

Perth and Kinross Council
Planning & Development Management Committee – 24th October 2018
Report of Handling by Interim Development Quality Manager (Report No. 18/340)

PROPOSAL: Alterations and extension to dwellinghouse

LOCATION: 63 Viewlands Road West, Perth, PH1 1NA

Ref. No: 18/01353/FLL
Ward No: P10- Perth City South

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 OF PROPOSAL

1. The planning application site relates to a modestly sized bungalow located on the north side of Viewlands Road West in the Burghmuir area of Perth. As is a feature in the estate, the house is set gable-end on within an open planned plot. It forms the east most unit of a row of three dwellings situated between Muirend Avenue and Fairies Road, opposite the grounds of Oakbank Primary School.
2. The plot features a small open plan front garden and a heavily landscaped enclosed rear garden. Entry is on the eastern side of the house, via the driveway which contains a detached flat roofed garage.
3. Permission is being sought to raise the roof height of the house in order to form an upper level of accommodation. Plans indicate that the roof pitch will be increased from 22.5° to 50°, in order to accommodate a stairway accessing two bedrooms and a shower room. New bedroom windows will be installed in the front (north) and rear (south) elevations of the house, along with one roof window on the east side of the roof serving the upper landing and two roof windows on the western side of the roof serving the stair and a shower room. All materials are noted as matching those as existing; comprising dry dash render and concrete roof tiles.

NATIONAL POLICY AND GUIDANCE

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

National Planning Framework

5. NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc. (Scotland) Act 2006 this is now a statutory document and material consideration in any planning application. The document provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

Scottish Planning Policy 2014

6. The Scottish Planning Policy (SPP) was published in June 2014 and 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.
7. The following sections of the SPP will be of particular importance in the assessment of this proposal:

- Placemaking : paragraphs 36 – 57

Planning Advice Notes

8. The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
 - PAN 40 Development Management.

DEVELOPMENT PLAN

9. 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

10. TAYplan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

“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

11. The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. The LDP sets out a vision statement for the area and states that, “Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.” It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
12. The principal relevant policies are, in summary;

Policy PM1A - Placemaking

13. 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

14. All proposals should meet all eight of the placemaking criteria.

Policy RD1 - Residential Areas

15. 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.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

16. Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.
17. The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29

August 2018. The unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.

18. The Proposed LDP2 represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. It sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. However, the outcome of the Examination could potentially result in modifications to the Plan. As such, currently limited weight can be given to its content where subject of a representation, and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision.

SITE HISTORY

19. None.

CONSULTATIONS

20. None.

REPRESENTATIONS

21. A total of 6 letters of representation have been received regarding the proposals. The following points were raised in the representations received:
 - Excessive height
 - Out of character with the area
 - Loss of sunlight or daylight
 - Overlooking
 - Overdevelopment of small plot
 - Traffic congestion and road safety concerns
 - Result in the decrease of value of existing properties
 - Loss of view

22. The valid planning issues are addressed in the Appraisal section of the report. The loss of a view and potential impact on house values are not material considerations in the determination of the planning application.

ADDITIONAL STATEMENTS

23.

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

24. Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) require the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, this involves considerations of the Council's other approved policies and supplementary guidance, namely the Placemaking Guide.

Principle

25. The application site forms part of a long established residential area within the settlement boundary of Perth, where the main policy of note is RD1 (Residential Areas). The principle of altering or enlarging an existing house is therefore generally considered acceptable subject to achieving a suitable detailed scheme that does not significantly impact on established amenity levels.

Design and Visual Amenity

26. The finished roof ridge height is increasing from 4.65m to 7.35m. The roof and walls will be finished in materials to match the existing house and are therefore reflective of neighbouring properties.
27. There are a number of similar examples of developments nearby which have successfully created additional accommodation by raising the roof pitch; this includes 67 Viewlands Road West, two properties to the west, which is situated on a corner plot. The proposals are deemed to be in keeping with the wider character of the locality and it is not envisaged that the increase in height will introduce any adverse or significant change to the streetscene.

Landscape

28. The garden contains a variety of mature shrubs and hedges which although of no particular individual merit, collectively provide an effective means of enclosure and screening. The development proposals will not however result in any increase in the overall footprint size of the house, so no change is anticipated to the established landscape framework which presently exists at the site.

Residential Amenity

29. The house is set in a modest plot. The works proposed will not reduce the existing garden area; the ratio of house to plot size is not changing and will not encroach closer to any boundary. It is considered that the creation of a modest amount of additional floor space comprising of one additional bedroom is not overdevelopment and is acceptable within the context of the site and surrounding area.

Loss of Privacy

30. Given that the public road is to the front of the house and the rear elevation is set more than 10 metres back from the boundary with neighbouring gardens; established amenity guidelines are being achieved which require a 9 metre distance between a window and a shared boundary. Neither of the proposed gable windows raise any significant amenity concerns as they will not look directly towards existing windows. Additionally, the nature of the internal layout, presence of landscape cover and relationship with adjoining gardens suggests that any overlooking will be limited and confined to an element of garden ground.

Overshadowing

31. Reference has been made to the increase in height impacting on neighbouring light levels. The closest property is the similar, gable-end bungalow property to the immediate west, whose main outlook is to the north and south over the garden.
32. A desk based shadow cast assessment has been carried out which shows that there will be a minimal amount of shadowing. This demonstrates that the north-eastern corner of the roof of 65 Viewlands Road West, to the west of the site will be in a shadow for a limited period in the morning, as will a section of the rear gardens of numbers 28 and 30 Fairies Road (to the east) in the afternoon during the months of March and October when the sun is at a low level. A small area of the Fairies Road properties gardens, close to the boundary with the site will also be in shadow in high summer around 4pm; it is noted however that as the properties are situated due east, there is already an element of shadow cast in the summer. Additionally, the assessment also indicates that the western side

of the house at 65 Viewlands Road West already features a degree of shadow cast from the present roof profile.

33. As the shadow cast created by the proposals will not impact on habitable rooms and is essentially confined to a limited area of the neighbouring gardens for a temporary period, I do not consider the resultant impact to be significant or detrimental to the continued enjoyment of the neighbouring properties. Furthermore, our assessment of the existing shadow cast does not take account of the impact that the established planting currently has on sunlight levels throughout the year.

Roads and Access

34. The house is served by an existing access which provides off street parking for multiple vehicles. There is no restriction on vehicle numbers or on the use of the driveway which currently does not include any turning provision. There is scope to form a turning area to the front of the house should the occupants wish. It is not envisaged that the enlargement of the roofspace will have any negative impact on access provision as it presently exists or result in any off-site adverse issues.

Economic Impact

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

LEGAL AGREEMENTS

36. Not required.

DIRECTION BY SCOTTISH MINISTERS

37. Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 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

38. To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, I have taken account of the Local Development Plan and material considerations and in this case I am content that the development proposed does not conflict with the Development Plan.

Accordingly the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

- 1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

B JUSTIFICATION

39. The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

C PROCEDURAL NOTES

40. 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 An application for Building Warrant will be required.

Background Papers: 6 letters of representation
Contact Officer: Alma Bendall 01738 475358
Date: 11 October 2018

ANNE CONDLIFFE

INTERIM DEVELOPMENT QUALITY MANAGER

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