

LRB-2021-31 - 21/00590/IPL - Erection of a dwellinghouse (in principle), land 100 metres north east of Tressait House, Strathtummel
--

INDEX

(a) Papers submitted by the Applicant (***Pages 5-68***)

(b) Decision Notice (***Pages 44-45***)

Report of Handling (***Pages 46-57***)

Reference Documents (***Pages 71-84***)

(c) Representations (***Pages 85-104***)

**LRB-2021-31 - 21/00590/IPL - Erection of a dwellinghouse
(in principle), land 100 metres north east of Tressait
House, Strathtummel**

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100464202-001

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

Applicant or Agent Details

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

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Charles"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Hendry"/>	Address 1 (Street): * <input type="text"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: * <input type="text"/>
Extension Number:	<input type="text"/>	Country: * <input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text"/>	

Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

760134

Easting

281582

Description of Proposal

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

Planning permission is sought for the erection of a dwellinghouse. The application is in principle and is in a rural area around 250m to the west of the Inn at Loch Tummel, Strathtummel. The land is agricultural grazing land and rises steeply up to the north from the B8019 public road. An indicative house site is shown towards the north west of the site close to an existing site access.

Type of Application

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

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

What does your review relate to? * <input checked="" type="checkbox"/> Refusal Notice. <input type="checkbox"/> Grant of permission with Conditions imposed. <input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.	
<h3>Statement of reasons for seeking review</h3> <p>You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)</p> <p>Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.</p> <p>You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> We are extremely surprised and disappointed, that based on a very clear and logical submission, the report includes comments and arguments that are in many cases subjective, in numerous instances based on assumptions or mere conjecture where at this stage facts are unknown. Interpretations of the Plans or Policies are so rigorously applied that they cannot relate to the way in which Strathtummel developed nor exists today and therefore don't reflect the intentions of the Plans or Policies. </div>	
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 	
If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters) <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>	
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters) <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> LRB Appeal Supporting Statement 21/00590/IPL </div>	
<h3>Application Details</h3>	
Please provide the application reference no. given to you by your planning authority for your previous application.	<div style="border: 1px solid black; padding: 2px;">21/00590/IPL</div>
What date was the application submitted to the planning authority? *	<div style="border: 1px solid black; padding: 2px;">07/04/2021</div>
What date was the decision issued by the planning authority? *	<div style="border: 1px solid black; padding: 2px;">16/06/2021</div>

Review Procedure

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

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☐ Yes ☐ No ☒ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: Mr Charles Hendry

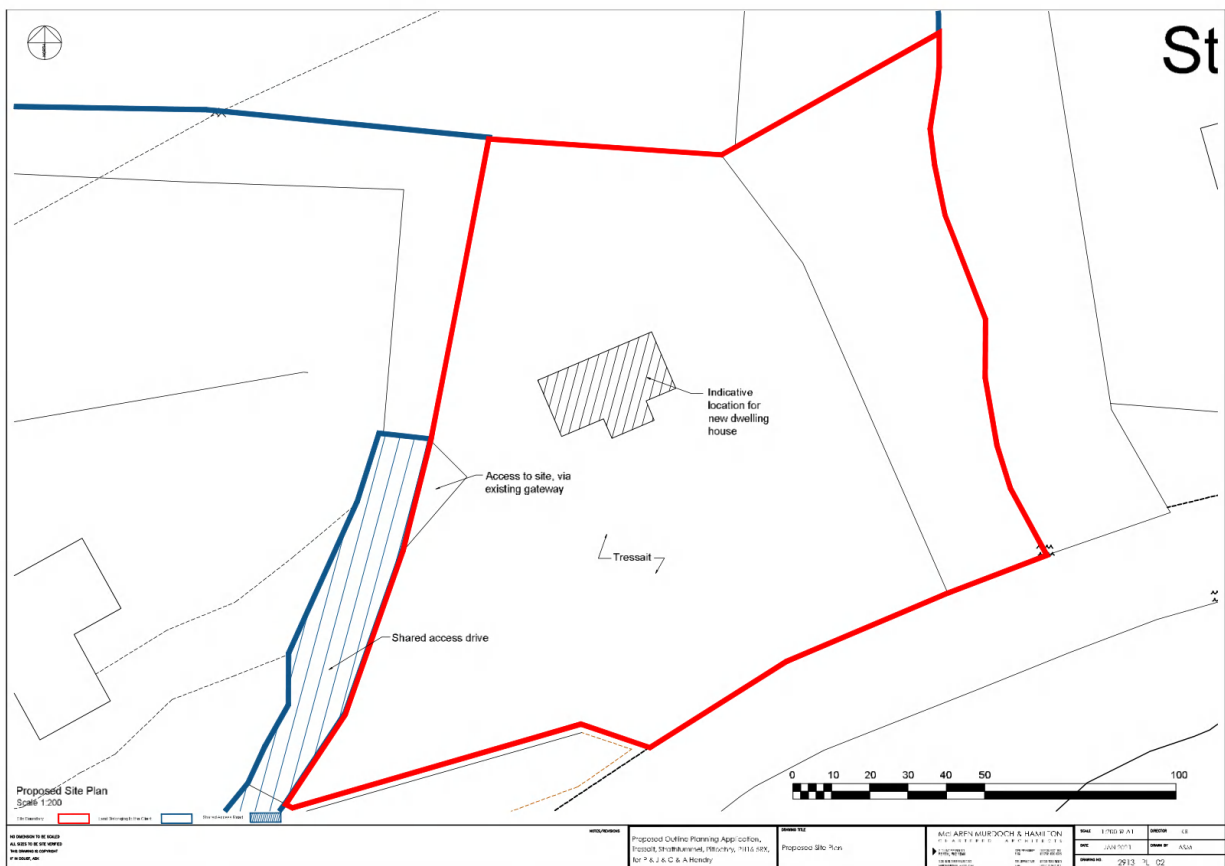
Declaration Date: 06/09/2021

LRB Appeal Statement

6th September 2021

Erection of a dwellinghouse (in principle)

Land 100 Metres North East Of Tressait House Strathtummel



Contents:

- 1. Introduction**
- 2. Site Description**
- 3. Proposed Development**
- 4. Overview of Decision to Refuse Consent**
- 5. National Planning Policy**
- 6. Precedent**
- 7. Objections**
- 8. Adherence to Protocol**
- 9. Summary**

Appendix 1: Planning Decision Notice

Appendix 2: Report of Handling

Appendix 3: Design Statement

1.0 Introduction

We request that the Council's Local Review Body review the decision to refuse the Planning Permission in Principle (PPP) Application (Ref:21/00590/IPL) which proposed the erection of a dwelling house at Tressait, Strathtummel, Perthshire.

The PPP Application proposed to locate a new house (designed and constructed in a traditional style with the use of materials similar to the material utilised on adjacent properties) within the area shown red on Image 1. The site of Tressait is located within the existing settlement of Strathtummel, Perthshire between the existing dwelling houses of Stillaig to the east and Tressait House to the west (see Image 2).

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.

The original Design Statement which accompanied the planning application has been appended to this Appeal Statement and should be read in conjunction.

1.1 Rationale for Review

We are extremely surprised, and disappointed, that based on a very clear and logical submission, the report includes comments and arguments from the appointed planning officer that are in many cases extremely subjective and in numerous instances based on assumptions or mere conjecture where at this stage relevant facts are unknown. Interpretations of the Plans or Policies are so rigorously applied that they cannot possibly relate to the way in which Strathtummel developed nor exists today and therefore cannot realistically reflect the intentions of the Plans or Policies.

In short, we object in the strongest possible terms to the manner in which this application has been dealt with and do not accept, based on the level of detail required in the submission at this stage, that the proposal is not in accordance with the Development Plan. We therefore suggest that a due diligence exercise is carried out, that the report is revised based only on relevant facts and a realistic interpretation of the Plans or Policies and that a new recommendation is made accordingly.

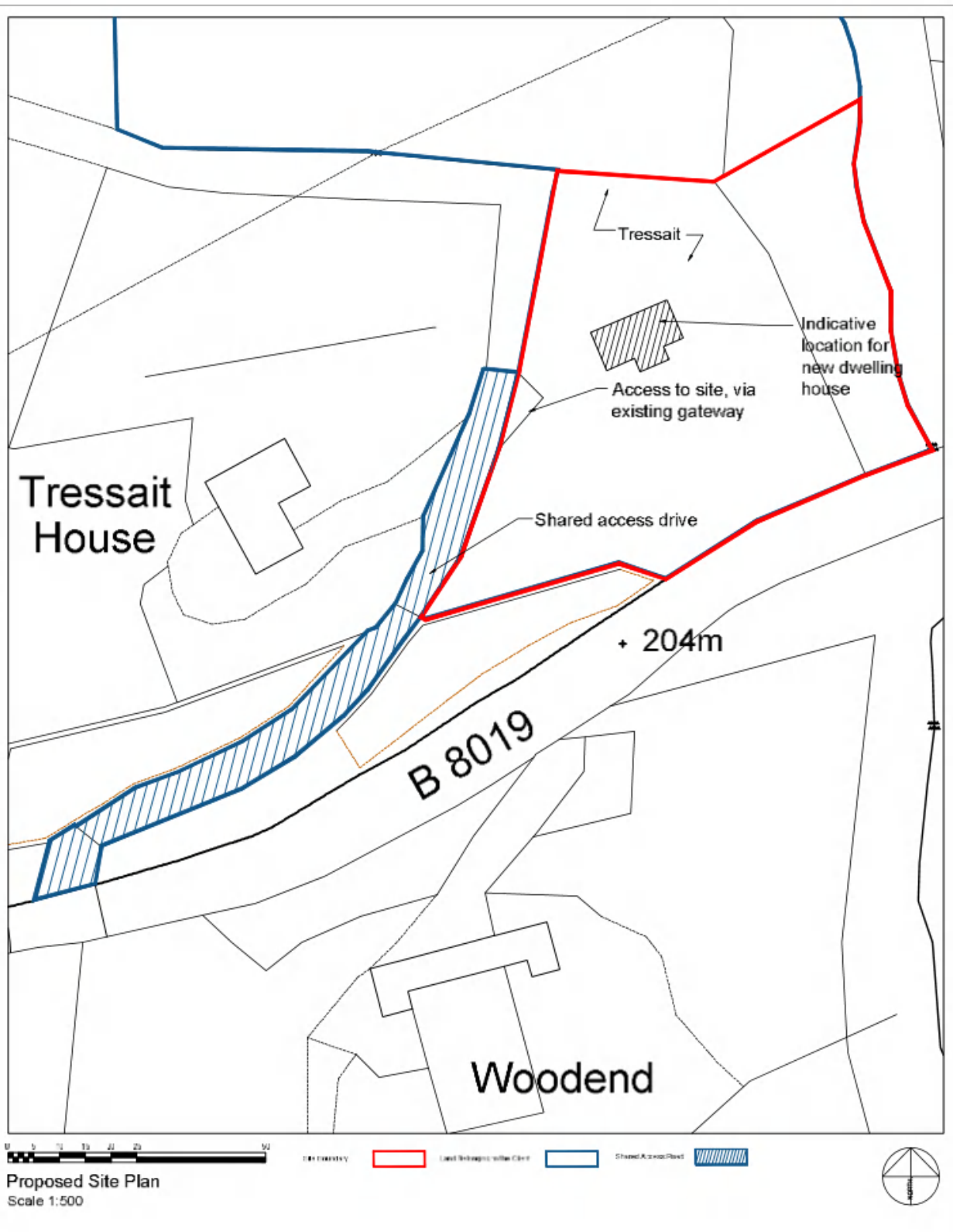


Image 1 – Proposed Site Plan

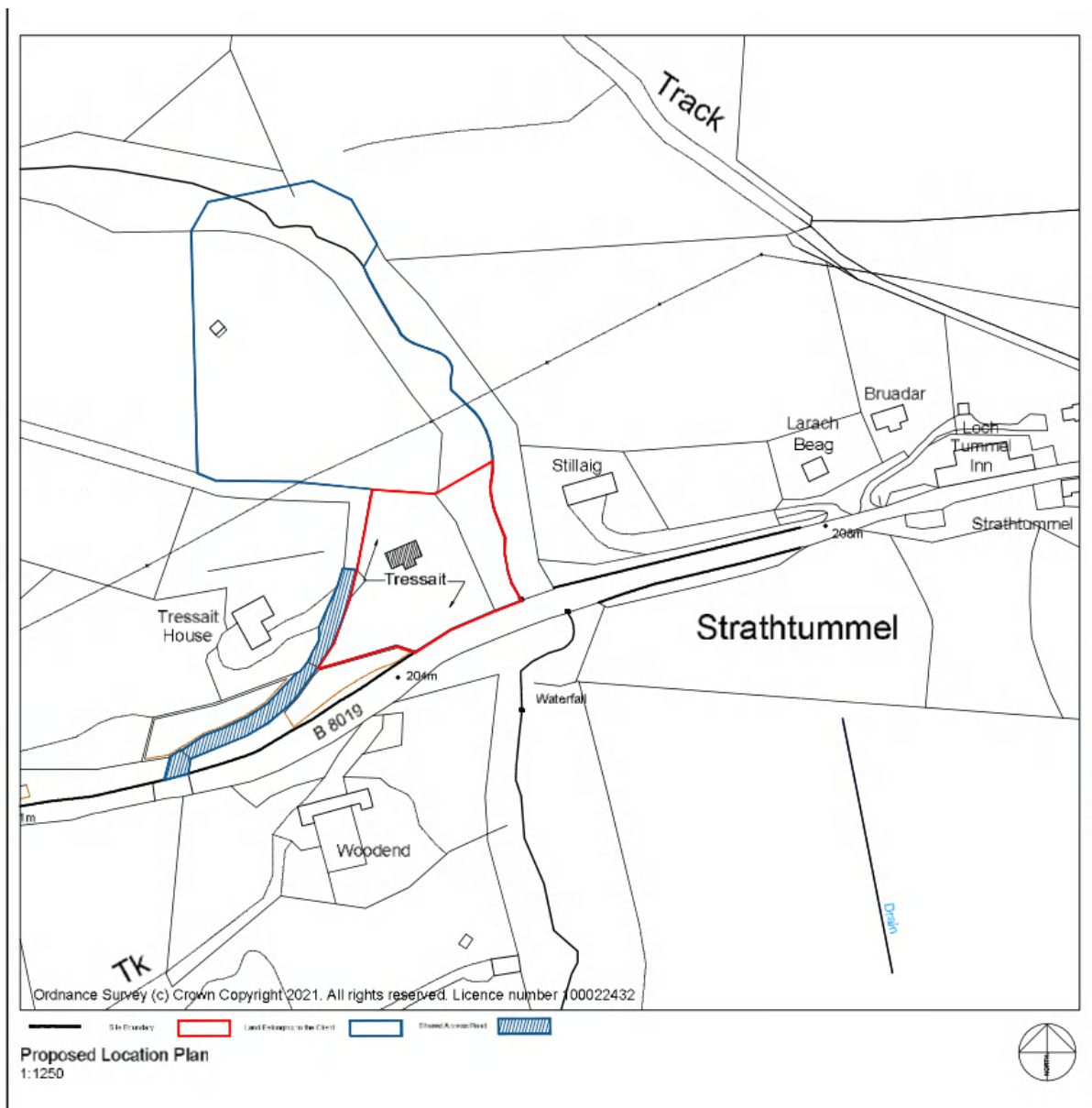


Image 2 – Proposed Location Plan

2.0 Site Description

The land holding of Tressait is located within the settlement of Strathtummel, Perthshire. Image 3 below shows the proposed site outlined in red with the remainder of the land in the clients control shown in blue.



Image 3 – Site location and land ownership

Strathtummel consists of a series of dwelling houses located to the north and south side of the B8019. The settlement boundaries of Strathtummel are not defined within the 2019 Perth and Kinross Council Local Development Plan. It is assumed that the settlement boundary will be determined by the 40mph speed restriction that was put in place by Perth and Kinross Council and in accordance with the V19 application. The 40mph zone is located 110m to the east of Loch Tummel House and 60mm to the west of Tressait House. Image 4 shows the current layout of Strathtummel. Image 5 shows the 40mph sign and village name to the west of the entrance to Tressait House located to the west of the proposed site.

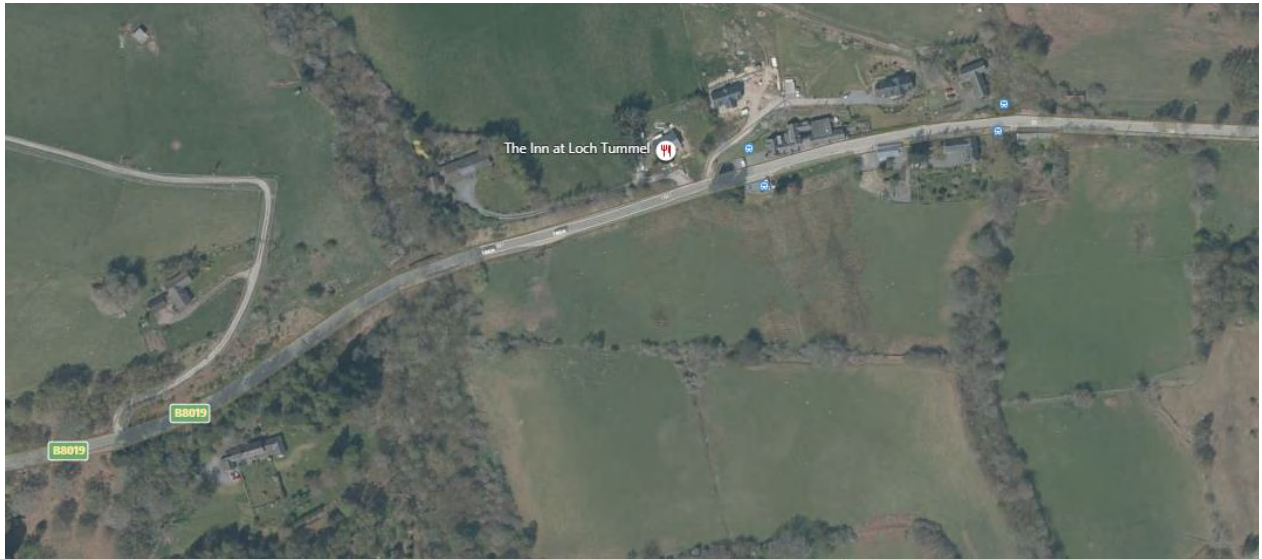


Image 4 – Showing the settlement of Strathummel.



Image 5 – Location of 40mph limited and village sign to the west of the site.

3.0 Proposed Development

The new house will be located within the existing settlement boundary, will fall within the Category of infill site in accordance with Perth and Kinross Council's Housing in the Countryside Policy and can demonstrate it meets the following requirements.

- The plot would be a comparable size to the adjacent plots.
- The proportion of the plot occupied by the site can be kept at a similar scale to the adjacent plots.
- The house can be provided with adequate amenity space.
- The house will be designed to a similar size and scale of the adjacent houses.

The new house will be designed to sit comfortably within the existing landscape, respect the surrounding landscape and will enhance the appearance of the existing site. The use of materials traditional in nature will provide a high-quality family home which will reflect the style and character of other properties within the local area.

4.0 Overview of 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 two reasons for refusing the planning consent, as set out below:

1. The proposal is contrary to policy 19, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance (2020). The proposal does not comply with any of the categories of development contained within the policy and guidance. In particular the site is not within an existing building group and does not meet the policy definition of infill due to the presence of the intervening Allt Tressait burn to the east and the lack of a road frontage to the property to the west of the site.
2. The proposal is contrary to policy 38B (National Designations) and policy 39 (Landscape) of the Perth and Kinross Local Development Plan 2 (2019). The site is within the Loch Tummel National Scenic Area (NSA) where proposals should not adversely affect the integrity of the area or the qualities for which it has been designated. Policy 39 requires proposals to be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes and not erode local distinctiveness, diversity and quality and the quality of landscape experience. The proposed sporadic development, within the NSA, would erode the landscape character and local distinctiveness and as such would be contrary to policies 38B and 39.

4.2 Overview of the Decision and the Report of Handling

On thorough review of the relevant planning policies and guidelines both in preparation of the initial application as well as review of and in reference to the Report of Handling, the decision to refuse the PPP application appears to be based on subjective interpretation.

Further, it is both surprising and disappointing to see that several comments in the Report of Handling that appear to serve to uphold the decision to refuse the application are speculative and based on conjecture, instead of the factual information presented in the application.

4.2.1 Infill Site

The Report of Handling states:

The supporting statement suggests the site is infill as it is located between two houses, Tressait House and Stillaig. However, the infill policy requires sites to be of a comparable size and to have a similar size of road frontage. In this case Tressait House does not front the road but is located alongside a private access track which would also be the access to the application site. Tressait House has no frontage onto the B8019. The policy also requires the infill site to be

between established houses or a house and another substantial building. In this case a tree belt and the Allt Tressait burn intervenes between the application site and the nearest house (Stillaig). The site is not an infill site in terms of the policy giving the intervening landscape feature and change in topography either side of the burn.

To address the commentary from the Planning Officer in the Report of Handling:

However, the infill policy requires sites to be of a comparable size and to have a similar size of road frontage. In this case Tressait House does not front the road but is located alongside a private access track which would also be the access to the application site. Tressait House has no frontage onto the B8019.

Yes, the site is of comparable size to neighbouring sites. The road frontage is identical to Tressait House to the west, with both sites accessed via private road from the B8019. The sites to the east are also accessed via private road with no direct road frontage. This includes a recently developed infill site along with other developments on the sites. The road frontage guidelines and accompanying illustrations as per Category 2 - Infill Sites of Housing In the Countryside Supplementary Guidance (2020) evidently are based on principles of suburban residential developments, not countryside. If these definitions were applied this rigidly to a countryside settlement such as Strathtummel, the only outcome would be a complete lack of development and stagnation of the region. The former is clearly not in the spirit of the SPP, the Perth and Kinross Local Development Plan 2, or the TAYplan Strategic Development Plan (2016-2036). The latter is evidently contrary to development approvals being granted in the local area (see 6.0 Precedent).

The policy also requires the infill site to be between established houses or a house and another substantial building. In this case a tree belt and the Allt Tressait burn intervenes between the application site and the nearest house (Stillaig). The site is not an infill site in terms of the policy giving the intervening landscape feature and change in topography either side of the burn.

It is not at all clear how this subjective interpretation was derived from the actual definition of the Infill Sites Category as per Perth and Kinross Local Development Plan 2, 2019 (excerpt below). The plot is between two established houses, Tressait House and Stillaig, and complies with the definition of an infill site as per policy in as far as this is realistically possible in any non-suburban setting. There are numerous instances in planning terms where a pattern of development is interrupted by a line of trees or similar natural features.

- *The plot or plots created are comparable in size to the neighbouring plots and have a similar size of road frontage.*
- *The proportion of each plot occupied by the infill house or houses is no greater than that of the neighbouring plots.*
- *There are no uses in the vicinity which would prevent the achievement of an adequate standard of amenity for the infill house or houses, and the amenity of any existing neighbouring house is maintained.*
- *The size and design of the infill house or houses is sympathetic to the neighbouring buildings.*
- *The full extent of the gap is included within the infill plot or plots – for the avoidance of doubt, the retention of a field access within the infill plot or plots will not be permitted.*

4.2.2 Building Group

As per the PPP application and as above, the site falls within Category 2) Infill site of the Housing in the Countryside Policy

It was expected and appreciated that the PPP was reviewed and considered for all applicable categories. This includes Category 1) Building Groups, of which commentary on The Report of Handling stated:

In terms of Category 1) Building Groups the Housing in the Countryside Supplementary Guidance defines a Building Group as 3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group. There is one house to the west of the site (Tressait House) and another (Woodend) to the south west on the south side of the B8019. Whilst there is an existing building group centred around the Inn at Loch Tummel to the east the application site is some distance from this and is separated from it by the Allt Tressait which is a significant watercourse and landscape feature.

It is worth noting that the existing building group around the Inn at Loch Tummel was only brought into existence by recent developments. The building group concept cannot be applied rigorously to Strathtummel, where traditionally the houses are scattered. If this concept had been enforced prior to the '60s then no additional buildings would have been permitted on the north side of the B8019 public road, as the Inn at Loch Tummel was the only building then in existence.

The only building group west of the burn, which has existed for a long time, but only has two buildings, is Tressait (formerly the old farm) and the adjacent cottage. This has become a group of three buildings since the barn adjacent to the farmhouse was converted to housing.

Hence the way in which the building group concept is being interpreted does not relate to the historical development of Strathtummel and is therefore not aligned with the Plans or Policies cited in the Report of Handling.

Generally dwellings in Strathtummel are located at irregular intervals, scattered and isolated. In other words the proposed development reflects exactly the way dwellings have been traditionally located.

4.2.3 Integrity of the Area

The Report of Handling states:

This application is being refused as the principle of development at this site is contrary to Development Plan housing in the countryside policy. Placemaking policies require proposals to contribute positively to the built and natural environment. The indicative site shown for a house is in an elevated position that is likely to be prominent in the landscape and would not contribute positively to the built and natural environment.

The PPP application complies with Placemaking policy 1A, 1B, 1C and 1D in as far as they are applicable to this specific plot and settlement. There is not only precedent but also an inevitable requirement for any development north of the B8019 to be in a "prominent" position due to the topography of the area. However, this is speculative on the part of the planning officer as by their own admission no physical visit to the site was undertaken.

Referring instead to the on-site photography (Image 6), it remains unclear how a development hidden by established trees alongside the B8019 in either approach direction to the site could be deemed prominent. The precedent for development in recent years at Stillaig and other sites in a categorically more prominent position to the road raise several questions.



Image 6 – Showing the approach to the indicative site, obscured by the treeline.

Stagnation of the area by way of outright refusal in principle of any development north of the B8019 is contrary to the policies and guidelines referred to in the Report of Handling. If it were, Strathtummel would be one of many regions under the jurisdiction of this planning board and at the mercy of how these policies are applied to experience permanent and irreversible stagnation and decline, which is contrary to the larger scale policies endorsing and encouraging the development of areas to become sustainable, more attractive, competitive and vibrant (see 5.0 National Planning Policy).

If this approach had been applied to all proposals within the local area as it has in this case, none of the necessary development in recent years would have been permissible.

The statement that the proposed dwelling would not contribute positively to the built and natural environment is entirely speculative, as the PPP by definition does not include details of the proposed development, site development plan, blueprints or materials used. As per the PPP application the proposed development is purposefully and consciously to be in character with the local area and neighbouring properties.

Policy 39, Landscape, requires proposals to be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes. Placemaking policies also require proposals to respect character and amenity of the place and incorporate new landscape and planting works appropriate to the local context. The site is within the Loch Tummel National Scenic Area (NSA) where policy 38B requires proposals to not adversely affect the integrity of the area or the qualities for which it has been designated. Continued sporadic development, within the NSA, that does not relate well to existing building groups would erode the landscape character and as such would be contrary to policy 38B and 39 of the Local Development Plan.

The Loch Tummel National Scenic Area (NSA) relies heavily on leisure activities and tourism, and development as outlined in the PPP application for an additional dwelling within this area that is in line with recent developments in the area is in line with and positively contributes to the core principles of the Perth and Kinross Local Development Plan 2, TAYplan Strategic Development Plan (2016-36) and other relevant guidelines and policies.

Speculation or subjective interpretation alone do not provide satisfactory grounds for a refusal in principle.

The for all proposals section of the Housing in the Countryside supplementary guidance iii) requires the scale, layout and design of a proposal to be appropriate to, and have a good fit with, the landscape character of the area in which it is located. A proposal should be well integrated with the existing landform and avoid dominating the landscape. The elevated nature of the site would be likely to lead to a visually prominent development that would have an adverse impact on visual amenity.

The location as outlined on the PPP application is indicative. The PPP application by definition does not specify a precise location or detailed plans of the proposed development. A refusal in principle suggests a refusal for any location and/or proposed design within the plot, which is nonsensical since the broad and assumptive conclusion as per the report cannot be equally applied to all positions and/or designs on the plot in question.

The exaggerated assumption of prominence of the site has already been addressed as above and in itself provides no satisfactory grounds for refusal.

It remains unclear what the Planning Officer is referring to in regard to "visual amenity" as no definition or further detail was provided.

5.0 National Planning Policy

Looking beyond Perthshire's local planning policies, the proposed development is also in line with national planning policies in Scotland.

5.1 Scottish Planning Policy

The Scottish 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 declares 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 the SPP.

5.2 PAN 72

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

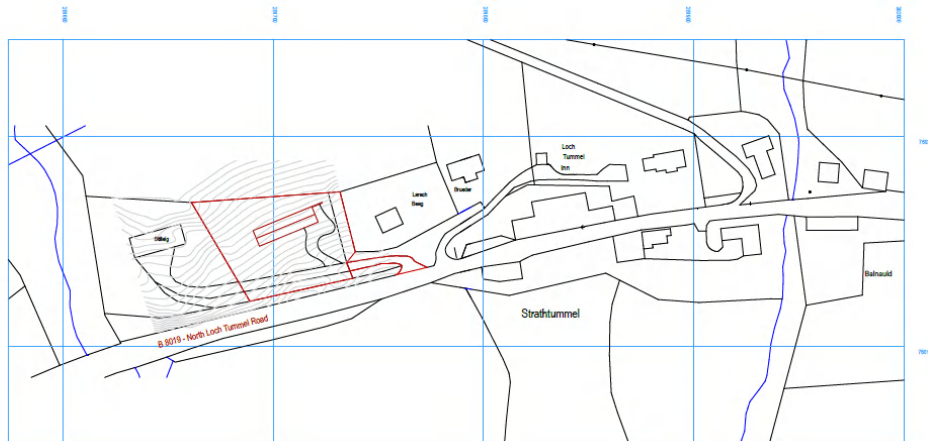
New groups of houses: Housing related to existing groupings will usually be preferable to new isolated developments. The groupings should not be suburban. They should be small in size, and sympathetic in terms of orientation, topography, scale, proportion and materials to other buildings in the locality.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

6.0 Precedent

6.1 Infill Site Comparable Consented Cases

Location: Stillaig, Strathtummel, Pitlochry, PH16 5RP

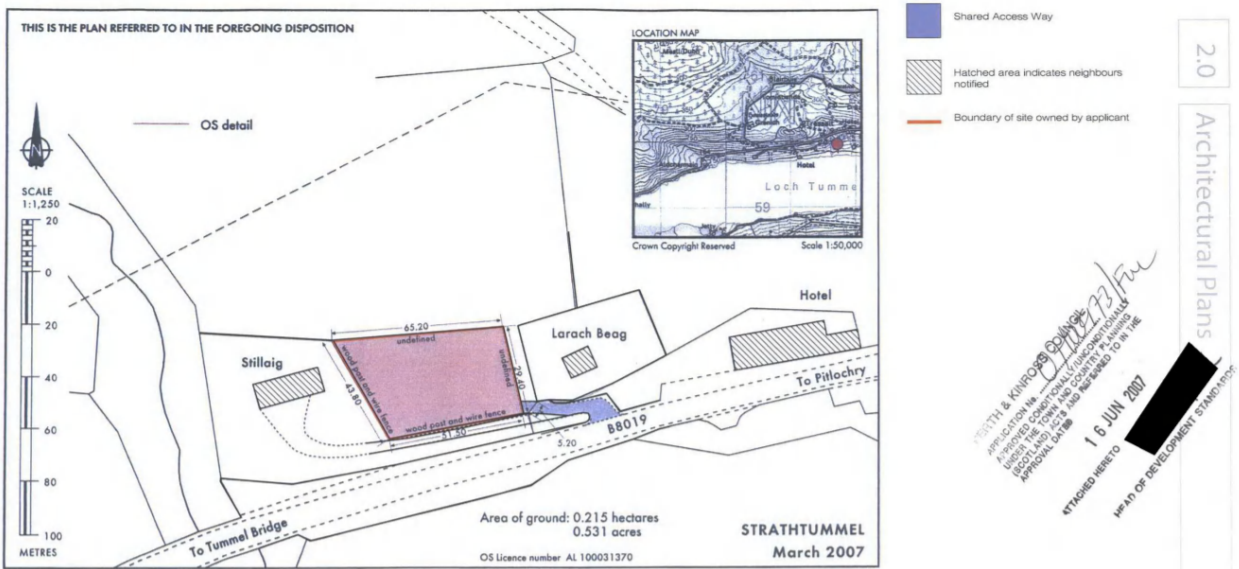
Proposal: Erection of a dwellinghouse at Land Adjacent To Larach Beag Strathtummel (21/00109/FLL)



Notes/Details
Location of New Dwelling Site to East of STRATH Strathtummel Pitlochry PH16 5RP
For: John Smith Date: 10/10/2020 Drawing: 01/01/2020 Scale: 1:1000 Drawing: 01/01/2020 Scale: 1:1000

Notes: 0.3 miles from the planning application site.

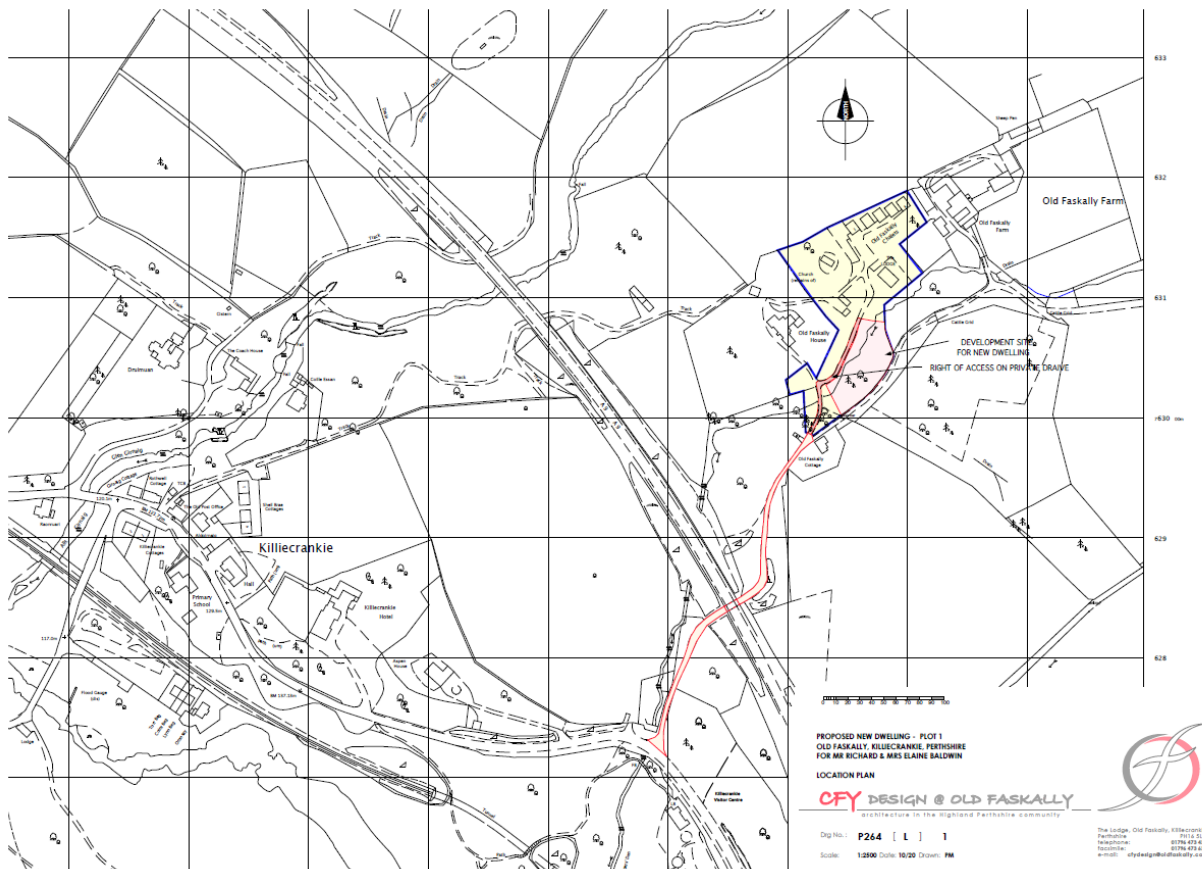
Road access is comparable to the proposed application: neither the approved dwelling, nor the neighbouring dwellings have direct access to a road frontage, and share a private access road. This approved development is directly east to the site.



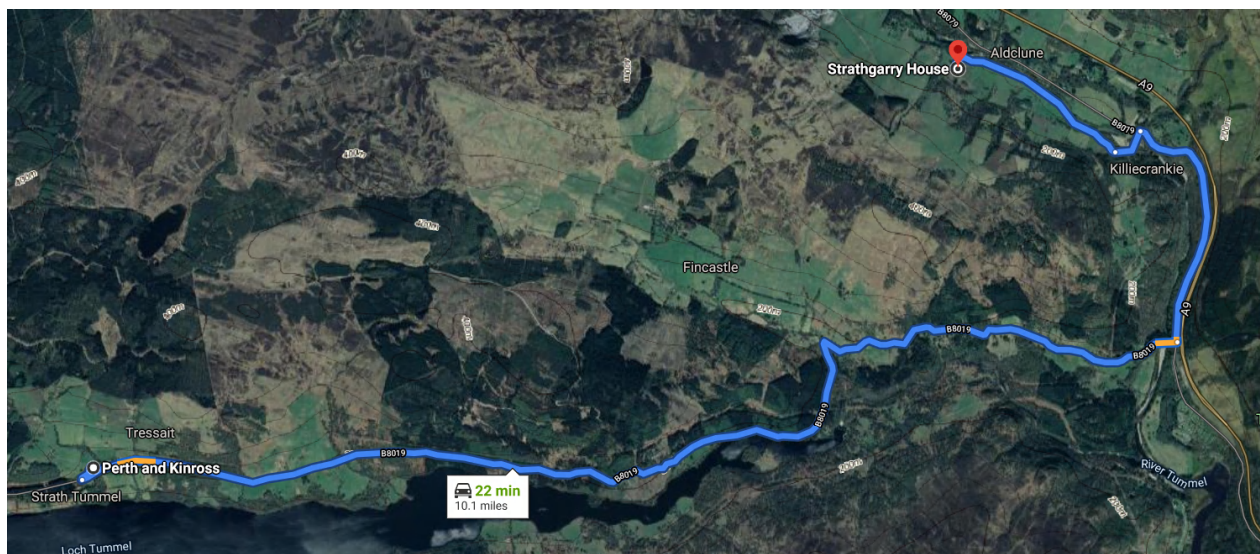
Road access shown on the 2007 planning application

Location: Old Faskally, Killiecrankie, Perthshire PH16 5LG

Proposal: Erection of a dwellinghouse at Land 70 Metres South East Of Old Faskally House Killiecrankie (21/00520/FLL)



Notes: 10.1 miles from the planning application site.

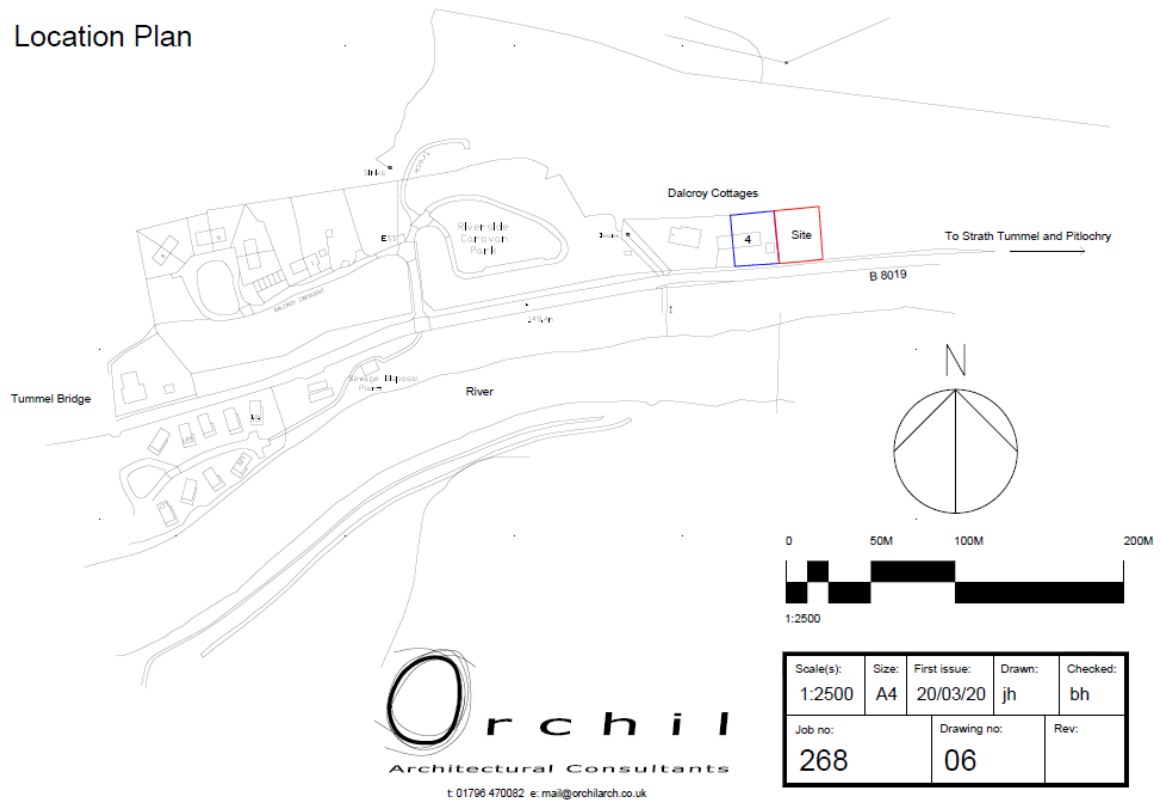


The planning application site had a shared access road / right of access over private drive, comparable to the site in question. No street frontage. A burn flowing into the river Garry is present on the site and arguably a more significant feature than the Allt Tressait burn straddling the eastern side of the site in question. Conditions on the planning application in principle to preserve the natural environment were expected and appreciated, though these were not presented. The presence of a burn has no bearing on the definition of an Infill site as defined in the Housing in the Countryside Supplementary Guidance (2020), nor does it present grounds for outright refusal of a PPP as this and similar cases demonstrate.

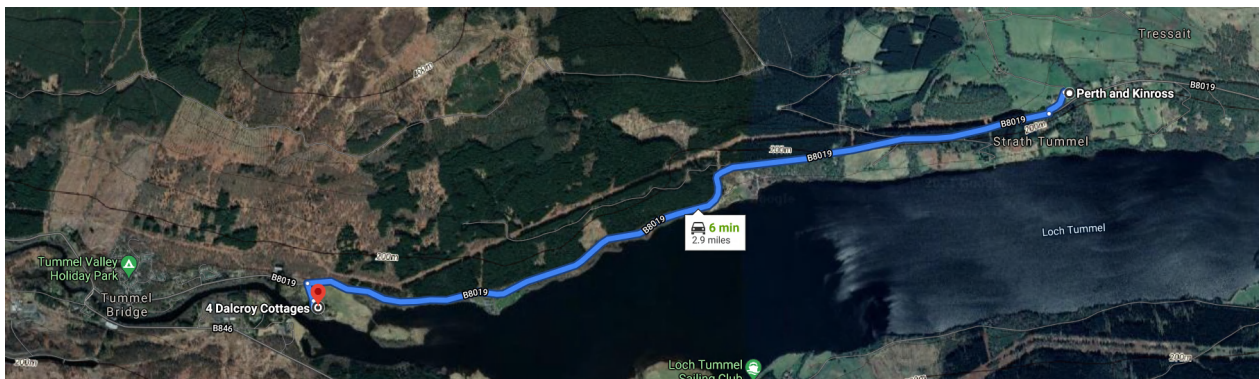
Location: Land to the East of 4 Dalcroy Cottages, Tummel Bridge, Pitlochry, PH16 5NT

Proposal: Erection of a dwellinghouse at Land 30 Metres East Of 4 Dalcroy Cottage, Tummel Bridge (20/00599/FLL)

Location Plan

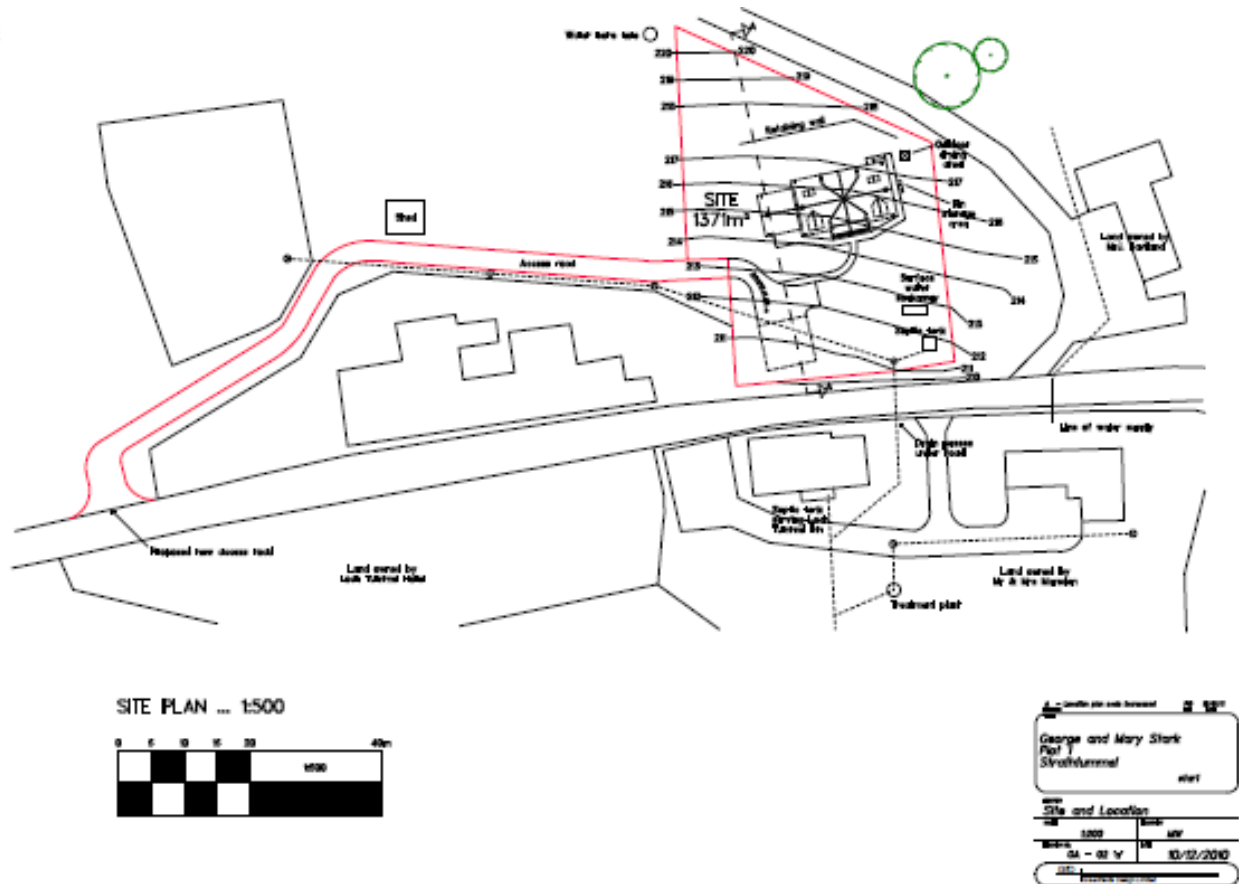


Notes: 2.9 miles from the application site. If the same rigorous guidelines and principles had been applied in this case, it would meet neither the definition of an infill site or building group. Approval of this application recognised realistic local interpretation and underlines the entirely subjective and arbitrary decision on the PPP in question.

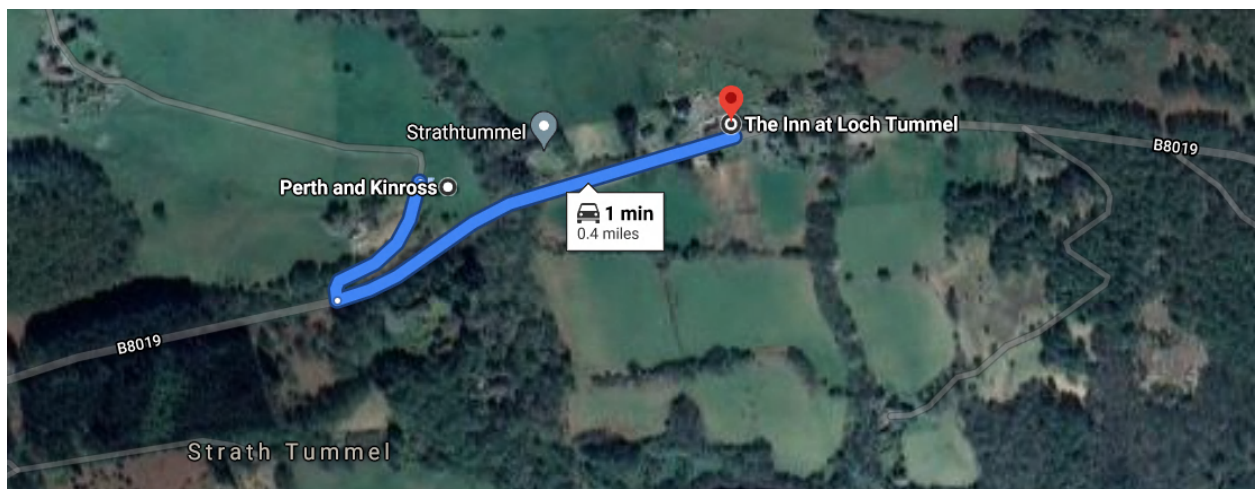


Location: Loch Tummel Inn, Strathtummel, Pitlochry, PH16 5RP

Proposal: Erection of dwellinghouse and garage Land To The Rear Of Loch Tummel Inn Strathtummel (11/00010/FLL)



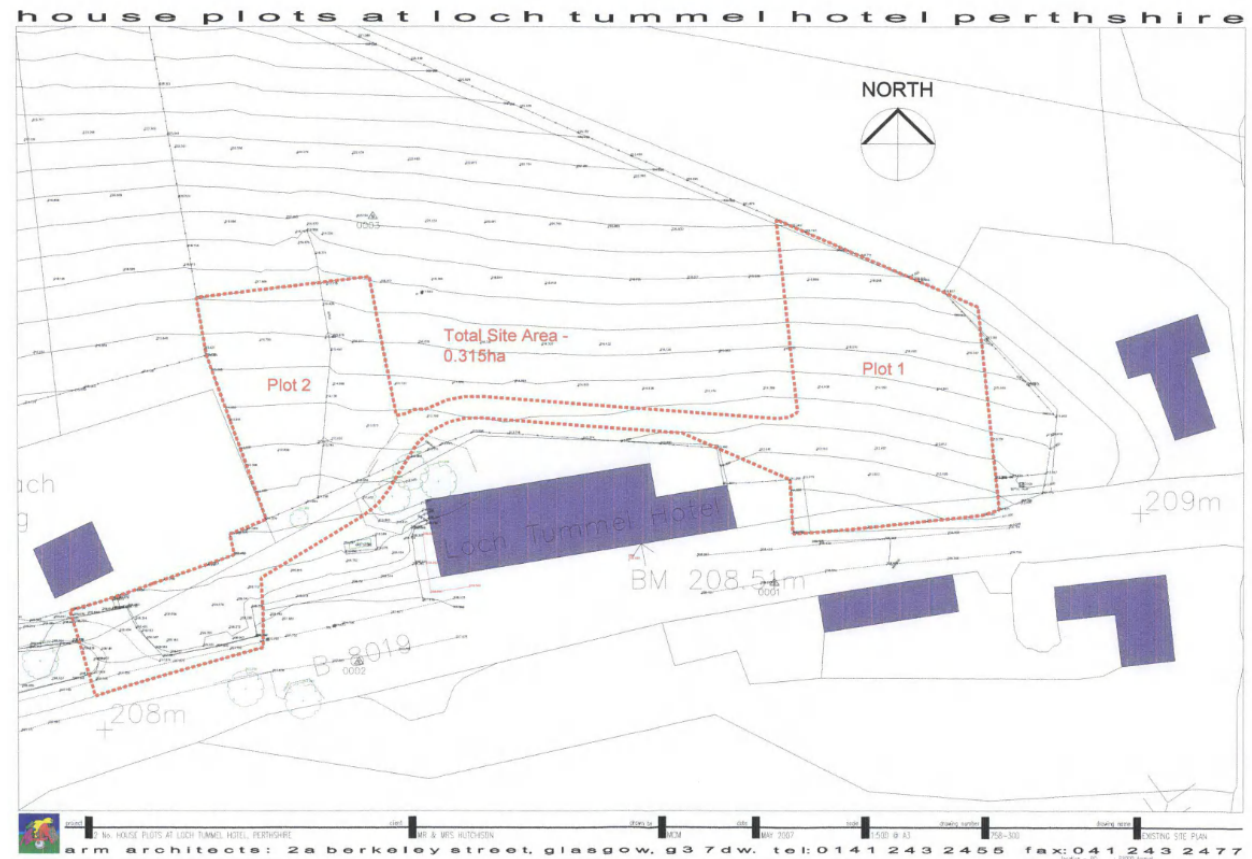
Notes: 0.4 miles from the application site. Shared access road and no direct frontage to the B8019.



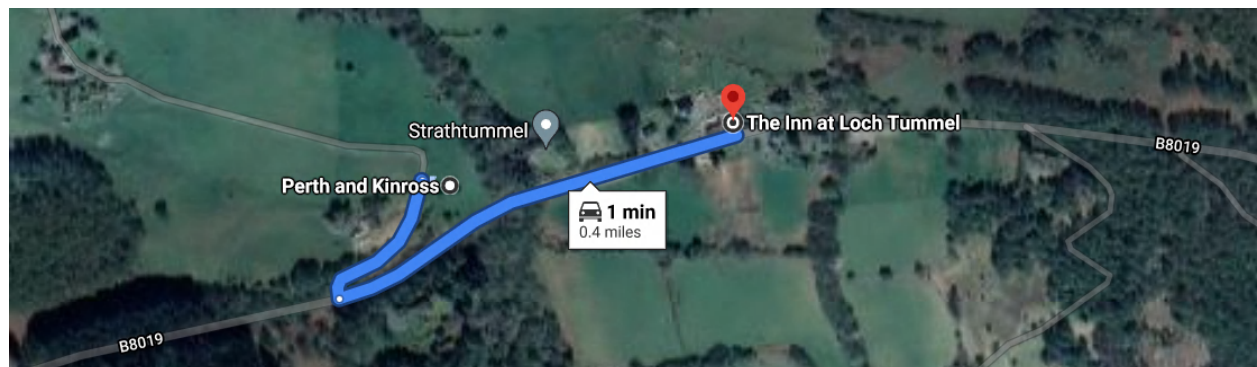
6.2 Local Development Consented Cases

Location: Plots 1 And 2 Land Opposite Loch Tummel Inn, Strathtummel, Pitlochry, PH16 5RP

Proposal: Erection of 2 dwellinghouses with separate garages, landscaping, formation of access road and associated works (Reserved Matters) Plot 1 and 2

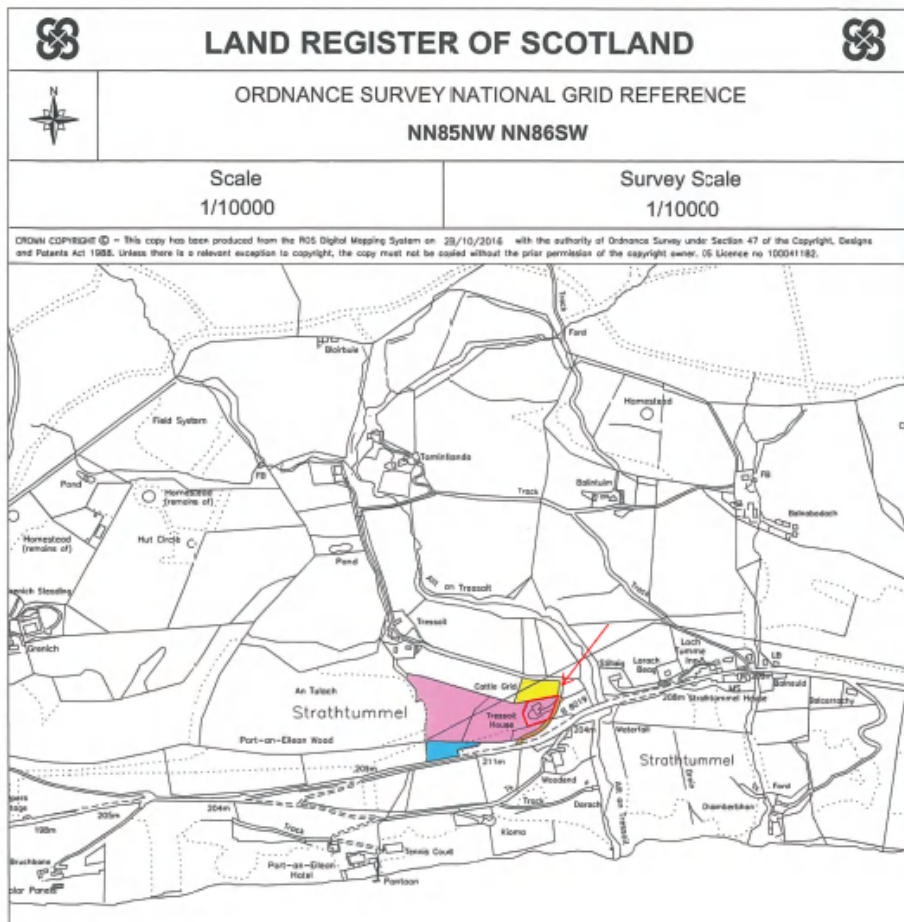


Notes: 0.4 miles from the application site. Shared access road and no direct frontage to the B8019.

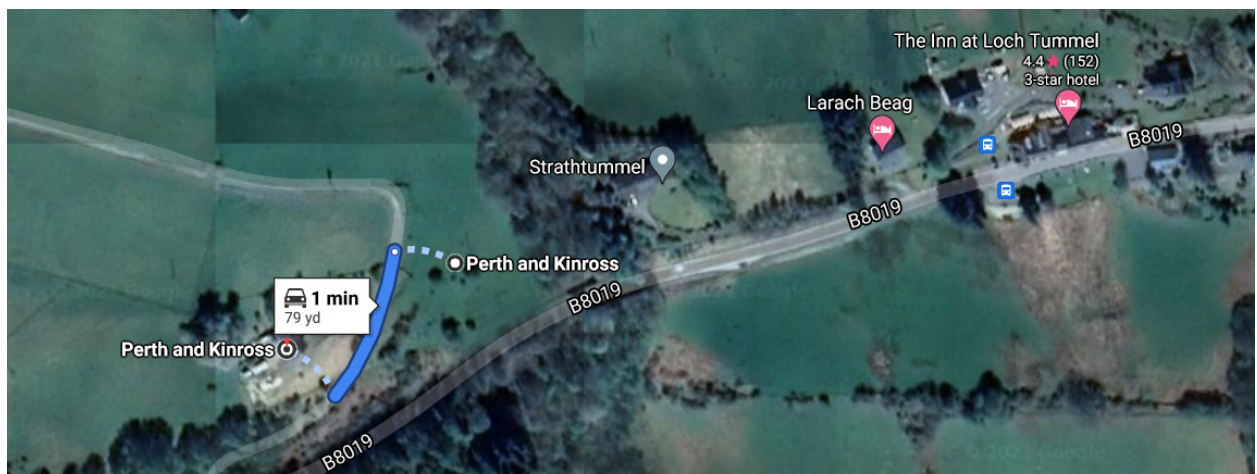


Location: Tressait House, Strathummel, Pitlochry, PH16 5RS

Proposal: Change of use to agricultural ground to form garden ground, extension to dwellinghouse and erection of garage and stables (17/02180/FLL)

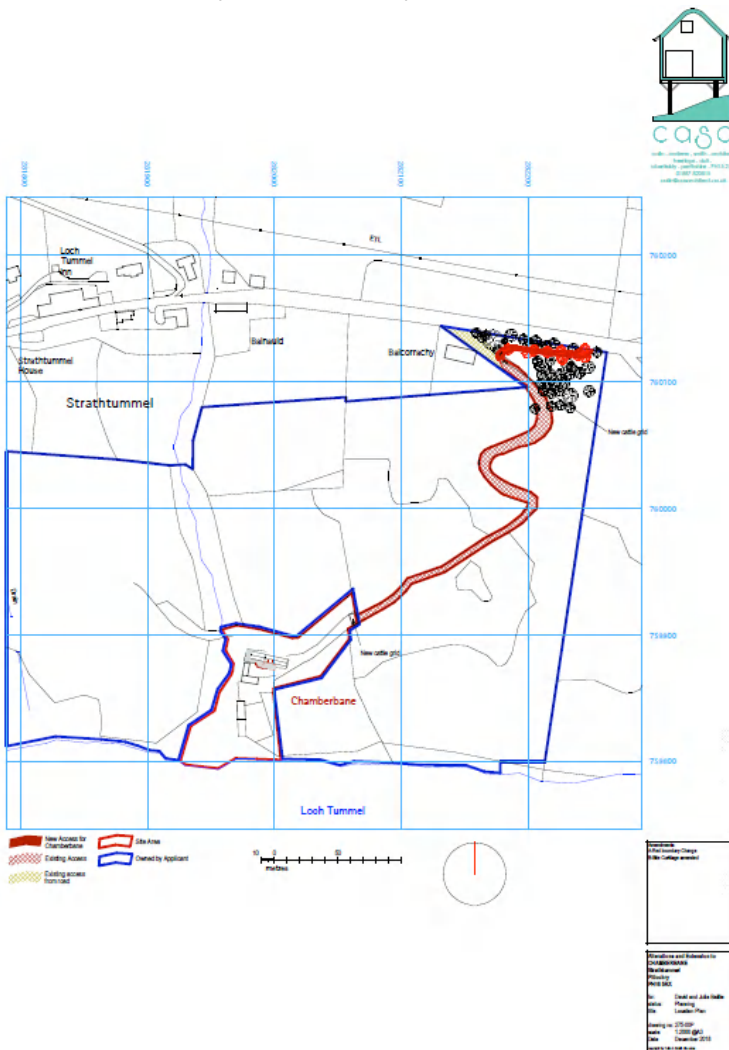


Notes: 79 yards from the application site. This recent example demonstrates the need and subsequent approval of development to local sites and infrastructure. While defined as an extension, the development of this site is comparable to the site in question to the immediate east in respect to a shared access road, no road frontage to the B8019, and meets the same definition of infill site or building group when compared to the site in question.

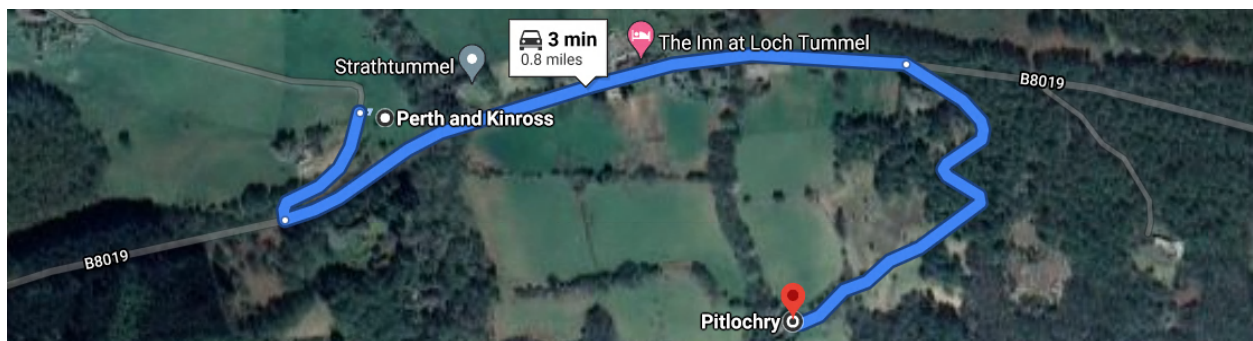


Location: Chamberbane Strathtummel Pitlochry PH16 5RX

Proposal: Alterations and extensions to dwellinghouse, formation of raised hardstanding and a vehicular access (19/01836/FLL)

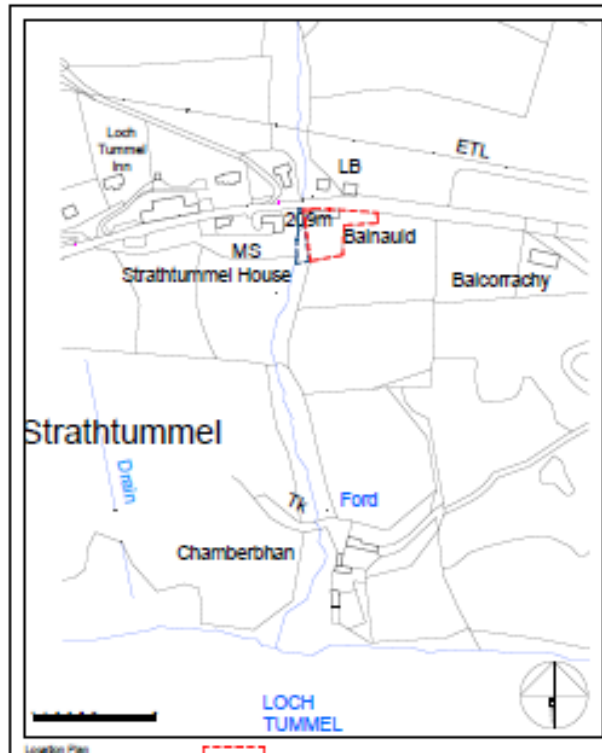


Notes: 0.8 miles from the application site. Historically similar to the site in question and typical of all other local developments in that it was deemed a necessary and locally relevant development, while comparable in definition of an infill site and/or building group in the local context to the site in question. No frontage to the B8019.

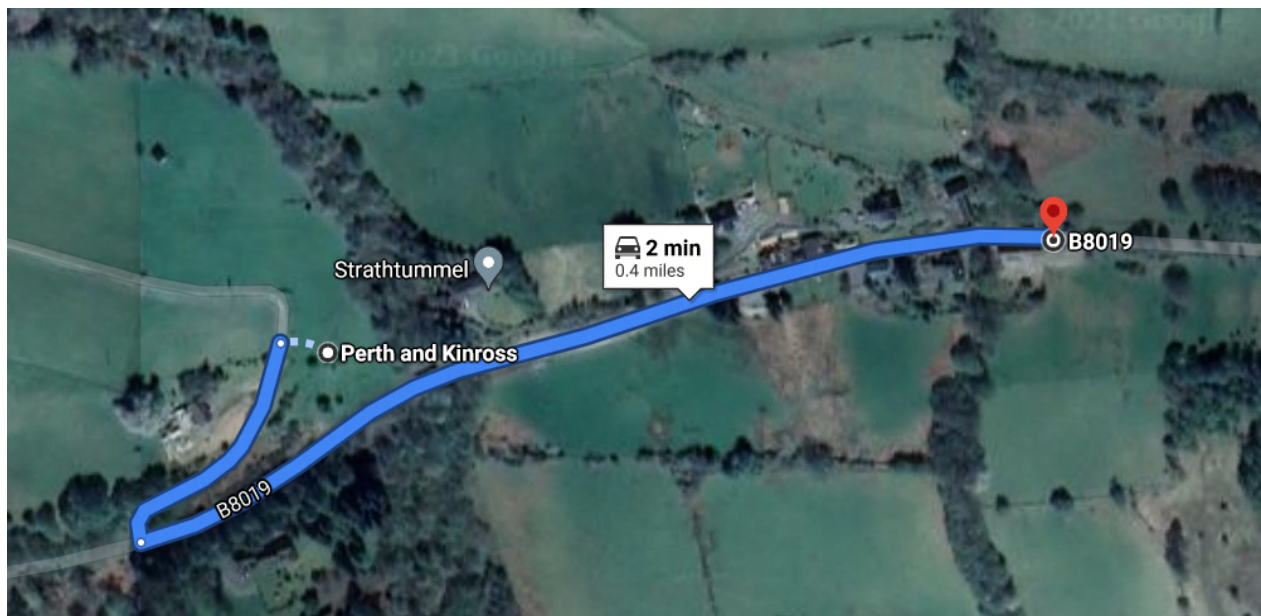


Location: Balnauld Strathtummel Pitlochry PH16 5RX

Proposal: Alterations to dwellinghouse, installation of a flue and formation of a vehicular access (19/00974/FLL)

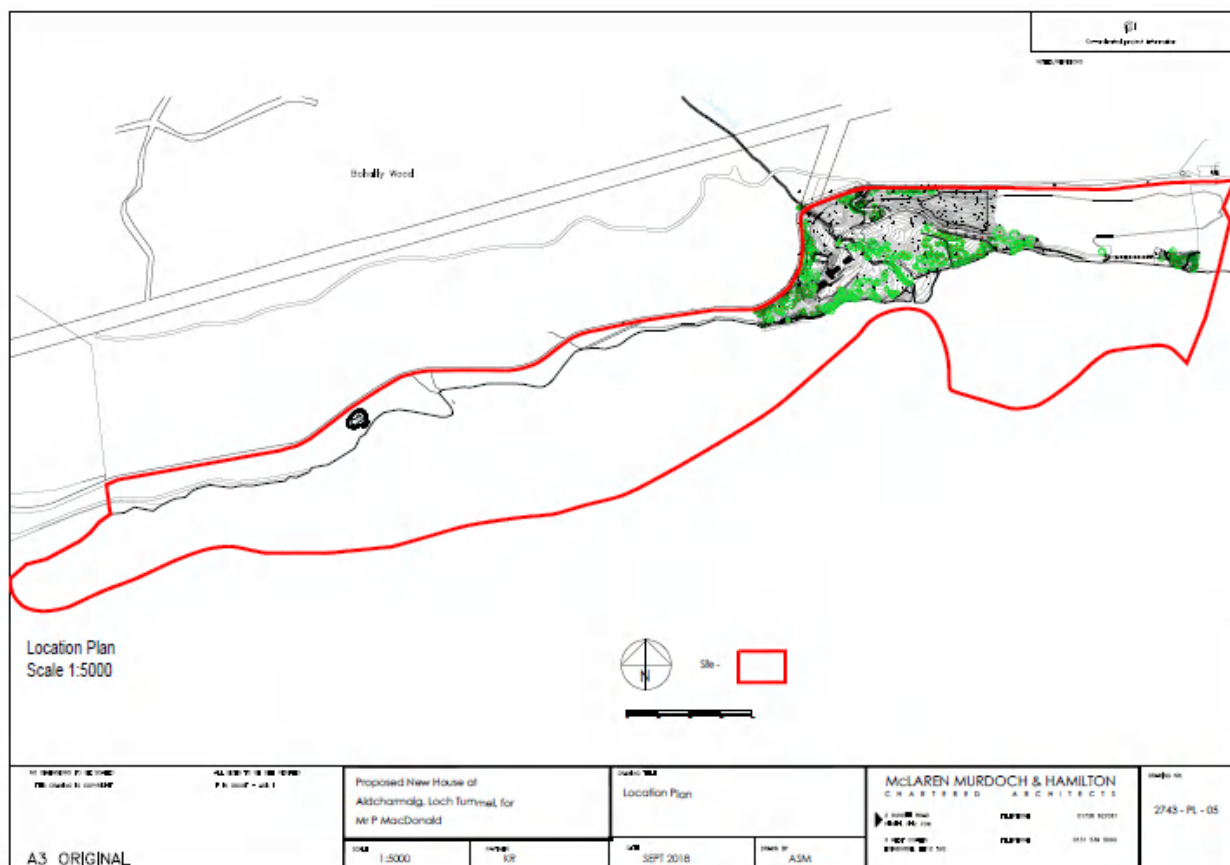


Notes: 0.4 miles from the application site. Balnauld and the Inn are the only buildings that ever had direct road frontage to the B8019. If the rigorous definitions of suburban infill sites and building groups had been applied historically, no further development beyond the conversion and/or upkeep of Balnauld and the Inn would be present.



Location: Aldcharmaig Strathtummel Pitlochry PH16 5NT

Proposal: Erection of a dwellinghouse (revised design) at Aldcharmaig Strathtummel Pitlochry PH16 5NT (18/01875/FLL)

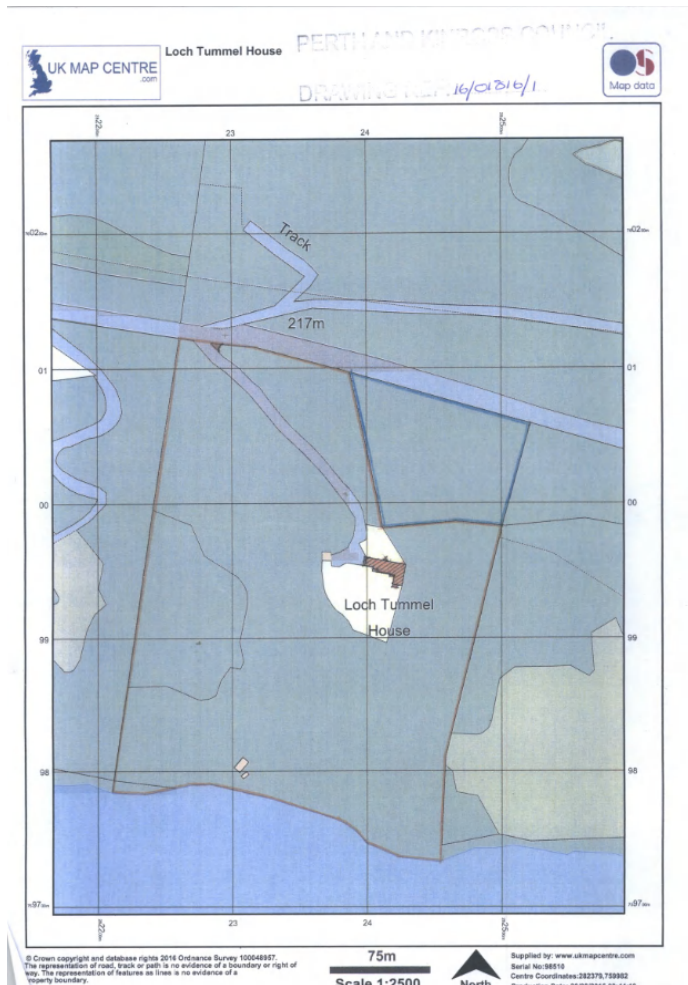


Notes: 1.4 miles from the application site. Comparable to the site in question with no frontage to the B8019, and meeting the same definition by local area predisposition of an infill or building group.

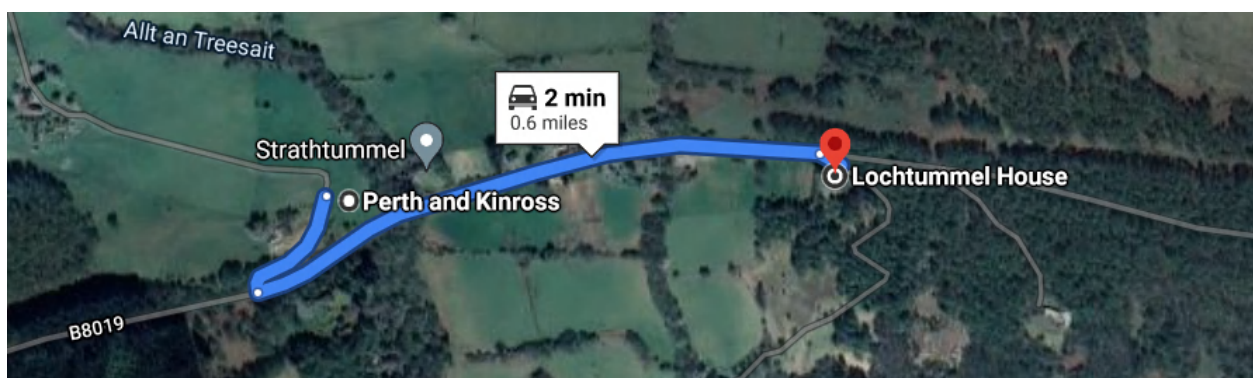


Location: Lochtummel House Strathtummel Pitlochry PH16 5RX

Proposal: Alterations and extensions to dwellinghouse, installation of gates and erection of boundary treatments (16/01816/FLL)

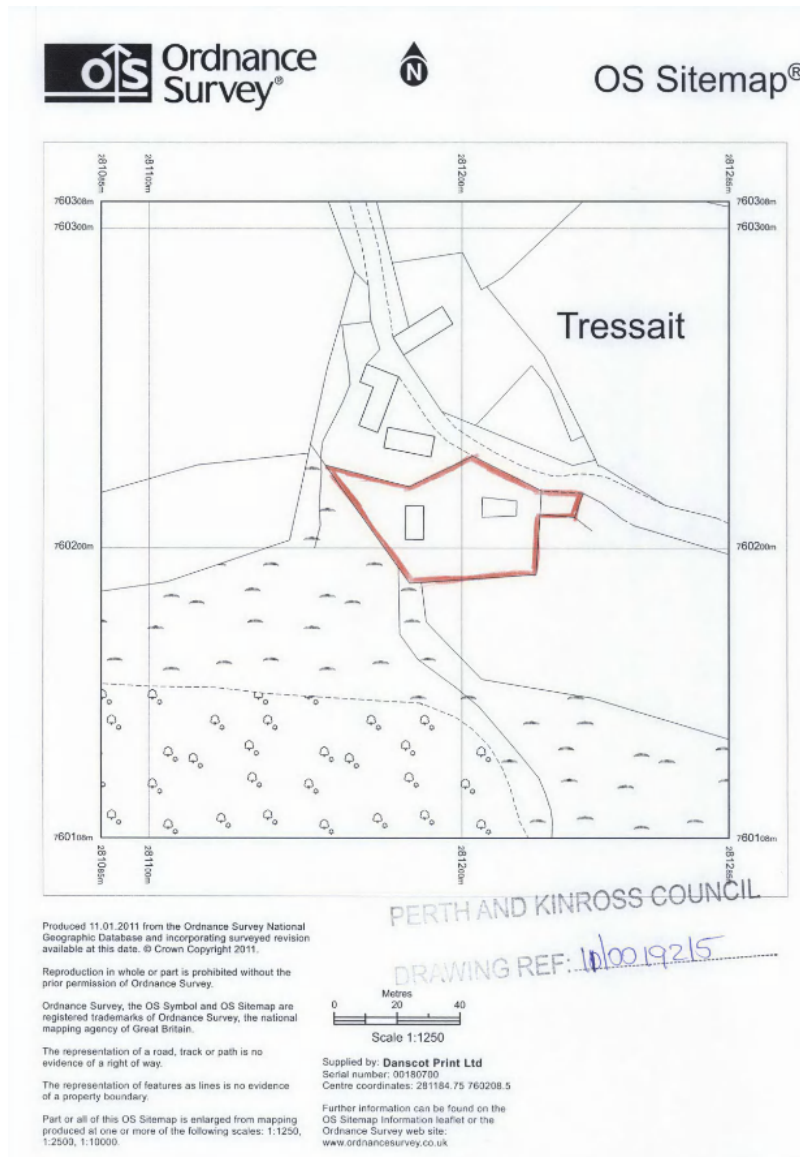


Notes: 0.6 miles from the application site. Notable case in that the original development of this property prior to the alterations was comparable to the site in question and met the same definitions. No direct road frontage to the B8019, not meeting the rigorous definitions of an infill site or building group.



Location: Charlottes Cottage Tressait Strathtummel Pitlochry PH16 5RS

Proposal: Alterations and extension to dwellinghouse (11/00192/FLL)



Notes: 0.2 miles from the application site. Historically this is again typical of the area and comparable to the site in question. The original development of this property similarly has no direct road frontage to the B8019 and did not meet the rigorous definitions of an infill site or building group.



7.0 Objections

Eight objections were made to the application by neighbours, including two from the same household. The Report of Handling summaries the objection points made, which are:

1. Adequacy of infrastructure (e.g. sewerage, drainage and water);
2. Impact on private water supply;
3. Traffic and road safety - access road unsuitable for more traffic;
4. Visual impact and would change character of the area if more dwellings are allowed;
5. Contrary to Development Plan Policy – not in a settlement boundary;
6. Application is for profit to increase the value of the land;
7. Legal deed for road would not permit additional dwellings off it; and
8. Constraints from electricity poles in the field not shown on site plan.

In line with the Report of Handling, the above points, with the exception of the three last points, will be addressed in the report below. The Report of Handling had already dismissed the three last points on the following grounds:

- **Item 6:** Motives for applying for planning permission whether financial or otherwise are not material planning considerations.
- **Item 7:** Details of a legal deed would be for private negotiation and agreement.
- **Item 8:** Constraints posed by electricity poles on a development would be a matter to be discussed with the electricity service provider. It is noted that these are missing from the plans.

7.1 Adequacy of Infrastructure / Impact on Private Water Supply

Objectors raised concern that run-off could pollute Allt Tressaitburn and existing private water supplies. There is nothing within the level of detail at this stage to suggest there would be an adverse impact on the burn and existing private water supplies.

As noted in the PPP Application, the new house will be provided with a new treatment plant for all foul water. The rainwater will be taken to a new rainwater soakaway and the design of all new foul and rainwater drainage systems will be in accordance with a Structural Engineer's details and specification. The new house will be designed to ensure that development will not cause future flooding issues to Strathtummel.

7.2 Traffic and Road Safety

Access to the site is along an existing track that serves other properties. Objectors are concerned that the access track is unsuitable for additional traffic.

The Land Register of Scotland Land Certificate states that there is a servitude right of vehicular access to the site over the access road (track) as far as the cattle grid, so this is not an issue.

7.3 Visual Impact

Objectors are concerned about the visual impact a new house would have and the change of character of the area if more dwellings are allowed.

There is nothing within the level of detail at this stage to suggest that the proposal would not be compatible with the characteristics and features of Perth and Kinross's landscapes, respect character and amenity of the place and incorporate new landscape and planting works appropriate to the local context. Nor is there any evidence to suggest that the proposal would not be well integrated with the existing landform or adversely dominate the landscape.

7.4 Contrary to Development Plan Policy

Objectors have stated that the proposed development is not within a settlement boundary. Objectors have also highlighted that there should be no new development to the west of the burn. As part of the Report of Handling, the Planning Officer has also stated that there is no existing settlement boundary at Strathtummel.

We assume that there is no settlement boundary and map for Strathtummel because it was not logical to define one due to the scattered nature of dwellings within the area. Houses as far west as Kioma and Port an Eilean have Strathtummel as part of their address.

8.0 Adherence to Protocol

The way the planning process has progressed so far has not been in accordance with normal acceptable protocol.

1. Neither we, the clients, nor our agent were offered any pre-consultation which might have clarified various points and allowed us to present information differently.
2. We were not informed who was dealing with the application.
3. We were not given the opportunity at any stage to discuss the progress or current thinking regarding the application.
4. No site appraisal was carried out. There is no reason, even during current Covid restrictions, why a journey necessary for someone to carry out their work could not have been made by one individual in a car to a site where no-one else was present.
5. We were not informed when a draft report was prepared or given the opportunity to comment or submit additional supporting information.
6. We were not informed of the intention to refuse permission.
7. We were not sent the report.
8. The first we were aware that the report had been completed and of the intention to refuse permission was when neighbours had contacted us as they had seen the report published on the Perth and Kinross website.

We are extremely dissatisfied with the way this application has been dealt with and would also like to think that as part of a lessons learned exercise, this can be avoided for other applicants in the future.

9.0 Summary

The reasons for refusing the planning application are entirely based on the Planning Officer's subjective interpretation of the relevant Planning Policy. In summary, we have addressed the objections raised in the Report of Handling as follows:

- 1) **Classification as an infill site:** As far as this is realistically possible in any non-suburban setting, there is a strong case for the site to be considered an infill site, as outlined in section 2.0. The site meets the definition of the Infill Sites Category as per Perth and Kinross Local Development Plan 2, 2019.
- 2) **Site and road frontage size:** The site is of comparable size to neighbouring sites and road frontage is identical to Tressait House to the west. The road frontage guidelines as per Category 2 - Infill Sites of Housing In the Countryside Supplementary Guidance (2020) evidently are based on principles of suburban residential developments, not countryside. Only two of the older buildings in Strathtummel - the Inn at Loch Tummel and Balnauld - have a road frontage.
- 3) **Categorisation as part of a Building Group:** Generally dwellings in Strathtummel are located at irregular intervals, scattered and isolated, and any building groups have been recently created by adding new developments such as that under consideration. In other words the proposed development reflects exactly the way dwellings have been traditionally located.
- 4) **Integrity of the area:**
 - a) The PPP application complies with Placemaking policy 1A, 1B, 1C and 1D in as far as they are applicable to this specific plot and settlement. There is not only precedent but also an inevitable requirement for any development north of the B8019 to be in a "prominent" position due to the topography of the area. A physical visit to the site by the planning officer would have confirmed that the proposed site is hidden by established trees.
 - b) Furthermore, as per the PPP application the proposed development is purposefully and consciously to be in character with the local area and neighbouring properties and rejecting the design at this stage can only be based on speculation. The house opposite Balnauld is on a site which is more prominent than this site and had it been refused permission at the initial planning submission stage, then Strathtummel would not have benefitted from an excellently designed building - easily the most positive architectural contribution to Strathtummel since the School, the Inn and Woodend were built - which enhances the character of the area. The location doesn't fall into either the infill or group categories, and at the stage that our proposal is currently at, it would have been impossible to ascertain the final positive impact of the proposal and would have been irrational to refuse permission at the initial stage based on criteria which were as yet unknown.
 - c) The Loch Tummel National Scenic Area (NSA) relies heavily on leisure activities and tourism, and development as outlined in the PPP application for an additional dwelling within this area that is in line with recent developments in the area is in line with and positively contributes to the core principles of the Perth and Kinross

Local Development Plan 2, TAYplan Strategic Development Plan (2016-36) and other relevant guidelines and policies.

Stagnation of the area by way of outright refusal in principle of any development west of the Allt Tressait burn is surely a contradiction to the policies and guidelines referred to in the Report of Handling. In Section 5.0, we also outline how the proposed development is arguably in harmony with national planning policies in Scotland, which encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

Furthermore, we argue that if such a rigid interpretation of guidelines has been applied to all development proposals within the area as it has in this case, none of the necessary development in recent years would have been permissible. In Section 6.0, we include details of recent comparable cases which achieved consent under the same general guidelines and set a precedent for approval of the PPP under equivalent and relevant conditions.

With regards to the objections from neighbours addressed in the Report of Handling, we emphasise that

- there is nothing within the proposal to suggest that there would be an adverse impact on Allt Tressait burn and existing private water supplies;
- the Land Register of Scotland Land Certificate states that there is a servitude right of vehicular access to the site over the access road (track) as far as the cattle grid, so access to the site is not an issue;
- there is nothing within the level of detail at this stage to suggest that the proposal would not be compatible with the characteristics and features of Perth and Kinross's landscapes;
- in the absence of a settlement map for Strathtummel and with houses as far west as Kioma and Port an Eilean with Strathtummel as part of their address, the proposed development faithfully reflects the settlement structure of Strathtummel.

Finally, we believe there was room for improvement in the procedural handling of this application, as described in Section 8.0.

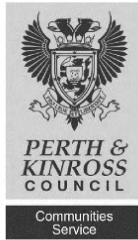
Bearing in mind the level of detail required in the submission of the Planning Permission in Principle application, the Planning Authority's conclusion that the proposal is not in accordance with the Development Plan simply does not have validity. In light of the facts presented here, there is a strong argument for overturning the Planning Officer's decision of refusal.

Appendix 1: Planning Decision Notice

Appendix 2: Report of Handling

Appendix 3: Planning Application Supporting Statement

Appendix 1: Planning Decision Notice



P And J And C And A Hendry
c/o McLaren Murdoch And Hamilton
Kathleen Ralston
2 Dundee Road
Perth
PH2 7DW

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice : **15th June 2021**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **21/00590/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 22nd April 2021 for permission for **Erection of a dwellinghouse (in principle) Land 100 Metres North East Of Tressait House Strathtummel** for the reasons undernoted.

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposal is contrary to policy 19, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance (2020). The proposal does not comply with any of the categories of development contained within the policy and guidance. In particular the site is not within an existing building group and does not meet the policy definition of infill due to the presence of the intervening Allt Tressait burn to the east and the lack of a road frontage to the property to the west of the site.

2. The proposal is contrary to policy 38B (National Designations) and policy 39 (Landscape) of the Perth and Kinross Local Development Plan 2 (2019). The site is within the Loch Tummel National Scenic Area (NSA) where proposals should not adversely affect the integrity of the area or the qualities for which it has been designated. Policy 39 requires proposals to be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes and not erode local distinctiveness, diversity and quality and the quality of landscape experience. The proposed sporadic development, within the NSA, would erode the landscape character and local distinctiveness and as such would be contrary to policies 38B and 39.

Justification

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

The plans 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

01

02

03

04

05

06

Appendix 2: Report of Handling

REPORT OF HANDLING

DELEGATED REPORT

Ref No	21/00590/IPL	
Ward No	P4- Highland	
Due Determination Date	21st June 2021	
Draft Report Date	14th June 2021	
Report Issued by	PB	Date 14 June 2021

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 100 Metres North East Of Tressait House
Strathtummel

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: No site visit has been undertaken due to Coronavirus restrictions.

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a dwellinghouse. The application is in principle and is in a rural area around 250m to the west of the Inn at Loch Tummel, Strath-tummel. The land is agricultural grazing land and rises steeply up to the north from the B8019 public road. An indicative house site is shown towards the north west of the site close to an existing site access. The site is bounded by the Allt Tressait burn to the east and a private access road to the west that also serves a number of other properties. The northern boundary is undefined across agricultural land.

The site is located within the Loch Tummel National Scenic Area.

In accordance with the on-going restrictions of the coronavirus pandemic, the application site has not been visited by the case officer. The application site and its context have, however, been viewed on Google Streetview and aerial photography and from photographs supplied with the application. This information means that it is possible and appropriate to determine this application as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

SITE HISTORY

16/01428/PN Erection of an agricultural shed and formation of hardstanding 23 September 2016

PRE-APPLICATION CONSULTATION

Pre application Reference: None.

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2 – Adopted November 2019

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

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 19: Housing in the Countryside

Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development

Policy 38B: Environment and Conservation : National Designations

Policy 38A: Environment and Conservation : International Nature Conservation Sites

Policy 39: Landscape

Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development

Policy 41: Biodiversity

Policy 47: River Tay Catchment Area

Policy 52: New Development and Flooding

Policy 53A: Water Environment and Drainage: Water Environment

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53E: Water Environment and Drainage: Water Supply

Policy 55: Nuisance from Artificial Light and Light Pollution

Policy 59: Digital Infrastructure

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

OTHER POLICIES

- Housing in the Countryside Supplementary Guidance 2020
- Placemaking Supplementary Guidance 2020
- Tayside Landscape Character Assessment
- Developer Contributions and Affordable Housing Supplementary Guidance 2020

CONSULTATION RESPONSES

Environmental Health (Private Water)

Condition and informative notes required with regard to private water supply.

Development Contributions Officer

No objection subject to condition with regard contributions policy.

Transport Planning

No response.

Structures And Flooding

No response.

Scottish Water

No public Scottish Water infrastructure for water or waste water in the area.

REPRESENTATIONS

The following points were raised in the 5 representations received which included two representations from the same household:

- Adequacy of infrastructure (e.g. sewerage, drainage and water);
- Impact on private water supply;
- Traffic and road safety - access road unsuitable for more traffic;
- Visual impact and would change character of the area if more dwellings are allowed;
- Contrary to Development Plan Policy – not in a settlement boundary;
- Application is for profit to increase the value of the land;
- Legal deed for road would not permit additional dwellings off it; and
- Constraints from electricity poles in the field not shown on site plan.

The above points, with the exception of the three last points, will be addressed in the report below. Motives for applying for planning permission whether financial or otherwise are not material planning considerations. Details of a legal deed would be for private negotiation and agreement. Constraints posed by electricity poles on a development would be a matter to be discussed with the electricity service provider. It is noted that these are missing from the plans.

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	AA Not Required
Design Statement or Design and Access Statement	Supporting statement submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan and the adopted LDP2.

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

Policy Appraisal

The site is within an area where Policy 19, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2019 and its associated Housing in the Countryside Guide applies. This supports housing development in the countryside where it supports the viability of communities, meets development needs in appropriate locations, safeguards the character of the countryside and ensures that a high standard of siting and design is achieved.

The Council seeks to encourage sustainable development in rural areas which means guiding development to places where existing communities and services can be supported and the need to travel minimised. It also means encouraging the sympathetic reuse of existing traditional buildings of character and beauty and to ensure that new buildings are located correctly and constructed to the highest standards of design and finish.

Policy 19 supports proposals for single houses and small groups of houses where they fall into at least one of the following categories:

- 1) Building Groups
- 2) Infill sites
- 3) New Houses in the Open Countryside.
- 4) Renovation or replacement of houses
- 5) Conversion or replacement of redundant non-domestic buildings
- 6) Development on Rural Brownfield - Proposals for brownfield sites which still contain buildings will be considered under category 4 or 5. Proposals for brownfield sites where buildings have been removed will be considered under category 6.

In this case the site does not meet any of the categories in the Housing in the Countryside Policy and supplementary guidance. In terms of Category 1) Building Groups the Housing in the Countryside Supplementary Guidance defines a Building Group as 3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group. There is one house to the west of the site (Tressait House) and another (Woodend) to the south west on the south side of the B8019. Whilst there is an existing building group centred around the Inn at Loch Tummel to the east the application site is some distance from this and is separated from it by the Allt Tressait which is a significant watercourse and landscape feature.

The supporting statement suggests the site is infill as it is located between two houses, Tressait House and Stillaig. However, the infill policy requires sites to be of a comparable size and to have a similar size of road frontage. In this case Tressait House does not front the road but is located alongside a private access track which would also be the access to the application site. Tressait House has no frontage onto the B8019. The policy also requires the infill site to be between established houses or a house and another substantial building. In this case a tree belt and the Allt Tressait burn intervenes between the application site and the nearest house (Stillaig). The site is not an infill site in terms of the policy giving the intervening landscape feature and change in topography either side of the burn.

The applicant's submission notes that permission was given for an "infill" site to the east of Stillaig. The site referred to has a long planning history and first received planning permission in principle in 2007. The site characteristics are also different and each site is judged individually in terms of the Development Plan policy and other material considerations.

The applicant's submission further suggests that the settlement boundary for Strathtummel is defined by the 40mph speed restriction and village sign which is located to the west of Tressait House. Objectors have highlighted that the sign and speed limit was moved for road safety reasons and not to define the settlement and that there should be no new development to the west of the burn. I would agree that road signs do not have a bearing on the interpretation of planning policies in the LDP and that contrary to the applicant's submission there is no existing settlement boundary at Strathtummel.

Design and Layout

This application is being refused as the principle of development at this site is contrary to Development Plan housing in the countryside policy. Placemaking policies require proposals to contribute positively to the built and natural environment. The indicative site shown for a house is in an elevated position that is likely to be prominent in the landscape and would not contribute positively to the built and natural environment.

Landscape

Policy 39, Landscape, requires proposals to be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes. Placemaking policies also require proposals to respect character and amenity of the place and incorporate new landscape and planting works appropriate to the local context. The site is with the Loch Tummel National Scenic Area (NSA) where policy 38B requires proposals to not adversely affect the integrity of the area or the qualities for which it has been designated. Continued sporadic development, within the NSA, that does not relate well to existing building groups would erode the landscape character and as such would be contrary to policy 38B and 39 of the Local Development Plan.

Residential Amenity

The application is in principle. The impact on residential amenity such as privacy, overlooking and overshadowing would be fully assessed should a detailed proposal be submitted.

Visual Amenity

The for all proposals section of the Housing in the Countryside supplementary guidance iii) requires the scale, layout and design of a proposal to be appropriate to, and have a good fit with, the landscape character of the area in which it is located. A proposal should be well integrated with the existing landform and avoid dominating the landscape. The elevated nature of the site would be likely to lead to a visually prominent development that would have an adverse impact on visual amenity.

Roads and Access

Access to the site is along an existing track that serves other properties. Objectors are concerned that the access track is unsuitable for additional traffic. There have not been any adverse comments received from Transport Planning and the application is being refused. However any further detailed application would need to comply with roads design standards.

Drainage and Flooding

Flooding and Structures have been consulted and have not made comment. The site is shown to include an area adjacent to the Allt Tressait that is identified on SEPA flood maps. As such a Flood Risk Assessment is likely to be required. As the application is being refused due to non-compliance with the housing in the countryside policy it was not considered necessary to request further information on flood risk. However if approved confirmation of the extent of flood risk information required would be sought from Flooding and Structures.

No detail has been submitted with regard to foul and surface water drainage other than to say that a private foul drainage system would be installed with a rainwater soakaway. This application is being refused however further detail on foul and surface water drainage would be required if the site is to be developed. Objectors are concerned that run-off could pollute the burn and existing private water supplies. As it stands there is insufficient information submitted with this application to determine the impact on the burn and existing private water supplies. The Council's Private Water Team has requested that conditions and informative notes be added to any permission to safeguard private water and drainage infrastructure and ensure the new development has a potable water supply.

Conservation Considerations

The site is not within a conservation area and not close to any listed buildings. The proposal will not impact on any assets of built heritage significance.

Natural Heritage and Biodiversity

The Allt Tressait is within the River Tay Catchment and runs into Loch Tummel which is part of the River Tay Special Area of Conservation (SAC). The site boundary runs up to the edge of the burn and includes an area of semi-natural woodland. Ecological information would be required to ensure the integrity of the SAC is not affected by any proposed development on the site (Policy 38A) should any further application be submitted for this site.

Digital connectivity

The Housing in the Countryside guide and policy 59 requires there to be satisfactory digital access and services available, or capable of being provided, by a developer for all proposals. Development should not exacerbate any existing access or connectivity issues and appropriate mitigation measures should be included as part of the development. Information on digital connectivity would be required should a detailed application be submitted.

Zero carbon technologies

Policy 32 of the Local Development Plan requires all proposals to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. Information to satisfy this requirement will be required for any new dwellinghouse on this site.

Developer Contributions

Primary Education

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating 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. This proposal is within the catchment of Pitlochry Primary School.

A condition is required to ensure that the development will be in accordance with policies to ensure the delivery of primary education infrastructure as required by policy 5 and associated supplementary guidance.

Economic Impact

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

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.

Accordingly, the proposal is refused on the grounds identified below:

Reasons

- 1 The proposal is contrary to policy 19, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance (2020). The proposal does not comply with any of the categories of development contained within the policy and guidance. In particular the site is not within an existing building group and does not meet the policy criteria of infill due to the presence of the intervening Allt Tressait burn to the east and the lack of a road frontage to the property to the west of the site.
- 2 The proposal is contrary to policy 38B (National Designations) and policy 39 (Landscape) of the Perth and Kinross Local Development Plan 2 (2019). The site is within the Loch Tummel National Scenic Area (NSA) where proposals should not adversely affect the integrity of the area or the qualities for which it has been designated. Policy 39 requires proposals to be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes and not erode local distinctiveness, diversity and quality and the quality of landscape experience. The proposed sporadic development, within the NSA, would erode the landscape character and local distinctiveness and as such would be contrary to policies 38B and 39.

Justification

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

Informatives

None.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01

02

03

04

05

06

Appendix 3: PROPOSED OUTLINE PLANNING FOR A NEW DWELLING HOUSE

Ref: ASM/2913

McLAREN MURDOCH & HAMILTON

Jan 2021

CHARTERED ARCHITECTS

2 Dundee Road (01738) 627061

PERTH PH2 7DW Fax (01738) 639938

PROPOSED OUTLINE PLANNING FOR A NEW DWELLING HOUSE

TRESSAIT
STRATHUMMEL
PERTHSHIRE

Design Statement

General

Our clients P & J & C & A Hendry have lodged an application with Perth and Kinross Council, Planning Department for Outline Planning permission to locate a new house within the area show red on Image No.1. The site of Tressait is located within the existing settlement of Straththummel, Perthshire between the existing dwelling houses of Stillaig to the East and Tressait House to the West.

Existing Site

The land holding of Tressait is located within the settlement of Straththummel, Perthshire. Image No.1 below shows the proposed site outlined in red with the remainder of the land in the clients control shown in blue. The attached Design Statement should also be read in conjunction with the Architects Drawings 2913 S/01, S/02, PL/01 and PL/02



Image 1 – Showing site location and land ownership

Strathtummel consist of as a series off dwelling houses located to the North and South side of the B8019. The settlement boundaries of Strathtummel are not defined within the 2019 Perth and Kinross Council Local Development Plan. It is assumed that the settlement boundary will be determined by the 40mph speed restriction that was put in place by Perth and Kinross Council and in accordance with the V19 application. The 40mph zone is located 110m to the East of Loch Tummel House and 60mm to the West of Tressait House. Image 2 shows the current layout of Strathtummel. Image 3 shows the 40mph sign and village name to the West of the entrance to Tressait House located to the West of the proposed site.



Image No.2 – Showing the settlement of Strathtummel.



Image No.3 – Location of 40mph limited and village sign to the West of the site.

Planning approval was received in 2016 Ref 16/01611/PN for the erection of an agricultural store and formation of decking on land at Tressait. Image No.4 shows the building that has been erected and this is located to the North of the site in the area shown blue.



Image No.4 – Existing Building approved under application Ref 16/01611/PN

Housing in the Countryside Guidance

The settlement of Strathtummel is a linear settlement consisting of a series of houses located on either side of the B8019. The proposed site at Tressait is located between the dwelling house called Tressait House and Stillaig. Image No.5 shows the location of both properties.



Image No.5

In accordance with the Housing in the Countryside Policy the site will fall within Category 2 – Infill Sites as the proposed house will be located between the established houses and have a plot size comparable to the adjoining properties. The proposed house will be orientated towards the road as per all houses that are located to the North side of the B8019. The anticipated location of the house is shown on Architects Drawings 2913 PL/01 and PL/02. The house will be located adjacent to the existing access road and will be positioned with views down toward Loch Tummel (See Image 6). The house will be designed and constructed in a traditional style with the use of materials similar to the material utilised on adjacent properties.



Image 6 View across plot

Permission has already been granted for the infill site between Stillaig and Larach Beag to the East of the proposed site Ref 07/00973/FUL and renewed under Ref 12/00696/FLL. Image No.7 shows the location of the plot that was granted permission under application Ref 07/00973/FUL.



Image No.7

2 No. new houses have also been recently erected to the rear of the Strathtummel Hotel demonstrating that development of a similar style has already been approved in Strathtummel. Image No.8 shows the location of the houses in relation to the existing hotel.



Image No.8

Drainage and Flooding

The new house will be provided with a new treatment plant for all foul water. The rainwater will be taken to a new rainwater soakaway. The design of all new foul and rainwater drainage systems will be in accordance with a Structural Engineers details and specification.

The new house will be designed to ensure that development will not cause a future flooding issues to Strathtummel.

Roads and Access

Access to the new dwelling will be over the existing shared access track from the B8019. The existing access track currently provides access to the current land holding and to Tressait House, Tressait and Tomintianda. Access into the site will be via the existing gate access. Image 9 shows access to the site



Image 9 – Site Access

The new house will be provided with parking and turning facility at the entrance to the main house. The access road will be finished in blinded hardcore to match the existing access road.

Servicing Requirements

Due to the location of the property, refuse collections will be made at the junction between the access road and the B8019. There are currently bin storage facilities in this area.

Conclusions

The new house will be located within the existing settlement boundary and will fall within the Category of infill sites in accordance with the Perth and Kinross Council, Housing in the Countryside Policy and can demonstrate it meets the following requirements.

- The plot would be a comparable size to the adjacent plots.
- The proportion of the plot occupied by the site can be kept at a similar scale to the adjacent plots.
- The house can be provided with adequate amenity space.
- The house will be designed to a similar size and scale of the adjacent houses.

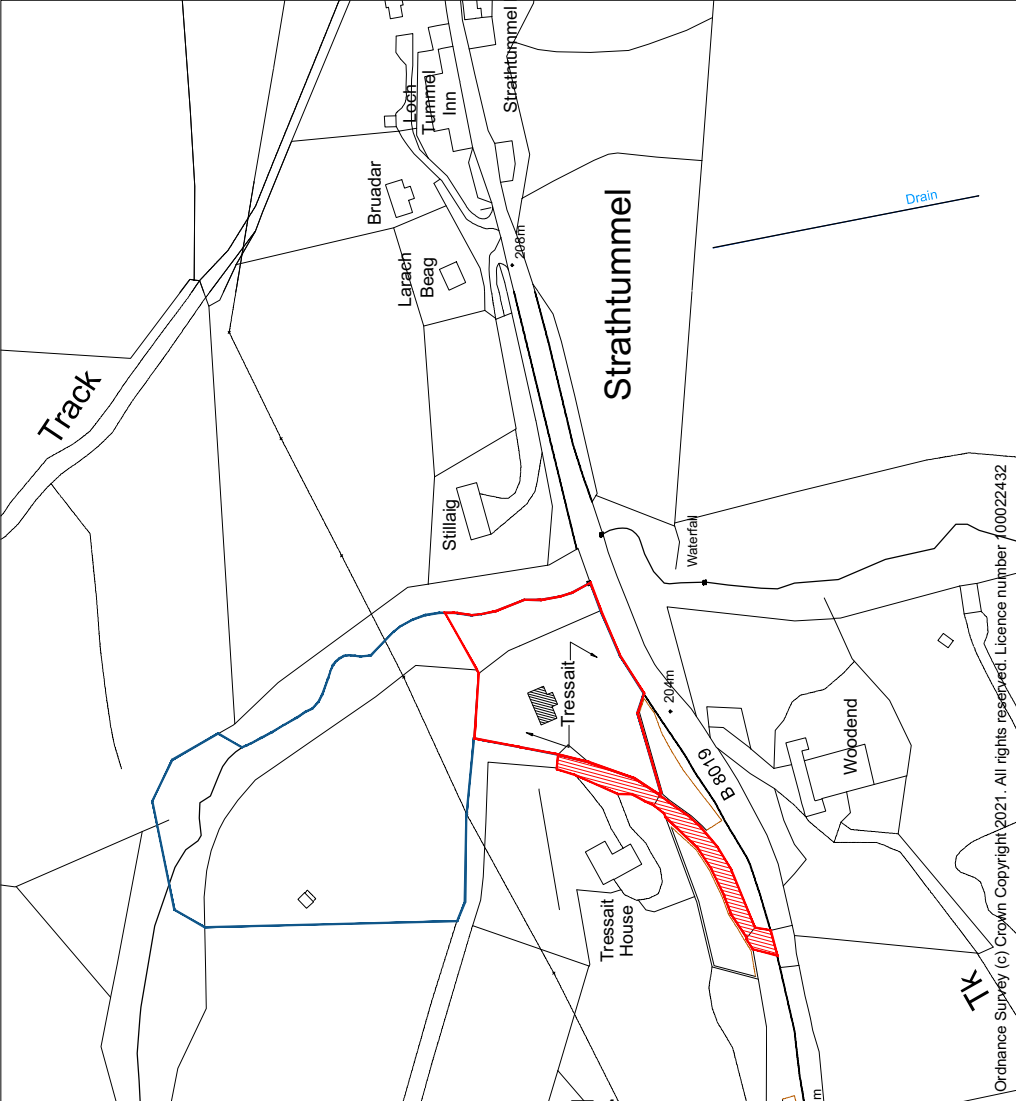
The new house will be designed to sit comfortably within the existing landscape and respects the surrounding landscape and will enhance the appearance of the existing site. The use of materials traditional in nature will provide a high-quality family home which will reflect the style and character of other properties within the local area.

LRB-2021-31 - 21/00590/IPL - Erection of a dwellinghouse (in principle), land 100 metres north east of Tressait House, Strathtummel

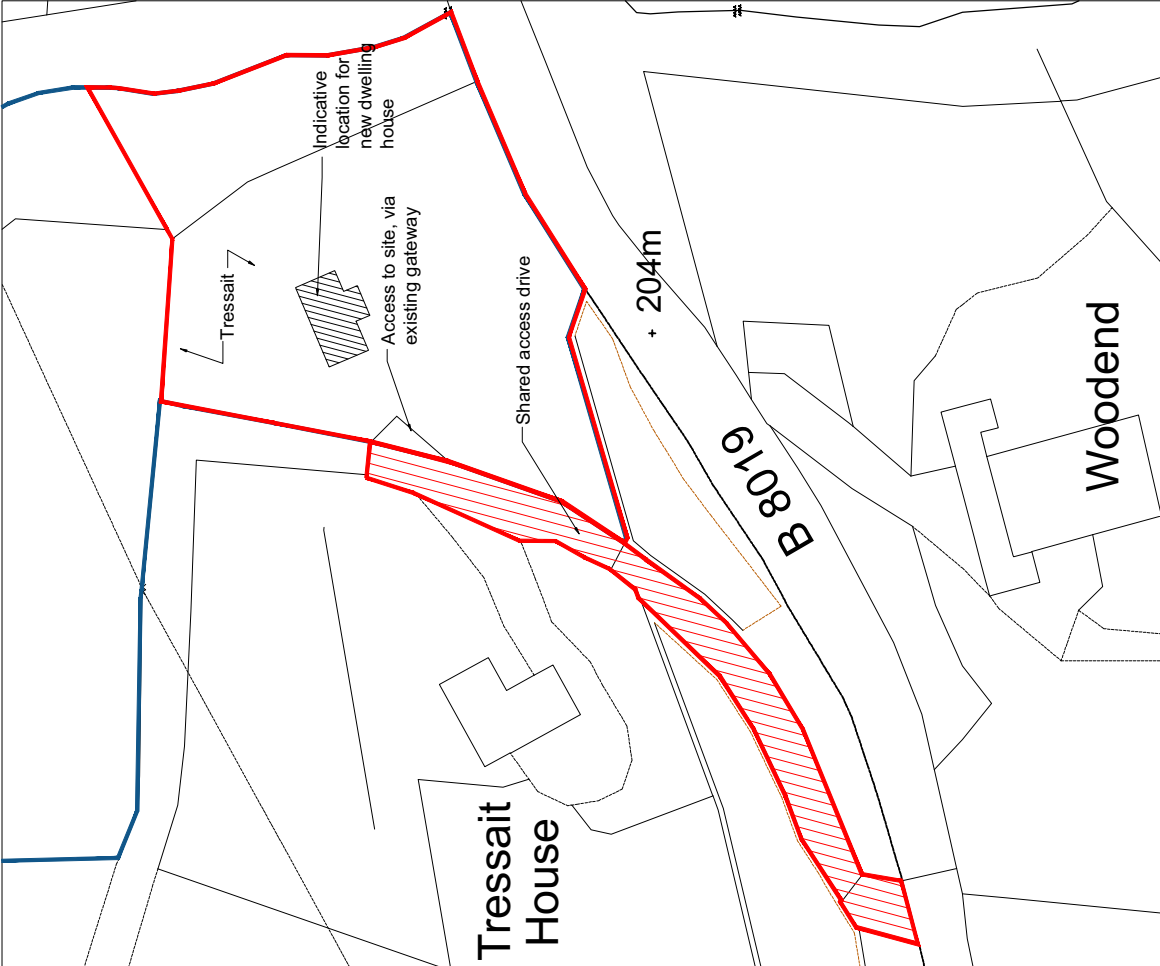
PLANNING DECISION NOTICE *(included in applicant's submission, pages 44-45)*

REPORT OF HANDLING *(included in applicant's submission, pages 46-57)*

REFERENCE DOCUMENTS

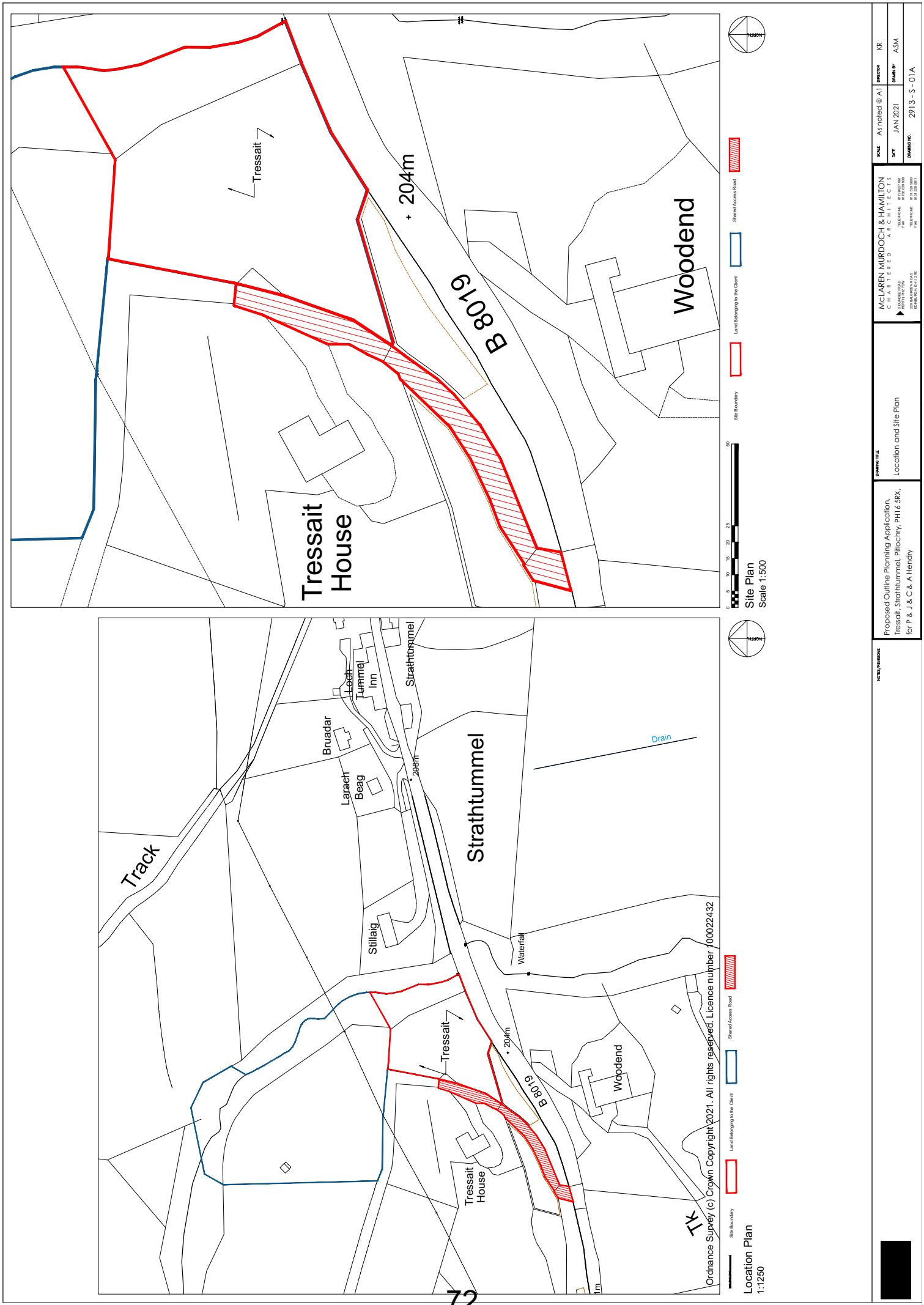


Ordnance Survey (c) Crown Copyright 2021. All rights reserved. Licence number 100022432
Proposed Location Plan
 1:1250

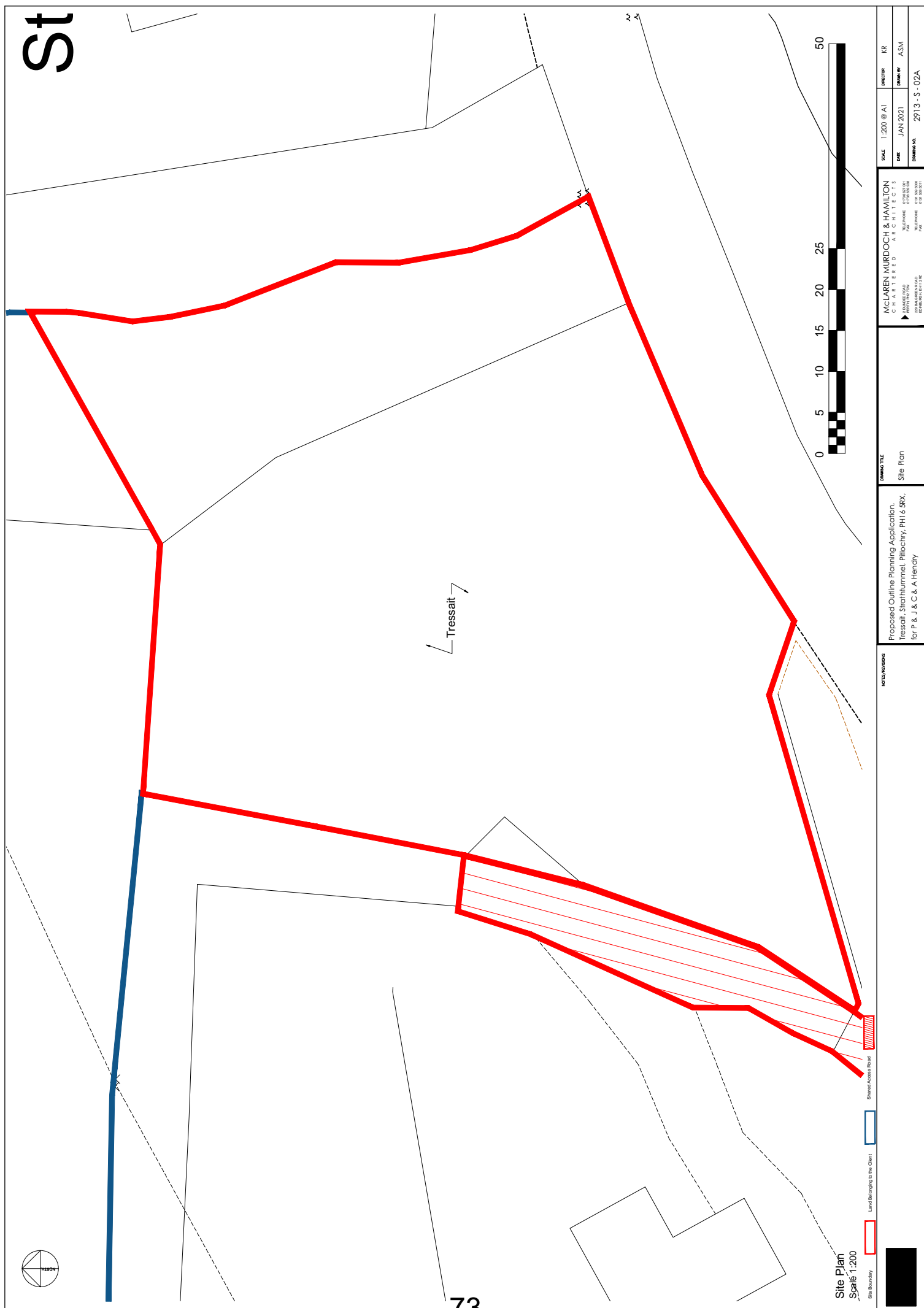


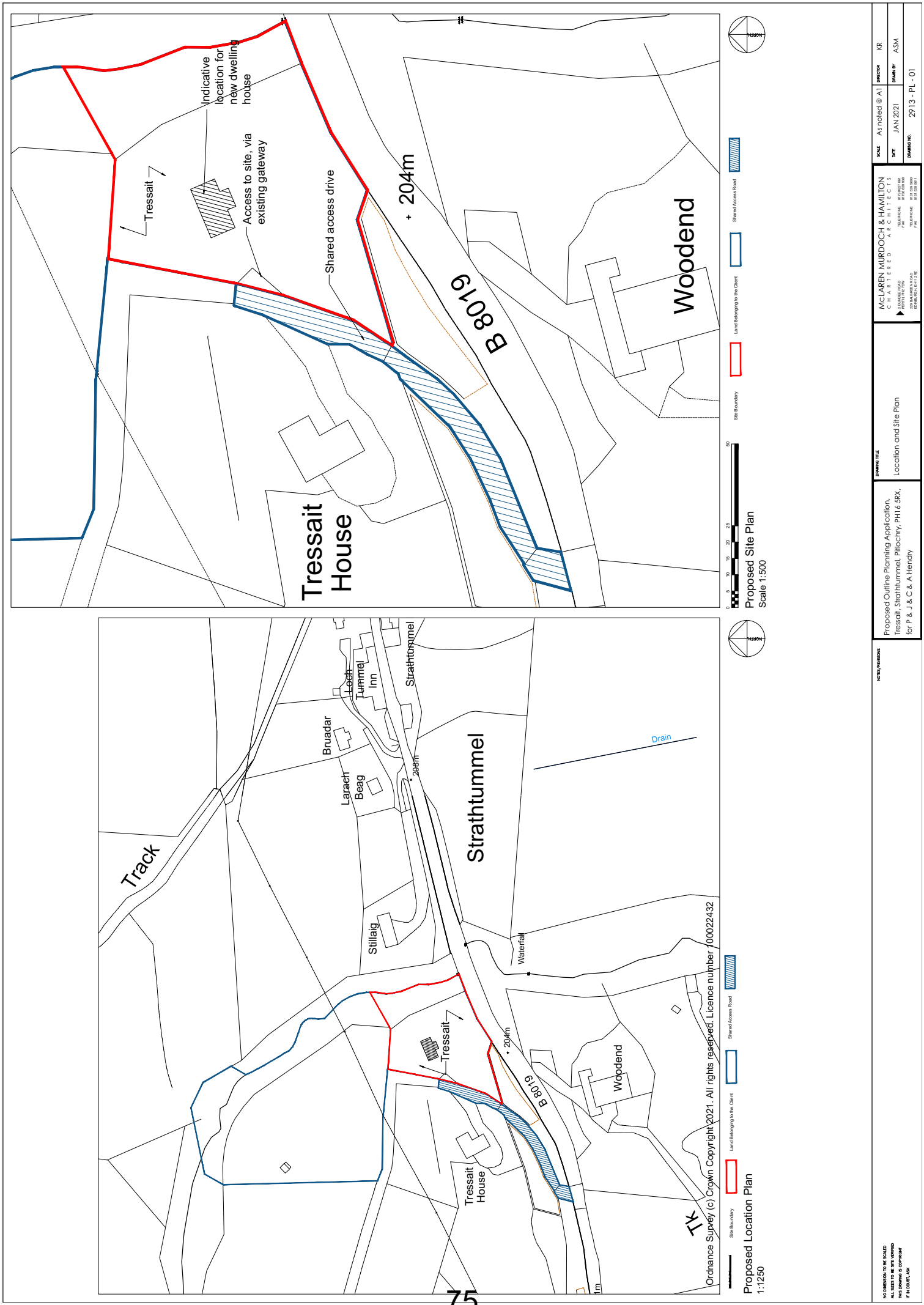
Proposed Site Plan
 Scale 1:500

NOTES/REVISIONS	<p>McLAREN MURDOCH & HAMILTON 10, 11 & 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 216</p>
-----------------	---



NOTES/REVISIONS	DRAWING TITLE		DRAWING NO.	
	Proposed Outline Planning Application, Tressall, Strathlunnell, Pilcherry, PH1 6 SPX, for P & J & C & A Hendry		2913 - S - 01A	
McLAREN MURDOCH & HAMILTON CHARTERED ARCHITECTS ▶ LANCER ROAD ROBERTSON ROAD DUNFEE, SCOTLAND		DIRECTION KR SCALE As noted @ A1 DATE JAN 2021 DRAWN BY ASM		
TELEPHONE 01335 555 000 FAX 01335 555 001 E-MAIL info@mcmlh.co.uk				





NO DIMENSIONS TO BE SCALED ALL SIZES TO BE SITE VERIFIED THIS DRAWING IS COPYRIGHT © P J & C A HENDRY 2021	NOTES/REMARKS	Proposed Outline Planning Application, Tressail, Strathmumel, Piltichry, PH16 5PX, for P & J & C & A Hendry	DRAWING TITLE Location and Site Plan	MCLAREN MURDOCH & HAMILTON CHARTERED ARCHITECTS ▶ CLARENCE ROAD NOTTINGHAM 220 BALGONKIN ROAD PILTON TELEPHONE 0141 205 0000 WWW.MCLAREN-MURDOCH-AND-HAMILTON.CO.UK			
				SCALE	As noted @ A1	DRAWN BY	KR
				DATE	JAN 2021	DRAWN BY	ASM
				DRAWING NO.		2913 - PL - 01	

PROPOSED OUTLINE PLANNING
FOR A NEW DWELLING HOUSE

TRESSAIT
STRATHTUMMEL
PERTHSHIRE

Design Statement

General

Our clients P & J & C & A Hendry have lodged an application with Perth and Kinross Council, Planning Department for Outline Planning permission to locate a new house within the area show red on Image No.1. The site of Tressait is located within the existing settlement of Strathtummel, Perthshire between the existing dwelling houses of Stillaig to the East and Tressait House to the West.

Existing Site

The land holding of Tressait is located within the settlement of Strathtummel, Perthshire. Image No.1 below shows the proposed site outlined in red with the remainder of the land in the clients control shown in blue. The attached Design Statement should also be read in conjunction with the Architects Drawings 2913 S/01, S/02, PL/01 and PL/02



Image 1 – Showing site location and land ownership

Strathtummel consists of as a series off dwelling houses located to the North and South side of the B8019. The settlement boundaries of Strathtummel are not defined within the 2019 Perth and Kinross Council Local Development Plan. It is assumed that the settlement boundary will be determined by the 40mph speed restriction that was put in place by Perth and Kinross Council and in accordance with the V19 application. The 40mph zone is located 110m to the East of Loch Tummel House and 60m to the West of Tressait House. Image 2 shows the current layout of Strathtummel. Image 3 shows the 40mph sign and village name to the West of the entrance to Tressait House located to the West of the proposed site.



Image No.2 – Showing the settlement of Strathummel.



Image No.3 – Location of 40mph limited and village sign to the West of the site.

Planning approval was received in 2016 Ref 16/01611/PN for the erection of an agricultural store and formation of decking on land at Tressait. Image No.4 shows the building that has been erected and this is located to the North of the site in the area shown blue.



Image No.4 – Existing Building approved under application Ref 16/01611/PN

Housing in the Countryside Guidance

The settlement of Strathtummel is a linear settlement consisting of a series of houses located on either side of the B8019. The proposed site at Tressait is located between the dwelling house called Tressait House and Stillaig. Image No.5 shows the location of both properties.



Image No.5

In accordance with the Housing in the Countryside Policy the site will fall within Category 2 – Infill Sites as the proposed house will be located between the established houses and have a plot size comparable to the adjoining properties. The proposed house will be orientated towards the road as per all houses that are located to the North side of the B8019. The anticipated location of the house is shown on Architects Drawings 2913 PL/01 and PL/02. The house will be located adjacent to the existing access road and will be positioned with views down toward Loch Tummel (See Image 6). The house will be designed and constructed in a traditional style with the use of materials similar to the material utilised on adjacent properties.



Image 6 View across plot

Permission has already been granted for the infill site between Stillaig and Larach Beag to the East of the proposed site Ref 07/00973/FUL and renewed under Ref 12/00696/FLL. Image No.7 shows the location of the plot that was granted permission under application Ref 07/00973/FUL



Image No.7

2No. new houses have also been recently erected to the rear of the Strathtummel Hotel demonstrating that development of a similar style has already been approved in Strathtummel. Image No.8 shows the location of the houses in relation to the existing hotel.



Image No.8

Drainage and Flooding

The new house will be provided with a new treatment plant for all foul water. The rainwater will be taken to a new rainwater soakaway. The design of all new foul and rainwater drainage systems will be in accordance with a Structural Engineers details and specification.

The new house will be designed to ensure that development will not cause a future flooding issues to Strathtummel.

Roads and Access

Access to the new dwelling will be over the existing shared access track from the B8019. The existing access track currently provides access to the current land holding and to Balintuim, Balnabodach Tressait House, Tressait and Tomintianda. Access into the site will be via the existing gate access. Image 9 shows access to the site



Image 9 – Site Access

The new house will be provided with parking and turning facility at the entrance to the main house. The access road will be finished in blinded hardcore to match the existing access road.

Servicing Requirements

Due to the location of the property, refuse collections will be made at the junction between the access road and the B8019. There are currently bin storage facilities in this area.

Conclusions

The new house will be located within the existing settlement boundary and will fall within the Category of infill sites in accordance with the Perth and Kinross Council, Housing in the Countryside Policy and can demonstrate it meets the following requirements.

- The plot would be a comparable size to the adjacent plots.
- The proportion of the plot occupied by the site can be kept at a similar scale to the adjacent plots.
- The house can be provided with adequate amenity space.

- The house will be designed to a similar size and scale of the adjacent houses.

The new house will be designed to sit comfortably within the existing landscape and respects the surrounding landscape and will enhance the appearance of the existing site. The use of materials traditional in nature will provide a high-quality family home which will reflect the style and character of other properties within the local area.

LRB-2021-31 - 21/00590/IPL - Erection of a dwellinghouse (in principle), land 100 metres north east of Tressait House, Strathtummel

REPRESENTATIONS

Wednesday, 28 April 2021



Local Planner
Planning and Development
Perth and Kinross Council
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 Sir/Madam

SITE: Land 100 Metres North East Of Tressait House, Strathtummel, PH16 5RP
PLANNING REF: 21/00590/IPL
OUR REF: DSCAS-0038767-C3V
PROPOSAL: Erection of a dwellinghouse (in principle)

Please quote our reference in all future correspondence

Audit of Proposal

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 Assessment

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

Foul Assessment

- ▶ 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.

Please Note

- ▶ 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



SW Public
Published
To find out more about connecting your
property to the water and waste water supply visit:



87



So, how are we doing?

We'd love to know what we're
doing well or could do better.
We promise we're listening,
[click here](#) to tell us...



been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

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 from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, 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 information on how to submit application to Scottish Water at [our Customer Portal](#).



Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) 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 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 the discharge from your premises is likely 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 [here](#).
- ▶ 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

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Pamela Strachan

Development Operations Analyst

Tel: 0800 389 0379

developmentoperations@scottishwater.co.uk

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."



Comments for Planning Application 21/00590/IPL

Application Summary

Application Number: 21/00590/IPL

Address: Land 100 Metres North East Of Tressait House Strathtummel

Proposal: Erection of a dwellinghouse (in principle)

Case Officer: Persephone Beer

Customer Details

Name: Alison Keith

Address: Woodend, Strathtummel, Pitlochry PH16 5RP

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Inappropriate Land Use

Comment: Reasons for objection (1) Adequacy of infrastructure (e.g. sewerage, drainage and water) and (2) Environmental Impact (reference PAS information sheet on Material Considerations).

As noted in the Consultee Comment from Scottish Water, the site (site address Land 100 Metres North East of Tressait House Strathtummel), is not serviced by a mains water supply. Any development on this site will require a private water supply to be installed.

My property, which lies below the road (the B8019) downhill of the site, depends for its water supply on a natural spring located within the boundary of the site which is the subject of this application. The precise location of the spring that provides my water supply is unknown, but it is downslope of the proposed development area. The holding tank is also within the boundary of the site, immediately below the location of the proposed dwellinghouse. The blue pipe from the holding tank crosses the site along the ravine, passing under the road (B8019) to my house below.

Any development on this site for a new dwellinghouse will lower the ground water table in the vicinity of the property through the necessary foundation works, drainage, septic tank installation and associated soakaways, which risks contaminating and disrupting the natural spring water supply on which I depend for my water supply. This must be taken into account by the developers.

New buildings built in Strathtummel in recent years have had to install boreholes for their water supply. Should such a solution be adopted on this site without special measures to protect the spring that supplies my house I am concerned that there is a serious risk that the spring will be disrupted and potentially dry up.

Comments for Planning Application 21/00590/IPL

Application Summary

Application Number: 21/00590/IPL

Address: Land 100 Metres North East Of Tressait House Strathtummel

Proposal: Erection of a dwellinghouse (in principle)

Case Officer: Persephone Beer

Customer Details

Name: Mrs Alison Myers

Address: Tressait House, Strathtummel, Pitlochry PH16 5RS

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Inappropriate Land Use
- Loss Of Open Space
- Road Safety Concerns

Comment: Planning proposal Tressait 21/00590/IPL

I feel the planning application to for a dwelling at Tressait is neither necessary not desirable and that the site is not appropriate for development.

- I understand there has been at least one previous planning application made for the same plot of land and that this was declined. I believe that a decision was made that there was to be no new development to the west of the burn allt an Tressait. I don't believe, that since that application was declined, circumstances have changed.

- The property is not for the use of a local resident but to increase the value of agricultural land prior to its sale. There has been recent permission granted to the east of burn with in Strathtummel village. I believe further new development in the area is not necessary.

I believe site is not appropriate for development

- Not mentioned in the application are the electricity poles in the field at the level of the proposed development. I have highlighted their approximate position on the planning application map.

- It is suggested that the proposed development falls within the boundaries of the village due to speed limit signs. The speed limit is about to be extended. If the application was successful, further applications for development could be made on the same basis. The plot of land highlighted for development is 4 acres and it is possible or even likely that there would be further application if permission was granted.

- Access marked on the application is not shared but owned by Tressait House. It is a private and unmade road. The deed allows for pedestrian and vehicle access to 8 existing dwellings and the surrounding agricultural land. We do not believe that the deed allows for vehicle access for further dwellings.

- In addition, Covid has increase the traffic on the road and we do not believe the road would sustain a further increase.
 - There are issues related water supply in the surrounding area.
 - o Woodend to south of the proposed development site gets water from a spring in the field. The site of this spring in the field is unknown. Any disruption in the field, could affect this existing supply.
 - o A large number of the properties both in Tressait, Tomitandin, and Strathtummel have had problems with reliability of their water supplies in the last few years and have had to take remedial action. There have been two bore holes drilled for existing properties in Strathtummel this year. An impact of global warming?
 - o Tressait house has private water supply which would, given the above, not be available for this new development.
 - o Any soak away would, I assume, drain into alt an Tressait and failure of any treatment plant would affect the water in the burn. The burn is a source of potable water for, I believe, at least 3 properties in the Strathtummel. I understand that this includes the Inn on Loch Tummel.
- In summary there are, in my opinion, problems with this site that make it unsuitable for development. Those being access, water supply, sewage disposal and the power lines.

From: Paul Myers <[REDACTED]>
Date: 9 May 2021 at 10:51:17 BST
To: DevelopmentManagement@plc.gov.uk
Subject: Objection to Planning Application 21/00590/IPL

Dear Sirs,

Please find attached my objection and letter from the applicant regarding the above Planning Application. If you require any further information or clarification please do not hesitate to contact me.

Regards

Paul Myers, [REDACTED]

Sent from [Mail](#) for Windows 10

I would like to object to the planning proposal Ref. 21/00590/IPL.

[REDACTED]

[REDACTED]

Now on to the reasons for my objection:

1) The access road from the B8019, described in the plan (ref 2913-PL-02A) as 'shared access drive' is in fact solely owned by my wife and I [REDACTED], the recent changes to the way people shop has resulted in a massive increase in delivery van traffic on the road. Last year, this contributed to a large increase in use and associated wear, causing us considerable expense to have the road repaired. Whilst we are happy for the existing houses further up the hill to have use of the road and use for access to agricultural land, we object, and would not permit, additional use of the road due to new dwellings, especially since this would inevitably include use by heavy wagons and plant whilst building was ongoing, causing further potentially severe damage.

2) Water supply is becoming an increasing issue in the area with numerous properties resorting to expensive bore holes. [REDACTED]

I also have been told that the water supply to Wood End, is sourced in that field and may be disrupted by any building activity.

3) I understand that in the past, planning permission for dwellings outside Strathtummel village has been denied; if this application is approved, I am concerned that it will lead to others. Indeed, my wife and I own 8.5 acres of land and others own considerably more. What is to stop any planning approval from opening up, and making it difficult to refuse, further applications for dwellings changing the whole nature of this beautiful area.

4) Since the Council have already stated that this application is simply to increase the value of [REDACTED] Any outline permission granted at this time could be changed by a new owner so agreeing to a proposal now is not necessarily what could be ultimately be built on the land.

Paul Myers, [REDACTED] 9th May 2021

Comments for Planning Application 21/00590/IPL

Application Summary

Application Number: 21/00590/IPL

Address: Land 100 Metres North East Of Tressait House Strathtummel

Proposal: Erection of a dwellinghouse (in principle)

Case Officer: Persephone Beer

Customer Details

Name: Ms Helen Julia Watson

Address: Tressait Barn, Strathtummel, Pitlochry PH16 5RS

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

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

Comment: I live a couple of hundred yards up the track from the proposed site and object to the planning application.

There is an error of fact in the application. The speed sign to the west of Strathtummel, shown in Image 3 of the design statement, was not positioned to show the established limit of the village but - at my request and that of other local residents in 2017 - to make safer the exit from our track on to the main road, which is on a bend. The original plan had been for the sign to be positioned further back towards the inn, somewhere below Stillaig or Larach Beag. The position of the sign cannot be used to show the limit of the village.

There is another error in the application in that the position of the inn shown in Images 1 and 2 is wrong and too far to the west. The error has the effect of making the centre of the village appear closer than it actually is to the proposed site.

There is a further error in the Roads and Access part of the design statement. 'Tressait' in fact includes three houses - Tressait Farmhouse, Tressait Barn and Charlotte's Cottage - and there is a further cottage behind Tomintianda. There are therefore already 8 dwellings sharing the unmetalled track to which the proposed house would be added, and the track is also used a great deal by farm vehicles and machinery.

My understanding is that planning was refused on the proposed site some years back. The then owner was told that no new houses could be built beyond the stream that runs between the field in

question and the house named Stillaig. Presumably that was then regarded as the limit of the village, and I very much hope that that decision will not be changed.

A new house in the proposed position would string out the village visually to an unacceptable degree. Neither Stillaig nor Woodend is readily visible from the road, and Tressait House is only partially visible, so at present, the feeling of a village ends with the house named Larach Beag.

From an environmental point of view, as well, it seems to me that turning a piece of countryside into a house and garden would have an unacceptable impact. Allowing developments to creep along roads should surely be avoided in an area of Scotland prized for its wildness.

I would worry about the local water supply. My house relies on a borehole, and I am concerned that the water table could be lowered by having to supply another house, especially in an era of climate change.

Comments for Planning Application 21/00590/IPL

Application Summary

Application Number: 21/00590/IPL

Address: Land 100 Metres North East Of Tressait House Strathtummel

Proposal: Erection of a dwellinghouse (in principle)

Case Officer: Persephone Beer

Customer Details

Name: Mr Robin Swinton

Address: Stillaig, Strathtummel, Pitlochry PH16 5RP

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Effect on Visual Amenity
- Out of Character with the Area

Comment: With reference to the Planning Application Notification received for Planning Application 21/00590/IPL, I note in the Design Statement that the ground is referred to as a gap site and that as such its development conforms to P&K Council's Policy for Housing in the Countryside.

I have always understood that whilst the area referred to as Strathtummel covers a large area, the boundary for the actual "Settlement" is the defined route of Tressait Burn adjacent to Stillaig and not the arbitrary location of 40mph speed signs. This 40mph limit is shortly to be extended further to the west in the near future so cannot be taken as a boundary.

The boundary being the Tressait Burn was confirmed when I had discussions with the Planning Department in the past.

The ground that forms part of this application is agricultural land and in fact this was the reason for a previous approved application for a small "agricultural storage building" back in 2016...Planning Ref 16/01611/PN..so that the ground could be managed. This building has been constructed along with a separate outside toilet.

Assuming that the settlement boundary has not changed, I would suggest that this application does not conform with the Council's Guidelines.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/00590/IPL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 100 Metres North East Of Tressait House Strathtummel		
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 Pitlochry Primary School.</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 2020 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with particular regard to primary education infrastructure, or such subsequent Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.</p>		
Recommended informative(s) for applicant	N/A		
Date comments returned	14 May 2021		

Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 21/00590/IPL

Our ref MA

Date 2 June 2021

Tel No 01738 476476

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Erection of a dwellinghouse (in principle) Land 100 Metres North East Of Tressait House Strathtummel for P And J And C And A Hendry

I refer to your letter dated 25/5/21 in connection with the above application and have the following comments to make.

Water (assessment date – 2/6/21)

Recommendation

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

Comments

The development is for a dwelling house in a rural area with various private water supplies believed to serve properties in the vicinity. To ensure the new development has an adequate and consistently wholesome supply of water and to maintain water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance please note the following condition and informatives. It should be noted that once the development is operational this Service may will have statutory duties detailed in the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 to monitor the water quality. Several Public objections relating to the water supply were noted at the date above.

WS00 Condition

Prior to the commencement of the development hereby approved, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways, private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The subsequently agreed protective or replacement measures shall be put in place prior to the development being brought into use and shall thereafter be so maintained insofar as it relates to the development hereby approved.

WAYL - Informative 1

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

PWS - Informative 2

The applicant shall ensure the private water supply for the dwellinghouse/ development complies with the Water Scotland Act 1980 (Section 63), The Private Water Supplies (Scotland) Regulations 2006 and The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above Act and Regulations.