

TCP/11/16(532) – 18/00205/FLL – Erection of a hut for recreational use, Drumbuich Wood, Methven
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TCP/11/16(532) – 18/00205/FLL – Erection of a hut for recreational use, Drumbuich Wood, Methven

**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 ANGUS CRAW FENNINGWELSTON

Address C/O AGENT.

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

ROBIN MATTHEW

Address

PPCA LTD
39 DUNPACE CRESCENT
DUNFERMLINE

Postcode

KY12 7LZ

Contact Telephone 1

0131 225 1225

Contact Telephone 2

07515 796974

Fax No

E-mail*

robin@ppca.co.uk

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

Yes ☒ No ☐

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

Planning authority

PARTY & KINGS COUNCIL

Planning authority's application reference number

18/00205/FL

Site address

DRUMBICH WOOD, METHVEN

Description of proposed
development

ERECTION OF A HUT FOR RECREATIONAL USE

Date of application

09/02/2018

Date of decision (if any)

15/04/2018

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:

Site inspection

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

1. Can the site be viewed entirely from public land? ☒ Yes ☐ No
2. Is it possible for the site to be accessed safely, and without barriers to entry? ☒ Yes ☐ No

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

Statement

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

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

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

SEE ENCLOSED REVIEW STATEMENT

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

Yes ☐ No ☒

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

Three diagonal lines indicating a large empty box for explanation.

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.

ORIGINAL PLANNING APPLICATION
STATEMENT OF REVIEW
COUNCIL DECISION NOTICE AND REPORT OF HANDLING

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

Checklist

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

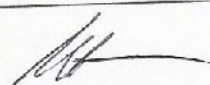
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

Declaration

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

Signed



Date

08/05/2018

**Statement of Review for the refusal of planning permission for Erection of a
Hut for recreational use at Drumbuich Wood, Methven**



May 2018

**Job No: 1489
May 2018**

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1 Introduction

- 1.1 PPCA Ltd has been instructed by Messrs. Angus Crow and Fenning Welstead (the appellants) to lodge an appeal with the Council Local Review Body against the refusal of planning permission for the erection of a Hut for recreational use at Drumbuich Wood (also known as Teuchat Wood), Methven.
- 1.2 The planning application (Perth & Kinross Council reference 18/00205/FLL was refused by delegated decision on 19th April 2018.
- 1.3 This Statement sets out the review position for the appellants, seeks to rebut the reasons for refusal and obtain planning permission for the proposed development on review. It also assesses the Council Report of Handling prepared, as required by legislation, for the application. The original planning application has been included and should be viewed in conjunction with this Review Statement.

2 Perth & Kinross Council Reasons for Refusal

- 2.1 The Perth & Kinross Council Decision Notice of 19th April 2018 sets out six reasons for refusal of the planning permission in principle application as follows –
 1. The proposal is contrary to Policy ED4C of the Perth & Kinross Local Development Plan 2014 Caravan Sites, Chalets and Timeshare Developments as the development does not meet a specific need by virtue of its quality or location in relation to existing tourism facilities.
 2. The proposal is contrary to Policy ED3 of the Perth & Kinross Local Development Plan 2014 Rural Business and Diversification, as it will not contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings. Furthermore, there is a conflict with criterion (b) which looks for development to be satisfactorily accommodated within the landscape capacity of the location.
 3. The proposal is contrary to Policy PM1A of the Perth & Kinross Local Development Plan 2014, Placemaking, as the development will not contribute positively to quality of the surrounding built and natural environment.
 4. The proposal is contrary to Policy PM1B (b), (c) and (g) of the Perth & Kinross Local Development Plan 2014, Placemaking, as the new development does not

respect the topography and landscape character of the surrounding area, features an inappropriate design and poor choice of materials which are uncomplimentary and insensitive to their location. Approval would therefore result in a development that is visually intrusive and out of keeping with the character and appearance of the rural environment.

5. The proposal is contrary to Reforesting Scotland's Thousand Huts Guidance note which confirms the acceptability of a single hut development will depend on its impact on the environment. in this case there are identified visual and landscape impacts which means that the development cannot be supported.
6. Approval would establish an undesirable precedent for developments of a similar nature to the detriment of the overall character of the area thus undermine and weaken the established policies of the Perth & Kinross Local Development Plan 2014.

General Clarification

- 2.2 As clarification for the purposes of the Review, the proposal is for a traditional, single storey high quality recreational rural wooden Hut of only 30sqm in footprint (footprint as limited by Scottish Hutting legislation) that is located against the backdrop of a well-established woodland in a location that is not readily visible from any public viewpoint.
- 2.3 The Design of such Huts must, in line with the pre-requisite of it being classed as a Hut, be functional. If not, then it does not meet the requirement of a Hut nor does it provide the Hutting experience expected by those who wish to use it. The design and materials used for the Hut proposed at Drumbuich Wood is functional yet considered high quality.
- 2.4 The type of Hut proposed, as supported by Scottish Planning Policy and national Hutting Guidance, can and should, only be located rural areas as historic Huts always have been and are a traditional part of the rural landscape.

Response to the Reasons for Refusal

2.5 Dealing with each of the Council reasons for refusal listed above in turn –

Reason for refusal One

Reason for Refusal One is rebutted as the proposed development is required by the appellants for storage purposes for recreational equipment e.g. fishing equipment and to allow a changing facility for recreational enjoyment of the surrounding area. The proposed development acts, in this respect, as a simple traditional day bothy. There is no overnight stay facility provided or expected as part of this experience. As a result, this has no impact upon existing tourism facilities as the nature of the Hutting experience would dictate that “formal” tourist facilities e.g. hotels or bed and breakfast accommodation does not meet the recreational experience or expectations need provided by the Hut. The Hut will not take trade away from other formal local accommodation and has no relationship with such accommodation as there is no competition between the two.

The proposed development, by, its nature must be in a rural environment and be remote from other facilities to add to the Hutting experience. It should not be related close to other facilities. It is a sustainable and low impact development and experience that requires a remote location.

Reason for refusal Two

Reason for Refusal Two is rebutted as the proposed development will contribute to the local economy as it will increase the provision of local, additional, sustainable recreational accommodation. It will contribute to the local economy as users of the facility may choose to buy provisions such as food or petrol in nearby Methven or other localities before, and during, the use of the Hut.

With regard to Criterion (b), the proposed development is a single storey, high quality thirty square metre traditional wooden building set against the backdrop of a mature established woodland. It is positioned in a location that is not readily visible from any public viewpoint. From the above, it is not understood how this could cause the conflict asserted in the Reason for Refusal.

Reason for refusal Three

Reason for Refusal Three is rebutted as the proposed development is a single storey, high quality thirty square metre traditional wooden building set against the backdrop of a mature established woodland. It is positioned in a location that is not readily visible from any public viewpoint. From the above, it is not understood how this could cause the conflict asserted in the Reason for Refusal.

The proposed development cannot have an adverse impact upon the surrounding built environment as there is no such environment, the proposed development being located in a rural area.

Reason for refusal Four

Reason for Refusal Four, as with Three above, is rebutted as the proposed development is a single storey, high quality thirty square metre traditional wooden building set against the backdrop of a mature established woodland. It is positioned in a location that is not readily visible from any public viewpoint. It is not understood how this could cause the conflict asserted in the Reason for Refusal.

The Local Review Body is directed to previous consents for Fishing Huts granted by the Council under delegated powers since 1st January 2015 i.e. post Adoption of the current Local Development Plan – specifically –

16/02067/FLL – Replacement Fishing Hut, Cargill

16/00898/FLL – Replacement Fishing Hut, Nether Fordun, Auchterarder

15/02068/FLL – Replacement Fishing Hut, Kinclaven

The design of the first two developments permitted above under delegated powers is significantly more utilitarian than that proposed at Drumbuich Wood. The design of the third development listed above is comparable to a large garden shed (see drawings in Appendix 1).

All of the above applications were granted consent having had the design element of the proposals considered as part of that process. The proposed development at Drumbuich is high quality and appropriate to its surroundings. Whilst the Council is required to determine planning applications on an individual basis, it must adopt a consistent approach. On that basis, the design of the proposed development at Drumbuich must be considered acceptable.

Reason for refusal Five

Reason for Refusal Five is rebutted as it does not specify the “identified visual and landscape impacts which means that the development cannot be supported”. The proposed development is a single storey, high quality thirty square metre traditional wooden building set against the backdrop of a mature established woodland. It is positioned in a location that is not readily visible from any public viewpoint.

Reason for refusal Six

Reason for Refusal Six is Rebutted as there is no binding precedent in the Scottish planning system. The Town & Country Planning (Scotland) Act 1997 (as amended) requires that all planning applications are determined on individual merit. The proposed development that is the subject of this Review is wholly appropriate in terms of siting and design. It is a matter of fact that the grant of planning permission by the Local Review Body for this proposed development will not prevent the refusal of other, less suitable, equivalent developments elsewhere in the Council area. This would have no impact upon the strength of the policy framework of the extant Development Plan.

3 Assessment of Council Report of Handling

- 3.1 The following Section assesses the Council prepared Report of Handling for the application.
- 3.2 The Report of Handling, in its description of the proposed development site, wrongly states that the site is located at the bottom of a south facing slope. The proposed development site is located on the southern edge of the existing commercial woodland and the land falls further away to the south to its lowest point in which there are currently two water features that have been created by the landowners.
- 3.3 The description further details the proposed Hut as of an atypical modular form. Whilst the Hut will be designed as proposed in the planning application, the design of it, required to functional as noted above, is appropriate and in keeping with the rural character of the surrounding area.
- 3.4 It is noted that no representations have been received to the planning application and that the only Council internal response, from the Transportation Department, raised no issues of concern with the proposed development.
- 3.5 Paragraph 79 of Scottish Planning Policy states that Plans should set out a spatial strategy that where appropriate, sets out policies and proposals for leisure accommodation, such as holiday units, caravans, and Huts. This is referenced in the original planning statement in support of the application. However, the Adopted Perth & Kinross Local Development Plan does not include Huts within its spatial policy framework.
- 3.6 The Council Report of Handling, at the top of page 5, confirms this and assesses the proposed development under the wider Local Development Plan Policy ED4 requirements. Whilst the appellant has considered the proposed development fully as a Hut development (as defined) against Policy ED4, it is contended that the Council, in applying a generic policy to the proposed development, has not considered the specific limitations placed upon the Hut (by definition) e.g. functional design in its determination of the planning application.
- 3.7 The nature of the Hutting experience means that it should, proactively, not meet the statement in Local Development Plan Policy ED4 that it is located close to existing tourism facilities.
- 3.8 The Council Report of Handling states that “the private uses indicated are however unlikely to contribute to the local economy either through the provision of permanent

employment, creation of visitor accommodation, or additional tourism or recreational facilities, or through the re-use of existing buildings”. The Report of Handling then goes on to state that any economic benefit is likely to be minimal and limited to the construction phase of the proposed development.

- 3.9 In response, the use of the proposed development, private or otherwise, is irrelevant. This fails to recognise that the proposed development could be used by any number of individuals or groups that would have a benefit to the local economy post construction through, for example, the ongoing use of local shops for provisions. Any benefit to local services should be welcomed. It would appear from the Report of Handling, that if this is not of some significance, then it should, wrongly, be discounted.
- 3.10 The Council Report of Handling criticises the design of the Hut as not being bespoke or using local materials. This again, is factually incorrect as the applicant has sourced a Hut manufacturer local to the Council area who uses locally sourced timber to create their product. Whilst it will, therefore, be bespoke, the Hut is, in no way, supposed to be elaborate. Again, that runs contrary to the fundamental premise of the Hut experience.
- 3.11 With regards to substructure, the Hut will be placed on a pad, the details of which can be provide to the Council and could be reasonably dealt with by means of an appropriately worded planning condition.
- 3.12 The Hut will neither be insulated or heated. The Report of Handling, in querying this, has misunderstood and misrepresented the nature of the Hutting experience.
- 3.13 The Report of Handling fails to clarify that Drumbuich Wood is a commercial plantation and, as such, is subject to periodic felling and replanting. It misunderstands the nature of the woodland. Whist the overriding primary use is for recreational purposes, the Hut could be used by forestry workers for the safe, secure and convenient storage of tools on working days, shelter in inclement weather or as a rest facility. The woodland will continue to provide a natural backdrop to the proposed development over time. It will not appear visually isolated in the landscape because, firstly, it is not readily visible from public viewpoints. Secondly, the rural nature of Huts would result in many such Huts being in isolated locations in any case.
- 3.14 With regards to access, the Hut is served by an existing access through the woodland to the north. The subjective comment within the Report of Handling on it being “visually harsh” is irrelevant. The need for vehicular access is a requirement of the location as it is for most of the development in the surrounding rural area.

- 3.15 The Report of Handling states that “Insufficient information has been provided to determine the proximity to watercourses or to establish site or finished floor levels. It is noted that the hut will not be connected to any drainage facility”. There is no impact upon existing watercourses and there is no drainage connection proposed for the Hut.
- 3.16 Clarification is sought on the need to provide finished floor levels. This is a low impact wooden leisure structure used for recreational and ancillary day use only.

4 Need for consistency in planning decisions

In line with the Town & Country Planning (Scotland) Act 1997 (as amended), all planning applications require to be determined upon individual merit. However, in assessing each proposal, the Council must take a consistent approach in reaching its conclusions.

The appellants would draw the Local Review Body’s attention to planning permission 17/00484/FLL for the erection of a fishing Hut and formation of a car park at Dunkeld House Hotel, Dunkeld PH8 0HX (See Appendix 2).

In this case, planning permission was granted for a new fishing Hut arising from the sale of the Hotel and separation of the hotel function (retaining the existing Hut) from the river and fishing beat. Planning permission was granted for the proposed development on 26th May 2017. The principle of new Hutting development is, therefore, established.

The proposed development was assessed against the Development Plan policy framework in the relevant Council Report of Handling. Within that Report, there was no assessment of the proposed development against Local Development Plan Policy ED4C despite the fact that the proposed development is a recreational resource.

The proposed development was assessed against Local Development Plan Policy ED3 and the Report of Handling concluded that “The economic impact of the proposal is likely to be minimal although the Hut and fishing beat would be used by tourists in the area that would be likely to generate some money for the local economy”. The Report of Handling for this proposed development at Drumbuich Wood also describes the proposed economic impact of the development as “minimal” but, as noted above, ignores the potential for local tourism benefits arising from it.

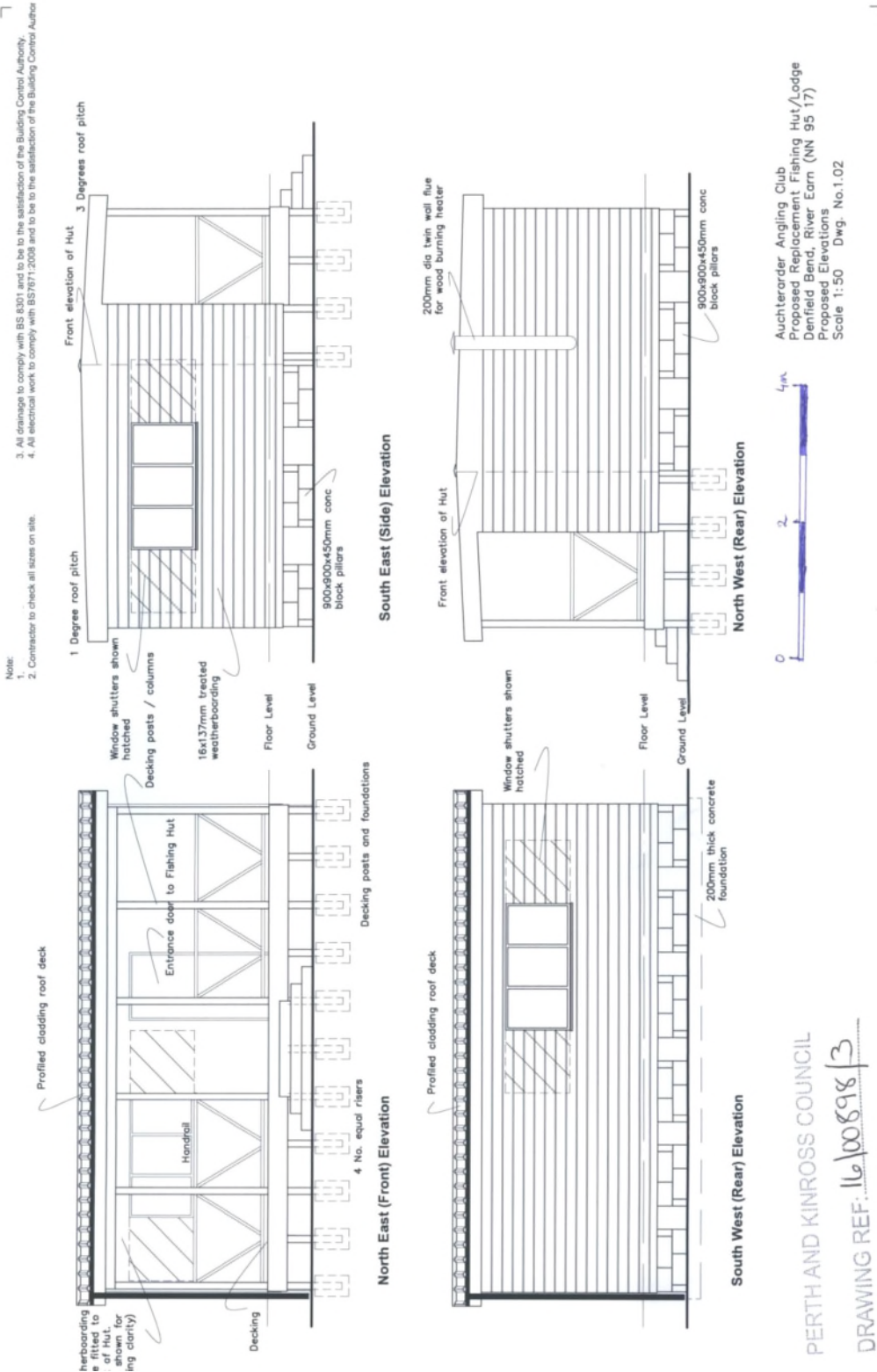
The proposed Hut at Drumbuich Wood is not dissimilar in design to that granted consent at Dunkeld. The Dunkeld Report of Handling notes that “The hut is of modest size and of timber construction. Such structures are not unusual in such areas and there should not be any adverse visual impact from the hut itself”. The principle of the Hut and the use of timber as a construction material is, therefore, acceptable. The location of such Huts in rural areas is

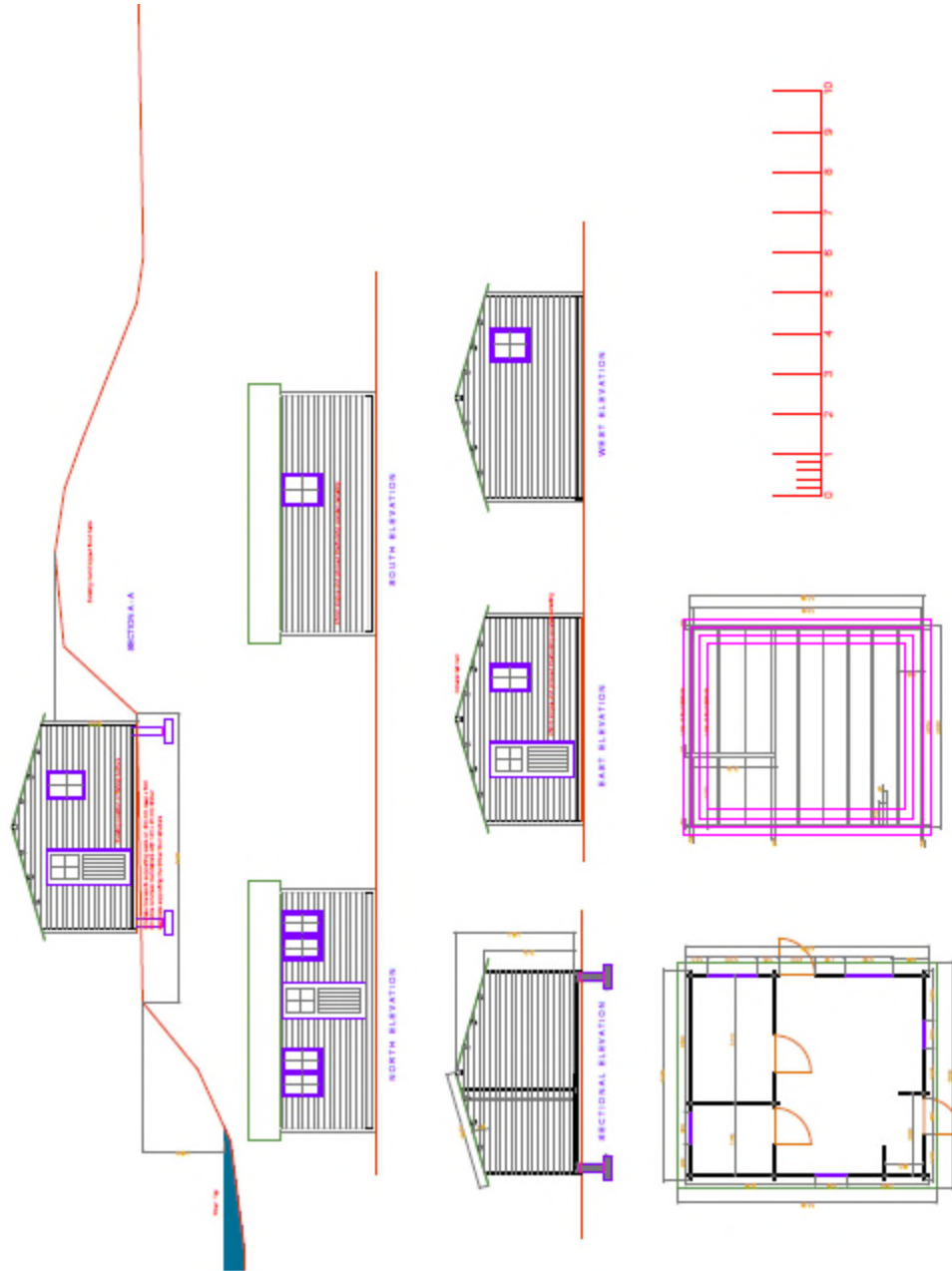
acceptable in the context of the consented Hut at Dunkeld. Taking a consistent approach to the determination of planning applications would direct the Local Review Body to approve this Review request.

5 Conclusion

- 5.1 In conclusion, the proposed development of a traditional recreational Hut at Drumbuich Wood, Methven as proposed through planning application 18/00205/FLL to Perth & Kinross Council represents a sustainable, low impact small scale acceptable development within the countryside.
- 5.2 The proposed development is a single storey, high quality thirty square metre traditional wooden building set against the backdrop of a mature established woodland. The Report of Handling for the planning application misunderstands the function of the Hut.
- 5.3 The Council must take a consistent approach to the principle of the development and the assessment made of the new Fishing Hut at Dunkeld as detailed above is a determining consideration for this application.
- 5.4 All of the matters raised in the Reasons for Refusal can be addressed as set out above to allow the grant of planning permission for the Hut as proposed. From the above, it is respectfully requested that the Council Local Review Body overturn the refusal of planning permission for the proposed Hut at Drumbuich Wood.







Appendix 2 – Dunkeld House Hotel Hut Report of Handling and Elevations

Report of Handling

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/00484/FLL	
Ward No	N5- Strathtay	
Due Determination Date	27.05.2017	
Case Officer	Persephone Beer	
Report Issued by	PRBeer	Date 26 May 2017
Countersigned by		Date

PROPOSAL: **Erection of a fishing hut and formation of a car park**

LOCATION: Dunkeld House Hotel Dunkeld PH8 0HX

SUMMARY:

This report recommends **approval** of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

DATE OF SITE VISIT: **24 April 2017**

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a fishing hut and formation of a car park on a site close to the River Tay north west of the Dunkeld House Hotel.

The requirement for a new fishing hut has arisen due to the separation of ownership between the fishing beat and hotel premises, following a management buyout of the hotel. The existing fishing hut associated with the hotel has been retained by the hotel. The owners of this fishing beat, no longer associated with the hotel, would like a fishing hut to service the beat. A car park to accommodate 6 cars is also part of the planning application.

SITE HISTORY

There is an extensive history of applications at this site: The more recent history is:

05/00478/FUL Removal of existing building and the erection of a fishermans lodge. 29 April 2005 Application Permitted

09/00971/FUL Installation of 1 dish antenna, 1 GPS antenna and 1 meter cabinet and a feeder gantry 20 July 2009 Application Permitted

10/01785/FLL Upgrade existing stairs, ramp and balustrade at entrance and installation of new modern glass canopy over main door 22 December 2010 Application Permitted

10/01839/LBC Upgrade existing stairs, ramp and balustrade at entrance and addition of new glass canopy over main door 24 December 2010 Application Permitted

16/00610/FLL Extension to hotel 13 June 2016 Application Permitted

16/00693/LBC Extension to hotel 27 June 2016 Application Permitted

16/00786/FLL Siting of 5no. static caravans for staff accommodation 18 July 2016 Application Permitted

16/01613/FLL Erection of a marquee 3 November 2016

16/02082/FLL Erection of a marquee 26 January 2017 Application Permitted

17/00363/FLL Erection of a biomass plant and fuel store (in part retrospect)

17/00364/FLL Erection of plant room (in part retrospect) 19 May 2017 Application Permitted

PRE-APPLICATION CONSULTATION

Pre application Reference: None.

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy ED3 - Rural Business and Diversification

Favourable consideration will be given to the expansion of existing businesses and the creation of new business. There is a preference that this will generally be within or adjacent to existing settlements. Outwith settlements, proposals may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that permanent employment is created or additional tourism or recreational facilities are provided or existing buildings are re-used. New and existing tourist related development will generally be supported. All proposals are required to meet all the criteria set out in the policy.

Policy HE4 - Gardens and Designed Landscapes

The integrity of sites included on the Inventory of Gardens and Designated Landscapes will be protected and enhanced.

Policy NE1A - International Nature Conservation Sites

Development which could have a significant effect on a site designated or proposed as a Special Area of Conservation, Special Protection Area or Ramsar site will only be permitted where an Appropriate Assessment shows that the integrity of the site will not be adversely affected, there are no alternative solutions and there are imperative reasons of overriding public interest.

Policy NE1B - National Designations

Development which would affect a National Park, National Scenic Area, Site of Special Scientific Interest or National Nature Reserve will only be permitted where the integrity of the area or the qualities for which it has been designated are not adversely affected or any adverse impacts are clearly outweighed by benefits of national importance.

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.

Policy NE3 - Biodiversity

All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.

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.

OTHER POLICIES

None.

CONSULTATION RESPONSES

Community Greenspace

Concern with regard to Core Path and cycle route that shares the track that will be used to access the hut.

Scottish Natural Heritage

No response.

Transport Planning

No objection.

Local Flood Prevention Authority

No objection to this application. The site of the proposed hut is out with the SEPA 1 in 200 year flood envelope for the River Tay.

However the hut and car park could still be at risk during a medium-high risk flood event. Therefore it is recommended that the hut should not be used in any way for residential or temporary overnight accommodation.

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	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

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

Policy Appraisal

Placemaking policies in the Local Development Plan seek to ensure that a development is compatible and in keeping with its surroundings. The site of this application is within a Garden and Designed Landscape. Policy HE4 seeks to protect the integrity of such sites and ensure that they are protected and enhanced. It is also close to the River Tay SAC although it is not expected to have a significant effect on this. It is also in a wooded area where the Local Development Plan seeks to protect woodland resources. In this case there should be limited impact on woodland resources.

Design and Layout

The proposed hut will measure 6m by 4m and be of timber construction, placed on a platform foundation. There will be no service provision at the hut as use will only be as daytime shelter. The associated car parking area will be finished in a porous surface.

The site is in a small clearing in an area of woodland comprising mainly of birch trees.

Landscape

The site is within a clearing in a wooded area. The scale of the proposals is not expected to have a significant impact on the landscape.

Biodiversity

The proposed hut location is around 70m from the River Tay which is a Special Area of Conservation (SAC) although the scale of the proposals and distance from the river mean it is not likely to have any significant

impact on the SAC. A method statement for the works will be requested. The submission also notes that there is no visible evidence of use of the site by protected species however an informative note will be attached with regard to protected species.

Residential Amenity

The site is remote from any residential properties. There will be no impact on residential amenity.

Visual Amenity

The hut is of modest size and of timber construction. Such structures are not unusual in such areas and there should not be any adverse visual impact from the hut itself. The car park surface is to be of a porous material that should not be unduly prominent. The agent has stated that no trees will be felled as part of the works which will help to maintain the visual amenity of the area.

I had some concerns with the formation of a parking area at this point but accept the point that this would be better than ad hoc parking in the general area.

Roads and Access

The site is accessed by a track from the Dunkeld House Hotel. This track is also part of the National Cycle Network as well as being a Core Path. The Access Officer had some concerns with potential conflict between users of the route and has recommended a condition be attached to any consent. I did ask for further information from the agent with regard to numbers of vehicles that might be using the path and asked if it would be possible for users to park at the hotel. The beat is for 8 rods so potentially there could be 8 cars plus the ghillie. Parking off site at the hotel was not considered to be a feasible option due to the different ownership of the hotel and fishing beat.

Drainage and Flooding

The site is just out with the SEPA 1 in 200 year flood envelope for the River Tay. The Flood Officer has commented and notes that due to the proximity of the hut to the Tay and the flood envelope the applicant should be aware that the SEPA flood extents are indicative and may differ slightly in reality. Therefore the hut and car park could still be at risk during a medium-high risk flood event. Therefore it is recommended that the hut should not be used in any way for residential or temporary overnight accommodation. A condition will be attached with regard to this.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

The economic impact of the proposal is likely to be minimal although the hut and fishing beat would be used by tourists in the area that would be likely to generate some money for the local economy.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions.

APPLICATION PROCESSING TIME

The recommendation for this application has been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

2 The core path DUNK/145 and promoted cycle route (National Cycle Route 77) must not be obstructed during construction or on completion. The development must ensure that non-motorised use of the path is fully respected.

Reason - To ensure continued public access to the public paths and in the interests of public safety within the site.

3 Development shall not commence until a detailed Construction Method Statement (CMS) has been submitted to the Council as Planning Authority and agreed in consultation with SNH and SEPA. The CMS must identify measures to prevent harmful materials entering the River Tay SAC, which could reduce water quality and lead to a damaging impact on the salmon, otter and lamprey interests. The CMS should include the following:

- (a) pollution prevention safeguards including drainage arrangements and the possible use of siltation traps, settlement tanks and bunds
- (b) storage and disposal of materials including the siting of stock piles, use of buffer strips and disposal methods
- (c) construction site facilities including extent and location of construction site huts, vehicles, equipment, fuel, chemicals and materials compound
- (d) timing, duration and phasing of construction particularly in relation to salmon and lamprey migration/spawning.

The CMS and mitigations as agreed shall be fully implemented as part of the planning permission.

Reason - In order to ensure the development does not impact negatively on the nearby Special Area of Conservation.

4 The hut should not be used for residential or temporary overnight accommodation.

Reason – To take account of potential for flooding of the site.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 An application for Building Warrant may be required.
- 5 The presence of protected species, and the extent to which they could be affected by the proposed development, should be established before works commence. Should protected species be identified within the site the developer should ensure that all appropriate measures required to comply with the relevant legislation are carried out.
- 6 Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
- 7 The applicant is requested to consider asking hut users to car share to the site from public car parks in Dunkeld in order to minimise the number of vehicles on the track which is well used by pedestrians and cyclists.

Procedural Notes

Not Applicable.

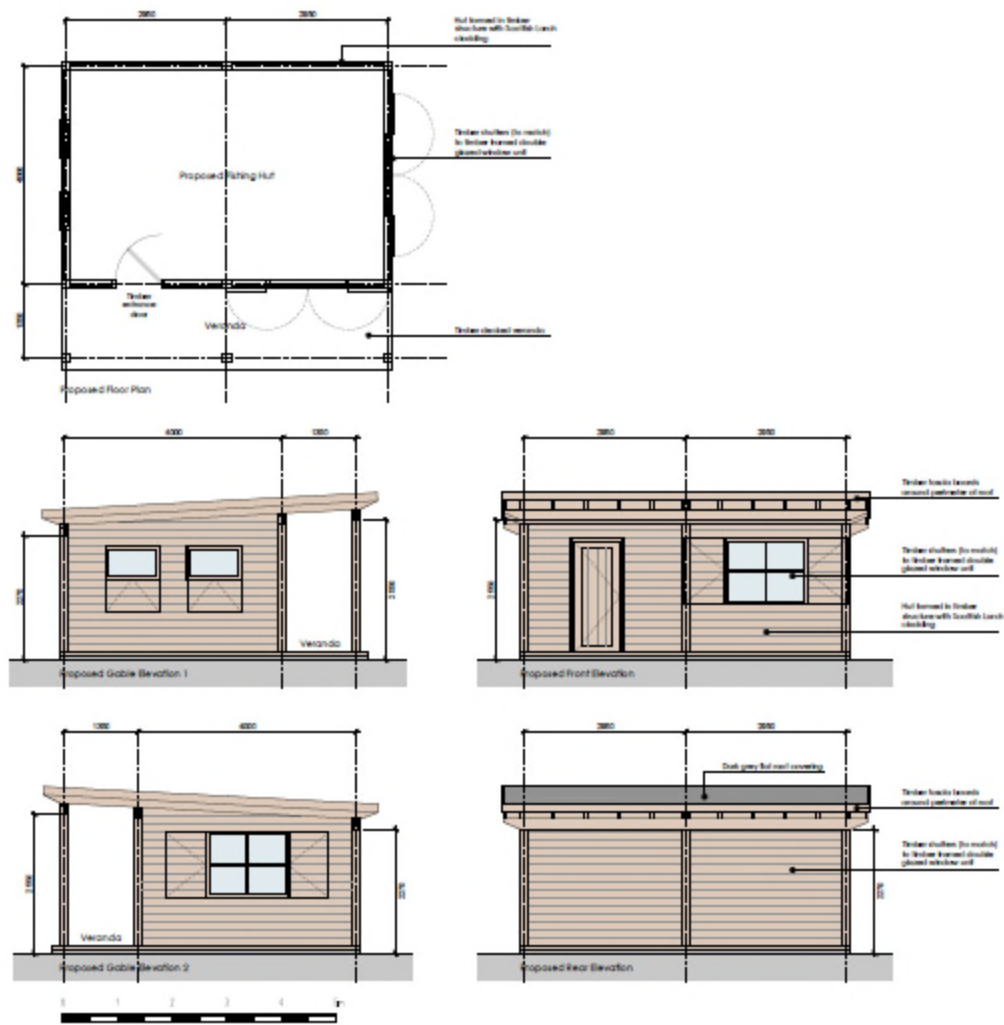
PLANS AND DOCUMENTS RELATING TO THIS DECISION

17/00484/1
17/00484/2
17/00484/3
17/00484/4

Date of Report

26 May 2017

ELEVATIONS



PERTH AND KINROSS COUNCIL

Messrs Angus Crow And Fenning Welstead
c/o PPCA Ltd
Maura McCormack
39 Dunipace Crescent
Dunfermline
KY12 7LZ


Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 19th April 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/00205/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 9th February 2018 for permission for **Erection of a hut for recreational use Drumbuich Wood Methven** for the reasons undernoted.


Interim Development Quality Manager

Reasons for Refusal

- 1 The proposal is contrary to Policy ED4C of the Perth and Kinross Local Development Plan 2014, Caravan Sites, Chalets and Timeshare Developments as the development does not meet a specific need by virtue of its quality or location in relation to existing tourism facilities.
2. The proposal is contrary to Policy ED3 of the Perth and Kinross Local Development Plan 2014, Rural Business and Diversification, as it will not contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings. Furthermore there is a conflict with criterion (b) which looks for development to be satisfactorily accommodated within the landscape capacity of the location.

3. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, Placemaking, as the development will not contribute positively to quality of the surrounding built and natural environment.
4. The proposal is contrary to Policy PM1B (b), (c) and (g) of the Perth and Kinross Local Development Plan 2014, Placemaking, as the new development does not respect the topography and landscape character of the surrounding area, features an inappropriate design and poor choice of materials which are uncomplimentary and insensitive to their location. Approval would therefore result in a development that is visually intrusive and out of keeping with the character and appearance of the rural environment.
5. The proposal is contrary to Reforesting Scotland's Thousands Huts Guidance note which confirms the acceptability of a single hut development will depend on its impact on the environment. In this case there are identified visual and landscape impacts which mean the development cannot be supported.
6. Approval would establish an undesirable precedent for developments of a similar nature to the detriment of the overall character of the area thus undermine and weaken the established policies of the Perth and Kinross Local Development Plan 2014.

Justification

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

Notes

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

Plan Reference

18/00205/1

18/00205/2

18/00205/3

18/00205/4

18/00205/5

REPORT OF HANDLING

DELEGATED REPORT

Ref No	18/00205/FLL	
Ward No	P9- Almond And Earn	
Due Determination Date	08.04.2018	
Case Officer	Alma Bendall	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a hut for recreational use

LOCATION: Drumbuich Wood Methven

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 February 2018

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning application relates to an area of land set on the edge of a recently cleared forestry plantation known as Drumbuich or Teuchat Green Wood which is located on the west side of the minor unclassified, Methven to Glenalmond public road.

The application site is situated at the bottom of the south facing slope that overlooks adjoining marshland which contains two distinct areas of water. Access is via an extensive hard core track formed in 2015 under 15/01592/PN for management/felling purposes. The adjoining area that has been felled is enclosed by a Deer fence and there is evidence of some replanting works having been implemented.

Consent is being sought to install a timber hut at the site. Plans indicate that the unit is atypical modular form, consisting of a chalet type structure with a shallow felt covered pitched roof and horizontal softwood cladding. The building contains one room and will extend to around 6metres in length, 4.8 metres in width with a height of 3.2 metres. The north elevation will be blank, while a window will be installed in both gables, the main façade containing a set of double doors will overlook the wetlands to the south.

It is proposed that the unit would be used for recreational purposes.

SITE HISTORY

15/01592/PN Forestry related works 2 October 2015 Application Permitted

18/00057/PNF Alterations and extension of a forestry track 6 March 2018 Application Permitted

PRE-APPLICATION CONSULTATION

Pre application Reference: 18/00032/PREAPP responded extensively in respect of policy considerations and noted the need to demonstrate why a hut is appropriate to this location.

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy ED3 - Rural Business and Diversification

Favourable consideration will be given to the expansion of existing businesses and the creation of new business. There is a preference that this will generally be within or adjacent to existing settlements. Outwith settlements, proposals may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that permanent employment is created or additional tourism or recreational facilities are provided or existing buildings are re-used. New and existing tourist related development will generally be supported. All proposals are required to meet all the criteria set out in the policy.

Policy ED4A - Caravan Sites, Chalets and Timeshare Development

Encouragement will be given to the retention and improvement of existing caravan and camping sites, provided the improvements are compatible with adjoining land uses. There shall be no presumption in favour of residential development if any of the above uses ceases.

Policy TA1B - Transport Standards and Accessibility Requirements

Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

Policy ER6 - Managing Future Landscape - Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes

Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

Policy NE2A - Forestry, Woodland and Trees

Support will be given to proposals which meet the six criteria in particular where forests, woodland and trees are protected, where woodland areas are expanded and where new areas of woodland are delivered, securing establishment in advance of major development where practicable.

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 -n/a

CONSULTATION RESPONSES

No external consultations have been undertaken; internal comment which raises no concerns has been received from Transportation colleagues.

REPRESENTATIONS

No representations have been received.

ADDITIONAL INFORMATION RECEIVED:

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

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2014.

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

Policy Appraisal

The site lies outwith any defined settlement boundary and as such Background Policies are applicable in this instance. Policies of note include the Placemaking considerations, Rural Business diversification, Caravan Site and Chalets, Transportation and Accessibility requirements, Landscape considerations, Forestry, Woodland and Trees.

Huts are not specifically mentioned in the current development plan, but are defined in Scottish Planning Policy as "A simple building used intermittently as recreational accommodation (i.e. not a principal residence) having an internal floor area of no more than 30m²; constructed from low impact materials; generally not connected to main water, electricity or sewerage; and built in such

a way that it is removable with little or no trace at the end of its life. Huts may be built singly or in groups”.

While none of the adopted LDP policies includes reference to huts. Policy ED4: Caravan Sites, Chalets and Timeshare Developments is considered the most appropriate policy against which to assess the principle of the proposal given that SPP includes huts under the heading ‘leisure accommodation’.

Policy ED4C gives favourable consideration to new developments where it is clear these cannot be used as permanent residences and where the development meets at least one of three criteria. In this case (c) is the most relevant: the development must meet a specific need by virtue of its quality or location in relation to existing tourism facilities. In this case the site is not located near to or associated with an existing tourism facility and accordingly does not meet the spirit of policy ED4C.

Policy ED3 also gives favourable consideration to the expansion of existing businesses and the creation of new business associated with a site specific resource or opportunity. Sites outwith settlements may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that they will contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings.

The agent has intimated that the hut would be used by parties or individuals to "facilitate outdoor recreational activities such as wildlife observation, hunting (in season), fishing and nature studies".

The private uses indicated are however unlikely to contribute to the local economy either through the provision of permanent employment, creation of visitor accommodation, or additional tourism or recreational facilities, or through the re-use of existing buildings.

Support for hutting is expressed in the good practice guidance produced by Reforesting Scotland's Thousands Huts campaign. This document states that "Huts could be an appropriate form of development in a variety of accessible rural locations around Scotland. Decisions on location will be based on local and national planning policy. Access to public transport and walking and cycling routes is an important consideration for hut location".

However it also acknowledges further on in the document that:-

"For single huts, accessibility may not have the same salience. For a hut that serves as a retreat or hermitage, a remote or inaccessible location may be appropriate. The acceptability of such a development will depend on its impact on the environment".

Further that huts should take cognisance of the natural surroundings and be "simple buildings built from natural or reclaimed materials rather than highly processed components" in order to integrate well with their surroundings. Encouragement is given to the approaches that promote skills, materials and

crafts in a sustainable development that is bespoke to the local character and landscape.

In this case I consider that the key issues to assess the application by are:

- (i) Whether the proposed location is suitable for the use proposed.
- (ii) Whether the proposed hut achieves a high quality of design that reflects the rural nature of the site and is in keeping with the scale, form, appearance and character of rural buildings.
- (iii) Whether the proposal will set a precedent.

Design of the Hut

While certain aspects of the hut definition are being complied with such as the intermittent use and floor size being less than 30m²; no attempt has been made to bring forward a development that is bespoke to the character of the site or features the use of materials local to the area. The lack of integration or individuality is a key point of consideration, especially given the opportunity to utilise materials during timber harvesting on adjacent land which is also within the control of the applicants. It is also unclear what the substructure would be, the extent of any engineering works or if any form of sustainable heating or insulation is intended.

As a result, I consider that the hut in its utilitarian, off-the-shelf form is inappropriate to the rural location and contrary to guidance and placemaking criterion.

Landscape Setting & Visual Amenity

The loss of the established tree cover has opened up the site and eroded what would have been a natural backdrop for the hut to sit within. Instead the hut will sit in front of a slope the main feature of which include scrub bushes, grass hummocks and tree stumps. The fenestration of the hut is set to overlook the area of wetland to the front, south of the site, which is characterised by low lying marshland, reed beds, gorse bushes and pockets of trees around the perimeter of the area.

There are no existing built or landscape features to group or relate the hut to and as such, it will appear visually isolated and intrusive within the wider landscape.

Residential Amenity

There are no near residential neighbours in close proximity of the site. In this instance, no adverse residential amenity concerns are raised.

Roads and Access

The Thousands Huts Guidance notes that where tracks are proposed, it must be demonstrated that they are absolutely necessary for the practical functioning of the site. Wherever they are included within hut sites, they should be as low impact as possible, both visually and environmentally.

This application utilises the recently completed access road used to enable lorries to extract timber and whilst this man made feature is visually harsh within

the wider landscape in the absence of tree cover, the access arrangements are considered acceptable. It should be noted however that the distance from the nearest settlement, public transport routes and enclosed nature of the wider plantation is such that vehicular forms of transport would be necessary to visit the site.

Transport Planning has advised that conditional approval is acceptable.

Drainage and Flooding

The site is located adjacent to lochans and marshland. Insufficient information has been provided to determine the proximity to watercourses or to establish site or finished floor levels. It is noted that the hut will not be connected to any drainage facility.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions.

APPLICATION PROCESSING TIME

Due to annual leave, the recommendation for this application has been made outwith the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Reasons for Recommendation

- 1 The proposal is contrary to Policy ED4C of the Perth and Kinross Local Development Plan 2014, Caravan Sites, Chalets and Timeshare Developments as the development does not meet a specific need by virtue of its quality or location in relation to existing tourism facilities.

- 2 The proposal is contrary to Policy ED3 of the Perth and Kinross Local Development Plan 2014, Rural Business and Diversification, as it will not contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings. Furthermore there is a conflict with criterion (b) which looks for development to be satisfactorily accommodated within the landscape capacity of the location.
- 3 The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, Placemaking, as the development will not contribute positively to quality of the surrounding built and natural environment.
- 4 The proposal is contrary to Policy PM1B (b), (c) and (g) of the Perth and Kinross Local Development Plan 2014, Placemaking, as the new development does not respect the topography and landscape character of the surrounding area, features an inappropriate design and poor choice of materials which are uncomplimentary and insensitive to their location. Approval would therefore result in a development that is visually intrusive and out of keeping with the character and appearance of the rural environment.
- 5 The proposal is contrary to Reforesting Scotland's Thousands Huts Guidance note which confirms the acceptability of a single hut development will depend on its impact on the environment. In this case there are identified visual and landscape impacts which mean the development cannot be supported.
- 6 Approval would establish an undesirable precedent for developments of a similar nature to the detriment of the overall character of the area thus undermine and weaken the established policies of the Perth and Kinross Local Development Plan 2014.

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

18/00205/1
18/00205/2
18/00205/3
18/00205/4
18/00205/5

Date of Report

17/04/18



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100083200-001

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

Type of Application

What is this application for? Please select one of the following: *

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Erection of a hut for recreational uses

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	PPCA Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Maura	Building Name:	
Last Name: *	McCormack	Building Number:	39
Telephone Number: *	0131 225 1225	Address 1 (Street): *	Dunipace Crescent
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY12 7LZ
Email Address: *	maura.mccormack@ppca.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Messrs	Building Name:	John Clegg & Co
First Name: *	Angus Crow &	Building Number:	
Last Name: *	Fenning Westlead	Address 1 (Street): *	
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

727476

Easting

298943

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐

Meeting

☐

Telephone

☐

Letter

☒

Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Pre-application advice was received indicating the relevant development plan policies that should be considered in applying for planning permission for the erection of a recreational hut.

Title:

Mr

Other title:

First Name:

John

Last Name:

Russell

Correspondence Reference
Number:

18/00032/PREAPP

Date (dd/mm/yyyy):

23/01/2018

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

1195

Please state the measurement type used:

☐

Hectares (ha)

☒

Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Open Land

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐

Yes

☒

No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

☐

Yes

☒

No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

☐

Yes

☒

No

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

☐

Yes

☒

No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☐

Yes

☐

No, using a private water supply

☒

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

☐ Yes ☒ No

If Yes or No, please provide further details: * (Max 500 characters)

Any waste/ recycling associated with the hut will be disposed of privately

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☐ Yes ☒ No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☒ Yes ☐ No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Not in a Use Class

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

28

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

The planning application is for the erection of a hut associated with outdoor recreational activities

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Maura McCormack

On behalf of: Messrs Angus Crow & Fenning Westead

Date: 07/02/2018

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☐ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☒ Photographs and/or photomontages.

☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mrs Maura McCormack

Declaration Date: 07/02/2018

Payment Details

Created: 07/02/2018 16:32

Supporting Planning Statement

Erection Of Recreational Hut

Teuchat Forest, Methven



**On behalf of
Messrs. Angus Crow and Fenning Welstead**

Job reference: 1489
Date: February 2018



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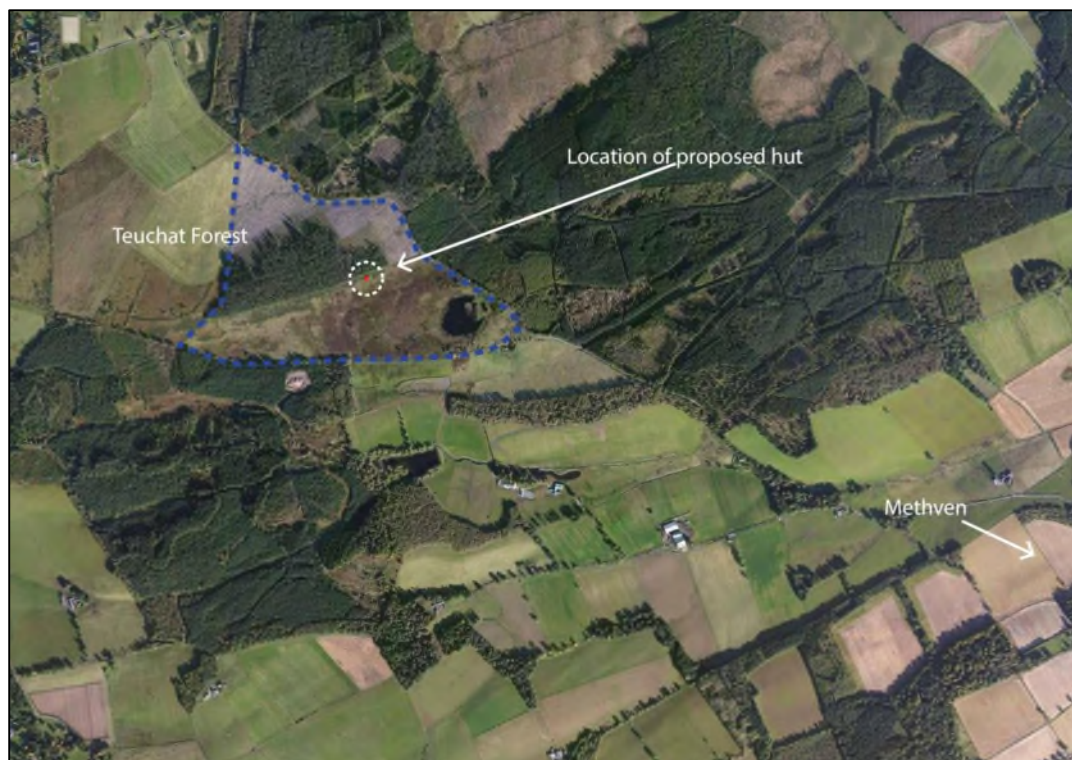
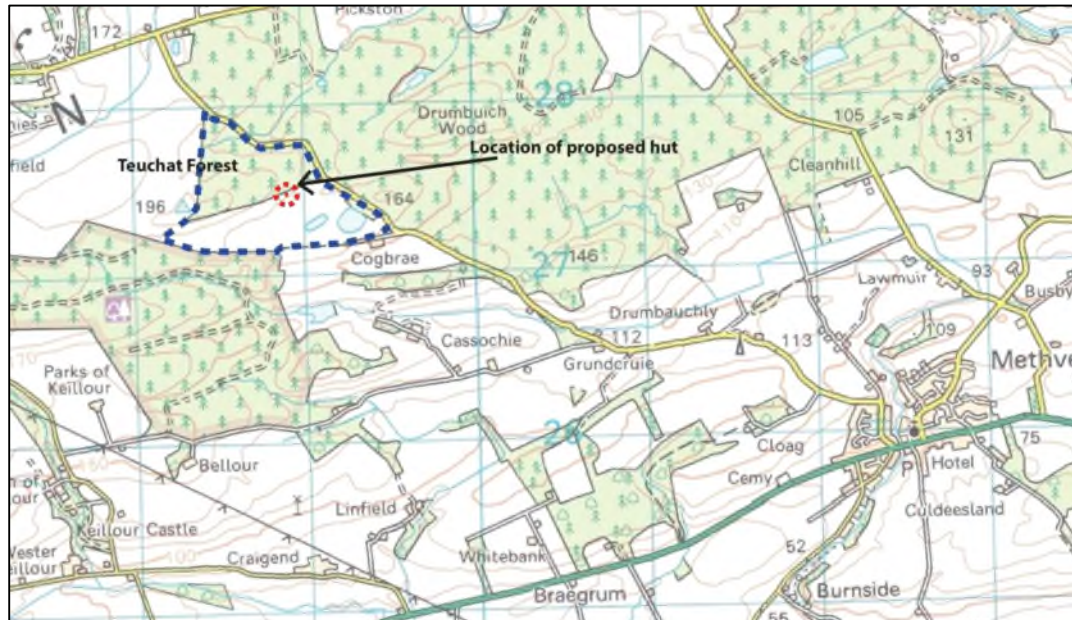
1. Introduction

- 1.1 This supporting planning statement has been prepared by PPCA Ltd, on behalf of Messrs Angus Crow and Fenning Welstead. It is submitted in support of a planning application for the erection of a recreational hut at Teuchat Forest, Methven.
- 1.2 This supporting statement provides a review of the site; an overview of the proposed development and; an assessment of relevant planning policy to set out why planning permission should be granted for the development.
- 1.3 This supporting planning statement should be read in conjunction with the accompanying application documents.



2. Site Location and Surrounding Area

- 2.1 The application site is located to the northwest of Methven at Teuchat Forest. The site is shown on the Location Plans below.





- 2.2 Teuchat Forest is a small scale commercial woodland comprising of areas of existing and new planting surrounded by deer fences for protection. The open lochan area to the south is managed for wildlife and is popular with waterfowl and waders.
- 2.3 The hut would be located to the south of the woodland area overlooking the lochans to the south (see attached Plans).
- 2.4 Access to the recreational hut would be via an existing access road through the woodland to the north that was constructed to facilitate harvesting. This access is directly off College Road to the north and terminates within the woodland to the north of the proposed hut site, A visitor vehicle would be parked on this road and a short walk would be necessary to arrive at the hut location. The road is surfaced and maintained by the applicants who also own the woodland.
- 2.5 The local area offers opportunities for shooting (in season), fishing in the nearby lochans, wildlife observation and nature studies, and the hut would provide a recreational resource associated with these and other outdoor activities.
- 2.6 The site and surrounding area can be seen in the photographs below.



View to north with access Road – now resurfaced.



View to south overlooking Lochans with islands.



Hut site from west – Lochans and deer fence visible.



3. Proposed Development

- 3.1 The planning application seeks full planning permission for the erection of a recreational hut. It is anticipated that the hut will be used by small parties of individuals to facilitate outdoor recreational activities such as wildlife observation, hunting (in season), fishing and nature studies. In line with the definition of a hut, as set out below, there will be no water, sewerage or electricity connections required.
- 3.2 Scottish Planning Policy (2014) defines a recreational hut as:
“A simple building used intermittently as recreational accommodation (i.e. not a principal residence); having an internal floor area of no more than 30m²; constructed from low impact materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life. Huts may be built singly or in groups.”
- 3.3 The attractiveness of hutting is growing in Scotland and Reforesting Scotland has produced a document New Hutting Development: Good Practice Guide on the planning, development and management of huts and hut sites. This reconfirms the definition and provides various examples of such development. It confirms the need for planning permission for such development and supports such use in the countryside.
- 3.4 It is proposed that the hut will be constructed from European Softwood with a grey mineral felt roof covering. The hut has a double door opening on the front elevation, two windows on the front elevation and one window on each side elevation.
- 3.5 As can be seen from the accompanying application plans the floor area of the hut is 28.2m² and has the following dimensions:

Hut

Length – 5950mm
 Width – 4750mm
 Eaves Height – 2192mm
 Ridge Height – 3133mm

Door

Width – 1520mm
 Height – 1880mm

Windows

Width – 645mm
 Height – 1045mm



- 3.6 The detailed elevations and internal layout for the hut can be seen in the photographs below.



Elevations



Front Elevation



Front Elevation



Side Elevation



Internal Doors/ Windows



Internal Roof



Wood Type Example



4. Relevant Planning Policy

- 4.1 This section outlines and assesses the proposal against the policies contained within the Development Plan and other material considerations relevant to the proposal. It includes a review of the planning application against the relevant sections of the Adopted Local Development Plan as well as the Approved Strategic Development Plan and Scottish Planning Policy.

Development Plan

- 4.2 Section 25 of the Town & Country Planning (Scotland) Act 1997 (as amended) states that *“Where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”*.
- 4.3 The development plan comprises the TAYplan Strategic Development Plan and the Perth and Kinross Local Development Plan.

TAYplan Strategic Development Plan

- 4.4 The TAYplan Strategic Development Plan was approved by Scottish Ministers in October 2017. The Strategic Development Plan sets out a Vision that *“by 2036, the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit and where businesses choose to invest and create jobs.”*
- 4.5 The proposed development complies with the Vision of the Plan in that it will contribute to the sustainability of the area. It is an appropriate leisure / recreational use that is, traditionally, found only in the countryside.
- 4.6 **Policy 1: Location Priorities** states that Proposals for development in the countryside should be assessed against the need to avoid suburbanisation of the countryside and unsustainable patterns of travel and development.
- 4.7 The proposed recreational hut is an appropriate use to be located within the countryside. The nature of the hut requires a rural location. It will promote countryside access in an appropriate manner and will encourage leisure and recreational use



within the local area. The proposal will not lead to suburbanisation nor will it create unsustainable patterns of travel and development.

- 4.8 **Policy 2: Shaping Better Quality Places** links the importance of good quality places with quality of life. The proposed hut at Teuchat Forest is of a small scale and traditional design which is fit for place while supporting a more sustainable way of life for people. The scale of development is limited by the parameters set out in Scottish Planning Policy and is, therefore, appropriate to its rural location.
- 4.9 **Policy 3: A first Choice for Investment** part is of a wider strategy of welcoming and encouraging investment to grow a stronger economy with more jobs, improved opportunities and fewer disparities. Part C of the Policy encourages growing the year-round economy including the role of the tourism and sporting and recreational sectors. While a small-scale development as required by the hut definition, the proposed development can contribute and assist in growing the tourism, recreation and sporting sectors within the local area. It will be used all year round. It is not a seasonal development.
- 4.10 **Policy 9: Managing TAYplan's Assests** safeguards resources and land to ensure the responsible management of TAYplan's assets. The proposed recreational hut at Teuchat Forest will have no adverse impact on the natural assets of the local area. The access is already in place. As stated above, the scale of the proposal is limited by national policy and is designed to respect the distinctiveness and scenic value of the TAYplan area. By definition, the hut requires a rural location and its sporadic use will ensure only minimal impact on environmental resources.

Perth & Kinross Local Development Plan

- 4.11 The Perth and Kinross Local Development Plan was adopted in February 2014. The Plan identifies a Vision for the future development of Perth and Kinross which seeks to promote sustainable economic growth and sustainable development by building upon the special qualities of the area that make it an attractive place to live and do business, whilst at the same time recognising the importance of 'place-making' and protecting the most valuable assets.
- 4.12 The proposed development supports the Local Development Plan Vision in that it promotes sustainable recreational access to the Perth and Kinross countryside. The hut is limited in its scale and design and is therefore entirely appropriate to its rural



location and surroundings. The use of the hut for recreational activities will contribute to an improved quality of life for those participating in these activities. The Local Development Plan actively supports rural tourism (paragraph 3.3.6). The proposal is of an appropriate form and scale and would fit comfortably within the surrounding area without any adverse impact on natural or built heritage assets.

- 4.13 Scottish Planning Policy (2014) encourages local authorities to consider huts for recreational use. By definition, a recreational hut requires a rural location and the hut proposed at Teuchat Forest is considered an acceptable form of development. Notwithstanding the national policy support for the proposed development, the proposal has been assessed against the wider policies of the LDP, this assessment is set out below.
- 4.14 In addition, the policies suggested by Perth and Kinross Council in their pre-application advice have been taken into consideration during the assessment.

Policy PM1: Placemaking

- 4.15 **Policy PM1A** advises that development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation. The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.
- 4.16 The proposed development will make a positive contribution to the quality of the local environment allowing for sustainable countryside access. The design scale and form of the proposal respects the character and amenity of place and will improve links to the local rural area.
- 4.17 **Policy PM1B** advises that all proposals should meet all the following placemaking criteria:
- (a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.
 - (b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.
 - (c) The design and density should complement its surroundings in terms of



appearance, height, scale, massing, materials, finishes and colours.

- (d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.
- (e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.
- (f) Buildings and spaces should be designed with future adaptability in mind wherever possible.
- (g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.
- (h) Incorporate green infrastructure into new developments and make connections where possible to green networks.

4.18 The criteria within Policy PM1B, while more suited to larger scale development, have been considered during the design and site selection process for the hut. The chosen location respects site topography and the wider landscape character of the area. The design, scale and form of the hut complements the surrounding area, the hut is limited in height, scale and massing and is finished with muted and traditional materials and colours. The orientation of the hut respects the existing open space, local natural features have been taken into consideration in the siting of the hut and the rural location provides connection to the existing countryside and green network.

4.19 **Policy ED3: Rural Business and Diversification** states that the Council will give favourable consideration to the expansion of existing businesses and the creation of new ones in rural areas. There is a preference that this will generally be within or adjacent to existing settlements. Sites out with settlements may be acceptable where they offer opportunities to diversify an existing business or are related to a site-specific resource or opportunity. This is if they will contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings. New and existing tourism-related development will be supported where it can be demonstrated that it improves the quality of new or existing visitor facilities, allows a new market to be exploited or extends the tourism season.

Proposals whose viability requires some mainstream residential development will only be supported where this fits with the Plan's housing policies.



All proposals will be expected to meet all the following criteria:

- (a) The proposed use is compatible with the surrounding land uses and will not detrimentally impact on the amenity of residential properties within or adjacent to the site.
- (b) The proposal can be satisfactorily accommodated within the landscape capacity of any particular location.
- (c) The proposal meets a specific need by virtue of its quality or location in relation to existing business or tourist facilities.
- (d) Where any new building or extensions are proposed they should achieve a high quality of design to reflect the rural nature of the site and be in keeping with the scale of the existing buildings.
- (e) The local road network must be able to accommodate the nature and volume of the traffic generated by the proposed development in terms of road capacity, safety and environmental impact.
- (f) Out with settlement centres retailing will only be acceptable if it can be demonstrated that it is ancillary to the main use of the site and would not be deemed to prejudice the vitality of existing retail centres in adjacent settlements.
- (g) Developments employing more than 25 people in rural locations will be required to implement a staff travel plan or provide on-site staff accommodation.

4.20 The proposed development will contribute to the local economy through the provision of additional tourism and recreational facilities. The siting of the hut at Teuchat Forest, requires a rural location outwith a settlement and will allow for small scale outdoor recreational opportunities such as hunting (in season), fishing, wildlife observation and nature studies to be exploited and extend the tourism season within the local area.

4.21 The proposed development is compatible with the surrounding land uses and will not detrimentally impact on the amenity of any residential properties within or adjacent to the site. The proposal can be satisfactorily accommodated within the landscape capacity of the location as it is limited in scale and form and will not impact the landscape character of the area. It is ancillary to the existing managed woodland and recreational enjoyment of the lochans and surrounding area. The erection of the hut will allow for a degree of diversification to provide for outdoor recreational pursuits and create a new small-scale tourism facility. The proposal has been designed to reflect the rural nature of the site and the local road network will be able to accommodate the nature and volume of the traffic generated by the proposed development. There is no



retailing proposed through the proposal and there will not be employment of more than 25 people.

- 4.22 Pre-application advice received from Perth and Kinross Council suggested that Policy ED4C should be considered. Policy ED4C is concerned with chalets, timeshares and fractional ownership. The proposed hut at Teuchat Forest is to be used for recreational activities, it is not a chalet, timeshare or fractional ownership development.

Policy TA1: Transport Standards and Accessibility Requirements

- 4.23 **Policy TA1B: New Development Proposals** advises that all development proposals that involve significant travel generation should be well served by, and easily accessible to all modes of transport. In particular the sustainable modes of walking, cycling and public transport should be considered, in addition to cars. The aim of all development should be to reduce travel demand by car, and ensure a realistic choice of access and travel modes is available.
- 4.24 Policy TA1B goes on to set out criteria for all development proposals and requirements for developers.
- 4.25 Pre-application consultation with Perth and Kinross Council suggested that this policy be examined in relation to the appropriateness of the recreational hut for the proposed location. As noted above, Policy TA1B is concerned with development proposals which involve significant travel generation. The use of the proposed hut for outdoor recreational pursuits will not involve significant travel generation as it is anticipated that the hut will be accessed by small groups of individuals. The hut is required to be located in an accessible rural location. There is an existing access to the site from College Road which has recently been upgraded for woodland management purposes.

Policy NE2: Forestry, Woodland and Trees

- 4.26 **Policy NE2A** advises that the Council will support proposals which:
- (a) deliver woodlands that meet local priorities as well as maximising benefits for the local economy, communities, sport and recreation and environment;
 - (b) protect existing trees, woodland, especially those with high natural, historic and cultural heritage value;
 - (c) seek to expand woodland cover in line with the guidance contained in the Perth and Kinross Forestry and Woodland Strategy;



- (d) encourage the protection and good management of amenity trees, or groups of trees, important for amenity sport and recreation or because of their cultural or heritage interest;
- (e) ensure the protection and good management of amenity trees, safeguard trees in Conservation Areas and trees on development sites in accordance with BS5837 “Trees in Relation to Construction”;
- (f) seek to secure establishment of new woodland in advance of major developments where practicable and secure new tree planting in line with the guidance contained in the Perth and Kinross Forestry and Woodland Strategy.

- 4.27 **Policy NE2B** states that tree surveys, undertaken by a competent person, should accompany all applications for planning permission where there are existing trees on a site. The scope and nature of such surveys will reflect the known or potential amenity, nature conservation and/or recreational value of the trees in question and should be agreed in advance with the council. The Council will follow the principles of the Scottish Government Policy on Woodland Removal. In accordance with that document, there will be a presumption in favour of protecting woodland resources except where the works proposed involve the temporary removal of tree cover in a plantation, which is associated with clear felling and restocking. In exceptional cases where the loss of individual trees or woodland cover is unavoidable, the Council will require mitigation measures to be provided.
- 4.28 Pre-application consultation with Perth and Kinross Council suggested that Policy NE2 be taken into consideration in terms of how the proposed hut will relate to the woodland resource.
- 4.29 The proposed hut, while adjacent to the existing managed woodland will be set within a site which is clear of trees and overlooks the two lochans to the south of the woodland. The proposals for the recreational hut do not involve the planting or removal of forestry, woodland or trees. Any recreational activities enjoyed by visitors to the hut will not impact on any existing forestry, woodland or trees within the wider vicinity of the site.
- 4.30 Part B of Policy NE2 requires a Tree Survey for all applications for planning permission where there are existing trees on a site. The site chosen for the proposed development is free from existing trees. The Teuchat Forest is a managed woodland, as can be seen from the aerial photograph and site photographs in Section 2 of this report there are no trees on the application site.



Policy NE3: Biodiversity

- 4.31 **Policy NE3** advises that the Council will seek to protect and enhance all wildlife and wildlife habitats, whether formally designated/protected or not, taking into account the ecosystems and natural processes in the area.

The Council will apply the principles of the Tayside Biodiversity Partnership Planning Manual and will take account of the Tayside Local Biodiversity Action Plan (LBAP) and relevant national and European legislation relating to protected species when making decisions about applications for development. Proposals that have a detrimental impact on the ability to achieve the guidelines and actions identified in these documents will not be supported unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated. In particular developers may be required to:

- (a) ensure a detailed survey is undertaken by a qualified specialist where one or more protected or priority species is known or suspected. Large developments that will have an impact on the environment may require an Environmental Impact Assessment;
- (b) demonstrate all adverse effects on species and habitats have been avoided wherever possible. A Landscape Plan may be required to demonstrate the impact of the development and how good design and site layout can enhance the existing biodiversity;
- (c) include mitigation measures and implementation strategies where adverse effects are unavoidable;
- (d) enter into a Planning Obligation or similar to secure the preparation and implementation of a suitable long-term management plan or a site Biodiversity Action Plan, together with long-term monitoring.

European Protected Species

In relation to European Protected Species the Plan advises that planning permission will not be granted for development that would, either individually or cumulatively, be likely to have an adverse effect upon European protected species (listed in Annex IV of the Habitats Directive (Directive 92/43/EEC)) unless the Council as Planning Authority is satisfied that:

- (a) there is no satisfactory alternative, and
- (b) the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social



or economic nature and beneficial consequences of primary importance for the environment.

Other Protected Species

The Plan also notes that planning permission will not be granted for development that would be likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation (Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act (1992).)

- 4.32 There are no known or suspected protected or priority species within the site. There will be no adverse effects on species or habitats by the siting of a hut at the proposed location. Wildlife in the wider lochan area adjacent to the site is currently monitored in both the interests of protecting the young trees and species diversity and there are known waterfowl and waders in the area. The proposed development will not lead to an adverse impact or effect on the existing species

Policy ER6: Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes

- 4.33 **Policy ER6** states that development and land use change should be compatible with the distinctive characteristics and features of Perth & Kinross's landscapes. Accordingly, development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross. They will need to demonstrate that either in the case of individual developments, or when cumulatively considered alongside other existing or proposed developments:
- (a) they do not erode local distinctiveness, diversity and quality of Perth and Kinross's landscape character areas, the historic and cultural dimension of the area's landscapes, visual and scenic qualities of the landscape, or the quality of landscape experience;
 - (b) they safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identity or scenic quality;
 - (c) they safeguard the tranquil qualities of the area's landscapes;
 - (d) they safeguard the relative wildness of the area's landscapes;
 - (e) they provide high quality standards in landscape design, including landscape enhancement and mitigation schemes when there is an associated impact on a landscape's qualities;
 - (f) they incorporate measures for protecting and enhancing the ecological,



geological, geomorphological, archaeological, historic, cultural and visual amenity elements of the landscape; and

(g) they conserve the experience of the night sky in less developed areas of Perth and Kinross through design solutions with low light impact.

4.34 The proposed development of a recreational hut at Teuchat Forest does not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross. The site selection and design process has taken into consideration the criteria set out in Policy ER6 and also taken into consideration the Tayside Landscape Character Assessment.

4.35 By virtue of its scale, form and low-impact design the hut will not erode local distinctiveness, diversity or quality of the local landscape character area, nor will it impact upon the historic and cultural dimension of the area's landscapes, visual and scenic qualities of the landscape or the quality of the landscape experience. There will be no visual impact on views, viewpoints and landmarks and the tranquil quality and relative wildness of the area's landscapes will not be disturbed by the proposed hut. There will be no impact on the landscape's qualities, nor will there be an impact on ecological, geological, geomorphological, archaeological, historic, cultural and visual amenity elements of the landscape. The night sky will not be impacted by the development as there is no lighting proposed as part of the hut proposal.

Other Material Considerations

Scottish Planning Policy 2014 (SPP)

4.36 SPP, in line with National Planning Policy Framework 3, supports sustainable rural development such as that proposed at Teuchat Forest. It promotes a pattern of development appropriate to the surrounding area and will actively protect and enhance local environmental quality.

4.37 Paragraph 75 requires that the Scottish planning system encourages rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

4.38 Paragraph 79 goes on to state that Plans, where appropriate, sets out policies and proposals for leisure accommodation, such as holiday units, caravans, and huts.

4.39 As stated above, SPP defines a recreational hut as:



“A simple building used intermittently as recreational accommodation (i.e. not a principal residence); having an internal floor area of no more than 30m²; constructed from low impact materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life. Huts may be built singly or in groups.”

- 4.40 SPP encourages Local Authorities to consider huts for recreational use.

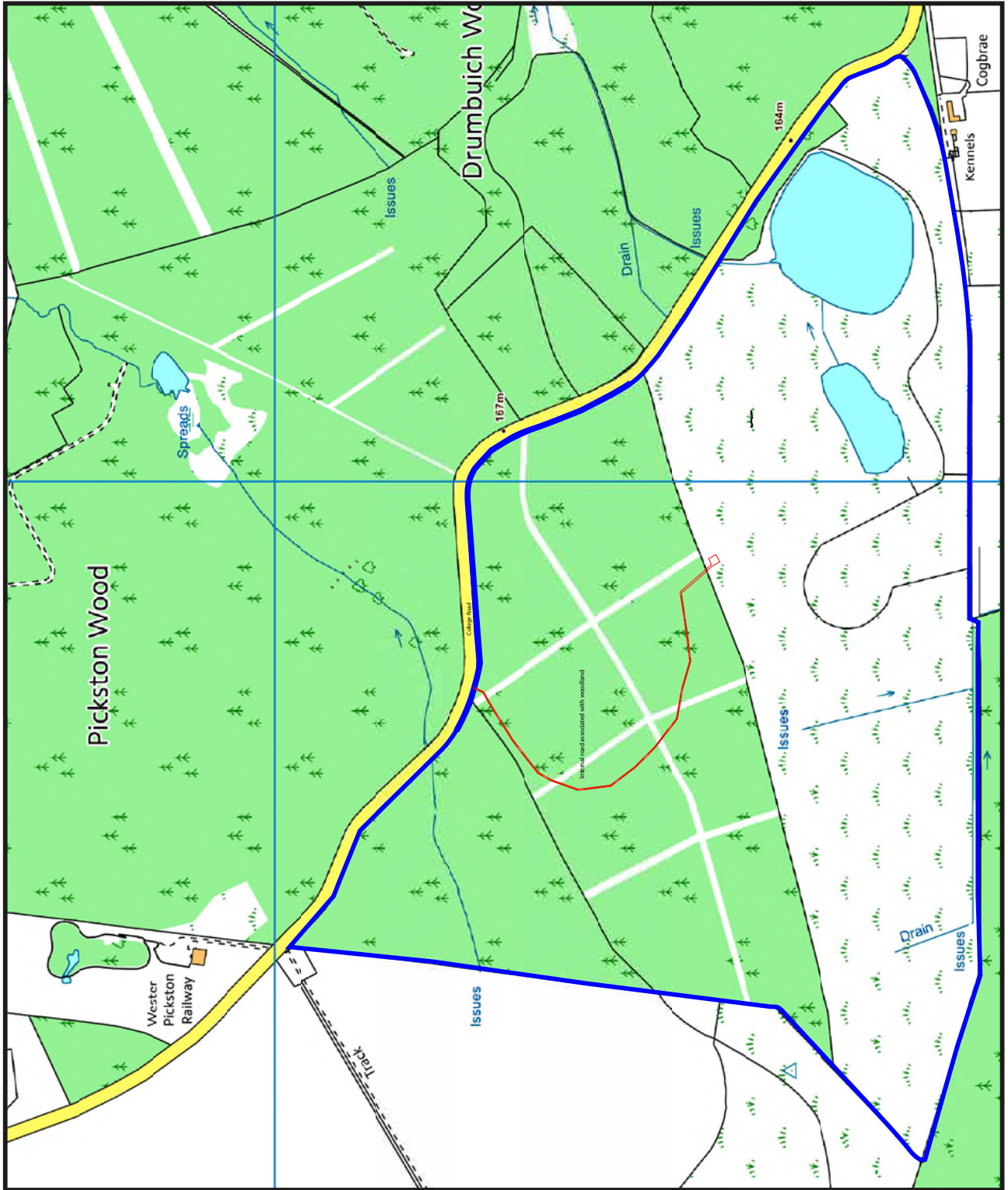
New Hutting Developments: Good Practice Guide

- 4.41 In support of Scottish Planning Policy and the encouragement of huts for recreational use the New Hutting Developments: Good Practice Guide has been produced by Reforesting Scotland's Thousand Huts Campaign with support from the Planning Exchange Foundation.
- 4.42 The Good Practice Guide confirms Scottish Government support for recreational huts and reiterates the requirement for huts to be in a rural location. The guidance offered through this document in terms of siting, location, access, construction materials, services, density and immediately adjacent land have all been taken into consideration during the preparation of this planning application.
- 4.43 It is acknowledged that huts must be designed in accordance with the definition outlines in Scottish Planning Policy and that as huts may be allowable in areas that are not appropriate for other types of developments, care must be taken that they do not become a 'foot in the door' for a higher impact development.
- 4.44 The proposed recreational hut at Teuchat Forest has been designed and located to retain the natural character and low impact ethos of hut sites while providing an opportunity for access to outdoor rural pursuits and activities.



5. Conclusions

- 5.1 Having undertaken the review of the site, the proposed development and relevant planning policies and guidance, we have demonstrated in this supporting planning statement, and the accompanying plans, that the proposed development of a recreational hut at Teuchat Forest is fully supported in terms of existing planning policy and other material considerations.
- 5.2 The proposed development represents the opportunity for a recreational hut in an accessible rural location which is proportionate in scale and form to the rural location. The proposal is a wholly sustainable development footprint that will have no significant adverse impact on the local area. The proposals have been designed to integrate with the local landscape and are entirely appropriate for this location. The proposal is appropriate for the site and we would therefore respectfully request that planning permission is granted for the proposed development.





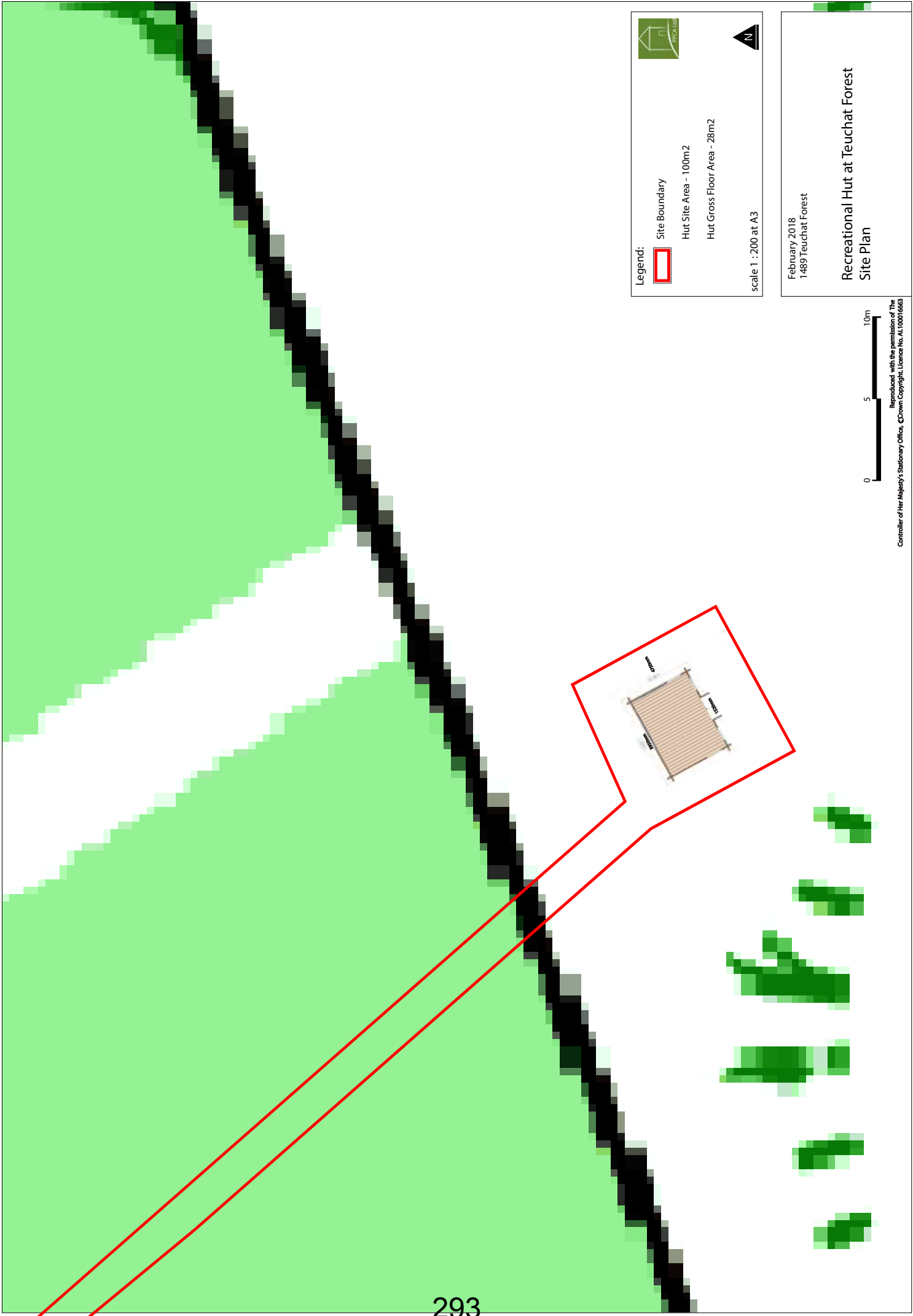
Legend:

- Site Boundary
- Land Owned by Applicant

scale 1 : 1250 at A3

February 2018
1489 Teuchat Forest

Recreational Hut at Teuchat Forest
Location Plan



Legend:

- Site Boundary
- Hut Site Area - 100m²
- Hut Gross Floor Area - 28m²

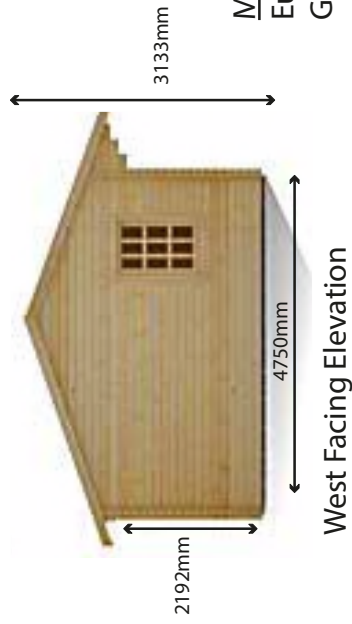
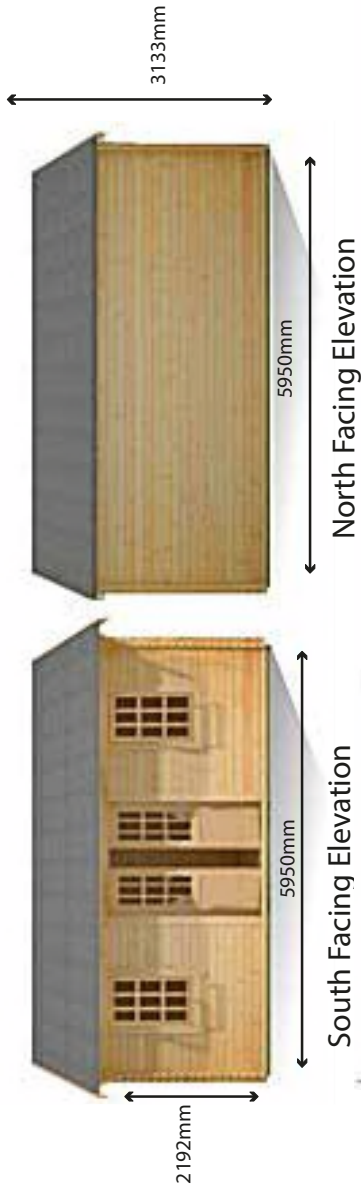
scale 1 : 200 at A3

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1489 Teuchat Forest

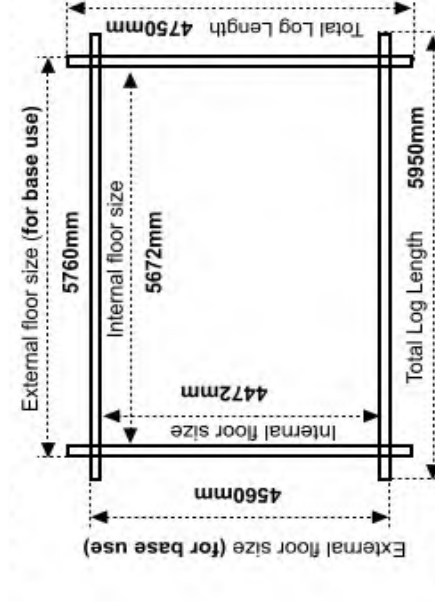
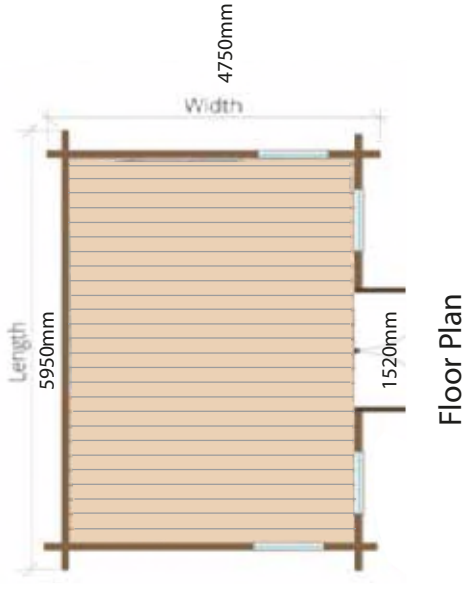
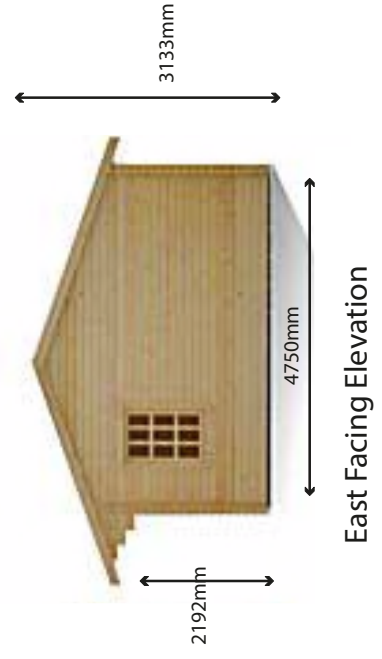
Recreational Hut at Teuchat Forest
Site Plan



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Materials
European Softwood
Grey Mineral Felt Roof Covering



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Recreational Hut at Teuchat Forest
Proposed Elevations and Floor Plan

scale 1 : 100 at A4



TCP/11/16(532) – 18/00205/FLL – Erection of a hut for recreational use, Drumbuich Wood, Methven
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PLANNING DECISION NOTICE *(included in applicant's submission, see pages 253-254)*

REPORT OF HANDLING *(included in applicant's submission, see pages 255-262)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 271-294)*

TCP/11/16(532) – 18/00205/FLL – Erection of a hut for recreational use, Drumbuich Wood, Methven

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/00205/FLL	Comments provided by	Tony Maric Transport Planning Officer
Service/Section	Transport Planning	Contact Details	██████████ ████████████████████
Description of Proposal	Erection of a hut for recreational use		
Address of site	Drumbuich Wood Methven		
Comments on the proposal	Insofar as the roads matters are concerned, I have no objections to this proposal.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	05 April 2018		

