

Perth and Kinross Council
Development Management Committee – 10 August 2016
Report of Handling by Development Quality Manager

Extension to dwellinghouse at 29 Taybank Place, Errol PH2 7PT

Ref. No: 16/01127/FLL

Ward No: N1 Carse of Gowrie

Summary

This report recommends approval of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 The application site refers to a detached dwellinghouse located within a cul-de-sac in Taybank Place, Errol. Externally, there is a timber garden shed and summerhouse located within the rear garden and a small decked area adjoins the southern elevation of the dwellinghouse which is accessed from the existing kitchen. Private garden ground is located to the south and east of the dwellinghouse which is mainly laid to lawn with mature trees and planting forming the boundaries. The area to the east sits at a lower level than the dwellinghouse due to the topography of the site. Residential properties bound the east and west curtilage and open countryside to the south. The property has previously been extended to the rear (south) by means of a conservatory, however, this appears to have been constructed under permitted development.
- 2 Full planning consent is sought to further extend the dwellinghouse to the rear. The proposal involves replacing the existing decked area with a conservatory extension, essentially infilling the south west corner. The infill area measures 3.5m x 5.2m. A previous application was withdrawn (16/01070/FLL) to enable the application form to be completed correctly.

NATIONAL POLICY AND GUIDANCE

- 3 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.

Scottish Planning Policy 2014

- 4 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.

DEVELOPMENT PLAN

- 5 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

- 6 Whilst there are no specific strategies or policies which are directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2032 the TAYplan region 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 and visit and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2014

- 7 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance. Within the LDP, the site lies within the settlement boundary of Errol.
- 8 The principal relevant policies are, in summary:

Policy RD1 – Residential Areas

- 9 The Plan identifies areas of residential and compatible uses where existing residential amenity will be protected and, where possible, improved. Infill residential development at a density which represents the most efficient use of the site while respecting its environs will generally be supported.

Policy PM1A - Placemaking

- 10 States that new development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

Policy PM1B – Placemaking

- 11 All proposals should meet the placemaking criteria set out. In relation to this proposal the design and density should complement its surroundings.

OTHER POLICIES

- 12 No other policies.

SITE HISTORY

- 13 16/01070/FLL – Extension to dwellinghouse (application withdrawn)

CONSULTATIONS

- 14 None required.

REPRESENTATIONS

- 15 None.

ADDITIONAL STATEMENTS

16

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Not required
Reports on Impact or Potential Impact	Not required

APPRAISAL

Policy Appraisal

- 17 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The determining issues here are whether the proposals comply with Development Plan policy or if there are other material considerations, which justify a departure from policy.
- 18 The Development Plan for the area comprises the approved TAYPlan 2012 and the adopted LDP.

Principle

- 19 The key land use policies are contained within the LDP where the site lies within the settlement boundary of Errol and Policy RD1 is directly applicable. This policy seeks to ensure that all new developments within existing settlements are compatible with existing land uses and that the character and amenity (visual and residential) of the area concerned is not adversely affected by the development proposed.
- 20 In addition to this, Policy PM1 Placemaking is also applicable and this policy seeks to ensure that the quality of the surrounding built and natural environment is maintained and that all new development respects the character and amenity of the existing areas.

- 21 For reasons stated below, I consider the proposal to be consistent with the aforementioned land use policies.

Design and Layout

- 22 The proposal is to extend the dwellinghouse on the south elevation following the west and south building lines, infilling the south west corner to the rear of the integral garage which is currently a raised decked area. The footprint of the conservatory extension measures approximately 18.5 square metres to an approximate height of 4.2 metres. Finishing materials comprise of an Anstone basecourse and dry dash render to the walls, both of which are to match existing. Originally the drawings showed a smooth render finish to the walls, however, this was an error and the drawings have subsequently been amended to show a dry dash render to match the existing house. The conservatory will be set in rosewood pvcu frames. The windows including the roof will be double glazed units.
- 23 I have no concerns with the proposal. Due to its design and finishes it is considered to be a subordinate addition and therefore acceptable. As a result the visual impact of the proposals on the visual amenity of the existing dwellinghouse and the surrounding area are deemed to be acceptable.

Residential Amenity

- 24 Windows are located approximately 8.8 metres from the western boundary, however, the combination of the existing boundary treatments and location of the existing summerhouse would prevent overlooking to the neighbouring property. I have taken account of overshadowing and overlooking and consider the proposal would have no material effect on the amenity of neighbouring properties, as regards privacy, or loss of daylight or sunlight.

Drainage and Flooding

- 25 There are no drainage or flooding implications associated with this proposed development.

Landscape

- 26 The proposal will have no negative impact on the wider landscape setting as it is set within existing garden ground and relates visually to the main house.

Roads and Access

- 27 There would be no additional traffic generation as a result of the proposals and therefore I do not have any concerns with roads or access matters.

Developer Contributions

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

Economic Impact

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

LEGAL AGREEMENTS

- 30 None required.

DIRECTION BY SCOTTISH MINISTERS

- 31 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 32 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 comply with the approved TAYplan 2012 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 approval subject to conditions.

RECOMMENDATION

A Approve subject to the following conditions:

- 1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

Reason - To ensure that the development is carried out in accordance with the plans approved

B JUSTIFICATION

The proposal is in accordance with the Development Plan and there are no other material considerations that would justify a departure there from.

C PROCEDURAL NOTES

None.

D INFORMATIVES

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period.

(See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).

- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.

**NICK BRIAN
DEVELOPMENT QUALITY MANAGER**

Background Papers: None
Contact Officer: Gillian Peebles – Ext 75330
Date: 27 July 2016

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