

TCP/11/16(592) – 18/01774/FLL – Erection of a dwellinghouse on land 40 metres north of The Stables, Main Street, Almondbank

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TCP/11/16(592) – 18/01774/FLL – Erection of a dwellinghouse on land 40 metres north of The Stables, Main Street, Almondbank

**PAPERS SUBMITTED
BY THE
APPLICANT**



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100156144-001

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

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation: Farningham Planning Ltd

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1
(Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

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

Site Address Details

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

Please identify/describe the location of the site or sites

<input type="text" value="Land 40 metres north of the Stables, Main Street, Almondbank"/>

Northing	<input type="text" value="726538"/>	Easting	<input type="text" value="306284"/>
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Description of Proposal

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

Erection of a single dwellinghouse

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

See attached Notice of Review

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

☐ Yes ☒ No

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

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

1. 17-19-02B Plans & Elevations, 2. 17-19-03A Location Plans, 3. 17-19-04B Proposed Site Plan, 4. 17-19-05 Existing Site Plan, 5. 17015 003 Location Plan, 6. Supporting Transportation Statement (inc. speed survey and road safety audit), 7. ECS Transport correspondence to PKC Roads dated 26 November 2018, 8. Report of Handling, 9. Decision Notice, 10. Notice of Review, 11. ECS Transport - Response to Representations

Application Details

Please provide details of the application and decision.

What is the application reference number? *

18/01774/FLL

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

01/10/2018

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

14/12/2018

Review Procedure

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

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

☐ Yes ☒ No

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

Please select a further procedure *

Holding one or more hearing sessions on specific matters

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

The reason for refusal relates to access only. There is clearly a difference of opinion between the respective parties, although the facts are the same. This difference of opinion needs to be aired orally and robustly tested to fully understand what the actual issue is.

Please select a further procedure *

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

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

The reason for refusal relates to access only. There is clearly a difference of opinion between the respective parties, although the facts are the same. This difference of opinion needs to be aired orally and robustly tested to fully understand what the actual issue is.

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

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

☐ Yes ☒ No

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

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

None

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: Mr Alan Farningham

Declaration Date: 11/03/2019

Appeal against the Refusal of Planning Permission for a Single Dwelling on Land at Main Street, Almondbank (Planning Application Ref. 18/01774/FLL)

Notice of Review

The Local Review Body will be aware that there is a history of planning refusals for a single dwelling on this site over a period of about 15 years.

The physical land use principle of a dwellinghouse on the site has never been an issue. Furthermore, in respect of the current proposal, there are no design, layout or water and drainage issues.

The consistent reason for refusal has solely focused on the safety of the proposed access arrangements, junction geometry and associated visibility splay, and that an additional dwelling would intensify the use of an existing sub-standard access/junction which would increase the risk to road and pedestrian safety. However, the less onerous Roads design guidance for urban areas as defined in Designing Streets, allows for the use of sub-standard road junctions with lesser visibility splays, provided traffic volumes using the junction are light and there is no road safety issue, as is the case here.

It would not be in the applicant's best interests to be promoting a dwelling with road safety issues. It is for this very reason that the applicant has employed an extremely experienced transport consultant to submit robust, supporting traffic/access information including independently conducted road speed and road safety audits to demonstrate the acceptability of the access in road safety terms.

Despite the Roads Officer's misleading assertion that the junction with Main Street has 'severely restricted visibility', it is a matter of fact, all as articulated in detail in a letter forwarded to the Roads Officer on the 26th November 2018 and on the submitted plans, that the visibility requirement in accordance with the SCOTS National Roads Development Guide, which the Council adopt, and as defined in Designing Streets, can indeed be met by the applicant at this junction.

It is also a matter of fact that an independent road safety audit team has found there to be no road safety issues which would prevent traffic from a single house taking access off this junction. This document is a piece of empirical not anecdotal/applicant influenced evidence, the content of which

should be given material weight by the Council in arriving at a decision on the safety issues raised by the Roads Officer on the proposal, yet it would appear to have been given little, if any consideration in his assessment of the application.

To summarise: a) the traffic associated with a single dwelling house will be negligible (5 two-way movements per day as taken from TRICS); b) the visibility splays as identified in the current road design guidance adopted by the Council can be met; c) there is no record of accidents at this location; and, d) an independent road safety audit conducted by road safety experts has concluded that there are no road safety issues associated with the proposal.

This should give the Council all the necessary comfort and confidence it needs to approve the current proposal without fear of creating a future road safety/traffic issue or setting an undesirable precedent. It should also be noted that the Council has statutory powers under the Roads (Scotland) Act 1984 to maintain and keep clear any obstructions within junction visibility splays.

Farningham Planning Ltd

March 2019

PERTH AND KINROSS COUNCIL

Mr John Jenkins
c/o Farningham Planning Ltd
Alan Farningham
The Bourse
47 Timber Bush
Leith
Edinburgh
EH6 6QH

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 14th December 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/01774/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 8th October 2018 for permission for **Erection of a dwellinghouse Land 40 Metres North Of The Stables Main Street Almondbank** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

1. The proposal will intensify the use of an existing sub standard access and junction which has poor geometry and poor visibility onto the public road and as such the proposed development would result in pedestrian and traffic safety issues contrary to Policy TA1B of the Perth and Kinross Local Development Plan which seeks to ensure the safety of all users.

Justification

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

Notes

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

Plan Reference

18/01774/1

18/01774/2

18/01774/3

18/01774/4

18/01774/5

18/01774/6

18/01774/7

REPORT OF HANDLING

DELEGATED REPORT

Ref No	18/01774/FLL	
Ward No	P5- Strathtay	
Due Determination Date	07.12.2018	
Case Officer	John Williamson	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse

LOCATION: Land 40 Metres North Of The Stables Main Street
Almondbank

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: 22 October 2018

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is located at the northern end of the Almondbank, a small village which is located to the west of Perth. The site is adjacent to the west bank of the River Almond and slopes down towards the river. The site is sandwiched between two existing residential properties named 'Woodend' to the north and 'The Stables' to the south. The site is approx. 38m in its depth (east to west) and 31m in its width (north to south) and is accessed via a private access. The proposal seeks detailed planning consent for the erection of a detached single storey, three bedroom dwellinghouse. The finishing materials include concrete roof tiles, bradstone and smooth white render. Planning permission in principle was refused on this site in 2013 (13/00910/IPL) due to inadequate access arrangements. A similar planning application (12/01962/IPL) was withdrawn earlier in 2013 after advice from the Council regarding flooding and access issues, which needed to be addressed before the application could be fully considered. In addition to this an earlier 2003 (03/00108/OUT) planning application was refused on the grounds of inadequate access arrangements and subsequently dismissed on appeal by the Scottish Government.

Following the above an application for the erection of a dwelling was refused in 2015 (15/00524/FLL) as the proposal was considered to intensify the use of an existing substandard access and junction which has poor geometry and visibility onto the public road which would result in pedestrian and traffic safety concerns. This application was also refused on grounds of the lack of a public drainage connection within a settlement.

A further application was refused (17/01339/FLL) which included survey information of the proposed junction which examined speeds northbound and southbound next to the access. The submission also sought to demonstrate that appropriate visibility from the junction can be achieved. This application

was refused again due to the intensification of use of the sub-standard access.

This further application is for an identical proposal and contains further information to seek to justify the proposed access arrangements for the site.

SITE HISTORY

03/00108/OUT Erection of a dwellinghouse and garage (in outline) on 25 March 2003 Application Refused

12/01962/IPL Erection of a dwellinghouse (in principle) 8 January 2013 Application Withdrawn

13/00910/IPL Erection of a dwellinghouse (in principle) 12 July 2013 Application Refused

15/00524/FLL Erection of a dwellinghouse 11 June 2015 Application Refused

17/01339/FLL Erection of a dwellinghouse 21 September 2017 – Application refused and dismissed by Local Review Body

18/01433/FLL Erection of a dwellinghouse 21 August 2018 – Application Returned

18/01471/FLL Erection of a dwellinghouse 18 September 2018 – Application Returned

PRE-APPLICATION CONSULTATION

Pre application Reference: None

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy RD1 - Residential Areas

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

Policy 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 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 EP2 - New Development and Flooding

There is a general presumption against proposals for built development or

land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere. Built development should avoid areas at significant risk from landslip, coastal erosion and storm surges. Development should comply with the criteria set out in the policy.

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.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.

The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29 August 2018. The unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.

The Proposed LDP2 represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. It sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. However, the outcome of the Examination could potentially result in modifications to the Plan. As such, currently limited weight can be given to its content where subject of a representation, and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision.

OTHER POLICIES

Developer Contribution and Affordable Housing Supplementary Guidance

CONSULTATION RESPONSES

INTERNAL

Environmental Health (Contaminated Land) – no comments

Environmental Health (Noise Odour) – condition recommended relating to operation of stove

Transport Planning – objection on road safety grounds (see appraisal)

Development Negotiations Officer – contribution towards transportation infrastructure required

Structures And Flooding – no objection subject to conditions

EXTERNAL

Scottish Water – no objection

REPRESENTATIONS

The following points were raised in the 5 representation(s) received:

- Planning history of refusal by both PKC, DPEA and Local Review Body
- Road safety and intensification of use of substandard access
- Neighbour notification
- Residential amenity
- Drainage
- Flood risk
- Impact on trees
- Contrary to Local Development Plan

All of the above matters are addressed within the appraisal section below.

ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required

Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Submitted

APPRAISAL

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

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

Policy Appraisal

The application site is located within the identified settlement of Almondbank, Pitcairngreen and Cromwell Park. Policy RD1 applies which states that infill residential development will be accepted subject to the proposal relating successfully to the amenity and character of the area. To this end, the key test of the acceptability of this proposal is whether or not the proposal will have an adverse impact on the character, density or amenity of the area.

In terms of the impact on the character or density of the area, I consider the proposal to be entirely in keeping with both. The general character of the area is residential so there are no issues regarding compatibility with existing land uses, and in physical terms, the site is perfectly capable of accommodating a family size dwelling whilst not compromising the amenity of either of either the future occupiers or neighbouring properties.

Visual Impact

The scale, proportions and materials of the dwellinghouse in relation to the neighbouring dwellings are considered to be appropriate and the size of the house is also considered to be appropriate in relation to the plot size. As such the proposal is considered to relate successfully to the visual amenity of the area.

Access and Traffic Safety

As outlined above previous applications for residential development on this site have been refused due to the inadequacy of the access to the site and this was the case for the recent refusal in 2015 and in 2017, the most recent of which was also dismissed by the Local Review Body on appeal. The planning history of a site is a material consideration in the determination of an application.

The proposal will take vehicular access from an existing sub-standard private access which already serves a number of residential properties, with limited passing opportunities and turning facilities. In addition to this, there has been an ongoing issue in relation to a stone pillar at the access point with the public road which severely restricts visibility to the left as a vehicle leaves the private access and enters the public road. This pillar is not within the control of the applicant but has been removed and remains removed at the time of my recent site visit.

I received correspondence during consideration of the previous applications which indicates that the removal of the pillar was carried out by a third party and was not authorised by the party who owns the land. It was indicated that the intention was to re-build the pillar in its original location. It was noted on my site visit that this pillar had not been re-instated.

The pillar was located on inner apex of the junction point with the public road and restricted visibility to an extent that requires vehicles to protrude onto the public road in order that drivers can obtain a clear view of traffic coming from the north. Whilst the pillar has currently been removed the visibility of the road to the north remains difficult given the apex of the junction onto the public road and my colleagues in Transport Planning have maintained their objection to the proposal on grounds of inadequate access. Furthermore any traffic requiring to turn left out of the junction would have to do so on what is effectively a hairpin bend, potentially requiring them to cross onto the opposite side of the road to complete the manoeuvre.

Any traffic serving this proposal would therefore exacerbate existing issues associated with the sub-standard private access and junction to the detriment of other road users. Transport Planning have also stated that the road is subject to a 30mph speed limit and as such the visibility requirements would be 2.4m x 43.0m. Visibility splays require to be considered on a worst case scenario.

The survey information presented in the submission states that lower speeds of 25mph and 25.7mph are apparent on the public road which the applicant's consultant has stated would require a minimum visibility splay of 2m x 33m. This is the same information which was presented in the 2017 application. It goes on to refer to the National Roads Development Guide which the Council utilises to establish visibility criteria. Transport Planning, under consideration of the 2017 application stated that they would seek a minimum set back distance of 2.4m at this location which could not be achieved.

The statement submitted with this application indicates that Designing Streets states that a set back distance of "2m may be considered in some very lightly-trafficked and slow speed situations". The statement argues that given the small traffic volumes on the road and that fact traffic approaching the junction will be traveling at low speeds, it was considered that the junction was an appropriate location for a 2m set back distance. My colleagues in Transport Planning do not agree with this conclusion. As such further information

presented in this new submission indicates that a 2.4m set back distance could be achieved.

Whilst I note the information supplied by the applicant's transport consultants, PKC Transport Planning question the positioning of surveying equipment within the blind spot close to the bend at the bridge and not within the drivers visibility splay closer to the access, which would be likely, in his view, to slightly increase the 85% speeds stated. However even allowing for the lower speeds of 25mph and 25.7mph indicated in the speed survey provided by the applicant's transport consultants, Transport Planning are not satisfied that the minimum visibility splay as recommended by the applicant's transport consultants of 2.4m x 33m would be achievable or desirable at this location in road safety terms. Indeed the applicants own appointed Road Safety Consultants suggest a maximum visibility splay of only 2.4m x 29m is achievable to the north, irrespective of the replacement of the pillar referred to above.

The applicant's statement also argues that the access is deemed suitable for residential access by the Council from the existing properties and therefore should be acceptable for a further property. However this is missing the point and reasoning for the previous refusals entirely. The Council cannot restrict access onto the public road from existing properties but it can consider whether intensification of use of a substandard access is appropriate in road safety terms and that is what is being assessed here. The conclusion is that this is not appropriate and this has been the case in the numerous refusals on this site over the last 18 years.

The applicant's agent has raised concern regarding the Planning Authority not seeking further information to address any concerns. The objection from Transport Planning and reasons for refusal of the previous application are clear and it is for the applicant to submit information seeking to address these matters and for the Council and relevant consultees to consider the submission.

Following the consultation response from Transport Planning, which objects to the application, the applicant's agent and consultant were offered the opportunity to comment on this and a further written statement from the consultant was submitted.

The document references the role of the Council's Roads Department in improving visibility on existing junctions where they are considered to have poor visibility and states that the Council should seek to address the poor visibility at the junction given that it serves existing dwellings. It goes on to state that a 2m set back distance may be considered in some very light trafficked and slow speed situations and concludes that this could be acceptable at this junction. It also states that the presence of the narrow bridge to the north acts as a traffic calming feature which slows vehicles on approach to the junction from both directions. It states that a visibility splay of 2m x 33m is achievable on this junction and that this meets the requirements of the NRDG.

Transport Planning have reviewed this additional information and have concluded that they remain of the same view previously given and stated that it is not reasonable for PKC to use powers to prevent a historical access being restored to its original condition and state that they are not aware of any power under the Roads Scotland Act 1984 to force the redesign of existing access to effectively retrofit them to modern standards. What they can do is ensure that intensification of the use of a substandard access is prevented, and this is why previous similar applications on this site have been refused on road safety grounds.

Transport Planning have concluded that a set back of 2m in the X direction is not acceptable on this junction. They also point out that the relaxation of 33 metres in the Y direction (43 metres normally for a 30mph road) has not been expressly agreed. There remains some doubt over the speed surveys which have been carried out and the position of the survey equipment. Transport Planning are of the view that repositioning of the survey equipment to a more reasonable location would marginally increase the results of the speed survey which would see a requirement for the Y direction to increase from 33 metres to a possible 39 metres.

Transport Planning have also noted that Road Safety Consultant's report states in chapter 1.4 "It should be noted that the outcome of this report is subjective and relates to the current experience of the road safety engineers. Other road safety professionals may provide a different assessment." It also states that Main Street was operating under temporary traffic lights and not under normal road use conditions during their off peak (15:00 - 16:00) site visit. They also, in chapter 6, state that the access is not acceptable in its present condition.

This recommendation is based upon the details submitted in the application and consideration of the additional information submitted by the applicant's agent and consultant in response to Transport Planning's comments. The Transport Planners remain of the view that visibility from this junction is substandard and the proposed improvements are not acceptable and the intensification of use of the junction is also not acceptable in road safety terms.

I cannot support an application where the Council's Transport Planner's remain concerned regarding the safety of the proposed access arrangements and the proposed visibility splay. There is clearly a difference of opinion as to what is an appropriate visibility splay on this junction but I am required to base my decision on the consultation response provided by the Council's Transport Planners. The applicant's agent has offered to attend a meeting to discuss this but in my view this will serve no purpose as Transport Planning will not alter their view on the access being unacceptable. The Council has maintained a consistent view in not supporting the intensification of use of this access for a period of 15 years. This view is backed up by decisions from both the Department of Planning and Environmental Appeals and also the Council's Local Review Body.

Therefore, similar to my conclusions on the previous application, I consider the proposal to be contrary to Policy TA1B of the Local Development Plan which seeks to ensure adequate road safety for a development. I do not consider the additional information submitted with this application to alter that conclusion. This proposal would increase use of the sub-standard access/junction, which would increase the risk to road and pedestrian safety.

Flooding

It was noted from my site visit that the proposed house sits well above the River Almond and that the topography of the site helps to negate any flood risk at the site. The Council's Flood Prevention Officer has offered no objection on flood risk grounds but has commented that no land raising should occur within the 1 in 200 year flood level and indicated that whilst there is no specific requirement for SUDS for a single dwelling, surface water discharges should be restricted to greenfield run off rate, particularly given the sites location upstream of a flood protection scheme. They have recommended a condition in this regard.

Drainage

The application form indicates that the house is to connect to a private drainage system. As the site is located within a settlement Policy EP3B dictates that the site should connect the public drainage network. However it also states that where a public system is not available a private connection may be acceptable. The submission indicates that there is no public connection available at this site and that neighbouring properties are served by private drainage systems. In this instance given the lack of a connection in the immediate vicinity and private system could be accepted.

Contaminated Land

Environmental Health have recommended that a watching brief during development would be necessary to establish whether any ground contamination is found on site.

Residential Amenity

I am satisfied that the layout of the house and position of windows will not result in any significant impact on residential amenity. There is a window proposed to serve a bedroom on the north elevation and no windows on the south elevation. The window on the north elevation could be addressed through provision of an appropriate boundary treatment and does not raise any concerns. The height and scale of the house and its position on the plot is not considered to result in any concerns relating to overshadowing of neighbouring property. As such I have no concerns with the proposal in relation to the impact on residential amenity.

Environmental Health have recommended a condition relating to the proposed stove.

Developer Contributions

There are not considered to be any capacity concerns at the Pitcairn Primary School and therefore no education contribution is required in this instance. 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. In this instance the site falls within the area which requires a contribution and this equates to £3,549 which requires to be paid upfront to allow any planning consent to be granted.

Trees

There are trees located on the application site, some of which are proposed for felling. The trees proposed to be felled are not considered to contribute significantly to the visual amenity of the area and the surrounding area is well established with mature woodland planting as such I am satisfied with the level of felling proposed. It is recommended that should any consent be granted that a condition be added which requires all retained trees to be protected in accordance with BS 5837:2012 Trees in Relation to Design, Demolition and Construction.

Septic Tank of Neighbour

It is noted that a septic tank of a neighbour is located within the plot under consideration for which the neighbour has a right of access. This is not considered to be a planning matter and any legal right of access is a private civil matter between the parties involved.

Neighbour Notification

A letter of representation raises concerns as to whether the neighbour notification has been undertaken correctly. Having reviewed this I can confirm the notification was carried out in accordance with the regulations.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the adopted Local Development Plan 2014. I have taken account of material considerations and

find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

The recommendation for this application has not been made within the statutory period as the applicant was given additional time to comment on the consultation response received from Transport Planning.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

The proposal will intensify the use of an existing sub standard access and junction which has poor geometry and poor visibility onto the public road and as such the proposed development would result in pedestrian and traffic safety issues contrary to Policy TA1B of the Perth and Kinross Local Development Plan which seeks to ensure the safety of all users.

Justification

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

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

18/01774/1

18/01774/2

18/01774/3

18/01774/4

18/01774/5

18/01774/6


18/01774/7

Date of Report

13 December 2018



REV	DATE	REVISIONS	DRAWN	CHECK	APP



ECS
TRANSPORT PLANNING LIMITED

ECS Transport Planning Ltd
Glasgow Office
38, Queens Street
Glasgow
G1 3DX

Transport Planning Ltd
10005626
10005626

Client
MR JOHN JENKINS

Project
ALMONDBANK

Title
RED LINE BOUNDARY

Team	Drawn	Checked	Approved
-	SS	MS	MS

Scale
1:1000 @ A1

Date
15.08.17

Drawing No.
17015_003

Purpose of Issue
☒ Preliminary
☐ For Tender
☐ For Construction
☐ For Information
☐ For Approval
☐ As Built

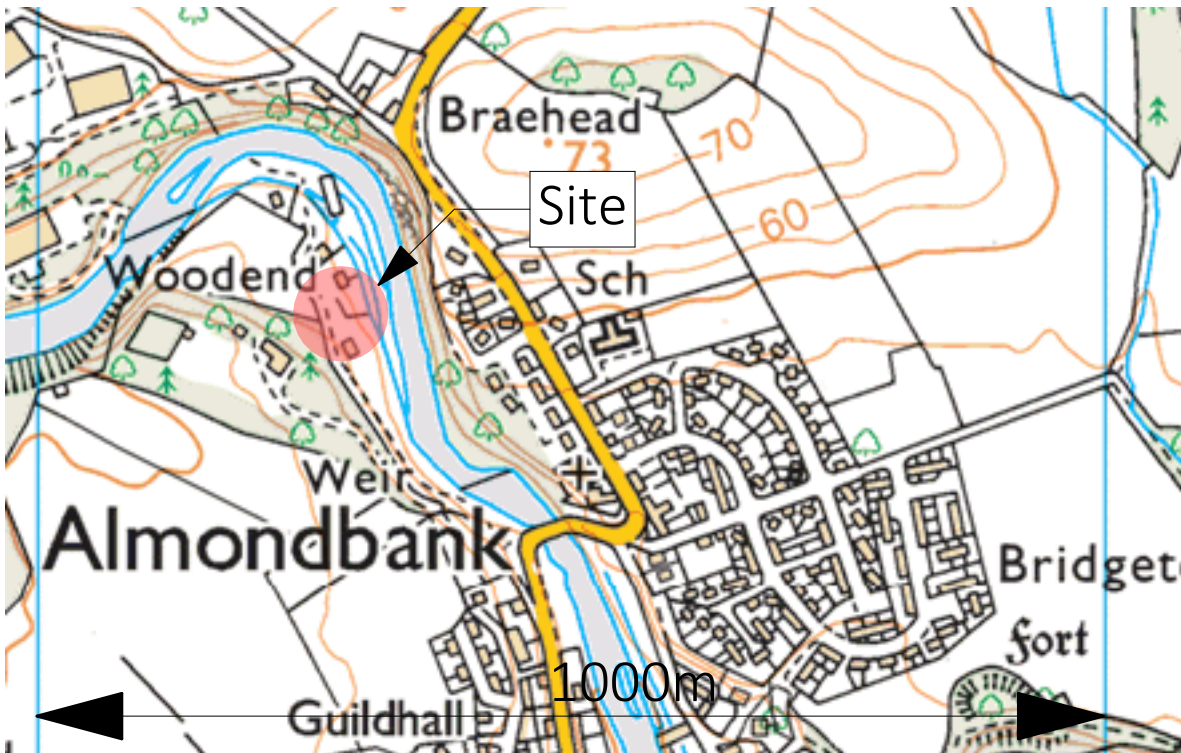
File Name
FILE_NAME

Comments
Comments

Scale in metres



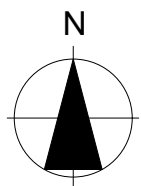
Location Plan



Area Plan



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Shand Architecture
www.shandarchitecture.co.uk

Studio One, Crook of Devon, Kinross KY13 0UL
E-mail :- stuart@shandarchitect.co.uk

Project
Proposed House at Redcliff, Almondbank, Perth

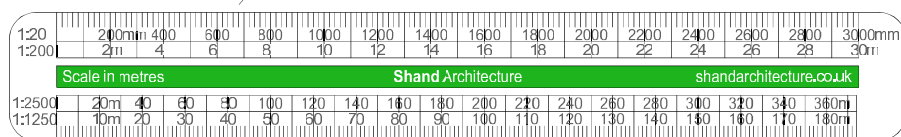
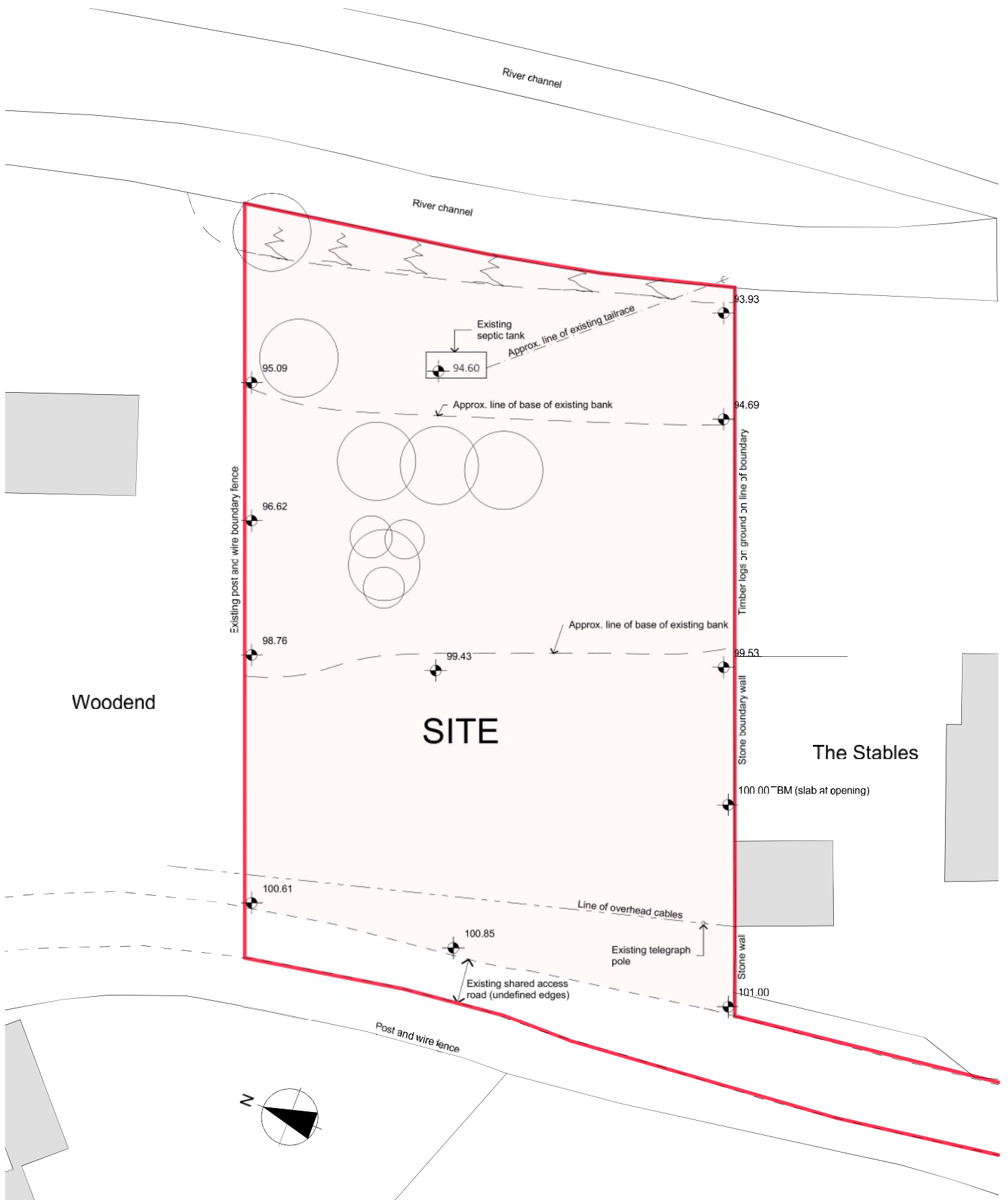
Drg. Title
AREA AND LOCATION PLANS

Date
14/7/2017

Scale
1:1250

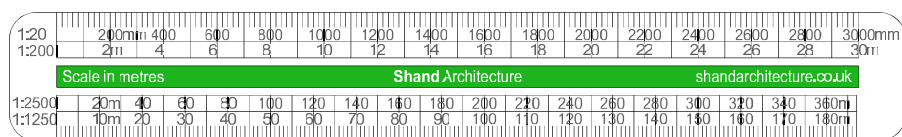
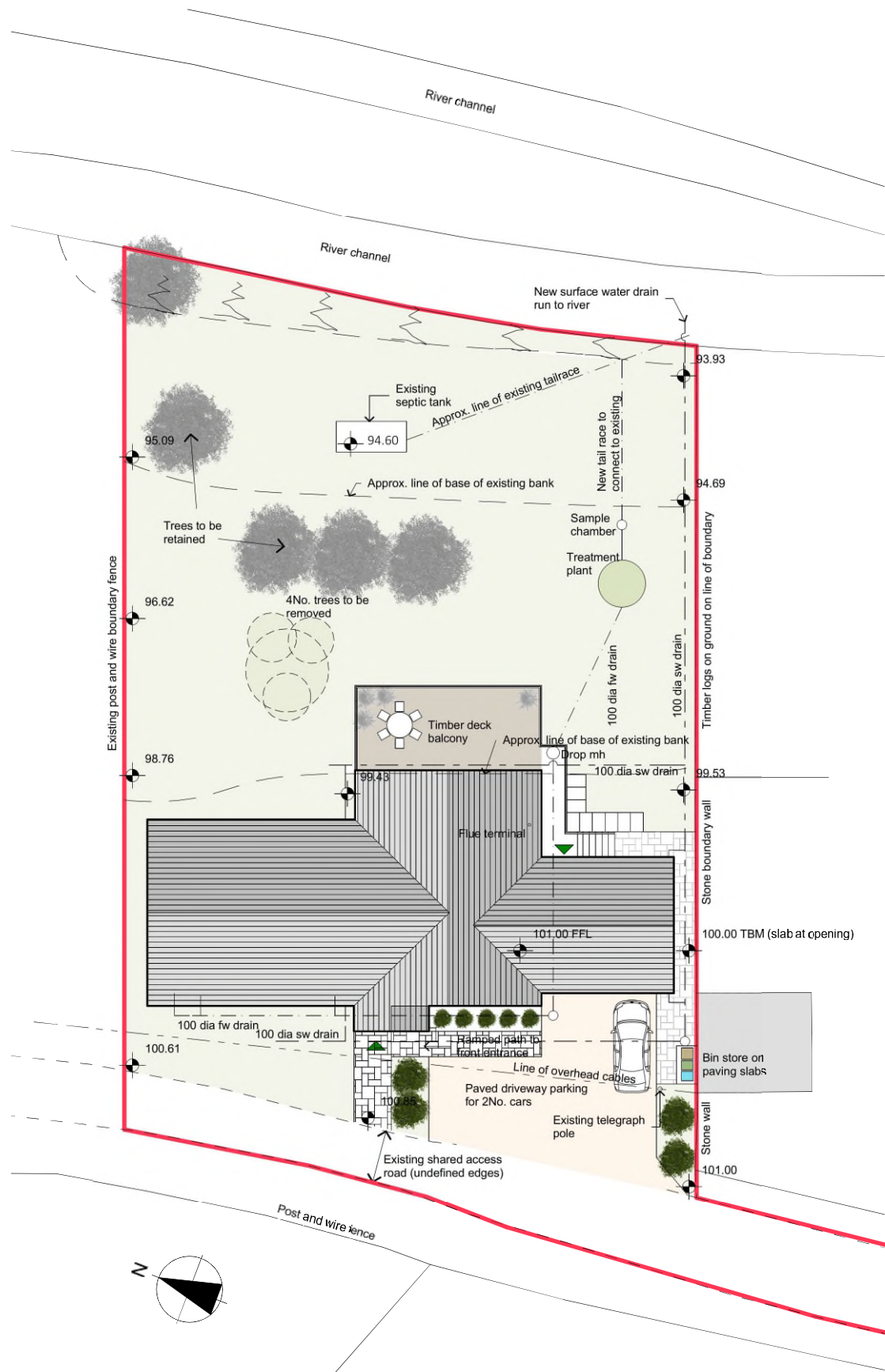
Drg. No.

17-19-03A



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Shand Architecture Studio One, Crook of Devon, Kinross KY13 3JL 0131 535 0000	Chartered Architect	Project	Org. Title	Date	8/10/2018	Scale	1:200	Org. No. 17-19-05
		Proposed House at Redcliff, Almondbank, Perth	EXISTING SITE PLAN (A3)	Stage	Planning			
				Revision	A	B	C	



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	Chartered Architect	Project	Drg. Title	Date	14/07/2017	Scale	1:200	Drg. No. 17-19-04				
	Shand Architecture	Proposed House at Redcliff, Almondbank, Perth	PROPOSED SITE PLAN (A3)	Stage	Planning							
	revision			A	B	C	D		E	F	G	H
	Studio One, Crook of Devon, Kinross KY13 3JL stuarf@shandarchitecture.co.uk shandarchitecture.co.uk											

Project No. 17-19

PLANS AND ELEVATIONS

Project Proposed House at Redcliff,
Almondbank, Perth

Scale 1:100

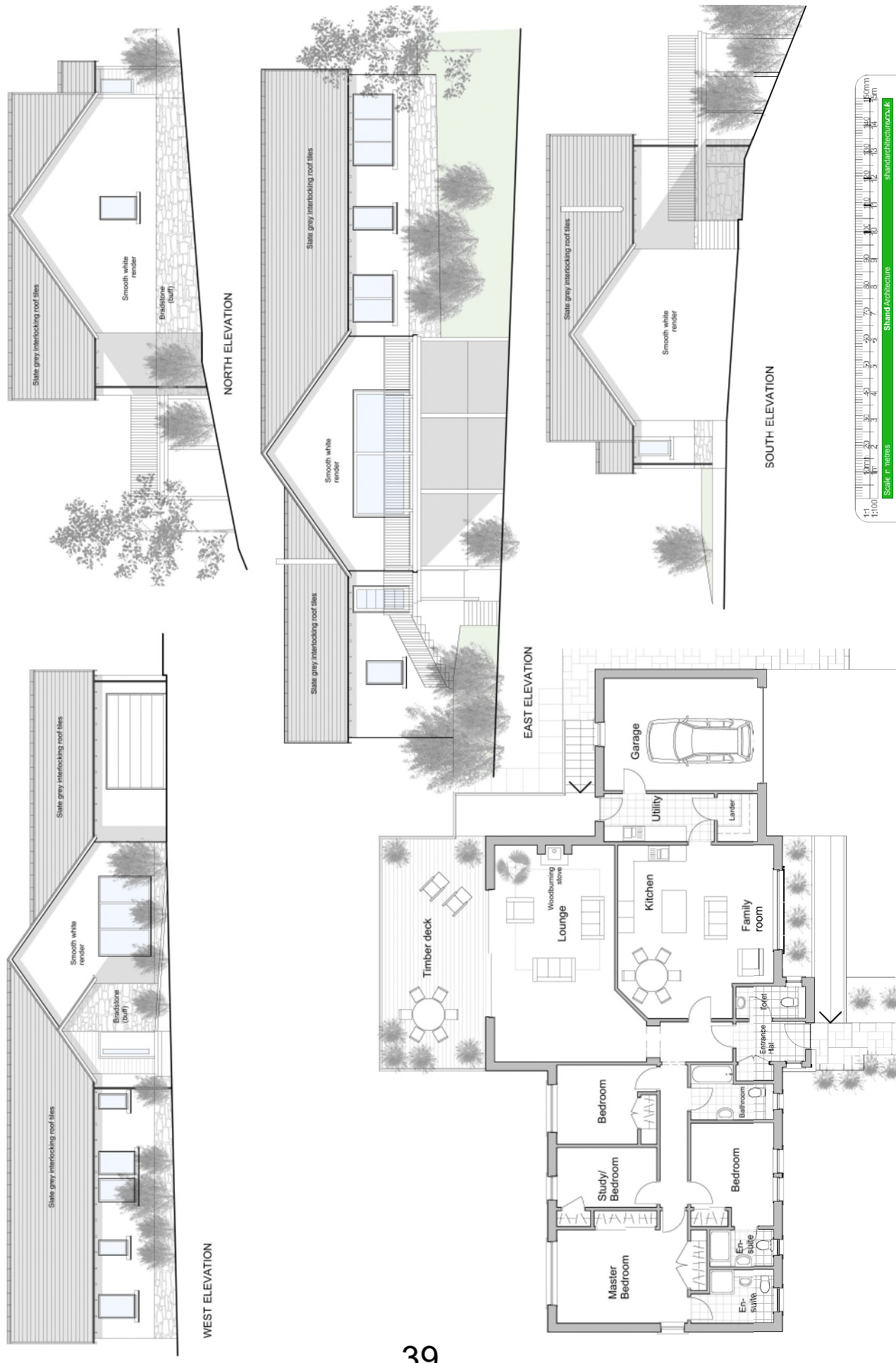
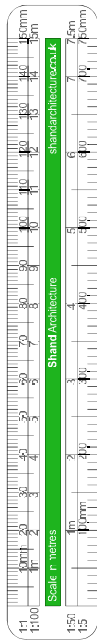
Date 14/07/2017

Stage Planning

Revisions		Notes
A	dd/mm/yyyy	Layout amended
B	27/7/2017	Minor revisions
C		
D		
E		

Shand Architecture

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Direct Tel: 0844 443 0934
Direct Email: michael.summers@ecstransport.co.uk

Our Ref: 17015_001
Your Ref:

Date: 26th November 2018

Mr Dean Salman
Perth & Kinross Council,
Pullar House,
35 Kinnoull St,
Perth,
PH1 5GD.

(Email Only)

Dear Dean,

PROPOSED DWELLING, LAND BETWEEN WOODEND COTTAGE AND THE STABLES, MAIN STREET, ALMONDBANK

We have received a copy of your consultation response on the above application and would offer the following comments on the points raised.

We note your reference to the stone pillar and I would advise that we are dealing with the technical matters of whether, in transportation terms, the dwelling can be accommodated on the road network only. As you indicate, the removal of the pillar is a matter for the Police and should not influence the consideration of this planning application other than the potential for it to have a bearing on the technical delivery of an appropriate access.

With regards to the replacement of the pillar, it is understood that the stone pillar was previously located on the corner of the private road which could impede visibility to the left on exit. If this pillar was located within the identified visibility splay it is reasonable to expect P&KC to prevent reinstatement of the pillar under the powers granted to them within the Roads (Scotland) Act 1984 as it would obstruct the splay of an existing junction which is required to maintain road safety for existing users of the road.

Surely the visibility would have to be enforced by the Roads Department given your comments on visibility or this could be deemed a dereliction of duty.

We note your assertion that the junction with Main Street has 'severely restricted visibility' which is a surprise given the plans submitted demonstrate that the visibility is in accordance with the SCOTS National Roads Development Guide which P&KC adopt.

You indicate that you are not satisfied that a minimum visibility splay of 2.4m x 33m would be achievable or desirable at this location. Firstly, the SCOTS Guidelines indicate the following with regards to 'X' distance:

"A minimum figure of 2 m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered."

Continued...

The 'X' distance is a function of the traffic flow on the minor link as it has a considerable bearing on the capacity of the junction. Junctions with greater flows on the minor arm should have larger 'X' distances as this allows approaching traffic to determine from further back if a vehicle is approaching on the major link. As such, the vehicle could move away from the junction without stopping and thereby increasing capacity.

Guidelines over the years have detailed 9m, 4.5m, 2.4m and 2m 'X' distances for varying standards of roads which have heavy to light traffic volumes, respectively. The private road in questions is extremely lightly trafficked and is wholly appropriate for a 2m 'X' distance as detailed in the guidance. The flow on Main Street is not a consideration when determining the 'X' distance and should not influence your position on this matter.

As the supporting plans demonstrate, drivers and cyclists can see any vehicle exiting the junction on to Main Street the proposals are consistent with the guidelines.

We note your comments regarding the speed survey and advise that if this is a critical aspect in the allowing you to fully consider the proposals the applicant will commission another survey. However, from our discussion I understand that you accept there would be minimal if any change to the speeds by altering the position of the survey. Indeed, the 'Y' distance can be increased in any event so we don't consider this to be a critical aspect.

Given the narrow road width the bridge acts as a natural traffic calming feature which requires vehicles to slow well below the 30mph speed limit. The one-way priority signage is located immediately to the north of the junction which ensures that vehicles start to slow at or about the junction which is represented in the 85%ile speeds. Forward sight to the junction is good from both directions which ensures that motorists can react accordingly when vehicles are negotiating the junction.

Traffic approaching from left side of junction is on the far side of the carriageway which can be clearly seen from a distance well in excess of that required by the guidelines. The splays have been measured to the nearside carriageway edge on all drawings as per standard practice but the actual operation of the carriageway and the line of sight to approaching traffic should be a material consideration.

Reference is made to the road safety auditors estimation of available visibility from their site visit. It should be recognised that this was a simple estimate and does not reflect the actual visibility available. The plans provided with the application demonstrate what can be achieved with regards to visibility which is 2m x 33m as required by the guidelines.

We would highlight that the road safety auditors were not concerned with the operation of the junction and the prospect of additional traffic associated with a single house. We are surprised that this supporting document, prepared by experts in the field of road safety, has not been given the appropriate weight and the only mention is with respect to the splay length as previously discussed. Ultimately, they are content that the junction can accommodate the development and this should be the material consideration of the council.

The traffic associated with a single dwelling will be negligible (5 two-way movements per day as taken from TRICS), the visibility splays as identified in the current road design guide can be met and there is no record of accidents at this location, therefore, we are very surprised at the continued negative response from your department. If the above does not provide you with the comfort to support the application we would welcome a meeting to discuss the issues.

Continued...

Page 3 of 3
17015/MS

Please don't hesitate to get in touch should you wish to discuss.

Yours Sincerely,



Michael Summers
Director

PROPOSED DWELLING ON LAND BETWEEN WOODEND COTTAGE AND THE STABLES, MAIN STREET, ALMONDBANK – ACCESS REVIEW

Introduction

ECS Transport Planning Ltd (ECS) has been commissioned by Mr John Jenkins, the applicant, to consider access to a plot for a single dwelling off a private road which links to Main Street, Almondbank.

Background

The plot has previously been the subject of a number of planning applications which have been refused by Perth & Kinross Council (P&KC) on various grounds. ECS advised the applicant on the most recent application which was solely refused on transportation grounds.

As part of the aforementioned planning application, ECS provided a supporting statement detailing a review of the existing access junction with Main Street and a plan demonstrating an appropriate visibility splay that could be achieved. This supporting information is included in **Appendix A**.

The planning application was refused by Perth & Kinross Council (P&KC) under delegated powers with transportation issues/access detailed as the only reason for refusal. Neither ECS or the applicant's agent, Farningham Planning Ltd, were contacted by P&KC in advance of the refusal decision to try and address officer concerns through the submission of further supporting information.

The previous refusal is a material consideration with respect to the current application and is therefore considered in detail.

The proposed plot is located adjacent to a private road which connects with Main Street some 90m to the south of the bridge over the River Almond. From discussions with Perth and Kinross Council (P&KC), it was understood that the private road was not a concern but that the access junction with Main Street should be considered in detail.

An independent survey company was commissioned to undertake a **Speed Survey** (copy attached) on Main Street adjacent to the junction to determine the actual vehicle speeds. The survey identified that the northbound and southbound 85%ile speeds were 25mph and 25.7mph respectively.

P&KC refer to the SCOTS National Roads Development Guide for road design criteria. SCOTS utilises the visibility splay criteria from the National Policy document 'Designing Streets' which indicates a 'Y' distance of 33m for a 25mph road. In addition, Designing Streets indicates that an 'X' distance of 2m is appropriate for a lightly trafficked route which was considered to be consistent with the private road.

On the basis of the above survey information and relevant guidance, a plan demonstrating that the required visibility splay was achievable was lodged with the Council in support of the planning application. (copy attached)

It is understood that a stone pillar was previously located on the corner of the private road which could impede visibility to the left on exit. If this pillar was located within the identified visibility splay, it would be reasonable to expect P&KC to prevent reinstatement of the pillar under the powers granted to them within the Roads (Scotland) Act 1984, as it would obstruct the splay of an existing junction which is required to maintain road safety for existing users of the road.

P&KC refused the application detailing the following reason for refusal:

"1 The proposal will intensify the use of an existing sub-standard access and junction which has poor geometry and poor visibility onto the public road and as such the proposed development would result in pedestrian and traffic safety issues contrary to Policy TA1B of the Perth and Kinross Local Development Plan which seeks to ensure the safety of all users."

As the reason for refusal is solely transport related, it is assumed the justification has been taken from the consultation response provided by P&KC Transportation which states the following:

"I note that this site has a history of planning applications that have all been refused due to the substandard private road which serves several properties and the poor geometry of the access junction which has severely restricted visibility."

Whilst I note the information supplied by the applicant's transport consultants, the road is subject to a 30mph speed limit and as such the visibility requirements would be 2.4m x 43.0m, which cannot be achieved at this location. Even allowing for the lower speeds of 25mph and 25.7mph indicated in the speed survey provided by the applicant's transport consultants, I am not satisfied that the minimum visibility splay as recommended by the applicant's transport consultants of 2m x 33m would be achievable or desirable at this location. Certainly, I would expect the set-back distance (X distance) to be 2.4m at this location."

Therefore, for the reasons stated above, I recommend REFUSAL of this application on the grounds of pedestrian and traffic safety."

Response to Reason for Refusal

At no time was the access road to the plot raised as a concern by P&KC pre-submission which is why the supporting information did not specifically comment on the route. Following submission of the application, there was also no request for information or concerns raised regarding the access road.

The access road has been deemed suitable for residential access by P&KC given the existing properties which take access from the route. The minor increase in traffic associated with a single plot (5 vehicle movements in a 24hrs period as taken from the TRICS database) will not result in a material impact on existing residents who utilise the route, as such, it is not considered that the access route is a valid reason to withhold support for the proposed dwelling.

The Officer has stated that the poor geometry of the access junction is a concern. As previously indicated, P&KC rely on the SCOTS National Roads Development Guide and Designing Streets policy when considering infrastructure associated with planning applications.

Within the 'Junction Types and Arrangement' section of Designing Streets, it states that various junction forms should be considered rather than conventional junction types. A 'Y junction' is clearly listed as an appropriate junction form and the diagram specifically details a junction with an acute angled minor arm similar to the junction in question. Given the junction is currently in operation; there is no recorded accident history; and, as the layout conforms with current policy, it is not considered that the geometry of the junction is a valid reason for refusal.

With respect to junction visibility, it is accepted standard practice that the visibility is based on measured 85%ile speeds, if this information is available. Clearly, this can result in a greater or lesser visibility requirement based on the results.

The speed survey was undertaken by an independent survey company over a 7 day period and provides a robust assessment of vehicle speeds. As previously mentioned, the vehicle speeds resulted in the need for a Y distance of 33m.

Designing Streets states the following on X distance:

“A minimum figure of 2 m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered.”

Given the very small traffic volumes and that traffic approaching the junction from the minor arm will be travelling at a very low speed due to the geometry, it was considered that the junction was an ideal location to employ a 2m X distance.

Clearly, the Officer does not agree with the above approach and has requested that a 2.4m X distance be provided. ECS drawing 17015_002 Rev B contained within **Appendix B** highlights that an X distance of 2.4m can be achieved at the junction and the splay is currently available.

As the X distance of 2.4m can be provided, it is considered that all of the points raised by P&KC Transportation can be satisfactorily addressed as per the requirements of current guidance, policies and the Roads (Scotland) Act 1984. On the basis of the above, the sole reason for refusal is not valid.

Furthermore, the applicant commissioned Wyllie Lodge Road Safety Consultants to undertake an independent review of the access junction and whether it would be appropriate to accommodate the proposed additional dwelling. The conclusion of the Safety Review (copy attached) indicated that the junction, in its current form, could accommodate the proposed dwelling but suggested that the vegetation be managed. As the junction is existing, the vegetation should be managed in any event.

Further Information

The swept path of vehicles utilising the junction has only recently been raised as an additional issue by the Council. It should be recognised that the proposed dwelling will in no way alter the swept path of the existing junction and will only result in a very minimal intensification of traffic.

ECS drawing 17015-005 contained within **Appendix C** indicates the swept paths of a car entering and exiting the junction from Main Street. Due to the alignment of the junction the manoeuvres from / to the south can be undertaken within the confines of the specific lanes. However, the manoeuvres to / from the north do require the vehicle to cross the centreline of Main Street when undertaking the turning manoeuvre. Again, this is the current situation for all traffic using the access road and there is no road safety issue associated with this manoeuvre.

The requirement for vehicles to use the other side of the road when undertaking a turning manoeuvre is not uncommon throughout the adopted road network. As demonstrated within this statement, appropriate visibility is available to allow the manoeuvre to be undertaken safely and to ensure that the road is clear so that the turning vehicle does not impact on through traffic.

The road safety auditors observed vehicles utilising the access road and did not raise the turning manoeuvre as a concern which again highlights that the existing traffic movements in addition to the minimal increase associated with the dwelling will not be a road safety concern.

Conclusions

P&KC recently refused proposals for a single dwelling based solely on transportation concerns associated with the access from Main Street, all as articulated above. The existing access has visibility splays consistent with the required guidance and currently accommodates residential traffic with no record of accidents.

The development proposal for a single dwellinghouse represent a very minimal increase in traffic which can be safely accommodated by the existing road layout which is supported by an independent road safety audit. It is therefore considered that there are no valid transportation reasons to prevent approval of the application.

Appendix A – Original Supporting Statement

Appendix B – Visibility Splay Plans

Appendix C – Swept Path Drawings

APPENDICES

A. Original Supporting Statement

Head of Planning,
Perth & Kinross Council,
Pullar House,
35 Kinnoull St,
Perth,
PH1 5GD.

Direct Tel: 0844 443 0934
Direct Email: michael.summers@ecstransport.co.uk

Our Ref: 17015_001
Your Ref:

Date: 21st June 2017

(Email Only)

Dear Sirs,

PROPOSED DWELLING, LAND BETWEEN WOODEND COTTAGE AND THE STABLES, MAIN STREET, ALMONDBANK

ECS Transport Planning (ECS) has been commissioned by Mr John Jenkins to consider access to a plot for a single dwelling from a private road which links to Main Street, Almondbank.

The plot is located adjacent to a private road which connects with Main Street some 90m to the south of the bridge over the River Almond. From previous discussions with Perth and Kinross Council (P&KC) we understand that the private road is not a concern but the access junction with Main Street should be considered in detail.

ECS commissioned Transurveys, an independent survey company, to undertake a speed survey of Main Street adjacent to the private access road junction. The survey identified that the northbound and southbound 85thile speeds were 25mph and 25.7mph, respectively. The speed survey is enclosed for review.

P&KC refer to the SCOTS National Roads Development Guide for road design criteria. SCOTS utilises the visibility splay criteria from the National Policy document 'Designing Streets' which indicates a 'Y' distance of 33m for a 25mph road. In addition, Designing Streets indicates that an 'X' distance of 2m is appropriate for lightly trafficked routes which we consider is consistent with the private road.

ECS drawing 17015_001 is enclosed which highlights the required visibility splay and demonstrates that it has very little impact on land outwith the carriageway. From our site visit it would appear that the required visibility splay is currently available, therefore, the access junction is appropriate for the minor increase in traffic associated with a single house.

We understand that a stone pillar was previously located on the corner of the private road which could impede visibility to the left on exit. If this pillar was located within the identified visibility splay we would expect P&KC to prevent reinstatement of the pillar under the powers granted to them within the Roads (Scotland) Act 1984 as it would obstruct the splay of an existing junction which is required to maintain road safety for existing users of the road.

Based on the visibility splay available at present, the speed of vehicles on Main Street and the minor increase in traffic associated with the proposed development, we do not consider there is any transportation reason to withhold support for the development.

Yours Sincerely,



Michael Summers
Director

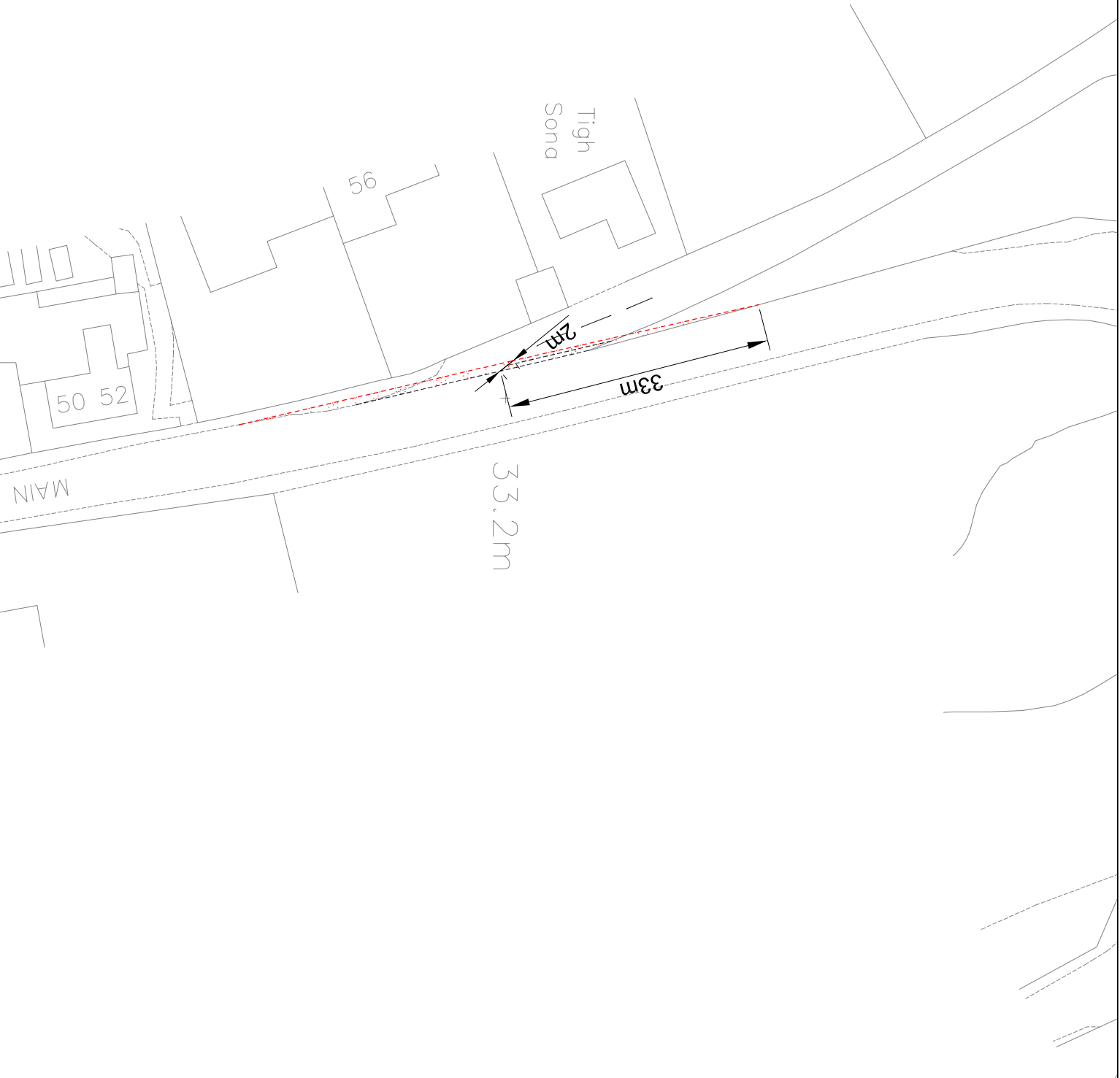
Encls

Key

..... 2m x 33m Junction Visibility

Notes

1. Road markings are not currently present on street and have only been shown to demonstrate accurate visibility splays.
2. The X visibility distance has been measured at an angle along the centreline of the carriageway as the vehicles will not be positioned at right angles at the giveaway line.



DATE	AMENDMENTS	DRAWN	CHK	APP
------	------------	-------	-----	-----

ECS Transport Planning Ltd
Centrum Offices
38 Queen Street
Glasgow
G1 3DX



Telephone: 0844 443 0934
Email: info@ecstransport.co.uk

Client

MR JOHN JENKINS

Project

ALMONDBANK

Title
EXISTING JUNCTION
VISIBILITY SPLAY

Team	Drawn	Checked	Approved
-	SS	MS	MS

Scale @ A3
1:500
Date
14.06.2017

Project No.	Drawing No.	Rev
17015	17015_001	-

Purpose of Issue
☐ Preliminary
☒ For Information
☐ For Tender
☐ For Approval
☐ For Construction
☐ As Built



TRAFFIC SURVEY REPORT

ALMONDBANK, PERTHSHIRE

TRANSURVEYS LIMITED

BLUE SQUARE OFFICES, 272 BATH STREET, GLASGOW, G2 4JR

TRAFFIC SURVEY REPORT

QUALITY MANAGEMENT

CLIENT ECS Transport Planning Limited
PROJECT Almondbank, Perthshire ATC
REFERENCE TS-17-028
REVISION 001

Revision	Date	Prepared by	Signed	Checked by	Signed
001	05/05/2017	Neil Dempsey		Neil Dempsey	

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SURVEYED NETWORK

1. Main Street, south / west of River Almond Bridge (Automatic Traffic Counter)



TRAFFIC SURVEY REPORT

ATC LINK & SPEED SURVEYS

TRAFFIC SURVEY REPORT

AC CLASSIFIED LINK & SPEED SURVEY

Project: Almondbank, Perthshire
Client: ECS Transport Planning Limited.
Job No. TS-17-028
Site 1: Main Street, southwest of River Almond Bridge.
Movement: Northbound

[illegible]

A10 CLASSIFIED LINK 1 SPEED SURVEY

Project: Almondbank, Perthshire
Client: ECS Transport Planning Limited.
Job No. TS-17-028
Site 1: Main Street, southwest of River Almond Bridge.
Movement: Southbound

Time	Total	Vehicle Classifications			Speed Categories														Speed											
		1 LIGHT	2 MEDIUM	3 HEAVY	0-5mph	5-10mph	10-15mph	15-20mph	20-25mph	25-30mph	30-35mph	35-40mph	40-45mph	45-50mph	50-55mph	55-60mph	60-65mph	65-70mph	70-75mph	75-80mph	80-85mph	85-90mph	90-95mph	95-100mph	Mean	85th/90th	Minimum	Maximum		
Date: 21 April 2017																														
00:00	01:00	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	22.2	-	22.2	22.2
01:00	02:00	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24.2	-	24.2	24.2
02:00	03:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-	-	-	-
03:00	04:00	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20.6	-	20.6	20.6
04:00	05:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-	-	-	-
05:00	06:00	4	2	2	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20.9	-	17.7	24.7
06:00	07:00	69	66	3	0	0	1	3	37	17	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24.0	25.5	13.4	30.5
07:00	08:00	80	77	3	0	0	1	9	47	23	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23.7	26.4	14.2	29.7
08:00	09:00	40	32	8	0	0	2	4	28	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	22.5	24.8	11.6	28.0
09:00	10:00	28	26	2	0	0	0	2	15	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23.9	26.4	17.5	29.7
10:00	11:00	36	27	8	1	0	0	10	23	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	21.6	24.6	15.6	27.1
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12:00	13:00	59	50	8	0	0	0	6	43	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23.0	24.8	15.2	28.8
13:00	14:00	33	28	5	0	0	0	2	7	20	3	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	21.7	24.2	13.0	30.4
14:00	15:00	40	36	4	0	0	0	5	23	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23.2	26.7	17.6	29.7
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19:00	20:00	35	31	4	0	0	0	0	7	20	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	22.4	26.1	15.2	28.0
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00:00-06:00		723	746	3	8	8	12	30	449	197	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23.0	26.7	14.8	34.2
00:00-06:00		650	671	3	8	8	12	31	453	168	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23.0	26.7	14.8	34.2
Date: 22 April 2017																														
00:00	01:00	4	4	0	0	0	0	0	3	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24.3	-	22.3	24.3
01:00	02:00	3	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23.2	-	21.7	24.3
02:00	03:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-	-	-	-
03:00	04:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-	-	-	-
04:00	05:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-	-	-	-
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06:00	07:00	9	6	3	0	0	0	1	2	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24.7	-	24.4	25.5
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17:00	18:00	46	44	2	0	0	0	8	33	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	22.2	24.4	15.2	28.0
18:00	19:00	34	32	2	0	0	0	4	16	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23.8	25.9	17.4	28.1
19:00	20:00	17	16	1	0	0	0	2	13	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	22.3	24.2	15.4	27.6
20:00	21:00	10	9	1	0	0	0	0	3	6	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	21.4	-	16.9	25.3
21:00	22:00	12	11	1	0	0	0	0	2	7	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	22.9	25.1	17.2	25.9
22:00	23:00	12	11																											

[illegible]

ROAD SAFETY ASSESSEMENT/REVIEW PRIVATE ACCESS, ALMONDBANK, PERTH PERTHSHIRE


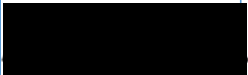



Report Ref 40717

Issue Date 10-Mar-17

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Issue / Revision	Issue 1	Revision A	Revision B	Revision C
Remarks / Status	Final			
Prepared by	D. Lodge			
Signature				
Checked by	B. Wyllie			
Signature				
Issued by	D. Lodge			
Signature				
Report No	40717			
Date Issued	10/03/17			

Private Access, Almondbank, Perthshire

1. Introduction.

- 1.1. This report details the findings of a road safety assessment/review carried out on the junction of a private access with Main Street in Almondbank, Perthshire. The assessment/review has been requested following the proposal to build an additional residential dwellinghouse along the access road. This private road gives access to Moulinalmond House and some neighbouring cottages. The report relates specifically to the junction of the private access and Main Street.
- 1.2. The assessment/review was requested by ECS Transport Planning Limited and was carried out by Wyllie Lodge Ltd, Independent Road Safety Consultants.
- 1.3. The assessment/review was carried out by Blair Wyllie and David Lodge of Wyllie Lodge Ltd. Both are experienced road safety engineers with detailed knowledge and experience in cycling and accessibility issues. Blair Wyllie is an Incorporated Engineer (I. Eng), a member of the Chartered Institute of Highways and Transportation (MCIHT), a member of the Society of Road Safety Auditors and an accredited Cycle Trainer. He has 35 years' experience in Local Road Authorities. David Lodge has a BSc in Mechanical Engineering and gained an MSc in Transportation Planning & Engineering from Napier University in 2003. He is a Chartered member of the Institute of Logistics and Transportation (CMILT) as well as a member of the Chartered Institute of Highways and Transportation (MCIHT). He has over 35 years' experience gained with Lothian and Borders Police, Local Roads Authorities and consultants within Scotland. Both Blair and David hold Highways Agency Certificate of Competency in Road Safety Auditing.
- 1.4. It should be noted that the outcome of this report is subjective and relates to the current experience of the road safety engineers. Other road safety professionals may provide a different assessment.

2. Procedure.

- 2.1. This report details the findings of a road safety assessment/review of the junction of a private access with Main Road. Almondbank.
- 2.2. The private access forms an acute angled priority junction with Main Road. The access is approximately 4m wide and is unsuitable for two-way traffic flows. It rises at a steep gradient from Main Road and there is a passing place located approximately 100m from the junction.
- 2.3. The extract for Google Maps below shows the location and angle of the access in relation to Main Road.



- 2.4. A site visit was carried out by both David Lodge and Blair Wyllie on Thursday 2nd March 2017 between 15:00 and 16:00hrs. During the visit the weather was cold and overcast and Main Road was dry and the private access was wet in places due to overhanging foliage. There was no traffic movement on the private access at the time of the site visit and a light flow of traffic on Main Road. Northbound traffic on Main Road passed in platoons due to temporary traffic lights at the flood alleviation works on the south side of Almondbank. No pedestrian or cycle manoeuvres were observed.
- 2.5. Both Main Road and the private access were driven and walked during the site visit in order to view the junction from a driver's perspective.

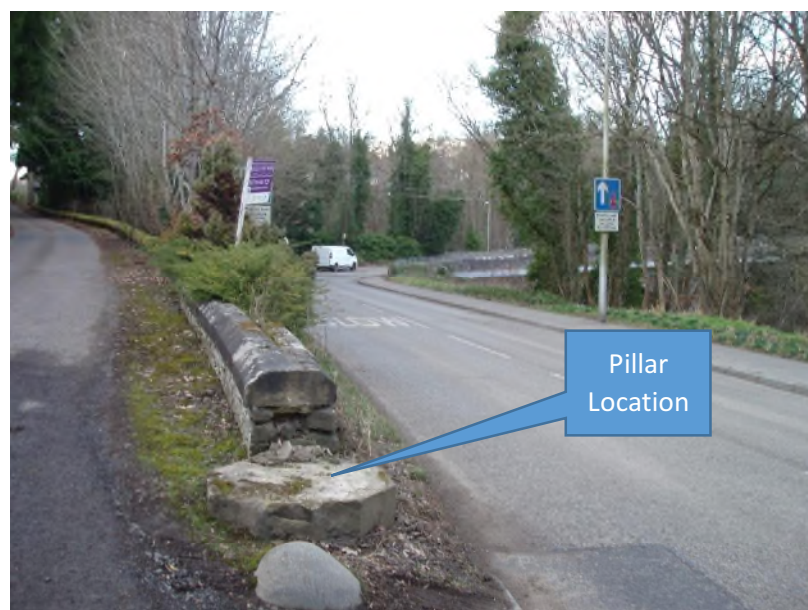
- 2.6. The findings of the site visit have been considered and recommendations made that the review team consider to be appropriate and proportionate to the concerns and problems identified.

3. Current situation.

- 3.1. The private access rises steeply from the junction with Main Road and serves private dwelling houses taking direct access off the private road. At the junction with Main Road the private access is supported by masonry retaining walls both along the side of the private access and Main Road with planting between the two, as shown in the photograph below.

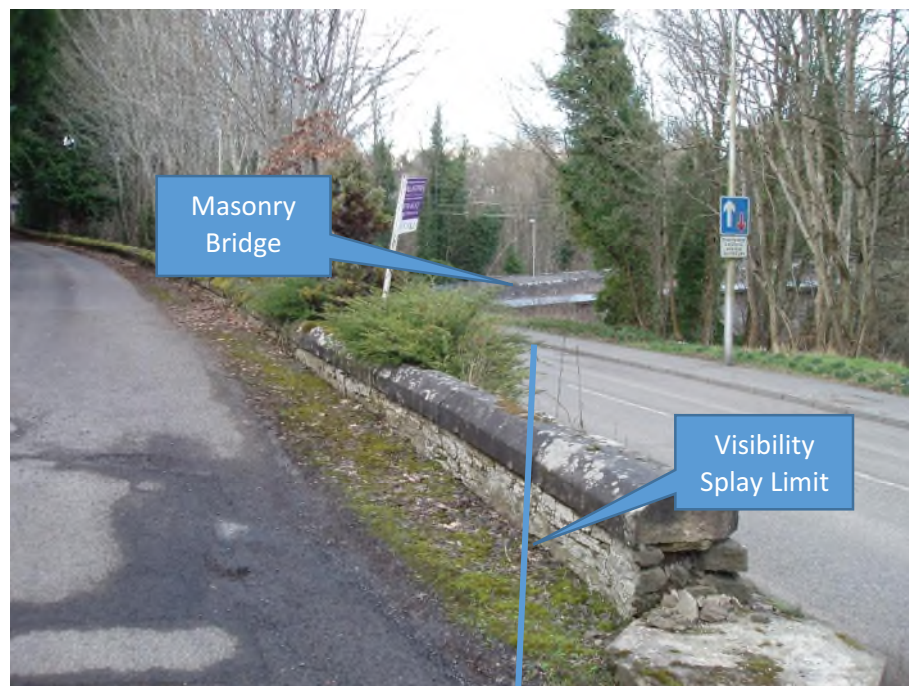


The end of the retaining wall was previously terminated by a masonry pillar but this was not present during the site visit, although it is understood that this may be rebuilt.

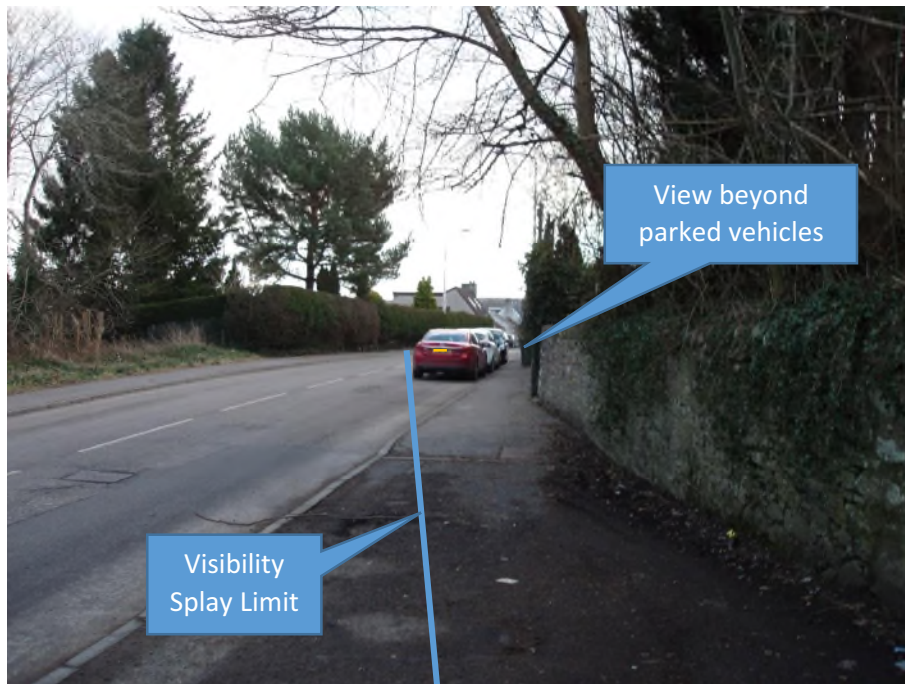


4. Sightline visibility Splays.

- 4.1. Drivers exiting the private access make use of the visibility from the junction along Main Road to determine when it is suitable to exit the junction. It has been assumed a 2.5m x-distance from Main Road as being the location of a driver when waiting at the junction. The sightline visibility splays were then measured from this viewing position. The results of this are shown in the photographs below.



The clear visibility splay to the left when exiting the access road is relatively short and was measured as 29m along the centreline of the carriageway and 35m along the east kerblin. Exiting drivers will however be able to see approaching vehicles as they leave the masonry Bridge, heading southbound. Approaching vehicle speeds are likely to be low as they negotiate the narrow bridge and sharp left hand bend. However sight of these vehicles is lost until they reach the measured visibility location.



The clear visibility splay to the right when exiting the access road is again relatively short and was measured as 36m along the centreline of the carriageway and 62m along the east kerbline. Exiting drivers will however briefly be able to see approaching vehicles beyond the parked vehicles though this may vary depending on the number of cars parked along the kerb. Approaching northbound vehicles will need to use the southbound carriageway as they approach and again speeds are likely to be reduced if southbound vehicles are also present.

Assuming that the 85th percentile speed of approaching vehicles is a maximum of 30mph, the Stopping Sight Distance for these vehicles will be 40m.¹

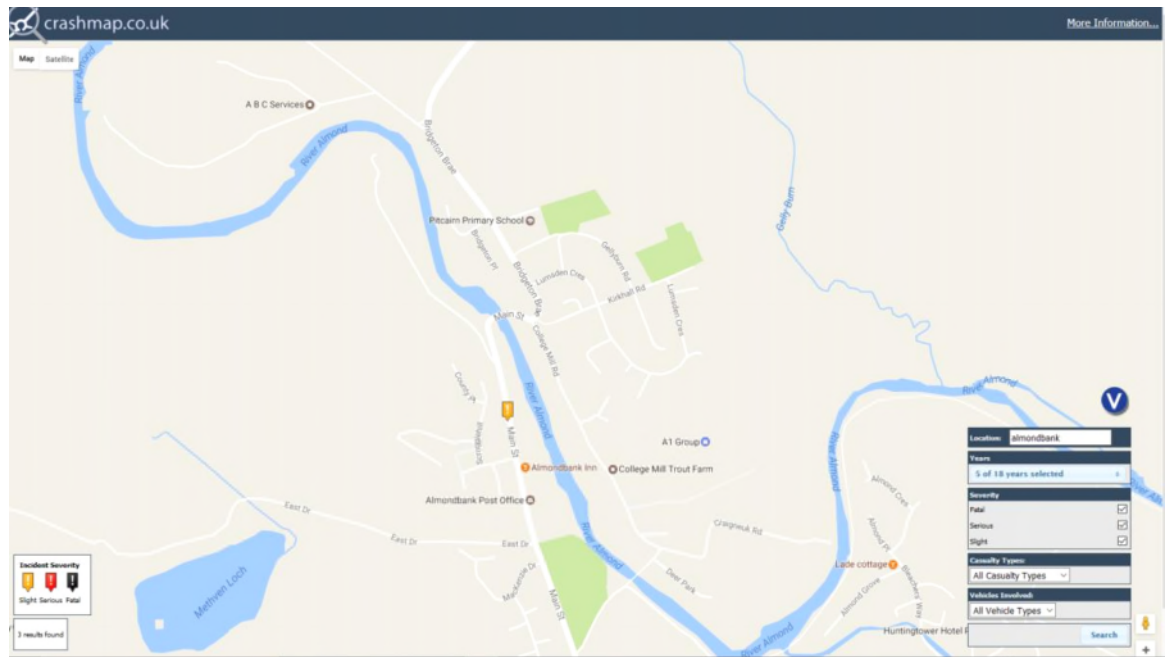
Therefore northbound vehicles (those approaching from the right) will be seen by vehicles exiting the access beyond this distance.

Southbound vehicles (those approaching from the left) will not be seen until closer to the access.

¹ Designing Streets, The Scottish Government, Page 33 – Stopping Sight distance.

5. Collision History

- 5.1. A study of collision history within Almondbank was carried out as part of this road safety assessment/review. Information was sourced from Crashmap.co.uk which is an on-line collision database.



The map above is an extract from the database and shows that there has been a single recorded collision within the Almondbank area within the last five years. This involved two vehicles and resulted in slight injury to one casualty. The collision occurred on 17th April 2012 on Main Road between the Almondbank Inn and the Private Road.

6. Conclusion and Recommendations

The junction of the private access has been there for some time serving the properties along it. Sightlines at the junction with Main Road are compromised due to the planting between the retaining walls to the left and the level of car parking to the right. However the current situation is an improvement since the removal of the masonry pillar.

Vehicle speeds past the junction were observed to be relatively slow. This was due to the narrow priority controlled bridge to the north of the junction and the parked cars along the west side of Main Road to the south.

In order to improve the sightline visibility splays to the left (towards the bridge) it is recommended that:

- a) The masonry pillar is not reconstructed to the same height as before its removal and if reconstructed should be no higher than the masonry retaining walls.
- b) The planting between the two masonry retaining walls is removed or reduced in height.

The sightline at the junction to the right (towards Almondbank village) could be improved by:

- a) Restricting the level of kerbside parking.

Collision data does not indicate a problem with the access junction.

Signed.......... Date 10 March 2017

David Lodge, BSc, MSc, CMILT, MCIHT.

Signed.......... Date 10 March 2017

Blair Wyllie, I Eng, MCIHT, MSoRSA

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B. Visibility Splay Plans

Key

2.4m x 33m Junction Visibility

Notes

1. Road markings are not currently present on street and have only been shown to demonstrate accurate visibility splays.
2. The X visibility distance has been measured at an angle along the centreline of the carriageway as the vehicles will not be positioned at right angles at the giveway line.

C	31.07.18	MARKING UPDATE	SS	MS	MS	MS
B	25.08.17	SPLAYS AMENDED	SS	MS	MS	MS
A	16.08.17	SCALE BAR INCLUDED	SS	MS	MS	MS
REV	DATE	AMENDMENTS	DRAWN	CHK	APP	

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Client

MR JOHN JENKINS

Project

ALMONDBANK

Title

EXISTING JUNCTION
VISIBILITY SPLAY

Team	Drawn	Checked	Approved
------	-------	---------	----------

-	SS	MS	MS
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Scale @ A3

1:500 Date 14.06.2017

Project No.

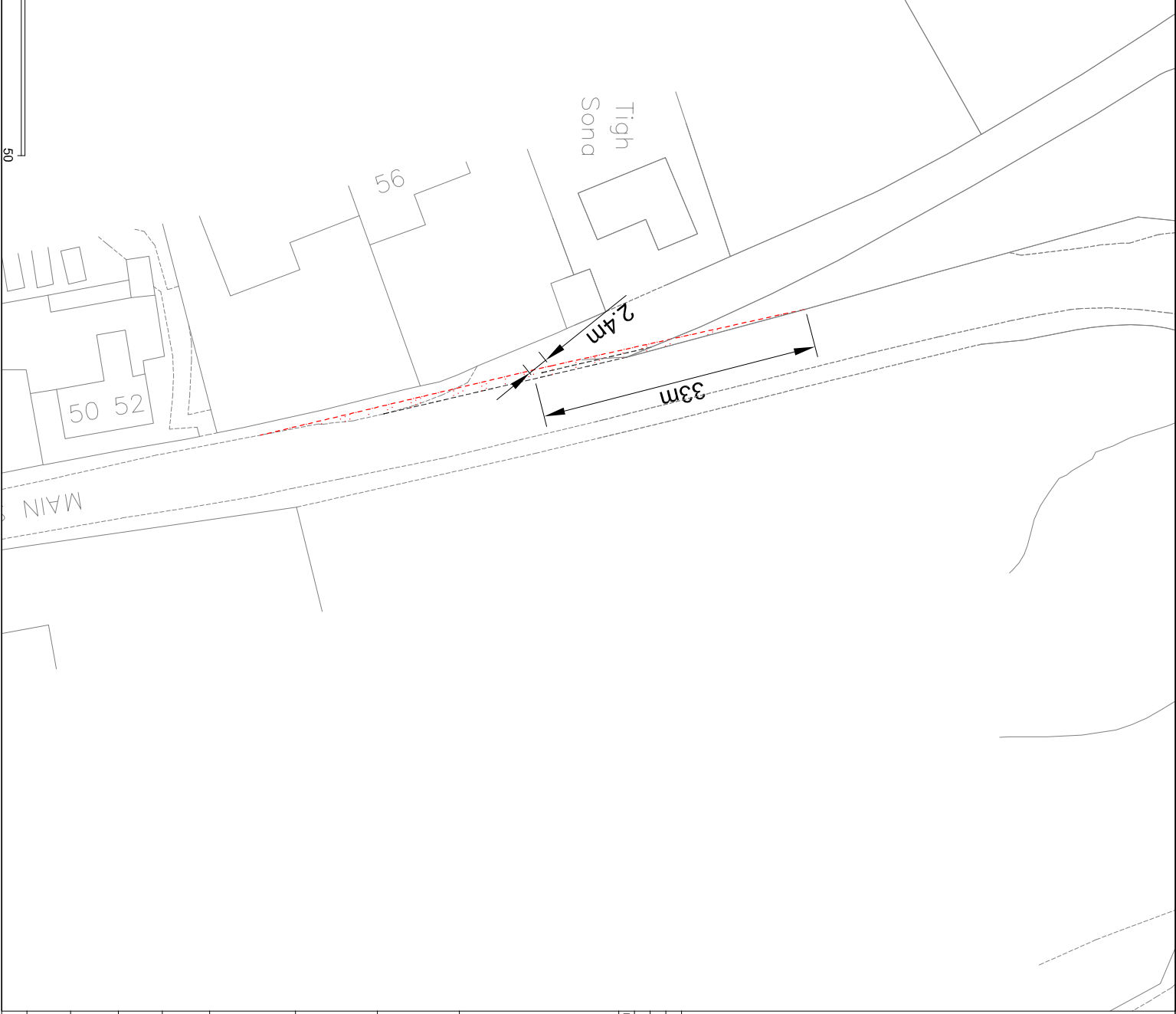
17015 Drawing No. 17015_002 Rev C

Purpose of Issue	<input type="checkbox"/> Preliminary	<input type="checkbox"/> For Tender	<input type="checkbox"/> For Construction
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☒ For Information ☐ For Approval ☐ As Built

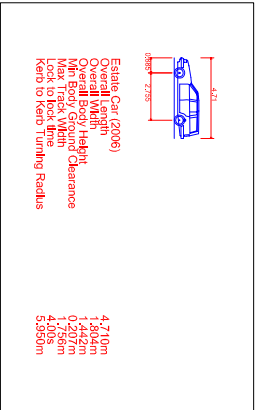
ECS Transport Planning Ltd accept no responsibility for any unauthorised amendments to this drawing. Only agreed alterations are to be worked to. Do not scale from this drawing.

Contract Reference



C. Swept Path Drawings

Vehicle Specification



REV	DATE	AMENDMENTS	DRAWN	CHK	APP
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Client

MR JOHN JENKINS

Project

ALMONDBANK

Title

VEHICLE SWEPT PATHS

Team	Drawn	Checked	Approved
------	-------	---------	----------

-	SS	MS	MS
---	----	----	----

Scale @ A3	Date
N.T.S	31.07.18

Project No.	Drawing No.	Rev
17015	17015_005	-

Purpose of Issue
☐ Preliminary
☒ For Information
☐ For Tender
☐ For Approval
☐ For Construction
☐ As Built

ECS Transport Planning Ltd accept no responsibility for any unauthorised amendments to this drawing. Only signed drawings are to be worked to. Do not scale from this drawing.

Contract 75

Almondbank - Response to Representations

The majority of the points raised in third party representations to the Review have already been raised during the application process, therefore, they are considered in the applicant's main submission. The following provides additional comment on the points raised to clarify the applicant's position.

Standard of Access Road

The standard of the access road was not raised as a concern by Perth & Kinross Council Roads Department (P&KC) during numerous discussions on the detail of the application. Throughout the aforementioned discussions the only issue which was raised was the standard of the junction with Main Street and the ability to provide the appropriate visibility envelope.

The Access Road has safely and efficiently accommodated the traffic associated with 8 houses and the introduction of one additional house will not result in a material impact on the operation or standard of the route. As indicated in the main submission to the Review, the traffic associated with a single dwelling is minor and can safely be accommodated at the junction with Main Street and on the Access Road.

The Access Road is of a sufficient width and standard to accommodate the uplift in traffic associated with a single dwelling.

HGV Access

HGV turning manoeuvres will be accommodated within the curtilage of the plot to ensure that these and all vehicle types can access and egress the Access Road in a forward gear. The only time an HGV would be required to reverse out of the Access Road would be if it met a vehicle adjacent to Main Street which will be a rare occurrence when the dwelling is constructed. This potential conflict would be the same for all dwellings that take access from the lane and the addition of a single dwelling will not materially increase the potential for conflict.

Construction Traffic Impact

During the construction phase it would clearly be more likely that an HGV could meet traffic on the Access Road as these vehicle types would be visiting the site much more frequently. To ensure that HGV's are not required to reverse on to Main Street the applicant would be happy to accept a planning condition which required the submission of a Construction Management Plan (CMP) to P&KC. The conditioning of a CMP is standard practice and would require the applicant to satisfy P&KC that all reasonable care is being taken to minimise disruption to residents and ensure HGV access is controlled safely.

Control measures could involve banksmen controlling cars on the Access Road to ensure there is no conflict on the route which would require the vehicle to reverse, for example.

With regards to the impact of construction vehicles on the standard and condition of the Access Road. Again, the applicant is willing to agree to a condition survey of the route pre and post construction which will ensure that any damage of the route is made good following the construction of the dwelling.

Number of Dwellings

It is correct that P&KC Guidelines indicate that access roads which serve 5 or more dwellings should 'normally' be served by a 'road' which requires roads construction consent. However, it is evident that this is a guide and not a standard as is proven by the number of dwellings currently located on the Access Road and many other examples throughout Scotland.

As previously indicated, the additional traffic associated with a single dwelling is extremely minor and will not have a material impact on the operation of the Access Road.

Junction Visibility & Alignment

The junction visibility and alignment has been considered in detail as part of the various submissions by the applicant to P&KC. However, it should be recognised that the visibility which can be achieved at the access junction is consistent with the requirements detailed in the SCOTS National Roads Development Guide and an independent road safety audit has found that the addition of a single dwelling would not raise road safety issues.

The alignment of the junction ensures that drivers approach the junction slowly and give all traffic movements proper consideration which is advocated in Designing Streets. The use of irregular junction forms is encouraged in Designing Streets to ensure vehicle speeds are controlled naturally and drivers are not complacent. The junction layout is in keeping with current Scottish Government Policy and is not a road safety risk as confirmed by independent road safety auditors.

TCP/11/16(592) – 18/01774/FLL – Erection of a dwellinghouse on land 40 metres north of The Stables, Main Street, Almondbank

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 19-20)*

REPORT OF HANDLING *(included in applicant's submission, see pages 21-34)*

REFERENCE DOCUMENTS *(part included in applicant's submission, see page 35-43)*

TCP/11/16(592) – 18/01774/FLL – Erection of a dwellinghouse on land 40 metres north of The Stables, Main Street, Almondbank

REPRESENTATIONS

12th October 2018

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



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

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

Dear Local Planner

PH1 Almondbank Main Street 40M North The Stables
PLANNING APPLICATION NUMBER: 18/01774/FLL
OUR REFERENCE: 767889
PROPOSAL: Erection of a dwellinghouse

Please quote our reference in all future correspondence

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

Water

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

Foul

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

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

Surface Water

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

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

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

General notes:

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

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

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

Next Steps:

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

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

- **10 or more domestic dwellings:**

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

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

- **Non Domestic/Commercial Property:**

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

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

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

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

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


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

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

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

Yours sincerely

Calum MacNab

Development Operations Analyst


Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/01774/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 40 Metres North Of The Stables, Main Street, Almondbank		
Comments on the proposal	<p>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Pitcairn Primary School.</p> <p>Education & Children's Services have no capacity concerns in this catchment area at this time.</p> <p>Transport Infrastructure</p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p>		
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: £0 Transport Infrastructure: £3,549 (1 x £3,549)</p> <p><u>Total: £3,549</u></p>		

	<p>Phasing</p> <p>It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant.</p> <p>The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to complete.</p> <p>If a Section 75 Agreement is entered into the full contribution should be received 10 days prior to occupation.</p>
<p>Recommended informative(s) for applicant</p>	<p>Payment</p> <p>Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.</p> <p>Methods of Payment</p> <p>On no account should cash or cheques be remitted.</p> <p>Scheduled within a legal agreement</p> <p>This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.</p> <p>NB: The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.</p> <p>Other methods of payment</p> <p>Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.</p> <p>Bank Transfers</p> <p>All Bank Transfers should use the following account details;</p> <p>Sort Code: 834700</p> <p>Account Number: 11571138</p>

	<p>Please quote the planning application reference.</p> <p>Direct Debit The Council operate an electronic direct debit system whereby payments may be made over the phone. To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand:</p> <ul style="list-style-type: none"> a) Your card details. b) Whether it is a Debit or Credit card. c) The full amount due. d) The planning application to which the payment relates. e) If you are the applicant or paying on behalf of the applicant. f) Your e-mail address so that a receipt may be issued directly. <p>Transport Infrastructure For Transport infrastructure contributions please quote the following ledger code: 1-30-0060-0003-859136</p> <p>Indexation</p> <p>All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p>Accounting Procedures</p> <p>Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.</p>
Date comments returned	18 October 2018

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01774/fll	Comments provided by	Gavin Bissett
Service/Section	TES/Flooding	Contact Details	
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 40 Metres North Of The Stables Main Street Almondbank		
Comments on the proposal	<p>We have no objection to this development. I would repeat the comments made for a previous application for the site (reference no 17/01339/FLL):</p> <ul style="list-style-type: none"> • The SEPA flood hazard maps indicate there is some risk to the site during the 1 in 200 year flood event • This does not appear to impact the proposed location of the property • No land raising should take place on the site, within the 1 in 200 year flood level. • Whilst there is no requirement for SUDS from a single dwelling, surface water discharges should be restricted to greenfield run-off rate, particularly for a development upstream of a flood protection scheme. 		
Recommended planning condition(s)	DR01 Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.		
Recommended informative(s) for applicant	PKC Flooding and Flood Risk Guidance Document (June 2014)		
Date comments returned	26/10/2018		

Comments for Planning Application 18/01774/FLL

Application Summary

Application Number: 18/01774/FLL

Address: Land 40 Metres North Of The Stables Main Street Almondbank

Proposal: Erection of a dwellinghouse

Case Officer: John Williamson

Customer Details

Name: Mr Howard Duthie

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Development Plan Policy
- Road Safety Concerns
- Traffic Congestion

Comment: It is just over a year since this application was refused, considered by a Review Body and refused again. It has a history going back over 15 years, part of which was an appeal to the Scottish Office, which turned it down with no further right of appeal - Reference P/PPA/340/297 dated 8 Dec 2003. Over this whole period there have been no material changes which could possibly justify spending more time and money on the case. I can therefore do no more than simply re-submit the text of a letter which I wrote twelve months ago to underline my argument (dates unchanged, but all facts still relevant to the current application:

HOWARD A DUTHIE

CEOL MOR, WOODEND

ALMONDBANK, PH13NW

Tel. 01738 583 557; Mob 07703 218 972; email hduthie@dsl.pipex.com

04/09/2017

DEVELOPMENT QUALITY MANAGER

PERTH AND KINROSS COUNCIL

35 KINNOULL STREET, PERTH, PH1 5GD

YOUR REFERENCE 17/01339/FLL

ERECTION OF DWELLING HOUSE BETWEEN WOODEND COTTAGE AND THE STABLES,
MAIN STREET, ALMONDBANK

For the attention of the Development Manager.

Dear Sir,

I would like once again to object to the proposed development of the land adjoining 'The Stables' (G. Horne) 'Woodend Cottage' (I. Grant), 'Moulinalmond' (S. House) and 'Redcliffe' (D. Rankin) at Woodend, Almondbank. My own property adjoins Woodend Cottage and Redcliffe to the north, and I am in fact the only property owner in the community who does not actually share a boundary with the land in question but any concerns raised by the neighbours mentioned above would apply equally to me. I would like to emphasise the following factors:

1. History:

Planning permission for this plot of ground was sought by the then owner in 2003, and was turned down by the Council. The case then went to appeal at the Scottish Office, where it was turned down with no further right of appeal - Reference P/PPA/340/297 dated 8 Dec 2003.

When the same owner again applied in 2013 the application was first withdrawn, then re-submitted, and finally again rejected.

In 2015, the land changed hands and the new owner made a further application which was once more refused. The final jurisdiction read as follows: "The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan".

In all of this time there has been no material change to the fundamental circumstances and to the grounds for continued refusal, which I set out below, with reference to the current application (August 2017)

2. Notification of neighbours:

As noted above, my own property does not directly abut the ground in question and I would not therefore expect to have been directly notified of this application. However, there seems no logical reason to include on the notification list a number of properties on Almondbank Main St whilst omitting particularly Mr Rankin (who owns the private road in question) and Mr House (also owner of adjoining land). It appears that the Planning Authorities are focussing only on public areas and are either unaware of or taking no interest in what is the crux of the matter to those who would be affected by the proposals. This central issue is elaborated on below (paras 3 & 4).

3. Access:

"The proposal will intensify the use of an existing sub standard access and junction which has poor geometry and poor visibility onto the public road and as such the proposed development would result in pedestrian and traffic safety issues contrary to Policy TA1B of the Perth and Kinross Local Development Plan which seeks to ensure the safety of all users. (Quote from 2015 Reasons for Refusal)

Here is the detailed explanation of the above, again quoted directly from the 2015 refusal:

"As outlined above previous applications for residential development on this site have been refused due to the inadequacy of the access to the site. The proposal will take vehicular access from an existing sub-standard private access which already serves a number of residential properties, with limited passing opportunities and turning facilities. In addition to this, there has been an ongoing issue in relation to a stone pillar at the access point with the public road which severely restricts visibility to the left as a vehicle leaves the private access and enters the public

road. This pillar is not within the control of the applicant but has recently been removed and I have received correspondence which indicates that the removal of the pillar was carried out by a third party and was not authorised by the party who owns the land. It is indicated that the intention is to re-build the pillar in its original location but that has yet to happen.

The pillar was located on inner apex of the junction point with the public road and restricts visibility to an extent that requires vehicles to protrude onto the public road in order that drivers can obtain a clear view of traffic coming from the north. Whilst the pillar has currently been removed the visibility of the road to the north remains difficult given the apex of the junction onto the public road and my colleagues in Transport Planning have maintained their objection to the proposal on grounds of inadequate access. Furthermore any traffic requiring to turn left out of the junction would have to do so on what is effectively a hairpin bend, potentially requiring them to cross onto the opposite side of the road to complete the manoeuvre. Any traffic serving this proposal would therefore exacerbate existing issues associated with the sub-standard private access and junction to the detriment of other road users. I therefore consider the proposal to be contrary to Policy TA1B of the Local Development Plan which seeks to ensure adequate road safety for a development. This proposal would increase use of the sub-standard access/junction, which would increase the risk to road and pedestrian safety. Whilst I note that the pillar on the junction has currently been removed, the visibility from the junction and its geometry is still considered to be substandard and my understanding is that this pillar is due to be re-erected in the same location in the near future. Therefore regardless of the presence of this pillar I remain concerned regarding the inadequacy of the access in terms of road safety".

(and from another part of the same document):

"The agent was also provided with information regarding my concerns relating to the poor access arrangements and the likelihood of refusal. Despite repeated reminders the application was not withdrawn and therefore I have progressed to a refusal."

The current application includes a supporting letter from ECS Transport, which clearly conflicts with the above and appears to run counter to PKC advice. Furthermore, the survey conducted by ECS took place during the period when Almondbank Main St was closed to traffic at Lochty (because of flood defence works) and therefore does not give a true reflection of traffic conditions in the area.

Please note also that the stone pillar in question was pulled down by persons unknown in an act of vandalism and criminal damage on June 12, 2014; the matter was reported to Police Scotland (crime reference no 14485/14) and investigated by them but, to my knowledge the case is still open. I understand that the land which is the subject of this application changed hands at some time in the 2 months prior to the pillar being vandalised and I find it hard to convince myself that there is no link between these two events; in any case this planning application surely cannot receive fair attention in the light of such an ongoing criminal investigation. I believe that the pillar is the property of Mr House of Moulinalmond and presumably the question of its re-instatement would be a matter for him to decide - the present situation is not the status quo but an aberration

occasioned by a crime.

4. The access road:

The access road is privately owned by Mr Rankin (of Redcliffe), and all Woodend residents are obliged to contribute to its upkeep. There is a right of access for all residents and the condition of the road is of major concern to the small community which depends on it. Once again I must underline the glaringly obvious and very real possibility of catastrophic landfall on the east (river) side of the road at the point where it branches right from the (surfaced) Moulinalmond drive. It would only need a cursory inspection by a Council official to ascertain that this road could not stand any increase whatsoever in traffic, let alone the kind of regular and sustained wear it would certainly receive from construction and delivery lorries. I have repeatedly raised this point on previous occasions but it seems to have fallen on deaf ears; I would like to know now whether there has been any inspection connected to the current application. The building of a house as envisaged by the present applicant would entail constant and dramatically increased use by large and heavy commercial vehicles over the intended period of construction, yet there is no mention in this application of the consequences of possible damage on whatever scale, or of any compensation in the likely event of such damage; nor has any consideration apparently been given to the parking of such vehicles in the area of the site for loading/unloading etc. It is a single track road for its entire length, apart from one passing place close to the Moulinalmond fork and, taking into account the proximity of the western elevation of the proposed house to the road, the likelihood of possibly lengthy blockages seems very high. Any significant damage to the road could effectively leave the residents completely cut off, with no means of exit.

(message truncated because of character limit; remainder to follow)

Claire Fletcher

From: Howard Duthie [REDACTED]
Sent: 30 October 2018 10:49
To: TES Planning - Generic Email Account
Subject: RE: Comments for Planning Application 18/01774/FLL

Here is the remainder of my submission, which I was unable to print because of 10,000 character limit:

I note also the following from the 2015 refusal document (under the heading Developer Contributions):

"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. In this instance the site falls within the area which requires a contribution and this equates to £3,549 which requires to be paid upfront to allow any planning consent to be granted."

I would be interested to know if, in a case such as this, contributions would be directed specifically towards the transport infrastructure directly affected (i.e. the Woodend road).

1. Drainage:

"The proposal is contrary to Policy EP3B of the Perth and Kinross Local Development Plan which requires all proposals within settlement envelopes to connect to the public sewerage system. The proposal is to connect to a private system." (Quote from 2015 Reasons for Refusal)

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." (Quote from 2015 Reasons for Refusal)

"The application form indicates that the house is to connect to a private drainage system. As the site is located within a settlement Policy EP3B dictates that the site should connect the public drainage network. However it also states that where a public system is not available a private connection may be acceptable. The response from Scottish Water appears to suggest that there is scope to connect the house to the public drainage system and therefore the proposal for a private system is therefore contrary to Policy EP3B." (Quote from 2015 Reasons for Refusal)

With regard to all of the above, I am not aware of any change since 2015 which might lead to a reversal of the refusal made at that time.

Yours faithfully,

Howard A. Duthie

[REDACTED]

Tracy McManamon

From: Christine Roger [REDACTED]
Sent: 30 October 2018 10:45
To: Development Management - Generic Email Account
Subject: Re: Planning Application Ref 18/01774/FLL

-----Original Message-----

From: Christine Roger [REDACTED]
Sent: 29 October 2018 12:06
To: Development Management - Generic Email Account
Subject: Planning Application Ref 18/01774/FLL
Importance: High

I have no objections re erection of the dwelling house my concerns are around more vehicles using the

private road as if it was a race track. I would like planners to view this concern and address as being the present occupant of Tigh-Sona I have concerns for future occupants as this is a family home. On a number of occasions cars just race off the main road up the private road and have just missed family members. I would like traffic calming to be considered as I feel there is a need for this now.

Sorry for late response just back from my holiday
Regards
Christina Roger (Mrs)

Sent from my Huawei Mobile
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Perth & Kinross Council
Planning and Development
Pullar House
35 Kinoull Street
Perth
PH1 5GD

31st October 2018

Your ref: 18/01774/FLL
Our ref: IAG/Planning/1810

Dear Sirs

Planning Application on Neighbouring Land
Notification under the Town and Country Planning
(Development Management Procedure)(Scotland) Regulations 2013
Application Ref: 18/01774/FLL - Erection of a dwelling
house on land 40 metres north of The Stables, Main Street, Almondbank - Mr J Jenkins

I refer to your Notice of 10th October 2018 relating to the above application and wish to raise several objections regarding this proposed development :-

The situation with regards to this plot of land has not changed since my letters of 17th February 2003, 1st December 2012, 9th June 2013, 4th May 2015, 2nd September 2017 and most recently 5th February 2018, regarding the earlier unsuccessful applications for Planning Permission for Erection of a Dwelling House. These objections were as follows :-

1. Abstracts from my letter of 17th February 2003, ref IAG/PKC Plan 303:-

- The proposed development will seriously affect the light availability to my property.
- The condition of the Unsurfaced Access Road - this is clearly unsuitable for the prolonged heavy traffic that would be associated with any development in this area. Particularly as the turning circle at the end of the road is no longer available for general use.
- The current O/H electricity Supply to the existing five properties, including Moulinalmond House, is insufficient to cope with the load requirements of the existing properties, and the fact that it is supplied from an O/H Line would make access to the plot difficult and dangerous.
- The Cess Pit/Septic Tank for Woodend Cottage is situated in the above plot and we have access to it at all times for the purpose of maintenance.
- The water supply to Woodend Cottage and possibly the neighbouring house, Coel Mor, goes across the middle of the plot, but the line of the pipe is unknown.

2. Abstracts from my letter of 4th May 2015, ref IAG/Planning/1505

- Due to the width of the Unsurfaced Access Road, the majority of HGV's have to reverse out to the Main street in Almondbank. An entrance with particularly bad sight Lines. The volume and character of the traffic on Main street, Almondbank has increased significantly since 2003 thus exacerbating the entrance problems.
- My understanding is the SEPA have stated that no further Septic tanks will be allowed at Woodend and that no other connection can be made into existing Septic Tanks.
- Subsequent to the 2003 application, a Judgement was issued by the Reporter, Trevor A. Croft, from the Scottish Executive Development Department, Inquiry Reporters Unit, ref P/PPA/340/297, where paragraph 16 stated 'This decision is final, subject to the right of any aggrieved person to apply to the Court of session within 6 weeks of the date of this letter (8th December 2003).
- To the best of my knowledge, as no such application was made the refusal to grant Planning Permission 'in perpetuity' for the development still stands.
- The proposed house is extremely large in comparison to the site itself, being approximately 2 metres from each boundary fence and out of all proportion to the existing properties. As such, it will have an extremely detrimental effect on the light available to my house
- I understand that SEPA have many concerns regarding the discharge of effluent into the Lade and would only grant authorisation if they were satisfied that there was sufficient dilation in the Lade. The same rules would apply to discharges to rivers or to groundwater soakaways. Currently, both adjacent properties discharge into groundwater soakaways and in the case of Woodend Cottage this has worked satisfactorily for many, many decades. it is therefore, extremely unlikely that the sub-surface could cope with additional volumes of discharge. The Lade itself, runs dry for the majority of the year and therefore a direct outfall from a Septic Tank could be extremely detrimental.

3. Abstracts from my letter of 2nd September 2017ref IAG/Planning/1708.1

- In addition to all of the above, with regards to the condition of the Unsurfaced Private Access Road at the point just before the Woodend Private Road joins the Moulinalmond Private Road, there is a vertical drop of over 6 metres, then a further more gradual drop across 20 metres to the River Almond. The cliff face is gradually being eroded away by heavy rains and the vertical cliff face in some places is now less than 1.5 metres from the ill-defined road edge. Introducing heavy construction traffic along this road can only shorten the life of this road cutting off all vehicular access to the four properties beyond.
- The Pillar which is mentioned in the ECS Traffic Survey, which was at the end of the Drive until it was removed by Vandals is to the best of my knowledge still the subject of a Criminal Investigation by the Police and will be re-erected and will therefore continue to exacerbate the access' sight lines'. The sight line to the Lochty side of the junction is in many instances masked by up to five parked vehicles immediately adjacent to the junction
- I would also point out that the ECS Survey as carried out between the 21st and 27th April 2017, is not representative of the normal traffic volumes through the village, as

the road through Lochty was closed for 18 weeks from March to August 2017 to through traffic as a result of the Flood Prevention Works. This meant that in addition to the lack of any normal and commuting traffic to and from the A85 there were no heavy vehicles to and from Cromwell Park and elsewhere using the road

4. Abstract from Perth and Kinross Local Review Body regarding Application 17/01339/FLL

- **Findings and Conclusions**

- 4.3 Accordingly, the PKLRB refused the review application for the following reasons:

The proposal will intensify the use of an existing sub-standard access and junction which has poor visibility onto the public road and as such the development would result in pedestrian and traffic safety issues contrary to Policy TA1B of the Perth and Kinross Local Development Plan 2014, which seeks to ensure the safety of all road users

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

Therefore in view of the above and as the situation regarding this plot of land and the access thereto, has not changed, and, that these objections have been substantiated by the latest and previous refusals of permission, I wish register my continued objection to Planning Application, ref: 18/01774/FLL for the Erection of a Dwelling House on land 40 metres north of the Stables Main Street, Almondbank, as described in the Notification dated 10th October 2018.

Please do not hesitate to contact me should you wish to clarify any of my concerns as stated above.

Your sincerely

Iain A Grant, FCIHT, BSc (Civil Eng)

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/01774/FLL	Comments provided by	Dean Salman Development Engineer
Service/Section	Transport Planning	Contact Details	
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 40 Metres North Of The Stables, Main Street, Almondbank		
Comments on the proposal	<p>This site has a history of planning applications that have all been refused due to the substandard private road which serves several properties and the poor geometry of the access junction which has severely restricted visibility. I note that the removal of the masonry pillar, without permission and part of an ongoing Police investigation, has improved the visibility splay when compared to when it was present. However it has been stated that the intention is to reinstate said pillar and this is a private matter.</p> <p>Whilst I note the information supplied by the applicant's transport consultants, I would question the positioning of surveying equipment within the blind spot close to the bend at the bridge and not within the drivers visibility splay closer to the access, which would be likely in my view to slightly increase the 85% speeds stated. However even allowing for the lower speeds of 25mph and 25.7mph indicated in the speed survey provided by the applicant's transport consultants, I am not satisfied that the minimum visibility splay as recommended by the applicant's transport consultants of 2.4m x 33m would be achievable or desirable at this location. Indeed the applicants own appointed Road Safety Consultants suggest a maximum visibility splay of only 2.4m x 29m is achievable to the north. Irrespective of the replacement of the pillar.</p> <p>Therefore for the reasons stated above, I object to this application on the grounds of pedestrian and traffic safety.</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	31 October 2018		

Mrs Chris Bain and Mr Gary Horne



29th November 2018

Dear Sir/Madam

PLANNING APPLICATION REFERENCE: 18/01774/FLL, Erection of a dwelling house, Land 40 Metres North of the Stables, Main Street, Almondbank.

This letter has been produced as a formal objection to planning application 18/01774 for the erection of a dwelling house on land north of the stables on Main Street, Almondbank.

This letter sets out to address the reasons why the application should be refused and critiques the information submitted as part of the application and outlines clearly why the application should be refused planning permission.

BACKGROUND & PLANNING HISTORY

The site has been subject to a number of recent planning applications for similar natured schemes, Table 1 sets out the planning history of the site.

Table 1 – Planning History on Development Site

Year	Application Ref	Type	Decision	Reason for Refusal
2003	00108/OUT	Erection of Dwelling House and Garage	Refused	None Given
2012	01962/IPL	Erection of Dwelling House	Withdrawn	-
2013	00910/IPL	Erection of Dwelling House	Refused	Use of substandard access
2015	00524/FLL	Erection of Dwelling House	Refused	Road Safety – Policy TA1B
2017	01339/FLL	Erection of Dwelling House	Dismissed at Appeal	Road Safety – Policy TA1B

It can be seen that there has been no less than five applications for a single residential house on the development site since 2003. All of the applications were either refused or withdrawn and of these five applications, three of the most recent applications were refused on grounds of road safety.

In particular the latest two applications in 2015 and 2017 have been refused quoting Policy TA1B of the Perth and Kinross Local Development Plan which seeks to ensure the safety of all users. It is therefore clear that the intensification of use of the Main Street junction is a significant issue. A copy of the previous three decision notices are contained in Appendix A.

As part of this new application, new evidence has been submitted by ECS Transport Planning Limited and a safety audit undertaken by Wyllie Lodge Road Safety Consultants. It should be noted that the date of the safety audit is 2nd March 2017, although the report was not submitted with the 2017 application which was validated on 17th August 2017, which is odd why it has chosen to be submitted as part of this application. This evidence is examined in greater detail throughout this objection.

POLICY CONTEXT: RELEVANT LOCAL AND NATIONAL POLICY

It is important to examine the proposals in the local and national policy context, which in regards to this application are the following;

- **SCOTS National Roads Development Guide (NRDG) and Designing Streets Policy (DSP)** - The evidence presented in the NRDG and DSP provides policies that should be followed in designing and approving all streets. In regards to visibility NRDG outlines requirements for junctions *'In certain circumstances, the design speed for the road will not be known and it may be necessary to measure the actual speed at which the traffic is travelling in order to calculate the Y distance, Where the traffic speed can be measured, the 85%ile speed should be measured in wet weather and then this measured speed can be compared against the speed, or the next highest speed in Table 8 of the document, which then gives the Y distance. If there is not an opportunity to measure the speed then Table 9 of the document should be used and the Y distance obtained from the appropriate speed limit.'*
- **Perth and Kinross Local Development Plan; Policy TA1B New Development Proposals** – 'The aim of all development should be to reduce travel demand by car, and ensure a realistic choice of access and travel modes is available. Development proposals should; (a) be designed for the safety and convenience of all potential users.'

The above policies have been taken into account when discussing the reasons for refusal to the proposed development in this note.

PROPOSED DEVELOPMENT

The proposed development is for a single residential dwelling situated to the north of the stables and is displayed below in a local context in Figure 1.

Figure 1 – Site location



Private Access

The site would take access from a private access road which adjoins the local road network via Main Street. The private access road is a single track rural road which runs for approximately 400m from the junction with Main Street to the development site. The road is approximately 3.5 metres in width and has no formal kerbs or pedestrian facilities and is private. An image of the private access road is provided below.

As a result it does not have a public right of passage and Local Authority refuse collection vehicles do not travel up the access.

Given the private status of the access, the applicant would need to receive permission from the access owners to drive over it. This permission has not been granted, and no public right exists which would otherwise allow the applicant to use the private access.

Perth & Kinross Council (PKC) Road Design Standards are contained within the National Roads Development Guide (NRDG). For the private access to be promoted as a private road (giving it a public right of access), the NRDG confirms at Section 2.1.2 that an application for Roads Construction Consent (RCC) would need to be made to Perth & Kinross Council under Section 21 of the Roads (Scotland) Act 1984 by the access owners. Section 2.1.4 of the NRDG goes on to note that *'Construction Consent should only be granted where proposals for the layout and construction of the roads, structures, road drainage and lighting meet the guidance as detailed in this document and any variations permitted by the Local Authority'*. For the access to meet NRDG standards for a road, significant improvements would need to be made and it is questionable that the standard could be achieved within the confines of the existing access.



Furthermore, the NRDG comments at Section 2.1.4 that *'6 or more individual dwellings should normally be served by a 'road' which will require Construction Consent... Generally, 5 or fewer dwellings (more if a 'brownfield site', e.g. redeveloped farm steadings) will be served by a 'private access' which, as there is no right of public access, will not require Construction Consent and will not be available for adoption'*.

In relation to the above point it should be noted that the access road currently serves 8 dwellings, therefore if permission is granted for the development proposals, in accordance with council policies the private access cannot serve any more residential dwellings.

Junction with Main Street

The junction with the private access road operates as a priority junction with priority given to Main Street and has been in operation for a number of years.

On initial inspection it can be seen that the junction is of a substandard nature. The junction is on a gradient, is of substandard width, visibility and has the added conflict of a residential garage which uses the junction for access.

Photographs taken on site of the existing access point are provided below along with an image of a vehicle exiting the junction which clearly illustrates the limited range of visibility available to the driver upon exiting the junction. A full visibility assessment is provided later in this objection.



APPLICATION DOCUMENTS

Transport Note – Compiled by ECS Transport Planning Limited

In support of the application, a Transport Note has been prepared and submitted by consultants ECS Transport Planning Limited (ECS).

The Transport Note seeks to address the points raised in the reason for refusal to Application 17/01339/FLL. These are summarised as follows:

- The development would result in intensification at an existing substandard junction arrangement and therefore be contrary to Policy TA1B of the Perth and Kinross Local Development Plan.
- The setback from the edge of the carriageway was shown as 2.0m. It is the view of the roads authority that this should be increased to 2.4m to accord with the standard setback prescribed within 'Designing Streets'.
- Notwithstanding the assertion of the applicant, it is the view of the roads authority that the 33m visibility splay proposed by the applicant is unachievable.

To address the points raised above, ECS has:

- Stressed that the development is expected to generate a maximum of five trips per day, based on a TRICS assessment, which has not been appended to the submission and therefore cannot be verified;
- Increased the setback from 2.0m to 2.4m; and
- Re-iterated that the 33m visibility splay is both achievable and applicable, based on the results of an independent speed survey.

With reference to the revised visibility splay submitted by ECS, a review of the approach has been undertaken and it has been noted that there are serious discrepancies in the information submitted.

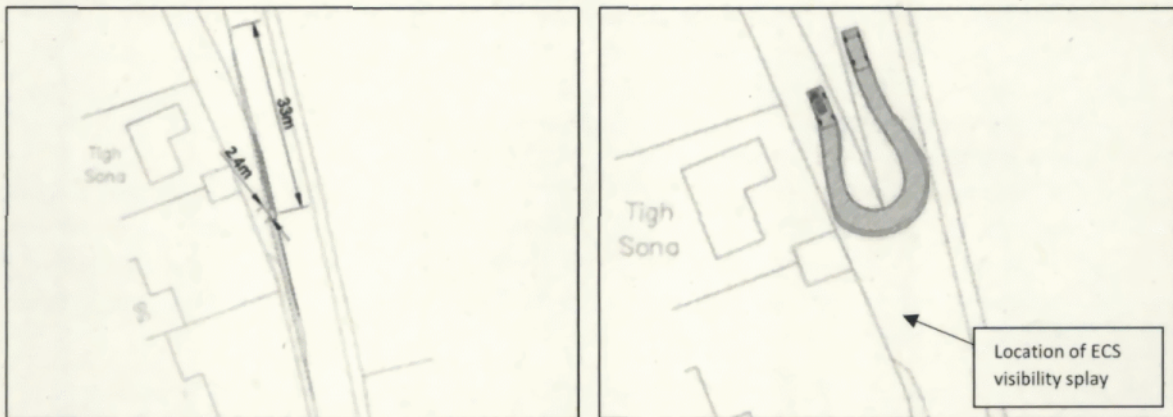
Firstly the speed survey undertaken as part of the ECS report to determine the visibility of 33m, commenced on the 21st April and concluded on 27th April 2017. It should be noted that this was situated on Main Street and photographic evidence of the recording loops on the highway is provided in the appendices of the report.

However, it should be noted that there was an 18 week road closure through Almondsbank which started on 30th March 2017. Therefore this road closure would have been in place for the same time as the speed survey was undertaken. As a result the traffic volumes would have been significantly effected by the road closure and the results of the survey. We would therefore question the validity of the survey results and therefore the visibility requirement of 33m. The evidence of the road closures is provided in Appendix B.

Notwithstanding the above, the visibility splay is illustrated within ECS Drawing 17015-002 C (Appendix B of the Transport Note). The splay is taken from the centre of the notional 'give way' line, though given the skewed nature of the junction, this places the visibility splay towards the south of the private access, which is not appropriate for vehicles turning left out (heading north) onto Main Street. This discrepancy is further illustrated by ECS in their swept path analysis Drawing 17015-005 (Appendix B of the Transport Note).

An extract of the two drawings is displayed within Figure 2 below, which clearly shows the discrepancy:

Figure 2 – ECS Visibility and Swept Path Analysis



It should be noted that the visibility splay shown, seeks to take advantage of the skew by using the give way to form a substantial portion of the 33m splay. If the visibility splay were relocated to accord with the position of a vehicle turning left out, not only would the setback be closer to a perpendicular angle, but the splay itself would be significantly compromised by the retaining wall and vegetation.

To illustrate this issue, Figure 3 provides an alternative visibility splay, which aligns more closely with the available visibility for a vehicle turning left out, which also accords with the submitted Road Safety Audit (RSA) observations (further assessment of which is presented separately within the section below).

Figure 3 – Alternative Visibility Splay and Extract from the RSA (Paragraph 4.1)

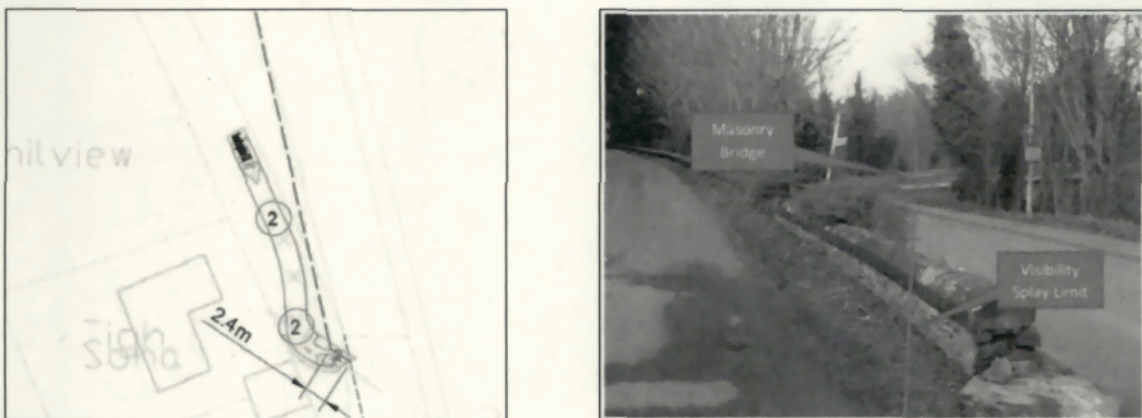


Figure 3 clearly demonstrates that the visibility splay presented by ECS was incorrectly plotted and that the visibility splay required, as shown and as inline with the National Roads Development Guide, is unachievable. Further evidence to support this is presented within the following section, which reviews the accompanying RSA.

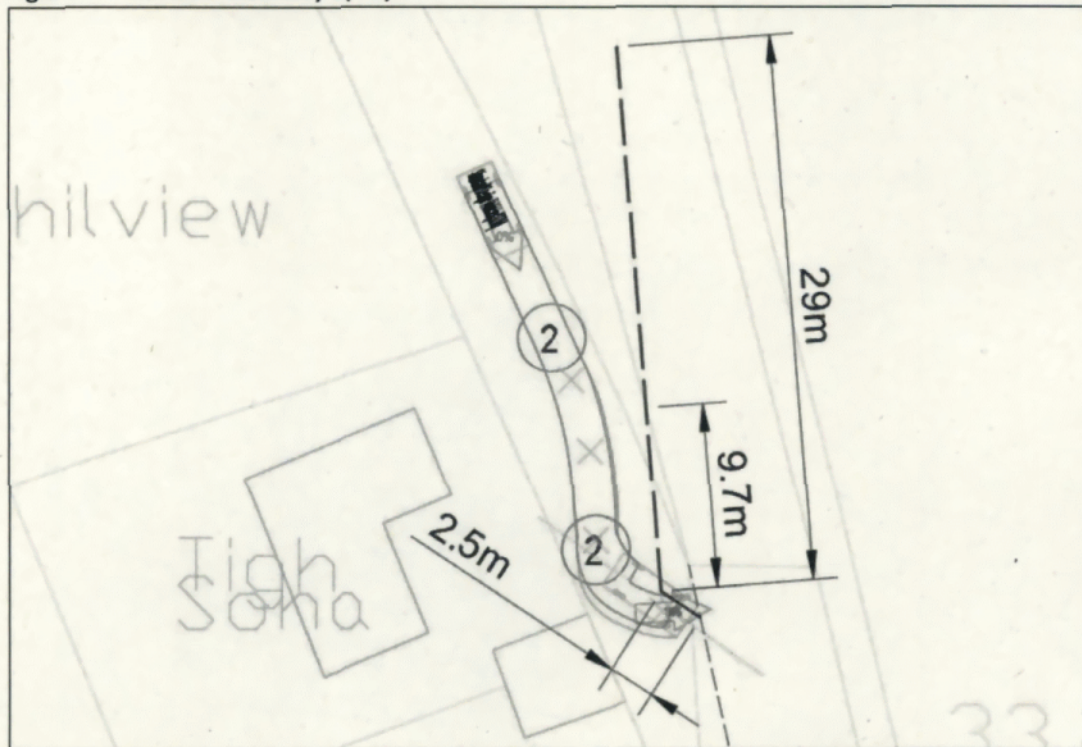
RSA - Compiled by Wyllie: Lodge Road Safety Consultants

The RSA has reviewed the access, focussing on visibility, collision history and made observations regarding the operation of the junction. Based on a review of the document, the following salient points are noted:

- The site inspection was conducted between the hours 15:00 and 16:00 on Thursday 2nd March 2017 and therefore not considered to be reflective of the peak operation of the junction, which would occur within the morning (07:00 - 10:00) and evening (1600 – 1900) peak periods.
- Visibility has been measured on site by the road safety team and concluded that a 2.5m setback would be the most pragmatic, given the angle of approach. At this setback, visibility to the left (north) has been measured as being 29m to the centre line and 35m to the eastern kerb line. The measurements taken do not accord with the standard approach to measuring visibility, which should be taken to the nearside kerb and therefore substantially less than 29m is achievable. Measuring visibility to the centre line is only appropriate when a physical barrier prevents overtaking (Pg 34 Designing Streets).
- The RSA concludes by recommending that the vegetation along the retaining wall to the north be managed to improve visibility. ECS has made reference to this point in their Transport Note, stating that as the junction is existing, the vegetation should be managed in any event. However, it has not been demonstrated that vegetation clearance would facilitate the 33m visibility splay.

With reference to Point 2 and to further illustrate this point, a revised visibility splay has been prepared (Figure 4). Based on the 29m visibility splay to the centre line, achievable from a 2.5m setback (as identified in the RSA as being a true reflection of actual achievable setback) the level of visibility to the nearside kerb has been plotted.

Figure 4 – Revised Visibility Splay



As can be seen from the above, the visibility splay to the nearside kerb, measured in accordance with the standards contained within Designing Streets is 9.7m. This is substantially below the stated requirement of 33m (based on the results of the speed survey). As a result, any intensification of

traffic at the junction is considered to pose a significant road safety risk and therefore planning should be refused on this basis.

SUMMARY AND CONCLUSIONS

This written statement has been prepared in objection to planning application reference; 18/01774/FLL, for the erection of a dwelling house on land 40 metres north of the stables on Main Street in Almondbank. This letter outlines the following points;

- The evidence presented by ECS and Wiley Lodge is inaccurate and does not accord with standards;
- There were road closures in Almondbank which would have had a significant impact on the results of the speed survey and subsequent visibility splay requirement.
- The required visibility at the proposed junction of the private access road and Main Street cannot be achieved.

As a result of the evidence presented above we would urge the local roads authority to refuse the planning application on grounds of road safety. The weight of evidence presented has demonstrated that the proposals cannot achieve the required visibility and will therefore create a detrimental impact on road safety.

As a result, the proposals are in breach of Policy TA1B of the Perth and Kinross Local Development Plan and the NRDG and Designing Streets Guidance and therefore should be refused.

Your sincerely

Mrs Chris Bain & Mr Gary Horne

Supporting Appendices

Appendix A – Previous Decision Notices

Appendix B – Road Closure Evidence

PERTH AND KINROSS COUNCIL

Mr John Doyle
c/o Iain Thorbjornsen
C/o 5 Balbirnie Craft Centre
Balbirnie Park
Markinch
KY7 6NR

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 12th July 2013

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **13/00910/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 22nd May 2013 for permission for **Erection of a dwellinghouse (in principle) Land Between Woodend Cottage And The Stables Main Street Almondbank** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. As the proposal would intensify the use of an existing sub-standard access and junction, which in turn will result in the residential amenity of existing residents being affected by pedestrian and traffic safety issues, the proposal is contrary to Policy 71 of the Perth Area Local Plan 1995 (incorporating Alteration No1, Housing Land 2000) which seeks to protect residential amenity.

Justification

The proposal is contrary to the Development Plan, and there are no material reasons which justify approval of the planning application.

Notes

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

Plan Reference

13/00910/1

13/00910/2

13/00910/3

13/00910/4

13/00910/5

PERTH AND KINROSS COUNCIL

Mr John Jenkins
4 Mid Street
Largo Ward
St Andrews
KY9 1HY

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 11.06.2015

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **15/00524/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 14th April 2015 for permission for **Erection of a dwellinghouse Land Between Woodend Cottage And The Stables Main Street Almondbank** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposal will intensify the use of an existing sub standard access and junction which has poor geometry and poor visibility onto the public road and as such the proposed development would result in pedestrian and traffic safety issues contrary to Policy TA1B of the Perth and Kinross Local Development Plan which seeks to ensure the safety of all users.
2. The proposal is contrary to Policy EP3B of the Perth and Kinross Local Development Plan which requires all proposals within settlement envelopes to connect to the public sewerage system. The proposal is to connect to a private system.

Justification

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

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

Plan Reference

15/00524/1

15/00524/2

15/00524/3

15/00524/4

15/00524/5

15/00524/6

PERTH AND KINROSS COUNCIL

Mr John Jenkins
c/o Farningham Planning Ltd
Alan Farningham
The Bourse
47 Timber Bush
Leith
Edinburgh
UK
EH6 6QH

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 21st September 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: 17/01339/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 18th August 2017 for permission for **Erection of a dwellinghouse** Land 40 Metres North Of The Stables Main Street Almondbank for the reasons undernoted.

Interim Head of Planning

Reasons for Refusal

- 1 The proposal will intensify the use of an existing sub standard access and junction which has poor geometry and poor visibility onto the public road and as such the proposed development would result in pedestrian and traffic safety issues contrary to Policy TA1B of the Perth and Kinross Local Development Plan which seeks to ensure the safety of all users.

Justification

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

Notes

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

Plan Reference

17/01339/1

17/01339/2

17/01339/3

17/01339/4

17/01339/5

17/01339/6

Almondbank Flood Protection Scheme Newsletter No. 12

March 2017 (Page 1 of 2)

Contents of Issue:

1. Phase 2 Construction
2. Road Closures (one day and 18 weeks)
3. Key Facts and Public Liaison Details
4. Revised Bus Service

mouchel
building great relationships

Balfour Beatty



1. Phase 2 Construction

Balfour Beatty Civil Engineering Ltd are continuing phase 2 construction of the Almondbank Flood Protection Scheme. The scheme is being progressed by 3 teams working in specific areas with the following being progressed:

1. North Section (Fish Farm to Craigneuk)

Installation of temporary silt fencing at base of river banking. Construction of flood walls has commenced at the Fish Farm. Temporary sheet piling has been installed around Deer Park to facilitate construction of flood embankment. Perforated drainage pipe constructed at the toe of the proposed flood embankment at Craigneuk.

2. Centre Section (Northern Vector Aerospace to Low's Works Cottages and playing field)

Construction of temporary access road through 1 Low's Works Cottages and formation of new access road to Brockhill and Puddledub. Various public utility diversion works. Excavation and temporary piling for proposed pumping station and associated drainage system within Vector Aerospace grounds. Installation of filter trench in the football pitch at the toe of the proposed flood embankment.

3. South Section (Lochty/Main Street/Southern Vector Aerospace)

Erection of temporary service diversion bridge and ongoing service diversions. Installation of temporary silt fencing at base of river bank and creation of access tracks and piling platforms. Installation of temporary sheet piling in river bed to allow for dry working area.

2. Road Closures (one day closure on 19 March and 18 week closure commencing 30 March 2017)

In order to install a temporary access bridge for Lochty Park a one day road closure on Sunday 19 March (from 7am until works complete) will be required. The following temporary road diversion will be in place: A85(T) - A9(T) - B8063—Bridgeton Brae—C407. A reduced bus service will be in operation for Sunday 19 March—see reverse side for further details.

In order to facilitate the construction of flood defence walls along the East Pow Burn, the new bridge into Lochty Park, and the raising of the road around the new bridge an 18 week road closure is required commencing on Thursday 30 March 2017 (from approximately 1am). A road diversion will be in place (as noted above) and a revised bus service will be provided. A revised bus timetable will be available on the Stagecoach and PKC website prior to the week commencing 13 March, but details

on the revised bus service are provided on the reverse of this newsletter.

For further information please contact:

John Wharrie
Perth & Kinross Council
Project Manager,
The Environment Service,
Pullar House
35 Kinnoull Street
Perth PH1 5GD
Tel 01738 477207

Fred Young
Mouchel
Broxden House
Lamberkine Drive
Perth
PH1 1RA
Tel 03331 363235

3. Key Facts and Public Liaison Officer Details

Contractor: Balfour Beatty
Work Starts: October 2016
Duration: 15 months

Public Liaison Officer: Campbell Roxburgh
Email: Campbell.roxburgh2@balfourbeatty.com
Phone: 07976 770177

Email: almondbankfloodscheme@pkc.gov.uk
Website: www.pkc.gov.uk/almondbankfloodscheme

Almondbank Flood Protection Scheme Newsletter No. 12

March 2017 (Page 2 of 2)

4a. Revised Bus Service (19 March 2017 - one day closure)

Stagecoach Service 14 will be unable to operate. An Alternative Service 14A will operate 3 return journeys between Almondbank, Pitcairngreen and Perth, routed via Redorton A9, Dunkeld Road and Perth City Centre. Service 14A timetable is detailed below:

Service 14A

Perth Bus Station	1215	1415	1605
Scott Street, Poundstretchers	1220	1420	1610
Pitcairngreen Hotel	1239	1439	1629
Almondbank, opp Scroggiehill	1243	1443	1633
Almondbank, Vector Layby <i>arr</i>	1245	1445	1635
Almondbank, Vector Layby <i>dep</i>	1247	1447	1637
Almondbank, at Scroggiehill	1249	1449	1639
opp Pitcairngreen Hotel	1253	1453	1643
South Methven Street Stop I	1312	1512	1702
Perth Bus Station	1315	1515	1705

Stagecoach Service 15 journeys will not serve Almondbank and Pitcairngreen on **Sunday, 19 March 2017**. Passengers can walk to the A85 and board Service 15 at the bus stops situated at Lochty.

4b. Revised Bus Service (30 March 2017 for 18 week road closure)

During the period of closure, a special route and timetable will be in place on bus services 14/14A/14B and 15/15A. Leaflets for these routes will be available on buses week commencing 13 March.

Services 14/14A: Perth – Crieff Rd – A9 – Pitcairngreen – Almondbank

Service 14 will run hourly during the daytime, from Perth City Centre along Crieff Rd, then via the A9 to Pitcairngreen. Journeys will then run via Bridgeton Brae, Gellyburn Rd and Lumsden Crescent to Almondbank Main Street (Vector Aerospace).

Certain journeys will run from Perth City Centre via Dunkeld Rd instead of Crieff Rd. These journeys use service number 14A.

Service 14B: Perth – Crieff Rd – Ruthvenfield

Service 14B will run hourly until the early afternoon from Perth City Centre along Crieff Rd, past Huntingtower to Castle Brae, where it will run clockwise, stopping opposite Ruthvenfield Primary School.

There will be no journeys on Sundays.

Service 15: Perth – Crieff – Comrie – St Fillans

Service 15 journeys are unable to serve Almondbank and Pitcairngreen and will instead divert along the A85, stopping at Almondbank Lochty.

Full information on these diversions and altered timetables can be found online at stagecoachbus.com.

Tracy McManamon

From: Syd House [REDACTED]
Sent: 01 November 2018 08:40
To: Development Management - Generic Email Account
Subject: Planning App Reference: 18/01774/FLL - Erection of Dwelling House North of the Stables, Main Street, Almondbank
Attachments: Planning Application 17/01339/FLL dated 22/8/17

Dear Sir/Madam,

I refer to the above and to the neighbour notification I received earlier this month.

I only returned home late last night after a trip away so would please ask you to still consider this response.

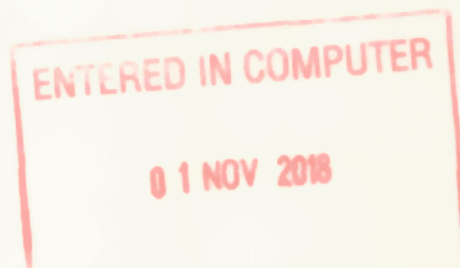
I object to the application on the same grounds as my objections to similar earlier application for the same bit of land (see attached). The main points of this objection remain viz:

- sight lines from the private road onto the public road and the intended replacement of the pillar owned by myself which is the principle visual barrier
- the impact on our grounds, amenity, and, more specifically, the policy woodlands and large specimen trees (>30 metres tall)
- the status of the private road from Moulinalmond to Woodend

You will be aware that there have been a number of proposals to build a house at this plot over the last 10 years or more, each of which has, in turn, been rejected. I see no reason why this application should be treated any differently.

Yours faithfully

Syd House [REDACTED]
[REDACTED]



Tracy McManamon

From: Syd house <[REDACTED]>
Sent: 07 September 2017 22:31
To: Development Management - Generic Email Account
Subject: Planning Application 17/01339/FLL dated 22/8/17

Dear Sir/Madam,

Planning Application 17/01339/FLL dated 22/8/17 for the erection of a dwelling house at Redcliff, Woodend, Almondbank

I have been informed by my neighbours that the above planning application has been submitted. We wish to object to this latest planning application.

For some reason I and my wife, who own land immediately adjacent to and bordering the plot at Redcliff and whose house at [REDACTED] were not notified nor do we appear on the list of neighbours notified (yet some residents of main street, Almondbank, more than 200 metres away have been formally notified which does seem perverse). I would therefore query the competence of the application in failing to follow this rather straightforward procedure correctly. We have additional interests as we also own the *solum* of the entrance road from the main public road up to the road junction to the houses at Woodend (which we also use to access our field at Woodend). Finally, we own the land at the road-end on which a large Victorian stone pillar was located. This stone pillar was pulled down in an act of criminal vandalism in June 2015, shortly before purchase of the property at Redcliff by the current owner and applicant. This pulling down of the pillar was subject to a criminal investigation by the police though no-one was ever charged with the crime. It remains our intention to reinstate the pillar in the near future.

There have been several applications to build a house at Redcliff over the years (NB we were always formally notified of each previous application). We have objected to each of these on the same grounds each time viz:

- The road junction where the private road meets the main public road has been consistently stated by PKC roads officials as to be not safe to accommodate further traffic. There does not appear to be a substantial change to the previous circumstances to change that assessment and the applicant's agents' assertions otherwise are not competent in our opinion.
- It remains our intention to reinstate the road pillar so the situation at the entrance has not changed. I have read the comments of the applicants agent and find it difficult to understand the logic stated there which is that the Council should prevent us re-instating a stone pillar which was pulled down by a criminal act. To acknowledge such an act as changing the circumstances would be to reward a criminal act.
- The location of the proposed house is extremely close to our grounds and policy woodlands where there are a number of very large and historic specimen trees. Whilst we always seek to discharge our responsibilities towards our neighbours re tree safety,

a house immediately adjacent to our ground would immediately impact on the *relative* safety of trees which currently do not represent a hazard to existing householders at Woodend. We have had no discussions with the applicant on this.

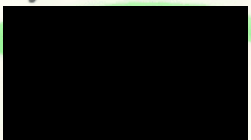
- The private road from the junction of our road down to Woodend, and which we have a right of access to our field at Woodend, is fragile and unlikely to accommodate further significant heavy traffic without a significant improvement to its status. I see no mention of this in the application and any adverse impact on this road would impact on our ability to access and utilise our field.

Re this current application, I must point out that the traffic survey was conducted during a period when the main road through Almondbank from the A85 was *closed* to all traffic to help facilitate the substantial flood prevention scheme currently being established in the village. I would strongly point out that this survey is simply not representative of the 'normal' traffic flow through Almondbank Main Street once the public road is fully open and it is disingenuous to have submitted such a survey purporting to represent 'normal' traffic flow.

In summary, we believe the situation at Redcliff has not changed and that the reasons for previous refusals remains. We also assert that the current application has failed to properly inform us as neighbours and as required and has also failed to address those reasons given for previous refusals. We wish to register our objection on the same basis as our objections to previous applications and as outlined above.

Yours faithfully

Syd & Katie House



Memorandum

To	Development Quality Manager	From	Regulatory Service Manager
Your ref	18/01774/FLL	Our ref	LA
Date	06 November 2018	Tel No	

Housing & Environment

Pullar House, 35 Kinnoull Street, Perth PH1 5G

Consultation on an Application for Planning Permission

RE: Erection of a Dwellinghouse, Land 40 Metres North of The Stables, Main Street, Almondbank for Mr John Jenkins

I refer to your letter dated 17 October 2018 in connection with the above application and have the following comments to make.

Recommendation

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

Comments

This application contains provision for a single wood burning stove and associated flue.

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. This will not be necessary with a single domestic sized stove as proposed in this case and therefore I have no adverse comments to make with regards to air quality.

Another matter pertaining to the stove which could cause an issue is 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 proposed property is a detached dwellinghouse and that the flue exhaust for the stove will discharge through the roof just below the roof ridge of the tallest part of the building. Smoke from the stove could be further minimised by the use of fuel recommended by the manufacturer and I would therefore have no objections to this development provided that the following condition is attached to the consent.

Conditions

- EH50** The stove shall be installed, operated and maintained in full accordance with the manufacturer's instructions and shall not be used to burn fuel other than that approved for use by the manufacturer of the appliance as detailed in the information supporting this permission

CHX Planning Local Review Body - Generic Email Account

From: Syd House [REDACTED]
Sent: 27 March 2019 17:05
To: CHX Planning Local Review Body - Generic Email Account
Subject: RE: TCP/11/16(592)

Dear Lisa,

Town & Country Planning (Scotland) Act 1997

The Town & Country Planning (Schemes of Delegation & Local Review Procedure) (Scotland) Regulations 2013

Application Ref: 18/01774/FLL – Erection of a dwellinghouse on land 40 metres north of The Stables, Main Street, Almondbank – Mr J Jenkins

Thanks for your email of 19 March and update on the above.

In addition to my earlier letter of objection and many previous letters over the past 16 years I would add the following comments in my continued objection to the Application:

1. Application Number 18/01774/FLL - 14th December 2018 - Perth and Kinross Council refusal of application -

Reasons for Refusal

The proposal will intensify the use of an existing sub standard access and junction which has poor geometry and poor visibility onto the public road and as such the proposed development would result in pedestrian and traffic safety issues contrary to Policy TA1B of the Perth and Kinross Local Development Plan which seeks to ensure the safety of all users.

Justification

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

2. There have been no changes to the access with the exception of a continued growth in traffic using Main Street Almondbank.

Yours sincerely

Syd House
[REDACTED]

CHX Planning Local Review Body - Generic Email Account

From: Iain Grant <[REDACTED]>
Sent: 28 March 2019 15:31
To: CHX Planning Local Review Body - Generic Email Account
Cc: 'IAIN GRANT'
Subject: RE: TCP/11/16(592)

For the attention of Lisa Simpson
Clerk to the Local Review Body

Dear Sirs,

Town & Country Planning (Scotland) Act 1997
The Town & Country Planning (Schemes of Delegation & Local Review Procedure) (Scotland) Regulations 2013
Application Ref: 18/01774/FLL - Erection of a dwelling house on land 40 metres north of The Stables, Main Street, Almondbank - Mr J Jenkins.

I acknowledge receipt of your email of March 19th 2019 with reference to the above application.

In addition to my letter of objection of 31st October 2018, and many previous letters over the past 16 years I would add the following comments in my continued objection to the Application:

1. Application Number 18/01774/FLL - 14th December 2018 - Perth and Kinross Council refusal of application -

Reasons for Refusal

The proposal will intensify the use of an existing sub standard access and junction which has poor geometry and poor visibility onto the public road and as such the proposed development would result in pedestrian and traffic safety issues contrary to Policy TA1B of the Perth and Kinross Local Development Plan which seeks to ensure the safety of all users.

Justification

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

2. There have been no changes to the access with the exception of a continued growth in traffic using Main Street Almondbank in particular HGV's.

Yours sincerely

Iain A Grant, FCHIT, BSc

[REDACTED]

CHX Planning Local Review Body - Generic Email Account

From: CHRIS BAIN [REDACTED]
Sent: 01 April 2019 08:22
To: CHX Planning Local Review Body - Generic Email Account; Gary Horne
Subject: Re: TCP/11/16(592)
Attachments: Decision Notice.pdf

For the attention of Lisa Simpson, Clerk to the Local Review Body

Dear Sir/ Madam

Town & Country Planning (Scotland) Act 1997

**The Town & Country Planning (Schemes of Delegation & Local Review Procedure)
(Scotland) Regulations 2013**

**Application Ref: 18/01774/FLL – Erection of a dwellinghouse on land 40 metres north of
The Stables, Main Street, Almondbank – Mr J Jenkins**

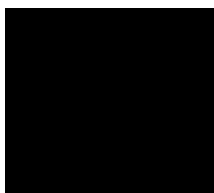
Thank you for your email dated 19th March 2019, with reference to the above application.

As there have been no legal, policy or material changes to the circumstances surrounding this application since its most recent rejection, we would refer the Review Body to the numerous and comprehensive objections we have submitted in the last five years to this development, including technical information based on independent expert advice, which myself and my husband, Gary Horne, continue to stand by.

In summary, the proposal would intensify what is an existing substandard access and junction, which has poor geometry and extremely poor visibility onto the public road. We fully support the Council's previous decisions with regard to the hazard to pedestrian and traffic safety that increased traffic at this junction would represent.

Your sincerely

Mrs Chris Bain and Mr Gary Horne



CHX Planning Local Review Body - Generic Email Account

From: Alan Farningham <alan.farningham@farnmac.co.uk>
Sent: 10 April 2019 05:28
To: CHX Planning Local Review Body - Generic Email Account
Subject: Re: TCP/11/16(592)

Dear Sirs

I refer to recent correspondence and attachments detailed below regarding the above Local Review.

Having reviewed the representations submitted by third parties, I would advise that they raise no new issues and, as a consequence, I have no comments to offer.

Kind regards

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