

TCP/11/16(527) – 18/00015/FLL – Erection of a dwellinghouse on land north east of Firgrove Park, Golf Course Road, Blairgowrie

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**TCP/11/16(527) – 18/00015/FLL – Erection of a
dwellinghouse on land north east of Firgrove Park, Golf
Course Road, Blairgowrie**

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

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

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

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

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name **MR & MRS CLARK**

Address **FIRGROVE PARK
GOLF COURSE ROAD
BLAIRGOWRIE**

Postcode **PH16 6LF**

Contact Telephone 1 **[REDACTED]**

Contact Telephone 2 **—**

Fax No **—**

E-mail* **[REDACTED]**

Agent (if any)

Name **RON WEIR**

Address **BALLOCH BUNGALOW
SOUTH BALLOCH FARM
ALYTH.**

Postcode **PH11 8JN**

Contact Telephone 1 **01828 633888**

Contact Telephone 2 **—**

Fax No **—**

E-mail* **—**

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

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

Yes ☒ No ☐

Planning authority

PERTH & KINROSS COUNCIL

Planning authority's application reference number

18/00015/FL

Site address

**LAND NORTH EAST OF FIRGROVE PARK, GOLF COURSE RD
BLAIRGOWRIE**

Description of proposed
development

ERECTION OF DWELLING HOUSE

Date of application

8/1/18

Date of decision (if any)

6/3/18

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

Nature of application

Notice of Review

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

Reasons for seeking review

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

Review procedure

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

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

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

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

I THINK IT WOULD BE OF A BENEFIT TO LOOK AT AND UNDERSTAND THE SITE, READ MY STATEMENT AND MAPS AND RECOGNISE HOPEFULLY THAT THE APPLICATION IS NOT BREACHING OR IMPACTING ON 'THE' GREEN ZONE AND IS IN FACT A NATURAL INFILL TO EXISTING HOUSES ON PERIMETER.

Site inspection

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

1. Can the site be viewed entirely from public land? ☐
2. Is it possible for the site to be accessed safely, and without barriers to entry? ☒

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Statement

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

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

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

PLEASE FIND ENCLOSED WITH THIS FORM A STATEMENT REGARDING THE SITE SUITABILITY AND MAPS DEPICTING IT IN RELATION TO THE STATEMENT.

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

Yes ☒ No ☐

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

I HAVE WRITTEN ABOUT AND SHOW THE PLOT IN REGARD TO ITS SUITABILITY, BEING APPROPRIATE TO THE OPEN SPACE ZONING AND FOLLOWING THESE GUIDELINES AND REQUEST THAT IT BE SEEN TO BE IN ACCORDANCE AND BE ALLOWED AND GIVEN EQUAL MERIT TO OTHER APPLICATIONS ON THE PERIMETER PREVIOUSLY GAINING PERMISSIONS.

List of documents and evidence

Notice of Review

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

MY STATEMENT 'A'
SITE MAP 'B'
SITE MAP 'C'
SITE MAP 'D'

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

Checklist

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

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

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

Declaration

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

Signed

[Redacted Signature]

Date

2/4/18

'A'

From: Firgrove Park [REDACTED]
Subject: STATEMENT ON APPEAL ON PLANNING APPLICATION NO:
Date: 27 Mar 2018 at 21:59:39
To: 18/00015/FL

Dear Sir/Madam,

Firstly my apologies for maps and paperwork etc as i am not fully IT literate but hopefully they are of sufficient quality to be understood.

My appeal is on the grounds that my application does not in any way invade "green open space" or any "green buffer zone" thought to be meantime desirable in the latest version of the LDP.

The plot i proposed is easily of sufficient size to comfortably accommodate a house and doesn't breach any density requirements, neither does it encroach into our fields which form part of the green buffer zone . I would offer it to you as being a natural infill space between two existing houses in a line of dwellings and completely in character with this area.

The plot itself is not a green plot and is in fact black due to it being covered in a layer of chopped rubber surface arena for horses. This in itself is not particularly environmentally friendly but in any case it has been in such use for the past twenty years if not longer.

My application has had no objections whatsoever from my immediate neighbours with the sole negative comment coming from an individual residing well over a mile away who is in a personal backyard battle with his own neighbours and as such has his own agenda to pursue.

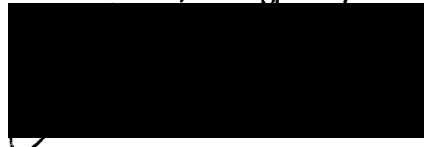
Also as such neither he nor any other person will ever have ever had sight of this plot as we are on a no through road completely screened by trees on all sides and it's not visible from any public rights of way so should offend absolutely nobody. It's ironic too that the green zone is not visible in the main to anyone other than us few residents due to trees.

Neither does it have any negative impact on local services as was stated by PKC in the original application comments section. I do not believe this application breaches in any way the desire to retain " green open space" a buffer zone if you will ,as mentioned in the LDP separating Rosemount from the rest of Blairgowrie. Given that there appears to be a wish by some to have Rosemount buffered

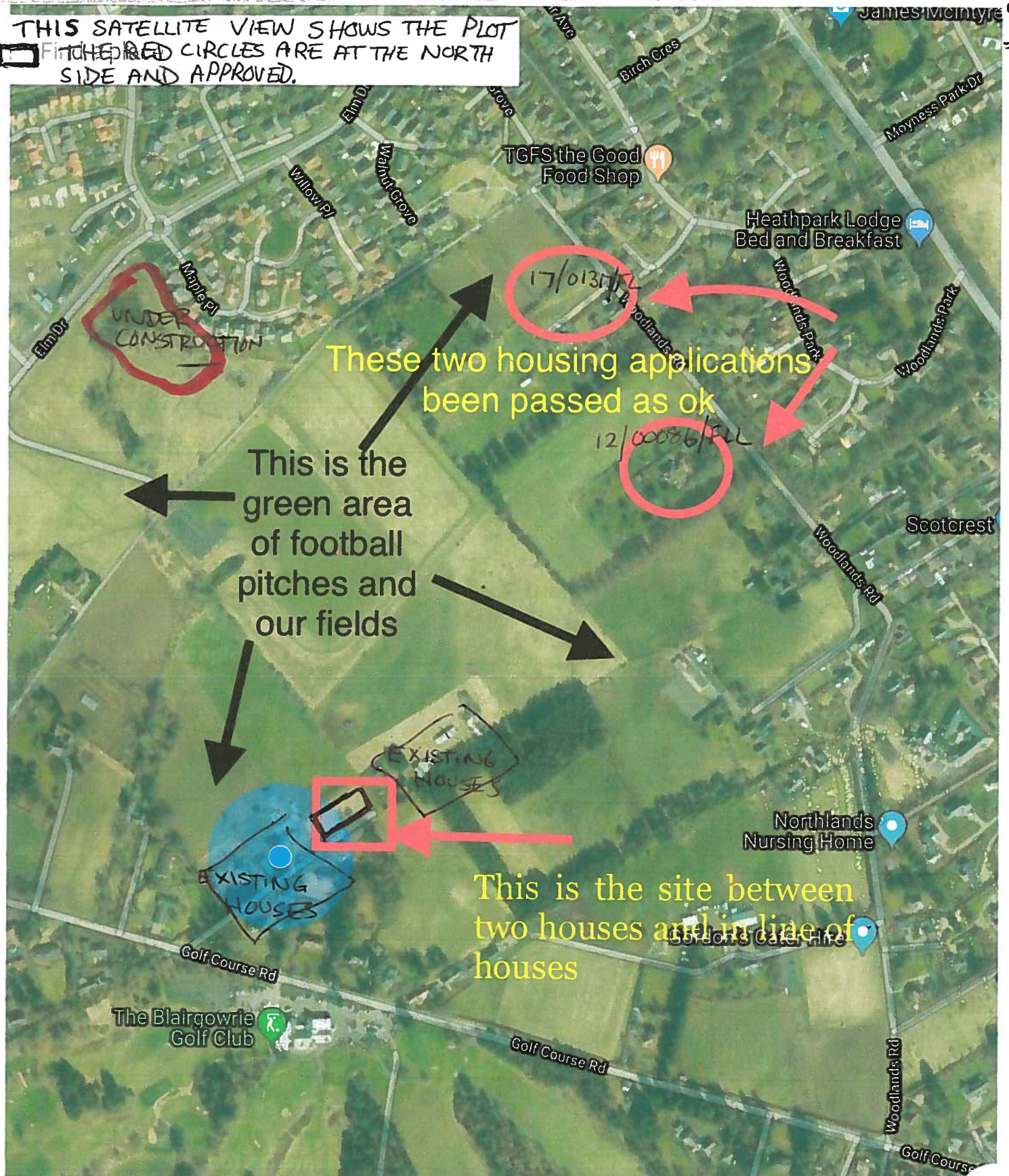
i am led to believe by her that an actual site visit is normally made by the Appeals Panel and so i respectfully request that during this visit all these factors and statements made by me become clearer and be found to be true and correct and seen as an accurate portrayal and that no infringement into the green zoned area would occur in this case and so my appeal be granted.

Yours Faithfully ,

~~Sent from my iPad~~



THIS SATELLITE VIEW SHOWS THE PLOT
FINISHED RED CIRCLES ARE AT THE NORTH
SIDE AND APPROVED.



FIRGROVE PARK
18/00015/FL

Land at (FIRGROVE) Blairgowrie (PARK)



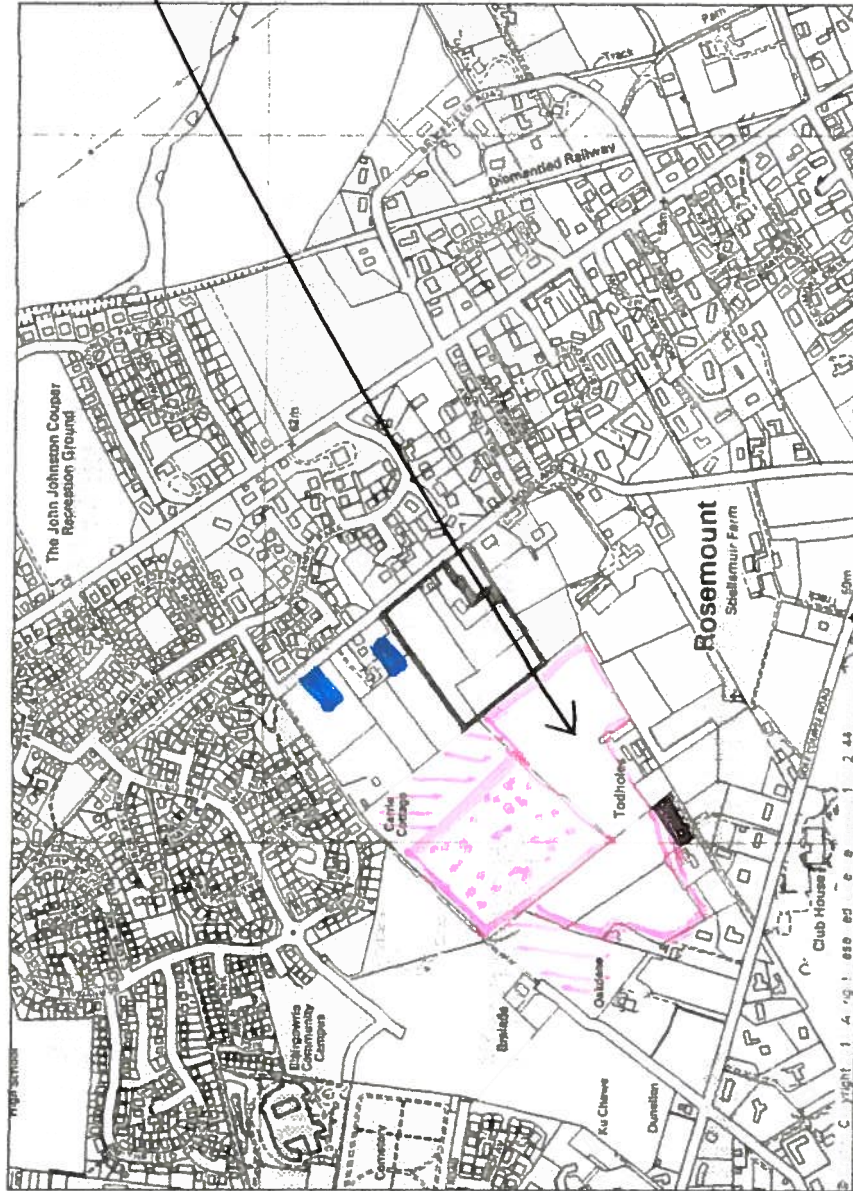
— THESE ARE THE FIELDS



— THESE ARE FOOTBALL FIELDS



— THIS IS BARE UNCULTIVATED UNUSED GROUND



PERTH AND KINROSS COUNCIL
DRAWING REF 18/00015/FL

LEGEND

■ = THE PLOT IN QUESTION LYING BETWEEN TWO HOUSES (ONE OURS)

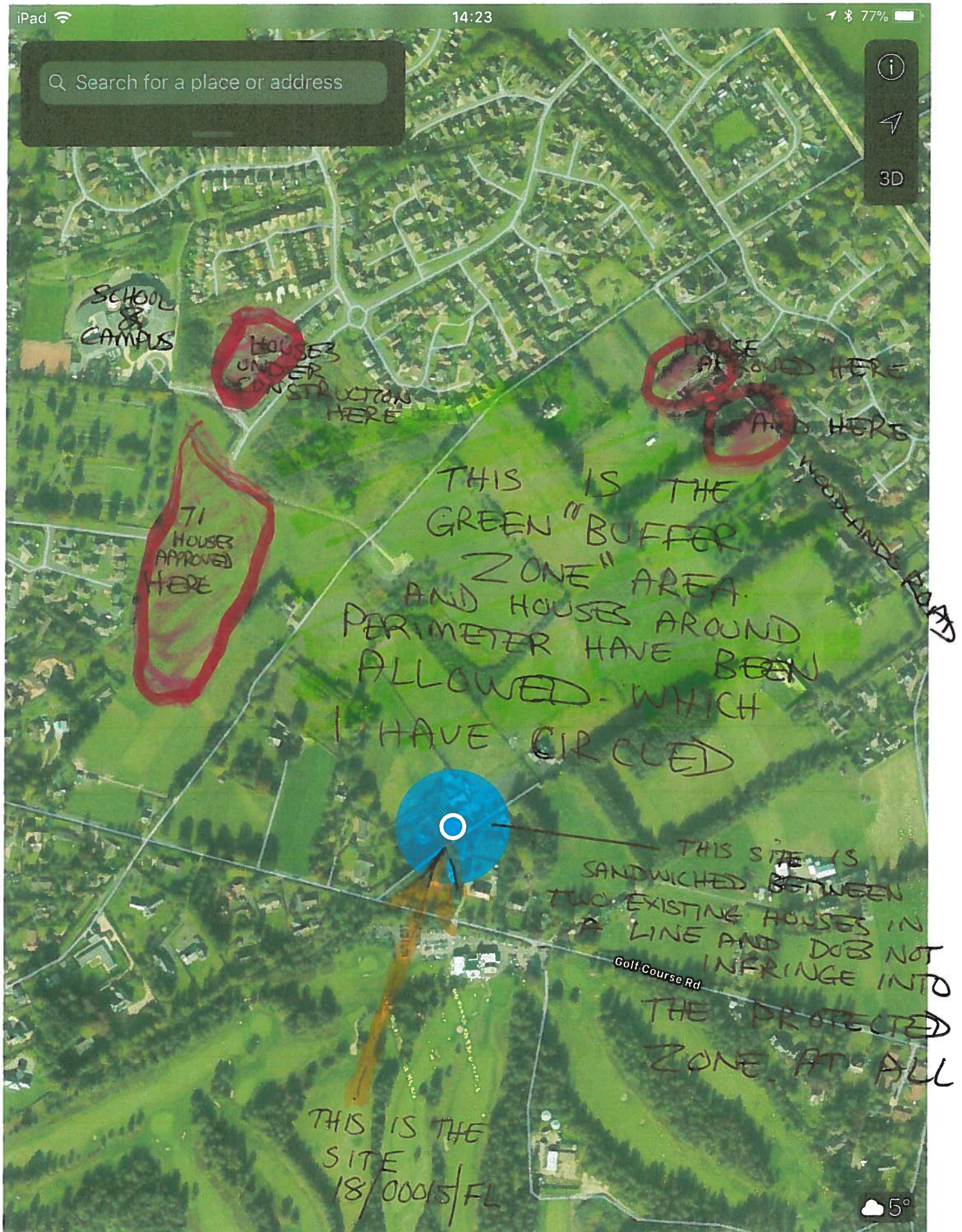
■ = PREVIOUS APPROVED SITES ON WOODLANDS ROAD BLAIRGOWRIE

Scale 1:10,000

OS Licence ES 754 900

↑ N

"D"



I think this map shows the area clearly and allowances have been made previously around the perimeter as can be seen. My application is also on the 343 perimeter and an infill & natural.

**TCP/11/16(527) – 18/00015/FLL – Erection of a
dwellinghouse on land north east of Firgrove Park, Golf
Course Road, Blairgowrie**

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

Mr And Mrs Clark
c/o Ron Weir
Balloch Bungalow
South Balloch Farm
Alyth
PH11 8JN

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 6th March 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/00015/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 19th January 2018 for permission for **Erection of a dwellinghouse Land North East Of Firgrove Park Golf Course Road Blairgowrie** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to the Perth and Kinross Local Development Plan 2014, Policy CF1 Open Space Retention and Provision as it would set a precedent in the erosion of small areas of the wider open space zoning in Rosemount which would be detrimental to the wider character of the area.

Justification

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

Notes

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

Plan Reference

18/00015/1

18/00015/2

18/00015/3

18/00015/4

18/00015/5

18/00015/6

18/00015/7

18/00015/8

REPORT OF HANDLING

DELEGATED REPORT

Ref No	18/00015/FLL	
Ward No	P3- Blairgowrie And Glens	
Due Determination Date	18.03.2018	
Case Officer	Joanne Ferguson	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse

LOCATION: Land North East Of Firgrove Park Golf Course Road
Blairgowrie

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: 26 January 2018

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application is for erection of a dwelling at Land North East Of Firgrove Park, Golf Course Road, Blairgowrie. The site is currently used a riding arena ancillary to the dwelling Firgrove Park.

The site is within the settlement boundary of Blairgowrie and located in an area characterised by small groupings of dwellings interspersed with paddocks.

The dwelling proposed is single storey with gable-ended detailing centrally located within the plot. New post and wire fences are proposed with the site extending beyond the confines of the existing riding area to the north but not as far as the full extent to the east, retaining an access to the paddock.

SITE HISTORY

No recent site history

PRE-APPLICATION CONSULTATION

Pre application Reference: None

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy 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 CF1A - Open Space Retention and Provision

Development proposals resulting in the loss of Sports Pitches, Parks and Open Space which are of recreational or amenity value will not be permitted, except in circumstances where one or more of the criteria set out apply.

OTHER POLICIES

No other policies

CONSULTATION RESPONSES

Transport Planning	No objection
Scottish Water	No objection
Local Flood Prevention Authority	No objection
Contributions Officer	Education Contribution required if application was to be supported
Environmental Health	No response within time

REPRESENTATIONS

The following points were raised in the 1 representation received:

- Contrary to Development Plan Policy

ADDITIONAL INFORMATION RECEIVED:

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

APPRAISAL

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

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

Policy Appraisal

This site is located within the settlement boundary of Blairgowrie and Rattray and is within an area zoned as open space where Policy CF1A: Existing Areas applies.

The existing dwelling, Firgrove Park, is located within an area zoned under Policy RD1 Residential Areas with its wider land holding which consists of the riding arena and paddocks zoned as open space.

The Policy CF1A seeks to protect designated open spaces which have value to the community for either recreational or amenity purposes. Development proposals resulting in a loss of these areas will not be permitted except in certain circumstances. This includes where it involves a minor part of the site which would not affect its continued use as an amenity resource.

Given that this proposal is to develop a private dwellinghouse, the community would not gain any value from this loss of open space. Furthermore the overall character of this area is important. Rosemount is a residential area with a pleasant semi-rural character. Much of the land between Woodlands Road and Golf Course Road is open and undeveloped, and there are attractive areas of trees and woodland. Most of this land is privately owned, but it is important that this significant area of green space within the settlement boundary is protected for its amenity value and the existing policy is in place to retain this area and not allow piecemeal erosion.

The proposal would therefore not comply with policy.

Design and Layout

The dwelling proposed is single storey with a large footprint. It is gable ended and arranged with a U shaped floorplan with integral garage. The finish materials are slate, white roughcast with stone entrance porch.

The dwelling is acceptable in terms of the scale and design for this location; however as above the principle of development is contrary to policy.

Residential Amenity

The site is large enough to accommodate the development without detrimental impact on existing residential amenity.

Visual Amenity

The development of the site would lead to the erosion of small areas of open space which would be detrimental to the visual amenity of the area.

Roads and Access

There is an existing private road which serves a number of dwellings. The site plan shows an access point with turning and parking. Transport Planning have no objection to the proposal and no conditions are recommended.

Drainage and Flooding

No drainage or flooding implications.

Developer Contributions

Primary Education

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be

operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.

This proposal is within the catchment of Newhill Primary School. This school is at capacity and a contribution would be required if the principle of development was acceptable.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered not to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for 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

Reasons for Recommendation

1 The proposal is contrary to the Perth and Kinross Local Development Plan 2014, Policy CF1 Open Space Retention and Provision as it would set a precedent in the erosion of small areas of the wider open space zoning in Rosemount which would be detrimental to the wider character of the area.

Justification

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

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

18/00015/1
18/00015/2
18/00015/3
18/00015/4
18/00015/5
18/00015/6
18/00015/7
18/00015/8

Date of Report 05.03.2018



OS MasterMap 1250/2500/10000 scale
 Tuesday, October 24, 2017, ID: MNOW-00664378
www.nicolsondigital.com

1:1250 scale print at A3, Centre: 317970 E, 743431 N

©Crown Copyright Ordnance Survey. Licence no. 100057546



0 5 10 15 20 25 30 35 40 45 50
SCALE IN METRES

EXISTING SITE PLAN / LOCATION
"FINGROVE PARK", GOLF COURSE ROAD, BLAIRGOWRIE.
DRG No :- 2291 / 7 SCALE :- 1:1250.



Scale in meters



MOUND (BLACK EARTH FROM EXERCISE YARD)

Plot of mass fence.

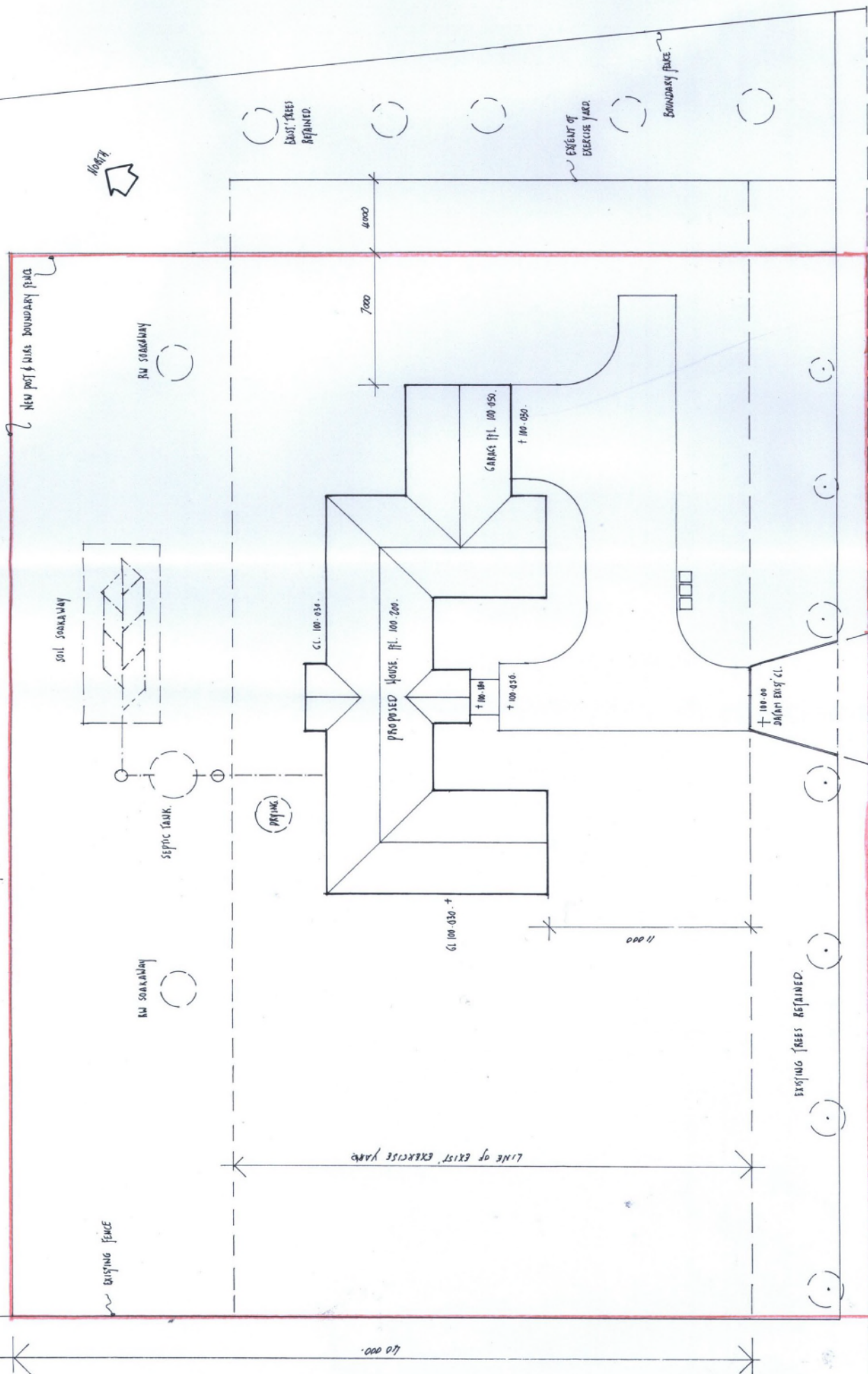
LINE OF EXISTING HORSE EXERCISE YARD

Existing Fence.

Existing Trees

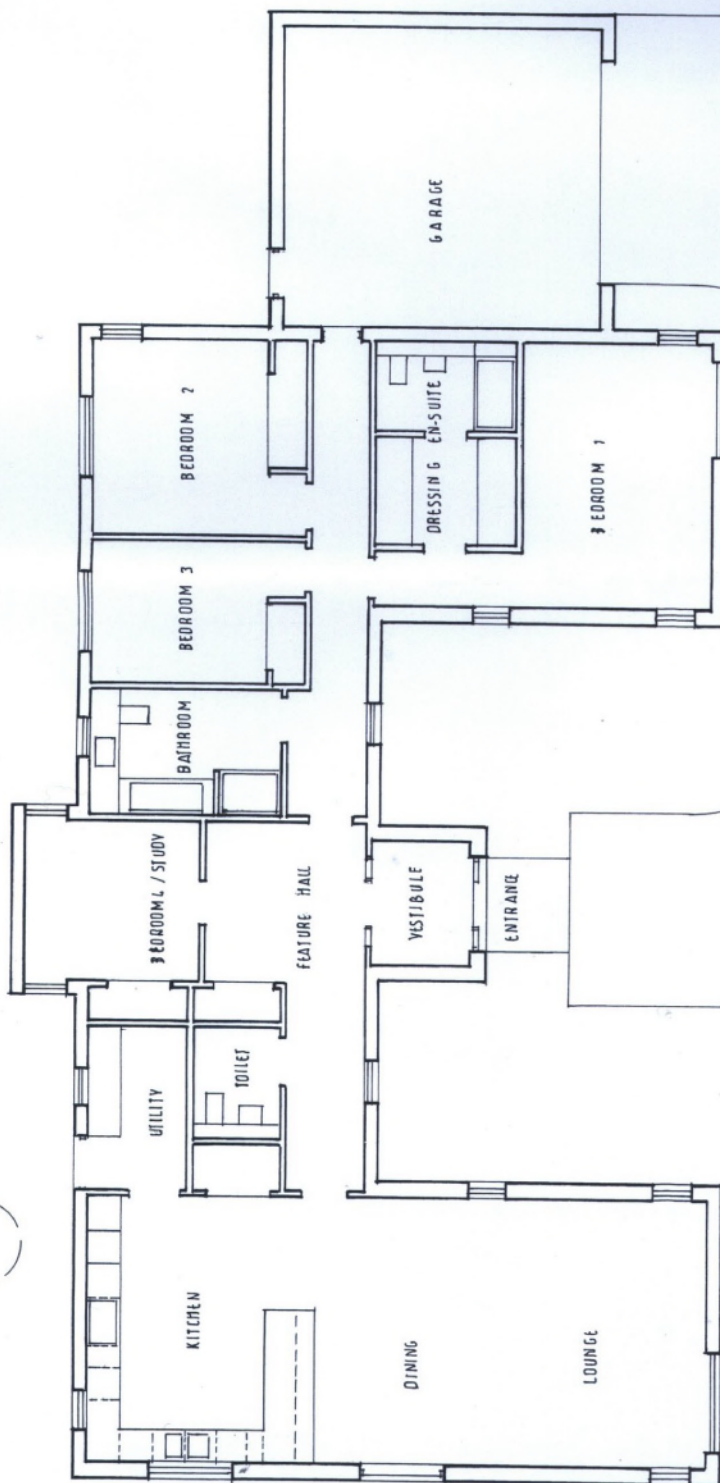
Boundary fence

EXISTING SITE PLAN.
 "FIR GROVE PARK" GOLF COURSE ROAD, BLAIRGOWRIE.
 DRG No:- 2291/S SCALE:- 1:200.

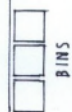


PROPOSED SITE PLAN.
FIRGROVE PARK. GOLF COURSE ROAD, BLAIRGOWRIE.
DRG No:- 2291/6A. SCALE:- 1:200.
REV A LEVELS ADDED

DRYING

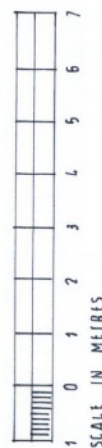


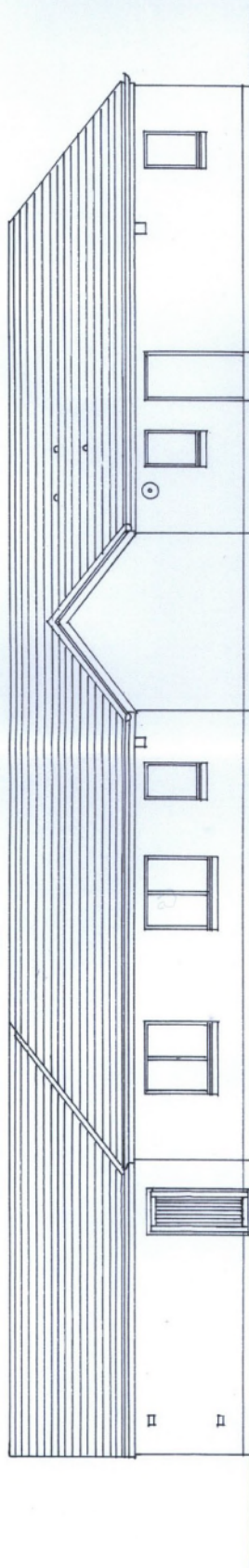
DRIVE / PARKING



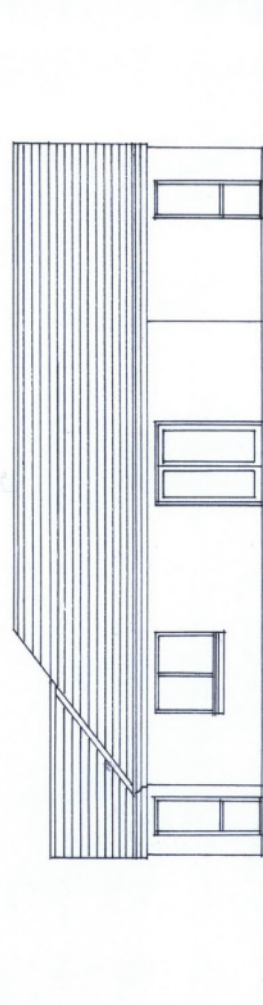
PLAN OF PROPOSED HOUSE AT
"FINGROVE PARK", GOLF COURSE ROAD, BLAIRGOWRIE.
DAG No:- 2291/1 SCALE :- 1:100.

Coloured Set.





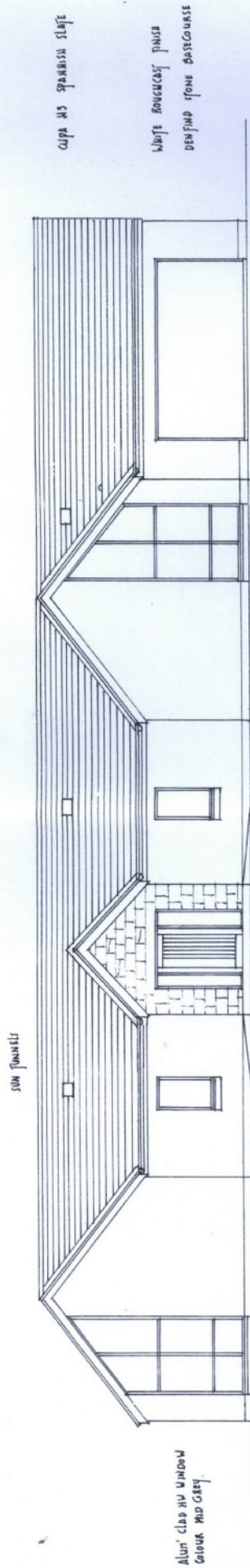
BACK, NORTH-WEST ELEVATION



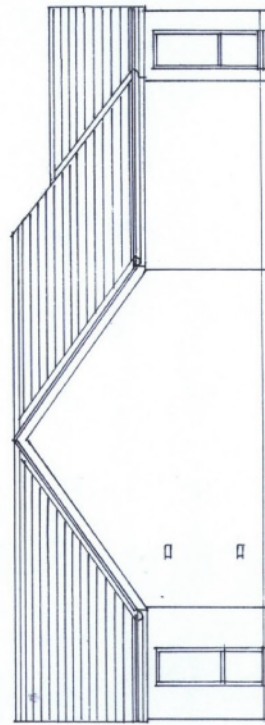
SIDE, SOUTH-WEST ELEVATION



PROPOSED ELEVATIONS OF HOUSE AT
FINGROVE PARK GOLF COURSE ROAD, BLAIRGOWRIE.
DRG No :- 2291 / 4. SCALE :- 1:100.

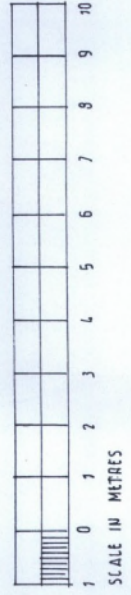


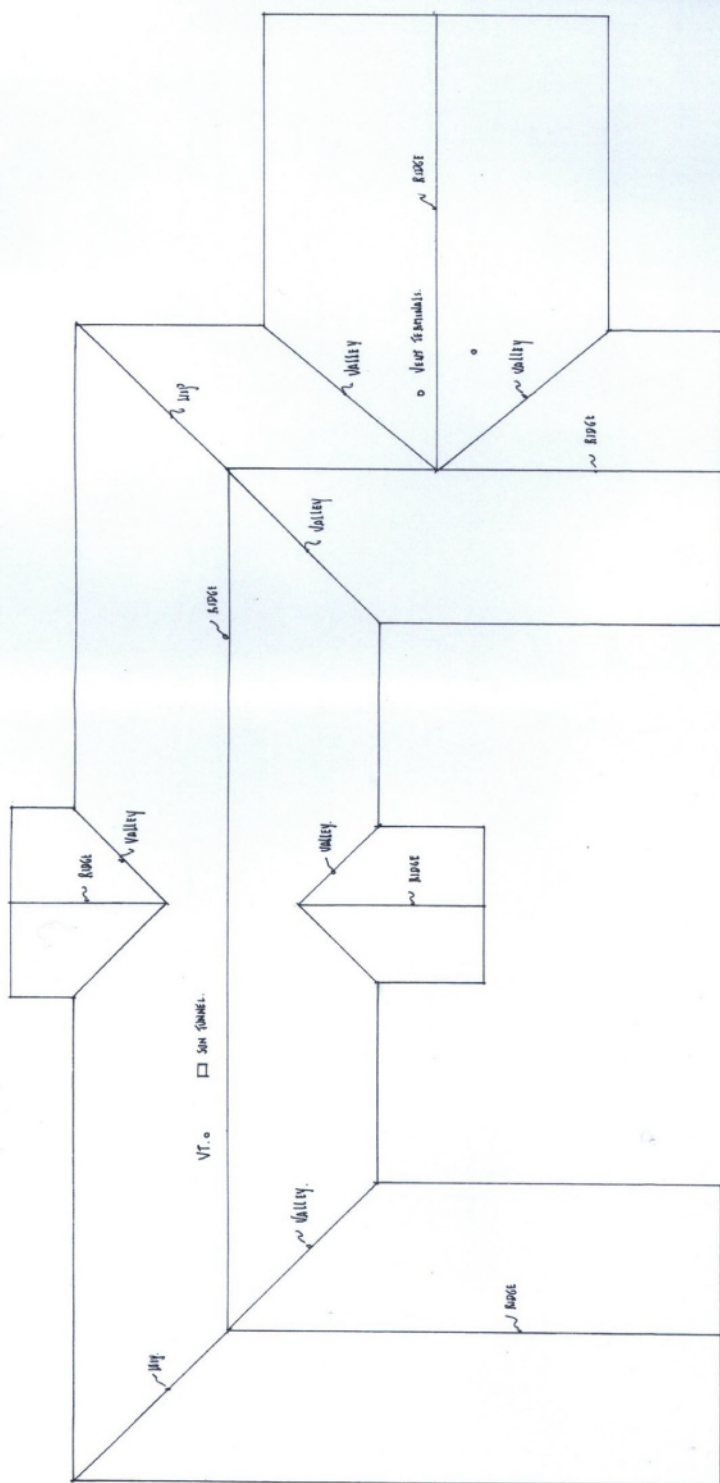
FRONT, SOUTH-EAST ELEVATION.



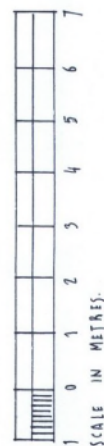
SIDE, NORTH-EAST ELEVATION.

PROPOSED ELEVATIONS OF HOUSE AT
"FINGROVE PARK", GOLF COURSE ROAD, BLAIRGOWRIE.
DRG No:- 2291 / 3. SCALE:- 1:100.





ROOF PLAN OF PROPOSED HOUSE AT
 "FIR GROVE PARK", GOLF COURSE ROAD, BLAIRGOWRIE.
 DRG No:- 2291/2 SCALE:- 1:100.



TCP/11/16(527) – 18/00015/FLL – Erection of a dwellinghouse on land north east of Firgrove Park, Golf Course Road, Blairgowrie

REPRESENTATIONS

23/01/2018

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



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

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

Dear Local Planner

Blairgowrie Golf Course Rd Firgrove Prk Land NE Of
PLANNING APPLICATION NUMBER: 18/00015/FLL
OUR REFERENCE: 756149
PROPOSAL: Erection of a dwellinghouse

Please quote our reference in all future correspondence

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

Water

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

Foul

- There is currently sufficient capacity in the Blairgowrie Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us. Please note: The nearest public sewer is approx. 550m from the proposed site.

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

Surface Water

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

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

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

General notes:

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

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

- Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>

Next Steps:

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

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

- **Non Domestic/Commercial Property:**

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

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can

756149_Local Planner_P2 DOM Capacity Available_Applicant_10-52-03.doc

be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at planningconsultations@scottishwater.co.uk.

Yours sincerely

Angela Allison

Angela.Allison@scottishwater.co.uk

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/00015/FLL	Comments provided by	Leigh Martin
Service/Section	TES/Flooding	Contact Details	FloodingDevelopmentControl@pkc.gov.uk
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land North East Of Firgrove Park Golf Course Road Blairgowrie		
Comments on the proposal	No objection.		
Recommended planning condition(s)	N/A		
Recommended informative(s) for applicant	PKC Flooding and Flood Risk Guidance Document (June 2014)		
Date comments returned	29/01/18		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/00015/FLL	Comments provided by	Dean Salman
Service/Section	Transport Planning	Contact Details	
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land North East Of Firgrove Park, Golf Course Road, Blairgowrie		
Comments on the proposal	Insofar as roads matters are concerned I do not object to the proposed development.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	5 February 2018		

Tracy McManamon

From: Ian Brown [REDACTED]
Sent: 06 February 2018 16:31
To: Development Management - Generic Email Account
Subject: Planning Application 18/00015/IPL

Dear Sir,

I write to object to the above planning application. It requests permission to erect a dwelling house on land that is clearly marked as part of the open space area on the 2014 Local Development Plan. This request is contrary to Policy CF1 Open Space Retention and Provision. It would set a precedent in the erosion of small areas of the wider open space zoning in Rosemount which would be detrimental to the wider character of the area

Yours sincerely,

Ian A Brown
[REDACTED]

ENTERED IN COMPUTER

06 FEB 2018

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/00015/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin [REDACTED]
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land North East Of Firgrove Park, Golf Course Road, Blairgowrie		
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 Newhill Primary School.</p>		
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: £6,460 (1 x £6,460)</p> <p><u>Total: £6,460</u></p> <p>Phasing</p> <p>It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant.</p> <p>The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to complete.</p>		

	<p>If a Section 75 Agreement is entered into the full contribution should be received 10 days after occupation.</p>
<p>Recommended informative(s) for applicant</p>	<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 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.</p> <p>Remittance by Cheque</p> <p>The Planning Officer will be informed that payment has been made when a cheque is received. However this may 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.</p> <p>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</p> <p>Bank Transfers</p> <p>All Bank Transfers should use the following account details; Sort Code: 834700 Account Number: 11571138</p>

	<p>Please quote the planning application reference.</p> <p>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:</p> <ul style="list-style-type: none"> 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. <p>Education Contributions For Education contributions please quote the following ledger code: 1-30-0060-0001-859136</p> <p>Indexation</p> <p>All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p>Accounting Procedures</p> <p>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.</p>
Date comments returned	07 February 2018

TCP/11/16(527) – 18/00015/FLL – Erection of a dwellinghouse on land north east of Firgrove Park, Golf Course Road, Blairgowrie

FURTHER INFORMATION

CHX Planning Local Review Body - Generic Email Account

From: Joanne Ferguson
To: CHX Planning Local Review Body - Generic Email Account
Subject: Application Ref: 18/00015/FLL - Review TCP/11/16 (527)
Attachments: 15 00827 IPI.pdf; 17 01317 FLL plan.pdf; 2014 Blairgowrie Open Space LDP.JPG; 15 00827 LRB decision.docx; 18.07.06 - DQM (527).docx

Dear Gillian

Application Ref: 18/00015/FLL – Erection of a dwellinghouse on land north east of Firgrove Park, Golf Course Road, Blairgowrie

Please find below an attached a response to LRB letter dated 6 July regarding the above.

17/01317/FLL Erection of a dwellinghouse (revised design) at Plot 1 The Struan, Woodlands Road, Blairgowrie. This site has a planning history with permission originally granted in 2006 and it is not within the open space zoning.

12/00086/FLL Erection of a new dwellinghouse and garage (renewal of 06/01776/FUL) is related to the above application site not the site annotated. The site annotated was refused ref 15/00827/IPL Erection of a dwellinghouse (in principle) as it was located within the open space zoning. A review of this application to the LRB was subsequently dismissed as it was contrary to the LDP.

The site annotated as under construction is part of a larger site which is an allocated Housing site H64 in the Local Development Plan. It therefore does not constitute the development of zoned open space.

Regards

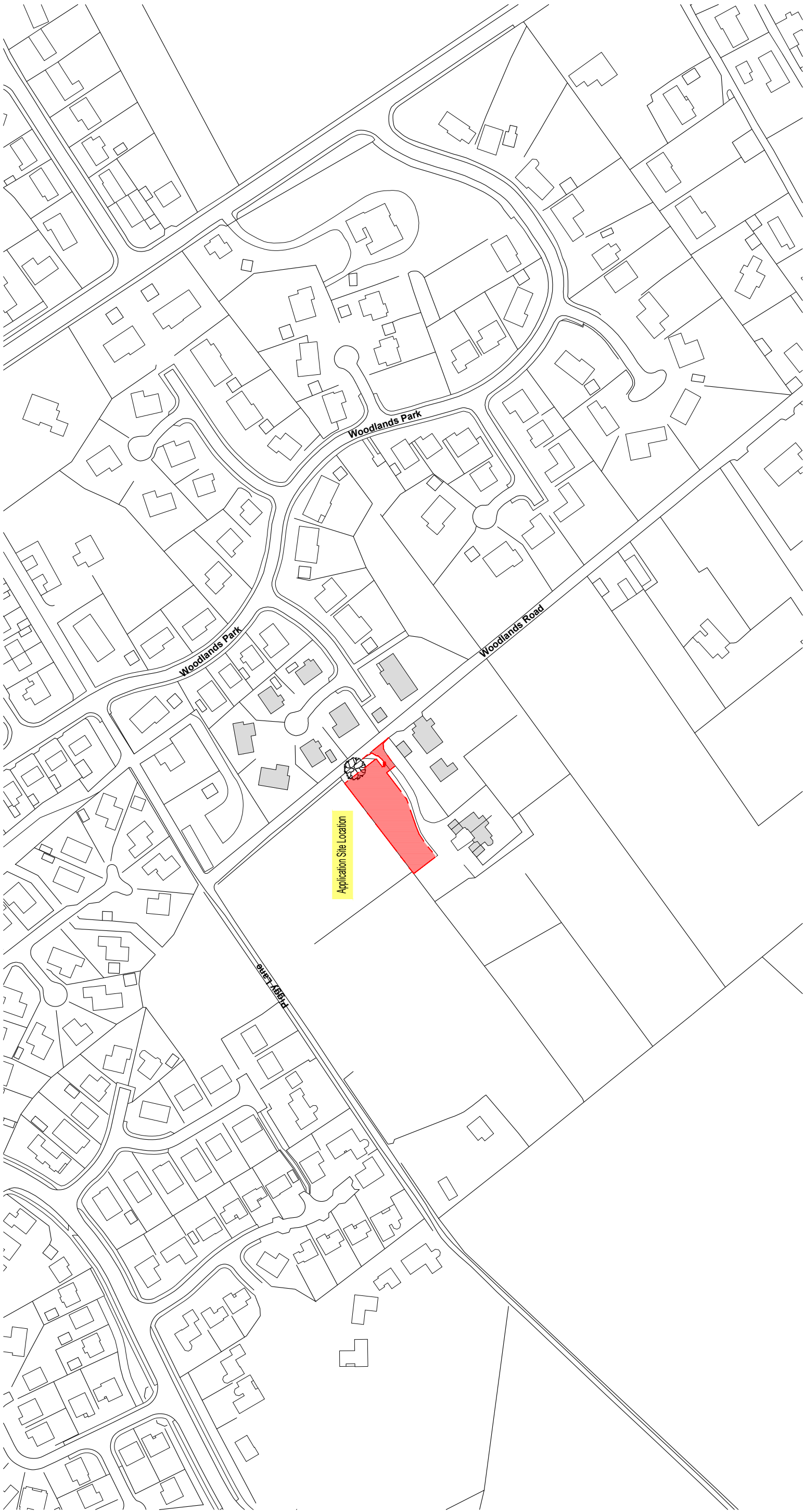
Joanne Ferguson
Planning Officer
Development Management
Planning & Development
Perth & Kinross Council
Pullar House
35 Kinnoull Street
Perth PH1 5GD



Please do not print this email unless you really have to

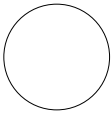
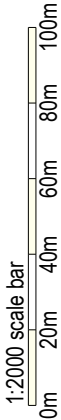


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LOCATION PLAN
1:2000 @ A3

Application Site Boundary, Site Area: 1028m²



LOCATION PLAN

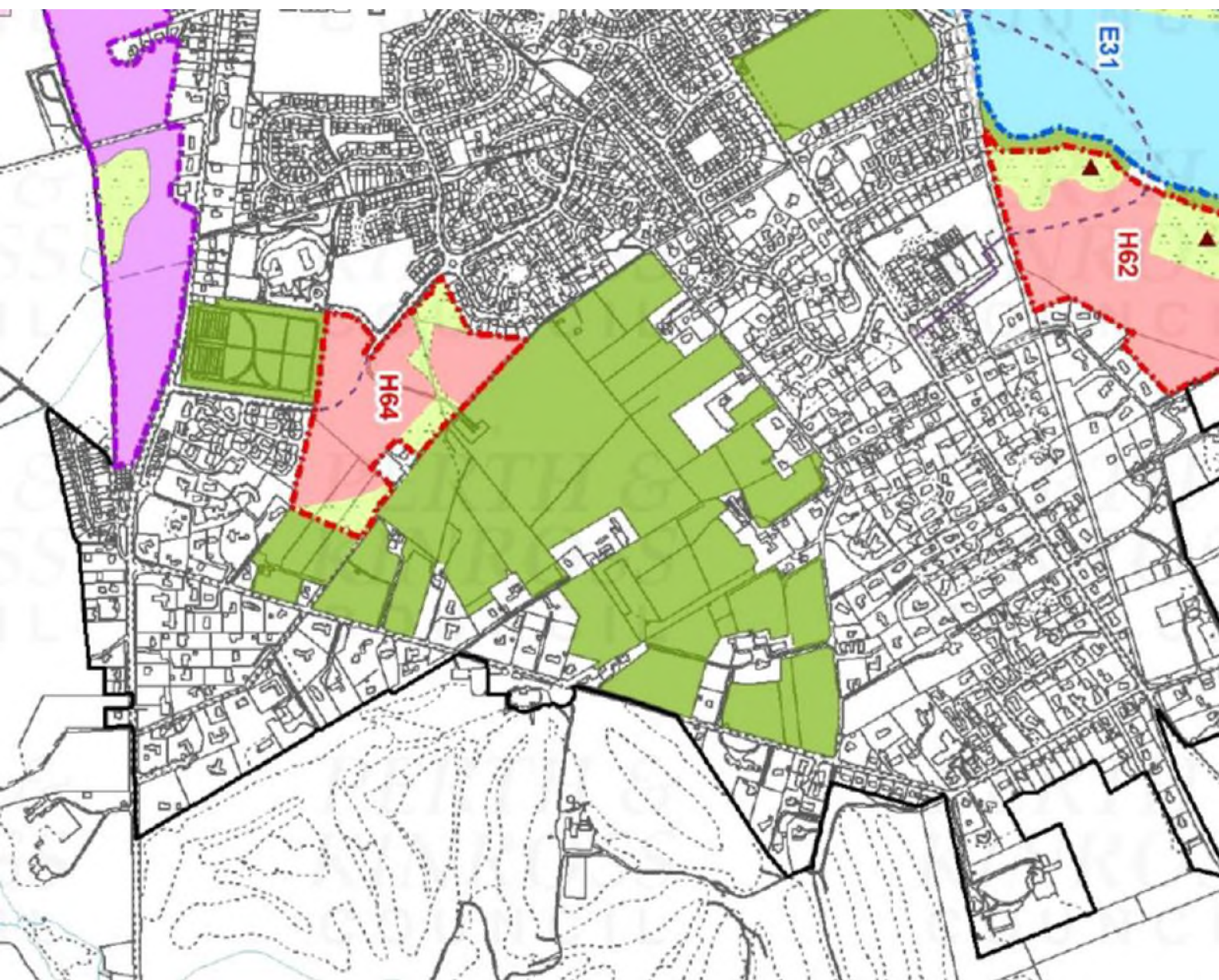
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126-EX-100A

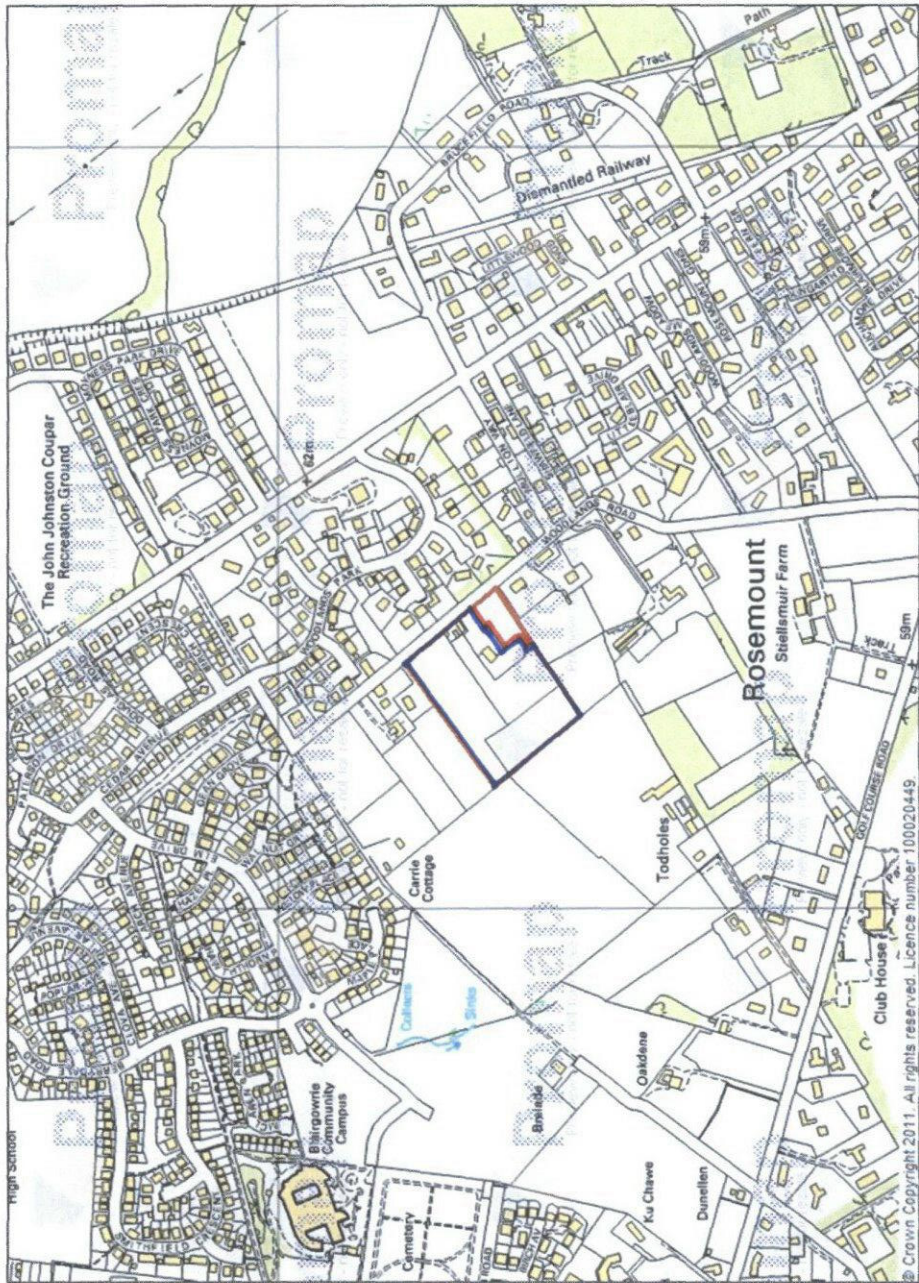
ERECTION OF NEW DWELLING (CHANGE OF HOUSE TYPE)
at LITTLE STRUAN, WOODLANDS ROAD, BLAIRGOWRIE, PERTSHIRE for MR. & MRS. MACDOUGALL

PLANNING

IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: ian@imacarchitecture.co.uk



Land at Belfield, Blairgowrie



Scale 1:10,000

OS Licence	ES 754 900
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A vertical scale bar with markings at 0m, 500m, and 1000m.

PERTH AND KINROSS COUNCIL

DRAWING REF: JS/00827/1

REVIEW DECISION NOTICE

Decision by Perth and Kinross Local Review Body (the PKLRB)

Site Address: Land 50 metres south of Belfield, Woodlands Road, Blairgowrie

Application for Review by Mr M Wojtowicz against decision by an appointed officer of Perth and Kinross Council.

Application Ref: 15/00827/IPL

Application Drawings: 15/00827/1 15/00827/2

Date of Review Decision Notice – 3 December 2015

Decision

The PKLRB upholds the decision to refuse planning permission for the reasons given below and dismisses the review.

1 Introduction

1.1 The above application for review was considered by the PKLRB at a meeting held on 29 September 2015. The Review Body comprised Councillor M Lyle, Councillor D Cuthbert and Councillor J Giacomazzi.

1.2 The following persons were also present at the meeting:
G Fogg, Legal Adviser, D Harrison, Planning Adviser and Y Oliver, Committee Officer.

Also attending:
C Brien (the Environment Service); members of the public, including applicants/agents.

2 Proposal

2.1 The proposal is for the erection of a dwellinghouse (in principle), land 50 metres south of Belfield, Woodlands Road, Blairgowrie. The application was refused consent in terms of a decision letter dated 7 July 2015.

3 Preliminaries

3.1 The PKLRB was provided with copies of the following documents:

- (i) the drawings specified above;
- (ii) the Appointed Officer's Report of Handling;
- (iii) the refusal notice dated 7 July 2015;
- (iv) the Notice of Review and supporting documents.

- 3.2 The Planning Adviser described the proposals, the locality of the site, explained the reasons for refusal, and the grounds for the Notice of Review.
- 3.3 The PKLRB was shown projected photographs taken by the Planning Adviser, who had visited the site. These showed the application site from various angles.
- 3.4 Having regard to the material before them, the PKLRB resolved that the review of the decision to refuse could be determined without further procedure.

4 Findings and Conclusions

- 4.1 Having regard to the Development Plan and other material considerations set out in the Report of Handling and other papers before it, the PKLRB concluded by unanimous decision that the review application be refused. They were satisfied that the proposal was contrary to policy CF1 (a) of the Perth and Kinross Local Development Plan 2014. They noted that the terms of this policy had been considered by the Reporter and that he had approved of the wording used in the adopted Plan. They considered that this wording was of greater materiality than alternative wording which had been considered in the earlier stages. Accordingly they agreed with the reasons for refusal given by the appointed officer, namely:
 - (1) The proposal is contrary to Policy CF1A of the Perth and Kinross Local Development Plan 2014 which seeks to protect areas of existing open space from new development. The development of a house on this site would result in the loss of land which presently has value to the local community for amenity purposes.

Justification

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

- 4.2 The Review Application was accordingly dismissed.

Gillian Taylor
Clerk to the Local Review Body

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
Notification to be sent to applicant on determination by the Planning Authority
of an application following a review conducted under Section 43A(8)

Notice Under Regulation 22 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.

- 1 If the applicant is aggrieved by the decision of the planning authority to refuse permission or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision notice.

- 2 If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

Audrey Brown - CHX

From: Firgrove Park <[REDACTED]>
Sent: 05 August 2018 13:52
To: CHX Planning Local Review Body - Generic Email Account
Subject: FAO Gillian Taylor

Hello Gillian ,

Thank you for your email and the examples you gave regarding the granting or otherwise of requests on housing applications on the green zone boundaries in this area of Blairgowrie.

Notwithstanding what is in your letter can i humbly offer up that our application does not in any way go against any of the latest LDP stated wishes or principles.

Our application is on the perimeter of the “ greened zone “ historically allowed as you said if on the perimeter but disallowed if an incursion . Your mention of a disallowed one at Bellfield was a clear infringement into the zone but ours is absolutely not and is fully compliant with the latest LDP notes and intentions.

We respect this green zone as described and this green zone (which mainly consists of our fields) is precious to us also and it remains unaltered and as such fully complies with the present wishes of the LDP.

I would really and earnestly hope to have it taken on board by everybody that our application is fully compliant and solely refers to an infill between two houses in a direct line to each other and both houses forming the perceived perimeter of your zone that is being spoken about .

Your comments of the LDP is your area of expertise and we are in no way casting doubt on that , however it's not pertinent on this occasion as we are not at all suggesting an infringement .

I presume by definition a zone must have an actual perimeter to it or it is not a zone at all unless its viewed as a graded density zone as it starts to move further away from that perimeter and i see no mention of that and i am sure that is not how it was intended to be approached as that would be very difficult.

So what we have is a perimeter to the zone, so absolutely no incursions as your letter suggested or perhaps implied was the case .

I understand that applications outside that perimeter for house builds are being permitted and not objected to and ask that we be treated on a similar basis as we are likewise not within that zone.

We are on the outside the perimeter also but on it too, so it's semantics, our application is on a site that is very large for one house, much larger than others already passed in the vicinity. Not a single neighbour objection has been raised, this also because we are not causing any possible offence to anybody and our neighbours are completely supportive .

Our locus here is also invisible to all others other than immediate neighbours. A visiting panel will see this immediately i hope and appreciate this to be the true case. So there is no harm caused to anybody and no ecological disadvantageas presently it's an area covered with shredded rubber and not environmentally friendly.

Our family are nature lovers as evidenced by the planting of thousands of trees and hedges etc on what was empty grass fields. Wildlife now abounds, i think we are a positive influence on the Blairgowrie wildlife and long may that remain so. Further trees are to be planted. The Appeals panel are welcome to visit and enter through the stable doors to view the fields beyond and fully appreciate the circumstances. There are now large trees and hedges everywhere.

You mentioned that times were different back in 2006 hence that's why they were granted, this may be the case or not but it's with all due respect it's completely irrelevant in that again there is no breach of the LDP zone.

With no disrespect intended i humbly suggest that mention of Bellfield is irrelevant as that was an incursion and we are not asking for any incursion or setting any precedence for a future incursion.

Where does a perimeter and boundary begin and end ?

I presume it's on the zones actual perimeter , it's been permissible to grant an application Say 25 , 50 , 100 metres or 1000m outwith it in Rosemount, Blairgowrie , as is the norm right now . We are on this perimeter and are applying to place a house on the perimeter but yet not within it and between two existing houses presently on the perimeter viz ours and our neighbours, also it's on an existing line of houses and in keeping with this line, i had heard of this being termed natural infill in times gone by. Probably an outdated term now.

Anyway we are now in a better place ecologically here too and it's largely down to a lot of hard labour digging in trees and shrubs and clearing water courses and that's made a big difference. At one time it was bare fields of grass

so we respect a wildlife zone evidenced by what we planted there. The zone exists and is being improved upon by us all the time.

So we are not asking for special considerations in this instance but simply to have the independent panel visit here, view our presently “chopped rubber “ site and appreciate that a house build with associated gardens around it and and totally in accord with the present stated wishes of the LDP is much preferable to its current sterile status.

These are mainly the things we spoke about Gillian and i would appreciate it if you could reply to me and reassure me that this email letter be read in conjunction with your comments for the Appeals Panel to read, to hopefully give clarity and assurance and also alleviate any concerns on the points you have brought up.

Thanks You and..

Best Regards....

Mrs Gillian and Mr Ivan Clark.