

**TCP/11/16(604) – 19/00024/IPL – Residential development
(in principle), land 60 metres north of Lizal, St Martins**

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**TCP/11/16(604) – 19/00024/IPL – Residential development
(in principle), land 60 metres north of Lizal, St Martins**

**PAPERS SUBMITTED
BY THE
APPLICANT**



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100166542-001

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

Applicant or Agent Details

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

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Jennifer"/>	Building Number:	<input type="text" value="3"/>
Last Name: *	<input type="text" value="Thow"/>	Address 1 (Street): *	<input type="text" value="Newmains Steading"/>
Company/Organisation	<input type="text" value="RJM Partners"/>	Address 2:	<input type="text" value="Scone"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="Perth"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PH2 6QF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

LIZAL

Address 2:

ST MARTINS

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PERTH

Post Code:

PH2 6AW

Please identify/describe the location of the site or sites

Northing

730177

Easting

315292

Description of Proposal

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

Erection of 2 dwelling houses (in principle) on land adjacent to Lizal, St Martins, Perth PH2 6AW. Application number 19/00024/IPL

Type of Application

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

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

What does your review relate to? * <input checked="" type="checkbox"/> Refusal Notice. <input type="checkbox"/> Grant of permission with Conditions imposed. <input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.							
Statement of reasons for seeking review You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters) Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account. You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances. <div style="border: 1px solid black; height: 60px; margin-top: 10px; padding: 5px;"> Please see supporting documents. </div>							
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 							
If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters) <div style="border: 1px solid black; height: 60px; margin-top: 10px;"></div>							
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters) <div style="border: 1px solid black; height: 60px; margin-top: 10px; padding: 5px;"> Appeal supporting statement word document including pertinent images as explained in supporting documentation. </div>							
Application Details Please provide details of the application and decision. <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 60%;">What is the application reference number? *</td> <td style="border: 1px solid black; padding: 2px;">19/00024/IPL</td> </tr> <tr> <td>What date was the application submitted to the planning authority? *</td> <td style="border: 1px solid black; padding: 2px;">28/01/2019</td> </tr> <tr> <td>What date was the decision issued by the planning authority? *</td> <td style="border: 1px solid black; padding: 2px;">27/02/2019</td> </tr> </table>		What is the application reference number? *	19/00024/IPL	What date was the application submitted to the planning authority? *	28/01/2019	What date was the decision issued by the planning authority? *	27/02/2019
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What date was the application submitted to the planning authority? *	28/01/2019						
What date was the decision issued by the planning authority? *	27/02/2019						

Review Procedure

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

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☐ Yes ☐ No ☒ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: Ms SARAH FILSHIE

Declaration Date: 24/05/2019

APPEAL EVIDENCE FOR APPLICATION NUMBER 19/00024/IPL

The Report of Handling for Application Number 19/00024/IPL Residential Development (in principle) Land 60 Meters North of Lizal St Martins ('the Report') claims that *'the proposal fails to comply with category (1) Building Groups as the proposed site is physically and visually separated from the existing group of buildings to the North and development on the Site would adversely affect the rural character of the area'*. Furthermore *'the proposal is located out with the nucleated and well defined existing building groups and extending development will contribute to Ribbon Development along the public road'*.

It is felt that this is an unfair assessment, and does not reflect the intention or practicalities of the proposal. Nor is this decision reflective of other planning and development that has been approved and occurred within the Hamlet in the last 5 years.

The proposed plot lies on unfarmed agricultural land. Due to minimal holdings and the lack of farming equipment held by the current owner, it is practically and financially unfeasible to work this agricultural land. Therefore development presents a favourable option for utilizing this land.

The Report states that the proposed site is 'near St Martins', however the site lies *within* the recognized settlement of St Martins. The Report suggests that the area around the site is made up of a number of distinct nucleated groups of dwellings and that the proposal links these groups of dwellings together. This appeal argues that all of these dwellings are part of the Hamlet of St Martins and do not represent separate settlements. As such the proposal is already within St Martins, not 'near' the Hamlet. St Martins is currently spread out with no discernible centre. Although there is currently no prescribed centre to the hamlet, it could be suggested that the road junctions and the War Memorial provide a suitable centre point to St Martins. Therefore any development between the existing dwellings would enhance the village and rural community that this creates, and would not lead to any extension of the Hamlet.

BUILDING GROUPS

The Report argues that the single nucleated group of houses to the South of the proposed site does not constitute a Building Group. 'RD3 Housing in the Countryside' (RD3) Policy defines Building Groups 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'*. The group of houses to the South comprises of 2 residential dwellings, a number of domestic outbuildings (accepted as not contributing to a Building Group) but also 2 significant agricultural outbuildings (figures 1 and 2), which are, of this appeal's opinion, equivalent in size to a traditional cottage. Therefore, the group of buildings to the South of the proposed site *should* be considered a Building Group in accordance with the definition within RD3.



Figure 1 – agricultural buildings contributing to a 'building group' to the South of the site i.a.w. RD3 definition



Figure 2 – 'Building Group' agricultural buildings (looking North West)

RIBBON DEVELOPMENT

The relatively recent development of dwellings along the North side of St Martins Mill road (figures 3,4 and 5) demonstrates development away from the centre of the settlement along an approaching road, and provides an accurate example of ribbon development.



Figure 3 – St Martins Mill Road development extending away and along the road from St Martins



Figure 4 – St Martins Mill Road development extending North West bound from the Hamlet

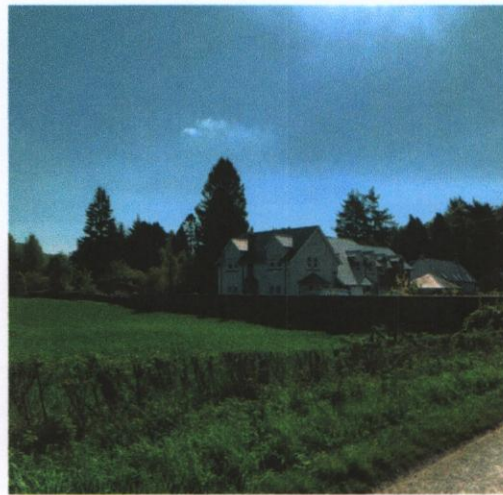


Figure 5 – St Martins Mill Road development looking South East toward the Hamlet

A further example of ribbon development is the site of new build houses South East of Campmuir (figures 6 and 7). Successful planning permission and subsequent development has seen the erection of 3 residential properties extending along the roadway, but not extended in depth. As stated in this appeal, the proposed site should be considered as part of St Martins Hamlet and therefore should not be describes as linking 2 separate groups of houses into 1 settlement but utilizing suitable plots of land within 1 existing settlement. This proposal will not constitute any extension of the existing Hamlet along the approaching roads (unlike the recent development along St Martins Mill), therefore *should not* be considered to create ribbon development, but to enhance an already established settlement.



Figure 6 – Ribbon Development just South East of Campmuir



Figure 7 – Ribbon Development just South East of Campmuir

INFILL

The band of woodland adjacent to the War Memorial is considered by the Report as a separation to the group of houses to the North and the proposed site, meaning that the proposed site cannot be considered an infill site. However, this woodland was sold to one of the properties to the North side of the dividing road some years ago, and therefore could be considered as part of the plot of the adjacent property to the North. For this reason, the proposal could be considered as infill as this woodland cannot be considered as separation from the adjacent dwelling but part of it.

PLACE MAKING

This appeal addresses 2 of the Place Making criteria – design and density. The proposed plot has sufficient space for 3 dwellings, but the proposal minimizes the number of houses to 2 to ensure adequate and appropriate green space is provided for each dwelling, and the nature of the existing Hamlet is respected. In addition, the design of the dwelling will be sympathetic to the style of the existing properties in St Martins. Due to the variety of age and style of existing dwellings this will be very achievable and is the aspiration of this proposal.

None of the dwellings mentioned within the report are traditional dwellings. Therefore the 'character' of St Martins is difficult to define. 7 out of 12 of the properties in St Martins are of recent build age, therefore the character of the area could be described as a mixture of style and age of properties, and as such easily complemented by a new property if executed in a sympathetic and considered way.

An example of this variety in design and character is the most recent residential property developed along St Martins Mill Road (figures 8 and 9). This residential property, for which planning permission was granted in 2016, could be considered not respectful of the character of a typical small hamlet like St Martins. This property is significantly larger than any of the other properties currently within the Hamlet and is of a modern design. Having been built along the approaching roadway this property should have also been considered ribbon development, but planning permission was granted nonetheless setting a precedent for further development within the Hamlet. The siting of this dwelling also required the felling of a significant band of trees, having a greater effect on the biodiversity of the area than the proposal. A further additional dwelling was recently developed near the Manse house on the edge of St Martins. This house is also of modern design, and was erected by a single existing property (see figures 10 and 11). This further supports the varied designs of housing and definition of 'character' within the Hamlet. The design of the proposed dwellings will be respectful of a country hamlet such as St Martins, and this will be made evident when full plans and designs are produced.



Figure 8 – aerial view of recent development in St Martins



Figure 9 – Recent Development in St Martins



Figure 10 – Aerial view of Manse house and additional dwelling



Figure 11 – Manse house and additional dwelling

P&KC IDN27/5/201908:35:37

The Report showed that all other Place making criteria had been met by the proposal.

OBJECTIONS

Most of the objections lodged against the proposal were refuted within the Report, including drainage provision, access and visibility concerns, and impact on biodiversity and visual amenity. This appeal refutes other concerns, many of which are unfounded.

Road access to the site is not via single-track road with minimum passing places; there are 3 roads running to/from St Martins with adequate passing places, one of which is a 2-lane road. The concerns of a significant increase to traffic levels is overinflated and over exaggerated.

The concern that the approval of this application will lead to larger housing developments should not lead to refusal of this particular application. There is a significant difference between small-scale development in keeping with the character and size of an area, and larger housing developments. The proposal recognizes that St Martins would be unsuitable for larger scale developments, which is why the proposal wishes to utilize a small pocket of land for development, and reflects the character and amenity of the area. Approval of the proposal would in no way suggest that St Martins would be a suitable site for larger scale development in the future, as the proposal does not result in the outward expansion of the hamlet. Previous recent development has not lead to larger scale development, so there is no reason to believe that this proposal will.

There has been some concern over the integrity of the War Memorial, objectors believing that the development will *'diminish the history and meaning of this War Memorial'*. The report agrees that the proposed plots are substantial enough to enable adequate screening/containment of the site, ensuring there will be no detriment to neighbouring properties. It can also be assumed therefore that any concerns about the integrity of the adjacent War Memorial are unfounded. There are currently over 100,000 war memorials in the UK, a large proportion of which are located in cities and towns – with no detriment to their meaning or value within the community. St Martins is no different – any development will in no way detract from the significance of this prominent community Memorial. Furthermore, the families of the applicant have a long line of military history, making them particularly cognizant and respectful of the history and meaning of memorials such as this.

CONCLUSION

The Report states that the proposal demonstrates no economic need for the development. TAYPLAN 16 describes the need for provision for residents to be healthier, live work and play in better environments. The Perth and Kinross Local Development Plan describes within its vision statement the wish to protect and enhance the variety of rural and urban environments, and to increase the prosperity in smaller towns, villages and rural communities. Extensive development around the city of Perth provides large numbers of estate homes, but does not provide any variety, nor support the prosperity and enhancement of its surrounding rural communities. It also does not provide potential residents with variety and the opportunity to live in a rural community such as St Martins. The proposed development presents an opportunity to satisfy some of these visions and aims of the strategic and local development plans, and the addition of a small number of sympathetic and appropriate dwellings will enhance the rural community and add to the viability of the existing Hamlet.

TCP/11/16(604) – 19/00024/IPL – Residential development (in principle), land 60 metres north of Lizal, St Martins
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PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

RJM Partners
c/o Arthur Stone Planning And Architectural Design
Limited
Alison Arthur
85 High Street
Newburgh
United Kingdom
KY14 6DA

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 27th February 2019

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **19/00024/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 28th January 2019 for permission for **Residential development (in principle) Land 60 Metres North Of Lizar St Martins** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to Policy RD3 of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to comply with category (1) Building Groups as the proposed site is physically and visually separate from the existing group of buildings to the north and development on the site would adversely affect the rural character of the area. Furthermore the proposal is located outwith the nucleated and well defined existing building groups and extending development will contribute to the creation of ribbon development along the public road. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, 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.

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

19/00024/1

19/00024/2

19/00024/3

REPORT OF HANDLING

DELEGATED REPORT

Ref No	19/00024/IPL	
Ward No	P2- Strathmore	
Due Determination Date	27.03.2019	
Case Officer	John Williamson	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Residential development (in principle)

LOCATION: Land 60 Metres North Of Lizal St Martins

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: 7 February 2019

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission in principle is sought for a residential development on a 0.35 hectare area of land which is located in a rural location near the small hamlet of St Martins. The site is currently utilised as a grass paddock for horse grazing. The application site is bound by the C434 public road to the east, by an area of woodland to the north, to the west by open agricultural fields and to the south by a small grouping of buildings and a dwelling house named Gateside.

SITE HISTORY

None

PRE-APPLICATION CONSULTATION

Pre application Reference: None

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 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 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 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 EP3B - Water, Environment and Drainage

Foul drainage from all developments within and close to settlement envelopes that have public sewerage systems will require connection to the public sewer. A private system will only be considered as a temporary measure or where there is little or no public sewerage system and it does not have an adverse effect on the natural and built environment, surrounding uses and the amenity of the area.

Policy EP3C - Water, Environment and Drainage

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

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 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.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.

The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29 August 2018. The unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.

The Proposed LDP2 represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. It sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. However, the outcome of the Examination could potentially result in modifications to the Plan. As such, currently limited weight can be given to its content where subject of a representation, and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision.

OTHER POLICIES

Housing in the Countryside Guide

Developer Contributions and Affordable Housing Supplementary Guidance

CONSULTATION RESPONSES

INTERNAL

Perth And Kinross Heritage Trust – condition recommended

Development Negotiations Officer – conditions recommended

Transport Planning – no objection

Environmental Health (Contaminated Land) – no objection

EXTERNAL

Scottish Water – no objection

Perth Scone Airport – no comments

REPRESENTATIONS

The following points were raised in the 10 representation(s) received:

- Contrary to Development Plan
- Drainage
- Access and Visibility
- Fails to respect character of area
- Ribbon development
- Impact on bio diversity
- Setting of precedent
- Impact on visual amenity
- Impact on broadband speeds
- Loss of open space

The above issues are addressed within the appraisal section below other than broadband speeds which is not a material planning consideration.

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	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 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.

Principle

Policy RD3 of the Local Development Plan refers to Housing in the Countryside. It specifically refers to the requirement for all residential development in the countryside to comply with relevant Supplementary Planning Guidance, specifically the Housing in the Countryside Guide 2012 (Guide). The guide outlines a number of categories upon which development will be assessed against. Policy TA1B in relation to transportation, PM3 infrastructure contributions, PM1A and B placemaking are also relevant in the consideration of this application. In this particular instance, it is considered that the proposed site fails to comply with the accepted categories of development within the Guide. These are (1) Building Groups (2) Infill Sites (3) New Houses in the Open Countryside (4) Renovation or Replacement of Houses (5) Conversion or Replacement of Redundant Non-Domestic Buildings or (6) Rural Brownfield Land.

It is noted from my site visit that the buildings to the south of the site form a single nucleated grouping occupying mainly the western side of the public road. To the north of the application site, on the opposite side of the woodland and war memorial is a separate small grouping of dwellings.

There is a clear visual and physical separation between these two small groupings of buildings associated with St Martins. There are a group of houses which sit on the north side of the public road, to the north of the War Memorial and the edge of this grouping is defined by the public road which sits along the southern edge of this group. This grouping is very nucleated and visually separated from the application site by the War Memorial and woodland area.

There is a separate small grouping of buildings at Gateside to the south of the application site which is also has its own very nucleated setting. I do not consider these groups to have any direct physical or visual relationship with each other given the separation between these areas provided by the woodland and war memorial referred to above. These small groups of buildings are prevalent in this area of countryside and very much part of the character of the area around St Martins. This proposed application seeks to physically link the two sites into a much larger grouping which fails to respect the character of the area.

The guide specifically states that proposals which contribute towards ribbon development will not be supported. The proposal involves a site which is located outwith the nucleated and well defined small group of houses and by extending the built form along the public road will contribute to the creation of ribbon development which is not supported by the Housing in the Countryside Guide.

Furthermore I do not consider the site to be classified as an infill site as again the woodland to the north of the site and the war memorial provide separation from the application site and the grouping to the north. And also, given the separation provided by the woodland between the site and the group to the north, the proposal fails to occupy the full extent of the gap between the existing houses as required by the guide.

The proposed site does not fall under any of the other categories within the guide and no evidence has been submitted which demonstrates that there is an economic need for the proposed dwellings. As such I consider the proposal to be contrary to Policy RD3 of the Perth and Kinross Local Development Plan as the proposal fails to meet any of the identified categories of residential development outlined in the Housing in the Countryside Guide 2012.

Visual Impact

The Housing in the Countryside Guide 2012 also includes detailed siting criteria which require to be considered in any proposal and these criteria are echoed by the requirements of Policy PM1A and B of the LDP which relate placemaking. Overall they require new development to reflect its surroundings in terms of scale, character and design. As this is an application in principle no detailed design or scale of dwelling has been submitted at this stage and this matter can be further considered at the detailed submission stage should any consent be granted.

Residential Amenity

The site is of sufficient footprint and there is an opportunity to position any dwelling in a location which ensures that the neighbouring properties are not overlooked given the distance which would be apparent between windows of the new house and the existing properties. Furthermore, additional boundary planting can be provided to provide some screening and containment for the site which can be secured by condition at this stage. As this application is only in principle there is no opportunity to assess this in detail, at this stage, however this can be assessed when a detailed application is received. I am satisfied that the scale of the site allows for a house to be positioned in a location which would not impact detrimentally on the neighbouring properties. The orientation of the house and its height, together with the window positions would be an important consideration should any detailed application come forward. Overall this issue can be addressed at the detailed application stage, but as outlined above the principle of erecting a dwelling on this site is not considered acceptable and is not in accordance with LDP policy.

Drainage/Flooding

The application form indicates that the foul drainage will be disposed of to the public sewer but there is no public sewer available in this location as confirmed by Scottish Water in their consultation response. The site will be required to connect to a Sustainable Urban Drainage System (SUDS) which can be secured by condition and considered further at the detailed application stage. Therefore a private drainage system would be required and details of this should be submitted with any detailed application. This is considered to comply with policies EP3B and C of the LDP and the detailed design of this will be secured through the building warrant process.

Bio Diversity

Whilst it is noted that there is an area of woodland adjacent to the site, this is located outwith the site and therefore no tree felling is required. On that basis I do not consider the proposed development to have a detrimental impact on local ecology and bio diversity.

Developer Contributions

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.

This proposal is within the catchment of Balbeggie Primary School. A condition would be required to ensure this element of the guidance is adhered to should any planning consent be granted.

Traffic and Access

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 application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning application granted.

Archaeology

PKHT have recommended a programme of archaeological works which should be covered by condition should any consent be granted.

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 considered to comply with the approved TAYplan 2016 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 for the following reason:

The proposal is contrary to Policy RD3 of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to comply with category (1) Building Groups as the proposed site is physically and visually separate from the existing group of buildings to the north and development on the site would adversely affect the rural character of the area. Furthermore the proposal is located outwith the nucleated and well defined existing building groups and extending development will contribute to the creation of ribbon development along the public road. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, 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

N/A

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

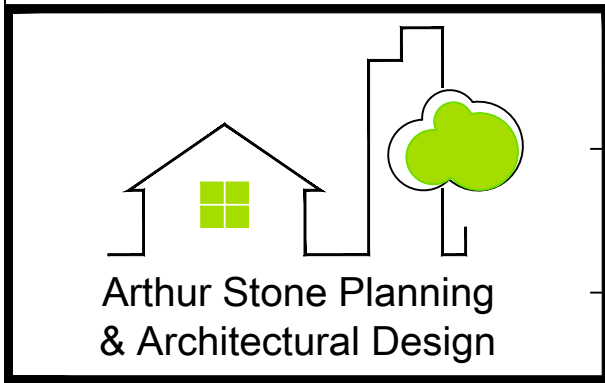
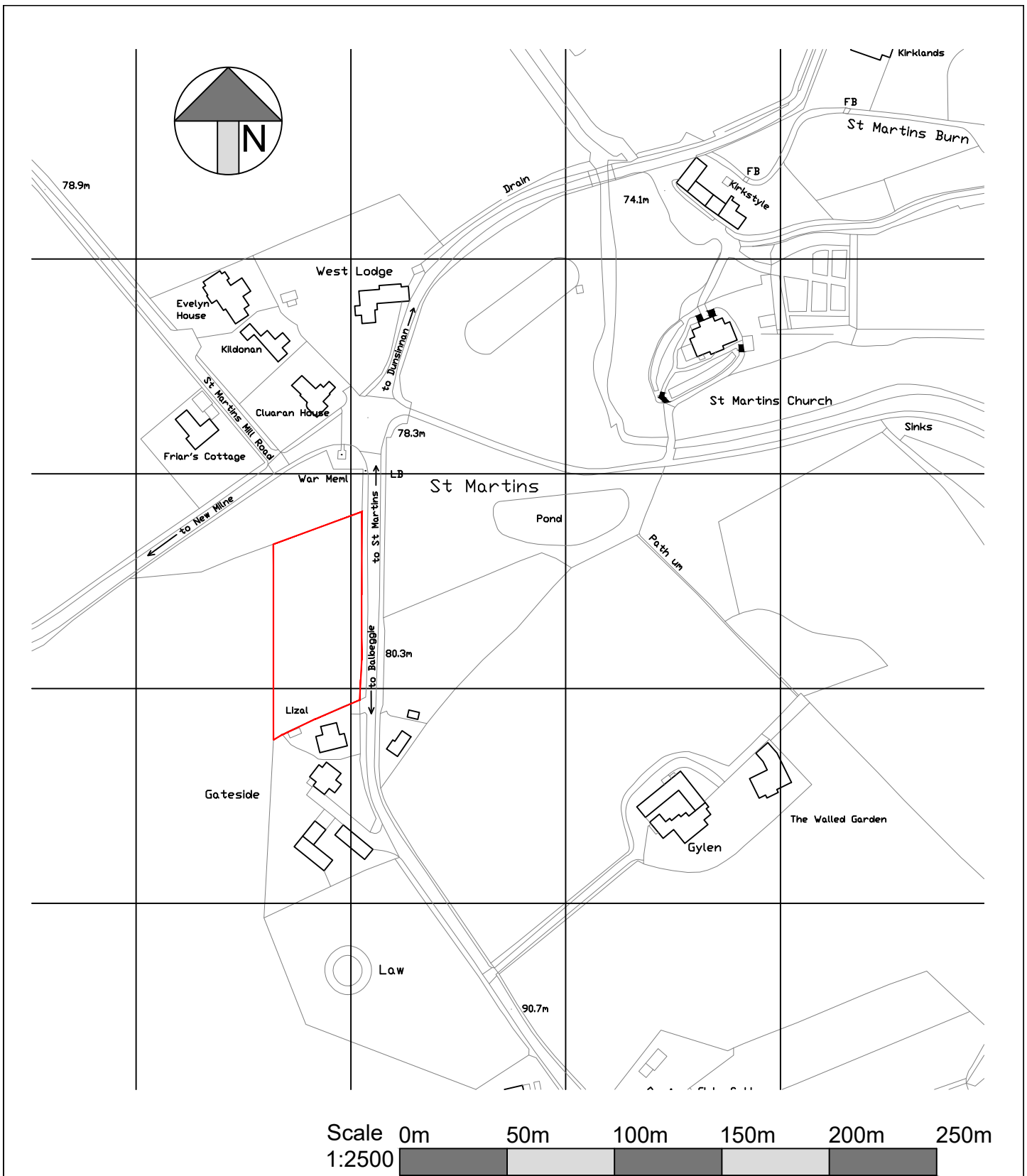
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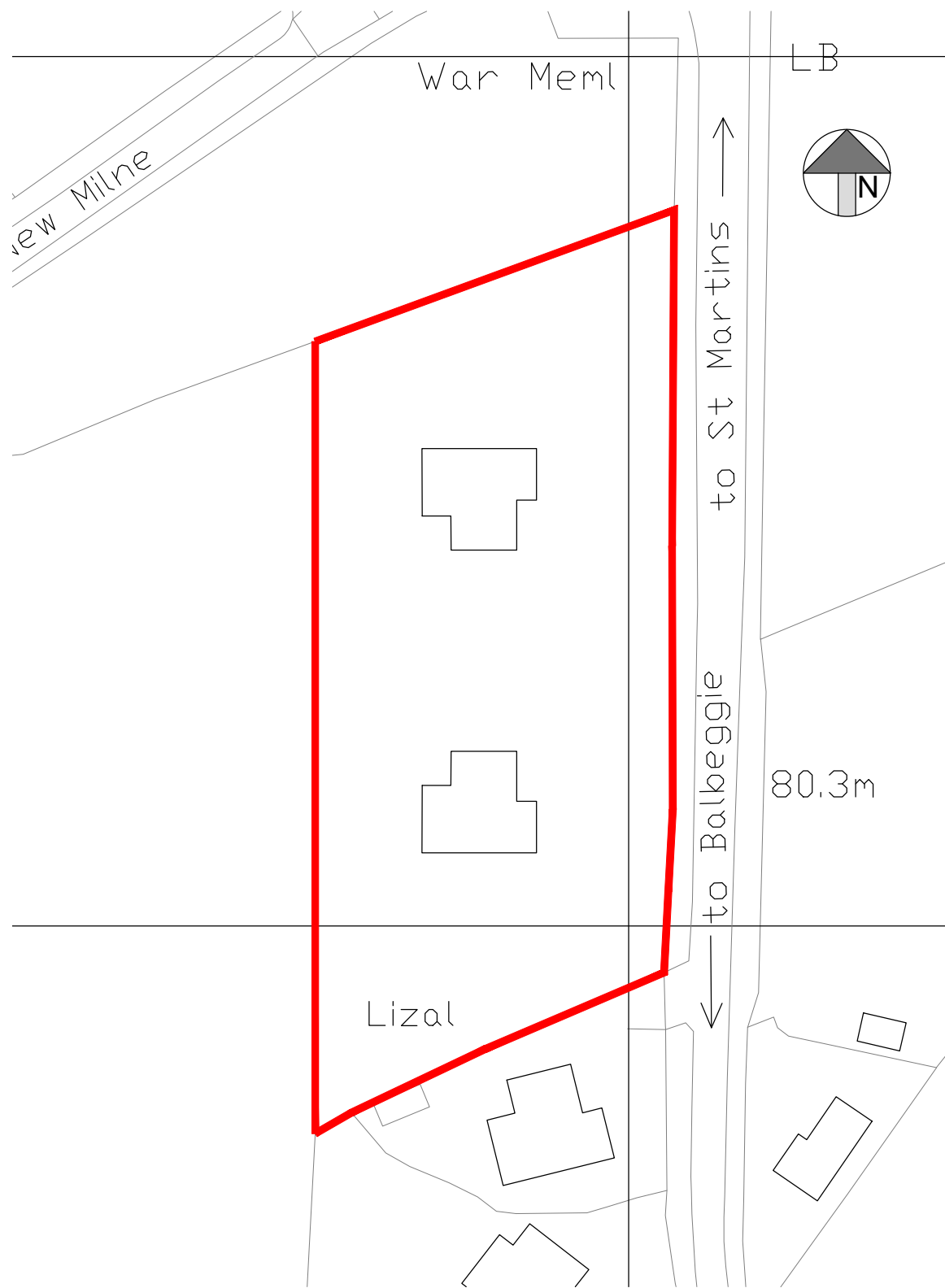
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Date of Report

26 February 2019



Project Proposed Plot 1 St Martins				
Title Site Location Plan				
Drawn FP	Date Oct 18	Scale 1:2500@A4	Drawing No 2084-001	Rev



Scale 1:500 0m 10m 20m 30m 40m 50m



Project

Proposed Plot 1 at St Martins

Title

Proposed Block Plan

Drawn
FP

Date
Oct 18

Scale
1:500@A3

Drawing No
2084-002

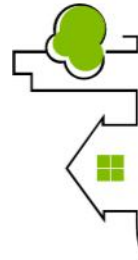
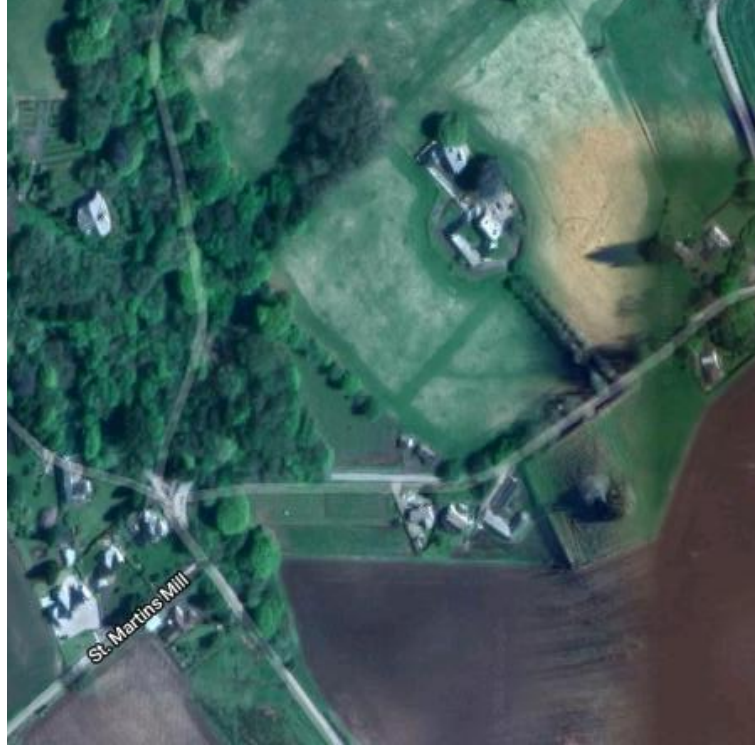
Rev

Planning Statement

Land adjacent to Lizal, St Martins, Perth
PH2 6AW

RJM Partners

October 2018



Arthur Stone Planning
& Architectural Design

85 High Street
Newburgh. KY14 6DA

Tel: 01337 840088



www.arthurstoneplanning.co.uk
info@arthurstoneplanning.co.uk

Contents
01 Introduction
02 Site Context and Appraisal
03 Proposal
04 Principle of Development
05 Detailed Policy Considerations
06 Conclusion



This statement has been prepared by Arthur Stone Planning & Architectural Design for RJM Partners. It is submitted to support this application for planning permission in principle for two dwellinghouses on land owned by the applicant, to the north of Lizal, St Martins.



Site location ★



Boundary of Site

This statement provides supporting information which we trust will assist the Council in its decision making process. The information provided refers to the current planning policies and guidance of Perth & Kinross Council.

The application site, of 0.35ha approximately, lies to the west of the C434 minor road and is a contained grassed paddock, currently providing grazing for horses. The land is generally level with a gentle downslope towards the north. The site is bounded to the south by the adjacent dwellinghouse at Lizal, along with the dwellinghouse, Gateside and its associated outbuildings. A small area of woodland bounds the site to the north, with agricultural land to the east. A mature hedge and the public road bounds the site on its eastern side. The access to the paddock is located at its north east corner.

The adjacent house, Lizal is a modern chalet bungalow with detached garage to the rear. The gable wall of the house is adjacent to the site with the addition of a tall mature hedge. The further house forming part of the group, Gateside, is a modernised 2 storey property with substantial outbuildings. Historic mapping dating back to the 19th century suggests that Gateside was a farm with house and steading.

The area to the east of the site, with designed woodland and parkland, is associated with the St Martins Abbey mansion house. This is not designated as part of the Inventory of Historic Gardens and Designed Landscapes although the walled garden is category C listed. It is understood that the grounds and policies were laid out in the mid 19th century. The site itself is not the subject of any heritage designations and the grazing will be of limited biodiversity value.

The surrounding area is not subject to any other designations in terms of natural or built heritage.

There are no watercourses immediately adjacent to the site with the nearest watercourses, St Martins Burn and the Balgray Burn more than 130m distant.

A network of core paths is located within the surrounding area of St Martins with a range of local and more extensive routes, including linkages to Balgeddie, Guildtown and onward to Perth and Scone.

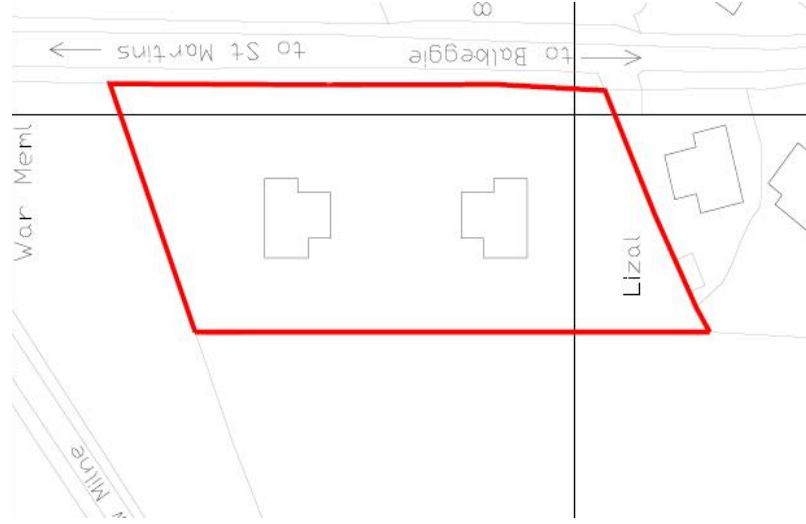


Planning Application Site viewed towards the south west illustrating the landscape framework of hedges, trees and houses



The applicant is seeking planning permission in principle for the erection of two dwellinghouses with garages, associated garden ground, landscaping and access.

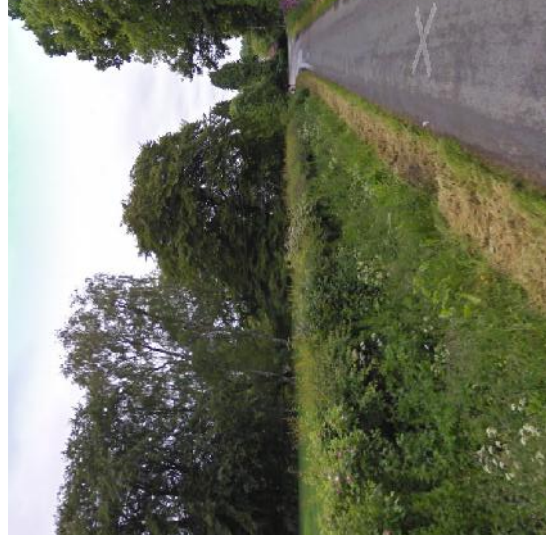
An indicative site layout is submitted, proposing a 3/4 bedroom house, which would be likely to be one and a half storeys in height with garage. Parking space for three vehicles for each dwellinghouse is illustrated to meet with national guidelines. The dwellinghouses would use a single shared access from the public road.



Extract from block plan (red line) illustrating notional location of proposed new houses (not to scale)

Although detailed matters would be considered in a future application we believe that the indicative residential layout submitted shows the capability of the site to accommodate the proposal. It is envisaged that a sensitively designed 4 bedroom house using high quality materials could be appropriately accommodated on these two large plots.

We believe that services could be installed and construction carried out with careful planning to ensure no impacts on the adjacent woodland to the north. Appropriate amenity would be achieved for the occupants of the house, with its position sufficiently distant from trees to minimise overshadowing and loss of light, and no adverse amenity impacts will be caused to neighbouring residential properties or the agricultural use of the adjacent land.



Backdrop of trees on the northern boundary of the site

The Development Plan which applies to this site is the Approved TAYplan Strategic Development Plan 2016—2036 (2017) and the Adopted Perth & Kinross Local Development Plan 2014. We note that Perth & Kinross Council's settled view in terms of land use planning is contained within the Proposed Local Development Plan 2, now submitted to the Scottish government for Examination. We recognise that this Plan is now a material consideration in the determination of planning applications.

Perth & Kinross Council's supplementary guidance is also a material consideration in the assessment of this proposal, including the Housing in the Countryside Guide (2014).

The site is not allocated for development and is not subject to any site specific policy related designation. St Martins is not identified with a settlement boundary in the Local Development Plan, with the site therefore lying in the 'countryside' policy area.



Plan illustrating existing building group at St Martins

Policy RD3: Housing in the Countryside provides support for housing proposals in the countryside where they fall within specific categories. We contend that this proposal gains support in terms of category (a) Building Groups. The policy highlights the detailed requirements set out in the relevant Perth & Kinross Council Supplementary Guidance, in particular the Housing in the Countryside Guide.

The extract below is from the Housing in the Countryside Guide in relation to Building Groups (defined as 3 or more buildings of a size of at least equivalent to a traditional cottage whether residential and/or business/agricultural):

'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).'

The Guide also details other criteria to be met for all proposals in the countryside including access, servicing, design and amenity, addressed in this submission.

The site lies adjacent to the dwellinghouse, Lizal, and Gateside, a further dwellinghouse with substantial associated steading buildings. These buildings include a large L shape two storey building and a further lower height building, both stone built. They have a footprint significantly larger than that of a house and so we believe fit with the requirement in the Guide for a 'building' to be of a size at least equivalent to a traditional cottage. Across the public road, directly opposite Lizal are stable buildings, again with a significant footprint size. Overall, therefore, the adjacent building meet the Council's definition of a 'Building Group'. The proposal is for the extension of the 'Building Group' and we contend that the site is sufficiently well defined to provide a suitable setting for well sited and designed new development, compliant with the policy.

Residential Amenity

As the applicant is seeking planning permission in principle there is no requirement to submit detailed proposals for house layout and design. We propose that this site, in terms of its size, location and characteristics can readily provide future dwellinghouse occupants with appropriate residential amenity, while also protecting that of neighbouring properties. Windows would be positioned so as not to overlook each other on either side etc.

The footprint of the site, at 0.3ha, has a roadside length of 75m and depth of 40m. This is sufficiently large and with appropriate dimensions to enable two houses to be positioned in a way which will ensure that there is no loss of privacy, daylight or sunlight to the neighbouring property at Lital.

In terms of the amenity of the proposed dwellinghouses, the site provides opportunities to make the best use of site layout and design to orientate the houses to maximise solar gain and daylight and minimise energy demand. The adjacent woodland is to the north and not considered to cause any issue in terms of overshadowing. The site size is sufficient to provide adequate plot ratio with spacious garden ground. Perth & Kinross Council's Placemaking Guide (2017) states that *'As a rule, it is good practice to provide a minimum of 60 square metres for private space for a 1-2 bedroomed house and 80 square metres for 3+ bedrooms. Each dwelling should have a minimum garden depth of 9 metres.'*

Overall, we contend that the proposal would fully comply with the amenity considerations contained within the Local Development Plan policy PMB1: Placemaking and the related Placemaking supplementary guidance.

Design and Visual Amenity

A future design for the dwellinghouses on this site will consider the scale and form of surrounding buildings and take into account the local vernacular in forming an appropriate design for the location. Well designed dwellinghouses using high quality materials and finishes will be appropriate as an addition to St Martins. There are no Listed Building, Conservation Area, Designed Landscape or Special Landscape Area designations which would require more detailed consideration in terms of potential visual impacts.

The distribution of housing groups in the St Martins area provides a particular rural character and it is considered that this proposal will maintain this distinctive characteristic.

The proposed houses will be provided with a natural backdrop in terms of the existing woodland to the north and to the east and the wider woodland/parkland setting of St Martins Abbey house. The topography, with the land undulating and rising to the west will contain the site visually. It will not be prominent on a skyline or in near by views. A well designed layout and design will enable the proposed houses to read as part of the building group. The site is suitably well sized to enable greater enclosure to be created with additional landscaping and the spacious settings reflects the general layout of sites in the surrounding area.

The proposal would retain the essential rural nature of the surroundings with no fundamental change to the qualities of the local landscape and the surrounding area, with a range of both traditional vernacular buildings and modern additions set within a wooded and agricultural landscape.

Overall, we believe that two dwellinghouses can be located on this site, would be compatible with the features of the surrounding landscape and settlement form with no concern regarding visual impact.

Built Heritage

Local Development Plan Policies on the Historic Environment include protection of the built heritage. Although the ground and buildings associated with St Martins Abbey House lie to the east of the site, there are no specific heritage designations nearby which require special consideration in terms of this proposal impacting on their setting.



Some more recent housing development in St Martins

Transport and Access

Perth & Kinross Local Development Plan policy TA1B Transport Standards and Accessibility Requirements - New Development Proposals states that ‘*All development proposals that involve significant travel generations should be well served by, and easily accessible to all modes of transport.*’ We do not consider that this proposal is likely to fall within the policy’s definition of ‘significant’ travel generation. Nonetheless we contend that this site is well located and accessible. In terms of public transport, frequent bus services run through Balbeggie and Guildtown, relatively close by, and providing connections to Perth and the wider public transport network by rail.

Active travel is possible by public bus transport in addition to car use. There is nearby access to several routes in the Core Path network along with the possibility of achieving almost entire routes to Perth, via Guildtown and the Tay, and Scone, via Balbeggie, from the site.

Along with the opportunities to minimise any reliance on the private car, travel from the site by car provides quick and direct access to main public transport hubs along with access to the main road network south west towards Perth and the M90/A9 and east into Angus.

The proposed access to the site is on a straight stretch of road with good visibility in both directions, north and south. The site can readily provide sufficient off street parking.

The proposal for two dwellings will not, we contend, generate additional traffic sufficient to cause any issue in terms of road traffic or pedestrian safety. Overall we believe that the proposal will have no detrimental impact on the operational capacity or road safety aspects of the surrounding road network and the location of the proposed house will enable the future residents to make sustainable travel choices.

Flooding and Drainage

Perth & Kinross Local Development Plan Policy EP2: New Development and Flooding has a presumption against development *‘where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere’*. The St Martins Burn and Balgray Burn run to the north and east of the site, over 130m distance from the site at the closest point. The SEPA Flood Maps do not show the site at any level of risk from river flooding or from surface water flooding in compliance with Policy EP2 in relation to any flood risk.

The policy also states requirements to ensure allowance for adaptation to increased flood risk associated with climate change. Of most relevance to this proposal is that it should not increase the rate of surface water run-off from the site.

Any future detailed application will be accompanied by a drainage strategy including sustainable drainage design and foul sewerage drainage as required by Policies EP3B: Foul Drainage and EP3C: Surface Water Drainage and the Council's Developers Guidance Note on Flooding and Drainage (2014).

It is anticipated that there should be no difficulty in providing a drainage strategy which demonstrates that the proposal will deliver appropriate drainage infrastructure and measures to service this proposed development compliant with the above policies and guidance.

Green Infrastructure

Local Development Plan Policy NE4: Green Infrastructure requires all new development to *‘contribute to the creation, protection, enhancement and management of green infrastructure’* indicating several actions to achieve this infrastructure. The site is well sized and located to provide ample garden ground along with landscaping to enable this proposal to be well integrated within its wider setting and within the wider green network. There would be the opportunity to carry out additional hedge and tree planting, which would enhance the St Martins area and provide enhanced wildlife corridors.



Trees on the northern boundary of the site

Natural Heritage

Local Development Plan policy NE1: Environment and Conservation Policies aims to protect international, national and local conservation sites. The site is not covered by any nature conservation designation. The nearest area with protected status is the length of the St Martins Burn, lying to the north and running west from the site which forms part of the River Tay Special Area of Conservation. It is unlikely that this proposal will put any pressure on the features which form the special interest of this designation, most likely to be in terms of any impact on water quality.

Observation of the site would suggest that the grassed ground vegetation is unlikely to be of significant ecological value in terms of its habitat. The trees around the site and the wider woodland are recognised as having habitat and landscape value but given the size of the site is not anticipated that these will be impacted by the proposed development. It is not considered that the site or wider area will cause any species protection issues. Detailed tree, ecology and species reports will be instructed should these be considered necessary.

Local Development Plan Policy NE2A: Forestry, Woodland and Trees provides support to proposal which ‘protect existing trees, woodland, especially those with high natural, historic and cultural heritage value’. The woodland to the north of the site appears as the western limit of a continuous woodland belt linking to St Martins Abbey House. Woodland is an important part of the setting of St Martins and this small area also serves as the backdrop for the war memorial. The woodland is not specifically protected by a Tree Preservation Order, as part of a Conservation Area or Garden and Designed Landscape. The proposal is not anticipated to have any adverse impact on the surrounding trees and provides opportunity for additional planting to provide further landscape enhancement and extension to the green network.

Local Development Plan Policy NE3: Biodiversity seeks to protect all wildlife and wildlife habitats. We contend that the development of this site provides an opportunity to provide biodiversity enhancement by replacing managed grazing with garden ground/landscaping which can contain a more diverse species mix and provide enhanced habitat value.

Planning Obligations

Local Development Plan Policy PM3: Infrastructure Contributions states that ‘where the cumulative impact of new developments will exacerbate a current or generate a future need for additional infrastructure provision of 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’. The current Developer Contributions and Affordable Housing Supplementary Guidance (2016) indicates that financial contributions may be required towards the cost of delivering Education Infrastructure (within the catchment of Guildtown Primary School) and Transport Infrastructure (within the PTF Reduced Contribution Area). We note that, in this regard, a standard condition would be attached to an in principle consent, referring to the requirements of the Guidance and policy or any future replacements.

In conclusion we make the following points:

- We advocate that the proposal is supported by the strategy and policies of the Adopted Perth & Kinross Local Development Plan 2014 and material considerations including the Proposed LDP2 and supplementary guidance.
- The indicative site layout illustrates the ability of the site to accommodate the proposal with no adverse impacts on the amenity of the proposed development or surrounding land uses, including the neighbouring dwelling houses.
- Natural heritage assets will be respected and enhanced in the development proposal.
- Infrastructure will be provided to meet the needs of the development and will ensure that there will be no adverse impacts in terms of road safety or in relation to other facilities.

The applicant will be happy to discuss any further submissions required and conditions proposed to be attached to any consent.

We trust that this statement will clarify any issues raised as part of the determination of this application and will provide a basis for discussion with the case officer. We will be pleased to discuss any aspect of the proposal prior to a decision. With respect, we ask for Perth & Kinross Council's support for this application.

**TCP/11/16(604) – 19/00024/IPL – Residential development
(in principle), land 60 metres north of Lizal, St Martins**

REPRESENTATIONS

31st January 2019

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



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

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

Dear Local Planner

PH2 St Martins Lizal Land 60 Metres North Of
PLANNING APPLICATION NUMBER: 19/00024/IPL
OUR REFERENCE: 772397
PROPOSAL: Residential development (in principle)

Please quote our reference in all future correspondence

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

Water

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

Foul

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

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

Surface Water

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

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

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

General notes:

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

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>

Next Steps:

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

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

- **10 or more domestic dwellings:**

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

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

- **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

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

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

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

[services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h](#)

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

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

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

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

Yours sincerely

Angela Allison



Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	19/00024/IPL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin [REDACTED]
Description of Proposal	Residential development (in principle)		
Address of site	Land 60 Metres North Of Lizal, St Martins		
Comments on the proposal	<p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Balbeggie Primary School.</p> <p>Transport Infrastructure</p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> <p>The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning application granted.</p>		
Recommended planning condition(s)	<p>Primary Education</p> <p>CO01 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure or such replacement Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure that the development approved makes a contribution towards increasing primary school provision, in accordance with Development Plan Policy and Supplementary Guidance.</p>		

	<p>Transport Infrastructure</p> <p>CO00 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to transport infrastructure or such replacement Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure that the development approved makes a contribution towards improvements of regional transport infrastructure, in accordance with Development Plan policy and Supplementary Guidance.</p>
Recommended informative(s) for applicant	N/A
Date comments returned	11 February 2019

12 February 2019

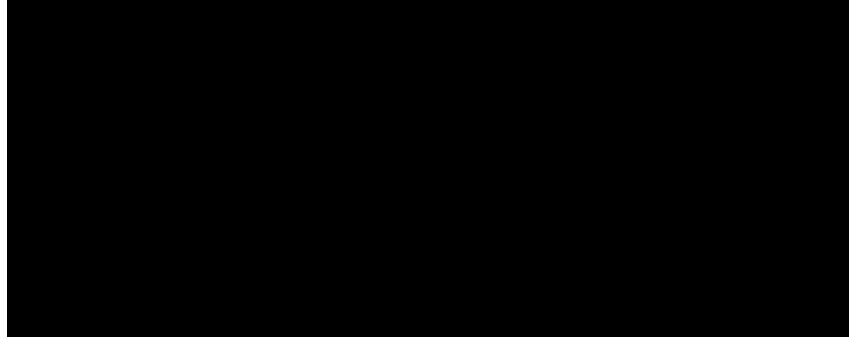
Planning and Development,
Perth & Kinross Council,
Pillar House,
Perth PH1 5GD

Application Ref: 19/0024/1PL

We wish to lodge an objection to the above Planning Application for the development of houses in St. Martin's. It is an especially individual area; like many Scottish hamlets its character is made up of the disposition of individual houses or pockets of a couple of dwellings. The proposed buildings would in effect create a ribbon development alien to the particular character of St. Martin's. It also would create some hazard to the wildlife in the wooded area alongside the St. Martin's War Memorial, which is

part of the St. Martin's district, much
valued by conservationists.

Yours sincerely,



13.2.19

Dear Sir/Madam,

We are writing to you to object to the current planning application reference 19/00024/IPL for two new houses on the land adjacent to our property at [REDACTED]

We believe it to be contrary to the planning policy RD3. The housing in St. Martins is spread out in small groupings along the St. Martins road, generally to the roads East side. St. Martins Lodge sits to the West in an area of large garden ground. St. Martins is outside any defined settlement boundaries. Our house sits immediately alongside our neighbouring property [REDACTED] with housing then to the South and North approximately one hundred metres away. The agent for the applicant notes that they believe the development as shown indicatively on the block plan would be in keeping with RD3, by establishment of building groups by extension into a definable area.

This site has been used as a paddock for our horse for around three years, before it was agricultural land. When the applicant sold the agricultural land, they retained this ground, along with another two areas of land to the South of our property. Therefore, the building of these two new houses on the site would create a ribbon development, contrary to the RD3 guidance.

Any developments in St. Martins in the twenty plus years we have been residents at [REDACTED] has been by replacement of existing buildings or within garden ground. Approval for new houses on this paddock will set a precedent

that in all likelihood see applications for further development on open ground in the area.

Furthermore, the land in this area is generally damp and the dampness continues into the field behind. The applicant notes drainage connection will be to the public sewer however, no sewer exists. This would require a septic tank and a soakaway within each site. Given the damp nature of the ground and the size of the site, we believe this will be difficult.

The proposed shared access for these properties is indicated, where at present, there are currently no access points. Additionally, where the applicant has proposed to form an access/exit point, is nearby the corner which has a poor line of site onto the main C class road. Moreover, at this corner stands the War Memorial which has recently been done up and there has been a new plaque added here. We feel that the by building here may diminish the history and meaning of this War Memorial.

For the reasons set out above, we believe that the proposals to be both contrary to policy RD3 and inappropriate for the site and amenity of the area. We trust you will take our considered views into account when determining this application.

Yours Faithfully

Alister and Elizabeth Foote

Development Management - Generic Email Account

From: Debbie Ritchie [REDACTED]
Sent: 15 February 2019 22:13
To: Development Management - Generic Email Account
Subject: Objection to planning application ref. 19/00024/IPL

To whom it may concern,

We write to object to the current planning application reference 19/00024/IPL for two residential properties on the land adjacent to 'Lizal' St. Martins.

We have lived at Gateside since 1973 and understand that this application to be contrary to planning policy RD3. The creation of the proposed development would create a ribbon of properties which is contrary to RD3 guidance.

This ground and another two areas of agricultural land was retained after the applicant sold off the majority of their land. This now seems to have been for the sole intention of residential development.

St. Martins is on an unclassified road and access to the development would be over an existing road drainage ditch. The applicant notes drainage connection will be to the public sewer, however no sewer exists at this location.

If this application is granted approval by yourselves, then this will set a precedence to other land owners in the area to apply to build on agricultural land which we know they are awaiting the outcome.

We trust you will take our views into account when deciding on the outcome of this application.

Yours faithfully

Mr. and Mrs Drew Ritchie
[REDACTED]

ENTERED IN COMPUTER

18 FEB 2019

Comments for Planning Application 19/00024/IPL

Application Summary

Application Number: 19/00024/IPL

Address: Land 60 Metres North Of Lizal St Martins

Proposal: Residential development (in principle)

Case Officer: John Williamson

Customer Details

Name: Mr robert moss

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Effect on Visual Amenity
- Inappropriate Housing Density
- Inappropriate Land Use
- Loss Of Open Space
- Noise Pollution
- Out of Character with the Area
- Over Intensive Development
- Road Safety Concerns

Comment: We are objecting to this planning application as we feel adding new houses to the area would spoil the general character of this quiet, rural hamlet. It would also mean more traffic passing through on the narrow St Martins Road.

We worry that by allowing permission for these houses , a precedent could be set for more applications for house building in the St Martins area .

This is a beautiful and peaceful area and it would be a shame to allow it to change.

yours sincerely Robert Moss and Lesley Brown

Comments for Planning Application 19/00024/IPL

Application Summary

Application Number: 19/00024/IPL

Address: Land 60 Metres North Of Lizal St Martins

Proposal: Residential development (in principle)

Case Officer: John Williamson

Customer Details

Name: Mr Kevin Struthers

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Loss Of Open Space
- Out of Character with the Area

Comment: I wish to object to the planning application 19/00024/IPL for the development of 2 houses in St Martins. St Martins is a unique hamlet made up of individual dwellings, some over 300 years old and I feel the proposed buildings would be out of character with the area and the position of these would detract from the war memorial status. There is also a wooded area next to the proposed site and feel this could threaten the local wildlife.

Tracy McManamon

From: [REDACTED]
Sent: 19 February 2019 16:52
To: Development Management - Generic Email Account
Subject: Planning Objection Ref : 19/00024/IPL

Dear Sir/Madam, We are writing to object to the current planning application Ref 19/00024/IPL for two new houses to be built adjacent to Lizard St Martins PH2 6AW for the following reasons.

We are concerned about the effect of more traffic along this single track road where currently passing places are at a minimum. We feel that this area which now has small pockets of houses will continue into larger housing developments. We are concerned that by creating a Ribbon development will take away from the character of this peaceful and pretty area of St Martins. We are concerned about the visual impact of 2 large houses next to what is now a pretty area of field, small woodland and the War Memorial. We are concerned that if planning goes ahead this will be the start of more applications for planning on nearby agricultural land. Will these houses also put a strain on Broadband etc.? We wish for this land to be preserved for forestry, agriculture and wildlife.

Yours Faithfully,

Mr and Mrs Douglas Garvie.

[REDACTED]

ENTERED IN COMPUTER

20 FEB 2019

Comments for Planning Application 19/00024/IPL

Application Summary

Application Number: 19/00024/IPL

Address: Land 60 Metres North Of Lizal St Martins

Proposal: Residential development (in principle)

Case Officer: John Williamson

Customer Details

Name: Mr Callum Gourlay

Address: [REDACTED]
[REDACTED]

Comment Details

Commenter Type: Member of Public


Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Effect on Visual Amenity
- Contrary to Development Plan Policy
- Inappropriate Housing Density
- Out of Character with the Area
- Traffic Congestion

Comment: In no particular order:

- Ribbon development not allowed.
- Minor road (single track in most places, no passing places) cannot take additional traffic.
- No public sewer.
- Out of character with this hamlet.
- Page 5 of supporting document is an old photograph which does not show a large new build (built around 5 years ago).
- No superfast broadband - 2 new houses will affect existing speeds which are already inadequate



20 February 2019

Planning and Development
Perth and Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5JP

Dear Sirs,

Application numbers 19/00024/IPL

We wish to raise some concerns for your consideration to this recent planning application.

This is a rural area and the proposal is to build on agricultural land. Our concern is that if this application is granted on such land it would become a precursor for further development in the vicinity of St Martins.

There is no public sewer so the application is incorrect and that any new builds would need to be serviced by private septic tanks and soak aways which should in no way affect the War Memorial and its environs.

The existing roads are not much better than single track roads in some parts with no passing places. Any development will quite likely lead to greater road traffic volumes. If planning is granted, assurances should be given by the developer that all the local public access roads be improved.

St Martins is on an old telephone exchange. It is already inadequate to existing properties so any further development would put a further strain on it. Again we would need assurances that a condition of building, the developer would be responsible for upgrading the existing infrastructure to a modern day standard to accommodate the additional usage.

Yours faithfully,

Edward and Mollie Guest

Comments for Planning Application 19/00024/IPL

Application Summary

Application Number: 19/00024/IPL

Address: Land 60 Metres North Of Lizal St Martins

Proposal: Residential development (in principle)

Case Officer: John Williamson

Customer Details

Name: Mrs Katie Livingston

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

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

Comment:

ref: 19/00024/IPL

We are writing to object to the proposed residential development in St Martins.

We feel that the proposed development would impact unfavourably on the adjacent War Memorial site.

We consider that the proposal is contrary to the current planning policy, as St Martins lies outside any defined settlement area.

The proposed site is on agricultural land and there are no existing buildings.

Access to the proposed site is from a narrow C road, adjacent to a bad bend.

Poor broadband speeds in the area would be badly impacted by more users.

Katie and Stanley Livingston

From: Sophie McCollam [REDACTED]
Sent: 16 February 2019 21:06
To: Development Management - Generic Email Account
Subject: 19/00024/IPL

To Whom it May Concern

We would like to raise our concerns over the above Planning Application; Land 60m north of Lizal St Martins/Residential Development (in Principle) and object.

Our main issues are:

- Developing in a designated green space
- Increase of vehicular use on infrastructure as a result and degradation of said road
- Ribboning of an historic settlement St Martins
- Interference with a War Memorial
- Population need for property given recent residential award of new housing scheme in Scone

I await your decision with intetest

Yours

Nial and Sophie McCollam

Memorandum

To Head of Development Management From Regulatory Services Manager

Your ref 19/00024/IPL

Our ref RM

Date 19 February 2019

Tel No

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

The Town and Country Planning (Scotland) Act 1997 as amended by Planning etc (Scotland) Act 2006

Consultation on an application.

RE: Residential development (in principle) Land 60 Metres North Of Lizal St Martins for RJM Partners

I refer to your letter dated 5 February 2019 in connection with the above application and have the following comments to make.

Contaminated Land (assessment date – 19 February 2019)

This redevelopment site has not been consulted prior to this consultation:

Recommendation

A search of the historic records did not raise any concerns regarding ground contamination and therefore I have no adverse comments to make on the application.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	19/00024/IPL	Comments provided by	Mike Lee Transport Planning Officer
Service/Section	Transport Planning	Contact Details	██████████ ████████████████████
Description of Proposal	Residential development (in principle)		
Address of site	Land 60 Metres North Of Lizal St Martins		
Comments on the proposal	Insofar as the Roads matters are concerned I have no objections to this proposal based on the following condition.		
Recommended planning condition(s)	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	26 February 2019		



To:	John Williamson, Planning Officer
From:	Clare Henderson, Development Management Archaeologist
Tel:	[REDACTED]
Email:	[REDACTED]
Date:	27 th February 2019

19/00024/IPL | Residential development (in principle) | Land 60 Metres North Of Lizar St Martins

Thank you for consulting PKHT on the above application. The proposed development site lies within an area that is considered to be archaeologically sensitive as the landscape around St Martin's contains numerous archaeological remains, including evidence for prehistoric settlement and ritual / funerary activity. Some of these sites are recognised as nationally significant Scheduled Monuments, for example, Rosemount fort and Brownies Knowe stone circle. There are no known archaeological sites within the development area, however the potential for recovery of remains is considered moderate to high.

We recommend that should this application be successful and in principle permission granted for two dwellings that a negative suspensive condition be attached that requires the developer to commission a programme of archaeological work comprised of evaluation of the site followed by mitigation measures as necessary.

Recommendation:

In line with Scottish Planning Policy historic environment section (paragraphs 135-137 and 150), it is recommended that the following condition for a programme of works be attached to consent, if granted:

HE25 *Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.*

Notes:

1. **Should consent be given, it is important that the developer, or his agent, contact me as soon as possible. I can then explain the procedure of works required and, if necessary, prepare for them written Terms of Reference.**
2. This advice is based on information held on the Perth and Kinross Historic Environment Record. This database of archaeological sites and historic buildings is regularly updated.

CHX Planning Local Review Body - Generic Email Account

From: Sophie McCollam <[REDACTED]>
Sent: 13 June 2019 00:00
To: CHX Planning Local Review Body - Generic Email Account
Subject: Re: TCP/11/16(604)

I acknowledge there will be an appeal process but would just further reaffirm my original concerns as submitted previously.

Regards

Sophie and Nial McCollam

CHX Planning Local Review Body - Generic Email Account

From: Lizzie Foote <[REDACTED]>
Sent: 13 June 2019 21:15
To: CHX Planning Local Review Body - Generic Email Account
Subject: Re: TCP/11/16(604)

To whom it may concern,

I am responding to your latest email regarding any further representations that we may wish to make towards the original decision to reject the planning of **19/00024/IPL**.

I would like to reiterate some of our previous points made on this issue. Firstly and most importantly, this application is contrary to the planning policy RD3. Thus, if you allow this application to go ahead it would most likely influence future applications to be made by other agricultural ground owners. So where would the line be drawn? Moreover, the roads and ground area have been identified as being unsuitable and nothing has changed since then.

Finally, when this application was made at the start of the year it was objected by the majority of the residents in the St.Martins community and i don't see this changing.

I hope you again take into consideration the points that have been made.

Thank you

Elizabeth and Alister Foote

CHX Planning Local Review Body - Generic Email Account

From: Debbie Ritchie <[REDACTED]>
Sent: 19 June 2019 22:01
To: CHX Planning Local Review Body - Generic Email Account
Subject: Application ref 19/00024/1PL

Mr. D. Ritchie
[REDACTED]
[REDACTED]

19/06/2019

Re our original representation:

We have nothing to add to the objection submitted, but would like to reiterate that our concern is that a number of agricultural land owners are waiting for the result of this application. If passed other planning applications will be submitted for residential development in this rural area.

Sent from my iPhone



20 June 2019

Planning and Development
Perth and Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5JP

Dear Sirs,

Application numbers 19/00024/IPL

We wish to raise some concerns for your consideration to this recent planning application.

This is a rural area and the proposal is to build on agricultural land. Our concern is that if this application is granted on such land it would become a precursor for further development in the vicinity of St Martins.

There is no public sewer so the application is incorrect and that any new builds would need to be serviced by private septic tanks and soak aways which should in no way affect the War Memorial and its environs.

The existing roads are not much better than single track roads in some parts with no passing places. Any development will quite likely lead to greater road traffic volumes. If planning is granted, assurances should be given by the developer that all the local public access roads be improved.

St Martins is on an old telephone exchange. It is already inadequate to existing properties so any further development would put a further strain on it. Again we would need assurances that a condition of building, the developer would be responsible for upgrading the existing infrastructure to a modern day standard to accommodate the additional usage.

Yours faithfully,

Edward and Mollie Guest

To:

Lisa Simpson
Clerk to the Local Review Body
Council Buildings,
2 High Street,
Perth
PH1 5PH

2 July 2019

APPLICATION REF: 19/00024/IPL RESPONSE TO REPRESENTATIONS

Dear Ms Simpson,

Firstly thank you for notifying us of our right to respond to the recently received representations against the above named planning application. In response to these representations, we wish to raise the following points:

1. In the original decision to reject the application, the Planning Committee did not endorse many of the issues raised in the original letters of objection. We feel that these new letters raise no new points and we continue to refute the points they do raise.
2. **Influence on future applications.** A number of claims are made that, if this small-scale development were to be approved, this would lead to further development in the area. Presumably each application is judged on its own merits and it is unfair to put the weight of any future development on this applications shoulders. It has also been stated that other applicants are awaiting the decision of this application and, if successful, this will lead to additional applications. Once again, we would feel it unacceptable for the outcome of this application to be affected by a perception of any negative impact our success may have on future development.
3. **Unsuitable roads and ground area.** One objection states that 'the roads and ground area have been identified as being unsuitable' for the said development. There is no mention of this in the decision notice report of this. In fact when *visual impact*, *residential amenity* and *drainage and flooding* are discussed, the report states that the author is '*satisfied that the scale of the site allows for a house to be positioned in a location which would not impact the neighbouring properties detrimentally*', and that the use of Sustainable Urban Drainage Solutions (SUDS) would be feasible. Further more, there is no mention in the report of the roads being unsuitable for the development. Indeed the claim of 'greater traffic volumes' is overinflated in our opinion; 2 houses would have minimal impact of increase in traffic volumes. We will clearly accept any requirements laid down by the Council Transport Infrastructure Developer if the application is approved; any further responsibility for local infrastructure outwith this would not be considered.
4. **Inadequate telephone exchange.** The Decision Report clearly states that broadband speeds are not a material planning consideration. Therefor requesting assurances that as a condition of building '*the developer will be responsible for upgrading the existing infrastructure*' is ludicrous and should not be a consideration of this appeal.
5. **General Objections regarding character of the area.** This is a request to build 2 modest-sized houses on a large plot, thus allowing ample ground for screening and greenery. There is also the potential to create a visually attractive and wildlife-attracting

area with hedges, trees, bushes and greenery. Much of the development in the hamlet of St Martins is of fairly modern build - including the house that sits directly adjacent to the plot. We fully respect the opinions and the right of expression of all who live in the St Martins area, but must point out that the site is out of sight of the majority of those who live in the hamlet and the surrounding area. There is one immediate neighbour but, due to the lie of the land, the impact of the additional housing on this dwelling is small and can be mitigated by hedging etc. We stand by our view that the proposal is in keeping with the rest of the dwellings in and around St Martins, and therefore these objections express nothing more than a disdain for creating opportunities for other families to enjoy living within the Hamlet.

Yours Sincerely,

Jennifer Thow

Jennifer Thow on behalf of
RJM Partners

[Redacted signature]