

TCP/11/16(597) – 18/02160/IPL – Erection of a dwellinghouse (in principle), land 70 metres south west of Bonnington View, Bonnington Road, Rattray

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TCP/11/16(597) – 18/02160/IPL – Erection of a dwellinghouse (in principle), land 70 metres south west of Bonnington View, Bonnington Road, Rattray

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

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

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

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

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

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

Yes No

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application

Date of decision (if any)

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

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

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

Written submission: please see attached further documentation in support
 Hearing sessions: to give maximum detail regarding site and understanding of it's extent, intentions, etc.

Site inspection

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

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

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

No reason. Full unaccompanied site access can be provided.

Statement

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

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

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

Please refer to associated written documentation which appropriately identifies reasons for seeking review.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? Yes No

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

List of documents and evidence

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

1. Completed application for Notice of Review form
2. 150-002 Notice of Review Justification document
3. 150-001 Design Statement (Revision B)
4. 150-Site Images Document
5. EX-100 Location Plan
6. SD-100A Aerial Image
7. SD-101A Proposed Site Plan

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

Checklist

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

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

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

Declaration

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

Signed

Date 27 March 2019



Local Review Body
Perth & Kinross Council
2 High Street
Perth
PH1 5PH

Date: 27 March 2019
Our ref: 150-003

Dear Sirs,

Application for Notice of Review: Erection of a dwellinghouse (in principle) on Land 70 Metres South West Of Bonnington View, Bonnington Road, Rattray, Perthshire (Planning Reference 18/02160/IPL).

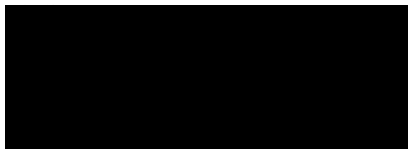
Further to receipt of planning decision notice for application reference 18/02160/IPL, we hereby lodge our application for Notice of Review.

In support of the abovenoted, we enclose the following:

1. Completed application for Notice of Review form
2. 150-002 Notice of Review Justification document
3. 150-001 Design Statement (Revision B)
4. 150-Site Images Document
5. EX-100 Location Plan
6. SD-100A Aerial Image
7. SD-101A Proposed Site Plan

I trust the above, together with the enclosed information is sufficient for your purposes, and will enable validation of the application. However, if you require clarification on any matter, please do not hesitate to contact me.

Yours sincerely,



Ian MacGregor

Enc.



Notice of Review Document Reference 150-002

Prepared to Supplement the Application for Notice of Review

for

Erection of New Dwelling (In Outline)

at

Land at South West of Bonnington View, Bonnington Road, Rattray, Blairgowrie

for

Ms. Lesley Stewart

March 2019

1.0 Justification:

Summary of the Case for the Notice of Review for Proposed Erection of New Dwellinghouse:

The application for Notice of Review has been submitted following the refusal of initial application reference 18/01139/IPL and subsequent re-application reference 18/02160/IPL; with the appeal being based on the latter re-application.

Application reference 18/02160/IPL was administered with the following single reason for refusal:

- *The proposal is contrary to Policy PM4 'Settlement Boundaries' of the adopted Perth & Kinross Local Development Plan 2014, as the proposed development site is located immediately out with the defined settlement boundary of Blairgowrie and Rattray and the development of this site would link an existing building group with the settlement boundary, thus forming a large extension to the defined settlement.*

Following assessment of the inset map contained to page 283 of the currently adopted Perth and Kinross Local Development Plan, it is acknowledged that the proposed Application Site boundaries proposed to initial planning application reference 18/01139/IPL connected to the existing Blairgowrie and Rattray settlement boundaries. In light of this, for re-application reference 18/02160/IPL – which forms the basis of this application for Notice of Review - the Application Site boundaries were revised to address the issue of the abovenoted; as evidenced to associated drawing reference 150/SD/101A. In doing so, the proposal would now fall within the parameters of a dwelling wholly sited in the countryside. Therefore, the reason for refusal is factually inaccurate in that in so far that the proposed dwellinghouse would not be '*located immediately out with the defined settlement boundary*' but would be to a plot wholly disconnected from and out with the settlement boundary. It is clear from the abovenoted drawing that it is the pre-existing dwelling named Burnside Cottage that fronts the settlement boundary and provides a physical barrier. Further, it is considered that the proximity of the existing building groups is so close, that there does not exist sufficient distance between the building groups noted by the delegated officer and that the site falls wholly within the permissible parameters of a 'gap' site.

The following further comments have been extracted from the associated Perth and Kinross Council delegated report, prepared to form the basis for the decision notice:

***Policy Appraisal:** The site lies within the landward area within the adopted Perth and Kinross Local Development Plan (LDP) 2014, where all proposals for new housing are normally considered against Policy RD3: Housing in the Countryside, which the submitted Design Statement attempts to address. However, crucially this site is located immediately out with the defined settlement boundary of Blairgowrie and Rattray as identified in the LDP where Policy PM4: Settlement Boundaries is directly applicable. This policy states that development will not be permitted, except within the defined settlement boundary. As such, the proposed development site fails to comply with the requirements of Policy PM4 as it would result in development immediately out with the defined settlement boundary. In any case, it is clear that the gap site that is the subject of this application forms a vital role in providing a visual gap between the building group on Bonnington Road and the settlement edge of Blairgowrie and Rattray. As such the proposed development of this plot cannot be supported as it will result in the loss of the aforementioned visual gap and lead to the coalescence of the settlement of Blairgowrie and Rattray with the buildings off Bonnington Road.*

IMAC Architecture response: It is noted that the Application Site submitted to planning application reference 18/01139/IPL had a single boundary that connected to the defined settlement boundary of Blairgowrie and Rattray over a limited distance of 6.00m in width for the purposes of vehicular access and the revised submission appropriately addresses that issue by relocation of the vehicular access driveway to the identified alternative location to drawing reference 150/SD/101A. By virtue of the aforementioned relocation, the boundary in question, located to the south west of the Application Site, now sits some 42.00m clear of the settlement boundary of Blairgowrie and Rattray. It is therefore sufficiently distanced, does not directly connect and nor does it form an extension to it. Further, as the Application Site is no longer directly within or linked to the settlement boundary, it should be considered solely within the parameters of Policy RD3: Housing in the Countryside and wholly as a gap site.

Landscape and Visual Amenity: As previously mentioned, the site that is the subject of this application forms a vital role in providing a visual gap between the building group on Bonnington Road and the settlement edge of Blairgowrie and Rattray. As such the proposed development of this plot cannot be supported as it will result in the loss of the aforementioned visual gap and lead to the coalescence of the settlement of Blairgowrie and Rattray with the buildings off Bonnington Road. This will have a landscape impact as it will result in urban sprawl into the countryside beyond that of the defined settlement boundaries.

IMAC Architecture response: It is highlighted that the visual gap between the building group to Bonnington Road and the nearest dwellinghouse sited to the settlement edge of Blairgowrie is at its maximum, 60.00-metres; a distance that is wholly within the parameters of a gap site as per Perth and Kinross Council planning policy. The visual gap is considered to be of such an insignificant distance that it does not provide an appropriate level of separation between settlement and countryside located dwellings and that any dwellinghouse sited to the Application Site would not result in coalescence. Further, during pre-application stage, it was suggested by IMAC that the south-westernmost boundary could have been subject to appropriate condition which would have allowed control of soft-landscaping to provide an enhanced level of boundary screening for the purposes of residential amenity, definition of the Application Site within the landscape, and if necessary, to provide an enhanced boundary between the existing settlement boundary and cluster of dwellinghouses site to Bonnington Road. On the matter of

'urban sprawl', it is highlighted that the Application Site is a gap site and seeks to fill a void between existing dwellinghouses and not create an extension (or sprawl) to a defined settlement boundary or otherwise. The Application Site forms an integral part of a compact and nucleated shape; something which is identified to Perth and Kinross Councils own planning policy as a design preference.



Design Statement (Revision B)
(Prepared in Accordance with PAN 68)

In Support of Application for Notice of Review

for

Erection of New Dwelling and Integral Garage (In Principle)

at

Land at South West of Bonnington View, Bonnington Road, Rattray, Blairgowrie

for

Ms. Lesley Stewart

March 2019

1.0 Executive Summary:

The following executive summary is identical to that previously submitted as integral to planning application reference 18/01139/IPL:

Following medical discharge from the British Army in 2009, the applicant became registered disabled with the condition Dystonia which has resulted in several amputations to date. With **rapidly changing living and care requirements**, the applicants current dwellinghouse, located immediately adjacent to the application site and approved under application reference 11/01480/AML, was designed to meet historic accessibility requirements and **no longer provides fit for purpose accommodation**.

With direct medical confirmation that further amputations are certain, a new dwellinghouse designed to meet the applicant's ultimate requirements is considered wholly necessary. With **limited scope for adaptation** to the current dwellinghouse, it is considered that the most appropriate course of action is to seek approval for a new dwellinghouse within immediate proximity to the existing one.

As evidenced by approval of historic approved planning application reference 11/01480/AML relating to the immediately adjacent Bonnington View dwellinghouse, it is evident that **residential development** within the immediate area **is acceptable** and following assessment of all relevant local and national planning policy criteria, it is considered that the application site is a further **logical plot for development** that would **relate well** within the established immediate and wider building group which, as identified to supplementary application drawings, is wholly residential in nature.

The siting, design, location, boundary treatments or otherwise to a dwellinghouse within the application site could be appropriately addressed through further detailed application and be designed to meet local and national planning policy to ensure it is of a **scale and character appropriate** within the established building group, can fit the landscape and can accommodate **without detriment**, relate well in a **logical and more sympathetic manner** to the existing character of the established building group, all to ensure the high quality residential amenity of existing and proposed dwellings is achieved.

As the siting of a house to this location does not lead to extension of a Building Group but in contrast, completes it, it is therefore considered that the application site is a **wholly appropriate** and **logical plot for development** of a dwellinghouse within a well-established and defined building group which despite being classified as '**in the countryside**', is sited wholly within well-established built-environment.

Furthermore, the ability to achieve the requisite level of accessible accommodation would permit the applicant to have a **dwellinghouse** that is **fully accessible and adaptable** to suit her current and ultimate living needs due to **ever changing medical status**. Further, as a resident of Rattray for some 39-years, a dwellinghouse to the application site, will allow the applicant to achieve their strong desire to reside in and retain their long-term association within the community and wider surrounding area. Also, of critical importance, is the Applicant's immediate family reside less than 0.5-miles from the application site and it is imperative that close proximity of her **support network is maintained** and any necessity to move away from them would be of **detriment** to daily **quality of living**.

It is highlighted that the application itself does not benefit from letters of support from any doctor, consultant, physiotherapist, occupation therapist or otherwise but that these can be provided upon request as confirmation of disability (current and future) together with specific living needs.

2.0 Background Information:

2.1 Project

Proposed erection of a new dwellinghouse and integral garage.

Additional works relate to the formation of site contained vehicular access route and parking, installation of a private foul drainage system, rainwater drainage system, proposed soft and hard landscaping and the erection of new boundary fencing.

2.2 Applicant

Ms. Lesley Stewart, Bonnington View, Bonnington Road, Rattray, Blairgowrie, Perthshire, PH10 7JA

2.3 Application Site Owner

Ms. Lesley Stewart, Bonnington View, Bonnington Road, Rattray, Blairgowrie, Perthshire, PH10 7JA

2.4 Agent

IMAC Architecture, 5 Hawthorn Place, Blairgowrie, Perthshire, PH10 6UP

2.5 Application Site

Land South West of Bonnington View, Bonnington Road, Rattray, Blairgowrie, Perthshire, PH10 7JA

3.0 Client Brief:

Following medical discharge from the British Army and being registered disabled in 2009, the applicant applied for and achieved planning permission (reference 11/01480/AML) to erect the adjacent dwelling sited at Bonnington View to the immediate north east boundary of the application site and following a period of occupancy and rapidly changing living needs as a wheelchair bound user, in conjunction with medical advice, it is no longer fit for purposes nor does it appropriately addresses her ever changing living needs and is therefore seeking to undertake further development to the adjacent infill site to provide accessible living accommodation that is fit for purpose and conducive to her current and ultimate living needs.

4.0 Site Details:

4.1 Site Location

The application site is located to the most north-western part of the burgh of Rattray and is sited within a cluster of well-developed land of which the majority of occupancies are residential in nature. The application site is currently accessible from the unclassified Bonnington Road which itself is accessed directly off the adjacent A93 Blairgowrie to Braemar Road and is located approximately 0.95 miles from the centre of Rattray's twin burgh of Blairgowrie.

The application site is undeveloped and sited the immediate north-east of the defined settlement boundary contained the Blairgowrie/Rattray settlement map contained to page 283 of the currently adopted Perth and Kinross Council Local Development Plan (2014).

4.2 Site Description

The application site comprises an expansive vacant field which is overgrown, resembles a rural meadow and is used solely by the applicant for purposes incidental to the enjoyment of their dwelling i.e. for the applicant's dogs.

Located to the immediate south-east boundary of the site, is the unclassified Bonnington Road which provides secondary access to Bridge of Cally, Alyth and the wider surrounding area. Beyond the unclassified road, there exists vacant and disused fields which provide a buffer between the unclassified road and the nearby well established and highly developed Blairgowrie Holiday Park.

To the immediate north-east of the site sits the abovenoted dwelling under the ownership of the applicant (refer to section 2.0: Client Brief) and the property named Abbrose Cottage which itself is a well established and historic dwellinghouse. To the immediate north east of the aforementioned properties, there exists several dwellinghouses of varying types which are clustered to the eastern side of the unclassified Bonnington Road. These dwellinghouses have been constructed over a sustained period and are, in the majority, formed in a ribbon development style.

To the immediate north-west of the application site sits a public recreational park consisting of child's play equipment and BMX cycling track. Beyond the park area is sited land that is vacant agricultural and bounded in part by dwellinghouses. The immediately adjacent agricultural land and wider surrounding area have been identified as a 'Housing Proposal Site: H341 to the Blairgowrie/Rattray inset map contained to the draft Local Development Plan (2017) which has yet to be fully adopted.

To the immediate south-west of the application site sits a detached cottage property sited in well-established and mature hard and soft landscaping. Beyond the cottage curtilage and sited to the opposing side of the unclassified Hatton Road from which the cottage is accessed, there exists a large well developed social and private housing site and associated car parking. Adjacent to this site there exists a standalone dwellinghouse and beyond, a historic mill building conversion consisting of 20-plus flats and associated car parking.

5.0 Site Analysis and Appraisal:

5.1 Site Context

The application site is considered partly rural in context but, in the majority, is surrounded by well-developed land containing dwellinghouses of varying types and, in context, is therefore considered to be sited within a residential development zone.

5.2 Site Identity

From the unclassified public Hatton and Bonnington Roads sited located in proximity to the south-east and south-west boundaries, the application site is well obscured/screened; due to both level changes and boundary screening.

6.0 Considered Policies of Perthshire Local Development Plan 2014 (Adopted February 2014):

6.1 Policy RD3: Housing in the Countryside:

Policy RD3 Housing in the Countryside:

The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

(a) Building Groups.

(b) Infill sites.

(c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.

(d) Renovation or replacement of houses.

(e) Conversion or replacement of redundant non-domestic buildings.

(f) Development on rural brownfield land.

This policy does not apply in the Green Belt and its application is limited within the Lunan Valley

Catchment Area to economic need, conversions or replacement buildings.

Development proposals should not result in adverse effects, either individually or in combination, on the integrity of the Firth of Tay and Eden Estuary, Loch Leven, South Tayside Goose Roosts and Forest of Clunie SPAs and Dunkeld-Blairgowrie Loch and the River Tay SACs.

Note: For development to be acceptable under the terms of this policy it must comply with the requirements of all relevant Supplementary Guidance, in particular the Housing in the Countryside Guide.

It is considered that of all applicable local and national policies applicable to the Application site, the following are most appropriate:

- Policy RD3: Housing in the Countryside (Contained to Perth and Kinross Local Development Plan (Adopted 2014)
- Housing in the Countryside (Perth and Kinross Council) November 2012
- PAN 72 Housing in the Countryside (Parts 1 & 2)
- Guidance on the Siting and Design of Houses in Rural Areas

Policy RD3: Housing in the Countryside (Contained to Perth and Kinross Local Development Plan (Adopted 2014): In response to the policy criteria, it is considered that the erection of a dwellinghouse to the application site would be appropriately sited within a well established and pre-existing building group of properties which are wholly residential in nature, as identified within policy criteria item a) (Building Groups). It is confirmed through receipt of a pre-application response from Perth and Kinross Council Development Management that the site does fulfil the requirements of policy criteria a) (Building Groups). Through this pre-application, it is confirmed that the site is not considered to fully meet the requirements of policy criteria b) (infill sites) but it is considered that the matter of providing a landscape feature or field boundaries to contain further spread of the group can be appropriately addressed through the inclusion of a suspensive condition, administered at the time of any formal planning application for detailed consent. It is appropriate to note that the application site will be bounded to its immediate north-east boundary and immediate south west boundary by pre-existing residential properties and is therefore deemed to meet those requirements of an 'infill site' as identified within the policy criteria item b) i.e. the site is between two pre-existing buildings.

The Housing in the Countryside (Perth and Kinross Council) November 2012 document states: *Consent will be granted for houses within building groups provided they do not detract from both the residential and visual amenity of the group. Consent will also be granted for houses which extend the group into definable sites formed by existing topography and or well-established landscape features which will provide a suitable setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed house(s).*

In response to the abovenoted, it is considered appropriate to highlight that, as noted above, the proposed development to the application site will be sited wholly within a well-established and pre-existing building group of properties which are wholly residential in nature, and that a single dwellinghouse can be contained without detriment to the residential and visual amenity of the immediate and wider surrounding pre-existing building group. Further, with an intention to retain all pre-existing boundary treatments, features or otherwise, it's the applicant's objective to minimise disruption to pre-existing well established landscape features thus respecting the character, layout and building pattern of the group.

As identified to Perth and Kinross Councils document 'Guidance on the Siting and Design of Houses in Rural Areas' which supplements 'The Housing in the Countryside (Perth and Kinross Council) November 2012', it states: *'Encouragement will be given*

to houses within, or adjacent to, established building groups which have compact nucleated shapes creating an identifiable 'sense of place', provided they do not detract from the amenity of the group and provided the extension of the group is onto a definable site created by topography, landscape features or field boundaries which will contain the further spread of the group'.

Regarding the existing building group, it is evident from the supplementary site plan drawing 150/SD/101 that the precedent for residential development to the immediate and wider surrounding area is well established. Further, as identified to section 3.2: Site Description, immediately adjacent land has been identified to the current draft Local Development Plan (2017) for significant residential development, thus further reinforcing the immediate and wider surrounding area as a building group and confirming the application site as a logical plot for development.

The Housing in the Countryside (Perth and Kinross Council) November 2012 document states: *Proposals which contribute towards ribbon development will not be supported and in response, it is considered appropriate to highlight that as the proposed Application site is bound to its immediate north-east and south-west boundaries by pre-existing dwellinghouses, the site does not constitute a 'ribbon development'.*

From analysis of PAN 72 Housing in the Countryside (Parts 1 & 2) it is considered that the inclusion of a further single dwellinghouse to the well established and pre-existing building group can be satisfactorily contained with siting, design, massing, context, identity, connection, location within landscape, planting, boundary treatment, topography or otherwise all addressed through appropriate design, consultation and control measures through local and national planning policy administered at the time of any formal planning application for detailed consent.

It is therefore considered that the application site is a wholly appropriate and logical plot for development of a dwellinghouse within a well-established and defined building group in the countryside.

6.2 Policy PM1 Placemaking:

Policy PM1A: Placemaking states:

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

The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

In response to the abovenoted policy, it is considered that through appropriate design and siting, the development will contribute positively to the quality of the surrounding built and natural environment. It is further considered that the design, density, building line and siting of the development can be further addressed through appropriate design to ensure the development fully respects the character and amenity of the place and is appropriate to the local context, scale and nature of the area. Furthermore, it is intended that the proposals will incorporate minimal landscaping and planting works – with the exception of the south-eastern boundary which will be provided with boundary treatments to match those considered pre-existing - appropriate to the context and the scale and nature of the development.

All of the abovenoted can be appropriately administered at the time of any formal planning application for detailed consent.

6.3 Policy PM1B: Placemaking:

Policy PM1B Placemaking states:

All proposals should meet all the following placemaking criteria:

(a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.

(b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.

(c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

(d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.

(e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.

(f) Buildings and spaces should be designed with future adaptability in mind wherever possible.

(g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.

(h) Incorporate green infrastructure into new developments and make connections where possible to green networks.

In response to the abovenoted policy, it is considered that the erection of a dwellinghouse would fully consider and respect the site topography and any surrounding landmarks, view or skylines and well as the wider landscape character of the area. The proposed dwelling would be of a design and density that fully complements its surroundings in terms of appearance, height, scale, massing, materials and colours. It is considered that the design proposals, through appropriate design would be wholly respectful of the host site, inclusive of the predetermined building lines. It is considered that for the erection of a single dwelling, there exists a wholly adequate road network, in addition to walking, cycling and transport links to and from the application Site. All of the abovenoted can be appropriately administered at the time of any formal planning application for detailed consent.

6.4 Policy PM2: Design Statements:

Policy PM2 Design Statements states:

Design statements will normally need to accompany a planning application if the development:

(a) comprises five or more dwellings; or

(b) is a non-residential use greater than 0.5 ha in area; or

(c) affects the character and/or appearance of a Conservation Area, Historic Garden, Designed

Landscape, or the setting of a Listed Building or Scheduled Monument.

A design statement may also be required to accompany a Planning Application for other forms of development where design sensitivity is considered a critical issue. If applicants are uncertain as to whether a design statement is expected, or on the level of scope and detail that will be appropriate, then the views of the Council should be sought.

Whilst none of the abovenoted criteria apply, it is considered the inclusion of a supplementary design statement to meet Policy PM2: Design Statements is wholly appropriate.

6.5 Policy EP2: New Development and Flooding:

Policy EP2 New Development and Flooding Design states:

There will be a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere. In addition, built development should avoid areas at significant risk from landslip, coastal erosion and storm surges.

Where a risk of flooding is known or suspected the Council will use the flood risk framework shown in the diagram overleaf and considers that areas of:

(i) medium to high flood risk are not suitable for essential civil infrastructure;

(ii) low to medium flood risk are suitable for most forms of development; and

(iii) little or no flood risk shown present no flood related constraints on development.

All development within areas of medium to high flood risk must incorporate a 'freeboard' allowance and the use of water resistant materials and forms of construction appropriate to its function, location, and planned lifetime relative to the anticipated changes in flood risk arising from climate change.

To allow for adaption to increased flood risk associated with climate change, development should not:

(a) Increase the rate of surface water run-off from any site;

(b) Reduce the naturalness of the river;

(c) Add to the area of land requiring flood protection measures;

(d) Affect the flood attenuation capability of the functional flood plain; nor

(e) Compromise major options for future shoreline or river management.

Through investigation of publicly accessible SEPA flood maps, it is considered appropriate to highlight that the site is not identified as a flood risk area nor is it sited to a flood plain and that the only minor issue that may occur involves surface water. On that basis, it is appropriate to highlight that the matter of surface water, both from hardstanding's and dwellinghouse roof area, can be appropriately addressed through design of soakaways, SUDS or otherwise by a suitably qualified engineer to ensure

that all surface water is suitably contained to the application site curtilage to ensure any development is undertaken without detriment or flood risk to the immediate and wider surrounding area.

6.6 Policy EP3: Surface Water Drainage:

Policy EP3 Surface Water states:

All new developments will be required to employ Sustainable Urban Drainage Systems (SUDS).

In response to the abovenoted policy, please refer to comments contained to the abovenoted section 5.5: Policy EP2: New Development and Flooding.

6.7 Further Policy Considerations:

It is highlighted that in investigating further Policy documentation, full material consideration has been given to the criteria set out within the following:

- Perth & Kinross Council Local Development Plan 2014
- Planning Advice Note 72: Housing in the Countryside
- TAYplan 2012
- Scottish Planning Policy (June 2014)
- Scottish Executive PAN (Planning Advice Notes)

7 Public Involvement:

No public consultation has been considered necessary as part of the application process to date. It is noted that as an integral part of the statutory process for Planning Application, Perth and Kinross Council as the determining local authority will advertise the application through the appropriate media outlets, bringing the proposals to public attention.

8 Design Principles:

To explain the overall design proposals in general terms, it is considered appropriate to break them down into the following sub-sections:

- New Dwelling
- Landscaping

It should be noted that the following items of work to each sub-section are summarised to give a brief overview of the scope of works in relation to erection of the new dwelling and are not exhaustive. Furthermore, as the Design Statement is prepared to supplement the planning application, the following should be cross referenced with the appropriate design proposal drawings and associated images.

7.1 New Dwelling:

A summary of the proposed works in relation to the new dwelling are as follows:

- Erect new dwellinghouse consisting of integral garage with fully accessible and adaptable living accommodation suitable for Applicant's current and ultimate disabled living and accessibility needs.

7.2 Landscaping:

A summary of the proposed works in relation to the proposed and existing landscaping are as follows:

- Minimal soft landscaping works throughout the site. It is intended that the existing meadow aesthetic is retained as far as is practicable with only localised nominal areas being required for lawn associated with the dwelling.
- All existing trees, shrubs and majority of hedging to be retained as far as is practicable to minimise the impact of the proposed dwelling on the site and wider surrounding area.
- Retain all existing mature and well-established boundary treatments and erect new post and wire boundary fencing and mature hedging to match existing to those boundaries currently undefined.



External Images Document Ref: 150-001

In Support of Application for Notice of Review

for

Erection of New Dwelling and Integral Garage (In Principle)

at

**Land at South West of Bonnington View, Bonnington Road, Rattray,
Blairgowrie**

for

Leslie Stewart

March 2019



Image 001: View on Bonnington Road towards north east located dwellings



Image 002: View towards existing dwellinghouse (Abbrose)



Image 003: View towards existing dwelling house (Bonnington View)



Image 004: View towards existing dwellinghouses (Abbrose and Bonnington View)



Image 005: View towards existing vehicular access to pre-application site



Image 006: View towards south west boundary and existing residential development



Image 007: View from Bonnington View towards south west boundary and existing residential development



Image 008: View from Bonnington View towards pre-application site and existing residential development



Image 009: View towards existing pre-application site vehicular access



Image 010: View towards existing pre-application site vehicular access and wider surrounding area






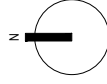
Image 011: View towards existing pre-application site vehicular access and wider surrounding area



Image 012: View towards Bonnington View existing vehicular access and wider surrounding area

Notes

-  Existing Dwelling and Land Under Applicant Ownership
-  Application Site Boundary
-  Blairgowrie and Rattray Local Development Plan Settlement Boundary



1:1000 scale bar
0m 10m 20m 30m 40m 50m

PLANNING

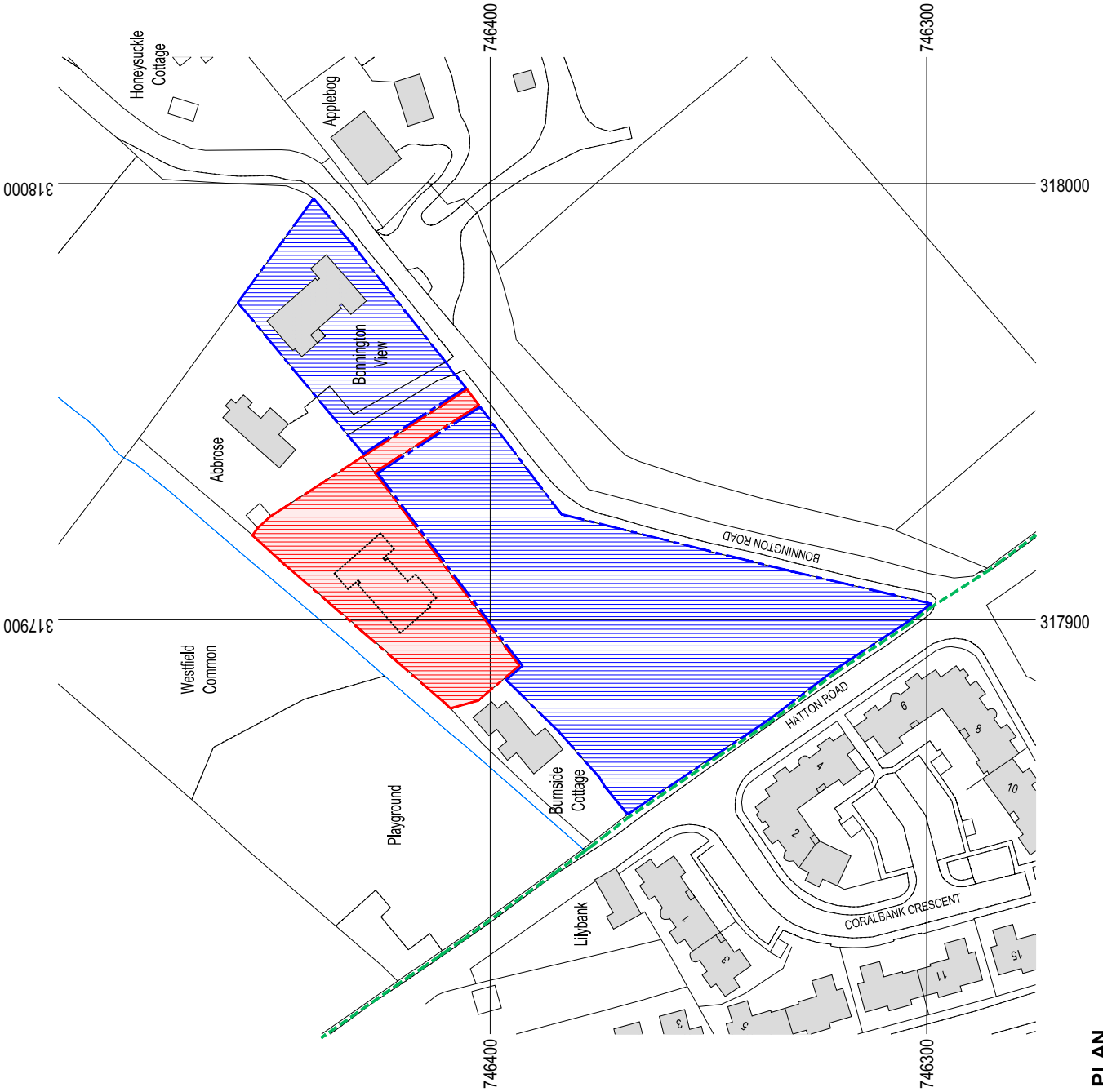
IMAC Architecture
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T: 01250 873298 M: 07980 720 766

Job Title
ERECTION OF NEW DWELLING
at LAND ADJACENT TO BONNINGTON
VIEW, RATTRAY, BLAIRGOWRIE
for MS. LESLEY STEWART




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LOCATION PLAN

Scale.	1:1000 @ A3	Drwn.	ImcG
Original Size.	A3	Chkd.	ImcG
Appr.		Date.	JUNE 2018

Drawing No.
150-EX-100A



Notes

-  Application Site Boundary
-  Existing Dwelling and Land Under Applicant Ownership
-  Pre-existing Residential Dwellings and Future Housing Site to Local Development Plan (Draft)

PLANNING

rev.	date	details	dwn	chd

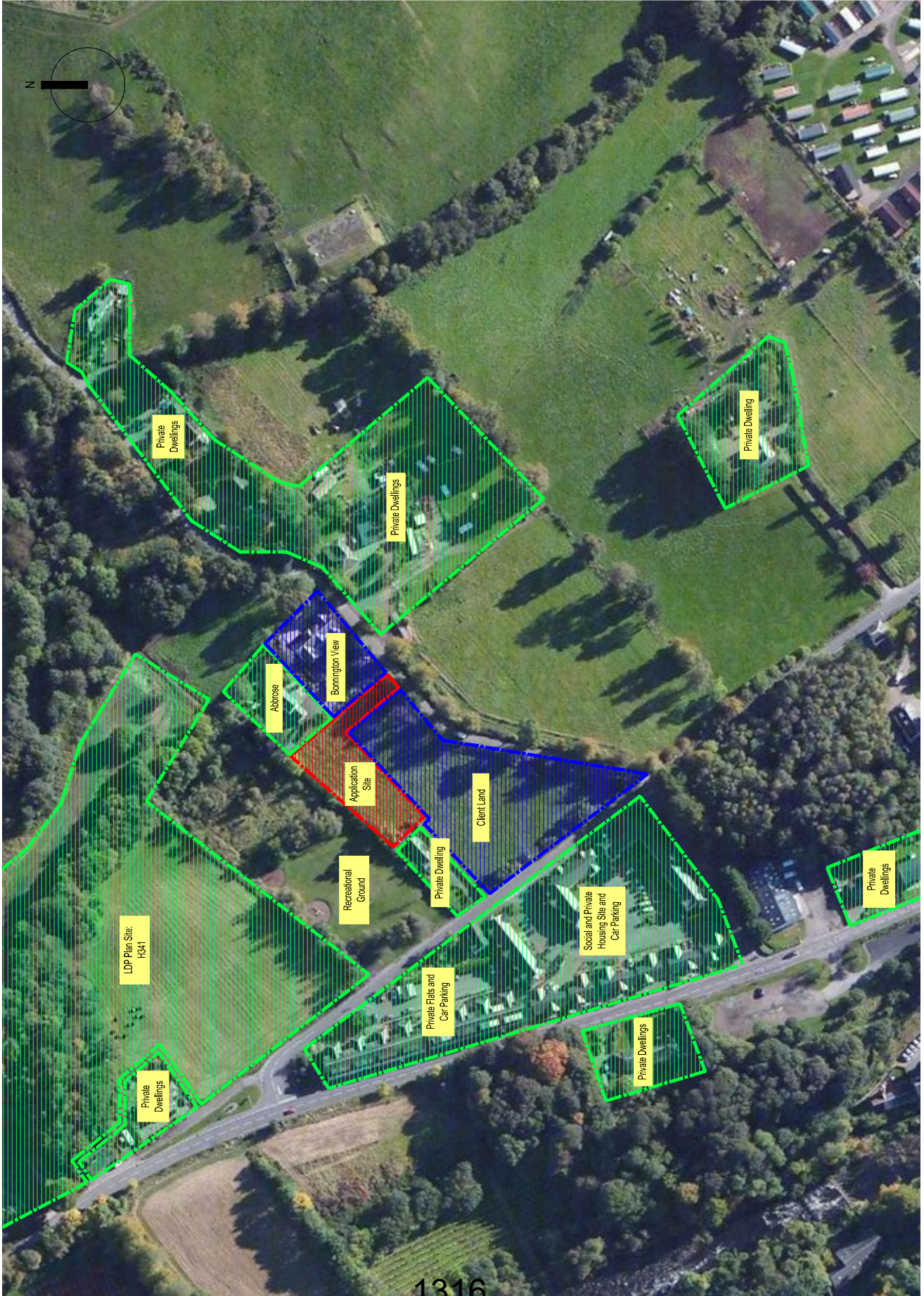
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Job Title
**ERECTOR OF NEW DWELLING
 AT LAND ADJACENT TO BONNINGTON
 VIEW, RATTAY, BLAIRGOWRIE
 FOR MS. LESLEY STEWART**




Drawing Title
AERIAL IMAGE

Scale:	N.T.S. @ A2	Date:	JUNE 2018
Dwn:	IM	Chkd:	IM
Appr:	IM		

Drawing No.
150-SD-100A



Notes

-  Application Site: 163 m² (including access driveway)
-  Existing Dwelling and Land Under Applicant Ownership
-  Blairgowrie and Rattray Local Development Plan Settlement Boundary



PLANNING

rev.	date	details	dwnl	chkd

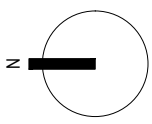
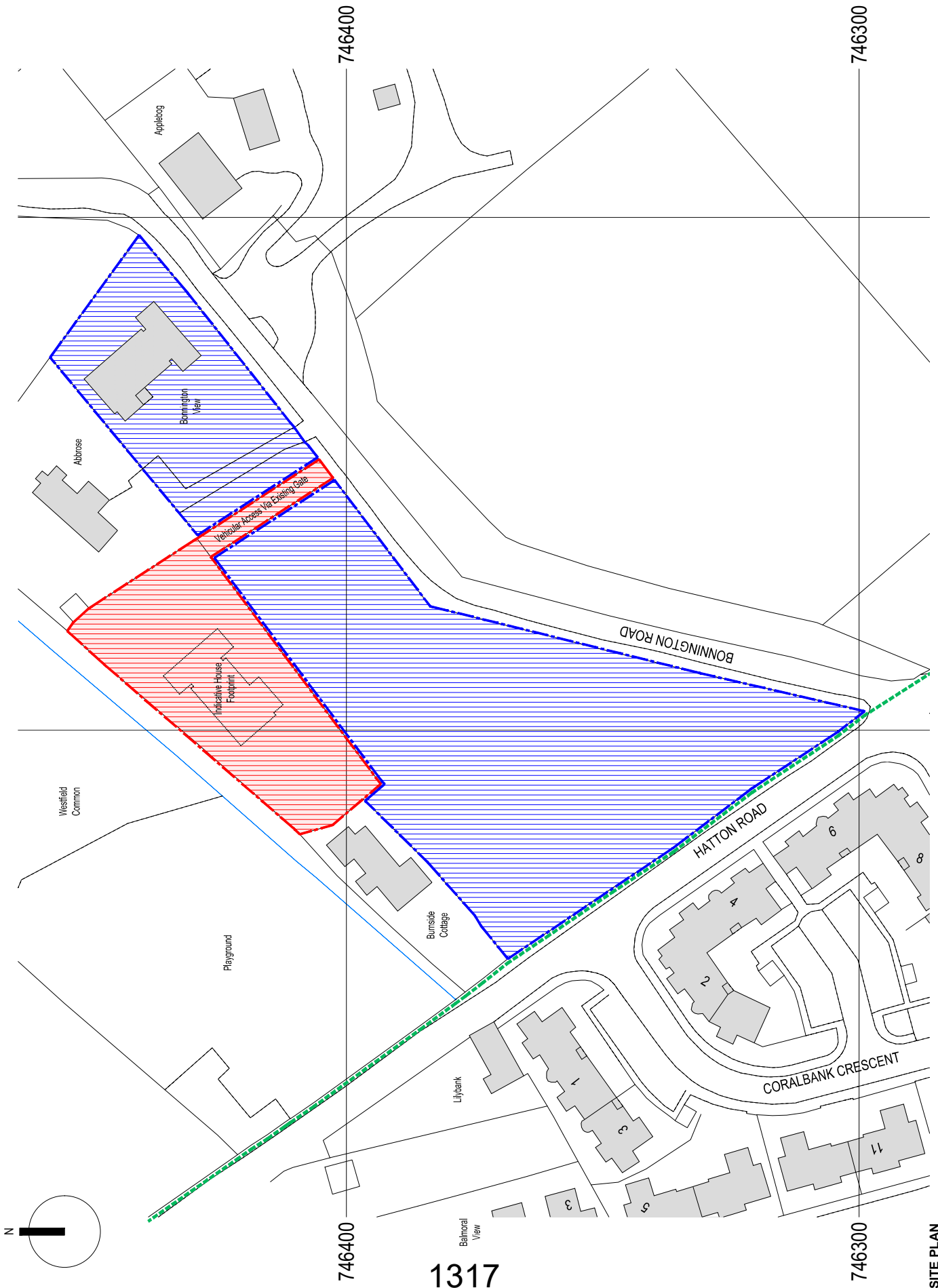
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Job Title
 ERECTION OF NEW DWELLING
 at LAND ADJACENT TO BONNINGTON
 VIEW, RATTRAY, BLAIRGOWRIE
 for MS. LESLEY STEWART

Drawing Title
 PROPOSED SITE PLAN

Scale: 1:500 @ A2 Date: JUNE 2018
 Dwnl: M Chkd: M
 Appr: M

Drawing No.
150-SD-101A



1317

SITE PLAN
 1:500 @ A2

TCP/11/16(597) – 18/02160/IPL – Erection of a dwellinghouse (in principle), land 70 metres south west of Bonnington View, Bonnington Road, Rattray

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 1301-1317)*

PERTH AND KINROSS COUNCIL

Ms Lesley Stewart
c/o IMAC Architecture
Ian MacGregor
5 Hawthorn Place
Blairgowrie
PH10 6UP

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 24th January 2019

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/02160/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 26th November 2018 for permission for **Erection of a dwellinghouse (in principle) Land 70 Metres South West Of Bonnington View Bonnington Road Rattray** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to Policy PM4 'Settlement Boundaries' of the adopted Perth & Kinross Local Development Plan 2014, as the proposed development site is located out with the defined settlement boundary of Blairgowrie and Rattray and the development of this site would link an existing building group with the settlement boundary, thus forming a large extension to the defined settlement.

Justification

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

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

Plan Reference

18/02160/1

18/02160/2

18/02160/3

18/02160/4

18/02160/5

REPORT OF HANDLING

DELEGATED REPORT

Ref No	18/02160/IPL	
Ward No	P3- Blairgowrie & Glens	
Due Determination Date	25.01.2019	
Case Officer	Sean Panton	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse (in principle).

LOCATION: Land 70 Metres South West of Bonnington View,
Bonnington Road, Rattray.

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: 12th December 2018

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is on land 70metres south-west of Bonnington View, Bonnington Road, Rattray. The application seeks planning permission in principle for a single dwellinghouse. The proposed site, excluding the identified access, is approximately 1,500m² and is currently utilised as a field. The site is bound to the north-west by a tree belt and to the north- east and south-west by residential buildings. There is no definable boundary to the south-east. The site is immediately adjacent the Blairgowrie and Rattray

settlement boundary as defined in the adopted Perth & Kinross Local Development Plan 2014.

The application forms the resubmission of application 18/01139/IPL which was refused in late 2018 as it was considered to be contrary to Policy PM4 'Settlement Boundaries'. This resubmission alters the proposed access arrangements so that the site is accessed from Bonnington Road instead of Hatton Road.

SITE HISTORY (OF RELEVANCE)

18/01139/IPL - Erection of a dwellinghouse (in principle) 15 August 2018:
Application Refused

PRE-APPLICATION CONSULTATION

Pre-application Reference: 18/00186/PREAPP

A pre-application was undertaken prior to the submission of the previous application on the site (18/01139/IPL). It was stated that the proposal was contrary to the relevant provisions of the adopted Local Development Plan and it was advised that a formal application should not be submitted as it is unlikely to be supported.

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 2014.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy PM2 - Design Statements

Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Historic Garden, Designed Landscape or the setting of a Listed Building or Scheduled Monument.

Policy PM3 - Infrastructure Contributions

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

Policy PM4 - Settlement Boundaries

For settlements which are defined by a settlement boundary in the Plan, development will not be permitted, except within the defined settlement boundary.

Policy RD3 - Housing in the Countryside

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

Policy TA1B - Transport Standards and Accessibility Requirements

Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

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

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

Policy EP2 - New Development and Flooding

There is a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere. Built development should avoid areas at significant risk from landslip, coastal erosion and storm surges. Development should comply with the criteria set out in the policy.

OTHER POLICIES

Development Contributions and Affordable Housing Guide 2016

This document sets out the Council's Policy for securing contributions from developers of new homes towards the cost of meeting appropriate infrastructure improvements necessary as a consequence of development.

Housing in the Countryside Guide

A revised Housing in the Countryside Guide was adopted by the Council in October 2014. The guide applies over the whole local authority area of Perth and Kinross except where a more relaxed policy applies at present. In practice this means that the revised guide applies to areas with other Local Plan policies and it should be borne in mind that the specific policies relating to these designations will also require to be complied with. The guide aims to:

- Safeguard the character of the countryside;
- Support the viability of communities;
- Meet development needs in appropriate locations;
- Ensure that high standards of siting and design are achieved.

The Council's "Guidance on the Siting and Design of Houses in Rural Areas" contains advice on the siting and design of new housing in rural areas.

CONSULTATION RESPONSES

Internal

Transport Planning:

No objection to the proposed development, subject to a condition being added to any consent granted regarding details in regards to roads and access.

Development Negotiations Officer:

Recommended a condition to be added to any consent regarding an education contribution.

Structures & Flooding:

No objection to the proposed development, subject to a flood resilient construction.

External

Scottish Water:
No objection to the proposed development.

REPRESENTATIONS

No letters of representation were received regarding the proposal.

ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	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 2016 and the adopted Perth and Kinross Local Development Plan 2014.

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

Policy Appraisal

The site lies within the landward area within the adopted Perth and Kinross Local Development Plan (LDP) 2014, where all proposals for new housing are normally considered against *Policy RD3: Housing in the Countryside*, which the submitted Design Statement attempts to address. However, crucially this site is located immediately out with the defined settlement boundary of Blairgowrie and Rattray as identified in the LDP where *Policy PM4: Settlement Boundaries* is directly applicable. This policy states that development will not be permitted, except within the defined settlement boundary. As such, the proposed development site fails to comply with the requirements of Policy PM4 as it would result in development immediately out with the defined settlement boundary.

In any case, it is clear that the gap site that is the subject of this application forms a vital role in providing a visual gap between the building group on Bonnington Road and the settlement edge of Blairgowrie and Rattray. As such the proposed development of this plot cannot be supported as it will result in the loss of the aforementioned visual gap and lead to the coalescence of the settlement of Blairgowrie and Rattray with the buildings off Bonnington Road. The development of this site could also open up future development opportunities to the south between the application site and Bonnington Road itself. This would further dilute the existing settlement boundary.

Whilst it is noted that this application has altered the access arrangements from the previously refused application (18/01139/IPL), this does not address the issue of the proposed dwellinghouse infilling the visual gap between the settlement boundary and the building group on Bonnington Road. Whilst the revised Design Statement has been assessed, the proposal is still considered to be inappropriate for reasons mentioned above. The development would still form a link between the building group and the settlement boundary.

Furthermore, it should be noted that Policy PM4 was specifically added by the Government Reporter following examination of the initial draft LDP, in order to set out a presumption against development out with a defined settlement boundary. The approval of this application would therefore undermine the objectives of this policy and potentially encourage further piecemeal development on the edge of settlement boundaries. It is therefore important for developments such as this are resisted.

Design and Layout

As this application is simply seeking to establish the principle of a residential development on the site, there is no requirement for the submission of any detailed plans relating to the design or layout of the proposed units. All matters in relation to Design and Layout will be considered under a detailed application.

Landscape and Visual Amenity

As previously mentioned, the site that is the subject of this application forms a vital role in providing a visual gap between the building group on Bonnington Road and the settlement edge of Blairgowrie and Rattray. As such the proposed development of this plot cannot be supported as it will result in the loss of the aforementioned visual gap and lead to the coalescence of the settlement of Blairgowrie and Rattray with the buildings off Bonnington Road. This will have a landscape impact as it will result in urban sprawl into the countryside beyond that of the defined settlement boundaries.

Residential Amenity

It is considered that the site is large enough to accommodate a modest dwellinghouse without detrimental impact upon existing residential amenity.

The site is also large enough for ample private amenity space to be provided for the proposed dwellinghouse.

The formation of a residential development does however have the potential to result in overlooking and overshadowing to neighbouring dwellinghouses and garden ground. There is a need to secure privacy for all the parties to the development including those who would live in the new dwellings and those that live in the existing houses. Planning control has a duty to future occupiers not to create situations of potential conflict between neighbours.

As this is a planning in principle application, the exact impact upon existing amenity and also the proposed residential amenity of future occupiers of the proposed dwellinghouses cannot be fully determined. However it is considered that an acceptable scheme could be achieved which would not compromise the amenity of existing residential properties and will equally provide a suitable level of residential amenity for future occupiers of the dwellinghouses.

Roads and Access

As this application is in principle, full details of the proposed roads and access have not been submitted, although it is considered that an acceptable scheme could be achieved on this site. Whilst the access is different from the previous refusal on the site (18/01139/IPL), my colleagues in Transport Planning remain to have no objection to the proposed development, subject to a condition regarding detailing.

Drainage and Flooding

The site is at known risk of flooding and as such my colleagues in the Structures and Flooding Team was consulted as part of this proposal. My colleagues are aware that the adjacent channel backs up at the trash screen south-east of the site, potentially overtopping towards the road. My colleagues are not aware of the flow path indicated by the SEPA surface water maps across the site. However, as per the previous application, my colleagues confirmed that providing the proposed dwellinghouse is designed to a flood resilient construction that they have no objection to the proposed development.

Conservation Considerations

The site is not in close proximity to any listed building, conservation area or any other designated site of historical interest. It is therefore considered that the proposed development will have no adverse impact upon the historic environment.

Developer Contributions

Primary Education

The Council's Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.

This proposal is within the catchment of Rattray Primary School.

The Development Negotiations Officer was consulted as part of this application and recommended a condition to be added to any consent granted requiring education contributions at detailed application stage.

Economic Impact

The development of this site will count towards local housing targets, accounting for short term economic investment through the short term construction period and indirect economic investment of future occupiers of the associated development.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application.

Reasons for Recommendation

- 1 The proposal is contrary to Policy PM4 'Settlement Boundaries' of the adopted Perth & Kinross Local Development Plan 2014, as the proposed development site is located out with the defined settlement boundary of Blairgowrie and Rattray and the development of this site would link an existing building group with the settlement boundary, thus forming a large extension to the defined settlement.

Justification

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

Informatives

Not Applicable.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

18/02160/1

18/02160/2

18/02160/3

18/02160/4

18/02160/5

Date of Report 23rd January 2019



Design Statement (Revision A)
(Prepared in Accordance with PAN 68)

Prepared to Supplement the Application Enquiry

for

Erection of New Dwelling (In Outline)

at

Land at South West of Bonnington View, Bonnington Road, Rattray, Blairgowrie

for

Ms. Lesley Stewart

October 2018

1.0 Re-application Summary:

Summary of the Case for the re-application for Proposed Erection of New Dwellinghouse:

The re-application has been re-submitted in its revised form following refusal of application reference 18/01139/IPL which was administered with the following reason for refusal:

- *The proposal is contrary to Policy PM4 'Settlement Boundaries' of the adopted Perth & Kinross Local Development Plan 2014, as the proposed development site is located immediately out with the defined settlement boundary of Blairgowrie and Rattray and the development of this site would link an existing building group with the settlement boundary, thus forming a large extension to the defined settlement.*

Following assessment of the inset map contained to page 283 of the currently adopted Perth and Kinross Local Development Plan, it is acknowledged that the proposed Application Site boundaries connected to the existing Blairgowrie and Rattray settlement boundaries. In light of this, the Application Site boundaries have been revised to address the issue of the abovenoted and now form the basis of this application.

The following further comments have been extracted from the associated Perth and Kinross Council delegated report, prepared to form the basis for the decision notice:

Policy Appraisal: *The site lies within the landward area within the adopted Perth and Kinross Local Development Plan (LDP) 2014, where all proposals for new housing are normally considered against Policy RD3: Housing in the Countryside, which the submitted Design Statement attempts to address. However, crucially this site is located immediately out with the defined settlement boundary of Blairgowrie and Rattray as identified in the LDP where Policy PM4: Settlement Boundaries is directly applicable. This policy states that development will not be permitted, except within the defined settlement boundary. As such, the proposed development site fails to comply with the requirements of Policy PM4 as it would result in development immediately out with the defined settlement boundary. In any case, it is clear that the gap site that is the subject of this application forms a vital role in providing a visual gap between the building group on Bonnington Road and the settlement edge of Blairgowrie and Rattray. As such the proposed development of this plot cannot be supported as it will result in the loss of the aforementioned visual gap and lead to the coalescence of the settlement of Blairgowrie and Rattray with the buildings off Bonnington Road.*

IMAC Architecture response: It is noted that the Application Site submitted to planning application reference 18/01139/IPL had a single boundary that connected to the defined settlement boundary of Blairgowrie and Rattray over a limited distance of 6.00m in width and the revised submission appropriately addresses that issue by relocation of the vehicular access driveway to the identified alternative location contained to the prior planning application. By virtue of the aforementioned relocation, the boundary in question, located to the south west of the Application Site, now sits some 42.00m clear of the settlement boundary of Blairgowrie and Rattray. It is therefore sufficiently distanced, does not directly connect and nor does it form an extension to it. Further, as the Application Site is no longer directly within or linked to the settlement boundary, it should be considered solely within the parameters of Policy RD3: Housing in the Countryside and wholly as a gap site.

Landscape and Visual Amenity: *As previously mentioned, the site that is the subject of this application forms a vital role in providing a visual gap between the building group on Bonnington Road and the settlement edge of Blairgowrie and Rattray. As such the proposed development of this plot cannot be supported as it will result in the loss of the aforementioned visual gap and lead to the coalescence of the settlement of Blairgowrie and Rattray with the buildings off Bonnington Road. This will have a landscape impact as it will result in urban sprawl into the countryside beyond that of the defined settlement boundaries.*

IMAC Architecture response: It is highlighted that the visual gap between the building group to Bonnington Road and the nearest dwellinghouse sited to the settlement edge of Blairgowrie is at its maximum, 60.00-metres; a distance that is wholly within the parameters of a gap site as per Perth and Kinross Council planning policy. The visual gap is considered to be of such an insignificant distance that it does not provide an appropriate level of separation between settlement and countryside located dwellings and that any dwellinghouse sited to the Application Site would not result in coalescence. Further, during pre-application stage, it was suggested by IMAC that the south-westernmost boundary could have been subject to appropriate condition which would have allowed control of soft-landscaping to provide an enhanced level of boundary screening for the purposes of residential amenity, definition of the Application Site within the landscape, and if necessary, to provide an enhanced boundary between the existing settlement boundary and cluster of dwellinghouses site to Bonnington Road. On the matter of 'urban sprawl', it is highlighted that the Application Site is a gap site and seeks to fill a void between existing dwellinghouses and not create an extension (or sprawl) to a defined settlement boundary or otherwise. The Application Site forms an integral part of a compact and nucleated shape; something which is identified to Perth and Kinross Councils own planning policy as a design preference.

2.0 Executive Summary:

The following executive summary is identical to that previously submitted as integral to planning application reference 18/01139/IPL:

Following medical discharge from the British Army in 2009, the applicant became registered disabled with the condition Dystonia which has resulted in several amputations to date. With **rapidly changing living and care requirements**, the applicants current dwellinghouse, located immediately adjacent to the application site and approved under application reference 11/01480/AML, was designed to meet historic accessibility requirements and **no longer provides fit for purpose accommodation**.

With direct medical confirmation that further amputations are certain, a new dwellinghouse designed to meet the applicant's ultimate requirements is considered wholly necessary. With **limited scope for adaptation** to the current dwellinghouse, it is considered that the most appropriate course of action is to seek approval for a new dwellinghouse within immediate proximity to the existing one.

As evidenced by approval of historic approved planning application reference 11/01480/AML relating to the immediately adjacent Bonnington View dwellinghouse, it is evident that **residential development** within the immediate area **is acceptable** and following assessment of all relevant local and national planning policy criteria, it is considered that the application site is a further **logical plot for development** that would **relate well** within the established immediate and wider building group which, as identified to supplementary application drawings, is wholly residential in nature.

The siting, design, location, boundary treatments or otherwise to a dwellinghouse within the application site could be appropriately addressed through further detailed application and be designed to meet local and national planning policy to ensure it is of a **scale and character appropriate** within the established building group, can fit the landscape and can accommodate **without detriment**, relate well in a **logical and more sympathetic manner** to the existing character of the established building group, all to ensure the high quality residential amenity of existing and proposed dwellings is achieved.

As the siting of a house to this location does not lead to extension of a Building Group but in contrast, completes it, it is therefore considered that the application site is a **wholly appropriate** and **logical plot for development** of a dwellinghouse within a well-established and defined building group which despite being classified as **'in the countryside'**, is sited wholly within well-established built-environment.

Furthermore, the ability to achieve the requisite level of accessible accommodation would permit the applicant to have a **dwellinghouse** that is **fully accessible and adaptable** to suit her current and ultimate living needs due to **ever changing medical status**. Further, as a resident of Rattray for some 39-years, a dwellinghouse to the application site, will allow the applicant to achieve their strong desire to reside in and retain their long-term association within the community and wider surrounding area. Also, of critical importance, is the Applicant's immediate family reside less than 0.5-miles from the application site and it is imperative that close proximity of her **support network is maintained** and any necessity to move away from them would be of **detriment** to daily **quality of living**.

It is highlighted that the application itself does not benefit from letters of support from any doctor, consultant, physiotherapist, occupation therapist or otherwise but that these can be provided upon request as confirmation of disability (current and future) together with specific living needs.

3.0 Background Information:

1.1 Project

Proposed erection of a new dwellinghouse and integral garage.

Additional works relate to the formation of site contained vehicular access route and parking, installation of a private foul drainage system, rainwater drainage system, proposed soft and hard landscaping and the erection of new boundary fencing.

1.2 Applicant

Ms. Lesley Stewart, Bonnington View, Bonnington Road, Rattray, Blairgowrie, Perthshire, PH10 7JA

1.3 Application Site Owner

Ms. Lesley Stewart, Bonnington View, Bonnington Road, Rattray, Blairgowrie, Perthshire, PH10 7JA

1.4 Agent

IMAC Architecture, 5 Hawthorn Place, Blairgowrie, Perthshire, PH10 6UP

1.5 Application Site

Land South West of Bonnington View, Bonnington Road, Rattray, Blairgowrie, Perthshire, PH10 7JA

4.0 Client Brief:

Following medical discharge from the British Army and being registered disabled in 2009, the applicant applied for and achieved planning permission (reference 11/01480/AML) to erect the adjacent dwelling sited at Bonnington View to the immediate north east boundary of the application site and following a period of occupancy and rapidly changing living needs as a wheelchair bound user, in conjunction with medical advice, it is no longer fit for purposes nor does it appropriately addresses her ever changing living needs and is therefore seeking to undertake further development to the adjacent infill site to provide accessible living accommodation that is fit for purpose and conducive to her current and ultimate living needs.

4.0 Site Details:

4.1 Site Location

The application site is located to the most north-western part of the burgh of Rattray and is sited within a cluster of well-developed land of which the majority of occupancies are residential in nature. The application site is currently accessible from the unclassified Bonnington Road which itself is accessed directly off the adjacent A93 Blairgowrie to Braemar Road and is located approximately 0.95 miles from the centre of Rattray's twin burgh of Blairgowrie.

The application site is undeveloped and sited the immediate north-east of the defined settlement boundary contained the Blairgowrie/Rattray settlement map contained to page 283 of the currently adopted Perth and Kinross Council Local Development Plan (2014).

4.2 Site Description

The application site comprises an expansive vacant field which is overgrown, resembles a rural meadow and is used solely by the applicant for purposes incidental to the enjoyment of their dwelling i.e. for the applicant's dogs.

Located to the immediate south-east boundary of the site, is the unclassified Bonnington Road which provides secondary access to Bridge of Cally, Alyth and the wider surrounding area. Beyond the unclassified road, there exists vacant and disused fields which provide a buffer between the unclassified road and the nearby well established and highly developed Blairgowrie Holiday Park.

To the immediate north-east of the site sits the abovenoted dwelling under the ownership of the applicant (refer to section 2.0: Client Brief) and the property named Abbrose Cottage which itself is a well established and historic dwellinghouse. To the immediate north east of the aforementioned properties, there exists several dwellinghouses of varying types which are clustered to the eastern side of the unclassified Bonnington Road. These dwellinghouses have been constructed over a sustained period and are, in the majority, formed in a ribbon development style.

To the immediate north-west of the application site sits a public recreational park consisting of child's play equipment and BMX cycling track. Beyond the park area is sited land that is vacant agricultural and bounded in part by dwellinghouses. The immediately adjacent agricultural land and wider surrounding area have been identified as a 'Housing Proposal Site: H341 to the Blairgowrie/Rattray inset map contained to the draft Local Development Plan (2017) which has yet to be fully adopted.

To the immediate south-west of the application site sits a detached cottage property sited in well-established and mature hard and soft landscaping. Beyond the cottage curtilage and sited to the opposing side of the unclassified Hatton Road from which the cottage is accessed, there exists a large well developed social and private housing site and associated car parking. Adjacent to this site there exists a standalone dwellinghouse and beyond, a historic mill building conversion consisting of 20-plus flats and associated car parking.

5.0 Site Analysis and Appraisal:

5.1 Site Context

The application site is considered partly rural in context but, in the majority, is surrounded by well-developed land containing dwellinghouses of varying types and, in context, is therefore considered to be sited within a residential development zone.

5.2 Site Identity

From the unclassified public Hatton and Bonnington Roads sited located in proximity to the south-east and south-west boundaries, the application site is well obscured/screened; due to both level changes and boundary screening.

6.0 Considered Policies of Perthshire Local Development Plan 2014 (Adopted February 2014):

6.1 Policy RD3: Housing in the Countryside:

Policy RD3 Housing in the Countryside:

The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

(a) Building Groups.

(b) Infill sites.

(c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.

(d) Renovation or replacement of houses.

(e) Conversion or replacement of redundant non-domestic buildings.

(f) Development on rural brownfield land.

This policy does not apply in the Green Belt and its application is limited within the Lunan Valley

Catchment Area to economic need, conversions or replacement buildings.

Development proposals should not result in adverse effects, either individually or in combination, on the integrity of the Firth of Tay and Eden Estuary, Loch Leven, South Tayside Goose Roosts and Forest of Clunie SPAs and Dunkeld-Blairgowrie Loch and the River Tay SACs.

Note: For development to be acceptable under the terms of this policy it must comply with the requirements of all relevant Supplementary Guidance, in particular the Housing in the Countryside Guide.

It is considered that of all applicable local and national policies applicable to the Application site, the following are most appropriate:

- Policy RD3: Housing in the Countryside (Contained to Perth and Kinross Local Development Plan (Adopted 2014)
- Housing in the Countryside (Perth and Kinross Council) November 2012
- PAN 72 Housing in the Countryside (Parts 1 & 2)
- Guidance on the Siting and Design of Houses in Rural Areas

Policy RD3: Housing in the Countryside (Contained to Perth and Kinross Local Development Plan (Adopted 2014): In response to the policy criteria, it is considered that the erection of a dwellinghouse to the application site would be appropriately sited within a well established and pre-existing building group of properties which are wholly residential in nature, as identified within policy criteria item a) (Building Groups). It is confirmed through receipt of a pre-application response from Perth and Kinross Council Development Management that the site does fulfil the requirements of policy criteria a) (Building Groups). Through this pre-application, it is confirmed that the site is not considered to fully meet the requirements of policy criteria b) (infill sites) but it is considered that the matter of providing a landscape feature or field boundaries to contain further spread of the group can be appropriately addressed through the inclusion of a suspensive condition, administered at the time of any formal planning application for detailed consent. It is appropriate to note that the application site will be bounded to its immediate north-east boundary and immediate south west boundary by pre-existing residential properties and is therefore deemed to meet those requirements of an 'infill site' as identified within the policy criteria item b) i.e. the site is between two pre-existing buildings.

The Housing in the Countryside (Perth and Kinross Council) November 2012 document states: *Consent will be granted for houses within building groups provided they do not detract from both the residential and visual amenity of the group. Consent will also be granted for houses which extend the group into definable sites formed by existing topography and or well-established landscape features which will provide a suitable setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed house(s).*

In response to the abovenoted, it is considered appropriate to highlight that, as noted above, the proposed development to the application site will be sited wholly within a well-established and pre-existing building group of properties which are wholly residential in nature, and that a single dwellinghouse can be contained without detriment to the residential and visual amenity of the immediate and wider surrounding pre-existing building group. Further, with an intention to retain all pre-existing boundary treatments, features or otherwise, it's the applicant's objective to minimise disruption to pre-existing well established landscape features thus respecting the character, layout and building pattern of the group.

As identified to Perth and Kinross Councils document 'Guidance on the Siting and Design of Houses in Rural Areas' which supplements 'The Housing in the Countryside (Perth and Kinross Council) November 2012', it states: *'Encouragement will be given*

to houses within, or adjacent to, established building groups which have compact nucleated shapes creating an identifiable 'sense of place', provided they do not detract from the amenity of the group and provided the extension of the group is onto a definable site created by topography, landscape features or field boundaries which will contain the further spread of the group'.

Regarding the existing building group, it is evident from the supplementary site plan drawing 150/SD/101 that the precedent for residential development to the immediate and wider surrounding area is well established. Further, as identified to section 3.2: Site Description, immediately adjacent land has been identified to the current draft Local Development Plan (2017) for significant residential development, thus further reinforcing the immediate and wider surrounding area as a building group and confirming the application site as a logical plot for development.

The Housing in the Countryside (Perth and Kinross Council) November 2012 document states: *Proposals which contribute towards ribbon development will not be supported and in response, it is considered appropriate to highlight that as the proposed Application site is bound to its immediate north-east and south-west boundaries by pre-existing dwellinghouses, the site does not constitute a 'ribbon development'.*

From analysis of PAN 72 Housing in the Countryside (Parts 1 & 2) it is considered that the inclusion of a further single dwellinghouse to the well established and pre-existing building group can be satisfactorily contained with siting, design, massing, context, identity, connection, location within landscape, planting, boundary treatment, topography or otherwise all addressed through appropriate design, consultation and control measures through local and national planning policy administered at the time of any formal planning application for detailed consent.

It is therefore considered that the application site is a wholly appropriate and logical plot for development of a dwellinghouse within a well-established and defined building group in the countryside.

6.2 Policy PM1 Placemaking:

Policy PM1A: Placemaking states:

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

The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

In response to the abovenoted policy, it is considered that through appropriate design and siting, the development will contribute positively to the quality of the surrounding built and natural environment. It is further considered that the design, density, building line and siting of the development can be further addressed through appropriate design to ensure the development fully respects the character and amenity of the place and is appropriate to the local context, scale and nature of the area. Furthermore, it is intended that the proposals will incorporate minimal landscaping and planting works – with the exception of the south-eastern boundary which will be provided with boundary treatments to match those considered pre-existing - appropriate to the context and the scale and nature of the development.

All of the abovenoted can be appropriately administered at the time of any formal planning application for detailed consent.

6.3 Policy PM1B: Placemaking:

Policy PM1B Placemaking states:

All proposals should meet all the following placemaking criteria:

(a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.

(b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.

(c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

(d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.

(e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.

(f) Buildings and spaces should be designed with future adaptability in mind wherever possible.

(g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.

(h) Incorporate green infrastructure into new developments and make connections where possible to green networks.

In response to the abovenoted policy, it is considered that the erection of a dwellinghouse would fully consider and respect the site topography and any surrounding landmarks, view or skylines and well as the wider landscape character of the area. The proposed dwelling would be of a design and density that fully complements its surroundings in terms of appearance, height, scale, massing, materials and colours. It is considered that the design proposals, through appropriate design would be wholly respectful of the host site, inclusive of the predetermined building lines. It is considered that for the erection of a single dwelling, there exists a wholly adequate road network, in addition to walking, cycling and transport links to and from the application Site. All of the abovenoted can be appropriately administered at the time of any formal planning application for detailed consent.

6.4 Policy PM2: Design Statements:

Policy PM2 Design Statements states:

Design statements will normally need to accompany a planning application if the development:

(a) comprises five or more dwellings; or

(b) is a non-residential use greater than 0.5 ha in area; or

(c) affects the character and/or appearance of a Conservation Area, Historic Garden, Designed

Landscape, or the setting of a Listed Building or Scheduled Monument.

A design statement may also be required to accompany a Planning Application for other forms of development where design sensitivity is considered a critical issue. If applicants are uncertain as to whether a design statement is expected, or on the level of scope and detail that will be appropriate, then the views of the Council should be sought.

Whilst none of the abovenoted criteria apply, it is considered the inclusion of a supplementary design statement to meet Policy PM2: Design Statements is wholly appropriate.

6.5 Policy EP2: New Development and Flooding:

Policy EP2 New Development and Flooding Design states:

There will be a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere. In addition, built development should avoid areas at significant risk from landslip, coastal erosion and storm surges.

Where a risk of flooding is known or suspected the Council will use the flood risk framework shown in the diagram overleaf and considers that areas of:

(i) medium to high flood risk are not suitable for essential civil infrastructure;

(ii) low to medium flood risk are suitable for most forms of development; and

(iii) little or no flood risk shown present no flood related constraints on development.

All development within areas of medium to high flood risk must incorporate a 'freeboard' allowance and the use of water resistant materials and forms of construction appropriate to its function, location, and planned lifetime relative to the anticipated changes in flood risk arising from climate change.

To allow for adaption to increased flood risk associated with climate change, development should not:

(a) Increase the rate of surface water run-off from any site;

(b) Reduce the naturalness of the river;

(c) Add to the area of land requiring flood protection measures;

(d) Affect the flood attenuation capability of the functional flood plain; nor

(e) Compromise major options for future shoreline or river management.

Through investigation of publicly accessible SEPA flood maps, it is considered appropriate to highlight that the site is not identified as a flood risk area nor is it sited to a flood plain and that the only minor issue that may occur involves surface water. On that basis, it is appropriate to highlight that the matter of surface water, both from hardstanding's and dwellinghouse roof area, can be appropriately addressed through design of soakaways, SUDS or otherwise by a suitably qualified engineer to ensure

that all surface water is suitably contained to the application site curtilage to ensure any development is undertaken without detriment or flood risk to the immediate and wider surrounding area.

6.6 Policy EP3: Surface Water Drainage:

Policy EP3 Surface Water states:

All new developments will be required to employ Sustainable Urban Drainage Systems (SUDS).

In response to the abovenoted policy, please refer to comments contained to the abovenoted section 5.5: Policy EP2: New Development and Flooding.

6.7 Further Policy Considerations:

It is highlighted that in investigating further Policy documentation, full material consideration has been given to the criteria set out within the following:

- Perth & Kinross Council Local Development Plan 2014
- Planning Advice Note 72: Housing in the Countryside
- TAYplan 2012
- Scottish Planning Policy (June 2014)
- Scottish Executive PAN (Planning Advice Notes)

7 Public Involvement:

No public consultation has been considered necessary as part of the application process to date. It is noted that as an integral part of the statutory process for Planning Application, Perth and Kinross Council as the determining local authority will advertise the application through the appropriate media outlets, bringing the proposals to public attention.

8 Design Principles:

To explain the overall design proposals in general terms, it is considered appropriate to break them down into the following sub-sections:

- New Dwelling
- Landscaping

It should be noted that the following items of work to each sub-section are summarised to give a brief overview of the scope of works in relation to erection of the new dwelling and are not exhaustive. Furthermore, as the Design Statement is prepared to supplement the planning application, the following should be cross referenced with the appropriate design proposal drawings and associated images.

7.1 New Dwelling:

A summary of the proposed works in relation to the new dwelling are as follows:

- Erect new dwellinghouse consisting of integral garage with fully accessible and adaptable living accommodation suitable for Applicant's current and ultimate disabled living and accessibility needs.

7.2 Landscaping:

A summary of the proposed works in relation to the proposed and existing landscaping are as follows:

- Minimal soft landscaping works throughout the site. It is intended that the existing meadow aesthetic is retained as far as is practicable with only localised nominal areas being required for lawn associated with the dwelling.
- All existing trees, shrubs and majority of hedging to be retained as far as is practicable to minimise the impact of the proposed dwelling on the site and wider surrounding area.
- Retain all existing mature and well-established boundary treatments and erect new post and wire boundary fencing and mature hedging to match existing to those boundaries currently undefined.

TCP/11/16(597) – 18/02160/IPL – Erection of a dwellinghouse (in principle), land 70 metres south west of Bonnington View, Bonnington Road, Rattray

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/02160/IPL	Comments provided by	Gavin Bissett
Service/Section	TES/Flooding	Contact Details	Ex. 76840 gabissett@pkc.gov.uk
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 70 Metres South West Of Bonnington View Bonnington Road Rattray		
Comments on the proposal	<p>We have no objection to this application. I would re-iterate my comments made for the previous application (18/01139/IPL) – see below</p> <p>“We are aware that the adjacent channel backs up at the trash screen south-east of the site, potentially overtopping towards the road. We are not aware of the flow path indicated by the SEPA surface water maps across the site. However we would advise that the property is designed with this in mind (flood resilient construction).”</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant	<p>The applicant is advised to refer to Perth & Kinross Council's Supplementary guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development.</p>		
Date comments returned	4/12/18		

04/12/2018

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



Customer Connections
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Customer Connections
Freephone Number - 0800 3890379
E-Mail - CustomerConnections@scottishwater.co.uk
www.scottishwater.co.uk

Dear **Local Planner**

PH10 Rattray Bonnington Road SW Bonnington View
PLANNING APPLICATION NUMBER: 18/02160/IPL
DEVELOPMENT:
OUR REFERENCE: 770199
PROPOSAL:

Please quote our reference in all future correspondence

0: 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:

00: The development proposals impact on existing Scottish Water assets.

The applicant should identify any potential conflicts with Scottish Water assets. Where conflicts are identified, the applicant should contact our Asset Impact Team at service.relocation@scottishwater.co.uk before proceeding further.

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

National One-Call
Tel: 0844 800 9957
Email: swplans@national-one-call.co.uk
www.national-one-call.co.uk/swplans

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

A1: The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

A1.1 XXXX Water Treatment Works currently has sufficient capacity for this proposed development.

A1.2 XXXX Water Treatment Works currently has insufficient capacity for this proposed development.

A1.3 The applicant has not provided sufficient information on likely water demand usage to comment on availability of capacity and we would advise the applicant to contact Scottish Water directly to discuss their requirements.

A1.4 XXXX Waste Water Treatment Works currently has sufficient capacity for this proposed development.

A1.5 XXXX Waste Water Treatment Works currently has insufficient capacity for this proposed development.

A1.6 The applicant has not provided sufficient information on likely foul flows to comment on availability of capacity and we would advise the applicant to contact Scottish Water directly to discuss their requirements.

A1.7 Where there is insufficient capacity for development at our water or wastewater treatment works (Part 4 Assets), Scottish Water is funded to provide additional capacity for domestic development, providing a set of criteria approved by Ministers is met:

- (1) The developer confirms land ownership or control through a solicitor's letter.
- (2) The development is supported by the local plan and has full planning permission; if planning has been refused on the grounds of water and/or waste water issues only then this would be deemed sufficient confirmation
- (3) The developer confirms current the time remaining on the current planning permission
- (4) The developer confirms that plans are in place to mitigate any network constraints that will be created by the development through a Minute of Agreement with Scottish Water; in the absence of a Minute of Agreement, a letter confirming commitment to mitigate this impact through Part 3 investment will confirm this position
- (5) The developer demonstrates reasonable proposals for annual build rate within the approved development

Where a growth project is deemed necessary to provide sufficient capacity to support domestic development, the developer should discuss their delivery timescales directly with us.

B1: There are no public sewers within the vicinity of the proposed development.

B2: There are no public water mains within the vicinity of the proposed development.

C1: For developments of 10 or more domestic dwellings (or non-domestic equivalent), or any developments in a rural location which are deemed to have a significant impact on our infrastructure, we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water. 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.

The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website at www.scottishwater.co.uk by searching 'Planning Your Development'.

D1: Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. 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

Where non-domestic premises propose to discharge trade effluent to the public sewer network, a separate application for Trade Effluent Consent will be necessary, which can be obtained from Scottish Water's website at www.scottishwater.co.uk by searching 'Trade Effluent'.

No substance may be discharged to the public sewerage system that is likely to interfere with the free flow of its content, have a detrimental effect on treatment / disposal of its contents, or be harmful to health.

Scottish Water recommends the use of a potable water storage cistern, capable of providing 24 hours storage, designed in accordance with Water Byelaws, for all non-domestic premises.

S0: If development proposals require new water and/or waste water infrastructure (including Sustainable Urban Drainage Systems) to be installed by the developer which is proposed to vest in Scottish Water, these should be designed in accordance with the requirements set out within our specification documents 'Water for Scotland' and 'Sewers for Scotland'. The current editions of these documents can be obtained free of charge directly from our website at: www.scottishwater.co.uk by searching 'Water for Scotland' & 'Sewers for Scotland'.

Where it is not possible to meet the requirements of our specifications, the new infrastructure ultimately may not be vested by Scottish Water and would remain under the private ownership of the developer. In these circumstances, the developer would retain operation and maintenance responsibility.

W0: 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.

X0: 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.

Z0: If the applicant requires any further assistance or information on our response, please contact Customer Connections on the above number.

Yours sincerely

Angela Allison

Tel: 0141 414 <insert extension>

Angela.Allison@scottishwater.co.uk

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/02160/IPL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin Tel: 01738 475381 Email: emclaughlin@pkc.gov.uk
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 70 Metres South West Of Bonnington View, Bonnington Road, Rattray		
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, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Rattray 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 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure or such replacement Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure that the development approved makes a contribution towards increasing primary school provision, in accordance with Development Plan Policy and Supplementary Guidance.</p>		
Recommended informative(s) for applicant	N/A		
Date comments returned	10 December 2018		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/02160/IPL	Comments provided by	Dean Salman Development Engineer
Service/Section	Transport Planning	Contact Details	77234 dsalman@pkc.gov.uk
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 70 Metres South West Of Bonnington View, Bonnington Road, Rattray		
Comments on the proposal	Insofar as the Roads matters are concerned I have no objections to this proposal on the following condition.		
Recommended planning condition(s)	<ul style="list-style-type: none"> • Prior to the occupation and use of the approved development all matters regarding access, car parking, public transport facilities, walking and cycling facilities, the road layout, design and specification (including the disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority (as detailed in the National Roads Development Guide) and to the satisfaction of the Planning Authority. 		
Recommended informative(s) for applicant			
Date comments returned	18 December 2018		

