

TCP/11/16(585) – 18/01759/FLL – Extension to dwellinghouse, Lindisfarne, Old Perth Road, Milnathort, Kinross

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**TCP/11/16(585) – 18/01759/FLL – Extension to
dwellinghouse, Lindisfarne, Old Perth Road, Milnathort,
Kinross**

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100138602-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Erection of a sun lounge

Has the work already been started and/ or completed? *

☒ No ☐ Yes - Started ☐ Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	John Gordon Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Gordon	Building Number:	3
Telephone Number: *	01383850134	Address 1 (Street): *	Dean Acres
Extension Number:		Address 2:	Comrie
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY12 9XS
Email Address: *	gordonassociates@sky.com		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	Lindisfarne
First Name: *	-	Building Number:	
Last Name: *	Hodgkinson	Address 1 (Street): *	Old Perth Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Milnathort
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	KY13 9YA
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

LINDISFARNE

Address 2:

OLD PERTH ROAD

Address 3:

MILNATHORT

Address 4:

Address 5:

Town/City/Settlement:

KINROSS

Post Code:

KY13 9YA

Please identify/describe the location of the site or sites

Northing

705023

Easting

312670

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: John Gordon

On behalf of: Mr & Mrs - Hodgkinson

Date: 28/09/2018

☒ Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * ☒ Yes ☐ No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * ☒ Yes ☐ No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * ☒ Yes ☐ No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. ☒ Yes ☐ No
- e) Have you provided a certificate of ownership? * ☒ Yes ☐ No
- f) Have you provided the fee payable under the Fees Regulations? * ☒ Yes ☐ No
- g) Have you provided any other plans as necessary? * ☒ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- ☒ Existing and Proposed elevations.
- ☒ Existing and proposed floor plans.
- ☒ Cross sections.
- ☒ Site layout plan/Block plans (including access).
- ☐ Roof plan.
- ☐ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * ☐ Yes ☒ No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr John Gordon

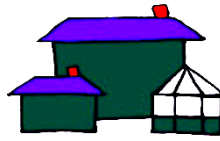
Declaration Date: 28/09/2018

Payment Details

Cheque: J, 097224

Created: 28/09/2018 10:43

JOHN GORDON ASSOCIATES LTD



ARCHITECTURAL DESIGN &
CONSTRUCTION MANAGEMENT

Reasons for Review

Proposed Sun Lounge Extension to Rear of Dwellinghouse
at
Lindisfarne, Old Perth Road, Milnathort.

The existing dwelling is a non-listed, detached, single storey, bungalow and is not situated within a conservation area. The property frontage faces North onto Old Perth Road and the main access is from there. The rear of the property faces South onto the B996, and looks out across low lying fields towards Loch Leven. Not one property in the row of houses is the same as the next; they are all of varying sizes and appearances. The ground level slopes upwards from the B996 towards the house, which is set back some 28 metres from the rear garden boundary, which is enclosed by a close boarded timber fence, which sits on top of a dry stone wall. See the below photograph.



The proposed Sun Lounge Extension is to be sited on the South elevation to take advantage of the picturesque views which are enjoyed in this location. In terms of the area of garden ground, the scale of the proposed development is minimal. The height from ground to eaves is 2.9m and the height from ground to ridge is 3.9m. The only reason Planning Permission is required is because the rear elevation faces onto a public road, otherwise a proposal of this nature would likely fall within permitted development rights. The delegated report itself states "there are no specific policies or strategies directly relevant to this proposal".

The application was mainly refused due to the style of the proposed roof, which is a modern design, flat roof Orangery with a PVCU sky pod, a design which has become quite popular across Scotland in recent years. The design allows for a compact appearance whilst providing as much light to enter the building as possible, essentially giving all of the benefits of a conservatory and a traditional extension, making it an excellent addition to the house all year round.

The delegated report makes reference to discussions with the Agent regarding the possibility of reducing the height of the proposed flat roof, but what it doesn't state are the reasons why such a reduction is not possible. The request from the planning department was not only to reduce the height of the fascia board on the roof, but to reduce the height from ground to the underside of the flat roof as well. Neither of these options is practicable. Modern construction techniques have certain requirements for structural support and thermal insulation, the latter of which is becoming more and more important as we try and move towards lower carbon emissions and reduced energy wastage. The height from the ground to the underside of the flat roof cannot be reduced any further because either the doors would become too short to enter, or the lintels required to support the roof would have to be omitted, neither of which is ergonomically desirable or structurally possible. The depth of the fascia board cannot be reduced any further because the construction of the roof dictates the overall depth. In Scotland, a cold deck roof construction (insulation between rafters) is not a viable option as it carries a high condensation risk; therefore the warm deck construction (insulation above the rafters) must be adopted. The minimum size of rafters required for structural stability and the minimum depth of insulation for thermal efficiency have been specified, there is no option for further reduction.

In terms of the surrounding area, most of the gardens are screened from the B996 by large hedgerows or tall fences. Flat roof garages and porches can also be seen along the row of houses where the hedges/fences are low enough. However, there is one development worthy of note. The property to the Southwest of the application site is a two storey, detached house, which has been altered to include a large extension at first floor level. This was granted planning permission in 2007 under the reference number 07/01529/FUL. See photograph below. It is quite clear that this extension is much larger and in a far more prominent position than the one proposed at Lindisfarne, including the flat roof design, which is far more obvious along the streetscape of the B996. If a development such as the one below can be approved planning permission, there is surely no justifiable reason why the one proposed in our application can be refused.



PERTH AND KINROSS COUNCIL

Mr And Mrs Hodgkinson
c/o John Gordon Associates Ltd
John Gordon
3 Dean Acres
Comrie
Dunfermline
KY12 9XS

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 5th December 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/01759/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 3rd October 2018 for permission for **Extension to dwellinghouse Lindisfarne Old Perth Road Milnathort Kinross KY13 9YA** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

1. In the interests of visual amenity, the proposals by reason of their excessive scale, inappropriate design, poor choice of materials and lack of relationship to the host building will appear incongruous and not in keeping with the character or appearance of the existing modest house, resulting in an adverse impact on the visual amenity of the house and surrounding area.

Approval would therefore be contrary to Policies RD1(c), PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014 and the draft Placemaking Guide, which seek to ensure that development contributes positively to the character and amenity of the place by complementing its surroundings in terms of design, proportions, 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 "Online Planning Applications" page

Plan Reference

18/01759/1

18/01759/2

REPORT OF HANDLING

DELEGATED REPORT

Ref No	18/01759/FLL	
Ward No	P8- Kinross-shire	
Due Determination Date	02.12.2018	
Case Officer	Alma Bendall	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Extension to dwellinghouse

LOCATION: Lindisfarne Old Perth Road Milnathort Kinross KY13 9YA

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: 19 October 2018

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning application relates to a detached single storey residential unit located on the eastern edge of the settlement of Kinross.

The subjects are contained in a linear row of housing plots that are situated between the minor, Old Perth, and the main, B996 public roads, leading eastwards out of Milnathort. The houses vary in nature from long established period units, to more recent architect designed new builds.

All are set in large elevated plots; the layout being designed to maximise views out over the countryside to the south, in the direction of Loch Leven.

Consent is being sought to erect a sunroom type extension on the southeast side of the house. The sunroom will extend to around 5.4 x 4 x 4 metres in overall height to the top of the lantern which protrudes through the flat roof.

Plans indicate that the unit will be finished in a sky marble type, dry dash render and reconstituted stone base course. Windows will be installed in either side elevation, with a set of access doors to the south. Other work includes the installation of a larger window within the existing house and the formation of terraced steps to the front of the extension. The sunroom roof will protrude past the walls of the extension, while the eaves height will be higher than the existing eaves height of the house.

SITE HISTORY

None on file

PRE-APPLICATION CONSULTATION

Pre application Reference: n/a

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 RD1 - Residential Areas

In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.

The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29 August 2018. The unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.

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

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 the Development Negotiations Officer. No adverse issues have been raised.

REPRESENTATIONS

None received:

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 Impact/Potential 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 subjects are located within the settlement boundary of Milnathort where residential and background placemaking considerations are applicable. These policies seek to ensure that new development is compatible with its surroundings in terms of scale, appearance and form and does not result in any adverse negative impacts. The proposals are deemed to be out of keeping with the character and appearance of the host unit and wider area as a result of the excessive scale, height, materials and inappropriate design.

Visual Amenity, Design and Layout

As the proposed extension is being sited on the most public aspect of the house, which is freely visible from the B996 road; concerns were raised with the agent over the lack of relationship of the proposed sunroom to the existing house and the potential for the works to have an adverse visual impact.

In particular, attempts were sought to reduce the height of the extension so that it aligned more closely with the existing house and to provide for a more contemporary, less dated and cumbersome development.

The agent confirmed however that there would be no potential to alter the proposals.

As such, it is considered that whilst there is ample scope to extend the house, any scheme should be reflective of the scale and form of the existing house. A pitched roofed extension which is more contemporary in design and less dated in form and finishing materials would provide a suitable alternative, or a smaller, less obtrusive flat roofed extension.

Residential Amenity

The garden is open towards the south; the established tree cover which exists however along the eastern and western boundaries helps to screen off the neighbouring gardens and provide some privacy.

The rear, servicing aspect of the house is contained in the more enclosed grounds that border onto the Old Perth Road to the north. Sufficient amenity space exists to cater for the needs of the household. No significant impacts are anticipated on the established residential amenity of the area.

Landscape

No landscape features of merit will be impacted by the works.

Roads and Access

No changes proposed.

Drainage and Flooding

No changes or issues noted.

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 outwith the statutory determination period, as a result of attempts to secure a design solution.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION Refuse the application**Reasons for Recommendation**

- 1 In the interests of visual amenity, the proposals by reason of their excessive scale, inappropriate design, poor choice of materials and lack of relationship to the host building will appear incongruous and not in keeping with the character or appearance of the existing modest house, resulting in an adverse impact on the visual amenity of the house and surrounding area.

Approval would therefore be contrary to Policies RD1(c), PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014 and the draft Placemaking Guide, which seek to ensure that development contributes positively to the character and amenity of the place by complementing its surroundings in terms of design, proportions, 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.

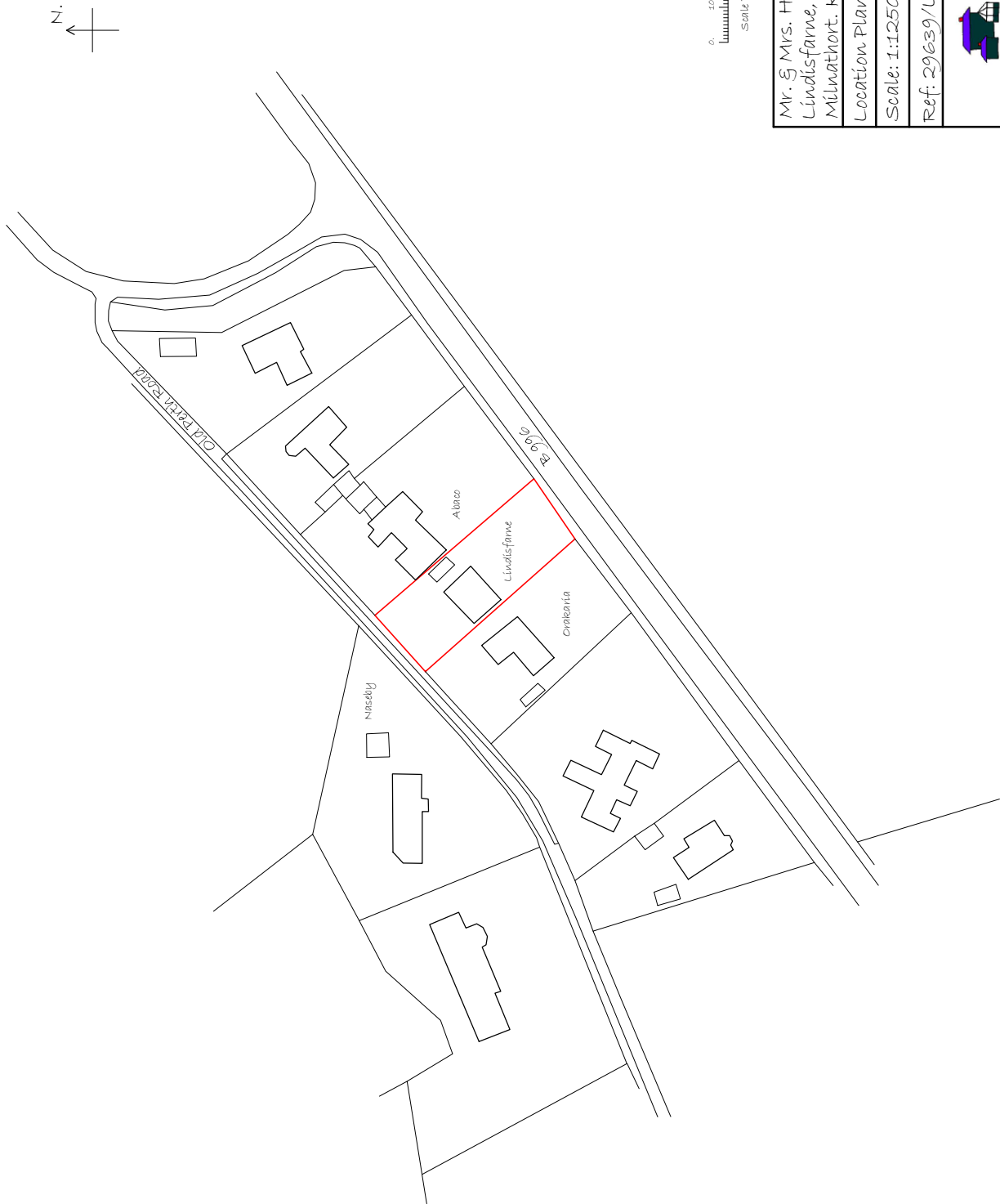
PLANS AND DOCUMENTS RELATING TO THIS DECISION

18/01759/1


18/01759/2

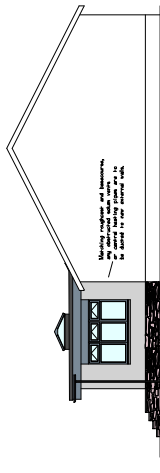
Date of Report

04/12/18

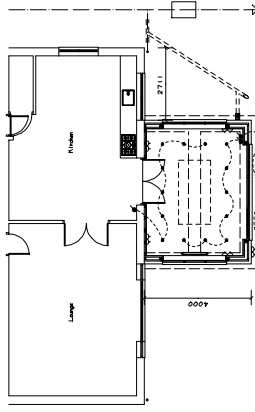
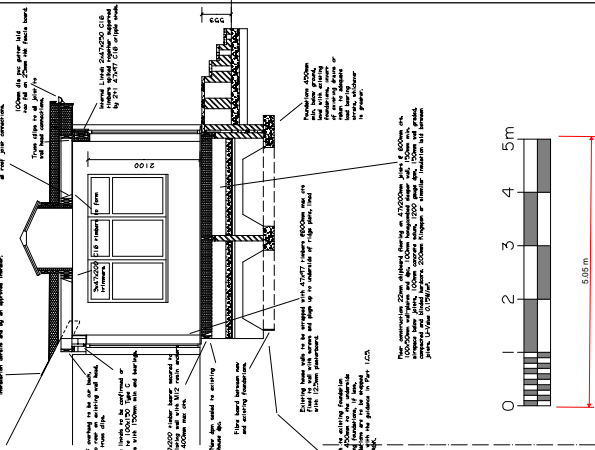


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Mr. & Mrs. Hodgkinson, Lindisfarne, Old Perth Road, Milnathort. KY13 9YA.	
Location Plan	
Scale: 1:1250	Sept. 18
Ref: 29639/LP	
<div><div>3 DEAN ACRE COMSE FIFE KY12 9XS TEL/FAX: 01383 850 134 E-mail: gordonassociates@sky.com</div></div> <div>JOHN GORDON ASSOCIATES LTD This is a true copy of the plan referred to in our application.</div> <div>Dated: Signed: <i>John Gordon</i></div> <div>Copyright of this drawing, and all other associated drawings, is owned by John Gordon Associates Ltd at the above address.</div>	



Rear Extension As Proposed (South East)

[illegible]

Mr. & Mrs. Hodgkinson, Lindisfarne, Old Parth Road, Milnathort, KY13 9YA	Proposed Sun Lounge.	Scale 1:100, 1:50, Sept 2018	Ref: 29639/1	John Gordon Associates Ltd. 12, The Square, 120 York Road, Glasgow, G3 7NF
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<p>TCP/11/16(585) – 18/01759/FLL – Extension to dwellinghouse, Lindisfarne, Old Perth Road, Milnathort, Kinross</p>
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PLANNING DECISION NOTICE *(included in applicant's submission, see pages 565-566)*

REPORT OF HANDLING *(included in applicant's submission, see pages 567-572)*

REFERENCE DOCUMENTS *(part included in applicant's submission, see pages 573-574)*

**TCP/11/16(585) – 18/01759/FLL – Extension to
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Kinross**

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/01759/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin
Description of Proposal	Extension to dwellinghouse		
Address of site	Lindisfarne, Old Perth Road, Milnathort, Kinross, KY13 9YA		
Comments on the proposal	I have no comments to make on this proposal in terms of the Developer Contributions and Affordable Housing Guidance.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	16 October 2018		

