

**TCP/11/16(355)**  
**Planning Application 14/01885/IPL – Erection of a dwellinghouse (in principle), land 50 metres south west of Milton Farm Cottage, Abernyte**

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**TCP/11/16(355)**

**Planning Application 14/01885/IPL – Erection of a dwellinghouse (in principle), land 50 metres south west of Milton Farm Cottage, Abernyte**

**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 MICHAEL SANDS

Address MILTON FARM  
ABERNYTE  
PERTSHIRE

Postcode PH14 9SJ

Contact Telephone 1 [REDACTED]

Contact Telephone 2 [REDACTED]

Fax No [REDACTED]

E-mail\* [REDACTED]

## Agent (if any)

Name KEIK DOE

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CLANGIE  
ERAW  
PERTSHIRE

Postcode PH2 7TB

Contact Telephone 1 07813138642

Contact Telephone 2 01821 642 333

Fax No [REDACTED]

E-mail\* pkeir13e66@hotmail.com

Mark this box to confirm all contact should be  
through this representative: ☒ Yes ☐ No

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

Yes ☒ No ☐

Planning authority

PERTH+KINCROSS COUNCIL

Planning authority's application reference number

14/01885/1PL

Site address

LAND 50M SOUTH WEST OF MILTON FARM COTTAGE,  
ABERNYTE, PERTSHIRE

Description of proposed  
development

ERECTION OF A DWELLING HOUSE (IN PRINCIPLE)

Date of application

21 OCTOBER 2014

Date of decision (if any)

19 JANUARY 2015

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

**Nature of application**

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

**Reasons for seeking review**

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

**Review procedure**

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

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

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

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

A HEARING IS REQUIRED TO FULLY CONSIDER THE MERITS OF THIS PROPOSAL AND ASSESS IT COMPREHENSIVELY AGAINST THE 'BUILDING GROUP' CATEGORY IN THE HOUSING IN THE COUNTRYSIDE POLICY 2012 AND POLICY RD3 IN THE LDP 2014.

**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:

ACCOMPANIED SITE INSPECTION REQUIRED FOR FARM SAFETY.

**Statement**

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

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

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

PLEASE REFER TO THE ACCOMPANYING LETTER.

IN SHORT;

- ① INTERPRETATION OF CATEGORY 1 'BUILDING GROUPS' IN THE PAK COUNCIL HOUSING IN THE COUNTRYSIDE POLICY 2012, + POLICY ROB IN THE LOCAL DEVELOPMENT PLAN 2014.
- ② ADDITIONAL FLOOD RISK INFORMATION
- ③ SUBJECT APPLICATION A PLANNING PERMISSION IN PRINCIPLE - SOME OF THE REASONS FOR REFUSAL COULD BE CONDITIONED. AND DEALT WITH AT THE DETAILED APPLICATION STAGE.
- ④ DECISION CONTRARY TO INITIAL PRE-APPLICATION FEEDBACK.
- ⑤ THE SITE HAS A MATURE AND ROBUST LANDSCAPE FRAMEWORK - WHICH APPEARS TO BE DISPUTED.

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.

AN ENGINEERING SOLUTION TO ENSURE ALL OF THE ACCESS ROAD IS OUT OF THE 1 IN 200 YR FLOOD AREA, HAS BEEN PROPOSED AND ACCEPTED AS SATISFACTORY BY THE COUNCIL'S FLOODING SERVICE. THIS IS AN ADDENDUM TO THE FLOOD RISK ASSESSMENT. PLEASE REFER TO THE ACCOMPANYING LETTER.

**List of documents and evidence**

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

- ① ACCOMPANYING LETTER
- ② PRE-APPLICATION RESPONSE FROM THE COUNCIL
- ③ ~~FLOOD RISK ASSESSMENT~~ EMAIL FROM EMILY MACMILLAN (COUNCIL FOODS TECHNICIAN)
- ④ REFUSAL NOTICE
- ⑤ FLOOD RISK ASSESSMENT ADDENDUM - LETTER FROM MILLARD CONSULTING
- ⑥ HOUSING IN THE COUNTRYSIDE POLICY - MAY 1994 'EXAMPLES OF BUILDING GROUPS' DIAGRAM
- ~~⑦ LETTER~~ ⑦ PHOTOGRAPH OF THE SITE

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

**Checklist**

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

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

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

**Declaration**

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

Signed



Date

16.04.2015



16<sup>th</sup> April 2015

The Secretary  
Local Review Body  
Perth & Kinross Council  
Committee Services  
Council Building  
2 High Street, Perth, PH1 5PH

Keir Doe  
Muirhouses Farm  
Grange  
Errol  
Perthshire  
PH2 7TB

Dear Sir/Madam

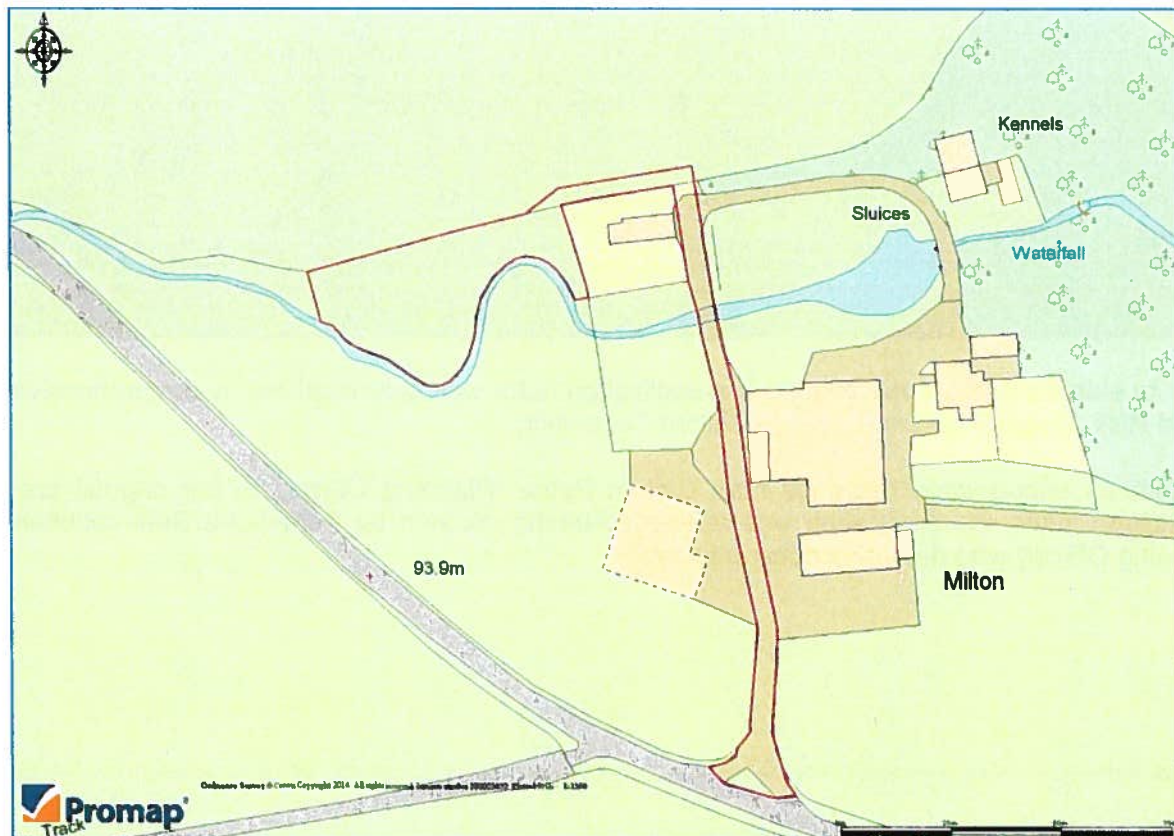
**LRB Appeal: Erection of a dwellinghouse (in principle) Land 50 metres South West of Milton Farm Cottage, Abernyte (14/01885/IPL)**

**Introduction**

The applicant; Michael Sands – aged 25, a builder and sheep farmer with the assistance of myself, submitted a planning application proposing the erection of a house for himself on Milton Farm (which belongs to his parents).

The application site is located immediately to the west of Milton Farm Cottage and adjacent to the Milton Farm building group.

Map 1: Planning Application Site (outlined in red)



The application site is surrounded by a natural and robust landscape framework, comprising; Abernyte burn and rising topography to the south, trees to the west and rising topography to the north. The proposed new build house looks to extend the building group into a definable site.

Photograph 1: Photograph (taken by a drone) of the building group and application site (located to the right of the cottage)



Prior to submitting the application, a pre-application letter was submitted and a comprehensive Flood Risk Assessment conducted by Millard Consulting.

Despite an encouraging response from Callum Petrie (Planning Officer) to the original pre-application letter, the application was refused planning consent by Persphone Beer (another Planning Officer) who determined the application.

### **Pre-Application Discussions & Application Submission**

Prior to submitting the planning application we engaged with the Council in Pre-Application discussions.

Callum Petrie (Planning Officer) kindly provided initial feedback to the proposed development; commenting that the proposal partly fulfils Criteria 1: 'Building Group' of the Housing in the Countryside Policy 2012 and Policy RD3: Housing in the Countryside in the Local Development Plan. However, Callum's main concern was the proximity of the application site to the Abernyte Burn and the potential associated future flood risk. Please refer to Appendix 1 – Callum Petrie's pre-application response.

We acknowledged Callum's comments regarding the Abernyte Burn and potential associated future flood risk and engaged a suitably qualified consultant; Millard Consulting (based in Perth) who are Hydrology and Environmental Engineers.

Millard Consulting assessed whether a house could be built on this site and whether it was at risk of a 1 in 200 year flood event. In short, they concluded that where the house was proposed to be situated, it was outwith the 1 in 200 flood risk (plus climate change) envelop.

After taking into consideration the pre-application response and following the completion of a Flood Risk Assessment, a planning application was submitted.



### **Application Site Attributes**

The application site has a considerable amount of planning attributes, including:

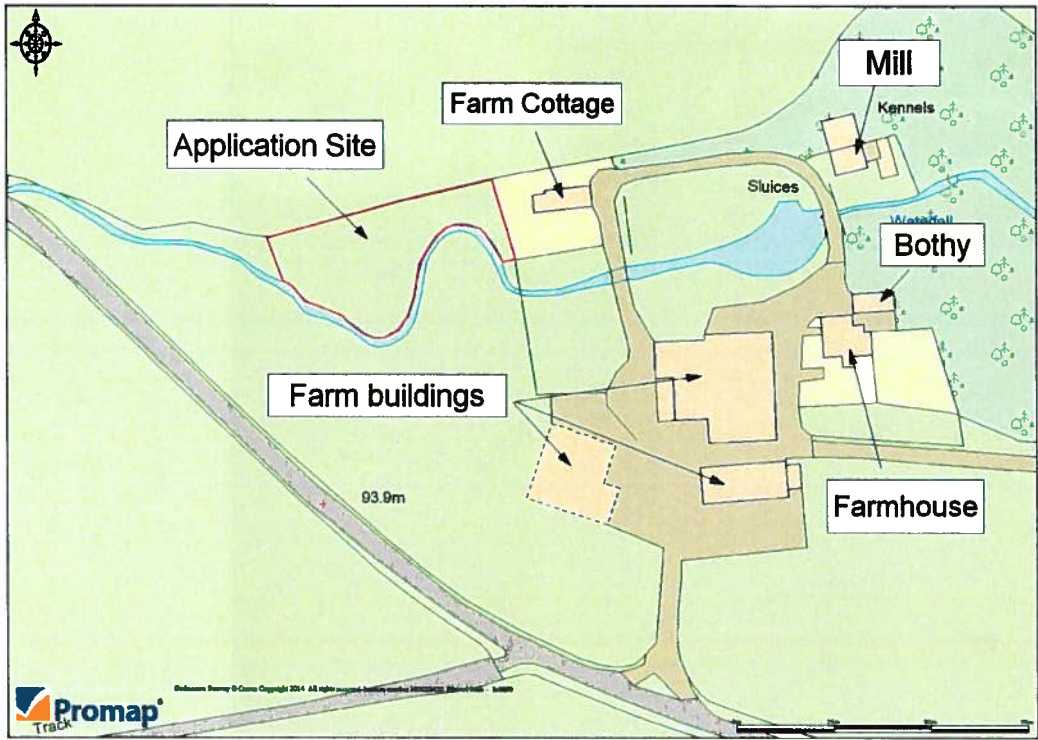
- It is surrounded by a robust, established and natural landscape framework – annexed in photographs 1, 2, 3, 4 & 5.
- The trees and topography also partially screen and provide a natural backdrop for the proposed house
- The site is a natural extension to the Milton Farm building group
- A new build house would complement the adjacent cottage
- An existing access road would be utilised
- The plot in its current form serves no agricultural purpose as it is severed from the rest of the field by the Abernyte burn
- There are no planning objections from neighbours

Photograph 2: Photograph of the site (taken by a drone) - replicated at a larger size in Appendix 2





Map 2: Map illustrating the application site and building group



Photograph 3: Photograph of the application site and building group (taken by a drone)





Photograph 4: Looking northeastwards over the site.



Photograph 5: Looking westwards over the site towards the trees which form the western boundary



## **The Applicant**

The applicant; Michael Sands runs his own building business which specialises in construction and renovation of; houses, farm buildings, garages, modern sheds etc. The business was established in 2010 and has since flourished. The building business now serves a large number of farms, businesses and house holders in the Carse of Gowrie. Michael now employs 4 people – all of whom live locally.

As well as running his own building business, Michael also has his own livestock enterprise which is based at the farm. He also assists his father with his mixed farming operation and his mother with her kennel and holiday rental business.

Photograph 6: A house Michael Sands Builders are currently working on



Michael currently lives in his parents house on the farm. With his building and farming businesses based on the farm, it is important that he resides on site. Therefore with a natural house plot on the farm and a builder to trade, he is keen to build a house for himself on the farm.

It should also be pointed that whilst there is a farm cottage on the farm, as Milton Farm is only 140 acres (very small by today's standards), the rental generated from this cottage is absolutely vital in supplementing the farm income.

For avoidance of doubt, the proposed house is for Michael and not to be sold off for financial gain.



## **Reasons for Refusing the Planning Application**

We were very surprised and disappointed that the application was refused planning consent.

Since the application was refused, we have spoken to and met up with Persphone Beer – the Planning Officer who refused the application. Whilst we were obviously disappointed with her decision, she has provided us with feedback and talked through her decision – which we have found very helpful and appreciated.

Ultimately, Persphone has confirmed that the principal reason for refusing the application is due to her opinion that the proposed house does not comply with the Housing in the Countryside Policy 2012, including the 'Building Group' Category (which we firmly believe the proposal complies with).

However, Callum Petrie – Persphone's colleague who provided the initial pre-application response, appears to share our opinion that the proposal does comply with the Housing in the Countryside Policy. The interpretation of the Housing in the Countryside Policy and its application to individual cases is an entirely subjective process – so naturally not everyone will necessarily share the same opinion. I have however discussed this case with a number of planning consultants and fellow professionals and they agree that the site is a 'classic' and 'textbook' site in which to extend the building group - complying with the Housing in the Countryside Policy 2012.

Having discussed the reasons for refusal with Persphone, she is of the view that other than Reason 4: Non compliance with the Housing in the Countryside Policy, the other reasons could be/have been addressed or could be conditioned if the LRB were minded to uphold the review, although she points out that it would be up to the LRB to consider the new information which has been submitted.

The refusal notice is appended to this letter (Appendix 3). The reasons for refusal are stated below (although some have been shortened) along with our response.

**Reason 1:** Proposal contrary to Policy PM1: Placemaking of the adopted P&K Council Local Development Plan (LDP) as an additional dwelling at this location would not contribute positively to the quality of the surrounding built and natural environment.

**Response:** This is the Planning Officer's subjective opinion. It is also a bit unfair given that no detailed drawings of the proposed house were submitted. Based on the submission of a Planning Permission in Principle (PPP) application, how can the planning officer reasonably come to this opinion?

**Summary:** This Reason for refusal can be properly assessed at the detailed application stage.

**Reason 2:** Proposal contrary to Councils Developers Guidance Notes on Flooding & Drainage, Flood Risk and Flood Risk Assessments 2014, in that vehicular access would not be maintained on site during a 1 in 200 year event plus climate change.

**Response:** This was a reason for refusal as a section of the access road was within the 1-200 flood (plus climate change) area. Following the refusal of the application, we have met with Dr Emily McMillian (Council Flooding Technician) to discuss this issue (as the Council Flooding

Service raised an objection). A subsequent engineering solution devised by Millard Consulting (which essentially involves the removal of the 3 existing culvert pipes and construction of a new bridge) has been accepted as being satisfactory in principle. Please refer to Appendices 4 & 5. It should be noted that at present Milton Farm cottage in the event of a 1 in 200 year flood would be severed from the public road and emergency vehicular access would not be possible. Therefore, the proposal to build a bridge would also be a major safety improvement to the existing farm cottage.

**Summary:** Emily Macmillan (Council Flooding Technician) is satisfied in principle with proposal to build a bridge. This reason is therefore no longer a reason for refusal.

**Reason 3: Proposal contrary to Policy EP2: New Development and Flooding in the LDP as no Drainage Impact Assessment was submitted.**

**Response:** This is actually factually incorrect. There is no mention of this requirement in this policy. There is however reference to it in the supporting Guidance. We were not aware of this requirement, nor was it requested in the pre-app letter. Persphone has confirmed that a Drainage Impact Assessment (in her view) could be conditioned if the Local Review Body (LRB) were minded to grant this application. Our drainage engineers; Millard Consulting do not suspect drainage will be an issue on this site.

**Summary:** This Reason could be conditioned if the LRB were minded to grant consent.

**Reason 4: Proposal contrary to Policy RD3: Housing in the Countryside of the LDP and the Council's Housing in the Countryside Guidance 2012.**

**Response:** This is Persphone's subjective opinion/view and we strongly disagree with it. In the pre-application response letter, it is clear that Callum Petrie (the planning officer who provided the initial pre-application advice), was of the same opinion.

Category 1 (Building Groups) of the Housing in the Countryside 2012 States; '***Consent will be granted for house within building groups provided they do not detract from both the residential and visual amenity of the group. Consent will also be granted for houses which extend the group into a definable sites formed by existing topography and or well established landscape features which will provide a suitable setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed houses***'.

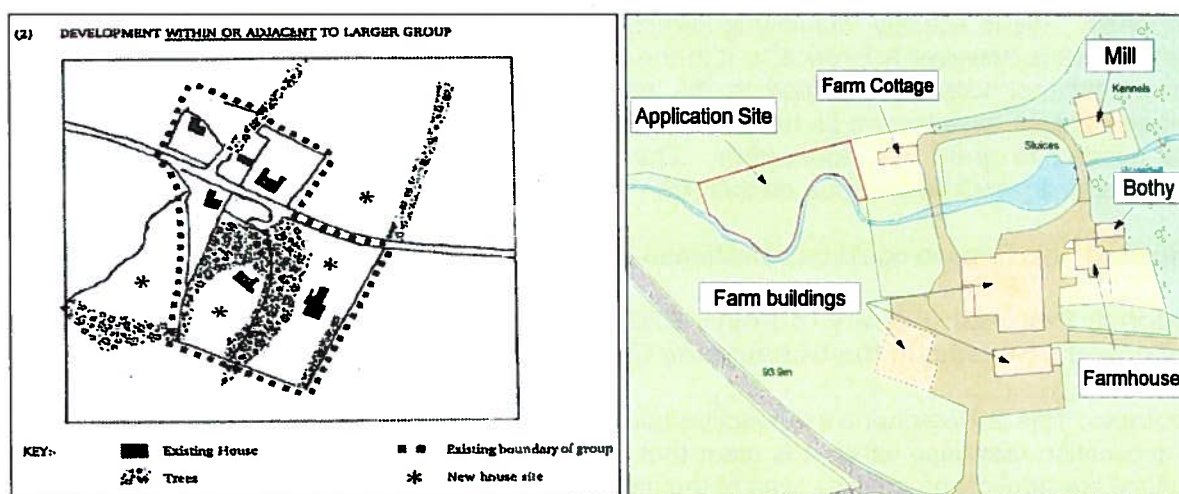
Will the proposed house '***extend the group into a definable site formed by existing topography and or well established landscape features which provide a suitable setting***'? We very much believe this to be the case with the subject application site.

Map 3 below (also replicated in Appendix 6 at a larger scale) is an 'examples of building groups' diagram is often used as a point of reference in assessing applications proposing new house plots within or adjacent to a building group. The diagram accompanied the Housing in the Countryside Policy – May 1994 and was an Annex in the Perth Area Local Plan, which was in force up until recently. Interestingly, the wording in the 'building group' category in the 1994 policy is very similar to the 2012 Policy.

When you refer to the 'Examples of Building Groups' diagram and study the cases where a new build house site is acceptable (the asterix's mark the acceptable new house plots) and compare it to the Milton farm building group, it is quite apparent that the proposed application site is an obvious new build house site.

Map 3: P&K C 'Examples of Building Groups'

Map 4: Milton Farm Building Group



**Summary:** The interpretation of whether this is a valid reason to refuse the application is entirely subjective. There are however numerous cases similar to this which have been granted consent. It should also be taken into consideration that two of the Council's planning officers have interpreted and applied the Housing in the Countryside Policy differently in this case.

**Reason 5: Proposal Contrary to Policy NE2 of the LDP in that it requires a Tree Survey.**

**Response:** We were not aware of this requirement, nor was it requested in the pre-app letter. The initial response from our Environmental Engineers is that the proposed house is unlikely to have a detrimental impact on the trees. It is also important to note, that the trees are not subject to Tree Preservation Orders (TPO's) and is it unlikely that any will require to be felled. Persphone has confirmed that a Tree survey could be conditioned (in her view) if the Local Review Body (LRB) were minded to grant this application.

**Summary:** This Reason could be conditioned if the LRB were minded to grant consent.

**Reason 6: Proposal Contrary to Policy RD3 of the LDP in that no information on the sites contribution to biodiversity was submitted.**

**Response:** Again, this is actually factually incorrect. There is no mention of this requirement in this policy, but there is reference to it in the supporting Guidance. It is also a bit harsh given

that the application is a Planning Permission in Principle (PPP) one. In discussions with the Persphone Beer following the refusal of the application, she has confirmed that some additional landscaping (hedging & tree planting) and some bird/owl boxes etc would assist with complying with this policy.

**Summary:** This can be dealt with at the Detailed Application Stage.

### **Planning Policy**

Having reviewed the relevant Planning Policies, including; the adopted **Perth & Kinross Council Local Development Plan (LDP)**, **Perth & Kinross Council Housing in the Countryside Policy 2012**, **Scottish Planning Policy (SPP)** and **Planning Advice Note 72: Housing in the Countryside**, we are of the opinion that this proposal complies with these Material Considerations.

As already stated, we are firmly of the opinion that the proposed development complies with the Council's Housing in the Countryside Policy 2012 - Category 1: Building Groups, in that it ***'extends the group into a definable the site definable and formed by existing topography and or well established landscape features which provide a suitable setting'***

**Scottish Planning Policy** also offers considerable support for the proposed development:

- The Planning System should; ***'encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality'***.
- ***'A sustainable, economically active rural area, which attracts investment and supports vibrant, growing communities, is essential to our vision'***.
- ***'We do not wish to see development in our rural areas unnecessarily constrained. There will be a continuing need for new housing – we expect more people to live and work in Scotland's rural areas as digital links and opportunities for remote working and new enterprises continue to grow' (2.26).***

## Summary

We were very disappointed when planning consent was refused. However, we have continued to engage with and collaborate with the council to understand the reasons for the application being refused and what is required to address these reasons.

We are firmly of the opinion that the proposed development complies with the Local and National Planning Policies. Furthermore, we also truly believe that the proposal complies with Policy RD3: Housing in the Countryside of the LDP and the 'Building Groups' Category of the Housing in the Countryside Policy 2012. In considering this case, we would request that the LRB ask themselves; does this feel like a natural house plot? And does the proposed house ***'extend the existing group into a definable site formed by existing topography and or well established landscape features which will provide a suitable setting'*** (as per the exact wording of Category 1: Building Groups in the Perth & Kinross Council Housing in the Countryside Policy 2012)?

Essentially, this appeal comes down to whether the LRB are of the opinion that this proposal complies with the 'Building Group' Category of the Housing in the Countryside Policy 2012 or not.

It is also worth noting that there were no neighbour objections to this application. The local residents, farmers and businesses have been very supportive and encouraging of Michael's quest for a house on the application site.

Please take this letter into consideration when reviewing this appeal.

Yours sincerely

A black rectangular box redacting the signature of P Keir Doe.

P Keir Doe MRTPI MRICS



**Appendix 1: Callum Petrie's pre-application response.**



**Planning & Regeneration**  
**Head of Service David Littlejohn**

Michael Sands,  
C/O Keir Doe  
(via e-mail)

Pullar House 35 Kinnoull Street  
Perth PH1 5GD  
Tel 01738 475000 Fax 01738 475310

Contact Customer Service Centre  
Telephone (01738) 475000  
E-mail: [DevelopmentManagement@pkc.gov.uk](mailto:DevelopmentManagement@pkc.gov.uk)  
Web: [www.pkc.gov.uk](http://www.pkc.gov.uk)

Our ref 14/00064/PREAPP

Your ref

Date 11 February 2014

Dear Mr Doe

**Pre-application Consultation: Proposed dwelling at Milton Farm**

I refer to your letter and supporting information regarding the above. May I take this opportunity to apologise at the delay in responding to you regarding this enquiry.

Any future development proposal will be considered primarily in relation to the policies of the Council and the guidance of the Scottish Government, in particular the Development Plan for the area, which in this case comprises the TAYPlan 2012 and the Council's Adopted Local Development Plan 2014, where the following policies are directly relevant: PM1, RD3, TA1, NE2B, NE3 and EP2.

The Adopted Development Plan can be viewed online at:

<http://www.pkc.gov.uk/article/2258/Local-Development-Plan>

National planning guidance can be accessed online at:

<http://www.scotland.gov.uk/Topics/Planning>

Other relevant policies include:

- Perth and Kinross Planning Guidance Note – Developer Contributions (2012)
- Housing in the Countryside Guide (2012)

Key issues in determining a planning application for residential development at this site (other than establishing the principle of residential development), will include the following:

- Design;
- Impact on visual amenity and character/setting;
- Layout;
- Height, scale, density and finishing materials; wider relationship to existing scale and density of area;
- Existing and proposed landscape framework;

- Trees/containment
- Access/parking;
- Drainage issues;
- Impact on capacity of local primary school (see Developer Contribution Note referred to above). A contribution of £6395 per property **may** be required depending on school capacity at the time of any formal application being submitted and determined.
- Flooding

From your supporting material, the site is considered to partly fulfil criteria 1 'Building Group' criteria of the 2012 Housing in the Countryside Guide, Category (a) of Policy RD3 of the adopted plan. I am not confident at this stage however that an associated proposal could be fully supported given the alignment and proximity of a watercourse passing through the site and the extent of developable land, which is not within a flood plain. I would recommend that this element is fully investigated in advance of submitting any formal planning application to establish if this element could be overcome. The siting criteria of the Housing in the Countryside Policy will also continue to apply.

It is only by submitting a formal application that a measured and comprehensive response to a proposed development can be given as quickly as resources permit. A formal application involves considering a proposal in terms of the Development Plan and the Council's policies on the basis of detailed plans and any further information and justification which is considered necessary. Formal assessment will also involve visiting the site and the surrounding area; researching the planning history of the site and the surrounding area; carrying out any necessary consultations; and taking account of any comments received from notified neighbours and the wider public.

**You should note that I have not necessarily identified all the policies or material considerations which might influence the determination of any planning application. The Council would not in any event be bound by such advice in the event that you submit a planning application.**

I hope that this letter has been of some assistance to you.

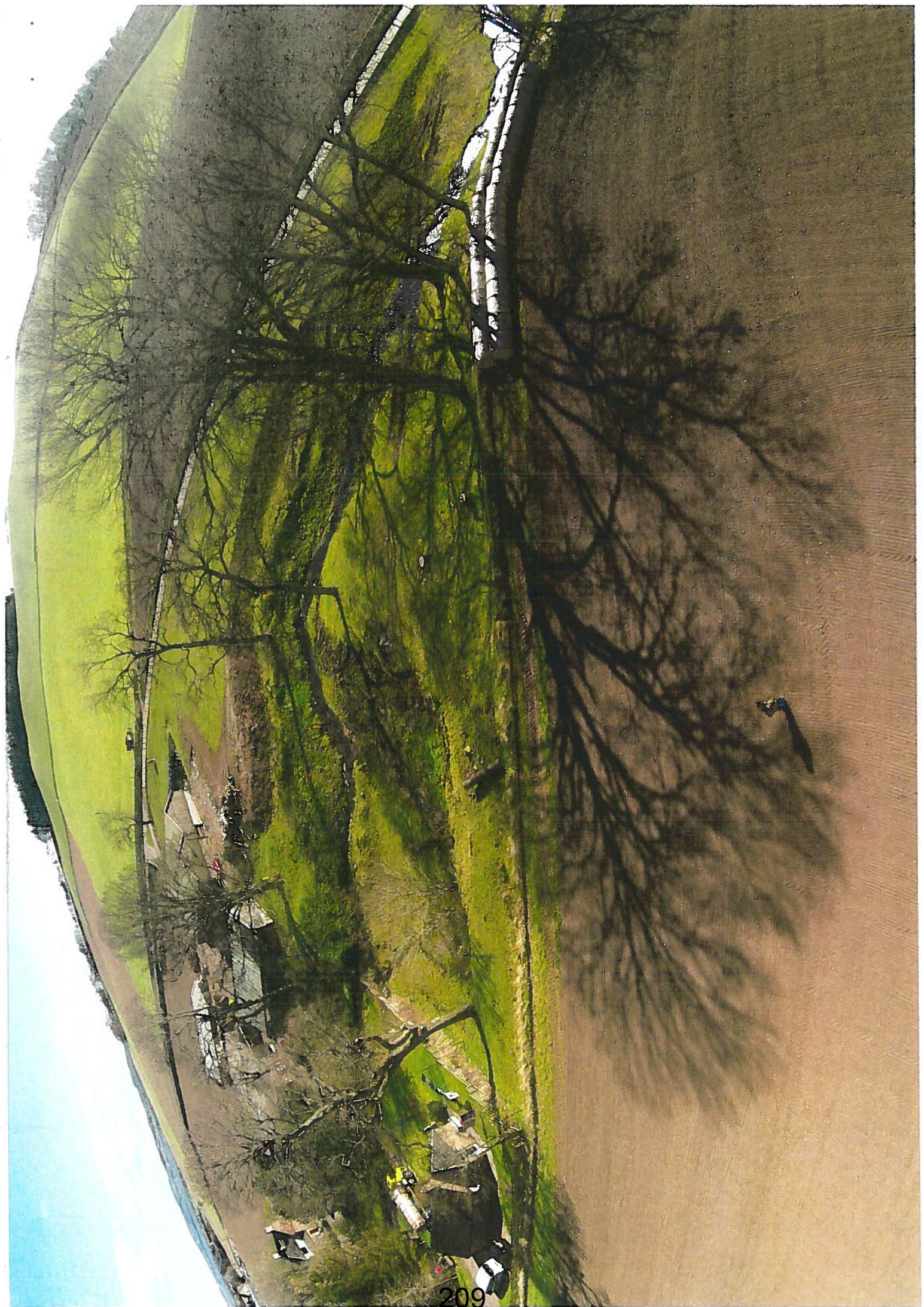
Yours sincerely

Callum Petrie  
Planning Officer

**Appendix 2: Photograph of the application site**













### **Appendix 3: Refusal Notice**



## PERTH AND KINROSS COUNCIL

Mr Michael Sands  
c/o Keir Doe  
Muirhouses Farm  
Grange  
Errol  
Perthshire  
PH2 7TB

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 19th January 2015

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: 14/01885/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 18th November 2014 for permission for **Erection of a dwellinghouse (in principle) Land 50 Metres South West Of Milton Farm Cottage Abernyte** for the reasons undernoted.



*ff* Development Quality Manager

#### Reasons for Refusal

1. The proposal is contrary to Policy PM1: Placemaking of the adopted Perth and Kinross Local Development Plan 2014 as an additional dwelling in this location would not contribute positively to the quality of the surrounding built and natural heritage.
2. The proposal is contrary to the Council's Developers Guidance Note on Flooding and Drainage, Flood Risk and Flood Risk Assessments June 2014, in that vehicular access would not be maintained on this site during a 1 in 200 year event plus climate change event.
3. The proposal is contrary to Policy EP2, New Development and Flooding, of the adopted Perth and Kinross Local Development Plan 2014 as no Drainage Impact Assessment has been submitted to accompany the Flood Risk Assessment as required by this policy.

4. The proposal is contrary to policy RD3, housing in the countryside, of the adopted Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012. The proposal fails to satisfactorily comply with any of the categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, and (6) Rural Brownfield Land. The site is located adjacent to an established building group but the proposed site does not result in a satisfactory expansion of the building group.
5. The proposal is contrary to policy NE2 of the adopted Perth and Kinross Local Development Plan 2014 which requires a tree survey to be provided where there are existing trees on a development site. No tree survey has been submitted to demonstrate that the site can be developed without having an adverse impact on existing trees.
6. The proposal is contrary to Policy RD3 of the adopted Perth and Kinross Local Development Plan 2014 in that no information on the site's contribution to biodiversity has been submitted. Policy RD3 states that a proposal should demonstrate how it will make a positive contribution to the biodiversity of the site.

#### **Justification**

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

**The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page**

#### **Plan Reference**

**14/01885/1**

**14/01885/2**

**14/01885/3**

**14/01885/4**

**Appendix 4: Email from Emily Macmillan (Council Flood Technician)**



**Doe, Keir**

---

**To:** pkeirdoe66@hotmail.com  
**Subject:** FW: Improving of access over Abernyte Burn - 14/01885/IPL

Hello,

Following our telephone discussion and the letter you forwarded on from Millard Consulting I confirm that the access proposals as stated i.e. replacement of the 3-pipe culvert with an access bridge are acceptable in principle.

Many thanks

Emily

---

**From:** Doe, Keir  
**Sent:** 15 April 2015 10:02  
**To:** Emily McMillan  
**Cc:** Persephone Beer  
**Subject:** Improving of access over Abernyte Burn - 14/01885/IPL

Morning Emily,

As discussed, I attach a letter from Millard Consulting which proposes an engineering solution (removal of existing 3 culvert pipes and construction of a bridge) to solve the issue of blocked vehicular access to/from the proposed house in the event of a 1 in 200 year flood event.

Please confirm if this proposal is acceptable in principle.

Look forward to hearing from you.

Kindest Regards

Keir





**Appendix 5: Letter from Millard Consulting proposing construction of bridge**





**Millard  
Consulting**

INFRASTRUCTURE
HIGHWAYS
HYDROLOGY
SURVEYING
ENVIRONMENT
STRUCTURES
MANAGEMENT
EXPERT EVIDENCE
TRANSPORTATION

Our Ref: AB/12894

14<sup>th</sup> April 2015

**Mr M Sands**  
Milton Farm  
Abernyte  
Perth and Kinross  
PH14 9SJ

Dear Michael,

### **PROPOSED HOUSE, MILTON FARM, ABERNYTE, PERTH AND KINROSS**

I refer to the request from your agent Keir Doe, that we investigate options for improving the existing access over the Milton Burn into Milton Farm from a flood risk perspective. We have now completed the assessment and our recommendations are outlined below.

The Flood Risk Assessment completed previously by Millard Consulting demonstrated that the existing access into Milton farm would, in theory, be flooded during a 1 in 200 year flood event to the extent where the access would become impassable. In addition to the small existing pipes, the culvert downstream of the site causes a significant restriction to flow which affects flood levels up to the location of the access. It is therefore not just a case of increasing culvert capacity at the access and raising the access road level, but rather raising the access road to be clear of the flood level, so as not to raise predicted Q200 flood levels upstream. It is therefore proposed that a new bridge is constructed across the watercourse at the location of the access, with a soffit higher than the predicted Q200 + 20% flood level (as predicted for the existing scenario). Figure 1 below shows an excerpt from the HECRAS model which shows the proposed bridge geometry, while Table 1 below compares predicted flood levels pre and post alteration of the access. As can be seen in figure 1, the soffit has been modelled above the predicted flood level, while the bridge has been modelled with a span of 8.1m.

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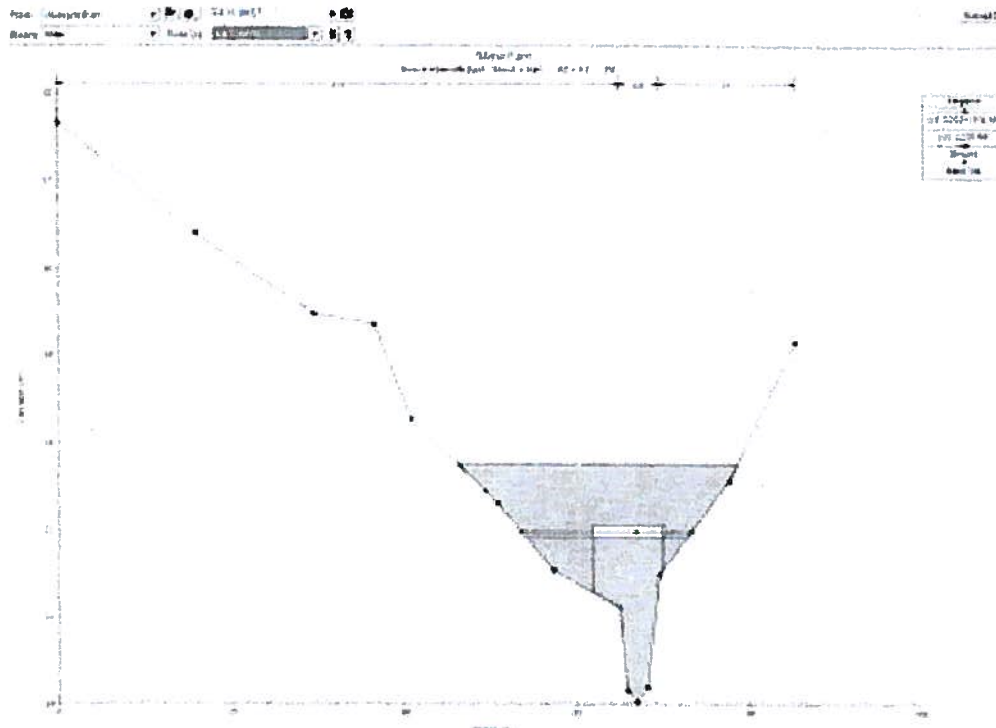


Figure 1 – Proposed Bridge Geometry

Location	Levels Pre Alteration (m)		Levels Post Alteration (m)	
	Q200 Flood Level	Q200 + 20% Flood Level	Q200 Flood Level	Q200 + 20% Flood Level
Section 1	82.92	83.06	82.92	83.09
Section 2	83.96	84.04	83.96	84.04
Section 2.1 D	84.7	84.85	84.70	84.85
Section 2.1 U	86.8	86.84	86.80	86.84
Section 3	86.94	86.98	86.94	86.98
Section 3.1	86.94	86.99	86.94	86.99
Section 3.2	86.94	86.99	86.94	86.99
Section 4	86.95	87.01	86.95	87.01
Section 4.5	86.89	86.92	86.89	86.92
Section 4.6 D	86.89	86.93	86.87	86.90
Section 4.6 U	86.96	87.02	86.92	86.98
Section 5	86.96	87.02	86.96	87.04
Section 6	86.98	87.05	86.99	87.07
Section 7	87.73	87.81	87.73	87.81
Section 8	88.5	88.58	88.50	88.58
Section 9	89.44	89.50	89.44	89.50
Section 9.5	90.17	90.19	90.17	90.19
Section 9.6 D	90.75	90.78	90.75	90.78
Section 9.6 U	90.99	91.03	90.99	91.03
Section 10	90.97	91.01	90.97	91.01
Section 10.5	91.54	91.69	91.54	91.69
Section 11	92.97	93.04	92.97	93.04

Table 1 - Comparison between Predicted Q200 and Q200 + 20% Flood Levels for Pre and Post Access Amendment Scenarios

As can be seen from the above table, it is predicted that the new bridge crossing has an essentially neutral impact on flood risk, with very small increases in Q200 and Q200 + 20% flood level of between 0.01m and 0.02m for a short distance upstream of the access.

The following table shows results from the modelling of a blockage at the access crossing, both pre and post development. Unfortunately, due to the significant differences in geometry a direct comparison is not possible, however in this instance two of the three pipes below the existing access were blocked, while the left half of the proposed bridge span was blocked at the upstream end of the bridge.

Location	Levels Pre Alteration (m)		Levels Post Alteration (m)	
	Q200 Flood Level	Q200 Flood Level with 100% Blockage of 0.6m Dia. Pipe and One 0.48m Dia. Pipe Below Existing Access Track	Q200 Flood Level	Q200 Flood Level with Blockage of Left Half of Bridge Span at Upstream End
Section 1	82.92	82.92	82.92	82.92
Section 2	83.96	83.96	83.96	83.96
Section 2.1 D	84.7	84.7	84.70	84.70
Section 2.1 U	86.8	86.8	86.80	86.80
Section 3	86.94	86.94	86.94	86.94
Section 3.1	86.94	86.94	86.94	86.94
Section 3.2	86.94	86.94	86.94	86.94
Section 4	86.95	86.95	86.95	86.95
Section 4.5	86.89	86.89	86.89	86.89
Section 4.6 D	86.89	86.89	86.87	86.87
Section 4.6 U	86.96	86.97	86.92	86.78
Section 5	86.96	86.97	86.96	87.05
Section 6	86.98	87.00	86.99	87.07
Section 7	87.73	87.73	87.73	87.73
Section 8	88.5	88.50	88.50	88.50
Section 9	89.44	89.44	89.44	89.44
Section 9.5	90.17	90.17	90.17	90.17
Section 9.6 D	90.75	90.75	90.75	90.75
Section 9.6 U	90.99	90.99	90.99	90.99
Section 10	90.97	90.97	90.97	90.97
Section 10.5	91.54	91.54	91.54	91.54
Section 11	92.97	92.97	92.97	92.97

Table 2 - Assessing impact of culvert/bridge blockage

Table 2 shows that the blockage modelled for the proposed bridge would result in a larger increase in Q200 flood level for a short distance upstream, when compared to the blockage for the existing scenario. However the increase in predicted flood level, as proposed, is modest (0.08m to 0.09m). In addition, the chance of the blockage modelled for the "proposed" scenario occurring is lower than that modelled for the "existing" scenario.

The above text demonstrates that the proposed bridge crossing would result in an almost neutral effect in relation to flood risk, while significantly improving access to the proposed site, and an existing property during times of flood.

I trust the above is satisfactory at this time, however should you have any queries, or require any further information, please do not hesitate to contact us.

Yours sincerely,

A black rectangular box redacting the signature of Andrew Braid.

Andrew Braid  
Millard Consulting

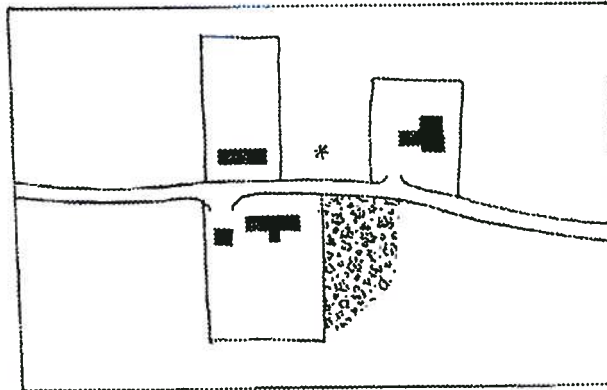


**Appendix 6: Housing in the Countryside Policy – May 1994 'Examples of Building Groups'  
Diagram**

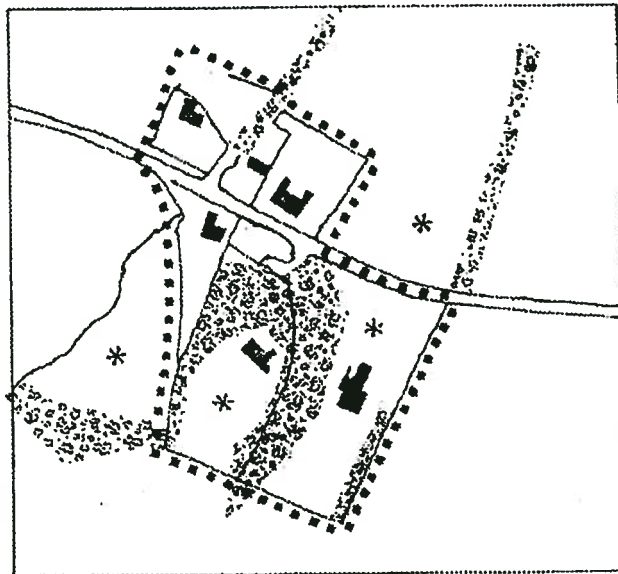


### EXAMPLES OF BUILDING GROUPS

(1) DEVELOPMENT WITHIN SMALL GROUP OF HOUSES



(2) DEVELOPMENT WITHIN OR ADJACENT TO LARGER GROUP



KEY:-

<p>■ Existing House</p> <p>🌳 Trees</p>	<p>--- Existing boundary of group</p> <p>* New house site</p>
--	---



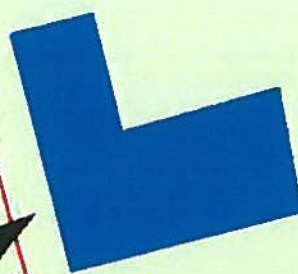
## **Appendix 7: Indicative house footprint**







Indicative House  
Footprint



231

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**TCP/11/16(355)**

**Planning Application 14/01885/IPL – Erection of a dwellinghouse (in principle), land 50 metres south west of Milton Farm Cottage, Abernyte**

**PLANNING DECISION NOTICE** *(included in applicant's submission, see pages 213-214)*

**REPORT OF HANDLING**

**REFERENCE DOCUMENT**



# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	14/01885/IPL	
Ward No	-	
Due Determination Date	17.01.2015	
Case Officer	Persephone Beer	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Erection of a dwellinghouse (in principle)

**LOCATION:** Land 50 Metres South West Of Milton Farm Cottage  
Abernyte

### SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

**DATE OF SITE VISIT:** 20 November 2014

### SITE PHOTOGRAPHS



## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

Planning permission in principle is sought for the erection of a dwellinghouse on land 50 metres south west of Milton Farm Cottage, Abernyste.

The site is located to the south west of a farm cottage which is part of Milton Farm which comprises a number of agricultural and residential buildings, kennels and two recent holiday lodges. The site is around 500 metres north east of the Abernyste Antiques Centre and 400 metres south east of the centre of Abernyste village.

The proposed site is located on an area of land around which the Abernyste Burn meanders. An indicative house location has been shown between a field boundary to the north and the burn to the south.

## **SITE HISTORY**

There is no history specific to this site although there have been other proposals on the farm for residential and commercial development over recent years.

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: 14/00317/PREAPP. Concerns expressed particularly in terms of flood risk.

## **NATIONAL POLICY AND GUIDANCE**

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

## **DEVELOPMENT PLAN**

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

### **TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012**

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



## **Perth and Kinross Local Development Plan 2014 – Adopted February 2014**

The Local Development Plan 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.

The principal policies are, in summary:

### **Policy PM1A - Placemaking**

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

### **Policy RD3 - Housing in the Countryside**

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

### **Policy PM3 - Infrastructure Contributions**

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

### **Policy EP2 - New Development and Flooding**

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

### **Policy NE2B - Forestry, Woodland and Trees**

Where there are existing trees on a development site, any application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required.

## **OTHER POLICIES**

PKC Developer Contributions Supplementary Planning Guidance 2014  
PKC Housing in the Countryside Guide 2012

## **CONSULTATION RESPONSES**

Environmental Health

No objection.

Community Waste Advisor - Environment Service

Waste and recycling bins will be collected from the road end.

It is recommended that the developer construct a bin storage area comprising a slabbed base with dropped kerb and fencing at the road end to accommodate bins for this development as well as existing houses.

Transport Planning

No objection subject to conditions with regard to turning and parking.

Local Flood Prevention Authority

Object to application on grounds of no vehicular access maintained during a 1 in 200 yr event. SPP (2014) and PKC Developers Guidance Note on Flooding & Drainage (attached) state that vehicles need to have access during a 1 in 200 yr + cc event.

Education And Children's Services

This development falls within the Abernyte Primary School catchment area.

As this application is only "in principle" it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.

Contributions Officer

Primary Education

As this application is only "in principle" it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.

## Transport Infrastructure

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

Scottish Water  
No response.

Dundee Airport Ltd  
No objection. This development would not infringe the safeguarding surfaces for Dundee Airport.

## REPRESENTATIONS

There have not been any representations received in relation to this application.

## ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Letter submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Flood Risk Assessment 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 2012 and the adopted Perth and Kinross Local Development Plan 2014.

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

## Policy Appraisal

The site is located within a countryside area where policy RD3, Housing in the Countryside, of the Perth and Kinross Local Development Plan, applies. Policy EP2, New Development and Flooding, Policy NE2B - Forestry, Woodland and Trees and Policy PM1A – Placemaking are also of significance in the consideration of this proposal.

The housing in the countryside policy aims to safeguard the character of the countryside and supports development subject to satisfying a number of criteria.

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

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

In addition proposals should comply with the guiding principles contained in the Council's current Guidance on the Siting and Design of Houses in Rural Areas and subsequent detailed design guidance.

The proposal should also demonstrate how they will make a positive contribution to the biodiversity of the site and where protective species may be present a survey may be required as part of the planning application to show their location.

The proposal, in terms of scale, layout and design should also be appropriate to, and have a good fit with, the landscape character of the area in which it is located, and demonstrate a specific design approach to achieve integration with its setting.

The proposal could be considered against the building group category. It does not fit with any of the other categories. The policy states that consent will be granted for houses within building groups provided they do not detract from both the residential and visual amenity of the group. Consent will also be granted for houses which extend the group into definable sites formed by existing topography and or well established landscape features which will provide a suitable setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed house(s).

In this case I do not consider that the proposed site meets with the policy criteria in terms of expansion of the building group into a defined site.

The agent has also mentioned that the applicant is linked to the existing farm business and would like to live on site to run his building business and look after herd of cattle. Whilst it may be advantageous for the applicant to live on site the proposal still needs to satisfy other criteria on siting and design.

It must meet all of the following criteria:

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

In this case I do not consider that the site fulfils the above criteria.

In addition I have serious reservations that policy EP2, New Development and flooding, can be complied with and I also have concerns as to the impact on the existing trees on the site.

In conclusion I consider that the proposal is contrary to the adopted Development Plan.

## **Design and Layout**

The proposal is for the erection of a dwellinghouse in principle. The proposed house plot is an unusual shape dictated by the meanders of the burn that runs along the southern boundary of the plot.

An indicative house location has been shown on the plot for a property of a storey and a half. It is suggested that the property incorporates traditional building materials such as stone and slate.

## **Landscape and biodiversity**

The site is set within the valley of the Abernyste Burn amidst rolling farmland hills. The site has a number of mature trees within it and on its boundary. There was some evidence of tree felling on the site at the time of my site visit. To inform the development of the land it would have been helpful to have a tree survey to identify how the proposed development might fit into the wooded setting without detriment to this setting or the trees. I consider that the proposal is contrary to Policy NE2B, Forestry, Woodland and Trees. The policy states that where there are existing trees on a development site, any

application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required. I have concerns that the development of a house on this site would be detrimental to the established landscape setting, would result in unnecessary tree loss and be detrimental to the landscape character of the area the setting of the existing building group.

In addition Policy RD3 states that a proposal should demonstrate how it will make a positive contribution to the biodiversity of the site. No information on the site's contribution to biodiversity has been submitted. The proximity to the burn and the number of mature trees in the vicinity could have an adverse impact on the biodiversity interest of the site.

### **Residential Amenity**

The site is in a rural location close to farming and other rural enterprises. The Council's Environmental Health Officer has highlighted that future occupants of the proposed development will be aware of the use character of the area and that there is potentially a certain amount of noise and odour associated with such a location. In this case no residential amenity issues are identified.

No concerns have been raised in relation to any potential ground contamination.

### **Visual Amenity**

The site would be detached from the existing building group in an attractive setting adjacent to the burn. This provides a backdrop to the existing building group and an extension into this area would have a detrimental visual impact.

### **Roads and Access**

The proposed house will utilise the existing farm access. The Council's Transport Planners consider this is adequate based on the limited intensification of its use associated with a single dwelling but state that the final layout of the site should incorporate adequate turning and parking facilities in the interests of road safety. This would be required should a detailed application be submitted.

### **Drainage and Flooding**

The site falls within SEPA's medium probability (0.5%) flood map and a flood Risk Assessment has been submitted with the planning application. This demonstrates that the proposed house location is outwith the 1 in 200 yr flood extents and that pedestrian access can be maintained via a field to the north of the proposed house. However the report states that vehicular access



cannot be maintained during a 1 in 200 year flood event. The Council's Flood Officer objects to the application on grounds of there being no vehicular access maintained during a 1 in 200 yr event. SPP (2014) and PKC Developers Guidance Note on Flooding & Drainage (attached) state that vehicles need to have access during a 1 in 200 yr + cc event.

Policy EP2 states that a flood risk assessment should normally be accompanied by a Drainage Impact Assessment and that development in rural areas should be located outwith the 1:200 flood plain.

Whilst the Flood Risk Assessment has shown that the house could be built outwith the 1 in 200 year event other parts of the plot would be within this area. The Council's Guidance on Flood Risk also states (5.3.1) that information on site drainage should also be included to demonstrate drainage arrangements for the plot. A Drainage Impact Assessment has not been submitted.

The Council's Flood Risk guidance (6.2.6) on *Safe Access/Egress also states that any* new development must incorporate safe access/egress for pedestrians and vehicular traffic within the development site. This should take account of flooding from all sources such as the predicted 0.5% AP (200-year) including climate change flood envelope and overland flood routes from within and external to the site. The FRA says that vehicular access cannot be maintained during a 1 in 200 year event which is contrary to Council policy and subject to an objection from the Council's Flood Officer.

I consider that in this constrained site with a water course forming around half of the site boundary insufficient information has been submitted to demonstrate that a satisfactory development can be achieved in terms of the constraints imposed by flood risk.

## **Developer Contributions**

### **Primary Education**

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

This proposal is within the catchment of Abernyte Primary School.

As this application is only "in principle" it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.

## **Transport Infrastructure**

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

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

## **Economic Impact**

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

## **Conclusion**

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

## **RECOMMENDATION**

**Refuse the application**

## **Reasons for Recommendation**

1 The proposal is contrary to Policy PM1: Placemaking of the adopted Perth and Kinross Local Development Plan 2014 as an additional dwelling in this location would not contribute positively to the quality of the surrounding built and natural heritage.

2 The proposal is contrary to the Council's Developers Guidance Note on Flooding and Drainage, Flood Risk and Flood Risk Assessments June 2014, in that vehicular access would not be maintained on this site during a 1 in 200 year event plus climate change event.

3 The proposal is contrary to Policy EP2, New Development and Flooding, of the adopted Perth and Kinross Local Development Plan 2014 as no Drainage Impact Assessment has been submitted to accompany the Flood Risk Assessment as required by this policy.

4 The proposal is contrary to policy RD3, housing in the countryside, of the adopted Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012. The proposal fails to satisfactorily comply with any of the categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, and (6) Rural Brownfield Land. The site is located adjacent to an established building group but the proposed site does not result in a satisfactory expansion of the building group.

5 The proposal is contrary to policy NE2 of the adopted Perth and Kinross Local Development Plan 2014 which requires a tree survey to be provided where there are existing trees on a development site. No tree survey has been submitted to demonstrate that the site can be developed without having an adverse impact on existing trees.

6 The proposal is contrary to Policy RD3 of the adopted Perth and Kinross Local Development Plan 2014 in that no information on the site's contribution to biodiversity has been submitted. Policy RD3 states that a proposal should demonstrate how it will make a positive contribution to the biodiversity of the site.

## **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**

14/01885/1

14/01885/2

14/01885/3

14/01885/4

**Date of Report 17.01.2015**



**Promap**

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PERTH AND KINROSS COUNCIL

DRAWING REF: 14/01885/1

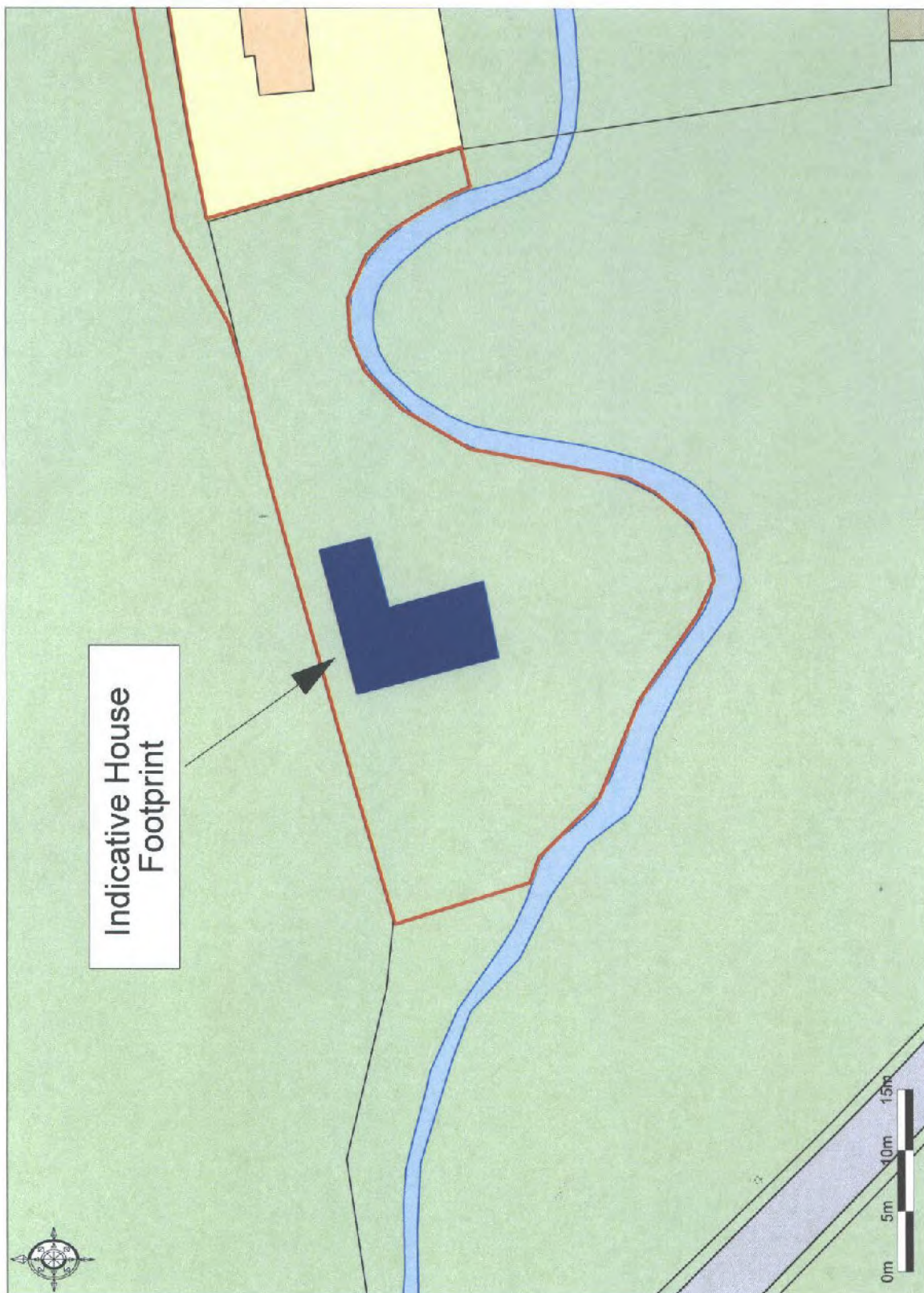


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PERTH AND KINROSS COUNCIL

DRAWING REF: 14/01885/2





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PERTH AND KINROSS COUNCIL

DRAWING REF: 14/01885/3

# **PROPOSED HOUSE AT MILTON FARM, ABERNYTE, PERTH AND KINROSS**

## **FLOOD RISK ASSESSMENT**

**September 2014**

**Report Ref: 12894/AB/246**

PERTH AND KINROSS COUNCIL

DRAWING REF: 14/01885/14



Proposed House at Milton Farm, Abernethy, Perth and Kinross  
Flood Risk Assessment

CLIENT: Mr M Sands

ENGINEER: Millard Consulting  
Inveralmond Business Centre  
Auld Bond Road  
Perth  
PH1 3FX

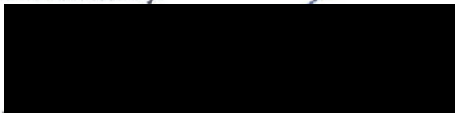
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Report Prepared By:



Andrew Braid

Report Checked By:



Brian Coghlan (Technical Director)

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Appendix A: Data and Results from WINFAP-FEH Flow Analysis

Appendix B: Data and Results from ISIS Flow Analysis


Appendix C: Output from HECRAS Hydraulic Model

## PLANS

12894/21/001 Flood Envelope and Cross Section Location Plan



Proposed House at Milton Farm, Abernethy, Perth and Kinross  
Flood Risk Assessment

 <b>Flood Risk Assessment - Checklist</b>	
<p><i>This document should be provided, and attached within the front cover of any flood risk assessments issued to Local Planning Authorities in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist SEPA in reviewing FRA's, when consulted by LPA's.</i></p>	
<b>Development Proposal;</b>	
Site Name	Milton Farm, Abernethy
Grid Reference	easting 326344 northing 730925
Local Authority	Perth and Kinross Council
Planning Reference number (if known)	
Nature of the development	Residential
Identified Flood Risk	Source: Fluvial
	If residential, what type: single house
	Source name: Abernethy Burn
<b>Supporting Information;</b>	
Have clear maps / plans been provided within the FRA (incl topographic plans)	Yes
Has an historic flood search been undertaken?	No
Is a formal flood prevention scheme present?	No
Current / historical site use	If known, state the standard of protection offered: Greenfield
<b>Hydrology</b>	
Qmed estimate	11.9 m <sup>3</sup> /s Method: Select from List
Estimate of 200 year design flood flow	11.9 m <sup>3</sup> /s
Estimation method(s) used	Rainfall-runoff
	If other (please specify methodology used):
	If Pooled analysis have group details been included: Select from List
<b>Hydraulics;</b>	
Hydraulic modelling method	1D steady
If other please specify	Software used: HEC-RAS
Modelled reach length	364m
Any structures within the modelled length?	Combination
Brief summary of sensitivity tests, and range:	Specify if Combination: 3 culverts
variation on flow (%)	10 %
variation on channel roughness ?	0.01
blockage of structure (range of % blocked)	Vanes %
boundary conditions:	Reference CIRIA culvert design guide R168, section 8.4
(1) type	Upstream
	Normal depth
(2) does it influence water levels at the site?	Specify if Other: Select from List
Has model been calibrated (gauge data / flood records) ?	No
Is the hydraulic model available to SEPA?	No
<b>Development;</b>	
Is any of the site within the functional floodplain? (ref to SPP7 para 16-18)	Yes
Brownfield or greenfield	Greenfield
Freeboard on design water level (m)	0.6m
Sensitive use ? (ref to SPP7 para 37 and the Risk Framework)	No
Safe / dry access and egress available	Pedestrian
If not, what are the impacts on the access routes:	Return period: 200 years
Design levels	Min access/egress level: mAOD
	0.5% AEP event: m
	Platform level: mAOD
	Max Flood velocity: m/s
	Min FFL: 88.41 mAOD
<b>Mitigation;</b>	
Not provided / required	Yes
Compensatory storage (direct, like for like)	Select from List
Compensatory storage (indirect)	Select from List
Management demonstrated by modelling	Select from List
<b>Comments</b>	
Any additional comments	
Approved by: Andrew Braid	Organisation: Millard Consulting
Date: 18/09/14	Thank you!
<p>Note: Further details and guidance is provided in Technical Flood Risk Guidance for Stakeholders.</p> <p>* ReFH not accepted by SEPA for flow estimates in Scotland. Any use of this method should be validated by the use of other, accepted methods.</p>	

## 1.0 Introduction

Millard Consulting have been instructed by Mr M Sands to carry out a Flood Risk Assessment in relation to the construction of a new house on land at Milton Farm, Abernethy, Perth and Kinross. The following report outlines the site proposals and analyses the potential flood risk to the site, while recommendations for the development to mitigate against potential flood risk.

This Flood Risk Assessment is carried out in accordance with the requirements of the Scottish Planning Policy (SPP) (Scottish Government, 2010). This assessment uses a set of procedures originally set out in the Flood Estimation Handbook (Institute of Hydrology, 1999) and embodied in the FEH and WINFAP software packages currently used.

The assessment is prepared using our best engineering judgement but there are levels of uncertainty implicit in the historical data and methods of analysis. Details of the range of possible error in the methods of flood estimation are given in the Flood Estimation Handbook (FEH).

For most developments flood risk is typically assessed for a 1 in 200 year flood event.



## 2.0 General Description of Site

The proposed development consists of the construction of one new house on greenfield land at Milton Farm, Abernyte. The proposed development site is approximately centred at grid reference NO 26344 30925. The site location is shown in Figure 1 below, bounded in red.

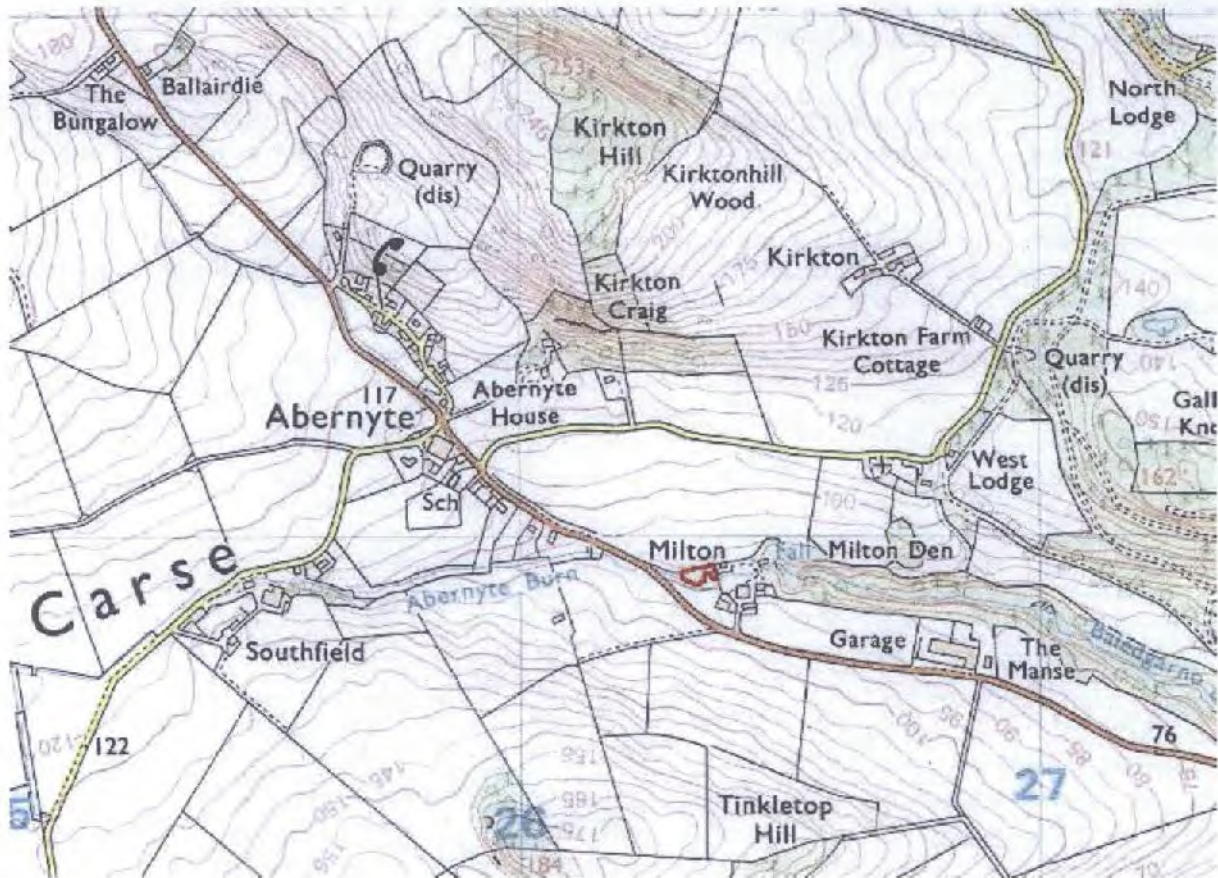


Figure 1 – Site Location Plan

The site is approximately 0.12ha in size and irregular in shape. As far as is known it has never previously been developed, and it is bounded to the north by farmland, to the east by a neighbouring property and to the south/south west by the Abernyte Burn. The site is currently covered with grass and occasional trees, and the topography slopes in a southerly direction towards the watercourse.

The Abernyte Burn flows in an easterly direction past the site, and is culverted at three locations in the vicinity of the site. Approximately 70m upstream of the site the watercourse is culverted below the B953. This culvert is roughly rectangular in shape, and approximately 1.7-1.8m wide and 0.8m high. The culvert is approximately 10m long, with formal headwalls constructed at both the inlet and outlet. The Abernyte Burn is culverted again 24m downstream of the site. This culvert consists of three pipes, approximately 4m long; two of the pipes are 0.48m diameter, while the central pipe is 0.6m diameter. These pipes facilitate an access crossing to the existing buildings. The access consists of an informal track, with the deck of the track at the centre of the watercourse, approximately 1.2m higher than the bed. The final culvert within the modelled reach of the watercourse is approximately 80m downstream of the site. This culvert is at the downstream end of a pond which is situated between the downstream culvert and the access road culvert noted above. The culvert is of masonry arch construction and is approximately 3.8m long, while it is between 1.8m and 2m high and 2.2m wide.

Immediately upstream of the masonry arch culvert, the presence of a weir is noted. This weir regulates the water level in the pond. At the time of the topographical survey the spill level was noted as 84.798m.



Proposed House at Milton Farm, Abernyte, Perth and Kinross  
Flood Risk Assessment

The site has been topographically surveyed by Douglas Land Surveys. The survey of the site is shown on drawing 12894/21/001, enclosed within the "Plans" section of this report.

### **3.0 General Observations**

The objective of this flood risk assessment is to analyse the flows in the watercourse and define the appropriate flood levels and flood envelope affecting the site.

As outlined above the proposal is to construct one house on greenfield land, which lies adjacent to the Abernyte Burn. The potential flood risk from the Abernyte Burn therefore needs to be assessed.

In addition to predicted flood flows, the land surrounding the site and its corresponding roughness values will influence predicted flood levels, as will the presence of the culverts located in the vicinity of the site, and the weir at the downstream end of the pond. These structures have been modelled as part of this report. The results of the hydraulic model are outlined in Section 5.0.

#### 4.0 Estimation of Flood Flows

In order to define the extent and water surface level of the 200 year (0.5% annual probability) floodplain, we have made an assessment of flood flows and flood levels in the Abernyte Burn using both the FEH Statistical Method and the FEH Rainfall Runoff Method outlined in the Flood Estimation Handbook (FEH). The estimated flood levels in the watercourse have then been factored up by 20% to allow for the potential influence of climate change (following established practice, and in line with guidance from the UK Climate Impacts Programme).

#### 4.1 FEH Statistical Method

##### 4.1.1 Estimation of Index Flood $Q_{MED}$

In order to define the extent and water surface level of the 0.5% annual probability floodplain, we must first estimate the Index Flood,  $Q_{MED}$ , using the methods outlined in the Flood Estimation Handbook (FEH). For the subject site, the flood flows need to be estimated for the Abernyte Burn only.

There are no observed flow records for the Abernyte Burn, hence flows for the watercourse will be estimated using Catchment Descriptors, and adjusted using flow records from an analogue site.

An initial estimate of the flood flows for the Abernyte Burn was made using the Catchment Descriptor Method. This method is described in Volume 3, Chapter 13, of the FEH. The catchment descriptors define various physical and hydrological properties and characteristics of the land that forms the catchment upstream of the point of interest. The formula also includes variables that define the statistical rainfall pattern within the catchment. There is a further adjustment to the formula that accounts for the degree of urbanisation of the catchment.

The method produces the mean annual flood  $Q_{MED}$  – the index flood – which is the flood flow along the river or floodplain that is statistically “exceeded on average every other year”. It is roughly equivalent to the two-year flood. The exercise is done using the FEH and WINFAP software.

The results of the estimation of  $Q_{MED}$  are shown overleaf. The extent of the Abernyte Burn catchment upstream of the site, as defined by the FEH software, is shown together with a listing of the catchment descriptors. The FEH software defines a catchment of 9.64km<sup>2</sup> for the Abernyte Burn at the site. A manual check of catchment size through the inspection of Ordnance Survey mapping confirmed the FEH catchment estimate as being correct.

The WINFAP-FEH estimation of  $Q_{MED}$  from catchment descriptors is 1.638m<sup>3</sup>/s.



Proposed House at Milton Farm, Abernyle, Perth and Kinross  
Flood Risk Assessment

VERSION	FEH CD-ROM	Version	3 exported	11:49:46 GMT
CATCHMENT	GB	326450	730950 NO 26450 30950	
AREA	9.64			
ALTBAR	195			
ASPBAR	107			
ASPVAR	0.29			
BFIHOST	0.608			
DPLBAR	2.92			
DPSBAR	121.8			
FARL	0.994			
LDP	5.65			
PROPWET	0.46			
RMED-1H	9.2			
RMED-1D	36.4			
RMED-2D	46.5			
SAAR	783			
SAAR4170	806			
SPRHOST	29.36			
URBCONC1990	-999999			
URBEXT1990	0.0005			
URBLOC1990	-999999			
C	-0.01694			
D1	0.4701			
D2	0.4051			
D3	0.256			
E	0.25186			
F	2.1973			
C(1 km)	-0.017			
D1(1 km)	0.479			
D2(1 km)	0.41			
D3(1 km)	0.262			
E(1 km)	0.251			
F(1 km)	2.183			

Figure 2 – Catchment Descriptors for Abernyle Burn at Site

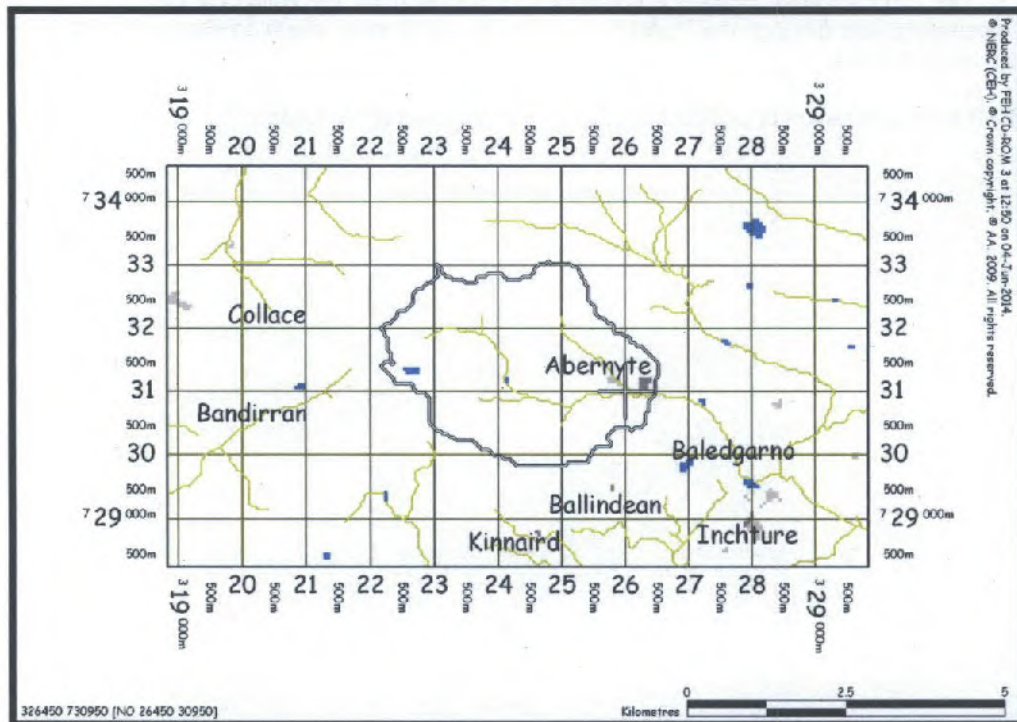


Figure 3 – Catchment of Abernyle Burn at Site



#### 4.1.2 Adjustment to QMED from a Donor Site

In order to make the estimation of QMED more accurate, it is necessary to use flow data from

- a similar donor site on the same watercourse or a neighbouring one, or
- an analogue site in another catchment with similar hydrological characteristics, where gauged information does exist for an adequate number of years

An appropriate local adjustment to the estimate of QMED at the subject site is then made. The procedure involves deriving QMED from the observed record at the gauged site, and also from the catchment descriptors at the gauged site, and using the ratio of these two estimates to adjust the catchment descriptor estimate of QMED at the subject site.

Two analogue sites have been selected to enable flow adjustment for the Abernethy Burn; the Garry Burn at Loakmill and the Crimble at Burn Bridge. The catchment of the Garry Burn at Loakmill is within the pooling group selected by the WINFAP-FEH analysis, and from previous discussions with SEPA, the gauge at Loakmill is understood to produce satisfactory results. The Crimble at Burn Bridge is top of the pooling group compiled by the WINFAP-FEH software.

For the Garry Burn at Loakmill, WINFAP-FEH calculations give a value of QMED of 7.345m<sup>3</sup>/s using gauged flow values at that site (Annual Maxima), and 5.894m<sup>3</sup>/s using catchment descriptors, i.e. a ratio of 1.25.

For the Crimble at Burn Bridge, WINFAP-FEH calculations give a value of QMED of 4.61m<sup>3</sup>/s using gauged flow values at that site (Annual Maxima), and 4.126m<sup>3</sup>/s using catchment descriptors, i.e. a ratio of 1.117.

The above results provide an average correction factor of 1.184.

Applying this ratio to the QMED value derived for the subject site in section 4.1 (1.638m<sup>3</sup>/s), the adjusted QMED value for the Abernethy Burn at the site becomes 1.939m<sup>3</sup>/s.

#### 4.1.3 Flood Growth Curves

In order to estimate the magnitude of the range of possible statistical flood events which will occur in this catchment, for example the flood that will statistically occur once in 100 years (the flood flow which has a 1% chance of occurring in any one year), the flood which will occur once in 200 years (the 0.5% flood) etc., it is necessary to determine a flood growth curve and a flood frequency curve. This is done by forming a "Pooling Group", i.e. by selecting a group of other catchments across the UK which have very similar characteristics to the subject site and which have existing gauged flow records covering a statistically adequate number of years, and subjecting this group to statistical analysis.

The catchment descriptors from the FEH CD-ROM are entered as a data file to the WINFAP software, which collates a pooling group of similar catchments, subjects these to a statistical analysis, and calculates a range of flows representing floods of different probabilities at the subject site.

The results can vary slightly, depending upon the chosen weighting of the statistical analysis, but adopting the recommended "Generalised Logistic" (GL) technique, the watercourse flow results are as follows:

Return Period	Flow (m <sup>3</sup> /s)
Q200	7.449
Q200+20%	8.939

Table 4.1 Flow calculation results using FEH Statistical Method

The data and results for the WINFAP growth curve derivations are shown in Appendix A.

#### 4.2 FEH Rainfall Runoff Method

As noted in Section 4.0 above, flood flows in the Abernethy Burn at the location of the site have also been estimated using the FEH Rainfall Runoff Method. The Rainfall Runoff Method relies on plentiful rainfall records rather than sometimes scarce river flow records. Hence, if catchment characteristics are known or estimated,



the method converts the theoretical design rainfall event of a known return period into a design flood event, with a peak of a known return period.

By selecting the catchment on the FEH CD-ROM, the catchment descriptors unique to the catchment can be established (please refer to Figure 2 for catchment descriptors for the Abernyte Burn at the site). Also, by selecting the catchment the design rainfall for the catchment can be established as the software determines the depth-duration-frequency (DDF) relationships for the catchment.

The catchment descriptors are subsequently entered into the ISIS Routing software to produce a hydrograph showing the peak flow rate during a specified flood return period. A storm duration is also required, and involves trial and error to determine the duration of the peak flow.

We have calculated the flow for the Abernyte Burn using the relevant software and the results are as follows (see ISIS output, Appendix B):

Return Period	Flow (m <sup>3</sup> /s)
Q200	11.87
Q200+20%	14.24

Table 4.1 Flow calculation results using the Rainfall Runoff Method

#### 4.3 Applicable Flowrate

Two different flow estimation methods have been described above, each predicting different flood flow rates for the Abernyte Burn at the site. To ensure adherence with SEPA's "precautionary principle" the largest estimated flowrate will be used in the hydraulic model. Hence the results in Section 5.0 have been predicted using the flowrates estimated using the FEH Rainfall Runoff Method, in Section 4.2, above.

## 5.0 Estimation of Flood Levels

### 5.1 Initial Model

Having estimated the flood flows in the watercourse adjacent to the site, it is necessary to analyse the watercourse channel to see what level the floodwater would reach during the critical 0.5% annual probability flood event.

The watercourse between the sections is analysed using the HEC-RAS river analysis software, which is generally recognised by the relevant authorities as producing verifiable results. The watercourse has been surveyed on site over the length adjacent to the site and for some distance upstream and downstream (see drawing 12894/21/001).

Manning's  $n$  coefficients were selected for the site based on inspection of existing conditions, and comparison with tabulated descriptors in tables of Manning's values. Hence the following were selected:

- Main channels: Clean, straight, full, no rifts or deep pools, but more stones and weeds (normal value of  $n = 0.035$ ); Clean, winding, some pools and shoals (normal value of  $n = 0.04$ )
- Flood plains: smooth asphalt (normal value of  $n = 0.013$ ); high grass (normal value of  $n = 0.035$ ); mature field crops (normal value of  $n = 0.04$ ); scattered brush, heavy weeds (normal value of  $n = 0.05$ ); light brush and trees, in summer (normal value of  $n = 0.06$ ); heavy stand of timber, few down trees, little undergrowth, flow below branches (normal value of  $n = 0.1$ )

In addition to suitable Manning's  $n$  values, appropriate boundary conditions at the downstream and upstream ends of the modelled length were selected. For both the upstream and downstream ends of the model, the boundary conditions were set based on normal depth commensurate with the average channel gradients at each end.

The hydraulic model has been prepared with a single reach being modelled. All three culverts have been included in the model.

Results of the analysis are contained in Appendix C.

The table below provides the results of the initial analysis, showing the level of the 0.5% (Q200) flood, using the flood flow derived above:



Location	Flood Level (m AOD)
Section 1	82.92
Section 2	83.96
Section 2.1 D	84.7
Section 2.1 U	86.8
Section 3	86.94
Section 3.1	86.94
Section 3.2	86.94
Section 4	86.95
Section 4.5	86.89
Section 4.6 D	86.89
Section 4.6 U	86.96
Section 5	86.96
Section 6	86.98
Section 7	87.73
Section 8	88.5
Section 9	89.44
Section 9.5	90.17
Section 9.6 D	90.75
Section 9.6 U	90.99
Section 10	90.97
Section 10.5	91.54
Section 11	92.97

Table 5.1 – Q200 Flood Levels (Flow = 11.9m<sup>3</sup>/s)

The analysis shows that floodwater would build up upstream of the culvert at Section 9.6 and flow over the B953, potentially to a maximum depth of 0.4m. The overland flow would rejoin the watercourse immediately downstream of the culvert. As it passes through the site, the model shows flooding on both the right and left bank of the watercourse at various locations along the modelled length, while the downstream culverts cause constrictions to flow and therefore influence predicted flood levels. The model predicts a maximum flood depth of 0.85m above the existing access culvert, while a shallower overland flow of approximately 0.3m is predicted to flow over the culvert at the downstream end of the pond.

The hydraulic model does not predict flooding on the site of the proposed house, however the main route of vehicular access to the site would be cut off during a 1 in 200 year flood event. Emergency pedestrian access would be possible to the west of the site, along the southern boundary of the adjacent field, which would link up with the B953 a short distance west of the culvert below the B953.

Appendix C contains details of the HECRAS analysis, including plots of the watercourse cross-sections and the water surface levels appropriate to the values above.

## 5.2 Sensitivity Analysis

Sensitivity analyses were carried out to check the effect of a variation in flow rate, of variation in Manning's 'n' values, and of variation on downstream boundary condition.

The values of height versus flowrate shown below relate to the water surface profile for all the cross sections modelled.

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Location	Level (m)		Variation in level (m)
	Flow = Q200 + 5%	Flow = Q200 - 5%	
Section 1	82.96	82.89	0.07
Section 2	83.98	83.94	0.04
Section 2.1 D	84.73	84.65	0.08
Section 2.1 U	86.81	85.36	1.45
Section 3	86.95	86.94	0.01
Section 3.1	86.95	86.94	0.01
Section 3.2	86.95	86.94	0.01
Section 4	86.96	86.95	0.01
Section 4.5	86.89	86.89	0
Section 4.6 D	86.89	86.89	0
Section 4.6 U	86.98	86.97	0.01
Section 5	86.98	86.97	0.01
Section 6	87.01	86.99	0.02
Section 7	87.74	87.70	0.04
Section 8	88.52	88.48	0.04
Section 9	89.46	89.43	0.03
Section 9.5	90.18	90.17	0.01
Section 9.6 D	90.75	90.73	0.02
Section 9.6 U	91.00	90.98	0.02
Section 10	90.98	90.96	0.02
Section 10.5	91.56	91.52	0.04
Section 11	93.00	92.95	0.05

*Table 5.2 Sensitivity Analysis: Variation in Flowrate*

The above table indicates that flood levels in the vicinity of the site are heavily influenced by the structures along its length. This is demonstrated by the very small variations in predicted flood level with a flow variation of 10%. The exception in this case is Section 2.1 U, which shows a large variation in predicted flood level, as the Q200-5% flow does not show any overtopping of the culvert. This however does not affect predicted flood levels at the proposed development site.

As discussed above, sensitivity of the model to changes in Manning's *n* were tested, by increasing and decreasing the initial (normal) values by 0.005. This was carried out for all cross sections.



Location	Level (m)		Variation in level (m)
	n + 0.005	n - 0.005	
Section 1	82.92	82.92	0
Section 2	83.96	83.96	0
Section 2.1 D	84.70	84.70	0
Section 2.1 U	86.80	86.80	0
Section 3	86.93	86.94	0
Section 3.1	86.93	86.94	0
Section 3.2	86.93	86.94	0
Section 4	86.95	86.95	0
Section 4.5	86.88	86.89	0.01
Section 4.6 D	86.88	86.89	0.01
Section 4.6 U	86.97	86.96	0.01
Section 5	86.97	86.96	0.01
Section 6	87.00	86.98	0.02
Section 7	87.72	87.73	0.01
Section 8	88.56	88.43	0.13
Section 9	89.44	89.44	0
Section 9.5	90.17	90.17	0
Section 9.6 D	90.74	90.75	0.01
Section 9.6 U	91.01	90.96	0.05
Section 10	90.99	90.93	0.06
Section 10.5	91.54	91.55	0.01
Section 11	92.97	92.98	0.01

Table 5.3 Sensitivity Analysis: Variation in Manning's n (Using Q200 Flowrate)

The above indicates no significant variation in levels with variation in Manning's n. Again, this is expected due to the influence of structures within the modelled reach, on predicted flood levels.

As discussed above, sensitivity of the model to changes in the downstream boundary conditions were tested, by increasing the initial gradient by 0.1.

Location	Level (m)		Variation in level (m)
	Initial Gradient (Q200 Flowrate) (m)	Gradient + 0.1 (Q200 Flowrate) (m)	
Section 1	82.92	82.92	0
Section 2	83.96	83.96	0
Section 2.1 D	84.7	84.70	0
Section 2.1 U	86.8	86.80	0
Section 3	86.94	86.94	0
Section 3.1	86.94	86.94	0
Section 3.2	86.94	86.94	0
Section 4	86.95	86.95	0
Section 4.5	86.89	86.89	0
Section 4.6 D	86.89	86.89	0
Section 4.6 U	86.96	86.96	0
Section 5	86.96	86.96	0
Section 6	86.98	86.98	0
Section 7	87.73	87.73	0
Section 8	88.5	88.50	0
Section 9	89.44	89.44	0
Section 9.5	90.17	90.17	0
Section 9.6 D	90.75	90.75	0
Section 9.6 U	90.99	90.99	0
Section 10	90.97	90.97	0
Section 10.5	91.54	91.54	0
Section 11	92.97	92.97	0

Table 5.4 Sensitivity Analysis: Variation in Downstream Boundary Conditions (Using Q200 Flowrate)

The above indicates that the model is not sensitive to changes in downstream boundary gradient.

### 5.3 Predicted Flood Levels including Culvert Blockage

The potential for culvert blockage in the vicinity of the site has been assessed at two locations; the culvert below the B953 upstream of the site, and the pipe culverts below the access track a short distance downstream of the site. A blockage of 50% has been modelled at the inlet to the upstream culvert, while two of the pipes below the access track (the largest pipe and one of the smaller pipes) have been removed from the model, reflecting their full blockage. The results of this additional analysis are shown in the below tables. The analysis has been undertaken using the Q200 flowrate.



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Location	Level (m)		Variation in level (m)
	Q200 Flood Level	Q200 Flood Level with 50% Blockage of Culvert Below B953	
Section 1	82.92	82.92	0
Section 2	83.96	83.96	0
Section 2.1 D	84.7	84.7	0
Section 2.1 U	86.8	86.8	0
Section 3	86.94	86.94	0
Section 3.1	86.94	86.94	0
Section 3.2	86.94	86.94	0
Section 4	86.95	86.95	0
Section 4.5	86.89	86.89	0
Section 4.6 D	86.89	86.89	0
Section 4.6 U	86.96	86.96	0
Section 5	86.96	86.96	0
Section 6	86.98	86.98	0
Section 7	87.73	87.73	0
Section 8	88.5	88.50	0
Section 9	89.44	89.44	0
Section 9.5	90.17	90.17	0
Section 9.6 D	90.75	90.75	0
Section 9.6 U	90.99	90.99	0
Section 10	90.97	90.97	0
Section 10.5	91.54	91.54	0
Section 11	92.97	92.97	0

*Table 5.5 Assessing Impact of 50% Blockage of B953 Culvert on Q200 Flood Levels*

The above table shows that a 50% blockage of the inlet to the culvert below the B953 would have no significant effect on Q200 flood levels. This is likely due to the significant overland flow which would occur over the B953 at this location.

Location	Level (m)		Variation in level (m)
	Q200 Flood Level	Q200 Flood Level with 100% Blockage of 0.6m Dia. Pipe and One 0.48m Dia. Pipe Below Existing Access Track	
Section 1	82.92	82.92	0
Section 2	83.96	83.96	0
Section 2.1 D	84.7	84.7	0
Section 2.1 U	86.8	86.8	0
Section 3	86.94	86.94	0
Section 3.1	86.94	86.94	0
Section 3.2	86.94	86.94	0
Section 4	86.95	86.95	0
Section 4.5	86.89	86.89	0
Section 4.6 D	86.89	86.89	0
Section 4.6 U	86.96	86.97	0.01
Section 5	86.96	86.97	0.01
Section 6	86.98	87.00	0.02
Section 7	87.73	87.73	0
Section 8	88.5	88.50	0
Section 9	89.44	89.44	0
Section 9.5	90.17	90.17	0
Section 9.6 D	90.75	90.75	0
Section 9.6 U	90.99	90.99	0
Section 10	90.97	90.97	0
Section 10.5	91.54	91.54	0
Section 11	92.97	92.97	0

Table 5.6 Assessing impact of full blockage of 0.6m diameter pipe and one 0.48m dia. pipe below existing access track

The above table demonstrates that the full blockage of two pipes below the existing access track would have little impact on predicted flood levels. Again this is likely due to the significant flow predicted over the track.

#### 5.4 Predicted Flood Levels including Climate Change

The potential impact of climate change on predicted flood levels has been assessed by adding an additional 20% onto the 1 in 200 year flood flow and re-running the hydraulic model. The predicted variation in flood levels with the inclusion of an allowance for climate change is indicated in Table 5.6 below.



Proposed House at Milton Farm, Abernethy, Perth and Kinross  
Flood Risk Assessment

Location	Level (m)		Variation in level (m)
	Q200 Flood Level	Q200 + 20% Flood Level	
Section 1	82.92	83.06	0.14
Section 2	83.96	84.04	0.08
Section 2.1 D	84.7	84.85	0.15
Section 2.1 U	86.8	86.84	0.04
Section 3	86.94	86.98	0.04
Section 3.1	86.94	86.99	0.05
Section 3.2	86.94	86.99	0.05
Section 4	86.95	87.01	0.06
Section 4.5	86.89	86.92	0.03
Section 4.6 D	86.89	86.93	0.04
Section 4.6 U	86.96	87.02	0.06
Section 5	86.96	87.02	0.06
Section 6	86.98	87.05	0.07
Section 7	87.73	87.81	0.08
Section 8	88.5	88.58	0.08
Section 9	89.44	89.50	0.06
Section 9.5	90.17	90.19	0.02
Section 9.6 D	90.75	90.78	0.03
Section 9.6 U	90.99	91.03	0.04
Section 10	90.97	91.01	0.04
Section 10.5	91.54	91.69	0.15
Section 11	92.97	93.04	0.07

*Table 5.7 Comparison between Predicted Q200 and Q200 + 20% Flood Levels*

As can be seen from the above table, there is a limited variation in predicted flood level with an additional flow of 20%.



## **6.0 Proposed Mitigation and Management of Flood Risk**

The results of the flow modelling exercise discussed in Section 5 are summarised in drawing 12584/21/001. The results indicate that although some of the proposed site is within the Q200 flood envelope, the proposed house is fully outwith the functional floodplain.

It is understood that normal vehicular access to the new property would be via the existing track under which the Abernyste Burn is culverted by three pipes. It is predicted that this track would flood during a 1 in 200 year flood event and be impassable. Safe pedestrian access would however be maintained throughout a 1 in 200 year flood event with a safe route to the B953 available along the southern boundary of the adjacent field to the north. A vehicular access is taken from the B953 into this field currently, which would enable pedestrians to reach the B953 without any impediment.

The new house should have a minimum finished floor level of 88.41m. This level provides a freeboard of 0.6m above the adjacent Q200 + 20% flood level.

As standard, no ground levels within the 1 in 200 year floodplain of the Abernyste Burn should be raised as part of the proposed development. It is also recommended that no ground levels on site, certainly in the vicinity of the new house, are lowered as part of the development. This will ensure dry access around the new building will be maintained.

In order to avoid any increase in flood risk, surface water runoff generated by the site should be dealt with following the principals of Sustainable Urban Drainage Systems.

## 7.0 Conclusions

It is concluded that the development proposals are satisfactory with regards to flood risk. The proposed building is outwith the 1 in 200 year flood envelope of the Abernethy Burn, while safe pedestrian access/egress to and from site will be maintained during a 1 in 200 year flood event.

The finished floor level of the proposed building should be set at, or above a level of 88.41m AOD. This level provides a freeboard of 0.6m above the 1 in 200 year flood level, including an additional allowance of 20% for climate change.

We have used our best engineering judgement in this Assessment, and our calculations have been carried out using the Flood Estimation Handbook, WINFAP, HEC-RAS and other standard hydrological methods. We note that as with all such Flood Risk Assessments the accuracy of the results is only as good as the data and statistical techniques used.

## 8.0 References

- i. Flood Estimation Handbook, Duncan Reed, CEH Institute of Hydrology, Wallingford, 1999.
- ii. FEH CD-ROM, Version 3, CEH Institute of Hydrology, Wallingford, 2009.
- iii. WINFAP-FEH, Version 3, Wallingford Hydrosolutions and NERC, 2009
- iv. HEC-RAS, Version 4.0, March 2008, US Army Corps of Engineers Hydrologic Engineering Centre.
- v. UK Climate Projections for UK Climate Impacts Programme, July 2009.
- vi. Scottish Planning Policy, Scottish Government, Crown Copyright, February 2010
- vii. Planning Advice Note 69: Planning and Building Standards Advice on Flooding, Scottish Executive, 2004

**Appendix A: Results from  
WINFAP-FEH Flow Analysis**



Institute of Hydrology - Flood Peaks Database  
Printed : 5 June 2014  
Station : 999200 (Abernyte Burn)

Fittings for FFC

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Standardised by median

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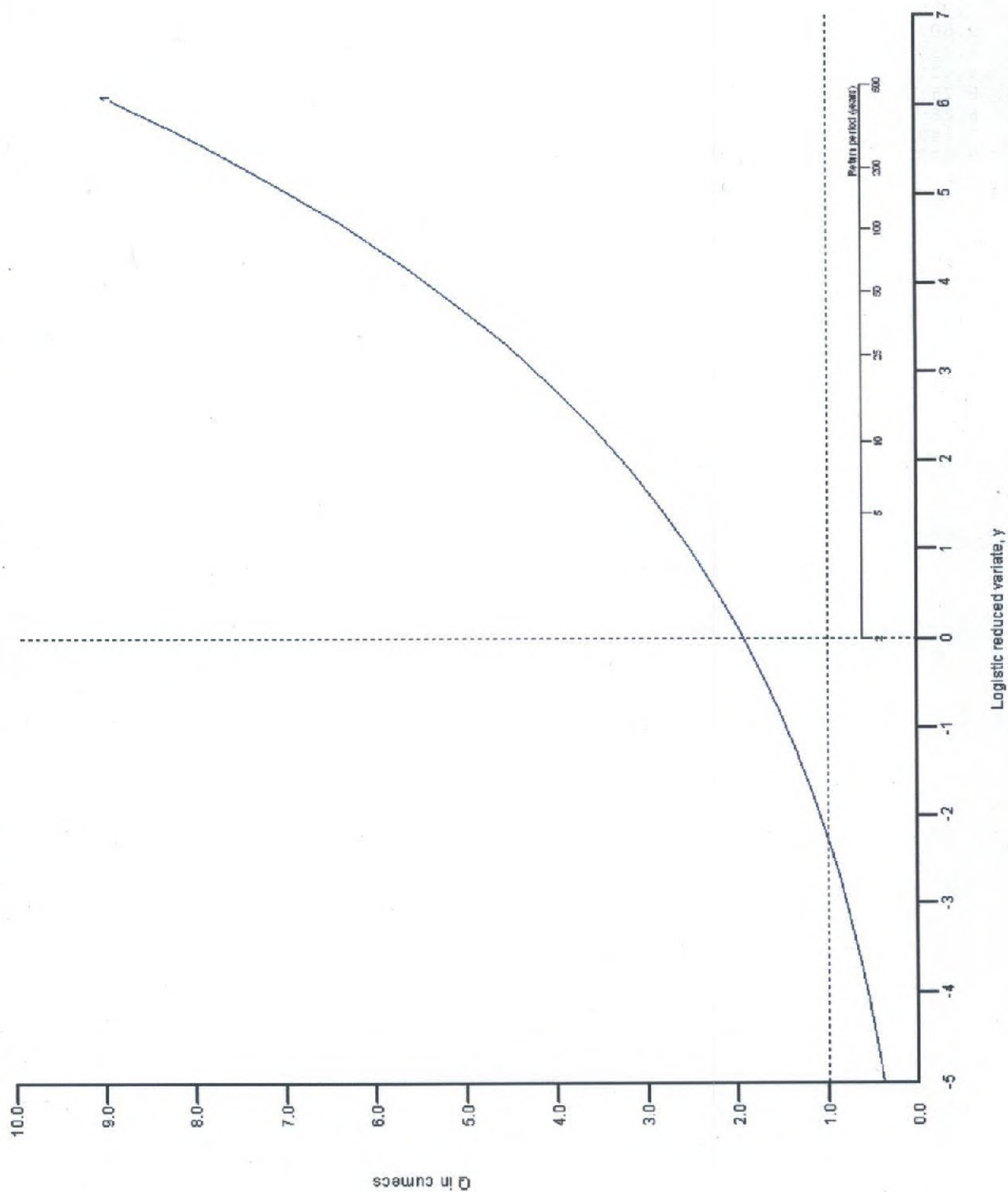
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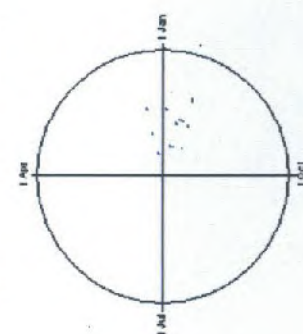
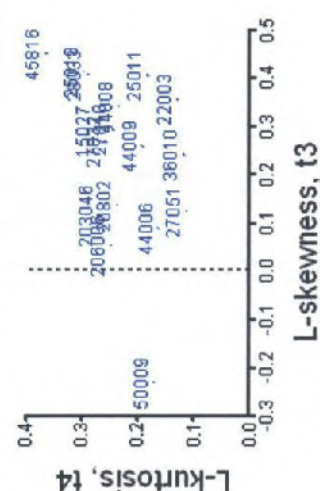
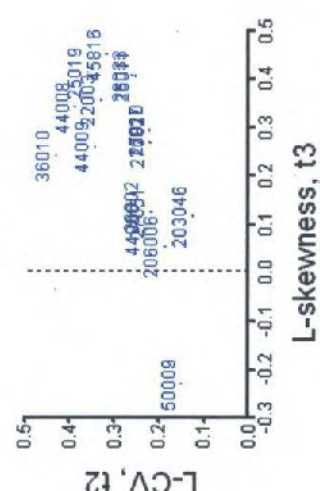
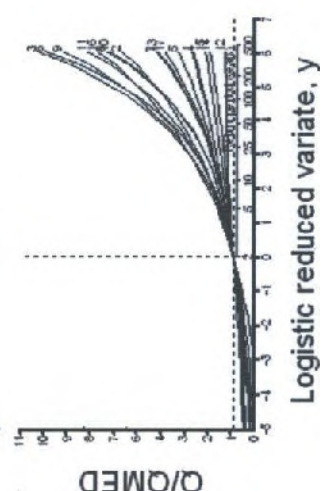
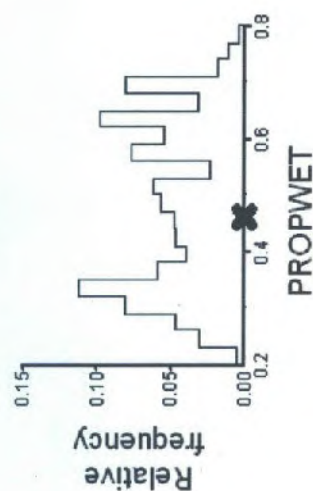
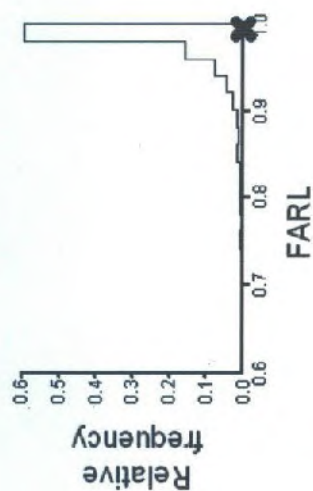
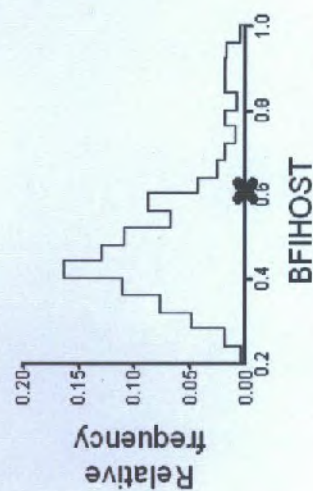
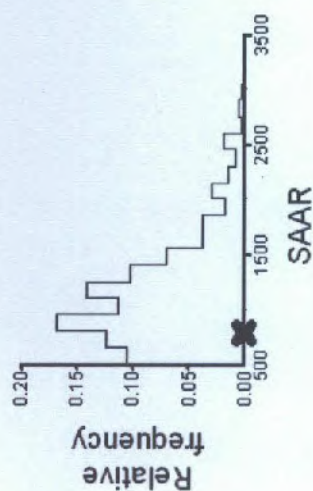
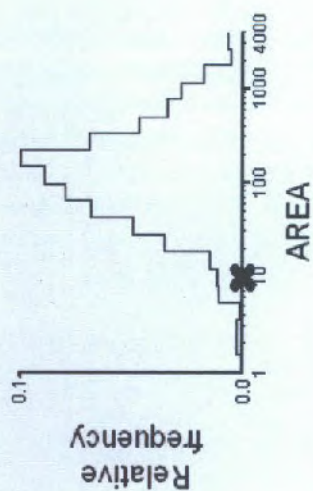
Return periods

	GL
2	1.939
5	2.801
10	3.451
25	4.421
50	5.281
100	6.280
200	7.449
500	9.309

# Pooling-group - Abernyte Burn at Site

Distributions  
1. 6L







**Appendix B: Results from  
ISIS Flow Analysis**

6.6.0.81

\*\*\*\*\*  
ISIS  
\*\*\*\*\*

# HYDROLOGICAL DATA

Catchment: Abernyte

\*\*\*\*\*

## Catchment Characteristics

\*\*\*\*\*

Easting	:	326450	Northing	:	730950
Area	:	9.640	km2		
DPLBAR	:	2.920	km		
DPSBAR	:	121.800	m/km		
PROPWET	:	0.460			
SAAR	:	783.000	mm		
Urban Extent	:	0.001			
c	:	-0.017			
d1	:	0.470			
d2	:	0.405			
d3	:	0.256			
e	:	0.252			
f	:	2.197			
SPR	:	29.360	%		

\*\*\*\*\*

Summary of estimate using Flood Estimation Handbook rainfall-runoff method

\*\*\*\*\*

## Estimation of T-year flood

=====

Unit hydrograph time to peak	:	2.682	hours
Instantaneous UH time to peak	:	2.632	hours
Data interval	:	0.100	hours
Design storm duration	:	4.700	hours
Critical storm duration	:	4.782	hours
Return period for design flood	:	200.000	years
requires rain return period	:	246.667	years
ARF	:	0.951	
Design storm depth	:	61.397	mm
CWI	:	113.960	
Standard Percentage Runoff	:	29.360	%
Percentage runoff	:	30.453	%
Snowmelt rate	:	0.000	mm/day
Unit hydrograph peak	:	0.791	(m3/s/mm)
Quick response hydrograph peak	:	11.675	m3/s
Baseflow	:	0.192	m3/s
Baseflow adjustment	:	0.000	m3/s
Hydrograph peak	:	11.867	m3/s
Hydrograph adjustment factor	:	1.000	

## Flags

=====

Unit hydrograph flag	:	FSRUH
Tp flag	:	FEHTP
Event rainfall flag	:	FEHER
Rainfall profile flag	:	WINRP
Percentage Runoff flag	:	FEHPR
Baseflow flag	:	F16BF
CWI flag	:	FSRCW

\*\*\*\*\*

6.6.0.81

ISIS

Catchment: Abernyte

Rainfall Profile - Unit and Flow Hydrograph Using  
FEH rainfall-runoff method

Hydrograph adjustment factor = 1.000

TABULAR RESULTS

time (hours)	areal rainfall (mm)	net rainfall (mm)	unit hydrograph (m3/s/mm)	flow hydrograph (m3/s)
0.000	0.255	0.078	0.000	0.192
0.100	0.288	0.088	0.029	0.194
0.200	0.325	0.099	0.059	0.199
0.300	0.367	0.112	0.088	0.207
0.400	0.414	0.126	0.118	0.218
0.500	0.467	0.142	0.147	0.233
0.600	0.526	0.160	0.177	0.252
0.700	0.593	0.181	0.206	0.275
0.800	0.671	0.204	0.236	0.304
0.900	0.755	0.230	0.265	0.340
1.000	0.851	0.259	0.295	0.381
1.100	0.958	0.292	0.324	0.431
1.200	1.078	0.328	0.354	0.489
1.300	1.212	0.369	0.383	0.557
1.400	1.362	0.415	0.413	0.635
1.500	1.532	0.467	0.442	0.726
1.600	1.723	0.525	0.472	0.831
1.700	1.933	0.589	0.501	0.951
1.800	2.165	0.659	0.531	1.088
1.900	2.422	0.738	0.560	1.245
2.000	2.703	0.823	0.590	1.424
2.100	3.006	0.915	0.619	1.627
2.200	3.333	1.015	0.649	1.857
2.300	3.517	1.071	0.678	2.117
2.400	3.333	1.015	0.708	2.408
2.500	3.006	0.915	0.737	2.729
2.600	2.703	0.823	0.767	3.078
2.700	2.422	0.738	0.787	3.450
2.800	2.165	0.659	0.768	3.839
2.900	1.933	0.589	0.748	4.244
3.000	1.723	0.525	0.729	4.661
3.100	1.532	0.467	0.710	5.089
3.200	1.362	0.415	0.690	5.523
3.300	1.212	0.369	0.671	5.963
3.400	1.078	0.328	0.651	6.405
3.500	0.958	0.292	0.632	6.849
3.600	0.851	0.259	0.613	7.290
3.700	0.755	0.230	0.593	7.728
3.800	0.671	0.204	0.574	8.159
3.900	0.593	0.181	0.555	8.582
4.000	0.526	0.160	0.535	8.994
4.100	0.467	0.142	0.516	9.393
4.200	0.414	0.126	0.496	9.774
4.300	0.367	0.112	0.477	10.136
4.400	0.325	0.099	0.458	10.476
4.500	0.288	0.088	0.438	10.788
4.600	0.255	0.078	0.419	11.071
4.700			0.399	11.318
4.800			0.380	11.525
4.900			0.361	11.686



Q200 Hydrograph Data.txt

5.000	0.341	11.797
5.100	0.322	11.857
5.200	0.302	11.867
5.300	0.283	11.834
5.400	0.264	11.761
5.500	0.244	11.653
5.600	0.225	11.513
5.700	0.205	11.344
5.800	0.186	11.151
5.900	0.167	10.936
6.000	0.147	10.700
6.100	0.128	10.447
6.200	0.108	10.178
6.300	0.089	9.895
6.400	0.070	9.600
6.500	0.050	9.294
6.600	0.031	8.977
6.700	0.011	8.653
6.800	0.000	8.321
6.900		7.984
7.000		7.643
7.100		7.298
7.200		6.951
7.300		6.602
7.400		6.254
7.500		5.908
7.600		5.566
7.700		5.228
7.800		4.895
7.900		4.567
8.000		4.246
8.100		3.930
8.200		3.623
8.300		3.324
8.400		3.034
8.500		2.755
8.600		2.488
8.700		2.235
8.800		1.996
8.900		1.774
9.000		1.571
9.100		1.388
9.200		1.225
9.300		1.081
9.400		0.954
9.500		0.842
9.600		0.745
9.700		0.659
9.800		0.584
9.900		0.519
10.000		0.462
10.100		0.414
10.200		0.372
10.300		0.336
10.400		0.305
10.500		0.280
10.600		0.258
10.700		0.240
10.800		0.226
10.900		0.215
11.000		0.206
11.100		0.200
11.200		0.195
11.300		0.193
11.400		0.192

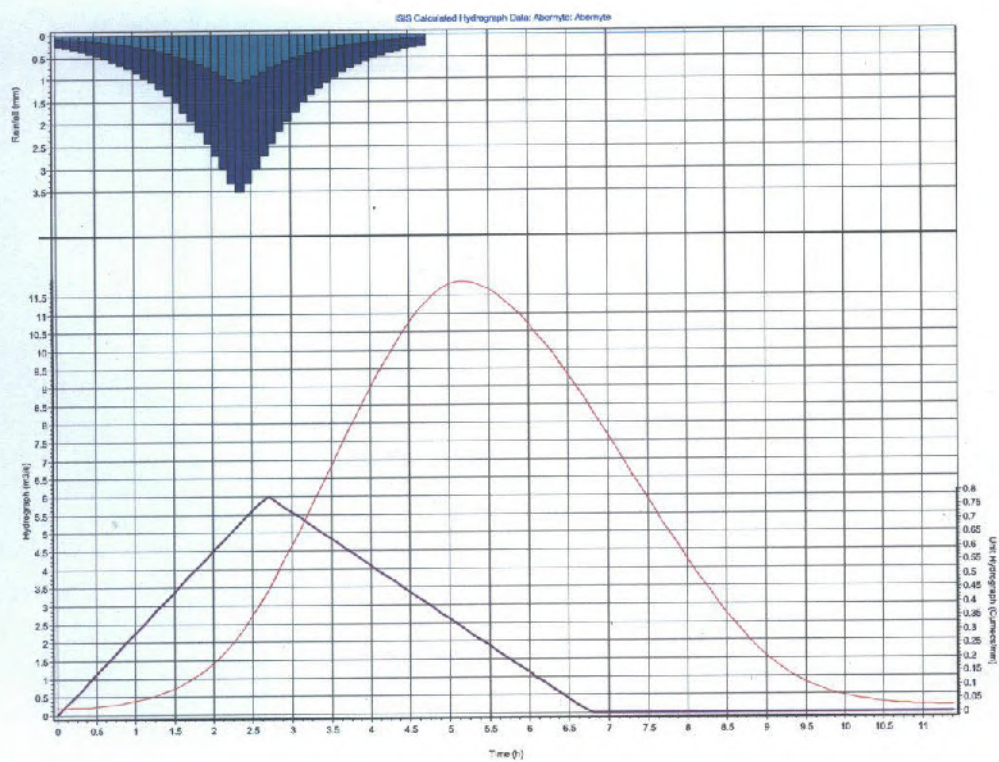
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Volumetric analysis of results

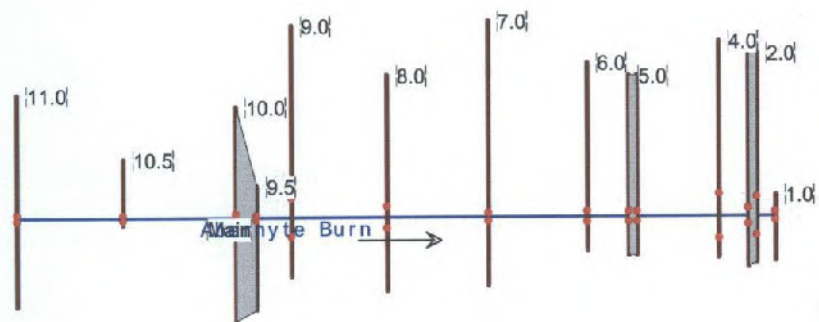
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Q200 Hydrograph Data.txt		
Total volume of rainfall	:	591866.0 m3
Total volume of net rainfall	:	180242.7 m3
Total volume of rain loss	:	411623.4 m3
Total volume of baseflow	:	7942.7 m3
Total volume of quick runoff	:	179859.4 m3
Total volume of runoff	:	187802.1 m3





**Appendix C: Output from  
HEC-RAS Model**



Some schematic data outside default extents (see View/Set Schematic Plot Extents...)

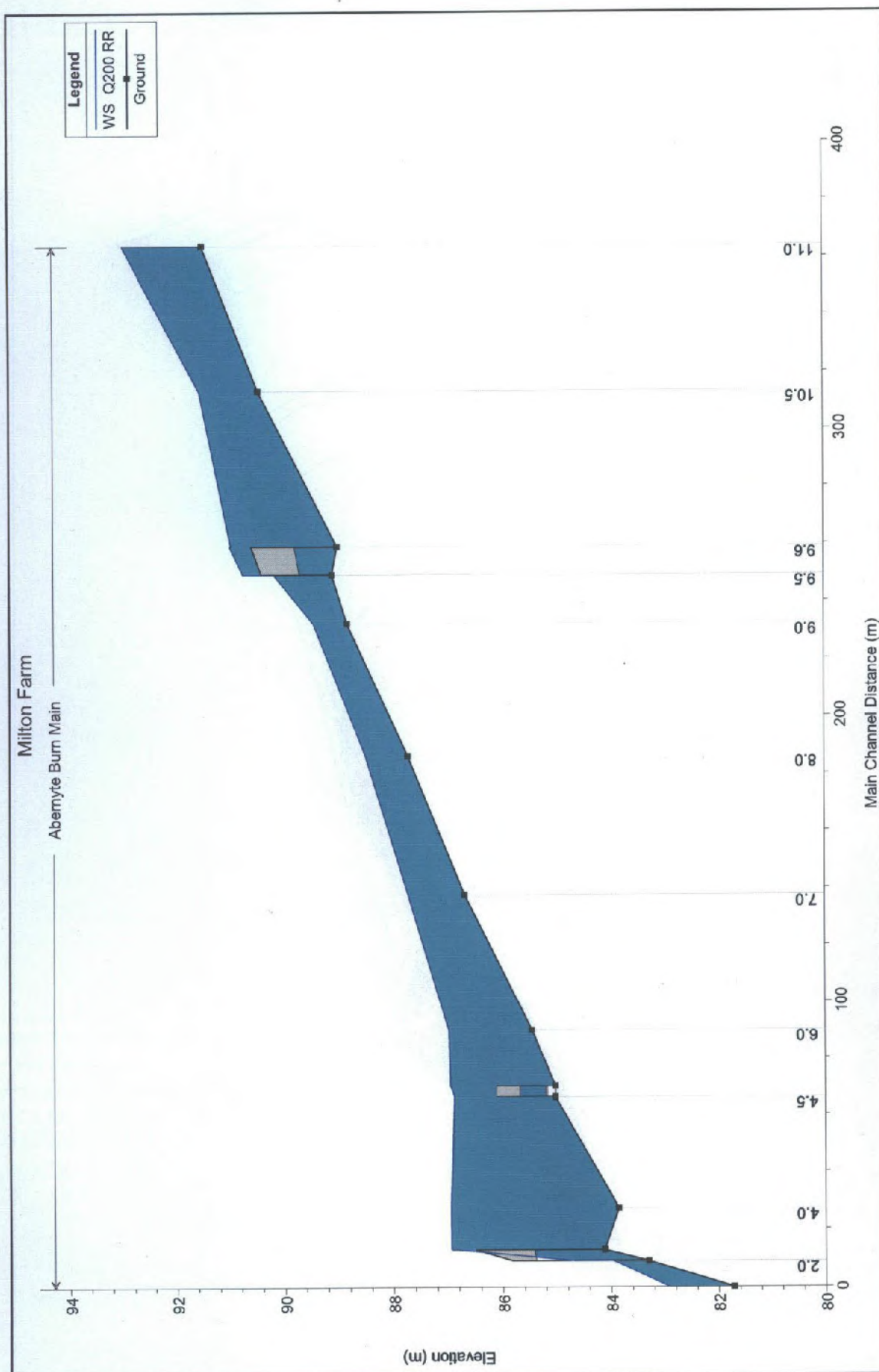
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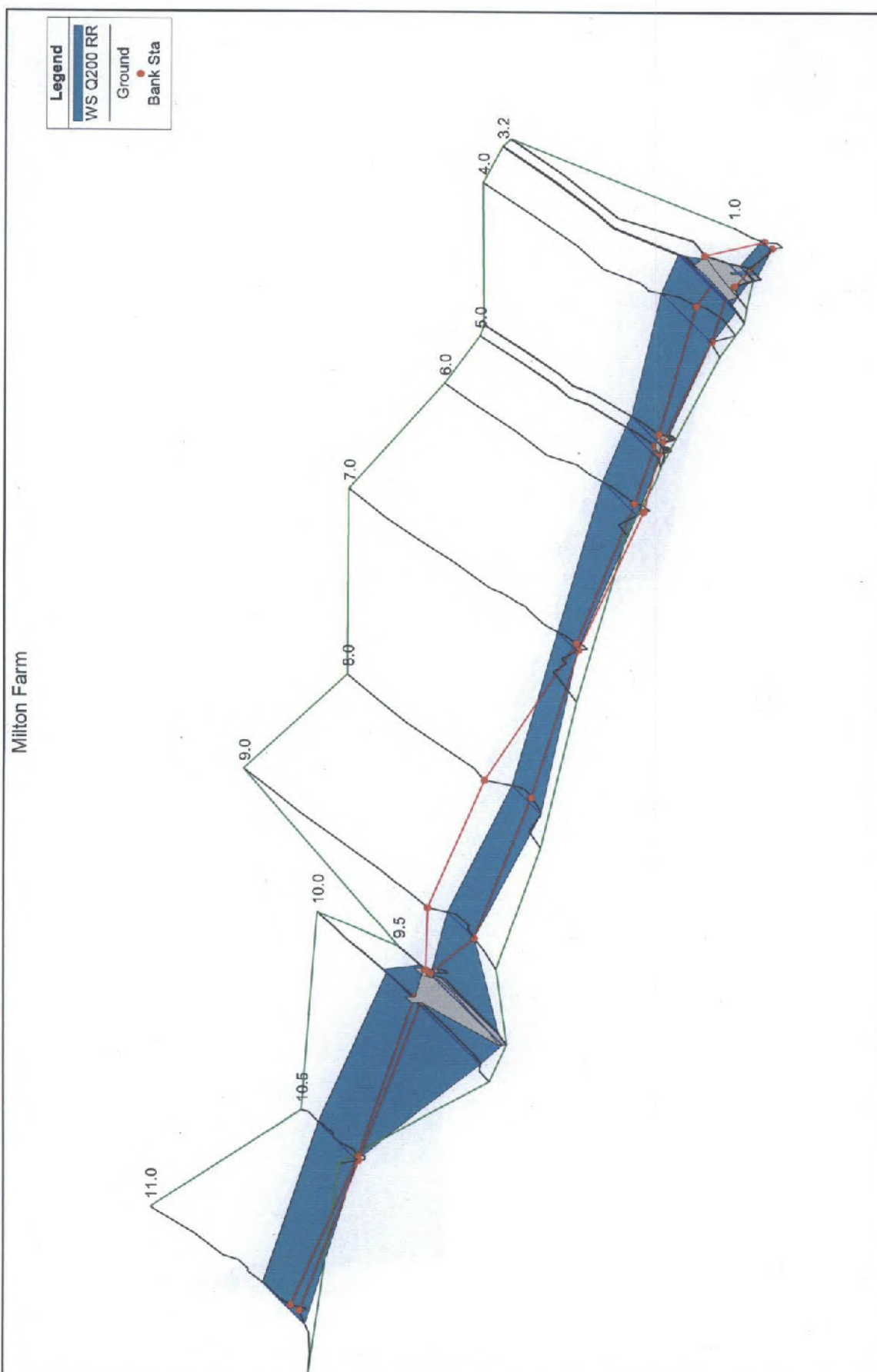


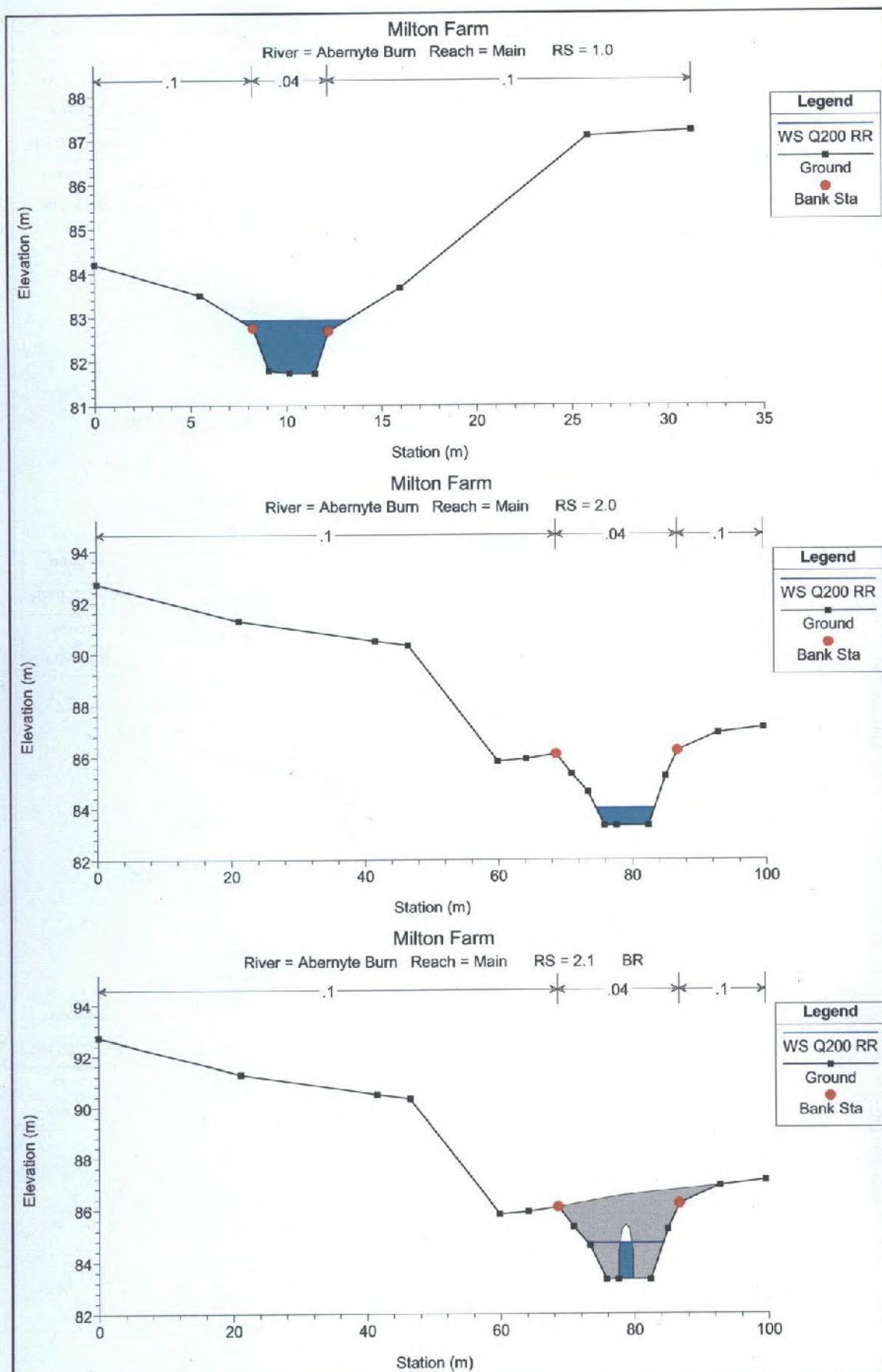
HEC-RAS Plan: Plan 06 River: Abernethy Burn Reach: Main Profile: Q200 RR

Reach	River Sta	Profile	Q Total (m3/s)	Min Ch El (m)	W.S. Elev (m)	Crit W.S. (m)	E.G. Elev (m)	E.G. Slope (m/m)	Vel Chnl (m/s)	Flow Area (m2)	Top Width (m)	Froude # Chl
Main	11.0	Q200 RR	11.90	91.49	92.97	92.97	93.17	0.006747	2.31	8.12	24.49	0.68
Main	10.5	Q200 RR	11.90	90.45	91.54	91.54	91.78	0.016309	2.78	7.17	21.36	0.95
Main	10.0	Q200 RR	11.90	89.00	90.97	90.50	91.03	0.002598	1.41	17.97	54.71	0.37
Main	9.6		Bridge									
Main	9.5	Q200 RR	11.90	89.10	90.17	90.17	90.28	0.013987	1.95	8.91	36.51	0.61
Main	9.0	Q200 RR	11.90	88.82	89.44	89.44	89.64	0.022376	1.97	6.05	15.66	1.01
Main	8.0	Q200 RR	11.90	87.72	88.50		88.64	0.010856	1.84	8.28	16.83	0.73
Main	7.0	Q200 RR	11.90	86.68	87.73	87.73	88.01	0.014916	2.62	6.09	11.34	0.89
Main	6.0	Q200 RR	11.90	85.46	86.98		87.04	0.001599	1.17	14.45	20.06	0.32
Main	5.0	Q200 RR	11.90	85.03	86.96	86.38	87.01	0.001413	1.10	13.59	19.51	0.28
Main	4.6		Culvert									
Main	4.5	Q200 RR	11.90	85.03	86.89		86.98	0.002772	1.50	12.25	18.36	0.40
Main	4.0	Q200 RR	11.90	83.86	86.95		86.95	0.000021	0.21	64.37	29.23	0.04
Main	3.2	Q200 RR	11.90	84.12	86.94	85.17	86.95	0.000171	0.54	32.24	33.40	0.11
Main	3.1		Inl Struct									
Main	3.0	Q200 RR	11.90	84.12	86.94	85.17	86.95	0.000172	0.54	32.15	33.32	0.11
Main	2.1		Bridge									
Main	2.0	Q200 RR	11.90	83.30	83.96	83.96	84.25	0.020213	2.39	4.99	8.68	1.01
Main	1.0	Q200 RR	11.90	81.72	82.92	82.92	83.39	0.019752	3.03	4.08	5.55	0.97

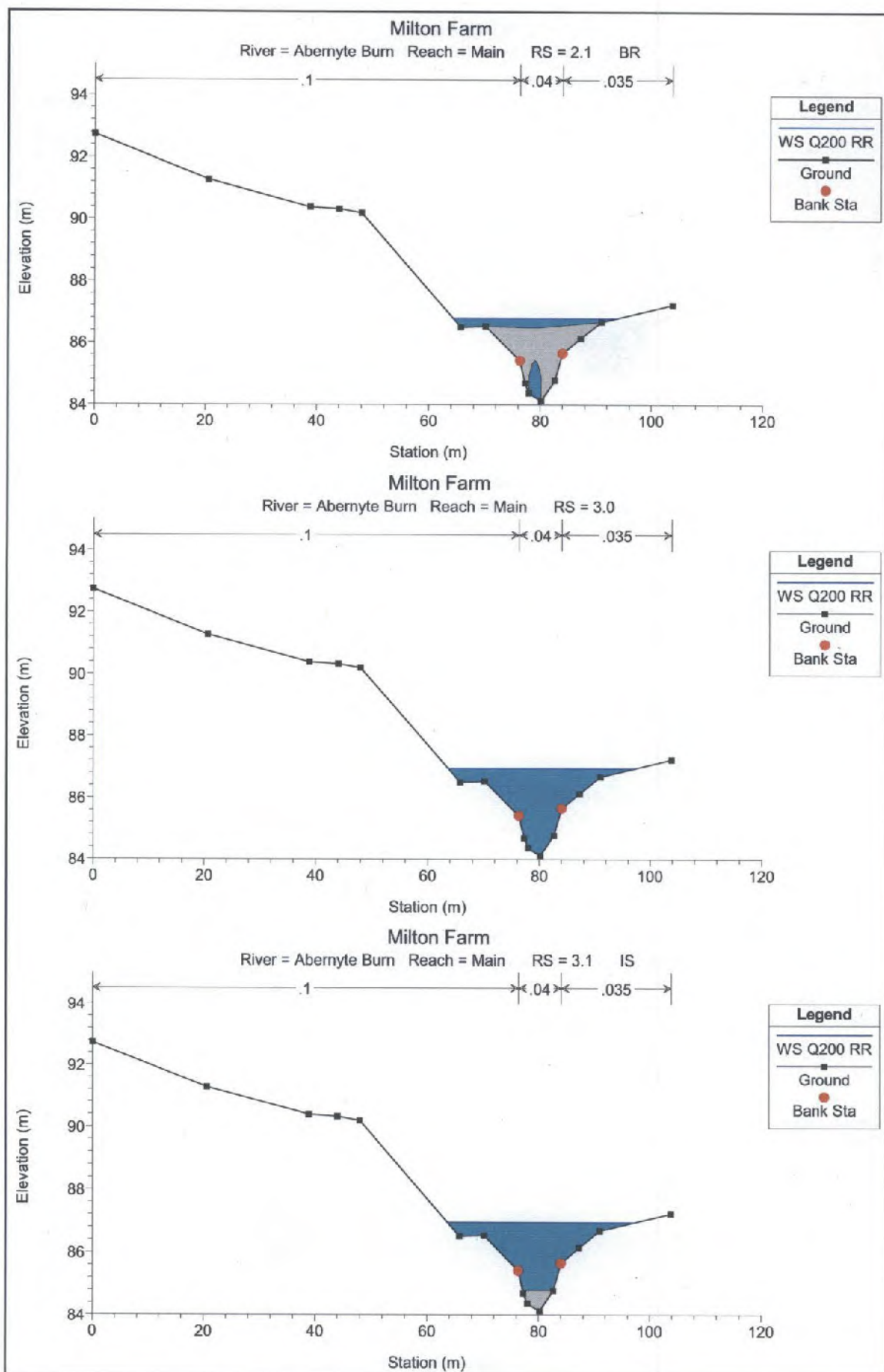




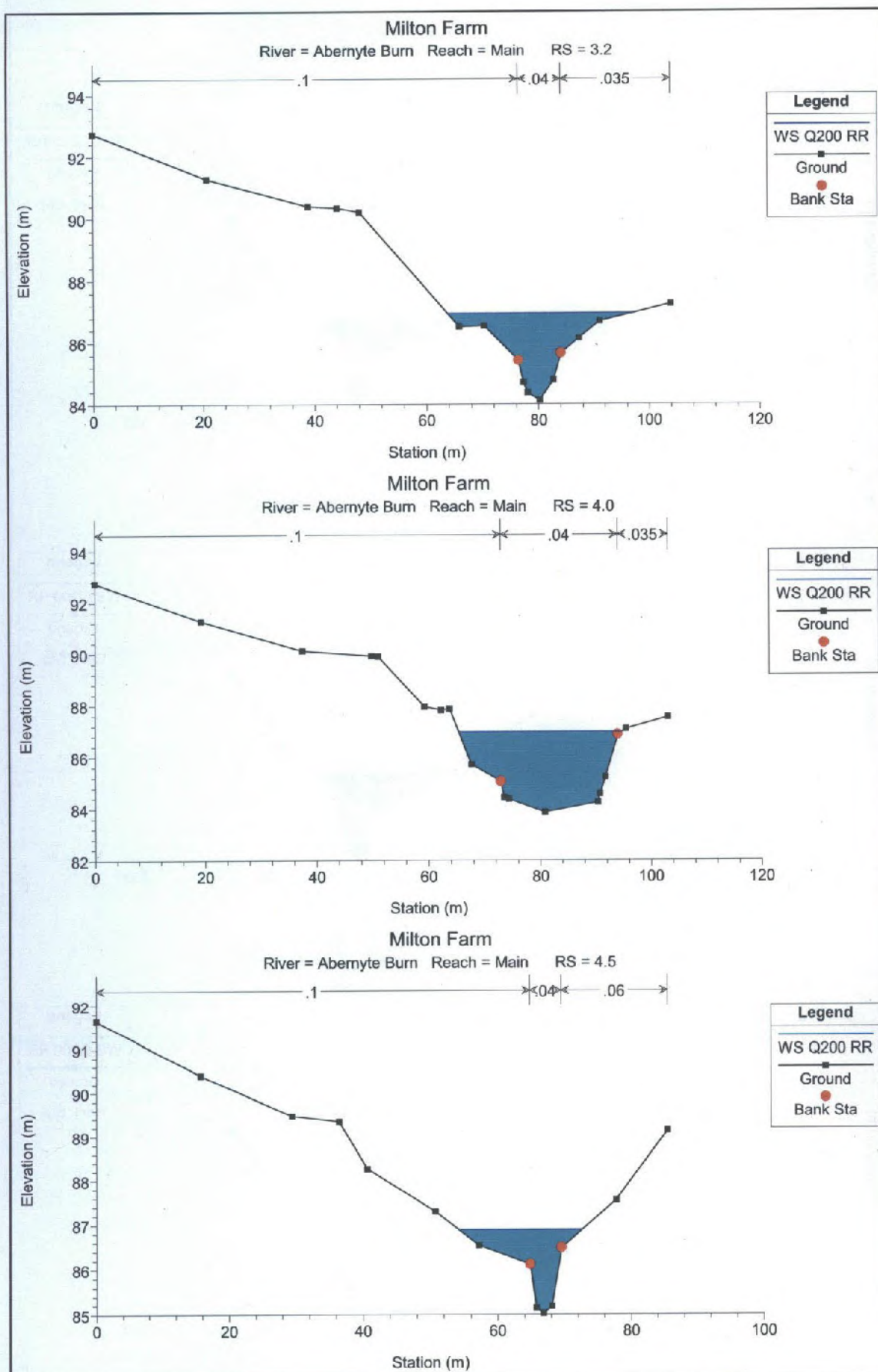


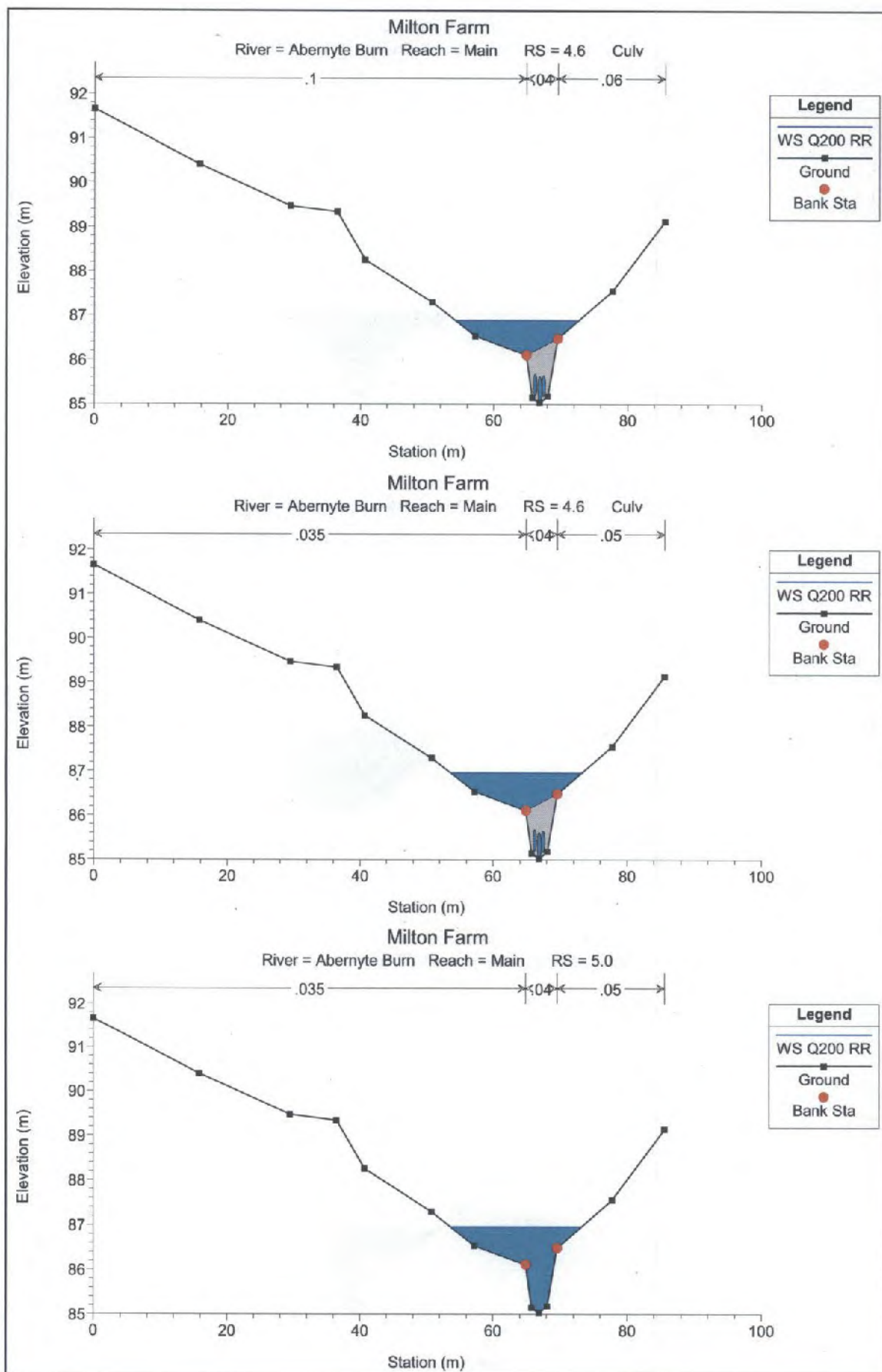


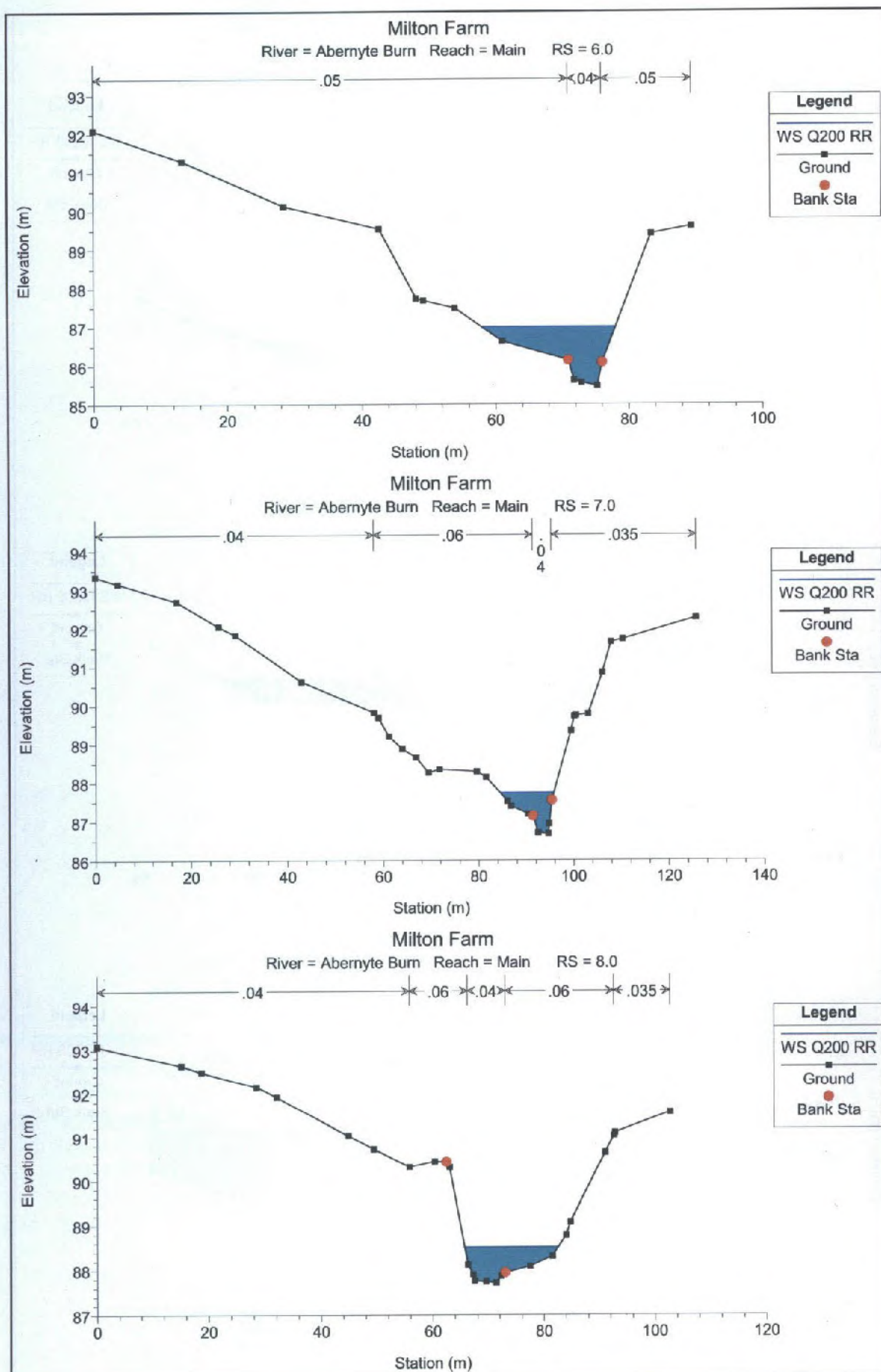




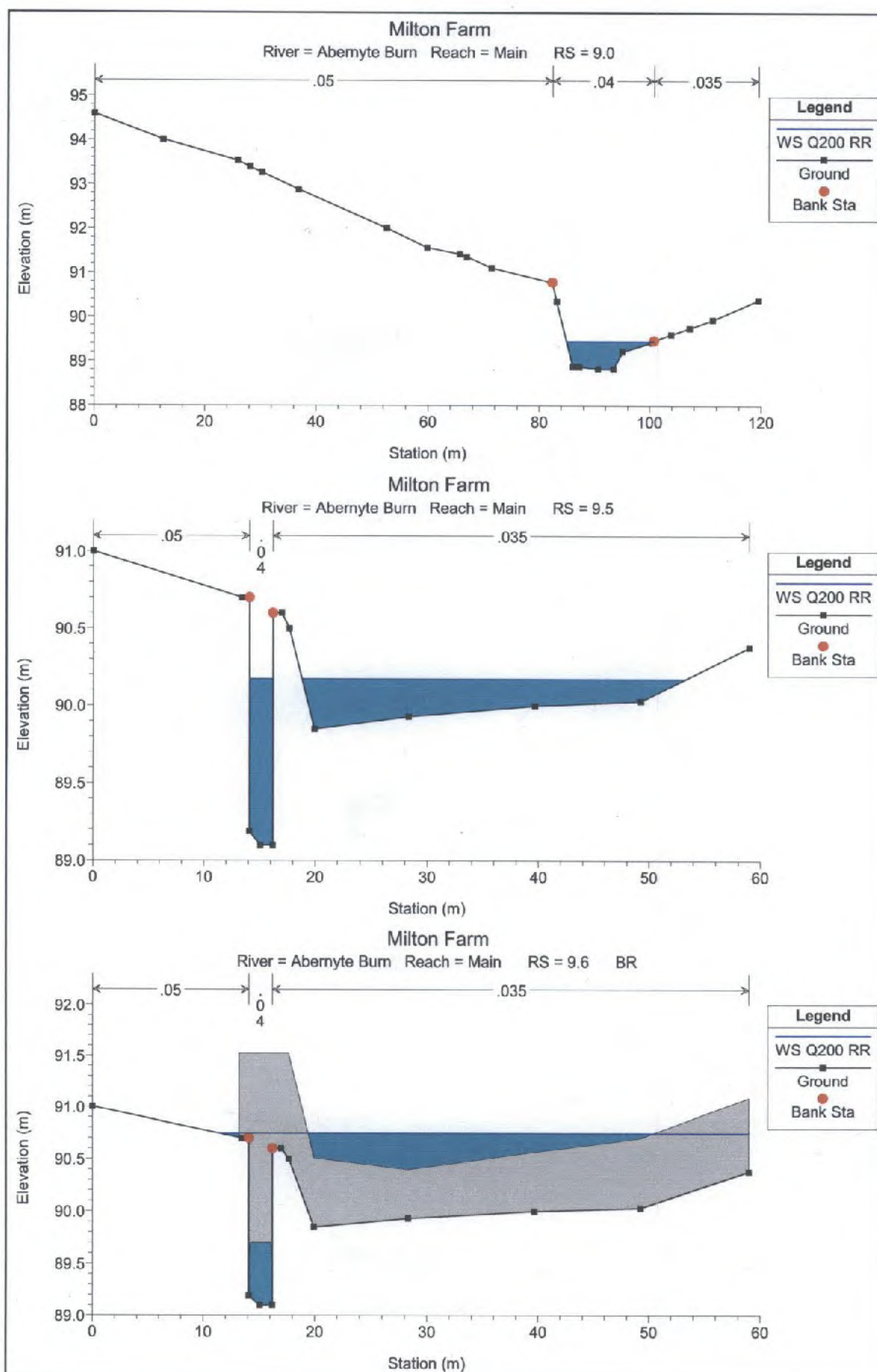




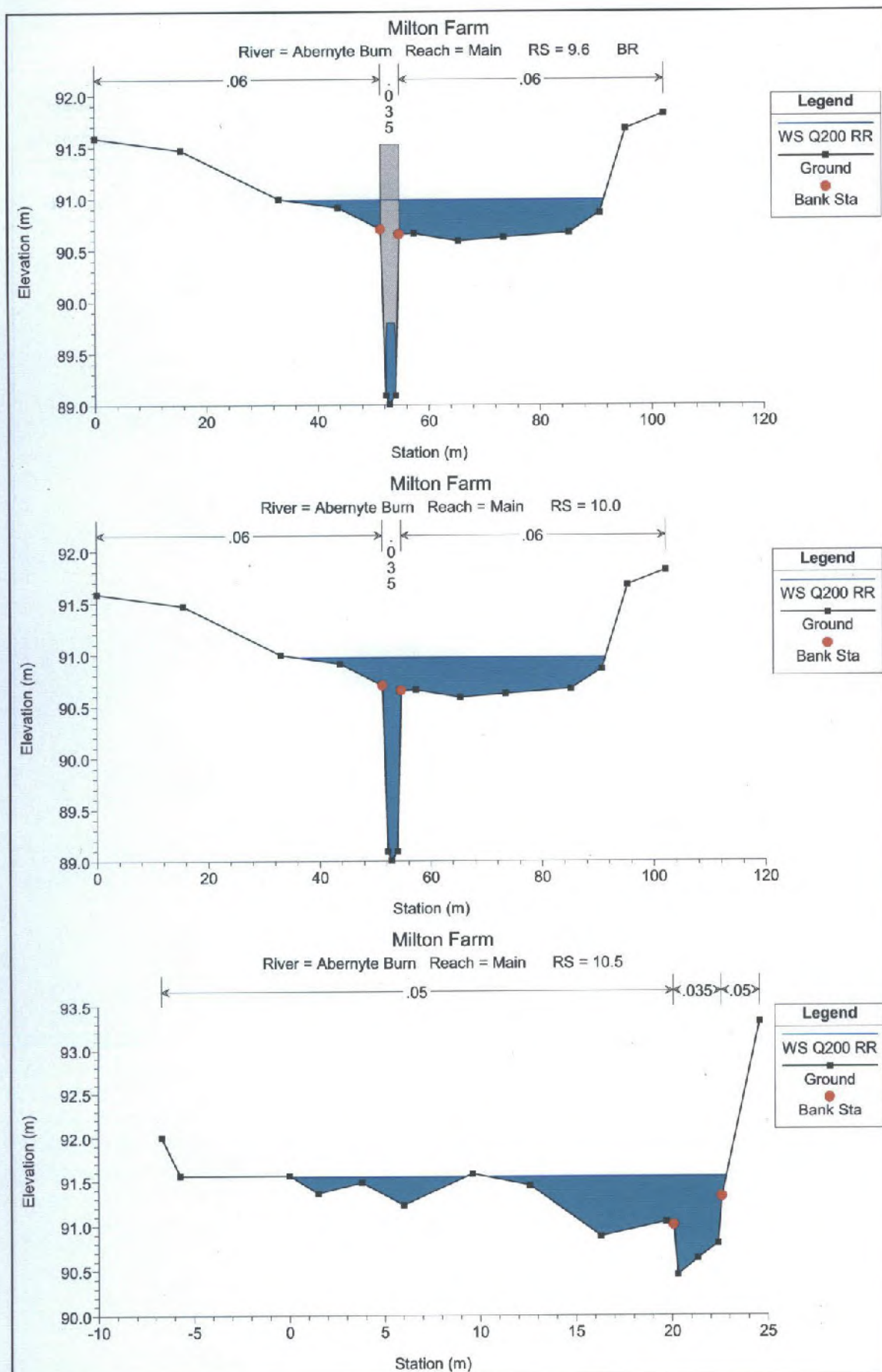


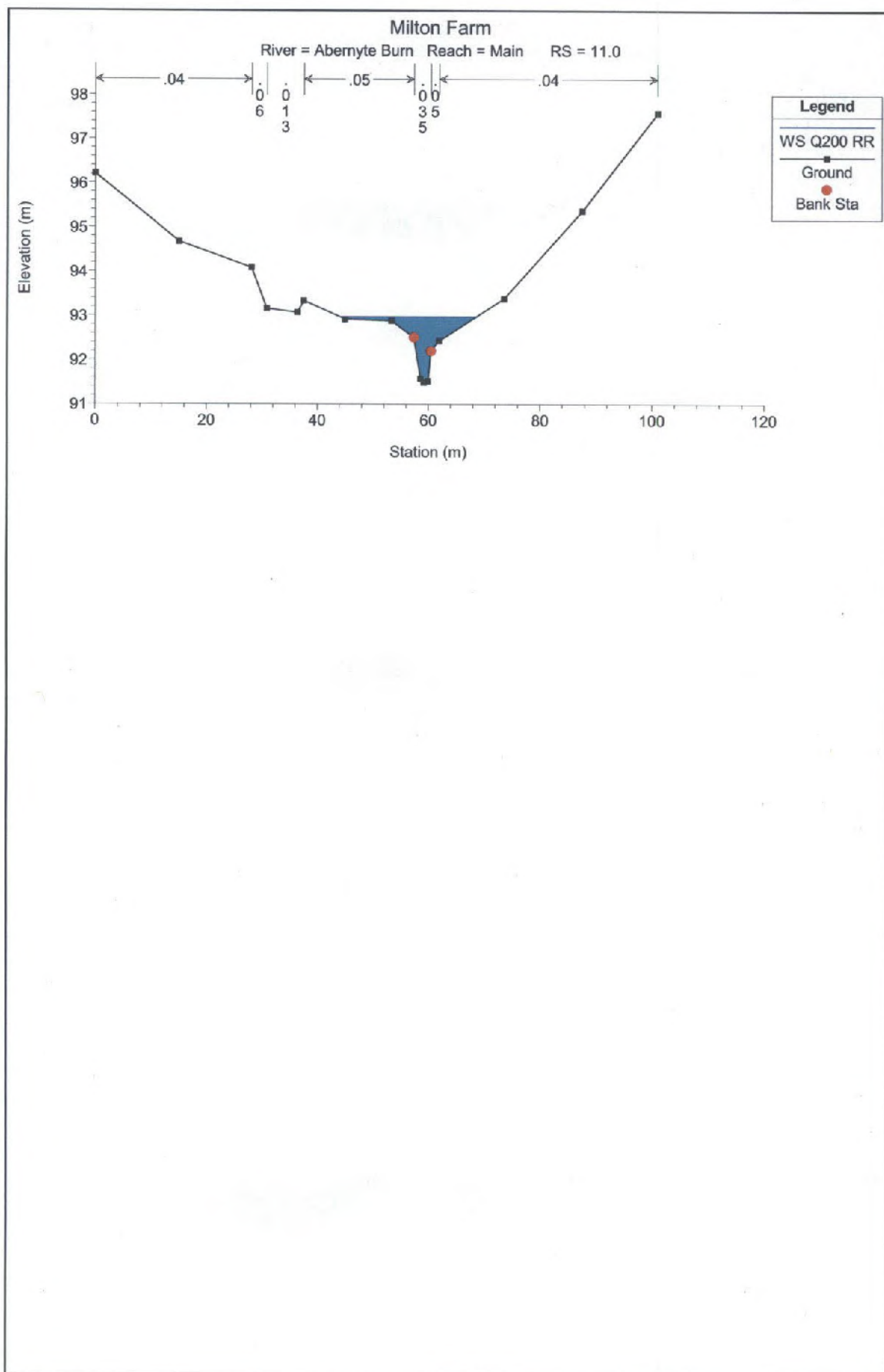












## PLANS







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**TCP/11/16(355)**  
**Planning Application 14/01885/IPL – Erection of a**  
**dwellinghouse (in principle), land 50 metres south west of**  
**Milton Farm Cottage, Abernyte**

## **REPRESENTATIONS**

- Representation from Dundee Airport, dated 24 November 2014
- Representation from Development Negotiations Officer, dated 26 November 2014
- Representation from Flooding Section, dated 2 December 2014
- Representation from Regulatory Services Manager, dated 9 December 2014
- Representation from Transport Planning, dated 11 December 2014
- Representation from Education and Children's Services





## CHX Planning Local Review Body - Generic Email Account

---

**From:** Anne Phillips <APhillips@hial.co.uk>  
**Sent:** 24 November 2014 18:09  
**To:** Development Management - Generic Email Account  
**Subject:** 14/01885/IPL - Erect House SW of Milton Farm Abernyste

**Your Ref:** 14/01885/IPL

Dear Sir/Madam,

**PROPOSAL:** Erect Dwelling House (in principle)  
**LOCATION:** Land 50m SW of Milton Farm Abernyste

---

With reference to the above proposed development, it is confirmed that our calculations show that, at the given position and height, this development would not infringe the safeguarding surfaces for **Dundee Airport**.

Therefore, Dundee Airport Limited would have no objections to the proposal.

Anne Phillips  
Operations Manager  
on behalf of Dundee Airport Limited  
c/o Highlands and Islands Airports Limited  
Head Office, Inverness Airport, Inverness IV2 7JB  
' 01667 464244 (DIRECT DIAL)  
\* [safeguarding@hial.co.uk](mailto:safeguarding@hial.co.uk) | [www.hial.co.uk](http://www.hial.co.uk)

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## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	14/01885/IPL	<b>Comments provided by</b>	Euan McLaughlin Stuart McLaren
<b>Service/Section</b>	Strategy & Policy	<b>Contact Details</b>	<b>Development Negotiations Officer:</b> Euan McLaughlin Tel: 01738 475381 Email: <a href="mailto:emclaughlin@pkc.gov.uk">emclaughlin@pkc.gov.uk</a>  <b>Affordable Housing Enabler:</b> Stuart McLaren Tel: 01738 476405 Email: <a href="mailto:sjmclaren@pkc.gov.uk">sjmclaren@pkc.gov.uk</a>
<b>Description of Proposal</b>	Erection of a dwellinghouse (in principle)		
<b>Address of site</b>	Land 50 Metres South West Of Milton Farm Cottage Abernyste for Mr Michael Sands		
<b>Comments on the proposal</b>	<p><b>Primary Education</b></p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Abernyste Primary School.</p> <p><b>Transport Infrastructure</b></p> <p>With reference to the above planning application the Council Transport Infrastructure Development Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> <p>The proposal is within the reduced contribution area.</p>		
<b>Recommended planning condition (s)</b>	<p><b>Primary Education</b></p> <p>As this application is only “in principle” it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.</p> <p><b>Transport Infrastructure</b></p> <p>The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning application granted.</p>		



<b>Recommended informative(s) for applicant</b>	N/A
<b>Date comments returned</b>	26 November 2014

## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	14/01885/IPL	<b>Comments provided by</b>	Emily McMillan
<b>Service/Section</b>	Flooding	<b>Contact Details</b>	<a href="mailto:emcmillan@pkc.gov.uk">emcmillan@pkc.gov.uk</a> ex 76452
<b>Description of Proposal</b>	Erection of a dwellinghouse (in principle)		
<b>Address of site</b>	Land 50 Metres South West Of Milton Farm Cottage Abernyste for Mr Michael Sands		
<b>Comments on the proposal</b>	<p>(1) Site falls within SEPA's medium probability (0.5%) flood map (shown below).</p> <p>(2) FRA submitted with planning application states that their modelling shows the location of the house is outwith the 1 in 200 yr flood extents and that pedestrian access can be maintained via a field to the north of the proposed house.</p> <p>(3) However report states that vehicular access cannot be maintained during a 1 in 200 year flood event.</p>		
<b>Recommended planning condition(s)</b>	<p><b>Object</b> to application on grounds of no vehicular access maintained during a 1 in 200 yr event. SPP (2014) and PKC Developers Guidance Note on Flooding &amp; Drainage (attached) state that vehicles need to have access during a 1 in 200 yr + cc event</p>		
<b>Recommended informative(s) for applicant</b>	Refer to PKC Developers Guidance Note on Flooding & Drainage and updated 2014 SPP.		
<b>Date comments returned</b>	2/12/2014		

**Update**

I can confirm that following discussions and amendments to the plans submitted by the applicants agent, the reason for my initial objection – that emergency vehicle access during a 1 in 200 year flood event would be restricted - has now been resolved through increasing the road level of the small bridge that provides access to the house. I therefore remove my previous objection to this application.

Many Thanks

Emily

# Memorandum

To Development Quality Manager From Regulatory Services Manager

Your ref PK14/01885/IPL Our ref SP

Date 9 December 2014 Tel No (01738) 476 460

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **Consultation on an application for Planning Permission PK14/01885/IPL RE: Erection of a dwellinghouse (in principle) Land 50 Metres South West Of Milton Farm Cottage, Abernyte for Mr Michael Sands**

I refer to your letter dated 26 November 2014 in connection with the above application and have the following comments to make

### **Environmental Health** (assessment date 9/12/14)

#### **Recommendation**

**I have no objection in principle to the application but recommend the undernoted condition be included on any given consent.**

#### **Comments**

This application is for the erection of a single dwelling house at the above location. The proposed site is in a rural location close to the village of Abernyte. As far as I can ascertain there have been no objections to the proposed development

#### **Condition**

The application site is surrounded by farmland and there may be noise and odour associated with this. The countryside experiences noise, and sometimes odour, from transport, farming and other rural enterprises and at appropriate levels these are an acceptable part of rural life. It is my contention that future occupants of the proposed development will be aware of the use character of the area and that there is potentially a certain amount of noise and odour associated with such a location, and therefore I do not foresee this presenting a problem.

### **Contaminated Land** (assessment date – 09/12/2014)

#### **Recommendation**

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







### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	14/01885/IPL	<b>Comments provided by</b>	Lucy Garthwaite
<b>Service/Section</b>	Waste Services	<b>Contact Details</b>	01738 475262
<b>Description of Proposal</b>	Erection of a dwellinghouse (in principle)		
<b>Address of site</b>	Land 50 Metres South West Of Milton Farm Cottage Abernyte for Mr Michael Sands		
<b>Comments on the proposal</b>	Waste and recycling bins will be collected from the road end.		
<b>Recommended planning condition (s)</b>			
<b>Recommended informative(s) for applicant</b>	It is recommended that the developer construct a bin storage area comprising slabbed base with dropped kerb and fencing at the road end to accommodate bins for this development as well as existing houses.		
<b>Date comments returned</b>	11/12/14		



### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	14/01885/IPL	<b>Comments provided by</b>	Niall Moran
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	x76512
<b>Description of Proposal</b>	Erection of a dwellinghouse (in principle)		
<b>Address of site</b>	Land 50 Metres South West Of Milton Farm Cottage Abernyte		
<b>Comments on the proposal</b>	The proposed house will utilise the existing farm access which is adequate based on the limited intensification of its use associated with a single dwelling. The final layout of the site should incorporate adequate turning and parking facilities in the interests of road safety.		
<b>Recommended planning condition(s)</b>	<ul style="list-style-type: none"> <li>• Prior to the occupation or use of the approved development turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.</li> <li>• Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.</li> </ul>		
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	11 December 2014		





### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	14/01885/IPL	<b>Comments provided by</b>	ECS
<b>Service/Section</b>		<b>Contact Details</b>	Maureen Watt ext 76308
<b>Description of Proposal</b>			
<b>Address of site</b>			
<b>Comments on the proposal</b>	<p>This development falls within the Abernyte Primary School catchment area.</p> <p>As this application is only "in principle" it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.</p>		
<b>Recommended planning condition (s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>			

