

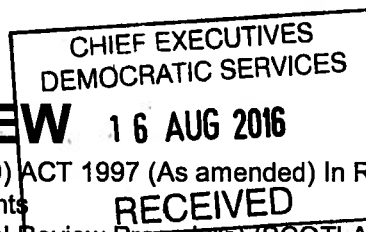
<p>TCP/11/16(432) Planning Application – 16/00617/FLL – Erection of 4 flats on land at Broadwood View, Auchterarder</p>

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TCP/11/16(432)
Planning Application – 16/00617/FLL – Erection of 4 flats
on land at Broadwood View, Auchterarder

**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 2013

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.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title		Ref No.	
Forename		Forename	ALISON
Surname		Surname	ARTHUR
Company Name	Engineering 365 Resourcing Ltd.	Company Name	ARTHUR STONE PLANNING LLP
Building No./Name	BLACK FIVE BUSINESS CENTRE	Building No./Name	JAMESFIELD BUSINESS CENTRE
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Address Line 2		Address Line 2	
Town/City	Worcester	Town/City	ABERNETHY
Postcode	WR3 8SQ	Postcode	KY14 6EW
Telephone		Telephone	01738 850873
Mobile		Mobile	
Fax		Fax	
Email		Email	info@arthurstoneplanning.co.uk
3. Application Details			
Planning authority	PERTH & KINROSS		
Planning authority's application reference number	16/00617/FLL		
Site address	Land at Broadwood View, Auchterarder		
Description of proposed development	Erection of 4 flats		

Date of application

06/04/2016

Date of decision (if any)

25/5/2016

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

4. Nature of Application

Application for planning permission (including householder application)



Application for planning permission in principle



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)



Application for approval of matters specified in conditions



5. Reasons for seeking review

Refusal of application by appointed officer



Failure by appointed officer to determine the application within the period allowed for determination of the application



Conditions imposed on consent by appointed officer



6. 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.

Further written submissions



One or more hearing sessions



Site inspection



Assessment of review documents only, with no further procedure



If you have marked either of the first 2 options, 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 necessary.

7. Site inspection

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

Can the site be viewed entirely from public land?



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



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

8. 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 attached Statement

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

Yes ☐ No ☒

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. 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

Statement

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.

10. Checklist

Please mark the appropriate boxes to confirm that 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 requesting 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 hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name:

JULIA GRAY

Date:

12/8/16

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

PLANNING STATEMENT
TO

PERTH & KINROSS COUNCIL LOCAL REVIEW BODY

IN RESPECT OF



REFUSAL OF PLANNING PERMISSION FOR

ERECTION OF 4NO. FLATS

ON LAND AT BROADWOOD VIEW, AUCHTERARDER
BY

SAMANTHA STONE MRTPI
ARTHUR STONE PLANNING

1.0 SUMMARY OF CASE

The reasons for refusal set out in the Decision Notice are not borne out by an assessment of the proposals against the relevant provisions of the Perth and Kinross Local Development Plan (LDP) adopted 2014, and other material considerations. Planning Permission should be granted for the following reasons:

1. The density, design, layout and character of the development are appropriate to and will enhance the character of the site and surrounding area, in accordance with Policies PM1A & PM1B of the adopted LDP. Development density is in keeping with adjacent housing and the building design closely relates to that of houses on the opposite side of the road.
2. Residential amenity of adjacent residents would be protected through the layout of the site and design of the proposed building, and to a greater extent than the currently approved houses, in accordance with Policy RD1 of the adopted LDP. The flatted block is a storey lower than the approved houses and off-set from neighbours in a manner that further reduces any impact on privacy.
3. The proposals have been specifically designed to address all of the reasons for refusal of an earlier application for 6no flats on the site, and the two reasons for refusal of the current application fail to recognise this.
4. The Report of Handling and two reasons for refusal fail to reflect the manner in which the proposals have been specifically designed to enhance the site and fit with neighbouring properties, nor how the detailed supporting information demonstrates this.
5. The proposal represents the most modest of flatted developments, which the Planning Officer has indicated would be appropriate for the site. The assessment in the Report of Handling does not support the recommendation for refusal, which appears not to distinguish between the previously refused six flat scheme and the current, significantly different, proposal.
6. Restrictions on Permitted Development Rights for flats ensure that any future changes within the site will be subject to planning permission, and therefore controlled by the Council. Under the Permitted Development Rights for the currently approved houses, significant alterations, extensions, outbuildings and structures affecting neighbouring privacy and amenity could all occur without the need for planning permission. The flats will therefore protect residential amenity in the longer term.

7. The Council's approved Auchterarder Development Framework, includes, in the immediately adjoining Townhead Expansion Area, provision for flatted development. The Council has therefore already accepted the principle of flats as part of the house type mix in this part of the town, of which there is no reference to in the Report of Handling.
8. The site lies in a residential area and has a current planning consent for residential development for which initial site works have commenced. Approval of the application will allow the site to be developed in a satisfactory manner, appropriate to its setting.
9. There are no objections to the proposals from any consultees and the concerns raised in 6no. representations are largely in respect of any development on the site, and not borne out by a detailed assessment of the proposals.

2.0 INTRODUCTION

This Planning Statement is made to the Local Review Body of Perth & Kinross Council against the Refusal of Planning Application ref: 16/00617/FLL for the erection of 4no. flats on land at Broadwood View, Auchterarder by its Appointed Officer on 25th May 2016.

The site is a small area of under-used scrub land within a residential area of Auchterarder, between post-war local authority terraced housing and more modern detached private houses.

The site has detailed planning permission for the erection of 2no detached three-storey houses, dating from March 2015, and for which, initial site works were commenced in August 2015, thereby securing this permission in perpetuity.

A subsequent application for the erection of a two-storey block of 6no flats on the site was refused in November 2015 for reasons relating to density, residential amenity and character, and as the application was not accompanied by a design statement.

The application subject of this Review is for a small two-storey block containing 4no flats, in lieu of the approved three-storey houses. The building has been carefully designed to fit with the density, amenity and character of the area, however has been refused for the following reasons:

Reason 1: The proposal is contrary to Policy RD1 Residential Areas of the Perth and Kinross Local Development Plan 2014 as the development fails to adequately protect existing residential amenity as the development will result in excessive overlooking to neighbouring rear garden ground.

Reason 2: The proposal is contrary to Policy PM1A and Policy PM1B Placemaking of the Perth and Kinross Local Development Plan 2014 as the proposed density, layout and situation of the proposed development does not respect the character and amenity of the place.

Critically, the Report of Handling makes no mention of the fact that the flats would be off-set from existing houses to the front and rear, removing any direct window to window overlooking that would exist with the approved houses. In addition, the Report of Handling does not record the fact that the two-storey flats would be almost a storey height lower than the approved houses.

The Committee Report for the approved two houses (ref:14/01864/FLL) states *“To the rear elevations, the proposed window arrangements only include bathroom windows in the upper floors, with no associated impact on neighbouring amenity to the north.”* This is incorrect as each house also has a kitchen window and rear door on their north elevations. These sit at the same level as the ground floor of houses on Kincardine Road. The approved houses are three storey, and the kitchen level within them matches the upper floor level of the proposed two-storey flats. Figure 2 shows the proposed flats and existing houses to the rear, with approved houses outlined in green for comparison:

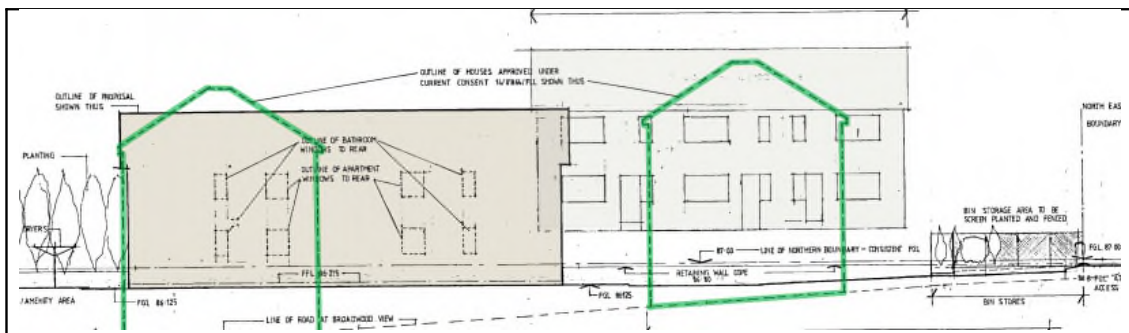


Figure 2 – Comparative elevations and heights of proposed, existing and approved developments.

The rear elevation windows of the flats serve two ground floor bedrooms and en-suites and two first floor bedrooms and en-suites. The en-suite windows are very narrow and would have opaque glazing. The bedroom windows are designed as narrow, high level slot windows to further reduce any direct overlooking. In addition, the first floor windows would be partially obscured by overhanging eaves. The windows on the western half of the rear elevation would be further screened from the adjacent houses by the rear entrance door extension. Figure 3 shows the rear elevation of the proposed flats:

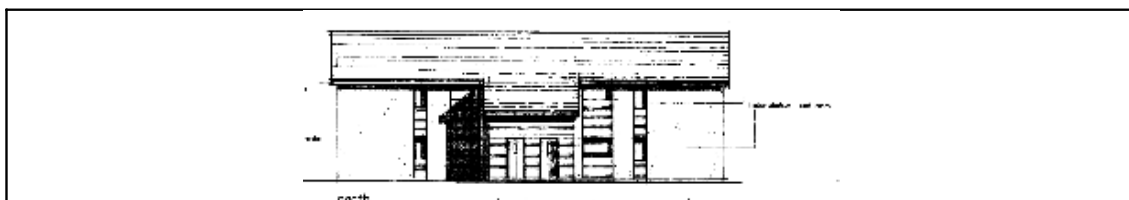


Figure 3 – Rear elevation of proposed flats

The flatted block is over 18m away from the adjacent houses to the rear and would sit at a considerably lower level with screening formed on the boundary. Importantly, the whole flatted block would be off-set such that there is no part of the building directly facing the nearest adjacent houses on Kincardine Place, unlike the approved houses.

The approved two-storey houses on the site would be both higher than the proposed flats and involve more windows directly facing the adjacent houses to the rear and at a similar distance. Taking these collective circumstances together, there is absolutely no firm basis for refusal of this application on the grounds of residential privacy or amenity in respect of adjacent houses. On the contrary, the flats would provide more privacy to neighbours than the approved houses. Figure 4 shows in sectional form a comparison of the relationship between proposed flats and approved houses in relation to neighbours:

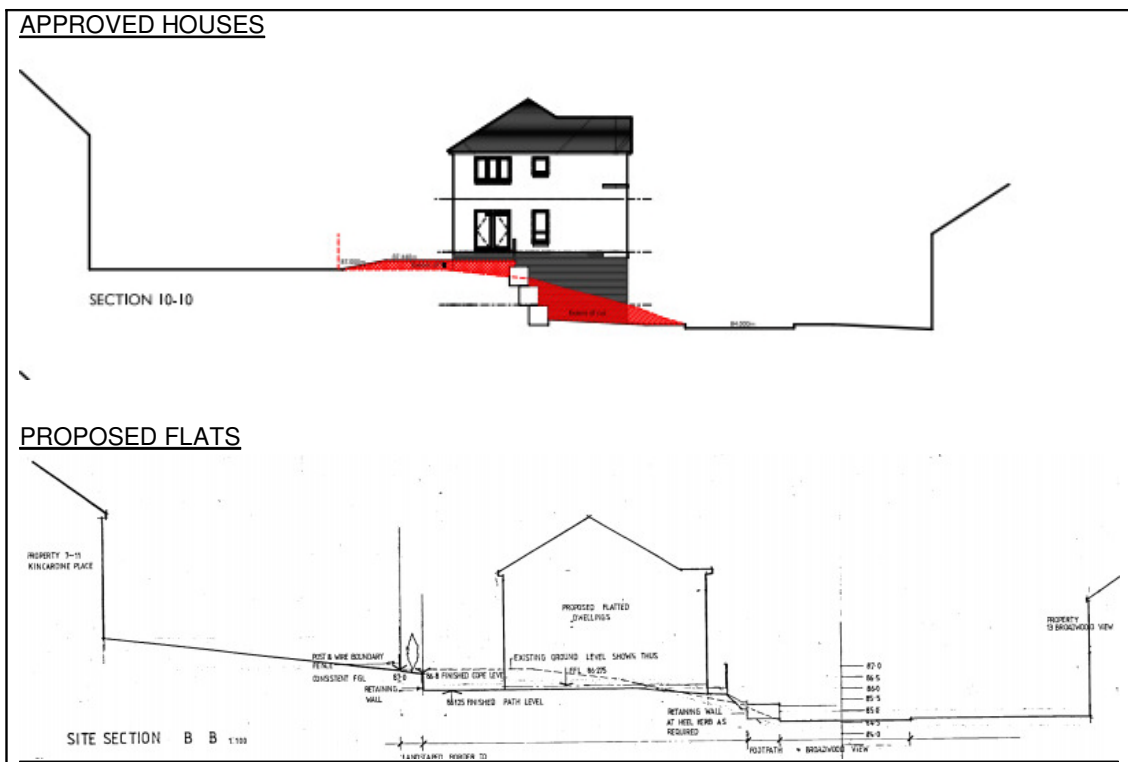


Figure 4 – Comparative cross sections of approved and proposed developments

The impact on the privacy of garden ground of houses to the rear would also be negligible or overall positive, in comparison to the approved houses, with screen planting proposed to the rear of the flats to further reduce any overlooking. This planting would be on communal land shared by flat owners, rather than on private garden ground, as would be the case with the approved house. This means it is much more likely to be retained and allowed to mature than if it were in the ownership of individual householders.

For the Planning Officer to conclude that the approved houses would have no associated impact on neighbouring amenity to the north, but that the proposed flats are unacceptable as a result of their impact on neighbouring amenity is simply not justified when the two proposals are compared.

It is also worth noting that, unlike the flats, the two approved houses would enjoy generous Permitted Development Rights, allowing significant extensions, alterations, outbuildings and structure without any need for planning permission. All of which could further impact on the amenity and privacy of neighbouring residents.

The proposed flats have been carefully designed, not only to fit in with the amenity of the area but to enhance its character and appearance, with the building taking design cues from, and reflecting the style, massing and materials of houses on Broadwood View.

The application proposal is therefore considered to fully comply with Policy RD1 in that it would improve the character and environment of the area.

Reason 2: The proposal is contrary to Policy PM1A and Policy PM1B Placemaking of the Perth and Kinross Local Development Plan 2014 as the proposed density, layout and situation of the proposed development does not respect the character and amenity of the place.

This reason for refusal is somewhat puzzling, as there is virtually no assessment of development density in the Report of Handling. The only reference is the statement by the Planning Officer that *"I remain unconvinced that the mass of the four unit flatted scheme as proposed can be accommodated on this site (sic)"*. There is no acknowledgement that the development of 4 No. flats reduces the number of units from the previously refused scheme by 33%, nor that the building footprint is reduced by around 20%. This gives a development density of 36 units per hectare, which is comparable with areas of Rossie Place, immediately adjacent to the site. There is no acknowledgment of this either.

Adequate parking provision would be provided as well as suitable shared private amenity space for residents, positioned discreetly away from neighbours. The Report of Handling does in fact note these points and makes no negative comment on them, which further calls into question the basis for this reason for refusal.

In pre-application advice given by the Planning Officer on 21 Sept 2015 stated *"I can confirm that the principle of pursuing modest flats in this area would certainly not be discounted"* Clearly, it is hard to envisage a more modest flatted development than

one comprising of only 4No. flats. Figure 5 shows how the design of the flats has been tailored to fit in with the existing houses opposite:



Figure 5 – Image of proposed flats and photograph of existing houses, opposite.

Significant efforts have been made in order to ensure the scale, massing, design and finishes of the flatted block are appropriate to the site and its surroundings, as evidenced by the Supporting Statement accompanying the application and visual representation of the scheme. In this sense, it can be argued that the current proposals better reflect the character of existing houses on Broadwood View than the approved houses, whose three-storey front elevation and hipped roofs perhaps have far less in common with the existing buildings and streetscape than the proposed flats. It is clear from this that the proposals comply with Policies PM1A & PM1B in that their design, density and siting respect the character and amenity of the place, and that placemaking criteria have been applied successfully to the scheme.

4.0 CONCLUSIONS

Based on the above assessment, it is contended that the proposed development fully complies with the relevant provisions of the adopted LDP and also that there are no material considerations that would indicate that the application should not be approved.

As such, we respectfully request that the Local Review Body grant planning permission for this proposed development.

<p>TCP/11/16(432) Planning Application – 16/00617/FLL – Erection of 4 flats on land at Broadwood View, Auchterarder</p>

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENT

PERTH AND KINROSS COUNCIL

Engineering365Resourcing Ltd
c/o RSC Consultancy Ltd
Ronald Cameron
Alloa Business Centre
Whins Road
Office 29
Alloa
FK10 3SA

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 25.05.2016

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **16/00617/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 13th April 2016 for permission for **Erection of 4no flats Land At Broadwood View Auchterarder** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to Policy RD1 Residential Areas of the Perth and Kinross Local Development Plan 2014 as the development fails to adequately protect existing residential amenity as the development will result in excessive overlooking to neighbouring rear garden ground.
2. The proposal is contrary to Policy PM1A and Policy PM1B Placemaking of the Perth and Kinross Local Development Plan 2014 as the proposed density, layout and situation of the proposed development does not respect the character and amenity of the place.

Justification

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

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

Plan Reference

16/00617/1

16/00617/2

16/00617/3

16/00617/4

16/00617/5

16/00617/6

REPORT OF HANDLING

DELEGATED REPORT

Ref No	16/00617/FLL	
Ward No	N7- Strathallan	
Due Determination Date	12.06.2016	
Case Officer	John Russell	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of 4no flats

LOCATION: Land At Broadwood View Auchterarder

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 April 2016

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site, which extends to 1100 sqm is located to the north of Broadwood View; a courtyard development on the southern edge of Auchterarder, which was originally the subject of planning consent in the early 1990's but never fully completed. The wider brownfield site was historically occupied by an industrial user, lying in close proximity to the A9, separated by a landscape buffer. The immediate site area is one of two undeveloped areas of Broadwood View, which are understood to have been historically

undeveloped as a result of an historic drainage embargo, which originally limited the development to 12 units.

The elongated, sloping site is bounded by Broadwood View road on the south east, new residential development to the south west and post-war housing of medium to high density to the north and east. The site itself and the wider site context are situated on a south facing slope, sloping down from Auchterarder High Street.

In May 2007, in principle planning consent was originally granted for the erection of up to two houses on the site (06/01859/OUT). A detailed consent was granted under reference 08/02207/REM, for two dwellings with a townhouse design, making use of the complex site characteristics, including topography. This consent was allowed to lapse, with a follow up detailed application submitted in late 2014 (14/01864/FLL) for similar proposals, including identical detached units of two storey scale, with basements at street level where the principal entrance and garage would be located.

A submission was then made in October 2015 (15/01650/FLL) for the erection of a terraced block of a total of six flats over two levels was refused due to the failure to protect residential amenity, it failed to respect the character and amenity of the area and no design statement was submitted.

This follow up application reduces the number of flats proposed from 6 to 4. Accommodation is proposed over two levels with larch cladding and smooth render proposed on the walls and concrete interlocking roof tiles as finishing materials. The block is proposed to be positioned to the south west of the site with parking for 8 vehicles proposed to the east. A small amenity area is proposed to the west of the flatted block.

SITE HISTORY

06/01859/OUT Formation of 3 house plots (in outline) 25 May 2007
Application Permitted

06/01987/OUT Erection of 2 dwellinghouses on plots D and E (in outline) 25 May 2007 Application Permitted

08/02207/REM Erection of 2 dwellinghouses (reserved matters) 5 March 2009
Application Permitted

08/02209/REM Erection of 2 dwellinghouse (reserved matters) 6 March 2009
Application Permitted

14/01864/FLL Erection of 2 dwellinghouses 16 March 2015 Application
Permitted

15/01650/FLL Erection of 6 flats 23 November 2015 Application Refused

PRE-APPLICATION CONSULTATION

Pre application Reference: 16/00013/Pre-app

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 RD1 - Residential Areas

In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy PM2 - Design Statements

Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Historic Garden, Designed Landscape or the setting of a Listed Building or Scheduled Monument.

Policy PM3 - Infrastructure Contributions

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

Policy PM4 - Settlement Boundaries

For settlements which are defined by a settlement boundary in the Plan, development will not be permitted, except within the defined settlement boundary.

OTHER POLICIES

Developer Contributions (2014)

This document sets out the Council's policy towards obtaining developer contributions in relation to Primary Education and A9 junction upgrades. This Supplementary Guidance should be read in conjunction with Local Development Plan Policy PM3: Infrastructure Contributions and Developer Contributions Supplementary Guidance.

CONSULTATION RESPONSES

Scottish Water – No response within consultation period.

Transport Planning - No objection, consider the road network able to accommodate the additional vehicular traffic.

Contributions Officer - Detailed response set out below. Requirements for additional A9 and education contributions for additional 2 units.

Community Waste Advisor - Environment Service – No objection subject to conditional control.

Environmental Health – Consistent with previous assessments on this site, it has been identified that there is a potential for noise issues from A9 road traffic, which may affect the amenity of future residents of this site. It will however be no worse than the impact on current residents at Broadwood View.

REPRESENTATIONS

The following points were raised in the 6 representation(s) received:

- Contrary to Development Plan Policy.
- Inappropriate housing density.
- Lack of car parking.
- Out of character with area.
- Road safety concerns.
- Traffic congestion.
- Health.
- Refuse collection.
- Impact on the Environment.
- Adverse impact on neighbouring residential amenity.
- Noise pollution.
- Flood Risk.

These issues are assessed on the appraisal section of this report of handling.

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

The application site is located within the settlement boundary of Auchterarder. The principle of residential development has already been considered and established under Policy RD1: Residential Areas, Policy PM1A and PM1B.

Placemaking of the Perth and Kinross Local Development Plan 2014. Policy PM3 Infrastructure Contributions and PM4 Settlement Boundaries also applies.

Policy RD1 states that residential amenity will be protected and where possible improved. Where infill residential development is proposed it should be at a density which represents the most efficient use of the site whilst respecting its environs.

Policy PM1 A and B Placemaking requires the design, density and siting of development to respect the character and amenity of the place.

Design and Layout

The placemaking policies confirm 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.

In this case the design and elevational treatment of the proposed building is an improvement compared to the earlier scheme of six flats. However, I remain unconvinced that the mass of the four unit flatted scheme as proposed can accommodate the on this site. This would be compounded by the extent of retaining wall required to facilitate the scheme along the road frontage. I consider that the building would be dominant and overbearing due to its bulk and elevated position above the street (Broadwood View).

Landscape

As previously identified in planning application 14/01864/FLL, it was acknowledged that there would be a loss of approximately 1000sqm of open space as a result of this development (albeit unmanaged). This has however historically been the case, with no consideration of the site being designated as open space in the Local Development Plan. The principle of development on this site remains.

I note that the majority of boundary planting along the north-west boundary of the site has been removed to facilitate the formation of a temporary construction compound. I note that replacement planting is proposed along this boundary in the scheme, however this will take some time to provide any meaningful boundary definition.

Residential Amenity

The formation of development within the urban environment has the potential to result in overlooking and overshadowing to neighbouring dwellings and garden ground. There is a need to secure privacy for all the parties to the development those who would live in the new dwelling and those that live in adjoining dwellings. Planning control has a duty to future occupiers not to create situations of potential conflict between neighbours.

Overlooking

The fact that new development would overlook existing residential property and affect privacy is a common planning issue, and has been held by the courts to be a proper planning consideration.

From my site inspection I have taken account of the site characteristics and how the development relates to neighbouring land. In this case the proposed building is still close to the north-west boundary. The rear elevation illustrates that there would be a bedroom windows to this elevation at the second floor some 6.0m from the boundary, this which would introduce overlooking to the neighbouring private rear amenity area of the dwellings to the north to an extent that would adversely affect residential amenity.

Overshadowing

The Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight-a guide to good practice 1991' sets out guidelines on how to assess the potential impact, it should be noted that the standards are not mandatory and should be interpreted flexibly.

In this case overshadowing would occur to 7-9 Kincardine Place in the morning and early afternoon. Overshadowing would then occur at the carparking area within the site before progressing over the street, Broadwood View.

Taking cognisance of the BRE document I consider a reasonable level of daylight and sunlight is maintained to neighbouring properties and the extent of overshadowing of garden ground does not warrant refusal.

Amenity Space

The extent in which private amenity space is used relates specifically to the dwelling's occupant. It is therefore particularly difficult to forecast the extent of garden ground required and ultimately overtime this will change with any new inhabitant. Nevertheless it is important to seek an outside area that can perform the minimum to be expected of a garden i.e. clothes drying, dustbin storage and sitting out. In this regard I consider the level of private amenity space for the flats provided would not warrant refusal of the application.

Visual Amenity

The area is characterised by residential development with a mix of houses and flats. I consider that the proposal by virtue of its footprint, situation, associated loss of soft boundary landscaping, alongside the introduction of additional hard engineering (retaining walls) and overall proximity to neighbouring dwellings would have a detrimental impact on the immediate visual amenity of the area.

Noise

Consistent with previous assessments on this site, it has been identified that there is a potential for noise issues from A9 road traffic, which may affect the amenity of future residents of this site. It will however be no worse than the impact on current residents at Broadwood View. It is concluded that prospective future residents could not fail to be aware of road traffic noise. Any noise disturbance from construction traffic would be for a temporary period only.

Roads and Access

Transport Planning have no objection to the proposal with conditions recommended. It has been deemed appropriate to ensure that the current footpath on Broadview View be extended to cover the frontage of this proposed development and this is incorporated into the plans.

I do not consider that refuse collection from this site would be an issue.

Drainage and Flooding

There are not considered to be any drainage or flooding issues associated with the development of this site, consistent with extant planning consent.

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 not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

- 1 The proposal is contrary to Policy RD1 Residential Areas of the Perth and Kinross Local Development Plan 2014 as the development fails to adequately protect existing residential amenity as the development will result in excessive overlooking to neighbouring rear garden ground.
- 2 The proposal is contrary to Policy PM1A and Policy PM1B Placemaking of the Perth and Kinross Local Development Plan 2014 as the proposed density, layout and situation of the proposed development does not respect the character and amenity of the place.

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

16/00617/1

16/00617/2

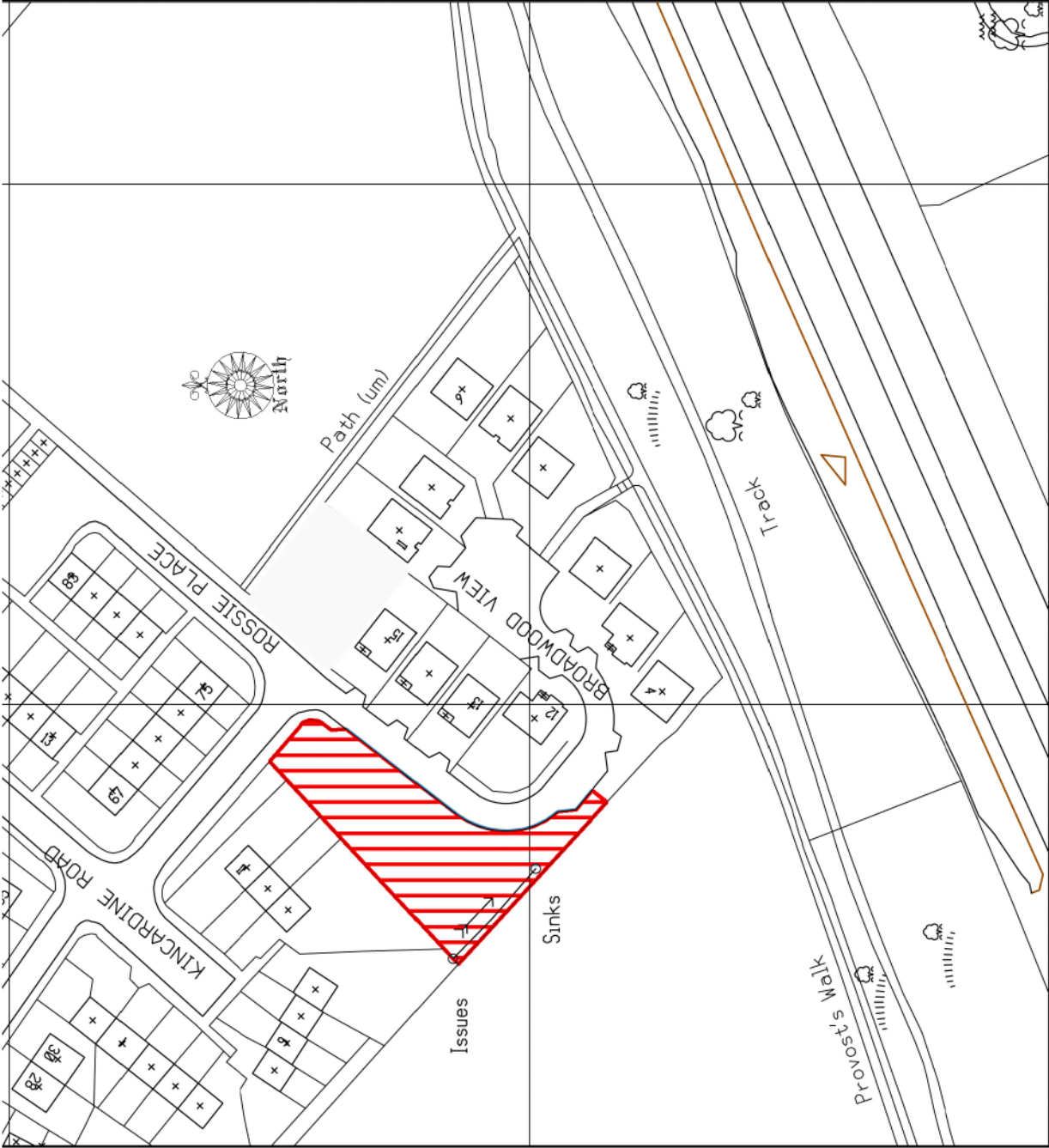
16/00617/3

16/00617/4

16/00617/5

16/00617/6

Date of Report 24.05.2016



LOCATION PLAN
1:1250



Drawings are property of Enspire Architects Ltd and should not be produced without written consent.

PLANNING

REVISIONS



Enspire (Chartered) Architects
T: 01259 213133
M: 07739 847111
E: enquiries@enspire-architects.co.uk
W: www.enspire-architects.co.uk
Office 32, Albia Business Ctr,
White Rd, Albia PL20 3SA

PROJECT

Proposed Flatted Residential Development
Site 'A' Alternative Scheme
Broadwood View, Auchtermarder

DRAWING TITLE

LOCATION PLAN

CLIENT

Mr P Gallagher

SCALE

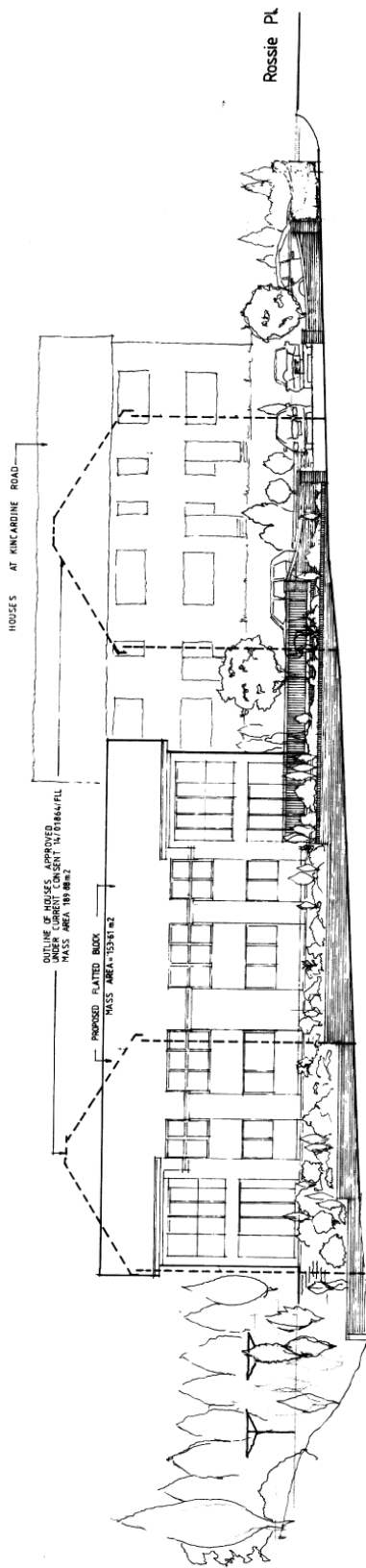
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DATE

September 2015

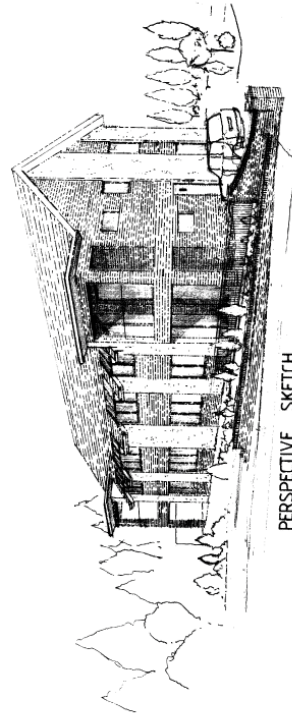
DRAWING NO.

1202A / IP / 01



ELEVATION TO BROADWOOD VIEW

Scale - 1:100
0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 (mm)



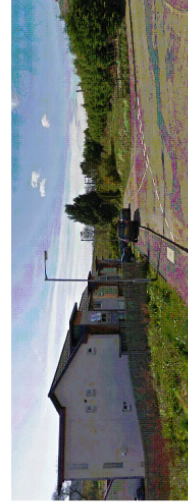
PERSPECTIVE SKETCH



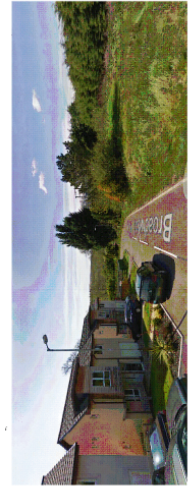
VIEW OF SITE, CURRENT



PIC 1



PIC 2



PIC 3



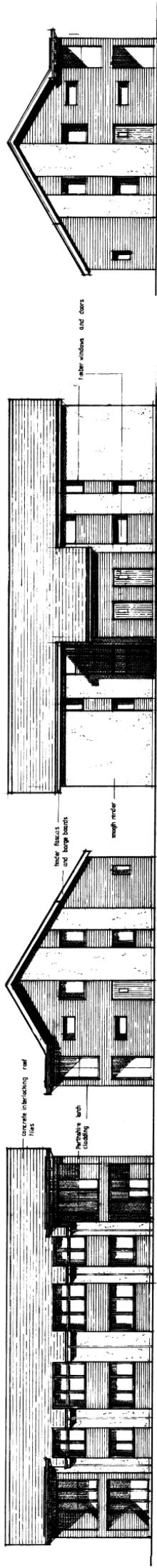
PIC 4

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Architects and shall remain the
property of the Engineer/Architect
produced without written consent.

REV A	REVISIONS
1	1. 13/08/2018
2	2. 14/01/2016
3	3. 14/01/2016
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5	5. 14/01/2016
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PROJECT	PLANNED RESIDENTIAL
DEVELOPMENT AT SITE	14/01/2016
ARCHITECT	ARCHITECT
ALLOTMENT	ALLOTMENT
DRAWING TITLE	RELEVANT & RELEVANT
STREET SCAPES	STREET SCAPES
CLIENT	CLIENT
ENGINEER	ENGINEER
305	305

SCALE	DATE	14/01/2016
DRAWING NO.	1001	1001



south

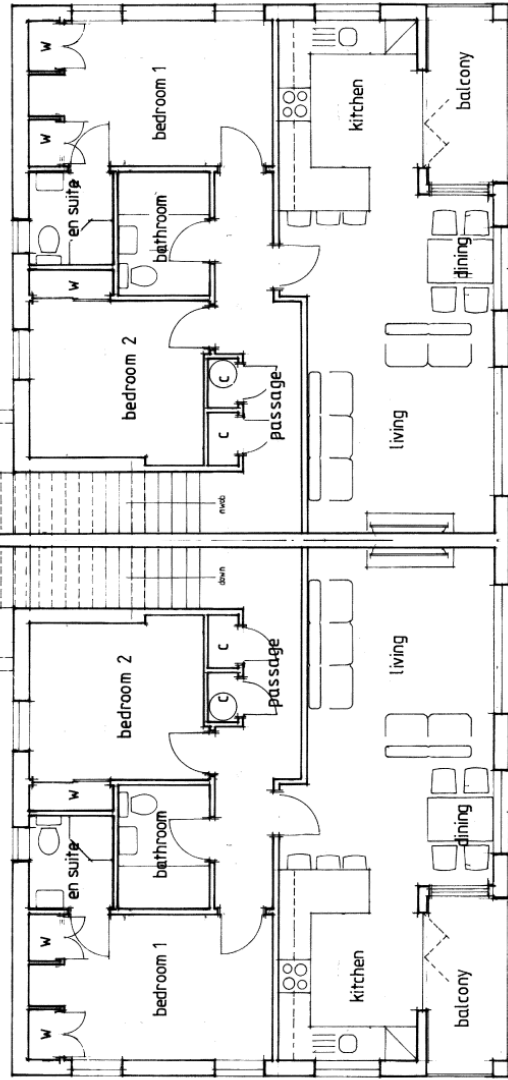
east

north

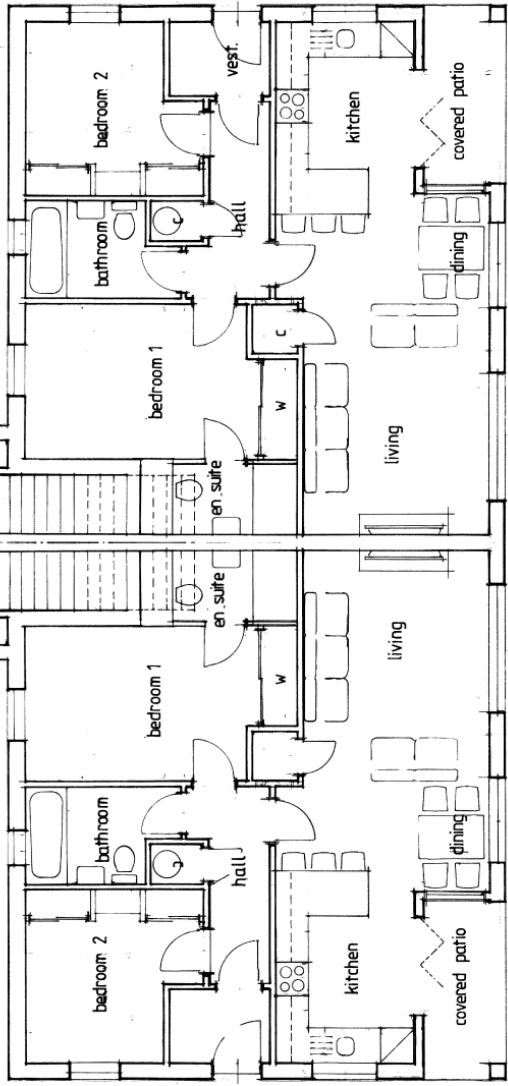
west



FLOOR PLANS 1:50



UPPER FLOOR PLAN DA 83 sq. m.

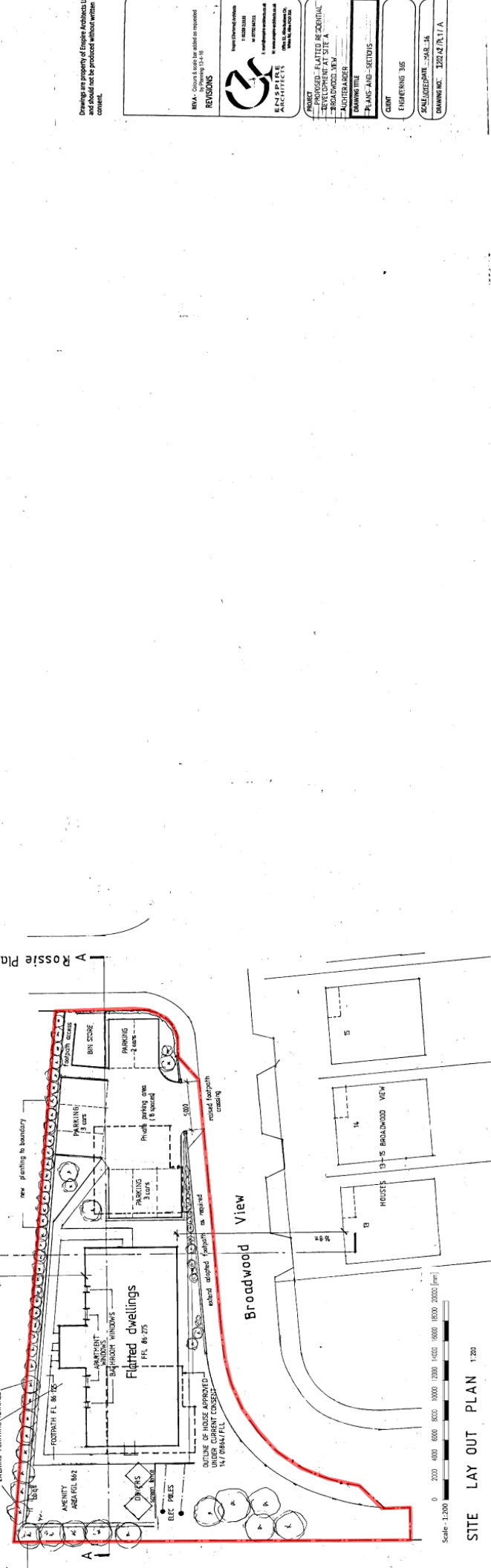
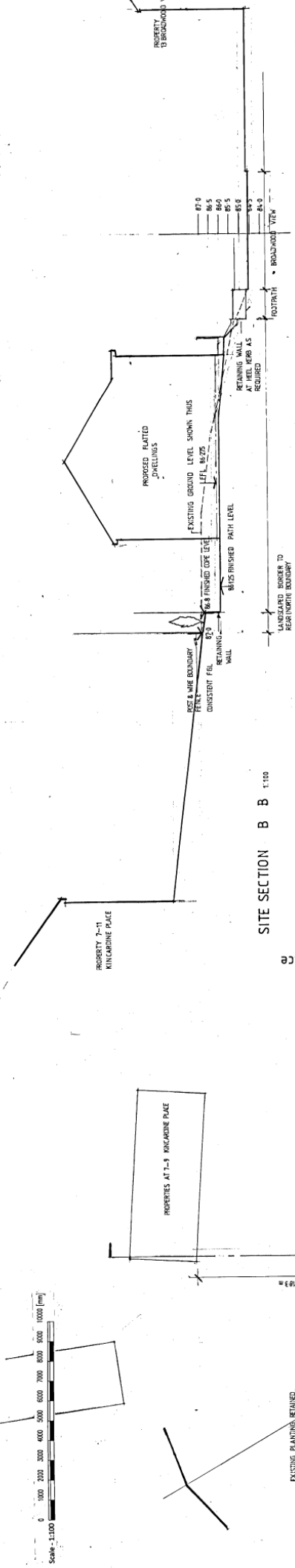


GROUND FLOOR PLAN DA 83 sq. m.

GROUND FLOOR PLAN DA 83 sq. m.

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<p>REV A - 20/06/2024 altered as requested by client</p> <p>REVISIONS</p>	<p>Engage Architects Ltd</p> <p>T: 0209 333333</p> <p>N: 0770 870111</p> <p>E: info@engagearchitects.co.uk</p> <p>Office 12, Alma Road, Colchester, Essex, CO1 1JH</p>	<p>PROJECT</p> <p>PROPOSED PLANNED RESIDENTIAL DEVELOPMENT AT SITE A, BROADWOOD VIEW</p>	<p>DRAWING TITLE</p> <p>PLANS & ELEVATIONS PROPOSED</p>	<p>CLIENT</p> <p>BUSHEMANS 365</p>	<p>SCALE NOTED DATE</p> <p>1:300 27/06/24</p>	<p>DRAWING NO</p> <p>1002_A2/P. 27 A</p>
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REVISIONS RMA - Columns & walls bar added as requested 1: 10/01/2018 2: 10/01/2018 3: 10/01/2018 4: 10/01/2018 5: 10/01/2018 6: 10/01/2018 7: 10/01/2018 8: 10/01/2018 9: 10/01/2018 10: 10/01/2018 11: 10/01/2018 12: 10/01/2018 13: 10/01/2018 14: 10/01/2018 15: 10/01/2018 16: 10/01/2018 17: 10/01/2018 18: 10/01/2018 19: 10/01/2018 20: 10/01/2018 21: 10/01/2018 22: 10/01/2018 23: 10/01/2018 24: 10/01/2018 25: 10/01/2018 26: 10/01/2018 27: 10/01/2018 28: 10/01/2018 29: 10/01/2018 30: 10/01/2018 31: 10/01/2018 32: 10/01/2018 33: 10/01/2018 34: 10/01/2018 35: 10/01/2018 36: 10/01/2018 37: 10/01/2018 38: 10/01/2018 39: 10/01/2018 40: 10/01/2018 41: 10/01/2018 42: 10/01/2018 43: 10/01/2018 44: 10/01/2018 45: 10/01/2018 46: 10/01/2018 47: 10/01/2018 48: 10/01/2018 49: 10/01/2018 50: 10/01/2018 51: 10/01/2018 52: 10/01/2018 53: 10/01/2018 54: 10/01/2018 55: 10/01/2018 56: 10/01/2018 57: 10/01/2018 58: 10/01/2018 59: 10/01/2018 60: 10/01/2018 61: 10/01/2018 62: 10/01/2018 63: 10/01/2018 64: 10/01/2018 65: 10/01/2018 66: 10/01/2018 67: 10/01/2018 68: 10/01/2018 69: 10/01/2018 70: 10/01/2018 71: 10/01/2018 72: 10/01/2018 73: 10/01/2018 74: 10/01/2018 75: 10/01/2018 76: 10/01/2018 77: 10/01/2018 78: 10/01/2018 79: 10/01/2018 80: 10/01/2018 81: 10/01/2018 82: 10/01/2018 83: 10/01/2018 84: 10/01/2018 85: 10/01/2018 86: 10/01/2018 87: 10/01/2018 88: 10/01/2018 89: 10/01/2018 90: 10/01/2018 91: 10/01/2018 92: 10/01/2018 93: 10/01/2018 94: 10/01/2018 95: 10/01/2018 96: 10/01/2018 97: 10/01/2018 98: 10/01/2018 99: 10/01/2018 100: 10/01/2018	PROPOSED - FLATTED RE-CONCRETE DEVELOPMENT AT SITE A BROADWOOD VIEW KINCARDINE PLACE DRAWING TITLE PLANS AND SECTIONS CLIENT ENGINEERING 365 SCALE/DATE 1:100 / 10/01/2018 DRAWING NO. 2002/2/11/A

Development Summary – Relating to the Delegated Report of Handling in Respect of Application Ref No. 15/01650/FLL

Background and Description of Proposals

For clarification: The Report refers to the currently consented housing and is described as two storey scale.

We would clarify that the currently consented houses are over three storeys - lower ground, upper ground and first floors and are three storey scale. This is indicated on proposed elevations per previously approved Drawing No S4220/PL02 revision A. (We note that these elevations are drawn at an unusual 1:150 scale, where our elevations are always shown at 1:100 scale)

Previous comments from the Planning Department stated:

The current submission includes a departure from the two consented town houses to a terraced block of a six flatted dwellings set over two levels. The proposed architecture and material finish more closely reflects that of Rossie Place and Kincardine Road, including a dry dash render, sections of timber cladding and concrete roof tile.

We have noted the comments in respect of the architecture of the previous proposal and to this end we have looked at the character of the housing within Broadwood View which we would describe as; Of modern design with lowered eaves, oriel type projections and bays to front with overflying flat roofs providing relief and rhythm to the otherwise plain mass facades. Simple, modern style, white painted timber windows with a vertical emphasis provide the fenestration. The material finishes comprise smooth neutral coloured renders with sections of natural timber cladding and concrete roof tiles.

In this regard, the revised design has sought to more reflect and complement the character of Broadwood View in form and finish, at the same time reducing the overall height, scale & mass of the previous application as well as that of the current consent.

Policy Appraisal

LDP Policies RD1 Residential Areas, Policy PM1A and PM1 B Placemaking of the Perth and Kinross Local Development Plan 2014 apply

In respect of the LDP policies aforementioned we are of the opinion that the proposal, for a well designed modest block of 4 flats, with a footprint of some 195 sq. m., along with associated parking and amenity space, the introduction of formalised boundary treatments and soft natural landscaping on a site area of some 1100 sq. m. represents the efficient use of the site whilst respecting its environs.

The characteristics and topography of the site are challenging and as such we have looked to best utilise the natural site contours in an effort to avoid extensive over engineering of the land. We do not consider the introduction of a limited height (1m – 1.5m high) retaining wall along the northern boundary as an increase to the mass retaining structures as required with the existing consent.

The proposed retaining wall, in this position, will not only form part of the formalised northern boundary treatment but will also create a consistent level across the site, avoiding the need for the extensive land engineering associated with the current proposals, thereby providing an efficient and inconspicuous solution to the development of the site.

Design and Layout.

The revised design provides a reduction in height, density and mass from the previous flatted proposal as well as in relation to the currently consented development, as is illustrated on the accompanying drawing.

Indented corner arrangements with oversailing flat roofs at each end of the block reflect the rhythm of the surrounding character consistent throughout Broadwood View. The natural timber finishes in around these features further reflect this consistency. See pics. 1, 2, 3 and 4 on the accompanying drawings.

Smooth, neutral coloured renders to complement the surrounding properties would be specified.

The introduction of lowered eaves to the principal elevation as well as the provision of Velux roof windows further enhance and reflect the current detailing and modern concept of Broadwood View.

This detail serves to reduce the wall massing of this elevation when compared to the previous submission as well as the currently approved housing.

The coomb arrangements created internally by the reduction of the wall head height will naturally provide a restricted vision cones for the occupants further reducing any overlooking issues.

The siting of the block is '*contrived*' for the purposes of the efficient use of the challenging site.

As previously noted the proposal substantially reduces the need for extensive land engineering (significantly less disturbance to ground required over the previously approved 2no detached house scheme) and retention works thereby improving the efficient use.

Positioning the block toward the western end of the site means that the proposal will have the minimum impact in relation to the surrounding built environment in terms of directly overlooking or facing the neighbouring properties to the south and north. Significant improvement over the previously approved 2no detached house scheme.

This 'offset' means that only a small portion of the proposal overlaps and directly opposes the properties to the north or south, the respective distances being 18.5m to the north and 16.5m to the south and it should be noted, in respect of the south, that the window arrangements at this area are recessed a further 1.5m from the property opposite by way of the indented corners.

The eastern portion of the site provides for the associated car parking, 7 spaces (1.75spaces/unit), as well as the bin storage area. The main car parking area will be of mono block finish. The parking area will be screened and generally soft landscaped.

Defined pathways will provide pedestrian access around and from the car park to all areas. The bin storage area at the north eastern corner of the site will be screened and fenced with collection access from Rossie Place.

The northern boundary will benefit from a more formalised and structured planting which will provide screening and an appropriate landscape buffer to the boundary between the properties to the north.

The north west portion of the site will provide a secluded common amenity space for the development, defined by both hard and soft landscaping with provision of drying facilities, barbeque and outside seating.

Screening of the electricity poles will provide further enhancements to this area of the site.

The common areas of the site will be maintained and provided for by factoring arrangements.

Landscape

It is acknowledged that there will be a loss of approximately 1100 sq. m. of unmanaged open space as a result of this development.

It is understood that the existing consent for the 2no detached house scheme allowed for the removal of all of the scrub and trees along the greater part of the northern and eastern boundaries with a view to providing new and appropriate landscape planting, as such there is no change, and the transition between Rossie Place and Broadwood View will benefit from a more formalised planting and landscaping treatment.

It is proposed to introduce structured, formalised and maintained boundary treatments to the northern, eastern and southern boundaries as well as appropriately planted pockets within and around the car park and developed area.

It is intended that the frontage area is formalised as garden space and appropriated to the ground floor units of the block. The southerly aspect as well as the topography of the land would lend itself to providing an attractive garden and planted area.

The south west portion of the site contains some mature trees and scrub. It is intended that this area would have the scrub cleared and the existing trees would be retained as part of the garden areas appropriated to the properties as previously outlined.

Formalised soft boundary treatments such as beech hedgerows, species trees and shrubs would provide an enhancement to the existing situation as well as providing a positive contribution in terms of the landscape character and biodiversity in the wider site context.

Residential Amenity

As outlined previously and as shown on the accompanying plans the revised proposals include for the allocation of frontage land to be made over as garden area and allocated to the individual ground floor flats. The land to the north western corner of the site will be allocated as common amenity space to include external drying facilities, in built b.b.q's and external seating.

The pockets of common land including the access pathways and boundaries will be hard and soft landscaped and maintained by way of factoring arrangements. The further external amenity provided for each property are the inclusion of external balcony/patio arrangements.

The orientation and siting of the block is such that it will minimise any impact on the neighbouring amenity.

In respect of the properties to the north a distance of around 18.5 m between properties is achieved whilst the internal arrangements, as well as the off- set of the block to the west means that there is no direct window conflict.

The internal layout of the flats provide for two windows each on the north elevation, 1 bathroom (obscure glazing) and a bedroom apartment, the windows for the bedrooms are in excess of any 18m conflict and positioned close to the entrance projection for the upper flats in order to limit and restrict the views and direct visibility to/from these windows.

As previously outlined it is proposed to provide a retaining wall along the northern boundary to allow a level platform for the development. The retaining wall in this position provides further benefits insofar as the reduced levels along the northern boundary allow the proposed block to sit below the level of the adjoining property.

As can be evidenced from Section 'A-A' thro the site, the ground floor windows to the rear of the proposed block will be below the level of the adjoining property to the north whilst the upper floor windows will benefit and be obscured by the provision of structured and close grouped screen planting along the northern boundary.

All in all we would consider that the revised scheme in terms of the footprint, design and location of the flat block provides a comfortable residential development of the site and a positive impact in terms of the neighbouring residential amenity when considered against both the previous submissions as well as the currently consented houses.

Visual Amenity

We would contend that the revised proposal would provide a positive impact on the visual amenity of the area.

The siting and location of the proposed flat block to the west of the site will negate any direct window to window conflict and overlooking (where the previously approved 2no detached house scheme certainly does retain these issues), while the eastern portion given over to parking will be screened and soft landscaped to provide a visually pleasing open space as well as reducing any overlooking impact on the neighbouring properties directly opposite.

The siting and location of the car parking area to the east of the site along with the associated screen planting and formalised boundary treatments will provide a pleasant natural appearance at the transition between Rossie Place and Broadwood View as well providing a pleasant natural and open outlook for the neighbouring houses.

The limited land engineering associated with this proposal will further enhance the visual amenity. Again, we would reiterate that our proposals require significantly less disturbance to land where compared to the previously approved 2no detached house scheme.

Natural screening is generally provided by way of appropriate landscaping and planting.

The proposed development will provide new landscaping arrangements with formalised and structured planting and boundary treatments which will provide soft landscape planting and screening in and around

The hard landscaping of the car parking area would be provided by porous mono block.

The frontages will be given over to garden arrangements to each of the lower flats, the area to the north west of the block will provide shared amenity space.

There is an identifiable rough path route on the western boundary and it would be proposed to retain and define this route by fencing it off from the garden space apportioned to the units.

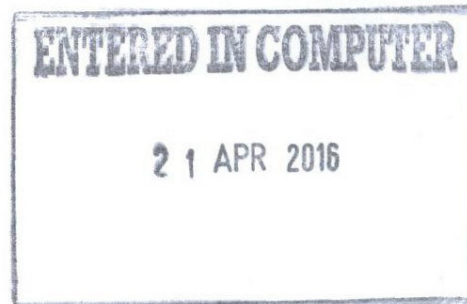
TCP/11/16(432)
Planning Application – 16/00617/FLL – Erection of 4 flats
on land at Broadwood View, Auchterarder

REPRESENTATIONS

Utr

Tracy McManamon

From: [REDACTED]
Sent: 21 April 2016 10:43
To: Development Management - Generic Email Account
Subject: RE: 16/00617/FLL



Hi Tracey.

My address is:
73 Rossie Place
Auchterarder
PH3 1AR

From: Development Management - Generic Email Account [mailto:DevelopmentManagement@pkc.gov.uk]
Sent: 21 April 2016 10:41
To: Stefan Barr
Subject: RE: 16/00617/FLL

Dear Mr Barr

To enable us to register your comments we will need your full postal address including postcode.

Regards

Tracy McManamon
Senior Support Assistant
Planning and Development
35 Kinnoull Street
Perth
PH1 5GD

Telephone 01738 475334



From: [REDACTED]
Sent: 21 April 2016 08:58
To: Development Management - Generic Email Account
Subject: [MAYBE SPAM] 16/00617/FLL

Dear Sirs,

I am writing to you in connection with the revised planning notice 16/00617/FLL to erect four flats in Broadwood View.

Please note that my wife and I once again staunchly disagree and object to this revised planning application based on the following merits:-

Traffic Calming – As a parent the increased volume of traffic poses an increased danger to my children who play in and around Rossie Place, accessing the Provost Walk as well as walking to and from school on a daily basis.

Access – The main arterial road that is Rossie Place is narrow throughout and in its present design barely copes or caters for the present volumes of traffic. Building four flats with the potential for eight or more vehicles is only going to compound matters further.

Parking – I note from the plans that there is provision for eight car parking spaces. Currently for residents in both Rossie Place and Broadwood View parking is already limited. Eight car parking spaces for four flats on top of an already congested area is quite simply going to put a strain on the area. Factor in the two dwelling houses currently being erected by the same applicant have room for only one car per house suggests there will already be an additional strain on parking even prior to these proposed flats. Similarly there are parked cars adjacent to the proposed access at all times potentially making access to the properties difficult and especially difficult in winter, as well as posing an increased danger to pedestrians where there is no designated footpath around Broadwood View.

Refuse Bins – I oppose the current plans to have the bins housed in front of my living room window, (regardless of them being fenced in) no do I wish to smell the bins that would be approximately six meters away whilst sitting out in my front garden. Furthermore this is a Broadwood View Development so why is access to the bins for council collection on Rossie Place? If planning is passed then the refuse truck is going to block the road as there are always parked cars on the left and side as you go down Rossie Place from houses 67 to 75. Currently the residents of these properties have their bins collected at the bottom of the lane to the rear of their properties.

Why the change of plans – The original planning application for two dwelling houses was in keeping with the local surroundings, four flats quite simply isn't.

I'd urge the council to carefully consider our objections in reaching a fair outcome for all parties.

Please acknowledge safe receipt of this email.

Kind Regards

Stefan & Laura Barr

Stefan Barr



Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref PK16/00617/FLL

Our ref LJ

Date 26 April 2016

Tel No [REDACTED]

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

PK16/00617/FLL RE: Erection of 4no flats Land At Broadwood View Auchterarder for Engineering365Resourcing Ltd

I refer to your letter dated 19 April 2016 in connection with the above application and have the following comments to make.

Contaminated Land (assessment date – 26/04/2016)

The comments made on a previous application for this site, 14/01864/FLL, are still applicable. An inspection of the proposed development site did not raise any real concerns. However for a previous development site just to the south east of this proposed development site a site investigation identified hydrocarbon contamination associated with a previous industrial use of the site. This contamination was delineated, remediated and verified in line with the requirements of the Planning Authority. While the footprint of the previous industrial use did not include the above proposed development site it is possible that it may have been impacted via off-site migration of contaminants. A watching brief during redevelopment is therefore required.

The Council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by, the Council as Planning Authority.



Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	16/00617/FLL	Comments provided by	Melanie Lorimer																								
Service/Section	Waste Services	Contact Details																									
Description of Proposal	Erection of 4no flats																										
Address of site	Land At Broadwood View Auchterarder for Engineering365Resourcing Ltd																										
Comments on the proposal																											
Recommended planning condition(s)	<p>Conditions for Planning Consent</p> <p>1. Requirements for Bin Provision</p> <p>1.1 Domestic Properties Serviced by the 3 Bin System</p> <p>All domestic properties require an appropriate storage area for a minimum of 3 x 240 litre bins (1 for general waste, 1 for garden & food waste and 1 for dry mixed recyclates/paper) and suitable access/surface to wheel the bins from the storage area to the kerbside where they must be presented for collection.</p> <p>Bin Dimensions</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Capacity (litres)</th><th style="text-align: left;">Width(mm)</th><th style="text-align: left;">Height (mm)</th><th style="text-align: left;">Depth (mm)</th></tr> </thead> <tbody> <tr> <td style="text-align: center;">240</td><td style="text-align: center;">580</td><td style="text-align: center;">1100</td><td style="text-align: center;">740</td></tr> </tbody> </table> <p>1.2 Flatted Properties</p> <p>All flatted properties require a communal area to store one of the following bin options:</p> <ul style="list-style-type: none"> • 2 x 240 litre bins (one for general waste and one for dry mixed recycling) • 1 x 240 litre bin for garden and food waste (where appropriate) • a combination of larger bins to equate the same capacity as above <p>Bin Dimensions</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Capacity (litres)</th><th style="text-align: left;">Width (mm)</th><th style="text-align: left;">Height (mm)</th><th style="text-align: left;">Depth (mm)</th></tr> </thead> <tbody> <tr> <td>240</td><td>580</td><td>1100</td><td>740</td></tr> <tr> <td>1100</td><td>1270</td><td>1380</td><td>1000</td></tr> <tr> <td>1280</td><td>1280</td><td>1445</td><td>1000</td></tr> </tbody> </table> <p>It is preferable for residents (where space allows) to have their own</p>			Capacity (litres)	Width(mm)	Height (mm)	Depth (mm)	240	580	1100	740	Capacity (litres)	Width (mm)	Height (mm)	Depth (mm)	240	580	1100	740	1100	1270	1380	1000	1280	1280	1445	1000
Capacity (litres)	Width(mm)	Height (mm)	Depth (mm)																								
240	580	1100	740																								
Capacity (litres)	Width (mm)	Height (mm)	Depth (mm)																								
240	580	1100	740																								
1100	1270	1380	1000																								
1280	1280	1445	1000																								

	individual 240 litre bins rather than using communal facilities. Please contact M Lorimer to discuss the above.
Recommended informative(s) for applicant	
Date comments returned	27/4/2016

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	16/00617/FLL	Comments provided by	Niall Moran
Service/Section	Transport Planning	Contact Details	██████
Description of Proposal	Erection of 4no flats		
Address of site	Land At Broadwood View Auchterarder		
Comments on the proposal	Insofar as the Roads matters are concerned I do not object to the proposed development provided the condition indicated below is applied, in the interests of pedestrian and traffic safety.		
Recommended planning condition(s)	Prior to the occupation or use of the approved development the vehicular access shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.		
Recommended informative(s) for applicant	The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency		
Date comments returned	3 May 2016		

JHR.



71 Rossie Place

Auchterarder

Perthshire

PH31AR

1st May 2016

Dear Sir/Madam,

I am responding to your notice dated 15.4.2016 and your invitation to submit "comment", in my case, objections, on the "Planning permission on Neighbouring Land," **Planning Application Reference 16/00617/FLL**. I am entitled to do so as I am the **owner occupier** of 71 Rossie Place, Auchterarder.

I object to this latest planning application for the following reasons:

1. Increase to the volume of traffic

I totally object to this **latest application** for a block of **four flats** to replace the previous application for **six flats**. Albeit the application is for four flats, reduced from six, this makes little or no difference. The reason for my objection to this is the **dire effect** this will inevitably have as regards a considerable increase in the volume of traffic in an area which has a very narrow access road; this road is **already very congested** at various times throughout day.

2. Deterioration in the condition of the road

This road was not designed, some forty-seven years ago, to provide access for this considerable level of traffic. It is very narrow and it has received virtually no repair since it was laid down and at this point is in a poor state in general; a significant increase in traffic will only serve to contribute to making a bad situation even worse by causing further deterioration to this vital access route. At this point, the considerable damage which has been caused to this road by the heavy construction vehicles going up and down on a daily basis whilst the latest houses are being built has made this bad situation even worse.

3. Parking

I note there will be a parking lot made available for the four flats. I have deep concerns regarding this, again, from the point of view of an increase in traffic with the provision of parking, not only for the residents but also, no doubt, for their visitors.

4. Safety

This is a very important issue. The increased volume of traffic in a very congested road raises the issue of **safety** for **many resident pedestrians** as vehicles are

[Type text]

sometimes forced to manoeuvre in a potentially unsafe manner, (e.g. mounting the pavements etc), in order to negotiate this **very busy**, narrow access route. There are also a good number of young children in this area who will certainly be put a higher risk. A higher volume of traffic will significantly increase the safety risk not only for residents who are walking in the area but also every time they go out or return home in their cars.

In addition, I would like to express my deep disappointment that this issue is persisting when a decision had already been made on the application for six flats. This is causing me deep distress and being elderly I would like this to be taken in to account. The same reasons for my strong objection to the previous objections do still apply.

Please forward and process my objections. I look forward to receiving your response.

Yours sincerely,

A black rectangular box redacting the signature, with a yellow highlight behind it.

George F. Carstairs

[Type text]

Comments for Planning Application 16/00617/FLL

Application Summary

Application Number: 16/00617/FLL

Address: Land At Broadwood View Auchterarder

Proposal: Erection of 4no flats

Case Officer: John Russell

Customer Details

Name: Mr Bob Raphael

Address: 14 Broadwood View, Auchterarder PH3 1GA

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Development Plan Policy
- Inappropriate Housing Density
- Lack or loss Of Car parking
- Out of Character with the Area
- Road Safety Concerns
- Traffic Congestion

Comment: I am objecting to the proposed development on the above grounds. I strongly feel that the development is out of character with all of the building types in the surrounding area. I also believe that the proposed development will put additional strain on the limited parking that is available in the area, as well as additional strain on all ready congested roads. I also have serious concerns regarding the increased traffic entering an estate that is populated by so many children who essentially use the street as their playground.

My preferred outcome for the site is that the developer proceeds with the plan for two townhouses as originally proposed. This would alleviate my worries over parking, congestion and the current proposal being out of character for the area.

JHR.

Tracy McManamon

From: [REDACTED]
Sent: 04 May 2016 23:45
To: Development Management - Generic Email Account
Cc: tas.mp@parliament.uk
Subject: Planning Objection

Planning Application Reference 16/00617/FLL on 15/4/16, Erection of 4 flats.

We STRONGLY OBJECT to the above application and have already objected to the previous application 15/01650/FLL on 30/9/15 for 6 flats at the same site.

The Planning Dept rejected the previous application on the grounds that this area of land was not suitable for flats. We DID NOT object to the application 14/01864/FLL on 5/11/14 for 2 dwelling houses.

The following is a summary of the objections as objected to for 6 flats and the same applies for 4 flats :-

- There are only dwelling houses in this area of Auchterarder and the building of flats is not in keeping with surrounding properties.
- Increase in traffic movements in a very congested area of two cul-de-sacs from 4 flats instead of 2 dwelling houses is a safety issue for road users and children out playing. This problem is increased as the winter weather of snow and ice causes chaos on the steep gradient leading on to Rossie Place from Broadwood View.
- Increase in visitors parking their cars for 4 flats on Broadwood View and Rossie Place over and above the 8 car parking spaces for the flat residents would block access to these cul-de-sacs for emergency services, where as 2 dwelling houses would have space available outside their property for a visiting vehicle.
- Increase in the number of refuse bins will cause congestion on the pavements for pedestrians and the roads by increased movements of service vehicles for 4 flats. The bins should be stored beside the properties and emptied from their Broadwood View address as per the application for 2 dwelling houses and not from Rossie Place.

Stephen and Janice Wilkie
75 Rossie Place
Auchterarder
PH3 1AR

Please acknowledge this email.

Thank You



Planning Application Reference 16/00617FLL

Cherry Elder and Stephen Simpson

13 Broadwood View

Auchterarder

PH3 1GA

We write in reference to the above planning application to strongly express our objection and re-outline our concerns to the latest revised planning application made by MJN Engineering Ltd.

Our principal objection still relates to the proposed increase in housing density and road traffic accessing a quiet family orientated residential cul de sac. The narrow nature of the road infrastructure from the junction of Rossie Place and Kincardine Road down into Broadwood View means an increase in road traffic will have a detrimental effect on access, egress and road safety.

The existing permission for two detached houses reflects the housing and traffic densities originally approved for Broadwood View. Whereas, the submitted application materially increases the current densities and traffic levels as illustrated by the submitted drawings and plans for an 8 car car-park. The detrimental effect of this increase in density is a point evident to the Developers in the time that they are currently spending at the development adjacent to Broadwood View.

As stated in our original objection to the planning application for two houses, we question the need for developing a restricted site when we are aware, albeit anecdotally, that the larger residential developments in Auchterarder are slowing or stopping due to lack of buyer demand.

In addition, we still object to the implications arising from, what we feel is, a reaction to the Developers' due diligence failing to identify a pole mounted electrical substation and this latest planning application has been submitted to negate complications of relocating the substation.

We ask that in your deliberations over this planning application there is genuine consideration given once more to the concerns raised by the residents of Kincardine Road, Rossie Place and Broadwood View. It is we who will live with the consequences of your decision long after the Developers have made their profit and moved on.

Regards,

Cherry Elder and Stephen Simpson



Comments for Planning Application 16/00617/FLL

Application Summary

Application Number: 16/00617/FLL

Address: Land At Broadwood View Auchterarder

Proposal: Erection of 4no flats

Case Officer: John Russell

Customer Details

Name: Mrs Fiona Pugh

Address: 6 Broadwood View, Auchterarder PH3 1GA

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Excessive Height
- Flooding Risk
- Inappropriate Housing Density
- Inappropriate Land Use
- Loss Of Sunlight or Daylight
- Loss Of Trees
- Out of Character with the Area
- Over Looking
- Road Safety Concerns
- Traffic Congestion

Comment: I object to the building of 4 flats in Broadwood View because of the below concerns to our family.

The building of 4 flats is totally out with the character of this area. All property in this area are well looked after houses and why does our street need flats?

Our street has a safe environment for the young families who live here and by building 4 flats would potentially add another 8 cars to our street of which brings huge road safety concerns as it would increase the traffic within our street. We also do not have enough space in our street for all the cars that are already here.

These flats would also be overlooking the first 3 houses in our street which knocks out light to my neighbours properties and could also potentially devalue their property.

I strongly object to the development of these 4 flats as we don't need them and this land which has

already been stripped of our trees should be put back to a green space and developed for our children's recreational future by creating a play area and planting our trees back again to bring back the Broadwood in our street name

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	16/00617/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin Tel: 01738 475381 Email: emclaughlin@pkc.gov.uk
Description of Proposal	Erection of 4no flats		
Address of site	Land At Broadwood View Auchterarder for Engineering365Resourcing Ltd		
Comments on the proposal	<p>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Community School of Auchterarder Primary School.</p> <p>The site has extant planning consent for 2 units.</p> <p>The Guidance applies to the 2 additional units. Contribution £6,460 per unit. Total contribution: £12,920 (2 x £6,460)</p> <p>Auchterarder A9 Junction</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires contributions from developments within the Auchterarder and wider Strathearn housing market area towards meeting the cost of delivering the A9 junction improvements which are required in the interests of safety.</p> <p>The site has extant planning consent for 2 units.</p>		

	<p>The Guidance applies to the 2 additional units. Contribution £3,450 per unit. Total contribution: £6,900 (2 x £3,450)</p>
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: £12,920 (2 x £6,460) A9 Junction: £6,900 (2 x £3,450)</p> <p><u>Total: £19,820</u></p> <p>Phasing</p> <p>It is advised that the preferred method of payment would be upfront of release of planning permission.</p> <p>Due to the scale of the contribution requirement it may be appropriate to enter into a S.75 Legal Agreement.</p> <p>If S.75 entered into the phasing of financial contributions will be based on occupation of the 3rd and 4th open market units with payments made 10 days after occupation.</p> <p>Payment for each of the 3rd and 4th open market unit will be £9,910 (£19,820/ 2 = £9,910).</p>
Recommended informative(s) for applicant	<p>Payment</p> <p>Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.</p> <p>Methods of Payment</p> <p>On no account should cash be remitted.</p> <p>Scheduled within a legal agreement</p> <p>This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.</p> <p>NB: The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.</p> <p>Other methods of payment</p> <p>Providing that there is no requirement to enter into a Section 75 Legal</p>

Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.

Remittance by Cheque

The Planning Officer will be informed that payment has been made when a cheque is received. However this will require a period of 14 days from date of receipt before the Planning Officer will be informed that the Planning Decision Notice may be issued.

Cheques should be addressed to 'Perth and Kinross Council' and forwarded with a covering letter to the following:

Perth and Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH15GD

Bank Transfers

All Bank Transfers should use the following account details;

Sort Code: 834700

Account Number: 11571138

Education Contributions

For Education contributions please quote the following ledger code:
1-30-0060-0001-859136

A9 Junction

For A9 Junction contributions please quote the following ledger code:
1-30-0060-0002-859136

Direct Debit

The Council operate an electronic direct debit system whereby payments may be made over the phone.

To make such a payment please call 01738 475300 in the first instance.
When calling please remember to have to hand:

- a) Your card details.
- b) Whether it is a Debit or Credit card.
- c) The full amount due.
- d) The planning application to which the payment relates.
- e) If you are the applicant or paying on behalf of the applicant.
- f) Your e-mail address so that a receipt may be issued directly.

Indexation

All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.

Accounting Procedures

Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual

	commuted sums can be accounted for.
Date comments returned	13 May 2016

Ref. 16/00617/FLL

5/9/2016

71 Rosie Place

Duckward

P. H 31 AR

Dear Sir/ Madam,

With Reference to
this latest objection to the
decision taken to refuse permission
to erect a flat Ref. 16/00617/FLL
I feel this is a pointless exercise
since all of the relevant objections
still exist.

I would also draw your attention
to the time already taken to
erect the two dwelling houses
at this site, still far from
completion.

One would be expected to
tolerate further disruption in
this already congested area?

I draw your attention at this
time to the blatant disregard

to our existing rights
IE The complete destruction of
the Right of Way adjacent
to these dwelling houses
which are under construction.

Yours sincerely

CHIEF EXECUTIVES
DEMOCRATIC SERVICES

06 SEP 2016

RECEIVED

CHX Planning Local Review Body - Generic Email Account

From: [REDACTED]
Sent: 09 September 2016 12:26
To: CHX Planning Local Review Body - Generic Email Account
Subject: Re: TCP/11/16(432)

As requested we are replying to the objection to the Planning Application at Broadwood View as detailed in the attached email. This is the THIRD TIME we have made comment in objecting to this development having had no objection to the original application for two houses.

The following is a summary of previous comments supporting item 2. "Reasons for Refusal" :-

- There are only houses and not flats in this area of Broadwood View and Rossie Place.
 - The increase in traffic movement from flats instead of houses would be unacceptable and would lead to major safety issues with local children.
 - The increase in additional vehicles parked on the streets visiting this proposed development would lead to access issues from Emergency Services.
 - The proposed refuse facilities are totally unacceptable for this area as at present bins are beside each house and having them together on one site "does not respect the character and amenity of the place" The increase in vermin like rats, mice, foxes and seagulls from the adjacent fields would be a health risk.
- All of these factors would reduce the value of the present buildings in this area so we again confirm our objection to the building of flats.

Please acknowledge this email.

Stephen and Janice Wilkie
75 Rossie Place
Auchterarder
PH3 1AR

CHX Planning Local Review Body - Generic Email Account

From: [REDACTED]
Sent: 11 September 2016 20:16
To: CHX Planning Local Review Body - Generic Email Account
Subject: Re: TCP/11/16(432)

Dear Planning Officer,

On the basis that the previous application was rejected by the Planning Committee and the current submission is identical, containing no amendments we object to the current submission and anticipate a consistent response from Perth and Kinross Planning Committee.

We object to the current submission on the following basis (which is consistent with our previous objections)

Our principal objection still relates to the proposed increase in housing density and road traffic accessing a quiet family orientated residential cul de sac. The narrow nature of the road infrastructure from the junction of Rossie Place and Kincardine Road down into Broadwood View means an increase in road traffic will have a detrimental effect on access, egress and road safety.

The existing permission for two detached houses reflects the housing and traffic densities originally approved for Broadwood View. Whereas, the submitted application materially increases the current densities and traffic levels as illustrated by the submitted drawings and plans for an 8 car car-park. The detrimental effect of this increase in density is a point evident to the Developers in the time that they are currently spending at the development adjacent to Broadwood View.

As stated in our original objection to the planning application for two houses, we question the need for developing a restricted site.

In addition, we still object to the implications arising from, what we feel is, a reaction to the Developers' due diligence failing to identify a pole mounted electrical substation and this request for a review has been submitted to negate complications of relocating the substation.

We ask that in your deliberations over this planning application there is genuine consideration given once more to the concerns raised by the residents of Kincardine Road, Rossie Place and Broadwood View. It is we who will live with the consequences of your decision long after the Developers have made their profit and moved on

Kind Regards,

Cherry Elder and Stephen Simpson

CHX Planning Local Review Body - Generic Email Account

From: [REDACTED]
Sent: 12 September 2016 12:43
To: CHX Planning Local Review Body - Generic Email Account
Subject: TCP/11/16(432)

Dear Sirs,

I am writing to you for the third time now, in connection with the revised planning notice 16/00617/FLL to erect four flats in Broadwood View.

Once again my wife and I staunchly disagree and object to this revised planning application based on the following merits:-

- Contrary to Development Plan Policy.
- Inappropriate housing density.
- Lack of car parking.
- Out of character with area.
- Road safety concerns.
- Traffic congestion.
- Refuse collection.
- Impact on the Environment.
- Adverse impact on neighbouring residential amenity.
- Noise pollution.
- Flood Risk.

I've commented on the majority of these issues in my previous two e-mails so I'll list the highlights below:-

Traffic Calming – As a parent the increased volume of traffic poses an increased danger to my children who play in and around Rossie Place, accessing the Provost Walk as well as walking to and from school on a daily basis.

Access – The main arterial road that is Rossie Place is narrow throughout and in its present design barely copes or caters for the present volumes of traffic. Building four flats with the potential for eight or more vehicles is only going to compound matters further.

Parking – I note from the plans that there is provision for eight car parking spaces. Currently for residents in both Rossie Place and Broadwood View parking is already limited. Eight car parking spaces for four flats on top of an already congested area is quite simply going to put a strain on the area. Factor in the two dwelling houses currently being erected by the same applicant have room for only one car per house suggests there will already be an additional strain on parking even prior to these proposed flats. Similarly there are parked cars adjacent to the proposed access at all times potentially making access to the properties difficult and especially difficult in winter, as well as posing an increased danger to pedestrians where there is no designated footpath around Broadwood View.

Refuse Bins – I oppose the current plans to have the bins housed in front of my living room window, (regardless of them being fenced in) no do I wish to smell the bins that would be approximately six meters away whilst sitting out in my front garden. Furthermore this is a Broadwood View Development so why is access to the bins for council collection on Rossie Place? If planning is passed then the refuse truck is going to block the road as there are always parked cars on the left and side as you go down Rossie Place from houses 67 to 75. Currently the residents of these properties have their bins collected at the bottom of the lane to the rear of their properties.

Why the change of plans – The original planning application for two dwelling houses was in keeping with the local surroundings, four flats quite simply isn't.

I'd urge the council to carefully consider our objections in reaching a fair outcome for all parties.

Please acknowledge safe receipt of this email.

Kind Regards

Stefan & Laura Barr

Paige Crighton

From: Bob Raphael [REDACTED]
Sent: 12 September 2016 20:37
To: Paige Crighton
Subject: 16/00617/FLL | Erection of 4no flats.

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs,

I am writing to reiterate my objections to the proposed development of 4no flats at Broadwood View, Auchterarder with regard to the up coming review of the decision not to grant permission to the developer.

I object to the proposed development on following grounds. I strongly feel that the development is out of character with all of the building types in the surrounding area. I also believe that the proposed development will put additional strain on the limited parking that is available in the area, as well as additional strain on all ready congested access roads. I also have serious concerns regarding the increased traffic entering an estate that is populated by so many children who essentially use the street as their playground.

My preferred outcome for the site is that the developer proceeds with the plan for two townhouses as originally proposed. This would alleviate my worries over parking, congestion and the current proposal being out of character for the area.

Regards,

Robert Raphael

14 Broadwood View, Auchterarder.

Sent from my iPhone

