

TCP/11/16(356)

Planning Application 14/02068/FLL – Alterations to dwellinghouse to form replacement balcony, Almond Lodge, 37a Main Street, Almondbank, PH1 3NJ

INDEX

- (a) Papers submitted by the Applicant (***Pages 9-70***)
- (b) Decision Notice (***Page 73-74***)
 - Report of Handling (***Pages 75-82***)
 - Reference Documents (***Page 35-70 and 83-84***)
- (c) Representations (***Pages 85-88***)

TCP/11/16(356)

Planning Application 14/02068/FLL – Alterations to dwellinghouse to form replacement balcony, Almond Lodge, 37a Main Street, Almondbank, PH1 3NJ

**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 necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000118070-001

The online ref number 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.

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:

IMAC Architecture

Ref. Number:

First Name: *

Ian

Last Name: *

MacGregor

Telephone Number: *

01250 873298

Extension Number:

Mobile Number:

07980 720 766

Fax Number:

Email Address: *

ian@imacarchitecture.co.uk

You must enter a Building Name or Number, or both:*

Building Name:

Building Number:

5

Address 1 (Street): *

Hawthorn Place

Address 2:

Town/City: *

Blairgowrie

Country: *

UK

Postcode: *

PH10 6UP

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Other"/>
Other Title: *	<input type="text" value="Mr. Scott Barlass"/>
First Name: *	<input type="text" value=""/>
Last Name: *	<input type="text" value="Ms. Margaret Low"/>
Company/Organisation:	<input type="text" value=""/>
Telephone Number:	<input type="text" value=""/>
Extension Number:	<input type="text" value=""/>
Mobile Number:	<input type="text" value=""/>
Fax Number:	<input type="text" value=""/>
Email Address:	<input type="text" value=""/>

You must enter a Building Name or Number, or both:*

Building Name:	<input type="text" value=""/>
Building Number:	<input type="text" value="37a"/>
Address 1 (Street): *	<input type="text" value="Main Street"/>
Address 2:	<input type="text" value=""/>
Town/City: *	<input type="text" value="Almondbank"/>
Country: *	<input type="text" value="Scotland"/>
Postcode: *	<input type="text" value="PH1 3NJ"/>

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
---------------------	--

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

Address 1:	<input type="text" value="Almond Lodge"/>	Address 5:	<input type="text" value=""/>
Address 2:	<input type="text" value="37a Main Street"/>	Town/City/Settlement:	<input type="text" value="Perth"/>
Address 3:	<input type="text" value="Almondbank"/>	Post Code:	<input type="text" value="PH1 3NJ"/>
Address 4:	<input type="text" value=""/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="726045"/>	Easting	<input type="text" value="306527"/>
----------	-------------------------------------	---------	-------------------------------------

Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Demolition of existing dilapidated timber balcony and erection of new enlarged replacement balcony

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to attached site images documents 039-002 & 003, together with Notice of Review Document reference 039-004 for reasons relating to Application for Notice of Review and justification for development proposals.

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 the new matter, 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: * (Max 500 characters)

Written and signed collective letter of support for the proposal from immediate neighbouring properties has been included within Notice of Review Document reference 039-004. This was not available at the time of original application.

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. You can attach these documents electronically later in the process: * (Max 500 characters)

Site images document ref: 039-002 (1 of 2); Site images document ref: 039-003 (2 of 2); Notice of Review Report: 039-004; Drawing no's EX-101, 300, 500 & 501; Drawing no's SD-300, 500 & 501.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

14/02068/FLL

What date was the application submitted to the planning authority? *

28/11/14

What date was the decision issued by the planning authority? *

27/01/15

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

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

Please select a further procedure *

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? * (Max 500 characters)

It is felt that to fully appreciate the immediate site and the wider context within which the development proposal is intended to be sited, a full site visit and walk around would be of the highest benefit. Furthermore, it will afford the opportunity to review the extent of similar situations to that proposed that currently exist in the immediate and surrounding area.

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

Can the site be clearly seen from a road or public land? *

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

No justifiable reason

Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review *

☒ Yes ☐ No

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 (if any) from the earlier consent.

Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ian MacGregor

Declaration Date: 23/04/2015

Submission Date: 23/04/2015

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

Notice of Review Report: 039-004

Prepared to Supplement the Application for Notice of Review
for
Demolition of Existing Dilapidated Balcony and Erection of Enlarged
Replacement Balcony
at
37a Main Street, Almondbank, Perthshire, PH1 3NJ
for
Mr. Scott Barlass & Ms. Margaret Low

22 April 2015

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

Executive Summary:

1.0 Summary of the Case for the Proposed Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony.

The principle of the proposed demolition of the existing dilapidated balcony and erection of enlarged replacement balcony on this site is, in the majority, **considered to satisfy** the main determining Policies PM1: Placemaking & RD1: Residential Areas.

It is considered that the proposed development is **adequately subservient, not visually obtrusive** and **contributes positively**, to the quality of the immediate and surrounding built and natural environment with the design and siting of development **adequately respecting** the character and amenity of the place. Furthermore, it is considered that the proposed development design **fully complements** its surroundings and the host building in terms of appearance, height, scale, massing, materials, finishes and colours.

It is important to highlight that the **existing balcony** enjoys a **viewing arc of 260°** across the Application Site and sweeping open gardens/amenity/communal ground to neighbouring properties. In addition, there **exists**, no fewer than **10 large elevated balconies or raised terraces** located at a **similar level** and of a **similar scale**, all within the **immediate vicinity** of the Application Site, equally with **expansive uninterrupted viewing arcs of a similar angle** across sweeping open gardens/amenity/communal ground to neighbouring properties as contained within supplementary site images documents reference 039-002 & 003.

It is considered appropriate to highlight that **at no juncture** during the determination process, **were any objections received** from owners/occupiers of those properties directly impacted i.e. bounding neighbours, and at the time of this application, they have all now **provided** a written and signed **collective letter of support** for the development proposal.

The main consideration is whether the site can accommodate the enlarged replacement balcony. Given that the development proposal is **subservient** to the existing dwelling, **is not visually obtrusive**, creates **no further impact** on residential amenity than already exists and to a location where a **balcony already legally exists**, it is considered that the **replacement**, together with any boundary mitigation measures deemed necessary, **can be accommodated without detriment** to the owner/occupiers of neighbouring properties, the host dwelling and wider built environment.

Reason for Refusal:

The reasons for refusal as listed below are extracted from the Planning Application Decision Notice dated 26th January 2015. It is considered that the responses located adjacent, appropriately deal with the main determining points.

1. *"The proposed balcony by reason of the increased field of view compared to the existing balcony together with its use as such would increase the level of overlooking to an unacceptable level resulting in a loss of privacy to the rear gardens of neighbouring properties and due to its close proximity to the boundary with the adjacent dwelling at number 37 Main Street and elevated siting would have an overbearing and dominating impact. Therefore, the proposed development would be detrimental to the residential amenity of the occupiers of the adjacent dwellinghouses and would be contrary Policy RD1 of the Perth and Kinross Local Development Plan 2014"*

Response: As outlined above, it is considered that the minimal and extremely limited additional field of view would in no way result in an increased and unacceptable level of overlooking and will result in a situation no worse than currently exists with the existing balcony. Furthermore, the owner/occupiers of the three neighbouring properties immediately impacted and of which two are on the immediate boundaries the application site, have provided a written and signed collective letter of support (see page 10) for the development proposal.

Furthermore, it is considered that the enlarged balcony structure will not, by virtue of the proposed balustrading material of transparent glass, which was specifically selected to minimise the visual obtrusiveness, will in no way have an overbearing and dominant impact to the neighbouring no.37 Main Street. The development proposal will not be detrimental to the occupiers of the adjacent dwellinghouses and I again reiterate that they have provided a collective written and signed collective letter of support (see page 10) for the proposed development.

Reason for Refusal

2. *"The balcony by virtue of its elevated siting and prominent location would result in the formation of an obtrusive and incongruous addition to this property to the detriment of the visual amenity of the host building and the character and appearance of the surrounding area contrary to Policies PM1A and PM1B (c) of the Perth and Kinross Local Development Plan 2014."*

Response: The proposed balcony design is considered to have been carried out with a form, scale and selection of appropriate materials to fully respect the host building; certainly in far greater depth than the existing dilapidated timber balcony structure. It is considered that the proposed balcony footprint has been kept adequately subservient to the main dwellinghouse footprint

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

below. Furthermore, in order to ensure that the development proposal remains fully subservient and respectful of the host building, the proposed construction materials of lead: selected due to its colour match with the existing roof tiles; timber: selected to match the existing timber decking; glass: selected to achieve transparency at balustrade level and permit the host building to remain dominant and reduce visual obtrusion, all to ensure that the development proposal is not detrimental to the visual appearance, scale and character of the existing host building.

Delegated Report Comments

"The proposed balcony at first floor level by virtue of its location in relation to neighbouring residential properties would lead to excessive overlooking and loss of privacy to those properties."

Response: This comment is factually inaccurate and the proposed development would result in a situation no worse than already exists legally.

"My attention has been drawn to examples of balconies and terraces at other properties in the area. From photographs of these balconies provided to me I note that they overlook principally their own garden ground."

Response: This comment is factually inaccurate and as is evidenced in images no's: 05, 06, 12, 13, 15, 21, 23 & 24 of associated Site Images Document References: 039-002 & 039-003, the overlooking of balconies is not principally restricted to their own garden. There is clear and demonstrable evidence on site that the balconies associated with adjacent properties provide a situation identical to the development proposal in so far as they permit clear uninterrupted overlooking of their own garden and those within the immediate and wider surrounding area.

"In some situations boundary treatments obscure views over neighbouring garden ground and the layout of development also obscures direct views over garden ground".

Response: It is stated that in "some" situations views are obscured which, by virtue, means that in the remaining situations, there exists a completely open and acceptable range of viewing spectrums from the remainder of numerous balconies within the wider area.

"It would appear that these balconies brought to my attention have either been erected under permitted development, are located at ground level".

Response: The comment that the balconies are "located at ground level" is factually inaccurate and as can be evidenced from the associated Site Images Document References: 039-002 & 039-003, the balconies of properties within the immediate and wider surrounding area are all located in an elevated position similar to that intended by the proposed development.

"I note the characteristics of the existing properties along Main Street which is predominantly residential and the properties are generally two storeys in height to the rear and as such the design of this form of development does not provide the highest standards of privacy with the narrow plot widths and rear facing windows enabling views over several rear gardens. However, I do not consider that further loss of privacy is acceptable. To the contrary, these factors reinforce the value of maintaining a privacy that would meet the reasonable expectations of occupiers in these circumstances".

Response: There is acknowledgement that due to the elevated nature of the existing properties, irrespective of the existence of balconies, there exists limited privacy over the whole of the application site, immediate and wider surrounding area. Furthermore, it is again considered appropriate to highlight that the development proposal will not result in a "further loss of privacy" and it is expected that the extent of privacy will be no worse than already exists with the existing balcony. In addition, the adjacent occupiers have provided written and signed collective letter of support (see page 10) of the development proposals.

"There currently exists a view through French doors and from an existing modest balcony at first floor level over the rear gardens of neighbouring properties, however, the increased size of the balcony would introduce an elevated and projecting vantage point increasing its field of view across neighbouring garden ground. Despite the scope to incorporate privacy screens to the sides of the proposed balcony this structure would afford its users a more open and elevated view over these neighbouring gardens, particularly that of number 37. The implications of the privacy of the occupants of number 35 would be less severe by virtue of its greater distance from the proposed balcony and the presence of an intervening vehicular access and garden vegetation. As a consequence the proposal would increase the sense of being overlooked for the occupants of number 35 and more significantly number 37 when in their gardens".

Response: It is factually inaccurate that the balcony would afford users a more "open and elevated view over these neighbouring gardens". Firstly, the proposed development balcony finished level is to be identical to that that already exists and is therefore no more elevated. Furthermore, there already exists an open view from the existing balcony and I again reiterate that the proposed balcony will result in a situation no worse than already exists. It is considered appropriate to highlight that there exists no garden ground with property no's. 35 &

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

37 and that all ground associated with these properties are common ground used for the purposes of drying greens and/or soft landscaping.

"The increase in size of the balcony compared to the existing balcony would intensify its use and its potential impact on neighbouring properties. The balcony is designed to effectively extend the living space at this property and would enable its occupants to linger upon it".

Response: There is no factual evidence to back up the view that an increased balcony size would intensify its use and impact on the neighbouring property and it would appear that this is a personal statement determined by the delegated officer giving consideration as to how they may use a balcony within their own personal circumstances. At present, there is no restriction upon the use of the existing balcony and it is therefore the owner's privilege to use it at any time they see fit. Furthermore, there is absolutely no difference between the occupiers 'lingering' upon the balconies (existing and proposed) and at the garden ground immediately adjacent, both of which would result in an identical level of noise or otherwise.

"The fact that no neighbours have raised any objections to the proposal is not determinative".

Response: It is considered that whilst no letters of objection were received during the Planning Application determination period from those neighbours directly affected by the development proposal, they have now provided a written and signed letter of collective support (see page 10) and material consideration must be given to this.

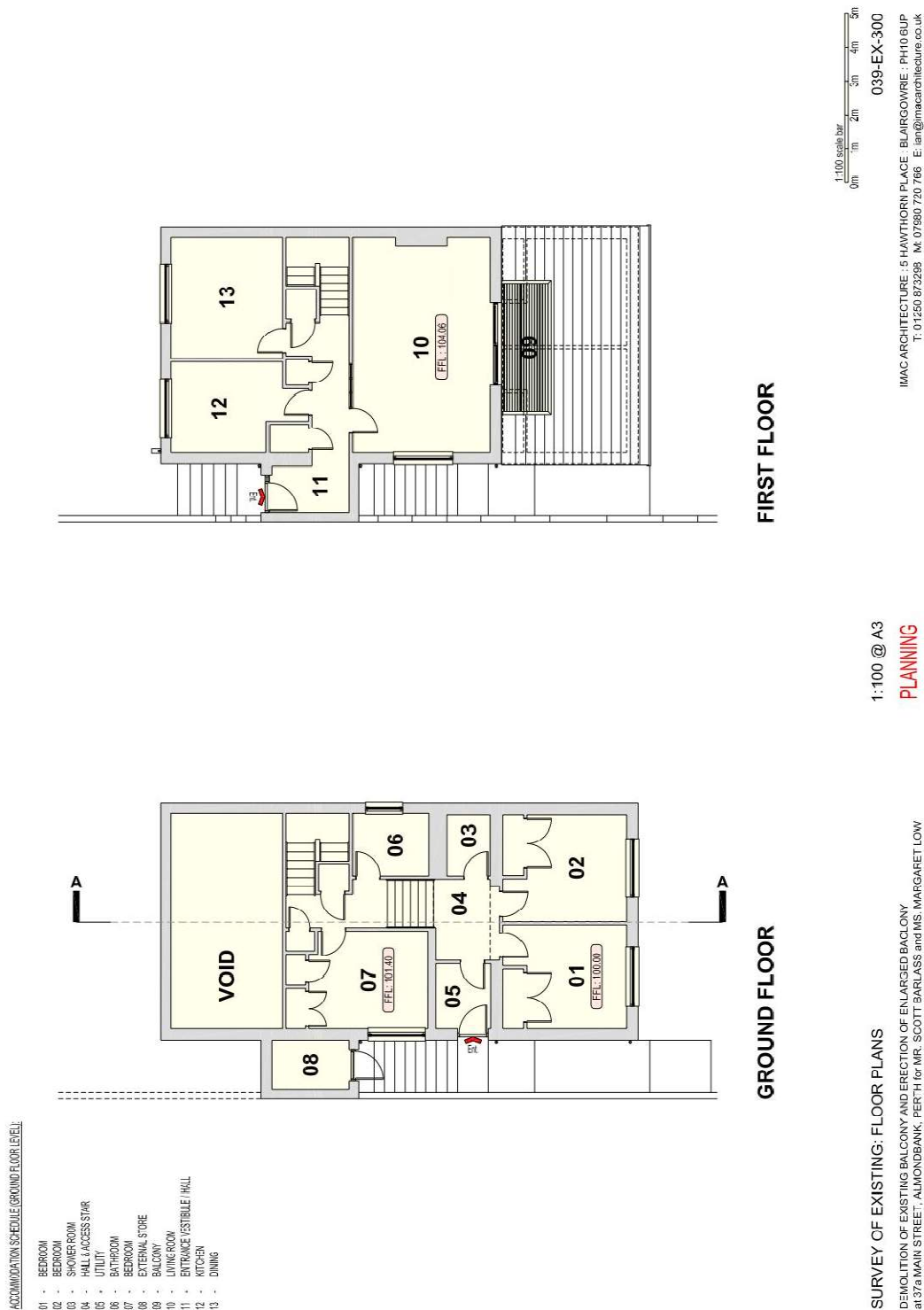
The location of the applicants lounge area on the first floor presently deprives them from having an adjoining outdoor area which this proposal would provide, however, although desirable to the applicants the personal benefits that would be derived from the proposal would not outweigh the harm caused to the residential amenity of neighbouring properties. Approval would allow direct and uninterrupted lines of sight across the neighbouring gardens (as said it wouldn't there are no gardens just common ground) from an elevated vantage point which would render the existing boundary treatments ineffective in terms of boundary screening.

Response: There is no deprivation of an adjoining outdoor space from the associated living room due to the existence of the current dilapidated timber balcony. The Applicant's are merely seeking to create an enlarged outdoor living space at living room level. Furthermore, there is no 'harm caused to the residential amenity of neighbouring properties' as again, I reiterate that the proposed situation will be no worse than currently exists. In addition, the use of the word 'gardens' is factually inaccurate and it is again highlighted that these adjacent areas are in the majority used as common ground used for the purposes of drying greens and/or soft landscaping.

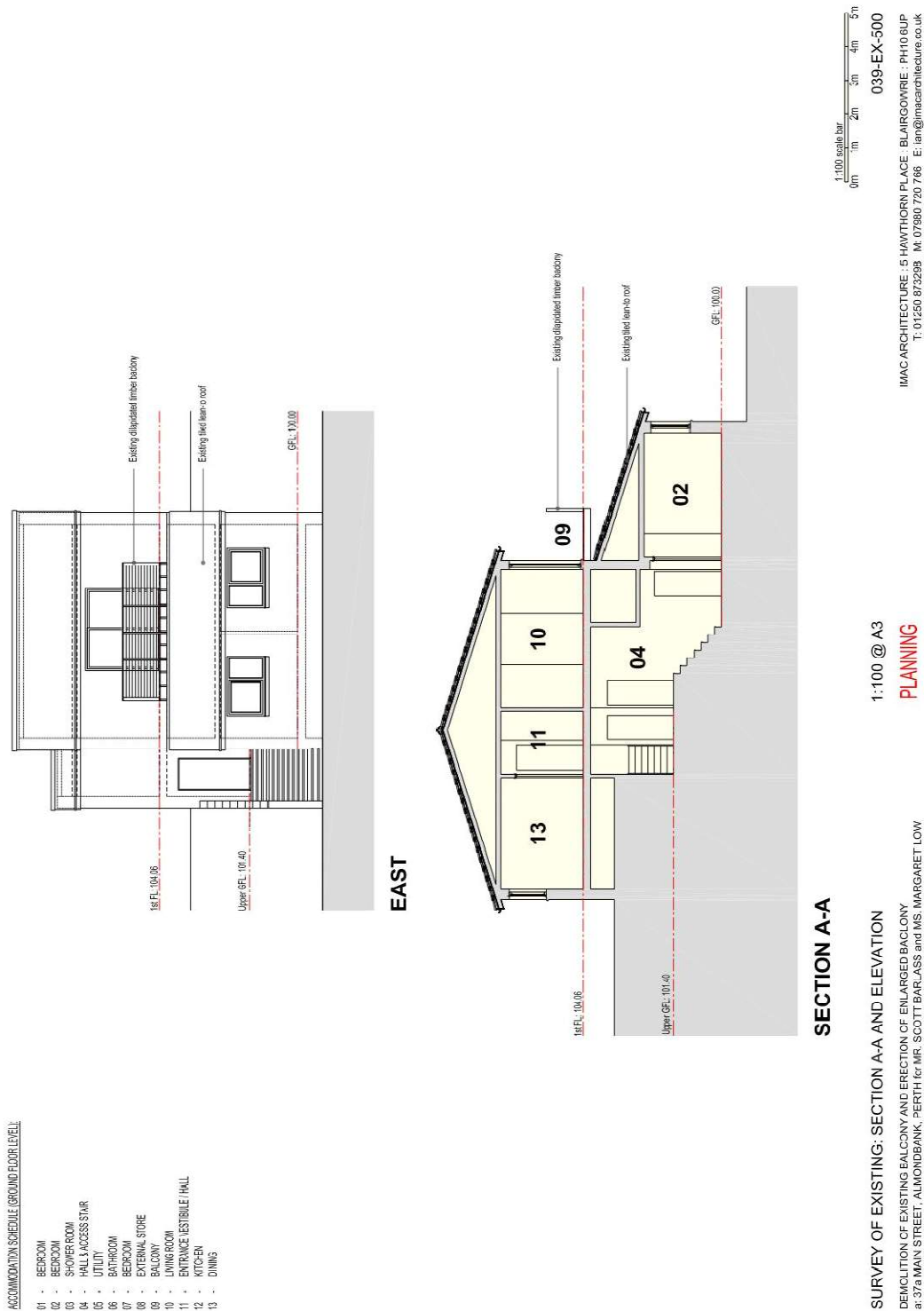
"The proposed balcony would be positioned prominently on the rear elevation of the residential property and its footprint would be marginally smaller than that of the existing lounge. The proposed balcony by reason of its increased size, elevated siting and prominent location would result in the formation of an obtrusive and incongruous addition to this property to the detriment of the visual amenity of the host building and the character and appearance of the surrounding area.

Response: The proposed balcony has been designed specifically to be a subservient and incongruous element to the rear elevation, specifically so as not to dominate the host building. Furthermore, the materials proposed have been selected so as to tie in with the existing material palette of the host building. It is considered that the proposed balcony is adequately sized, scaled and designed so as not to be to the detriment of the host building and the character and appearance of the surrounding area. It is considered appropriate to highlight that the proposed balcony is no further elevated than the existing dilapidated timber balcony that already exists.

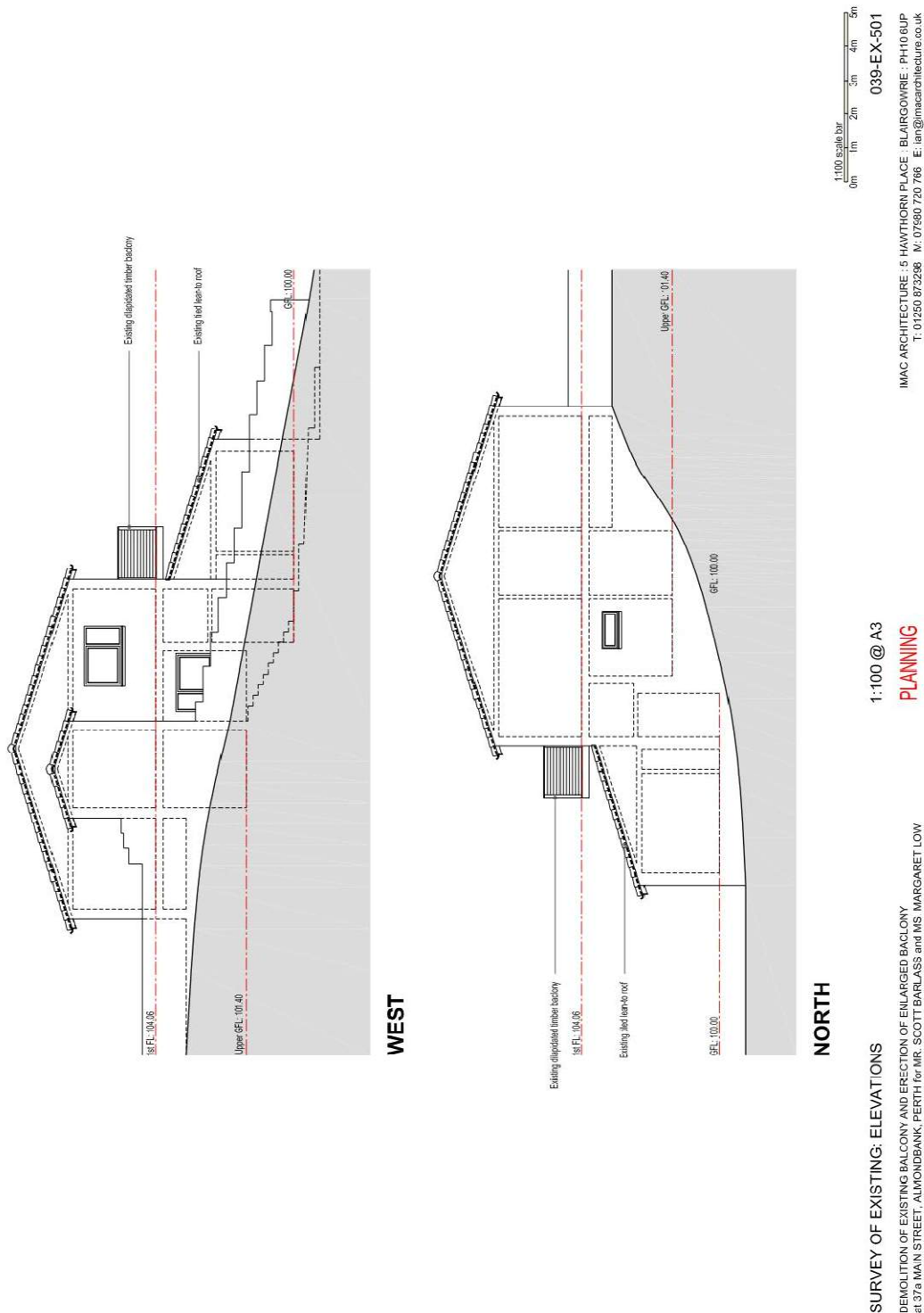
Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



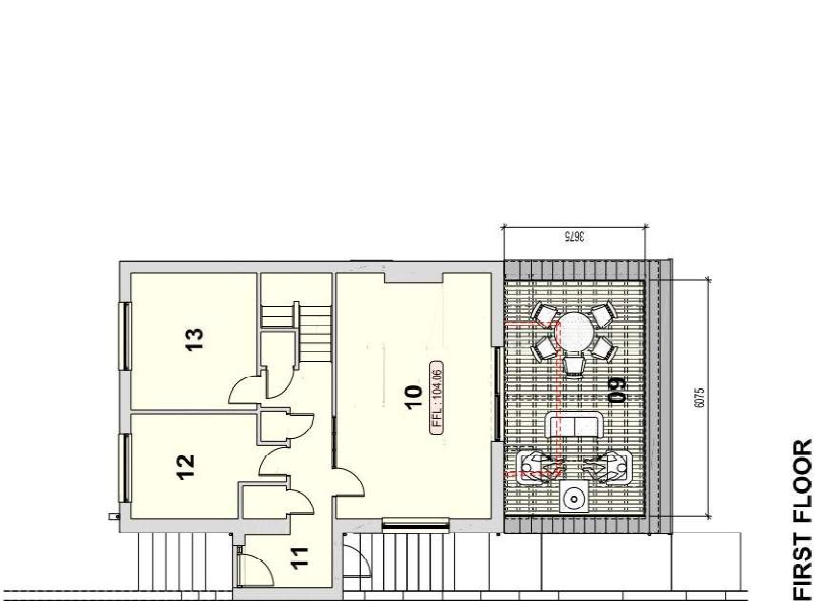
Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

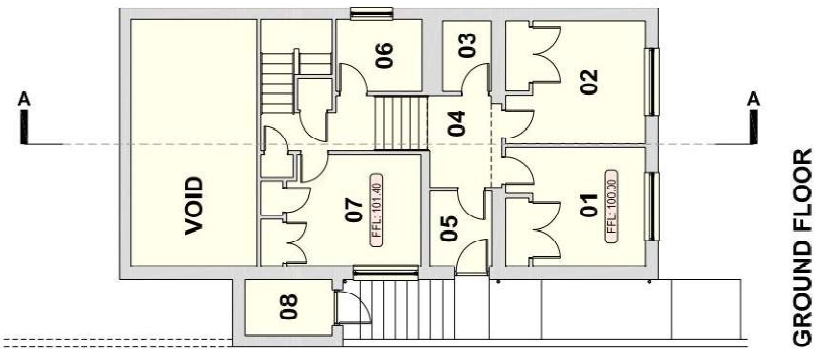


Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



FIRST FLOOR

1:100 scale bar
0m 1m 2m 3m 4m 5m
039-SD-300B
IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: ian@imacarchitecture.co.uk



GROUND FLOOR

1:100 @ A3
PLANNING

ACCOMMODATION SCHEDULE (GROUND FLOOR LEVEL):

- 01 - BEDROOM
- 02 - BEDROOM
- 03 - SHOWER ROOM
- 04 - HALL & ACCESS STAIR
- 05 - UTILITY
- 06 - BATHROOM
- 07 - BEDROOM
- 08 - EXTERNAL STORE
- 09 - BALCONY
- 10 - LIVING ROOM
- 11 - ENTRANCE VESTIBULE / HALL
- 12 - KITCHEN
- 13 - DINING

DETAILED PROPOSALS: FLOOR PLANS
DEMOLITION OF EXISTING BALCONY AND ERECTION OF ENLARGED BALCONY
at 37a MAIN STREET, ALMONDBANK, PERTH for MR. SCOTT BARLASS and MS. MARGARET LOW

Client: Mr. Scott Barlass & Ms. Margaret Low



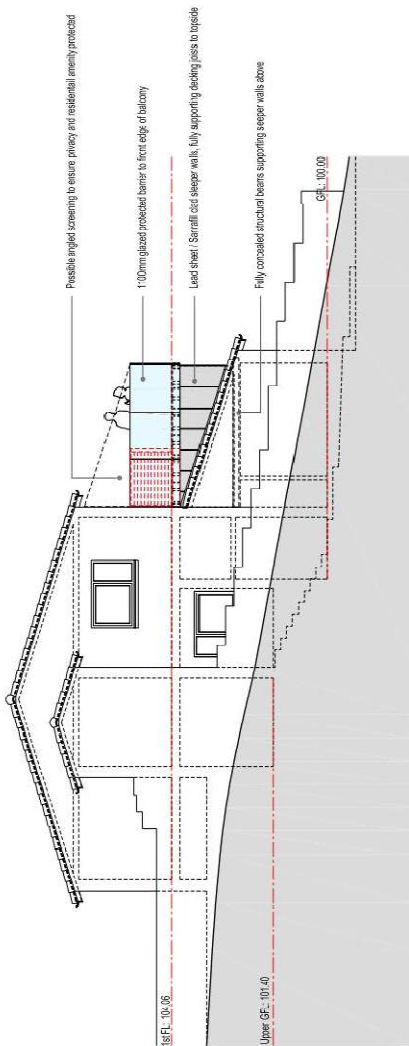
1:100 @ A3

PLANNING

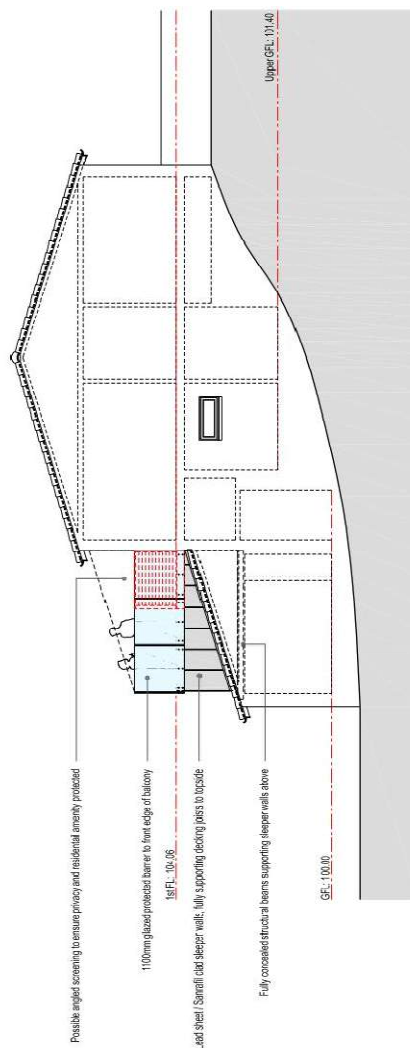
IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: iam@imacarchitecture.co.uk

IMAC Architecture | 5 Hawthorn Place | Blairgowrie | Perthshire | PH10 6UP
T 01250 873298 | M 07980 720 766 | E ian@imacarchitecture.co.uk

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



WEST



NORTH

DETAILED PROPOSALS: ELEVATIONS

DEMOLITION OF EXISTING BALCONY AND ERECTION OF ENLARGED BALCONY
at 37a MAIN STREET, ALMONDBANK, PERTH for MR. SCOTT BARLASS and MS. MARGARET LOW

1:100 @ A3

PLANNING



03S-SD-501B

IMAC ARCHITECTURE : 5 HAWTHORN PLACE - BLAIRGOWRIE : PH10 6UP
T 01250 873298 M 07980 720 766 E: ian@imacarchitecture.co.uk

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

29th March 2015

To Whom It May Concern,

Re: Proposed plans for erecting a replacement Balcony at Almond Lodge, 37a Main Street, Almondbank PH1 3NJ

We the undersigned occupy the neighbouring properties to Almond Lodge, 37a Main Street, Almondbank PH1 3NJ. We are aware that a planning application was submitted to Perth and Kinross Council in 2014 for planning permission to erect a replacement balcony at this property due to the existing balcony being in a very poor state of repair. We reviewed these plans and did not submit any objections to the proposed development during the period of public consultation.

We have now been informed that this planning application has been refused. We have given due consideration to the proposed balcony development sited at 37a Main Street, Almondbank, PH1 3NJ and confirm that we fully support it and have no objection to the proposals.

Furthermore, we acknowledge that there is a pre-existing balcony and consider that the proposed increased balcony footprint will not adversely impact on our residential amenity; certainly to no greater extent than already exists and that we are wholly in acceptance of the proposed Balcony.

Yours faithfully,

Mr & Mrs R Dewar
39 Main Street, Almondbank

Mr & Mrs W Mailer
37 Main Street, Almondbank

Ms R McCafferty
35 Main Street, Almondbank

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

2.0 Background Information:

2.1 Application site proposal

The proposed works associated with the planning application consist of the demolition of the existing dilapidated and structurally unsound timber balcony and its replacement with an enlarged timber deck balcony with clear glazed balustrading.

2.2 Applicant

Mr. Scott Barlass & Ms. Margaret Low

2.3 Agent

IMAC Architecture, 5 Hawthorn Place, Blairgowrie, Perthshire, PH10 6UP

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

3.0 Client Brief:

Mr. Barlass & Ms. Low are seeking to demolish the existing timber balcony, constructed at the time of the house-build, as it is in a severe state of dilapidation, deemed to be structurally unsound and therefore unusable. Upon demolition, it is their intention to have erected an enlarged replacement balcony in its place covering part of the footprint of the single storey lean-to roofed element of the dwelling.

The opportunity to erect an enlarged replacement balcony would afford Mr. Barlass & Ms. Low the ability to form a safe living environment and a more adequately sized external seating area which is of a similar scale to the numerous neighbouring balconies in existence as identified within supplementary site image document references 039-002 & 003.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

4.0 Site Details:

4.1 Site Location

The Application Site is located at the northernmost end and on the eastern side of Main Street, Almondbank, which is the link road between the A85 Perth / Crieff Road and the small rural settlement of Pitcairngreen. The application site lies directly within a row of properties which are, in the majority, residential.

4.2 Site Description

The Application Site comprises of a two-and-a-half storey dwelling which appears single storey to its principal road bounding west elevation and two storey to its private river bounding east elevation on which the proposed balcony is to be sited. There is a 3.00m wide private vehicular access track located to the south boundary which provides separation between the application site and neighbouring 35 Main Street. The application site is bounded to its north elevation by 37 Main Street, itself is a modest single storey cottage which is currently undergoing extensive alteration and extension works approved under application reference 14/00974/FLL.

To the principal road bounding west elevation there is an entrance gate leading to the street level property entrance and a low level facing brick wall which returns and extends over the majority of the southern boundary. The northern boundary between the application site and 37 Main Street is made up of a mixture of timber fencing and hedging. The east boundary is bounded by a low level timber fence.

The land on which the aforementioned dwelling sits contains a 2.00m wide service strip between the dwelling and its northern boundary; a split level garden between the dwelling and its eastern boundary which consists of private soft and hard landscaping to the upper level and a multi-car parking area and single storey sheds to the lower level; a private hard landscaped ground floor access path between the dwelling and its southern boundary and private landscaped garden between the dwelling and its western boundary.

The dwelling itself appears modest in scale to its western boundary and increases dramatically in scale when viewed from its northern, eastern and southern boundaries. It is considered appropriate to note that this type of increase in scale is prevalent across all neighbouring properties which bound Main Street.

The Application Site is, in the majority open and visible to the surrounding properties and this sweeping open visual aspect is prevalent throughout a very high percentage of the surrounding properties located along the eastern side of Main Street.

4.3 Site History

The most recent use of the Application Site is a private residential dwelling and associated private amenity space. No further historic information is available.

There are no historic planning applications associated with the application site. The most recent applications that can be sourced are attributable to the adjacent property known as 37 Main Street, Almondbank, Perth (Application Ref: 14/00974/FLL).

4.4 Site Ownership

The application site is owned solely by Mr. Scott Barlass & Ms. Margaret Low who are the applicants seeking to obtain planning permission for the Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

5.0 Site Analysis and Appraisal:

5.1 Site Context

The Application Site sits within a well defined and established residential building group which is bounded to the east by the River Almond and to the west by Main Street. The land to the east of the application site and that of the adjacent properties is extensively sweeping, open and contains large areas soft landscaping which is both private and public. The eastern bank of the river is densely wooded and provides a visual buffer between the application site and the properties sited on the road known as College Mill Road.

5.2 Site Identity

From the unclassified road know as Main Street which links the A85 Perth / Crieff Road to Pitcairngreen, the Application Site is fully and readily visible to the public to its west elevation only. The north and south elevations are partially visible from Main Street but are in the majority screened due to the proximity of neighbouring properties 37 (north) and 35 (south) Main Street. The east elevation on which the proposed development is to be sited is not visible to the public from any part of Main Street.

Access to the Application Site is at present off Main Street via a simple 3.00m wide private vehicular access which leads to private off street parking/garaging located directly adjacent to the east boundary. There is no intention to modify or alter the existing vehicular access arrangements.

The site in the wider context of the Application Site is bounded by a mixture of boundary treatments with these being visible within supplementary site images document references 039-002 & 003.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

6.0 Development Justification:

The planning application submission relating to the Application Site is being submitted as 'detailed', and as is standard with this type of application, full design proposals are being submitted. There are deemed to be pre-existing design precedents set both from the Application Site and surrounding properties as identified within supplementary site images document references 039-002 & 003. The design principles of these pre-existing designs have therefore been considered in preparation of the Application Site development proposal.

It is felt that the removal of the existing original structurally unsound dilapidated timber balcony and replacement with an enlarged replacement balcony, would contribute positively to the surrounding built environment, improve the visual amenity of the Application Site property and that of the wider built environment. Furthermore, it is felt that the erection of a visually unobtrusive balcony would be in keeping with the significant number of balconies and elevated decking areas associated with the neighbouring properties to the northern and southern boundaries.

It is felt that the enlarged balcony is sensitively designed with the use of clear glass balustrading proposed to minimise the solidity of the overall mass and reduce the overall visual impact. It is also felt that the proposed balcony footprint still remains adequately subservient to the existing dwelling and the footprint of the lean-to roofed single storey element over which it is sited. Furthermore, the replacement would provide a positive contribution and would not adversely affect the residential amenity to the surrounding area; certainly to no worse a degree than already exists.

It is considered appropriate to reiterate that there exists a significant number of balconies and elevated decked/patio areas – some located directly adjacent to others without boundary mitigation - to the surrounding properties as identified within supplementary photographic document references 039-002 & 003 associated with the detailed planning application. Furthermore, due to the topography of the application site and surrounding properties which are all elevated well above sloping and sweeping garden areas, the same level of residential amenity exists throughout. It is also considered appropriate to note that as a worst case scenario, Mr. Barlass & Ms. Low would be in acceptance of a condition within any planning consent to provide sympathetically designed permanent boundary screening to the balcony sides which would permit protection of residential amenity to properties 35 and 37 Main Street and themselves as end users. The impact of the aforementioned boundary mitigation screening can be seen on drawing no.039/SD/101.

A formal pre-application enquiry was submitted to Perth & Kinross Council: The following comments were received via e-mail on 16 June 2014 from Gillian Peebles (Assistant Planning Officer):

- *'Any future development proposal will be considered primarily in relation to the policies of the Local Development Plan 2014 where the following policies are directly relevant. Policy RD1: Residential Areas and Policy PM1: Placemaking.*

From the information submitted, it is unlikely any replacement balcony will be supported as it is likely to create an unacceptable level of overlooking to neighbouring properties and therefore impact on the residential amenity of those properties. Whilst I acknowledge there is an existing balcony in situ, it would appear that this appears to be unauthorised and any future replacement would not meet with the policies of the Local Development Plan. Enforcement action will not be taken due to the passage of time and any repairs to the existing balcony would not require planning consent.

It is considered appropriate to highlight that the increase in balcony area does not further impact on the residential amenity of neighbouring properties and as it is a replacement, not new balcony, the situation would be no worse than already exists and has done since the time of the dwelling erection. In addition, it is further considered appropriate to confirm that the original balcony is approved and not as suggested in the pre-application response, unauthorised. The issue of the balcony being allegedly unauthorised was dealt with by way of telephone conversation between the Agent and Gillian Peebles.

Policy PM1A states:

Development must contribute positively, to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.

The design and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

From review of policy PM1A, it is clear that the demolition and replacement of a dilapidated and structurally unsound balcony contributes positively to the quality of the surrounding built environment. In addition, the design and siting clearly respects and follows the character and amenity of the place which as has been highlighted, contains numerous large raised balcony areas.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

Policy PM1B states:

All proposals should meet all the following placemaking criteria:

- (a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*
- b) Consider and respect site topography and any surrounding important landmarks, views or skylines.*
- (c) The design should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
- (d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.*
- (e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.*
- (f) Buildings and spaces should be designed with future adaptability in mind wherever possible.*
- (g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*

The Plan identifies areas of residential and compatible uses where existing 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 away from ancillary uses such as employment land, local shops and community facilities will be resisted unless there is demonstrable market evidence that the existing use is no longer viable.

From review of the policy highlighted, it is considered that the proposed development carefully considers and respects the site topography, views and skylines. It is also considered that the proposed development design complements its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

Policy RD1 states:

The Plan identifies areas of residential and compatible uses where existing 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 away from ancillary uses such as employment land, local shops and community facilities will be resisted unless there is demonstrable market evidence that the existing use is no longer viable.

Generally encouragement will be given to proposals which fall into one or more of the following categories of development and which are compatible with the amenity and character of the area:

- (a) Infill residential development of a similar density to its environs.*
- (b) Improvements to shopping facilities where it can be shown that they would serve local needs of the area.*
- (c) Proposals which will improve the character and environment of the area or village.*
- (d) Business, home working, tourism or leisure activities.*
- (e) Proposals for improvements to community and educational facilities.*

From review of the policy highlighted, it is considered that the proposed development will have no further impact on residential amenity than already exists and it will significantly improve the character and environment of the area within which the proposal is to be located.

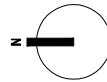
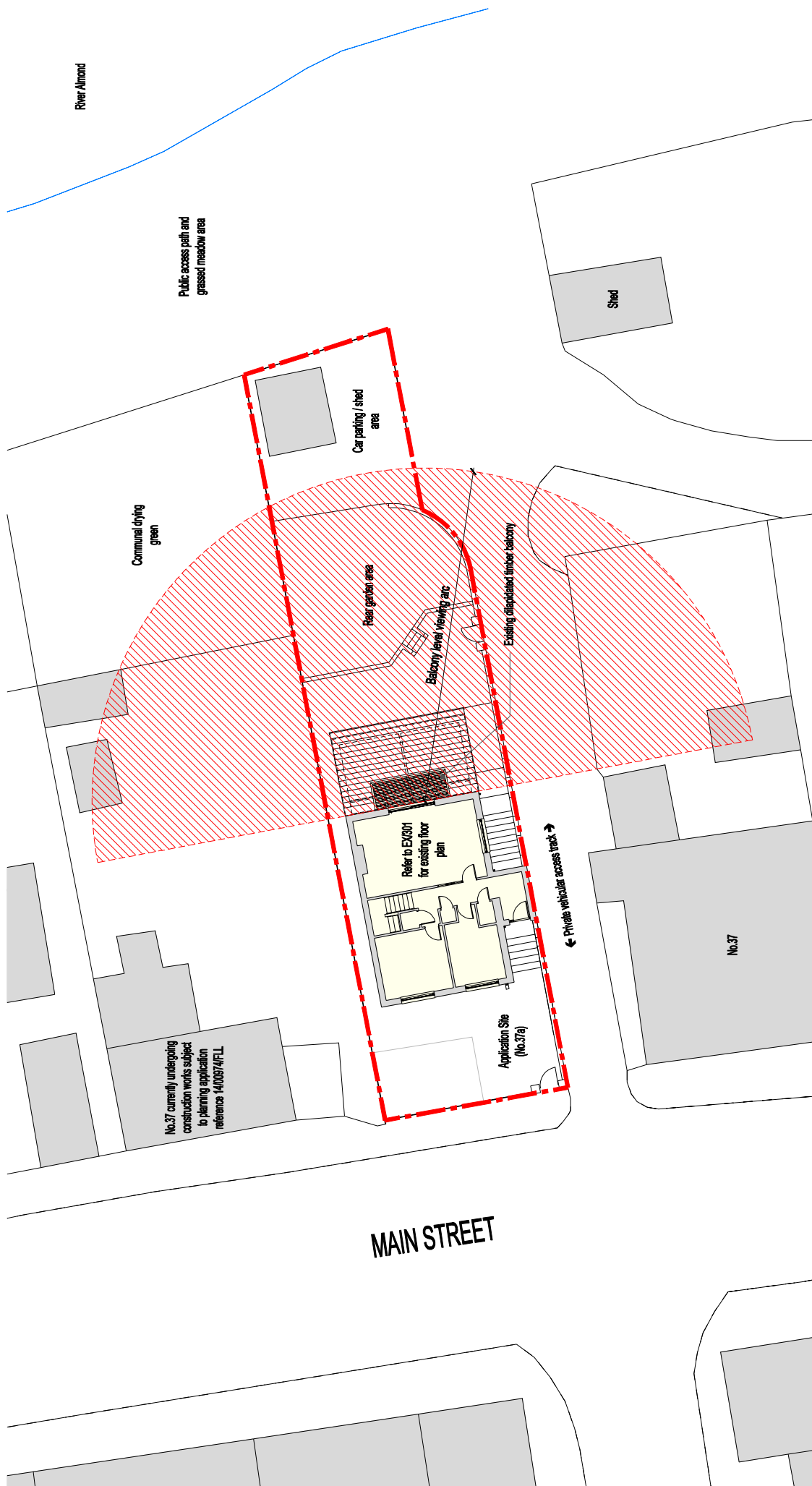
It should be noted that, in the majority, due to the floor and balcony levels of neighbouring properties, all gardens are overlooked in equal measure, be it from the existing dwelling windows or the numerous large balcony and terraced areas already in existence.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

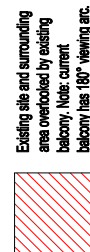
7.0 Conclusion:

In conclusion, it is felt that the application for the demolition of the existing dilapidated and structurally unsound timber balcony and its replacement with an enlarged timber deck balcony with clear glazed balustrading is justified on the grounds that the proposed development, in the majority, accords with the criteria contained within Sub-policies PM1A and PM1B of Policy PM1: Placemaking and Policy RD1: Residential Areas of the adopted Local Development Plan.

In addition, it is felt that the proposal will not have a detrimental impact on the surrounding properties; with reference to residential amenity, will create a situation no worse than already exists; will have a positive architectural impact on the wider building group; permit the dwelling to be fully useable as originally intended; will harmonise the current building grouping; will improve the visual and environmental amenity of the building group in the immediate and surrounding context.



1:200 scale bar
0m 2m 4m 6m 8m 10m



Existing site and surrounding area overlaid by existing balcony. Note: current balcony has 180° viewing arc.

Application Site Location

EXISTING SITE PLAN

DEMOLITION OF EXISTING BALCONY AND ERECTION OF ENLARGED BALCONY at 37a MAIN STREET, ALMONDBANK, PERTH for MR. SCOTT BARLASS and MS. MARGARET LOW

1:200 @ A3

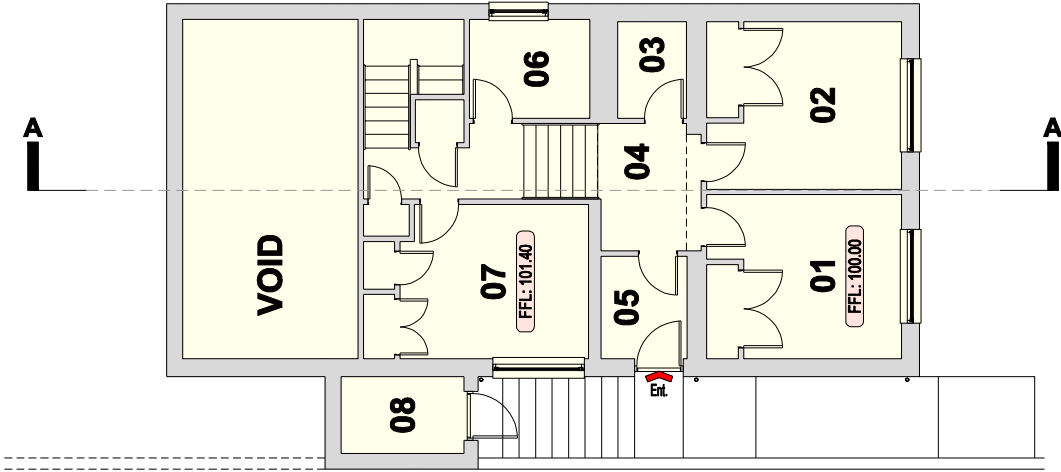
PLANNING

039-EX-101

IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: ian@imacarchitecture.co.uk

ACCOMMODATION SCHEDULE (GROUND FLOOR LEVEL):

- 01 - BEDROOM
- 02 - BEDROOM
- 03 - SHOWER ROOM
- 04 - HALL & ACCESS STAIR
- 05 - UTILITY
- 06 - BATHROOM
- 07 - BEDROOM
- 08 - EXTERNAL STORE
- 09 - BALCONY
- 10 - LIVING ROOM
- 11 - ENTRANCE VESTIBULE / HALL
- 12 - KITCHEN
- 13 - DINING



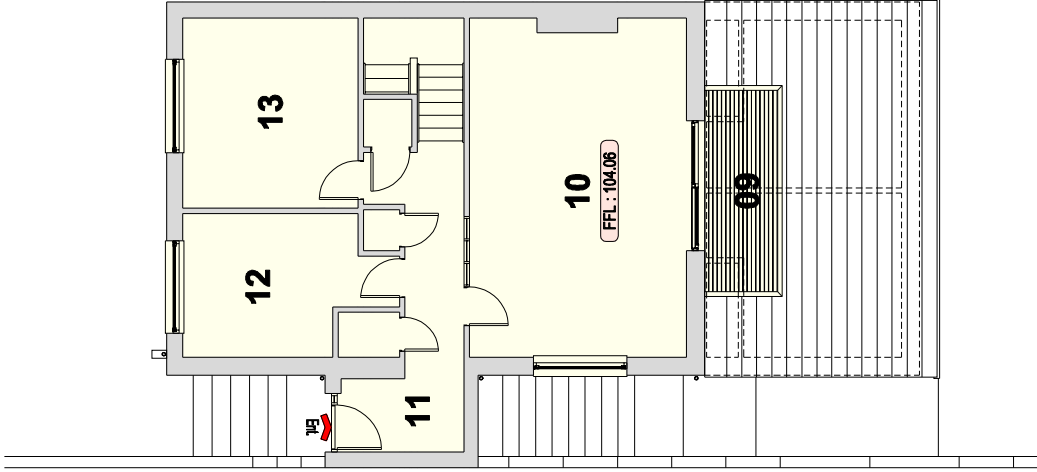
GROUND FLOOR

SURVEY OF EXISTING: FLOOR PLANS

DEMOLITION OF EXISTING BALCONY AND ERECTION OF ENLARGED BALCONY
at 37a MAIN STREET, ALMONDBANK, PERTH for MR. SCOTT BARLASS and MS. MARGARET LOW

1:100 @ A3

PLANNING



FIRST FLOOR

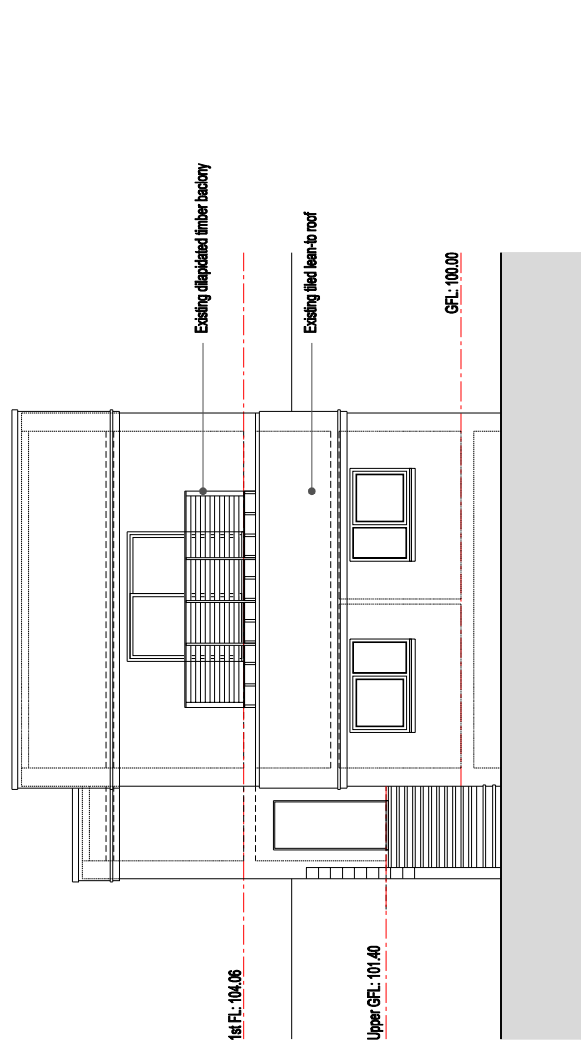


039-EX-300

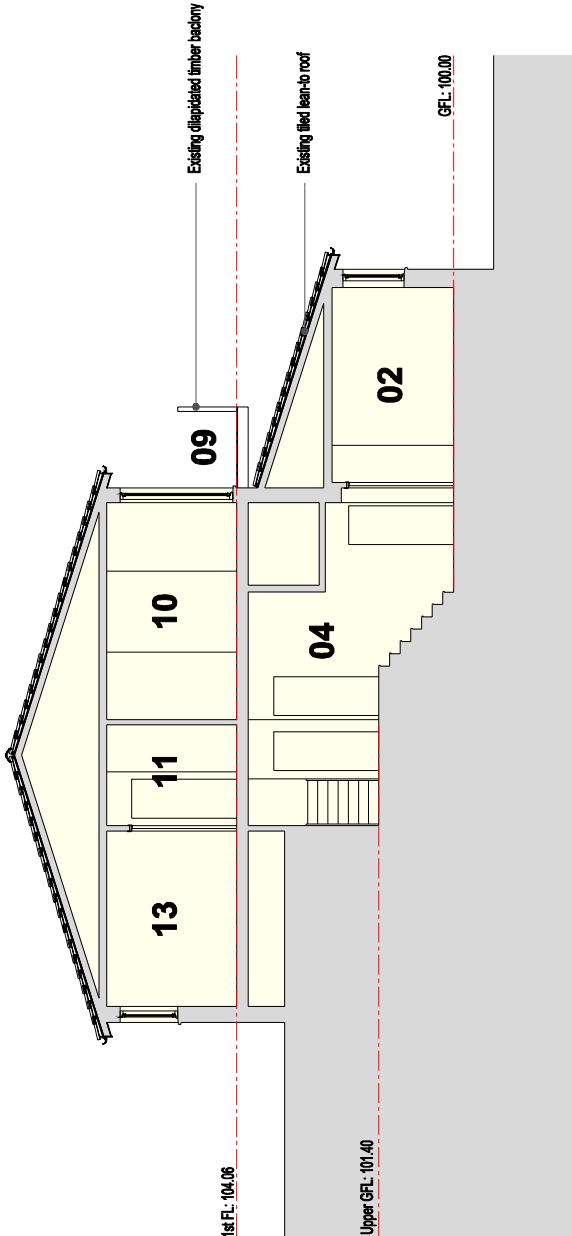
IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: ian@imacarchitecture.co.uk

ACCOMMODATION SCHEDULE (GROUND FLOOR LEVEL):

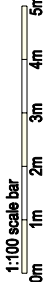
- 01 - BEDROOM
- 02 - BEDROOM
- 03 - SHOWER ROOM
- 04 - HALL & ACCESS STAIR
- 05 - UTILITY
- 06 - BATHROOM
- 07 - BEDROOM
- 08 - EXTERNAL STORE
- 09 - BALCONY
- 10 - LIVING ROOM
- 11 - ENTRANCE VESTIBULE / HALL
- 12 - KITCHEN
- 13 - DINING



EAST



SECTION A-A



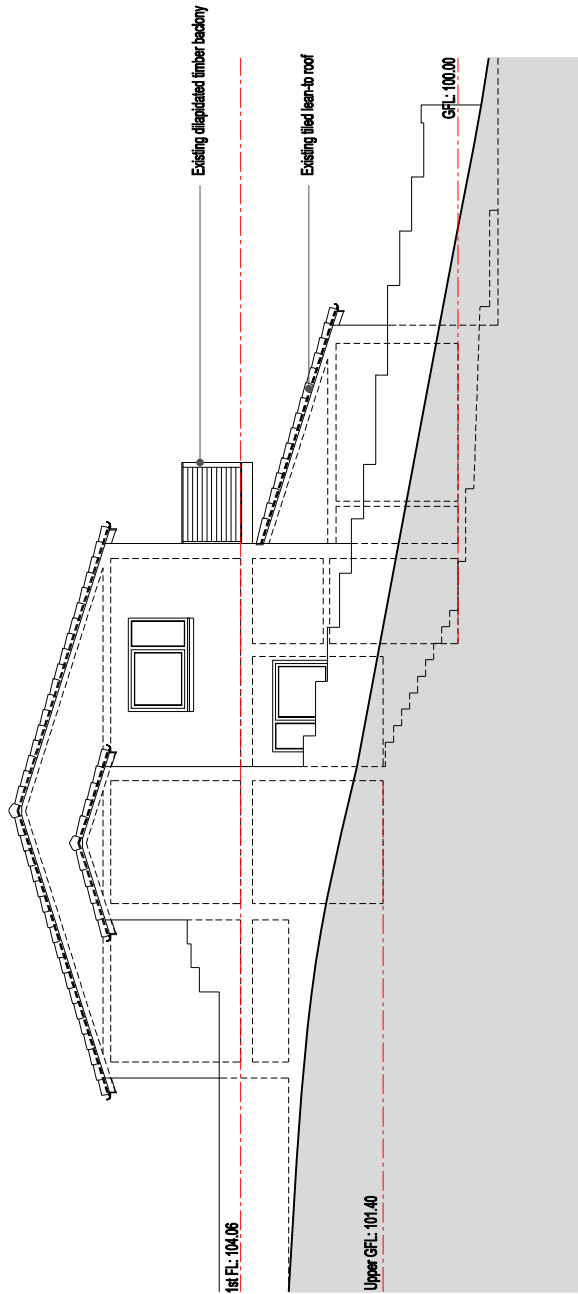
1:100 @ A3

PLANNING

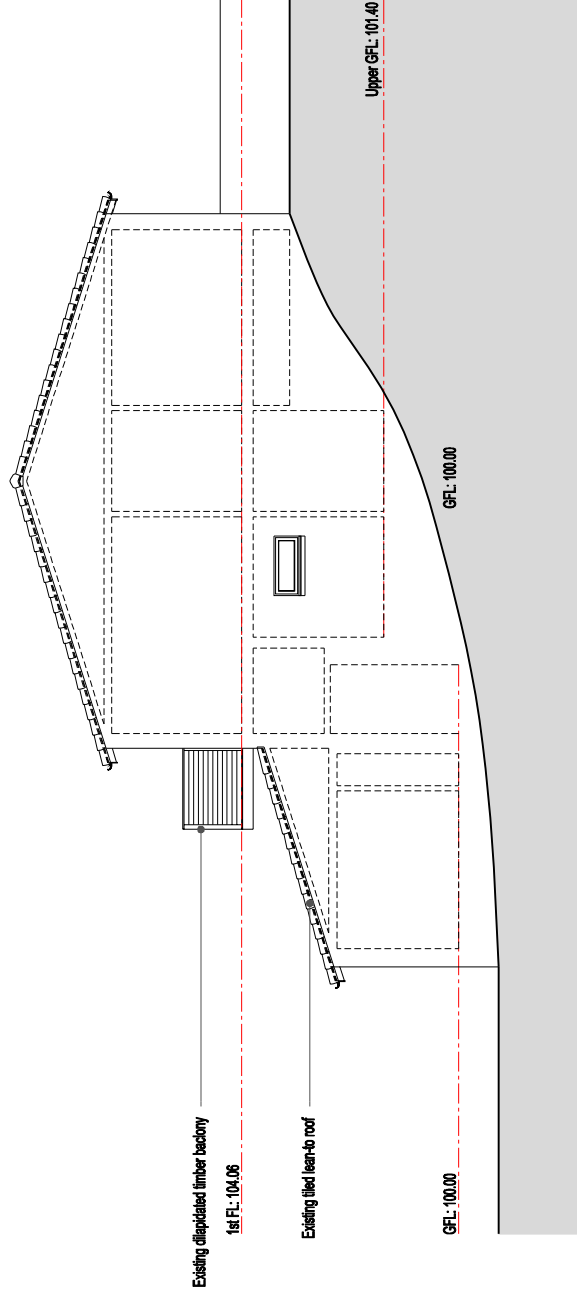
039-EX-500

IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: ian@imacarchitecture.co.uk

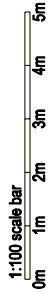
SURVEY OF EXISTING: SECTION A-A AND ELEVATION
DEMOLITION OF EXISTING BALCONY AND ERECTION OF ENLARGED BALCONY
at 37a MAIN STREET, ALMONDBANK, PERTH for MR. SCOTT BARLASS and MS. MARGARET LOW



WEST



NORTH



1:100 @ A3

039-EX-501

SURVEY OF EXISTING: ELEVATIONS

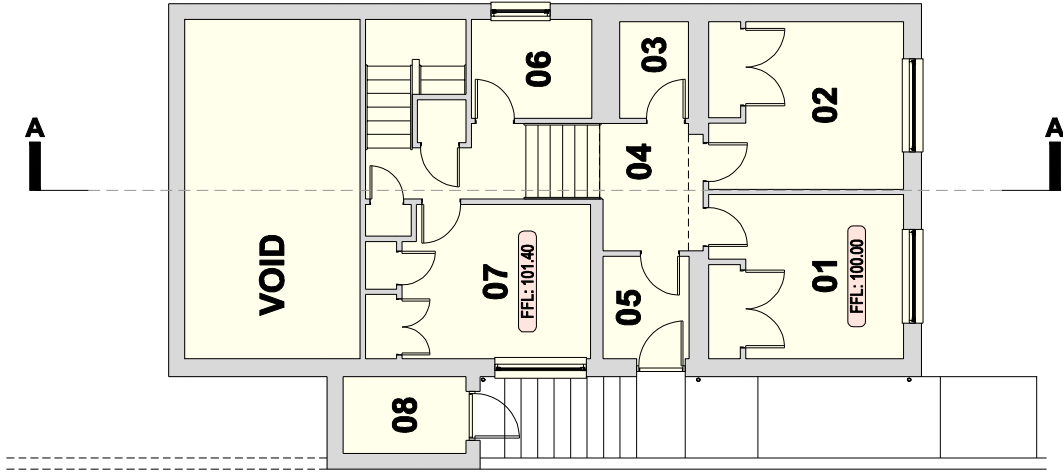
DEMOLITION OF EXISTING BALCONY AND ERECTION OF ENLARGED BALCONY
at 37a MAIN STREET, ALMONDBANK, PERTH for MR. SCOTT BARLASS and MS. MARGARET LOW

PLANNING

IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: ian@imacarchitecture.co.uk

ACCOMMODATION SCHEDULE (GROUND FLOOR LEVEL):

- 01 - BEDROOM
- 02 - BEDROOM
- 03 - SHOWER ROOM
- 04 - HALL & ACCESS STAIR
- 05 - UTILITY
- 06 - BATHROOM
- 07 - BEDROOM
- 08 - EXTERNAL STORE
- 09 - BALCONY
- 10 - LIVING ROOM
- 11 - ENTRANCE VESTIBULE / HALL
- 12 - KITCHEN
- 13 - DINING



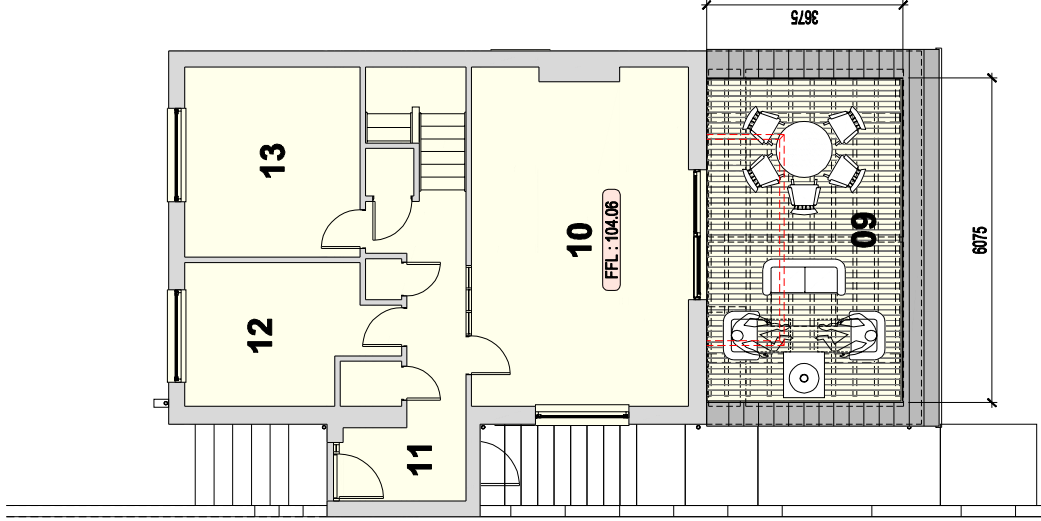
GROUND FLOOR

DETAILED PROPOSALS: FLOOR PLANS

DEMOLITION OF EXISTING BALCONY AND ERECTION OF ENLARGED BALCONY
at 37a MAIN STREET, ALMONDBANK, PERTH for MR. SCOTT BARLASS and MS. MARGARET LOW

1:100 @ A3

PLANNING



FIRST FLOOR

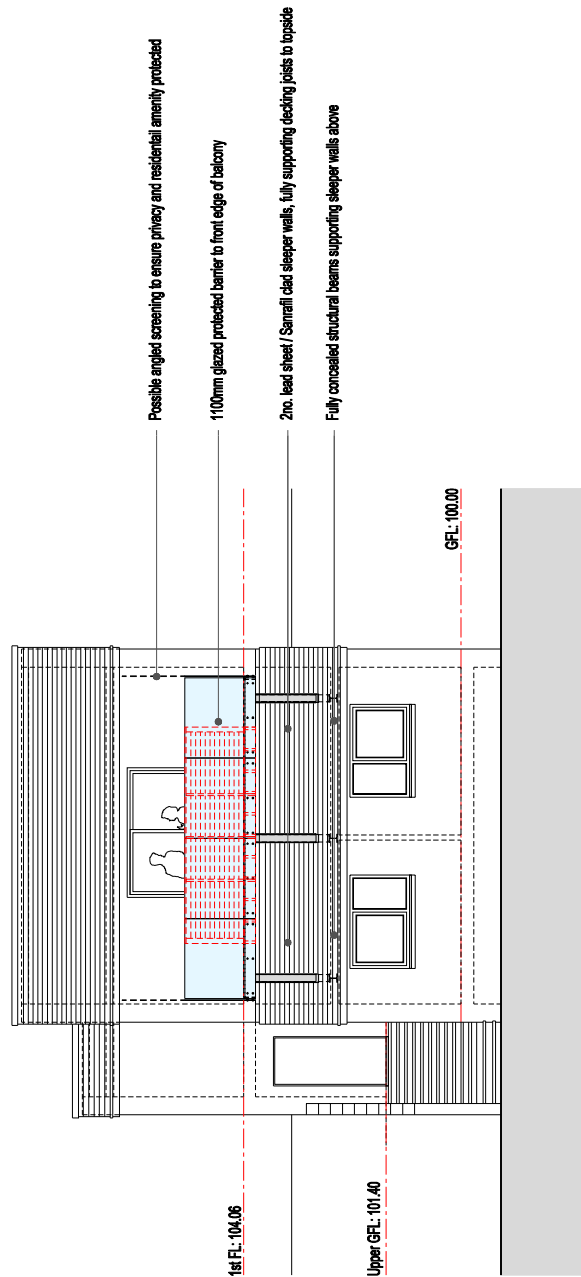


039-SD-300B

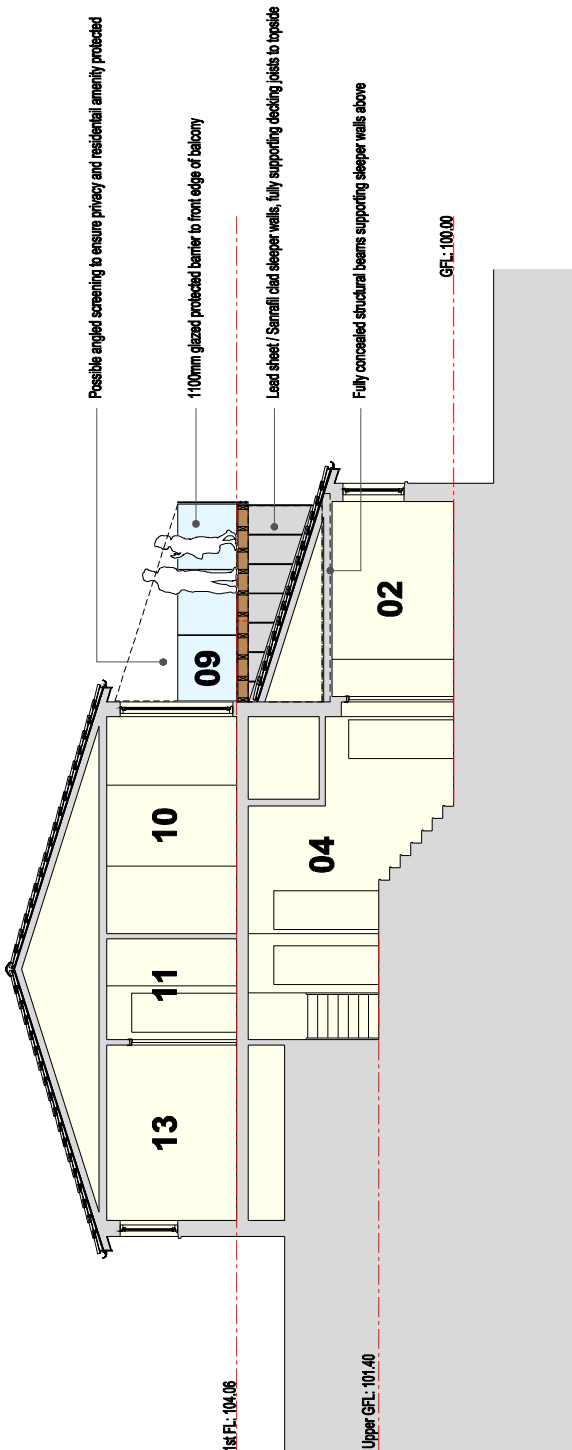
IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: ian@imacarchitecture.co.uk

ACCOMMODATION SCHEDULE (GROUND FLOOR LEVEL):

- 01 - BEDROOM
- 02 - BEDROOM
- 03 - SHOWER ROOM
- 04 - HALL & ACCESS STAIR
- 05 - UTILITY
- 06 - BATHROOM
- 07 - BEDROOM
- 08 - EXTERNAL STORE
- 09 - BALCONY
- 10 - LIVING ROOM
- 11 - ENTRANCE VESTIBULE / HALL
- 12 - KITCHEN
- 13 - DINING



EAST



SECTION A-A

DETAILED PROPOSALS: SECTION A-A AND ELEVATION

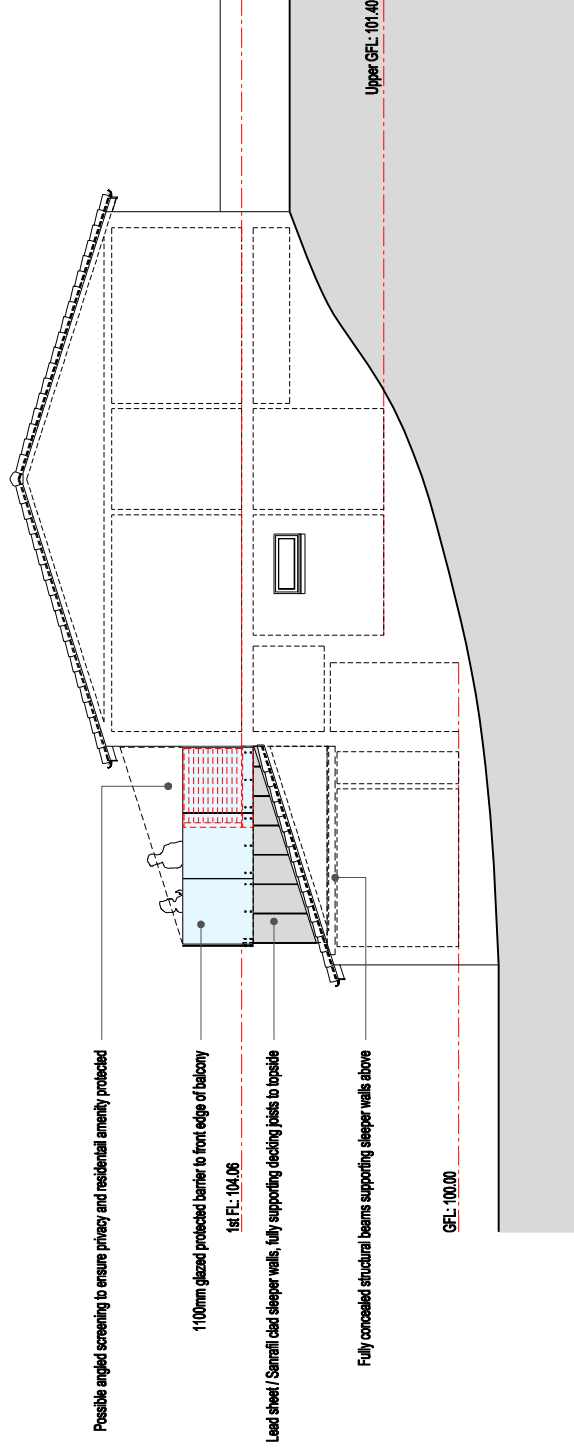
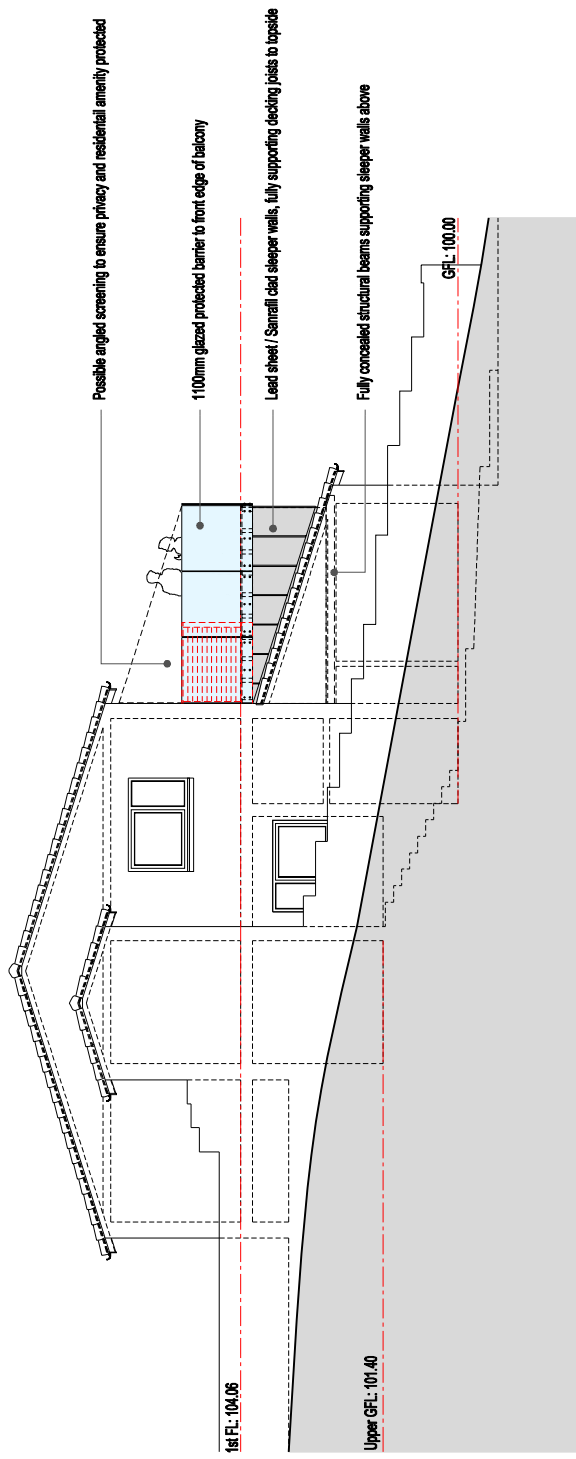
DEMOLITION OF EXISTING BALCONY AND ERECTION OF ENLARGED BALCONY
at 37a MAIN STREET, ALMONDBANK, PERTH for MR. SCOTT BARLASS and MS. MARGARET LOW

1:100 @ A3

PLANNING

039-SD-500B

IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: ian@imacarchitecture.co.uk



NORTH

1:100 scale bar
0m 1m 2m 3m 4m 5m

DETAILED PROPOSALS: ELEVATIONS

DEMOLITION OF EXISTING BALCONY AND ERECTION OF ENLARGED BALCONY
at 37a MAIN STREET, ALMONDBANK, PERTH for MR. SCOTT BARLASS and MS. MARGARET LOW

1:100 @ A3

PLANNING

039-SD-501B

IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: ian@imacarchitecture.co.uk

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

Site images document ref: 039-002 (1 of 2)

**Prepared to Supplement the Application for Demolition
of Existing Dilapidated Balcony and Erection of Enlarged
Replacement Balcony**

at

37a Main Street, Almondbank, Perthshire, PH1 3NJ

for

Mr. Scott Barlass & Ms. Margaret Low

14 November 2014

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 01: View towards existing dilapidated to east elevation of application property.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 02: View towards existing dilapidated to east elevation of application property.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 03: View towards River Almond and south boundary of application site.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 04: View towards existing dilapidated balcony structure.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 05: View towards 4no. balconies to 45 to 51 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 06: View towards 2no. balconies to 21 & 25 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 07: View towards 2no. balconies and Juliet balcony to 21 & 25 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 08: View towards 1no. balcony and Juliet balcony to 25 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 09: View towards 1no. balcony (to be completed) to 15 & 17 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 10: View towards 1no. balcony to 13 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 11: View towards 1no. balcony of 19 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 12: View towards 3no. balconies of 45 to 49 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 13: View towards 4no. balconies of 45 to 51 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 14: View towards 1no. balcony of 55 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low

Site images document ref: 039-003 (2 of 2)

**Prepared to Supplement the Application for Demolition
of Existing Dilapidated Balcony and Erection of Enlarged
Replacement Balcony**

at

37a Main Street, Almondbank, Perthshire, PH1 3NJ

for

Mr. Scott Barlass & Ms. Margaret Low

14 November 2014

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 15: View towards 2no. balconies and 1no. raised terrace of 3 to 7 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 16: View towards 1no. raised terrace to 7 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 17: View towards 2no. balconies (1no. to be completed) to 17 & 19 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 18: View towards 1no. balcony of 21 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 19: View towards 1no. balcony of 25 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 20: View towards 1no. balcony of 21 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 21: View towards 3no. balconies (1no. to be completed) to 21 & 25 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 22: View towards 2no balconies to 21 & 25 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 23: View towards 4no. balconies to 45 to 51 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 24: View towards 4no. balconies to 45 to 51 Main Street.

Job: Demolition of Existing Dilapidated Balcony and Erection of Enlarged Replacement Balcony
Site: 37a Main Street, Almondbank, Perth, PH1 3NJ
Client: Mr. Scott Barlass & Ms. Margaret Low



Image 25: View towards 3no. balconies to 45 to 49 Main Street.

TCP/11/16(356)

Planning Application 14/02068/FLL – Alterations to dwellinghouse to form replacement balcony, Almond Lodge, 37a Main Street, Almondbank, PH1 3NJ

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENT *(part included in applicant's submission, see pages 35-70)*

PERTH AND KINROSS COUNCIL

Mr Scott Barlass And Ms Margaret Low
c/o IMAC Architecture
Ian MacGregor
5 Hawthorn Place
Blairgowrie
PH10 6UP

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 26th January 2015

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **14/02068/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 2nd December 2014 for permission for **Alterations to dwellinghouse to form replacement balcony Almond Lodge 37A Main Street Almondbank Perth PH1 3NJ** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposed balcony by reason of the increased field of view compared to the existing balcony together with its use as such would increase the level of overlooking to an unacceptable level resulting in a loss of privacy to the rear gardens of neighbouring properties and due to its close proximity to the boundary with the adjacent dwelling at number 37 Main Street and elevated siting would have an overbearing and dominating impact. Therefore, the proposed development would be detrimental to the residential amenity of the occupiers of the adjacent dwellinghouses and would be contrary Policy RD1 of the Perth and Kinross Local Development Plan 2014.
2. The balcony by virtue of its elevated siting and prominent location would result in the formation of an obtrusive and incongruous addition to this property to the detriment of the visual amenity of the host building and the character and appearance of the surrounding area contrary to Policies PM1A and PM1B (c) of the Perth and Kinross Local Development Plan 2014.

Justification

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

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

Plan Reference

14/02068/1

14/02068/2

14/02068/3

14/02068/4

14/02068/5

14/02068/6

14/02068/7

14/02068/8

14/02068/9

14/02068/10

14/02068/11

REPORT OF HANDLING

DELEGATED REPORT

Ref No	14/02068/FLL	
Ward No	N9- Almond And Earn	
Due Determination Date	01.02.2015	
Case Officer	Gillian Peebles	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Alterations to dwellinghouse to form replacement balcony

LOCATION: Almond Lodge 37A Main Street Almondbank Perth PH1 3NJ

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: 22 January 2015

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site refers to a two storey residential property located on the eastern side of Main Street. Almondbank. The property lies within a row of residential properties occupying a steeply sloping site. As a result, the front elevation of these properties are single storey in appearance and the rear elevation two storeys. To the south of the property is a vehicular access leading to a car parking area to the rear of the dwellinghouse and a rear access to some residential properties to the south.

This access also provides a separation between the application site and the residential property at number 35 Main Street.

Planning consent is sought for the demolition of the existing balcony and replacement with an enlarged timber deck balcony with clear glazed balustrading.

SITE HISTORY

None recent

PRE-APPLICATION CONSULTATION

Pre application Reference: 14/00429/PREAPP

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 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Within the approved Strategic Development Plan, TAYplan 2012, the primary policy of specific relevance to this application is:-

Policy 2: Shaping Better Quality Places

Part F of Policy 2 seeks to 'ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets, the multiple roles of infrastructure and networks and local design context, and meet the requirements of Scottish Government's Designing

Places and Designing Streets and provide additional green infrastructure where necessary'.

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It 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 open space to be retained 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.

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.

OTHER POLICIES

None

INTERNAL CONSULTATION RESPONSES

Local Flood Prevention Authority – no objections

REPRESENTATIONS

None at time of report

ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required

Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

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 2012 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 site is located within the settlement boundary of Almondbank where Policies RD1: Residential Areas and PM1A: Placemaking are directly applicable. Policy RD1 states that residential amenity will be protected and, where possible, improved. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area. Policy PM1A of the Local Development Plan seeks 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.

For the reasons stated elsewhere the proposal does not comply with these policies.

Design and Layout

The balcony proposed measures 6m x 3.6m equating to a footprint of 22sqm compared to the footprint of the existing balcony which is approximately 6 sqm.

Landscape

The proposal is set within existing garden ground and would have no adverse impact on the wider landscape.

Residential Amenity

The proposed balcony at first floor level by virtue of its location in relation to neighbouring residential properties would lead to excessive overlooking and loss of privacy to those properties.

My attention has been drawn to examples of balconies and terraces at other properties in the area. From photographs of these balconies provided to me I note that they overlook principally their own garden ground and to a lesser extent neighbouring gardens. In some situations boundary treatments obscure views over neighbouring garden ground and the layout of development also obscures direct views over garden ground. It would appear that these balconies brought to my attention have either been erected under permitted development, are located at ground level, may be unauthorised or indeed are historical features constructed with the original dwellinghouse. In any event, I must consider the proposal upon its own merits and assess its acceptability against current policies of the Local Development Plan.

I note the characteristics of the existing properties along Main Street which is predominantly residential and the properties are generally two storeys in height to the rear and as such the design of this form of development does not provide the highest standards of privacy with the narrow plot widths and rear facing windows enabling views over several rear gardens. However, I do not consider that further loss of privacy is acceptable. To the contrary, these factors reinforce the value of maintaining a privacy that would meet the reasonable expectations of occupiers in these circumstances.

There currently exists a view through French doors and from an existing modest balcony at first floor level over the rear gardens of neighbouring properties, however, the increased size of the balcony would introduce an elevated and projecting vantage point increasing its field of view across neighbouring garden ground. Despite the scope to incorporate privacy screens to the sides of the proposed balcony this structure would afford its users a more open and elevated view over these neighbouring gardens, particularly that of number 37. The implications of the privacy of the occupants of number 35 would be less severe by virtue of its greater distance from the proposed balcony and the presence of an intervening vehicular access and garden vegetation. As a consequence the proposal would increase the sense of being overlooked for the occupants of number 35 and more significantly number 37 when in their gardens.

The increase in size of the balcony compared to the existing balcony would intensify its use and its potential impact on neighbouring properties. The balcony is designed to effectively extend the living space at this property and would enable its occupants to linger upon it affording them a lasting and immediate vantage point over adjoining garden areas to the detriment of the neighbours' privacy. The installation of privacy screens to the proposed balcony may prevent some existing overlooking that occurs from the existing first floor balcony, however, the benefits of this would be significantly outweighed by the harm that would be caused from overlooking from the proposed balcony bearing in mind its width is 6 metres.

The fact that no neighbours have raised any objections to the proposal is not determinative. More significantly the proposal would not achieve the objectives of the National Planning Framework that the planning system

should always seek to secure good standards of amenity for all existing and future occupants of buildings.

The location of the applicants lounge area on the first floor presently deprives them from having an adjoining outdoor area which this proposal would provide, however, although desirable to the applicants the personal benefits that would be derived from the proposal would not outweigh the harm caused to the residential amenity of neighbouring properties. Approval would allow direct and uninterrupted lines of sight across the neighbouring gardens from an elevated vantage point which would render the existing boundary treatments ineffective in terms of boundary screening.

Visual Amenity

The proposed balcony would be positioned prominently on the rear elevation of the residential property and its footprint would be marginally smaller than that of the existing lounge. The proposed balcony by reason of its increased size, elevated siting and prominent location would result in the formation of an obtrusive and incongruous addition to this property to the detriment of the visual amenity of the host building and the character and appearance of the surrounding area.

Roads and Access

I do not have any concerns with roads or access matters.

Drainage and Flooding

The site is within an area at risk of flooding, however, due to the nature of the proposal there are no concerns with regards to flood risk. There are no concerns with drainage as part of this proposal.

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 not considered to comply with the approved TAYplan 2012 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

Conditions and Reasons for Recommendation

1. The proposed balcony by reason of the increased field of view compared to the existing balcony together with its use as such would increase the level of overlooking to an unacceptable level resulting in a loss of privacy to the rear gardens of neighbouring properties. Furthermore, due to its close proximity to the boundary with the adjacent dwelling at number 37 Main Street and elevated siting would have an overbearing and dominating impact, therefore, the proposed development would be detrimental to the residential amenity of the occupiers of the adjacent dwellinghouses and would be contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014.
2. The balcony by virtue of its elevated siting and prominent location would result in the formation of an obtrusive and incongruous addition to this property to the detriment of the visual amenity of the host building and the character and appearance of the surrounding area contrary to Policies PM1A and PM1B (c) of the Perth and Kinross Local Development Plan 2014.

Justification

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

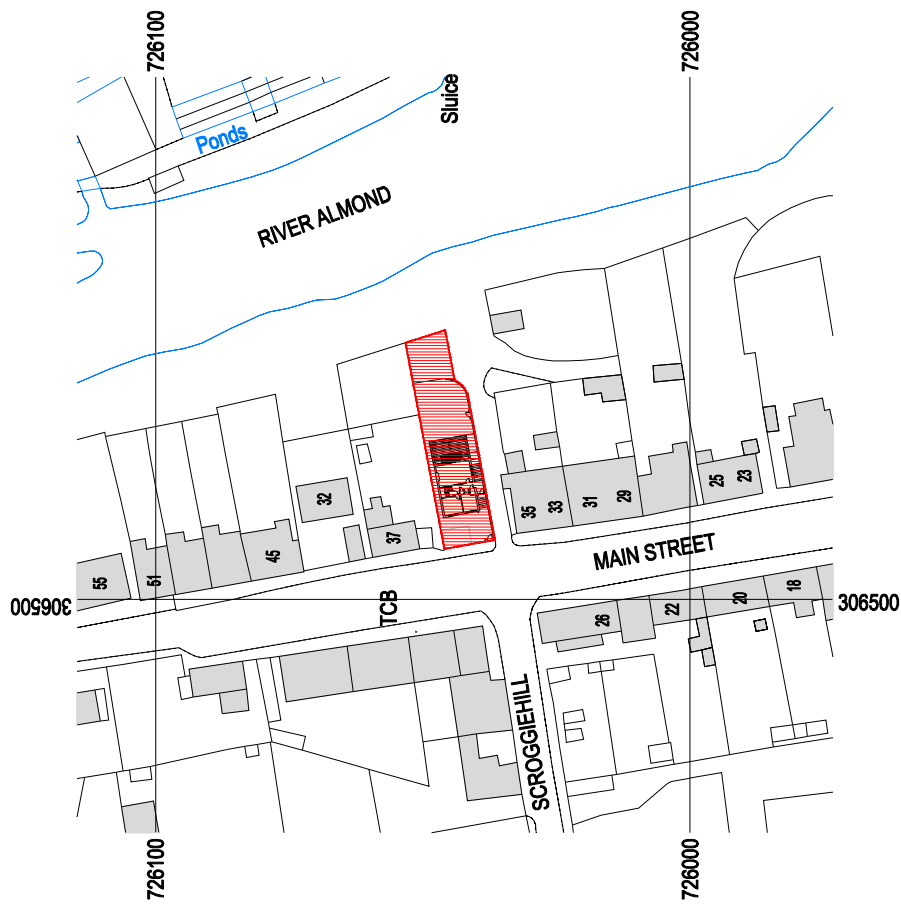
Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

14/02068/1
14/02068/2
14/02068/3
14/02068/4
14/02068/5
14/02068/6
14/02068/7
14/02068/8
14/02068/9
14/02068/10
14/02068/11

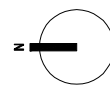
Date of Report 26.01.2015



Application Site Location

SITE LOCATION PLAN

DEMOLITION OF EXISTING BALCONY AND ERECTION OF ENLARGED BALCONY
at 37a MAIN STREET, ALMONDBANK, PERTH for MR. SCOTT BARLASS and MS. MARGARET LOW



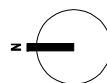
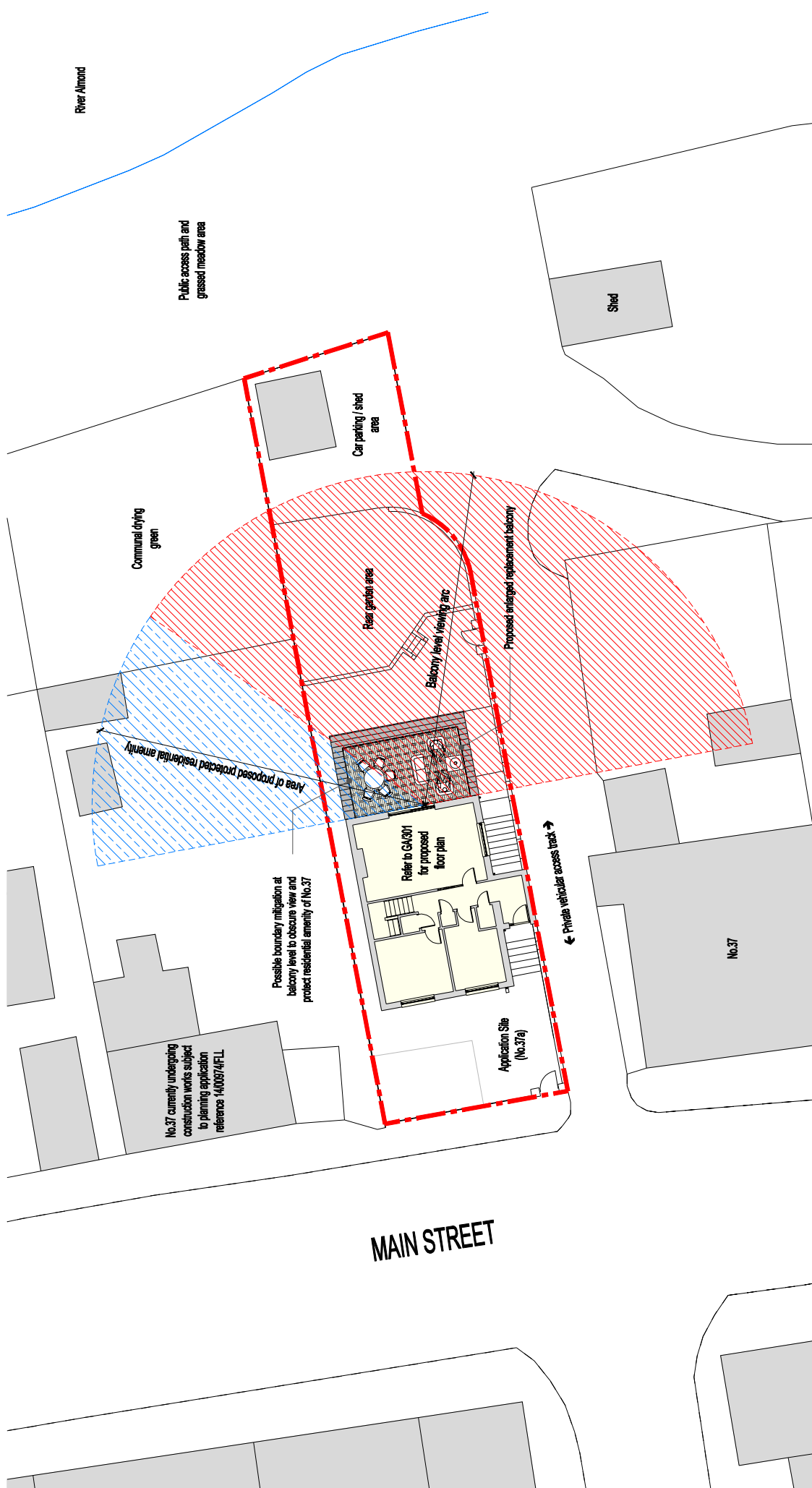
1:1000 @ A3

PLANNING

1:1000 scale bar
0m 10m 20m 30m 40m 50m

039-EX-100

IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: ian@imacarchitecture.co.uk



1:200 scale bar
0m 2m 4m 6m 8m 10m

- Existing site and surrounding area overlooked by proposed balcony. Note: current balcony has 180° viewing arc.
- Existing site and surrounding area overlooked by existing balcony and proposed to be screened by new balcony to protect residential amenity.

Application Site Location

PROPOSED SITE PLAN

DEMOLITION OF EXISTING BALCONY AND ERECTION OF ENLARGED BALCONY
at 37a MAIN STREET, ALMONDBANK, PERTH for MR. SCOTT BARLASS and MS. MARGARET LOW

1:200 @ A3

PLANNING

039-GA-101

IMAC ARCHITECTURE : 5 HAWTHORN PLACE : BLAIRGOWRIE : PH10 6UP
T: 01250 873298 M: 07980 720 766 E: ian@imacarchitecture.co.uk

TCP/11/16(356)

Planning Application 14/02068/FLL – Alterations to dwellinghouse to form replacement balcony, Almond Lodge, 37a Main Street, Almondbank, PH1 3NJ

REPRESENTATIONS

- Representation from the Flooding Section, dated 8 January 2015

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	14/02068/FLL	Comments provided by	Emily McMillan Technician
Service/Section	TES - Flooding	Contact Details	emcmillan@pkc.gov.uk ex 76452
Description of Proposal	Alterations to dwellinghouse to form replacement balcony		
Address of site	Almond Lodge 37A Main Street Almondbank Perth PH1 3NJ for Mr Scott Barlass And Ms Margaret Low		
Comments on the proposal	No Objection. Application has no bearing on flood risk		
Recommended planning condition(s)	None		
Recommended informative(s) for applicant			
Date comments returned	8/1/2015		

