

LRB-2022-68
22/01407/FLL – Alterations and extensions to
dwellinghouse, 3 Glencairn Place, Abernethy, PH2 9JG

INDEX

- (a) Papers submitted by the Applicant (***Pages 69-102***)
- (b) Decision Notice (***Pages 105-106***)
 - Report of Handling (***Pages 107-112***)
 - Reference Documents (***Pages 99-102***)
- (c) Representations (***Pages 113-118***)

LRB-2022-68
22/01407/FLL – Alterations and extensions to
dwellinghouse, 3 Glencairn Place, Abernethy, PH2 9JG

**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 100611907-001

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.

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:	A.S Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Alison	Building Name:	
Last Name: *	Arthur	Building Number:	85
Telephone Number: *	01337 840 088	Address 1 (Street): *	High Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Newburgh
Fax Number:		Country: *	Fife
		Postcode: *	KY14 6DA
Email Address: *	info@asassociatesltd.co.uk		

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="Ms"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Kirsty"/>	Building Number: <input type="text" value="3"/>
Last Name: *	<input type="text" value="Murphy"/>	Address 1 (Street): * <input type="text" value="Glencairn Place"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Abernethy"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Perthshire"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="PH2 9JG"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="[REDACTED]"/>	

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="3 GLENCAIRN PLACE"/>
Address 2:	<input type="text" value="ABERNETHY"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PERTH"/>
Post Code:	<input type="text" value="PH2 9JG"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="716087"/>	Easting	<input type="text" value="318880"/>
----------	-------------------------------------	---------	-------------------------------------

Description of Proposal

Please provide a description of your 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)

Alterations and extensions to dwellinghouse.

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 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 submitted Statement.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☒ Yes ☐ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

A Bat Roost Assessment is now submitted to support the application. The case officer did not require this to be provided during the assessment of the application, in the interests of avoiding unnecessary additional costs to the applicant, given that the application was to be refused for reasons of design. The submission of the Bat Roost Assessment addresses Reason for Refusal 3.

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)

Statement of Reasons for Seeking Review. Bat Roost Assessment.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/01407/FLL

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

29/08/2022

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

18/11/2022

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 a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

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)

A site inspection site will enable members of the LRB to fully familiarise themselves with the characteristics of the proposal and the surrounding area. This will inform the case that has been made in support of the proposal in the Statement, i.e. the proposal is not detrimental to the character of the existing house or its surroundings.

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)

Private rear garden of house.

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: Mrs Alison Arthur

Declaration Date: 30/12/2022

Perth & Kinross Council Local Review Body
Statement of Reasons for Seeking Review

Application 22/01407/FLL

Alteration and extensions to dwellinghouse

3 Glencairn Place, Abernethy, PH2 9JG



Ms Kirsty Murphy

December 2022



85 High Street
Newburgh. KY14 6DA
Tel: 01337 840088
www.asassociatesltd.co.uk/
info@asassociatesltd.co.uk

Introduction

This statement is prepared on behalf of Ms Kirsty Murphy who is seeking planning permission for alteration and extension to her home at 3 Glencairn Place, Abernethy, including a ground floor extension and a dormer, both on the rear elevation of the house. The application 22/01407/FLL was refused planning permission on 18th November 2022.

The Reasons for Refusal were:

Reasons for Refusal

1. The proposed dormer, by virtue of its box design, the lack of inter-relationship between the dormer's windows and the ground floor windows, the extensive use of timber cladding to the front face, its width in comparison to the roof, and its massing, fails to comply with the Perth & Kinross Placemaking Supplementary Guidance 2020 and is detrimental to the character of the existing dwellinghouse.

Approval would therefore be contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2.

2. The proposed dormer, by virtue of its design, scale and massing, does not complement its surroundings.

Approval would therefore be contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2.

3. The application, due to the lack of a bat survey, fails to demonstrate that bats will not be affected by the proposal.

Approval would therefore be contrary to Scottish Planning Policy Paragraph 214: Protected Species and contrary to Policy 41: Biodiversity of the Perth and Kinross Local Development Plan 2.

We have included a number of photographs of the site and surroundings to assist the Local Review Body in its consideration of this application. With respect, we suggest that members of the Local Review Body visit the site to familiarise themselves with the characteristics of the proposal and the surrounding area. In summary, we make the following points to support Ms Murphy's case:

- We believe that the proposal merits approval and that the single element of the proposal considered unacceptable to the case officer, in assessing the application, is not sufficient reason for its refusal.
- We suggest that the reasons 1. and 2. are disproportionate in relation to the impact of the proposal (particularly given that it differs very little from the case officer's indication of what would be acceptable).
- Reason 3 is resolved by the submitted bat report—we ask that the Local Review Body accepts this information.
- We believe that the proposal is an appropriate addition to this modern one and a half storey house. It will replace existing extensions with a more contemporary proposal complementing the existing building and give a more coherent appearance to the rear elevation of the house.
- The proposal will visually contained by the characteristics of the application site—the rear elevation of the property is not overlooked by the neighbouring house or viewed from the wider area—and therefore will have no detrimental impact on its surroundings. The proposal will benefit the occupiers of the house, providing upgraded living accommodation to meet their needs.
- With respect, Ms Murphy seeks the support of the Local Review Body in approving this application.

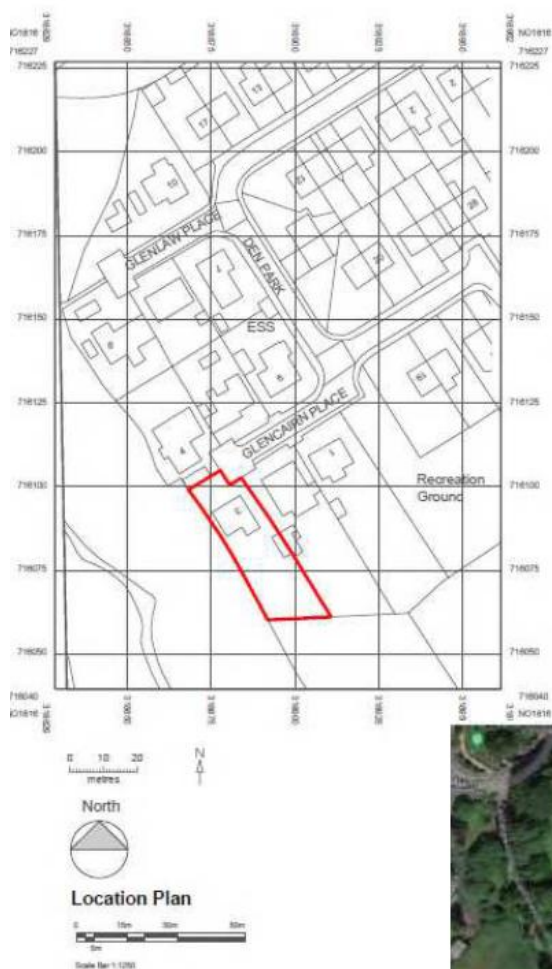
Consultations and Representations

None of the Council's consultees has indicated any objection to this proposal. No representations were submitted.

Site Context and Description

The application property lies at the west end of the south side of Glencairn Place, a short cul-de-sac of six properties, lying to the south of Abernethy. It lies adjacent to the east side of a band of woodland bounding the Ballo Burn. Open farmland lies to the south of the property. It does not lie within the Conservation Area and there are no listed buildings nearby.

The property is a modern one and a half storey house with an existing ground floor rear conservatory extension and a rear roof plane dormer.



Site Boundary

The Proposal

Ms Murphy's proposal is to extend her home to provide additional living space to meet the needs of her growing family. The proposal is:

- To erect two single storey extensions on the rear (south) elevation of the house, providing a family room, utility room and toilet. The existing uninsulated ground floor conservatory will be removed and replaced by the larger extension, providing a well insulated and usable family space.
- To form a single dormer on the rear (south) roof plane, replacing an existing smaller dormer, to enable the roof space to accommodate additional living space—a further bedroom, enlarged master bedroom and a shower room.
- The submitted drawings include the installation of rooflights on the front (north) roof plane. These are permitted development and are not part of this application.
- The materials proposed are grey single ply membrane for the roofing and natural finish timber cladding for the walls of the ground floor extension and the dormer. Windows will be uPVC to match the existing windows. The timber cladding will be sustainably sourced natural Douglas Fir, chosen as an appropriate material to fit with the surrounding woodland environment.

Existing elevations



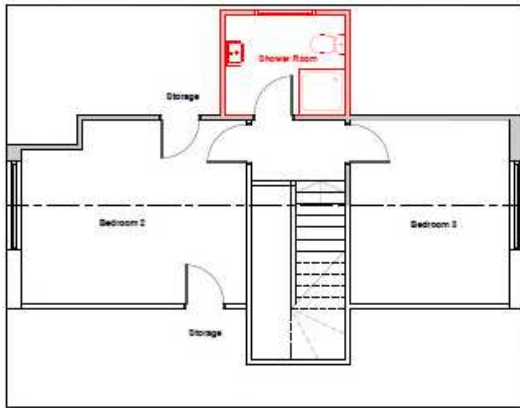
Proposed elevations

Materials:
Roof - Grey single ply membrane
Walls - Larch timber cladding - Natural finish SDO-3 treated
Windows - uPVC to match existing
Floor/Soffit - to match existing
Dormer/Cladding - Larch timber cladding

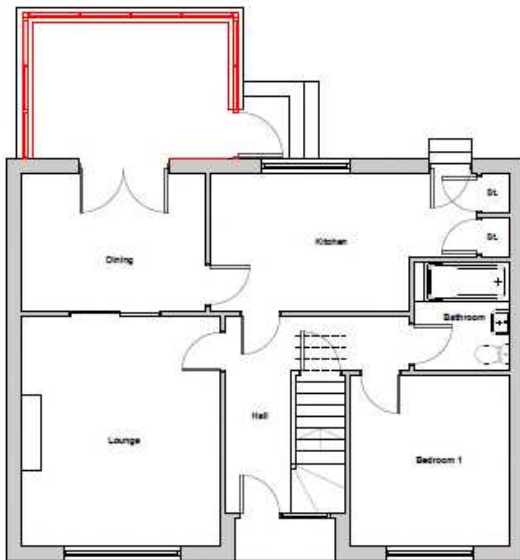


<p>A.S. ASSOCIATES</p> <p>ARCHITECTS & PLANNERS</p> <p>150 SOUTH PLACE</p> <p>ADDINGTON</p> <p>PH 01453 810000</p>		
<p>PROJECT: EXTENSION & ALTERATIONS TO 150 SOUTH PLACE</p> <p>DATE: 20.08.22</p> <p>SCALE: 1:100</p> <p>BY: [Signature]</p> <p>CHECKED: [Signature]</p>		
<p>TECHNICAL</p> <p>DATE: 20.08.22</p>	<p>SCALE: 1:100</p> <p>BY: [Signature]</p>	<p>DATE: 20.08.22</p> <p>BY: [Signature]</p>

Existing floor plans

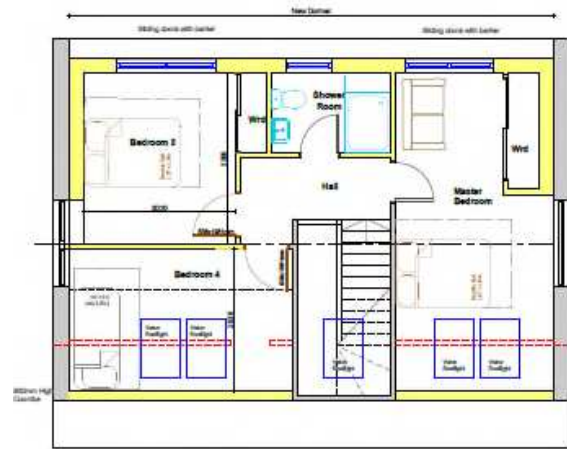


Existing First Floor Plan

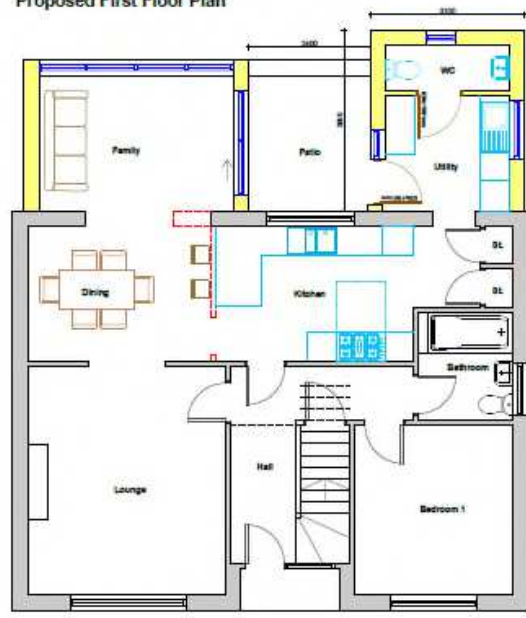


Existing Ground Floor Plan

Proposed floor plans



Proposed First Floor Plan



Proposed Ground Floor Plan

Not to scale
↓
N

View of rear of 3 Glencairn Place from its garden—current lack of coherent appearance to rear elevation.



Views of relationship between rear of 3 Glencairn Place and its neighbouring house—no main windows will view proposed extensions, and garage and sheds provide screening from its garden. Any future view will be limited and at an oblique angle (this view will be no different if the dormer is minimally smaller, as indicated as acceptable by case officer).



View of 3 Glencairn Place in streetscene— any view of the proposed dormer extension from the street will be extremely limited— and only of its east end elevation. Any view would not be altered by the proposal being minimally smaller, as indicated as acceptable by the case officer.



Note: The existing pitched roof dormer on the house is not viewed. The roof of the proposed dormer is approx. 60cm lower than the existing dormer.



Views of relationship between rear of 3 Glencairn Place and its neighbouring house—no main windows will view proposed extensions and garage and sheds provide screening from garden. Any future view will be limited and at an oblique angle (this view will be no different if the dormer is minimally smaller, as indicated as acceptable by case officer).



View from rear of 3 Glencairn Place across rear garden and towards open countryside. No views of the rear of the property from receptors in the surrounding area.



Adjacent property at 2 Glencairn Place—there are no views from this property towards the rear of the application property from any main windows and screening is provided by garage and sheds. No representation has been submitted by the owner/ occupants of this property.

There would be a very limited side view of dormer—and view would be unchanged if the dormer had minimally changed dimensions (as indicated as acceptable by case officer).



No Views of rear roof plane of property from street. No views from west (woodland) or south (farmland). Extremely limited views from neighbouring property, and only at oblique angle—no objections received.

No views of rear of 3 Glencairn Place from surrounding area



Grounds for Seeking Review of the Application

The LDP2 provides the main basis for determining planning applications along with reference to guidance, including Perth and Kinross Council's Placemaking Guide 2020.

The Council refused the planning application for three reasons. We contend that, contrary to these reasons, the proposal can be justified as compliant with LDP2 and its policies.

We note that the Report of Handling assesses: Residential Amenity; Roads and Access; Drainage and Flooding; and Developer Contributions and **no concerns are raised with these topics**. In addition, the Report of Handling raises **no issues with the design or materials of the ground floor extension**.

We note that the case officer had not sought a bat survey, given that the application was to be refused, and saving the applicant from additional expense. A bat survey is now submitted and we request the Local Review Body accept this information to inform their assessment of the application.

We believe that this proposal is acceptable in terms of its design and layout, with no adverse impacts on the visual amenity of its surroundings, and can be supported by LDP Policy 1A and 1B (c) and the Placemaking Guide 2020 (Technical Guidance—Householder Applications).

The submitted bat report concludes that there will be no adverse impact on protected species as a result of the proposed development and therefore the proposal is compliant with LDP Policy 41: Biodiversity

We seek the LRB to consider the proposal in relation to the existing form and appearance of the dwellinghouse and in terms of the surrounding area and to conclude that approving this house extension is appropriate.

Response to Reason for Refusal 1 and 2: Design, Layout and Visual Amenity

Reasons for Refusal

1. The proposed dormer, by virtue of its box design, the lack of inter-relationship between the dormer's windows and the ground floor windows, the extensive use of timber cladding to the front face, its width in comparison to the roof, and its massing, fails to comply with the Perth & Kinross Placemaking Supplementary Guidance 2020 and is detrimental to the character of the existing dwellinghouse.

Approval would therefore be contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2.

2. The proposed dormer, by virtue of its design, scale and massing, does not complement its surroundings.

Approval would therefore be contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2.

We believe that this proposal is acceptable in terms of its design and layout, with no adverse impacts on visual amenity or its surroundings, and can be supported by LDP Policy 1A and 1B (c) and the Placemaking Guide 2020 (Technical Guidance—Householder Applications).

We seek the LRB to consider the proposal in relation to the existing form and appearance of the dwellinghouse and the appearance of the surrounding area and to conclude that approving this house extension will be of no detriment to the area.

The case officer assessed the ground floor extensions '*would be subordinate additions to the existing dwellinghouse. Due their design, height, scale, massing, finishing materials, and siting to the rear of the house, the extensions respect the character and amenity of the application property and are in accordance with the Placemaking Supplementary Guidance and the Placemaking Policies.*' The case officer had no concern with the timber cladding proposed for the ground floor extensions.

We believe that the dormer extension can be similarly assessed as respecting the character and amenity of the application property and complementing the proposed ground floor extensions.



Proposed Rear Elevation
South

Rear view of existing house and proposal showing improved coherent and contemporary appearance to rear elevation.

The proposed dormer has a roof height 60cm lower than the existing dormer. It sits at the same level above the wall-head as the existing dormer.

Response to Reason for Refusal 1: Design, Layout and Visual Amenity (continued)

The Placemaking Guide 2020 includes criteria relating to dormer extensions, extract below:

An appropriate dormer extension should as a minimum:

- Be set below the ridgeline of the roof.
- Be set back from the wall-head.
- Be generally of pitched roof form.
- Be physically contained within the roof pitch.
- Relate to windows and doors in the lower storey(s) in terms of character, proportion and alignment.
- Have the front face predominantly glazed.
- Not extend more than half the length of the roof plane.

Extract from P&KC Placemaking Guide 2020



Proposed Rear Elevation
South

The Placemaking Guide states that 'An appropriate dormer extension **should**' (our emphasis) meet with the criteria. Decision making is 'guided' by these criteria, as part of a balance of factors in the overall consideration of a proposal. There is no absolute requirement that each of these should be fully met. The Guide states that '*It is important that roof extensions and alterations fit with the local street character.*' The Report of Handling refers to the Placemaking Guide that states '*Alterations and extensions to an existing domestic dwellinghouse are generally considered to be acceptable in principle*' and that although consideration needs to be given to the details of design this must be '**within the context of the application site**'.

We believe that this proposal will have no impact on the character of Glencairn Place and the surrounding area.

This proposal has been designed to meet with the Placemaking criteria, to the greatest possible extent, taking into account the technical requirements, in line with Building Standards, in achieving living accommodation in the roof space. This form of dormer is extensively used in extending dwellinghouses of similar design. The dormer is set below the ridgeline (60cm lower than the existing dormer), set back from the wall-head and contained within the roof pitch. The front face of the dormer has a significant area of glazing. We believe that the windows in the dormer are well related to the proposed windows on the ground floor and the overall rear elevation has a more contemporary, coherent and balanced appearance.

The case officer, in assessing the application, had no concern with the box dormer appearance. However, the case officer's opinion is that an acceptable proposal could be achieved with a 50cm reduction in the width of the dormer, each side, and moving the face of the dormer 50cm back from the wall head. Reducing the size of the dormer leads to the room dimensions being restricted and their dimensions altered - a step-in is required to the internal walls. This will cause difficulties with accommodating bedroom furniture, e.g. bed having to be located against a window and suitable space for wardrobes removed. The vertical dimensions of the dormer windows would also require to be reduced, making them less in-keeping with the dimensions of the ground floor windows. The case officer does not raise any issue with the timber cladding with respect to comments made on an acceptable proposal.

We believe that the small difference in the size of the of the rear elevation dormer, sought by the case officer, will be of no appreciable visual difference and would lead to a very restricted bedroom layout. In any case, the rear dormer is not in the public view, and with extremely limited view from a single neighbouring property (whose residents have no objection to the proposal). We believe that the visual impact of the proposal is acceptable in terms of the relevant Policies, 1A and 1B (c) and **seek that the LRB consider it reasonable that this application be approved.**

Response to Reason for Refusal 2: Bat Survey

3. The application, due to the lack of a bat survey, fails to demonstrate that bats will not be affected by the proposal.

Approval would therefore be contrary to Scottish Planning Policy Paragraph 214: Protected Species and contrary to Policy 41: Biodiversity of the Perth and Kinross Local Development Plan 2.

The applicant has provided a bat survey—(Preliminary Roost Assessment, Countywise, December 2022 —attached as Appendix 1) and seeks that the Local Review Body accepts this information for consideration in its assessment of the application. The survey objectives were to: establish the location of any bat roost; the species and number of bats if found on the site; and the impact of the proposed development. The report states that ***‘A Preliminary Roost Assessment was carried out which assessed the house as having negligible bat roost potential because of its construction and no signs of bats were found. No further surveys are required.’***

We contend that this proposal complies with Scottish Planning Policy paragraph 214 (Protected Species) and Perth & Kinross Council LDP2 Policy 41: Biodiversity.

Conclusion

- We believe that the proposed dormer extension is an acceptable addition to this modern house and that it is unreasonable to refuse the application given that:
 - a minimally smaller dormer is considered acceptable to the case officer; and
 - the dormer will not impact on any public or 3rd party private view.
- The proposed house alteration and extension will have no impact on bats.
- With respect, Ms Murphy seeks the support of the Local Review Body in approving this application.

Appendix 1

Preliminary Roost Assessment, Countryside, December 2022



Preliminary Roost Assessment

3 Glencairn Place, Abernethy

Grid ref. NO189161

Survey Date: 15 December 2022

Countrywise

Isobel Davidson
Chapel Howe
Ardlethen
Ellon
AB41 8PF

Tel 01358 722881
Mobile 0771 421 8224
e-mail Countrywise@talktalk.net

Licence No. 139616

1. Summary	3
2. Objectives of the Survey	3
3. Legislation.....	3
4. Description.....	3
5. Personnel	4
6. Method.....	4
6.1 Desk Study	4
6.2 Daytime Survey	4
6.3 Emergence Surveys.....	4
7. Limitations of the Survey	4
8. Results	4
8.1 Desktop Study	4
8.2 Daytime Surveys	5
8.3 Emergence Surveys.....	5
8.4 Hibernation Potential	5
9. Discussion	5
10. Impact Assessment	6
11. Photographs	6

1. Summary

Planning permission is to be sought to extend this house to the South and add roof windows to the North. A Preliminary Roost Assessment was carried out which assessed the house as having negligible bat roost potential because of its construction and no signs of bats were found. No further surveys are required.

2. Objectives of the Survey

The objectives of the survey are to establish:

- The location of any roost
- The species and numbers of bats if found on the site
- The impact of the development

3. Legislation

All British bat species are listed on Annex IV of the EC Habitats Directive, and fully protected through The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended by the Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007) transposed in Scotland as The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007 and the Conservation (Natural Habitats, &c.) Amendment (No.2) (Scotland) Regulations 2008.

These Regulations make it illegal to intentionally or recklessly kill, injure or capture bats, deliberately disturb bats, damage, destroy or obstruct access to bat roosts, whether or not bats are present at the time, and disturb a hibernating or migrating bat. The UK is also a signatory to the Bonn Convention, the Agreement on the Conservation of Bats in Europe which also protects key feeding areas. A NatureScot licence is required for operations that will damage or destroy bats or their roost sites.

4. Description

This is a North facing detached 1.5 storey block and tile house on the edge of the village of Abernethy. It is in good condition and occupied.

The owners propose to remove a conservatory and extend the house to the South, replacing the South dormer window with a full length dormer and roof windows on the North elevation.

The house is located in a residential area adjacent to a strip of woodland running along a small water course to the East. The habitat is very good for bats.

5. Personnel

The survey was carried out by Isobel Davidson who has held a roost visitor license for over 20 years.

6. Method

6.1 Desk Study

A data search was carried out for details of any known roosts in the area.

6.2 Daytime Survey

The building was searched carefully to identify any suitable entry holes and roosting spaces following methodologies outlined in Bat Conservation Trust (BCT) guidelines (2016).

All accessible attics, flat surfaces and crevices were checked using a strong torch for droppings or other signs such as insect parts or dead bats

6.3 Emergence Surveys

Emergence surveys were not carried out as the bat activity season has passed and the buildings are assessed as having low to negligible potential because of their construction.

7. Limitations of the Survey

There were limitations to the survey. The optimum time for carrying out bat surveys is between May and September when bats are in their summer roosts. This survey was carried out outwith that preferred timescale though any signs of use by bats are likely to be visible. It is possible to assess buildings and any signs found to determine the species and extent of use by bats.

8. Results

8.1 Desktop Study

There are a few records of soprano pipistrelle and brown long eared bats within 5km of this site and a single pipistrelle record within 2km. The area may be under recorded.

8.2 Daytime Surveys

No bats or signs of bats were found in or around the house. The house has an accessible attic which is insulated and lined with boards. There are also accessible combes in the upper floor. No signs of bats were found.

On the exterior of the house there is detail at the wall head which would block any access by bats and there are fascias, barge boards and soffits sealing the gable wall heads. These are not in particularly good condition but there are no obvious gaps. The tiles are neatly fitting with no obvious gaps and no suitable spaces around the dormer window.

The habitat is good but there are few records of bats and no signs of bats were found. Taking these points into account, the potential for these buildings to be used by roosting bats is negligible and no further surveys are required.

8.3 Emergence Surveys

An emergence survey was not carried out as the house has negligible potential for bats.

8.4 Hibernation Potential

Little is known about hibernating bats in Northeast Scotland so it is difficult to fully assess the potential of buildings. No signs were found to suggest that bats roost in these buildings at any time of year.

9. Discussion

This house has negligible potential for roosting bats because of its construction and lack of any signs. No further surveys are required.

10. Impact Assessment

Proposal: Extend the house and replace the dormer window with a full length dormer.

Impact: None. The site has negligible potential for bats because of its construction and no signs of bats were found.

Risk: None

Mitigation: None required

11. Photographs



Coomb North



Coomb South



Attic



Wallhead detail



Southeast

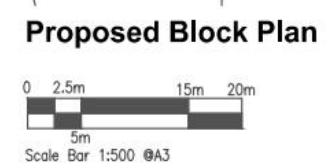
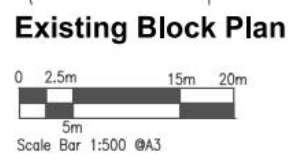
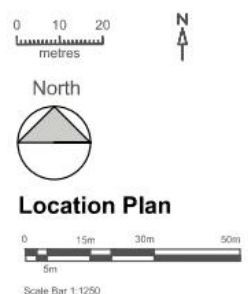
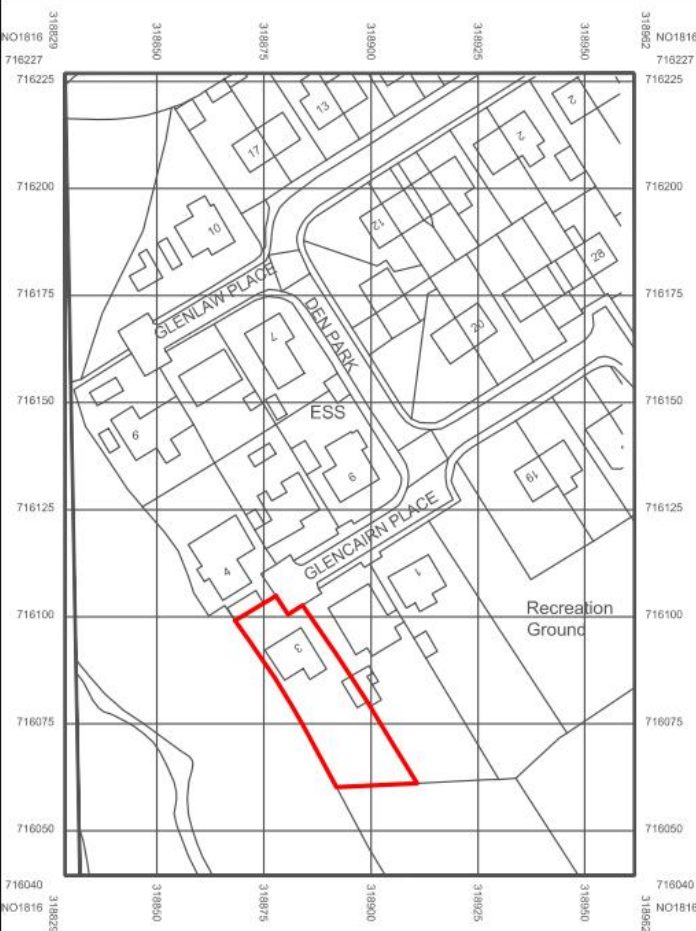



Dormer

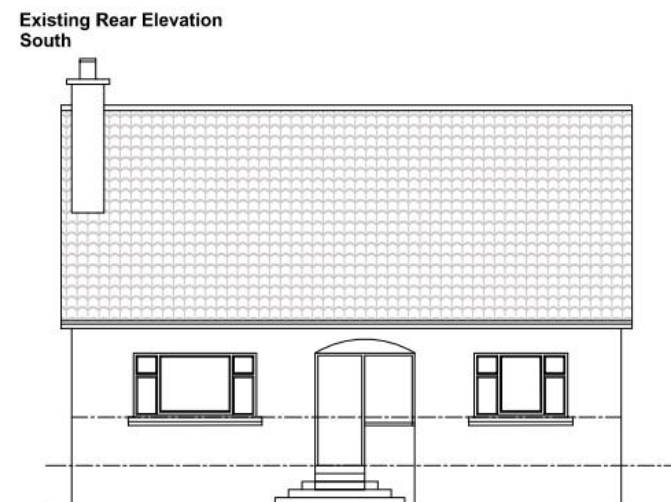
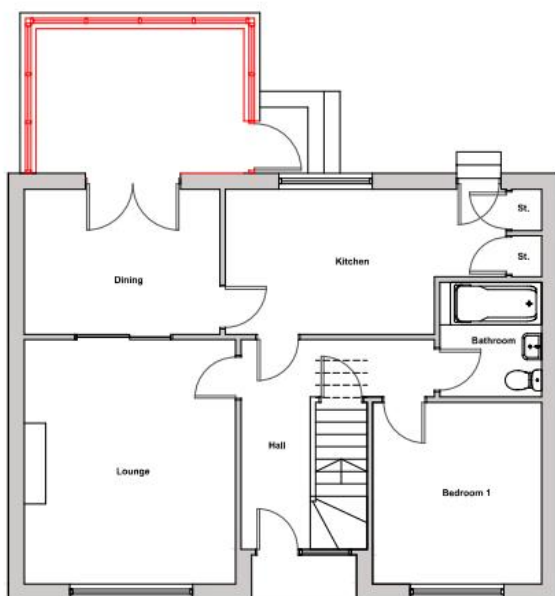
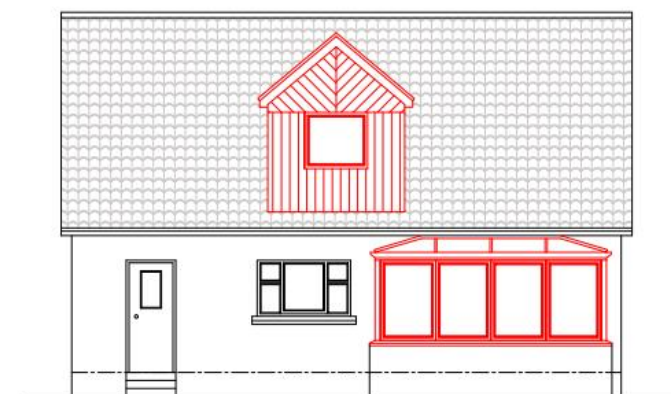
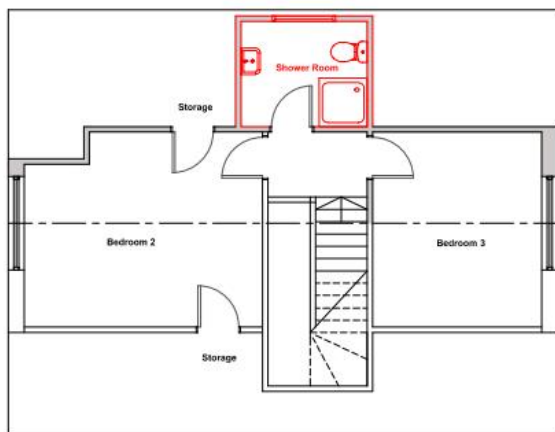
East gable

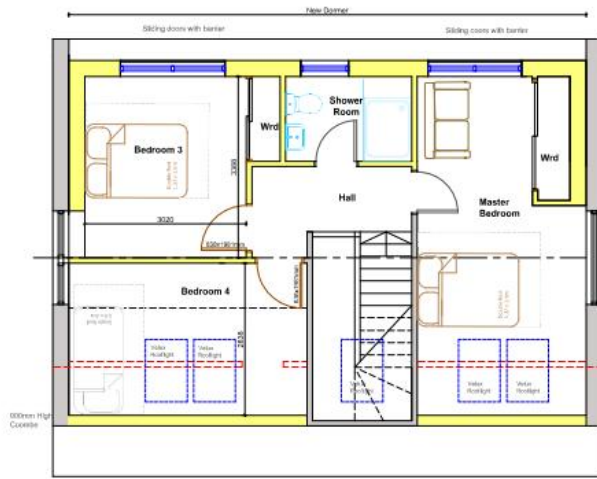


North

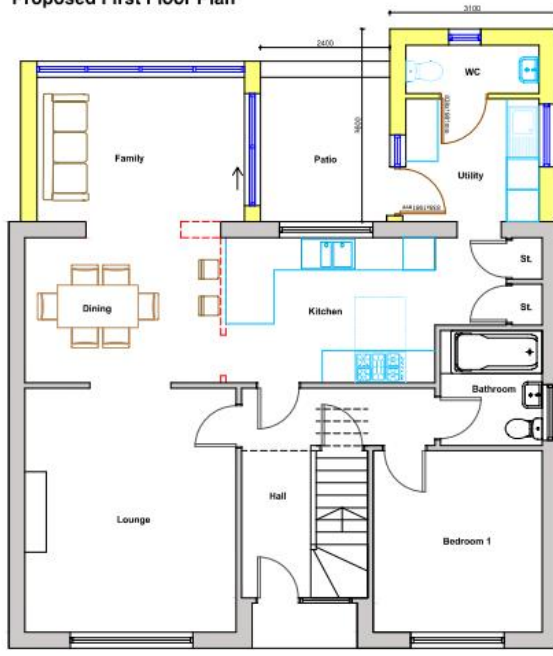


REVISION	INT	DATE
<p>THIS DRAWING HAS BEEN PREPARED TO OBTAIN STATUTORY LOCAL AUTHORITY CONSENT. ALL SIZES TO BE CONFIRMED ON SITE PRIOR TO COMMENCING WORK. DO NOT SCALE FROM THESE DRAWINGS FOR CONSTRUCTION PURPOSES.</p> <p>E: INFO@ASASSOCIATESLTD.CO.UK T: 01337 840088 A: 85 HIGH STREET, NEWBURGH, KY14 6DA</p>		
 <p>A.S. ASSOCIATES</p>		
<p>PROJECT: MURPHY - ALTERATIONS & EXTENSION 3 GLEN CAIRN PLACE ABERNETHY PH2 9JG</p>		
<p>TITLE: LOCATION & BLOCK PLANS</p>		
<p>TECHNICIAN: HD</p>	<p>SCALE(S): AS SHOWN</p>	<p>SHEET: A3</p>
<p>DATE: 02.08.22</p>	<p>PROJECT NO: 3285 PP SP01</p>	<p>REV:</p>



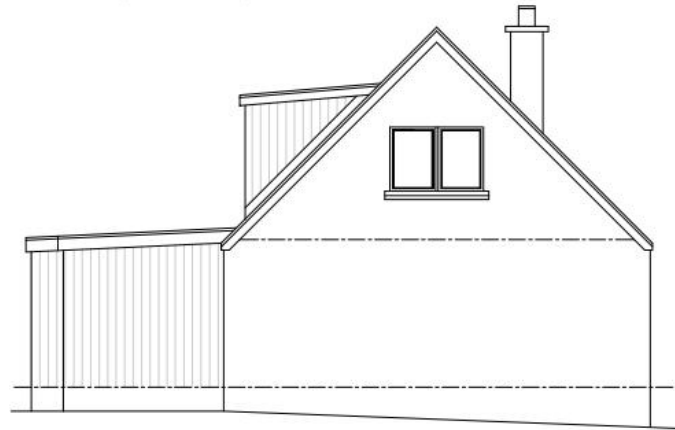


Proposed First Floor Plan

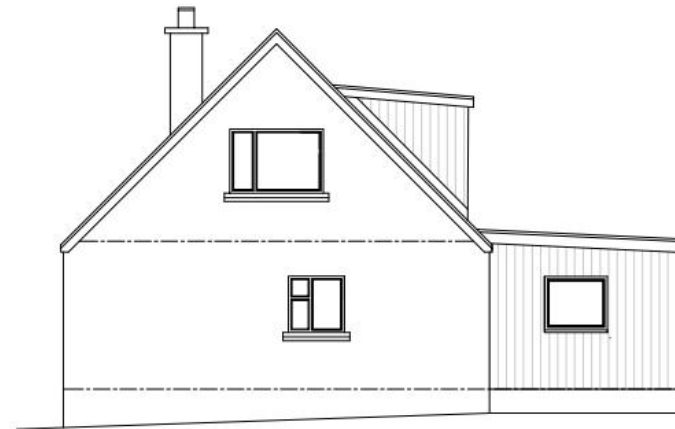


Proposed Ground Floor Plan

Materials:
 Roof - Grey single ply embrane
 Walls - Larch timber cladding - Natural finish S100-X treated
 Windows - Upvc to match existing
 Fascia/Soffit - to match existing
 Dormers/Cladding - Larch timber cladding



Proposed Side Elevation East



Proposed Side Elevation West



Proposed Rear Elevation South



Proposed Front Elevation North



DESIGNER: INT. DATE:
 STATUTORY LOCAL AUTHORITY CONSENT: ALL SITES TO THE
 COMPANIES OR OFF PRIMA TO COMMENCE WORK,
 BE NOT BUILT HERE THEREAFTER FOR
 CONSTRUCTION PURPOSES
 2. INFORMATION ON THIS TO CLIMB 1. 1000000000
 A 25 HIGH STREET, SCHEIDEN, K14 8DA

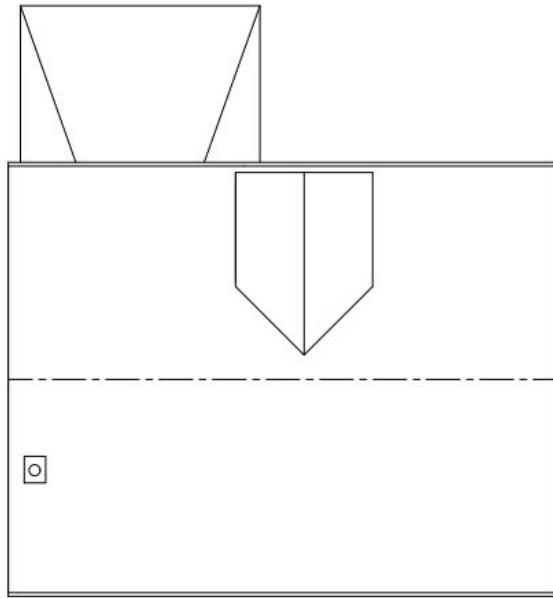


PROJECT:
 ALJURY - AL TERTATIONS & EXTENSION
 13 GLEN CAMPA PLACE
 ABERNETHY
 PH2 5UB

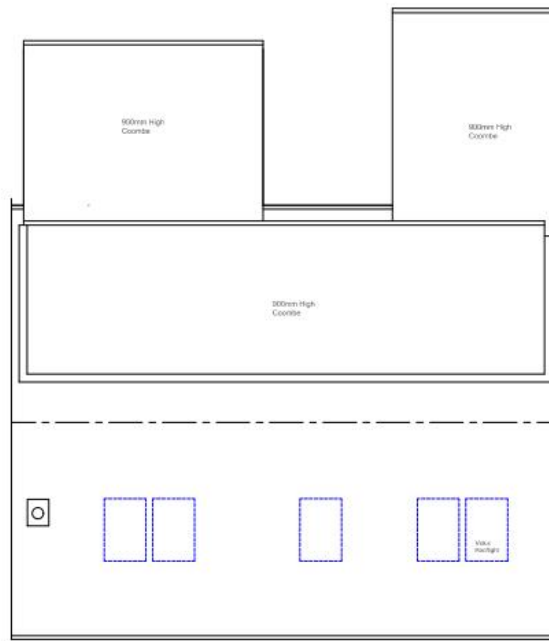
TITLE:
 PROPOSED FLOOR PLAN & ELEVATIONS

TECHNICIAN: HD
 SCALE(S): 1:500/8A1
 SHEET: A1

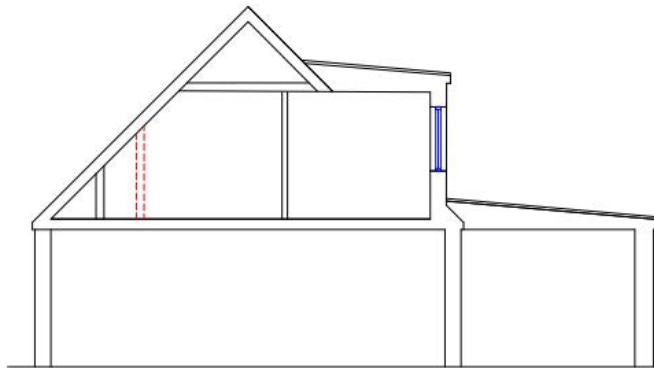
DATE: 25.05.22
 PROJECT NO: 3282 PP 002
 REV: A



Existing Roof Plan




Proposed Roof Plan



Section



DESIGNER	INT.	DATE
<p>THIS DRAWING HAS BEEN PREPARED TO OBTAIN STATUTORY LOCAL AUTHORITY CONSENT. ALL SITES TO BE COMPRISED IN ANY FUTURE CONSTRUCTION WORK, OR NOT BUILT, MUST BE SHOWN AS SUCH FOR CONSTRUCTION PURPOSES. © INFORMATION ON THIS DRAWING IS THE PROPERTY OF A.S. ASSOCIATES, 101/102 STREET, NEWCASTLE, NSW 1590</p>		
 <p>A.S. ASSOCIATES</p>		
<p>PROJECT MULJIPITY - ALTERATIONS & EXTENSION 11 GLEN CAMM PLACE ABERNETHY NSW 1590</p>		
<p>TITLE ROOF PLANS & SECTIONS</p>		
TECHNICIAN HD	SCALE(S) 1:50 (BAY)	SHEET A1
DATE 25.06.22	PROJECT NO. 3282 PP 003	REV.

<p>LRB-2022-68 22/01407/FLL – Alterations and extensions to dwellinghouse, 3 Glencairn Place, Abernethy, PH2 9JG</p>
--

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(included in applicant's submission, pages 99-102)*



Ms Kirsty Murphy
c/o A.S Associates Ltd
Alison Arthur
85 High Street
Newburgh
KY14 6DA

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **18th November 2022**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **22/01407/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 29th August 2022 for Planning Permission for **Alterations and extensions to dwellinghouse 3 Glencairn Place Abernethy Perth PH2 9JG**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposed dormer, by virtue of its box design, the lack of inter-relationship between the dormer's windows and the ground floor windows, the extensive use of timber cladding to the front face, its width in comparison to the roof, and its massing, fails to comply with the Perth & Kinross Placemaking Supplementary Guidance 2020 and is detrimental to the character of the existing dwellinghouse.

Approval would therefore be contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2.

2. The proposed dormer, by virtue of its design, scale and massing, does not complement its surroundings.

Approval would therefore be contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2.

3. The application, due to the lack of a bat survey, fails to demonstrate that bats will not be affected by the proposal.

Approval would therefore be contrary to Scottish Planning Policy Paragraph 214: Protected Species and contrary to Policy 41: Biodiversity of the Perth and Kinross Local Development Plan 2.

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 and documents 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

01

02

03

05

REPORT OF HANDLING

DELEGATED REPORT

Ref No	22/01407/FLL	
Ward No	P9- Almond And Earn	
Due Determination Date	28th October 2022 Extended to 28th November 2022	
Draft Report Date	18th November 2022	
Report Issued by	DR	Date 18th November 2022

PROPOSAL: Alterations and extensions to dwellinghouse

LOCATION: 3 Glencairn Place Abernethy Perth PH2 9JG

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.

BACKGROUND AND DESCRIPTION OF PROPOSAL

The application property is a 1 ½ storey dwellinghouse situated in a residential area of Abernethy. Full planning permission is sought for:

- The erection of two single storey extensions on the rear (south) elevation of the house, to provide a family room, utility room and WC, and
- The formation of a dormer on the rear (south) roof plane of the house, to provide an additional bedroom, an enlarged master bedroom, and a shower room.

To facilitate the proposals, it is proposed to remove an existing conservatory and an existing dormer containing a shower room.

The submitted drawings include the installation of rooflights on the front (north) roof plane. As they can be installed using permitted development rights, these rooflights do not form part of this assessment.

SITE HISTORY

97/00175/FUL Dormer extension to house at 19 March 1997 Application Approved

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.

SPP Paragraph 214: Protected Species states:

The presence (or potential presence) of a legally protected species is an important consideration in decisions on planning applications. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish their presence. The level of protection afforded by legislation must be factored into the planning and design of the development and any impacts must be fully considered prior to the determination of the application.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2 (2019).

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 2 – Adopted November 2019

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 17: Residential Areas

Policy 41: Biodiversity

OTHER POLICIES

[Perth & Kinross Placemaking Supplementary Guidance 2020](#)

[Perth & Kinross Planning for Nature: Development Management and Wildlife Guide 2022](#)

[Perth & Kinross Bat Survey Guidance 2021](#)

CONSULTATION RESPONSES

Scottish Water

No objection and provided advice to the applicant if the application is recommended for approval.

REPRESENTATIONS

No representations have been received in relation to this proposal.

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	Habitats Regulations AA 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 and the adopted LDP2.

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

Alterations and extensions to an existing domestic dwellinghouse are generally considered to be acceptable in principle. Nevertheless, consideration must be given to the scale, form, massing, design, position, proportions, and external finishes of the proposed development, within the context of the application site, and whether it would have an adverse impact upon visual or residential amenity or on any protected species.

Assessment of the proposal against the relevant policies is provided below.

Design, Layout and Visual Amenity

In terms of their scale, the two proposed ground floor extensions would be subordinate additions to the existing dwellinghouse. Due their design, height, scale, massing, finishing materials, and siting to the rear of the house, the extensions respect the character and amenity of the application property and are in accordance with the Placemaking Supplementary Guidance and the Placemaking Policies.

However, the proposed dormer on the rear (south) roof plane of the house fails to meet the guidance for dormers set out in the Placemaking Supplementary Guidance for the following reasons:

- It is a box dormer and is not of a pitched roof form.
- In terms of character, proportion and alignment, the windows on the proposed dormer do not relate to the windows on the existing ground floor of the house.
- The front face is not predominantly glazed: timber cladding is proposed for a significant proportion of the front face of the dormer.
- The dormer extends more than half the length of the roof plane: it would be approximately 90% of the width of the roof plane.

In terms of its siting, it is welcomed that the dormer would be added to the rear, rather than the front, of the house. However, in terms of its box design; the lack of inter-relationship between the dormer's windows and the ground floor windows; the extensive use of timber cladding to the front face; the width of the dormer in comparison to the roof; and the massing of the dormer, the proposed dormer is detrimental to the character of the existing dwellinghouse. As such, the proposal is contrary to Policy 1A.

In terms of its design, scale and massing, the proposed dormer does not complement its surroundings and is therefore contrary to Policy 1B(c).

During the application process, concerns about the dormer were raised with the agent and the agent was offered opportunity to redesign the dormer. It was suggested that reducing the width on each side by 0.5 metres and pulling back the face of the dormer by a further 0.5 metres from the wall head may have been sufficient to reduce the impacts associated with the dormer. Unfortunately, however, no revised proposals were provided.

Residential Amenity

Given the floor area of the proposal in relation to the area of the application site, the proposal would not have an adverse effect on the residential amenity of the application property.

Due to the sale of the proposals and the distances from the boundaries, there are no concerns about overshadowing of neighbouring residential properties. As there are no windows directly facing any neighbouring residential properties, there are no concerns about overlooking of neighbouring properties.

As such, the proposal is in accordance with Policy 17.

Natural Heritage and Biodiversity

The proposal involves alterations to the roof of the existing house. There is woodland immediately to the west of the application property. As per the Bat Survey Guidance, this triggers the requirement for a bat survey to be undertaken by a suitably experienced and qualified ecologist to determine the actual or potential presence of bats.

A bat survey has not been submitted as part of the application. As such, it has not been demonstrated that there are no bats present and that bats will not be affected by the proposal.

As any impacts on bats cannot be fully considered, the proposal is contrary to Scottish Planning Policy Paragraph 214 and is contrary to Policy 41 of LDP2.

The lack of a bat survey was raised with the agent prior to the determination of the application. In the interests of avoiding unnecessary additional costs to the applicant, it was suggested to the agent that it would be better to try to resolve the concerns about the design of the dormer before instructing a bat survey.

Roads and Access

There are no road or access implications associated with the proposal.

Drainage and Flooding

There are no drainage or flooding implications associated with the 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 would be limited to the construction phase of the development.

VARIATION OF APPLICATION UNDER SECTION 32A

This application was varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended. Revisions were required as the plans originally submitted were inaccurate: the proposed east elevation did not show the east elevation of the extension containing the family room. A revision was also made to the dormer: the front face of the dormer was moved 0.1 metres further back from the wall head.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.

Accordingly the proposal is refused on the grounds identified below.

Reasons for Refusal

1. The proposed dormer, by virtue of its box design, the lack of inter-relationship between the dormer's windows and the ground floor windows, the extensive use of timber cladding to the front face, its width in comparison to the roof, and its massing, fails to comply with the Perth & Kinross Placemaking Supplementary Guidance 2020 and is detrimental to the character of the existing dwellinghouse.

Approval would therefore be contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2.

2. The proposed dormer, by virtue of its design, scale and massing, does not complement its surroundings.

Approval would therefore be contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2.

3. The application, due to the lack of a bat survey, fails to demonstrate that bats will not be affected by the proposal.

Approval would therefore be contrary to Scottish Planning Policy Paragraph 214: Protected Species and contrary to Policy 41: Biodiversity of the Perth and Kinross Local Development Plan 2.

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

01
02
03
05

LRB-2022-68
22/01407/FLL – Alterations and extensions to
dwellinghouse, 3 Glencairn Place, Abernethy, PH2 9JG

REPRESENTATIONS

Development Management

From: Planning Consultations <PlanningConsultations@scottishwater.co.uk>
Sent: 08 September 2022 10:18
To: Development Management
Subject: Scottish waters response - 22/01407/FLL | Alterations and extensions to dwellinghouse | 3 Glencairn Place Abernethy Perth PH2 9JG

CAUTION: This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.

22/01407/FLL | Alterations and extensions to dwellinghouse | 3 Glencairn Place Abernethy Perth PH2 9JG

Good Morning ,

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

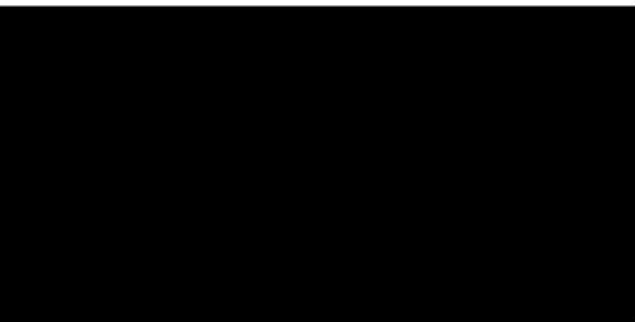
For all extensions that increase the hard-standing area within the property boundary, you must look to limit an increase to your existing discharge rate and volume. Where possible we recommend that you consider alternative rainwater options. All reasonable attempts should be made to limit the flow.

No new connections will be permitted to the public infrastructure. The additional surface water will discharge to the existing private pipework within the site boundary.

I trust the above is acceptable however if you require any further information regarding this matter please contact me on 0800 389 0379 or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Kind regards,

Ruth Kerr



Scottish Water.

Trusted to serve Scotland.

----- Original Message -----

From: Local Planner <developmentmanagement@pkc.gov.uk>;
Received: Wed Sep 07 2022 09:20:00 GMT+0100 (British Summer Time)
To: <planningconsultations@scottishwater.co.uk>;
Subject: Planning Application Consultation for Application No 22/01407/FLL

Audrey Brown

From: David Rennie
Sent: 03 March 2023 12:21
To: Ross Burton; Audrey Brown; Jessica Guild; Christine Brien; Joanna Dick
Subject: RE: LRB case 2022-68 - 22/01407/FLL

Good afternoon

In light of Joanna's comments below, I can advise that, if the bat survey had been submitted during the assessment of the application, the third reason for refusal (failure to demonstrate that bats would not be affected by the proposal) would not have been required.

Kind regards
David Rennie

David Rennie | Planning Officer | Development Management | Perth & Kinross Council | Pullar House, 35 Kinnoull Street, Perth PH1 5GD |
[REDACTED] | Web: www.pkc.gov.uk/planning

From: Joanna Dick [REDACTED]
Sent: 02 March 2023 16:09
To: Christine Brien [REDACTED]; David Rennie [REDACTED]; Ross Burton
[REDACTED]
Subject: Re: LRB case 2022-68 - 22/01407/FLL

Good afternoon,

I have reviewed the submitted Bat Survey dated 15th December 2022 by Countrywise and the methods are in accordance with published best practice. The Preliminary Roost Assessment seeks to identify whether a building has bat roost potential. The building was assessed as having negligible potential for bats and no signs of bats were found. No further survey is required. My earlier objection to this proposal is now removed.

Best wishes,
Joanna

Joanna Dick
Tree and Biodiversity Officer
Perth and Kinross Council
[REDACTED]

PKC supports the Tayside Biodiversity Partnership: www.taysidebiodiversity.co.uk

