

TCP/11/16(566) – 18/01103/FLL – Alterations to dwellinghouse and boundary walls, erection of retaining wall, landscaping and associated landscaping works (in part retrospect), 2 Croft Terrace, Errol

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TCP/11/16(566) – 18/01103/FLL – Alterations to dwellinghouse and boundary walls, erection of retaining wall, landscaping and associated landscaping works (in part retrospect), 2 Croft Terrace, Errol

**PAPERS SUBMITTED
BY THE
APPLICANT**



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100141350-001

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

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation: Arthur Stone Planning & Architectural Design Limited

Ref. Number:

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

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1 (Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

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

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="2 CROFT TERRACE"/>
Address 2:	<input type="text" value="ERROL"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PERTH"/>
Post Code:	<input type="text" value="PH2 7UE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="722677"/>	Easting	<input type="text" value="325147"/>
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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)

Alterations to dwellinghouse and boundary walls, erection of retaining walls, landscaping and associated landscaping works (in part retrospect)

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 submitted Statement

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

☐ Yes ☒ No

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

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

Document List, 1_Application Form, 2_Report of Handling, 3_Decision Notice – 18/01103/FLL, 4 Drawing 2044-001 Location Plan and Floor Plans (01/06/18), 5_Drawing 2044-002 Sections and Elevation (01/06/18), 6_Supporting Statement and Method Statement (June 2018), 7_Sales Brochure_2 Croft Terrace, 8_Statement of Reasons for Seeking Review (October 2018)

Application Details

Please provide details of the application and decision.

What is the application reference number? *

18/01103/FLL

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

25/06/2018

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

22/08/2018

Review Procedure

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

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

☒ Yes ☐ No

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 Alison Arthur

Declaration Date: 24/10/2018

Document List

- 1 Application Form
- 2 Report of Handling
- 3 Decision Notice – 18/01103/FLL
- 4 Drawing 2044-001 Location Plan and Floor Plans (01/06/18)
- 5 Drawing 2044-002 Sections and Elevation (01/06/18)
- 6 Supporting Statement and Method Statement (June 2018)
- 7 Sales Brochure – 2 Croft Terrace
- 8 Statement of reasons for seeking Review (October 2018)



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Thank you for completing this application form:

ONLINE REFERENCE 100125184-001

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

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Removal of internal wall and installation of shower room. Garden to be divided into 3 levels

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

☒ No ☐ Yes - Started ☐ Yes – Completed

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Arthur Stone Planning & Architectural Design Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Alison	Building Name:	
Last Name: *	Arthur	Building Number:	85
Telephone Number: *	01337 840 088	Address 1 (Street): *	High Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Newburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	KY14 6DA
Email Address: *	info@arthurstoneplanning.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

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

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

2 CROFT TERRACE

Address 2:

ERROL

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PERTH

Post Code:

PH2 7UE

Please identify/describe the location of the site or sites

Northing

722669

Easting

325143

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Trees

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

☐ Yes ☒ No

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

Access and Parking

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

☐ Yes ☒ No

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

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

Signed: Alison Arthur

On behalf of: Ms Angie Anderson

Date: 15/06/2018

☒ Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

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

- a) Have you provided a written description of the development to which it relates? * ☒ Yes ☐ No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * ☒ Yes ☐ No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * ☒ Yes ☐ No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. ☒ Yes ☐ No
- e) Have you provided a certificate of ownership? * ☒ Yes ☐ No
- f) Have you provided the fee payable under the Fees Regulations? * ☒ Yes ☐ No
- g) Have you provided any other plans as necessary? * ☒ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- ☒ Existing and Proposed elevations.
- ☒ Existing and proposed floor plans.
- ☐ Cross sections.
- ☒ Site layout plan/Block plans (including access).
- ☐ Roof plan.
- ☐ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * ☐ Yes ☒ No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mrs Alison Arthur

Declaration Date: 15/06/2018

Payment Details

Cheque: Allie Arthur, 68902

Created: 15/06/2018 17:09

REPORT OF HANDLING

DELEGATED REPORT

Ref No	18/01103/FLL	
Ward No	P1- Carse Of Gowrie	
Due Determination Date	24.08.2018	
Case Officer	Gillian Peebles	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Alterations to dwellinghouse and boundary walls, erection of retaining walls, landscaping and associated landscaping works (in part retrospect)

LOCATION: 2 Croft Terrace Errol Perth PH2 7UE

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: 28 June 2018

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site relates to number 2 Croft Terrace, a south east facing residential property which forms one of a category C listed pair of adjoining Arts and Crafts style houses. Croft Terrace comprises a small lane with a row of terraced properties along its length. The site is also located within the Errol Conservation Area. There is no off-street parking provided at the property and the rear garden is restricted to a small access/garden strip. Garden ground is located to the front of the property, however, this is sloping down towards Croft Terrace. The garden is laid to lawn with a path running through the middle. The south eastern boundary wall extends along the front and side (south west) and a mature hedge is along the north eastern boundary.

Full planning consent is sought in retrospect for internal alterations and alterations to the south eastern boundary wall. The alterations proposed are to remove the wall and gate and form a new retaining wall to allow car parking.

The application has been submitted due to Enforcement interest.

SITE HISTORY

18/01057/FLL	Alterations to dwellinghouse and boundary walls, erection of retaining walls, landscaping and associated landscaping works (in part retrospect) (application returned)
18/01081/LBC	Alteration to dwellinghouse and boundary walls (in part retrospect) (application returned)
18/01101/LBC	Alterations to dwellinghouse and boundary walls (pending consideration)

PRE-APPLICATION CONSULTATION

Pre application Reference:

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.

The Scottish Planning Policy (SPP) was published on June 23 2014. It sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

Of relevance to this application is paragraph 141, Listed Buildings: "Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest.

The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting."

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.

Policy HE2 - Listed Buildings

There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

Policy HE3A - Conservation Areas

Development within a Conservation Area must preserve or enhance its character or appearance. The design, materials, scale and siting of a new development within a Conservation Area, and development outwith an area that will impact upon its special qualities should be appropriate to its appearance, character and setting. Where a Conservation Area Appraisal has been undertaken the details should be used to guide the form and design of new development proposals.

OTHER POLICIES

Historic Environment Policy Statement 2016

This policy statement is a document to which planning authorities are directed in their consideration of applications for conservation area consent, listed building consent for buildings of all three categories and their consideration of planning applications affecting the historic environment and the setting of individual elements of the historic environment.

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

Section 14 & 59 of this Act requires the Council to have special regard to the desirability of preserving Listed Buildings or their settings or any features of special architectural or historic interest which the building possesses.

INTERNAL CONSULTATION RESPONSES

Transport Planning – objects to the proposal as there is a lack of provision of acceptable manoeuvring space within the curtilage of the site to enable a vehicle to enter and leave the site in forward gear.

Environmental Health (Noise Odour) – no response within statutory timescale, however, as the boiler is existing and only to be relocated I have no concerns.

EXTERNAL CONSULTATION RESPONSES

Dundee Airport Ltd – no objection.

REPRESENTATIONS

The following points were raised in the one representation received:

1. Visual Amenity
2. Inappropriate land use
3. Loss of open space
4. Out of character with area
5. Road safety concerns

The above points are addressed in the Appraisal section of the 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	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development

Plan 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 property is contained within the Errol Conservation Area in an established residential area that contains some particular listed buildings of merit. The main policy considerations seek to ensure that new development is compatible with its sensitive surroundings and does not raise any significant adverse issues. The proposal is not considered to comply with Policy HE2 and PM1B sub category E for the reasons stated elsewhere in this report.

Visual Amenity and Impact on Listed Building/Conservation Area

Internally the proposal is to remove a load bearing wall between the existing kitchen and lounge and install a beam with downstand to main cornicing detail. Other internal works relate to the installation of a shower room within the existing scullery which requires a new stud wall/door and the formation of a cupboard and relocated boiler. This will also require a new timber stud wall between the hall and existing scullery.

The internal works do not raise any concerns and will not have any significant impact on historic fabric.

In terms of the works to the garden the existing garden wall and gate on the south east boundary have been removed and a new retaining boundary wall formed using reclaimed bricks, stone coping, railings and gate. The boundary line has been altered to allow parking which will have a hardcore surface. Others works to the garden include forming 3 terraces with retaining walls.

The boundary wall and gate to Croft Terrace is included in the listing, therefore, any alteration to the boundary line would affect the special architectural and historic interest of the listed building.

Parking immediately in front of the principal elevation of a building does not protect the historic character of the building and its setting within the conservation area. Due to the narrow width of this private road there is no facility for on street parking, avoiding any obstruction of the principal elevations and retaining the front building line. Whilst the alterations to the garden itself do not raise any concerns in terms of visual amenity or having a detrimental impact on the character of the area, the boundary wall should be reinstated to its former position.

In conclusion, the development fundamentally alters the boundary line at the front of the property, to the detriment of the historic and visual relationship

with the neighbouring property. Approval would therefore be contrary to Policy HE2 of the Perth and Kinross Local Development Plan 2014.

Landscape

The proposal is located within existing garden ground, therefore, raises no landscaping issues.

Residential Amenity

No impact on neighbouring residential amenity.

Roads and Access

The applicants have outlined their desire for off-street parking arrangements, however on balance it is not considered that these concerns outweigh the importance of preserving the historic fabric and setting of the listed building. Furthermore my colleagues in Transport Planning have objected to the proposal as there is a lack of provision of acceptable manoeuvring space within the curtilage of the site to enable a vehicle to enter and leave the site in forward gear.

Drainage and Flooding

There are no flooding or drainage concerns associated with this proposal.

Conservation Considerations

The site is a listed building (category C) and is located within Errol Conservation Area which is adjacent to a number of other listed buildings. The internal alterations proposed do not raise any concerns and will not have a significant impact on the listed buildings. To the contrary the boundary walls and gates – specifically mentioned in the HES list description - are part of the character and interest of the house. I note that the work to the garden (which has already been largely completed) has salvaged and reused historic fabric including railings, masonry and bricks. The primary concern, however, is that the work fundamentally alters the boundary line at the front of the property, to the detriment of the historic and visual relationship with the neighbouring property. The “mirrored” design of the buildings and their front gardens is a significant element of their character, and one which this work does not protect. This view is shared with a colleague who has conservation expertise

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 considered to be contrary to the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal subject to the reasons below.

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 There is a lack of provision of acceptable manoeuvring space within the curtilage of the site to enable a vehicle to enter and leave the site in forward gear. The proposal is, therefore, contrary to the overarching principles of Policy PM1B, criteria (e) of Perth and Kinross Council's adopted Local Development Plan 2014 which seeks to ensure that all new proposals create safe, accessible, inclusive places for all people.
- 2 The development fundamentally alters the boundary line at the front of the property, to the detriment of the historic and visual relationship with the neighbouring property. Approval would therefore be contrary to Policy HE2 of the Perth and Kinross Local Development Plan 2014, which seeks to safeguard listed buildings from inappropriate development.

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

1. Please be advised as the works are largely retrospective the case has been passed back to the Enforcement Officer.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

18/01103/1

18/01103/2

18/01103/3

18/01103/4

Date of Report 21 August 2018

PERTH AND KINROSS COUNCIL

Ms Angie Anderson
c/o Arthur Stone Planning And Architectural Design
Limited
Alison Arthur
85 High Street
Newburgh
KY14 6DA

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 22nd August 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/01103/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 25th June 2018 for permission for **Alterations to dwellinghouse and boundary walls, erection of retaining walls, landscaping and associated landscaping works (in part retrospect) 2 Croft Terrace Errol Perth PH2 7UE** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

1. There is a lack of provision of acceptable manoeuvring space within the curtilage of the site to enable a vehicle to enter and leave the site in forward gear. The proposal is, therefore, contrary to the overarching principles of Policy PM1B, criteria (e) of Perth and Kinross Council's adopted Local Development Plan 2014 which seeks to ensure that all new proposals create safe, accessible, inclusive places for all people.
2. The development fundamentally alters the boundary line at the front of the property, to the detriment of the historic and visual relationship with the neighbouring property. Approval would therefore be contrary to Policy HE2 of the Perth and Kinross Local Development Plan 2014, which seeks to safeguard listed buildings from inappropriate development.

Justification

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

Informative

Please be advised as the works are largely retrospective the case has been passed back to the Enforcement Officer.

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

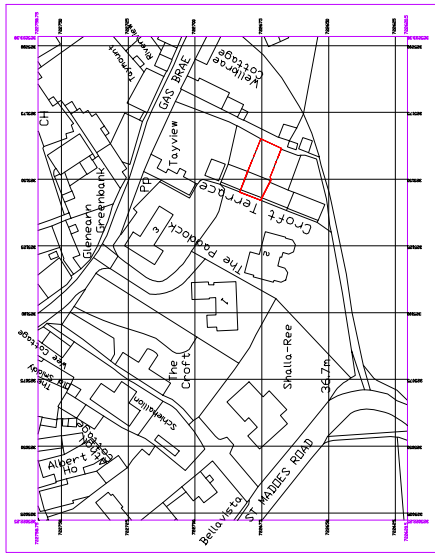
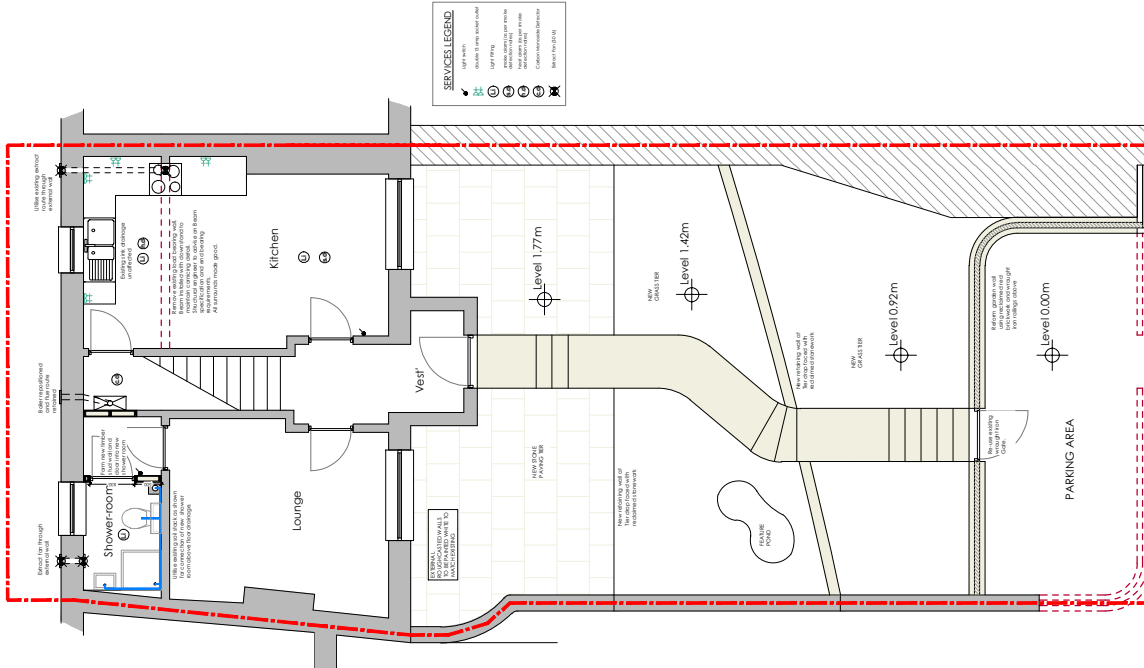
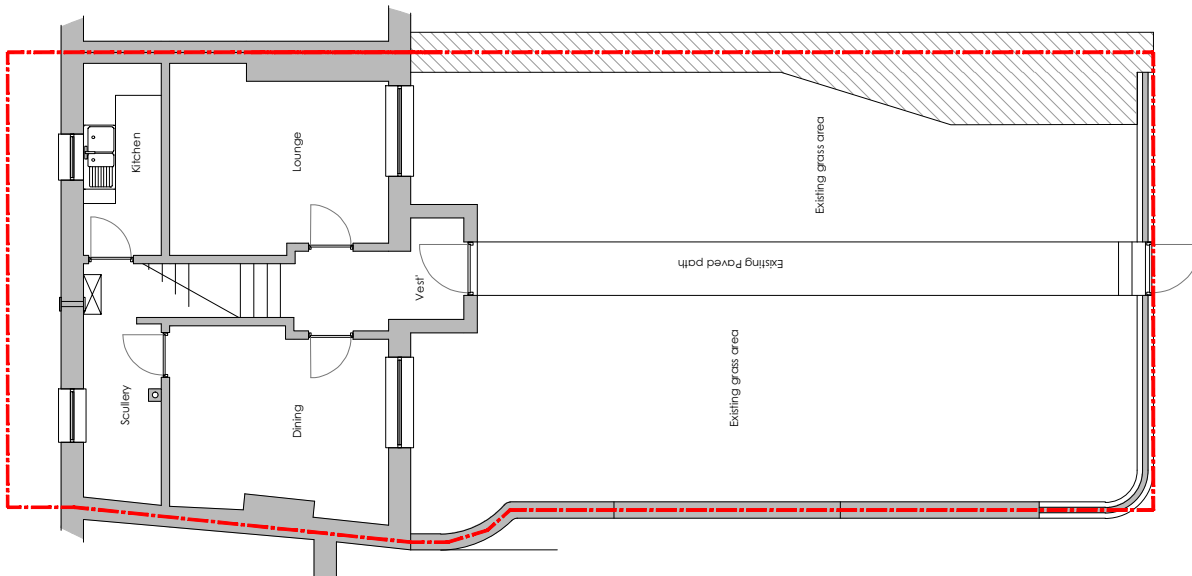
Plan Reference

18/01103/1

18/01103/2

18/01103/3

18/01103/4



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3 Site Location Plan
2 Craft Terrace Scale 1:10,000 @ A1

Smoke Detection Notes:

smoke alarm with a standby supply, complying with BS 5446-Part 1:1990 and installed in accordance with the provisions of a, to e, below:

- The alarm must be connected to the mains supply by a cable with a cross-sectional area of not less than 1.5 mm² and a length of not more than 100m.
- The alarm must be connected to the mains supply by a cable with a cross-sectional area of not less than 1.5 mm² and a length of not more than 100m.
- The alarm must be connected to the mains supply by a cable with a cross-sectional area of not less than 1.5 mm² and a length of not more than 100m.
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The alarm must be connected to the mains supply by a cable with a cross-sectional area of not less than 1.5 mm² and a length of not more than 100m.

GENERAL NOTES :

at work that is in accordance with all the relevant British Standard Specifications and Codes of Practice.
The Contractor shall ensure that the design of the proposed remedial works includes the proposed component or assembly manufacture and material procurement; any discrepancy between drawings or site dimensions must be brought to the attention of the Architect immediately.

Architect of Building Design Co police before work proceeds.

DO NOT SCALE THESE DRAWINGS. If any doubt exist, ASK.

The Contractor shall ensure that during the construction period,
any soil or granular material shall be removed and replaced with concrete or well compacted granular fill material.
Foundations excavations are to be kept free from water and excess excavation to be kept to a minimum.
Services should generally not be cut below foundations and should be taken through the substructure and protected by Inloak.
At their main entrance there will be a concrete slab with B6 4483 with 50mm cover on reinforcement
At blockwork to have a minimum strength of 7h/mm² and brickwork to have a water absorption <7% All mortar below DPC level shall be Class II) and above DPC level shall be Class III) in accordance with BS5262
The Contractor shall ensure that where DPC were provided additional is obtained from the manufacturer to confirm that the blocks are suitable for use below DPC.

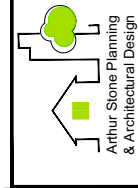
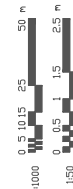
A new timber to be grade C1 unless otherwise stated, all new timper to be preservative treated by vacuum or pressure process, sawn timber, nitches etc, to be treated on all by regular application of compatible preservative, conservatory designed basic wind speed

REMOVALS:

AI demolitions are to be carried out in strict accordance with the structural engineers requirements.

AI downtakings and stoppings to be adequately needled and propped during the works.

AI wall and floor finishes to be made good where removals occur.



Project:	Typical Alterations to Ground Floor School Layout and Canteen at 2 Crisp Terrace, Ennals	
	Drawn by	02/06/18
Title:	Scale	As marked A1
	Sheeting No.	204-4-001
		Rev



Supporting and Method Statement

Planning Permission and Listed Building Consent for alteration and extension to dwellinghouse, garden and garden wall (retrospective)

2 Croft Terrace, Gas Brae, Errol, PERTH, PH2 7UE

Submitted on behalf of Mrs Angie Anderson
June 2018



Arthur Stone Planning
& Architectural Design



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Abernethy KY14 6EW

Tel: 01738 850873

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info@arthurstoneplanning.co.uk

1.0 Introduction

1.1 This statement has been prepared by Arthur Stone Planning and Architectural Design on behalf of Mrs Angie Anderson in support of an application for planning permission and listed building consent for works to the dwellinghouse and garden at 2 Croft Terrace, Gas Brae, Errol. (The property is identified as 3 Croft Terrace on Perth Council's Property database but appears to be 2 Croft Terrace on the Historic Environment Scotland listing). The property was recently purchased by our client and subsequently works were carried out which are the subject of this retrospective application. The Sales Brochure for the property is submitted for information.

2.0 Site Description

- 2.1 This application is for the alteration and extension to 2 Croft Terrace, accessed from Gas Brae, Errol, a two storey property on the southern edge of the Errol conservation area. The property is C listed (part of listed semi detached pair) and lies within the Errol conservation area.
- 2.2 Croft Terrace is a very narrow access which allows only limited access for small vehicles and with no ability to park. The terrace of houses is located to the north west (back) of the sites with front garden areas sloping down to the south east and the access from Croft Terrace.
- 2.3 The property is mid terrace, with the Historic Environment Scotland listing indicating that it is dated 1908, Arts and Crafts style and part of a 4 bay pair of semi-detached houses in an irregular terrace. The boundary wall extends along the front and sides and is ashlar coped rubble with railings above and a decorative ironwork gate.
- 2.4 The garden is laid to grass with concrete paving path running between Croft Brae and the front door and also running along the front of the property.



Location of site
Extract from Perth & Kinross Council planning mapping showing property details (application property shown as 3 Croft Terrace).

3.0 Proposal and Method Statement

3.1 This application proposes internal alterations to the house along with alterations to the garden and its boundary and external repainting.

3.2 The following works are proposed:

Internal—Ground Floor (refer to Drawing *****-001 Floor Plans, Location Plans)

Dontakings

- Remove load bearing wall between existing kitchen and lounge.
- Duntaking and slapping to be adequately needed and propped during the works.
- All wall and floor finishes to be made good where removals occur.

Proposals

- Create enlarged kitchen from existing kitchen/lounge
 - ⇒ Install beam with downstand to maintain corning detail.
 - Install new kitchen into extended space.
- Form shower room in existing scullery
 - ⇒ Erect new stud wall/door, install shower room suite utilising existing soil stack, insert extractor fan through north wall of house.
- Formation of cupboard and relocated boiler
 - ⇒ Form new timber stud wall between hall and existing scullery and reposition boiler from rear wall to this new wall, using existing flue route retained through rear wall.

External (refer to Drawing 2044-002 Sections, Elevations)

Dontakings

- Take down existing garden wall and gate at south east boundary of property and store materials for reuse.
- Lift existing concrete garden paving and remove from site.
- Move earth to reform ramped garden to create three retained terraces.

Proposals

- Form new retaining boundary wall to south east using reclaimed bricks, stone coping, reused existing wrought iron gate and install railings, providing space for adjacent parking area.
- Hardcore surface to parking area.
- Earth moving to form lower, mid and upper tiers in garden with mid and upper tier retaining walls faced with reclaimed stone.
- Lay stone paving on upper tier and pathway from front door to entrance gate.
- Repainting of external walls (white as existing).

Overall, the intentions for the property are:

- To provide sensitively modernised living accommodation providing an accessible shower room at ground floor level and kitchen area with with adequate movement space.
- To provide a restored garden/parking area which will facilitate access to the property.

4.0 Policy Consideration

Built Heritage/Visual Impact

4.1 Our client has prepared this proposal with concern for safeguarding the historic built environment.

4.2 This property is recognised for its heritage interest and contribution to the Errol conservation area. Our client acknowledges the sensitivity of the property and believes that the proposals to maintain and upgrade the property protect its valued character, its setting and contribution to the conservation area. Our clients concern is to ensure that the property can provide appropriate living accommodation into the future.

4.3 The proposed internal alterations are considered to be minimal, sufficient to upgrade the property to modern living accommodation while maintaining all its features of interest. Additionally, the external alterations will recreate the existing boundary location using reclaimed materials, while facilitating access for our client from Croft Terrace.

4.4 Given the nature of the surrounding area, the gardens of Croft Terrace are not within the public view and the proposed changes to relocate the boundary wall and terrace the garden with retaining walls is not, in our view, likely to have any adverse impact on the wider conservation area or the setting of the listed properties.

4.5 In this case the proposal will be supported by Policies PM1A and PM1B: Placemaking of the Perth & Kinross Local Development Plan 2014 which seeks to ensure that development contributes positively to the quality of the surrounding built environment in order to respect the character and amenity of the place.

Residential Amenity

4.6 The proposed external alterations will not cause any issues with loss of privacy to neighbouring properties. Although the garden will be terraced, this will largely be created within the existing slope of the garden and there will only minimal area of garden with any raised elevation over the existing situation. It is therefore unlikely that there will be any issue with loss of privacy to the neighbouring properties. In any case, the garden has high boundaries and the front garden areas of neighbouring properties are already overlooked from the first floor of adjacent buildings.

4.7 In terms of policy RD1: Residential Amenity of the Perth & Kinross Local Development Plan 2014, existing residential amenity of neighbouring properties and the surrounding streets will be protected.

5.0 Conclusion

5.1 Our client believes that the proposal is an appropriate upgrading of the listed property, enabling it to continue to make a valuable contribution to the conservation area as part of Croft Terrace

5.2 Our client will be happy to discuss any aspect of the proposal and we would ask that the case officer discuss the proposed recommendations with us prior to any decision being made on the proposal.

2 Croft Terrace, Errol, Perthshire, PH2 7UE


Thorntons

Offers Over £118,000



Croft Terrace comprises a small lane with a row of terraced houses along its length. The terrace lies within the Errol village conservation area and is a short walking distance from the village square, shopping and business amenities therein. Errol has a good range of local amenities, post office, primary school and benefits from regular commuter bus services to the cities of Dundee and Perth. Errol is approximately midway between the two cities and has straightforward access to arterial roads for commuting. This particular property is Category "C" Listed and is a stylish, mid terraced villa with a south facing outlook and front garden which is enclosed and accessed from a pedestrian lane. There is limited vehicle access to the front of the property with a small access/garden strip to the rear and north of the building. Ground level accommodation comprises a lounge, a sitting/dining room, small galley style kitchen with utility area. On the upper landing there is a split level stair giving access to three good sized bedrooms, two of the bedrooms having a south facing outlook with uninterrupted views over open farmland and towards the River Tay and Fife hills beyond. There is also a bathroom on the upper level. The property is in need of refurbishment throughout and this has been fully reflected within the asking price and highlighted within the Home Report.

Features of the property include double glazed windows and gas fired central heating system. The staircase and flooring are excellent examples of some of the original features of the property. Viewing is strongly recommended to fully appreciate the location, local amenities, the spacious accommodation as well as the potential to create a comfortable family home.

Upon entering the village of Errol proceed to the village square. At the village square proceed down Gas Brae. Approximately halfway on the right is the access lane to Croft Terrace. The property is the third on the row on the right hand side of the lane.

Please note: access lane leading to Croft Terrace is not a publicly adopted road and the necessary rights of access will be granted to the successful purchaser, subject to corresponding shared maintenance obligations.

2 Croft Terrace, Errol, Perthshire, PH2 7UE

Room Dimensions

Entrance Vestibule	6'3 x 3'2	(1.91m x 0.97m)
Entrance Hall	4'10 x 5'10	(1.47m x 1.78m)
Lounge	11'10 x 14'1	(3.61m x 4.29m)
Sitting/Dining	11'3 x 13'11	(3.43m x 4.24m)
Galley Kitchen	12'0 x 4'9	(3.66m x 1.45m)
Utility Space	11'10 x 4'8	(3.61m x 1.42m)
Bedroom	12'8 x 9'8	(3.86m x 2.95m)
Bedroom	11'4 x 13'11	(3.45m x 4.24m)
Bedroom	9'1 x 8'7	(2.77m x 2.62m)
Bathroom	6'7 x 4'7	(2.01m x 1.40m)



Illustrative only. Not to scale.



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2 Croft Terrace, Errol, Perthshire, PH2 7UE



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On Street
Parking



EPC Rating



2 Public



3/4 Bed



1 Bath



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Note: While Thorntons make every effort to ensure that all particulars are correct, no guarantee is given and any potential purchasers should satisfy themselves as to the accuracy of all information.
Floor plans or maps reproduced within this schedule are not to scale, and are designed to be indicative only of the layout and location of the property advertised.

Notice of Review

18/01103/FLL Alterations to dwellinghouse and boundary walls, erection of retaining walls, landscaping and associated landscaping works (in part retrospect), 2 Croft Terrace Errol Perth PH2 7UE

Statement of reasons for seeking review



Mrs A Anderson

October 2018



Arthur Stone Planning
& Architectural Design

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Newburgh, KY14 6DA

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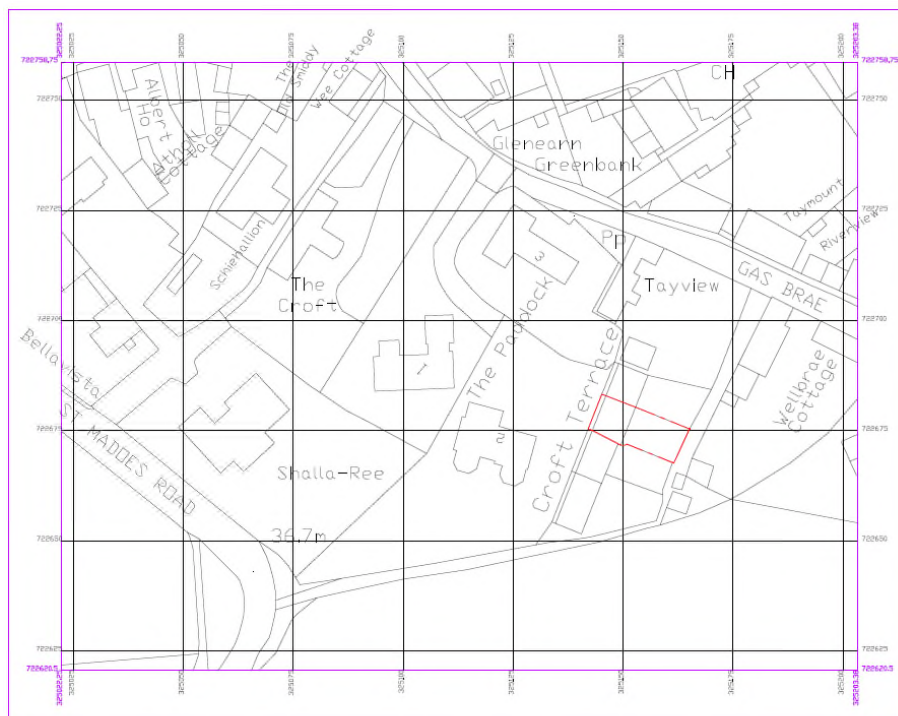
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- 2.0 Site Description**
- 3.0 Proposal**
- 4.0 Response to Reason for Refusal**
- 5.0 Conclusion**



Croft Terrace looking east



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Site Location

1.0 Introduction

1.1 Our client, Mrs Angie Anderson, submitted a planning application (and concurrent Listed Building Consent application 18/01101/LBC) in June 2018 for alterations to dwellinghouse and boundary walls, erection of retaining walls and associated landscaping works (in part retrospect) at 2 Croft Terrace, Errol, Perth, PH2 7UE.

1.2 The application (18/00674/IPL) was refused under delegated powers by the Council's appointed officer on 22nd August 2018. The two reasons for refusal were:

- 1. There is a lack of provision of acceptable manoeuvring space within the curtilage of the site to enable a vehicle to enter and leave the site in forward gear. The proposal is, therefore, contrary to the overarching principles of Policy PM1B, criteria (e) of Perth and Kinross Council's adopted Local Development Plan 2014 which seeks to ensure that all new proposals create safe, accessible, inclusive places for all people.*
- 2. The development fundamentally alters the boundary line at the front of the property, to the detriment of the historic and visual relationship with the neighbouring property. Approval would therefore be contrary to Policy HE2 of the Perth and Kinross Local Development Plan 2014, which seeks to safeguard listed buildings from inappropriate development.*

1.3 In this statement we aim to demonstrate that the proposal is acceptable in terms of Perth and Kinross Council's land use planning policies and guidance and that the approval of the application is justified.

2.0 Site Description

2.1 The site relates to 2 Croft Terrace, Errol, located towards the southern edge of the Errol conservation area. Croft Terrace is a narrow no-through route lane serving five properties and accessed from Gas Brae. The property forms part of a C listed pair of two storey Arts and Crafts style houses. The garden ground relating to the property is to the front, sloping down towards Croft Terrace. The garden is laid to grass with concrete paving path running between Croft Brae and the front door and running along the front of the property.

2.2 The property boundary wall extends along the front and sides and is ashlar coped rubble with railings above and a decorative ironwork gate.

3.0 Proposal

3.1 Our client's proposal (partly retrospective) is to take down the existing garden wall and gate at the south east boundary of property. These materials will be reused to rebuild a relocated garden wall and gate, enabling the formation of a parking space lying to the side of the lane.

3.2 This work has been carried out and has used the reclaimed bricks, stone coping, reused existing wrought iron gate and railings. The photos attached illustrate the high quality of the design, materials and work in relocating the wall and gate and forming the parking space. The photos also illustrate the improvements to the garden area. The parking space area is incomplete, in compliance with the Council's enforcement action. A future planning application would propose a high-quality surface finish for this area.

3.3 Our client appreciates the listed status of the property and its Arts and Crafts heritage. Her vision includes creating a garden in keeping with the Arts and Crafts style, restoring this from the former grass slope and paving which it is believed would not have been an original feature of the property. Our client's intention is to create a garden to enhance the house, with the terrace anchoring the house to the garden and the pattern and planting scheme serving to create separate rooms, an important Arts and Crafts feature where the garden and house were linked.

3.4 Overall, our client's intentions for the property are to sensitively modernise the internal aspects of this property (as part of the Listed Building Consent application) recognising its Arts and Craft attributes and to restore the garden area to that more characteristic of the Arts and Craft origin of the property.

3.5 While enabling the restoration and improvement of the property, our client wishes to meet her needs in terms of accessibility to the property along with improving the access situation on Croft Terrace. Our client, and her husband, have mobility constraints and the ability to park a car close to their house is of great importance in enabling them to carry on their normal daily activities and preventing a situation where they are restricted to their house. The remodelled garden with terraces enables their access as there are level resting places between each set of steps, preferable to a continual sloping path which posed difficulties.



Boundary completed with high quality materials and sensitive design, enhancing view of listed property within the Conservation Area.

Terraced garden with 'rooms' created, typical of Arts and Crafts style. Steps and level platforms assist owner's access.

4.0 Response to Reasons for Refusal

4.1 Our client believes that, with respect, these reasons are not justifiable in refusing her proposal. We make the following points, below, in support of Mrs Anderson's request for review and approval of this planning application.

4.2 The first reason for refusal is stated as:

1. *There is a lack of provision of acceptable manoeuvring space within the curtilage of the site to enable a vehicle to enter and leave the site in forward gear. The proposal is, therefore, contrary to the overarching principles of Policy PM1B, criteria (e) of Perth and Kinross Council's adopted Local Development Plan 2014 which seeks to ensure that all new proposals create safe, accessible, inclusive places for all people.*

4.3 We contend that this reason for refusal is unjustified and unreasonable in considering the impact of the overall proposal in the context of the existing situation. We believe that the proposal can be considered to comply with the principles of Policy PM1B, criterion (e) of the Perth & Kinross Local Development Plan 2014 which seeks to ensure that all new proposal create safe, accessible, inclusive places for all people.

4.4 We advocate that the proposed situation, whereby an area of off-street parking is provided is of benefit, not only to the occupants of 2 Croft Terrace but also to neighbours and residents of Gas Brae.

4.5 It is acknowledged that there is no manoeuvring space to enable a vehicle to both enter and leave the site in forward gear. However, the existing situation on the lane is no different and vehicles cannot both enter and leave the lane in forward gear.

4.6 The existing situation is exacerbated by there being no ability for passage, by another vehicle or pedestrian, around any vehicle parked in the lane. Vehicles may require access to numbers 3 and 4 Croft Terrace, beyond the property at 2 Croft Terrace. As these properties have only pedestrian access along their frontage any vehicles requiring to stop/park require to use the space to the front of 2 Croft Terrace. The proposed parking space alleviates this situation and for any pedestrians using the lane.

4.7 Our client, and her husband, are elderly and with constraints to their mobility affecting their day to day activities. They need to bring their car along the lane to as close to the house as possible to transport shopping or any other requirements for their daily activities. Car passengers also require transport to a point as close to the house. The nearest alternative parking is kerbside on Gas Brae and an available space can be upward of 100m distant. While parked on Croft Terrace to carry out transfer of shopping etc. to the house, their vehicle is blocking the lane with potential issues for any other vehicle or pedestrian requiring access further along the lane to numbers 3 and 4 Croft Terrace (as shown on photo below).

4.8 Furthermore, as our client cannot leave a vehicle parked in the lane she then needs to relocate the car to parking space on Gas Brae and bring it back into the lane prior to any subsequent journey. This requires two additional traffic movements entering and leaving the lane, and as noted by Transportation Services these movements cannot both be carried out in a forward gear. We contend that in terms of road and pedestrian safety, both on Croft Terrace and Gas Brae, the provision of the parking space to serve the house is of benefit by reducing the number of potentially unsafe traffic movements back and forth along the lane and using the junction with Gas Brae. The nature of the lane will ensure very low driving speed which should pose no safety issue. We believe that this should alleviate the objector's concern regarding traffic movements on the lane. Additionally, the parking space created frees up parking space on Gas Brae which is itself fairly constrained with parked cars along its length (as shown on photo below).



West end of Croft Terrace illustrating that any vehicle stopped to enable access to nos. 3 and 4 requires to park adjacent to no. 2.



Gas Lane illustrating parking occupied along its length.

4.9 There is no legal restriction to vehicles accessing the lane. We therefore contend that it is unreasonable for the Council to include a reason for refusal, i.e. the inability to enter and leave the lane in a forward gear, when it relates to an existing situation which is not exacerbated, and indeed improved, by the proposed creation of a parking area.

4.10 We believe therefore that the proposal can be considered to comply with the principles of Policy PM1B, criterion (e) of the Perth & Kinross Local Development Plan 2014 which seeks to ensure that all new proposal create safe, accessible, inclusive places for all people. Concluding, we contend that our client's proposal:

- improves access to Croft Terrace, both for her own property, for adjacent properties and improves parking availability on Gas Brae;
- improves safety by providing passage space around a parked vehicle on the Lane;
- improves safety by reducing the number of traffic movements the applicant will make on the lane by allowing her vehicle to remain parked adjacent to the house.
- improves inclusivity of place by enabling our client, as an elder member of the community, to continue to live as part of the community through improvements to her property to make it a lifelong home.

4.11 The second reason for refusal is stated as:

2. The development fundamentally alters the boundary line at the front of the property, to the detriment of the historic and visual relationship with the neighbouring property. Approval would therefore be contrary to Policy HE2 of the Perth and Kinross Local Development Plan 2014, which seeks to safeguard listed buildings from inappropriate development.

4.12 We believe that this reason for refusal is unjustified and unreasonable in considering the significance of the impact of the proposal on the historic and visual relationship with the neighbouring property, balanced against the needs of the residents of the property and improvement to road safety. We contend that our client's proposal:

- will not affect the listed building (s) or its setting; and
- can be considered to have a beneficial impact on the character and appearance of the Errol conservation area.

4.13 We note that although the Report of Handling refers to the impact of the proposal on the principal elevation of the property at 2 Croft Terrace it does not include this as part of the reason for refusal. This only refers to the relationship with the neighbouring property. We also note that although the Report of Handling refers to impacts on the Conservation Area the reason for refusal only refers to the safeguarding of listed buildings and the relationship with the neighbouring property. We therefore assume that the Appointed

Officer was content that the overall proposal was acceptable in terms of its impact on the setting of the property at 2 Croft Terrace, itself, and the wider Conservation Area.

4.14 We contend that the alteration of the front boundary wall and gate is in no way detrimental to the historic and visual relationship with the neighbouring property. The visual relationship between the house at 2 Croft Terrace (and its neighbour at 1 Croft Terrace) is mainly confined to the view of the upper part of the two houses, sitting in their elevated position. This view is only available from the western end of Croft Terrace and partially, at an oblique angle, from Gas Brae. There is a partial view from the southern edge of the village, lying on land sloping to the south (as shown on photo below). There is no wider public view of the lower part of the garden area of the adjoining properties or the boundary walls. As Croft Terrace is not a through route there is very limited observation of the southern boundary of the properties. The '*mirrored*' character of the gardens of the neighbouring properties, referred to in the Report of Handling, cannot be recognised when generally viewed in the surrounding area. In any case the property at 1 Croft Terrace is bounded by a tall and broad hedge and therefore the relationship between the two properties in terms of their boundary wall at the lower level is not clear and almost obscured (as shown on photo below).



Upper part only of 1 and 2 Croft Terrace in view (from within field).



Relationship with adjacent property masked by high hedge at 1 Croft Terrace.

4.15 The proposed relocation of the boundary wall and its reconstruction recognises its value as part of the special interest of the property, in terms of its design and materials: bricks, stone coping, railings and gate. Work has been carried out to the garden to install terraces with separate garden 'rooms' using reclaimed local stone and bricks from the original wall. This replaces the previous sloping grassed garden and pathway and greatly enhances and reflects the Arts and Crafts heritage of the property. We contend that the reconstruction of

the boundary wall and gate presents a greatly enhanced setting for this listed property and its neighbour in the pair.

4.16 The Report of Handling comments that *'parking immediately in front of the principal elevation of a building'* impacts on the historic character of the building and its setting within the conservation area. Given the location of the parking area at a considerably lower level and distance from the principal elevation of the house of the garden, and the adjacent high hedge, we believe that the proposal, resulting in a parked car on Croft Terrace, will be almost excluded from the public view and will have minimal impact on the special interest of the building or the conservation area.

4.17 Scottish Planning Policy (SPP) 2014 states that 'Change to a listed building should be managed to protect its special interest while enabling it remain in active use'....(para 141). Historic Environment Scotland guidance recognises that change needs to take place in relation to historic buildings and environments.

4.18 Managing Change in the Historic Environment guidance on Accessibility (HES 2010) in referring to its key issues includes that *'Careful assessment and planning can allow consideration of access in the broader context of an understanding of a historic building or place and its long term management requirements'* and *'where physical alterations are required, it is usually possible to achieve access improvement that are sensitive to the historic character of the building or place through high quality design, management and maintenance.'*

4.19 This guidance also notes that *'Improved accessibility can have numerous benefits for the historic environment, its contribution to the use and viability of historic buildings and places. With careful thought and planning, improved physical access to most elements of the historic environment can usually be achieved through reasonable adjustments without harming the character and appearance of the historic building or place.'*

4.20 Managing Change in the Historic Environment guidance on Boundaries (HES 2010) states that *'Alterations or repairs to a historic boundary should protect its character'* and *'all alteration proposals must take into account the design and material characteristics of the historic boundary'*.

4.21 We believe that the proposal to relocate the boundary wall meets with this guidance and respects the built heritage and can be considered to comply with the terms of policies HE2 Listed Buildings and HE3 Conservation Areas in the Perth and Kinross Local Development Plan 2014 (and Policy 27: Listed Buildings and Policy 28: Conservation Areas in the Proposed Perth & Kinross Local Development Plan 2 [2017]).

5.0 Conclusion

5.1 Our client requests, with respect, that the Local Review Body consider her proposal favourably. She wishes that her efforts are recognised in improving the historic fabric of the building (as part of the concurrent Listed Building Consent), enhancing its setting through the restored garden ground and the improvements which can be achieved to the amenity and road safety of the area with the provision of the parking space. She wishes to gain support for the adjustments contained within her proposal which will enable her property to be a lifelong home within the Errol community.

TCP/11/16(566) – 18/01103/FLL – Alterations to dwellinghouse and boundary walls, erection of retaining wall, landscaping and associated landscaping works (in part retrospect), 2 Croft Terrace, Errol

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

TCP/11/16(566) – 18/01103/FLL – Alterations to dwellinghouse and boundary walls, erection of retaining wall, landscaping and associated landscaping works (in part retrospect), 2 Croft Terrace, Errol

REPRESENTATIONS

From:Safeguarding
Sent:27 Jun 2018 14:39:21 +0100
To:Development Management - Generic Email Account
Subject:RE: Planning Application Consultation for Application No 18/01103/FLL

Your Ref: 18/01103/FLL

Dear Sir/Madam,

PROPOSAL: Alterations to dwellinghouse and boundary wall
LOCATION: 2 Croft Terrace Errol Perth PH2 7UE

With reference to the above proposed development, it is confirmed that our calculations show that, at the given position and height, this development would not infringe the safeguarding surfaces for Dundee Airport.

Therefore, Dundee Airport Limited has no objections to the proposal.

Regards

Safeguarding Team
on behalf of Dundee Airport Limited
c/o Highlands and Islands Airports Limited
Head Office, Inverness Airport, Inverness IV2 7JB
☐ 01667 464244 (DIRECT DIAL)
0 safeguarding@hial.co.uk ☐ www.hial.co.uk

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

From: DevelopmentManagement@pkc.gov.uk
<DevelopmentManagement@pkc.gov.uk>
Sent: 27 June 2018 10:32
To: Safeguarding <Safeguarding@hial.co.uk>
Subject: Planning Application Consultation for Application No 18/01103/FLL

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- Making best use of public resources.

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Comments for Planning Application 18/01103/FLL

Application Summary

Application Number: 18/01103/FLL

Address: 2 Croft Terrace Errol Perth PH2 7UE

Proposal: Alterations to dwellinghouse and boundary walls, erection of retaining walls, landscaping and associated landscaping works (in part retrospect)

Case Officer: Gillian Peebles

Customer Details

Name: Ms Nicola Bertram

Address: [REDACTED]

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Effect on Visual Amenity
- Inappropriate Land Use
- Loss Of Open Space
- Out of Character with the Area
- Road Safety Concerns

Comment: We have lived in this quiet. no traffic lane for nearly four years and I have never had to worry about traffic passing outside our front door. With the outlined plan for parking at this address, there will be traffic on the lane then parked at the end. The lane is only just wide enough for a car and we cannot pass while a vehicle is in the lane. I have a 13 year old daughter with ADD and Autism and even with intense supervision she still manages to run out the gate and I am terrified she is going to encounter a car outside the gate, as there would be no room for her to pass it and if she does run out there is no way for the car to miss her. She is not road safety aware and also uses this lane to ride her bike, as I cannot let her go to the park with her friends, her safe place is home and it wouldn't be so safe with this lane being opened to traffic. While the builders were in at the house they blocked the lane continually with their vans and cars and I realised there was a huge potential danger to my children, not to mention myself, my other daughter, my dogs and my cats. I feel our freedom to come in and out our gates as we please would be hampered as we would always have to watch and wait for their car to go by. In addition, the men who also live in the lane have said this lane hasn't been used by traffic since horse and carts. Unfortunately they do not use the internet so cannot put any comments in themselves. This lane is not built for any traffic.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/01103/FLL	Comments provided by	Dean Salman Development Engineer
Service/Section	Transport Planning	Contact Details	[REDACTED]
Description of Proposal	Alterations to dwellinghouse and boundary walls, erection of retaining walls, landscaping and associated landscaping works (in part retrospect)		
Address of site	2 Croft Terrace, Errol, Perth, PH2 7UE		
Comments on the proposal	<p>Insofar as the Roads matters are concerned I object to this proposal on the following issue.</p> <p>Formation of new access:</p> <ul style="list-style-type: none"> There is a lack of provision of acceptable manoeuvring space within the curtilage of the site to enable a vehicle to enter and leave the site in forward gear. 		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	24 July 2018		

