

TCP/11/16(538) – 18/002147/FLL – Extension to dwellinghouse, 43 Garry Place, Bankfoot
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**TCP/11/16(538) – 18/002147/FLL – Extension to
dwellinghouse, 43 Garry Place, Bankfoot**

**PAPERS SUBMITTED
BY THE
APPLICANT**

TCP/11/16(538)

18/00214/FLL – Extension to dwellinghouse, 43 Garry Place, Bankfoot

This application contains sensitive personal data which the Council cannot publish.
The full application will be submitted to the members of the Local Review Body.

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	<input type="text" value="Mrs"/>	Ref No.	<input type="text"/>
Forename	<input type="text" value="Kerri"/>	Forename	<input type="text" value="Allan"/>
Surname	<input type="text" value="Boath"/>	Surname	<input type="text" value="Thomson"/>
Company Name	<input type="text"/>	Company Name	<input type="text"/>
Building No./Name	<input type="text" value="43"/>	Building No./Name	<input type="text" value="102"/>
Address Line 1	<input type="text" value="Garry Place"/>	Address Line 1	<input type="text" value="Tweedsmuir Road,"/>
Address Line 2	<input type="text" value="Bankfoot,"/>	Address Line 2	<input type="text"/>
Town/City	<input type="text" value="Perth."/>	Town/City	<input type="text" value="Perth."/>
Postcode	<input type="text" value="PH1 4DA"/>	Postcode	<input type="text" value="PH1 2HG"/>
Telephone	<input type="text"/>	Telephone	<input type="text" value="01738 627994"/>
Mobile	<input type="text" value=""/>	Mobile	<input type="text"/>
Fax	<input type="text"/>	Fax	<input type="text"/>
Email	<input type="text"/>	Email	<input type="text" value="allanthomson102@gmail.com"/>
3. Application Details			
Planning authority		<input type="text" value="Perth & Kinross Council"/>	
Planning authority's application reference number		<input type="text" value="18/00214/FLL"/>	
Site address			
<input type="text" value="43 Garry Place, Bankfoot. Perth. PH1 4DA"/>			
Description of proposed development			
<input type="text" value="Alteration & Extension to House."/>			

Date of application

09/02/2018

Date of decision (if any)

28/03/2018

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)



Application for planning permission in principle



Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)



Application for approval of matters specified in conditions



5. Reasons for seeking review

Refusal of application by appointed officer



Failure by appointed officer to determine the application within the period allowed for determination of the application



Conditions imposed on consent by appointed officer



6. Review procedure

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

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

Further written submissions



One or more hearing sessions



Site inspection



Assessment of review documents only, with no further procedure



If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

7. Site inspection

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

Can the site be viewed entirely from public land?



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



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

8. Statement

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

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

See Enclosed Statement.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes ☐ No ☒

If yes, please explain below a) why you are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

Application Drawings, Report of Handling, Planning Refusal, Applicant's Letter with Consultant's Reports, Review Statement.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form ☒

Statement of your reasons for requesting a review ☒

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review. ☒

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 from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name:

Allan Thomson

Date:

04/06/2018

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

Proposed Alteration & Extension to 43 Garry Place, Bankfoot, Perth PH1 4DA
for Mrs K Boath.

Appeal to the Local Review body of Perth & Kinross Council Following the Refusal of
Planning Permission Reference 18/00214/FLL Dated 28th March 2018.

Grounds of Appeal:

43 Garry Place Bankfoot is a end terrace former Local Authority property which has been in the applicants ownership for many years.

The property has a Lounge/Dining Room & Kitchen on the ground floor as well as a small Shower room. On the upper floor there are three Bedrooms with the family Bathroom. The house occupies a footprint of 51.00 s.m. on a plot of 185.00 s.m. giving a plot ratio of approximately 28%. The rear garden area is approximately 63.00 s.m. in area & is laid out mostly in gravel where the garden shed & oil tank are located.

The applicant, Mrs Kerrie Boath, resides in the property with her three children, [REDACTED]
[REDACTED]

The proposal was to construct an additional upper floor Bedroom accessed off the landing to allow the children to each have their own Bedroom. The Bedroom extension would have been constructed on to steel columns to retain the garden access between the front & rear gardens. The external finishes of the extension were to be roughcast to match the existing house under a pitched tiled roof, again to match the existing house.

Mrs Boath has spent some time looking to purchase another property in the area but the search was in vain in as much as the properties were unsuitable or out with her price range.

The principle reason to construct the extension on the first floor was to allow all the Bedrooms to be on the same level thus allowing Mrs Boath to supervise the needs of the children, particularly over night.

Although the extension may look clumsy externally in relation to the remainder of the terrace the requirements of an additional upper floor Bedroom for the children outweighed the need for a ground floor extension, which would have also restricted access between the front & back gardens & increased the plot ratio of the site.

A similar extension had been given planning permission in 2012 at No. 1 Forestry Place, Bankfoot. [12/01320/FLL]. This also was an ex Local Authority house with & the approval allowed an additional upper floor Bedroom built off brick columns.

Mrs Boath would respectfully ask the members of the Local Review body to reconsider this planning application & over turn the Officer's decision based on the over riding needs of her family & to allow then to continue living in the area where all their friends & family reside.

Also enclosed with this application for review are letters & correspondence from [REDACTED]
[REDACTED] to
accompany this appeal.

PROPOSED ALTERATION & EXTENSION TO
NO. 43 GARRY PLACE, BANKFOOT,
PERTH PH1 4DA FOR MRS K BOATH.

DATE JANUARY 2018

DRAWINGS

01 FLOOR PLANS AS EXISTING

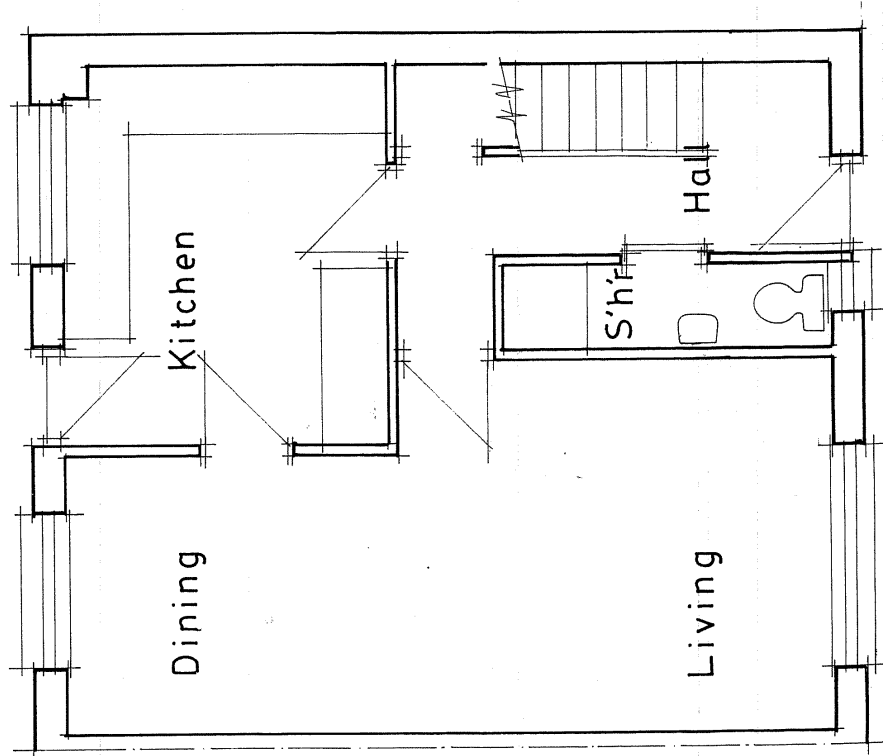
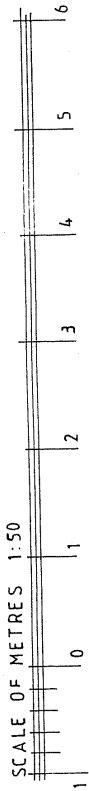
02 CROSS SECTION & N.W. ELEVATION AS EXISTING

03 N.E. & S.W. ELEVATIONS AS EXISTING

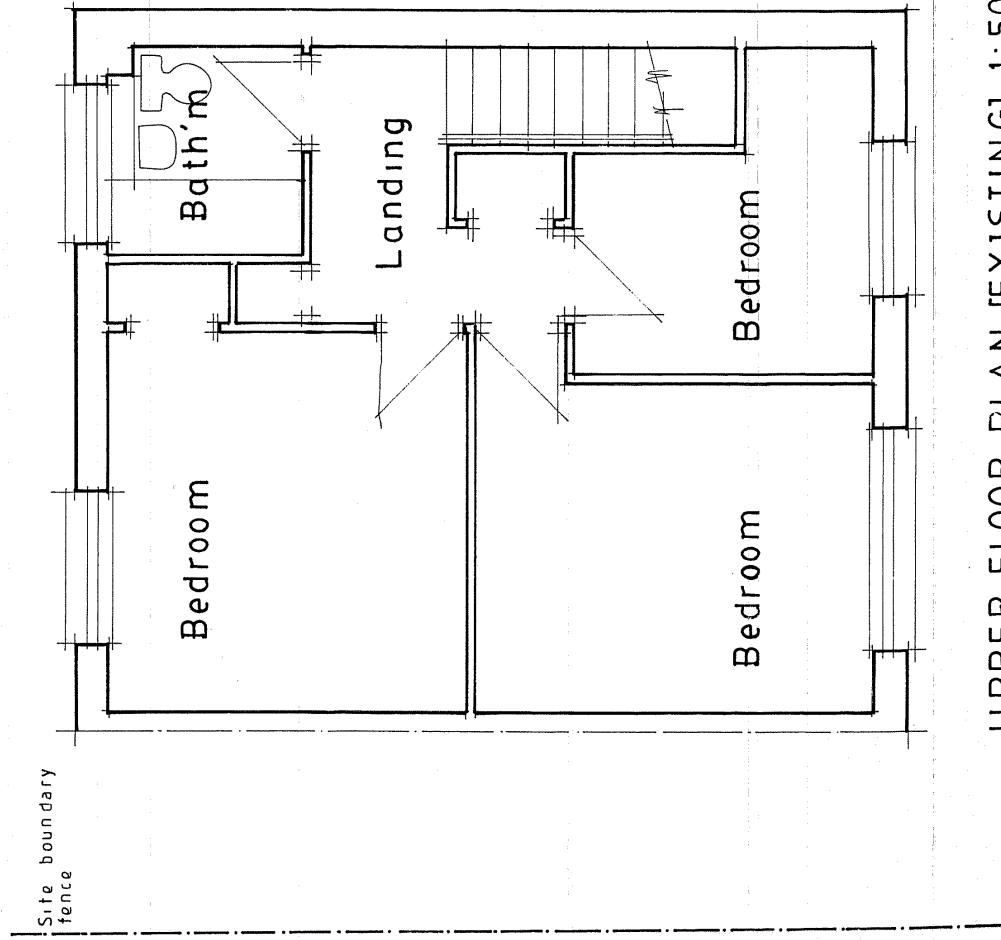
04 FLOOR PLANS AS PROPOSED

05 N.E. & S.W. ELEVATIONS AS PROPOSED

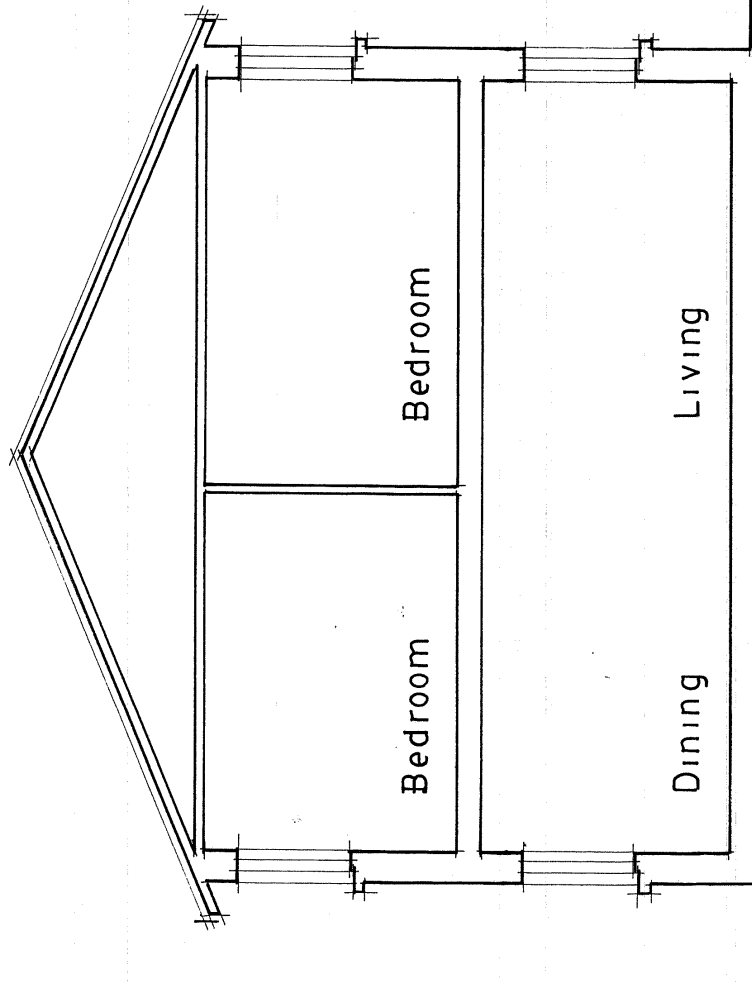
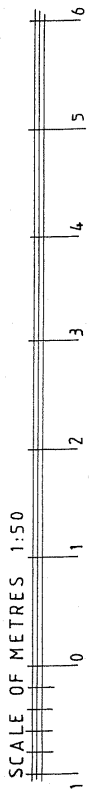
06 CROSS SECTION & N.W. ELEVATION AS PROPOSED



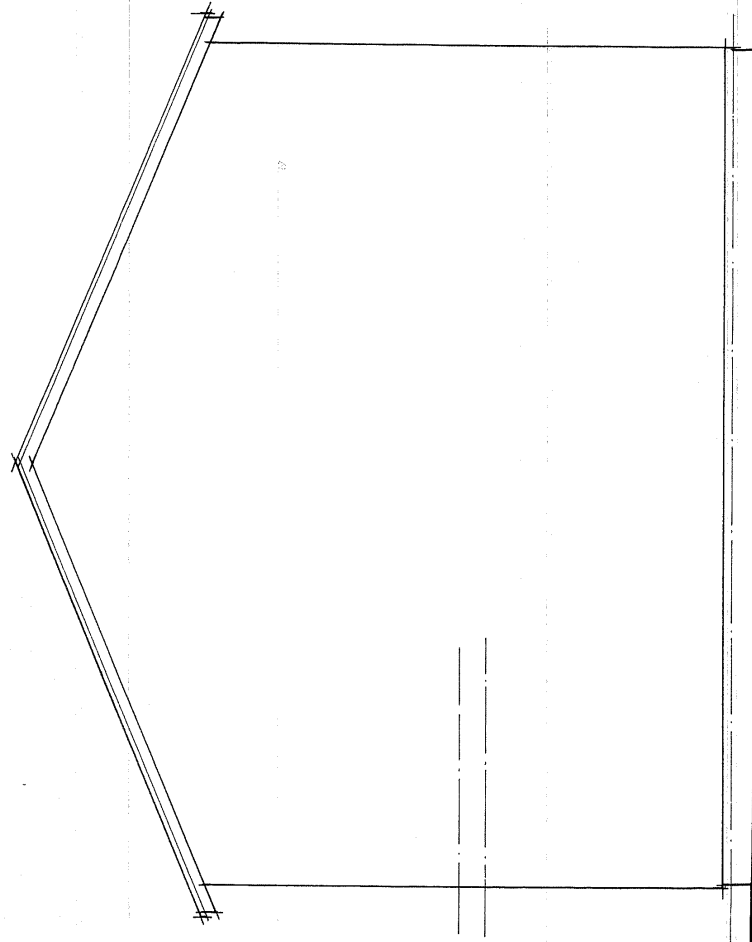
GROUND FLOOR PLAN [EXISTING] 1:50



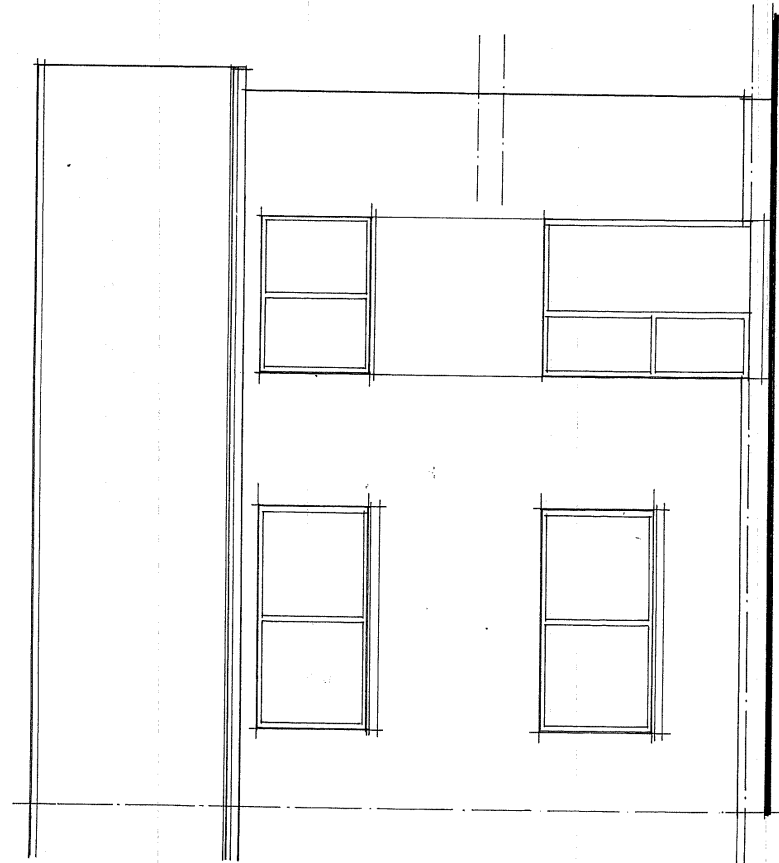
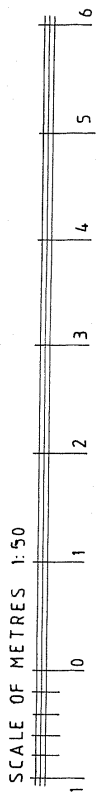
UPPER FLOOR PLAN [EXISTING] 1:50



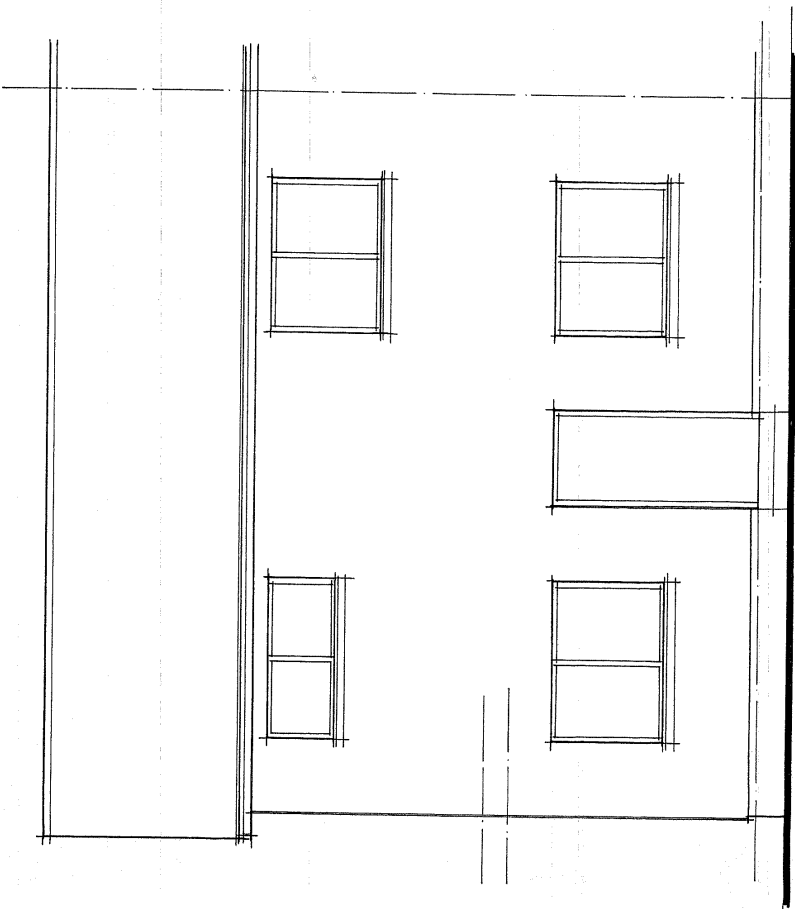
CROSS SECTION 1:50



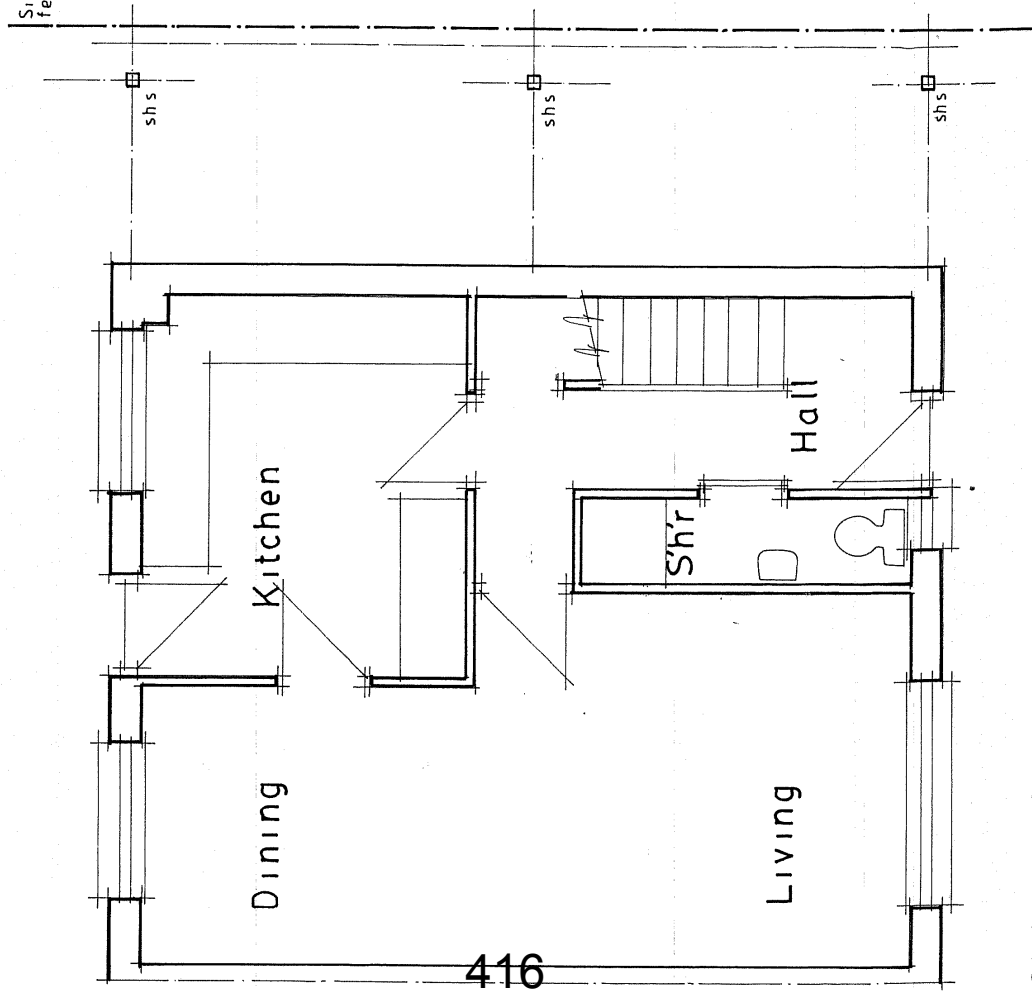
NORTH WEST ELEVATION [EXISTING] 1:50



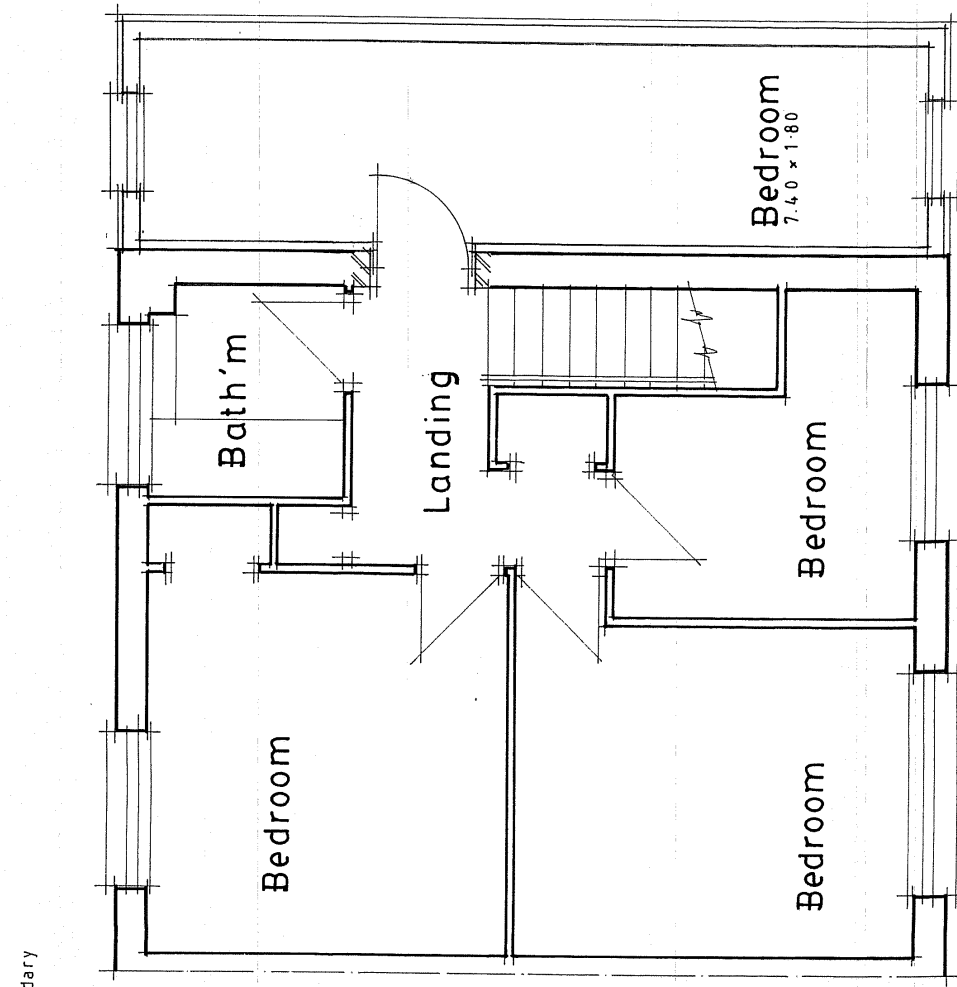
NORTH EAST ELEVATION [EXISTING] 1:50



SOUTH WEST ELEVATION EXISTING 1:50

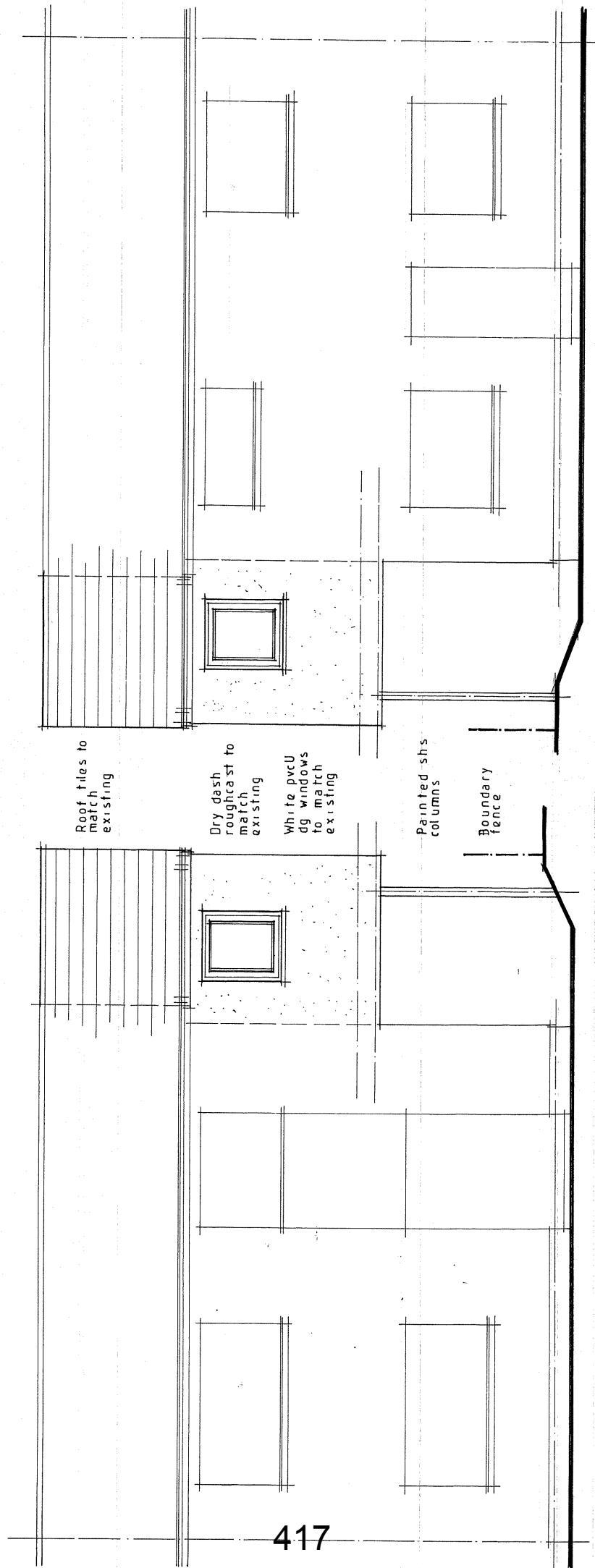


GROUND FLOOR PLAN [PROPOSED] 1:50



UPPER FLOOR PLAN [PROPOSED] 1:50

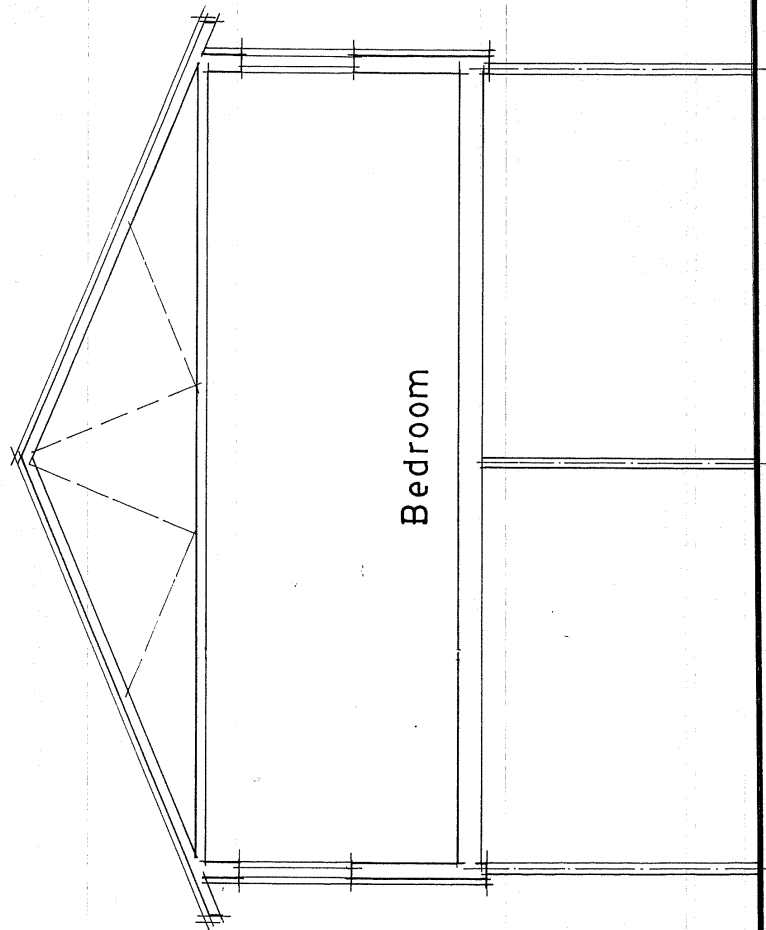
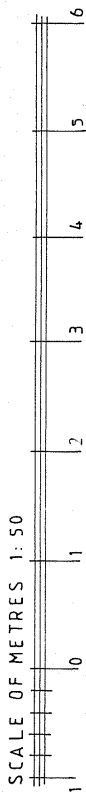
SCALE OF METRES 1:50



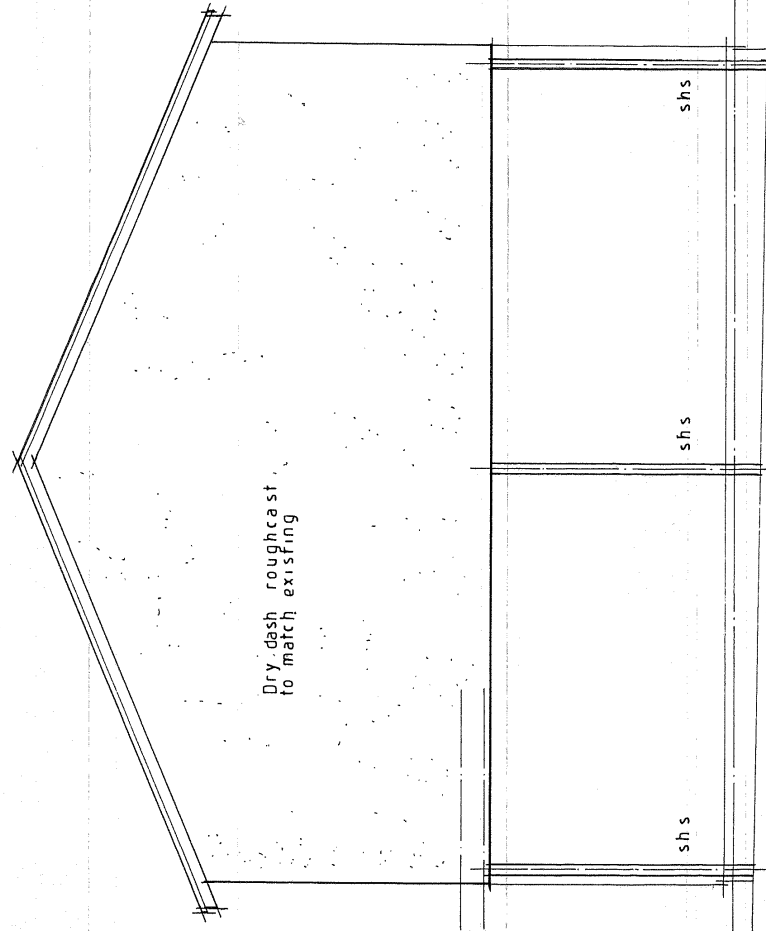
NORTH EAST ELEVATION [PROPOSED] 1:50

SOUTH WEST ELEVATION [PROPOSED] 1:50

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CROSS SECTION [PROPOSED] 1:50



NORTH WEST ELEVATION [PROPOSED] 1:50

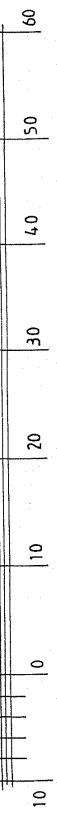
SCALE OF METRES 1:1250



LOCATION PLAN 1:1250

419

SCALE OF METRES 1:500



BLOCK PLAN 1:500

REPORT OF HANDLING

DELEGATED REPORT

Ref No	18/00214/FLL	
Ward No	P5- Strathtay	
Due Determination Date	08.04.2018	
Case Officer	Gillian Peebles	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Extension to dwellinghouse

LOCATION: 43 Garry Place Bankfoot Perth PH1 4DA

SUMMARY:

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

DATE OF SITE VISIT: 22 February 2018

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site relates to an end terraced property located in Garry Place, Bankfoot. The property referred to forms the most northerly unit in the terraced row of three. Full planning permission is sought for a first floor extension which will provide a fourth bedroom. The extension is proposed on the northwest elevation.

The existing property sits within a plot size of around 185 square metres and is bound to the north west/south west by a 1.8 metre high timber fence. The rear garden is largely laid with gravel and measures approximately 63 square metres and is home to a timber shed and an oil tank. There is no off-street parking provided within the site, therefore, parking is generally on the public road.

SITE HISTORY

None recent.

PRE-APPLICATION CONSULTATION

Pre application Reference: N/A

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy RD1 - Residential Areas

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

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

OTHER POLICIES

None.

CONSULTATION RESPONSES

None required.

REPRESENTATIONS

None at time of report.

ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

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

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

Policy Appraisal

The site is located within the settlement boundary of Bankfoot where Policies RD1: Residential Areas and PM1A and B: Placemaking are directly applicable. Policy RD1 states that residential amenity will be protected and, where possible, improved. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area. Policy PM1A of the Local Development Plan seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. Policy PM1B sub category c is relevant to this proposal insofar as the design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

For the reasons stated elsewhere the proposal does not comply with these policies.

Design, Layout and Visual Amenity

The proposed extension will extend the full length of the north west elevation and will provide accommodation at first floor level only, supported by 3 painted columns which will allow access into the rear garden. The extension will be located directly on the north west boundary of the site. The ridge and eaves line will follow through from existing and the finishing materials will match existing which comprise of a dry dash render to the walls and roof tiles.

My main concern with this proposal is with its design as it does not relate to the existing dwellinghouse due to its supporting columns and lack of ground floor extension which, thereby, increases its mass.

As a result the development as submitted will create an unacceptable visual impact on the character and appearance of the existing house. The proposal, by virtue of its unbalanced design and massing, is not in keeping with either the character or appearance of the existing residential property and will result in an incongruous development being introduced into the local area

Having taken cognisance of the surrounding streetscene I do not consider the extension fits its location or acknowledges the form and massing of the original house. Furthermore, approval of this application would set a precedent for extensions of a similar scale and design to the detriment of the established character of the surrounding area.

Landscape

The proposal is set within existing garden ground and would have no adverse impact on the wider landscape.

Residential Amenity

I have taken account of overshadowing and overlooking and consider this proposal would have no material effect on the amenity of neighbouring properties, as regards privacy, or loss of daylight or sunlight.

Private Amenity Space:

The site itself is relatively small measuring approximately 185 square metres. Approval of this application would result in a build to plot ratio of 30% (excluding existing outbuildings) which I consider to be excessive and does not meet the Council's normal standards in terms of build to plot ratio which is 25%. The rear private amenity space retained after development does not differ from existing which is 68 square metres, however, as a result the proposal would increase the number of bedrooms from three to four. It is my view that the site is inadequate in size to satisfactorily accommodate this development without affecting the residential amenity of the existing house and as such is contrary to Policy PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014.

Roads and Access

I do not have any concerns with roads or access matters.

Drainage and Flooding

The site is not within an area at risk of flooding. There are no concerns with drainage as part of this proposal.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

1. The proposed extension by virtue of its scale, massing and design, is not in keeping with the character or appearance of the existing residential property and will result in an incongruous and unduly obtrusive feature in the streetscene harmful to the visual amenity of the area. As such, the proposal is contrary to Policies RD1(c), PM1A and PM1B (c and d) of the Perth and Kinross Local Development Plan 2014.
2. As a result of the development the private space remaining would be inadequate to serve the purposes of the extended unit, to the detriment of the residential amenity of the existing dwellinghouse. Approval of the application would therefore be contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014.
3. The development would establish a precedent for developments of a similar nature to the detriment of the overall visual amenity and established character of the area, and therefore contrary to the established policies of the Local Development Plan 2014 and Scottish Planning Policy 2014.

Justification

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

Informatives

N/A

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

18/00214/1
18/00214/2
18/00214/3
18/00214/4
18/00214/5
18/00214/6
18/00214/7

Date of Report 27 March 2018

PERTH AND KINROSS COUNCIL

Mrs K Boath
c/o Allan Thomson
102 Tweedsmuir Road
Perth
PH1 2HG

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 28th March 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/00214/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 9th February 2018 for permission for **Extension to dwellinghouse 43 Garry Place Bankfoot Perth PH1 4DA** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

- 1 The proposed extension by virtue of its scale, massing and design, is not in keeping with the character or appearance of the existing residential property and will result in an incongruous and unduly obtrusive feature in the streetscene harmful to the visual amenity of the area. As such, the proposal is contrary to Policies RD1(c), PM1A and PM1B (c and d) of the Perth and Kinross Local Development Plan 2014.
- 2 As a result of the development the private space remaining would be inadequate to serve the purposes of the extended unit, to the detriment of the residential amenity of the existing dwellinghouse. Approval of the application would therefore be contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014.

- 3 The development would establish a precedent for developments of a similar nature to the detriment of the overall visual amenity and established character of the area, and therefore contrary to the established policies of the Local Development Plan 2014 and Scottish Planning Policy 2014.

Justification

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

Notes

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

Plan Reference

18/00214/1

18/00214/2

18/00214/3

18/00214/4

18/00214/5

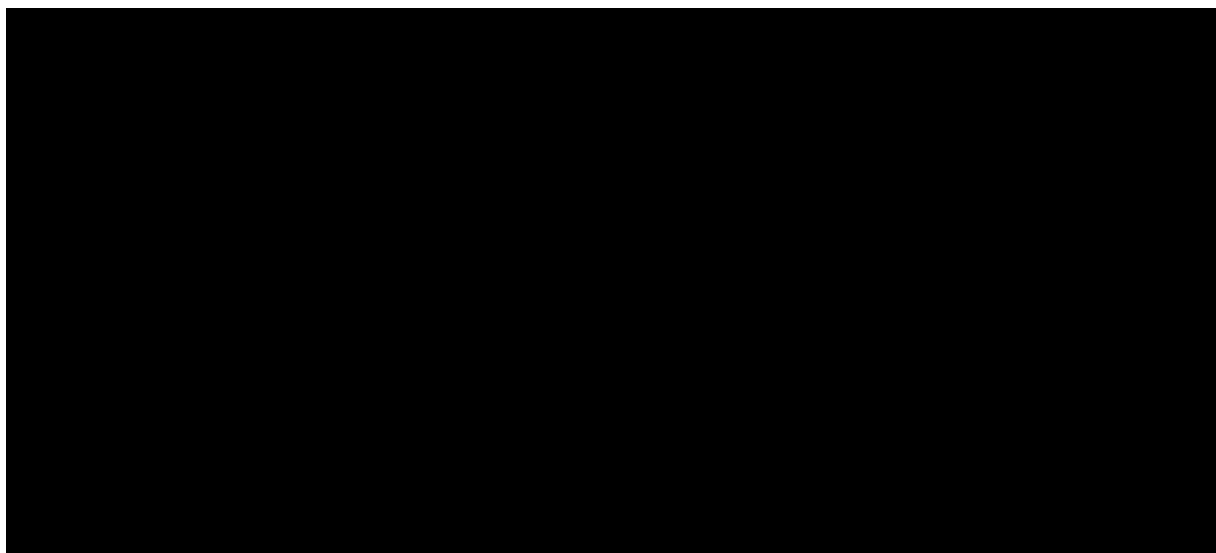
18/00214/6

18/00214/7

Kerrie Boath
43 Garry Place
Bankfoot
PERTH
PH1 4DA

14th May 2018

Planning Ref 18/00214/FLL



Number 1 Forestry Place in Bankfoot has had an extension recently done which is on stilts and blends in nicely (please see enclosed photograph). I liked this idea for our house as I would not lose any of my garden and my children would have access to front and back garden.



I hope you will please reconsider my Application.

Thank you



Number 1
Forresty Place
Bankfoot
Perth
PH1 4BN

<p>TCP/11/16(538) – 18/002147/FLL – Extension to dwellinghouse, 43 Garry Place, Bankfoot</p>

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 429-430)*

REPORT OF HANDLING *(included in applicant's submission, see pages 421-427)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 413-419)*

