

<b>TCP/11/16(542) – 18/00261/FLL – Alteration and extension to dwellinghouse, Riverbank, Inchyra, Perth</b>
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**TCP/11/16(542) – 18/00261/FLL – Alteration and extension  
to dwellinghouse, Riverbank, Inchyra, Perth**

**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 GRAEME PARKER

Address RIVERBANK  
INCHYRA  
GLENCARSE  
PERTHSHIRE  
PH2 7LT

Contact Telephone 1 [REDACTED]  
Contact Telephone 2 [REDACTED]  
Fax No [REDACTED]

E-mail\* [REDACTED]

## Agent (if any)

Name COLIN MCNEILL

Address ROCKMOUNT  
PERTH ROAD  
ABERNETHY  
PERTH  
PH2 9LW

Contact Telephone 1 01738 850282  
Contact Telephone 2 07767 365 875  
Fax No [REDACTED]

E-mail\* colinsmoneill@yahoo.co.uk

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

*copy to applicant*

\* 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

18/00261/FLL

Site address

RIVERBANK, INCHYRA, GLENCARSE  
PERTHSHIRE

Description of proposed  
development

ALTERATION AND EXTENSION TO DWELLINGHOUSE  
RIVERBANK, INCHYRA, PERTH PH2 7LT

Date of application 17/02/18

Date of decision (if any) 13/04/18

**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 ☒ WHICHEVER PROCEDURE
2. One or more hearing sessions ☒ SUITS LOCAL REVIEW BODY
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:

IT IS NOT ANTICIPATED THAT ADDITIONAL INFORMATION WILL BE REQUIRED, BUT CAN BE IF LRB REQUEST

**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 type="checkbox"/>            | <input checked="" 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:

LRB CAN VISIT UNACCOMPANIED BUT APPLICANT WOULD PREFER TO BE NOTIFIED



**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 ATTACHED "STATEMENT OF REASON  
FOR REQUIREMENT OF REVIEW"

INCLUDING :

APPENDIX 1 - PHOTOGRAPHS

APPENDIX 2 - AERIAL VIEW / PHOTOGRAPH  
REFERENCE

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.

THE NEW MATERIAL RELATES TO THE "REASONS  
FOR REFUSAL" LISTED IN DECISION NOTICE

**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. INTRODUCTORY LETTER
2. NOTICE OF REVIEW FORM
3. SEPARATE STATEMENT OF REASONS FOR REQUIREMENT OF REVIEW
4. APPENDIX 1 - PHOTOGRAPHS
5. APPENDIX 2 - AERIAL VIEW
6. PLANNING APPLICATION DRAWINGS

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 JUNE 2018



**Rockmount  
Perth Road  
Abernethy  
Perth  
PH2 9LW**

27 June 2018

The Secretary  
Local Review Body  
Perth and Kinross Council  
Committee Services  
Council Building  
2 High Street  
Perth  
PH1 5PHI

Dear Sirs ,

**Proposed Alteration and Extension to Dwelling House at  
Riverbank, Inchyra, Perth PH2 7LU  
Mr and Mrs G Parker    Ref 18/00261/FFL  
REQUEST FOR REVIEW BY THE LOCAL REVIEW BODY**

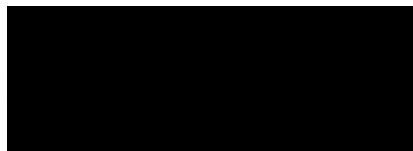
We refer to Planning application dated 17 February 2018, and refusal dated 13 April 2018, and now attach the following:

1. Notice of Review Form
2. Application Drawings
3. Statement of reasons for seeking Review, including photographs (appendix 1) and aerial view (appendix 2)

We would be grateful if you would advise of the date of the review.

Please also advise if you require any further information.

Yours faithfully



Colin S McNeill  
Building surveyor

[colinsmcneill@yahoo.co.uk](mailto:colinsmcneill@yahoo.co.uk)  
01738 850282  
07767 365 875 (m)



**RIVERBANK, INCHYRA, PERTH. PH2 7LT**

**MR + MRS GRAEME PARKER**

**PROPOSED ALTERATIONS AND EXTENSION**

**Application ref 18/00261/FLL**

**STATEMENT OF REASONS FOR  
REQUIREMENT OF REVIEW**

**JUNE 2018**

**STATEMENT OF REASONS FOR REQUIREMENT OF REVIEW**

The applicants consider the decision of refusal to be unfair.

This is a modest extension, which would have a minimal impact, being invisible from all but the 2 adjoining properties. Indeed, the extension would replace an existing deteriorated glazed conservatory, thereby improving appearance.

The applicants are simply trying to maximize their view of the river, from their property, by roofspace development.

There are many examples of similar extensions throughout Perth and Kinross, which presumably have been granted Planning consent. .

Photographs are included as an appendix to this document to show:

- Views of Riverbank which illustrate that the extension would be minimally visible from the Inchyra approaches
- Views from Riverbank of the neighbouring properties
- Examples of other similar extensions and similar materials

An aerial view is also included including photo reference numbers

The reasons for refusal are not convincing, and not relevant. These are considered below

**Referring to PKC Decision: (13 April 2018)**  
**Reasons for Refusal**

The proposed extension would be more accurately described as “room in the roof” or “storey and a half”, rather than “2 storey”, with the new ridge height matching the existing ridge height – no higher.

It is hardly excessive in proportion, and would replace an existing deteriorated conservatory, nor would it be visually intrusive, being invisible to all but the 2 adjacent properties, whose view would be affected minimally and peripherally only. The width would in fact have no visual impact on any property.

In terms of the “footprint” the proposed new extension and paved area would be 36 sq m, as compared to the existing conservatory and decking area, which is 34 sq m. .



The extension would be 18 m from the west boundary, 9.85 m from east boundary, and 9 m from the south boundary

**Referring to the PKC Report of Handling: Delegated Report, by case officer Alma Bendall, on which the decision is based, we would comment as follows**

### **Pg 3. Development Plan 2014**

Reference is made to Planning Policies PM1A and PM1B (b), (c), and (d) of the Perth and Kinross Local Development Plan. These policies would appear to be aimed at altogether larger and more prominent projects, and those that would have an actual impact on the surroundings.

**PM1A: Place making.** The extension would not be of sufficient scale to affect the quality of the “surrounding built and natural Environment”. It would be constructed to current Building Standards, and therefore have no more adverse effect on climate change than any other residential building.

It is not clear in which way the proposals contradict **PM1B b),c),d).**

- The landscape, skyline, topography would be virtually unaffected.
- The neighbouring properties on the river side are storey and a half, and 2 storeys. The extension would therefore be acknowledging scale and form of adjoining.
- The ridge height would not be increased (extension matching existing).
- There is no effective “building line”. The extension would be to the rear, and the street view would remain entirely unaffected.

### **Policy EP2**

The TES Flooding report advises no flood risk.

### **Pg 4. Representations**

It is noted that the occupant of the east adjoining property (which has 2 storeys) is only concerned about being overlooked. It is unreasonable that it should be acceptable for the neighbour to overlook Riverbank (from their existing 1<sup>st</sup> floor windows) but should be prohibited the other way round! A projecting balcony would be directed towards the river, not their neighbour, and have a negligible effect on their privacy.

#### **Pg 4. Policy Appraisal**

Reference is made to “alien materials”. Does this refer to timber weatherboarding? This is hardly an “alien material”, and is currently very common in extensions, in existing urban and village settings, and new build alike, being considered a more sustainable material than rendered concrete block. Otherwise, materials and detailing do match.

#### **Pg 5. Residential Amenity**

If there were to be any effect on the residential amenity, which is unlikely, being largely concealed from all but 2 properties, removal of the existing deteriorated conservatory and the extensive decking footprint, would in fact be advantageous.

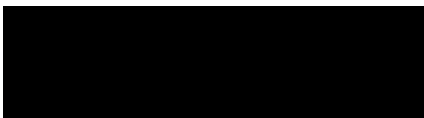
#### **Pg 5. Conclusion**

This paragraph concludes “*on that basis, the application is recommended for **approval** subject to conditions*”. Why therefore has it been refused? What were the conditions? This appears contradictory.

Several attempts have been made, by the applicants and agent, to arrange a meeting with the Planning Officer to discuss a way forward, but these have all been rejected. While the applicants would prefer the design as shown on the application drawings, they have indicated willingness to compromise, for example by removing the first floor balcony, and choice of materials. This has been frustrated by PKC’s reluctance to communicate.

It is our view that the proposals are reasonable in their entirety, and approval should be granted

Reported by



Colin S McNeill  
Building surveyor

Agent for Mr and Mrs G Parker (applicants)  
[colinsmcneill@yahoo.co.uk](mailto:colinsmcneill@yahoo.co.uk)

## **APPENDIX 1: SCHEDULE OF PHOTOGRAPHS**

### **VIEWS OF RIVERBANK FROM APPROACH ROADS**



1. View of Riverbank (concealed beyond fence and trees) from public road to west at neighbouring Kingour, Inchyra cottages



- 2 View of Riverbank (hipped roof just visible) from public access road further west.





3 View of Riverbank (North elevation) from farm access road to north.  
Newer Whitehouse to left (east).



4 View of Riverbank (North elevation) from road further to north. Newer  
Whitehouse to left (east). Roofs of Inchyra Cottages to right (west).



**VIEWS FROM GROUNDS OF RIVERBANK**



5 Riverbank rear (south) elevation: deteriorating conservatory and decking to be replaced by proposed extension. Neighbouring Whitehouse beyond (to East). Rear elevation virtually invisible to all except 2 neighbouring properties



6 Current view of Pow Burn from existing conservatory.



7 Improved view of River Tay and beyond from level of proposed extension first floor.



8 View of property to West (n.b. gable window overlooks Riverbank)



**EXAMPLES OF OTHER DEVELOPMENTS IN INCHYRA AND PERTHSHIRE**



9 Westfield cottage, Inchyra: 2 storey (stone) extension to single storey cottage



10 Westfield cottage, Inchyra : 2 storey (stone) extension to single storey cottage extending right up to roadside. Planning consent granted circa 2009



11 2 storey glazed conservatory in prominent Kinnoull Hill location.



12 New build flats in Fues Road, Perth.  
Timber lining/render mix; patio windows  
overlooking neighbours.





13 New build houses at Bonhard Farm, by Scone: mix of stone, render and timber lining.



14 Binn Farm Cottage, Kinnoull Hill: 2 storey extension to rear of single storey cottage.



15 Balthayock : 2 storey extension to single storey cottage.



16 Pittilock, by Glenfarg: new house: mix of stone, concrete, render, timber lining, slate, concrete interlocking tiles..





17 Kinfauns Castle Gardens: similar style of extension to proposed, in prominent location (viewed from Dundee road.).



18 New house just north of Inchyra Village under construction: timber cladding





Inchyra: Aerial View  
Riverbank outlined red  
Extension outlined blue  
Numbers in red:  
photo references

Inchyra: Aerial View  
Riverbank outlined red  
Extension outlined blue  
Numbers in red:  
photo references







**GENERAL REQUIREMENTS**

- a. This drawing must be read in conjunction with all relevant Architectural and Engineering drawings and specification. Any ambiguities must be discussed prior to commencing the works.
- b. The contractor is responsible for the stability and safety of the site during construction and must provide all necessary propping and bracing temporary or otherwise.
- c. All methods of work and materials should comply with the relevant BS specification.
- d. All structural timbers to be minimum SC3 to BS 5268 Part 2 and to be treated by CRA or OS vacuum method.
- e. When air temperatures are 3°C or below no brickwork or blockwork shall be built or concrete floors laid. All new work shall be protected for 7 days during which time the temperature of the work shall not fall below 0°C. Any work damaged by frost shall be taken down and rebuilt at additional cost to the contractor.
- f. The contractor shall be responsible for locating all existing services prior to the contract commencing (referto old drawings).
- g. No deviation from specified materials/ or methods will be permitted without written approval of the Contract Administrator.
- h. The contractor has responsibility for all site sizes.
- i. All foundations to have a minimum cover of 450mm.
- j. Strip DPC through walls, 150 min above finished ground level.
- k. Strip DPC at cavity closers, windows and door openings in external walls, at the back of and below sills and stepped DPC at window and door lintels. Vertical DPC at wall abutments. All to be sealed with a polysulphide mastic.
- l. All electrical works to current IEE Regulations.
- m. All drainage to be in accordance with Part M of the Building Regulations and completed to the satisfaction of the Local Authorities including drains testing.
- n. All workmanship on site shall be in accordance with BS 8000.

**TECHNICAL SPECIFICATION****1 Downtakings**

Take down existing glazed conservatory, and decking area.  
Make good main building roof structure and sarking and felt.

**2 New Foundations**

Excavate to reduced levels Lay 600mm x 200mm, C20/30 concrete strip foundations to external walls to BS 8000:Part 2.

**3 Solum Treatmentr**

Excavate as necessary to required levels. Lay Type 1 upfill blinded with quarry dust (150 min). Lay 1000-gauge polythene D.P.M. (lapped joints and turned up at perimeter walls). Lay 50mm oversite concrete to C20 steel float finish.

**4 Suspended timber floor**

22 moisture resistant chipboard on  
150 x 50 floor joists @ 600 ctrs on  
100 x 50 wallplate on d.p.c. on block scarcement walls and dwarf walls  
Fit 140 Kingspan Kooltherm K103 floorboard between joists supported on timber battens  
Galvanised metal fresh air ventilators to void at 2m centres  
**U value: 0.18**

**5 New Walls – Substructure cavity wall**

Build a 100mm concrete block (7N/mm<sup>2</sup>) 'outer leaf' and 100mm (7N/mm<sup>2</sup>) concrete block 'inner' leaf cavity wall with 50mm cavity tied together using stainless steel wall ties at 900 centres horizontally and 450 centres vertically sloping away from the internal leaf. Fit DPC and fill cavity below DPC

in lean mix concrete. Smooth cement render externally to match existing  
100 block dwarf wall with ventilation provision to support G floor structure

**6 New Walls – Superstructure****Extension: External wall: Timber frame construction**

Construct to structural engineer's design.  
12 Plasterboard taped and filled inside finish on 25 x 50 timber framing  
polythene vapour barrier  
25 Kingspan Kooltherm 12 on inside face of structural framing.  
145 x 45 timber frame, at 600 centres, with double top and bottom runners, with 70 Kingspan Kooltherm 12 between studs  
9mm WBP exterior grade plywood on outside of frame with Kingspan Nilvent breathable membrane.  
Line in 38 x 50 ww timber framing  
Fit 22 x 150 weatherboard lining.  
**"U" value: 0.22**

**7 Existing External Wall**

Line existing external gable wall (within extension): 50 x 50 framing, 12.5 plasterboard taped and filled. 50 polystyrene insulation between framing within 2m of external walls

**8 Lintels and cills: new windows + door slapping**

Steel / timber lintols to S tructual Engineer's design .

**9 Extension Windows and Doors**

UPVC casement windows: double glazed with 22mm units; low E.  
A: 600 (w) x 1200 (H)  
B: 2000 (w) x 2000 (H)  
C: 1200 (w) x 1200 (H) (top hung)  
D: 1000 (w) x 2000 (H)  
E: 4000(w) x 2000 (H) : 4 leaf bifold glazed doors  
F,G,J,K Velux GPL FK08 660(w) x 1398 (H): 2 no  
H 4000(w) x 2000 (H) with tapered non opening side leaves, and sliding central leaves  
Windows to be fitted with 4000mm<sup>2</sup> trickle ventilators  
Fit dpc at cills (see detail)  
**"U" 1.6 maximum**

**10 Extension Roof**

Structural timbers to Structural Engineer's design:  
150 X 50 timber rafters  
150 Kingspan Kooltherm K107 fully filling rafters  
Sarking board fixed using galvanised ring annular nails  
Kingspan Nilvent breather membrane galv nail fixing; minimum 100mm lap at joints  
Fit w.w. 25mm x 50mm battens and 18mm x 38mm counter battens in accordance with tile manufacturer's instructions.  
Concrete interlocking roof tiles to match existing fitted to manufacturer's instructions  
150 Crown wool Insulation quilt laid between "joists" + 150 quilt laid across "joists"  
Truss projection and fascia to match existing  
Code 5 lead valleys and abutment watergate at junction with main roof  
**U value: 0.15**

**11 Rainwater goods:**

112/68 dia pvc gutters/downpipes, to match existing fixed to fascia with gutter brackets and leading to existing rw drains and existing soakaway  
Make good all manholes and drains following alteration works

**12 New patio:**

150 C20 concrete in situ concrete base with paving tile surface  
200 concrete block (7N/mm sq), with smooth render finish  
600mm x 200mm concrete strip foundation  
200 min blinded hardcore upfill.

**13 Patio, Upper Balcony and Internal stair handrails**

Taper-loc X4 railing system with tempered/laminated safety glass and integral hand rail, with base shoe fitted to outside of slab/staircase. Height 850.

**14 Upper Balcony**

Steel angle framed platform, bolted to external timber frame  
Timber secondary framing and timber deck surface and soffitt

**15 Internal staircase**

900 wide timber stair comprising:  
40 deg pitch approx with upper landing centred on ridge line  
13 no risers at 190mm approx; goings at 250mm  
Minimum going at winders: 50 mm  
Semi open tread construction with maximum 100 gap  
Taper-loc glazing railing system handrail: 840 above pitch line  
Inner timber handrail across existing widow openings

**16 External steps**

P.c. concrete steps 150 rise; 300 going

**17 Structural Engineer Design**

Refer to Structural Engineer's design for:  
Foundations  
Roof and floor structures, and beams  
Timber frame external walls design  
Lintols

# RIVERBANK, INCHYRA, PERTHSHIRE

G + E Parker

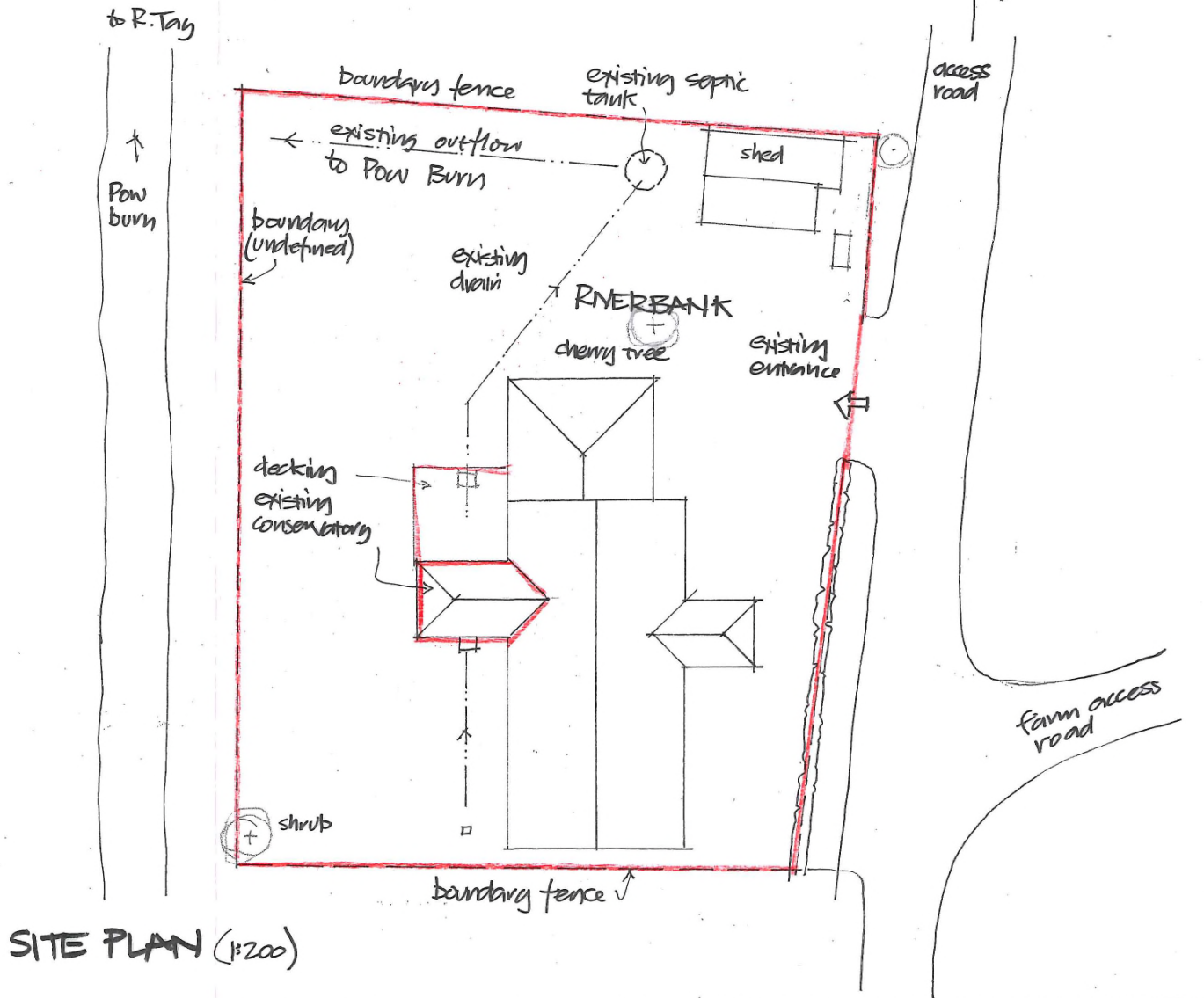
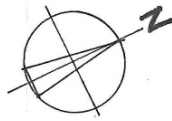
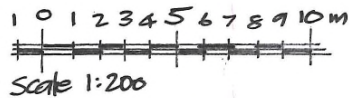
## NEW CONSERVATORY

### LOCATION AND SITE PLANS AS EXISTING

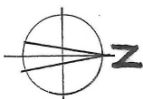
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Dec 2017

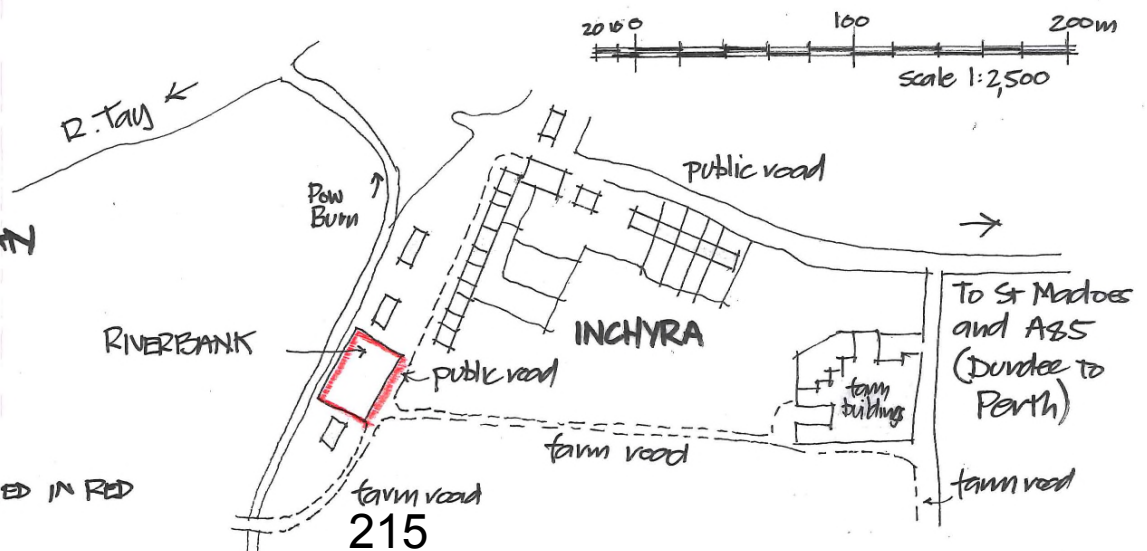
Drg No 017/01/6



## LOCATION PLAN (1:2,500)



THE SITE : OUTLINED IN RED



1 0 12 3 4 5 6 7 8 9 10m  
scale 1:200

# RIVERBANK, INCHYRA, PERTHSHIRE

G + E Parker

## NEW CONSERVATORY

### LOCATION AND SITE PLANS AS PROPOSED

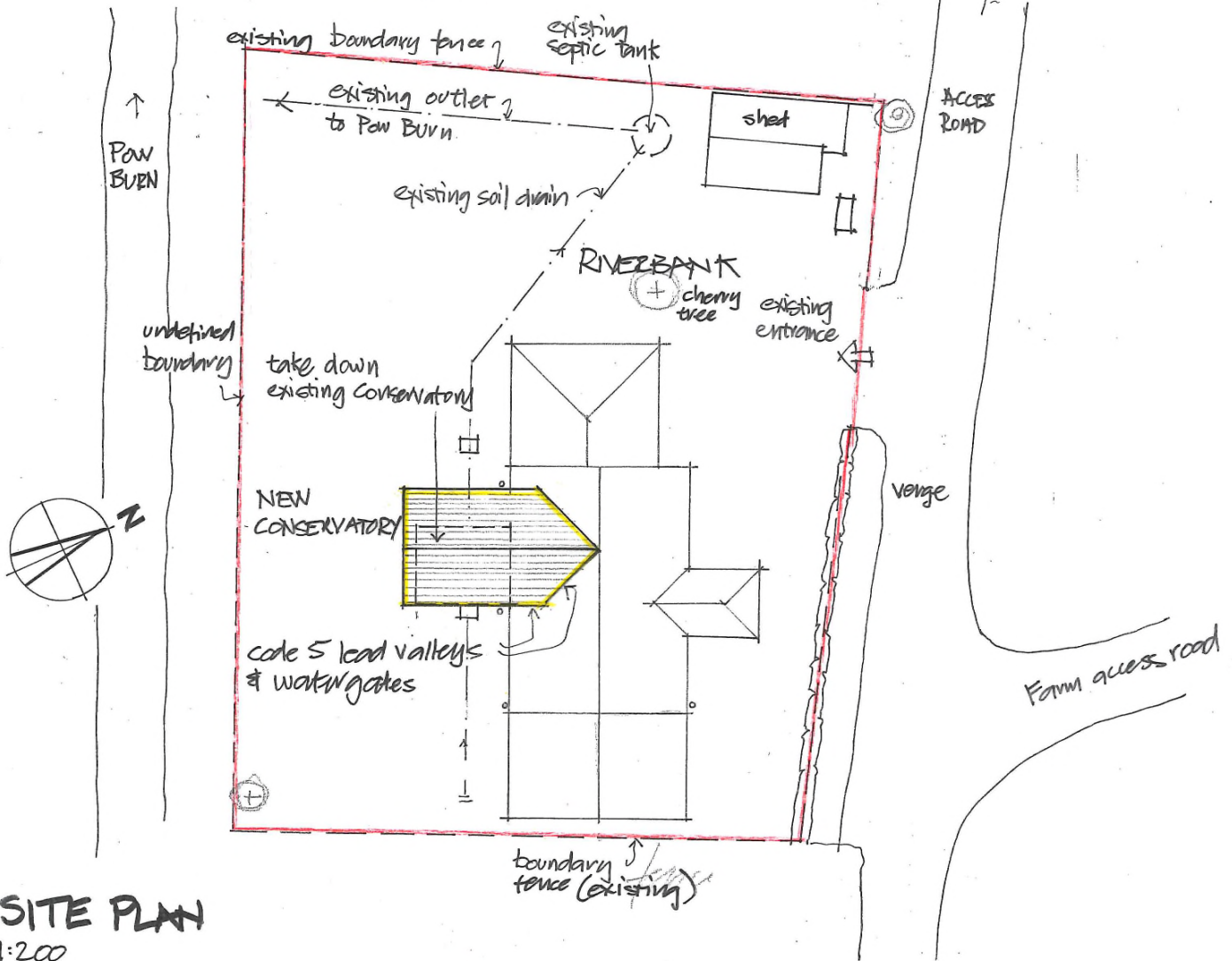
Scales 1:2,500, 1:200

Dec 2017

Drg No 017/01/3

existing uPVC drain under new Conservatory  
to be bedded in & covered by 100 granular  
bed of pea gravel with 300 selected fill  
over (free from vegetable, clay matter)

drains to be lintolled over with prestressed  
concrete lintols with 50 surrounding gap



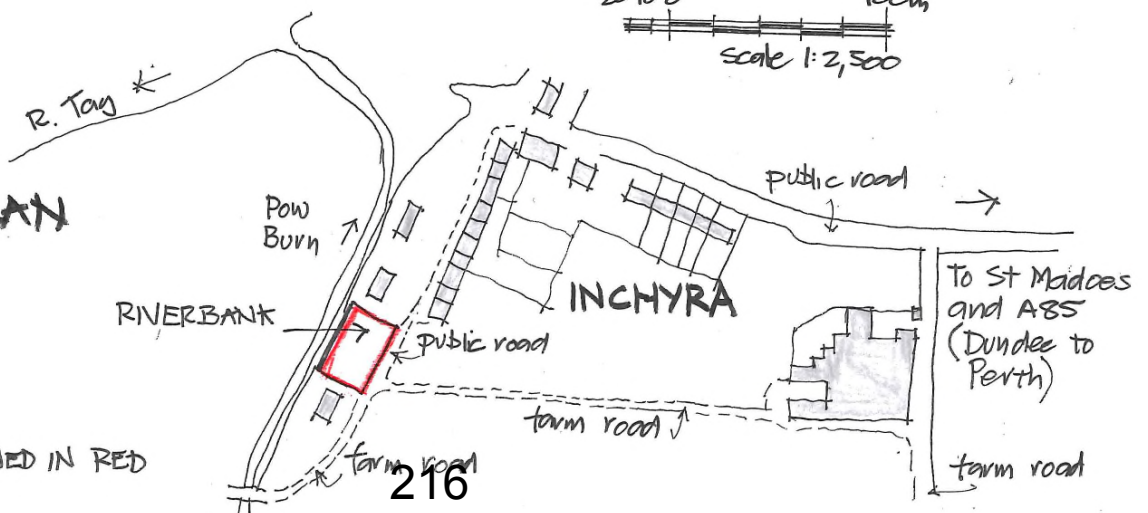
## LOCATION PLAN

1:2,500

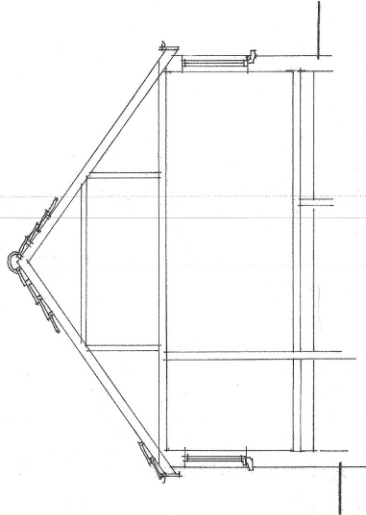
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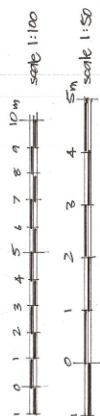
THE SITE: OUTLINED IN RED



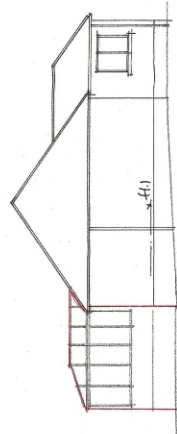




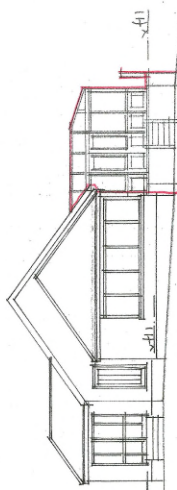
SECTION A-A



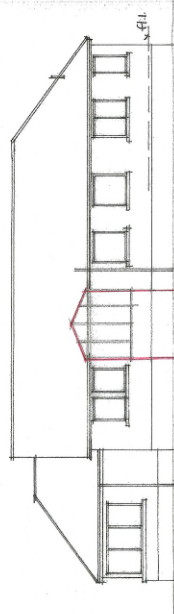
Down takings - outlined in red



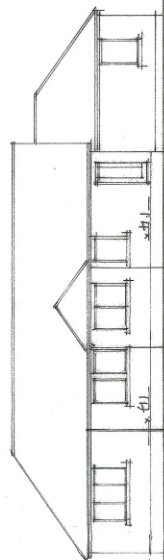
EAST ELEVATION



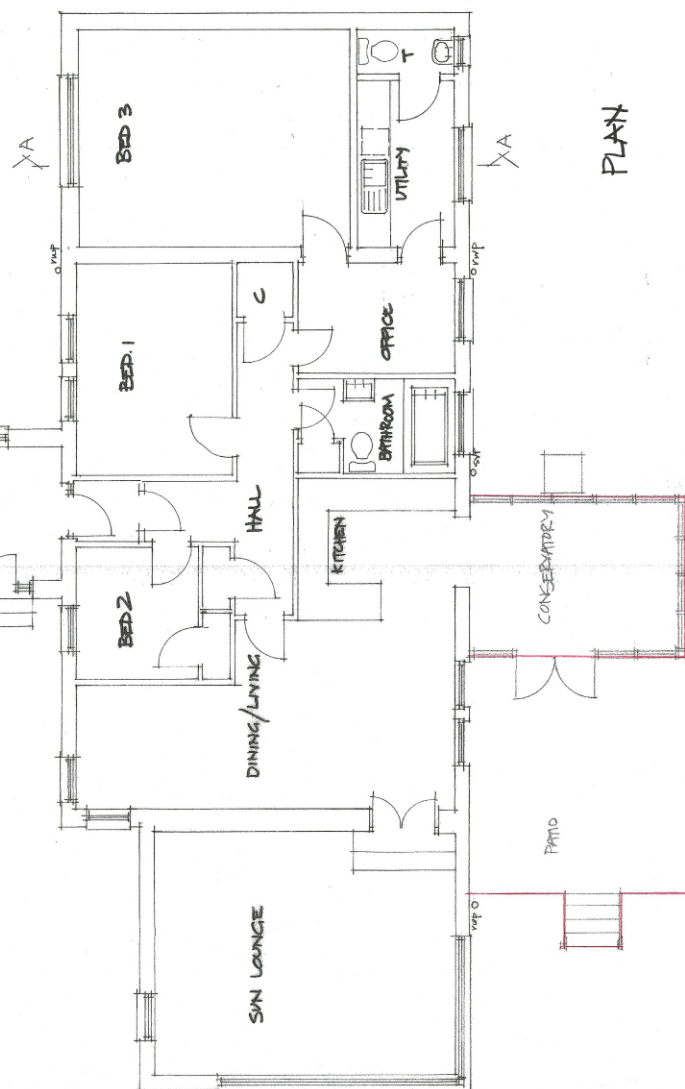
WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

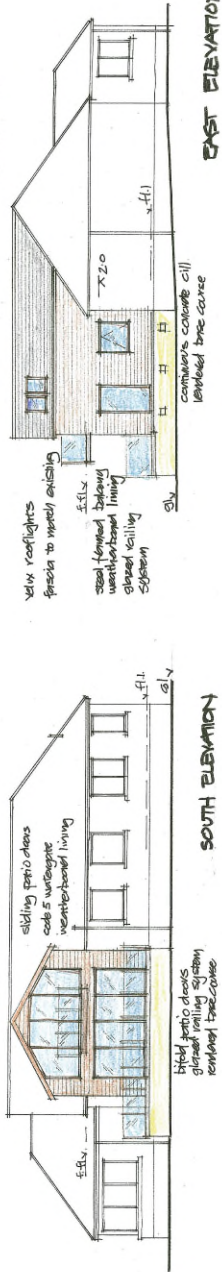


PLAN

ridge height to match

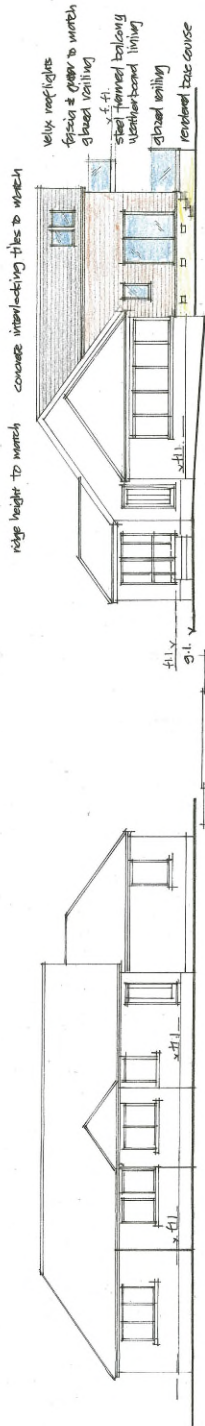
concrete interlocking tiles

scale 5 level walls



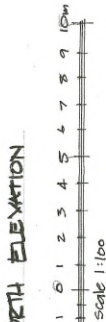
SOUTH ELEVATION

EAST ELEVATION

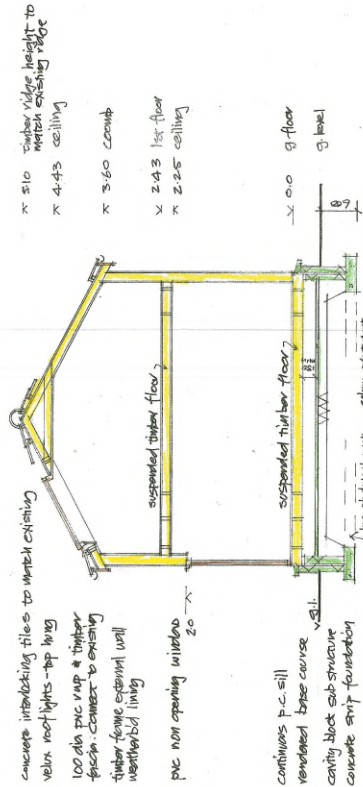


WEST ELEVATION

NORTH ELEVATION



SECTION A-A



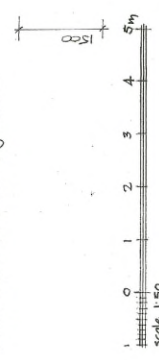
SECTION B-B

FOR INFORMATION DETAILS SEE DRAWING SPECIFICATION  
SEE STRUCTURAL ENGINEERS DRAWINGS / SPEC FOR STRUCTURAL ELEMENTS  
SEE ALSO DETAIL SHEETS FOR WALL & FLOOR DETAIL

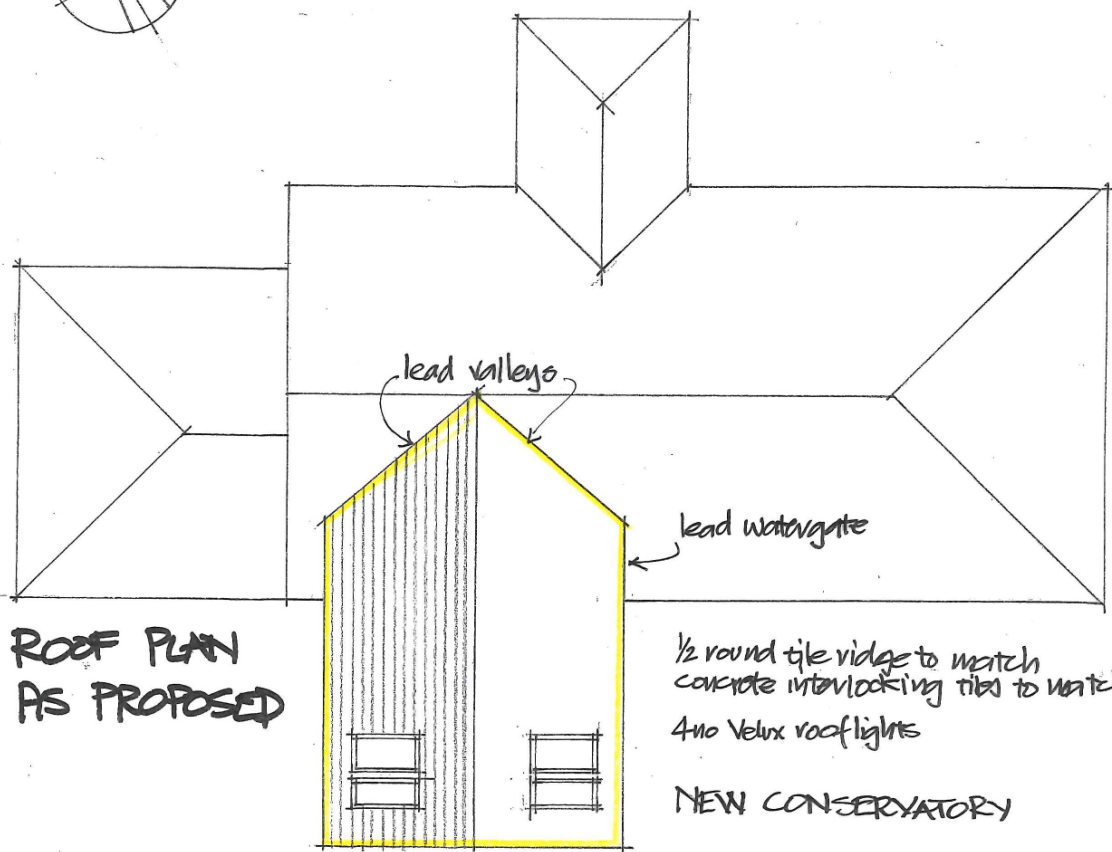
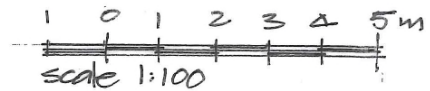
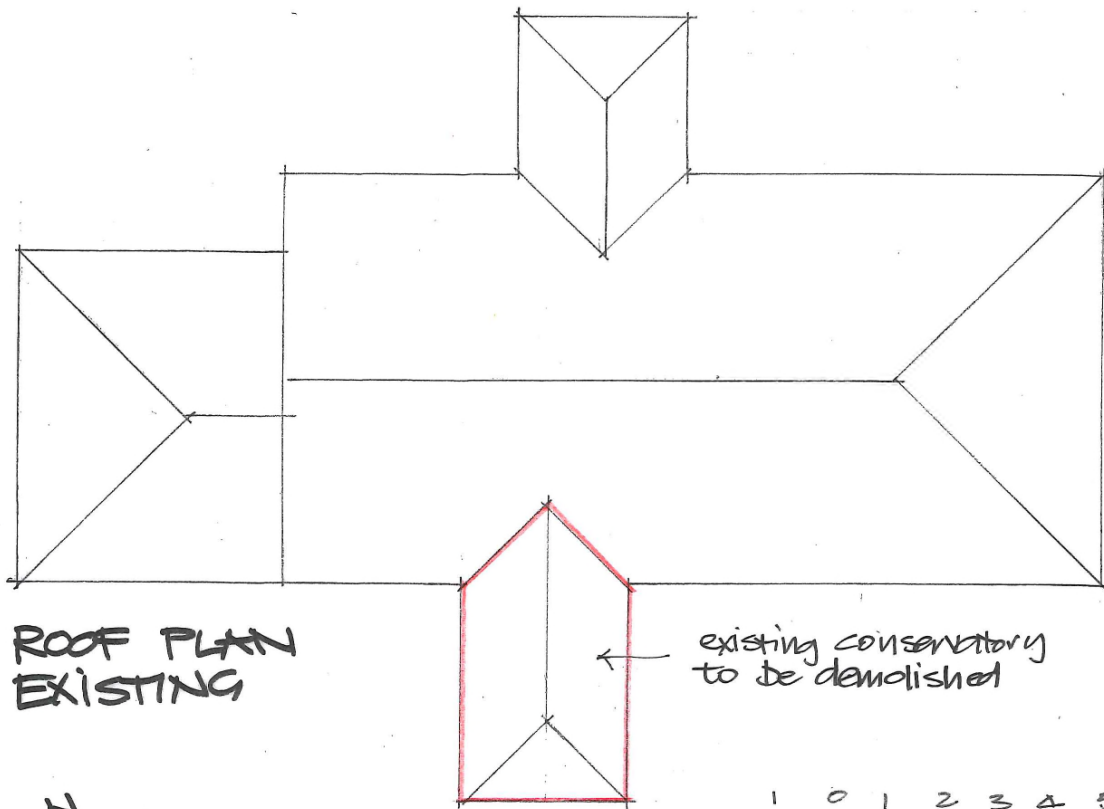
GROUND FLOOR PLAN

Take down & remove from site  
EXISTING CONSERVATORY + DECKING

ELECTRICAL  
0+ 1304 switched socket outlet  
0+ recessed light fitting center  
0+ switch as 2 way switch  
0+ outdoor external light  
All electrical work to IEE regulations



FIRST FLOOR PLAN







<b>TCP/11/16(542) – 18/00261/FLL – Alteration and extension to dwellinghouse, Riverbank, Inchyra, Perth</b>
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## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS** *(included in applicant's submission, see pages 213-219)*



# PERTH AND KINROSS COUNCIL

Mr Graeme Parker  
c/o Colin McNeill  
Rockmount  
Perth Road  
Abernethy  
PH2 9LW

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 13th April 2018

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/00261/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 17th February 2018 for permission for **Alteration and extension to dwellinghouse Riverbank Inchyra Perth PH2 7LT** for the reasons undernoted.

Interim Development Quality Manager

### Reasons for Refusal

- 1 The proposals, by virtue of their two storey height, excessive proportions, protruding balcony, poor form and composition would appear visually dominant and intrusive, resulting in an adverse and unacceptable visual and residential impact.

Approval would therefore be contrary to Policies PM1A and PM1B(b), (c) and (d) of the Perth and Kinross Local Development Plan 2014 which seek to ensure that development contributes positively to the character and amenity of the place by complementing its surroundings in terms of design, appearance, height, scale and massing.

### 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](http://www.pkc.gov.uk) "Online Planning Applications" page

### Plan Reference

18/00261/1

18/00261/2

18/00261/3

18/00261/4

18/00261/5

18/00261/6



## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	18/00261/FLL	
Ward No	P1- Carse Of Gowrie	
Due Determination Date	16.04.2018	
Case Officer	Alma Bendall	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Alteration and extension to dwellinghouse

**LOCATION:** Riverbank Inchyra Perth PH2 7LT

#### 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:** 6 March 2018

#### SITE PHOTOGRAPHS





## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

Planning application relates to a detached, single storey dwellinghouse which appears of relatively recent construction, set within a low lying, and semi-open plot on the eastern edge of the rural settlement of Inchyra in the Carse of Gowrie.

The rear garden borders onto the Pow Burn and an area of reed beds to the north of the River Tay. Timber fences enclosing the neighbouring plots exist on either side of the garden, while the front of the property has picket fence and a section of hedgerow.

The property has been extended in the past and features an elevated conservatory structure at the rear, along with extensions on either gable. An outbuilding is presently under construction within the western side garden.

Consent is being sought to erect a new, two storey extension on the rear of the house. Plans indicate that the existing raised deck and conservatory will be removed to accommodate a larger conservatory on two levels and wrap around raised deck and first floor protruding glass balcony. The new wing is intended to be finished in timber with a concrete tiled roof.

Planning consent is required as a result of the works being within 10 metres of the site boundary.

## **SITE HISTORY**

91/01941/FUL EXTENSION TO HOUSE AT 26 November 1991 Application Permitted. 97/01370/FUL Erection of a porch and conservatory at 20 November 1997 Application Permitted. 05/01230/FUL Extension to house 14 July 2005 Application Permitted

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: 17/00815/PREAPP; advised of policy considerations.

## **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.

## **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 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 EP2 - New Development and Flooding**

There is a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere. Built development should avoid areas at significant risk from landslip, coastal erosion and storm surges. Development should comply with the criteria set out in the policy.

## **OTHER POLICIES**

Perth & Kinross Council's Draft Placemaking Guide 2017 states that;

*“New development should acknowledge the scale and form of the surrounding buildings. This can make a huge difference to the visual impact of a development. Whilst it is not desirable to copy traditional buildings, it is important to harmonise with them.*

*Proportion is a fundamental element of architecture, and relates to the building as a whole and also as sections working harmoniously together. Individual elements of a building must work together to create a coherent design that balances. The building envelope, windows and doors, eaves and roof ridgeline should all work in balance with each other”.*

## CONSULTATION RESPONSES

No external consultations have been issued; internal comment has been received from Local Flood Prevention colleagues, in respect of the site being located within a coastal flood envelope that is at medium risk (1:200) of flooding. Flood resilient methods are advised in the construction.

## REPRESENTATIONS

One letter of representation has been received from the occupant of an adjoining dwellinghouse who is concerned about overlooking; loss of privacy and enjoyment of their garden.

The issues raised are taken into account in the following appraisal.

## 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	Not Required
Report on 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 not located within any defined settlement boundary and as such, background policies are applicable in this instance. The main policies of note relate to the Placemaking criteria which seek to ensure that all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. It is considered that this aim is not being met given the inappropriate design, excessive scale and lack of relationship or respect to the existing built environment.

### Visual Amenity, Design and Layout

While the existing conservatory structure is rather dated in appearance, it is insignificant in terms of visual and residential impact. The plans forwarded are attempting to introduce a contemporary form of development to the site which in principle is acceptable. However in the context of the modestly scaled bungalow, the square footprint, elevated underbuilding/patio area, two storey, straight gable



form, shallow roof pitch, finished eaves height and protruding balcony will appear rather stark and visually dominant.

I therefore consider that in this instance the proposal does not respect the form or finish of the original house and as a result is contrary to Policies PM1A and B of the Local Development Plan, as the works will detrimentally alter the character and amenity of the area.

A substantially modified scheme featuring a reduced footprint, scale and improved design has potential at the site; provided that it does not detrimentally impact on existing amenity standards.

### **Landscape**

The application site is set within a rural location where the predominant land use is for arable farming. Scenic views can be gained in part over the adjoining estuary and marshes.

### **Residential Amenity**

Although the plot is shallow in depth, there is sufficient private amenity space to cater for the needs of the extended dwellinghouse. As such there are no over-development concerns.

The key issues relate to the scale and design of the extension; the introduction of a second floor and external balcony which have the potential to impact on privacy and amenity standards presently enjoyed by neighbouring properties, most notably the new house sited to the immediate east.

The rationale behind the use of extensive glazing and a protruding balcony is clearly to maximise views over the site to the River Tay estuary. This will however also enable the adjoining rear gardens of neighbouring properties to be overlooked. As a result, I share the concerns of the neighbour and consider that the introduction of a second floor and balcony will adversely impact on the established residential amenity of the area.

As noted previously, a modified scheme could be brought forward which protects the privacy of adjoining properties and enables a replacement conservatory to be developed.

### **Roads and Access**

The proposals should have no impact on existing service provision.

### **Drainage and Flooding**

Although set within a recognised flood plain,

### **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 not to comply with the approved TAYplan 2016 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 refusal.

## **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**

### **Reasons for Recommendation**

- 1 The proposals, by virtue of their two storey height, excessive proportions, protruding balcony, poor form and composition would appear visually dominant and intrusive, resulting in an adverse and unacceptable visual and residential impact.

Approval would therefore be contrary to Policies PM1A and PM1B(b), (c) and (d) of the Perth and Kinross Local Development Plan 2014 which seek to ensure that development contributes positively to the character and amenity of the place by complementing its surroundings in terms of design, appearance, height, scale and massing.

### **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** - Not Applicable.

**Procedural Notes** - Not Applicable.

## **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

18/00261/1  
18/00261/2  
18/00261/3  
18/00261/4  
18/00261/5  
18/00261/6

### **Date of Report**

13/04/18

**TCP/11/16(542) – 18/00261/FLL – Alteration and extension  
to dwellinghouse, Riverbank, Inchyra, Perth**

## **REPRESENTATIONS**





### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	18/00261/FLL	<b>Comments provided by</b>	D.Lynn
<b>Service/Section</b>	TES - Flooding	<b>Contact Details</b>	floodingdevelopmentcontrol@pkc.gov.uk
<b>Description of Proposal</b>	Alteration and extension to dwellinghouse		
<b>Address of site</b>	Riverbank Inchyra Perth PH2 7LT		
<b>Comments on the proposal</b>	<p>No Objection,</p> <p>It is advised that the proposed alteration does lie within the indicative SEPA 1 in 200 year costal flood envelope. This means it is at a medium risk to flooding. It would be advised that any form of construction is built so usig flood resilient methods where appropriate.</p>		
<b>Recommended planning condition(s)</b>	N/A		
<b>Recommended informative(s) for applicant</b>	PKC Flooding and Flood Risk Guidance Document (June 2014)		
<b>Date comments returned</b>	06/03/2018		



# Comments for Planning Application 18/00261/FLL

## Application Summary

Application Number: 18/00261/FLL

Address: Riverbank Inchyra Perth PH2 7LT

Proposal: Alteration and extension to dwellinghouse

Case Officer: Alma Bendall

## Customer Details

Name: Miss Katie Gill

Address: [REDACTED]

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

- Over Looking

Comment: Objection to upper balcony due to concern of loss of privacy and enjoyment of my garden.

