

TCP/11/16(275)

Planning Application 13/00637/FLL – Modification of existing consent (10/02200/FLL), alterations, extension and sub division of property into two residential units (in retrospect), 12 Bank Street, Crieff, PH7 3JQ

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**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name DAVID PEEBLES

Address LAWVIRDEN
METHVEN

Postcode PH1 3SZ

Contact Telephone 1 [REDACTED]

Contact Telephone 2 [REDACTED]

Fax No [REDACTED]

E-mail* [REDACTED]

Agent (if any)

Name GHM DESIGN

Address 3 LAUREL AVENUE
CRIEFF

Postcode PH7 3EN

Contact Telephone 1 0764 655269

Contact Telephone 2 0783 4318648

Fax No [REDACTED]

E-mail* OFFICE@GHMDESIGN.CO.UK

Mark this box to confirm all contact should be through this representative: ☒

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes ☒ No ☐

Planning authority

PERTH AND KINROSS COUNCIL

Planning authority's application reference number

13/00637/FUL

Site address

12 BANK STREET, CRIEFF, PH7 3JG.

Description of proposed development

MODIFICATION OF EXISTING CONSENT (10/0220/FUL)
ALTERATIONS AND SUB DIVISION OF PROPERTY INTO
2 RESIDENTIAL UNITS (IN RETROSPECT).

Date of application

5-4-2013

Date of decision (if any)

3-6-2013

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

Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

Review procedure

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

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

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☐

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

Statement

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

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

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

SEE ENCLOSED STATEMENT ON
SEPARATE SHEET.

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

1. SUPPORTING STATEMENT.
2. MARKED UP LOCATION PLANS.

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

Checklist

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

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the ~~applicant~~/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

27-8-2013

GHM Design

Architecture

12 Bank Street,
Crieff.
PH7 3JQ

Supporting statement for the Use of uPVC windows and doors.

The building was given Planning Permission on 3/04/2006 before the area was designated a Conservation Area.

When the application was submitted for the Sub - Division of the building, the Planning Officer requested that we change the fenestration of the windows on the gable facing Ramsay Street to a vertical emphasis, this was duly done and Planning Permission was granted on 20/5/2011.

My client Mr Peebles had ordered his windows and doors in upvc for the existing part of the building which formed one part of the sub-division., with a view to completely match what had been installed on no 10 Bank Street.

The new build part of the sub-division was recommenced and my client ordered his windows and doors from the same supplier (local firm McLeods of Perth) again with a view to matching the rest of the building block.

My client was unaware at this time that timber windows and doors had been included as a condition in the Planning Permission.

This was only brought to my clients notice when the Planning Enforcement officer visited the site to view a boundary wall condition, and subsequently an Enforcement Notice was served.

We applied for Planning Permission in Retrospect for the installation of the upvc windows and doors which was subsequently refused.

Our view for the overturning of this decision is as follows,

My client does not dispute the reasons for the changing of this area of Crieff into a conservation area, and through the buildings redesign thought that he had produced a building block to complement the buildings and streetscape surrounding it.

The use of upvc is common in the buildings and streets surrounding 12 Bank Street, and in fact where there are actual timber sash and case windows the buildings are either derelict or falling into a state of disrepair. There is a plethora of different window styles and the materials they are made from but the majority are upvc

Please find enclosed a marked up location plan showing the different types of windows and doors in surrounding properties.

We consider that the upvc section that has been used in this case, with the added inclusion of the horizontal bar to break up the large panes of glass is , in style, sympathetic to the existing building that it is part of , and should be considered acceptable

3 Laurel Avenue, Crieff. Ph7 3en
Tel/Fax 01764 655269 Mob 07834318648
Email office@ghmdesign.co.uk
Architecture and Building Management

Windows.

Timber Casement

Timber Sash and Case

Timber Sash and Case Lookalike

Aluminium.

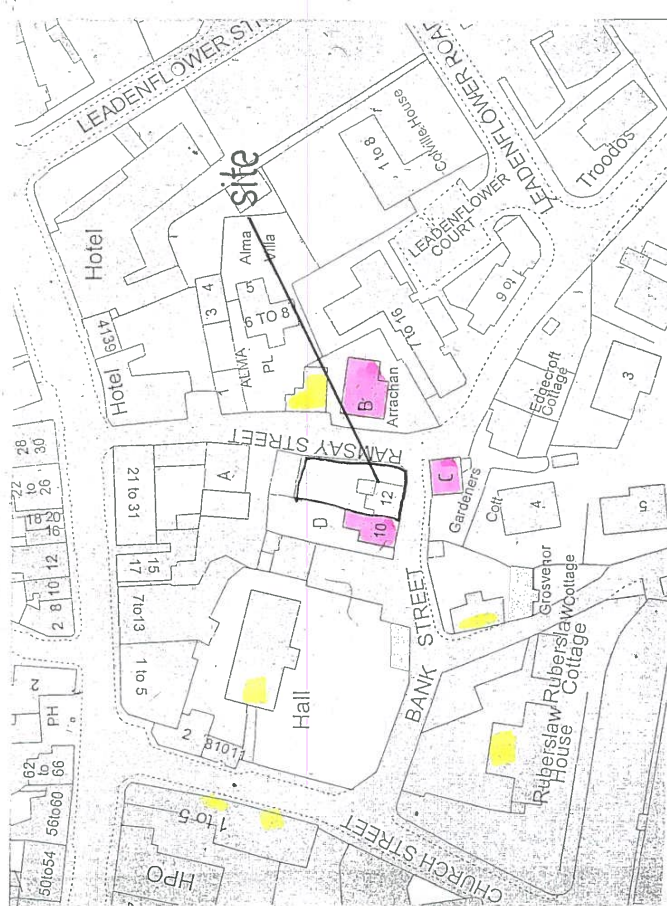
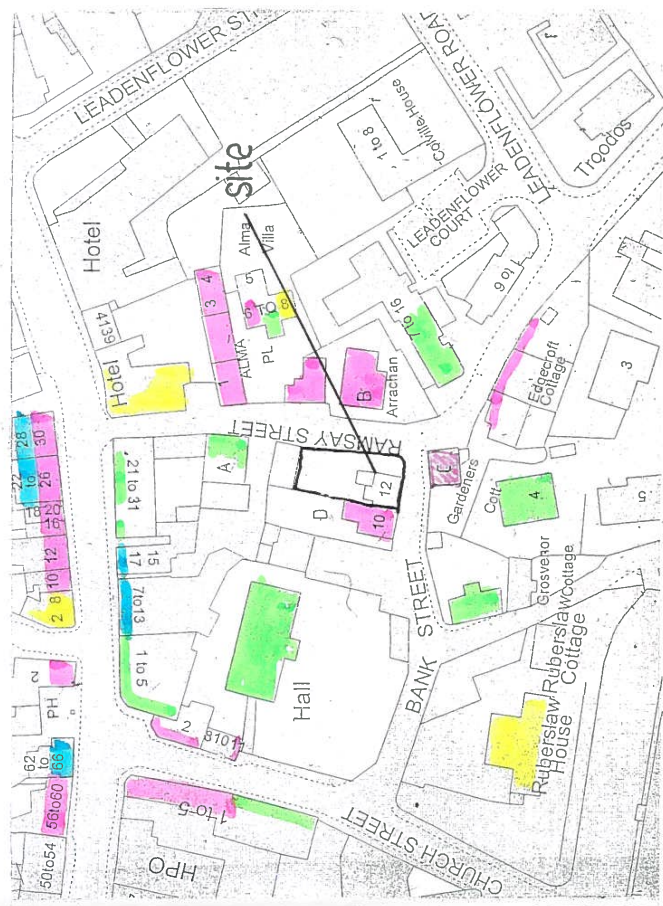
upvc.



Doors

Timber

upvc.



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Planning Application 13/00637/FLL – Modification of existing consent (10/02200/FLL), alterations, extension and sub division of property into two residential units (in retrospect), 12 Bank Street, Crieff, PH7 3JQ

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

Mr David Peebles
c/o GHM Design
FAO George Murray
3 Laurel Avenue
Crieff
Perthshire
PH7 3EN

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 3rd June 2013

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **13/00637/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 5th April 2013 for permission for **Modification of existing consent (10/02200/FLL) Alterations, extension and sub division of property into two residential units (in retrospect) 12 Bank Street Crieff PH7 3JQ** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to the aims of Policy 26 of the Strathearn Area Local Plan 2001 as it would harm the character and appearance and would not preserve or enhance the area.
2. The proposal is contrary to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as it does not pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
3. The proposal is contrary to the Proposed Local Development Plan 2012, Policy HE3A in that it does not ensure that the design, materials and scale of the development within the conservation area is appropriate to its appearance, character and setting.

Justification

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

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

13/00637/1

13/00637/2

REPORT OF HANDLING

DELEGATED REPORT

Ref No	13/00637/FLL
Ward No	N6- Strathearn

PROPOSAL: Modification of existing consent (10/02200/FLL)
Alterations, extension and sub division of property into two residential units (in retrospect)

LOCATION: 12 Bank Street Crieff PH7 3JQ

APPLICANT: Mr David Peebles

RECOMMENDATION: REFUSE THE APPLICATION

SITE INSPECTION: 16 April 2013

OFFICERS REPORT:

The application is for modification of existing consent (10/02200/FLL) for alterations, extension and sub division of property into two residential units (in retrospect) at 12 Bank Street, Crieff.

The Enforcement Officer visited the site in August 2012 and noticed variations between the approved plans/planning conditions and what had been built on site, at this time an enforcement notice was served. The applicant did not appeal the enforcement notice within the required time limit and hence this planning application has been submitted to resolve the situation.

The application is to cover the issues raised in the enforcement notice as breaches. The breaches were a failure to comply with conditions 2 and 3 of planning permission ref 10/0220/FLL in respect of the unauthorised installation of upvc windows and doors.

In considering this application it must be noted that the conditions were added as the property lies within the Crieff Conservation Area which was designated on 20 February 2009. The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that conservation areas "are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". The Adopted Strathearn Area Local Plan 2001, Policy 26 relates to development within conservation areas, the designation of the Crieff Conservation Area outdates this plan but the aims of this policy are relevant as it states that there is a presumption against development within conservation areas which would harm their character or appearance. The Local Development Plan - Proposed Plan 2012 is a material consideration and Policy HE3A - New Development seeks to preserve and enhance the character or appearance of development within conservation areas specifically that design and materials should be appropriate to its appearance, character and setting within the conservation area.

There was a previous application for this site on 2006 which permitted the use for upvc however this was before the conservation area was proposed and approved. It should also be noted that on the Enforcement Notice the applicant was advised that enforcement action had been taken as the council would not invite a planning application as we would not support the use of upvc.

Crieff is a relatively new conservation area and it is accepted that some properties have existing upvc windows etc but with the designation of the conservation area and the removal of permitted development rights in conservation areas it is anticipated that over time it would result in gradual enhancement of the conservation area. I therefore don't consider that the presence of existing upvc to be reason to permit this development.

I therefore consider the use of upvc to be contrary to the Development Plan, The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Local Development Plan - Proposed Plan 2012 and the Crieff Conservation Area Appraisal as the use of upvc does not preserve or enhance the character or appearance of the conservation area and I therefore recommend the application for refusal.

The matter will now be passed back to the Enforcement Team for action.

DEVELOPMENT PLAN

S_026 Strathearn Conservation Areas

There will be a presumption against development within or adjacent to the designated Conservation Areas (Comrie, Fowlis Wester and Muthill) which would harm the character or appearance, or which does not preserve or enhance the area. Applications for outline consent within Conservation Areas are unlikely to be acceptable without detailed plans of the development including elevations that show the new development in its setting.

OTHER POLICIES

Local Development Plan - Proposed Plan 2012

The relevant policy is;

Policy HE3: Conservation Areas

Policy HE3A: New Development

There is a presumption in favour of development within a Conservation Area that preserves or enhances its character or appearance. The design, materials, scale and siting of 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 for the area, the details contained in that appraisal should be used to guide the form and design of new development proposals. Applications for Planning Permission in Principle in Conservation Areas will not be considered acceptable without detailed plans, including elevations, which show the development in its setting.

Planning Advice Note PAN 71: Conservation Area Management

Crieff Conservation Area Appraisal

SITE HISTORY

06/00410/FUL Alterations and extension 3 April 2006 Application Permitted

10/02200/FLL Alterations, extension and sub division of property into two residential units 20 May 2011 Application Permitted

13/00641/CON Installation of UPVC doors and windows (in retrospect) 4 April 2013

CONSULTATIONS/COMMENTS

Scottish Water No objection

Transport Planning No objection

TARGET DATE: 5 June 2013

REPRESENTATIONS RECEIVED:

Number Received:	No letters received
Summary of issues raised by objectors:	N/A
Response to issues raised by objectors:	N/A

Additional Statements Received:

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement or Design and Access Statement	Not required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not required

Legal Agreement Required:	No
Summary of terms	N/A
Direction by Scottish Ministers	No

Reasons:-

- 1 The proposal is contrary to the aims of Policy 26 of the Strathearn Area Local Plan 2001 as it would harm the character and appearance and would not preserve or enhance the area.
- 2 The proposal is contrary to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as it does not pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 3 The proposal is contrary to the Proposed Local Development Plan 2012, Policy HE3A in that it does not ensure that the design, materials and scale of the development within the conservation area is appropriate to its appearance, character and setting.

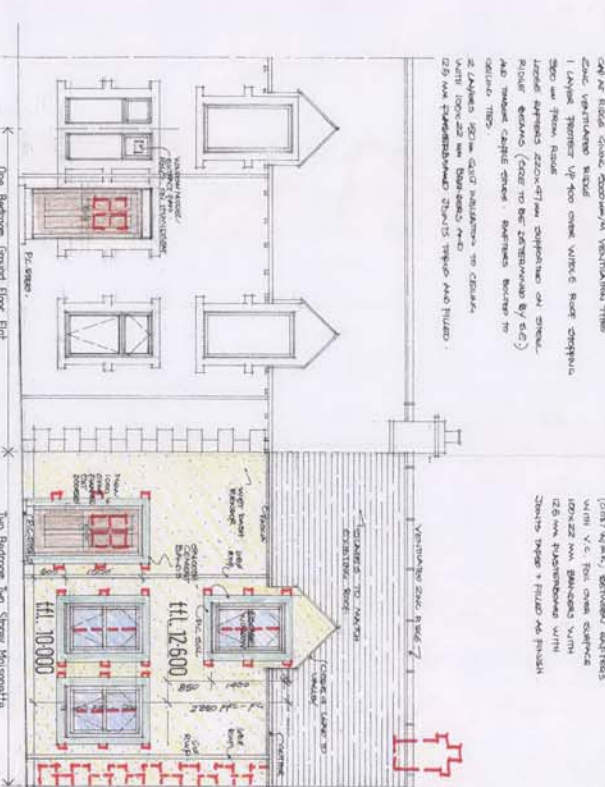
Justification

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

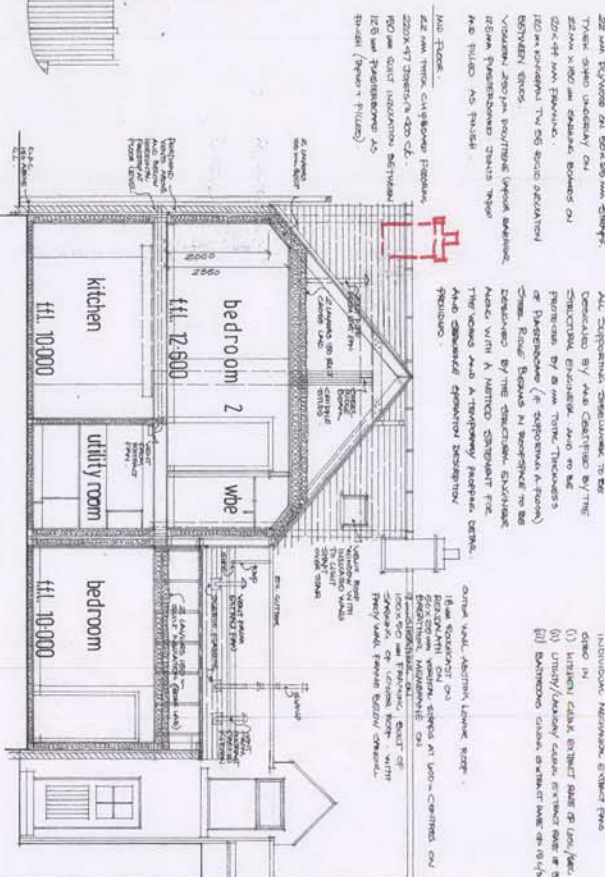
Notes

- 1 As the application has been refused the case will be referred back to the Enforcement Team for further action.

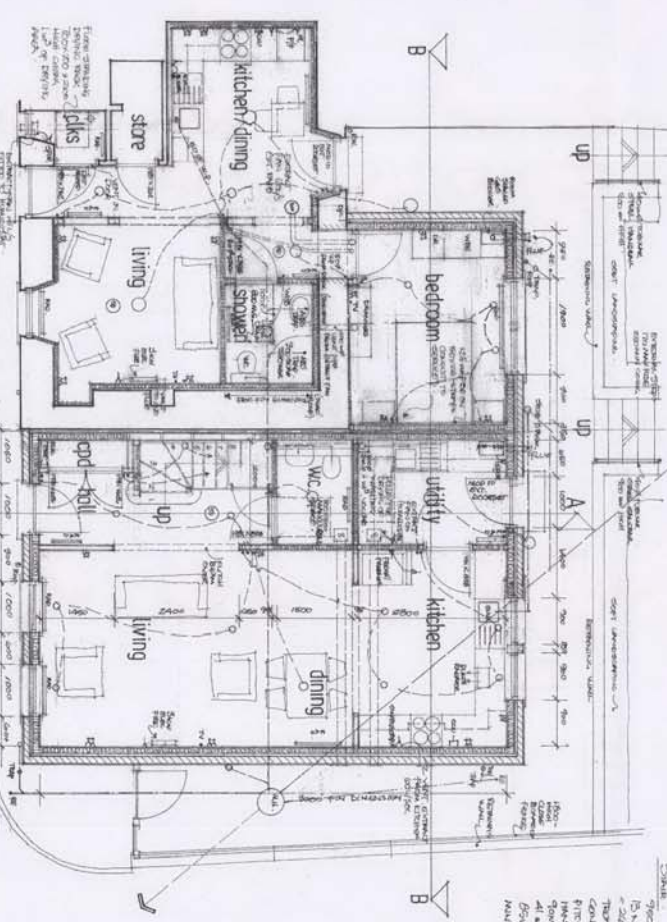
1. The proposed development is a two-storey residential building with a total floor area of 1,200 sqm. The building is located on a site of 1,500 sqm. The site is bounded by a residential street to the north, a residential street to the east, a residential street to the south, and a residential street to the west. The building is proposed to be constructed on the site. The building is proposed to be constructed on the site. The building is proposed to be constructed on the site.



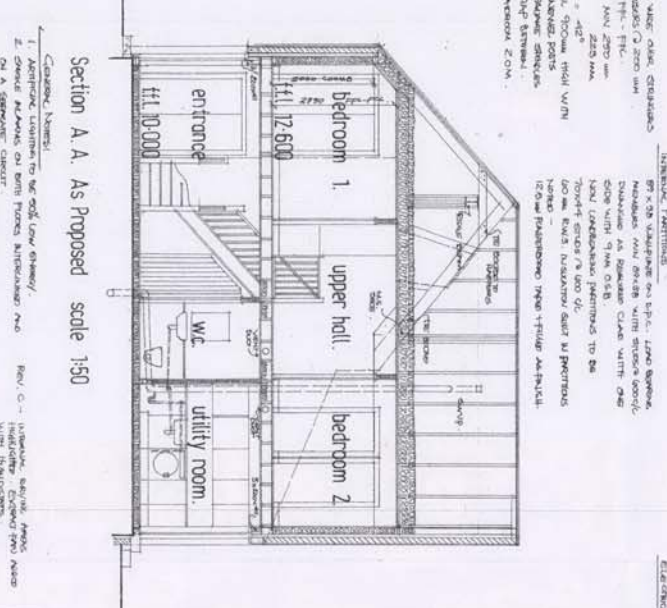
South West Elevation As Proposed
 scale 1:50



Section B B As Proposed
 scale 1:50



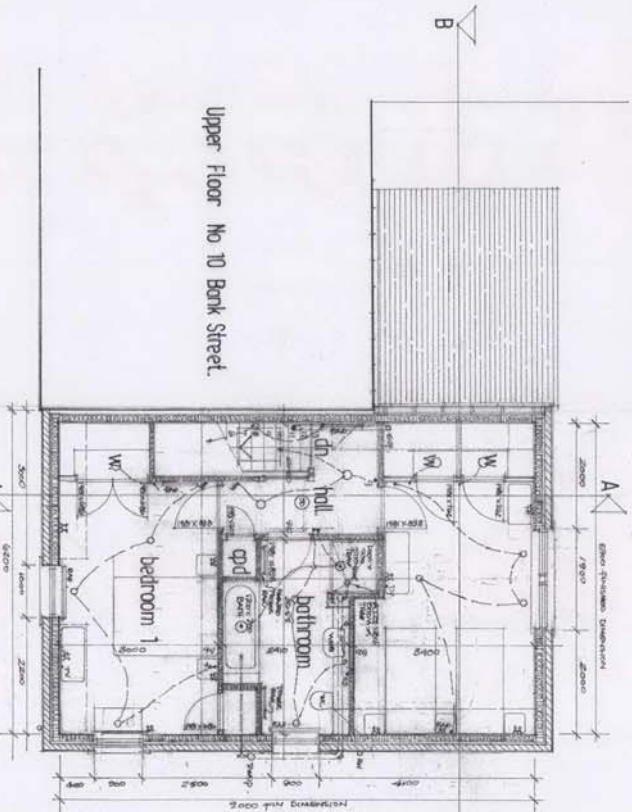
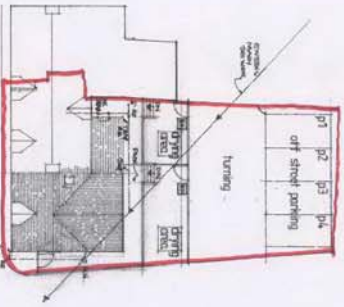
Ground Floor Plan As Proposed
 scale 1:50



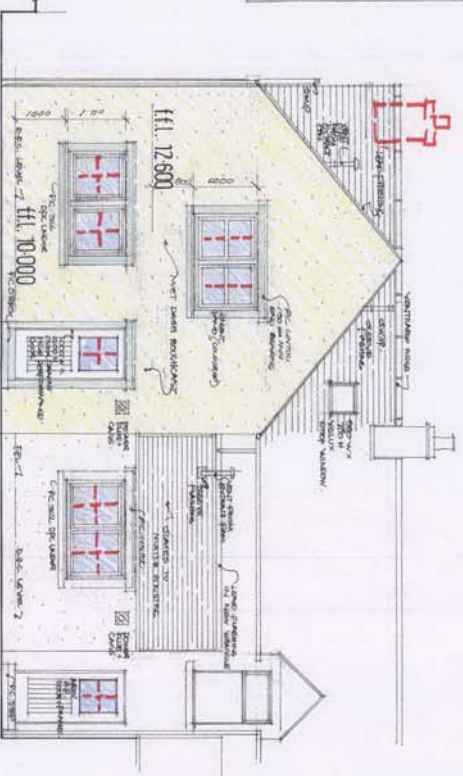
Section A A As Proposed
 scale 1:50



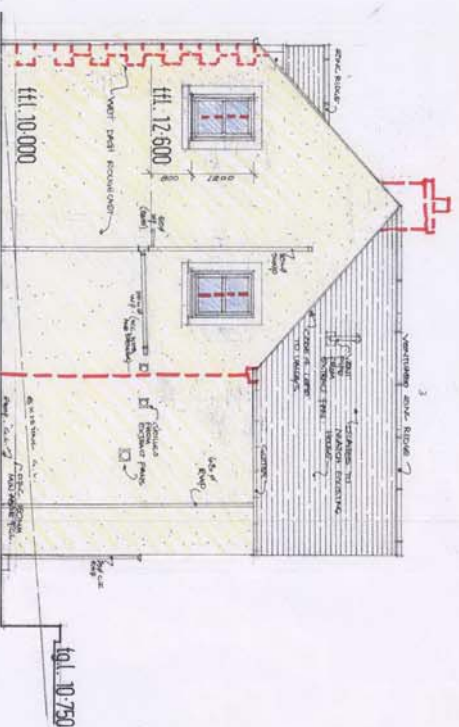
CLIENT: Mr D. Peckles
 PROJECT: Proposed Alterations, Extension, and Sub-Division of Property to form 2 no residential units at 12 Bank Street, Chalfont
 DRAWING: Ground Floor Plan, Sections and Elevations As Proposed
 DATE: May 2015
 Scale 1:50, Project No. 15558 Drawing No. 4/1



Upper Floor Plan As Proposed scale 1:50



Year	1990	1995	2000	2005	2010	2015	2020
Population (millions)	1.2	1.5	1.8	2.1	2.4	2.7	3.0



DRAWING FILE: 13/0063712

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