

LRB-2022-25**21/02169/FLL – Erection of a dwellinghouse and garage/
ancillary building, land 30 metres south west of 32 Lintrose
Holding, Campmuir****INDEX**

(a) Papers submitted by the Applicant (***Pages 11-64***)

(b) Decision Notice (***Pages 67-68***)

Report of Handling (***Pages 69-77***)

Reference Documents (***Pages 45-63 and 79***)

(c) Representations (***Pages 81-98***)

LRB-2022-25**21/02169/FLL – Erection of a dwellinghouse and garage/
ancillary building, land 30 metres south west of 32 Lintrose
Holding, Campmuir**

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

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

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

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

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

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

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

Yes No
☒ ☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application Date of decision (if any)

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

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

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

NOT APPLICABLE

Site inspection

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

Yes No

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

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

NOT APPLICABLE

Statement

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

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

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

PLEASE SEE THE ATTACHED SEPARATE DOCUMENTS –

1. NOTICE OF REVIEW WRITTEN SUBMISSIONS
2. NOTICE OF REVIEW SUBMISSION APPENDIX

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? Yes ☐ No ☒

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

NOT APPLICABLE

List of documents and evidence

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

NOTICE OF REVIEW WRITTEN SUBMISSIONS
NOTICE OF REVIEW SUBMISSION APPENDIX
PLANNING APPLICATION DRAWINGS AND SUPPORTING STATEMENT

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

Checklist

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

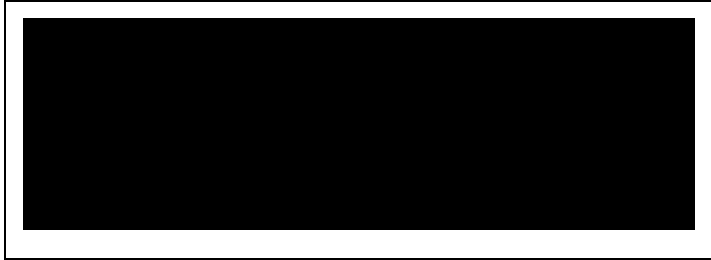
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

Declaration

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

Signed



Date

02/06/2022

NOTICE OF REVIEW

PLANNING AUTHORITY: PERTH & KINROSS COUNCIL

APPLICATION REFERENCE: 21/02169/FLL

SITE ADDRESS: LAND 30 METRES SOUTHWEST OF 32
LINTROSE HOLDING, CAMPMUIR

PROPOSED DEVELOPMENT: ERECTION OF A DWELLINGHOUSE AND
GARAGE/ANCILLARY BUILDING

DATE OF REFUSAL: 04 MARCH 2022

WRITTEN SUBMISSIONS

1 Introduction

1.1 The proposed development was refused under delegated powers on 04 March 2022 for the following reasons:-

1. *The proposal is contrary to Policy 19, Housing in the Countryside, of the Perth & Kinross Local Development Plan 2 (2019) and its associated supplementary guidance. The proposal does not accord with any of the categories within the policy. In particular, the proposal is contrary to category 2 infill as the plot created is not comparable in size to the neighbouring plots and does not have a similar size of road frontage. In addition, the size and design of the infill house is not sympathetic to the neighbouring buildings.*
2. *The proposal is contrary to Policy 1A and 1Bc), Placemaking, of the Perth & Kinross Local Development Plan 2 (2019). The design and siting of the development does not respect the character and amenity of the place and does not complement its surroundings in terms of appearance, height and massing, materials, finishes and colour.*

2 Background

2.2 The applicants are locally based, 4th generation farmers and the application site forms part of a wider smallholding acquired in early 2021 which includes the adjacent cottage at no.32 and a large field to the east. Having sympathetically restored the cottage last year, the applicants now propose to redevelop the adjacent poor quality agricultural buildings to provide their main home from which to farm the smallholding (with the cottage being retained as a holiday let).



3 Rebuttal

Plot

- 3.1 Whilst the Planning Officer has concluded that the proposals need to be assessed under Category 2 (Infill Sites) of the Housing in the Countryside Supplementary Guidance, it must be acknowledged that this is not a cleared site. It is an existing plot with established boundaries and a large number of poor quality and largely derelict, non-traditional (and 1 traditional) buildings, and the SPG states that each case will require to be assessed on its own merits.
- 3.2 It is worth noting that had the existing buildings been demolished prior to the application being made, the proposal would have fallen under Category 6 (Development on Rural Brownfield Land) and demolition remains an option given the poor state of repair of the buildings.
- 3.3 Whilst it is accepted that the application site has a wider road frontage (43m, excluding the shared access to no.32 adjacent) than the neighbouring plots, the difference is marginal when compared to the two plots directly opposite (which are both 38m). It should also be borne in mind that this is an existing plot, largely covered in a variety of poor-quality non-traditional buildings, and its frontage is fixed by the properties on either side. There are a variety of plot frontages within this particular building group.
- 3.4 The same is true for the plot depth, which is mirrored by part of the garden to the 'Viewfield' property immediately south. The proposed house is set slightly back for two principal reasons:
1. Maintaining a reasonable set-off to the existing mature trees along the roadside; and
 2. Placing the proposed house within the footprint of the existing derelict buildings.



- 3.5 There are no such mature trees along the frontage of existing houses on either side of the application site (No.32 and Viewfield), nor on any of the existing properties on the opposite side of the road so it is not unreasonable to expect some variation to the existing building line when it comes to the application site.

Size

- 3.6 In the same way that this building group contains a range of plot sizes, there is a significant variance in the size of the existing houses. The new houses at Orchard House, The Brambles and Strawberry Fields, as well as the houses at Muirside and Hillview House, are significantly larger than the flanking houses of No.32 and Viewfield. There is no uniformity, and the scale of the proposed house is in keeping with the surrounding area.



Design

- 3.7 The officer's delegated report concludes that the proposed building does not complement its surroundings in terms of appearance, height and massing, materials, finishes and colour. However, it is important to highlight that no site visit was undertaken by the officer, who instead relied on Google Streetview and similar electronic means. As a consequence, we believe that the conclusions were based on out-of-date and incorrect information.
- 3.8 For example, the images on Google Streetview were taken in 2009 and don't capture the street level view of the two new build houses in the settlement (The Brambles and Strawberry Fields, at the northern end of the street), which are not mentioned in the delegated report. A site visit would also have identified that Strawberry Fields has a garage built directly in front of the house, which can't be seen from Google Maps.
- 3.9 The proposed house is to be built using white wet-dash render, stone feature walls, grey Cedral cladding and a slate roof, similar to the post-war traditional holding cottage next door (No.32) and others nearby. This is a significant improvement on the three most recent properties in the settlement, which have beige Fyfe stone base courses, white dry-dash render, and concrete tiled roofs.
- 3.10 The delegated report concludes that the proposed building, at 1.75 storeys, is at odds with the surrounding houses, which are mainly single or 1.5 storeys. However, there are a substantial number of 1 ¾ storey houses in & around the settlement of Campmuir – please refer to the attached appendices.

4 Conclusions

- 4.1 The reasons for refusal boil down to a difference of opinion on design issues, and we believe that the officer's conclusions are undermined by the lack of a site visit to appreciate more recent developments in and around the settlement.
- 4.2 From the evidence presented here, we would contend that the proposed design and scale is in fact entirely in character with numerous other holdings in the Campmuir, Lintrose, Kinnochtry and North Corston areas, where new homes have been built alongside post-war holdings, and we respectfully request that the Local Review Body grants planning permission for the proposed development.

SUPPORTING STATEMENT AND PHOTOS

LOCATION – The plot is located off the C442 road among a group of buildings in Lintrose comprising of farm buildings and a dwelling.

EXISTING FARM BUILDINGS – Consideration was given to the feasibility of converting the existing farm buildings, however, due to their condition and form of construction it was considered impracticable. Please see photos below. A new farm building is being proposed for the future to replace other derelict farm buildings although it does not form part of this proposal.

PROPOSAL – The proposal is to demolish the existing farm buildings and erect a dwelling house and detached garage within the footprint of the existing buildings. The existing cottage and farm will be retained in the ownership of the applicants with the existing cottage being available for holiday let and the farm continuing to be productive.

DESIGN – The house and garage has been designed as 1 and $\frac{3}{4}$ storeys incorporating slate pitched roofs, white wet dash render as well as stonework to the external walls. The 1 and $\frac{3}{4}$ storey design is typical of recent approvals in nearby locations.

TOPOGRAPHICAL SURVEY – A topographical survey has been prepared with levels as shown on the Existing and Proposed Block Plans. Localised areas of upfill are proposed for the front lawn and access to the garage.

TREES – Trees are located adjacent to the plot and C442 road. The trees will be retained and all new work will be out with the root protection area. Further trees and beech hedges will be planted as part of the landscaping plan.

BAT SURVEY – Please see the Bat Survey enclosed.

GROUND INVESTIGATION – This will be submitted if requested.

ACCESS – Access from the C442 road will be via the existing track and shared with the existing cottage.

DRAINAGE – A private drainage system is to be utilised with private treatment plant and located within the site with the discharge of the effluent taken to the Kinnochtry Burn. The surface water will also connect to the tailrace and will be registered with SEPA.

REFUSE BIN STORAGE – Provision has been made for bin storage within the garden ground of the plot and the bins will be taken adjacent to the C442 road on the day of collection.

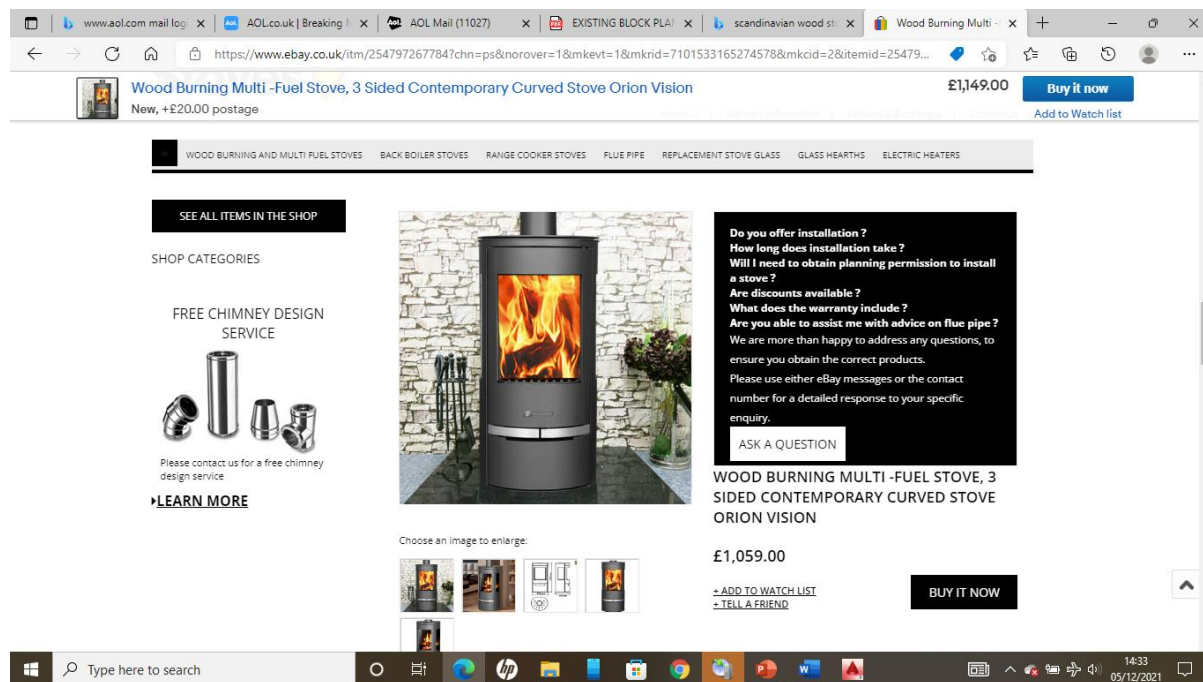
PARKING – Provision has been made for parking and turning within the plot as shown on the Proposed Block Plan as well as the proposal for vehicle storage in the garage.

AMENITY – There is ample area within the plot for leisure amenity of the occupants of the dwelling.

NEIGHBOURING AMENITY – The new house will be located at least 9m from the neighbouring boundary and it's not considered to have detrimental affect on the neighbouring property.

LANDSCAPING – Post and wire fences define the south west neighbouring boundary and the north west boundary adjacent to the C442 road. Additional post and wire fences will be erected to enclose the plot as well as the formation of beech hedges, garden lawns and footpaths. Bin storage and drying areas are also provided.

STOVE - It is intended to provide a wood burning stove in the lounge. Please see details below



Orion Vision 10kw...

3 Sided Contemporary Curved Multi-Fuel Stove...

Featuring Triple burn technology, Ecodesign 2022 compliant.

The Orion Vision is a 3 sided curved - completely cylindrical, contemporary styled, wood burning stove with glass to three sides. This stylish and elegant stove offers a nominal output of 7kw, and a maximum output of 10kw.

Finished to a very high standard in charcoal grey - almost black, and incorporating a flush fit, brushed stainless steel handle to compliment its contemporary appearance, this 3 sided stove offers a view of the flames from all angles of the room.

Manufactured from premium grade steel, unlike fragile cast iron, the Orion Vision will heat up very quickly and won't crack or melt. The firebox is fully lined to reflect the heat out from the appliance and to prolong the life of the appliance.

The Orion Vision features Triple Burn combustion, where the gases are re-ignited to obtain the maximum efficiency and heat output of the stove with minimum fuel consumption, making the CO output lower than any other stove in its class.

The stove is Eco Design 2022 certified, and offers highly efficient operation, with low fuel consumption. In recent independent tests stoves that were Eco Design 2022 compliant, used 6 times less fuel than traditional non compliant stoves. The result is that you save money on fuel.

Airflow control provides simple, but optimum control over the burn rate and temperature output. An advanced glass cleaning air wash system ensures that the large curved ceramic glass window and the side glass remains clear to provide a warming view of the flames.

Other features include a lower log storage compartment a removable ash pan for ease of cleaning and a multi-fuel fire grate. Top flue exit only.

A fantastic - stylish wood burning stove at a fraction of the cost of similar Scandinavian models.

The Orion Vision carries a 2 year warranty and the following quality standards: *CE Marked to EN13240 and manufactured in accordance with ISO 9001 Quality Standard.*

PHOTOS







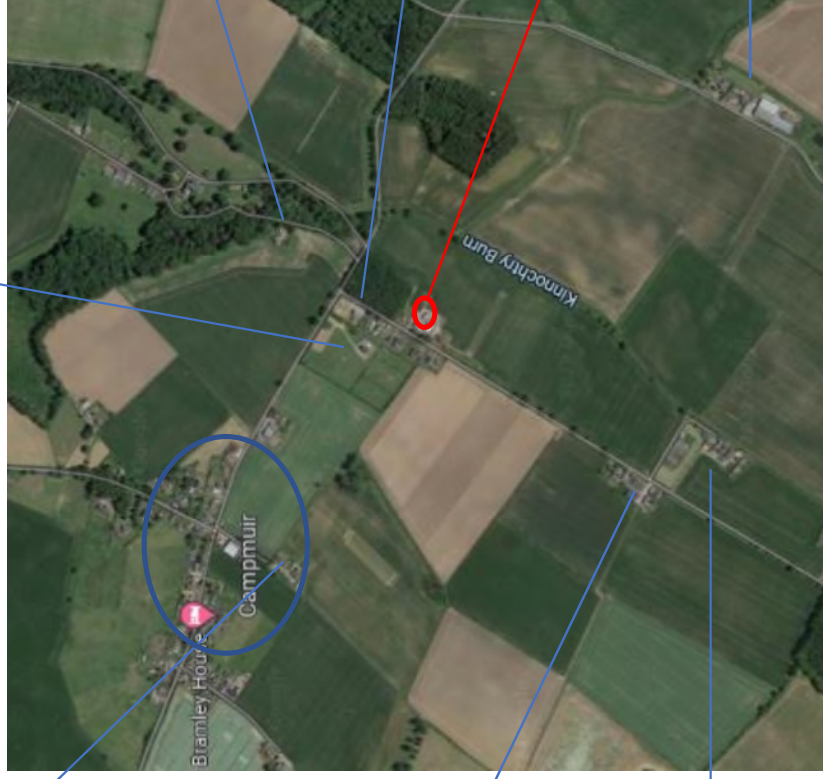






Single storey house had large extension added
2021 making entire dwelling into 1 ¾ height
Appendix 7

Substantial 1 ¾ storey new build, set back from road
White dry dash, concrete tiled roof, upstairs windows overlooking road
Appendix 1



House currently having large extension
making into 1 ¾ height
Neighbouring property traditional farmhouse
of 1 ½ storey height
Appendix 6

Traditional farmhouse of 1 ¾ storey height
Appendix 2

2 x new builds. Single storey high pitched
roofs. White dry dash, concrete tiled roof
1 with garage set directly in front of house
Appendix 3

Proposed Development

Boreland Mill development, set back from
the road and a mixture of single storey and
1 ¾ height dwellings
Appendix 5

Traditional farmhouse of 1 ¾ storey height
Appendix 4

Appendix 1. Orchard House



View from roadside and directly in front of cottage at no.32
Holding Lintrose, belonging to applicant
17/01417/FLL



Appendix 2. Foresters Cottage



Appendix 3. The Brambles & Strawberry Fields



Erection of garage in front of house (2020) Ref 20/00001/FLL
17/01417/FLL (2017)
20/01718/FLL (2020)
16/01060/FLL (2016)

Drone footage of this area can be viewed here:
https://www.youtube.com/watch?v=cgP_IB4H0n4

Appendix 4. Peattie Mill Farm



Appendix 5. Boreland Mill Development



Situated back from the roadside and a mixture of single storey and 1 ¾ storey dwellings

Appendix 6. Boreland Farm

1 ¾ storey extension to original holding cottage granted 2021 and currently under construction

Traditional sheds alongside on road shown for height purposes

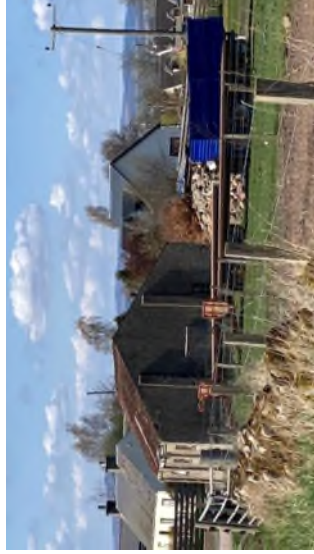
21/00844/FLL (2021)



Adjacent to Boreland Farm is a traditional stone 1 ½ storey farmhouse

Appendix 7. No.18 Lintrose Holdings
Extension and raising of the roof to former bungalow to create 1 ¾ storey extension
21/00184/FLL (2021)

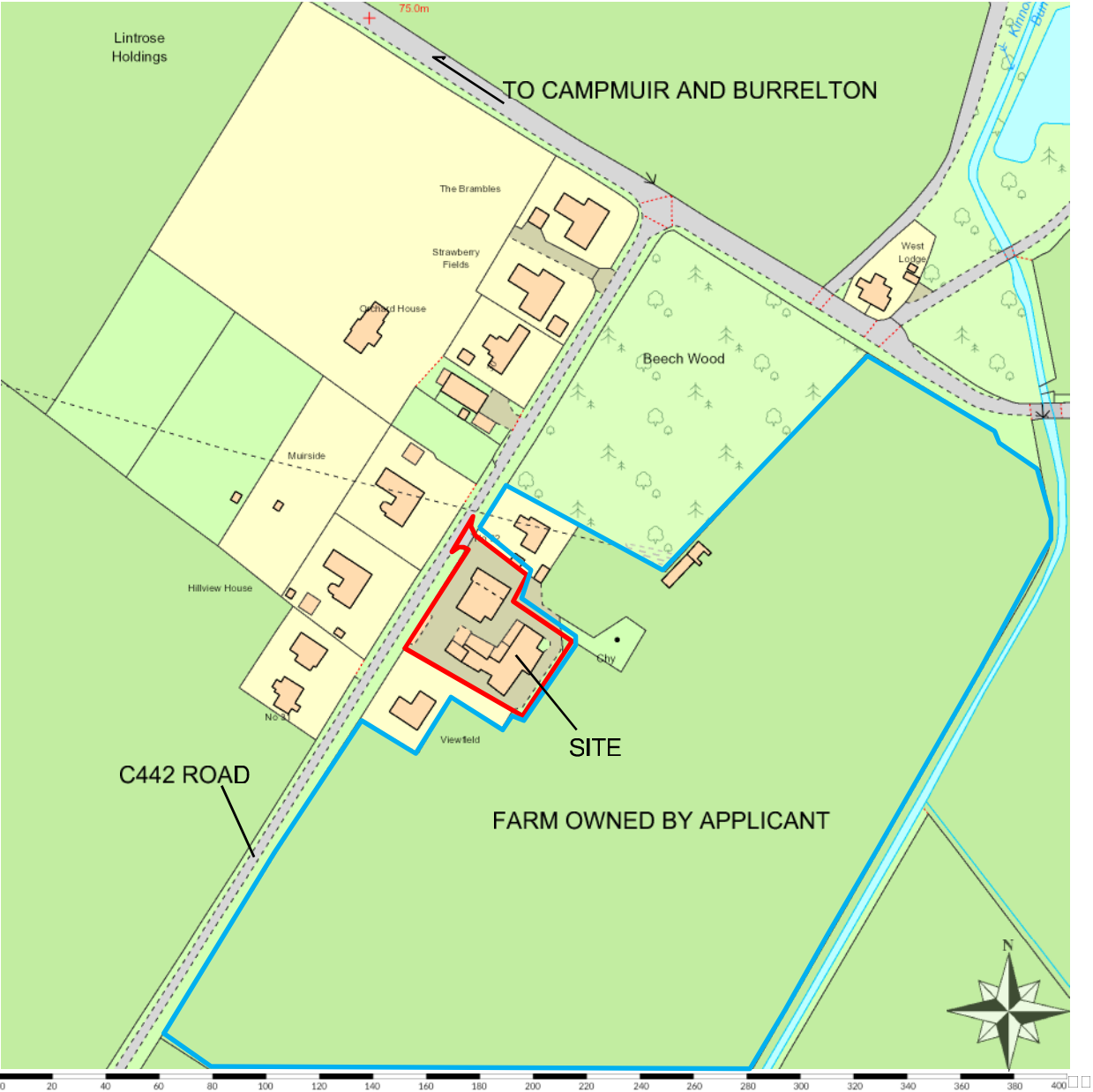




Campmuir

- nearest settlement 300m from proposed site

Contains a mixture of post-war white render holdings (similar to that currently owned by applicant) and a variety of new builds, most of which are 1 ¾ storey in height, some situated back from the roadside behind older traditional properties



Scale: 1:2500 | Area 16Ha | Grid Reference: 322180,737371 | Paper Size: A4



DATE:DEC21
SCALE:1 TO 200
DRAWING NO:1
REVISION:

NORMAN A MACLEOD
namacleod@aol.com
Tel: 07884177328

**PROJECT: ERECTION OF A HOUSE AND GARAGE AT 32 LINTROSE,
CAMPMUIR, COUPAR ANGUS PH13 9LJ**

DRAWING REF: EXISTING BLOCK PLAN

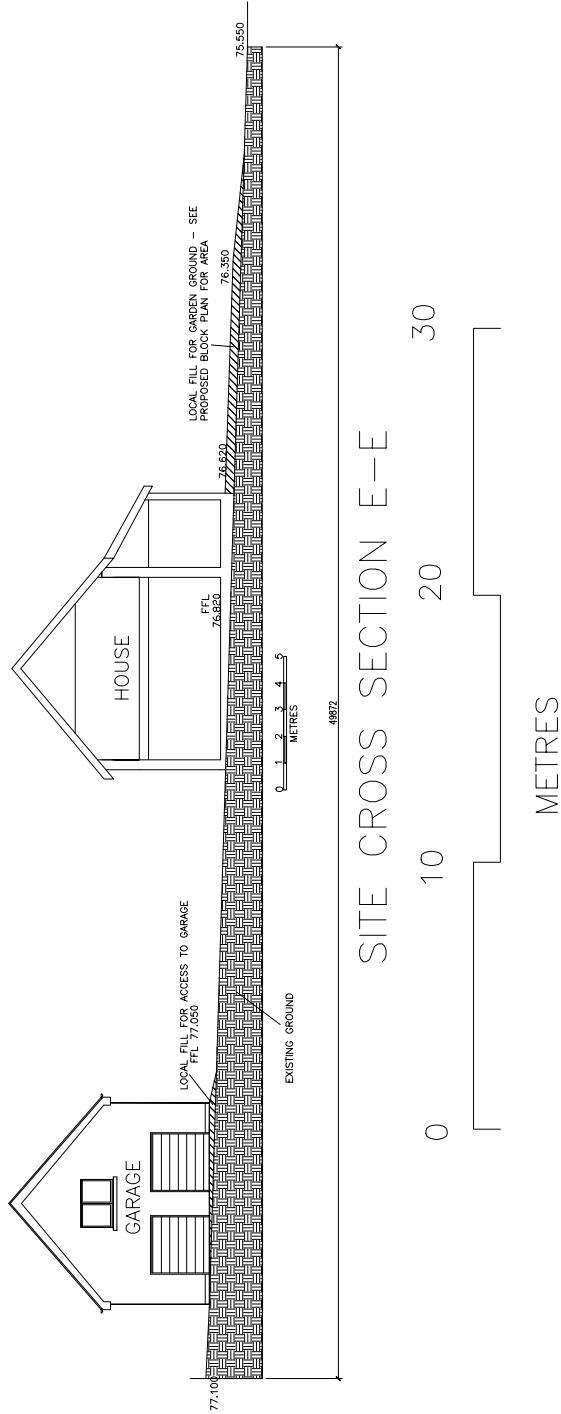
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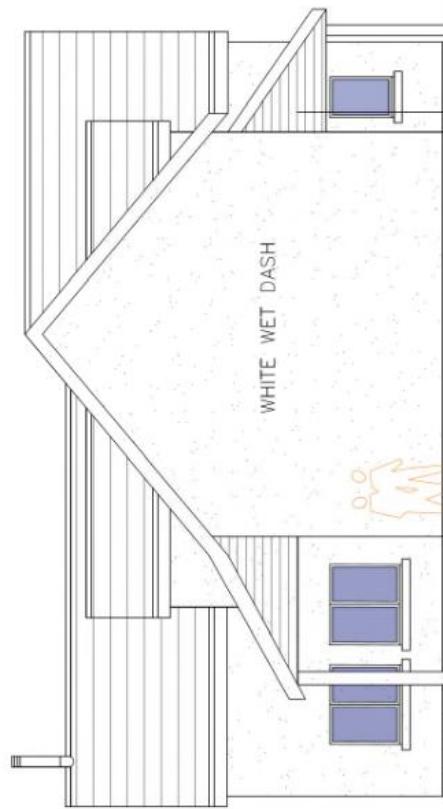
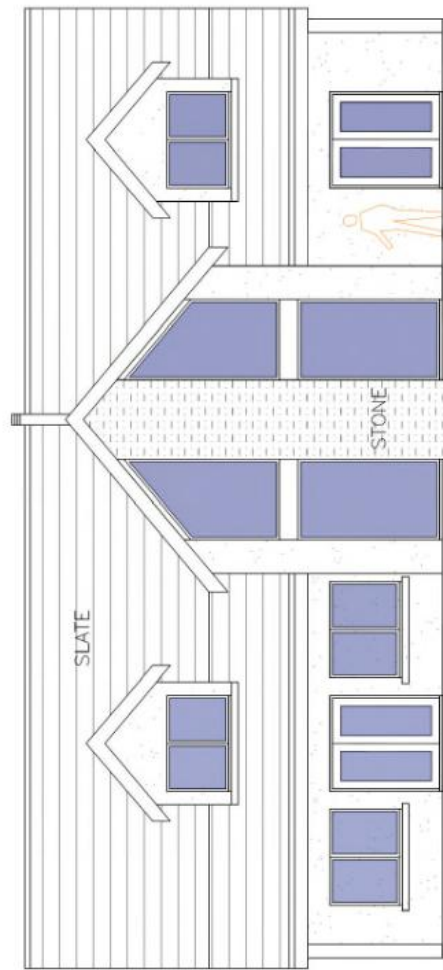
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				REVISION:



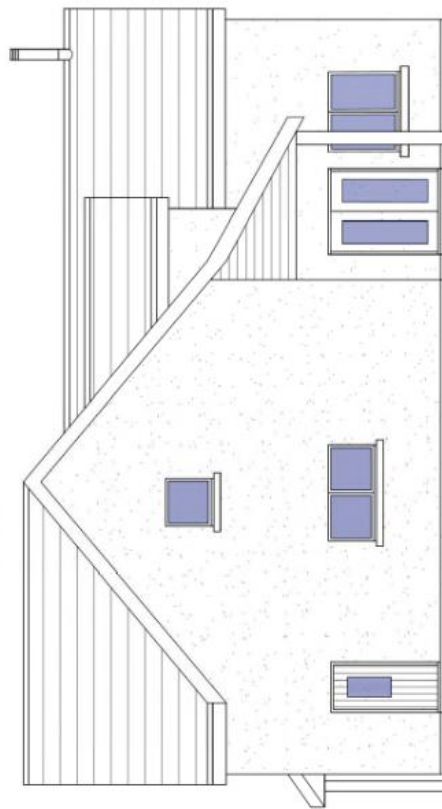
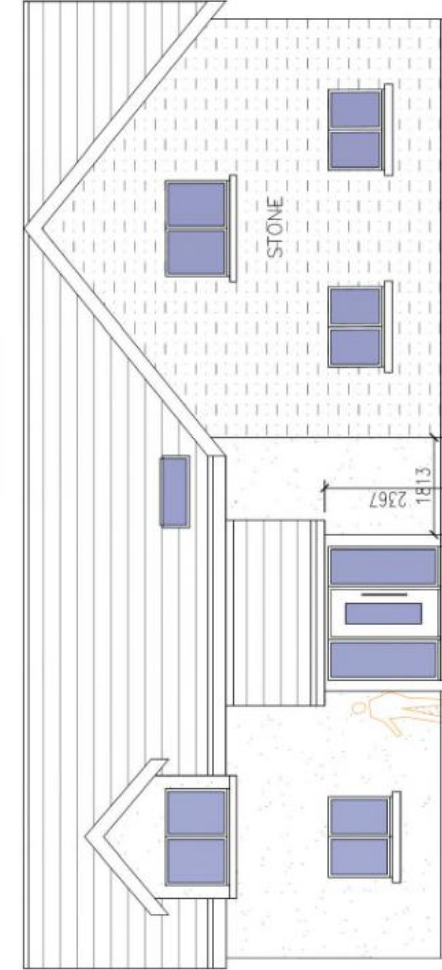
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DRAWING REF: PROPOSED BLOCK PLAN		namacleod@aol.com	
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		REVISION:	



PROJECT: ERECTION OF A HOUSE AND GARAGE AT 32 LINTROSE, CAMPMUIR, COUPAR ANGUS PH13 9LJ DRAWING REF: SITE CROSS SECTION E-E PAPER SIZE: A1	NORMAN A MACLEOD namacleod@aol.com Tel: 07884177328		
	DATE:DEC21		
	SCALE:1 TO100		
	DRAWING NO:4		
			REVISION:



EXTERNAL FINISHES
SLATE ROOFS
WHITE WET DASH RENDER
STONE
GREY CEDRAL CLADDING
BLACK GUTTERS AND DOWN PIPES
WHITE WINDOWS AND DOORS



PROJECT: ERECTION OF A HOUSE AND GARAGE AT 32 LINTROSE,
CAMPMUIR, COUPAR ANGUS PH13 9LJ

DRAWING REF: PROPOSED ELEVATIONS

PAPER SIZE: A1

NORMAN A MACLEOD

namacleod@aol.com

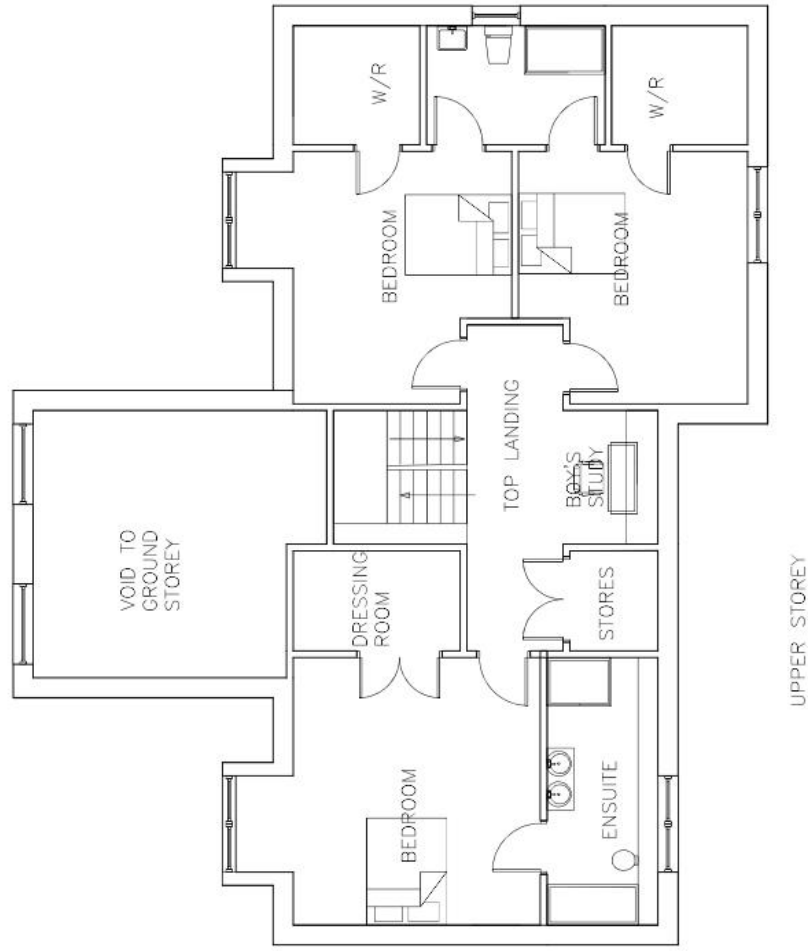
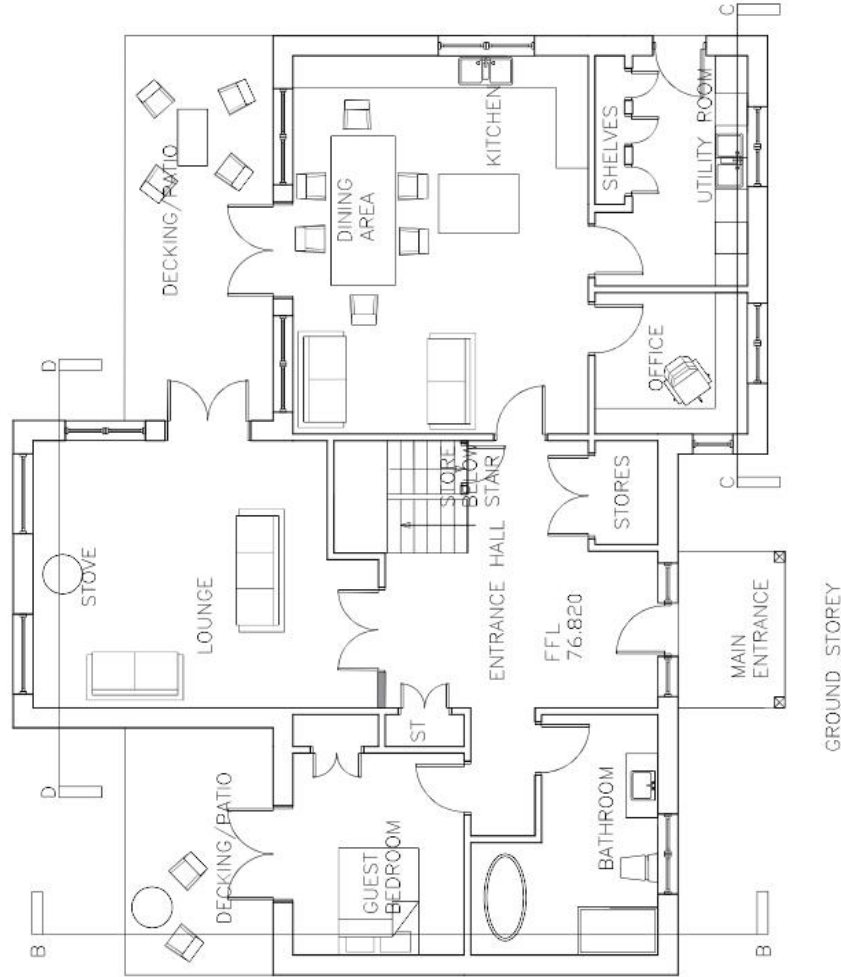
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REVISION:



PROJECT: ERECTION OF A HOUSE AND GARAGE AT 32 LINTROSE,
CAMPMUIR, COUPAR ANGUS PH13 9LJ

DRAWING REF: HOUSE FLOOR PLANS

PAPER SIZE: A1

NORMAN A MACLEOD

namacleod@aol.com

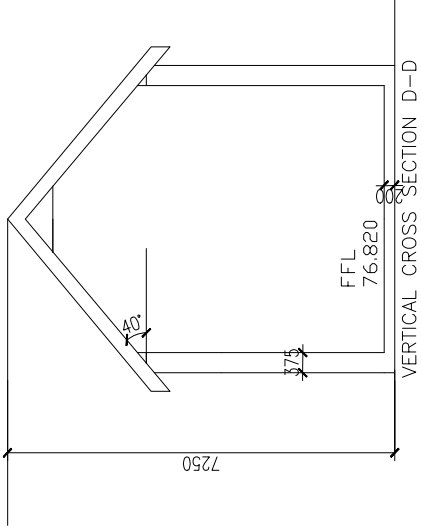
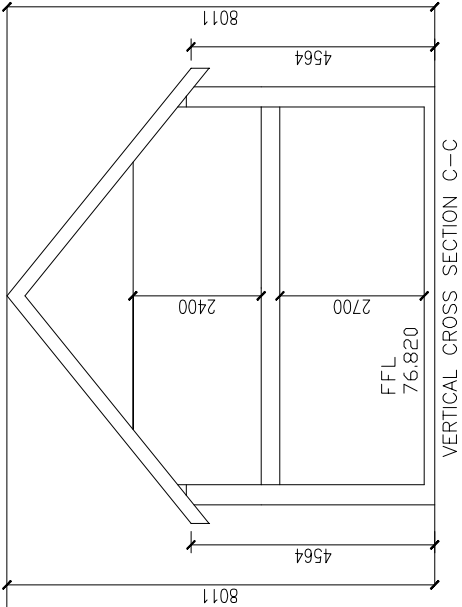
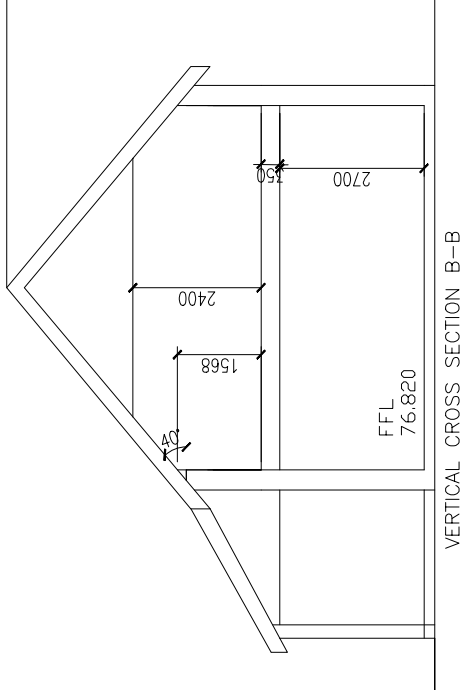
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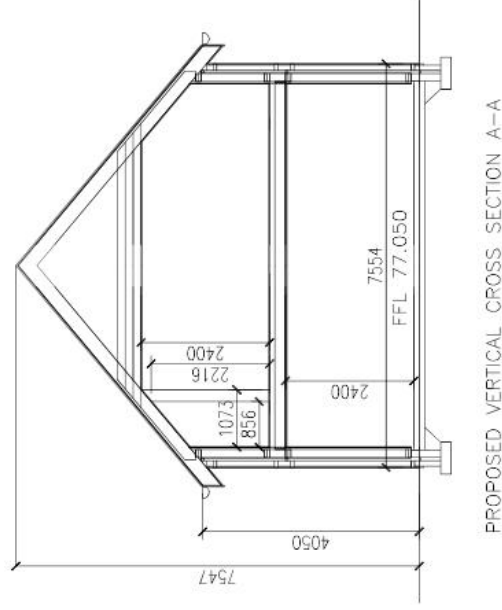
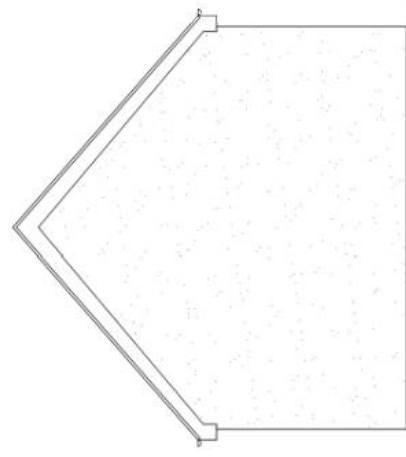
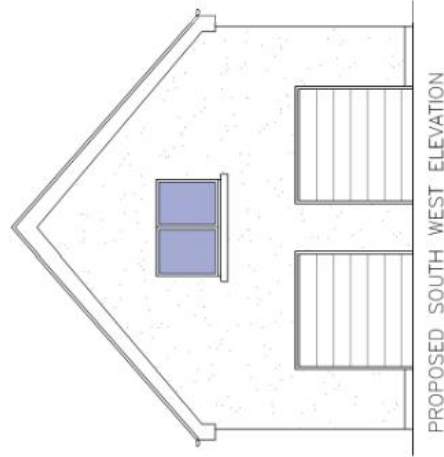
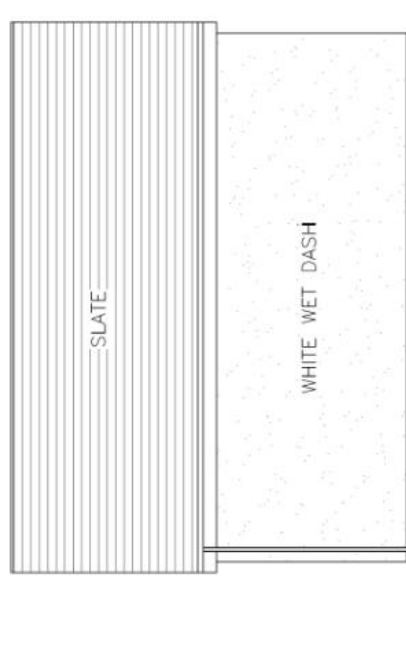
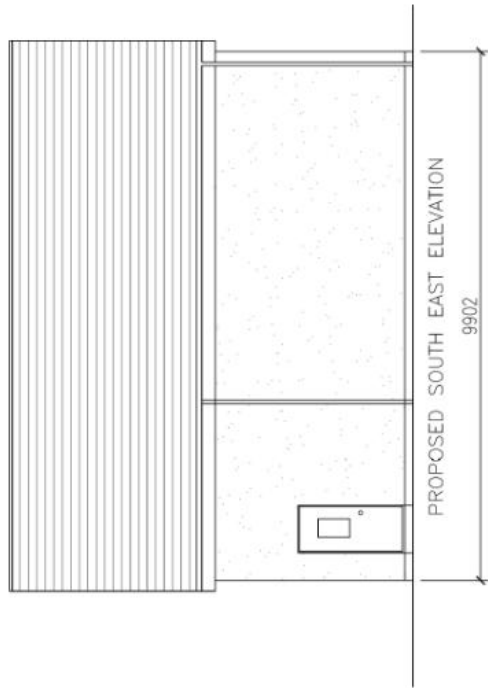
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REVISION:



PROJECT: ERECTION OF A HOUSE AND GARAGE AT 32 LINTROSE, CAMPMUIR, COUPAR ANGUS PH13 9LJ DRAWING REF: HOUSE VERTICAL CROSS SECTIONS PAPER SIZE: A1	NORMAN A MACLEOD namacleod@aol.com Tel: 07884177328		
	DATE:DEC21		
	SCALE:1TO50		
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REVISION:			



PROJECT: ERECTION OF A HOUSE AND GARAGE AT 32 LINTROSE,
CAMPMUIR, COUPAR ANGUS PH13 9LJ

DRAWING REF: GARAGE ELEVATIONS AND CROSS SECTION

PAPER SIZE: A1

NORMAN A MACLEOD

namacleod@aol.com

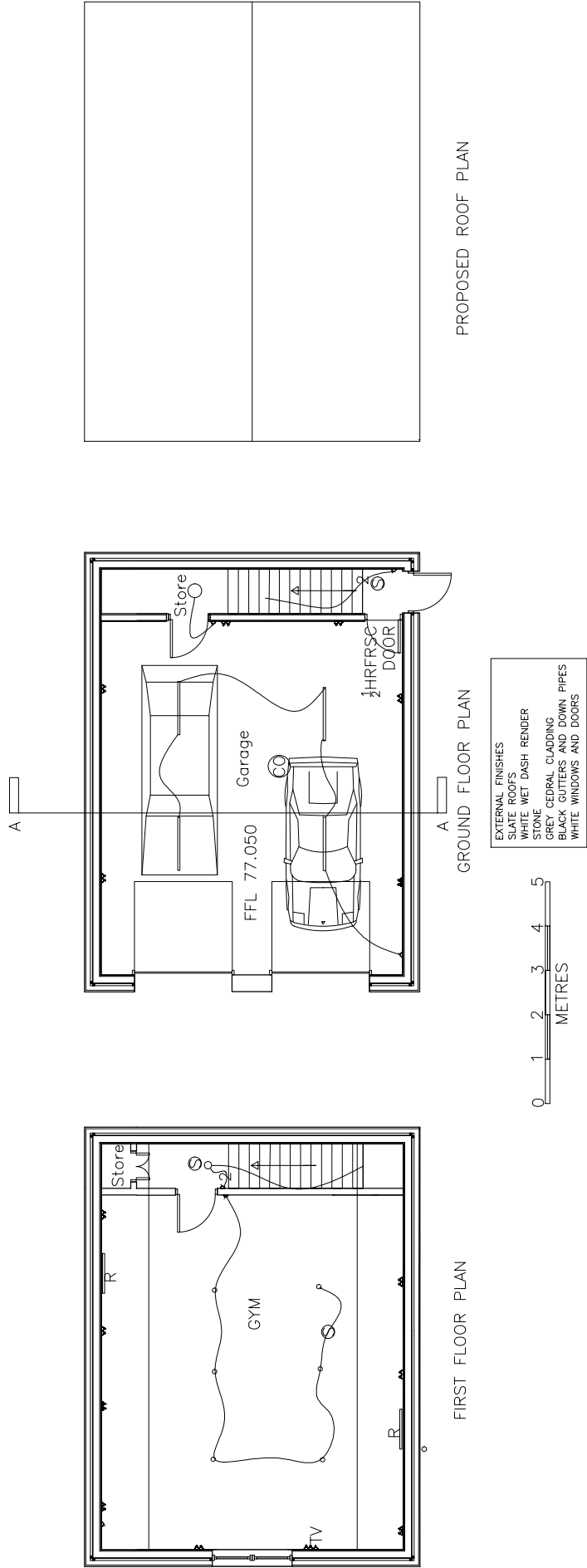
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DATE: DEC21

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REVISION:



PROJECT: ERECTION OF A HOUSE AND GARAGE AT 32 LINTROSE, CAMPMUIR, COUPAR ANGUS PH13 9LJ DRAWING REF: GARAGE FLOOR PLANS AND ROOF PLAN PAPER SIZE: A1	NORMAN A MACLEOD namacleod@aol.com Tel: 07884177328		
	DATE:DEC21		
	SCALE:1 TO 50		
	DRAWING NO:9		
		REVISION:	

Bat Survey Report

Workshop and Sheds

32 Holding

Lintrose

Blairgowrie

PH13 9LJ

August 2021





Figure 1. Sheds to be removed circled in pink

Introduction

1.1 Licensed bat worker Dr Garry Mortimer was commissioned to carry out bat surveys on outbuildings and sheds (Figure 1) located at 32 Holdings, Lintrose, Blairgowrie PH13 9LJ.

1.2 Aims and Objectives

To determine if any bat species are present and roosting in the buildings and sheds.

1.3 Species Protection Status

Bats are protected under Annex IIa and IVa of the EC Habitats Directive (92/43/EC) as applied in Scotland under the Conservation (Natural Habitats &c.) Regulations 1994, as amended by the Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations of 2004, 2007 and 2009. This creates a series of criminal offences that can result in substantial fines and/or imprisonment. These offences are listed below and make it illegal;

- To deliberately or recklessly capture, injure or kill bats
- To deliberately or recklessly harass a bat or group of bats
- To deliberately or recklessly disturb a bat wherever they occur in a ^[L]~~[SEP]~~ manner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young
- To deliberately or recklessly disturb a bat while it is hibernating or migrating
- To deliberately or recklessly disturb a bat in a manner that is, or is likely to significantly affect the local distribution or abundance of the species to which it belongs
- To deliberately or recklessly disturb a bat while it is rearing or otherwise caring for its young
- To deliberately or recklessly disturb a bat while it is occupying a structure or place which it used for shelter or protection
- To deliberately or recklessly obstruct access to a breeding site or resting place of a bat, or otherwise deny the animal use of the breeding site or resting place (note that this protection exists even when the bat is not in occupation)

- To damage or destroy a breeding site or resting place (Note this is a strict liability offence and the prosecution do not have to prove deliberate or reckless intent, merely that the roost was damaged or destroyed)
- To possess or control or transport any live or dead bat which has been taken from the wild or anything derived from a bat or any such part of a bat
- In addition to the above offences it is an offence to knowingly cause or permit such offences to be committed.

Site Description

1.4 The site is situated in a rural village setting approximately 4km south of Cupar Angus. There is a single storey detached bungalow on site that is not part of this report. The rest of the site comprises a collection of corrugated and wooden sheds and a rendered building with a corrugated roof (Figures 2-5).



Figure 2. Rendered outbuilding/workshop with corrugated roof laid onto wooden joists.



Figure 3. Corrugated metal sheets laid onto wooden joists with no wall or roof cavities present.



Figure 4. Wooden sheds with virtually no bat roost potential.



Figure 5. Corrugated lean to with no bat roost potential.

1.5 Standards and Guidance Followed for Bat Surveys

In July 2021 a roost inspection bat survey (Preliminary Roost Assessment) by Dr. G Mortimer was carried out in accordance with guidance from the BCT.

1.6 Buildings Inspections

The outside and inside of the building and sheds were inspected using ladders, endoscope and 10 x 40 binoculars where possible. The buildings were checked for any potential bat access points, droppings on floors, walls or windows, urine stains, grease marks or other indications that a roost was present.

Results

1.7 Due to the construction methodology of the rendered building with corrugated sheeting and no roof or wall cavities are present there was very limited bat roost potential present. The sheds with corrugated or flat roofs had almost zero bat roost potential in the majority of the buildings. No signs of bats were recorded and many

parts of the sheds were scoped out of further survey work. Following BCT Guidance recommendations it was considered that a dusk activity survey would be required.

1.8 Dawn Dusk Activity Surveys

On August 17th three bat surveyors carried out dusk bat emergence surveys in suitable conditions.

August 17 - Dusk - Start 20.10 – End 22.10; Sunset 20.48; Weather: 3/8 Oktas cloud cover; Wind: Force 1 Variable, Temperature: 16 Celsius.

1.9 Results

No signs of bats were recorded either entering or leaving any of the buildings or sheds that were being surveyed during the dusk activity surveys. Small numbers (2-3) of common and soprano pipistrelle were recorded foraging around the woodland near the site and single bat soprano pipistrelle summer non-maternity roosts are present in the residential bungalow.

Discussion of Survey Results

1.10 The bat surveys were undertaken to assess whether there were roosting bats present in the sheds and outbuilding at 32 Holdings Lintrose.

1.11 Following BCT Guidance and survey protocol no signs of bats were recorded during the building or dusk activity surveys. Given the very limited bat roost potential present no roosts are suspected to be present. No further survey work will be required.

Conclusion

1.12 It is considered that the proposed demolition works poses a negligible risk of death or disturbance to European Protected Species and it is safe to proceed.

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DISCLAIMER

This report has been prepared by Dr Garry Mortimer of GLM Ecology, with all reasonable skill and care within the terms of the agreement with the client. Dr Mortimer disclaims any responsibility to any parties in respect of matters outside this scope.

Best efforts were made to meet the objectives of this study through desktop study and field survey.

Information supplied by the client or any other parties and used in this report is assumed to be correct and GLM Ecology accepts no responsibility for inaccuracies in the data supplied.

It should be noted, that whilst every endeavour is made to meet the client's brief, no site investigation can guarantee absolute assessment or prediction of the natural environment. Numerous species are extremely mobile or only evident at certain times of year and habitats are subject to seasonal and temporal change.

GLM Ecology accepts no responsibility to third parties who duplicate, use, or disclose this report in whole or in part. Such third parties rely upon this report at their own risk.

Document Prepared By
Dr Garry Mortimer
GLM Ecology

LRB-2022-25
**21/02169/FLL – Erection of a dwellinghouse and garage/
ancillary building, land 30 metres south west of 32 Lintrose
Holding, Campmuir**

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 45-63)*



Mr And Mrs W Fleming
c/o Norman MacLeod
18 Walnut Grove
Blairgowrie
PH10 6TH

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **4th March 2022**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **21/02169/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 10th January 2022 for Planning Permission for **Erection of a dwellinghouse and garage/ancillary building Land 30 Metres South West Of 32 Lintrose Holding Campmuir**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposal is contrary to Policy 19, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2 (2019) and its associated supplementary guidance. The proposal does not accord with any of the categories within the policy. In particular the proposal is contrary to category 2 infill as the plot created is not comparable in size to the neighbouring plots and does not have a similar size of road frontage. In addition the size and design of the infill house is not sympathetic to the neighbouring buildings.
2. The proposal is contrary to Policy 1A and 1Bc), Placemaking, of the Perth and Kinross Local Development Plan 2 (2019). The design and siting of development does not respect the character and amenity of the place and does not complement its surroundings in terms of appearance, height and massing, materials, finishes and colour.

Justification

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

Notes

- 1 There are no relevant Informatives

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

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REPORT OF HANDLING

DELEGATED REPORT

Ref No	21/02169/FLL	
Ward No	2 - Strathmore	
Due Determination Date	9th March 2022	
Draft Report Date	4th March 2022	
Report Issued by	PB	Date 4 March 2022

PROPOSAL: Erection of a dwellinghouse and garage/ancillary building

LOCATION: Land 30 Metres South West Of 32 Lintrose Holding
Campmuir

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.

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

The proposal relates to a site at Lintrose Holdings southwest of Campmuir. Planning permission is sought for the erection of a dwellinghouse and garage/ancillary building. There are existing non-domestic buildings on the site which are to be demolished. The new house will be positioned to the rear of the site on the site of a demolished building with the garage/ancillary building located to the front of the site also on the site of a former building. There are residential properties either side of the site and opposite. These are single storey in appearance.

The proposed new house will be a detached, four bedded property with accommodation over two levels. It will be finished in render and stone with a slate roof. The application submission indicates that the neighbouring cottage to the northeast is in the ownership of the applicants and will be retained for holiday accommodation and that a new farm building will be erected but is not part of this application.

SITE HISTORY

None.

PRE-APPLICATION CONSULTATION

Pre application Reference: None.

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 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 2: Design Statements
Policy 5: Infrastructure Contributions
Policy 19: Housing in the Countryside
Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
Policy 39: Landscape
Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
Policy 41: Biodiversity
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 58A: Contaminated and Unstable Land: Contaminated Land
Policy 59: Digital Infrastructure
Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

OTHER POLICIES

Housing in the Countryside Supplementary Guidance 2020

CONSULTATION RESPONSES

Transport Planning

No response in timescale.

Scottish Water

Capacity at Lintrathen water treatment works for water supply. No public Scottish Water infrastructure in the vicinity. Private treatment options required.

Development Contributions Officer

No developer contributions required.

Dundee Airport Ltd
No objection.

Environmental Health (Contaminated Land)
No objection subject to contaminated land condition.

Environmental Health (Noise Odour)
Informative note with regard to woodburning stove.

Biodiversity/Tree Officer
No objection subject to condition.

Perth And Kinross Heritage Trust
Does not raise any issues requiring archaeological mitigation.

Planning And Housing Strategy
Issues with compliance with Housing in the Countryside Policy.

REPRESENTATIONS

No representations received.

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	Habitats Regulations AA Not Required
Design Statement or Design and Access Statement	Supporting statement submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 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 in a rural area where Policy 19, Housing in the Countryside, of the Local Development Plan applies. Category 5 covers the conversion or replacement of non-domestic rural buildings. In this case although the proposal would result in the replacement of a number of non-domestic buildings, from the photographs submitted with the application the majority of the existing buildings are non-traditional. The only exception is potentially the existing building on the site of the proposed garage / ancillary building which looks to be of traditional form and construction. However the supporting statement suggests that this is not suitable for conversion. Category 5 therefore offers no support to the proposal due to it not supporting the replacement of non-traditional buildings with residential development.

The most appropriate category to assess the proposal against therefore is category 2 Infill Sites. Category 2 allows for the development of up to two houses in the gap in between existing buildings providing a number of criteria are met:

- The plot created should be comparable in size to the neighbouring plots and have a similar size of road frontage.

In this proposal the plot size is considerably bigger than that on either side with a larger road frontage although this is broken up by existing trees along the road boundary. The rear boundary extends further back than either of the neighbouring properties resulting in a much deeper plot. The proposed house is also set much further back from the road than the neighbouring properties or indeed any of the other houses within the building group which are fairly uniform with the exception of the backland plot which it is understood was granted some time ago on appeal.

- The proportion of the plot to be occupied by the infill house is no greater than that of the existing plots.
- There would appear to be no uses in the vicinity which would prevent the achievement of an adequate standard of amenity for the new house. There appears to be little in the way of an existing boundary to the neighbouring property to the south west but a post and wire fence and beech hedge is proposed and on this basis the amenity of the existing house could also be maintained.
- The size and design of the infill house should be sympathetic to the neighbouring buildings. From looking at streetview the houses on either side look to be mainly single storey or 1.5 storey. The houses opposite are similar but the new proposed house is to be 1.75 storey with upper storey windows. It is noted from the supporting statement that this design is 'typical of recent approvals in nearby locations' but this must be outwith this building group. There appears to be little in the way of upper storey windows in the immediate vicinity and in that sense the overall appearance of the proposed house differs somewhat from the character of the existing houses.

Overall, whilst there are some concerns about the scale and design the main issue is the plot size and siting of the house within the plot. For the proposal to comply with the Category 2 infill the dwellinghouse would have to be closer to the road similar to

that of existing houses within the building group, with the garage to the rear, keeping the buildings within the existing rear boundary line. It is appreciated that the proposed new buildings have been positioned within the footprint of the existing buildings, but this would only be a requirement if the proposal was being assessed against category 5. Alternative positioning as suggested above would be a much better fit with category 2 of the supplementary guidance.

An infill site should also include the full extent of the gap between houses. This site does that. It is further noted that the retention of a field access within the infill plot or plots will not be permitted.

For completeness the proposal is also assessed in terms of Category 1, Building Groups. This also requires new housing to respect the character, scale and form of the existing group, and to be integrated into the existing layout and building pattern. This proposal fails to do this.

The principle of the proposed development is therefore contrary to the Housing in the Countryside policy as it fails to meet any of the categories for development set out in the policy and guidance.

Other aspects of the proposal will be assessed below.

Design and Layout

Placemaking policies seek to ensure that proposals make a positive contribution to the built and natural environment. In particular policy 1A requires the design, density and siting of development to respect the character and amenity of the place. Policy 1Bc) states that design and density should complement its surroundings in terms of appearance, height, massing, materials, finishes and colour. In this case whilst the layout of the development reflects the layout of existing buildings on the site this is not compatible with the general character of the residential development in the vicinity. As the proposal is being considered as an infill between residential dwellings the design should better reflect the design and layout of other residential properties in the vicinity. The proposed design is at odds with its surroundings with the house being set back on the site and garage with parking to the front. As such the proposal is not in accordance with Placemaking policies 1A and 1Bc).

Landscape

There are existing trees to the front of the site that are to be retained. This will help to maintain landscape character. The surrounding area is relatively flat. The impact of the development would be reduced by the construction of a more modest scale of development of single storey appearance that would better fit with the character of the area.

Residential Amenity

The proposed dwellinghouse is sited some distance away from other residential properties and will not impact on them in terms of loss of privacy, overlooking or overshadowing. Sufficient garden ground is proposed along with private amenity space for utility use. Impact on existing residential amenity is acceptable.

Environmental Health has been consulted and requests that an informative note be attached with regard to the woodboring stove if recommended for approval.

Visual Amenity

Whilst it is acknowledged that re-development of the site could result in a visual improvement the scale, siting and design of the development is inappropriate and would have an adverse impact on visual amenity due to being out of character with the surrounding residential development.

Roads and Access

The site is served by an existing access. Sufficient space for turning and parking of vehicles is shown on the submitted plans.

Drainage and Flooding

The site is not in an area at risk of flooding. Foul drainage will be to a private system. The proposal should dispose of surface water by a sustainable urban drainage system (policy 53C). A condition with regard to this would be added should permission be granted.

Conservation Considerations

There are no listed buildings in the vicinity. The site is not within a conservation area. Perth and Kinross Heritage Trust was consulted but no archaeological mitigation is required in this instance.

Natural Heritage and Biodiversity

A Bat Survey has been submitted that accords with best practice. A dusk survey carried out in August 2021 confirmed that no roosting bats were present in the sheds and outbuilding at 32 Holdings Lintrose. As there are no presence of bat roosts, works can be undertaken without a derogation licence from NatureScot (formerly Scottish Natural Heritage).

The Biodiversity Officer recommends conditions to enhance biodiversity through the erection of bird nest boxes. Informative notes are also requested.

Developer Contributions

Primary Education

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.

This proposal is within the catchment of Burrelton Primary School.

Education & Children's Services have no capacity concerns in this catchment area at this time. No developer contributions are required.

Low carbon

Proposals for new buildings should comply with policy 32 of the Development Plan. This requires proposals for all new buildings to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. This application is being recommended for refusal however a condition with regard to compliance with policy 32 would be attached should the application be approved.

Contaminated Land

The site may have been contaminated by a former use. Any approval would be subject to conditional control with regard to contaminated land and would require appropriate mitigation if contamination is found.

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 was not 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.

Conditions and Reasons

- 1 The proposal is contrary to Policy 19, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2 (2019) and its associated supplementary guidance. The proposal does not accord with any of the categories within the policy. In particular the proposal is contrary to category 2 infill as the plot created is not comparable in size to the neighbouring plots and does not have a similar size of road frontage. In addition the size and design of the infill house is not sympathetic to the neighbouring buildings.
- 2 The proposal is contrary to Policy 1A and 1Bc), Placemaking, of the Perth and Kinross Local Development Plan 2 (2019). The design and siting of development does not respect the character and amenity of the place and does not complement its surroundings in terms of appearance, height and massing, materials, finishes and colour.

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

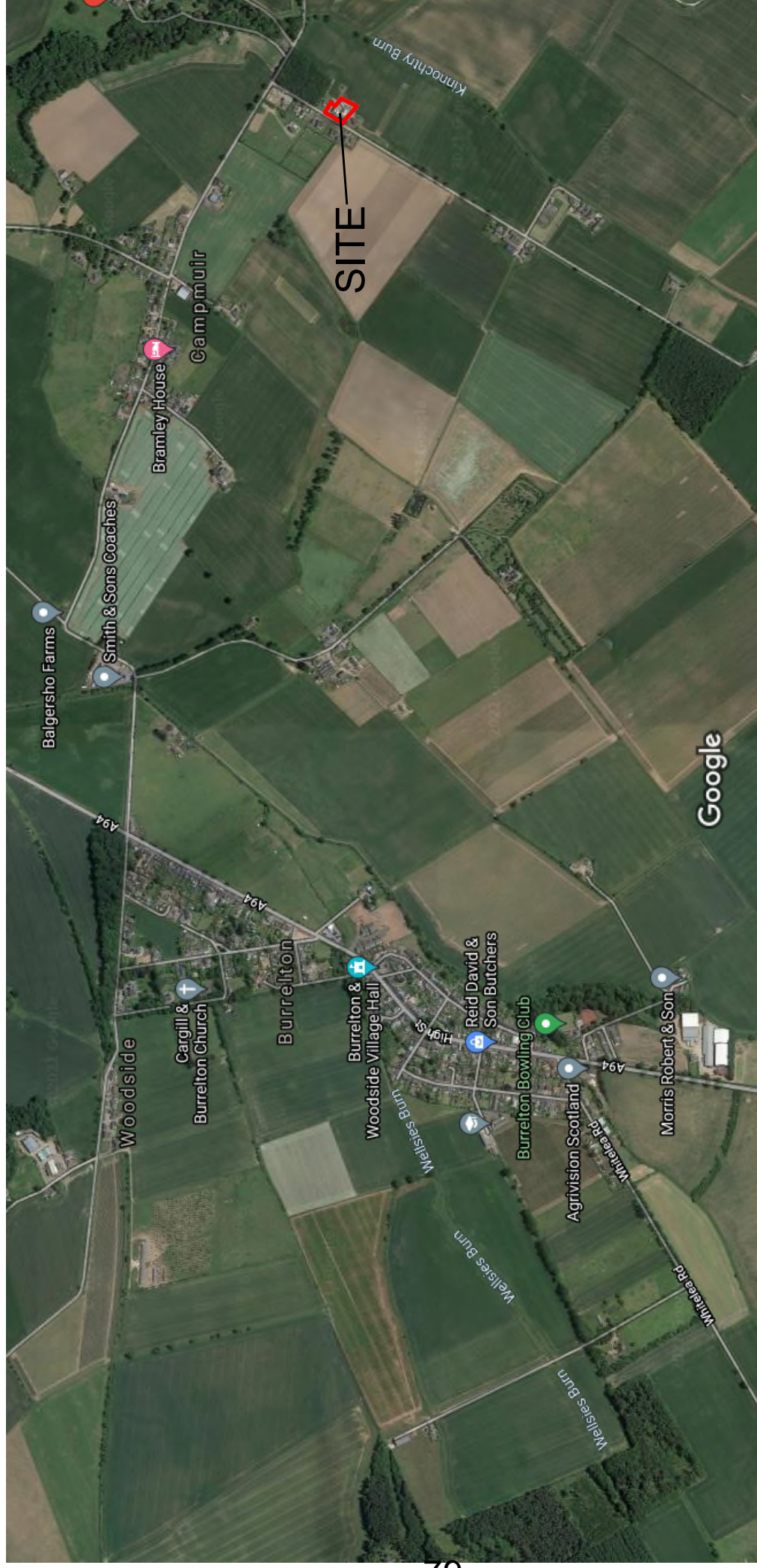
None.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01
02
03
04
05
06
07
08
09
10
11
12
13



All filters

Lintrose House

No reviews

Coupar Angus

LRB-2022-25
**21/02169/FLL – Erection of a dwellinghouse and garage/
ancillary building, land 30 metres south west of 32 Lintrose
Holding, Campmuir**

REPRESENTATIONS

[REDACTED]

From: HIAL Safeguarding [REDACTED]
Sent: 18 January 2022 14:47
To: Development Management
Subject: RE: Planning Application Consultation for Application No 21/02169/FLL

Your Ref: 21/02169/FLL
Our Ref: 2022/023/DND

Dear Sir/Madam,

Proposal: Erection of a dwellinghouse and garage building.
Location: Land 30 Metres South West Of 32 Lintrose Holding, Campmuir.

With reference to the above, our calculations show that, at the given position and height, this development would not infringe the safeguarding criteria for Dundee Airport.

Therefore, Dundee Airport Limited has no objections to the proposal.

Yours faithfully,

Ed

Ed Boorman
HIAL Safeguarding (Acting for and on behalf of DAL & HIAL)



Wednesday, 19 January 2022



Local Planner
Planning and Development
Perth and Kinross Council
Perth
PH1 5GD

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

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



Dear Customer,

Land 30 Metres South West Of, 32 Lintrose Holding, Campmuir, PH13 9PL
Planning Ref: 21/02169/FLL
Our Ref: DSCAS-0056464-4ND
Proposal: Erection of a dwellinghouse and garage building

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 Lintrathen 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.

Waste Water Capacity 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.

Please Note

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

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not 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-Domestic 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,

Angela Allison

Development Services Analyst

PlanningConsultations@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."

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/02169/FLL	Comments provided by	Joanna Dick Tree and Biodiversity Officer
Service/Section	Strategy and Policy	Contact Details	Phone 75377 Email biodiversity@pkc.gov.uk
Description of Proposal	Erection of a dwellinghouse and garage building		
Address of site	Land 30 Metres South West Of 32 Lintrose Holding Campmuir		
Comments on the proposal	<p>Policy 41: Biodiversity The Council will seek to protect and enhance all wildlife and habitats, whether formally designated or not, considering natural processes in the area. Planning permission will not be granted for development likely to have an adverse effect on protected species unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated.</p> <p><u>European Protected Species</u> All bat species found in Scotland are classed as European protected species. They receive full protection under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) making it an offence to disturb a bat in a roost, obstruct access to a roost and damage or destroy a breeding or resting place of such an animal. The impact of development on protected species must be understood before planning permission can be granted.</p> <p>Planning permission will not be granted for development that would, either individually or cumulatively, be likely to have an adverse effect upon European protected species (listed in Annex IV of the Habitats Directive (Directive 92/43/EEC)) unless the Council as Planning Authority is satisfied that:</p> <p>(a) there is no satisfactory alternative, and</p> <p>(b) the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.</p> <p>In no circumstances can a development be approved which would be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range.</p> <p>All methods in the submitted Bat Survey Report are in accordance with best practice. A dusk survey carried out in August 2021 confirmed that no roosting bats were present in the sheds and outbuilding at 32 Holdings Lintrose. As there are no presence of bat roosts, works can be undertaken without a derogation licence from NatureScot (formerly Scottish Natural Heritage).</p>		

	<p><u>Breeding Birds</u></p> <p>For all wild bird species in Great Britain, it is an offence to intentionally or recklessly kill, injure or take a bird; take, damage, destroy or interfere with a nest of any bird while it is in use or being built; or obstruct or prevent any bird from using its nest.</p> <p>Enhancement for biodiversity should be an objective of all planning projects and can be realised in several ways depending on location, surrounding habitats and landscape character.</p> <p>Tree and house sparrows are red listed as birds of conservation concern and providing nest boxes for these species would enhance the biodiversity value of the site. This would contribute towards the Sparrows on the Edge Project in the Tayside Local Biodiversity Action Plan.</p>
Recommended planning condition(s)	<p>If you are minded to approve the application then I recommend the following conditions be included in any approval:</p> <ul style="list-style-type: none"> • Prior to the commencement of development hereby approved, details of the location and specification of four sparrow nest boxes shall be submitted for the further written agreement of the Council as Planning Authority. Thereafter, the four sparrow nest boxes shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit
Recommended informative(s) for applicant	<ul style="list-style-type: none"> • BATS2 edited The findings and recommendations contained with the Bat Survey remain valid for a period of 24 months. If the approved planning permission is not implemented within 24 months of the date of the survey it is strongly recommended that an updated Bat Survey is undertaken prior to any works commencing. Failure to do so could potentially leave you open to prosecution should any bats be harmed as a result of the works. Please note that bats are protected by law, and it is a criminal offence to deliberately harm, capture, kill or disturb a bat or its resting place. • BION Existing buildings or structures may contain nesting birds between 1st March and 31st August inclusive. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
Date comments returned	25 January 2022



To:	Persephone Beer, Planning Officer
From:	Sophie Nicol, Historic Environment Manager
Tel:	01738 477027
Email:	Sophie.Nicol@pkht.org.uk
Date:	27 th January 2022

21/02169/FLL | Erection of a dwellinghouse and garage/ancillary building | Land 30 Metres South West Of 32 Lintrose Holding Campmuir

Thank you for consulting PKHT on the above application.

With respect to archaeology and the planning process, as outlined by Scottish Planning Policy, the proposed development does not raise any significant issues. No further archaeological mitigation is required in this instance.

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 21/02169/FLL

Our ref KIM

Date 7 February 2022

Tel No 01738 476442

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission PK21/02169/FLL RE: Erection of a dwellinghouse and garage building Land 30 Metres South West Of 32 Lintrose Holding Campmuir for Mr And Mrs W Fleming

I refer to your letter dated 18 January 2022 in connection with the above application and have the following comments to make.

Contaminated Land

Recommendation

I have no objections to the application but recommend the undernoted conditions be included in any given consent.

Comments

A previous land use that has led to the contamination of a site is generally identifiable from historical records. However consideration needs to be given to situations where this is not so apparent and there is the potential for contamination to cause a constraint in the redevelopment of specific sites. A good example of this is where there is a proposed use change from agricultural to residential.

Under the contaminated land research programme administered by the Department of the Environment, Food and Rural Affairs, Science Reports 2, 3, and 7 set out the framework for deriving Soil Guideline Values or SGV's for proposed changes in land use and sets targets based on the sensitivity of receptors and the land use function. Originally these soil guideline values were restricted to what was considered to be "priority pollutants" but the research programme has now been extended to include other contaminants and respective toxicological data. These soil guideline values are based on risk evaluation in specific circumstances which are a standard function of land use i.e. residential with plant uptake, residential without plant uptake and commercial and industrial.

The most sensitive land use recognised by the soil guideline values is "residential with gardens", where there is likely to be a greater contact between those at risk, in this case the residents and any contaminants contained within the soil. SGV's for this land use type are therefore at their most conservative and the potential for contaminants to be present and cause a constraint to development are greater.

Potentially there are a range of contaminants that could be present in agricultural land. This is particularly true of areas used as farmyards which may have contained a variety of buildings that have been put to a number of uses. Aside from the likely presence of made ground any number of chemicals could have been used and potentially leaked or been spilled. The risks associated with this remain difficult to quantify until there has been some form of sampling and chemical analysis of the soils contained within the development area. This will help determine the suitability of the site for the proposed development and whether any measures are needed to mitigate against any risks that have been identified.

Therefore if planning permission is granted in respect of this development I would recommend that the following condition is applied within the consent.

Condition

EH41

Prior to the commencement of works on site, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken and as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) will be submitted for consideration by the Council as Planning Authority. If after the preliminary risk assessment identifies the need for further assessment, an intrusive investigation should be undertaken to identify;

- I. the nature, extent and type(s) of contamination on the site
- II. measures to treat/remove contamination to ensure the site is fit for the use proposed
- III. measures to deal with contamination during construction works
- IV. condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 21/02169/FLL

Our ref OLW
Tel No 01738 476958

Date 7 February 2022

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission PKC 21/02169/FLL RE: Erection of a dwellinghouse and garage building Land 30 Metres South West Of 32 Lintrose Holding Campmuir for Mr And Mrs W Fleming

I refer to your letter dated 18 January 2022 in connection with the above application and have the following comments to make.

Environmental Health

Recommendation

I have no objections to the application but recommend the undernoted informative be included on any given consent.

Comments

This application is for the erection of a dwellinghouse which will include the provision of a single woodburning stove and associated flue.

Air Quality

Perth and Kinross Council have a duty to assess biomass boilers for capacity within the range of 50kW to 20MW in terms of nitrogen dioxide and particulate matter based on their effect on air quality in the area. Though the application does not include any information on the stove, it is likely to be domestic sized and therefore I have no adverse comments to make with regards to air quality.

Odour

Another matter pertaining to the stove which could cause an issue has the potential for smoke or odour disamenity. This Service has seen an increase in complaints with regards to smoke and odour due to the installation of biomass appliances. This can be caused due to poor installation and maintenance of the biomass appliances and also inadequate dispersion of emissions due to the inappropriate location and height of a flue with regards to surrounding buildings.

I note from the submitted plans that the flue will terminate above roof ridge height, which will aid in dispersion of emissions. I would advise that smoke/odour could be further minimised through the use of fuel recommended by the stove manufacturer.

In light of the above, the residential amenity at neighbouring dwellinghouses should not be adversely affected by smoke/odour.

I would therefore have no objections to this development provided that the following informative is attached to the consent.

Informative

The approved stove system shall be installed and thereafter operated and maintained in accordance with the manufacturer's recommendations, such that smoke odours are not exhausted into or escape into any neighbouring dwellings. Failure to do so may result in an investigation and possible action by Environmental Health under the Environmental Protection Act 1990.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/02169/FLL	Comments provided by	Katrina Walker
Service/Section	Development Plans	Contact Details	
Description of Proposal	Erection of a dwellinghouse and garage/ancillary building		
Address of site	Land 30 Metres South West Of 32 Lintrose Holding, Campmuir		
Comments on the proposal	<p>This proposal is for a house and detached garage at Lintrose Holdings, Campmuir. There is no settlement boundary identified in the LDP so the application falls to be assessed against policy 19: Housing in the Countryside.</p> <p>Although the proposal would result in the replacement of a number of non-domestic buildings, from the photographs submitted with the application the majority of the existing buildings are non-traditional. The only exception might be the existing building on the site of the proposed garage / ancillary which looks like it could be of traditional form and construction and may have been appropriate for conversion. That is not what is being proposed, however, and therefore overall I do not consider that category 5 of the Housing in the Countryside SG would offer support to the proposal. I consider that the most appropriate category to assess the proposal against therefore is category 2 Infill Sites.</p> <p>Category 2 allows for the development of up to two houses in the gap in between existing buildings providing a number of criteria are met:</p> <ul style="list-style-type: none"> • The plot created should be comparable in size to the neighbouring plots and have a similar size of road frontage. In this proposal the plot size is considerably bigger than that on either side with a larger road frontage although this is broken up by existing trees along the road boundary. The rear boundary extends further back than either of the neighbouring properties resulting in a much deeper plot. The proposed house is also set much further back from the road than the neighbouring properties or indeed any of the other houses within the building group which are fairly uniform with the exception of the backland plot which I believe was granted some time ago on appeal. • The proportion of the plot to be occupied by the infill house is no greater than that of the existing plots. • There would appear to be no uses in the vicinity which would prevent the achievement of an adequate standard of amenity for the new house. There appears to be little in the way of an existing boundary to the neighbouring property to the south west but a post and wire fence and beech hedge is proposed and on this basis the amenity of the existing house could also be maintained. 		

	<ul style="list-style-type: none"> • The size and design of the infill house should be sympathetic to the neighbouring buildings. From looking at streetview the houses on either side look to be single storey and 1.5 storey. The houses opposite are similar but the new proposed house is to be 1.75 storey with upper storey windows. It is noted from the supporting statement that this design is 'typical of recent approvals in nearby locations' but I'm unclear as to whether this is referring to recent approvals within this same building group or elsewhere. As far as I can see from streetview, and the plans of the most recently approved houses to the northern end of the building group, there appears to be little in the way of upper storey windows and in that sense the overall appearance of the proposed house would appear to differ somewhat from the character of the existing houses. • The proposal includes the full extent of the gap between existing houses. <p>Overall, therefore, whilst I have some concerns about the scale and design the main issue is the plot size and siting of the house within the plot. I would have preferred to see the house sitting closer to the road similar to that of existing houses within the building group, with the garage to the rear instead, preferably keeping the buildings within the existing rear boundary line although I would be more relaxed about the garden ground extending further out. I appreciate that the proposed new buildings have been positioned within the footprint of the existing buildings, but this would only be a requirement if the proposal was being assessed against category 5. Alternative positioning as suggested above would in my view be a much better fit with category 2 of the SG.</p> <p>For completeness, if the proposal were to be assessed against category 1 Building Groups, I consider that the same comments would apply given the requirement under this category for new housing to respect the character, scale and form of the existing group, and to be integrated into the existing layout and building pattern.</p>
Recommended planning condition(s)	
Recommended informative(s) for applicant	
Date comments returned	9/2/22