

TCP/11/16(496) – 17/00899/IPL – Residential development (in principle), land 40 metres north west of Northbarns Farm, Bankfoot

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TCP/11/16(496) – 17/00899/IPL – Residential development (in principle), land 40 metres north west of Northbarns Farm, Bankfoot

> 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)	Agent (if any)
Name MR. G. F. COLLIE.	Name LJRH ARCHITECTS.
Address North Forms Form. Bonk foot. DERTHEALBE .	Address 18 South Tay STREET. DUNDER .
Postcode PH1 4DZ.	Postcode DDI IPD .
Contact Telephone 1 Contact Telephone 2 Fax No -	Contact Telephone 1 01382 ~ 200511 Contact Telephone 2 Fax No
E-mail*	E-mail* admin @lirh.co.uk
* Do you agree to correspondence regarding your rev	Mark this box to confirm all contact should be through this representative: Yes No iew being sent by e-mail?
Planning authority	PERTH AND KINRDES.
Planning authority's application reference number	17/00899/IPL.
Site address	es north west of north borns ot , perthshire .
Description of proposed development	USING DEVELOPMENT (IN PRINCIPAL)
Date of application 26 - 5 - 17 Dat	e of decision (if any) 21 - 7 - 2017

<u>Note.</u> 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.

Page 1 of 4

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:

\bigcirc	FURTHER	WRITTEN	SUBMISSION	17	2001TIONEL	INFORMATION	required.
2	IF CONSI	dered he					

Site inspection

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

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

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

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	X	
	X	
	X	
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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. <u>Note</u>: 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	REPER	10	SEPERATE	Supporting	INFORMATION .	
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Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

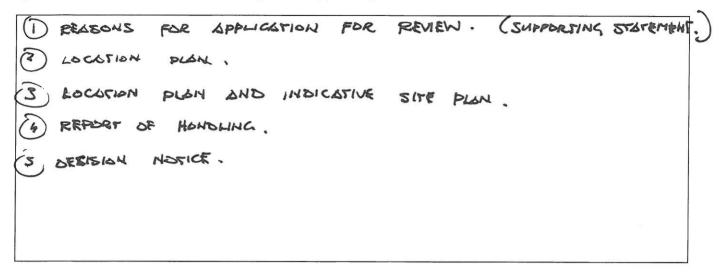


If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

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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.



<u>Note.</u> 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

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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.

<u>Note.</u> 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	17	-	10	-	17	4
]							

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Residential Development (In Principal), North Barns Farm, Bankfoot, Perthshire.

Supporting Statement

A number of reasons were given for refusing this application and we will respond to these in the order listed on the refusal notice as follows :

1. The proposal is contrary to Policy RD3. This Policy states that the Council will support proposals for groups of houses in the countryside, "which fall into at lease one of the following categories :

a. Building groups. b. Infill sites.

2. The proposal is contrary to the Council's Housing in the Countryside Guide

It is our opion that this application complies with these requirements as the is located bewtween two existing sheds and a housing development which has already been approved and is currently near completion with some of the houses occupied.

Policy RD3 also requires that development must also comply with the requirements of the Housing in the Countryside Guide. We have examined this policy and note that the policy complies with the vast majority of the conditions outlined. The main elements of which are design and finish, means of enclosure, access, and that "any proposal, in terms of scale, layout and design is appropriate and to and has a good fit with, the landscape charachter of the area in wich is it located". "Building should be sympathetic in terms of scale and proportion to other buildings in the locality.

Although this application is in outline, drawings were prepared and lodged as part of the application, to illustrate that a suitable design of housing could easily be achieved, with generous garden ground, representative of other plots in the area. All of these, of course, would be subject to an appropriate condition and a full application to be considered in due course. The housing proposed does not occupy a prominent sky line as it is located between existing sheds and existing housing. It has a roadway to the front and an existing hedge in excess of 1m to the rear and is therefore, able to provide a suitable degree of enclosure for new houses in the countryside, all in accordance with this policy.

3. The proposal is contrarty to Policy ER5, Managing Future Landscaped Change to conserve and enhance the diversity and quality of the areas landscapes, as it erodes local distictivness, diversity and quality of landscaped character and the quality of landscape experience through the siting of the development within this area of Perth & Kinross. As mentioned above, the site is contained with large agricultural sheds to one side and a new housing development at the other. For this reason, we do not agree that this proposal is in conflict with this policy.

4. The proposal is contrary to Policy PM1A. Placemaking states the design, density and siting of development should respect the character and amenity of the place and proposals should encorporate new landscape and planting works are appropriate to the local context and the scale and nature of the development.

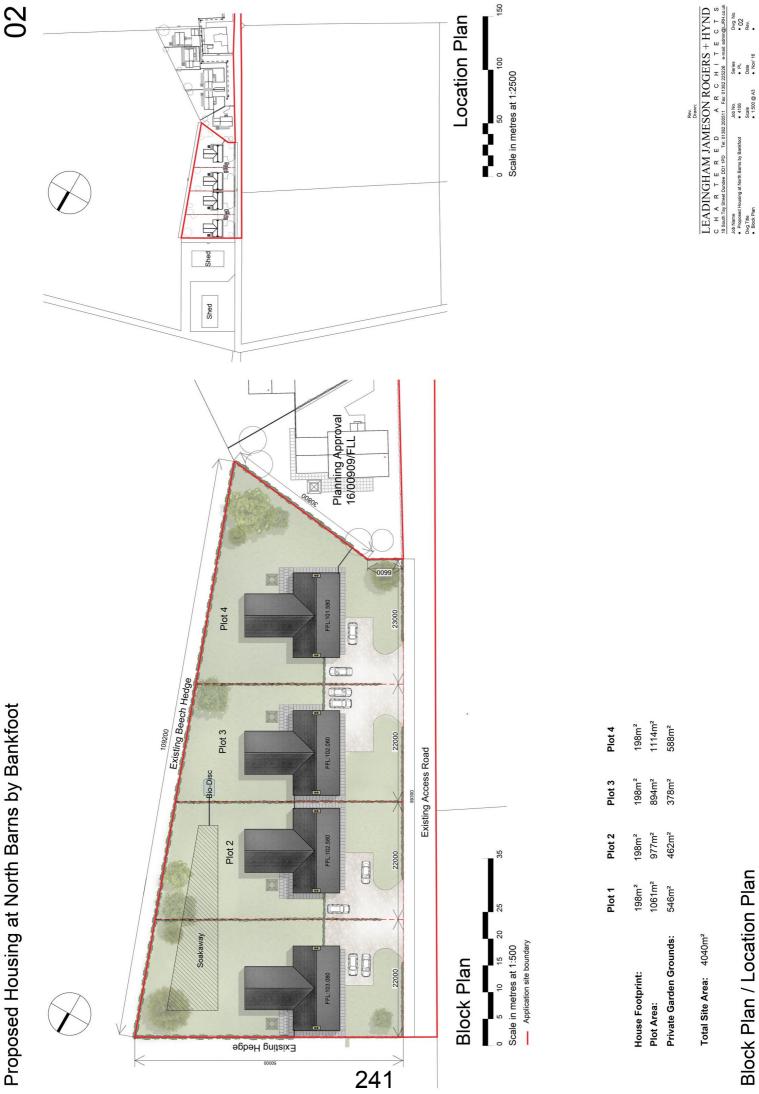
As stated earlier, as this is an outline application, the above points would be dealt with, if a full application was lodged. However, the indicative drawings lodged as part of the application demonstrate that design, density and siting could contribute positively to the area. A full application would also required landscape and planting works to be agreed and these could easily be specified to ensure that they are appropriate to the local contexts, scale and nature of the development.

5. The proposal is contrary to Policy PM1B. This Policy gives a number of recommendations including "ensuring that the proposed development will sit well within the wider landscaped character of the area, the esign and density should compliement its surrounding and developments should create safe, accessible and inclusive places for people".

This prosposal is situated immediately adjacent to a housing development recently approved. If this earlier approval complied with the policy, this application should also. Particularly as the houses shown in the indicative drawings had a consierably lower ridge level and larger gardens than those recently approved.

6. The proposal does not provide a satisfactory and residential environment due to the proximity of the agricultural buildings to the north, where there is the potential for future residents to suffer annoyance from noise and odour contrary to policy E98 : Noise Pollution

These farm buildings are used for general farm storage and do not contain livestock. In a a recent Planning Approval, which also had farm buildings in close proximity, the Case Officer stated "I am of the view that there isn't an existing noise issue and that any that any person moving into the dwellings in this location cannot fail to notice that there are some non-residential buildings nearby, which have the potential to disrupt residential amenity to some degree, and this view is shared by my colleagues in Environmental Health". We also note that with regard to this application, Environmental Health did not express any concerns.



Proposed Housing at North Barns by Bankfoot



SOUTH-EAST ELEVATIONS

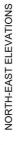


NORTH-WEST ELEVATIONS



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SOUTH-WEST ELEVATIONS

External Use of Materials:	als:	Walls:	Dry dash roughcast
Roof: Interlocking tiles'	'Marley - Modern Colour: Slate Grey	Basecourse &	To be "Thistlestone" Buff
Rainwater Goods:	'Marley' uPVC or similar Colour: Black	Frontal Elevation:	stone walling.
Windows & Doors:	Double Glazed uPVC		
OIIIS	Colour: White		
: - -	:		



Proposed Elevations

PERTH AND KINROSS COUNCIL

Mr G F Collie c/o LJR+H Architects Bob Hynd 18 SOUTH TAY STREET DUNDEE UK DD1 1PD

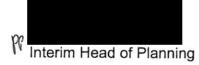
Pullar House 35 Kinnoull Street PERTH PH1 5GD

Date 21st July 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: 17/00899/IPL

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 26th May 2017 for permission for **Residential development (in principle) Land 40 Metres North West Of Northbarns Farm Bankfoot** for the reasons undernoted.



Reasons for Refusal

- 1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2014 as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.
- 2. The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location.
- 3. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience through the siting of the development within this area of Perth and Kinross.

- 4. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed siting of the development does not respect the character and amenity of this area of Perth and Kinross.
- 5. The proposal is contrary to Policy PM1B, criterion (a) and (b) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside.
- 6. The proposal does not provide a satisfactory residential environment due to the proximity of the agricultural buildings to the north where there is the potential for future residents at this site to suffer annoyance from noise and odour, contrary to Policy EP8 of the Perth and Kinross Local Development Plan 2014.

Justification

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

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

Plan Reference 17/00899/1 17/00899/2 17/00899/3 17/00899/4 17/00899/5

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REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/00899/IPL	
Ward No	P5- Strathtay	
Due Determination Date	25.07.2017	
Case Officer	John Russell	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Residential development (in principle)

LOCATION: Land 40 Metres North West Of Northbarns Farm Bankfoot

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: 30 May 2017

SITE PHOTOGRAPHS









BACKGROUND AND DESCRIPTION OF PROPOSAL

There is a considerable amount of history associated with the land at North Barns which is located in the countryside to the west of Bankfoot and the A9.

Replacement of agricultural buildings with five dwelling houses was approved in 2006, application 06/01270/FULL refers. A change of house type was then subsequently approved under application 16/00909/FLL. These dwellings are now under construction around the existing farm house to the south of the application site.

To the north of the proposed site there are new agricultural buildings that have been approved under applications 07/02076/PN, 10/00098/FLL and 13/01598/PN.

This application seeks planning permission in principle for the erection of four detached dwellinghouses on land between the 5 dwelling site that is currently under construction and the new agricultural buildings to the north. The site is just over 0.4 hectares in area. The sites west boundary adjoins the access track to the farm buildings and is 89 metres in length. The agent has note that the east boundary has recently been established with the planting of hedging.

SITE HISTORY

06/01270/FUL Replacement of agricultural buildings with 5 dwellinghouses 5 April 2008 Application Permitted

07/02076/PN Erection of a general purpose agricultural store 8 November 2007 Application Permitted

09/01254/PN Erection of an agricultural grain store 7 August 2009 Application Withdrawn

09/02073/PN Erection of an agricultural storage building 27 January 2010 Application Withdrawn

10/00098/FLL Erection of agricultural grain store 24 February 2010 Application Permitted 13/01598/PN Erection of storage building 13 September 2013 Application Permitted

16/00909/FLL Erection of 5no dwellinghouses (change of house types) 7 July 2016 Application Permitted

PRE-APPLICATION CONSULTATION

Pre application Reference: Discussions undertaken with Andy Baxter.

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions

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

Policy PM4 - Settlement Boundaries

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

Policy RD3 - Housing in the Countryside

The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

Policy TA1B - Transport Standards and Accessibility Requirements Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

Policy EP3B - Water, Environment and Drainage

Foul drainage from all developments within and close to settlement envelopes that have public sewerage systems will require connection to the public sewer. A private system will only be considered as a temporary measure or where there is little or no public sewerage system and it does not have an adverse effect on the natural and built environment, surrounding uses and the amenity of the area.

Policy EP3C - Water, Environment and Drainage All new developments will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.

OTHER POLICIES

Development Contributions

Sets out the Council's Policy for securing contributions from developers of new homes towards the cost of meeting appropriate infrastructure improvements necessary as a consequence of development.

Housing in the Countryside Guide

A revised Housing in the Countryside Policy was adopted by the Council in October 2014. The policy applies over the whole local authority area of Perth and Kinross except where a more relaxed policy applies at present. In practice this means that the revised policy applies to areas with other Local Plan policies and it should be borne in mind that the specific policies relating to these designations will also require to be complied with. The policy aims to:

- Safeguard the character of the countryside;
- Support the viability of communities;
- Meet development needs in appropriate locations;
- Ensure that high standards of siting and design are achieved.

The Council's "Guidance on the Siting and Design of Houses in Rural Areas" contains advice on the siting and design of new housing in rural areas.

CONSULTATION RESPONSES

Scottish Water – No objection.

Environmental Health – No response.

Transport Planning – No objection.

Contributions Officer – No objection subject to conditional control.

REPRESENTATIONS

None

ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development

Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

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

Policy Appraisal

The local plan through Policy PM4 - Settlement Boundaries specifies that development will not be permitted, except within the defined settlement boundaries which are defined by a settlement boundary in the Plan.

However, through Policy RD3 - Housing in the Countryside it is acknowledged that opportunities do exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved. Thus the development of single houses or groups of houses which fall within the six identified categories will be supported.

Having had the opportunity to undertake a site visit and assess the plans I consider the application does not relate to:-

- (c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.
- (d) Renovation or replacement of houses.
- (e) Conversion or replacement of redundant non-domestic buildings.
- (f) Development on rural brownfield land.

(a) Building Group.

An existing building group is defined as 3 or more buildings of a size at least equivalent to a traditional cottage, whether they are of a residential and/or business/agricultural nature. In this case, the North Barns development to the south of the application site once completed could be considered as a (a) Building Group.

I therefore turn to supplementary guidance, 'The Housing in the Countryside Policy' that was adopted by the Council in October 2014, which assists with the assessment of Policy RD3 and Building Groups. This highlights that:-

Consent will be granted for houses within building groups provided they do not detract from both the residential and visual amenity of the group. Consent will also be granted for houses which extend the group into definable sites formed by existing topography and or well established landscape features which will provide a suitable setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed house(s).

Proposals which contribute towards ribbon development will not be supported.

In this case the proposal constitutes an unacceptable extension to the group which would result in sprawl into the countryside, which would detract and destroy the grouping at North Barns. The proposal would also lead to ribbon development along farm access track towards the new agricultural sheds. I note the applicant has sought to establish site boundaries by planting hedging along the east boundary however this does not create a suitable well established landscape feature.

(b) Infill sites.

The Housing in the Countryside Policy SPG October 2014 also provides criterion associated with infill sites .This confirms that:-

Development of up to 2 new houses in gaps between established houses or a house and another substantial building at least equivalent in size to a traditional cottage may be acceptable where:

- The plot(s) created are comparable in size to the neighbouring residential property(s) and have a similar size of road frontage
- The proportion of each plot occupied by new building should be no greater than that exhibited by the existing house(s)
- There are no uses in the vicinity which would prevent the achievement of an adequate standard of amenity for the proposed house(s), and the amenity of the existing house(s) is maintained
- The size and design of the infill houses should be in sympathy with the existing house(s)
- The full extent of the gap must be included within the new plot(s)
- It complies with the siting criteria set out under category 3.

Proposals in any location, which contribute towards ribbon development will not be supported, nor will proposals which would result in the extension of a settlement boundary.

In this case the indicative layout shows four proposed plots between the North Barns Building Group and the agricultural buildings to the north, contrary to the two new house limit. I appreciate that the applicant could reduce the proposed number from four down two but the plot ratio would not be in proportion to the dwelling and house plots at North Barns. Furthermore I consider that the development would also result in ribbon development occurring along the farm track.

Taking this into account the principle of housing development on the site is contrary to Policy RD3. The siting criterion and relationship to neighbouring land uses is discussed further under the headings below.

Design and Layout

The site is also required to be assessed against the 'Placemaking' policies of the adopted local plan.

Policy PM1A confirms that development must contribute positively, to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation. In this case the siting of the development does not respect the character and amenity of the North Barns Building Group and is contrary to policy PM1A.

From my review of Policy PM1B, the proposal also fails to create a sense of identity and erodes the character of the countryside (a). The development is located in a highly visible location in the landscape and the siting of dwellings in this position would erode landscape character contrary to criterion (b). I note the applicant has sought to establish site boundaries artificuially by planting new hedging along the east boundary however this does little to reduce the harm of extending development to the North.

Landscape

Development and land use change should be compatible with the distinctive characteristics and features of Perth & Kinross's landscape. Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross. In this case the siting of a proposed residential development on this site does not comply with the housing in the countryside policy accordingly formation of dwellings and their associated curtilages are considered to erode local distinctiveness, diversity and quality of the landscape. The proposal would therefore also fail to comply with Policy ER6.

Residential Amenity

Planning control has a duty to future occupiers not to create situations of potential conflict between neighbours. An acceptable level of amenity for the proposed properties is required and in this case cognisance of the surrounding landuses has to be taken into account.

I do not consider that this proposal would have any detrimental impact on residential receptors at North Barns to the South.

However, I do not consider that the proposed development is compatible with the agricultural buildings and landuse to the North of the site. I consider that noise and odour from agricultural activity would not create an appropriate environment for the proposed four dwellings. Accordingly the development would fail to comply with Policy EP8 as well as the siting criterion associated with Policy RD3.

Roads and Access

There are no objections to the proposed dwellinghouses on roads or access grounds from Transport Planning. The proposal would comply with Policy TA1B if conditional control is applied.

Drainage and Flooding

The site is not in an area subject to river flooding. Disposal of surface water should be via a sustainable urban drainage system and this would need to be incorporated into the site layout to comply with policy EP3C and this can be controlled conditionally. The Scottish Water response notes that there is mains water in the vicinity but no public foul sewer. The acceptability of a private foul drainage can be assessed at the detailed stage and controlled by condition.

Developer Contributions

Affordable Housing

With reference to the above planning application the Council's Affordable Housing Policy requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing.

The response from the contribution officer notes that the application proposes 4 dwelling houses but the site may be able to accommodate 5 units in which case the Affordable Housing Policy would apply. This would also need to take account of the earlier site history associated with applications 06/01270/FULL and 16/00909/FLL if approved.

Primary Education

With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity. This proposal is within the catchment of Auchtergaven Primary School. Conditional control is required to assess the capacity constraint once detailed applications come forward, if approved.

Transport Infrastructure

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. The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and conditional control would be required to ensure compliance policy.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations identified in the agent's Design Statement and find none that would justify overriding the adopted Development Plan or Supplementary Planning Guidance. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

- 1 The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2014 as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.
- 2 The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location.

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- 3 The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience through the siting of the development within this area of Perth and Kinross.
- 4 The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed siting of the development does not respect the character and amenity of this area of Perth and Kinross.
- 5 The proposal is contrary to Policy PM1B, criterion (a) and (b) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside.
- 6 The proposal does not provide a satisfactory residential environment due to the proximity of the agricultural buildings to the north where there is the potential for future residents at this site to suffer annoyance from noise and odour, contrary to Policy EP8 of the Perth and Kinross Local Development Plan 2014.

Justification

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

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

17/00899/1

17/00899/2

17/00899/3

17/00899/4

17/00899/5

Date of Report 20.07.2017



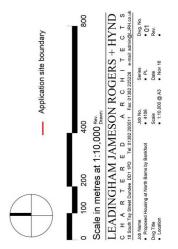
TCP/11/16(496) – 17/00899/IPL – Residential development (in principle), land 40 metres north west of Northbarns Farm, Bankfoot

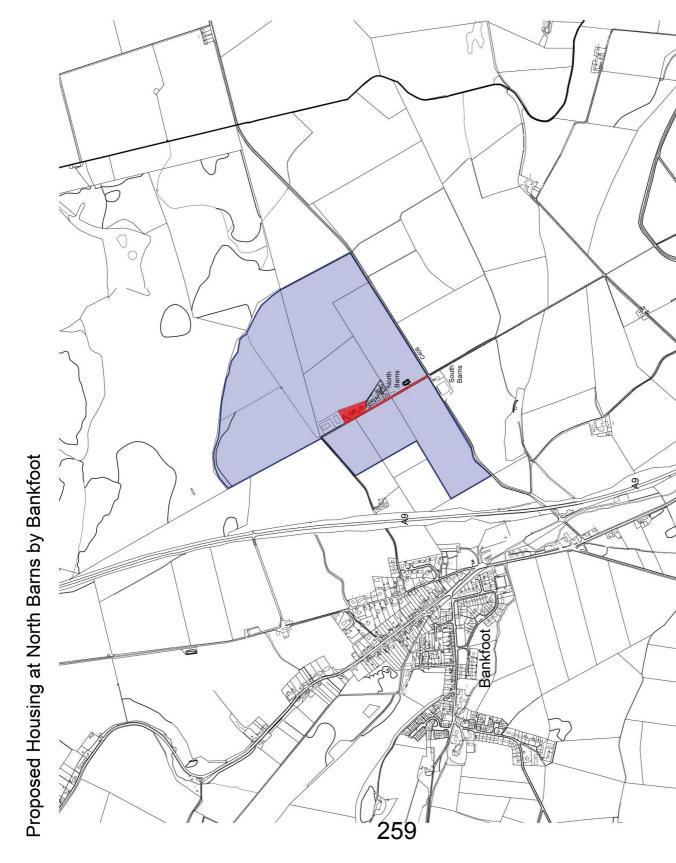
PLANNING DECISION NOTICE (included in applicant's submission, see pages 243-244)

REPORT OF HANDLING (included in applicant's submission, see pages 245-255)

REFERENCE DOCUMENTS (part included in

applicant's submission, see pages 241-242)

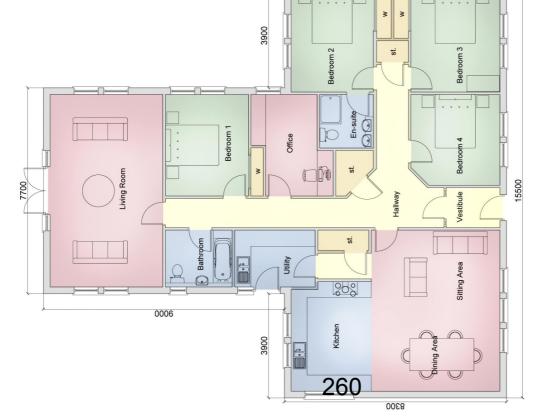




Location Plan

01





Plot 1 & 2

Room Areas: Ground Floor Total Area: 197 m²

Living Room:	30.2m ²	Bedroom 2:
Kitchen:	$12m^{2}$	Ensuite:
Dining/Sitting Area:	28.9m ²	Bedroom 3:
Utility:	6.3m ²	Bedroom 4:
Bathroom:	$5.3m^{2}$	Vestibule:
Office:	9.3m²	Storage:
Bedroom 1:	12.7m²	
Proposed Floor Plan	loor F	lan

12.8m² 4.0m² 13.7m² 11.0m² 3.0m² 4.0m²



8300

ining Are



Supporting Planning Statement

for

Housing Site at North Barns, Bankfoot, Perthshire.

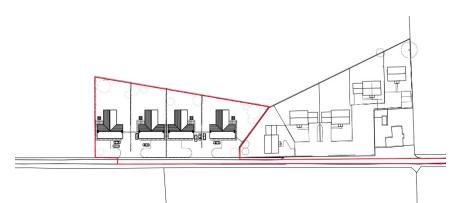
The Site and Location

The site extends to just over 0.4 ha and comprises of a small paddock, situated between some modern agricultural buildings to the north and a housing development, which is currently under away, on the site of the old farm steading to the south.



The proposed plot has clearly defined boundaries, with the eastern boundary formed by a recently established line of hedging.

The Proposal



The application is in outline and seeks to develop the proposed site as a housing development. However, in support of the Application, we have prepared drawings to provide an indication of how the site may be developed. These show that four single storey houses with a traditional appearance to the front elevation, could be accommodated on the site. As can be seen from the topographical survey, the ground

slopes gently from north to south. The proposed houses would therefore, sit at a lower level than the existing farm buildings. The external finishes could comprise of a palette of grey natural slates and wet dash harling complimented by simple traditional window detailing.

The access road to the site would be the existing farm access road which leads to Bankfoot.

Site History

An application was recently approved for a development on the site of the existing farm steading.

a. Replacement of Agricultural Buildings with 5 Dwellinghouses, at North Barns, Bankfoot, Perthshire. Ref : 06/01270/FULL.

b. Another Application "Erection of a general purposed agricultural store". Ref : 07/02076/PN, which was approved and subsequently constructed.

Pre application Discussions – Initial discussions took place some time ago with Mr Baxter, in August 2016. We were advised at the time that the existing farm sheds would have to be for general storage and could not hold livestock, which is in fact the case. His view was that anyone buying houses in this location, adjacent to these sheds, would already be aware of their existence and function. He also suggested that it would assist his department if we produced a layout plan, but advised that we apply for an outline application.

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

PM1A Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

PM1B Placemaking

All proposals should meet all eight of the placemaking criteria as follows:

(a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.

(b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.

(c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

(d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.

(e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.

(f) Buildings and spaces should be designed with future adaptability in mind wherever possible.

(g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.

(h) Incorporate green infrastructure into new developments and make connections where possible to green networks.

RD3: Housing in the Countryside

The development of single houses or groups of houses which fall within the six identified categories such as:

- Building groups
- Infill sites
- Existing gardens, flood risk, economic activity, houses for local people and ecofriendly houses, all subject to siting criteria
- Renovation and replacement houses
- Conversion or replacement of redundant non-domestic buildings
- Rural brownfield land

will be supported.

In this case, the most relevant category relates to 'building groups' and 'infill sites'.

Policy Appraisal

Key to compliance with Policies PM1A and PM1B is the requirement for high design standards and conformity with existing uses, in this case, an existing group of housing and agricultural uses associated with the surrounding agricultural land and its general compatibility within the wider surrounding landscape. The site is "identifiable" with established boundaries.

The proposed building group would also be softened by the presence of the housing currently under construction and the general agricultural storage buildings immediately adjacent. The introduction of new less imposing housing, in the context of this building group, would not be out of place and would fit comfortably within the wider landscape setting

Policy RD3 applies the terms of the 'Housing in the Countryside' policy throughout the landward area within which the proposed site is located. The policy encourages new development under various categories, but of particular relevance in this case, is the

policy advice where it relates to '*building groups*'. Building groups are defined in the policy as:

'comprising three or more buildings of a size at least equivalent to a traditional cottage, whether they are of a residential and/or business/agricultural nature. Small ancillary premises such as domestic garages and outbuildings are not classed as buildings for the purposes of the policy'

The existing group of buildings to the north and south of the site comprise of a number of substantial structures. In terms of building numbers, we feel that this site qualifies as a 'building group' in full accord with the policy definition.

The policy positively encourages new development within and adjacent to such *'building groups'* which meet the above definition as follows:

'Providing they do not detract from both the visual and residential amenity of the group. Consent will also be granted for houses which extend the group into definable sites formed by existing topography and or well established landscape features which provide a suitable setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed housing'.

The key objective of the policy is to avoid sporadic development encroaching into open fields, where new sites would be poorly contained by artificial boundaries, to the detriment of visual amenity and loss of rural natural landscape character. The policy therefore, promotes new sites where they are clearly defined by established natural boundaries and directly associated with existing building groups. In the case of the proposed site, and as illustrated in the above extract from an O.S. map; this particular site is contained within naturally formed boundaries and existing buildings. The containment of the site is further reinforced by the presence of the existing access road to the west and the hedging to the east, separates off this area which formed part of an awkward corner of a field. We feel therefore that the proposed development would be located on a '*definable site*'. The clear intention would be to retain the existing hedgerows and supplement this with additional trees, in order to safeguard the already established landscape framework and provide a suitable setting for the proposed housing.

The policy requires that all such new development should '*respect the character, layout and building pattern of the group*'. In developing the proposed layout, it was considered important to provide a simple housing development with rural proportions to give the impression of a row of Cottar houses, relating to the original farmhouse and buildings. Similarly, it was felt important to include a window detailing with vertically proportioned sash and case windows, slated roofs and the inclusion of chimney details; all important considerations in protecting rural character and respecting layout. It was also thought desirable to suggest a scale and height for the proposed housing, which was not as imposing as the existing farm buildings or the housing currently under construction.

We also felt that it is typical layout in rural Perthshire, where it is quite common to have a main farmhouse also associated with other cottages for farm workers, all in the same group. The current proposal is respectful of these considerations and we feel therefore, that the proposal is fully compliance with the policy in this regard.

Finally, the policy seeks to ensure that 'a high standard of residential amenity can be achieved for the existing and proposed housing'. In order to safeguard the residential amenity of the housing to the south, it is accepted that the existing hedges and additional trees should be retained, developed and protected during construction.

Although the application is an outline, it is clear from layouts that a generous physical separation will also serve to ensure that there will be no intrusion on privacy or loss of residential amenity between the proposed site and the adjacent housing. The actual site of the proposed plots is generous and comparable to adjacent sites. We feel therefore, that the proposed developed does not present any conflict with policy in respect to residential amenity.

Developer Contributions

As this application is for outline Planning Permission, the necessary contributions would be paid immediately on demand, once a full Planning Consent was granted.

Conclusions

The proposed development sits comfortably with policies PM1A and PM1B relating to 'Placemaking' as it represents well considered rural design appropriate to its setting and relates well to an established building group and raises no wider landscape or visual amenity issues.

Policy RD3 relating to 'Housing in the Countryside' positively encourages sustainable development in rural areas and the Council supports such development within a range of categories which includes gap sites and building groups. We feel that it has been demonstrated that the proposed represents a development opportunity, being an *'identifiable site'* where a new housing would respect the character, layout and building pattern and reflect high standards of residential amenity for both the existing and the proposed housing. We are therefore, of the opinion that the proposed development meets all essential policy requirements and is in full accord with the Development Plan.

May 2017



TCP/11/16(496) – 17/00899/IPL – Residential development (in principle), land 40 metres north west of Northbarns Farm, Bankfoot

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning	17/00899/IPL	Comments	Euan McLaughlin				
Application ref.		provided by					
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer:				
		Details	Euan McLaughlin				
Description of	Desidential development	(in principle)					
Description of Proposal	Residential development						
Address of site	Land 40 Metres North W	est Of Northba	rns Farm, Bankfoot				
Comments on the proposal	Affordable Housing						
proposal			oplication the Council's Affordable				
	threshold of 5 units, for v	Housing Policy requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing.					
	Primary Education						
	Contributions Supplement towards increased primal capacity constraint has be where a primary school in completion of the propose	ith reference to the above planning application the Council Developer ontributions Supplementary Guidance requires a financial contribution wards increased primary school capacity in areas where a primary school apacity constraint has been identified. A capacity constraint is defined as here a primary school is operating, or likely to be operating following empletion of the proposed development and extant planning permissions, at above 80% of total capacity.					
	This proposal is within the catchment of Auchtergaven Primary School.						
	Transport Infrastructure						
	Infrastructure Developer financial contribution tow	ence to the above planning application the Council Transport ure Developer Contributions Supplementary Guidance requires a pontribution towards the cost of delivering the transport infrastructure ents which are required for the release of all development sites in					
	Supplementary Guidance						
Recommended	Affordable Housing						
planning condition(s)			n accordance with the requirements of Developer Contributions and Affordable				

	RCO00	 Housing Supplementary Guidance 2016 in line with Policy RD4: Affordable Housing of the Perth & Kinross Local Development Plan 2014, unless otherwise agreed in writing with the Council as Planning Authority. Reason – To ensure the development is in accordance with the terms of the Perth and Kinross Council Local Development Plan 2014 and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2016.
	Primary E	ducation
	CO01	The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure, unless otherwise agreed in writing with the Council as Planning Authority.
	RCO00	Reason – To ensure the development is in accordance with the terms of the Perth and Kinross Council Local Development Plan 2014 and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2016.
	Transport	Infrastructure
	CO00	The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to transport infrastructure, unless otherwise agreed in writing with the Council as Planning Authority.
	RCO00	Reason – To ensure the development is in accordance with the terms of the Perth and Kinross Council Local Development Plan 2014 and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2016.
Recommended informative(s) for applicant	N/A	
Date comments returned	05 June 20	017

7th June 2017

Perth & Kinross Council 5 Whitefriars Crescent Perth PH2 0PA



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: PH1 Perth Bankfoot Northbarns Farm PLANNING REF: 17/00899/IPL OUR REF: 745967 PROPOSAL: Residential development (in principle)

Please quote our reference in all future correspondence

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

- There is currently sufficient capacity in the **Perth** Water Treatment Works to service your development. Please note that further investigations may be required to be carried out once a formal application has been submitted.
- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development it is approximately 600m away therefore we would advise applicant to investigate private treatment options.

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

Surface Water

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

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

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

General notes:

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

Site Investigation Services (UK) Ltd Tel: 0333 123 1223 Email: sw@sisplan.co.uk www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land outwith 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.

Next Steps:

• Single Property/Less than 10 dwellings

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

• 10 or more domestic dwellings:

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water. 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.

The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website using the following link. www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms/pre-development-application

• Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. 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 <u>www.scotlandontap.gov.uk</u>

• Trade Effluent Discharge from Non Dom Property:

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

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <u>https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h</u>

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 <u>www.resourceefficientscotland.com</u>

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

Yours sincerely Lisa Lennox Development Operations Analyst Lisa.lennox2@scottishwater.co.uk

Comments to the Development Quality Manager on a Planning Application

Diamaina	17/00000/101	Comments	Tonu Maria
Planning	17/00899/IPL		Tony Maric
Application ref.		provided by	Transport Planning Officer
Service/Section	Transport Planning	Contact Details	
Description of Proposal	Residential development (in principle)		
Address of site	Land 40 Metres North West Of Northbarns Farm Bankfoot		
Comments on the proposal	Insofar as the roads matters are concerned, I have no objections to this proposal.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	28 June 2017		