

TCP/11/16(304)
Planning Application 14/00243/IPL - Erection of a dwellinghouse (in principle) on land 50 metres south east of Westbank Holdings, Westbank Road, Longforgan

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TCP/11/16(304)
Planning Application 14/00243/IPL - Erection of a
dwellinghouse (in principle) on land 50 metres south east
of Westbank Holdings, Westbank Road, Longforgan

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

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

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

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

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

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

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

Yes ☒ No ☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application Date of decision (if any)

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

Nature of application

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

Reasons for seeking review

- | | |
|---|-------------------------------------|
| 1. Refusal of application by appointed officer | <input checked="" type="checkbox"/> |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/> |
| 3. Conditions imposed on consent by appointed officer | <input type="checkbox"/> |

Review procedure

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

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

- | | |
|---|-------------------------------------|
| 1. Further written submissions | <input type="checkbox"/> |
| 2. One or more hearing sessions | <input type="checkbox"/> |
| 3. Site inspection | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input checked="" type="checkbox"/> |

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

Site inspection

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

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

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

It may be useful for members to have the specific and historical boundaries identified and there may be construction traffic from an adjacent site as well as risks associated with this being a working farm

Statement

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

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

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

The original application was refused on the grounds of the site lying outwith the settlement boundary and there is no existing landscape framework. It is not considered that these reasons form a robust decision.

The settlement boundary of Longforan has only been recently defined. While marginally outwith the development boundary, the site is within an existing and identifiable building group and any future dwelling would be sited so as to be within the extents of this group. Any future development of the site would be a natural and logical extension of the existing building group.

The site is formed from the private garden ground of Westbank Farmhouse (historical aerial photographs available) but has recently become an area of unmaintained ground used for intermittent grazing. There is therefore precedent for this ground being under residential use and should be considered as being within the development boundary.

The remaining amenity space (including garden and hard landscaped areas) will be extensive and be more generous than other properties in the area, consistent with expectations of a rural location.

It is considered a landscape framework is present as the site is bounded on two sides (North & West) by established hedging/walling and on the remaining sides by the existing farm access track (East) and an established fence line (South). It is proposed that the two unplanted boundaries will receive new native hedging.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes ☒ No ☐

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

Presentation of aerial photographs showing association with previous residential use.

List of documents and evidence

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

01 Location Plan
02 Location Plan
03 Site Plan
Design Statement
Aerial Photographs

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

Checklist

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

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

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

Declaration

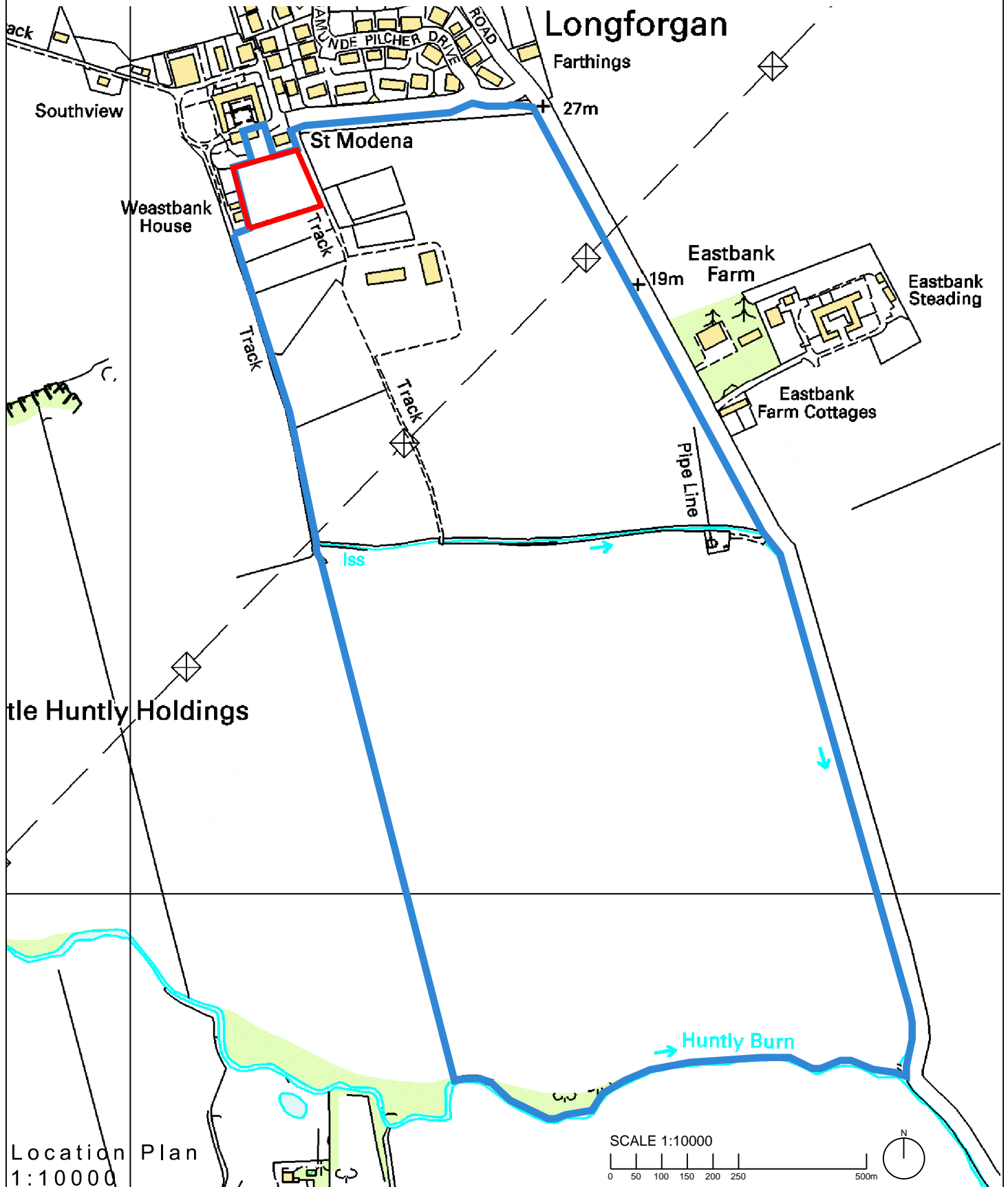
I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

R Taylor (signed) for studioEAST

Date

6 May 2014

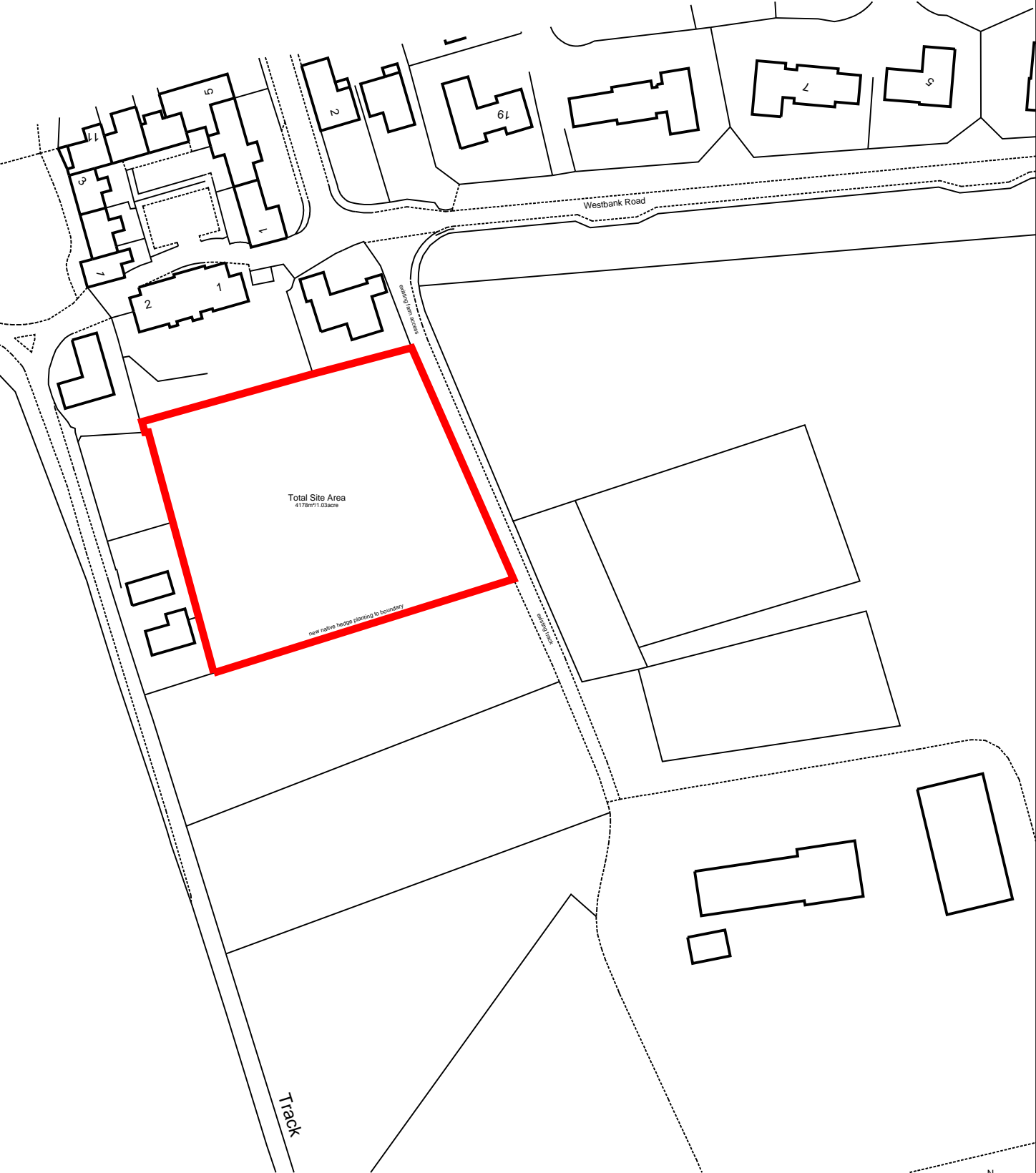


Location Plan
1:10000

studio | EAST

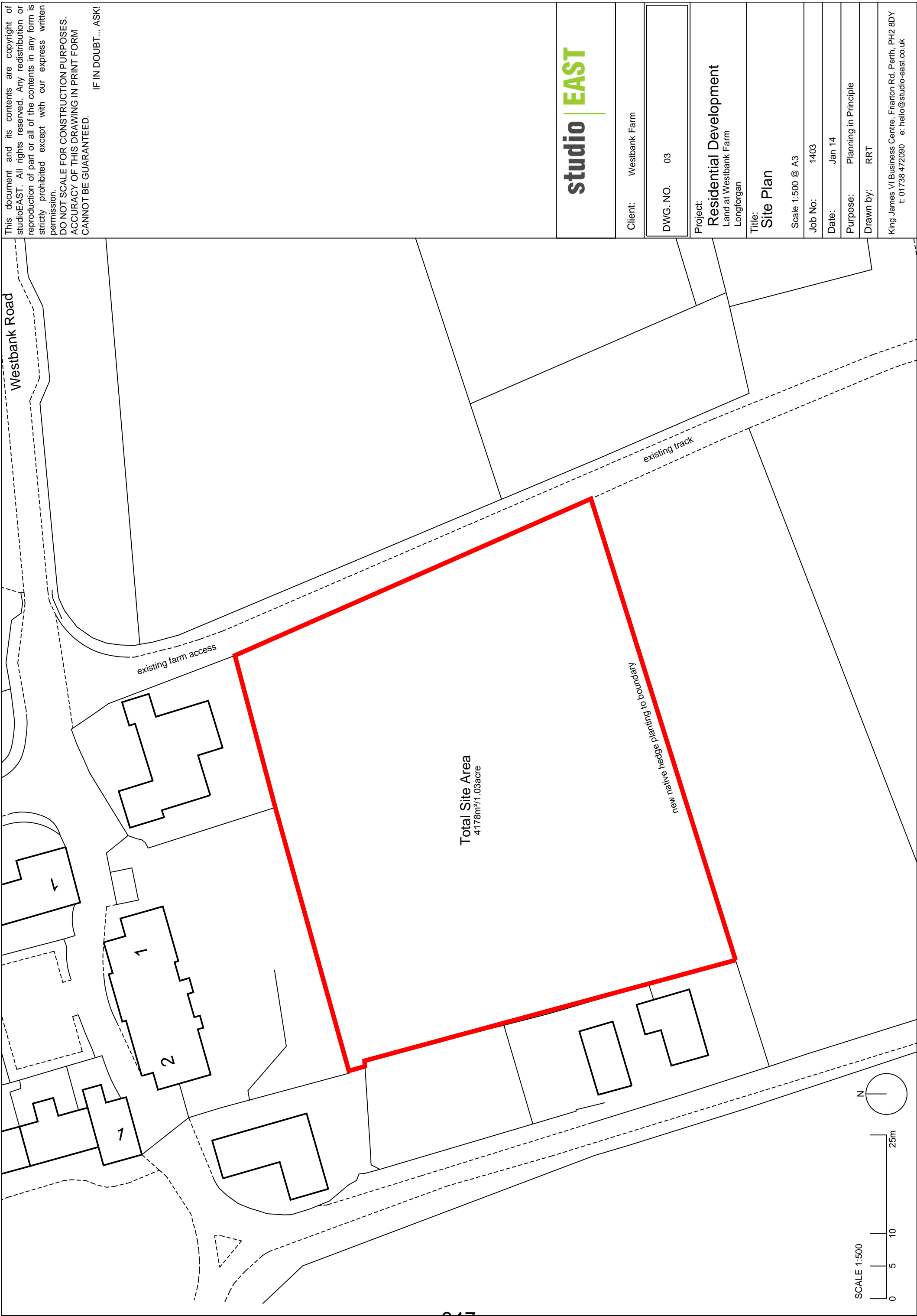
Project: Residential Development Land at Westbank Farm Longforgan	
Job No:	1403
Date:	Feb 14
Purpose:	Location Plan
King James VI Business Centre, Friarton Rd, Perth, PH2 8DY t: 01738 472090 e: hello@studio-east.co.uk	

Client:	Westbank Farm
DWG. NO.	01



Location Plan
1:1250

studio EAST		Project: Residential Development Land at Westbank Farm Longforgan	
Client: Westbank Farm		Job No: 1403	
		Date: Feb 14	
DWG. NO. 02		Purpose: Location Plan	
King James VI Business Centre, Friarton Rd, Perth, PH2 8DY t: 01738 472090 e: hello@studio-east.co.uk			



LTR/1403/003/RRT

10 February 2014

Perth & Kinross Council (Planning and Regeneration)
Pullar House
35 Kinnoull Street
Perth
PH1 5DG

Dear Sirs

Residential Development (in Principle) on Land at Westbank Farm, Longforan, DD2 5EZ

This letter accompanies the above application to provide an introduction to the site and highlight issues relative to the proposals.

The Proposal

The proposal is to establish the principle of residential development on land to the south of Westbank Farmhouse. The land was recently part of an application by a third party for a significantly larger housing development which has since been withdrawn.

Site

The site extends to 4178m²/1.03ac and is owned entirely by the applicant. The site is bounded on two sides (North & West) by established hedging/walling and on the remaining sides by the existing farm access track (East) and an established fence line (South).

The site is formed from the private garden ground of Westbank Farmhouse (historical aerial photographs are available on request) but has recently become an area of unmaintained ground used for intermittent grazing.

Housing in the Countryside Policy

As mentioned above, the site is formed from former garden ground associated with the current farm.

While marginally outwith the development boundary of Longforan, the site is within an existing and identifiable building group and any future dwelling would be sited so as to be within the extents of this group. Any future development of the site would be a natural and logical extension of the existing building group.

It is likely that any future dwelling will make use of renewable energy sources and demonstrate an exemplar in energy efficiency and sustainable living. The design of any future dwelling would be in-line with the Housing in the Countryside Policy (Part 3.5).

Access & Parking

Off-street parking will be made available for minimum two vehicles with good turning areas within the curtilage of the site. The site will be accessed from a driveway leading directly from the existing farm access, requiring no further junctions to be formed with Westbank Rd.

Design

Detailed proposals have not yet been developed; however, any future dwelling will be 1½ storey and so will not be dominant in the area. Neighbouring buildings are typically 1½ or 2 storeys.

Any proposed dwelling would be sited to the centre of the site so not to detract from the visual amenity of the group. The design of any future dwelling would reflect the local rural design characteristics and be sensitive in scale, massing and materiality.

Open Space

The remaining amenity space (including garden and hard landscaped areas) will be extensive and be more generous than other properties in the area, consistent with expectations of a rural location. New boundary treatments (predominantly hedge planting) will be introduced providing a marked enhancement to the visual amenity of the area.

Services

Any dwelling will be connected to mains sewerage, water and electricity; all of which are available on site.

I trust the above and enclosed information is suitable to determine this application. If you have any queries regarding the above or enclosed please feel free to contact me.

Yours faithfully,

Richard Taylor

for studioEAST

Enc



TCP/11/16(304)

Planning Application 14/00243/IPL - Erection of a dwellinghouse (in principle) on land 50 metres south east of Westbank Holdings, Westbank Road, Longforgan

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENT *(included in applicant's submission, see pages 345-347)*

PERTH AND KINROSS COUNCIL

Westbank Farm
c/o StudioEAST
Richard Taylor
King James VI Business Centre
Riverview Business Park
Friarton Rd
Perth
PH2 8DY

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 26th March 2014

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **14/00243/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 19th February 2014 for permission for **Erection of a dwellinghouse (in principle) Land 50 Metres South East Of Westbank Holdings Westbank Road Longforgan** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. As the proposal is located immediately outwith the settlement boundary of Longforgan, the proposal is contrary to Policy PM4 (Settlement Boundaries) of the Local Development Plan 2014 which states that for settlements which are defined by a settlement boundary, development will not be permitted, except within the defined settlement boundary.
2. As the site does not have a good, existing landscape framework which is defined by either established landscape features or existing topography, the proposal is contrary to the aims of the Council's Housing in the Countryside Guide 2012 and Policy RD3 of the Local Development Plan 2014, both of which require extensions of existing building groups to be into definable sites which have a good (existing) landscape framework.

Justification

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

Notes

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

Plan Reference

14/00243/1

14/00243/2

14/00243/3

REPORT OF HANDLING

DELEGATED REPORT

Ref No	14/00243/IPL	
Ward No	N1- Carse Of Gowrie	
Due Determination Date	18.04.2014	
Case Officer	Andy Baxter	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 50 Metres South East Of Westbank Holdings
Westbank Road Longforgan

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 the Council's Housing in the Countryside Guide 2012, and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: 19 March 2014

SITE PHOTOGRAPHS



*Picture along the public road to the NE of the site, looking towards (SW) the site.
(Approx. GR 331269 (E) / 729766 (N))*



*Picture taken from the SW of the site looking, towards (NE) the site
(Approx. GR 331109 (E) / 72960 (N))*

BACKGROUND AND DESCRIPTION OF PROPOSAL

The planning application seeks to obtain a planning in principle consent for the erection of a single dwelling on a greenfield site at the southern end of Longforgan. The site at the moment is part of a larger field which has been divided up into smaller paddocks for horses/ponies.

The sites boundaries are defined by temporary wire fences to the south and east, and by the curtilages of existing residential properties to the north and west.

The site is roughly square in its shape with a width (east to west) of approx. 70m and a depth (north to south) of approx. 60m, resulting in a site area of approx. 0.4ha. The site is presently grassed and slopes generally from north to south.

The applicant has indicated that should this application be successful, new hedging will be planted along the sites southern boundary. No other indicative information has been submitted with the application.

SITE HISTORY

The site was part of a larger residential site which was subject to a planning application in 2008 (08/01889/IPM), however that planning application was withdrawn earlier this year prior to it being determined.

PRE-APPLICATION CONSULTATION

The Council issued a formal pre-application response to a proposal for a four house development (14/00028/PREAPP) on the application site earlier this year. The response from the Council to that enquiry was a negative one, based on the fact that the proposal was contrary to the emerging Local Development Plan and that the site did not have a good, existing landscape framework.

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars. Of relevance to this planning application is,

The Scottish Planning Policy 2010

This SPP is a statement of Scottish Government policy on land use planning and contains:

- the Scottish Government's view of the purpose of planning,
- the core principles for the operation of the system and the objectives for key parts of the system,
- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

Of relevance to this application are paragraphs 92-97 which relates to rural developments.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *"By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs."*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

Within the Local Development Plan, the site lies within the landward area, immediately outwith the settlement boundary of Longforgan. To this end, the two principle land use policies contained in the Local Development Plan are **Policy RD3**, which relates to new Housing in the Countryside and the associated 2012 Housing in the Countryside Guide and **Policy PM4** which states that in respect of settlements, new development will not be permitted except within the settlement boundary.

In addition to this, **Policy PM1A** seeks to ensure that new developments 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.

OTHER COUNCIL POLICIES

Developer Contributions 2012

This document seeks to secure developer contributions for A9 upgrades and primary education improvements in certain circumstances.

Housing in the Countryside Guide 2012

As the site lies within the landward area of the Local Development Plan, the HITCG is directly applicable to this proposal. The 2012 guide is the most recent expression of Council policy towards new housing in the open countryside and offers support for new developments providing that certain criteria can be met and achieved. In relation to this proposal, support is offered for the extension of existing building groups providing that the extension takes place into a defined space which will not adverse effect the character or amenity of the existing group.

CONSULTATION RESPONSES

Transport Planning have commented on the planning application and raised no objections.

Executive Director (Education & Children's Services) has commented on the planning application and indicated that the Developer Contributions 2012 document should be applied to the proposal.

Scottish Water have commented on the planning application and raised no objection.

Access Officer has commented on the planning application however at the time of writing, no response(s) had been received.

Planning & Sustainable Development have commented on the planning and raised an objection to the proposal on the grounds that the proposal is contrary to the Local Development Plan 2014.

REPRESENTATIONS

One letter of representation has been received from a local resident, objecting to the proposal. The main issues raised within their objection are that the proposal is contrary to the Council's Housing in the Countryside Policies and also contrary to the new Local Development Plan 2014.

ADDITIONAL STATEMENTS SUBMITTED

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

In terms of other material considerations, the content of the Housing in the Countryside Guide 2012 and compliance with the Developer Contributions 2012 document are both significant material considerations.

Policy Appraisal

The principal Development Plan policies directly relevant to this proposal are contained in the adopted Local Development Plan. Within that Plan, the site lies within the landward area, immediately outwith the settlement of Longforgan where *Policies PM1A (general development), PM4 (development next to settlement boundaries) and RD3 (HITCP)* are all directly applicable.

Policy PM1A seeks to ensure that new developments must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place, whilst *Policy PM4* indicates that in relation to settlements, development will not be permitted except within the settlement boundary. *Policy RD3* relates to new Housing in the Countryside and states that the supplementary guidance will be applicable to new proposals in the landward area. The most recent SPG on housing in the countryside is the 2012 version.

Based on the above, I consider the key determining issues for this proposal to ultimately be firstly, whether or not the proposal has a good (suitable), existing landscape framework (*Policy RD3 of the LDP and HITCG 2012*) and

secondly, whether or not the proposal is acceptable in land use terms (*Policies RD3 and PM4 of the LDP and the HITCG 2012*).

For reasons stated below, I consider the proposal to be unacceptable on both counts.

Landscape Framework Issues

One of the key requirements of new housing in the countryside (particularly in relation to the extension of existing groups) is that development takes place within a definable site and not in an area which has no obvious, natural containment. The site at the moment is extremely open along its southern and eastern boundaries, with the existing definition being in the form of temporary (and removable) fences which have been erected to subdivide the larger field.

The requirements of both *Policy RD3* of the Local Development Plan and the HITCG 2012 is that consent will only be granted for proposals which will extend the existing group of buildings into a definable sites formed by existing topography and or well established landscape features which will provide a suitable setting. This site does not comply with this requirement, and therefore I consider the (existing) landscape framework of the site unacceptable.

Land Use acceptability

The acceptability of the proposal in land use terms, is an assessment of the proposal against the Council's Housing in the Countryside Guide 2012 and secondly, whether or not there is justification for the proposal immediately outwith the settlement boundary of Longforgan.

I shall address these two issues in turn.

Housing in the Countryside

The site lies within the landward area of the adopted Local Development Plan, where *Policy RD3* is directly applicable. *Policy RD3* relates to the Housing in the Country Policy and is directly linked to the associated SPG, the Housing in the Countryside Guide 2012 which offers more detailed policy background and is the most recent expression of Council opinion towards new housing in the open countryside.

As the proposal is not a replacement of an existing house, a conversion of an existing traditional non-domestic building, the replacement of a redundant, traditional non-domestic building, a gap / infill site or a house needed for operational / economic need the only section of Housing in the Countryside Guide 2012 which the proposal can logically be assessed against is building groups.

This proposal is somewhat different to a typical building group proposal insofar as the existing building group is actually a large settlement. However,

the HITCG does not distinguish between the size of the existing group and providing there are more than 3 buildings of domestic size in close proximity to each other, it is acknowledged that a 'building group' exists. So in this case, as Longforgan could technically be classed as an existing building group (even though it's actually a large village), the proposal would meet with the first requirement of the HITCG, insofar as it is extending an existing group.

The second test of whether or not a proposed extension to an existing building group is acceptable (or not) is whether the proposal would have an adverse impact on the character or amenity of the existing area. In my view, I consider it unlikely that the erection of a single house on this site would materially affect either the character or amenity (visual or residential).

The last key test of whether or not a proposed extension to an existing building group is acceptable (or not) is whether the proposal would be extending into a natural site, which has a good existing landscape framework.

It is in this area, that I do have significant concerns regarding the lack of an existing landscape framework, which is a key requirement of the HITCG.

As stated previously, the site is essentially part of a larger paddock area which has been divided up into smaller paddocks that are used for accommodating horses and ponies. Whilst I acknowledge that the site does have a definitive framework to the north and west, to the south and east there is no established boundary apart from the temporary fences which have been erected to subdivide the field into smaller paddocks.

In my view, having approx. 50% of the boundaries undefined by any form of landscape features or natural topography does not constitute a good site, and one which has a good existing landscape which the development proposed can be accommodated. I note the applicant is proposing new hedging to the south, however I ultimately consider the proposal to be contrary to the Housing in the Countryside Guide 2012 due to the lack of existing landscape framework.

Location immediately outwith to Settlement Boundary

As a matter of fact, the site is located immediately outwith the settlement boundary of Longforgan, as defined in the adopted Local Development Plan. *Policy PM4* of the Local Development Plan, states that (in relation to settlements) development will not be permitted except within the settlement boundaries. Whilst this policy could be read as restricting all development in the landward area (which would in theory be outwith settlement boundaries), it is accepted by the Council that it seeks to control sporadic developments which are immediately outwith the settlement boundaries identified in the Local Development Plan.

Whilst the expansion of Longforgan in the long term is likely to be to the south (due to the trunk road to the north) of the village, no expansion of the village is envisaged in the new adopted Local Development Plan which has recently

been through extensive consultation. To this end, I consider the proposal to be contrary to *Policy PM4* of the Local Development Plan, and I see no reason to accept a departure from this policy at this present time.

Design and Layout

This is a planning in principle application so design and layout issues are not directly relevant.

Residential Amenity

As this proposal is for a residential development (on a large site) it is unlikely that any residential development of this site for a single dwelling will adversely affect the residential amenity of the area.

Visual Amenity

This is a planning in principle application visual issues are not directly relevant. However, considering the fact that the proposal is for a minor residential development it is unlikely that any residential development of this site for a single dwelling will adversely affect the visual amenity of the area.

Roads and Access

There are no road related issues regarding this proposal

Drainage and Flooding

There are no flooding or drainage related issues regarding this proposal

Developer Contributions (Education)

As this is a planning in principle application, any consent will be subject to a requirement to comply with the requirements of the Developer Contributions 2012 document.

Economic Impact

With the exception of the works during the construction phase, which may or may not be undertaken by local tradesmen, this development is unlikely to have a significant economic impact on the local area – either positively or negatively.

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 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions

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 reasons,

- 1 As the proposal is located immediately outwith the settlement boundary of Longforgan, the proposal is contrary to Policy PM4 (Settlement Boundaries) of the Local Development Plan 2014 which states that for settlements which are defined by a settlement boundary, development will not be permitted, except within the defined settlement boundary.
- 2 As the site does not have a good, existing landscape framework which is defined by either established landscape features or existing topography, the proposal is contrary to the aims of the Council's Housing in the Countryside Guide 2012 and Policy RD3 of the Local Development Plan 2014, both of which require extensions of existing building groups to be into definable sites which have a good (existing) landscape framework.

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

14/00243/1 - 14/00243/3 (inclusive)

Date of Report 24.03.2014

TCP/11/16(304)

Planning Application 14/00243/IPL - Erection of a dwellinghouse (in principle) on land 50 metres south east of Westbank Holdings, Westbank Road, Longforgan

REPRESENTATIONS

- Representation from Forward Planning, dated 27 February 2014
- Objection from Mr James McConville, dated 6 March 2014
- Representation from Scottish Water, dated 10 March 2014
- Representation from Transport Planning, dated 14 March 2014

CONSULTATION ON PLANNING APPLICATION



To: Development Management
From: Ron Moody
Date: 27/02/14
Planning Reference: 14/00243/IPL

Description of Proposal: Residential development (in principle)
Westbank Holdings Westbank Road
Longforgan

1. Tayplan

Policy 5 part c indicates that there is a presumption against housing land releases in the Carse of Gowrie.

2. Local Development Plan

The Local Development Plan was adopted on 3 February 2014. The site lies immediately outside the settlement boundary shown for Longforgan. (note housing sites were removed in Longforgan by the examination on the basis that they were contrary to TAYplan and the approved development strategy.

Of particular relevance are

1. Policy PM4 which indicates that development will not be permitted except within the settlement boundary.
2. Policy RD3 on housing in the countryside.

3. Comments

The development is contrary to the development plan policy framework for the area and should be refused on that basis

Mr James McConville (Objects)

Comment submitted date: Thu 06 Mar 2014

The Local Development was only recently adopted by the Council on 3 February 2014.

The proposed residential development (in principle) is contrary not only to the approved Local Development Plan but also to the development plan policy framework in that:

- The site lies outwith the boundaries of the village.
- The proposed site is part of an area removed from Longforgan, on examination, as being contrary to TAYplan.
- The proposal is contrary to the Council's policy on housing in the countryside.

10th March 2014

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

SCOTTISH WATER

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

Central Support Team
T: 0141 414 7660
W: www.scottishwater.co.uk

Dear Sir Madam

PLANNING APPLICATION NUMBER: 14/00243/IPL
DEVELOPMENT: Longforan Westbank Road West
OUR REFERENCE: 665645
PROPOSAL: Erection of a dwellinghouse (in principle)

Please quote our reference in all future correspondence

In terms of planning consent, Scottish Water does not object to this planning application. However, please note that any planning approval granted by the Local Authority does not guarantee a connection to our infrastructure. Approval for connection can only be given by Scottish Water when the appropriate application and technical details have been received.

Clatto Water Treatment Works may have capacity to service this proposed development.

Water Network – Our initial investigations have highlighted there may be a requirement for the Developer to carry out works on the local network to ensure there is no loss of service to existing customers. The Developer should discuss the implications directly with Scottish Water.

Hatton Waste Water Treatment Works may have capacity to service this proposed development.

In some circumstances it may be necessary for the Developer to fund works on existing infrastructure to enable their development to connect. Should we become aware of any issues such as flooding, low pressure, etc the Developer will be required to fund works to mitigate the effect of the development on existing customers. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules.

A totally separate drainage system may be required with the surface water discharging to a suitable outlet. Scottish Water requires a sustainable urban drainage system (SUDS) as detailed in Sewers for Scotland 2 if the system is to be considered for adoption.

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 installed, subject to compliance with the current 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 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). This should be done through a deed of servitude.

It is possible this proposed development may involve building over or obstruct access to existing Scottish Water infrastructure. On receipt of an application Scottish Water will provide advice that advice that will require to be implemented by the developer to protect our existing apparatus.

Should the developer require information regarding the location of Scottish Water infrastructure they should contact our Property Searches Department, Bullion House, Dundee, DD2 5BB. Tel – 0845 601 8855.

If the developer requires any further assistance or information on our response, please contact me on the above number or alternatively additional information is available on our website:
www.scottishwater.co.uk.

Yours faithfully

Lisa Main
Customer Connections Administrator



MEMORANDUM

To	Andy Baxter Planning Officer	From	Niall Moran Transport Planning Technician Transport Planning
Our ref:	NM	Tel No.	Ext 76512
Your ref:	14/00243/IPL	Date	14 March 2014

Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, - ROADS (SCOTLAND) ACT 1984

With reference to the application 14/00243/IPL for planning consent for:- **Proposed residential development (in principle) Land 50 Metres South East Of Westbank Holdings Westbank Road Longforgan for Westbank Farm**

Insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied, in the interests of pedestrian and traffic safety.

- Prior to the occupation and use of the approved development all matters regarding access, car parking, 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 and to the satisfaction of the Planning Authority.

I trust these comments are of assistance.

