



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 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 100718057-002

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: Karen Clark Planning Consultancy

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

First Name: * Karen Building Name:

Last Name: * Clark Building Number: 69

Telephone Number: * 07930566336 Address 1 (Street): * Brechin Road

Extension Number: Address 2:

Mobile Number: Town/City: * Kirriemuir

Fax Number: Country: * UK

Postcode: * DD8 4DE

Email Address: * karen@ktclark.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" value="Lunnanbrae"/>
First Name: *	<input type="text" value="Jock"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="McPherson"/>	Address 1 (Street): *	<input type="text" value="Wester Essendy"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="By Blairgowrie"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PH10 6RA"/>
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"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Land West of Lunanbrae, Wester Essendy, Blairgowrie PH10 6RA"/>

Northing	<input type="text" value="743586"/>	Easting	<input type="text" value="313887"/>
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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 Dwelling House (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 refer to attached Statement of Appeal and associated Appendices

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)

- Appendix 1 Application Forms • Appendix 2 Plans and Location Plan • Appendix 3 Refusal Notice •
- Appendix 4 Report of Handling • Appendix 5 Photos of Existing Field boundary

Application Details

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

25/000996/IPL

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

04/07/2025

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

19/02/2026

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: Mrs Karen Clark

Declaration Date: 02/03/2026

Payment Details

Pay Direct

Created: 02/03/2026 11:35

Town and County Planning (Scotland) Act 1997, as amended

**Application for Review against the Refusal of Planning Permission in Principle
for the Erection of a dwellinghouse Land 45 Metres West of Lunanbrae
Wester Essendy, Blairgowrie, PH10 6RA**

Application Ref 25/00996/IPL

For Mr and Mrs J McPherson (“appellant”)

By Perth and Kinross Council (“the Council”)

Karen Clark, Planning Consultancy, Mayriggs, Brechin Road, Kirriemuir DD8 4DE

Telephone 07930 566336 | Email: karen@ktclark.co.uk

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Appendices

- Appendix 1 Application Forms
- Appendix 2 Plans and Location Plan
- Appendix 3 Refusal Notice
- Appendix 4 Report of Handling
- Appendix 5 Photos of Existing Field boundary

1.Executive Summary

This Appeal Statement is submitted on behalf of Mr and Mrs J McPherson (the appellants) in respect of the decision by Perth and Kinross Council to refuse an application for planning permission in principle for the erection of a dwellinghouse, land 45 Metres West of Lunanbrae Wester Essendy, Blairgowrie, PH10 6RA , Application Ref 25/00996/IPL

The application was validated on the 4th of July 2025 and refused under delegated powers on the 19th of February 2026.

This Appeal Statement addresses in detail the reasons for refusal and demonstrates that on balance the proposal is compliant with the policies of the National Planning Framework 4 (NPF4), the Perth and Kinross Local Development Plan 2 Local Development Plan 2023, and the associated Housing in the Countryside Supplementary Guidance 2020.

For the reasons set out herein, the Local Review Body is respectfully requested to uphold this appeal and grant planning permission for the proposed development.

2. Reasons for Refusal

The decision notice dated the 19th of February 2026 provides the following reason for refusal

- 1 The site does not have suitable existing containment and landscape features along either the north and western boundaries. The north is undefined and simply merges into a wider field, whilst the western boundary is a post and wire fence. Accordingly, the proposal is contrary to Policy 19 (Housing in the Countryside) of the adopted Perth and Kinross Local Development Plan 2 (2019) and Perth and Kinross Council's statutory supplementary planning guidance on Housing in the Countryside (2020) which requires acceptable sites for new homes within existing building groups, or new homes for local people to have a suitable level of existing containment, and landscape features.
- 2 As the site is not allocated for the development proposed and the proposal does not accord with the relevant Local Development Plan policies, the proposal is contrary to Policy 9(b) (Brownfield, vacant and derelict land and empty buildings) not 17 (Rural Homes) of the National Planning Framework 4 (2023) which states that proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the Local Development Plan.

3. Grounds of Appeal

The proposal complies with Policy 17 of National Planning Framework 4 and Policy 19 of the adopted Perth and Kinross Local Development Plan 2 (2019), together with the associated Housing in the Countryside Supplementary Guidance, as the site is located within an existing building group known as Wester Essendy. The site represents appropriate infill within this established group and will continue the existing development pattern. The proposed plot sits within the recognised extent of the group and does not project development further into the open countryside. Rather, it represents a logical infill opportunity that maintains and reinforces the established linear form of Wester Essendy.

The development will respect the existing character, scale and form of the group continuing its established linear pattern. The proposed house will not adversely impact upon the visual amenity of the building group. Furthermore, the site offers an excellent level of residential amenity for future occupants.

The site can also be considered an appropriate addition to a building group under Policy 19 of the Perth and Kinross Local Development Plan 2 (2019).

The site benefits from clearly defined and established boundaries on three sides:

- **To the south:** the public road, which defines the frontage of the building group.
- **To the east:** existing built development.
- **To the west:** an historic field boundary formed by double post-and-wire fencing with rough vegetation.

These features provide a clear physical framework within which development can be contained. The proposal would not result in sporadic or isolated development but would relate directly and cohesively to the existing linear built form of the building group.

As the proposal accords with Policy 17 of National Planning Framework 4 and Policy 19 of the adopted Local Development Plan, reliance on Policy 9 (Brownfield, vacant and derelict land and empty buildings) is misplaced. Policy 9 does not introduce a blanket presumption against greenfield development; rather, it seeks to prioritise the reuse of brownfield land where appropriate. Many forms of rural housing are assessed against criteria-based policies rather than specific site allocations. The fact that the site is not specifically allocated does not automatically render it unacceptable.

In addition, the proposal is supported by:

- Policy 16(c) (Quality Homes) of National Planning Framework 4; and
- Policy 22 of the Perth and Kinross Local Development Plan 2 (2019).

These policies support the delivery of new homes that improve affordability and choice, including self-provided homes and homes that are accessible, adaptable and wheelchair accessible.

The current proposal is for a self-build home specifically designed and adapted to meet the needs of the applicant, who has restricted mobility. As such, it directly accords with the aims and objectives of these policies.

For the reasons set out above, the proposal accords with the Development Plan when read as a whole and with National Planning Framework 4 (2023). It represents appropriate infill within, or at the very least a logical addition to, an established building group, delivering a policy-compliant and accessible self-build home.

4. Site Appraisal

4.1 Site Description

The application site measures 3600 sqm and comprises the southern section of a larger field. The site slopes down to the north towards the Loch of Drumellie. The application site has established boundaries on three sides consisting of the following:

- South- public road to the south,
- East- existing residential property
- West, long established field boundary formed by double row post and wire fence and existing rough vegetation.



Historic boundary to the west formed by double row of fencing, rough vegetation and young trees.

The site sits as part of Wester Essendy, a well-established linear group of buildings which front onto the public road and includes a range of commercial and residential properties which comprises:

- 16 residential homes, Junkin Pittendyke, Ridgeway, Lunanbrae, Ar Dachaigh, Drumellie Bungalow - Residential, The Brackens, Rockdale, Newlands, Duntreaver House, Tovierre House, Lochview, Copper view, Moorcroft, Ormiston and The Sheiling
- 2 residential properties which incorporate businesses- Drumloch and Sheigra

- 4 farms hubs- Aitkenhead Farm , D&G Grant, Benachally, Sholach and Drumellie
- 2 tourist chalets at D&G Grant
- Caravan parks used for seasonal workers at Benachally.

The nature and existence of the group has been confirmed by the Planning Service, in response to planning application for the Erection of a Dwellinghouse, Land 250 metres south of Sheigra, Wester Essendy, Blairgowrie, Ref. 25/00790/FLL located to the west of the site of the current appeal. The Report of Handling for this proposal confirmed Wester Essendy to be

“ a small hamlet, linear in form, comprising a mix of residential and commercial/agricultural buildings.

The Report of Handling continued:

“Over the years a number of infill opportunities have been advanced, which has led to the character of the hamlet becoming very linear in nature, with ribbon development the predominant character of the area.”

In granting consent the Report confirmed that

“the principle of further development in the area, including potential sites to the north of the road, would not necessarily have an adverse impact on the character or appearance of the area, given that it is already clearly linear in form.”

This earlier report confirms Wester Essendy to be an established hamlet, with the development pattern linear in nature where new development was acceptable as it would not have a detrimental impact on the character of the established group..

The Report of Handling to the current appeal also confirms Wester Essendy to be an established hamlet. However, does not agree that the appeal site sits within an acceptable building group due to the separation between the appeal site and the neighbouring property to the west. It is submitted that, as confirmed by the Planning Service as part of previous planning applications, the settlement is a small linear hamlet set along the public road, some sections are more dispersed while other areas are more compact, it is the linear dog tooth development pattern which characterises the area.



Aerial photo demonstrating the application site which sits as part of the linear building group at Wester Essendy

4.2 Land Classification

The application site is currently small field identified as Grade 3.1 on the Macaulay Institutes Land Capability for Agriculture classification. The site is in the ownership of Lunanbrae and is separate from any active farm holding.

The application site is part of a larger field, the rest of which will remain undeveloped. The site is currently vacant and has had no active use for approx. 20+ years, appearing as a residential paddock. The site is remote from any active farm holding and slopes over 15 degrees to the north, therefore would be difficult to cultivate by modern large farm machinery. It is submitted that for these reasons the field cannot be farmed economically nowadays as it would prove problematic for large farm machinery.

Therefore, it is submitted that in fact this small section of field is unsuitable for modern farming and as a result the 3.1 land classification is not supported.

There is no dispute on this matter with PKC, the Report of Handing confirms that the land is not a functional area of an agricultural land. Further, the area which would be lost is very small and does not adversely affect the viability of the surrounding agricultural units to function.

5. Planning History

There is no planning application history on the site.

Within the immediate area there has been some recent new residential development, extensions and alterations to existing homes and new visitor accommodation. Examples of recent development are as follows:

- 22/01416/AML Land North of Flolda, Essendy, Erection of Holiday accommodation units, approved November
- 22/01957/IPL Land SE of Loch View, Wester Essendy approved March 2023
- 21/01648/IPL Land NE of Henderson Marquee Hire, Essendy, Erection of House approved January 2022
- 23/00161/FLL Land East of Brackens, Wester Essendy, erection of house approved April 2023

This recent planning history demonstrates the established building group at Wester Essendy and the evolving nature of the group.

6. Design Process

6.1 Design Brief

The applicants are committed to a high-quality sustainable design which provides a good residential environment while continuing the established development pattern.

They are looking to create a sustainable and accessible home which meets the specific requirements of Mrs McPherson who suffers from Multiple Sclerosis (MS) and has mobility issues which are likely to worsen over the years. The family has strong ties to the local area and wish to remain within the community in order to continue benefiting from established family support networks and local services, including access to medical care.

6.2 Response to Site and Context

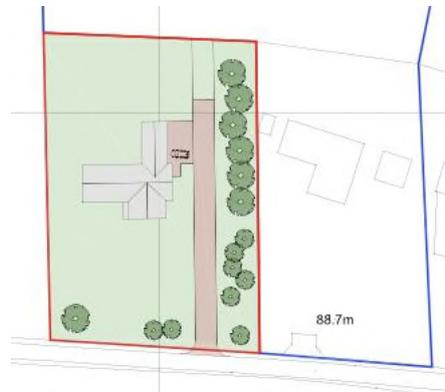
The most important feature in the consideration of the proposal is how the proposed house will fit with the surrounding landscape setting, will continue the established linear pattern of development and as a result will accord with the policies of Perth and Kinross.

6.3 Development Proposals

The current application seeks planning permission in principle for a single house with associated amenities including garden ground, off street parking, refuse storage. While the application seeks the principle of development only at this time, an indicative layout plan has been provided to demonstrate how the house could be accommodated should the principle of development be established. The indicative plan is for information only and does not form part of the formal proposal. If the principle of the proposal is granted the final design and layout will be subject to a further application for the approval of Perth & Kinross Council.

The indicative plan shows the house in line with the neighbouring houses Lunanbrae and Ridgeway with a frontage to the adjoining public road benefiting from a south facing aspect making the most of the expansive views while maximising solar gain. The house will be of a similar scale and plot size to the existing houses in the immediate area, specifically Lunanbrae to the east. The proposed house will be located between Lunanbrae to the east and the premises of D&G Grant to the west and will not extend ribbon development but will rather continue the established linear development pattern of the building group. While detailed house designs are not available at this time, the intention is for

an attractive, sustainable family home. The design and finishing materials will be appropriate to the countryside location.



Proposed indicative layout

The proposed house will be set within an enhanced landscape setting with new native landscaping, including enhanced boundary treatment to the west in the form of a hedgerow, providing a net biodiversity enhancement while improving habitat opportunities within this area. The site will take access to the public road which has good visibility in both directions. In terms of servicing, the proposed house will have SUDs and septic tank.

The key consideration is to provide a fully accessible home, adapted to the needs of the applicants. While no detailed plans are available at this time as the application seeks to establish the principle of development only at this time, the intention is to build a purpose-designed adaptable home tailored to meet Mrs McPherson's specific requirements. MS significantly affects mobility with a slow decline expected over the years. The house will be specially adapted to ensure it remains suitable and accessible as her needs change. The adaptations will include the following:

- Step-free access
- Doorway widened
- Low thresholds preventing obstructions.
- Hallways provided with extra width
- Lower light switches and controls
- Raised sockets and outlets
- Kitchen appliances specified with side-opening oven doors, cooktops with front-mounted controls, drawer-style dishwashers.
- Wheel-in shower with a level-access shower and slip-resistant flooring.
- Grab bars near toilet, shower, and bath for support.
- Toilet height raised
- Basins lowered with space underneath for wheelchair use.
- Generous bathroom area providing turning space.
- Sliding doors for wardrobes allowing easier to operate than swing doors.

- Paths and driveways slip-resistant
- Gardens to include raised garden beds for accessible outdoor activity.
- Smart home technology providing voice-activated systems for lights, doors, and appliances.
- All flooring: Smooth, non-slip surfaces

Given the specific requirements, building a new home is often the most efficient option as to reconfigure and adapt an existing property is difficult and cost prohibitive and often cannot provide the accommodation required.

6.4 Sustainability

The scheme utilises part of a field which is of limited if any agricultural use therefore the use of the site will make best use of land as a scarce resource. The proposed house will be orientated to the south making best use of solar gain opportunities. The final design, which will be subject to the approval of Perth and Kinross Planning Service, will incorporate renewable heat source and be constructed to all current building control standards. The house will be insulated to an enhanced level including PV panels and a form of renewable heating, either air source or ground source, to be confirmed. The property will further include sustainable urban drainage systems.

7. Development Plan Policy

7.1 National Planning Framework 4

NPF4 was adopted on the 13th of February 2023 and forms part of the development plan. It is important to recognise that as National Planning Framework postdates the Perth Local Development Plan 2019, NPF4 takes precedence.

NPF4 is guided by spatial principles, of relevance in the determination of the current application are the following:

- Conserving and recycling assets: We will make productive use of existing buildings, places, infrastructure and services, locking in carbon, minimising waste, and building a circular economy.
- Rural revitalisation. We will encourage sustainable development in rural areas, recognising the need to grow and support urban and rural communities together.

The current proposal fully aligns with these spatial principles as it will make best use of land with no current use. Given the slope of the field and the fact that the field is remote from an agricultural holding the field is not in an active use and has no prospect of an active agricultural use. The proposal will result in an appropriate, small scale and sustainable development which continues the existing development pattern within the rural area.

The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 1 Sustainable Places
- Policy 2 Climate mitigation and adaptation

- Policy 3 Biodiversity
- Policy 14 (Design, Quality and Place)
- Policy 17 (Rural Homes)

Policy 1 Sustainable Places

Policy Outcomes: seeks to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2 Climate mitigation and adaptation again seeks to encourage, promote and facilitate development that minimises emissions from development.

c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

Response to Policy 1 and 2: the proposal will result in the use of an area of vacant land. Given the slope of the land and the disconnection from an active farm unit, the land has no current use or prospect of a return to agriculture. The proposed house represent an appropriate addition to an established rural group contributing to compact growth while assisting with rural revitalisation. The proposed house will be designed and constructed to minimise emissions.

Therefore, it is submitted that proposal complies with Policy 1 and 2.

Policy 3 Biodiversity

Policy Intent: To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.

Response: The detailed plans, which will be subject to the approval of PKC Planning Service, will include a considered landscape plan which will incorporate native planting including an enhanced hedgerow along the western boundary. This will bring a net biodiversity enhancement and will improve habitat opportunities within the sites.

Therefore, it is submitted that proposal complies with Policy 3.

Policy 14 Design, quality and place

a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Response: The development will result in the use of part of the large garden area within an existing rural grouping.

Response: The proposal will continue the established development pattern providing a single house set within an enhanced landscape setting providing net biodiversity and habitat gains. The proposal will provide a healthy environment with the development of a low-density, high-quality, accessible home specially adapted to meet the needs of the applicant who has restricted mobility. The house will be designed to be sustainable and will meet current building standards using sustainable materials and a sustainable source heating.

Therefore, it is submitted that the proposal complies with Policy 14 Design, quality and place.

Policy 17 Rural homes

Policy Outcomes:

- Improved choice of homes across tenures so that identified local needs of people and communities in rural and island areas are met.
- Homes are provided that support sustainable rural communities and are linked with service provision.
- The distinctive character, sense of place and natural and cultural assets of rural areas are safeguarded and enhanced.

Response: Policy 17 requires that LDPs set out tailored approaches to rural housing. In Perth and Kinross this is provided by Policy 19 Housing in the Countryside of the Perth and Kinross LDP 2019 supported by The Housing in the Countryside Supplementary Guidance 2020. These policies will be

considered later within this report. The proposed individually designed and sustainable home which will continue the linear development pattern of the existing group and will make a positive contribution to the character of the area while providing appropriate new development in the countryside.

It is submitted that the proposal complies with Policy 17.

Policy 16 Quality homes

Policy Intent: To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported.

This could include:

- i. self-provided homes;
- ii. accessible, adaptable and wheelchair accessible homes;

Response: The proposal will allow a home designed to meet the requirements of the applicant who has an illness which significantly impacts her mobility. The family have strong ties to the local area wish to stay within area allowing them to benefit from continued support from family members and the local support system including medical care.

The proposed house complies with Policy 16 Quality Homes as it offers a self-build house, the detailed design of which will be specially adapted to meet the specific requirements of an individual with identified needs.

Policy 22 Flood Risk and Water Management

Policy Intent: To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

Response: The SEPA maps indicate no flood risk on the site.

Therefore, the proposal will comply with Policy 22.

Overall, the proposal complies with the spatial principles and relevant policies of NPF4

7.2 Perth and Kinross Local Development Plan 2 2019

The policies in relation to the current application site are relevant to this proposal.

- Policy 1B: Placemaking
- Policy 5: Infrastructure Contributions
- Policy 19: Housing in the Countryside

- Policy 22: Particular needs housing accommodation
- Policy 41: Biodiversity
- Policy 45A Lunan Lochs Catchment Area
- Policy 53A: Water Environment and Drainage
- Policy 60A: Transport Standards and Accessibility Requirements

In addition, the following Supplementary Guidance is of relevance

- Affordable Housing
- Developer contributions
- Housing in the Countryside Supplementary Guidance Placemaking Guidance

These policies will be considered in the Discussion section.

8. Discussion

The Town and Country Planning (Scotland) Act 1997 as amended requires that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The application seeks planning permission in principle for a single self-provided family home which will be designed and adapted to meet the needs of the applicant who has mobility issues all set within an enhanced landscape setting.

While the application seeks planning permission in principle only at this time, an indicative layout plan has been provided to aid consideration of the proposal. This indicates a single house of a scale and nature similar to existing properties within the immediate area. The house will continue the established linear development pattern, with the proposed house set back from the road, in line with the existing house to the east, providing a high-quality home. The house will take access to the public road to the south, which offers excellent visibility in both directions. The existing established group at Wester Essendy includes a range of residential, commercial and tourist uses, is linear in nature with development along the road frontage. The proposed development represents an appropriate infill opportunity site within the grouping and will not extend the group.

The immediate area includes a range of buildings, styles, materials, ages all in evidence. It is proposed to provide a single high quality family home set within garden ground of similar scale to the neighbouring properties designed to fit with the rural setting. The house will be finished with a limited palette of materials ensuring it integrates with the site and its surroundings. The proposal will further include a detailed landscape scheme using native planting providing enhanced biodiversity opportunities. The site is generous, providing a high level of residential amenity for the prospective residents while protecting the amenity of the existing residents.

It is worth noting, and as confirmed in the Report of Handling, the overarching corporate aims of Perth and Kinross Council include of encouraging new development and promoting rural growth.

Turning to the specific policies of the Perth and Kinross LDP of relevance to the current application:

Policy 1B: Placemaking Development, development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

Response: In the current circumstances the proposed site utilises part of a field which is remote from a farm holding, the field slopes to the north and as a result is of limited use for modern farming as the large machinery cannot access the land.

The proposed house site is located within an established hamlet of Wester Essendy which includes a mix of houses and commercial properties all of which run in a linear pattern on both sides of the existing public road. The existing group has grown organically over time and comprises a mix of houses, commercial uses of varying types and dates, most recently new development has been approved as recently as 2022 and 2023 for residential and visitor accommodation uses.

In terms of the specific requirement of Policy 1B we would respond as following

All proposals should meet all the following placemaking criteria:

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

Response: The proposed development provides a logical and appropriate continuation of the linear group at Wester Essendy.

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

Response: The indicative layout demonstrates the proposed house in line with the adjacent house at Lunanbrae and respects the north/south orientation of the site. The proposed house will be set back from the road providing a welcoming and active frontage to the road. The development will include generous landscape scheme providing enhanced biodiversity opportunities.

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

Response: The proposed house will be set in a generous plot similar in scale to the surrounding houses. While detailed design is not available at this time it is intended that the proposed house will be of a scale and nature appropriate to the rural surrounding and will provide a high-quality solution to the site.

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

Response: The proposed house continue the established building line and will be positioned in line with Lunanbrae and Ridgeway to the east.

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

Response: the proposed housing faces south towards the public road creating a welcoming and active frontage.

(f) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.

Response: The proposed house will be fully accessible and adaptable. The structure of the building will fully adhere to current building regulations with sustainability at the core of the design.

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

Response: No comment

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

Response: The detailed design will incorporate generous landscaping providing enhanced biodiversity and habitat opportunities. Further, the house will incorporate SUDs.

(i) Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).

Response: The proposed house will incorporate facilities for the storage of waste.

(j) Sustainable design and construction.

Response: The design and construction will be developed to fully adhere to current building standards.

Policy 5: Infrastructure Contributions, the Policy requires developer contributions to be paid where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities.

Response: The consultation response from the Developer Contributions Team confirmed no contributions are required.

Policy 19 Housing in the Countryside supported by The Housing in the Countryside Supplementary Guidance 2020, (HITCG) looks to balance the need to protect outstanding landscape while allowing development within the rural areas. The Council confirm support for 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.

Response: It is submitted that the proposal falls to be considered as an appropriate infill addition to an existing, well-established and continually evolving building group.

The Supplementary Guidance provides advice defining a building group, confirming:

“For the purposes of this Supplementary Guidance a building group is defined as 3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group. The majority of the buildings in the group should be either residential or be suitable for conversion to residential under Category 5 of this guidance. Premises which are smaller than a traditional cottage, such as small domestic garages and outbuildings, will not count towards the requirement for at least 3 buildings.”

The Guidance goes on to state:

“Some areas are characterised by a more dispersed building pattern. Where buildings appear as an obvious group within their landscape setting, permission will be granted for new houses subject to the requirements listed in ‘Adding to a Group’.”

This is the principal area of dispute within the Report of Handling, which concludes that the appeal site does not form part of an existing building group. As detailed earlier in this Report, it is clear from that the site is located within the existing building group at Wester Essendy, an established hamlet confirmed by the Planning Service in the Report of Handling.

This building group has developed organically over time, with both residential and commercial properties arranged in a linear form along the main road. The prevailing settlement pattern is characterised by buildings set facing the road, with long, narrow plots extending perpendicular to the frontage. Lunanbrae and Ridgeway, located to the east of the appeal site, appear both physically and visually as part of the existing grouping at Wester Essendy.

The aerial photograph appended (Appendix 5) clearly demonstrates this established pattern. While development along the road varies in density, appearing more dispersed in some sections and more closely arranged in others, the overall character remains consistent. The defining feature of the settlement is its linear form, with properties set along the main road and oriented towards it, within long, narrow plots running perpendicular to the road frontage.

In this context, the appeal proposal would represent a logical and sympathetic infill development continuing the existing pattern of development, reinforcing established building group at Wester Essendy.

The Report of Handling also disputes the degree of site containment. As outlined, the appeal site benefits from clearly defined and long-established boundaries on three sides. To the east, it is bounded by Lunanbrae; to the south by the public road frontage; and to the west by a long-established field boundary formed by a double row of fencing reinforced by rough vegetation, including young self-seeded trees. These features provide a clear and defensible edge to the site and create a strong sense of physical containment within the landscape.

The assessment of containment must also be undertaken in the proper context, namely that the site represents an infill opportunity within an established linear building group. The surrounding area comprises a mix of modern and traditional dwellings, commercial premises and farm hubs, reflecting the organic evolution of the settlement over time. In such circumstances, strict enclosure on all sides is neither characteristic of the prevailing settlement pattern nor required by the Supplementary Guidance.

Viewed against the established linear form of development and the existing boundary treatments, the site is appropriately contained and visually related to the wider group. The proposal would therefore constitute a logical development within an established building group, complying with the relevant policy requirements for adding to a group and reinforcing, rather than eroding, the existing settlement structure.

In terms of the design considerations

- There are no designations or constraints on the application site which affect development.
- The design and layout have been designed to follow the topography of the site and the existing development pattern.
- The design will provide a single high-quality family home designed to reflect the existing building group in terms of scale, design and materials.
- The proposed house will benefit from a south facing aspect to take maximum advantage of the solar gain opportunities. Further, the detailed design will include sustainable urban drainage systems, will be insulated to an enhanced level and will include PV panels and a form of renewable heating (either air source or ground source), to be confirmed.
- A limited palette of locally sourced materials will be used within the development.
- The site benefits from long established boundaries to the south and east. The site represents an infill site within the established linear group.
- The proposed development incorporates off street parking.

Therefore, considering all relevant matters on balance it is submitted that the proposal will result in an appropriate infill development within an existing building group and as a result the proposal complies with Policy 17 and the associated Housing in the Countryside SG.

Policy 22: Particular needs housing accommodation confirms support for people with additional support needs.

Response: In the current circumstances the applicant has MS and as a result has issues with mobility, which is likely to further deteriorate over time. The proposed house will offer the opportunity to provide a new self-provided house within the area they currently live allowing them to continue to

benefit from family support and care. While the current application seeks to establish the principle only at this time the detailed house design will provide a thoughtfully adapted homes to meet the applicants specific needs.

Policy 41: Biodiversity- Looks to protect and enhance all wildlife and wildlife habitats, whether formally designated/protected or not, taking into account the ecosystems and natural processes in the area.

Response: In the current proposal, the application will include landscape scheme including enhanced native planting which will result in overall net biodiversity and habitat gains.

Policy 45A ad B Lunan Lochs Catchment Area Requires that the Lunan Lochs are not impacted by the development.

Response: The current proposal seeks planning permission in principle at this time. If approved the reserved matters application will be accompanied by a drainage plan which will demonstrate that the proposed small-scale development of a single homes will not impact the water quality and phosphorus betterment can be achieved.

Policy 53A: Water Environment and Drainage The proposal will incorporate a SUDS and a private drainage system Further as the site lies within the Lunan Valley, the development will ensure a 125% reduction in existing discharges. Scottish Water has no objection to the proposal

Policy 60A: Transport Standards and Accessibility Requirements The Transportation and Development Team have commented on the proposal, and at this stage they have no objections to what is proposed. All access and parking details will be agreed at the detailed design stage.

Overall, it is submitted that the proposal complies with the relevant policies of the Perth and Kinross Local Development Plan 2 and associated supplementary guidance.

9. Conclusion

The Application for Review is submitted against the refusal of planning permission in principle for a single dwellinghouse.

The principal area of disagreement identified in the Report of Handling relates to whether the appeal site forms part of an existing building group and whether the site benefits from sufficient containment.

The appeal site lies within the hamlet of Wester Essendy, an established group of residential and commercial properties which has evolved organically over time. Development has taken place in a predominantly linear pattern along the public road, with buildings generally positioned to address the road frontage. In some sections the pattern is relatively compact, while in others it is more dispersed; however, the defining characteristic remains the linear arrangement of properties fronting the road, with plots extending perpendicular to it.

The site clearly sits within the established building group and reads both visually and physically as part of the wider cluster of properties. It does not project into open countryside nor form a sporadic or isolated intrusion. The proposal would instead represent a logical infill of the existing settlement pattern.

The site benefits from strong physical containment on three sides: by the public road to the front, by existing built development to one side, and by a long-standing field boundary to the rear/side defined by a double row of fencing and established rough vegetation. These features create a defensible edge and reinforce the sense that the site forms part of the existing settlement framework. The proposal would respect and continue the established linear form of development, maintaining the prevailing spatial characteristics of Wester Essendy.

In addition, the proposed dwelling is intended as a self-build home specifically designed to meet the needs of the applicant, who has restricted mobility. The provision of an accessible, purpose-designed home within an established community is a material planning consideration and carries significant weight in favour of the proposal. It would allow the applicant to remain within their local community in accommodation adapted to their particular needs.

Both National Planning Framework 4 and the corporate objectives of Perth and Kinross Council support sustainable development in rural areas, recognising the importance of sustaining and growing rural communities alongside urban centres. The proposal aligns with these objectives by contributing sensitively to an existing building group rather than creating isolated development in the open countryside.

It is therefore submitted that:

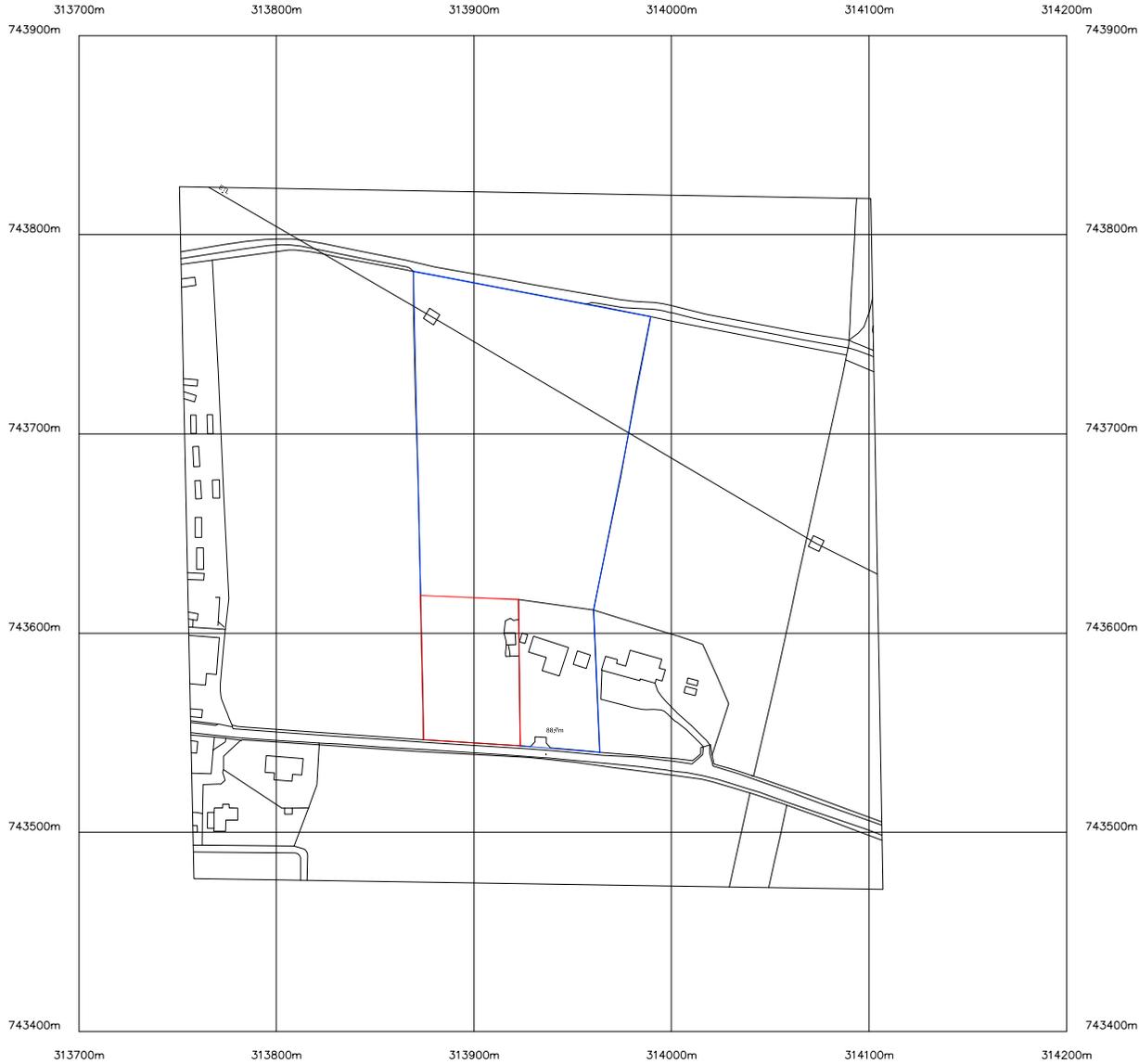
- The site is situated within an existing building group;
- The proposal represents a logical and sympathetic continuation of the established linear development pattern;

- The site benefits from clear physical containment, which would be reinforced by the development;
- The proposal would deliver a self-build dwelling specifically adapted to meet the needs of a local resident with limited mobility; and
- The development would enhance the site through net biodiversity and habitat gains.

Accordingly, the proposal accords with National Planning Framework 4 Policy 16(c) (Quality Homes) and Policy 17 (Rural Homes) and Policy 19 (Housing in the Countryside), and Policy 22 (Housing for Particular Needs) of the Perth and Kinross Council Local Development Plan 2, together with the associated Countryside Housing Supplementary Guidance.

When assessed in the round, these considerations weigh positively in the planning balance and support the grant of planning permission in principle

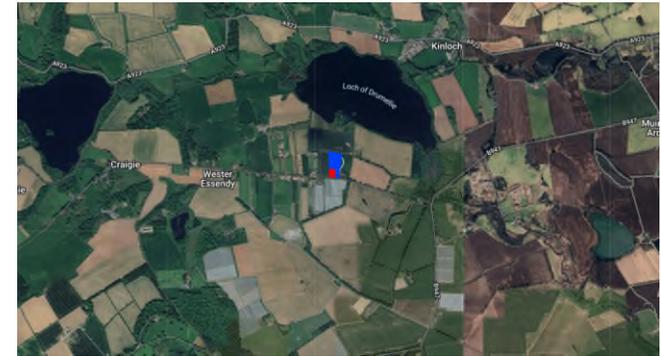
March 2026



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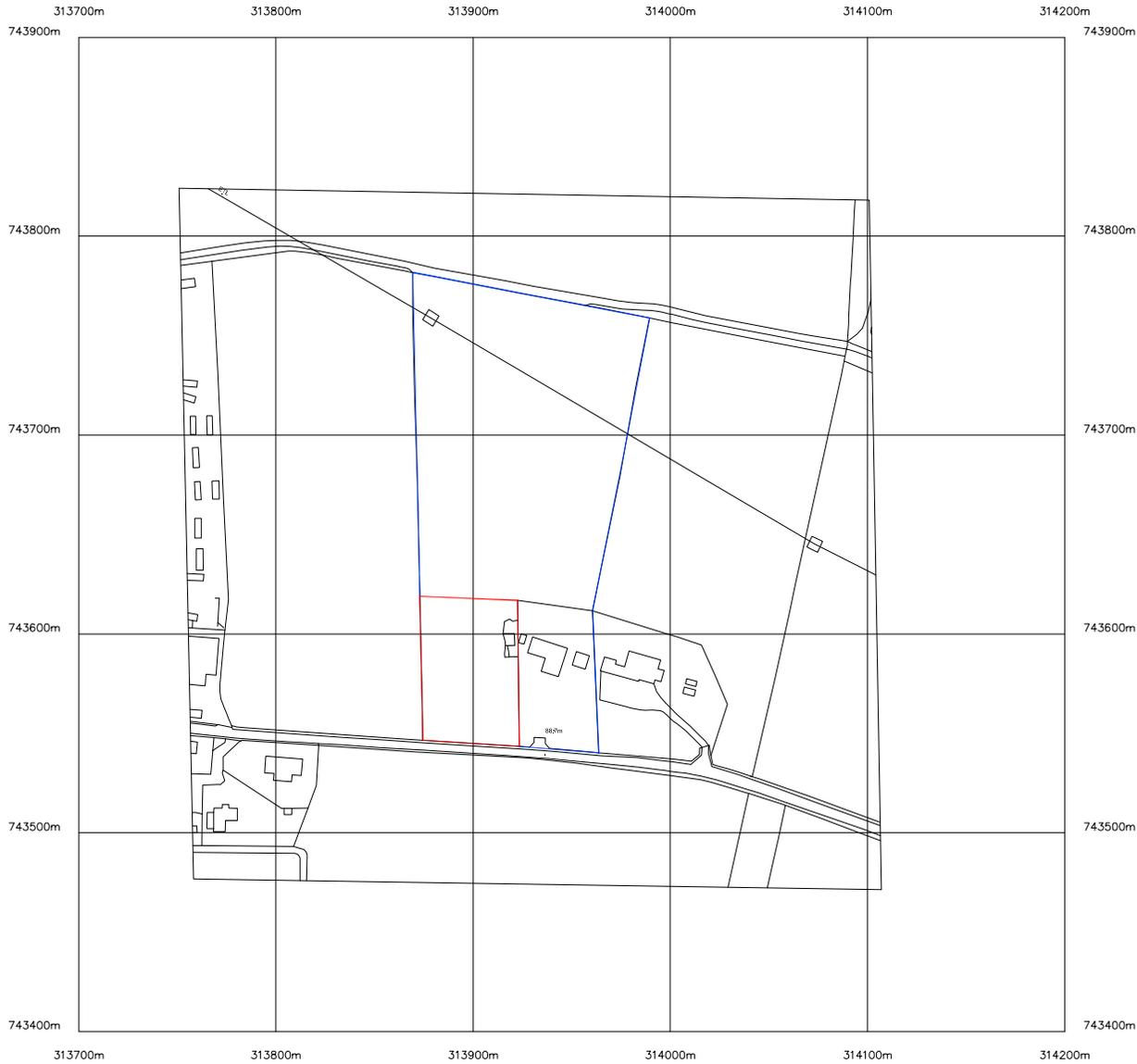


SITE MAP 1
scale 1:10000
0m 50m 100m 150m 200m
VERTICAL SCALE 1:1000 @ A1



SITE MAP 2
scale 1:25000
0m 100m 200m 300m 400m
VERTICAL SCALE 1:5000 @ A1

A	04/27/2025	ADDITIONAL SITE MAPS ADDED	DB
DATE	DATE	DESCRIPTION	REVISION
Project Title: PROPOSED NEW HOUSE LUNANBRAE, ESSENDY, BY BLAIRGOWRIE, PERTHSHIRE			
Drawing Title: SITE LOCATION PLAN			
Date: 10/08/2025	Scale: 1:1250 @ A1	Project Drawing No: P25-019_SLP-01	Rev: A
Type: PLANNING	Issue: DB	 gauldewright&partners Chartered Architects Gaildie Wright & Partners 2 Osborne Place Marjorie Tait Road Dundee DD2 1SD 01382 96021 e info@gwp-architects.co.uk w www.gwp-architects.co.uk	
© GAULDE WRIGHT & PARTNERS ARCHITECTS LTD, 2022			



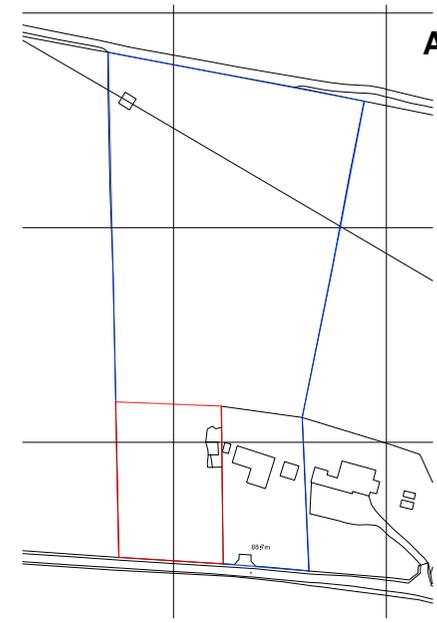
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DATE	DATE	DESCRIPTION	FILE
PROPOSED NEW HOUSE LUNANBRAE, ESSENDY, BY BLAIRGOWRIE, PERTHSHIRE			
SITE LOCATION PLAN			
DATE: 13/05/2025	SCALE: 1:1250 @ A1	PROJECT/DRAWING NO.:	REV.:
TITLE: PLANNING	TWEET/REV.:	P25-019_SLP-01	-
gauldiewright&partners Chartered Architects		Gauldie Wright & Partners 2 Osborne Place Marjorie Park Road Dundee DD2 1SD 01382 96001 e info@gwp-architects.co.uk w www.gwp-architects.co.uk	
<small>© GAULDIE WRIGHT & PARTNERS ARCHITECTS LTD, 2022</small>			



PROPOSED BLOCK PLAN
scale 1:500
0m 10m 20m 30m 40m 50m
VISUAL SCALE 1:500 @ A1



SITE LOCATION PLAN
scale 1:1250
0m 25m 50m 75m 100m 125m
VISUAL SCALE 1:1250 @ A1



ref	date	description	drawn
PROPOSED NEW HOUSE LUNANBRAE, ESSENDY, BY BLAIRGOWRIE, PERTHSHIRE			
PROPOSED OUTLINE SITE PLAN			
DATE: 10/06/2025	SCALE: Noted @ A1	PROJECT/DRAWING NO.:P25-019_SK-01	REV.:
TYPE: PLANNING	ISSUED BY: DB		-
gauldewright&partners Chartered Architects		Gauldewright & Partners 2 Osborne Place Marjolin Tann Road Dundee DD2 1SD 01382 96001 e info@gwp-architects.co.uk www.gwp-architects.co.uk	
© GAULDE WRIGHT & PARTNERS ARCHITECTS LTD, 2022			



Mr Jock McPherson
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2 High Street
Perth
PH1 5PH

Date of Notice : 19th February 2026

**Town and Country Planning (Scotland) Act (as amended)
Planning, etc. (Scotland) Act 2006 (as amended)**

Application Reference: **25/00996/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 2025 for permission for **Erection of a dwellinghouse (in principle) Land 45 Metres West Of Lunanbrae Wester Essendy Blairgowrie PH10 6RA** for the reasons undernoted.

Kristian Smith
Development Management & Building Standards Service Manager

Reasons for Refusal

1. The site does not have suitable existing containment and landscape features along either the north and western boundaries. The north is undefined and simply merges into a wider field, whilst the western boundary is a post and wire fence. Accordingly, the proposal is contrary to Policy 19 (Housing in the Countryside) of the adopted Perth and Kinross Local Development Plan 2 (2019) and Perth and Kinross Council's statutory supplementary planning guidance on Housing in the Countryside (2020) which requires acceptable sites for new homes within existing building groups, or new homes for local people to have a suitable level of existing containment, and landscape features.
2. As the site is not allocated for the development proposed and the proposal does not accord with the relevant Local Development Plan policies, the proposal is contrary to Policy 9(b) (Brownfield, vacant and derelict land and empty buildings) nor 17(Rural Homes) of the National Planning Framework 4 (2023) which states that proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the Local Development Plan.

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 which form part of this decision are listed below and are displayed as 'refused' on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

01

02

03

04

Should you require further information regarding the decision please contact either developmentmanagement@pkc.gov.uk or call 01738 475300, quoting the above planning reference number, and you'll be directed to the most appropriate person.

REPORT OF HANDLING

DELEGATED REPORT

Ref No	25/00996/IPL	
Ward No	P5- Strathtay	
Due Determination Date	3rd September 2025	
Draft Report Date	27th November 2025	
Report Issued by	Andy Baxter	Date 18 February 2026

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 45 Metres West Of Lunanbrae Wester Essendy,
Blairgowrie, PH10 6RA

SUMMARY:

This report recommends **refusal** of an in principle application for a new dwelling on a site at Wester Essendy, outside of Blairgowrie as the development is considered not to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

This planning application seeks to obtain an in principle application for a new dwelling on a site at Wester Essendy, a small hamlet of buildings which is located to the west of Blairgowrie, and within the environmentally sensitive Lunan Valley area. The wider Wester Essendy is a loose group of buildings which is mostly residential which has grown over the years by new dwellings filling in gaps between the more historic smallholding buildings. There remains some agriculture in the area, but this has moved away from crops to a mixture of soft fruit and Christmas trees, as well as some rural businesses and contractors.

The area immediately to the west of the site had previously been covered by commercial polytunnels as part of the soft fruit industry, with further polytunnels to the south of the main road. The western polytunnels aren't however currently in situ.

This site is located to the west of two existing dwellings, and to east of a run of other residential dwellings. Between those properties to the east and the site, is a separate field in different ownership, and it is that field which has previously accommodated polytunnels in the past. The public road bounds the site to the south, to the north the side merges straight into part of the larger field in which the site sits, and to the west is a post and wire fence.

During the course of the assessment of the application, the applicant has presented some further information relating to the need for a purposely designed dwelling to deal with personal circumstances of a member of the applicants family.

SITE HISTORY

None specifically relating to this site, however, there has been many a recent planning application within the larger hamlet of Wester Essendy for both residential uses and some other non-residential uses.

PRE-APPLICATION CONSULTATION

None relevant to this proposal.

DEVELOPMENT PLAN

The Development Plan for the area comprises National Planning Framework 4 (NPF4), Perth and Kinross Local Development Plan 2 (2019) (LDP2) and statutory supplementary planning guidance (SPG).

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 5: Soils
- Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings
- Policy 14: Design, Quality and Place
- Policy 16: Quality Homes
- Policy 17: Rural Homes

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 site is located within the landward area of the LDP and within the Lunan Valley area, where the following policies are applicable,

- Policy 1B: Placemaking
- Policy 5: Infrastructure Contributions
- Policy 1A: Placemaking

- Policy 19: Housing in the Countryside
- Policy 22: Particular needs housing accommodation
- Policy 41: Biodiversity
- Policy 45A: Lunan Lochs Catchment Area
- Policy 60A: Transport Standards and Accessibility Requirements

Statutory Supplementary Planning Guidance

The following statutory SPG are applicable to this proposal,

- Developer Contributions and Affordable Housing 2023
- Housing in the Countryside Guide 2020
- Placemaking Guide 2020

OTHER MATERIAL CONSIDERATIONS

PKC Corporate Plan Vision and Priorities

The proposed raises no conflict with any of the Council's priorities, and it aligns positively with the following specific priorities,

- Tackling climate change and supporting sustainable places
- [Supporting and promoting physical and mental wellbeing](#)

National Planning Guidance

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

Planning Guidance

Biodiversity, 2025

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.

Non-Statutory Planning Guidance

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

Local Place Plans

Local Place Plans are community-led plans setting out proposals for the development and use of land and set out a community's aspirations for its future development. There are no LPP which affect this proposal.

EXTERNAL CONSULTATION RESPONSES

Scottish Water have commented on this proposal and raised no objections.

INTERNAL COUNCIL COMMENTS

Transportation And Development have commented on the proposal, and at this stage they have no objections to what is proposed. Finer details will be reviewed at the detailed stage and comments have been made as to what the minimal requirements will be.

Development Contributions Officer have commented on the proposal. As this is an IPL application only, model conditions in relation to developer contributions could be used.

REPRESENTATIONS

None received,

ADDITIONAL STATEMENTS RECEIVED

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment under Habitats Regulations	AA Not Required at this stage. The detailed proposal will provide 125% reduction in phosphorus so there will be an improvement made and no adverse impact.
Design Statement or Design and Access Statement	Supporting statement
Report on Impact or Potential Impact	None required at this stage. Drainage information will be required at the detailed stage.

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, the LDP2 and statutory SPGs. The relevant policy considerations are outlined in the policy section above and are considered in more detail below.

In terms of other material considerations, this involves considerations of the Council's non-statutory policies and supplementary guidance, these are discussed below only where relevant.

Policy Appraisal

There are relevant policies contained in all parts of the Development Plan.

In terms of the NPF4, *Policies 1 (tackling the Climate and Nature Crises) and 2 (Climate Mitigation and Adaptation)* look to ensure that all new developments take into account climate change, and its implications. *Policy 3 (Biodiversity)* looks to ensure that new developments take into account both local and protected wildlife and also provide proportionate level of enhancements. *Policy 4 (Natural Places)* looks to protect our environmentally sensitive sites, whilst *Policy 5 (Soils)* looks to ensure that our rich and important soils are protected from large scale developments. *Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings)* offers support for new homes in the countryside providing they comply with the relevant policies in the LDP2.

Policy 14 (Design, Quality and Place) looks to ensure that all new developments are of a high design standard, and high standard of new homes is encouraged through *Policy 16 (Quality Homes)* with encouragement for sites which are allocated for residential. *Policy 17 (Rural Homes)* offers support for new housing in certain instances.

In terms of the LDP2, the site lies within the landward area with *Policies 1 (Placemaking), 19 (Housing in the Countryside), 22 (Particular needs housing accommodation), Policy 41 (Biodiversity), 45A (Lunan Lochs Catchment Area), Policy 50 (Soils) and Policy 60A (Transport Standards and Accessibility Requirements)*.

Policy 1 seeks to ensure that all new developments do not have an adverse impact on the character and amenity of the area concerned, whilst *Policy 19* is the LDP version of the Council's HITCP and offers support for new residential developments in certain instances, such as within building groups and extension to existing building groups. *Policy 22* looks to offer support particular and special types of accommodation including residential, subject to some criteria.

In terms of *Policy 45*, this looks to protect the environmentally sensitive Lunan Valley catchment area and requires all new proposals to offer a degree of betterment in terms of phosphorus enter the sensitive lochs. *Policy 50* looks to protect prime land and rich soils from large scale developments, whilst *Policy 60* looks to ensure that all new developments accord with the standards of the Council and also those of the NRDG.

In terms of SPGs, the Council's policies on Placemaking, Housing in the Countryside and Developer Contributions are all applicable.

Land Use Acceptability

The rural homes policy of the NPF4 (*Policy 17*) does not offer any specific policy support for infill opportunities or extension to existing building groups, as this policy is focused more on delivery to allocated sites, on economic need homes, the

replacement conversion of existing buildings and the redevelopment of brownfield land.

None of these elements are directly relevant to this proposal.

However, support for new development within an existing building group and / or development which extends an existing building group is offered by *Policy 9* of the NPF4, which essentially says that acceptability of such proposals falls back on whether or not the proposal complies with the relevant LDP policies. Those relevant LDP policies do allow for extension of existing building groups, in certain circumstances.

The key test of this proposal from a land use point of view is therefore whether or not the proposals complies and aligns with the Council's own Housing in the Countryside Policies, which are *Policy 19* of the LDP2 and the associated SPG.

These polices define a building group as being three or more buildings of at least residential scale.

The site is immediately adjacent to two properties, with other properties further to the west. The applicant has put forward an argument that the 'building group' which is relevant to this proposal is the wider grouping which contains the two properties to the east, and all other properties and buildings to the west. There is a gap between these two areas of approx. 150m directly east to west, and approx. 100m to the property to the south of the road. These distances are probably more than a close knit area, but not significant enough to be entirely divorced altogether, and there is some degree of relationship and correlation.

In light of this, there is a reasonable argument that the two areas could be considered part of a loose grouping, but an opposite argument could equally be made for the areas being two different groups, which would mean that the site is not part of a building group (i.e. 3 or more buildings).

PKC corporate aims of encouraging new development and promoting rural growth, perhaps could be used to sway the argument in favour of the site being part of a loose building group, so the question of acceptability of a new dwelling in terms of development within a building group, then moves to whether or not the site is well defined by existing landscape features and is capable of absorbing the development proposed.

At the moment two boundaries have solid, natural boundaries the south to the road and to the east the boundary/curtilage of the existing dwelling. The other two boundaries to the south and west are not defined. There is no current boundary to the south, whilst there is a historic post and wire fence to the west. The applicant has suggested that if this application is approved then both these boundaries will be enhanced with new landscaping and trees, which will then form the sites curtilage. The text contained with the SPG makes it clear that even in instances where a site is considered to be within a building group, acceptable sites still need to have a good level of natural containment. Page 8 of the SPG states that, *Permission may be granted, subject to the criteria above, for houses which extend the group into a*

readily definable adjacent site. This will be formed by existing topography, roads or well-established existing landscape features such as a watercourse or mature tree belt which will provide a suitable setting.

The question for this application is therefore whether or not ½ of the site's natural boundaries being either undefined or defined by a post and fire fence is acceptable containment for a new house, within the context of a building group.

Having only 50% of the site conforming with the types of existing topography is not ideal, and it is challenging to make an argument that a combination of improving and creating 'better' landscaping features on the other two sides is logical and acceptable.

The applicant was asked a question about the polytunnels which have in the past been sited immediately to the west of the site, and if they were permanently, would have created a landscape feature along the western boundary. The response was that the polytunnels have not been up for a number of years, and there is no indication that they will be up for any length of time in the future.

Ultimately, even with taking an on-balance view on the building group question, the sites boundaries are not sufficient to provide a suitable site and containment, and approval of this proposal on the basis of the physical characteristics could set an undesirable precedent. The applicant has mentioned other sites in the area where they have referenced what they consider to be similar physical characteristics, but the sites mentioned had better contained and had 50% of boundaries defined by typical features, not post and wire fences.

For the reasons outlined above, the proposal fails to accord with the relevant HITC policies contained within the LDP and the associated SPG.

The applicant mentioned at a late stage in the assessment that the new dwelling is intended to be specifically designed and adapted to accommodate the needs of a family member who has Multiple Sclerosis (MS). It is assumed their current accommodation is not specifically designed for those living with MS, and has been retrofitted / adapted, which often has mixed results.

There is some policy support for new homes which are to address specific accommodation needs with supported offered at high level via *Policy 16* of the NPF4, and more specific content via *Policy 22* of the LDP2 and also a different section of the HITCG.

In terms of *Policy 22*, this policy states that the Council will support proposals for particular needs housing and accommodation which fall into one or more of listed categories, and one of categories is *residential developments supporting housing for particular needs (such as housing for frail or elderly people, people with additional support needs, and housing for varying needs) must be suitably located for both residents and visitors, providing both high-quality care and minimal impact on the environment.* The policy goes on to say that *such developments should be located in residential areas where residents have access to local services and facilities and are integrated within the local community.*

Very limited information about the existing arrangements have been tabled or reasons why the applicant needs to remain in this rural area, and not in a settlement but even with this information, there does remain some degree of suitable siting and reference back to the HITCG.

Section 3.3 of the HITCG does offers some scope for new homes within the countryside for specialised housing (not necessarily a residential area), but this section of the policy still requires some degree of containment for sites. SPG states (page 12), that new homes which are to be supported under this policy shall be on a site with *identifiable site with long established boundaries which separates the site naturally from the surrounding ground. For example a dry-stone dyke, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site. The sub-division of a field or other land, for example by post and wire fence or newly planted hedge or tree belt specifically in order to create the site, will not be acceptable.*

The issue of the acceptability of the west and northern boundary still remains, and unfortunately the proposal remains contrary to Section 3.3 of the HITCG for this reason alone.

There are two other land use issues to consider, the impact on the Loch Lochs and also potential loss of agricultural land.

The site is located within the environmentally sensitive Lunan Valley Area which is a designated site centred around the Clunie and Craigie lochs. There are various policies in the Development Plan which seek to protect our designated sites, as well as the non-statutory PG. At this stage, the proposal raises no issues with compatibility with the various policies and this development would help to continue the improvements in water quality in the area, which would be to the benefit of the environmental designations. In the event of any approval, conditions relating to the phosphorus mitigation and the need to comply with SEPA requirements should be attached to any permission.

The land in question has been identified as prime agricultural land via the land capability classifications. Both the national scale and the 1:50k plans identify the land as 3.1.

However the site is now divorced from the surrounding farmland and doesn't appear to be used for mainstream agriculture or cropping for some time due to its size, and physical / ownership separation from the wider fields and at the southern end the awkward shape surrounding the existing houses. The site looks like it has essentially been a domestic paddock for sometime.

In any event, the potential loss of this area would not compromise the availability of genuine agricultural land in the local area which are mostly used for soft fruits, and Xmas trees.

It is also worth bearing in mind that the site is on a north facing slope which will impact marginally on the yields of some crops. Bearing all this in mind, there is sufficient justification to take a view that this area is not really a functional area of an

agricultural unit, and is therefore not agricultural land and therefore is not really prime 'agricultural' land for the purposes of the LDP. The area which would be lost is very small and does not adversely affect the viability of the surrounding agricultural units to function (because it has been separated from these already for some time ago), and ultimately it raises no issues in terms of compatibility with the various Development Plan policies which look to protect our agricultural assets.

Visual Amenity, Design and Layout

At this stage, there are no detailed matters under consideration.

It would however be expected that the details which are brought forward will comply with the relevant requirements in the SPG on Placemaking, and the principles of high design standards contained within the Development Plan.

In terms of the impact on the area, as a physical result of the development occurring there would be some impact as most physical development has, however the impact would not necessarily be an adverse one. The area is typified by properties along the roadside, and over the years the gaps between the former holdings have narrowed as some infill opportunities arise.

Any approval would require the western boundary to be defined with new soft landscaping, and this will, in combination with a suitable house type go some way to negate any adverse impact on the area. As discussed previously, the field adjacent has been used in the short term for polytunnels, and if this was to occur again (which is perhaps likely), then the visual impact would be significantly reduced fairly instantly.

Residential Amenity

In terms of the impact on existing residential amenity, there are some residential properties in the area – including Lunanbrae, which is immediately adjacent to the east of the site. Whilst there would be some interaction between a new house on this site, and the existing dwelling, it would be unlikely that an unacceptable interaction would occur – if the new dwelling was to be sited appropriately.

This can be fully assessed at a detailed planning stage.

In terms of being able to provide a suitable level of residential amenity for future occupiers of the dwelling, subject to a suitable size of dwelling, siting and orientation etc there should be no reason why a suitable level of residential amenity cannot be delivered for future occupiers of the dwelling. In all, the full details will be brought forward at the detailed planning stage, but there is no reason why the proposal will raise any conflict with the relevant design or placemaking policies of the Development Plan, or the proposed SPG on Placemaking.

Roads and Access

This proposal is in principle only, so no details of the access are under consideration as part of this application. Transport Planning have indicated what would be

expected to be shown and delivered as part of a detailed application, and there does not seem to be any reason why these requirements cannot be delivered through suitable design and location of the new access point. At this stage, the proposal therefore raises no issues with *Policy 60* of the LDP2 and the NRDG, and there will be a full assessment of the acceptability of the details relating to the proposed vehicular access and parking / turning areas.

Drainage and Flooding

The area is located within the environmentally sensitive Lunan Valley, where there is a requirement for all new proposals to have no adverse impact on the environment (through phosphorus discharges) and that there would be a 125% reduction in existing discharges – which in reality means an upgrade of an existing system within the catchment area.

Conservation Considerations

There are no listed buildings, conservation areas which are directly affected by the proposal.

Natural Heritage and Biodiversity

The proposal would have little impact on existing biodiversity, and there would be no loss of trees or habitat. The requirement for 125% phosphorus reduction will ensure that there would be no adverse impact on the sensitivities of the Lunan Loch

Climate Change

In the event of any approval being forthcoming, a detailed permission should have a requirement for compliance with *Policy 32* of the LDP2, which basically means a statement concerning the use of low and zero carbon generating technologies will be requested by condition before any physical build commences.

Developer Contributions

In this area, there would be no requirement for any Transport Infrastructure related contributions. The proposal would also not generate any affordable housing requirement as it would be a single dwelling. There would however be a requirement for a developer contribution in relation to Primary Education, and to this end a condition has been attached to ensure that this is secured at the detailed planning stage.

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

None, the application has not been varied.

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 not comply with the Development Plan. Account has been taken of the relevant material considerations and there are none has been found that would justify overriding the Development Plan.

Accordingly, the proposal is refused based on the following grounds,

- 1 The site does not have suitable existing containment and landscape features along either the north and western boundaries. The north is undefined and simply merges into a wider field, whilst the western boundary is a post and wire fence. Accordingly, the proposal is contrary to Policy 19 (Housing in the Countryside) of the adopted Perth and Kinross Local Development Plan 2 (2019) and Perth and Kinross Council's statutory supplementary planning guidance on Housing in the Countryside (2020) which requires acceptable sites for new homes within existing building groups, or new homes for local people to have a suitable level of existing containment, and landscape features.
- 2 As the site is not allocated for the development proposed and the proposal does not accord with the relevant Local Development Plan policies, the proposal is contrary to Policy 9(b) (Brownfield, vacant and derelict land and empty buildings) not 17(Rural Homes) of the National Planning Framework 4 (2023) which states that proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the Local Development Plan.

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, refusal.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

1-4 (*inclusive*)

Appendix 5

Photo of Western Boundary



Aerial Photo demonstrating linear nature of the group with properties set along the frontage of the public road

