

TCP/11/16(464)

Planning Application – 16/02035/FLL – Erection of a dwellinghouse and garage with ancillary accommodation on land 120 metres North West of Obney Croft, Waterloo, Bankfoot

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TCP/11/16(464)

Planning Application – 16/02035/FLL – Erection of a dwellinghouse and garage with ancillary accommodation on land 120 metres North West of Obney Croft, Waterloo, Bankfoot

**PAPERS SUBMITTED
BY THE
APPLICANT**

15 MAR 2017

RECEIVED

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 MIR FRANK McDownes

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PERTSHIRE
PH11 4AP

Contact Telephone 1
Contact Telephone 2
Fax No

E-mail*

Agent (if any)

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DUNKELD,
PERTSHIRE
PH8 0DX

Contact Telephone 1 01350 727170
Contact Telephone 2
Fax No

E-mail* OSIEA@ALMIREVIEW@H07MAIL.CO.UK

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

Yes No

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

Planning authority PERTH AND KINGS

Planning authority's application reference number 16/02035/FLL

Site address LAND 120m NW OF OBNEY CROFT, WATERLOO
BANKFOOT

Description of proposed development NEW DWELLING WITH DETACHED GARAGE
WITH ANCILARY ACCOMODATION.

Date of application 02/12/2016

Date of decision (if any) 30/01/2017

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:

WE BELIEVE THE SITE NEED RECONSIDERATION AS PER NOTES ATTACHED

Site inspection

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

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

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

Statement

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

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

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

PLEASE SEE ATTACHED STATEMENT.

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.

Full Planning Submission Drawings (attached)

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

08/02/2017



Notice of Review

Ref No **16/02035/FLL**
Ward No **N5- Strathtay**

PROPOSAL:

Erection of a dwellinghouse and garage with ancillary accommodation

LOCATION:

Land 120 Metres North West Of Obney Croft Waterloo Bankfoot

APPLICANT:

Mr Frank McDonald

AGENT:

OSA – Paul O'Shea. Treetops, Trochry, Dunkeld. Perthshire. PH8 0DX

1. Project Description:

The application is for erection of a dwellinghouse and garage with ancillary accommodation on Land 120 Metres North West Of Obney Croft Waterloo Bankfoot. The applicant is proposing to use this dwelling as his principle home. The site as existing comprises of a main garage/storage building which was confirmed as permitted development ref 06/01145/PN. In addition to existing buildings, there are storage containers, machinery and materials deposited around the site and has been used by the applicant as storage space for his plumbing business which is based in Waterloo.

2. Summary of application submission

The application was submitted 28th November 2016

3. Project proposals as submitted (Drawing references)

16/07/01 – Proposed site plan
16/07/02 – Proposed House
16/07/03 – Proposed garage / Annexe
16/07/04 – Existing buildings
16/07/05 – OS Plan
16/07/06 – Existing site plan.
3D image 1
3D image 2

4. Perth and Kinross decision notice (30.01.2017) as rejected

The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (5) Conversion or Replacement of Redundant Non Domestic Buildings as the building is not of traditional form and construction, is not of architectural merit and does not make a positive contribution to the landscape or contributes to local character. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, or (6) Rural Brownfield Land.

Justification

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

5. Request for review on decision notice.

Having discussed the decision notice with the applicant (Mr McDonald), my client has requested that we have the decision reviewed on the following grounds -

Policy RD3 states

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.

We believe this application should be given consideration under Sections 1(a) (building groups) section 2(b) (infill site) and possibly section 6(f) of the councils housing in the country side guide (Rural brown field land) for the following reasons -

Section 1 (Building group)

Section 1 of the housing in countryside states –

An existing building group is defined as 3 or more buildings of a size at least equivalent to a traditional cottage, whether they are of a residential and/or business/agricultural nature. Small ancillary premises such as domestic garages and outbuildings will not be classed as buildings for the purposes of this policy.

As can be seen from the attached plan, proposal is for a dwelling within its own grounds which is of a size and pattern similar to the surrounding properties.

See plan 1 attached.

in addition, the guide 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).

As can be seen from the attached photos, the proposal is set within a definable site formed by the existing topography with well-established landscaped features within well-defined boundaries.



Northern boundary



Northern boundary



Southern boundary to road.



Existing buildings

section 2 (Infill site)-

The existing stone wall boundary, mature trees and location of the gas main to the western edge of the site will ensure no risk of ribbon development.

The application meets the siting criteria (below) as confirmed in the delegated report.

Siting Criteria

Proposals for a new house falling within category 3 above will require to demonstrate that if when viewed from surrounding vantage points, it meets all of the following criteria:

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

We believe that this proposal as the delegated report clearly states –

Design and Layout

The proposal is to clear the site and erect a dwelling on the footprint of the garage/storage building. The proposal also includes an ancillary triple garage with residential accommodation on the upper floor.

The dwelling has accommodation on two floors with the upper storey contained within the roof space served by roof lights and dormers. The proposed finishes are natural stone, larch boarding and slate roof.

The design and finishes of the dwelling are acceptable.

Residential Amenity

The site is detached from the nearest neighbouring dwellings and it is therefore considered that the dwelling as proposed would not impact on existing residential amenity.

Contaminated Land Officers inspected the proposed development site, which did not raise any real concerns, although there is a storage shed and workshop currently located on the site. There is the potential for leaks or spills from any chemicals or machinery stored within the shed. This may have resulted in contamination of the proposed development site, impacting its suitability for the proposed use. A watching brief would therefore be required during redevelopment.

Visual Amenity

The site already has buildings in situ and various machinery/materials stored around the site. The proposal would therefore not be considered to have a negative impact on the visual amenity of the area.

Roads and Access

The site already has access from the public road and parking/turning could be adequately provided within the site. Transport Planning have no objection and do not recommend any conditions

Drainage and Flooding

No drainage implications or flood risk.

Transport Infrastructure

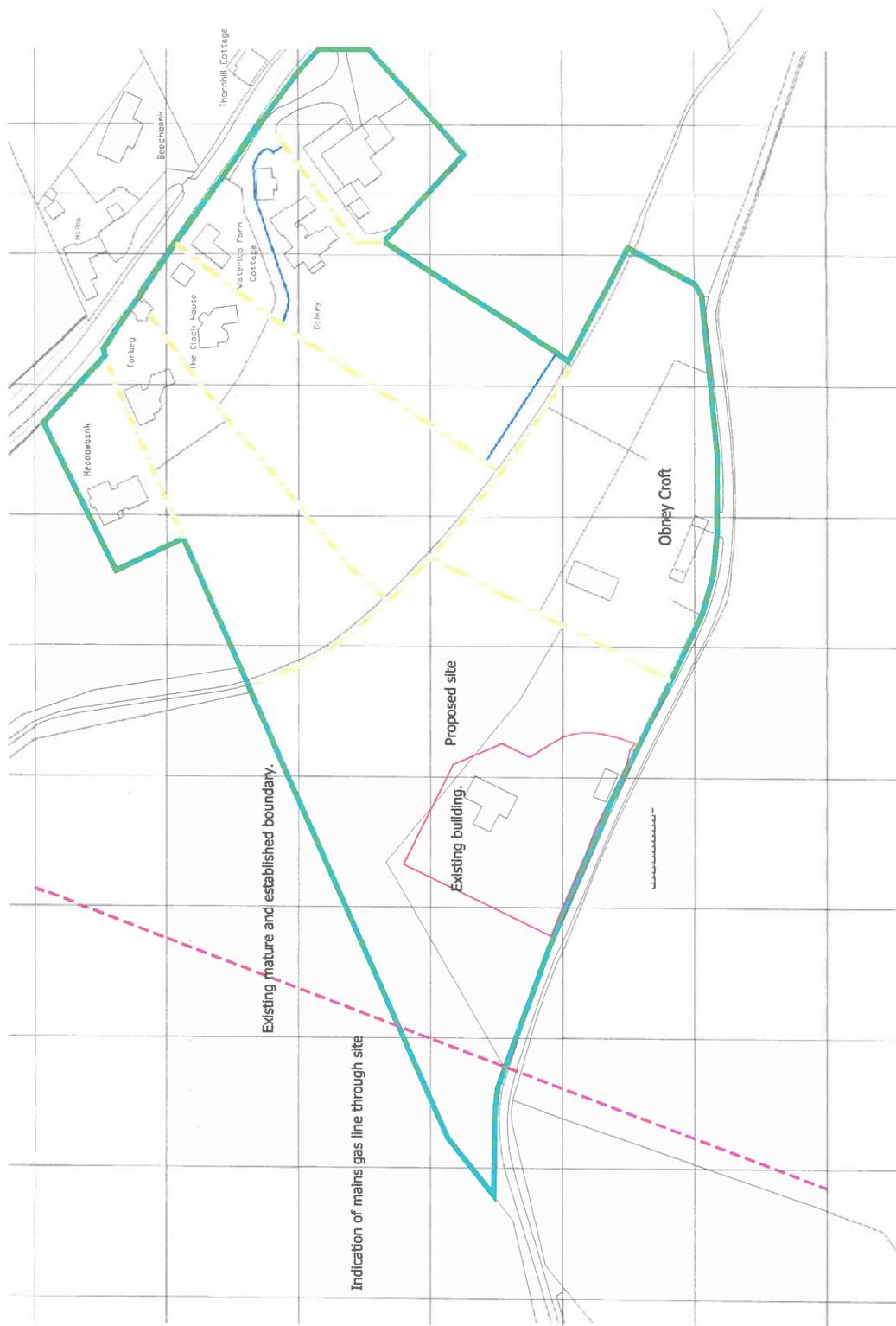
The Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.

The proposal seeks to replace an existing storage/workshop building with a new dwellinghouse and ancillary accommodation. Taking the associated trip rate with the existing use into account the proposal will have limited additional impact on the road network. No contribution towards Transport Infrastructure will be required.

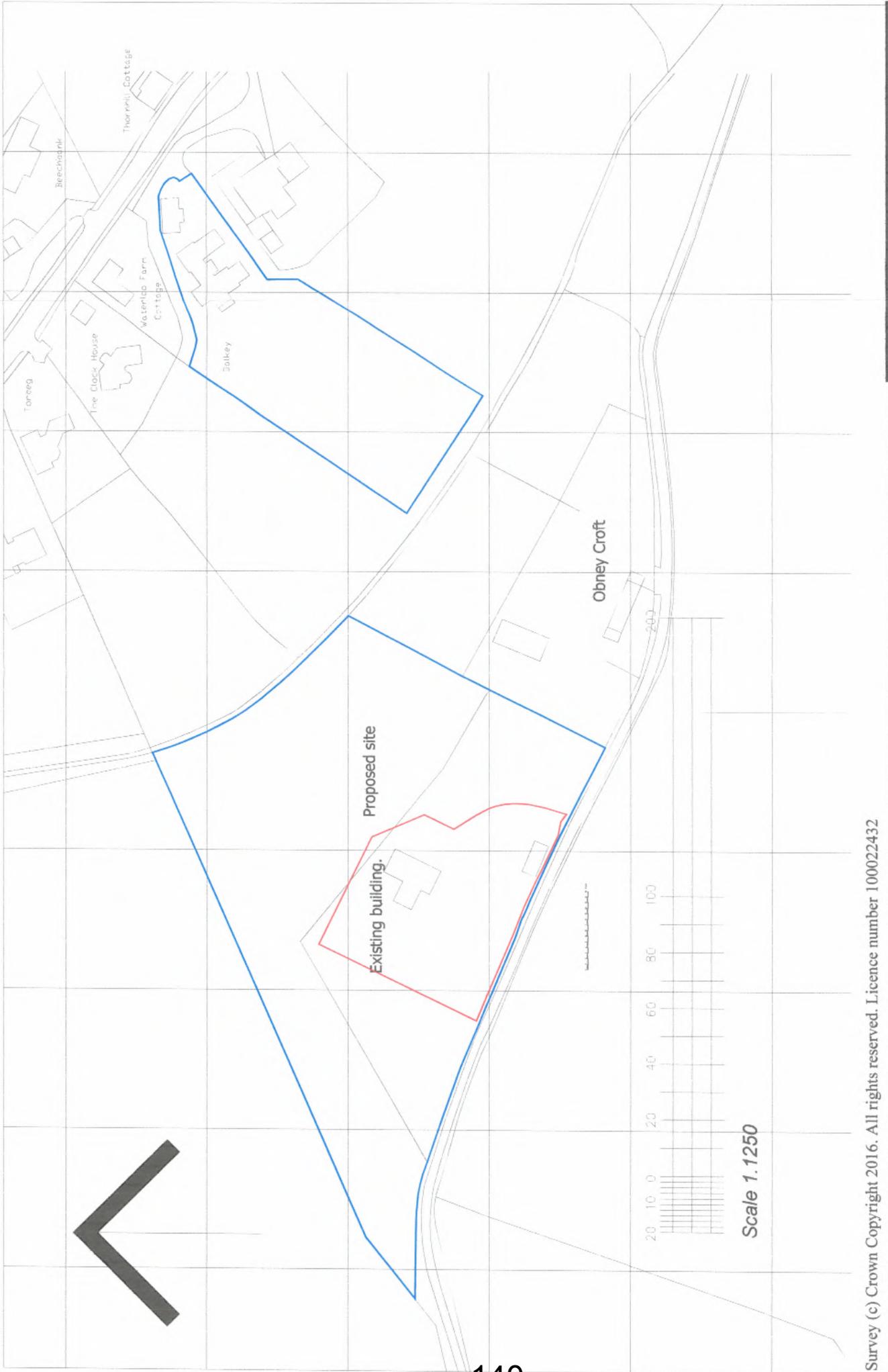
Economic Impact

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

Plan 1.

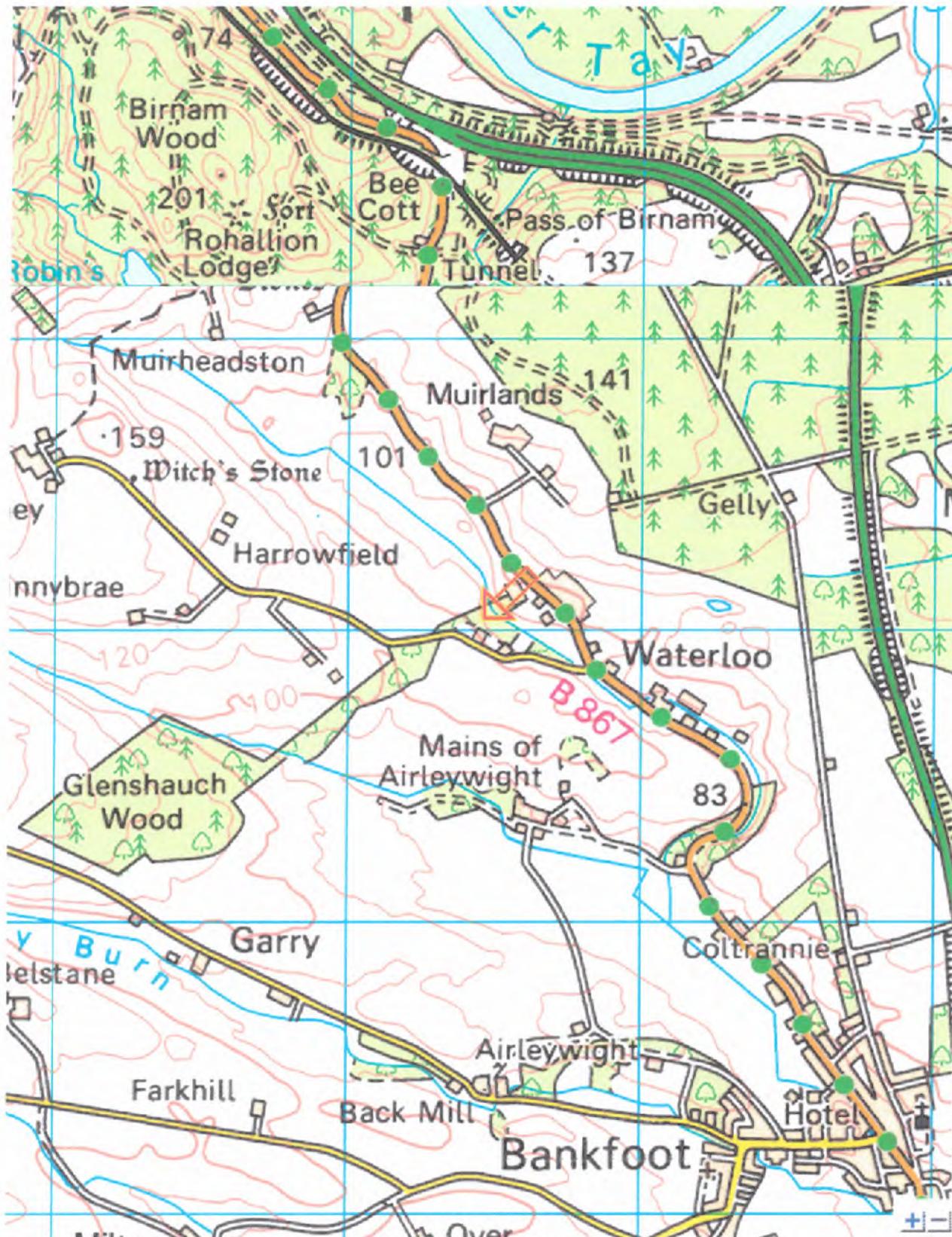


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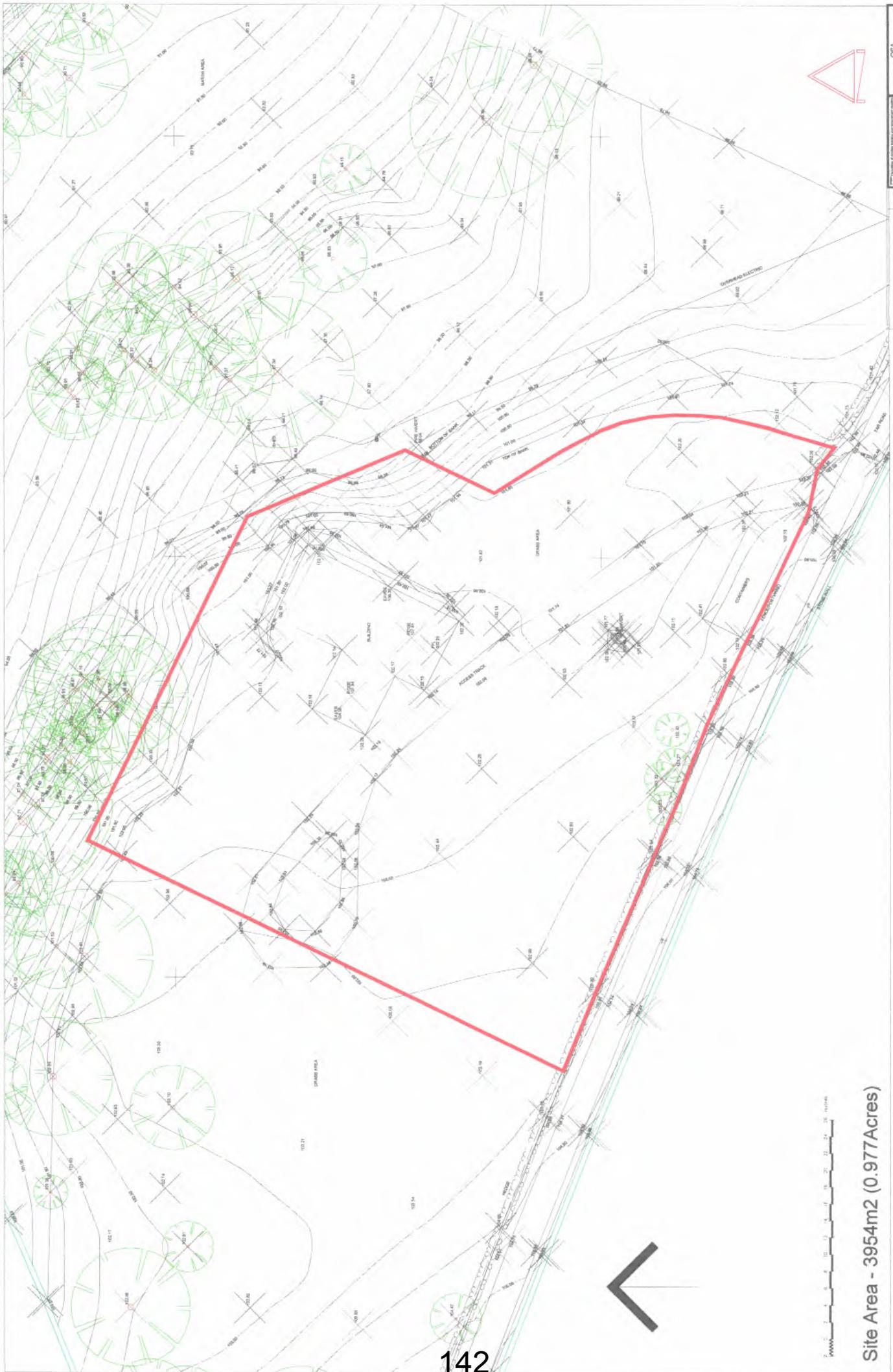
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Firm: OSA		Site: OS Plan		Scale: 1:1250		Date: 10/06/16		Drawn: POS		Disc:	
Company: OSA ARCHITECTURAL & INTERIOR DESIGN SERVICES		Drawing No: 16/07/05		Scale: 1:1250		Date: 10/06/16		Drawn: POS		Disc:	
Address: 16/07/05		Drawing No: 16/07/05		Scale: 1:1250		Date: 10/06/16		Drawn: POS		Disc:	

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[Landscape]
 [Print]



OSA OSA 18/07/06	
Project Name Drawing No. Drawing Date	Scale Date
The information on this drawing is the property of OSA and is not to be used for any other purpose without the written consent of OSA.	



Site Area - 3954m² (0.977Acres)



Prepared by: USA 16/07/01	
Date: 16/07/01 Scale: 1:1000 Project: 16/07/01	Drawing No: 16/07/01 Drawing Title: 16/07/01
Author: [Name] Designer: [Name] Checker: [Name]	Date: [Date] Scale: [Scale] Project: [Project]

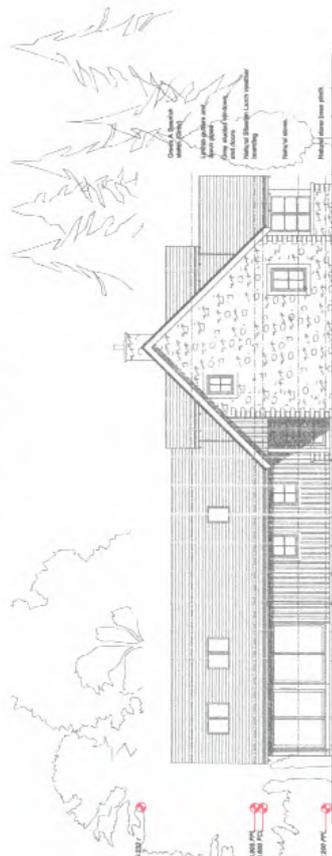
Site Area - 3954m² (0.977Acres)



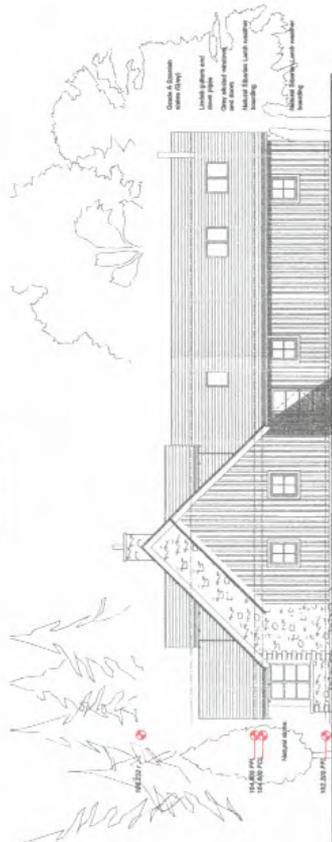
North Elevation



South Elevation



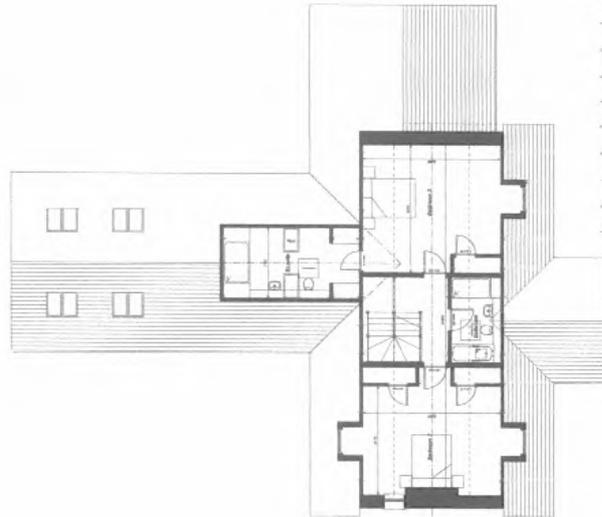
West Elevation



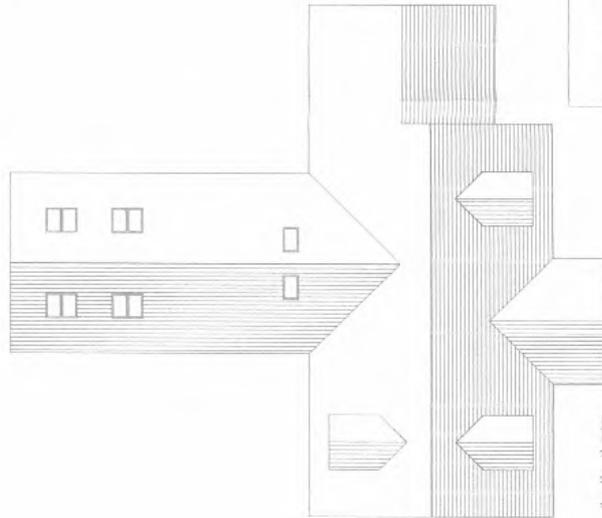
East Elevation



Ground floor plan 173m2

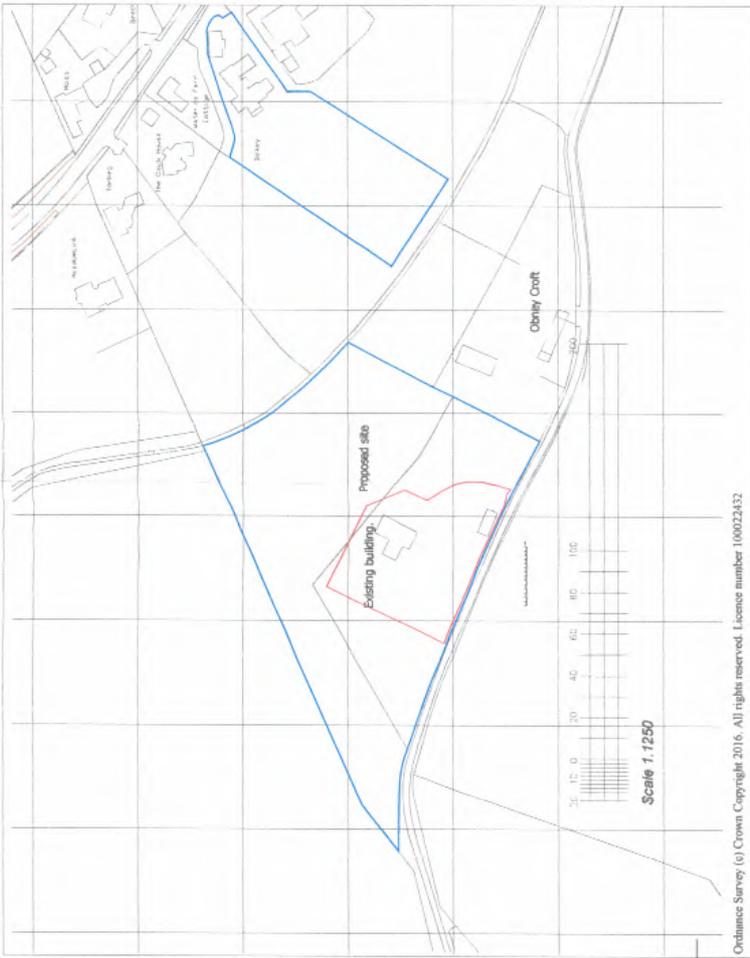


First floor plan 81m2

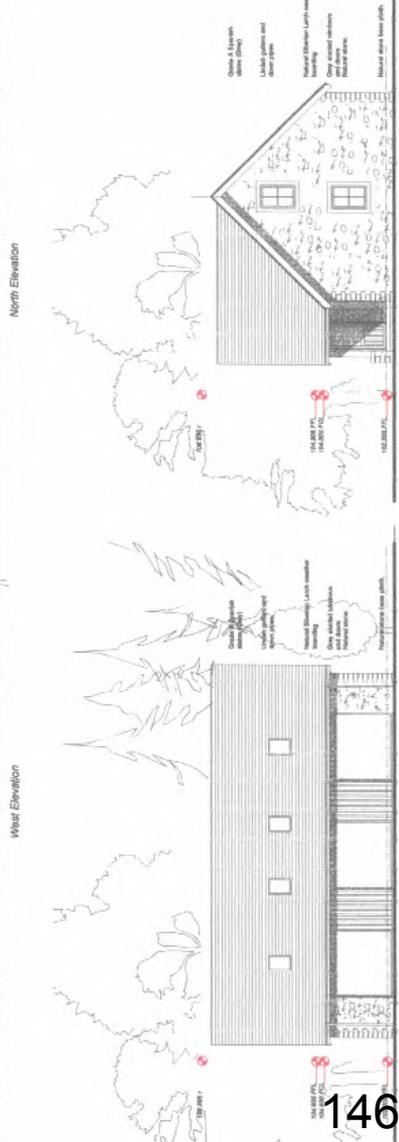
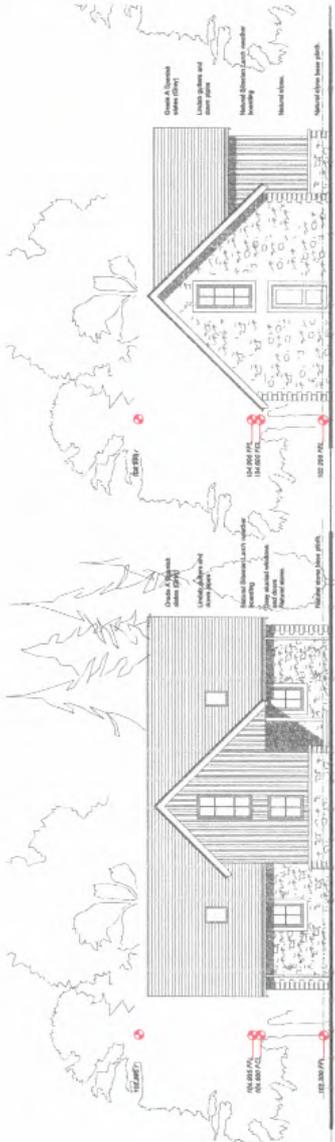


Roof plan

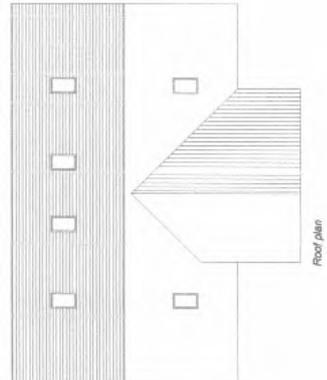
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Project Location: [Blank]	Scale: XX



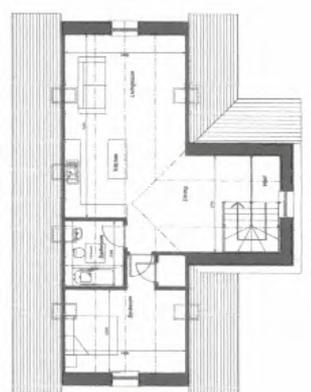
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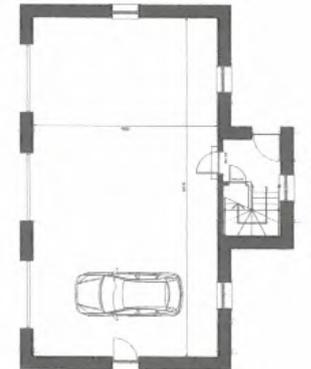
146



Roof plan



First floor plan 1st/2



Ground floor plan 0/0m2

OSA 18/07/03	
18/07/03	XX







TCP/11/16(464)

Planning Application – 16/02035/FLL – Erection of a dwellinghouse and garage with ancillary accommodation on land 120 metres North West of Obney Croft, Waterloo, Bankfoot

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(included in applicants submission, see pages 139-148)*

PERTH AND KINROSS COUNCIL

Mr Frank McDonald
c/o OSA
Paul O'Shea
Treetops
Trochry
Dunkeld
Perthshire
Scotland
PH80DX

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 30.01.2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **16/02035/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 2nd December 2016 for permission for **Erection of a dwellinghouse and garage with ancillary accommodation Land 120 Metres North West Of Obney Croft Waterloo Bankfoot** for the reasons undernoted.

Interim Head of Planning

Reasons for Refusal

1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (5) Conversion or Replacement of Redundant Non Domestic Buildings as the building is not of traditional form and construction, is not of architectural merit and does not make a positive contribution to the landscape or contributes to local character. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, or (6) Rural Brownfield Land.

Justification

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

Notes

The plans 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

16/02035/1

16/02035/2

16/02035/3

16/02035/4

16/02035/5

16/02035/6

16/02035/7

16/02035/8

16/02035/9

REPORT OF HANDLING

DELEGATED REPORT

Ref No	16/02035/FLL	
Ward No	N5- Strathtay	
Due Determination Date	01.02.2017	
Case Officer	Joanne Ferguson	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse and garage with ancillary accommodation

LOCATION: Land 120 Metres North West Of Obney Croft Waterloo Bankfoot

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: 17 January 2016

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application is for erection of a dwellinghouse and garage with ancillary accommodation at Land 120 Metres North West Of Obney Croft Waterloo Bankfoot. The site comprises of a main garage/storage building which was confirmed as permitted development ref 06/01145/PN. In addition there are storage containers, machinery and materials deposited around the site.

SITE HISTORY

06/01145/PN Erection of an agricultural building

PRE-APPLICATION CONSULTATION

Pre application Reference: No pre-application enquiry

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 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“By 2032 the TAYplan region 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 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 adaption.

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

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.

OTHER POLICIES

No other policies

CONSULTATION RESPONSES

Scottish Water	No response within time
Transport Planning	No objection, no conditions
Environmental Health	No objection, contaminated land informative required
Contributions Officer	No contributions required

REPRESENTATIONS

No letters of representation received

ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
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 2012 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 is not located within a settlement boundary and therefore the principle of developing the site falls to be considered under Policy RD3 Housing in the Countryside and the associated 2012 Guide. Policy RD3 states that development of single houses or groups of houses which fall within the six identified categories will be supported.

Having had the opportunity to undertake a site visit and assess the plans I consider the application does not meet the categories in the policy/guide;

- (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

The site is not considered to form part of a building group as it is detached from the existing buildings which lie to the east. The site is not an infill site and does not meet the categories for new houses in open countryside. The proposal does not involve the renovation or replacement of houses.

There are existing buildings on the site and therefore the proposal is considered under Category (e) conversion or replacement of redundant non-domestic buildings. This category requires that buildings are of traditional form and construction is otherwise of architectural merit and makes positive contributions to the landscape or contributes to local character.

The buildings on the site are not traditional and were confirmed as under agricultural permitted development in 2006 (presumably erected at around the same time). The main building on the site is a steel portal framed building with a stone and slate garage wing. In addition to the building there are a number of storage containers, some machinery and materials stored around the site. As the building is not traditional form and construction, has no architectural merit and otherwise does not make a positive contribution to the landscape or local character the site would not comply with category (e) of the policy/guide.

In addition no information has been provided with regards to the existing uses of the buildings on site; if they are redundant or to be relocated.

Lastly the proposal cannot be considered against Category (f) Development on rural brownfield land as there are buildings on the site and this category states that sites should be formerly occupied by buildings.

Design and Layout

The proposal is to clear the site and erect a dwelling on the footprint of the garage/storage building. The proposal also includes an ancillary triple garage with residential accommodation on the upper floor.

The dwelling has accommodation on two floors with the upper storey contained within the roof space served by roof lights and dormers. The proposed finishes are natural stone, larch boarding and slate roof.

The design and finishes of the dwelling are acceptable.

Residential Amenity

The site is detached from the nearest neighbouring dwellings and it is therefore considered that the dwelling as proposed would not impact on existing residential amenity.

Contaminated Land Officers inspected the proposed development site, which did not raise any real concerns, although there is a storage shed and workshop currently located on the site. There is the potential for leaks or spills from any chemicals or machinery stored within the shed. This may have resulted in contamination of the proposed development site, impacting its suitability for the proposed use. A watching brief would therefore be required during redevelopment.

Visual Amenity

The site already has buildings in situ and various machinery/materials stored around the site. The proposal would therefore not be considered to have a negative impact on the visual amenity of the area.

Roads and Access

The site already has access from the public road and parking/turning could be adequately provided within the site. Transport Planning have no objection and do not recommend any conditions

Drainage and Flooding

No drainage implications or flood risk.

Developer Contributions

Primary Education

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, 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 Auchtergaven Primary School.

Education & Children's Services have no capacity concerns in this catchment area at this time.

Transport Infrastructure

The Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.

The proposal seeks to replace an existing storage/workshop building with a new dwellinghouse and ancillary accommodation. Taking the associated trip rate with the existing use into account the proposal will have limited additional impact on the road network. No contribution towards Transport Infrastructure will be required.

Economic Impact

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

Conclusion

In conclusion, the 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

The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (5) Conversion or Replacement of Redundant Non Domestic Buildings as the building is not of traditional form and construction, is not of architectural merit and does not make a positive contribution to the landscape or contributes to local character. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, or (6) Rural Brownfield Land.

Justification

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

Informatives

None required

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

16/02035/1
16/02035/2
16/02035/3
16/02035/4
16/02035/5
16/02035/6
16/02035/7
16/02035/8
16/02035/9

Date of Report 30.01.2017

TCP/11/16(464)

Planning Application – 16/02035/FLL – Erection of a dwellinghouse and garage with ancillary accommodation on land 120 metres North West of Obney Croft, Waterloo, Bankfoot

REPRESENTATIONS

Memorandum

To	Development Quality Manager	From	Regulatory Service Manager
Your ref	PK16/02035/FLL	Our ref	LJ
Date	13 December 2016	Tel No	████████

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

PK16/02035/IPL RE: Erection of a dwellinghouse and garage with ancillary accommodation Land 120 Metres North West of Obney Croft Waterloo Bankfoot for Mr Frank McDonald

I refer to your letter dated 6 December 2016 in connection with the above application and have the following comments to make.

Contaminated Land (assessment date – 13/12/2016)

Informative

An inspection of the proposed development site did not raise any real concerns, although there is a storage shed and workshop currently located on the site. There is the potential for leaks or spills from any chemicals or machinery stored within the shed. This may have resulted in contamination of the proposed development site, impacting its suitability for the proposed use. A watching brief during redevelopment is therefore required.

The Council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by, the Council as Planning Authority.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	16/02035/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin [REDACTED]
Description of Proposal	Erection of a dwellinghouse and garage with ancillary accommodation		
Address of site	Land 120 Metres North West Of Obney Croft, Waterloo, Bankfoot		
Comments on the proposal	<p>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <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 Auchtergaven Primary School.</p> <p>Education & Children's Services have no capacity concerns in this catchment area at this time.</p> <p>Transport Infrastructure</p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> <p>The proposal seeks to replace an existing storage/workshop building with a new dwellinghouse and ancillary accommodation. Taking the associated trip rate with the existing use into account the proposal will have limited additional impact on the road network. No contribution towards Transport Infrastructure will be required.</p>		

Recommended planning condition(s)	Summary of Requirements Education: £0 Transport Infrastructure: £0 <u>Total: £0</u>
Recommended informative(s) for applicant	
Date comments returned	21 December 2016

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	16/02035/FLL	Comments provided by	Tony Maric Transport Planning Officer
Service/Section	Transport Planning	Contact Details	[REDACTED]
Description of Proposal	Erection of a dwellinghouse and garage with ancillary accommodation		
Address of site	Land 120 Metres North West Of Obney Croft Waterloo Bankfoot		
Comments on the proposal	Insofar as the roads matters are concerned, I have no objection to this proposal		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	12 January 2017		

