

TCP/11/16(267)

Planning Application 13/00718/FLL - Alterations and extension to dwellinghouse, 2 Ashgrove Cottage, Ashgrove Road, Rattray, Blairgowrie, PH10 7EX

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TCP/11/16(267)

Planning Application 13/00718/FLL - Alterations and extension to dwellinghouse, 2 Ashgrove Cottage, Ashgrove Road, Rattray, Blairgowrie, PH10 7EX

**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 2008

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 Address Contact Telephone 1
Contact Telephone 2
Fax No E-mail* **Agent (if any)**Name Address Contact Telephone 1
Contact Telephone 2
Fax No E-mail*

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

Planning authority's application reference number

Site address

Description of proposed development

Date of application

Date of decision (if any)

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) | <input checked="" type="checkbox"/> |
| 2. Application for planning permission in principle | <input type="checkbox"/> |
| 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) | <input type="checkbox"/> |
| 4. Application for approval of matters specified in conditions | <input type="checkbox"/> |

Reasons for seeking review

- | | |
|---|-------------------------------------|
| 1. Refusal of application by appointed officer | <input checked="" type="checkbox"/> |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/> |
| 3. Conditions imposed on consent by appointed officer | <input type="checkbox"/> |

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 | <input type="checkbox"/> |
| 2. One or more hearing sessions | <input type="checkbox"/> |
| 3. Site inspection | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input checked="" type="checkbox"/> |

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 SEPARATE PAGE WITH 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 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.

I MADE REFERENCE TO PROVIDING MEDICAL EVIDENCE IN MY LETTER DATED 2.4.13, WHICH WAS AT THE DATE OF THE PLANNING APPLICATION. SINCE THEN I HAVE RECEIVED THE ENCLOSED LETTER FROM MY DOCTOR.

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. SET OF PLANS SUBMITTED
2. LETTER SUBMITTED WITH PLANNING APPLICATION DATED 2.4.13
3. LETTER FROM DR JENNIFER HARTNETT
4. PHOTOGRAPHS OF THE SITE AND SURROUNDS
5. REVIEW STATEMENT

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

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

11/7/13

Mr A Anderson
2 Ashgrove Cottages
Ashgrove Road
Ratray
Blairgowrie PH10 7EX
Date: 2.4.13

Perth & Kinross Council
Planning
Environment Services
Pullar House
Kinnoull Street
Perth PH1 5GD

Dear Sirs

Planning Application

Please find my planning application for the erection of a dormer onto the east facing roof of my house.

I have been advised that there is reluctance by planning for flat roof dormers to be approved, however I do feel that the circumstances relating to my particular property are different to many other properties:

- Although the property is part of a terraced row, it is in a rural setting surrounded by farmland at the end of Ashgrove Road which is rarely used by passing traffic.
- The proposed dormer is to be erected on the east facing rear elevation which is the less prominent of the 2 elevations.
- The east elevation faces a disused farmyard.
- The existing west facing elevation of the terraced row has flat roof dormers on several of the houses.
- The existing house has 2 very small bedrooms. The ground storey bedroom is directly off the lounge and is next to the kitchen and is therefore not ideally suited for use as a bedroom.
- There isn't scope to form a reasonable size bedroom by extending elsewhere in the property.

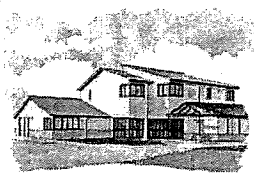
In addition, I have several medical conditions that are exacerbated by having to go downstairs to the bathroom at night. A bedroom with an ensuite would help provide relief for these conditions. (I can provide medical evidence of these conditions if required.)

I hope you will find my proposals acceptable.

Yours faithfully



Dr A D Shaw
Dr J M Mackay
Dr Ivor Sim
Dr Andrew Buist
Dr Morag Martindale
Dr Graeme Gatherer
Dr Jennifer Hartnett
Dr Jill Mackay



Ardblair Medical Practice
Ann Street
BLAIRGOWRIE
PH10 6EF

Tel: 01250 872033
Fax: 01250 874517
www.ardblair.scot.nhs.uk/

JEH/SW

26 June 2013

To Whom It May Concern:

Re: Andrew Anderson, 2 Ashgrove Cottages, Rattray, Blairgowrie, PH10 7EX DOB: 28/07/45

I can confirm that the above-named suffers from atrial fibrillation, myasthenia gravis and is currently being investigated for recurrent chest infections. He finds it difficult traversing the steep stairs in his house to get to his bathroom and therefore I believe he has applied for planning permission to put in a dormer, in order to make an en-suite bedroom with adjoining toilet. This would be of great benefit to him, as he would not have to traverse the stairs in the middle of the night to use the bathroom. He finds that the exertion of climbing the stairs results in an irregular heartbeat, which can last between 5 and 15 minutes and is obviously uncomfortable for him. He also struggles with shortness of breath.

I hope you will find this information useful in assessing his appeal.

Yours faithfully

Dr Jennifer Hartnett

NOTICE OF REVIEW STATEMENT FOR 2 ASHGROVE
COTTAGES, ASHGROVE ROAD, RATTRAY, BLAIRGOWRIE
PH10 7EX

PLANNING REF: 13/00718/FLL

1. My letter dated 2.4.13, covering my medical condition was submitted with the planning application submission but no reference was made to this in the planners report.
2. The house roof on which the dormer is to be located faces a derelict farm yard on a road that is very rarely used.
3. No other means of extending the property to obtain another bedroom.
4. The floor area of the ground storey is 42.5 sq. metres and the upper storey is 18.6 sq. metres with the majority being covered by low sloping ceilings and includes the storage area in the loft space. The floor area is very modest in comparison to many other houses. In addition, the spare bedroom is entered directly off the lounge and is next to the kitchen.
5. The opposite side of the existing roof has a smaller flat roof dormer which is situated in the main bedroom.
6. The ridge height of the existing roof does not permit the design of a pitched roof on the proposed dormer otherwise the new roof would be higher than the existing ridge height.
7. Previously box dormers have been approved as can be seen in all towns, villages and Perth.
8. The planning report stated 'It is clear that the dormer is proposed on the front of the property and, therefore, the principal elevation.' The elevation referred to as the 'principal elevation' is the side that is seen the least.
If it was to be decided what is back and what is front, the front would normally be to the elevation where there is an entrance door and the one most used, this is the same throughout the terraced row. So in that case, I would suggest the front of the property that the planning report refers to is actually the rear and the front of the property on my understanding (the principal elevation) that is referred to, already has dormers on it.
9. Please find enclosed the letter dated 26.6.13 from Dr Jennifer Hartnett detailing my medical conditions.





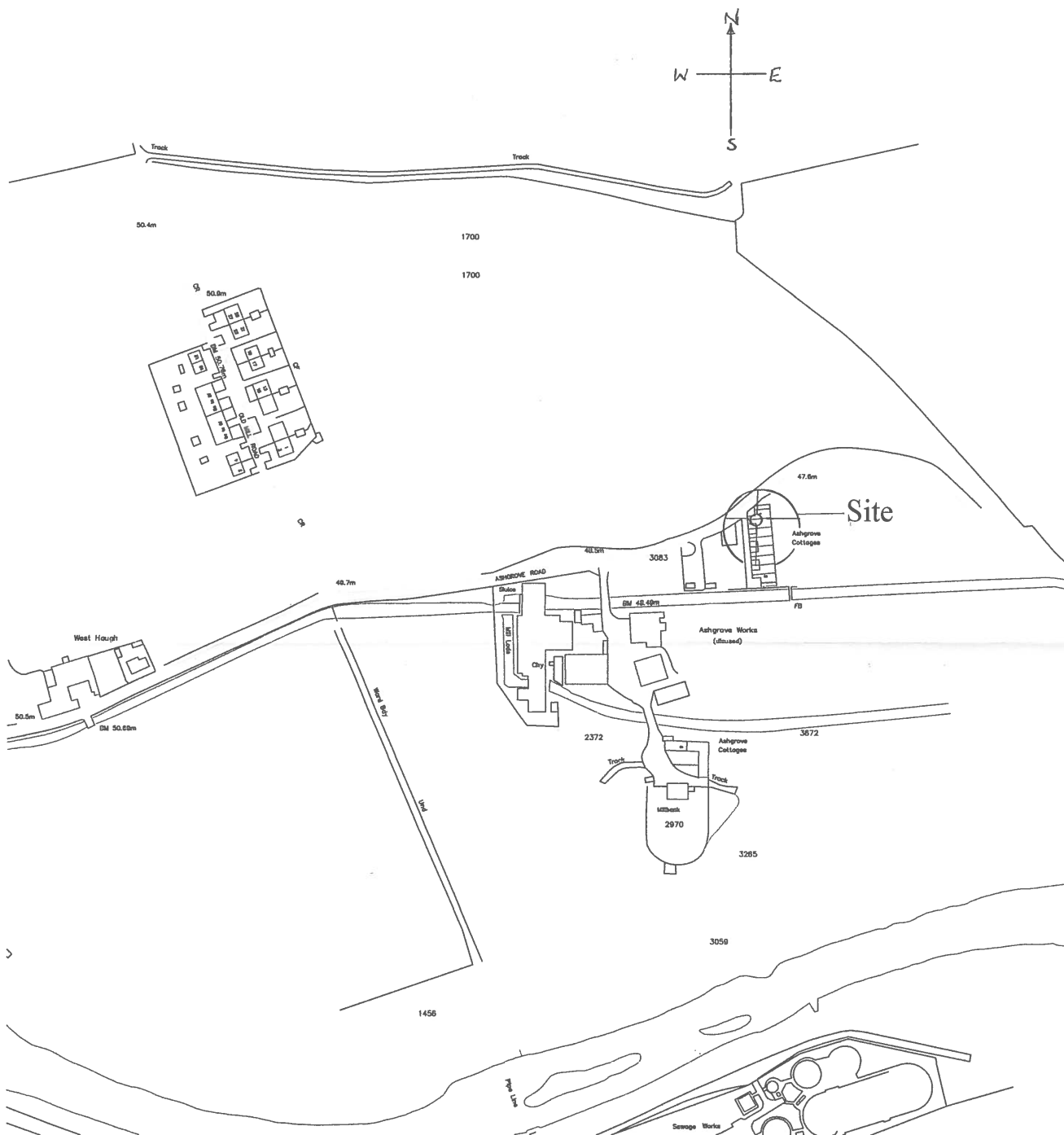
THE FARMYARD



REAR EAST ELEVATION



PRINCIPAL ELEVATION WEST FACING



Location Plan 1:2500

0 20 40 60 80 100 METRES
1:2500 SCALE BAR

Norman A MacLeod

Tel: 07884177328

www.namsurveying.co.uk

e-mail: namacleod@aol.com

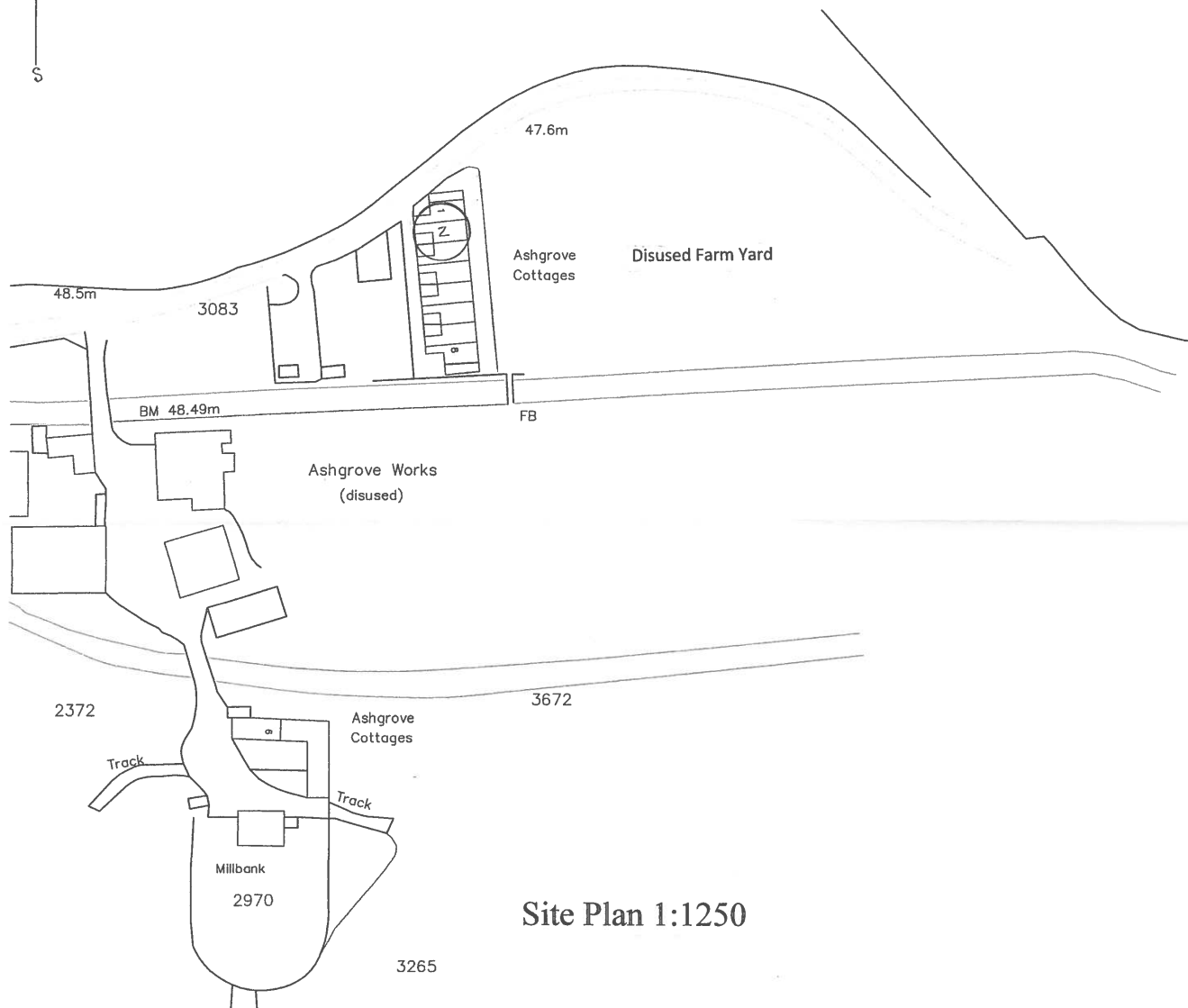
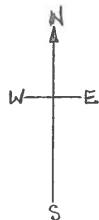
Project: Formation of a dormer and additional bedroom at 2 Ashgrove Cottages, Ashgrove Road, Rattray, Blairgowrie PH10 7EX

Scale: 1:2500

Drawing No: 1

Drawing ref: Location Plan

Date: March 2013



Site Plan 1:1250



Norman A MacLeod

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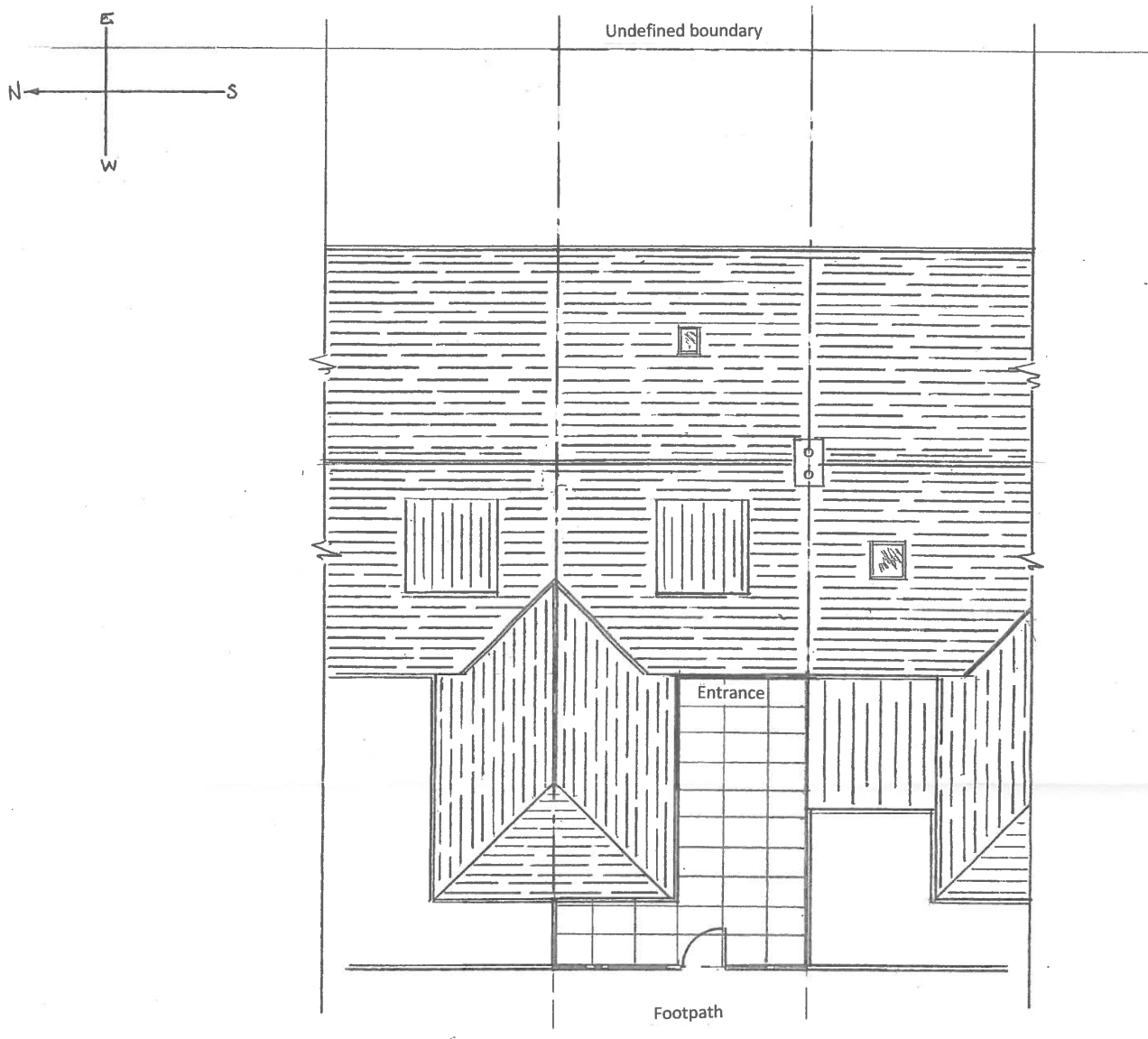
Project: Formation of a dormer and additional bedroom at 2 Ashgrove Cottages, Ashgrove Road, Rattray, Blairgowrie PH10 7EX

Scale: 1:1250

Drawing No: 2

Drawing ref: Site Plan

Date: March 2013



Existing Block Plan 1:100

0 1 2 3 4 5 6 7 8 9 10 METRES
1:100 SCALE BAR

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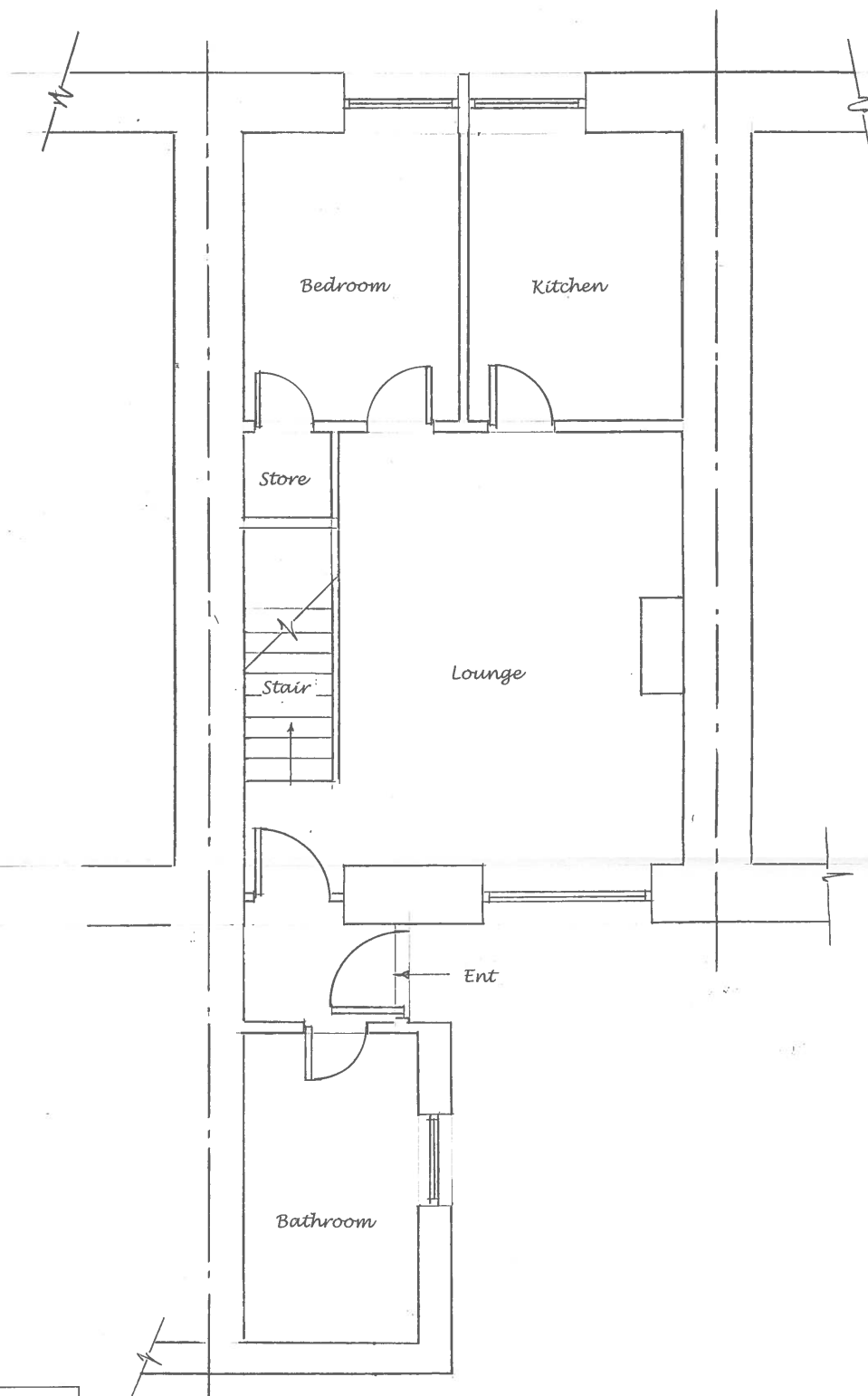
Project: Formation of a dormer and additional bedroom at 2 Ashgrove Cottages, Ashgrove Road, Rattray, Blairgowrie PH10 7EX

Scale: 1:100

Drawing No: 3

Drawing ref: Existing Block Plan

Date: March 2013



Norman A MacLeod

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Project: Formation of a dormer and additional bedroom at 2 Ashgrove Cottages, Ashgrove Road, Rattray, Blairgowrie PH10 7EX

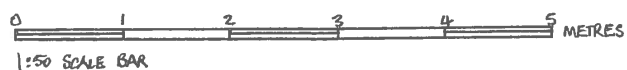
Scale: 1:50

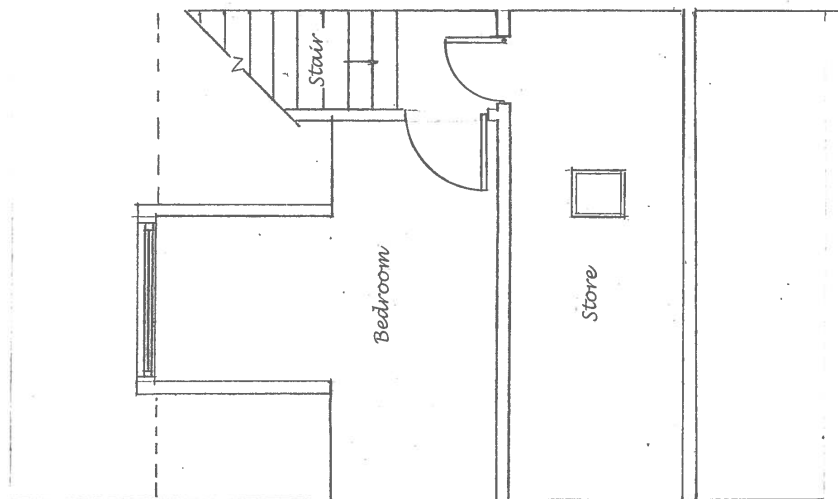
Drawing No: 4

Drawing ref: Existing Ground Floor Plan

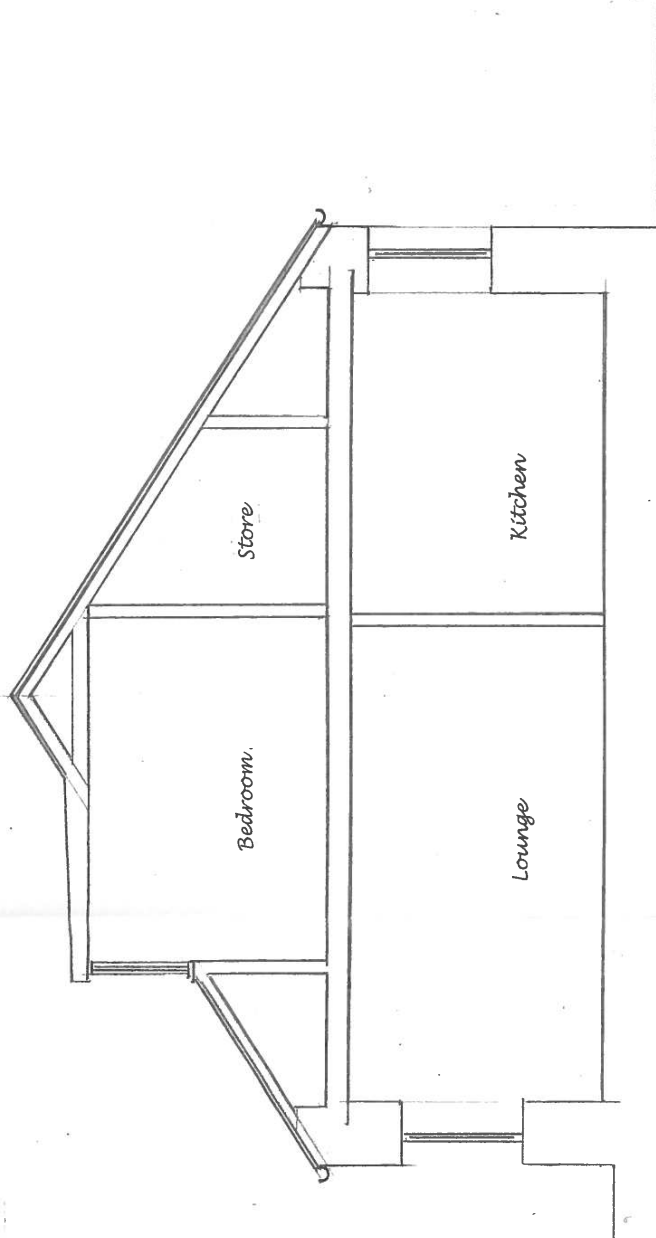
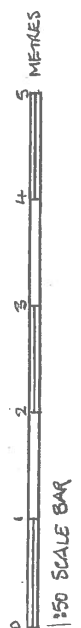
Date: March 2013

Existing Ground Floor Plan 1:50





Existing First Floor Plan 1:50



Existing Vertical Cross-Section 1:50

Norman A MacLeod

Tel: 07884177328

www.namsurveying.co.uk

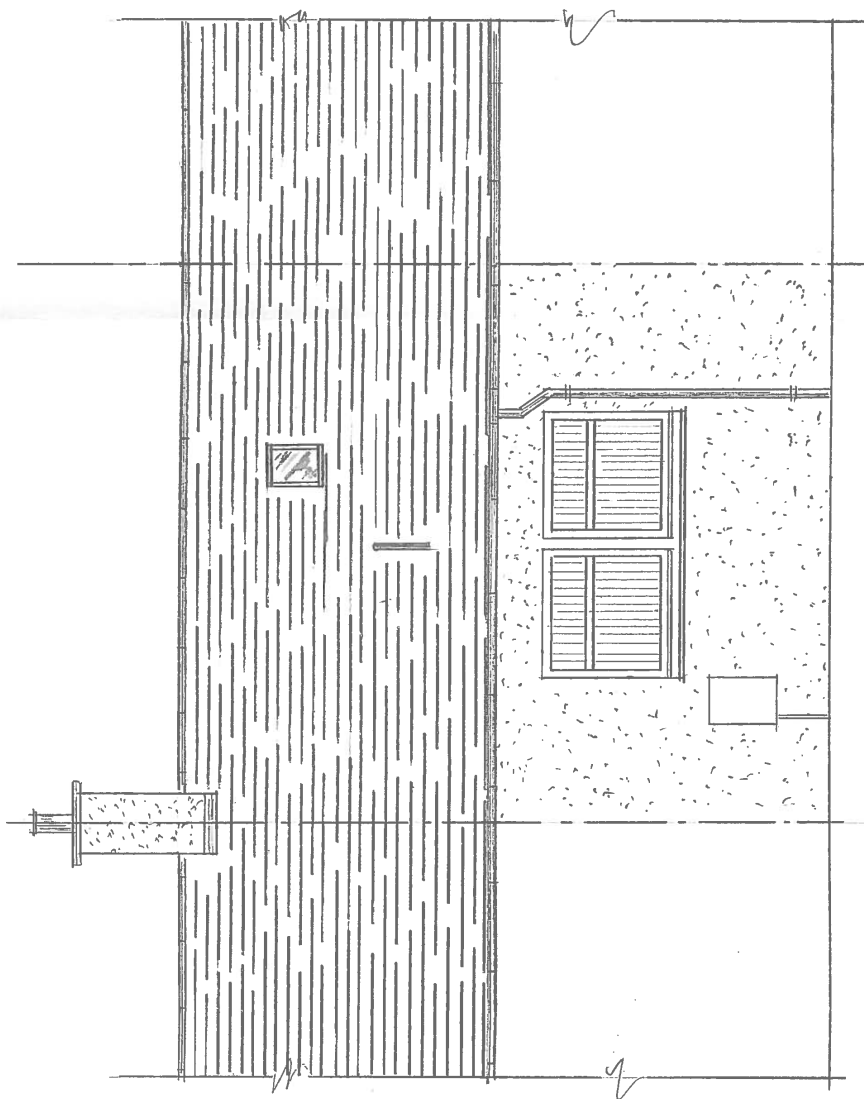
e-mail: namacleod@aol.com

Project: Formation of a dormer and additional bedroom at 2 Ashgrove Cottages, Ashgrove Road, Rattray, Blairgowrie PH10 7EX

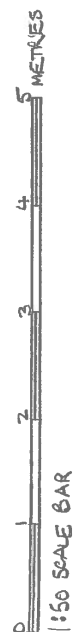
Scale: 1:50 Drawing No: 5

Drawing ref: Existing First Floor Plan and Vertical Cross-Section

Date: March 2013



Existing East Elevation 1:50



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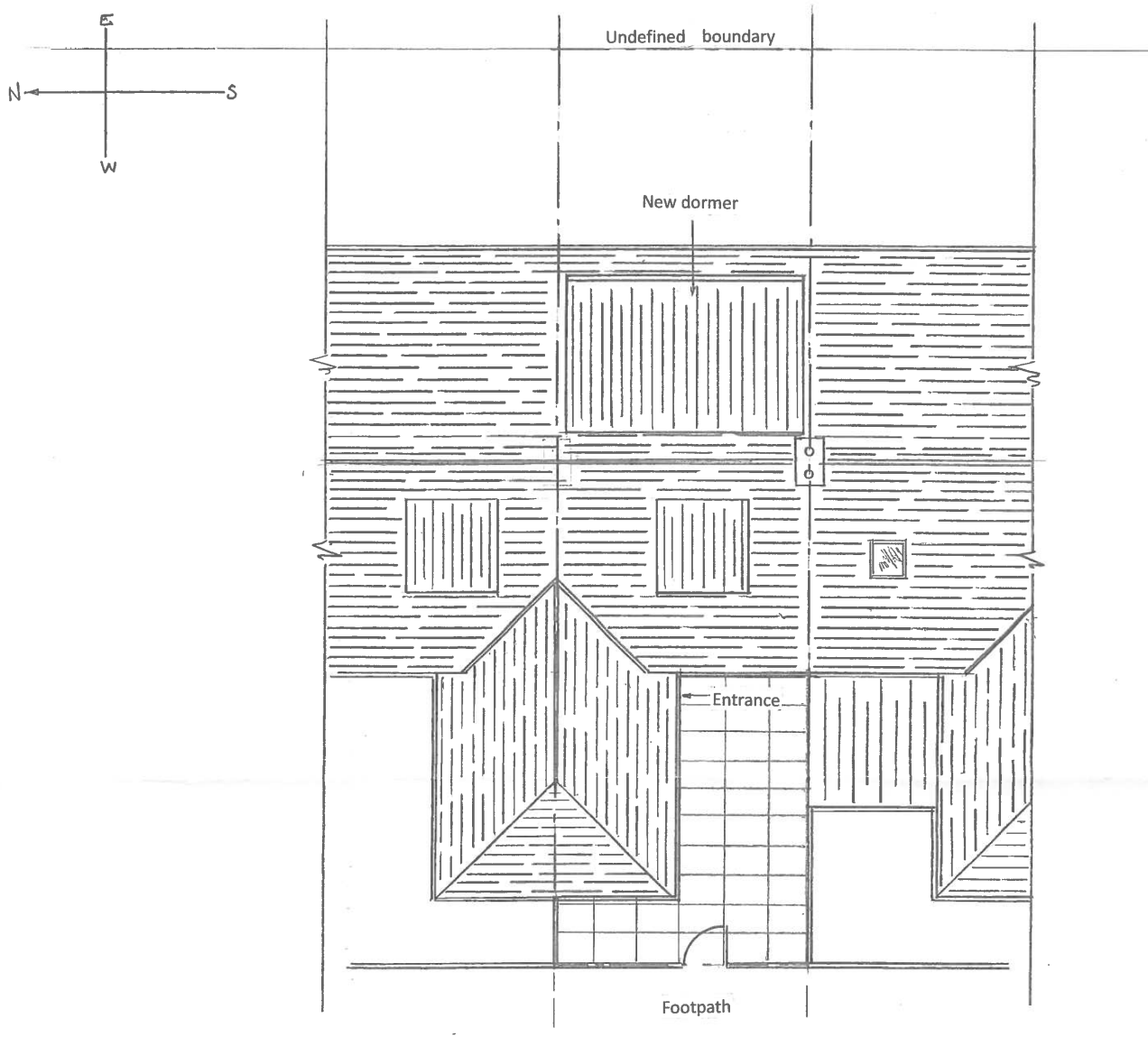
Project: Formation of a dormer and additional bedroom at 2 Ashgrove Cottages, Ashgrove Road, Rattray, Blairgowrie PH10 7EX

Scale: 1:50

Drawing No: 6

Drawing ref: Existing East Elevation

Date: March 2013



Proposed Block Plan 1:100

0 1 2 3 4 5 6 7 8 9 10 METRES
1:100 SCALE BAR

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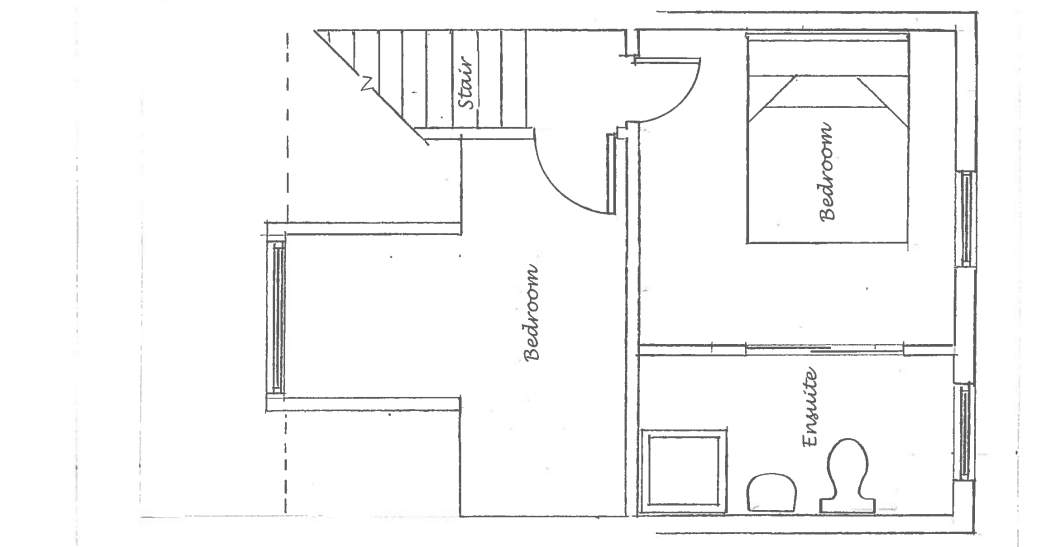
Project: Formation of a dormer and additional bedroom at 2 Ashgrove Cottages, Ashgrove Road, Rattray, Blairgowrie PH10 7EX

Scale: 1:100

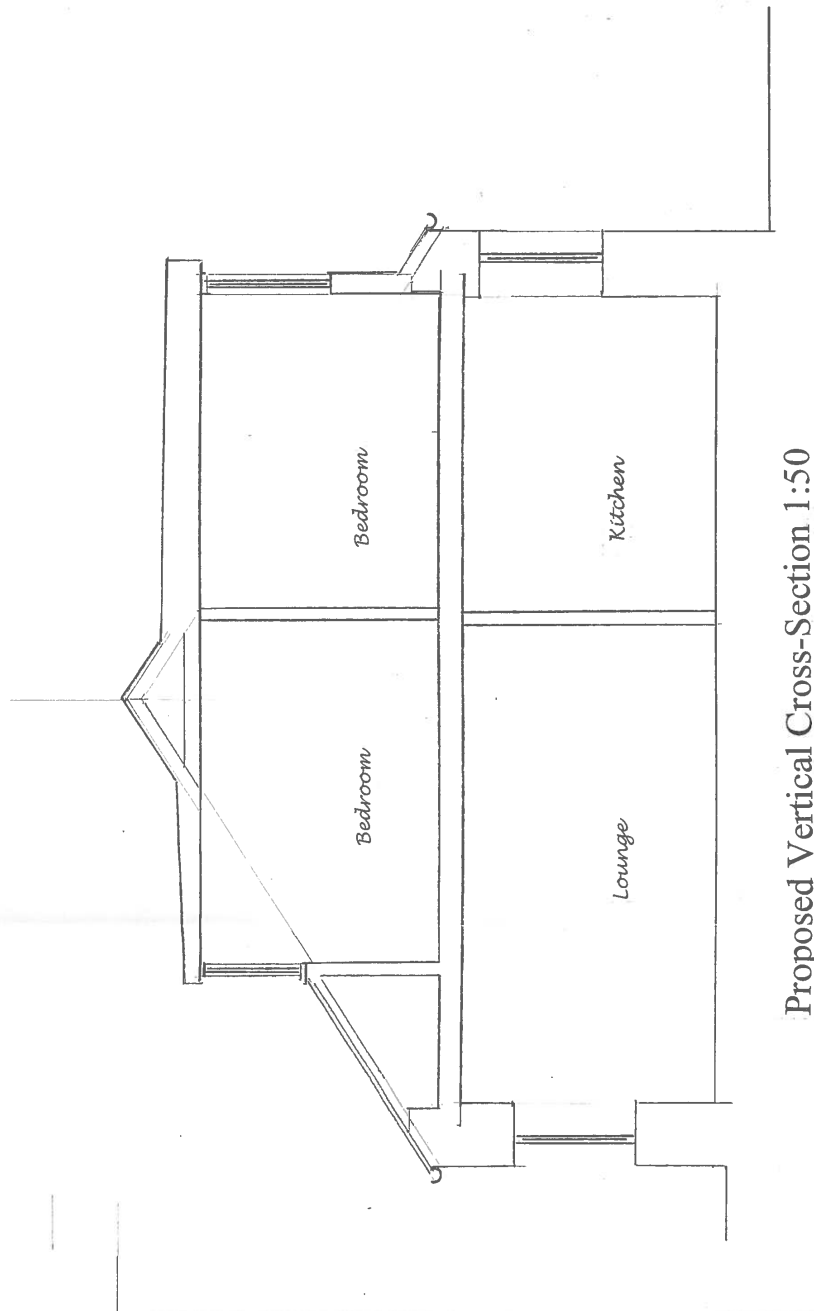
Drawing No: 7

Drawing ref: Proposed Block Plan

Date: March 2013



Proposed First Floor Plan 1:50



Proposed Vertical Cross-Section 1:50

Norman A MacLeod

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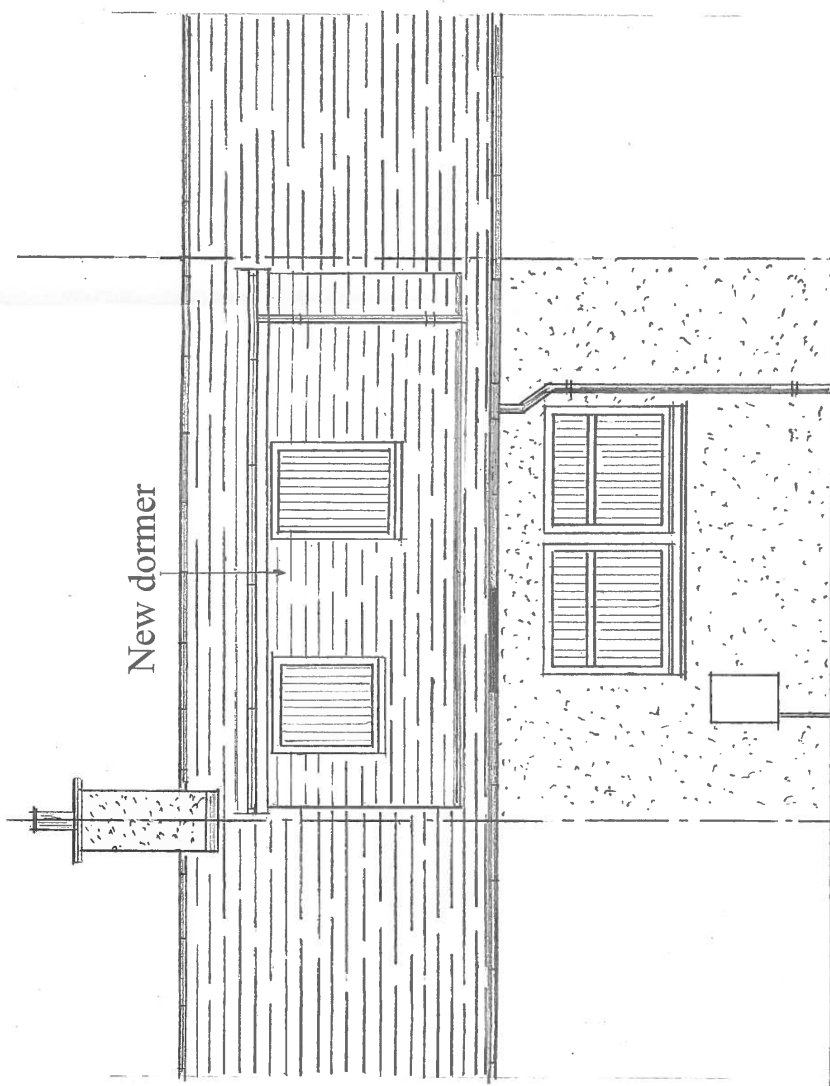
Project: Formation of a dormer and additional bedroom at 2 Ashgrove Cottages, Ashgrove Road, Rattray, Blairgowrie PH10 7EX

Scale: 1:50

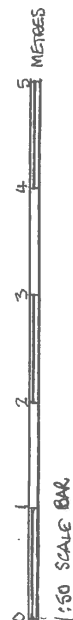
Drawing No: 8

Drawing ref: Proposed First Floor Plan & Vertical Cross-Section

Date: March 2013



Proposed East Elevation 1:50



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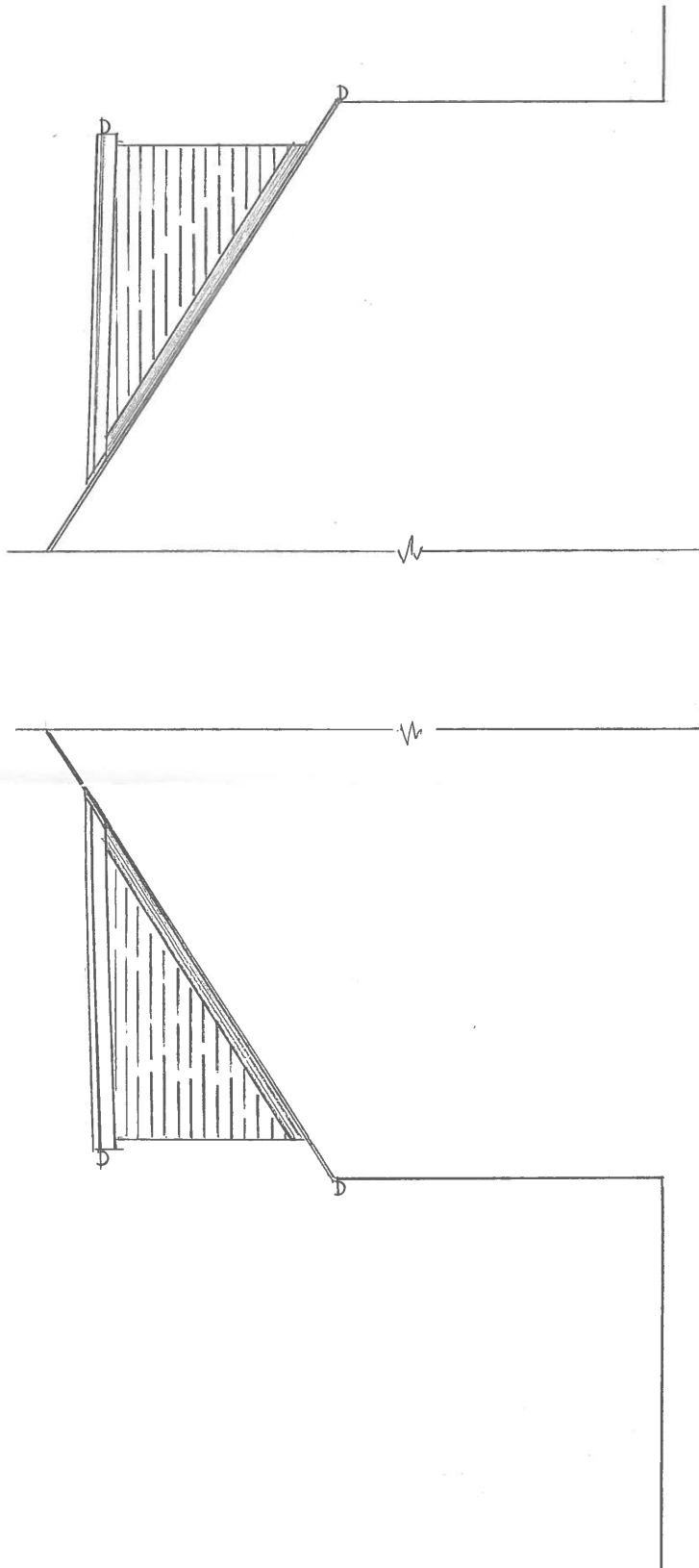
Project: Formation of a dormer and additional bedroom at 2 Ashgrove Cottages, Ashgrove Road, Rattray, Blairgowrie PH10 7EX

Scale: 1:50

Drawing No: 9

Drawing ref: Proposed East Elevation

Date: March 2013



Proposed North Elevation 1:50

Proposed South Elevation 1:50

External Finishes for Dormer

- Flat roof to have grey samafil
- Dormer face and sides to be slate to match the existing roof
- Grey painted fascia boards
- Black gutter and rainwater pipe



Norman A MacLeod

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Project: Formation of a dormer and additional bedroom at 2 Ashgrove Cottages, Ashgrove Road, Rattray, Blairgowrie PH10 7EX

Scale: 1:50 Drawing No: 10

Drawing ref: Proposed North and South Elevations

Date: March 2013

TCP/11/16(267)

Planning Application 13/00718/FLL - Alterations and extension to dwellinghouse, 2 Ashgrove Cottage, Ashgrove Road, Rattray, Blairgowrie, PH10 7EX

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(submitted as part of applicant's submission, see pages 290-299)*

PERTH AND KINROSS COUNCIL

Mr A Anderson
c/o Norman MacLeod
18 Walnut Grove
Blairgowrie
PH10 6TH

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 3rd June 2013

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **13/00718/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 **Alterations and extension to dwellinghouse 2 Ashgrove Cottage Ashgrove Road Rattray Blairgowrie PH10 7EX** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposed design is contrary to Policy 2 of the Eastern Area Local Plan 1998; as the scale, form and design of the development is incongruous with the character of the existing property and properties within the surrounding area, to the detriment of visual amenity.

Justification

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

Notes

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

Plan Reference

13/00718/1

13/00718/2

13/00718/3

13/00718/4

13/00718/5

13/00718/6

13/00718/7

13/00718/8

13/00718/9

13/00718/10

REPORT OF HANDLING

DELEGATED REPORT

Ref No	13/00718/FLL
Ward No	N3- Blairgowrie And Glens

PROPOSAL: Alterations and extension to dwellinghouse

LOCATION: 2 Ashgrove Cottage Ashgrove Road Rattray
Blairgowrie PH10 7EX

APPLICANT: Mr A Anderson

RECOMMENDATION: REFUSE THE APPLICATION

SITE INSPECTION: 10 April 2013

OFFICERS REPORT:

Site Description:

The application site relates to No. 2 Ashgrove Cottage, Ashgrove Road, just outwith the Rattray village envelope. The application site refers to a single storey terraced property of fairly traditional form and appearance. The property has undergone a previous extension to the rear, (west elevation) that is conjoined to the adjacent property; as well as a small box dormer in the roofspace.

Development Proposal:

This application seeks detailed Planning Consent for the erection of a flat roof box dormer development on the front of the property, (east elevation). The proposed dormer extension has a width of 4.9 metres and, therefore, extends by almost the full width of the roofspace. The height of the development is 2.1 metres from the roofplane and 500mm from the ridgeline.

Assessment:

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 Plans that are applicable to this area are the approved Tay Plan 2012 (Strategic Development Plan 2012 - 2032) and the adopted Eastern Area Local Plan 1998. As a consequence of the application site falling outwith any recognisable settlement envelope, the application falls to be assessed against Policy 2 of the EALP 1998.

Policy 2 seeks to ensure, among other criteria, "in the case of built development, regard should be had to the scale, form, colour and density of existing developments within the locality."

Having inspected the application site and carefully assessed the submitted plans, I would assess the proposal as follows:-

Visual Amenity:

One of the key tests in assessing this application is the visual aspect of the proposed development. It is clear that the dormer is proposed on the front of the property and, therefore, the principal elevation. Furthermore, as there are no dormers on the front elevations of the neighbouring, terraced properties, the proposal would set an undesirable precedent and consequently, there are significant adverse visual amenity issues.

It is clear that the size and scale of the proposal will dominate the existing property when viewed from the east elevation.

An extension should be subservient to the existing building so that the original building remains the key element of the site. The design, scale, form and external appearance of the extension will have a detrimental visual impact on the existing property and the surrounding area. It will set a precedent with its incongruous design that is not sympathetic to the character of this terraced dwelling property.

Design:

The design and scale of the development is not subordinate to the existing, which is a modest, terraced property and, this is exacerbated by the pattern of neighbouring properties, whereby there are no extensions on the respective front elevations. As a consequence, the proposal is over-dominant and introduces what would be an undesirable precedent for this property as well as the neighbouring, adjacent terraced properties. Overall, the design is considered incongruous to the existing building by proposing a box dormer that extends along almost the entirety of the roofspace including, which is completely out of character with the existing design.

Conclusion:

In conclusion, the proposed extension, by virtue of its scale, mass and proportionality, does not recognise, nor, respect the form of the existing building.

Having taken cognisance of the relevant criterion, (Policy 2), I consider the development is in contravention of the guidance contained within the Eastern Area Local Plan 1998. As a consequence of the above mentioned material considerations, there is no reasoned justification for approving this application. On that basis, this application is recommended for refusal.

DEVELOPMENT PLAN

The Development Plan for the area comprises the approved Tay Plan 2012 (Strategic Development Plan 2012 – 2032 and the adopted Eastern Area Local Plan 1998. There are no strategic issues of relevance raised in the Tay Plan 2012 (Strategic Development Plan 2012 – 2032) In summary, the principal Development Plan policies are raised in the Eastern Area Local Plan 1998. These are as follows:

Policy 2 seeks to ensure, among other criteria, "in the case of built development, regard should be had to the scale, form, colour and density of existing developments within the locality."

PERTH AND KINROSS COUNCIL LOCAL DEVELOPMENT PLAN – PROPOSED PLAN, JANUARY 2012

The adopted Local Plan will eventually be replaced by the Proposed Local Development Plan. The Council's Development Plan scheme sets out the timescale and stages leading up to adoption. Currently undergoing a period of representation, the Proposed Local Development Plan may be modified and will be subject to examination prior to adoption. This means that it is not expected that the Council will be in a position to adopt the Local Development Plan before December 2014. It is therefore a material consideration in the determination of this application.

Under the LDP (Local Development Plan) the relevant paragraphs related to this application are Policy pm1 (Placemaking) which states that development must contribute positively, to the quality of the surrounding built and natural environment.

OTHER POLICIES

None specific.

SITE HISTORY

There is no previous site history.

CONSULTATIONS

None relevant to this application.

TARGET DATE: 5 June 2013

REPRESENTATIONS RECEIVED:

Number received: 1

Summary of issues raised by objectors:

Adverse impact on daylight/sunlight.

Response to issues raised by objectors:

In response to the point raised above, it is acknowledged that the ground of objection is a valid, material planning consideration. However, whilst the recommendation has been to refuse the application, there were other material planning considerations that were of more relevance to the development proposed.

ADDITIONAL STATEMENTS RECEIVED:

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
Report on Impact or Potential Impact e.g. Flood Risk Assessment	Not required

LEGAL AGREEMENT REQUIRED

None required

DIRECTION BY SCOTTISH MINISTERS

None required

REASON FOR REFUSAL:

- 1 The proposed design is contrary to Policy 2 of the Eastern Area Local Plan 1998; as the scale, form and design of the development is incongruous with the character of the existing property and properties within the surrounding area, to the detriment of visual amenity.

JUSTIFICATION :

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