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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 100680824-001

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: Bidwells

Ref. Number:

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

First Name: \*

Mark

Building Name:

Broxden House

Last Name: \*

Myles

Building Number:

Telephone Number: \*

07717 512203

Address 1  
(Street): \*

Lamberkine Drive

Extension Number:

Address 2:

Mobile Number:

Town/City: \*

Perth

Fax Number:

Country: \*

Scotland

Postcode: \*

PH1 1RA

Email Address: \*

[mark.myles@bidwells.co.uk](mailto:mark.myles@bidwells.co.uk)

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:

Mr

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

Other Title:

Building Name:

First Name: \*

Angus

Building Number:

Last Name: \*

Cheape

Address 1  
(Street): \*

Company/Organisation

Address 2:

Telephone Number: \*

Town/City: \*

Extension Number:

Country: \*

Mobile Number:

Postcode: \*

Fax Number:

Email Address: \*

## Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Harelaw, Crook of Devon

Northing

699825

Easting

303647

## 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 dwellinghouse and associated works, land 250 metres South West of Broomhill House, Station Road, Crook of Devon, KY13 0PG

## 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.

Please refer to separate paper apart that sets out our grounds of appeal

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)

Planning application forms, refused drawings including pattern development diagram, design statement and Notice of Review  
Appeal statement

## Application Details

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

24/00744/FLL

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

17/05/2024

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

17/07/2024

## Review Procedure

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

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

☐ Yes ☒ No

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

Please select a further procedure \*

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

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

In order for the Local Review body to assess and consider the brownfield status of the site

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No



## Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

## Declare – Notice of Review

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

Declaration Name: Mr Mark Myles

Declaration Date: 15/08/2024

**ERECTION OF  
DWELLINGHOUSE AT  
HARELAW, CROOK OF  
DEVON  
NOTICE OF REVIEW  
PLANNING APPEAL  
STATEMENT**

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## 1.0 Introduction

- 1.1 This statement should be read in conjunction with the Notice of Review appeal in respect of the refusal of planning application (24/00744/FLL) that had been submitted to Perth and Kinross Council by Denholm Partnership Architects on behalf of Newbigging Farm Partnership.

## 2.0 Site Description

- 2.1 The 0.485 ha site is located approximately 250 metres to the south of Crook of Devon with access being taken along a single track road that leads from Station Road.
- 2.2 The site is regular in shape and the boundaries are separated from adjacent fields by existing hedging and fencing. There are remains of hardstanding's, foundations and substructures including asbestos sheeting associated with the 150 sq m building that formerly stood on this brownfield site (please refer to supporting photographs in the design statement). It is understood that heavy snow had caused the building to collapse prior to the applicant acquiring ownership of the site in 2014.

## 3.0 Planning History

- 3.1 This planning appeal relates to application 24/00744/FLL which was the resubmission of a proposal (with additional supporting information) that sought to address the reasons for refusal of an earlier planning permission (23/01961/FLL) for the erection of dwellinghouse on the same brownfield site located at Harelaw, Crook of Devon.
- 3.2 In response to the concerns that had been raised by the appointed officer, a supporting planning policy statement and a series of photographs, as well as additional supporting plans and a visual pattern development diagram were included within the revised application submission to help clarify why it is considered that this brownfield site complies with the stated requirements of the policies.
- 3.3 Despite a tacit acknowledgement from the council that the site 'may have been previously developed' and does in fact constitute a brownfield site under the definition of brownfield development within NPF4, the application (23/01961/FLL) had been refused for 3 reasons i.e. contrary to Policy 17 of NPF4 and Policy 1 of LDP2 for reasons that the development is not suitably sited to be in keeping with the character of the area, and Policy 19 of LDP2 and the associated Supplementary Guidance as the building remains on site means that the site cannot be considered under Category 6 – Development on rural brownfield land.
- 3.4 Notwithstanding further identical acknowledgment that application 24/00744/FLL met the NPF4 definition of brownfield land, the application was then refused permission on 17<sup>th</sup> July 2024, with the same 3 reasons for refusal (and same copied spelling mistake in reason no.3) from the earlier application, along with an additional reason for refusal, presumably because we had drawn attention to the fact that the council had failed to address NPF4 Policy 9 within their assessment of the original application.

## 4.0 Development Plan

- 4.1 Section 25 of the Town & Country Planning (Scotland) Act 1997 (as amended) requires proposals to be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.
- 4.2 In this case, the Development Plan consists of the National Planning Framework 4 (adopted February 2023), and the Perth and Kinross Local Development Plan 2 (LDP2) (adopted November 2019).
- 4.3 In terms of other material considerations, the council's Supplementary Guidance on Housing in the Countryside Policy – 2020 is the most significant in terms of the detailed criteria it contains for assessing this type of proposal.
- 4.4 The principle of a house on the site is required to be considered under the terms of Policy 17 of NPF4, Policy 19: Housing in the Countryside of LDP2, and Category 6 of the Supplementary Guidance and this is assessed in further detail in section 5 below. As noted below the policies allow for the erection of individual houses in the countryside which fall into certain categories including rural brownfield land.
- 4.5 The council's placemaking policies (1A & 1B) from LDP2 are also relevant to the consideration of this proposal. Policy 1A – Placemaking states;
- Development must contribute positively to the quality of the surrounding built and natural environment, and the design, density and site of development should respect the character and amenity of the place including improvement to links within and where practical beyond the site. All development should be planned and designed with reference to climate change, mitigation and adaption.
- 4.6 Policy 1B – Placemaking states 'All proposals should meet all eight of the placemaking criteria.
- *Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*
  - *Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.*
  - *The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
  - *Respect an existing building line where appropriate or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.*
  - *All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.*
  - *Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind where possible.*
  - *Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*

- *Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks*
- *Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).*
- *Sustainable design and construction.*

- 4.7 The proposed dwelling would be sited sensibly and centrally on the clearly defined brownfield site. The proposed plot reflects the surrounding environment in its orientation, relationship with the access road, boundary alignments and treatments. The site is well screened within the surrounding area and is positioned at a lower level than Broomhill Kennels and the neighbouring dwellings to the east and consistent with the siting of other properties located a similar distance to the south of the village and the A977, and east of the proposed site as shown in the supporting pattern development diagram drawing that was provided by Denholm Partnership Architects. The site has good connectivity to the Crook of Devon settlement boundary which lies a short distance to the north, so also accords with the principles of 'local living and 20 minute neighbourhoods' in terms of sustainable transport and service provision requirements (NPF4 Policy 15). It's noted that NPF4 Policy 15 was not used as a reason for refusal which contradicts the council's own statement about the 'isolated position of the site' that's been raised within the council's 4<sup>th</sup> reason for refusal.
- 4.8 Additional supporting information was also provided with the revised application (24/00744/FLL) to address the specific requirements set out by the Transportation Department in their consultation response to the previous application (23/01961/FLL). The applicants own all of the land that's located between the village and the site to the west of the access road, so can create passing places if required. Tractors and trailers currently use the road and have done so without incident over the past 10 years of the applicant's ownership. Smaller vehicles can also be utilised to supply all materials to site so HGV's wouldn't be necessary. A secondary access is also available to the west. It's therefore unclear if the council's Transport Planning officers reviewed or considered this information albeit there are no transportation reasons for refusal of the application. Suitably worded conditions can cover all future transport planning requirements during the construction phase and also the post construction phase.
- 4.9 The additional supporting plans and diagrams show that the proposed site relates to and fully respects the existing pattern of development to the south of Crook of Devon and is sited to be in keeping with the character of the area. The existing established hedging around the boundaries of the site will mature further in time and if necessary additional landscaping can be secured through a condition of any approval as the applicant owns all the land between the village and the site. The quality of the design in terms of traditional form, scale, proportions and detailing along with the removal of the remains of the existing building will vastly improve the visual amenity of the site and surrounding area.
- 4.10 The external finishes for the proposed house are a mixture of natural random stone walling, and natural timber cladding along the north walls to blend into the hedging and wider landscape when viewed from the village, and a natural slate roof. These materials fully respect the aesthetic qualities and character of the area and due to their recessive colours will help the dwelling blend into the surrounding landscape. The proposal is suitably scaled, sited and designed to be in keeping with the character of the area and is therefore considered to comply with Policy 1 of LDP2 and Policy 17a) of NPF4. The requirement to utilise low carbon technologies in the design can also be controlled through a suitable worded suspensive condition.

## 5.0 Rural Housing Policy and Development on Brownfield Land

- 5.1 Policy 17 of NPF4 seeks to encourage, promote, and facilitate the delivery of more high quality, affordable and sustainable homes in the right locations. The policy states 'development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development.

ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention'.

- 5.2 The definition of brownfield land within the glossary, Part 3 of NPF4 is as follows;

**'land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused buildings...'**

- 5.3 Policy 19 in LDP2 states that the Council '*will support proposals for the erection, or creation through conversion, of single houses and small groups of houses in the countryside which fall into at least one of the following categories:*

(1) *building groups;*

(2) *infill sites;*

(3) *new houses in the open countryside on defined categories of sites as set out in Section 3 of the Supplementary Guidance;*

(4) *renovation or replacement of houses;*

(5) *conversion or replacement of redundant non-domestic buildings;*

(6) ***development on rural brownfield land***

### Development on Rural Brownfield Land

- 5.4 Under the Development on Rural Brownfield Land (category 6) of LDP2 policy 19, the council's Supplementary Guidance confirms that for the purposes of this guidance, rural brownfield land is defined as 'derelict land which was at one time occupied by buildings and structures but these have now been removed, **OR (our emphasis)** land directly linked to former buildings or structures which has been so damaged by a former use that it cannot be left to naturalise or be reused for another purpose without first being improved.'

- 5.5 Furthermore, the guidance adds that 'proposals will be considered under this category for sites which have either been completely cleared of all buildings and structures, **OR (our emphasis)** **where some foundations or substructures remain providing that buildings above ground level have been removed**'.

- 5.6 The officers Report of Handling and reason for refusal no.1 of application are contradictory because on the one hand they reluctantly accept that 'the proposal may be rural brownfield in terms of NPF4 (because the application site is considered to be land that has previously been developed as per the definition set out in NPF4 – see para 5.2 above), but the Report of Handling then argues that

the 'landowner could just remove the building remains from the site' in order to justify refusal of the application on the basis that the site could then re-naturalise without the need for it to be improved.

- 5.7 By its very definition the '**removal**' of building remains from a site must require direct intervention. The building remains (bricks, foundations, substructures and asbestos sheeting) have lain on the site for many years and will not disappear themselves i.e. the site will not return to a natural state without direct intervention. The proposal therefore quite clearly accords with NPF4 Policy 17 ii) which **supports the reuse of brownfield land where a return to a natural state has not or will not happen without intervention.**
- 5.8 From the photographs submitted it is evident that the foundations, brick wall structures and asbestos sheeting that remain on the site, does comply with the definition of rural brownfield land. Furthermore, the definition of brownfield land in NPF4 includes reference to 'land occupied by redundant or unused buildings' i.e. it is not necessary for a site to be completely cleared and in fact under the NPF4 definition a completely unused building could still be standing on a site.
- 5.9 If there is any debate over the brownfield characteristics or status of the building remains on this site, then as the adoption of NPF4 post-dates the adoption of both Policy 19 in LDP2 and the council's Supplementary Guidance, then the more straightforward brownfield site definition as set out in NPF4 takes precedent here because NPF4 is the most recently adopted part of the Development Plan.
- 5.10 The Report of Handling also attempts to downplay the brownfield status of this site by suggesting the brownfield element is very small at 143 sq m and as such doesn't comply with NPF4 Policy 9 (2<sup>nd</sup> reason for refusal). However, in response, there are no building footprint or site size limitations set out within the definition of NPF4 Policies 9 or 17, and the sustainable reuse of all brownfield land including vacant and derelict land and buildings is meant to be supported by all planning authorities across Scotland. The council's own guidance states that 'the scale of the proposal should be commensurate with the scale of remediation works required' and in this case a modest scaled single house with a footprint of 152 sq m is proposed which corresponds to the scale of the previously developed site.
- 5.11 This site is therefore considered to be exactly the type of site that the brownfield sites category of the policies should be capable of accepting i.e. a small-scale single house proposal on derelict land which at one time was occupied by a building where evidence of that building has existed for some time and continues to exist. As noted above even the council's definition given in the guidance is split into 2 parts and there is no doubt that the proposal can be assessed favourably against the guidance.
- 5.12 In part, the Report of Handling also justifies the reasons for refusal on the basis that 'no evidence has been submitted that the site is contaminated to the extent that it must be remediated' even though once again that is not required by the 'reuse of brownfield land' policy requirements of NPF4.
- 5.13 Indeed, in response to that specific point even the council's own Supplementary Guidance does not require a contaminated land investigation report to be submitted in all cases. It says '**in most cases**'. From the photographs provided and from an inspection of the site, in this particular case we do not believe that a contaminated land investigation report would add anything to what is evidently a derelict brownfield site that could clearly not be left to naturalise without direct



intervention and therefore complies with the definition in the policies. The photos clearly show that the site cannot be left to simply naturalise itself over time, but we would encourage the members of the Local Review Body to visit the site and consider this point for themselves.

- 5.14 The consultation response from the council's Environmental Health (Contaminated Land) officer also recommends that a suspensive condition be applied to any approval requiring an evaluation of the site due to potential contamination by the previous use. The application of such a condition is standard practice and meet the tests set out in Circular 4/1998.
- 5.15 The proposed application for a single house on this site where foundations, substructures and evidence of the former building remains, is clearly consistent with NPF4 Policies 9 and 17 as well as the council's LDP2 Policy 19 and associated supplementary guidance. The proposal for a single house on this regular shaped brownfield site is also commensurate with the scale of remediation works required. The site has been in its current dilapidated condition for many years and has not naturalised itself and cannot be left to naturalise without direct intervention.
- 5.16 The principle of allowing a house on this rural brownfield site is therefore considered to meet each of the relevant criteria set out in the Development Plan.

## 6.0 Conclusions

- 6.1 In this case the principle of development on this brownfield sites reflects what is considered to meet with the stated requirements of Policy 17 a) ii) of NPF4 (Rural Homes) as the proposal is not on an isolated or an elevated site and has been shown to be sited in a manner that is in keeping with the character and pattern of development in the area.
- 6.2 The proposed brownfield site is also considered to be consistent with NPF4 Policy 9 as the proposed house is on derelict land previously occupied by a building, where significant areas of hardstanding, foundations and substructures could not be left to simply naturalise without first being removed and the condition of the site only being improved through direct intervention.
- 6.3 The building remains that exist on the site meet the requirements of category 6 of LDP2 Policy 19 and the council's associated Supplementary Guidance. If there is any debate over the brownfield characteristics or status of the building remains on this site, then as the adoption of NPF4 post-dates the adoption of both Policy 19 in LDP2 and the council's Supplementary Guidance, then the more straightforward brownfield site definition as set out in NPF4 takes precedent here because NPF4 is the most recently adopted part of the Development Plan.
- 6.4 For the reasons set out above and subject to conditions being attached to any approval covering the access, drainage and landscaping, the proposal is fully compliant with the relevant criteria of Policies 1A and 1B within the Local Development Plan 2.
- 6.5 The council are therefore requested to support this Notice of Review appeal, subject to any conditions that they may consider to be necessary and appropriate.





Mr Angus Cheape  
c/o Denholm Partnership Architects  
11 Dunira Street  
Comrie  
PH6 2LJ

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **17th July 2024**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **24/00744/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 17th May 2024 for Planning Permission for **Erection of a dwellinghouse and associated works Land 250 Metres South West Of Broomhill House Station Road Crook Of Devon Kinross KY13 0PG**

**David Littlejohn**  
**Strategic Lead (Economy, Development and Planning)**

### **Reasons for Refusal**

1. The proposal is contrary to Policy 17 Rural Homes of the National Planning Framework 4 (2023) as although the site may meet the definition of brownfield a)ii), the proposal due to the isolated and elevated nature of the site would not comply with the 'for all proposals' criteria noted in point a) as the development would not be suitably sited to be in keeping with the character of the area.
2. The proposal is contrary to Policy 9 Brownfield, vacant and derelict land and empty buildings of the National Planning Framework 4 (2023) as the site only comprises of a small area of brownfield land which doesn't have a wider detrimental landscape impact that would justify the development as policy 9a) requires it to be sustainable.
3. The proposal is contrary to Policy 19 of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance (March 2020) as it does not meet any of the criteria within the categories 1) Building Groups, 2) Infill sites, 3) New houses in the open countryside, 4) Renovation or replacement of houses, 5) Conversion or replacement of redundant non-domestic buildings and 6) Development on rural brownfield land. In particular the remains of the building on site do not comply with Category 5 and the presence of the remains means the site cannot be considered under Category 6.
4. The proposal is contrary to Policy 1A and 1Bb), Placemaking, of the Perth and Kinross Local Development Plan 2 (2019). The proposed development would not contribute

positively to the built and natural environment due to the isolated position of the site in an elevated position and whilst the site has a hedge boundary there is a lack of suitable well-established landscape framework for a wider siting within a paddock. Development would therefore detract from the visual amenity and landscape character of the area.

### **Justification**

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

### **Notes**

The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page.

#### **Plans and Documents relating to this decision**

01

02

03

04

05

06

07



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto: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 100671756-001

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

## Type of Application

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

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

## Description of Proposal

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

Erection of one dwellinghouse - Resubmission of planning with additional supporting information in order to address the reasons for refusal of previous planning permission - Ref 23/01961/FLL.

Is this a temporary permission? \*

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☒ No ☐ Yes – Started ☐ Yes - Completed

## Applicant or Agent Details

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

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Denholm Partnership Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Denholm	Building Name:	
Last Name: *	Partnership Architects	Building Number:	11
Telephone Number: *		Address 1 (Street): *	Dunira
Extension Number:		Address 2:	Street
Mobile Number:		Town/City: *	Comrie
Fax Number:		Country: *	Scotland
		Postcode: *	PH6 2LJ
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

## Applicant Details

Please enter Applicant details

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

## Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Site at Harelaw, Crook of Devon KY13 0PG

Northing

699821

Easting

303672

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Site Area

Please state the site area:

4850.00

Please state the measurement type used:

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

## Existing Use

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

Vacant ground with remains of derelict farm building.

## Access and Parking

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

☐ Yes ☒ No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \* ☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

4

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \* ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

- ☐ Yes – connecting to public drainage network  
☒ No – proposing to make private drainage arrangements  
☐ Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? \*

- ☒ New/Altered septic tank.  
☐ Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).  
☐ Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? \*

- ☒ Discharge to land via soakaway.  
☐ Discharge to watercourse(s) (including partial soakaway).  
☐ Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: \*

Septic tank and soakaway.

Do your proposals make provision for sustainable drainage of surface water?? \* ☒ Yes ☐ No  
(e.g. SUDS arrangements) \*

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.



Are you proposing to connect to the public water supply network? \*

- ☒ Yes  
☐ No, using a private water supply  
☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

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

☐ Yes ☒ No ☐ Don't Know

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

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

☐ Yes ☒ No ☐ Don't Know

## Trees

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

☐ Yes ☒ No

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

## Waste Storage and Collection

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

☒ Yes ☐ No

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

Bin store noted on plans.

## Residential Units Including Conversion

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

☒ Yes ☐ No

How many units do you propose in total? \*

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

## All Types of Non Housing Development – Proposed New Floorspace

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

☐ Yes ☒ No

## Schedule 3 Development

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

☐ Yes ☒ No ☐ Don't Know

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

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

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \* ☐ Yes ☒ No

## Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? \* ☐ Yes ☒ No

Is any of the land part of an agricultural holding? \* ☐ Yes ☒ No

Are you able to identify and give appropriate notice to ALL the other owners? \* ☐ Yes ☒ No

If you cannot trace all the other owners, can you give the appropriate notice to one or more owner? \* ☐ Yes ☒ No

## Certificate Required

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

Certificate C

## Certificates

The certificate you have selected requires you to distribute copies of the Notice 1 document below to all of the Owners/Agricultural tenants that you provided previously. Please note that your planning authority may be required to place an advertisement in a local newspaper. You may wish to contact the planning authority for further guidance.

Notice 1 is required

☒ I understand my obligations to provide the above notice before I can complete the certificates. \*

## Land Ownership Certificate

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

I hereby certify that – (1) –

I am/The applicant is unable to issue a certificate in accordance with Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and in respect of the accompanying application;

(2) - No person other than myself/the applicant was an owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

or –

(3) - I have/the applicant has been unable to serve notice on any person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner [Note 2] of any part of the land to which the application relates.

or –

(2) - I have/The applicant has served notice on each of the following persons other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner [Note 2] of any part of the land to which the application/appeal was owner [Note 2] of any part of the land to which the application relates.

Name:

Address:

Date of Service of Notice: \*

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

or –

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

Name:

Address:

Date of Service of Notice: \*

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and \*have/has been unable to do so –

The only part that the applicant doesn't own is the access track. Our client doesn't know who owns it, but has indicated that it is an ancient track and the owners may be lost in time. We have also checked the land registry and any previous planning applications.

Signed: Denholm Partnership Architects

On behalf of: Mr Angus Cheape

Date: 15/05/2024

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

- ☒ Site Layout Plan or Block plan.
- ☒ Elevations.
- ☒ Floor plans.
- ☒ Cross sections.
- ☒ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☐ Other.

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

Provide copies of the following documents if applicable:

- |  |  |
|--|--|
| A copy of an Environmental Statement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

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

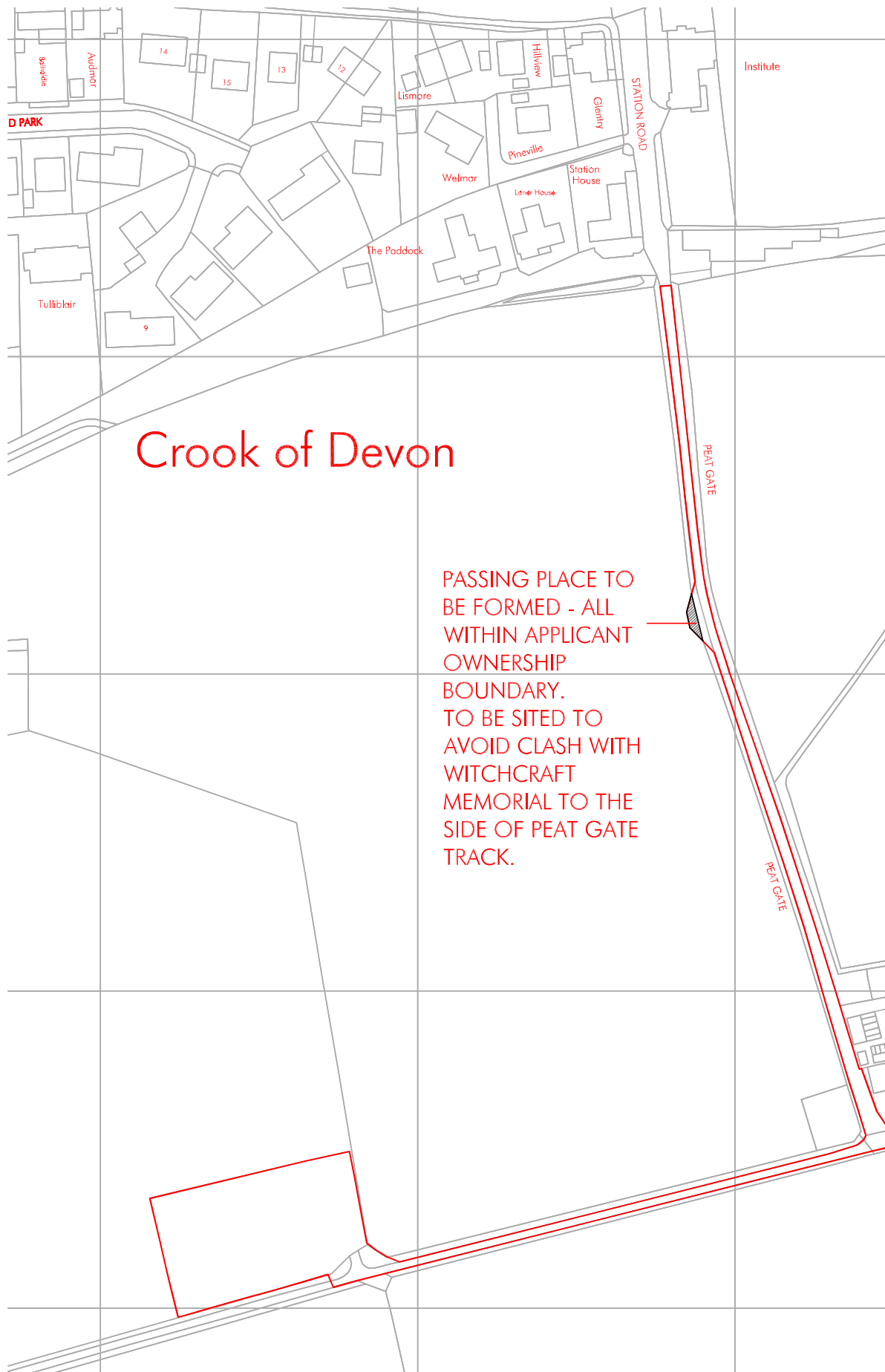
Planning Policy Supporting Statement

## Declare – For Application to Planning Authority

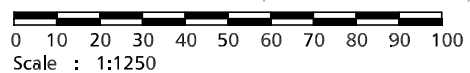
I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: . Denholm Partnership Architects

Declaration Date: 15/05/2024



## SITE LOCATION PLAN



REV	DATE	BY	DETAILS
<b>REVISIONS</b>			

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## HEALTH AND SAFETY NOTES

SLIGHTLY SIGNIFICANT RESIDUAL HAZARDS	PRESENT	DESCRIPTION	ACTIONS / NOTES:
Asbestos	<input type="checkbox"/>		
Health Hazards	<input type="checkbox"/>		
Structural Instability	<input type="checkbox"/>		
Ground Conditions	<input type="checkbox"/>		
Contamination	<input type="checkbox"/>		
Buried and Overhead Services	<input type="checkbox"/>		
Underground Structures	<input type="checkbox"/>		
Adjacent Activities	<input type="checkbox"/>		
Site Restrictions	<input type="checkbox"/>		
Other (specify)	<input type="checkbox"/>		

CLIENT  
Angus Cheape  
PROJECT  
New House  
Harelaw  
Crook of Devon, KY13 0PG  
PURPOSE  
PI  
DRAWN BY  
FW  
DATE  
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DRAWING TITLE  
**Site Location Plan**

SCALE

JOB NO.

5635

DRAWN BY DATE  
FW 02/11/23

PI

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1:1250

JOB NO. DWG. NO.  
5635 SK03

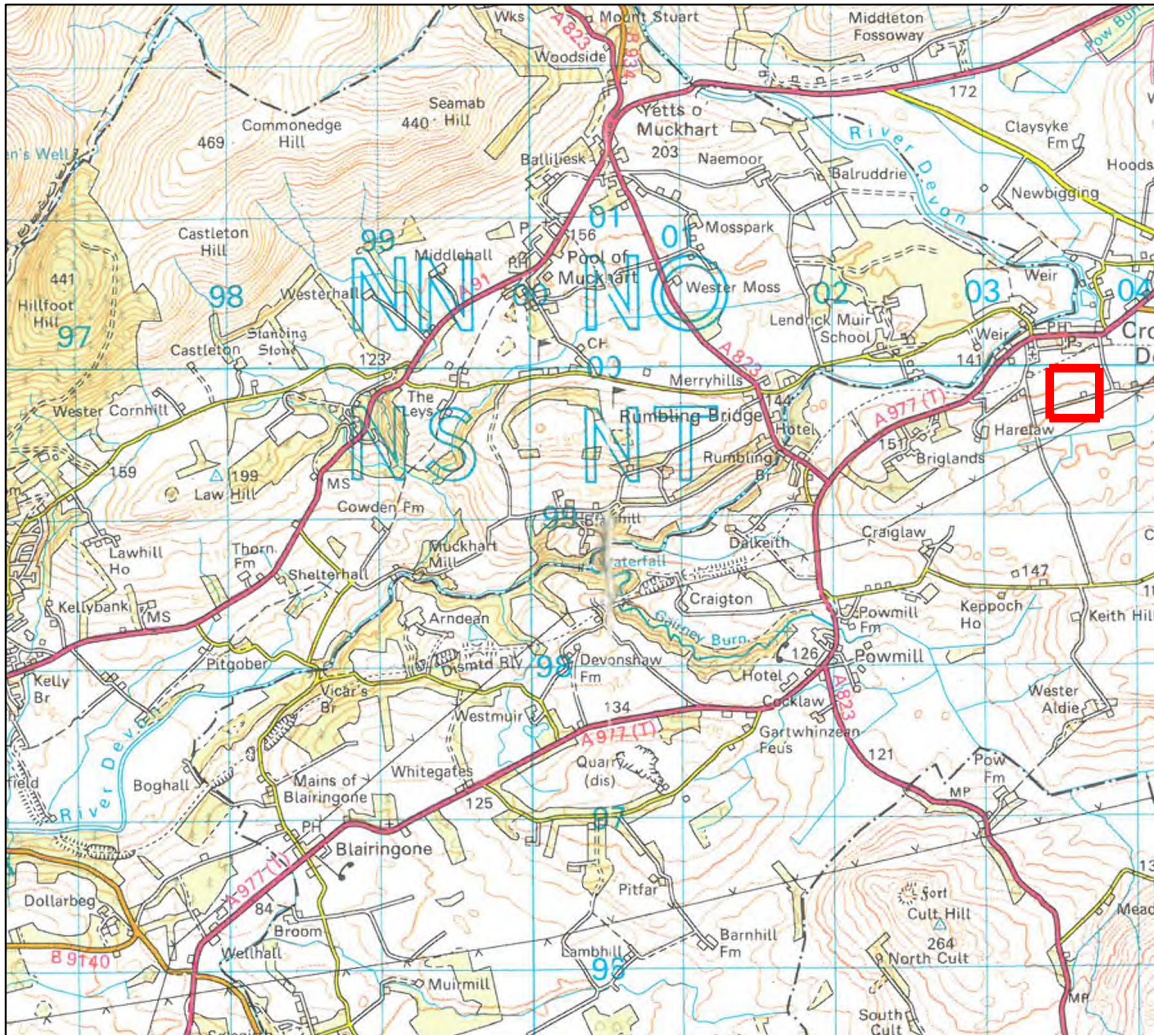
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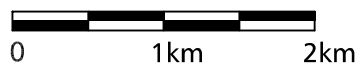
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SITE LOCATION MAP

1:50000



REV DATE BY DETAILS  
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SIGNIFICANT RESIDUAL HAZARDS DESCRIPTION  
HEALTH AND SAFETY NOTES

ACTIONS / NOTES:

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New House

Harelaw

Crook of Devon, KY13 0PG

PURPOSE

PL

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EW

DATE

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DRAWING TITLE

Location Map

SCALE

1:50000

JOB NO.

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DWG. NO.

SK04

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EXISTING SITE PHOTOS



EXISTING RUINOUS BUILDING



EXISTING RUINOUS BUILDING



VIEW FROM SITE LOOKING NORTH



VIEW FROM SITE LOOKING SOUTH



EXISTING RUINOUS BUILDING



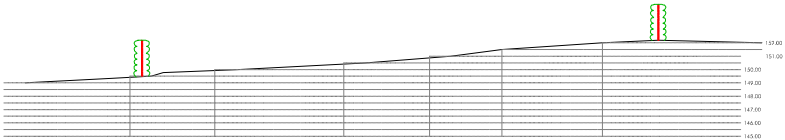
VIEW TOWARDS EXISTING ACCESS



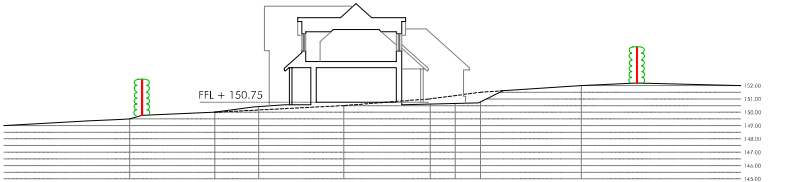
VIEW FROM SITE LOOKING WEST



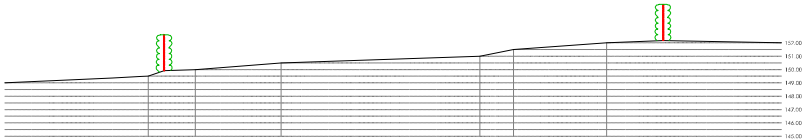
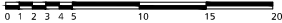
VIEW FROM EXISTING TRACK LOOKING EAST TO SITE



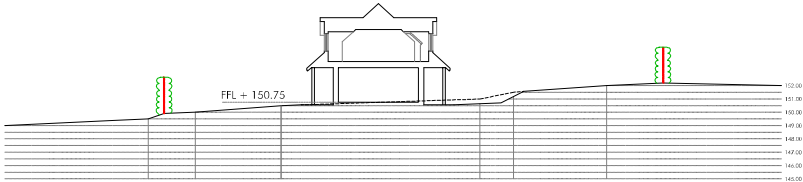
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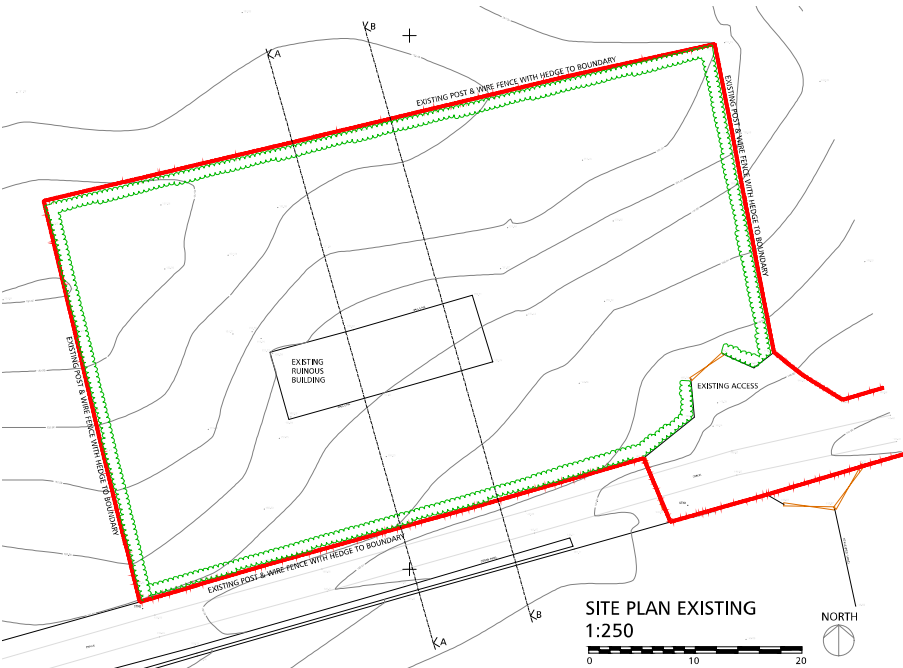
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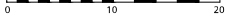
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SITE SECTION B-B PROPOSED  
1:200



SITE PLAN EXISTING  
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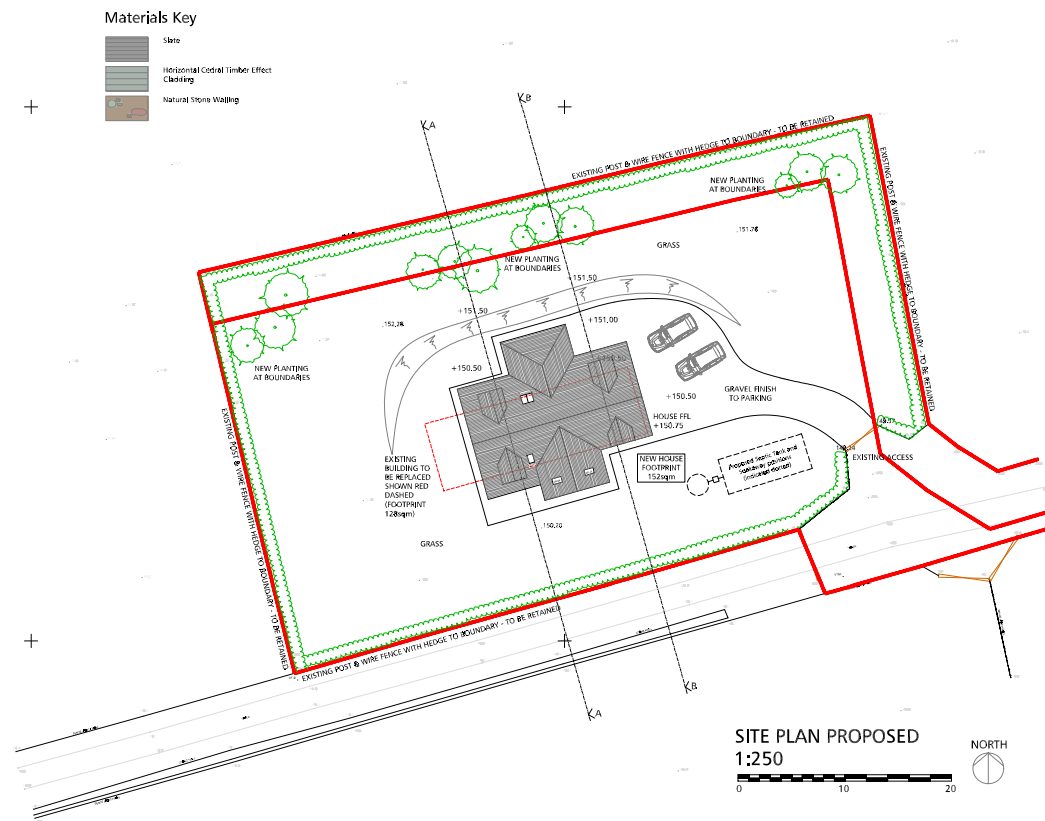
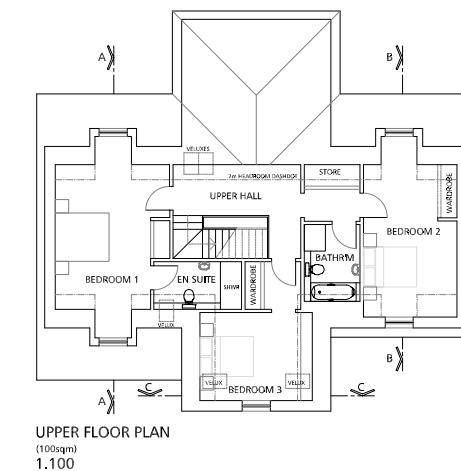
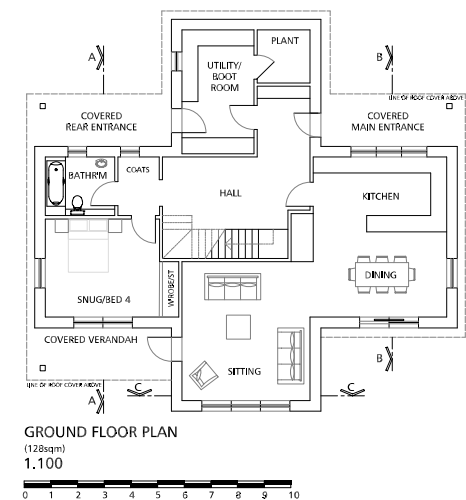
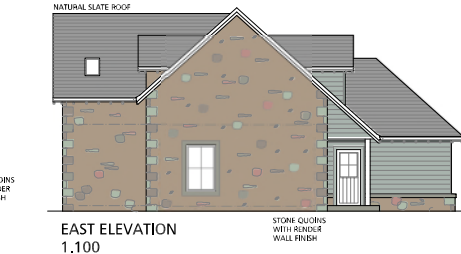
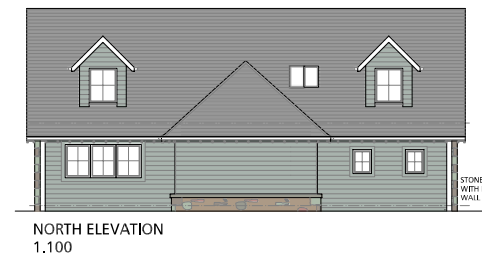
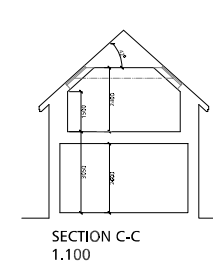
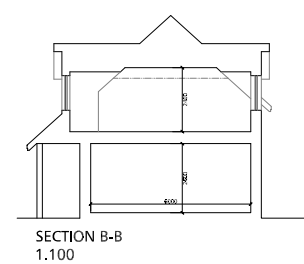
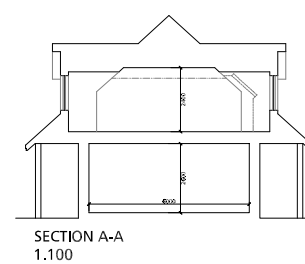
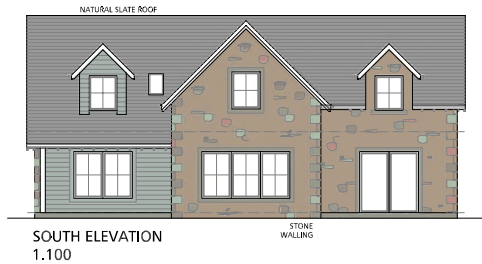


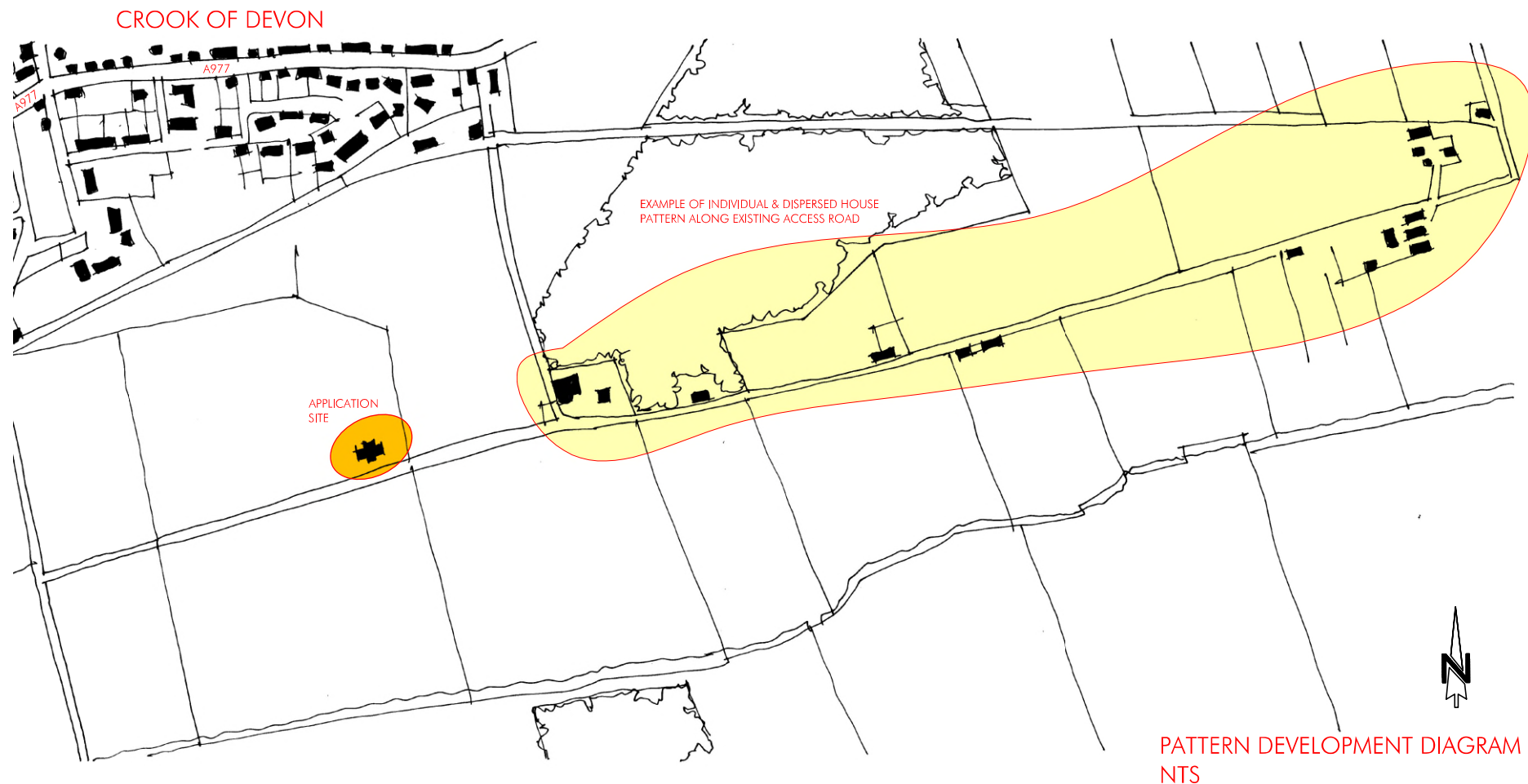
EXISTING SITE AERIAL VIEW  
NTS



NOTES		HEALTH AND SAFETY NOTES:		PRESENT		DESCRIPTION		ACTIONS / NOTES:		REVISIONS		CLIENT		DRAWING TITLE	
Reproduction by permission of Ordnance Survey on behalf of HMRSO © Crown Copyright (Contract year 2013). All rights reserved. License number 100010107.		SIGNIFICANT RESIDUAL HAZARDS								REV DATE BY DETAILS		Angus Cheape		Proposed Site Sections	
TO BE READ IN CONJUNCTION WITH ENGINEERS DRAWINGS AND ARCHITECTURAL SPECIFICATION		Asbestos								A 27.11.23 EW ROOF PLAN ADDED TO SITE PLAN - VALIDATION QUERY		PROJECT		Existing Site View	
ALL SIZES TO BE SITE VERIFIED		Health Hazards								B 14.05.24 EW PHOTOS ADDED FOR PLANNING RE-SUBMISSION		Proposed House		Existing Site Photos	
(IF IN DOUBT, PLEASE ASK)		Structural Instability										Harelaw			
THIS DRAWING IS COPYRIGHT		Ground Conditions										Crook of Devon KY13 0PG			
DO NOT SCALE FOR CONSTRUCTION PURPOSES		Contamination										PURPOSE		PAPER SIZE	
		Buried and Overhead Services										PL		A1	
		Underground Structures										DESIGNED BY		SCALE	
		Adjacent Activities										DATE		1:200	
		Site Restrictions										06/11/2023		REVISION	
		Other (Specify)										REV NO.		B	
												5635		www.denholmpartnership.co.uk T: (01764) 670899	
												SK02			







PATTERN DEVELOPMENT DIAGRAM  
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#### HEALTH AND SAFETY NOTES

SIGNIFICANT RESIDUAL HAZARDS	PRESENT	DESCRIPTION
Asbestos	<input type="checkbox"/>	
Health Hazards	<input type="checkbox"/>	
Structural Instability	<input type="checkbox"/>	
Ground Conditions	<input type="checkbox"/>	
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Site Restrictions	<input type="checkbox"/>	
Other (specify)	<input type="checkbox"/>	

ACTIONS / NOTES:

#### REVISIONS

REV	DATE	BY	DETAILS
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CLIENT

Angus Cheape

PROJECT

New House  
Harelaw  
Crook of Devon, KY13 0PG

PURPOSE

PL

DRAWN BY

EW

DATE

23.04.24

DRAWING TITLE

Pattern Development Diagram

SCALE

NTS

JOB NO.

5635

DWG. NO.

SK05

PAPER SIZE

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REVISION

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# DESIGN STATEMENT

Proposed Replacement House

Site at Harelaw

Crook of Devon

KY13 OPG

30/04/24

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## CONTENTS

1.0 BACKGROUND

2.0 SITE

3.0 DESIGN SOLUTIONS/MATERIALS

## **1.0 BACKGROUND**

### **1.1 Project**

Proposed replacement house, Site at Harelaw, Crook of Devon KY13 0PG

### **1.2 Applicants**

Angus Cheape

### **1.3 Architects**

Denholm Partnership Architects  
11 Dunira Street  
Comrie  
PERTSHIRE, PH6 2LJ

## 2.0 SITE

### 2.1 Location

The application site is located to the West of Crook of Devon. The planning application site is approximately 4850m<sup>2</sup> in area (including the access road).





## 2.2 Site

The existing building at Harelaw is indicated in the aerial photo below. There is a good strong existing landscape framework with boundary hedging and boundary fencing, particularly to the north, east and west.





VIEW OF SITE FROM WEST



VIEW FROM SITE TO ACCESS ON SOUTH





PHOTO OF RUINOUS BUILDING LOOKING WEST (TAKEN APRIL 2016)



PHOTO OF RUINOUS BUILDING LOOKING EAST (TAKEN APRIL 2016)

## 3.0 DESIGN SOLUTION

### 3.1 Concept & Materials

The concept of the new house is that the main central section of the house is a storey and half in terms of height with an appropriate ridge height to suit a traditional roof pitch of 42°. At the front elevation (south facing) we have introduced a storey and half projection maintaining traditional proportions to suit the overall appearance of the house. To the rear (north facing) the single storey entrance porch element along with the extended roof coverage/verandah at the entrance both help to reduce the overall mass of the main house section.

The proposed new house sits on the footprint of the existing building. The overall proposed footprint of the new house is 152m<sup>2</sup>, the existing building footprint is 128m<sup>2</sup>, and although the proposed house has a marginally larger footprint, we believe that the overall setting and size of the amenity of the site is more appropriate in terms of scale and mass.

In general terms the proposed house is of traditional form, scale, proportions and detailing which we feel gives a positive contribution to the character of the area and removes the existing building which currently does not provide a positive addition to the visual amenity of the site/setting.

The proposed materials for the new house are a mixture of natural random stone walling, natural timber cladding and a natural slate roof. We feel that these are more fitting and reflect the character of the area and help to improve the aesthetic amenity of the surrounding area and are recessive in colour to allow the house to blend into the surrounding landscape.

Due to the topography of the site and the well-established hedge boundaries, the house will be hidden from the views from Crook of Devon (north) and also on the south, east and west access approach.