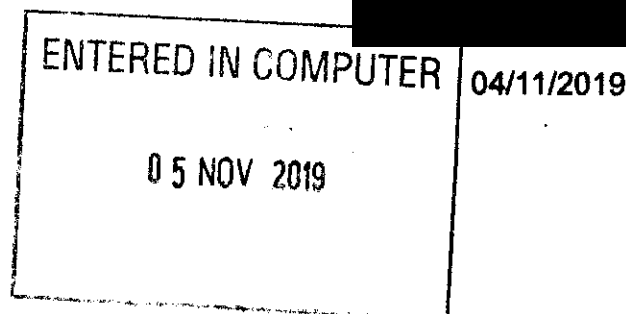
We are not against future housing in Waterloo, but the cul-de-sac design – trying to cram as many houses in as possible – is more suitable for larger villages and towns and obliterates the essence of the hamlet and of country living, which many residents of Waterloo enjoy.

Yours sincerely,

Graham Hardie.

19/01677/1PL

Planning Department
Perth and Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD



Dear Sir/Madam

Re: Application for planning permission to build 4 houses in Waterloo, Bankfoot

I am writing to submit an objection to the proposed building of 4 houses in Waterloo, north of Hargan. Although not directly affected by the building of additional housing, my concerns are for the wider impact additional housing will have environmentally on the village.

1. In the past a house has been built on a plot of land to replace an existing dwelling. There have never been houses on this plot.
2. On a neighbouring plot 5 properties have been built already adding pressure to water systems.
3. Waterloo is not on mains sewerage but uses septic tanks, feeding into small burns and water courses. This is at capacity and further strain on existing measures could result in serious environmental impact.
4. The water courses in the village are low lying and prone to flooding. During periods of heavy rain and snow melt, local burns frequently burst their banks. Additional water and sewerage from tanks will cause more flooding over a wider area and waste may enter the soil where crops are grown and livestock kept.
5. Not only is there an issue with sewerage increase but also an increase in run off surface water onto the roads and through drainage systems flowing into burns and water courses. We are a very low lying property with existing drainage issues and our own tank flows into the main burn through the village. Further pressure on this burn may cause water and sewerage to back up on to our property as it is unable to get away.
6. This is designated agricultural land and allowing houses to be built on this sets the dangerous precedent of future housing development in a village not equipped to deal with the additional strain on infrastructure. It is situated on a B class road, with no street lighting and a 40mph speed limit which is largely ignored by the driving public.

There has been a previous application to build houses on this land which we objected to. Although the number of properties proposed is less than the last time, reasons for objection to this proposal remain the same.

Yours faithfully



Rathryn Hill (Miss)
Householder

Comments for Planning Application 19/01577/IPL

Application Summary

Application Number: 19/01577/IPL

Address: Land 80 Metres South Of Bowerswell Waterloo Bankfoot

Proposal: Residential development (in principle)

Case Officer: Andrew Baxter

Customer Details

Name: Mr Chris Pasteur

Address: [REDACTED]

Comment Details


Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Effect on Visual Amenity
- Contrary to Development Plan Policy
- Inappropriate Land Use
- Over Looking


Comment: I object, as I did to the applications 08/01624/FUL, 09/01526/FLL, and 17/01953/IPL as I believe that the proposal remains contrary to the PKC Housing in the Countryside Policy and will overlook the neighbouring property, Hargan.



4 November 2019

Dear Sir

Comments on - 19/01577/IPL | Residential development (in principle) | Land 80 Metres South Of Bowerswell Waterloo Bankfoot

As the property owner of  I would like to make the following comments regarding the above planning application that remains unchanged as far as I can observe from the application 17/01953/IPL that was refused so recently.

1. I do not think it can be justified to consider a Residential development in principle at all for such a site in a highly sensitive elevated site overlooking a listed site with other listed and non-listed properties of historic interest in the vicinity. Only a detailed application would be appropriate to ensure the impact of any development could be considered properly.
2. The indicative development illustrated seems to be of a low visual quality providing properties more appropriate for an urban setting rather than blending with surrounding properties or being of particular architectural merit. The properties indicated also appear to be aimed at the more expensive executive home end of the market and would be unlikely to be affordable for many existing local residents and working families.
3. The scale and external appearance of any new houses should be such that it maintains the character of Waterloo as a small rural hamlet.
4. Siting and aspect of any new houses should be such that there is no detrimental effect on the privacy of any existing properties in Waterloo. Note that no indicative floorplans have been provided and it is assumed that the south most proposed property is likely to have main living accommodation and perhaps maximum glazing overlooking the existing Hargan property.
5. The elevation of plots for any new houses should be such that they do not unduly impose on existing lower level existing properties within Waterloo as I consider to be the case in some previously approved properties within Waterloo. Note that no proper elevations sketch of the proposed development and its visual impact taken from the main B867 road has been provided to help assess this.

6. Any new proposed shared sewage treatment plant for the development should be registered with SEPA and the arrangements for maintenance and upkeep of plant clearly stated before it is commissioned.
7. All aspects of surface water management for the development should be clearly understood and measures to manage surface water installed prior to any major construction being undertaken. This is to ensure that surface water does not cross the main B867 road and onto the land owned [REDACTED]
[REDACTED]

Yours faithfully

Wendy Grant
Director
Forgandenny Property Ltd