

LRB-2021-32 - 21/00904/FLL – Erection of place of worship (Class 10) and associated works, land 30 metres east of Castle Wynd, Kinfauns Holdings, West Kinfauns

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LRB-2021-32 - 21/00904/FLL – Erection of place of worship (Class 10) and associated works, land 30 metres east of Castle Wynd, Kinfauns Holdings, West Kinfauns

**PAPERS SUBMITTED
BY THE
APPLICANT**



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100417247-003

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

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Montgomery Forgan Associates		
Ref. Number:	5960	You must enter a Building Name or Number, or both: *	
First Name: *	David	Building Name:	Eden Park House
Last Name: *	Queripel	Building Number:	
Telephone Number: *	01334 654936	Address 1 (Street): *	Eden Park
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Cupar
Fax Number:		Country: *	Scotland
		Postcode: *	KY15 4HS
Email Address: *	davidq@montgomery-forgan.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text"/>
Company/Organisation	<input type="text" value="Perth Gospel Trust"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Land 30 Metres East of Castle Wynd, Kinfauns Holdings, West Kinfauns

Northing	<input type="text" value="722385"/>	Easting	<input type="text" value="314552"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of place of worship (Class 10) and associated works

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See papers apart

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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. You can attach these documents electronically later in the process: * (Max 500 characters)

See papers apart

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/00904/FLL

What date was the application submitted to the planning authority? *

02/06/2021

What date was the decision issued by the planning authority? *

25/07/2021

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

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

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

To allow LRB members to view Kinnoull Hill from the site (see reason for refusal 2)

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

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

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 (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Montgomery Forgan Associates

Declaration Date: 15/09/2021

Date: 15 September 2021

Our Ref: 5960/DQ/KAH

Your Ref:

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

Dear Sirs

Notice of Review

Refusal of Planning Application Ref. 21/00904/FLL- Erection of Place of Worship (Class 10) and Associated Works at Land 30 Metres East of Castle Wynd, Kinfauns Holdings, West Kinfauns

We submit this notice to the Local Review Body on behalf of the applicant, Perth Gospel Trust. Planning permission was refused for the above proposal by the appointed officer on 25 July 2021 for 3 reasons as detailed below.

- “1. The proposal is contrary to Policy 14A, Open Space Retention and Provision: Existing Areas, of the Perth and Kinross Local Development Plan 2 (2019), as it would result in built development on a significant part of an area that is designated as open space of amenity value. The impact of the development would change the open character of the land and have an adverse impact on visual amenity that would lead to an erosion of the landscape buffer between the A90 Trunk Road and the built development at Kinfauns.*”**
- 2. The proposal is contrary to Policy 39, Landscape, category (b), of the Perth and Kinross Local Development Plan 2 (2019), as it would detract from the open aspect and views from the site to Kinnoull Hill that contributes to the setting, and in particular the entrance to, Kinfauns settlement.***
- 3. The proposal is contrary to Policy 60B, Transport Standards and Accessibility Requirements: New Development Proposals, of the Perth and Kinross Local Development Plan 2 (2019), as it would locate a development in a location where it would be dependent on access by private car and would not reduce travel demand by car as required by Policy 60B.”***

In addition to this Notice of Review Statement, the review request is supported by the initial drawings and plans and the supporting planning statement dated 24 May 2021 that accompanied the planning application (**Document 1**).

The detailed policy references contained within the initial planning statement do not require to be repeated within this statement. Rather this statement sets out why the 3 reasons for refusal are disproportionate and should be set aside, and why the planning application should be approved.

On behalf of the applicant, we would respectfully request that the Local Review Body visits the site prior to determining the review proposal. We would suggest that only a site visit will allow the members of the

Local Review Body to appreciate the site specific circumstances, and why we feel that the reasons for refusal are not justified.

Background

This is the second planning application submitted to Perth and Kinross Council. It was submitted as the applicant is confident that the reasons for refusing the first planning (Ref. 19/01734/FLL) can be overcome by the changes made as part of this proposal.

The previous planning application was refused by the Local Review Body on 1 November 2020 on a split 2 to 1 decision.

For the reasons set out below and within the supporting documentation, it can be demonstrated that the 3 reasons given by the Local Review Body for refusing the previous proposal have been addressed, and that this amended proposal should be approved.

As detailed in the planning application supporting statement, the Perth Gospel Trust is affiliated to the Plymouth Brethren Christian Church which is a world wide church with a focus on charity in the community including the Rapid Relief Team Charity which supports communities in need.

Reasons for the Proposal

The Perth Gospel Trust wishes to build a hall as a place of worship for its members, and which would be complimentary to the main religious activities in existing church halls across the network locally.

The Perth Gospel Trust owns and runs an existing gospel hall at Wicks O'Baiglie, Bridge of Earn, and has more recently been granted planning permission by Perth and Kinross Council for a small hall, similar to what is now before the Local Review Body, at Old Edinburgh Road, Bridge of Earn (Ref. 19/01323/FLL).

These places of worship provide for members of the Plymouth Brethren Christian Church who live in Perth and the surrounding area.

The Perth Gospel Trust wants to make more accessible its place of worship to members of the brethren group who live to the east of Perth, and the site at West Kinfauns is an ideal location for this purpose.

Members of the brethren group receive direction about which church hall to attend Holy Communion, and this is based on proximity. Gatherings are restricted to no more than 40 to 50 brethren group members including children and babies. All through the COVID lockdown, private homes have been used on an ad hoc basis for family services, and there have been no complaints from neighbours regarding additional traffic or noise from any of the locations used.

The Perth Gospel Trust would like to emphasise in this statement that the services do not involve any high levels of amplification and no musical instruments are played and no singing is amplified. No halls are ever used for any other social activity or for the consumption of food or drink outside of Holy Communion.

The Perth Gospel Trust has chosen this proposal site (rather than reusing an old church or village hall) as it is in the correct location near to where members of the brethren group live, and its location will enable the group members to walk or cycle to the hall, as well as come by car. The hall and associated land will provide a safe area for young and old alike, as safety is key to the group. Through the landscaping which forms part of the overall proposal, the Plymouth Brethren Christian Church is fully committed to enhancing the area, and this entrance into West Kinfauns.

It should also be noted that there have been no objections to the proposal from the local community and there have been no objections to the proposal from any non planning consultees including Transport Scotland, PKC Transport Planning, Scottish Water, PKC Environmental Health, PKC Structures and

Flooding and PKC Biodiversity/Tree Officer. Only PKC Planning and Housing Strategy has raised an objection to the proposal.

Existing Site

The site is unused agricultural land, is overgrown and is becoming unsightly. Because the site only measures 0.43 hectares, it cannot be economically used for agricultural purposes.

The site is well screened from the A90 Perth to Dundee dual carriageway by a substantial tree belt, is bounded to the west by the settlement of West Kinfauns and is bounded to the south by the public road known as Walnut Grove.

The site is within the settlement boundary, and the attached photograph (**Document 2**) taken from Kinnoull Hill identifies the site and the location of the hall within the site.

Reason for Refusal 1

The appointed officer states that the proposal will result in built development on a significant part of an area that is designated as open space of amenity value, and that the impact of the development would change the open character of the land and would lead to an erosion of the landscape buffer between the A90 trunk road and the built development of Kinfauns.

The supporting statement which accompanied the planning application states that the overall site measures 0.43 hectares, and the development area measures only 0.08 hectares, which is only 18.6% of the open space area. 81.4% of the open space area will remain as such and will be maintained and enhanced with additional landscaping.

In addition, the hall has now been aligned with the building line of the adjacent dwelling houses, and the distance between the built development and the A90 is some 105 metres.

It is contended that only a very small part of the site will be developed and the area of open space will continue to function in the way that it was originally intended.

Criterion (b) of Local Development Plan Policy 14A specifically states that development proposals resulting in the loss of areas of open space can be permitted if the proposed development involves a minor part of the site which would not affect its continued use.

It is contended that this is the case here. Only a minor part of the site is proposed for development. The number of car parking spaces has been reduced from the previous proposal, and the hall has been brought forward in the site to make the development area compact, with 81.4% of the site now being maintained and landscaped.

Document 2 shows that even with this very modest development, the open character of the site will be maintained and there will be no material erosion of the landscape buffer between the A90 and West Kinfauns.

Reason for Refusal 2

The appointed officer states that the proposal will detract from the open aspect and views from the site to Kinnoull Hill that contribute to the setting, and in particular the entrance to Kinfauns settlement.

Policy 39 states that development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross.

Policy 39(b) goes on to state that development proposals will need to demonstrate that they safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identity or scenic quality.

It is contended that the proposal is so minor in the landscape that it will have no material impact on views to Kinnoull Hill or views from Kinnoull Hill. The hall itself will be constructed of timber type walls and a dark grey roof. The hall has a floor space of only 141.5 sqm and is deliberately simple in form. It has been designed so that it takes on the appearance of a small agricultural type building.

Document 2 demonstrates the development, when viewed from Kinnoull Hill, will read as part of the settlement of West Kinfauns. The open space buffer between the A90 and West Kinfauns will be maintained. The view of the site from Kinnoull Hill is dominated by the built development of West Kinfauns on one side of the site and the A90 dual carriageway on the other side of the site.

Likewise **Document 3** demonstrates that the view from the site to Kinnoull Hill is read with adjacent dwelling houses in the foreground. In any event, at the moment, the site is an unused field and cannot reasonably be considered as an important viewpoint to Kinnoull Hill.

When entering West Kinfauns from the A90 to the east, the predominant view is towards the settlement itself rather than Kinnoull Hill. Again, please refer to Document 2 which shows that the predominant view when entering the settlement is of the settlement itself.

Document 4 demonstrates that views to Kinnoull Hill from all parts of West Kinfauns is dominated by built development in the foreground and the A90 dual carriageway in the background. The hall will not materially change the character of views to Kinnoull Hill from West Kinfauns.

Reason for Refusal 3

The appointed officer states that the location of the development means that it would be dependant on access by private car and would not reduce travel demand by car.

As confirmed earlier in this statement, the location for the hall was chosen so that members of the brethren group who live to the east of Perth do not have to travel (most likely by car) to Bridge of Earn.

It is acknowledged that bus services to West Kinfauns are currently infrequent, however, the Local Development Plan has earmarked the settlement for a major park and ride facility (Site RT1), and it is noted that a Proposal of Application Notice (Ref. 21/00001/PAN) and an EIS Scoping Opinion request (Ref. 21/00684/SCOP), to include such a facility, has been submitted to Perth and Kinross Council.

Should a park and ride facility be developed, it is contended that there will be adequate bus services in the future to allow different modes of transport to access the hall. However, in order to achieve everything that is possible at the moment, the proposal now incorporates 4 bicycle storage racks for any group member who wishes to cycle to the hall.

Policy 60B refers to significant travel generating uses. It is contended that the hall is modest in size and nature and cannot reasonably be described as such a development. Whilst the hall can accommodate up to 50 group members, many will share cars to travel to and from the hall, or will cycle or will walk, which is something that the Perth Gospel Trust encourages for all its other halls.

As was stated in the supporting planning statement, the Perth Gospel Trust does not intend to make the hall a regular meeting place, and therefore the frequency of use and nature of operations will be limited to 3 or 4 attendances per week. The hall will only be used for Holy Communion (Sunday mornings 05:30-06:30), a gospel preaching on Sunday afternoon, a Monday evening prayer meeting (18:30-19:15) and then less frequently on a Friday at 18:30 for bible reading.

It is contended that the proposed development cannot be considered as a significant travel generating use.

It is also noted that Perth and Kinross Council's Transport Planning service has raised no objections to the proposal and notes the introduction of the 4 bicycle storage racks.

Conclusions

We have sought to demonstrate that the proposal before the Local Review Body has addressed the 3 reasons for the refusal of the previous proposal by the Local Review Body in November 2020.

The proposal has been considerably scaled back by aligning the hall with the adjacent built development and there has been a significant reduction in the number of car parking spaces and the introduction of bicycle storage racks.

The balance of the site (81.4%) will change from unmaintained and unused agricultural land to maintained and landscaped open space.

The views to and from Kinnoull Hill be not be affected in any material way, and it is contended that the entrance to West Kinfauns from the A90 will be greatly enhanced by the proposal.

This is a very modest proposal both in built form and in use. But most importantly it will provide a place of worship for those members of the brethren group who would seek a more local place of worship, and will obviate the need to travel to Bridge of Earn.

When the previous proposal was refused, it was on a split decision of 2 votes to 1. We hope that the Local Review Body will recognise that the Perth Gospel Trust has made significant changes to the proposal, which might allow the Local Review Body to now find in the Trust's favour.

Yours faithfully

MONTGOMERY FORGAN ASSOCIATES

Encl	Document 1	Planning Application Submission including Supporting Statement and Plans
	Document 2	View from Kinnoull Hill
	Document 3	Existing and Proposal Photos
	Document 4	Aerial View of Kinfauns Settlement Photos from Roadside



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100417247-001

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

Type of Application

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

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

Description of Proposal

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

Erection of place of worship (Class 10) and associated infrastructure and landscaping

Is this a temporary permission? *

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Montgomery Forgan Associates		
Ref. Number:	5960	You must enter a Building Name or Number, or both: *	
First Name: *	David	Building Name:	Eden Park House
Last Name: *	Queripel	Building Number:	
Telephone Number: *	01334 654936	Address 1 (Street): *	Eden Park
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Cupar
Fax Number:		Country: *	Scotland
		Postcode: *	KY15 4HS
Email Address: *	davidq@montgomery-forgan.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	
Company/Organisation	Perth Gospel Trust	Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Land 30 Metres East of Castle Wynd, Kinfauns Holdings, West Kinfauns

Northing

722385

Easting

314552

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

0.43

Please state the measurement type used:

☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

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

Grassland/open space

Access and Parking

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

☒ Yes ☐ No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.	
How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	<input style="width: 100%;" type="text" value="0"/>
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *	<input style="width: 100%;" type="text" value="13"/>
Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *	
<input type="checkbox"/> Yes – connecting to public drainage network <input checked="" type="checkbox"/> No – proposing to make private drainage arrangements <input type="checkbox"/> Not Applicable – only arrangements for water supply required	
As you have indicated that you are proposing to make private drainage arrangements, please provide further details. What private arrangements are you proposing? *	
<input type="checkbox"/> New/Altered septic tank. <input checked="" type="checkbox"/> Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed). <input type="checkbox"/> Other private drainage arrangement (such as chemical toilets or composting toilets).	
Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *	
<div style="border: 1px solid black; padding: 5px;"> Package treatment plant and soakaway to ground </div>	
Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Note:- Please include details of SUDS arrangements on your plans Selecting 'No' to the above question means that you could be in breach of Environmental legislation.	
Are you proposing to connect to the public water supply network? *	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, using a private water supply <input type="checkbox"/> No connection required	
If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).	

Assessment of Flood Risk

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

☐ Yes ☒ No ☐ Don't Know

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

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

☐ Yes ☒ No ☐ Don't Know

Trees

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

☒ Yes ☐ No

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

Waste Storage and Collection

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

☐ Yes ☒ No

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

Church organisation will make its own arrangements for the collection of very low levels of waste

Residential Units Including Conversion

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

☐ Yes ☒ No

All Types of Non Housing Development – Proposed New Floorspace

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

☒ Yes ☐ No

All Types of Non Housing Development – Proposed New Floorspace Details

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

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

Class 10 Non-residential Institutions

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

142

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

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

Schedule 3 Development

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

☐ Yes ☒ No ☐ Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

☐ Yes ☒ No

Certificates and Notices

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

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

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

☐ Yes ☒ No

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

☐ Yes ☒ No

Are you able to identify and give appropriate notice to ALL the other owners? *

☒ Yes ☐ No

Certificate Required

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

Certificate B

Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr Alastair Baptie

Address:

Murrayacre, Glencarse, Perth, Scotland, PH2 7NJ

Date of Service of Notice: *

24/05/2021

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: David Queripel

On behalf of: Perth Gospel Trust

Date: 24/05/2021

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☐ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☒ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

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

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

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

Supporting Planning Statement

Declare – For Application to Planning Authority

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

Declaration Name: Ms Kerry Heggie

Declaration Date: 24/05/2021

Payment Details

Pay Direct

Created: 24/05/2021 15:23

Date: 24 May 2021
Our Ref: 5960/DQ/KAH
Your Ref: 100417247-001

Planning Service
Perth and Kinross Council
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Dear Sirs

Erection of Place of Worship (Class 10) and Associated Infrastructure and Landscaping at Land 30 Metres East of Castle Wynd, Kinfauns Holdings, West Kinfauns

Please find attached a planning application submitted on behalf of Perth Gospel Trust (the applicant). The planning application fee of £802 has been paid direct to Perth and Kinross Council (PKC) by the applicant.

This detailed planning application has been submitted to PKC for the erection of a place of worship (Class 10) and associated infrastructure and landscaping, and seeks to address a previous refusal of planning permission (Ref. 19/01734/FLL) for a similar proposal within the site.

The previous planning application was refused by the Appointed Officer under delegated powers for 4 reasons. The applicant sought a review of the decision by the PKC Local Review Body. The Local Review Body upheld the decision of the Appointed Officer but determined that it did not agree with the first reason for refusal which related to the design of the building, its siting and the lack of landscaping.

Therefore, the Local Review Body refused the review application for the following 3 reasons:

- “(1) The proposal is contrary to Policy 14A, Open Space Retention and Provision: Existing Areas, of the Perth and Kinross Local Development Plan 2 (2019), as it would result in built development on a significant part of an area that is designated as open space of amenity value. The impact of the development would change the open character of the land and have an adverse impact on visual amenity that would lead to an erosion of the landscape buffer between the A90 Trunk Road and the built development at Kinfauns.***
- (2) The proposal is contrary to Policy 39, Landscape, category (b), of the Perth and Kinross Local Development Plan 2 (2019), as it would detract from the open aspect and views from the site to Kinnoull Hill that contributes to the setting, and in particular the entrance to, Kinfauns settlement.***
- (3) The proposal is contrary to Policy 60B, Transport Standards and Accessibility Requirements: New Development Proposals, of the Perth and Kinross Local Development Plan 2 (2019), as it would locate a development in a location where it would be dependent on access by private car and would not reduce travel demand by car as required by Policy 60B.”***

The applicant has submitted the current application in order to seek to address these 3 reasons for refusal.

The purpose of this supporting planning statement is to provide a clear description of the current proposal, how it differs from the proposal which was refused by the Local Review Body, and in particular how it now seeks to address these 3 reasons for refusing the previous review application.

Background

The Perth Gospel Trust is affiliated with the Plymouth Brethren Christian Church (PBCC), which is a mainstream christian church with more than 300 autonomous assemblies in 18 countries. There is a strong and generous charitable spirit within the Trust, which provides a constant source of help for those in need. This benevolence is all embracing and includes financial, social, pastoral, family and health support. Brethren also support many outside charities, and have generously supported worthy cases. The church community refer to themselves as “brethren” because they are a close, tight-knit, community of families held together by their shared Christian belief founded by the Holy Bible. That said, just like everyone else, they live alongside people of their faith, other faiths and no faith.

Brethren gather daily in Gospel Halls to pray together and read from the Holy Bible. They also congregate every Sunday in their Gospel Halls to celebrate the Lord’s Supper and to preach the Gospel. The men, women and children of the PBCC have shared values of community participation, ownership and decision-making. They actively practice Christianity through service to their family, their Church, and to their local and global communities. Their mutual Christian fellowship is an integral part of their way of life. Further details about the way of life of this community can be found here: www.plymouthbrethrenchristianchurch.org/

The Perth Gospel Trust (part of the PBCC) is affiliated to an existing hall of worship at Wicks O’ Baiglie Road, Bridge of Earn, granted planning permission in 2007 (Ref. 07/00933/FUL), and constructed in 2009. It has capacity for up to 800 visitors for gatherings. The Trust was also granted planning permission for another hall of worship at Old Edinburgh Road, Bridge of Earn (Ref. 19/01323/FLL) in 2020, which is similar in size to the Kinfauns proposal, and which is currently under construction. The Trust has an agreement to purchase the Kinfauns proposal site to enable it to offer smaller-scale, smaller group gatherings on an ‘as required’ basis, for worship and as complementary to the main Gospel Hall at Wicks O’Baiglie Road. The Kinfauns hall will have capacity for up to 50 visitors. It is not intended to make the proposed worship hall a regular meeting place, the frequency of use and nature of operations will be limited. Details are set out later in this supporting letter.

The applicant has already secured the necessary funding for the proposal. This funding will allow the applicant to develop a site that provides huge potential for the assistance of its community, especially during these difficult covid and post covid times.

The Site and Surrounding Area

The site measures some 0.43 hectares and lies on the eastern side of West Kinfauns. West Kinfauns itself is a broadly linear settlement comprising mainly of housing.

The site’s northern boundary comprises of a mature bank of woodland rising to the A90 Perth to Dundee dual carriageway. The site’s eastern and southern boundaries are flanked by a local public road called Walnut Grove. The site’s western boundary lies adjacent to Castle Wynd which is a fairly modern detached ‘room in the roof’ dwellinghouse with a double garage within its rear garden.

The site itself comprises of grassland. Demarcating its western and southern boundaries are stone walls approximately 1.1m in height, with stob and wire fencing demarcating the site’s south eastern, eastern and northern boundaries.

The site is relatively level, but it does slope gently upwards towards its northern boundary. An existing field access gate exits onto Walnut Grove just before the start of the 30mph speed limit into the settlement, and there is a bus stop and shelter on the opposite side of the road, as well as a demarcated cycle and pedestrian path/zone.

The owner/occupier of the adjacent house known as Castle Wynd is a member of the Plymouth Brethren Christian Community and will act as the hall's caretaker should this planning application be approved.

To the west of the settlement, there is a broad area of land allocated as a park and ride within the adopted Local Development Plan, in order to provide sustainable travel into and out of Perth city centre. A Proposal of Application Notice (Ref. 21/00001/PAN) was agreed by PKC in February 2021 for a mixed use development within this site including a potential park and ride facility.

The Proposed Development

The proposal is to construct a meeting hall with a floor area of some 141.5m². So it is very modest in size.

The hall is essentially the same design as the previous review application proposal, except that it is handed. It will be finished in timber effect weatherboard walls, grey roof panels and dark timber framed windows. The entrance door will be recessed and the recess walls will be finished in a contrasting acrylic render (colour tbc).

The ridge height of the hall will be 5.5m and the eaves height will be 3m.

The hall itself will comprise of a 100m² hall/meeting space, a foyer, a small kitchen and toilets.

13 car parking spaces will be provided (including 2 disabled spaces) and the existing gated access onto Walnut Grove will be utilised as the access into the site. 4 cycle parking spaces will also be provided.

The access and parking areas will be crushed gravel (or similar) on a compacted hardcore base and the hall will be on a building line to match the adjacent dwellinghouses. There will be a short length of tarmac onto the public road to prevent the gravel finish being inadvertently taken onto the public road.

As part of the proposal, a landscaping scheme is submitted. The landscaping will comprise of native hedging along the site's southern and eastern boundaries as well as native hedging framing the hall itself. Added to this will be native tree planting, shrub planting and bulb planting. The purpose of the landscaping is two fold. Firstly, to soften the built development, and secondly to improve the overall environmental and amenity value of the site.

Visibility from the A90 dual carriageway and wider area will be mitigated by the change in site levels, the existing structure tree planting along the A90 itself and the fact that the hall will now be sited on the same building line as the existing dwellinghouses, thus reading as part of the established settlement and built form.

The proposed toilet waste water and kitchen grey water will be dealt with by a simple packed treatment plant and soak away within the field, as there is no Scottish Water public sewerage system close to the site.

Use of the Hall

The proposed hall building will be used to host church worship meetings by the applicants' members. The hall will have a capacity for up to 50 visitors, but is not likely this maximum will be reached on every worship occasion. The hall will be used for Holy Communion (Sunday mornings 0530-0630), a Monday evening prayer meeting (18:30-19:15) and then less frequently on a Friday at 18:30 for a Bible reading. The Sunday meeting is known as Holy Communion which is also conducted in all the applicant's other halls. The organisation has over 300 halls in the UK with unrestricted hours of use. For this proposal, the applicant would request that hours of use are not restricted by PKC.

The hall is proposed only for religious worship as detailed above. No other social gatherings or any other use is proposed. The proposed hall can therefore be considered complimentary to the main religious activities undertaken in existing church halls across the network locally. It is a material consideration that the applicant owns and runs an existing gospel hall at Wicks O'Baiglie, Bridge of Earn without any

compatibility or residential amenity concerns. In addition, planning permission has been more recently been granted for a similar small hall at Old Edinburgh Road, Bridge of Earn (Ref. 19/01323/FLL). The Trust wishes to ensure all outlying communities in the Perth area (including members in and around Kinfauns) are conveniently and adequately catered for in providing halls of worship which can be accessed locally and ideally without the need for vehicular use.

Site Access

It is proposed to upgrade the entrance to the site from the existing main road through Walnut Grove. This will include installation of a new timber gate and sight line widening of the existing access as required. This may require part-removal of the existing 1.1m boundary stone wall to improve the access point. The tree belt fronting the site's boundary on the east and north will not be affected.

As previously stated, the highway at this access point is just outside the 30 mph limit, and is lit, and there is good visibility in both directions. There is also an existing grassy verge, and alongside that, an existing zoned pedestrian/cycle path.

Drainage

The site lies above the flood risk area. The levels range from 6.0m to 8.5m. The proposed church hall is positioned at 6.5m. Therefore the urban drainage strategy for this proposal is to provide a permeable surface for the access road and the parking bays.

Development Plan Considerations

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires the determination of planning applications to be made in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the approved TAYplan (2017) and the adopted Perth and Kinross Local Development Plan 2 (2019).

This supporting statement focuses on those development plan considerations that formed the basis of the refusal of the review application at the Local Review Body when the previous proposal was considered. It then considers the changes to the proposal that have been made in order to seek to overcome those previous reasons for refusal.

TAYplan

It is not considered that the proposal is of a strategic nature, and therefore TAYplan is only of limited relevance. However, Policy 2 - Shaping Better Quality Places, states that development proposals should be place led, should respect the local design context and should integrate with existing community infrastructure.

As detailed above, the Perth Gospel Trust is aiming to provide local places of worship for its members via a network of halls. As the Perth area is strategically planned to grow significantly, including a new park and ride interchange within West Kinfauns, there is a future need to plan for the organisation and provision of suitable and convenient community facilities such as this proposed church hall.

Perth and Kinross Local Development Plan 2

The proposal site lies within the Kinfauns settlement boundary and comprises an area identified as Open Space.

Policy 1: Placemaking, states that development must contribute positively to the quality of the surrounding built and natural environment, and the design, density and siting of development should respect the character and amenity of the place. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

Policy 6: Settlement Boundaries, states that for those settlements which have a boundary defined in the Plan, built development will be contained within that boundary.

Policy 14: Open Space Retention and Provision, states that areas of open space are areas of land which have a value to the community for either recreational or amenity purposes. Development proposals resulting in the loss of these areas will not be permitted, except in circumstances where the following, amongst other matters, would apply;

- the proposed development involves a minor part of the site which would not affect its continued use as a recreational or amenity resource.

Policy 17: Residential Areas, states that generally encouragement will be given to proposals which, amongst other matters, improve community and educational facilities.

Policy 39: Landscape, states that development and land use change should be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes. Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross.

Policy 60: Transport Standards and Accessibility Requirements, states that all development proposals that involve significant travel generation will be well served by, and easily accessible to all modes of transport. In particular, the sustainable modes of walking, cycling and public transport should be considered, prior to private car journeys.

Planning Considerations

The proposal site lies within the settlement boundary of West Kinfauns, where there is a presumption in favour of appropriate development. The proposal site also lies within an area of open space, where appropriate development can be permitted if it involves a minor part of the site and it would not effect the site's continued use as a recreational or amenity resource.

The proposal site is allocated as Open Space within LDP 2 for its visual amenity value and providing a separation from the A90 dual carriageway. The Council has previously acknowledged that the area of land is not exceptional for any specific use, recreational or scenic.

The current proposal now involves only a minor part of the site when compared to the review proposal. The proposal site measures 0.43 hectares, and the development area measures only 0.08 hectares (excluding the underground package treatment plant), which represents 18.6% of the designated Open Space area. The remaining 81.4% of the One Space area will remain as open space which is to be enhanced by additional landscaping.

In addition the distance between the built development and the north east edge of the site close to the A90 dual carriageway is approximately 105 metres.

It is considered that only a minor part of the overall Open Space area will be developed, and will not affect the area's continued functionality as an area valued for its visual amenity or as an area of separation from the A90 dual carriageway.

The proposal now includes a positive landscaping proposal which will help in maintaining and enhancing the overall site as an area of amenity open space.

Coupled with this, a valued and valuable community facility will be provided within the site.

It is considered that this amended proposal now complies with Policy 14 of the LDP and addresses the first reason for refusing the previous local review application.

The proposed hall has been moved closer to Walnut Grove so that it forms a continuation of the existing dwellinghouse building line. The car parking has been reduced in number from 29 spaces to 13 spaces,

with the spaces now primarily located between the hall and Walnut Grove. The access road and the parking spaces will be finished in a gravel surface rather than tarmac and block paving. Native hedgerow and tree planting will be introduced close to the hall, within the wider site and around the site boundaries.

It is considered that the open aspect of the site will be maintained, and that the open aspect and views from the site to Kinnoull Hill will be maintained. Likewise, the setting and entrance to West Kinfauns from the A90 dual carriageway will be enhanced by the additional native tree planting and boundary hedgerow planting.

It is considered that the amended proposal now complies with Policy 39 of the LDP and addresses the second reason for refusing the the previous local review application.

The proposed hall is located adjacent to 2 bus stops, with the bus stop across the road enclosed by a shelter. Bus services are reasonably frequent, and access by bus is viable to and from Perth city centre. In addition there is a cycle/footpath zone at the site entrance.

West Kinfauns has an allocation for a park and ride facility within the LDP. PKC has an aspiration of a sustainable transport interchange at this location for travel to and from Perth city centre.

The proposed site location is accessible for walking, cycling and public transport. The applicant has more than halved the number of car parking spaces within the site compared to the previous local review application in order to encourage walking, cycling and public transport to facilitate travel to and from the hall.

PKC's Transport Planning Service raised no objections to the previous local review application, but recommended that 4 cycle parking spaces be provided with the site. The current proposal provides these 4 cycle parking spaces.

It is considered that this amended proposal now complies with Policy 60 of the LDP and addresses the third reason for for refusing the previous local review application.

Conclusions

The previous local review application was refused by the LRB by 2 votes to 1. The number of reasons for refusal by the Appointed Officer was reduced from 4 to 3 by the LRB.

This proposal has, we would respectfully suggest, addressed the 3 reasons for refusal of the previous local review application.

The hall is modest in size, simply but attractively designed, and will be enhanced by native planting and landscaping.

The proposal will also enhance the overall Open Space Area site and will provide for an attractive setting for those entering and leaving West Kinfauns.

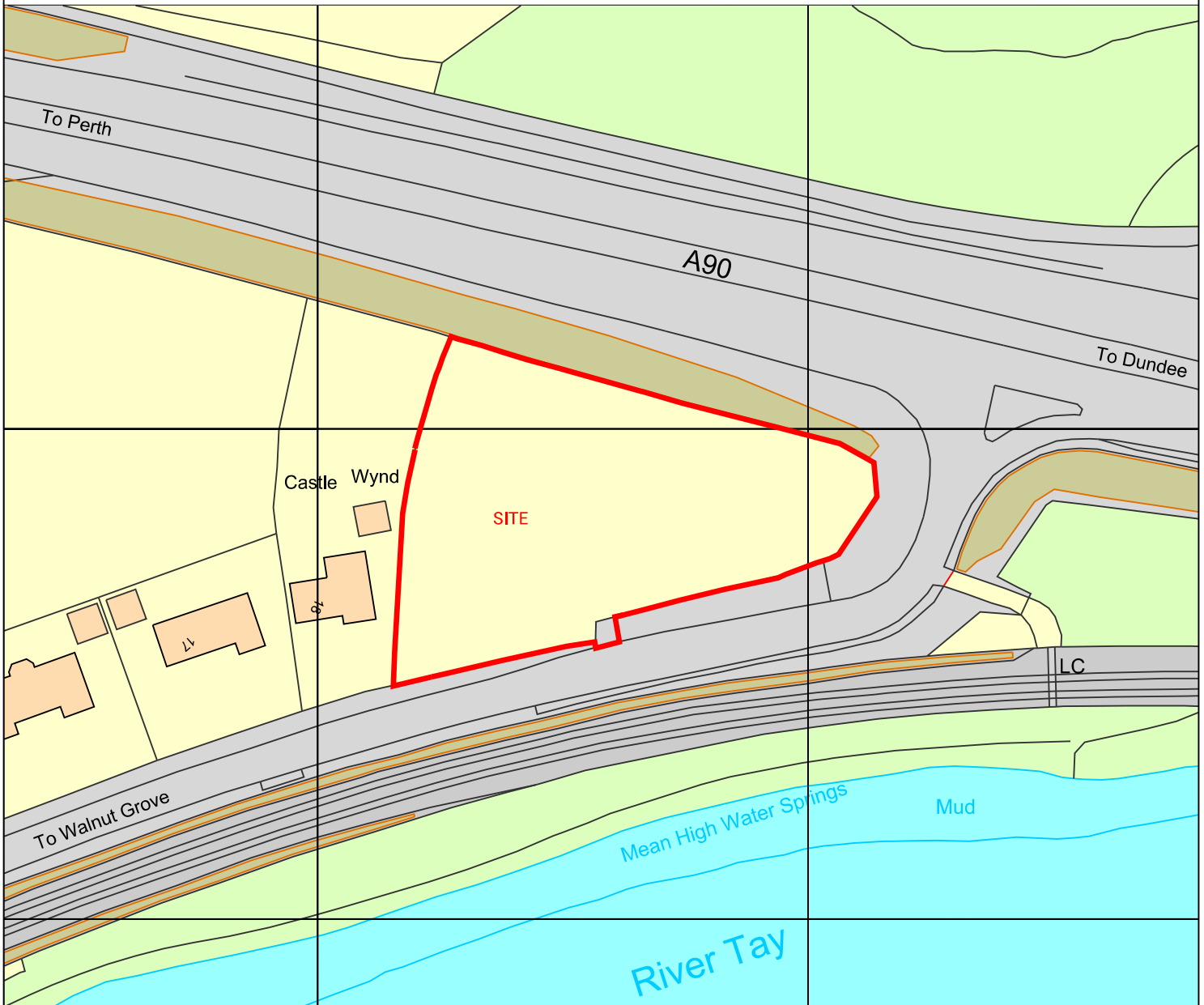
We would be pleased if the foregoing matters can be taken into account when this planning application is being considered.

If PKC requires any further information at this time, please do not hesitate to contact us.

Yours faithfully

MONTGOMERY FORGAN ASSOCIATES

cc Perth Gospel Trust

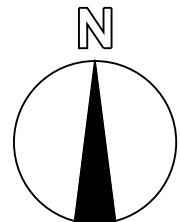
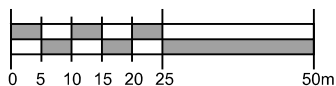


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1 Site Location Plan

1:1250

SCALE 1:1250



Andrew Black Design
Architecture + Interior Design

Client: Perth Gospel Trust

DWG. NO. PL - 28 A

Project: Meeting Hall
Walnut Grove, Kinfauns
Perth, PH2 7JY

Job No: 735

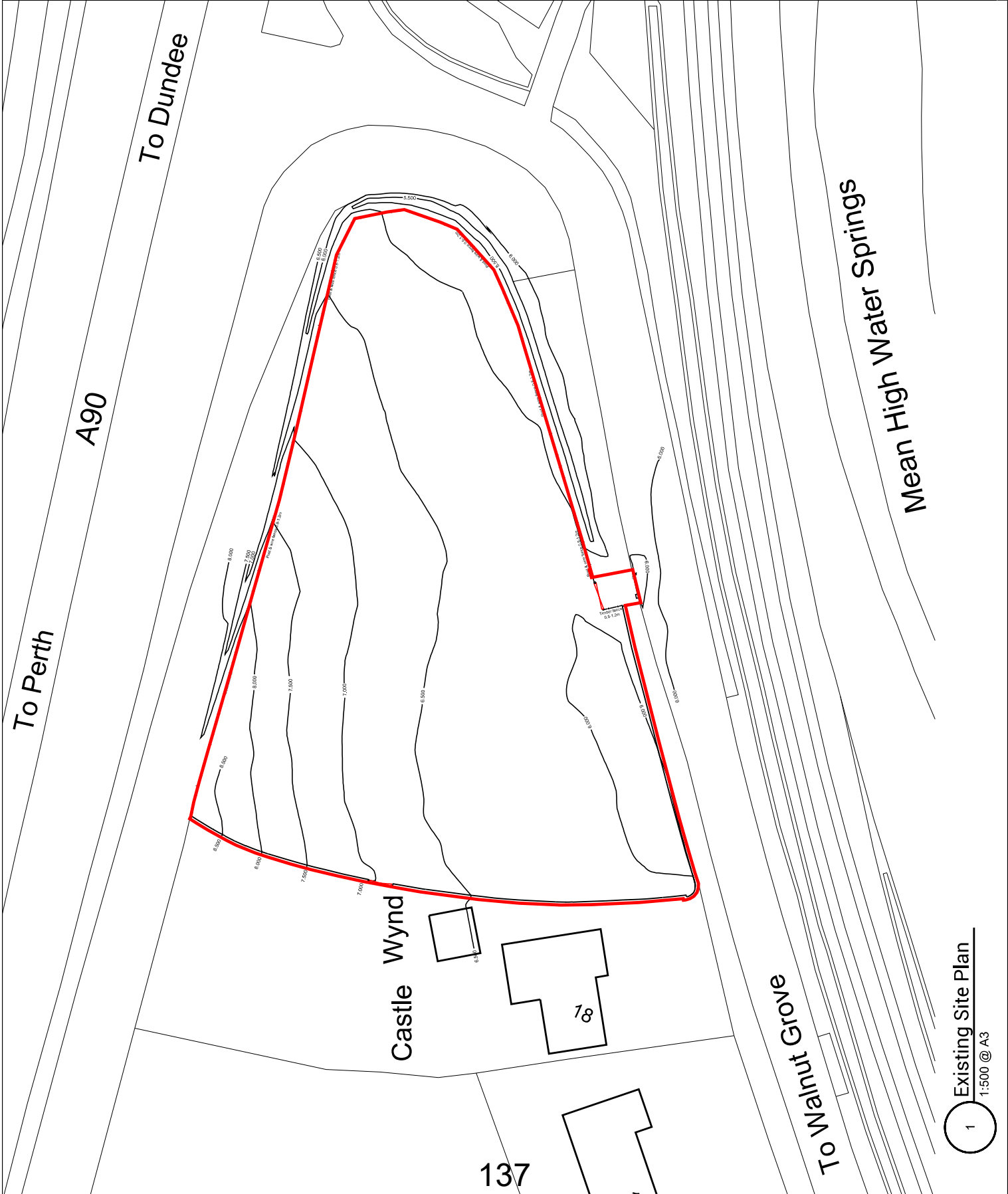
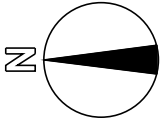
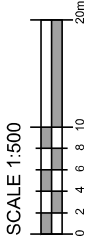
Date: Oct 19

Purpose: Planning

27 Tay Street Lane, Dundee, DD1 4EF

t: 01382 220874
mail@andrewblackdesign.com

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Client: Perth Gospel Trust

DWG. NO. PL-29 A

Project:
Meeting Hall
Walnut Grove, Kinfauns
Perth, PH2 7JY

Title:
Existing Site Plan
1:500 @ A3

Job No: 735

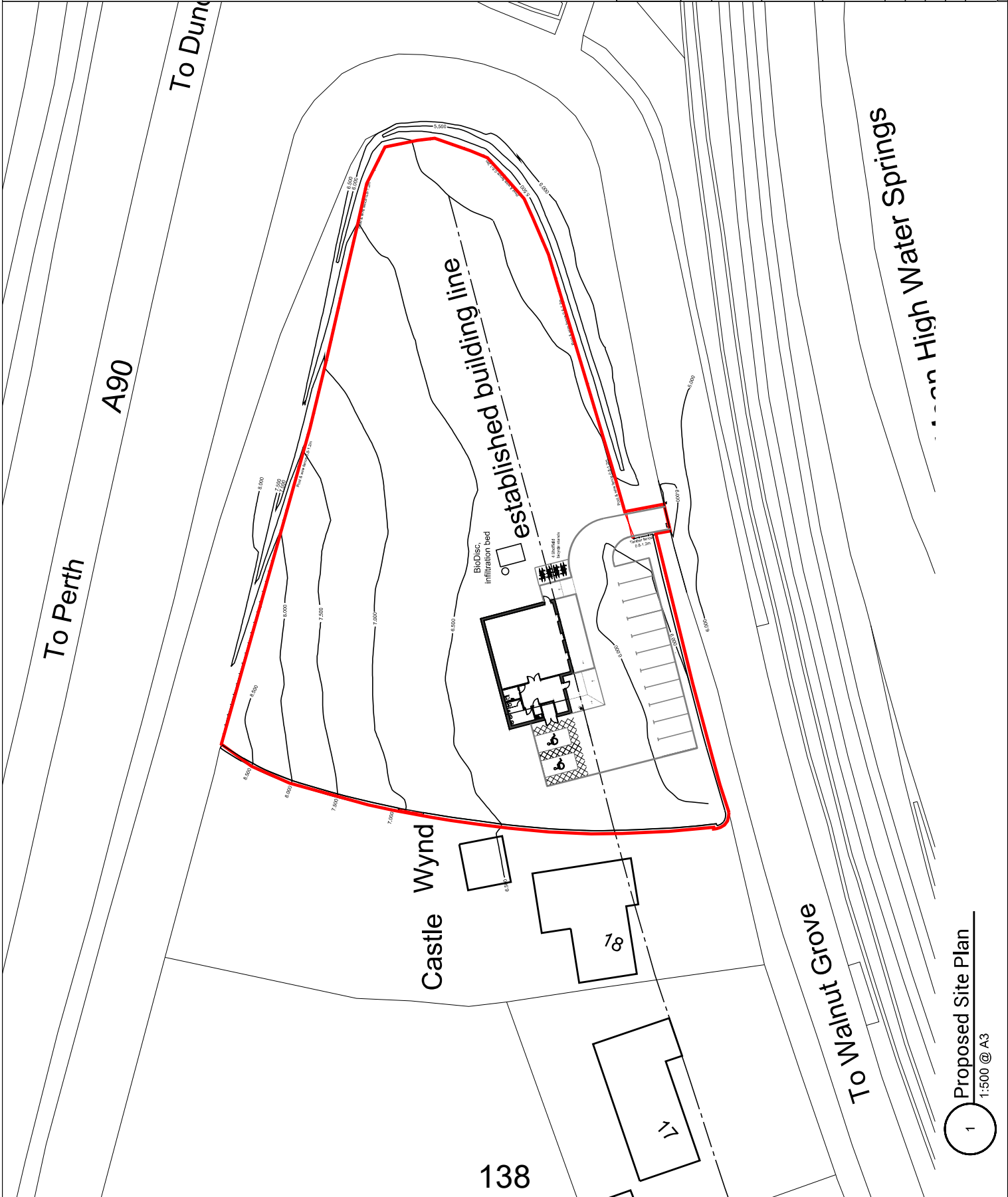
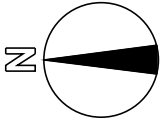
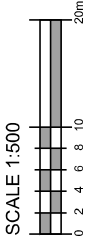
Date: Oct 19

Purpose: Planning

Drawn by: AO

27 Tay Street Lane, Dundee, DD1 4EF

t: 01382 220874
m: 07792 220874
e: mail@andrewblackdesign.com



Rev E site boundary amendment to include site access
02.06.21 HG



Client: Perth Gospel Trust

DWG. NO. PL - 204 E

Project:
Meeting Hall
Walnut Grove, Kinfrauns
Perth, PH2 7JY

Title:
Proposed Site Plan
Option 4
1:500 @ A3

Job No: 735

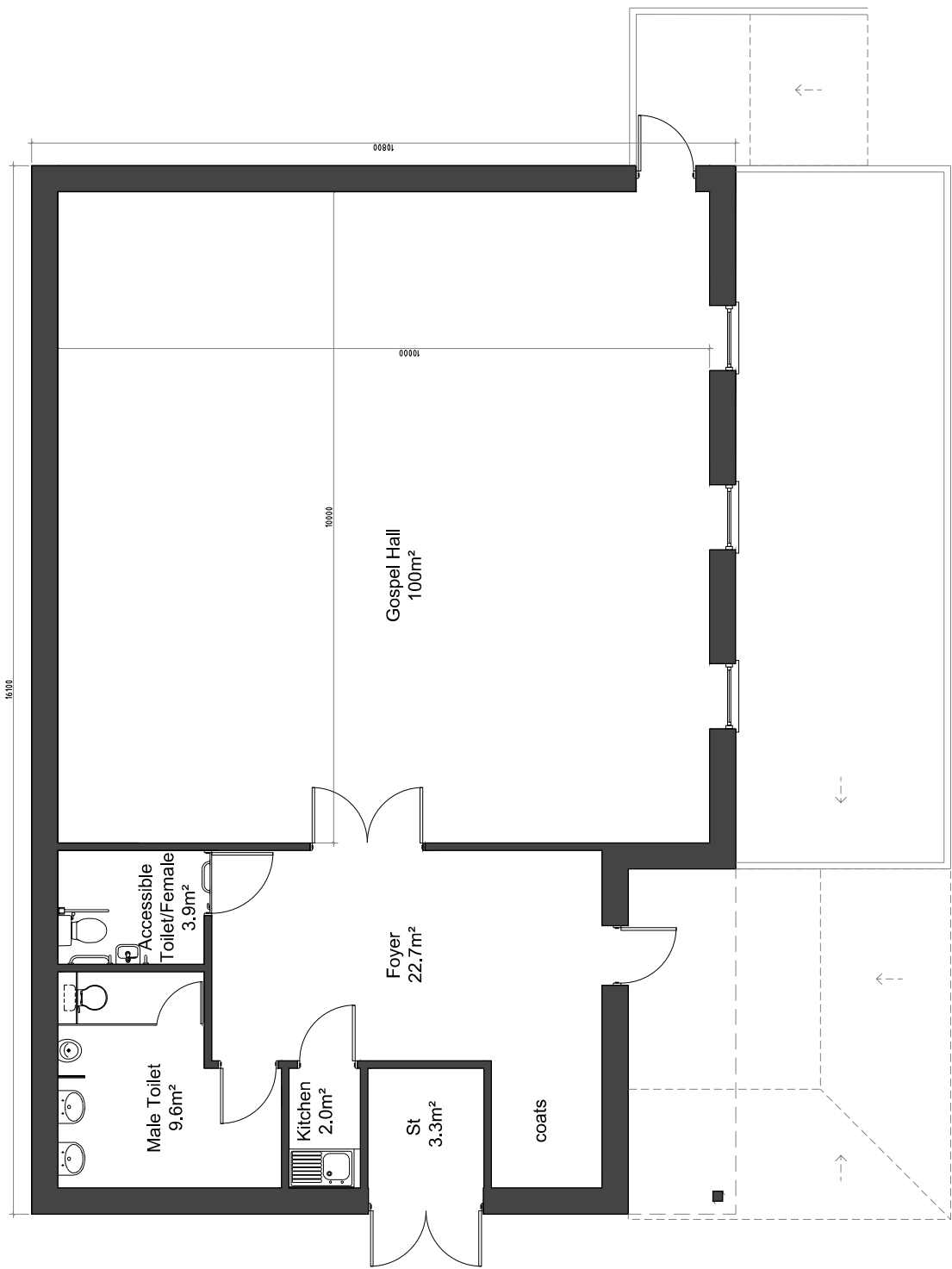
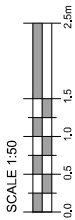
Date: Apr 21

Purpose: Planning


Drawn by: HG

27 Tay Street Lane, Dundee, DD1 4EF
t: 01382 220874
m: 07794 500000

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1 Proposed Plan
1:50 @ A2



Andrew Black Design
Architecture + Interior Design

Client: Perth Gospel Trust

DWG. NO. PL - 300 A

Project:
Meeting Hall
Walnut Grove, Kinfauns
Perth, PH2 7JY

Title:
Proposed Plan
Ground Floor
1:50 @ A2

Job No: 735

Date: Oct 19

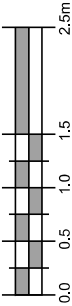
Purpose: Planning

Drawn by: HG

27 Tay Street Lane, Dundee, DD1 4EF

t 01382 228574
info@andrewblackdesign.com

SCALE 1:50



1 Proposed North Elevation

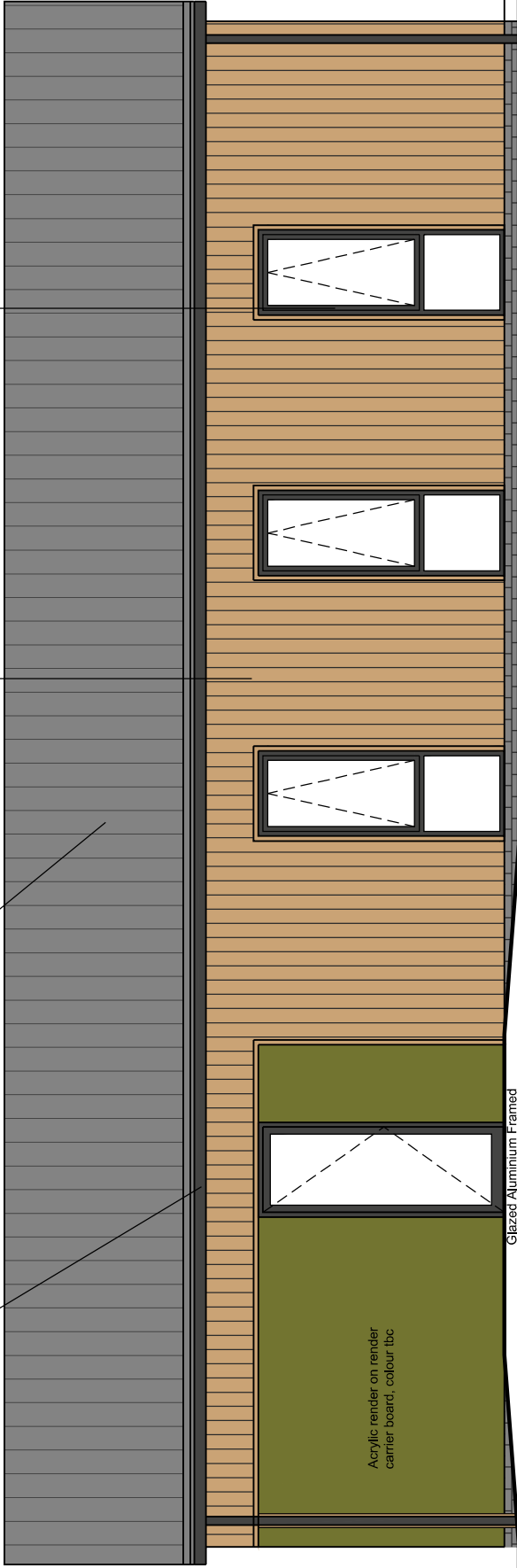
1:50 @ A3

140

Kingspan KS1000RW
Trapezoidal Roof Panels
in 'Woodland Grey'

CanExel 'Yellowstone'
vertical cladding

Rational timber framed triple
glazed windows RAL 7016, top
hung upper, fixed lower pane



2 Proposed South Elevation

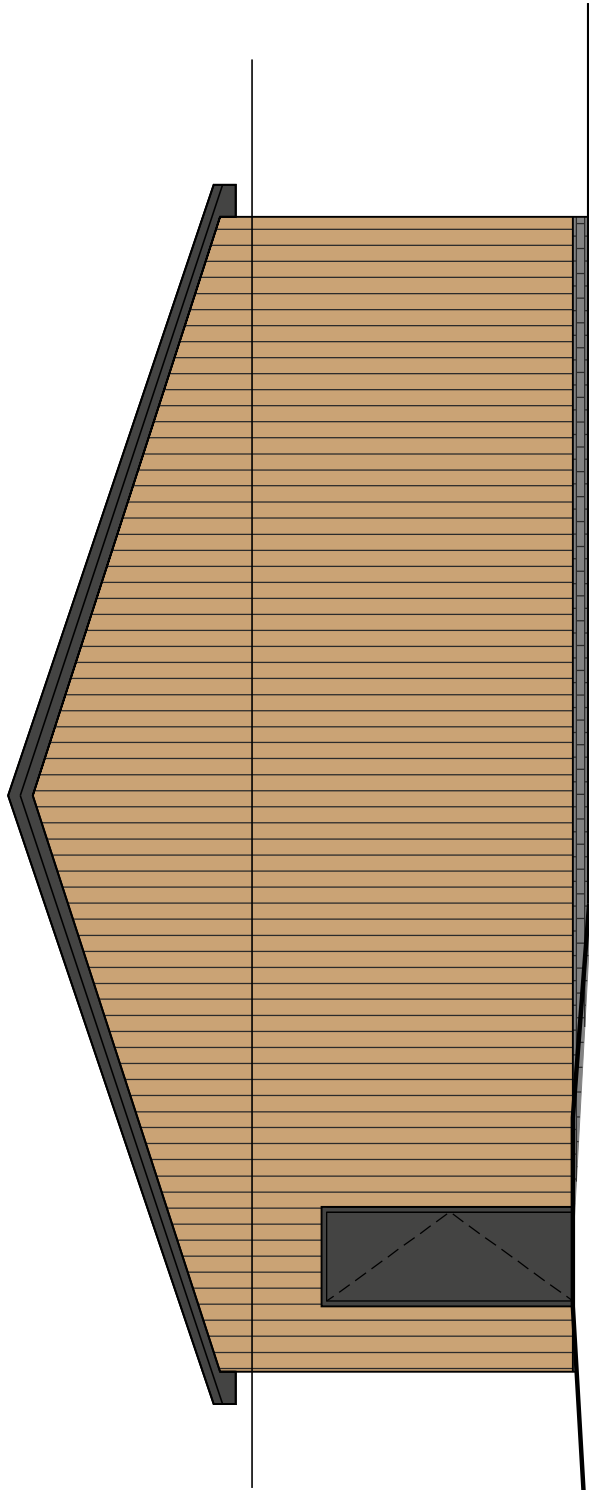
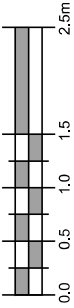
1:50 @ A3

Acrylic render on render
carrier board, colour fbc

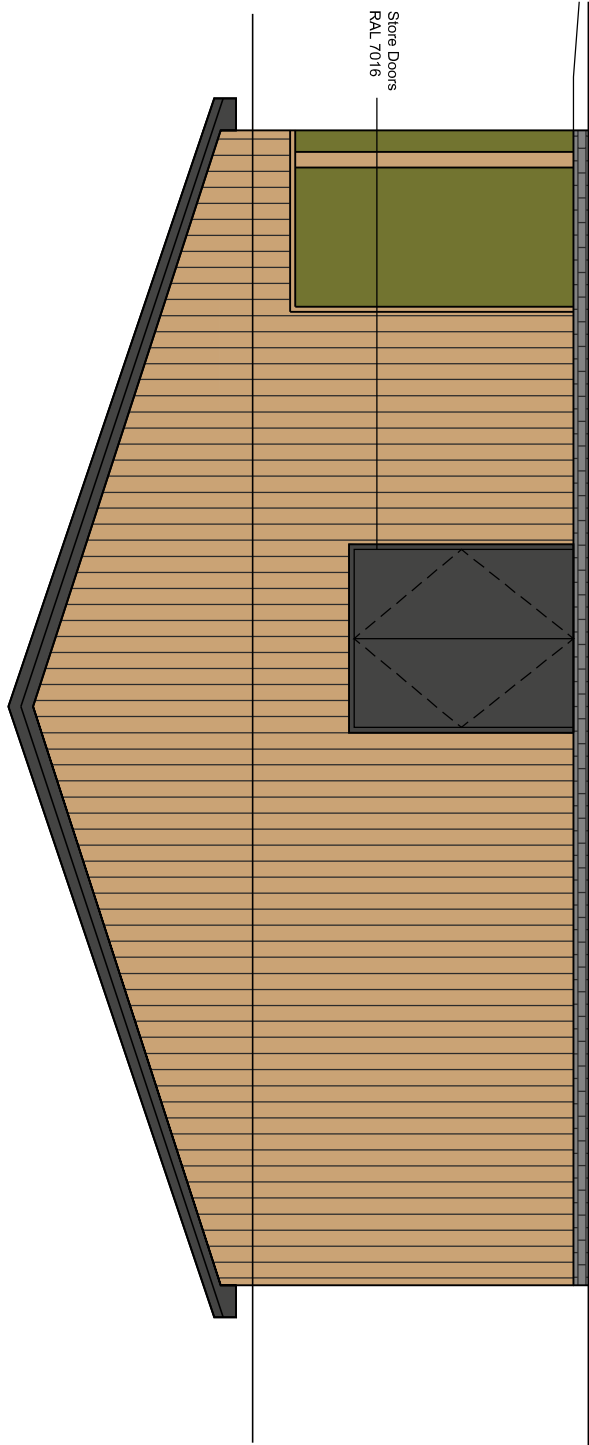
Glazed Aluminium Framed
Glass Door
RAL 7016 Dark Grey

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SCALE 1:50



1 Proposed East Elevation
1:50 @ A3



2 Proposed West Elevation
1:50 @ A3



Client: Perth Gospel Trust

DWG. NO. PL - 501 A

Project:
Meeting Hall
Walnut Grove, Kirihauns
Perth, PH2 7JY

Title:
Proposed Elevation
East & West
1:50 @ A3

Job No: 735

Date: Oct 19

Purpose: Planning

Drawn by: HG

27 Tay Street Lane, Dundee, DD1 4EF

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Location of site and hall from Kinnoull Hill

Rev	Description	Date



Project
 Proposed Meeting Hall at
 Land West of
 Kinfauns Holdings

Drawing
 View from Kinnoull Hill

Date 07/09/2021 **Drawn** GR

Scale NOT TO SCALE **Status** PLANNING

Drawing Number 5960-C-04 **Sheet Size** ISO A4 **Revision**

Montgomery Forgan Associates
 Eden Park House, Cupar, Fife, KY15 4HS
 Tel: 01334 654936
 Email: admin@montgomery-forgan.co.uk
 www.montgomery-forgan.co.uk

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View of Kinnoull Hill from site without meeting hall



View of Kinnoull Hill from site with meeting hall

Rev	Description	Date

MFA

ARCHITECTS & TOWN PLANNERS

Project

Proposed Meeting Hall at
Land West of
Kinfauns Holdings

Drawing

Existing and Proposal Photos/Renders

Date

07/09/2021

Drawn

GR

Scale

NOT TO SCALE

Status

PLANNING

Drawing Number

5960-C-03

Sheet Size

ISO A4

Revision

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Rev	Description	Date



Project	Proposed Meeting Hall at Land West of Kintauns Holdings
Drawing	Aerial View of Kintauns Settlement
Date	07/09/2021
Drawn	GR
Scale	NOT TO SCALE
Status	PLANNING
Drawing Number	5960-C-05
Sheet Size	ISO A4
Revision	

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Photo 1 refer to drawing 5960-C-05 for location
View of Kinnoull Hill from roadside



Photo 2 refer to drawing 5960-C-05 for location
View of Kinnoull Hill from roadside



Photo 3 refer to drawing 5960-C-05 for location
View of Kinnoull Hill from roadside

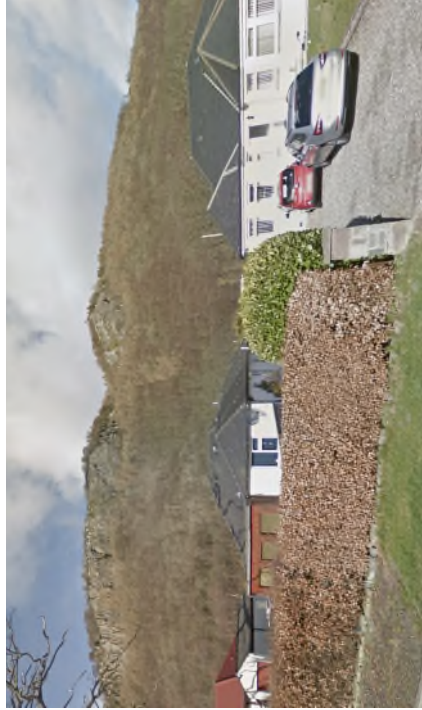


Photo 4 refer to drawing 5960-C-05 for location
View of Kinnoull Hill from roadside



Photo 5 refer to drawing 5960-C-05 for location
View of Kinnoull Hill from roadside

Play	Description	Date

MFA
ARCHITECTS & TOWN PLANNERS

Project
Proposed Meeting Hall at
Land West of
Kinfauns Holdings

Drawing
Photos from Roadside

Date	07/09/2021
Drawn	GR

Scale	Status
NTS	

Drawing Number	Sheet Size	Revision
5960-C-06	ISO A3	

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LRB-2021-32 - 21/00904/FLL – Erection of place of worship (Class 10) and associated works, land 30 metres east of Castle Wynd, Kinfauns Holdings, West Kinfauns

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(included in applicant's submission, pages 130-142)*



Perth Gospel Trust
c/o Montgomery Forgan Associates
David Queripel
Eden Park House
Eden Park
Cupar
KY15 4HS

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **25th July 2021**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **21/00904/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 2nd June 2021 for Planning Permission for **Erection of place of worship (Class 10) and associated works Land 30 Metres East Of Castle Wynd Kinfauns Holdings West Kinfauns**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposal is contrary to Policy 14A, Open Space Retention and Provision: Existing Areas, of the Perth and Kinross Local Development Plan 2 (2019), as it would result in built development on a significant part of an area that is designated as open space of amenity value. The impact of the development would change the open character of the land and have an adverse impact on visual amenity that would lead to an erosion of the landscape buffer between the A90 Trunk Road and the built development at Kinfauns.
2. The proposal is contrary to Policy 39, Landscape, category (b), of the Perth and Kinross Local Development Plan 2 (2019), as it would detract from the open aspect and views from the site to Kinnoull Hill that contributes to the setting, and in particular the entrance to, Kinfauns settlement.
3. The proposal is contrary to Policy 60B, Transport Standards and Accessibility Requirements: New Development Proposals, of the Perth and Kinross Local Development Plan 2 (2019), as it would locate a development in a location where it would be dependent on access by private car and would not reduce travel demand by car as required by Policy 60B.

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 and documents 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

01

02

03

04

05

06

07

08

09

REPORT OF HANDLING

DELEGATED REPORT

Ref No	21/00904/FLL	
Ward No	P1- Carse Of Gowrie	
Due Determination Date	1st August 2021	
Draft Report Date	23rd July 2021	
Report Issued by	PB	Date 23 July 2021

PROPOSAL: Erection of place of worship (Class 10) and associated works

LOCATION: Land 30 Metres East Of Castle Wynd Kinfauns Holdings
West Kinfauns

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.

SITE VISIT:

In line with established practices, the need to visit the application site has been carefully considered by the case officer. The application site and its context have been viewed by a variety of remote and electronic means, such as aerial imagery and Streetview, in addition to photographs submitted by interested parties. The case officer has also visited the site previously.

This information has meant that, in this case, it is possible and appropriate to determine this application without a physical visit as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of place of worship (Class 10) and associated works. The site is within the settlement boundary for Kinfauns on a site designated as open space in the Local Development Plan.

The site is currently an undeveloped field. It is bounded to the south by a stone wall along the public road. The A90 Trunk Road runs to the north. The site is located east of an existing residential property.

The proposal is for a single storey, 5.3 metre high, timber building measuring 16 by 11 metres. It is to be located on a triangular piece of land that is bounded to the north by the A90 Trunk Road and the public road to Walnut Grove to the south. Car parking for 11 cars is to be provided to the front of the building with two disabled spaces to the west side. 4 bicycle stands are to be provided to the east of the building.

The site is 30 metres from the River Tay Special Area of Conservation and within the Sidlaw Hills Special Landscape Area. There are views to the north to Kinnoull Hill.

An application for a similar proposal was refused in 2019 and dismissed at Local Review Body in November 2020. This application seeks to address the reasons for refusal.

SITE HISTORY

13/01474/IPL Erection of a dwellinghouse (in principle) 27 May 2015 Application Withdrawn

19/01734/FLL Erection of a place of worship (class 10) and associated works 20 December 2019 Application Refused

PRE-APPLICATION CONSULTATION

Pre application Reference: 17/00721/PREAPP

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 2 (2019).

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 2 – Adopted November 2019

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 14A: Open Space Retention and Provision: Existing Areas

Policy 17: Residential Areas

Policy 39: Landscape

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53C: Water Environment and Drainage: Surface Water Drainage

Policy 53E: Water Environment and Drainage: Water Supply

Policy 56: Noise Pollution

Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

OTHER POLICIES

Developer Contributions and Affordable Housing Supplementary Guidance 2020

CONSULTATION RESPONSES

External

Transport Scotland

No objection.

Internal

Transport Planning

No objection subject to conditions.

Scottish Water

Capacity in Perth Water Treatment Works. No public Scottish Water, Waste Water infrastructure within the vicinity. Private treatment options required.

Environmental Health (Noise Odour)

No objection subject to conditions.

Structures And Flooding

The proposed development lie outwith the functional floodplain as shown on the SEPA Flood Maps. No objection to the proposed development. Recommend that finished floor levels are set above existing ground levels.

Development Contributions Officer
Transport Infrastructure: £20.15 x 141m²
Total: £2,843

Planning And Housing Strategy
Contrary to policy.

Biodiversity/Tree Officer
No comments received.

REPRESENTATIONS

No representations received.

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	AA 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 and the adopted LDP2.

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

Policy Appraisal

The site is located within the settlement boundary of Kinfauns. In residential areas such as this, community facilities, compatible with the amenity and character of the area are generally supported by LDP2 Policy 17. In this case however, the site is specifically designated as open space under Policy 14A which presumes against development.

The site is considered to have visual amenity value, defining the settlement edge and providing separation from the dual carriageway. The designation of this site was revisited during the Local Development Plan Examination where the Council stated: *“Open space is not simply about providing usable areas for recreation. It can also be an area of greenspace that provides breathing space between urban areas, creating landscape settings for settlement edges. In this case, whilst the area of land is not*

exceptional for any specific use, recreational or scenic, it does provide a buffer between the busy dual carriageway and the quiet back road that leads through Kinfauns. Removal of this designation whilst retaining it in the settlement boundary would mean that development of this site could take place. The development of this area would create a new more urban entrance off a busy road changing the visual entrance to the settlement. Furthermore, this site is located so close to the A90 that noise pollution could be an issue.” The Reporter agreed with this view and the designation remained in the Plan.

Policy 14A allows for development on areas designated as open space that involves a minor part of a site and would not affect its continued use as an amenity resource. Following the previous refusal on this site the proposed building has been re-sited towards the south and some landscaping is proposed. However the visual amenity value of the open space is still compromised by the proposal. The supporting statement suggests that the development would allow the open space to be accessible to the public to some degree. However, the use suggests that it would be primarily for those that use the place of worship rather than being of benefit to the wider residential community and its value as a open, undeveloped green buffer is would be diminished. The proposed development is therefore still considered contrary to policy 14A of the LDP as it would result in the loss of an area of open space of amenity value.

The proposal is also considered to be contrary to policies 39, Landscape, and policy 60B, Transport Standards and Accessibility Requirements. These aspects will be discussed further below.

Design and Layout

The proposal is for a timber building that is of a functional design of no particular architectural merit. The design has not changed significantly although the building has been re-sited. Whilst the design of the building is still a concern in that the development would not create an attractive entrance to the village this is not included as a reason for refusal as the Local Review Body did not accept that the proposal merited refusal on design grounds.

Landscape

The site is within an area identified as being within the Sidlaw Hills Special Landscape Area with Kinnoull Hill dominant to the north west. There is some existing landscaping to the north along the A90 Trunk road boundary. Some additional landscaping has been proposed however this does not fundamentally alter the visual impact of the development which will erode the open nature of the site and impact on the landscape buffer that is part of the visual entrance to the settlement.

Policy 39 b) requires proposals to safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identify or scenic quality. This site is designated as open space to preserve the existing open aspect with views of Kinnoull Hill behind the site. The proposal is contrary to policy 39 as it does not safeguard the visual amenity of this part of Kinfauns.

Residential Amenity

The supporting statement submitted with the application states that the hall is proposed for religious worship with a capacity for up to 50 visitors and that it is not intended to make the proposed hall a regular meeting place being proposed to be used on Sundays, Mondays and occasional Fridays. Environmental Health comment that there is the potential for noise from the daily operations of the gospel hall to effect existing neighbouring residential properties, especially from vehicle movements from early morning services and from amplified or non-amplified music and singing, if not properly managed and controlled. Should the application be approved conditions with regard to noise, amplified music, external lighting and timing of construction work are recommended.

Visual Amenity

The proposed site is considered to have visual amenity value as it defines the settlement edge and provides a separation from the dual carriageway. The proposal would result in built development that would change the open character of the land that would have an adverse impact on visual amenity leading to an erosion of the landscape buffer between the A90 Trunk Road and the built development at Kinfauns.

Roads and Access

Policy 60, Transport Standards and Accessibility Requirements: New Development Proposals aims to ensure that uses that involve significant travel generation are easily accessible by walking, cycling and public transport to reduce travel demand by car.

The facility has the capacity to accommodate 50 people which could be considered significant in the context of Kinfauns. The size of the building and capacity has not changed although the proposal now includes less formal car parking spaces and four cycle stands. Kinfauns is a hamlet with a small population and a relatively infrequent bus service and it is noted that the times of worship do not coincide with the existing timetabled bus services. The previous reason for refusal is therefore still valid as the proposal is not in a location considered to be sufficiently accessible in terms of the provision made for access by modes of transport other than the private car.

In terms of the access on to the public road Transport Planning does not object subject to a condition that the access design conforms to Roads' guidance.

Drainage and Flooding

There is no public foul drainage in this area. Private foul drainage arrangements are proposed.

The site lies outwith the functional floodplain as shown on the SEPA Flood Maps. Flooding and Structures recommend that finished floor levels are set above existing ground levels. Whilst this application is recommended for refusal on other grounds an informative note with regard to the Council's Flood Risk supplementary guidance would be added should this application be approved.

Conservation Considerations

There are no listed buildings in the vicinity. The site is not within a Conservation Area. There will not be any impact on any built heritage assets.

Natural Heritage and Biodiversity

The site is not known to have any significant biodiversity value. There are existing trees around part of the site. The proposed landscaping would improve the biodiversity on the site.

Developer Contributions

Transport Infrastructure

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

The proposed hall will extend to 141m². It is within the full contributions area and would fall under the 'Other non-residential use' category which has a rate of £48 per m².

The Transport Infrastructure calculations are based on a site being operational 365 days per year. Based on the expected low levels of use for this development it is considered that the contribution will be centred on the site operating for 156 days of the year. This allows for each of the identified days of use throughout the year while noting that it will be only used for a limited number of hours within each of these days. Any additional days of use would be met through the hours where the hall is not used on the core use days. The contribution level has been reduced on this basis with a contribution of £20.16 per m² being applied, which equates to 42% of the original total ($(156/365) \times 100 = 42\%$). A Transport Infrastructure contribution of £2,843 (£20.15 x 141m²) is required.

Economic Impact

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

VARIATION OF APPLICATION UNDER SECTION 32A

This application has not been varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.

Accordingly, the proposal is refused on the grounds identified below:

Reasons

1 The proposal is contrary to Policy 14A, Open Space Retention and Provision: Existing Areas, of the Perth and Kinross Local Development Plan 2 (2019), as it would result in built development on a significant part of an area that is designated as open space of amenity value. The impact of the development would change the open character of the land and have an adverse impact on visual amenity that would lead to an erosion of the landscape buffer between the A90 Trunk Road and the built development at Kinfauns.

2 The proposal is contrary to Policy 39, Landscape, category (b), of the Perth and Kinross Local Development Plan 2 (2019), as it would detract from the open aspect and views from the site to Kinnoull Hill that contributes to the setting, and in particular the entrance to, Kinfauns settlement.

3 The proposal is contrary to Policy 60B, Transport Standards and Accessibility Requirements: New Development Proposals, of the Perth and Kinross Local Development Plan 2 (2019), as it would locate a development in a location where it would be dependent on access by private car and would not reduce travel demand by car as required by Policy 60B.

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

01 02 03 04 05 06 07 08 09

LRB-2021-32 - 21/00904/FLL – Erection of place of worship (Class 10) and associated works, land 30 metres east of Castle Wynd, Kinfauns Holdings, West Kinfauns

REPRESENTATIONS

Thursday, 10 June 2021

Local Planner
Planning and Development
Perth and Kinross Council
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 Sir/Madam

SITE: Land 30 Metres East Of Castle Wynd, Kinfauns Holdings, West Kinfauns, PH2 7JY
PLANNING REF: 21/00904/FLL
OUR REF: DSCAS-0042085-M3Q
PROPOSAL: Erection of place of worship (Class 10) and associated works

Please quote our reference in all future correspondence

Audit of Proposal

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 Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

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

Foul Assessment

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.



SW Public
Published
To find out more about connecting your
property to the water and waste water supply visit:



161



So, how are we doing?

We'd love to know what we're doing well or could do better.
We promise we're listening,
[click here](#) to tell us...



Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our 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 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 information on how to submit application to Scottish Water at [our Customer Portal](#).

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) 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 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 laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely 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 be found [here](#).
- ▶ 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

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Sarah Gracie

Development Operations Analyst

developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."



Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

**The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013 S.I.2013 No 155 (S.25)**

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To Perth and Kinross Council Pullar House, 35 Kinnoull Street, Perth PH1 5GD	Council Reference:-	21/00904/FLL
	TS TRBO Reference:-	NE/85/2021

Application made by Perth Gospel Trust per Montgomery Forgan Associates, David Queripel Eden Park House Eden Park Cupar KY15 4HS and received by Transport Scotland on 10 June 2021 for planning permission for erection of place of worship (class 10) and associated works located at Land 30 Metres East Of Castle Wynd Kinfauns Holdings West Kinfauns affecting the A90 Trunk Road.

Director, Roads Advice

1. The Director does not propose to advise against the granting of permission ☒
2. The Director advises that planning permission be refused (see overleaf for reasons). ☐
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons). ☐

To obtain permission to work within the trunk road boundary, contact the Area Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-

Area Manager (A90)

0141 272 7100

Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Operating Company:-

NORTH EAST

Address:-

Bear House, Inveralmond Road, Inveralmond Industrial Estate, PERTH, PH1 3TW

Telephone Number:-

01738 448600

e-mail address:-

NEplanningapplications@bearsotland.co.uk

Transport Scotland Response Date:- 14-Jun-2021

Transport Scotland Contact:- Shaun Phillips

Transport Scotland Contact Details:-

Roads - Development Management

Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Telephone Number:

e-mail: development_management@transport.gov.scot

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland , Roads Directorate, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted .

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/00904/FLL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner
Description of Proposal	Erection of place of worship (Class 10) and associated works		
Address of site	Land 30 Metres East Of Castle Wynd Kinfauns Holdings West Kinfauns		
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>Transport Infrastructure</p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> <p>The proposed hall will extend to 141m². It is within the full contributions area and would fall under the "Other non-residential use" category which has a rate of £48 per m².</p> <p>The applicant has confirmed that the building will mainly be used for the following times: Sunday Mornings – 0530-0630 Monday Evening – 1830-1915 Friday Evening – 1830 onwards The building may also occasionally be used out with these times but this would be on a limited basis.</p> <p>The provided information is based on expected levels of use, but the hall has the potential to operate both more and less frequently as it would be inappropriate to place a restriction on the total number of events so a view will be taken on the estimates provided.</p> <p>The Transport Infrastructure calculations are based on a site being operational 365 days per year. Based on the estimates it is considered that the contribution will be centred on the site operating for 156 days of the year. This allows for each of the identified days of use throughout the year while noting that it will be only used for a limited number of hours within each of</p>		

	<p>these days. Any additional days of use would be met through the hours where the hall is not used on the core use days. The contribution level will be reduced on this basis with a contribution of £20.16 per m² being applied, which equates to 42% of the original total ((156/365) x 100 = 42%).</p>
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Transport Infrastructure: £20.15 x 141m² <u>Total: £2,843</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 prior to occupation.</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 or cheques 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>

	<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.</p> <p>Bank Transfers 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>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>Transport Infrastructure For Transport infrastructure contributions please quote the following ledger code: 1-30-0060-0003-859136</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	24 June 2021

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/00904/FLL	Comments provided by	Lachlan MacLean Project Officer – Transport Planning
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Erection of place of worship (Class 10) and associated works		
Address of site	Land 30 Metres East Of Castle Wynd, Kinfauns Holdings, West Kinfauns		
Comments on the proposal	<p>The applicant is proposing to erect a place of worship at West Kinfauns.</p> <p>The access to the worship centre will access the public road network onto Kinfauns Holdings, where there is currently a gate into the existing field. At the point of the vehicle access, there is a roadside gulley that may need to be relocated to accommodate the vehicle access.</p> <p>The applicant has included 4 cycle racks on site, which will allow any members who may wish to cycle to the Worship Centre a place to park their bikes.</p> <p>It is noted in the supporting statement that there are two bus stops in close proximity to the worship centre, however, it should be noted that the current bus timetable would not allow members to attend the below worship events as detailed:</p> <ul style="list-style-type: none"> • Monday Evening Prayer Meeting 18:30 – 19:15 • Friday Bible Reading 18:30 • Sunday Holy Communion 05:30 – 06:30 <p>Insofar as the Roads matters are concerned, I have no objections to this proposal on the following conditions.</p>		
Recommended planning condition(s)	<p>Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type B Figure 5.6 access detail with 3m radius kerbs, of Type B Road construction detail. The Type B Road construction shall continue from the edge of the public road into the vehicle access for a minimum of 3 metres.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p> <p>Prior to the occupation or use of the approved development cycle parking shall be provided for a minimum of 4 cycles within the site to the satisfaction of the Planning Authority.</p> <p>Reason - To encourage active travel and meet advice within Scottish Planning Policy on transport.</p>		

Recommended informative(s) for applicant	<p>The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 they 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.</p> <p>Prior to the installation of the vehicle access, the applicant should ensure that they consult with the Roads Maintenance Partnership regarding the location/relocation of the roadside gulley and that this matter is addressed to the satisfaction of each interested party. It is likely that the costs associated with any relocation of the infrastructure would have to be borne by the applicant.</p>
Date comments returned	<p>24 June 2021</p>

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 21/00904/FLL

Our ref DAT

Date 29 June 2021

Tel No 01738 476481

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5G

Consultation on an Application for Planning Permission

**PKC21/00904/FLL RE: Erection of place of worship (Class 10) and associated works
Land 30 Metres East Of Castle Wynd Kinfauns Holdings West Kinfauns for Perth
Gospel Trust**

I refer to your letter dated 9 June 2021 in connection with the above application and have the following comments to make.

Environmental Health

Recommendation

I have no objection in principle to the application but recommend the under noted conditions be included on any given consent.

Comments

This application is for the erection of a place of worship with associated car parking for 13 vehicles. The site will be situated at the end of a row of residential properties and in close proximity to A90 dual carriageway. The closest residential property to the proposed development will be approximately 30 metres to the west of the site at Castle Wynd, 18 Kinfauns Holdings.

The supporting statement submitted with the application states that the hall is proposed only for religious worship with a capacity for up to 50 visitors and no other social gatherings or any other use is proposed and will consist of a meeting space for congregation, foyer, small kitchen, and toilet facilities

Noise

Operational

I understand that the proposed hall will be used for Holy Communion (Sunday mornings 0530-0630), a Monday evening prayer meeting (1830-1915) and then less frequently on a Friday at 1830 for Bible reading.

There is the potential for noise from the daily operations of the gospel hall to affect existing neighbouring residential properties, especially from vehicle movement and car doors at the time of the early morning services and from amplified or non-amplified music and singing, if not properly managed and controlled.

Construction

There is the potential for noise during the construction stage of the building to affect existing residential properties

In light of the above, I would have no objections to the development subject to the undernoted conditions being attached to any given consent to protect the residential amenity of nearby properties.

Conditions

- EH10** All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.
- EH13** No music amplified or otherwise shall be permitted outside the premises and efforts must be made to minimise the impact of noise from inside the premises so no sound is audible in any nearby residential property.
- EH31** All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.
- DC02** Construction work shall be limited to Monday to Friday 0700 hours to 1900 hours and Saturday 0800 hours to 1300 hours with no noisy works out with these times or at any time on Sundays or bank holidays.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/00904/FLL	Comments provided by	Bea Nichol
Service/Section	TES / Development Plans	Contact Details	
Description of Proposal	Erection of place of worship (Class 10) and associated Trust works		
Address of site	Land 30 Metres East Of Castle Wynd Kinfauns Holdings West Kinfauns for Perth Gospel		
Comments on the proposal	<p>The site is designated as open space in LDP2. It is located on the edge of the settlement but within the settlement boundary of Kinfauns. The site was promoted for housing at Proposed plan stage but the Council put for the following argument:</p> <p>“There is an area of land currently designated as open space at the eastern end of the settlement of Kinfauns. This is located on the slip road off the A90 on the entrance into the village. This is a linear settlement developed along the old road following the Tay into Perth from Dundee. The respondent would like the open space designation to be removed but for this area to be retained within the settlement boundary. Open space is not simply about providing usable areas for recreation. It can also be an area of greenspace that provides breathing space between urban areas, creating landscape settings for settlement edges. In this case, whilst the area of land is not exceptional for any specific use, recreational or scenic, it does provide a buffer between the busy dual carriageway and the quiet back road that leads through Kinfauns. Removal of this designation whilst retaining it in the settlement boundary would mean that development of this site could take place. The development of this area would create a new more urban entrance off a busy road changing the visual entrance to the settlement.” (p. 539)</p> <p>In response to this argument the Reporter agreed and stated:</p> <p>“This small site is agricultural land located next to the A90 slip road at the entrance to the linear settlement of Kinfauns. It is submitted that this is the last piece of land to the east end of the original settlement wall and could provide an additional house with a feature of use to the local community. However, although the land has no recreational use, it does serve to limit development at the village approach, at a location that would be subject to traffic noise from the A90. I therefore consider that the open space designation should remain.” (P. 459)</p> <p>Although the proposal is now for a different use, it is still contrary to LDP open space policy (Policy 14A). It is not clear why this specific locality is the only appropriate location for a place of worship. Whilst this use would not have the same issues regarding residential amenity in terms of noise attenuation, the site is currently a buffer between the village and the road</p>		

	that creates a rural setting for the residents. The applicant suggests that the open space would be accessible to the public to some degree, but the use would suggest that it would be primarily for those that use the place of worship. Therefore, it could be argued that this proposal would not benefit the wider residential community. Furthermore, the design of the proposed building does not appear to be sensitive to the location or the built context of the area. If there is to be a loss of open space, the proposed design should be designed sympathetically to the location and create an attractive entrance to the village.
Recommended planning condition(s)	
Recommended informative(s) for applicant	
Date comments returned	02/07/21

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/00904/FLL	Comments provided by	Elliot Williamson
Service/Section	TES - Flooding	Contact Details	FloodingDevelopmentControl@pkc.gov.uk
Description of Proposal	Erection of a place of worship (class 10) and associated works		
Address of site	Land 30 metres East of Castle Wynd Kinfauns Holdings, West Kinfauns		
Comments on the proposal	We have reviewed the information provided in this application and we would highlight that the proposed development lie outwith the functional floodplain as shown on the SEPA Flood Maps. Therefore, we have no objection to the proposed development. We would recommend that finished floor levels are set above existing ground levels.		
Recommended planning condition(s)	N/A		
Recommended informative(s) for applicant	The applicant is advised to refer to Perth & Kinross Council's Supplementary guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development.		
Date comments returned	22/07/2021		

