

LRB-2021-12**Planning Application – 21/00126/IPL – Erection of a dwellinghouse (in principle), land 90 metres south of Hillview, Blairadam****INDEX**

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LRB-2021-12

Planning Application – 21/00126/IPL – Erection of a dwellinghouse (in principle), land 90 metres south of Hillview, Blairadam

**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 100356875-002

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

Applicant or Agent Details

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

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Grant"/>	Building Number:	<input type="text" value="45"/>
Last Name: *	<input type="text" value="Allan"/>	Address 1 (Street): *	<input type="text" value="Pitmedden Road"/>
Company/Organisation	<input type="text" value="Grant Allan Architecture"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="07830630600"/>	Town/City: *	<input type="text" value="Dunfermline"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY11 8FJ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="ga.architecture@outlook.com"/>		

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

696549

Easting

313382

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)

21/00126/IPL | Erection of a dwellinghouse (in principle) | Land 90 Metres South Of Hillview Blairadam

Type of Application

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

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

What does your review relate to? *	
<input checked="" type="checkbox"/> Refusal Notice. <input type="checkbox"/> Grant of permission with Conditions imposed. <input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.	
<h3>Statement of reasons for seeking review</h3> <p>You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)</p> <p>Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.</p> <p>You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.</p> <div style="border: 1px solid black; height: 60px; margin-top: 10px; padding: 5px;"> Provided in supporting Documents Section </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; padding: 5px; margin-top: 10px;"> Local Review Statement Loc-01_A_0521 Loc-02_0521 PL_01_0521_Existing Site Plan PL-02_0521_Proposed Site Plan Scottish & Southern Electricity Networks Supporting Statement_EcoHouse Kinnaird </div>	
<h3>Application Details</h3>	
Please provide the application reference no. given to you by your planning authority for your previous application.	<div style="border: 1px solid black; padding: 2px 10px;">21/00126/IPL</div>
What date was the application submitted to the planning authority? *	<div style="border: 1px solid black; padding: 2px 10px;">28/01/2021</div>
What date was the decision issued by the planning authority? *	<div style="border: 1px solid black; padding: 2px 10px;">15/03/2021</div>

Review Procedure

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

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: Mr Grant Allan

Declaration Date: 18/03/2021



Appeal Statement

Erection of a dwellinghouse (in principle) at Land 90 Metres South Of Hillview Blairadam - 21/00126/IPL.

My partner and I, Miss Eve Hunter, are seeking planning in principle for a new storey ½ eco-friendly dwellinghouse on the land adjacent to Hillview, Kinnaird which is currently owned by Mr Derek Allan, my father. We have an agreement in place to purchase the land from my father, Mr Allan, should the decision of refusal be overturned.

We were deeply disheartened to find out Planning in Principle had been refused on 15th March, only 34 days after validation and 3 days after the end of the neighbourhood notification period.

I was also surprised to see the reasoning behind the refusal. I am writing to the local review body in the hope that they can see the bigger picture and over turn David Littlejohn's rushed and rash decision.

Personal Background

I am originally from the area and as a child I went to Cleish Primary school and previously lived in Blairforge, Maryburgh and Kelty Bridge. I have nothing but fond memories of this time and would like my kids to have a similar experience. My older brother and his family currently reside at Hillview and my mother and father in the ancillary accommodation to the rear. I also have family at Blairfordel Steadings and nieces, nephews and cousins who all attend Cleish Primary School. Our main reason for wanting to move from back to the area is to be close to our family and provide a safe space for our children to grow and learn in the countryside, whilst at the same time, reducing our carbon footprint. I am aware of the community council's concerns for the land to the north, which would form an infill site. If the local review overturn the decision, this area of land will be given to my younger brother with the intention of building his family home.

Addressing Reasons for Refusal

"1) The proposal is not considered to comply with Policy 19 - Housing in the Countryside of the Perth and Kinross Local Development Plan 2 and associated Housing in the Countryside supplementary planning guidance as the proposed dwelling does not meet any of the defined categories which permit the erection of dwellings in the countryside."

I would have to strongly disagree that the proposals fail to comply with Policy 19 – Housing in the countryside.

A successful/sustainable place – The proposal complies with placemaking with enclosed woodland

Project Ref: Self-Build Eco-Home

Project: Proposed New House at Hillview Kinnaird

setting, good potential vehicular access, established open space and I would also note there is a natural footpath to the south of the site which goes by the gasworks up to Maryburgh as it has been my father's walking route during lockdown. There are also plans for a new footpath connecting Gairneybank to Blairforge, which the site would take full advantage of.

Scale and layout of the dwellinghouse is in keeping with the area, as it's to be a 1 ½ storey. New native trees and bushes are to be planted in keeping with the local landscape. The house will also be hidden from the main road due to the trees screening the front. If the review is overturned, I have no issue providing a detailed tree planting design and would be happy to work closely with the planners to get this right. My aim for the site is to increase the biodiversity, not halt it.

The site does not encourage unsustainable travel patterns as I work from home and my partner is part-time.

As the application didn't reach detailed planning, I can only assure you that materials for the build would be closely considered, sustainable and be in keeping with the local area.

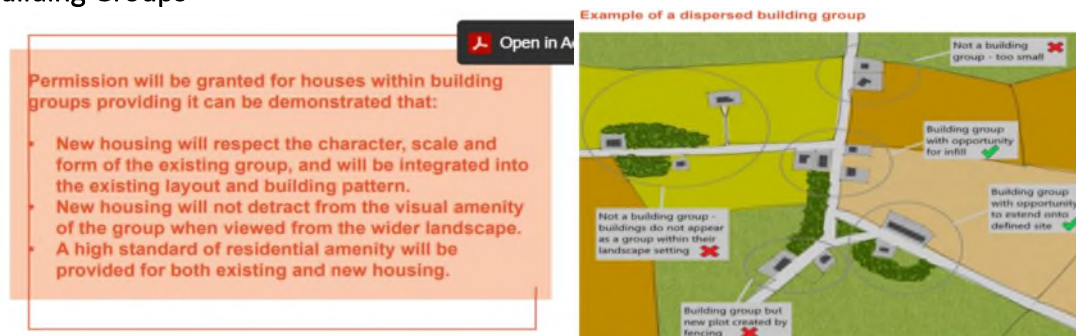
A low carbon place – There are no materials on site which could be used to incorporate into the build but any stone from the boundary wall which is removed for access will be used to mend part of the wall further south which has fallen down and needs repaired.

A natural resilient place – there will be no halting of biodiversity in this instance, only plans to increase it. As you will see from the proposals, I would be taking on an area of land to the south where I plan to plant more trees, again I can work with the planners here on species and amount. The site already has native and formed boundaries and I'd be looking to plant native hedges and trees to the north as a new boundary. Bird feeders will be installed to encourage wildlife into the area.

A connected place – There is no issue with electrical services or water services for the area.

Key design considerations – due to the application for planning in principle, I was unable to demonstrate key design features in the dwelling. They will be carefully considered should we reach full planning stage. However, the proposed dwelling is well integrated with the existing landform and would not over dominate the landscape, unlike some of the dwellings approved along the stretch of the B996...

Building Groups



The proposed site has potential to be a building group with opportunity for infill (north of site) with either houses to the north (Hillview, Alderwood etc) or houses across the B996 (Cameron House etc).

Project Ref: Self-Build Eco-Home

Project: Proposed New House at Hillview Kinnaird

My proposal respects the character and scale of the existing building group and will be integrated into the existing building pattern. There are no adverse effects on visual or residential amenity. It also does not create a Ribbon development.

2)The proposal is contrary to Policy 39 of the Perth and Kinross Local Development Plan 2 as the removal/impact on the woodland/tree belt to accommodate the development site access will erode local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience.

The proposals were that 2no of trees were to be taken down to accommodate a new access point. Due to the canopy of the existing trees, there would be no adverse effect on the visual and scenic quality of the landscape. However, if we can look at providing the access to a part of the tree belt where the trees are far enough spread, no tree will need to be felled. Another option would be to take the access in through Hillview's existing access and across an already formed bridge. If the refusal is overturned, there could possibly be a condition that the access has to be looked at closer upon full planning.

3)There is a lack of information as no tree survey or tree constraints/root protection plan has been submitted. The proposal will impact on the sites tree resource and on light of this the proposal is contrary to the Scottish Government's Policy on Woodland Removal, the Scottish Forest Strategy, the National Planning Framework as well as policy 40A and 40B of the Perth and Kinross Local Development Plan 2

I'm assuming this is just for the access as there are no trees affected by the actual dwelling. I would have assumed that surveys like this would be required at full planning stage and not for planning in principle. I can't help but feel aggrieved that this reason was used in determining the planning in principle application.

4)The proposal has not demonstrated that the development has taken account of the watercourse running through the proposed site and the potential impact any bridge structure could have on flood storage and the conveyance of water and how this could affect existing and the proposed dwelling. As it stands there is a lack of information to assess Policy 52: New Development and Flooding of the Perth and Kinross Local Development Plan 2.

Again, would this not be required at full planning stage and once an engineer is engaged regarding the bridge? I note in David Littlejohn's report he mentions a previous FRA which states the burn would flood it's banks at this area of the site. Please see the below image taken on the 6th February of this year when there were amber flood warnings, localised floods in the area and record rain falls...



After all that heavy rainfall, the burn functioned as usual with no sign of flooding. I can prove the date and time as it is a digital photo which is time stamped in the properties of the photo. I can send the original photo upon request.

I would also like to note that the response from the flooding team was issued on the 10th March but was not available for viewing until 15th, the day of the refusal notice. How is that fair? No time was given to address this issue by David Littlejohn before he rushed through his report, yet he cites it as a reason for refusal.

5) There is a lack of information as no noise impact assessment has been submitted with this application. As a result, it does not confirm that a satisfactory residential environment can be achieved for the proposed dwelling due to the proximity of the M90 motorway. Consequently, there is the potential for future residents at this site to suffer annoyance from noise, contrary to Policy 56 of the Perth and Kinross Local Development Plan 2.

Another report which I would expect at full planning stage, or Mr Littlejohn could have requested this. It's worth noting that the motorway would be higher than the ridge of the house roof and the house designed so all bathrooms are adjacent to the motorway side so I don't think there would be any concern for noise, especially since there isn't for Alderwood, which lies parallel to the north, but I'm grateful he has concerns for my levels of annoyance.

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6) There is a lack of information regarding visibility splays at the new junction and how this relates to the tree belt and bend in the road. It is not been shown that access to the plot can be formed from the public road to comply with Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals or the national road development guide.

Why didn't David Littlejohn request further information/clarification on this? The application still had 4 weeks to run. Transport's comments on this matter were only made available to view on the 15th March, there was no way for me to address this. In my previous experience, it has been common practice for Planning Officers to contact the agent on matters arising during a consultation period which should be addressed. This has not been the case in this instance. Why? This is further evidence that the application was rushed through.

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

I am well aware the proposals are outwith the Development Plan. However, my proposals for an eco home, using sustainable materials, renewable energy sources and the increase of biodiversity should be a valid reason to depart from the development plan. The Eco house would set a strong precedent for any future developments in the area. Unlike some of the build's being erected along the same stretch of the B996.

Conclusion

I can't help but feel this application has not been given the consideration and time it deserves.

I am extremely disappointed in the handling of the application by David Littlejohn and the rushed decision where usual process was not adhered to. Consultation comments were not available to view until the day of refusal, this is simply not acceptable.

I have proved above that the proposals do comply with Policy 19 and the other reasons for refusal could have easily been addressed if the application was handled properly.

It's also worth noting that my father has applied for holiday homes, garden ground and now I have applied for a dwellinghouse on the land he owns, all of which have been refused. If the decision isn't overturned, it seems that we will have exhausted all of our options for the site and our hands will be tied and we will have to sell the land as planning won't allow us to do anything with it. He has already had multiple offers on the land from the Travelling Community which he will now have to consider, if the decision of refusal is not overturned.



Supporting Statement

Proposed New House at Land Adjacent to Hillview Kinnaird KY4 0JB

Overview

My partner and I, Ms Eve Hunter, are seeking planning in principle for a new storey ½ eco-friendly dwellinghouse on the land adjacent to Hillview, Kinnaird which is currently owned by Mr Derek Allan. We have an agreement in place to purchase the land from Mr Allan should planning in principle be approved.

Site Evaluation

The site being considered for the new house was previously owned by SSE until Mr Derek Allan purchased the land 5 years ago. The land has been since classed as woodland, however, it was also classed as agricultural land on a previous application Mr Allan submitted for a part of the site outwith this proposal boundary.

Current access is to the north of the site, passing over the burn via a bridge, the burn then continues to run along the east of the site close to the existing boundary wall that is also treelined.

The west of the site is also treelined with a steep verge before reaching the M90 motorway.

The proposed site is mostly hidden from view from any public road and any proposals will not affect neighbouring views.

Brief

My partner and I are looking to self-build our forever eco-home. We are both passionate about climate change and the need to use more sustainable materials and energy sources, as well as understanding the importance of nature. We have offered to buy an extensive part of the site to the south which isn't fit for development so we can plant more trees, plants and shrubbery to encourage wildlife growth and bio diversity. Our plan is to create our own idyllic nature haven where we can raise our family and teach them the importance of nature and the environment.

Design Proposals

The design intent is to create a 1 ½ storey eco home using SIPs panels for thermal efficiency and air tightness, as well as all glass to be triple glazed. We would install a ground source heat pump to provide heating to the house and water, resulting in a low carbon footprint. Solar panels will be installed on the roof facing south to aid towards running the ground source heat pump. We would also be looking to install a rainwater harvesting system used to flush toilets and provide an external water source to water any plants. This would also help with water loadings on the existing burn. Building materials will be sympathetic to the surrounding area and will be locally sourced to reduce carbon footprint with local tradesmen employed to undertake the work.

Project Ref: Self-Build Eco-Home

Project: Proposed New House at Hillview Kinnaird

Additional trees, plants and shrubbery will be planted throughout the site with further trees planted near boundaries to act as screening from both the M90 and B996. The house will be almost hidden from the view of the public.

We are proposing a new vehicular access to the site where a bridge will be formed over the burn.

The new access lies directly across from the existing access to the houses across the road and approx. 3 trees will need to be felled to create this access. Any stone from the existing boundary wall removed for access will be reused in the making of the access.

Conclusion

My partner and I are looking to self-build our forever home and our proposals have the potential to breathe new life into the site whilst having a positive environmental input with sustainable energy sources, materials and building methods. Nonetheless, this proposal would not compromise opportunities for countryside access, recreation, biodiversity, landscaping or place setting.

I am aware the site is outwith the Local Plan, however, I believe the proposals for an eco-build are sufficient enough to deviate from the local plan and set a precedent for any future development of that area.



Fig.1 Site Looking South from Hillview



Fig.2 Site looking North to Hillview



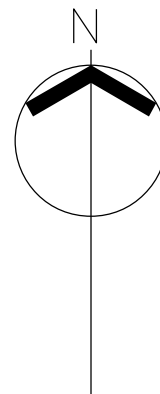
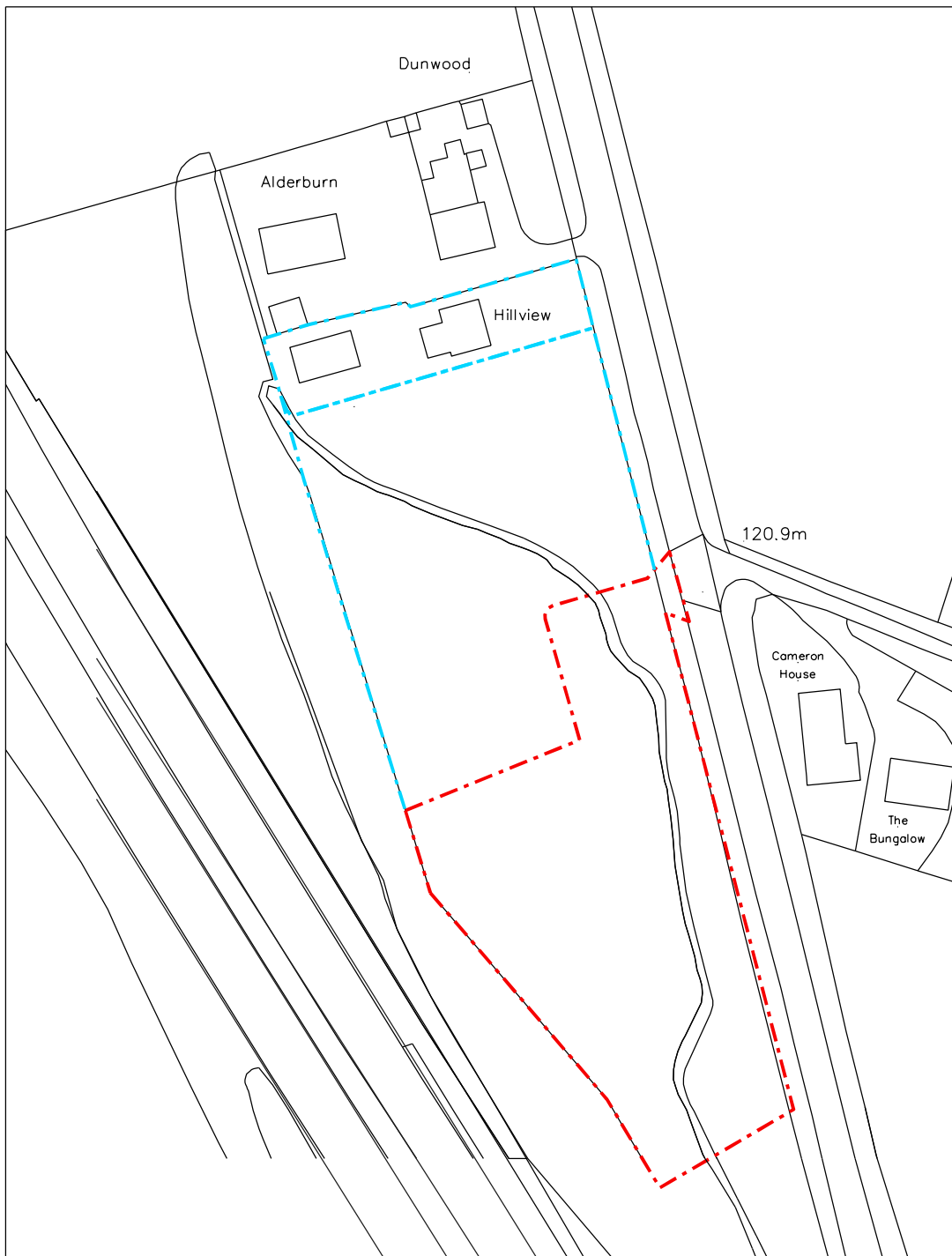
Fig.3 Burn looking south



Fig.4 Area of potential new access



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?Crown Copyright and database rights 2016 OS 100019980



Proposed Location Plan

Scale - 1:1250



CLIENT Grant Allan & Eve Hunter

LOCATION House Plot
Land Adjacent to Hillview
Kinnaird
By Kelty
KY4 0JB

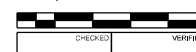
CONTACT

Project Title Proposed New Dwellinghouse

Date Drawn: Jan'20

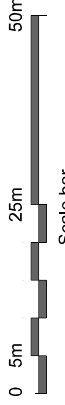
ISSUE	AMENDMENT	DATE
Rev A -	Boundary Amended	

Scale - 1:1250 @ A4
Drawn by: Grant Allan



Drawing No.

LOC

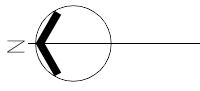


Scale bar
(1:500)

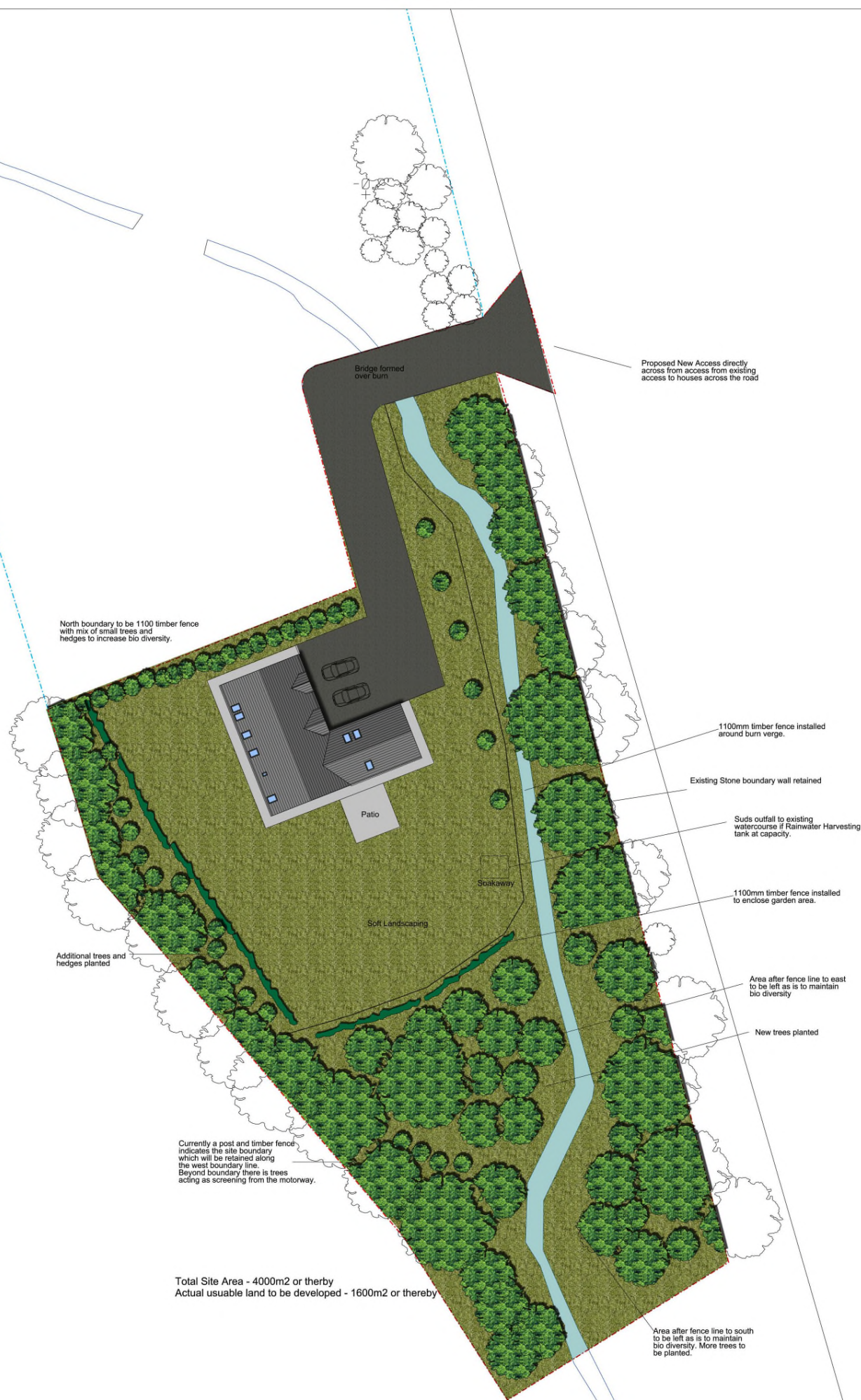
Location Plan
Scale - NTS



Location of Site




Proposed Site Plan
Scale - 1:500



Proposed Site Plan
Scale - 1:200

1m 5m
Scale bar
(1:200)


Grant Allan & Eve Hunter
House Plot
Land Adjacent to Hilview
Edinburgh
By Keltie
KY4 6LB
Proposed New Dwellinghouse
Date: 2023-01-10
Scale: 1:200
Drawing No. 02
CONTRACT NO. - 06_21

Site Number :

218

RAG :

A

Affected Spans : LV

HV

8

Tree Programme - Landowner Consent Form

Scottish & Southern
Electricity Networks

Feeder Name / Voltage MILNAMORE 006 11KV	Owners Name DEREK ANHAW
Transformer Name GAS BOARD BLAIRADAM	Address [REDACTED]
Grid Ref NT 133 966	Owners Contact Numbers [REDACTED]
NRN 251 006 555	Owners Email Address [REDACTED]
SSE Contact Name DAVID GREER	
SSE Contact Numbers 07810 858 778	
Work to be carried out Txp78 - MAINLINE FELL ALL REGENERATED TREES AND SCRUB UNDER AND TO 6 METRES IEKNER SIDE OF LINE CROWN REDUCE AND SIDE PRUNE WILLOWS AND PRUNE SIDE BRANCHES OF ALL LARGER TREES, MAINLY : ASH, ALDER, CHERRY, BEECH, SYCAMORE ALL TO ACHIEVE A 5 to 6 METRE CLEARANCE FROM CONDUCTORS	
SSSI Protected Species Ecoplugs to be used	TPO Conservation Area Yes / No
Nesting Birds Other	
Owners comments / Requests CUT & STACK ARISINGS ON SITE	
I agree to the work listed above / overleaf being carried out at no cost to myself	
Landowner signature [REDACTED]	Date 19-4-16
Team / Staff on site :	
Restricted Cut - Yes / No	Recut Year
Date Completed	Time Taken

LRB-2021-12

Planning Application – 21/00126/IPL – Erection of a dwellinghouse (in principle), land 90 metres south of Hillview, Blairadam

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(included in applicant's submission, pages 20-27)*



Grant Allan Architecture
Mr Grant Allan
45 Pitmedden Road
Dunfermline
KY11 8FJ

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

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

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **21/00126/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 9th February 2021 for permission for **Erection of a dwellinghouse (in principle) Land 90 Metres South Of Hillview Blairadam** for the reasons undernoted.

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- 1 The proposal is not considered to comply with Policy 19 - Housing in the Countryside of the Perth and Kinross Local Development Plan 2 and associated Housing in the Countryside supplementary planning guidance as the proposed dwelling does not meet any of the defined categories which permit the erection of dwellings in the countryside.
- 2 The proposal is contrary to Policy 39 of the Perth and Kinross Local Development Plan 2 as the removal/impact on the woodland/tree belt to accommodate the development site access will erode local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience.
- 3 There is a lack of information as no tree survey or tree constraints/root protection plan has been submitted. The proposal will impact on the sites tree resource and on light of this the proposal is contrary to the Scottish Government's Policy on Woodland Removal, the Scottish Forest Strategy, the National Planning Framework as well as policy 40A and 40B of the Perth and Kinross Local Development Plan 2

- 4 The proposal has not demonstrated that the development has taken account of the watercourse running through the proposed site and the potential impact any bridge structure could have on flood storage and the conveyance of water and how this could affect existing and the proposed dwelling. As it stands there is a lack of information to assess Policy 52: New Development and Flooding of the Perth and Kinross Local Development Plan 2.
- 5 There is a lack of information as no noise impact assessment has been submitted with this application. As a result, it does not confirm that a satisfactory residential environment can be achieved for the proposed dwelling due to the proximity of the M90 motorway. Consequently, there is the potential for future residents at this site to suffer annoyance from noise, contrary to Policy 56 of the Perth and Kinross Local Development Plan 2.
- 6 There is a lack of information regarding visibility splays at the new junction and how this relates to the tree belt and bend in the road. It is not been shown that access to the plot can be formed from the public road to comply with Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals or the national road development guide.

Justification

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

Notes

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

Plan Reference

01

02

03

04

05

REPORT OF HANDLING

DELEGATED REPORT

Ref No	21/00126/IPL	
Ward No	P8- Kinross-shire	
Due Determination Date	8th April 2021	
Draft Report Date	15 th March 2021	
Report Issued by	JHR	Date 15.03.2021

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 90 Metres South Of Hillview Blairadam

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: N/A - In accordance with the on-going restrictions of the coronavirus pandemic, the application site has not been visited by the case officer. The application site and its context have, however, been viewed by mapping databases and streetview. This information means that it is possible and appropriate to determine this application as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

BACKGROUND AND DESCRIPTION OF PROPOSAL

The application is for the erection of a dwellinghouse between the M90 motorway to the west and the B996 Kinross to Kelty public road to the east. There is a woodland tree resource to the east and west boundary and a water course dissects the site. The proposal includes the formation of a new access onto the B996, a driveway with bridge over the burn to the proposed dwelling house. The agents supporting statement confirms the aspiration is the erection of an eco-house.

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 2 (2019).

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2 – Adopted November 2019

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

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 6: Settlement Boundaries

Policy 19: Housing in the Countryside

Policy 39: Landscape

Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy

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

Policy 41: Biodiversity

Policy 52: New Development and Flooding

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53C: Water Environment and Drainage: Surface Water Drainage

Policy 56: Noise Pollution

Policy 58B: Contaminated and Unstable Land: Unstable Land

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

Proposals

OTHER POLICIES

- Housing in the Countryside
- Developer Contributions and Affordable Housing
- Placemaking
- Floodrisk and Flood Risk Assessments (Draft)
- Green and Blue Infrastructure
- Planning and Bio-diversity

CONSULTATION RESPONSES

Scottish Water - No objection

Structures and Flooding - Have reviewed the application and a Flood Risk Assessment (FRA) is required. They note that an FRA submitted for an earlier application (18/00450/FLL), showed flood water to come out of bank on to this side of the watercourse. The proposed development site is at risk of flooding.

Transport Planning – Provide details regarding parking, turning and visibility splays.

Development Contributions Officer – No objection subject to conditional control.

Environmental Health (Noise Odour) – No response received.

REPRESENTATIONS

The following points were raised in the 1 objection received from Cleish and Blairadam Community Council:-

- The site was previously high value woodland that was cleared without the appropriate Forestry Commission Felling Licence.
- Compensatory tree planting should take place on the entire site.
- Impact on natural landscape and the containment it provided for the existing house approved under appeal.
- Proposal is contrary to Policy 19 Housing in the Countryside and its associated supplementary planning guidance.
- The proposals does not accord with the placemaking policies of the Local Development Plan.
- The proposal does not accord with Policy 17 Residential Areas.

The above issues are assessed under the appraisal section of the Report.

ADDITIONAL STATEMENTS

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

APPRAISAL

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

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

Policy Appraisal

The local plan through Policy 6 - Settlement Boundaries specifies that development will not be permitted, except within the defined settlement boundaries which are defined by a settlement boundary in the Plan. This proposed site lies out with a settlement boundary. Accordingly, Policy 17 Residential Areas is not engaged.

Policy 19 - Housing in the Countryside is applicable and this acknowledges that opportunities do exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved.

The Housing in the Countryside SPG provides greater clarity on the categories of development that will be permitted under Policy 19. The categories are as follows:-

- Building Groups.
- Infill sites.
- New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.
- Renovation or replacement of houses.
- Conversion or replacement of redundant non-domestic buildings.
- Development on rural brownfield land.

From a review of the in-principle application drawings the proposal does not meet any of the following categories:- Building Groups, Infill sites, Renovation or

replacement of houses, Conversion or replacement of redundant non-domestic buildings or Development on rural brownfield land.

With regard to 'New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance'. The applicant's aspiration is for the erection of an eco-house as set out in the supporting statement. However, it does not meet Housing in the Countryside SPG 3.5 Houses for Sustainable Living as it has not demonstrated that a new house in a rural setting is essential as an integral part of an overall scheme for the management or use of land which will allow its occupants to be largely self-sufficient.

Furthermore, proposals under this category will be for one-off, bespoke single houses which are at the forefront of sustainability. They will be low impact in terms of their scale, construction materials and methods, and sources of energy and heating. The use of renewable technologies such as solar panels, ground and air source heat pumps, and passive heating are now common place.

To be acceptable under this category therefore, it must be demonstrated that the proposals go beyond those technologies which are widely available, and instead include new or innovative elements which are over and above what is already expected in modern building projects.

The SPG also confirms that detailed plans and full information are essential to making an informed assessment as to whether the proposal can be classed as a house for sustainable living. As such, applications in principle will not normally be acceptable under this category.

Taking account of the above the application conflicts with the Policy 19 - Housing in the Countryside and the associated Housing in the Countryside Guide.

Woodland, Trees and Landscape

The Scottish Government's Policy on Woodland Removal signals a strong presumption in favour of protecting Scotland's Woodland resources. The Scottish Forestry Strategy 2006 identifies seven key themes for Scotland's woodlands which are reiterated in the National Planning Framework, while this highlights a need to plan proactively for the expansion of woodland cover it also confirms that existing woodland should be protected and that its removal should only be permitted where it will achieve significant and clearly defined additional public benefits.

The agent has confirmed that trees will be affected. However, no details are provided on the extent of tree loss and how retained trees will be protected in accordance with BS5837 2012 trees in relation to Design, Demolition and Construction. A tree survey by an arborist is required with root protection areas plotted to illustrate how trees relate to the proposed layout to comply with local plan Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy and Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development. The proposed planting in the applicants supporting statement should be specifically tailored to take account of any tree loss required to accommodate the development.

Representation highlights the site has historically been clear felled. The agent in response to this has highlighted that a replanting scheme was previously drawn up and in the interim further tree planting has been undertaken and there has been no further correspondence with the Forestry Commission regarding the felling.

This matter warrants consultation with the Forestry Scotland (once a detailed tree planting scheme accompanies a planning application) to ensure the proposal is compliant with the Scottish Governments Guidance on woodland removal.

Any outstanding restocking out with the planning process is a matter between the landowner and Forestry Scotland.

Residential Amenity

Planning control has a duty to future occupiers not to create situations of potential conflict between neighbours. An acceptable level of amenity for the proposed properties is required and in this case cognisance of the surrounding land uses must be taken into account.

With regards neighbouring residential dwellings there would be no adverse amenity issues (overlooking/overshadowing) due to the intervening distances.

With regards to surrounding land uses the proposed site is located next to the M90 motorway. A noise impact assessment should be submitted by the applicant to determine that residential amenity, including outdoor amenity is not adversely affected by noise. The NIA should be undertaken by a qualified consultant and any mitigation measures, such as glazing specifications and any calculations should be included within the assessment.

Drainage and Flooding

A flood risk assessment is required to enable assessment against Policy 52: Flooding due to a watercourse running through the site along with the need for a crossing (no construction details of the bridge have been provided). The bridge structure could impact on flood storage, the conveyance of water and ultimately affect the proposed and existing dwellings within the vicinity of the site. Consultation with Structures and Flooding highlights that a previous FRA undertaken in the area confirms this site is at risk of flooding.

Roads and Access

There is a lack of information regarding visibility splays at the new junction with the B996 and how this relates to the tree belt to the east of the site as well as the bend in the road.

As a consequence, it has not been shown that access to the plot can be formed from the public road to comply with Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals or the national road development guide.

Design and Layout

Notwithstanding the conflict with the housing in the countryside policy the site requires to be assessed against the 'Placemaking' policies of the adopted local plan. This site has several constraints and the agent's submission has not illustrated that the site can accommodate a dwelling as discussed under the woodland, tree and landscape, residential amenity drainage and flooding as well as the roads and access headings. Accordingly, the placemaking policies are not adhered too.

Natural Heritage and Biodiversity

Due to the woodland and watercourse running through the site there will likely be a bio-diversity resource at the site. More information in the form of a Preliminary Ecological Appraisal Report is required to ascertain the value to wildlife, both protected and wider biodiversity. The mitigation hierarchy of avoid, reduce and compensate should be followed to reduce impacts of development to biodiversity.

As it stands there is a lack of information to assess Policy 41: Bio-diversity and how the proposal affects the watercourse/wildlife corridor.

Unstable Land

This site falls within a Coal Authority Low Risk Area (85% of the coalfield) where past coal mining activity has taken place at sufficient depth that it poses low risk to new development. There is not a requirement to submit a Coal Mining Risk Assessment with the application. However unrecorded coal mining related hazards could be present.

Developer Contributions

The Developer Contributions Guidance is applicable to this application and conditional control has been recommended to ensure compliance with Policy 5 Infrastructure Contributions.

Economic Impact

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

VARIATION OF APPLICATION UNDER SECTION 32A

This application was not varied prior to determination.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

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

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

Reasons

- 1 The proposal is not considered to comply with Policy 19 - Housing in the Countryside of the Perth and Kinross Local Development Plan 2 and associated Housing in the Countryside supplementary planning guidance as the proposed dwelling does not meet any of the defined categories which permit the erection of dwellings in the countryside.
- 2 The proposal is contrary to Policy 39 of the Perth and Kinross Local Development Plan 2 as the removal/impact on the woodland/tree belt to accommodate the development site access will erode local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience.
- 3 There is a lack of information as no tree survey or tree constraints/root protection plan has been submitted. The proposal will impact on the sites tree resource and on light of this the proposal is contrary to the Scottish Government's Policy on Woodland Removal, the Scottish Forest Strategy, the National Planning Framework as well as policy 40A and 40B of the Perth and Kinross Local Development Plan 2
- 4 The proposal has not demonstrated that the development has taken account of the watercourse running through the proposed site and the potential impact any bridge structure could have on flood storage and the conveyance of water and how this could affect existing and the proposed dwelling. As it stands there is a lack of information to assess Policy 52: New Development and Flooding of the Perth and Kinross Local Development Plan 2.
- 5 There is a lack of information as no noise impact assessment has been submitted with this application. As a result, it does not confirm that a satisfactory residential environment can be achieved for the proposed dwelling due to the proximity of the M90 motorway. Consequently, there is the potential for future residents at this site to suffer annoyance from noise, contrary to Policy 56 of the Perth and Kinross Local Development Plan 2.
- 6 There is a lack of information regarding visibility splays at the new junction and how this relates to the tree belt and bend in the road. It is not been shown that access to the plot can be formed from the public road to comply with Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals or the national road development guide.

Justification

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

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01
02
03
04
05

LRB-2021-12

Planning Application – 21/00126/IPL – Erection of a dwellinghouse (in principle), land 90 metres south of Hillview, Blairadam

REPRESENTATIONS

Monday, 22 February 2021

Local Planner
Planning and Development
Perth and Kinross Council
Perth
PH1 5GD



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

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

Dear Sir/Madam

SITE: Land 90 Metres South Of Hillview, Blairadam
PLANNING REF: 21/00126/IPL
OUR REF: DSCAS-0033351-HL2
PROPOSAL: Erection of a dwellinghouse (in principle)

Please quote our reference in all future correspondence

Audit of Proposal

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

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

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

Waste Water Capacity Assessment

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



SW Public
General

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



45



Please Note

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

Asset Impact Assessment

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

- ▶ There is a 12" Trunk main at the access to the site

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Surface Water

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

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

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

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk



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

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

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

▶ Non Domestic/Commercial Property:

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

▶ Trade Effluent Discharge from Non Dom Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle,



plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

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

Yours sincerely,

Planning Application Team

Development Operations Analyst

developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

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



Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/00126/IPL	Comments provided by	Lachlan MacLean Project Officer – Transport Planning
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 90 Metres South Of Hillview, Blairadam		
Comments on the proposal	<p>The applicant should consider the following when submitting a detailed planning application:</p> <ul style="list-style-type: none"> • The number of car parking spaces being provided for the dwellinghouse should be in accordance with The National Roads Development Guide. • Should a garage be proposed for parking, the size of space within the garage must be a minimum of 7.0m x 3.0m (internal dimensions), as set out in the standards defined in The National Roads Development Guide. • Turning facilities shall be provided within the site to enable vehicles to enter and leave in a forward-facing gear. • The visibility splay for the vehicle access must be shown on any subsequent submissions to show the splay to both the left and right of the access onto the public road network. The splay shall be provided to the left and right of the access from a point 2.4 metres back from the edge of the carriageway measured between points 1.05 metres above the road level. The applicant must consider if any objects including, trees, walls, roadside signage, shrubbery or hedges, which would obscure any visibility splay for the vehicle access before proceeding with any detailed planning application. A full visibility splay may not be able to be provided to the south due to the bend in the road, but the available splay should be provided so that it can be reviewed by the Transport Planning Team. • The gradient of the access shall not exceed 3% for the first five metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public road. A level survey will help understand the gradients in this location. • For more details on the vehicle access onto the public road network, please visit https://www.pkc.gov.uk/article/17628/Vehicular-access-guide. For the level of development it is likely that a Junction Type B would be acceptable with 3 metre radius kerbing. • Any vehicle access formed onto the B996, would be subject to a planning application due to the classification of the road and once planning has been granted, an application to form the vehicle access would be submitted to the Transport Planning Team to allow the applicant to apply for their Section 56 to allow construction works to take place. 		

	Insofar as the Roads matters are concerned, I have no objections to this proposal on the following conditions.
Recommended planning condition(s)	The development shall not commence until the following specified matters have been the subject of a formal planning application for the approval of the Council as Planning Authority: 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	05 March 2021

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/000126/IPL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 90 Metres South Of Hillview Blairadam		
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 Cleish Primary School.</p>		
Recommended planning condition(s)	<p>Primary Education</p> <p>CO01 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2020 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with particular regard to primary education infrastructure, or such subsequent Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.</p>		
Recommended informative(s) for applicant	N/A		
Date comments returned	08 March 2021		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/00126/IPL	Comments provided by	Anna Pover
Service/Section	HE/Flooding	Contact Details	
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 90 Metres South Of Hillview Blairadam		
Comments on the proposal	<p>We have reviewed this application and a Flood Risk Assessment (FRA) is required.</p> <p>As stated by an FRA submitted for an earlier application (18/00450/FLL), this proposed development site is at risk of flooding. The FRA showed flood water to come out of bank on to this side of the watercourse.</p>		
Recommended planning condition(s)	N/A		
Recommended informative(s) for applicant	<p>The applicant is advised to refer to Perth & Kinross Council's Supplementary guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development.</p>		
Date comments returned	10/03/2021		

Cleish and Blairadam Community Council

Secretary



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

11 March 2021

Dear Sirs,

Planning Application 21/00126/IPL erection of a dwelling house in principle at Hillview, Kinnaird, Blairadam, Keltie KY4 0JB

Cleish and Blairadam Community Council wish to object to the above application.

The area of ground that is the subject of the application is not as stated on the application form, ie shrubland/woodland or agricultural. It was formally high value woodland which was clear felled, without Forestry Commission licence, by the owner of Hillview a few years ago. It would appear that the current owner is now seeking to profit on the land that was illegally cleared.

Rather than becoming a house site it is felt that compensation replanting should take place on the entire site of the previous woodland (including the land adjacent to Hillview) to allow the regeneration of biodiversity and to reinstate the landscape setting, as is normally required by a Forestry Commission felling licence.

The existing house, Hillview, was allowed consent under appeal in 2008 due to the containment given by the woodland which was considered to provide a suitable landscape setting. Clearly the original intention of the Appeal reporter was that the entire woodland site would remain part of the natural landscape environment and not become a development opportunity. There is concern that the gap created between the application site and Hillview will encourage further built development, as the design of the access to the public road clearly suggests.

The proposal is contrary to Policy 19, Housing in the Countryside and the categories listed in its supplementary guidance. The proposal does not accord with Placemaking policies 1a and 1b as the development does not contribute positively to the quality of the natural environment.

The proposal does not accord with Policy 17, Residential areas as it is not compatible with the amenity and character of the local environment.

Yours faithfully

Secretary,
Cleish & Blairadam Community Council

c/c Local Members

