



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 100688700-001

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: *

Rachel

Building Name:

Broxden House

Last Name: *

McIntyre

Building Number:

Telephone Number: *

07386662263

Address 1
(Street): *

Lamberkine Drive

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Perth

Fax Number:

Country: *

Scotland

Postcode: *

PH1 1RA

Email Address: *

rachel.mcintyre@bidwells.co.uk

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr and Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Russell"/>	Building Number:	<input type="text" value="11"/>
Last Name: *	<input type="text" value="Doig"/>	Address 1 (Street): *	<input type="text" value="Kinfauns Holdings"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="West Kinfauns"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Perth"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PH2 7JY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

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" value="11 KINFAUNS HOLDINGS"/>
Address 2:	<input type="text" value="WEST KINFAUNS"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PERTH"/>
Post Code:	<input type="text" value="PH2 7JY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="722246"/>	Easting	<input type="text" value="314101"/>
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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 dwellinghouse in principle

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 see accompanying appeal statement and supporting planning statement

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)

Refused location plan; Refused location plan 1:1250; Refused site plan; Refused additional supporting site plan; Refused supporting statement; Appeal statement; Decision notice; Report of Handling; Planning permission forms;

Application Details

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

24/01037/IPL

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

04/07/2024

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

04/10/2024

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

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: Miss Rachel McIntyre

Declaration Date: 15/10/2024

Notice of Review Appeal Statement

Application Ref 24/01037/IPL – Erection of a dwellinghouse (in principle) at land 25 metres south of 11 Kinfauns Holdings, West Kinfauns, Perth, PH2 7JY

This statement should be read in conjunction with the Notice of Review Appeal submitted to PKC Local Review Body on behalf of Mr and Mrs R. Doig for the erection of a dwellinghouse (in principle) at 11 West Kinfauns Holdings.

The site currently forms the front part of a large garden area associated with 11 West Kinfauns Holdings. The proposed dwelling would tie in with the tandem pattern of development that is already firmly established in the area, with the majority of the properties in the area having development in front or behind them. As shown on the accompanying additional site plan, applications have been approved as recent as 2023 (ref 23/00556/IPL) for this type of development in the area. As discussed within the previously submitted planning statement, it was acknowledged by the Council when approving application 23/00556/IPL, that this pattern of development is now common throughout the settlement.

This application was a resubmission of a previous application (ref 24/00327/IPL), with additional supporting information provided to address concerns raised in the previous applications Report of Handling (RoH). The previous RoH raised concerns regarding the proposed development not being consistent with the area's building pattern and stated that the proposed development would be forward of the building line.

The only reason given for the refusal of the most recent application was that the proposed development would have a significantly detrimental impact on the distinct character and building pattern of the area. The refusal reason further states that, tandem development will not contribute positively to the surrounding built and natural environment and would set a precedent for similar undesirable proposals. Finally, it is stated that the proposed development is contrary to various policies within the Development Plan, such as NPF4 Policies 14 and 16, and LDP2 Policies 1A, 1B and 17. This reason for refusal is largely similar to the reason given for refusal of the previous application.

It is worth noting that, within the RoH for the application (ref 24/01037) that this appeal relates to, it is acknowledged by the Council that the building line drawn on the accompanying site plan ***'does accurately reflect the development pattern for the majority of development in this area'***.

It is also worth noting that the RoH states that the principle of development on the proposal site is not supported due to being within the front garden ground of an existing property and justifies the approval of the recent similar applications by stating that they are to the rear of existing properties and are not within garden ground. It is not considered to be an issue that the proposed development would occupy the front garden ground of 11 West Kinfauns Holding, as the siting and landscaping of the site would provide adequate residential amenity, whilst reflecting the acknowledged development pattern of the area. There is also no Development Plan policy that specifically seeks to prevent development within front or rear garden areas.

In response to the single reason for refusal, the proposed development would not be contrary to the Council's Placemaking Policies (LDP2 Policy 1A and 1B). As already discussed within the submitted supporting planning statement, the proposed development would be sited sensitively, and is in keeping with the character, building pattern and building line of the area. The proposed development is also in

accordance with the policies within the Development Plan and is therefore not contrary to Policy 1A and 1B.

The proposed development is not considered to be contrary to LDP2 Policy 17 (Residential Areas), as the development of infill sites is supported by policy as long as they are of an appropriate density and won't have an adverse impact on the surrounding environment. As highlighted above there is nothing stated within Policy 17 or Policy 6 (Settlement Boundaries) that explicitly prevents development from taking place in the front garden of an existing property. As shown by the accompanying plans, the proposal plot is a clearly defined infill site located within the settlement boundary that can be developed at an appropriate density and will not impact negatively on the surrounding environment. Thus, the proposed development is not considered to be contrary to Policy 17.

The refusal reason states that the proposed development is contrary to NPF4 Policy 14 (Design, Quality and Place), due to not according with the existing settlement pattern and thus not improving the quality of the area. As previously discussed, it has been acknowledged by the Council that the proposed development does accord with the development pattern within the area and thus the proposed development is not contrary to Policy 14 of NPF4. The proposed development is also not contrary to NPF4 Policy 16 (Quality Homes), as the proposal is for a small-scale housing opportunity within an settlement boundary that is clearly supported by the policy.

It is also worth noting that, within the RoH, the development not complying with NPF4 Policy 15 (Local Living and 20-Minute Neighbourhoods) is raised as a concern. As stated within the supporting planning statement, Policy 15 was given as a reason for the refusal of the previous planning application, however correspondence with the Team Leader at PKC confirmed that was added in error and the proposal is not contrary to Policy 15, due to being within the settlement boundary.

We would ask that the LRB please refer to the submitted supporting planning statement for a detailed review of the relevant policies, site history and description of the proposal.

For the reasons set out in the supporting planning statement that accompanied the planning application and this statement in support of the appeal, it is respectfully requested that the LRB allow this appeal and grant planning permission in principle for the erection of a dwellinghouse within the garden ground of 11 West Kinfauns Holdings, subject to any conditions they may deem necessary.



Mr and Mrs Russell Doig
c/o Bidwells
Rachel McIntyre
Broxden House
Lamberkine Drive
Perth
PH1 1RA

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice : **4th October 2024**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **24/01037/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 4th July 2024 for permission for **Erection of a dwellinghouse (in principle) Land 25 Metres South Of 11 Kinfauns Holdings West Kinfauns Perth PH2 7JY** for the reasons undernoted.

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposed development, to the front of the existing dwellinghouse, will have a significantly detrimental impact on the distinct character and building pattern of the area. Such tandem development will not contribute positively to the surrounding built and natural environment and would set a precedent for similar undesirable proposals. The proposed development is therefore contrary to National Planning Framework 4 (2023), Policy 14, Design Quality and Place, and Policy 16, Quality Homes. It is also contrary to Perth and Kinross Local Development Plan 2 (2019) policy 1A and 1Bd), Placemaking, Policy 17, Residential Areas and to Perth and Kinross Placemaking Supplementary Guidance (2020).

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 "Online Planning Applications" page

Plan Reference

01

02

03

04

05

REPORT OF HANDLING

DELEGATED REPORT

Ref No	24/01037/IPL	
Ward No	P1- Carse Of Gowrie	
Due Determination Date	3rd September 2024 Extended until 3rd October 2024	
Draft Report Date	2nd October 2024	
Report Issued by	Persephone Beer	Date 2nd October 2024

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 25 Metres South Of 11 Kinfauns Holdings West
Kinfauns Perth PH2 7JY

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.

BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission in principle is sought for the erection of a single, detached dwellinghouse located within existing front garden ground associated with No11 Kinfauns Holdings, West Kinfauns. The site is of around 0.15ha and an indicative site plan shows the proposed dwelling located in a position just northwest of the centre of the site. Vehicular access will be taken off the existing drive which currently serves No11 to the rear. A new septic tank and soakaway is proposed to the southeast of the proposed house.

The site is bounded by existing garden boundaries with hedging to the east and west and a stone dyke to the south (front) adjacent to the public road. There is currently no boundary feature to the north, between the existing house and application site. The new dwellinghouse will be sited forward of the majority of development in this part of Kinfauns.

The pattern of development in this area of Kinfauns Holdings is largely of detached dwellings set back from the road with extensive areas of front garden between the houses and the public road.

An application for the same proposal was refused earlier this year (25th April 2024). This is a re-submission of the refused application with some revisions made to the supporting statement and an additional plan that seeks to define a notional building line.

SITE HISTORY

09/01952/IPL Erection of a single storey dwellinghouse with garage 24 December 2009 Application Refused

19/00125/FLL Extension to dwellinghouse and formation of decking 18 March 2019
Application Approved

21/01175/FLL Change of use from agricultural land to garden ground and equine use, and the erection of stables/storage building (in retrospect) 28 September 2021
Application Refused

24/00327/IPL Erection of a dwellinghouse (in principle) 25 April 2024 Application
Refused

PRE-APPLICATION CONSULTATION

Pre application Reference: None.

DEVELOPMENT PLAN

The Development Plan for the area comprises National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2 (2019) (LDP2).

National Planning Framework 4

The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the following policies of NPF4:

Policy 1: Tackling the Climate and Nature Crises
Policy 2: Climate Mitigation and Adaptation
Policy 3: Biodiversity
Policy 4: Natural Places
Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings
Policy 13: Sustainable Transport
Policy 14: Design, Quality and Place
Policy 15: Local Living and 20 minute neighbourhoods
Policy 16: Quality Homes
Policy 22: Flood Risk and Water Management

Perth and Kinross Local Development Plan 2 – Adopted November 2019

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

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking
Policy 5: Infrastructure Contributions
Policy 17: Residential Areas
Policy 26B: Archaeology
Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
Policy 39: Landscape
Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
Policy 41: Biodiversity
Policy 47: River Tay Catchment Area
Policy 52: New Development and Flooding
Policy 53B: Water Environment and Drainage: Foul Drainage
Policy 53C: Water Environment and Drainage: Surface Water Drainage
Policy 53E: Water Environment and Drainage: Water Supply
Policy 56: Noise Pollution
Policy 57: Air Quality
Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

Statutory Supplementary Guidance

- [Supplementary Guidance - Air Quality](#) (adopted in 2020)
- [Supplementary Guidance - Developer Contributions & Affordable Housing](#) (adopted in 2020)
- [Supplementary Guidance - Flood Risk and Flood Risk Assessments](#) (adopted in 2021)
- [Supplementary Guidance - Placemaking](#) (adopted in 2020)
- [Supplementary Guidance – Landscape](#) (adopted in 2020)

OTHER POLICIES

Non Statutory Guidance

- [Planning Guidance - Loch Leven SPA, the Dunkeld-Blairgowrie Lochs SAC and the River Tay SAC](#)
- [Planning Guidance - Planning & Biodiversity](#)

NATIONAL GUIDANCE

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

Planning Advice Notes

The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation

- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 69 Planning and Building standards Advice on Flooding
- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places

Creating Places 2013

Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

Designing Streets 2010

Designing Streets is the policy statement in Scotland for street design and changes the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It was created to support the Scottish Government's place-making agenda, alongside Creating Places.

National Roads Development Guide 2014

This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

CONSULTATION RESPONSES

External

Network Rail

No impact on railway infrastructure.

Scottish Water

Capacity for water supply. No public waste water infrastructure in the area. Private treatment options required.

Internal

Transportation And Development

No objection subject to condition. Note that parking should be in line with requirements set out in the National Roads Development Guide.

Development Contributions Officer

Conditions required with regard to transport and primary education provision contributions.

Perth And Kinross Heritage Trust

Condition requested with regard to archaeological monitoring of the site.

Environmental Health (Noise Odour)

No objection but might be subject to noise from the railway. Target levels in proposed gardens should be LAeq 16hours 55dB, with appropriate internal noise levels in living rooms/bedrooms of LAeq (16 hours) 35dB for daytime and bedrooms LAeq (8 hours) 30dB for night-time, assessed with windows open.

As this application is for in principle planning permission there are no details as to whether there will be any air/ground source heat pumps or wood burning stoves included in the design. Details should be included at the full planning stage.

Environmental Health (Contaminated Land)

The proposed development is within the immediate vicinity of a railway which may have resulted in contamination in the vicinity of the site. Should any contamination be found during the approved works, works should cease, and the Land Quality team should be contacted on 01738 475000 or es@pkc.gov.uk for further advice.

Structures And Flooding

Drainage/SUDS details required for full application/reserved matters.

REPRESENTATIONS

2 representations of objection were received from one household. These raised the following areas of concern:

- Impact on character of the area;
- Out of keeping with established building pattern;
- Precedence of other similar development;
- Impact on residential amenity;
- Flood risk;
- Impact on beech hedge and line of trees;
- Other activities on the site;
- Application misappropriates neighbours land to the east;

The above matters, other than the last two which are not material planning considerations, will be discussed in the appraisal section below.

Additional Statements Received:

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

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises NPF4 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

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 seeks to establish the principle of erecting a dwellinghouse in a part of the front garden of an existing dwellinghouse within the settlement of West Kinfauns.

Scottish Government planning policy through National Planning Framework 4 (NPF4) seeks to support development that helps to meet greenhouse gas emissions targets. Proposals should play a role in carbon reduction and in protecting natural assets and protecting and enhancing biodiversity. Both national and local planning policy also supports high quality, connected and accessible homes which respect the existing settlement pattern and improve the character and environment of an area.

Of relevance to this application are policies that encourage and support development of quality places and spaces. In this case Policy 14, Design, Quality and Place states in a) that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. This focuses on delivering new homes that are designed to a high standard and located in sustainable places. Minimising and reducing emissions is also integral to the six qualities of successful places, as set out in Policy 14, Design, Quality and Place.

Policy 16, Quality Homes supports small scale development within settlement boundaries but states that this must be supported by an agreed build-out timescale and that the proposal is consistent with the LDP spatial strategy and other relevant policies including local living and 20 minute neighbourhoods.

LDP2 policies of relevance include policy 1, Placemaking and LDP2 Policy 17, Residential Areas.

The Council's supplementary guidance on Placemaking is also relevant. This acknowledges, on page 69, that there may be opportunities to develop vacant land within settlements but that in all cases regard should always be given to the local building context, character, density and site-specific circumstances.

This part of Kinfauns Holdings is characterised by substantial residential plots with dwellinghouses set back from the public road with extensive front gardens. An application for a similar proposal to develop the front garden at this site was first refused in the 1990s and then again in 2009 (09/01952/IPL) when the proposal was considered to constitute tandem development and was regarded as an alien feature of the area. Although there has been additional development in parts of Kinfauns the character of this part area of the Holdings has not changed significantly with development set back from the main road.

The supporting information submitted with this application refers to recent approvals that are seen by the applicant as presaging a change in approach to the development of the area. In particular applications have been approved to the rear of 10 Kinfauns Holdings (23/00556/IPL) and also to the rear of 9 Kinfauns Holdings and Townergrove (22/01583/IPL). However both sites are to the rear of existing development, are not garden ground and relate to areas where the settlement boundary has been extended to allow some development to come forward. This is fundamentally different to this current application which would develop existing garden ground to the front of existing housing which would not fit in with the existing settlement pattern and the character of the area.

NPF4 policy 14 and 16 give general support to development within settlement boundaries that improves the quality of an area and meets six criteria for successful places set out in policy 14. In this case the development would not accord with the existing settlement pattern and would not improve the quality of the area and as such would be contrary to NPF4 policy 14 and 16. NPF4 Policy 15 seeks to locate development where there is easy access to services and facilities. There are minimal facilities within the West Kinfauns settlement making policy 15 difficult to comply with. Policies of the Local Development Plan and its supplementary guidance also seek to ensure that development is compatible with the local area. In this case LDP2 placemaking policy 1A states that development must contribute positively to the quality of the surrounding built and natural environment and that the design, density and siting of development should respect the character and amenity of the place. Policy 1B d) specifically states that proposals should respect an existing building line. An indicative site plan has been submitted showing a possible building line. The "building line" drawn is slightly spurious and does not accurately reflect the development pattern for the majority of development in this area.

The proposal seeks to establish the principle of residential development in an area of garden ground to the front of an existing residential property. The proposed development would be forward of the majority of properties in this part of the settlement and development in this position would be out of keeping with the established character of the area. The proposal would therefore be contrary to Placemaking policy 1A and 1B d) of the Local Development Plan. The development proposed also does not have due regard for the local building context, character and density of the area and as such would be contrary to Perth and Kinross Placemaking Supplementary Guidance.

Policy 17, Residential Areas, of LDP2 identifies areas of residential and compatible uses within settlement boundaries. Development will only be acceptable where the proposal is compatible with the character or amenity of the area. Criterion a)

supports infill residential development at a density which represents the most efficient use of the site while respecting its environs. In this case it is considered that development within the front garden ground would not respect the environs of this part of Kinfauns Holdings. An objection has been received that expresses concern that development in this area could create a precedent for other similar developments. Should this application be approved, there would likely be pressure for other similar proposals that, if approved, would also be detrimental to the character and environs of the area.

The principle of the proposal cannot be supported. Other related aspects will be considered in the sections of the report below.

Design and Layout

An indicative siting for the proposed house, foul drainage arrangements and access to the site has been shown on the submitted plans. The principle of development is not supported and no further detailed consideration has been given to the design and layout.

Landscape

The site is within an area identified as being within the Sidlaw Hills Special Landscape Area with Kinnoull Hill dominant to the northwest of the existing house. Policy 39 b), Landscape, of the Local Development Plan requires proposals to safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identify or scenic quality. Should development in principle be acceptable on this site detailed plans must demonstrate that the visual integrity and scenic quality of the landscape character of the area is maintained and views out of the settlement to local landmarks such as Kinnoull Hill are not impacted.

Residential Amenity

The application is in principle. The impact on residential amenity such as privacy, overlooking, overshadowing and provision of private amenity space would be fully assessed should a detailed proposal be submitted.

Environmental Health has commented and notes that the site maybe affected by noise from the railway line. Should the principle of development be established any detailed design should take this into account. Environmental; Health advise that target levels in proposed gardens should be LAeq 16hours 55dB, with appropriate internal noise levels in living rooms/bedrooms of LAeq (16 hours) 35dB for daytime and bedrooms LAeq (8 hours) 30dB for night-time, assessed with windows open.

Visual Amenity

The indicative site layout shows a development that would dominate the existing front garden. Although no elevational details have been provided development of this type and in this position would be likely to have an adverse impact on visual amenity and character of the area.

Roads and Access

Vehicular access to the site is to be taken off the existing private drive. Transportation and Development has been consulted and has no objection subject to condition. This application is being recommended for refusal however any further detailed submission would require compliance with the National Roads Development Guide and details of waste disposal and drainage infrastructure would be required.

Drainage and Flooding

Flood Risk

A review of the SEPA flood maps has determined that the site is at high risk from surface water flooding.

Drainage

The principle of development on the site is not supported. However, if approved any full application will require full details of surface water drainage arrangements to comply with policy 53C, Surface Water Drainage, of the Local Development Plan 2019 and would require a method of SuDS that meets criteria outlined in the PKC LDP supplementary guidance (Flood risk and Flood Risk Assessments, 2021).

Policy 53B, Foul Drainage, of the Local development Plan generally requires development within settlements to connect to existing public sewerage system. Full details of proposed foul drainage arrangements would be required should the principle of development be established.

Conservation Considerations

The site is not within a conservation area and not close to any listed buildings.

However, the site does have archaeological potential given its location and historical context. Perth and Kinross Heritage Trust (PKHT) has commented that there is a possibility for recovery of information associated with historic use of the Rier Tay and of the river itself from prehistoric to post-medieval times. PKHT recommend that, if planning permission is granted, archaeological monitoring by a professional archaeologist should take place during all ground-breaking works. If the application is approved a condition regarding this would be attached.

Natural Heritage and Biodiversity

The site is bounded by hedging to the east which is noted to be on land owned by the neighbouring property and hedging to the west alongside the existing driveway. The site is laid mainly to lawn. Policy 7, Biodiversity, of NPF4 and Policy 41, Biodiversity, of LDP2 requires protection and enhancement of all wildlife and wildlife habitats such as the existing hedgerows.

The application is in principle and limited information with regard to trees and biodiversity has been provided. The application is being refused however further

information on the impact of the existing development on trees and wildlife would be required as well as detail of biodiversity enhancement.

Zero carbon technologies

Policy 32 of the Local Development Plan requires all proposals to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. Information to satisfy this requirement will be required to accompany any detailed proposal on this site.

Waste and Recycling

Should the application be approved further detail of waste and recycling provision would be required.

Contaminated Land

Historical mapping indicates that the site is adjacent railway land which may have resulted in contamination in the vicinity of the site. An informative note would be added if the application is approved.

Developer Contributions

Primary Education

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

Transport Infrastructure

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

The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning application granted.

Conditions to ensure compliance with policy 5, Infrastructure Contributions, of LDP2 would be added should the application be approved.

Economic Impact

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

VARIATION OF APPLICATION UNDER SECTION 32A

This application was not varied prior to determination.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

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

Accordingly the proposal is refused on the grounds identified below.

Conditions and Reasons

- 1 The proposed development, to the front of the existing dwellinghouse, will have a significantly detrimental impact on the distinct character and building pattern of the area. Such tandem development will not contribute positively to the surrounding built and natural environment and would set a precedent for similar undesirable proposals. The proposed development is therefore contrary to National Planning Framework 4 (2023), Policy 14, Design Quality and Place, and Policy 16, Quality Homes. It is also contrary to Perth and Kinross Local Development Plan 2 (2019) policy 1A and 1Bd), Placemaking, Policy 17, Residential Areas and to Perth and Kinross Placemaking Supplementary Guidance (2020).

Justification

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

Informatives

None.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01

02

03

04

05



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 100677563-001

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 a dwellinghouse in principle

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:	Bidwells		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Rachel	Building Name:	Broxden House
Last Name: *	McIntyre	Building Number:	
Telephone Number: *	07386662263	Address 1 (Street): *	Lamberkine Drive
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Perth
Fax Number:		Country: *	Scotland
		Postcode: *	PH1 1RA
Email Address: *	rachel.mcintyre@bidwells.co.uk		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr and Mrs	Building Name:	
First Name: *	Russell	Building Number:	11
Last Name: *	Doig	Address 1 (Street): *	Kinfauns Holdings
Company/Organisation		Address 2:	Kinfauns
Telephone Number: *		Town/City: *	Perth
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PH2 7JY
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:

11 KINFAUNS HOLDINGS

Address 2:

WEST KINFAUNS

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PERTH

Post Code:

PH2 7JY

Please identify/describe the location of the site or sites

Northing

722246

Easting

314101

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

0.15

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)

Garden ground

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.

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 with soakaway with outfall taken to communal outfall pipe. Storm water contained within proposed plot with overflow taken to communal outfall pipe as shown on proposed site plan

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.

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

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired,) 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.

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

Signed: Rachel McIntyre

On behalf of: Mr and Mrs Russell Doig

Date: 04/07/2024

☒ 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 principal 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)

Additional site plan to address previous reasons for refusal

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

Declare – For Application to Planning Authority

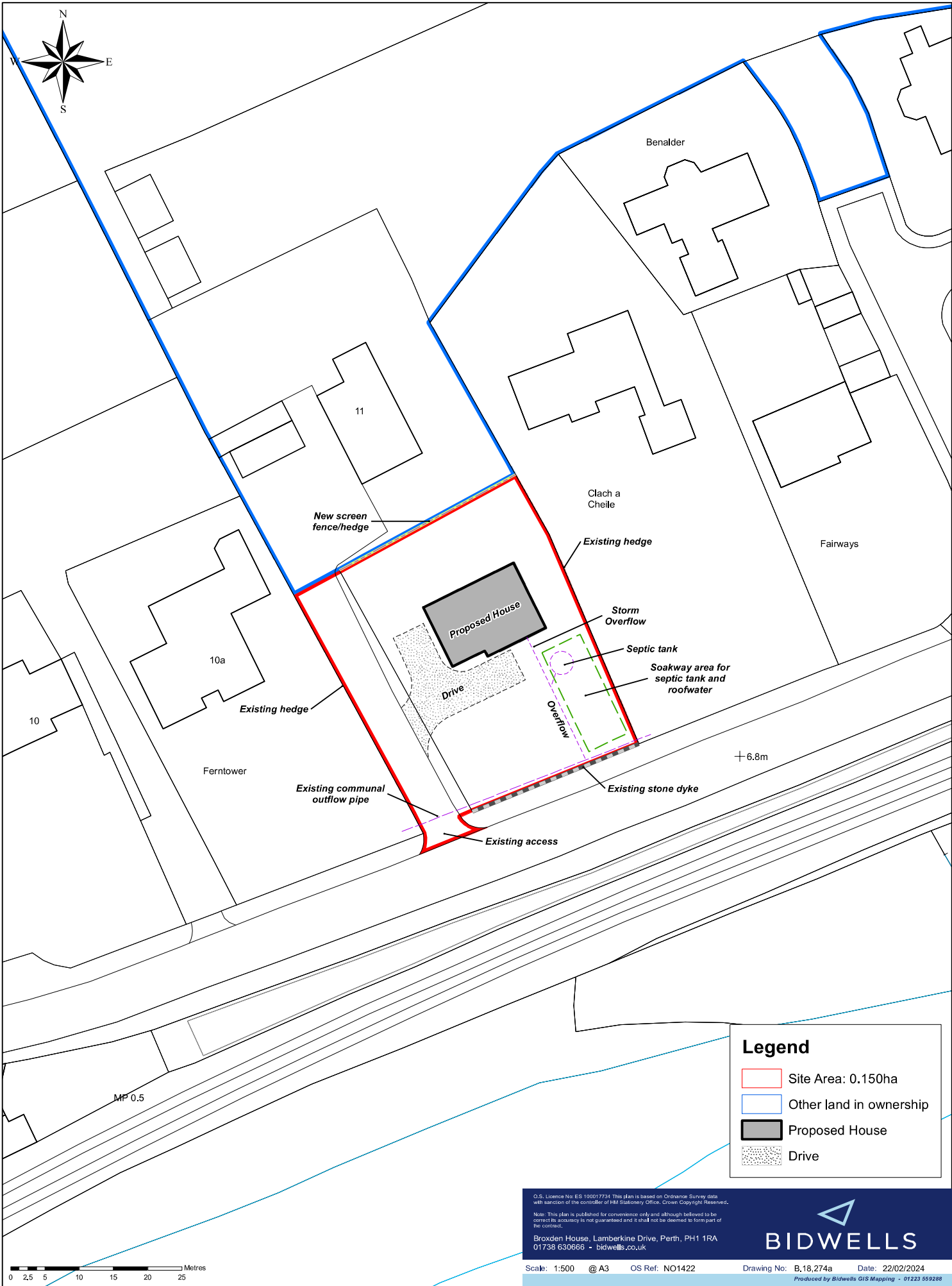
I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Miss Rachel McIntyre

Declaration Date: 04/07/2024

Single House Plot at 11 Kinfauns Holdings, Kinfauns, Perth, PH2 7JY

Site Plan



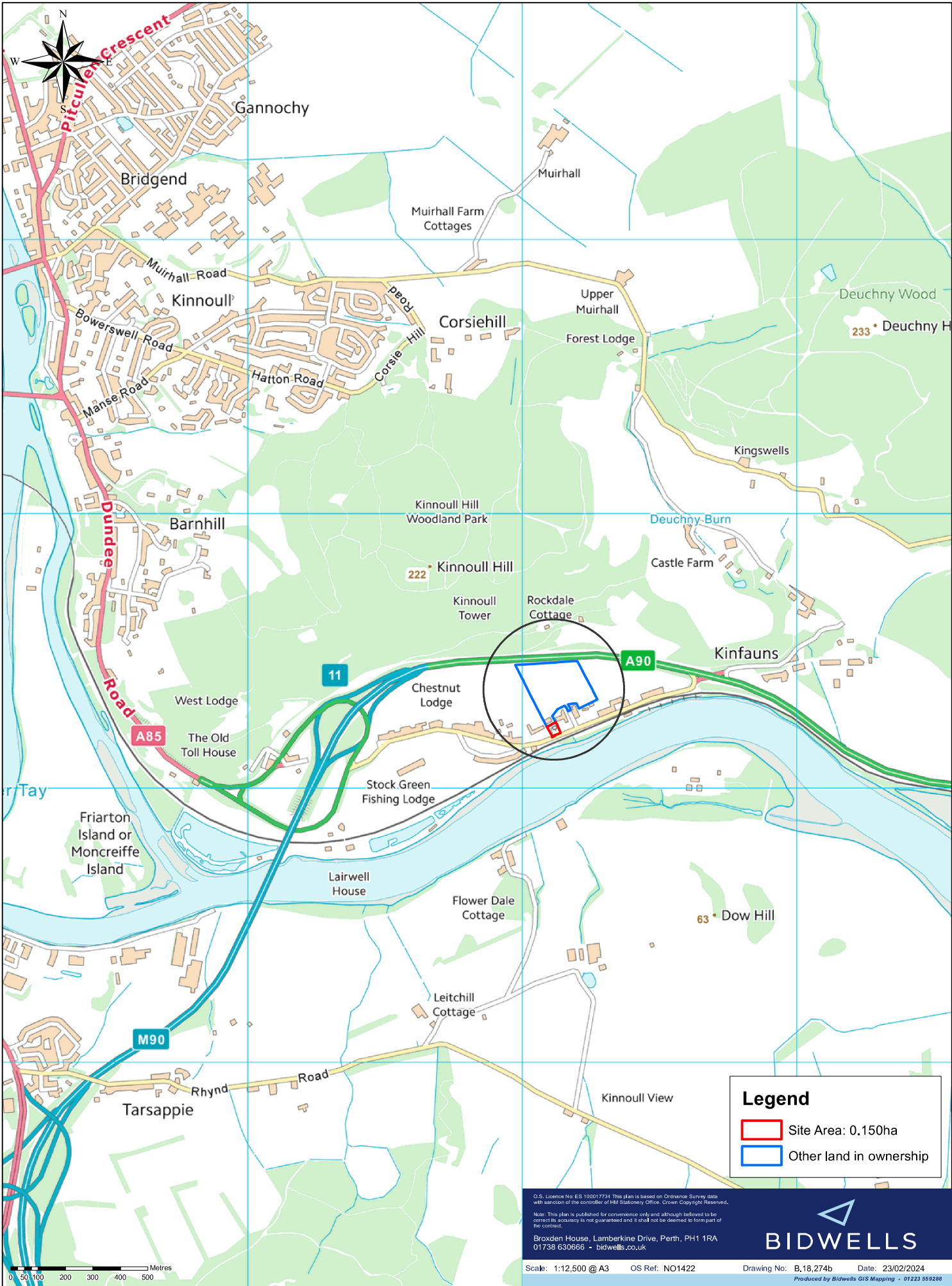
Single House Plot at 11 Kinfauns Holdings, Kinfauns, Perth, PH2 7JY

Plan 3 - Neighbouring Planning Applications



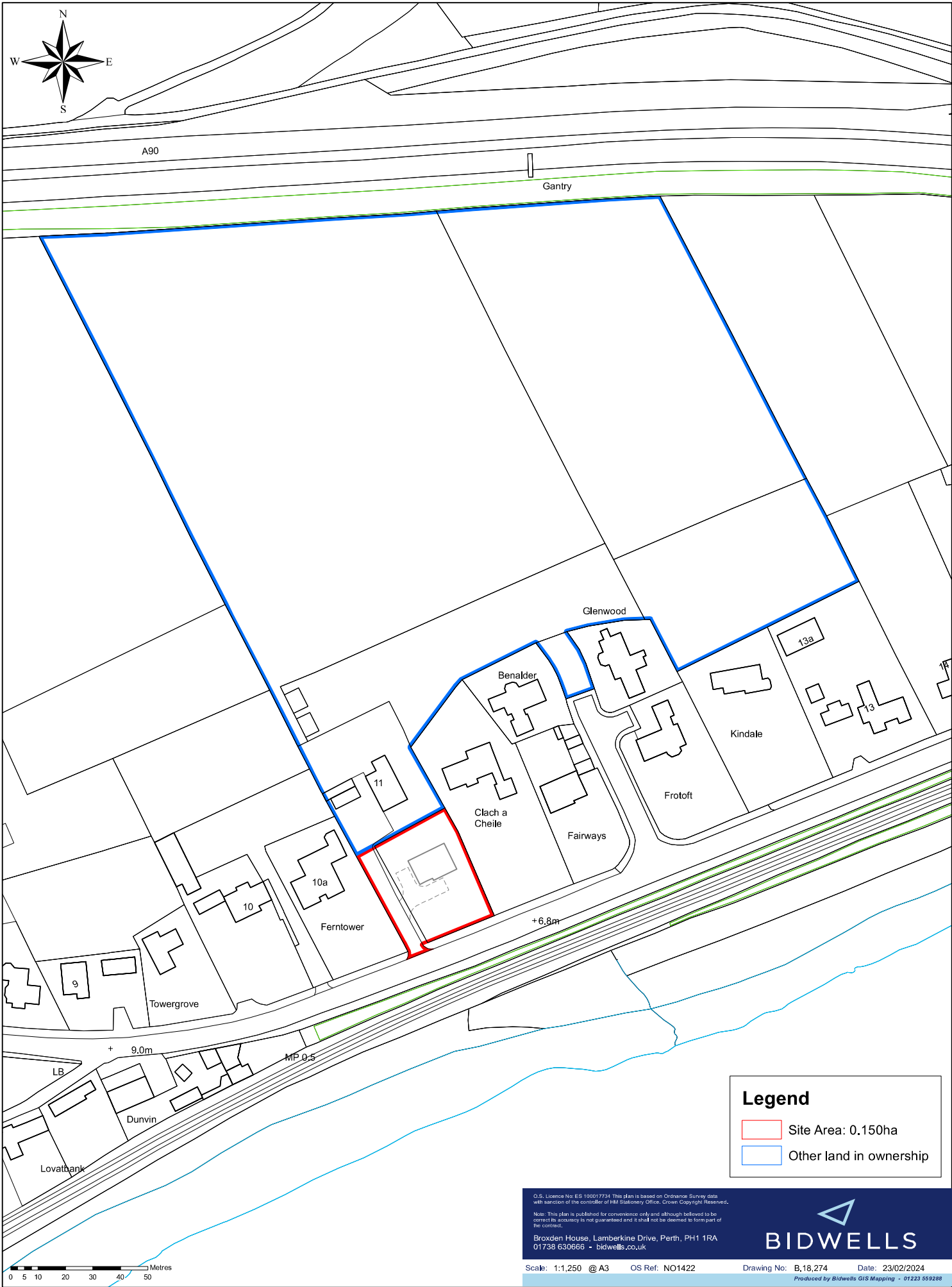
Single House Plot at 11 Kinfauns Holdings, Kinfauns, Perth, PH2 7JY

Location Plan 2



Single House Plot at 11 Kinfauns Holdings, Kinfauns, Perth, PH2 7JY

Location Plan 1



Land at 11 West Kinfauns Holdings
Mr & Mrs R Doig
July 2024



PROPOSED ERECTION OF A DWELLING IN PRINCIPLE AT 11 WEST KINFAUNS HOLDINGS SUPPORTING PLANNING STATEMENT

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1.0 Introduction

- 1.1 This supporting statement should be read in conjunction with the planning permission in principle application that has been submitted to Perth and Kinross Council and behalf of Mr & Mrs R Doig at 11 West Kinfauns Holdings.
- 1.2 The site extends to 0.15 hectares; resulting in the proposal constituting a 'local application' in the context of the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2013.
- 1.3 The application site currently forms part of a large garden area of 11 West Kinfauns Holdings situated on the northern side of the public road that runs through the hamlet. The site is located within the defined settlement boundary as identified within Local Development Plan 2 (2019). The proposed site is bound to the east and west by existing mature hedging and a stone wall along the southern boundary fronting the road. The northern boundary is currently undefined but would be defined by a new hedge or screen fence. The site is surrounded by residential properties to the west, north and east. For the reasons set out in this report, the proposal is considered to be a sympathetic logical infill site that accords with the policies as set out in the Development Plan.

2.0 Planning History

- 2.1 This planning application involves the resubmission of a previously refused application (24/00327/IPL). That application had been refused by PKC on 25th April 2024 for the following reason;
- 'The proposed development, to the front of the existing dwellinghouse, will have a significantly detrimental impact on the distinct character and building pattern of area. It will not contribute positively to the surrounding built and natural environment and is not consistent with the six qualities of successful places set out in national planning policy. It does not have due regard for the local building context, character and design and would set a precedent for similar undesirable proposals. The proposed development is contrary to National Planning Framework 4 (2023), Policy 14, Design Quality and Place, Policy 15, Local Living and Policy 16, Quality Homes. It is also contrary to Perth and Kinross Local Development Plan 2 (2019) policy 1A and 1Bd), Placemaking, Policy 17, Residential Areas and to Perth and Kinross Placemaking Supplementary Guidance (2020).'*
- 2.2 A previous planning application (09/01139/IPL) for a single house on this site had been refused on the basis that the proposal was considered to constitute tandem development. The view expressed within the Report of Handling that assessed that particular application was that the proposed tandem development was generally '*an alien feature within the settlement.*' At that time, it was considered that the majority of the new infill opportunities within the settlement had been logical gap sites with the exception of the cul-de-sac arrangement to the east. Concerns were also expressed about the potential to set an undesirable precedent for a number of other sites in Kinfauns resulting in a marked adverse impact on the character, density and amenity of the area.
- 2.3 However, the recent approvals issued by PKC (23/00556/IPL in June 2023) for the erection of 2 houses on the land to the rear of 10 Kinfauns Holdings and also (22/01583/IPL) for residential development in principle on land to the rear of 9 Kinfauns Holdings & Towergrove has brought about a significant change of circumstances in terms of relevant planning history and also allays any concerns about the potential for this proposal to set a precedent when the precedent to support this proposal has already clearly been set.

- 2.4 The recently approved neighbouring planning application was in part justified and approved on the basis that *'the site is probably, by definition, a backland site, however the existing and established building pattern in Kinfauns is such that backland developments are fairly common, and the site is served by its own access.*'
- 2.5 It is therefore considered that the same principle must apply to the site at 11 West Kinfauns Holdings. As the existing access to the site has very good visibility and width it is considered appropriate in this case for the access to be shared with the existing property which also prevents the need to demolish any part of the existing stone wall that runs along the site frontage. However, the proposed site could easily be served by its own separate access if required or deemed absolutely essential by PKC.
- 2.6 It's therefore evident that in approving the neighbouring applications, the council's view of the established building pattern in Kinfauns Holdings has changed quite considerably over the last 15 years or so, such that tandem development is now a common building pattern and characteristic within the settlement. This proposal will also create tandem development that is identical to the character and building pattern that has already been accepted by PKC within Kinfauns Holdings including on immediately adjacent sites.
- 2.7 There has also been a significant change and material difference in policy since the time of the previous refusal on this site in 2009 in that there have subsequently been 2 replacement Local Development Plans and the adoption of NPF4 which also now forms part of the Development Plan. Importantly the application 23/00556/IPL was recently approved by PKC based on the same settlement boundary and policies that are set out within the current adopted Development Plan i.e. LDP2 and National Planning Framework 4, which also apply to the consideration of the proposed application site at 11 West Kinfauns.

3.0 Planning Policy Assessment

- 3.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires planning decisions to be made in accordance with the Development Plan.
- 3.2 If the proposed development accords with the Development Plan, it should be approved unless there are material considerations of sufficient weight that would indicate otherwise.
- 3.3 The adopted Development Plan relevant to this proposal is the Perth and Kinross Local Development Plan 2 (LDP) adopted in November 2019, and the National Planning Framework 4 (NPF4) adopted in February 2023.

Table 1: Perth and Kinross Local Development Plan 2

POLICY		POLICY ASSESSMENT
Policy 1 Placemaking		The proposed dwelling would be sited sensitively in a clearly defined infill site. The proposed plot reflects the surrounding environment in its siting, layout, density, character, building pattern, building line, boundary alignments and treatments. Examples of 'tandem' development having been approved elsewhere throughout Kinfauns Holdings and can be seen both to the east of the site at no. 13A (approved in 2010), and formerly no.12 at Fairways, Benalder, Frotoft and Glenwood,

	<p>and also immediately to the west with the recent approvals of (23/00556/IPL) to the rear of 10 and 10A, (22/01583/IPL) to the rear of no.9 & Towergrove, as well as the properties at The Oaks and The Nursery which are situated to the rear of Acorn Lodge. The site is well screened within the surrounding area and the proposed plot is also of a size and shape that accords with many of the others within the settlement boundary.</p> <p>The additional supporting plan submitted in support of this revised planning application clearly illustrates that;</p> <ul style="list-style-type: none"> • The adjacent approvals that have been allowed to the rear of existing properties have already firmly established the precedent for tandem development within the settlement boundary; • The difference in the orientation of the principal elevation of the applicant's property (facing north) to for example those at Clach a Cheile and Kindale which face south (and which are the only 2 properties identified in the settlement where there could be scope for front garden development) would mean that greater separation distances would be required from any new houses proposed in those front gardens, severely limiting any potential plot size and thus nullifying the scope for any development opportunity. Any development in the front garden of Clach a Cheile would also require the removal of a substantial number of mature trees. • This proposal can also be set behind the existing established building line whereas any potential development in the front gardens at Clach a Cheile or Kindale would extend the building footprint well beyond the established building line, which would be contrary to the character and building pattern of the area. • The additional supporting plan therefore clearly demonstrates that the proposal would not set a precedent for similar proposals and the development of a house on this site does accord with the Development Plan. <p>The proposal is considered to comply with the criteria set out under Policy 1.</p>
<p>Policy 5 Infrastructure Contributions</p>	<p>Infrastructure contributions would be made where required. A standard condition can be attached to any approval to ensure any infrastructure requirements would be met at the detailed planning stage.</p> <p>The proposal can comply with Policy 5.</p>
<p>Policy 6 Settlement Boundaries</p>	<p>The site is located within the Kinfauns settlement boundary and for the reasons set out above, and illustrated on the supporting plan, the proposal does not conflict with Policy 6.</p>

<p>Policy 17 Residential Areas</p>	<p>Criteria a) of the policy states that the council will support proposals for new infill opportunities within settlements providing they are at the right density and do not adversely impact on the surrounding environments.</p> <p>The additional information submitted in support of this application shows that the proposed infill opportunity can be accommodated at the right density and does not adversely impact on the surrounding environment. The proposal is therefore consistent with LDP Policy 17.</p>
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National Planning Framework 4

- 3.4 NPF4 forms part of the statutory Development Plan and sets out the policies and proposals for the development and use of land in Scotland, which subsequently informs the Development Plan.
- 3.5 Following on from the issuing of the previous refusal (24/00327/IPL), email correspondence with the planning officer and the Team Leader at PKC acknowledged and accepted that NPF4 Policy 15 (Local Living) should not have appeared as a reason for refusal due to the site being located within the settlement boundary.

Table 2: National Planning Framework 4

POLICY	POLICY ASSESSMENT
<p>Policy 16 Quality Homes</p>	<p>Criteria f) of the policy supports proposals for small scale housing opportunities within an existing settlement boundary.</p> <p>The proposal is a small-scale housing opportunity that respects the character, density and pattern of development within the existing settlement boundary and therefore complies with Policy 16.</p>

4.0 Conclusions

- 4.1 This supporting statement has highlighted that a suitably designed dwelling which sensitively respects and reflects the surrounding properties could be reasonably accommodated on this clearly defined infill site within the existing settlement boundary.
- 4.2 The proposed plot is reflective of the size and density of the immediately adjacent properties. The indicative house footprint would ensure amenity is maintained and achieved for all existing properties as well as the proposed new house as well as being set behind the already established building line. A new boundary treatment to the northern boundary would ensure privacy and amenity are protected between the proposed house and the existing house which only has 2 bedroom windows positioned on its south facing elevation i.e. the principal elevation of the existing house faces north and not towards the proposed plot.

- 4.3 Vehicular access to the site is proposed from the existing access as it is currently of a good standard with good visibility. The proposed utilisation of this access also prevents the need to demolish any part of the existing stone wall that's located on the southern boundary of the site. However, a separate access to the proposed plot could be achieved if that's considered desirable or absolutely necessary by the council.
- 4.4 The recent planning permission in principle approvals (23/00556/IPL in June 2023) for 2 houses on the land to the rear of 10 Kinfauns Holdings and also (22/01583/IPL) for residential development in principle to the rear of 9 Kinfauns Holdings & Towergrove has brought about a significant change of circumstance that now also provides strong support to this particular application as the council has recognised that backland or tandem developments are now a fairly common feature and a characteristic of the wider building pattern within Kinfauns Holdings. The most recent application (23/00556/IPL) was approved on the basis of the same settlement boundary and policies that are set out within the current adopted Development Plan i.e. LDP2 and National Planning Framework 4 which also apply to this site.
- 4.5 The neighbouring applications were in part justified and approved on the basis that backland or tandem developments are a fairly common feature with Kinfauns Holdings. The same principle can therefore relate to the land in front of no.11. It's therefore evident that in approving the neighbouring applications, the council's view of the established building pattern in Kinfauns has changed quite considerably since the time of a previous refusal on this site in 2009.
- 4.6 There are no other properties within the settlement that have such an extensive front garden and for the reasons set out in Table 1 above, approval of this application will not set a precedent for development elsewhere e.g. in the front garden areas of Clach a Cheile or Kindale.
- 4.7 Sections 2-4 above along with the additional supporting plan respond directly to the reasons for refusal that had been set out in 24/00327/IPL and have demonstrated the proposal to be in accordance with both the Perth and Kinross Local Development Plan 2, and the National Planning Framework 4. There are no material considerations that would indicate the application should not be approved.
- 4.8 It is therefore kindly requested that Perth and Kinross Council consider the application favourably and grant planning permission in principle for the erection of a dwelling as being in accordance with the relevant policies in the Development Plan as set out above.

APPENDIX 1

SITE PHOTOGRAPH



APPENDIX 2

SITE PHOTOGRAPH – ACCESS



