

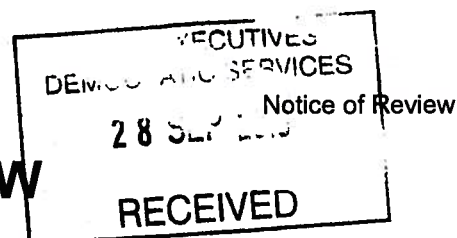
TCP/11/16(442)
Planning Application – 16/00911/FLL – Extension to
dwellinghouse at 2 Lime Cottage, Main Street, Balbeggie,
Perth, PH2 6EZ

INDEX

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- (b) Decision Notice (***Pages 163-164***)
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 - Reference Documents (***Pages 173-178***)

TCP/11/16(442)
Planning Application – 16/00911/FLL – Extension to
dwellinghouse at 2 Lime Cottage, Main Street, Balbeggie,
Perth, PH2 6EZ

**PAPERS SUBMITTED
BY THE
APPLICANT**



NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name MR & MRS B. S. CLARK

Address 2 LIME COTTAGE, MAIN ST

BALBECHIE, PERTSHIRE

Postcode

PH2 6EZ

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

ATELIER - M.

Address

THE STUDIO
77 MAIN ST
LONGFORDIAN

Postcode

DD2 5EW

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

01382 360378

mail@atelier-m.co.uk

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

Yes ☒ No ☐

* Do you agree to correspondence regarding your review being sent by e-mail?

Planning authority

PERTH & KINROSS COUNCIL

Planning authority's application reference number

16/00911/FLL

Site address

2 LIME COTTAGE, BALBECHIE, PERTH PH2 6EZ

Description of proposed development

SINGLE STOREY FLAT ROOF KITCHEN AND SHOWER ROOM
EXTENSION TO REAR OF PROPERTY

Date of application

26 MAY 2016

Date of decision (if any)

22 JULY 2016

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

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

1. Further written submissions ☐
2. One or more hearing sessions ☒
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☐

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

PLANNING OFFICER DID NOT FULLY CONSIDER THE PROPOSED DEVELOPMENT NOR THE BENEFIT TO THE NEIGHBOURING PROPERTY.

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

SEE ATTACHED STATEMENT AND SUPPORTING PHOTOGRAPHS.

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

Yes ☒ No ☐

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

THE APPOINTED OFFICER MADE NO CONTACT WITH US THEREFORE WE WERE UNABLE TO BRING TO HER ATTENTION THE POINTS RAISED IN OUR STATEMENT.
SIMILARLY OUR AGENT WAS NOT CONTACTED.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

- 1) SEPERATE STATEMENT
- 2) PHOTO A - HERDS VIEWED FROM ABOVE SHOWING WIDTH AND WASTED SPACE
- 3) PHOTO B - SHOWING AREA PERMANENTLY IN SHADOW DUE TO EXISTING KITCHEN EXTENSION
- 4) PHOTO C - EXTENSION TO NO 4 - 2 STOREY DWARFING NO 3.
- 5) PHOTO D - SAME SHOWING THE BULK OF NO 4 EXTENSION.

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

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the applicant/~~agent~~ [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

26 / Sept 2016

STATEMENT REQUESTING PLANNING REVIEW

2 LIME COTTAGE, MAIN STREET, BALBEGGIE PH2 6EZ

Ref Number 16/00911/FLL

1. The present Boundary is a wide evergreen hedge which was 8 feet high. Its height has been reduced but it still remains an eyesore. The intention, with the agreement of our neighbours, was that the hedge would be replaced by a wall rendered white to reflect the light which would enhance their space which as a result of being approximately north facing spends much of the day in shadow.

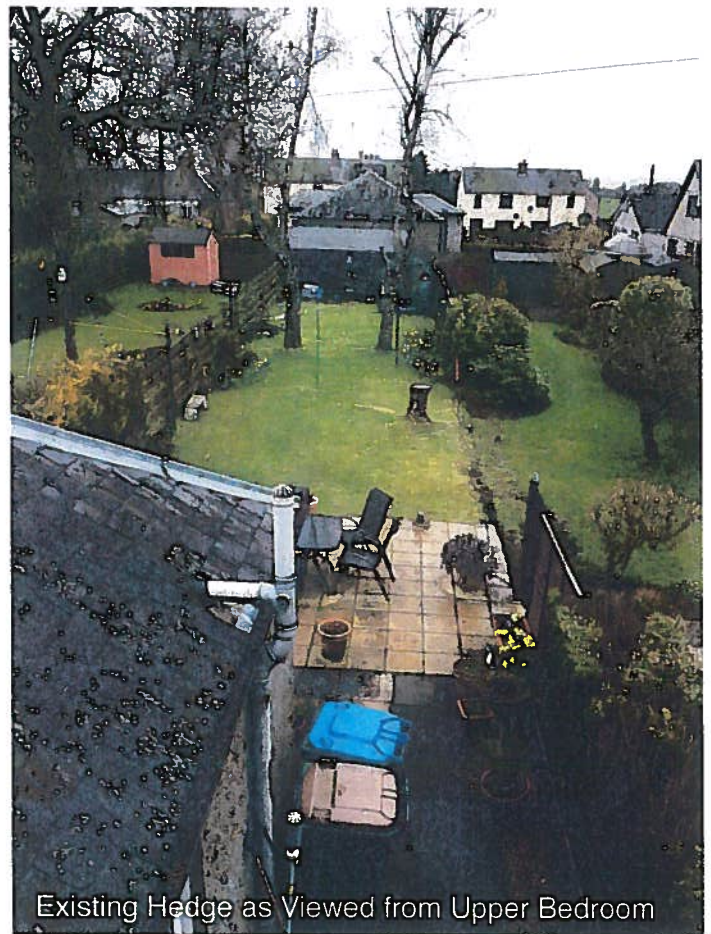
The space we wish to fill in on our garden is permanently in shadow and as such has no use Other than storage.

We have consulted with our neighbours and have shown them the drawings and kept them fully Informed and they concur with us that what is proposed will improve their property (photos A And B show hedge and area that is wasted space).

2. The statement has been made that the proposed extension would be incongruous and detrimental to the visual amenity. If that is the case then why was the two storey extension to Number 4 permitted. It has virtually the same footprint but towers over Number 3 (photos C and D).
3. There is already a bedroom on the ground floor. By adding a toilet/shower room would allow our elderly parents (they are in their late eighties) to visit and stay. At present they are unable to visit as they have mobility problems and are unable to access the existing bathroom on the first floor.

Notice of Review
Planning Decision Ref : 16/00911/FLL
2 Lime Cottage
Balbeggie
Perth
PH2 6EZ

A



Existing Hedge as Viewed from Upper Bedroom



Existing Hedge as Viewed from Garden

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Perthshire
DD2 5EW
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www.atelier-m.co.uk





①



TCP/11/16(442)
Planning Application – 16/00911/FLL – Extension to
dwellinghouse at 2 Lime Cottage, Main Street, Balbeggie,
Perth, PH2 6EZ

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENT

PERTH AND KINROSS COUNCIL

Mr Brian Clark
c/o Atelier-M Ltd
Alan Macdonald
The Studio
77 Main Street
Longforgan
Perthshire
DD2 5EW

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 22.07.2016

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **16/00911/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 26th May 2016 for permission for **Extension to dwellinghouse 2 Lime Cottage Main Street Balbeggie Perth PH2 6EZ** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. In the interest of residential amenity, the scale and proximity of the extension to the adjacent boundary will have an overbearing effect on and will overshadow the neighbouring property to an unacceptable degree. The proposals are therefore contrary to policy RD1 of the Adopted Local Development Plan 2014.
2. As a consequence of its position as part of a terraced row, the scale and design of the proposed extension would be incongruous and detrimental to visual amenity. The proposals are therefore contrary to policy PM1 of the Adopted Local Development Plan 2014 as it would not contribute positively to the quality of the surrounding built environment.

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

16/00911/1

16/00911/2

16/00911/3

16/00911/4

16/00911/5

16/00911/6

REPORT OF HANDLING

DELEGATED REPORT

Ref No	16/00911/FLL	
Ward No	N2- Strathmore	
Due Determination Date	25.07.2016	
Case Officer	Alma Bendall	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Extension to dwellinghouse

LOCATION: 2 Lime Cottage Main Street Balbeggie Perth PH2 6EZ

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: 31 May 2016

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning application relates to a mid-terrace residential property located on the west side of the Main Street, which runs through the rural settlement of Balbeggie. The application site forms one of four traditionally built, stone and slate cottages that feature off-street parking within the front gardens.

The cottages although of modest width, have the benefit of a large rear curtilage. The back of the cottages are visible from the public lane that links Green Road with Main Street. External access to the rear of the property is via a path at the end (number 1) terraced unit.

It is evident that the cottages have been subject to past alterations and varying attempts, some more architecturally successful than others, to increase the available accommodation.

The current submission seeks permission to create a new kitchen and shower room. Plans indicate that a flat roofed extension will be added onto the northern side of the existing hipped roofed extension at the rear of the house. The extension will adjoin the boundary with the neighbour at number 3 Lime Cottages.

SITE HISTORY

92/00066/FUL Extension to 20 February 1992 Application Permitted

PRE-APPLICATION CONSULTATION

No pre application discussions have been entered into.

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

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“By 2032 the TAYplan region 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 and visit and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy RD1 - Residential Areas

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

OTHER POLICIES

N/A

CONSULTATION RESPONSES

No consultations have been issued.

REPRESENTATIONS

No representations have been received.

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 where Policies RD1, PM1A and B (Residential & Placemaking) are directly applicable. These policies seek to ensure that residential amenity levels will be protected and, where possible, improved. New development proposals are also required to respect the character of an area and be compatible in terms of height, scale, massing, materials, finishes and colours.

It is considered that the policy aspirations are not being met, as any further additions to the property will by reason of their scale, design and location, impact adversely on amenity levels to an unacceptable extent.

Design, Layout and Impact on Amenity

The plans provide additional accommodation which would no doubt result in an enhanced contemporary layout for the householders. Externally however, the flat roofed nature of the extension is at odds with the style and character of the terraced row and the protrusion past the extended rear building line is unfortunate in terms of its resultant impact on the established layout and amenity levels.

Given the constrained nature of the layout and the presence of the existing hipped roofed extension, the only available space to site this proposal and link into the original unit, is to develop the remaining space to the northern side of the kitchen.

It is clear however that the existing extension already creates a shadow, and the fact that the neighbour most likely to be affected by the works is set to the north, I am concerned that their rear access points and windows will be cast into shade by any further development that encroaches closer onto the boundary.

Notwithstanding design attempts to keep the height of the new build to a minimum and finish the development in a painted wet dash render, a blank wall which protrudes to such a degree is also likely to appear visually oppressive given the lack of separation.

Bearing in mind the presence of existing extensions, it is considered that the subjects have already reached their limit of development potential. The exception may be if some form of revised conjoined proposal could be achieved.

Landscape

There is a section of leylandii hedging at the rear of the house that links into a timber fence which provides a degree of separation and privacy from this cottage from the adjoining property to the north.

As the proposed extension is effectively being built onto the boundary, the existing boundary treatment will require to be removed. Although the existing boundary features have no particular individual merit, they are considered more in keeping with the scale of the terraced row of cottages, and less visually oppressive to the neighbours than the proposed blank wall which will extend to around 6 metres in length and 3 metres in height.

Roads and Access

No change to existing situation.

Drainage and Flooding

No change to existing situation.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered 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 approval subject to conditions.

APPLICATION PROCESSING TIME

The recommendation for this application has been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION Refuse the application

Reasons for Recommendation

1 - In the interest of residential amenity, the scale and proximity of the extension to the adjacent boundary will have an overbearing effect on and will overshadow the neighbouring property to an unacceptable degree. The proposals are therefore contrary to policy RD1 of the Adopted Local Development Plan 2014.

2 - As a consequence of its position as part of a terraced row, the scale and design of the proposed extension would be incongruous and detrimental to visual amenity. The proposals are therefore contrary to policy PM1 of the Adopted Local Development Plan 2014 as it would not contribute positively to the quality of the surrounding built environment.

Justification

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

Informatives

N/A

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

16/00911/1

16/00911/2

16/00911/3

16/00911/4

16/00911/5

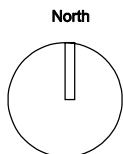
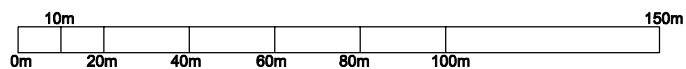
16/00911/6

Date of Report 21.07.2016



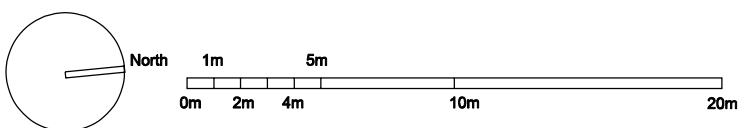
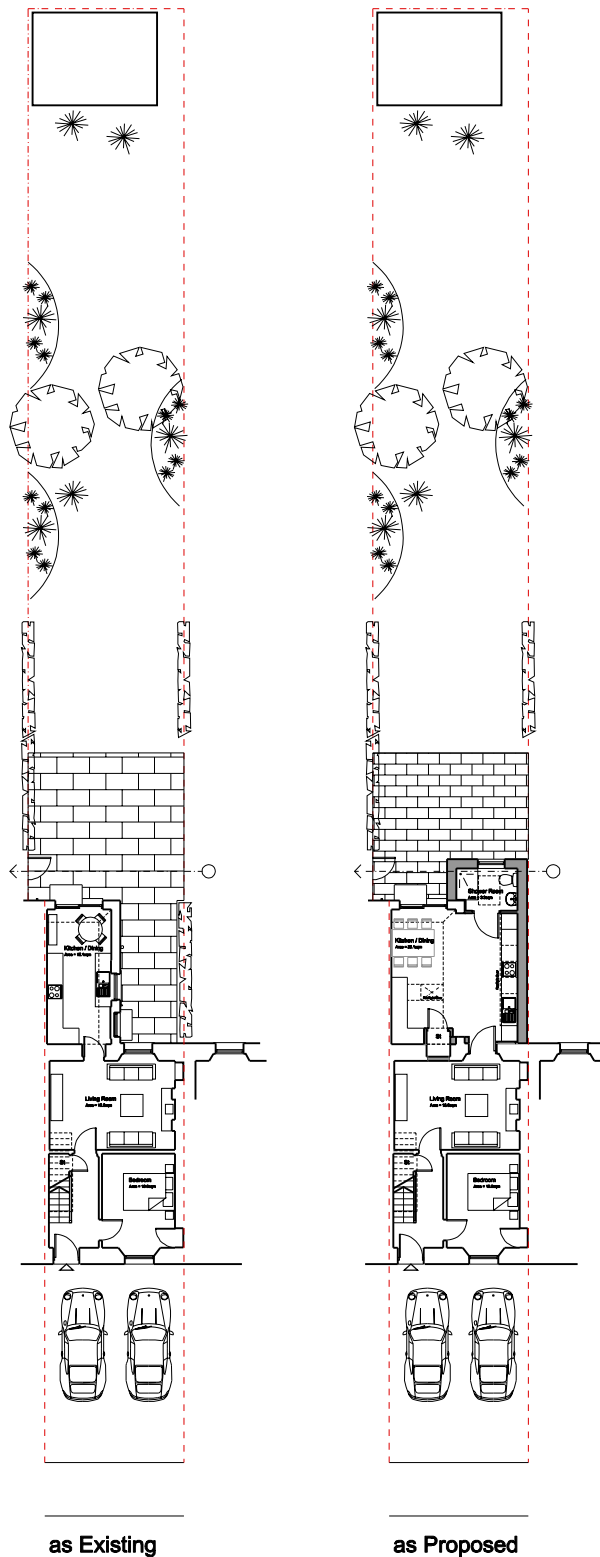
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Location Plan
1:1250



project Proposed Alterations to 2 Lime Cottage Main St Balbeggie client Mr & Mrs Brian Clark	title Location Plan Planning Application date May 2016 scale 1:1250@A3	job no. 1607 drg no. (00)001 rev. THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
Revisions drawn AM checked AM	173	Registered Office: 2 Westbank Road Longforgan Company No : SC289842

Site Layout Plan
1:200

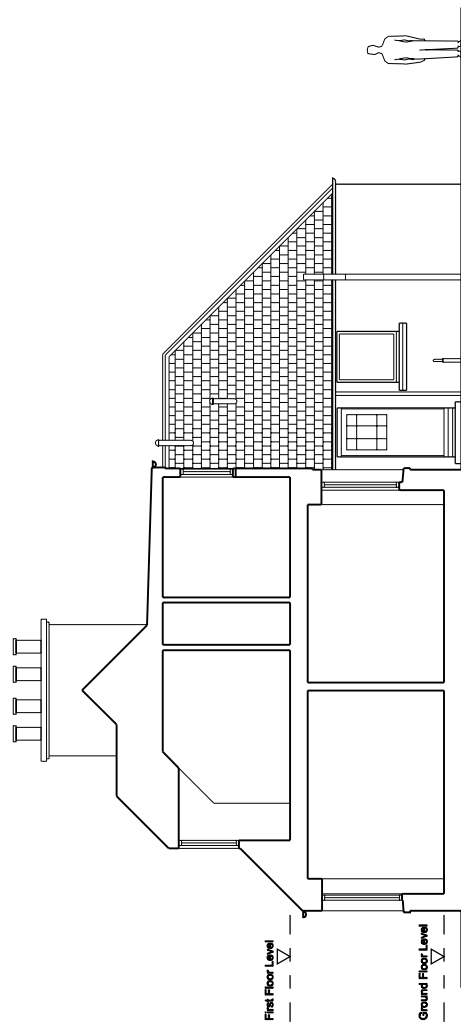


Revisions

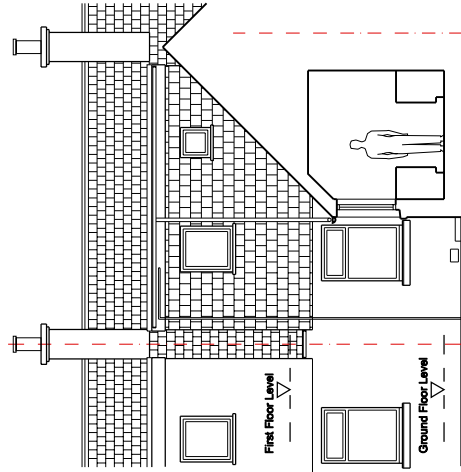
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<p>drawn AM checked</p>	<p>174</p>	<p>Registered Office: 2 Westbank Road Longforgan Company No : SC289842</p>

ATELIER - M

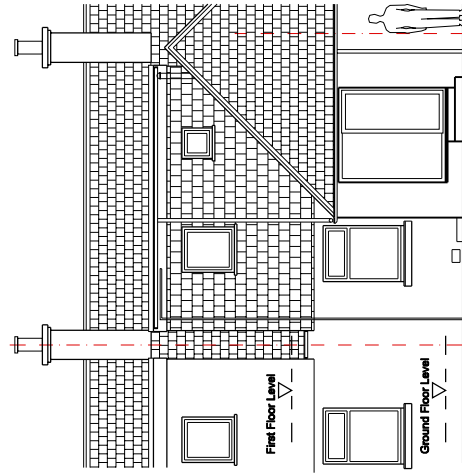




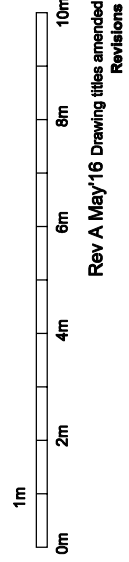
Section A - A (North Elevation)
1:100



Section B - B (West Elevation)
1:100



Rear Elevation (West Elevation)
1:100

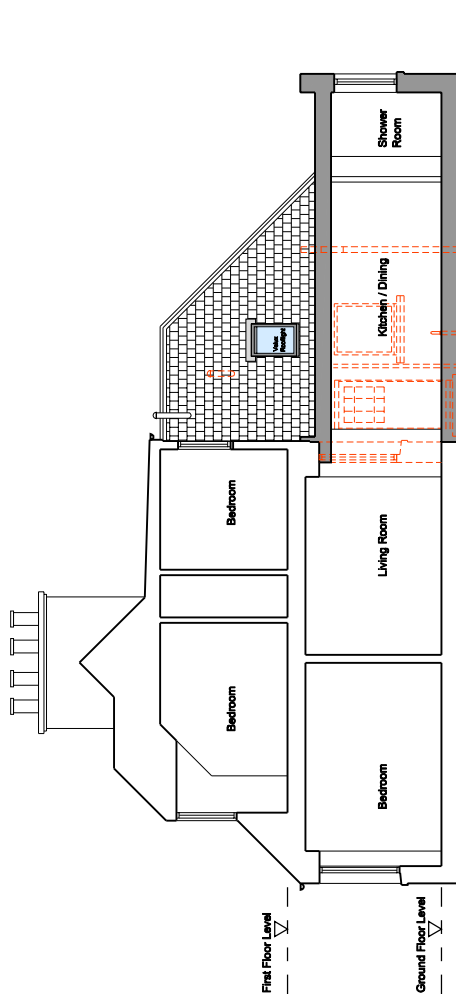


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Proposed Alterations to	Elevations and Sections	draw no.	(20)002
2 Lime Cottage Main St Balbeggie	As Existing	rev.	A
client	Planning Application	scale	1:100@A3
Mr & Mrs Brian Clark	date	May 2016	
drawn	AM	checked	AM

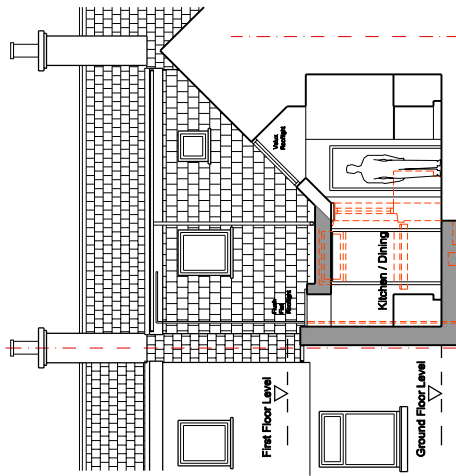
ATELIER - M

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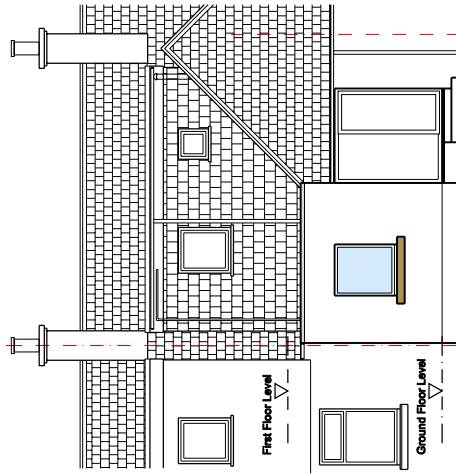
as Existing



Section A - A (North Elevation)
1:100



Section B - B (West Elevation)
1:100



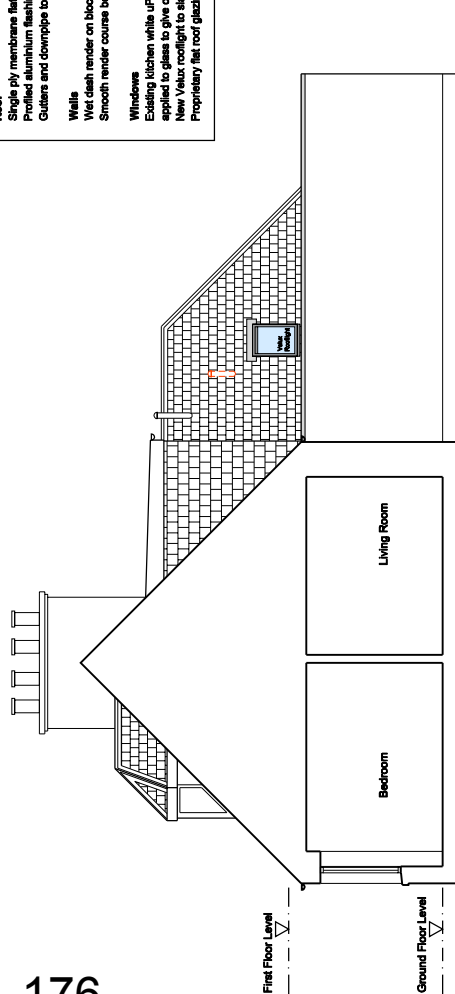
Rear Elevation (West Elevation)
1:100

Outline Specification

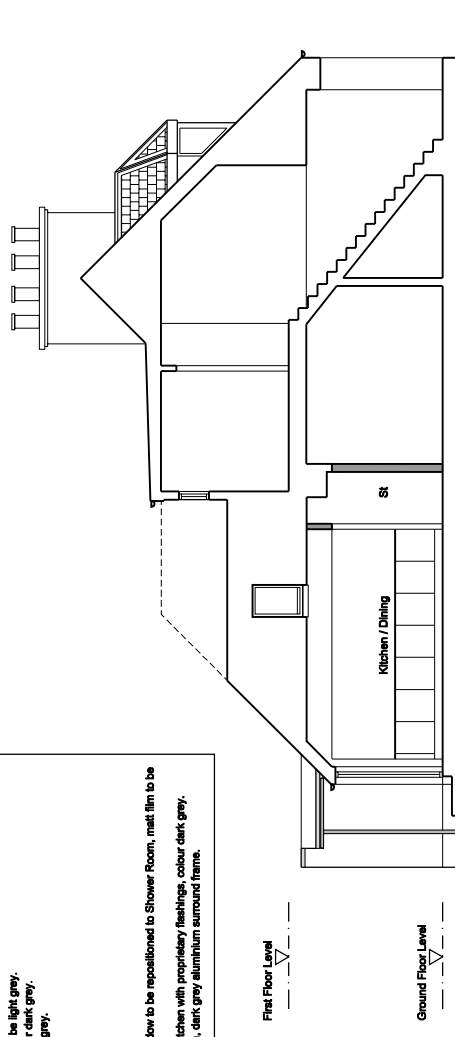
Roof
Single ply membrane flat roof system, colour to be light grey.
Profiled aluminium flashings and copings, colour dark grey.
Gutters and downpipes to be uPVC, colour dark grey.

Walls
Wet dash render on brickwork, colour white.
Smooth render courses below DPC level

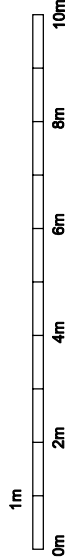
Windows
Existing kitchen white uPVC double glazed window to be repainted to Shower Room, matt film to be applied to glass to give opaque privacy screen.
New Velux rooflight to side roof over existing kitchen with proprietary flashings, colour dark grey.
Proprietary flat roof glazing system to extension, dark grey aluminium around frame.



Section C - C (North Elevation)
1:100



Section D - D (South Elevation)
1:100



Rev A May'16 Drawing titles amended
Revisions

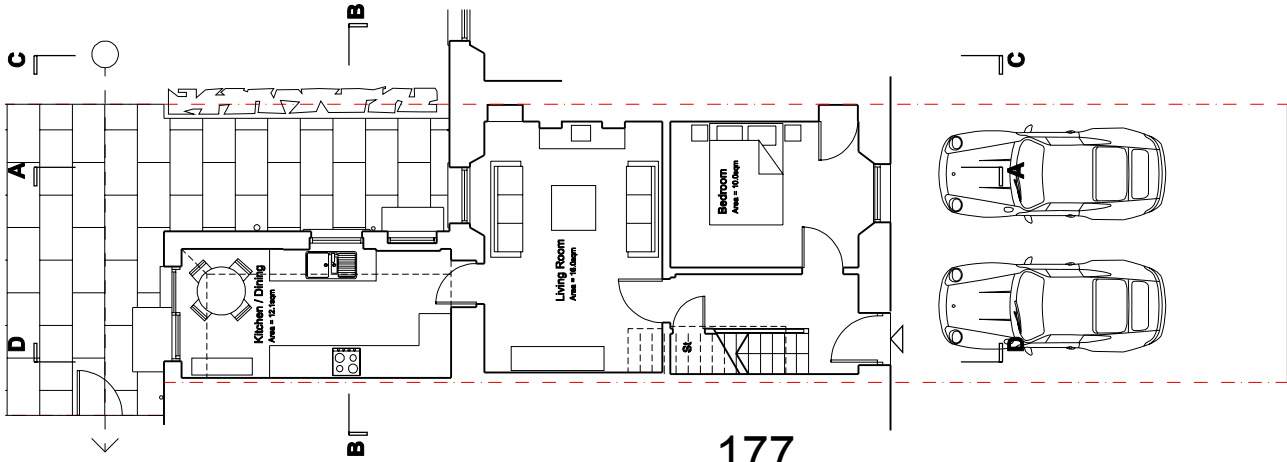
as Proposed

ATELIER - M

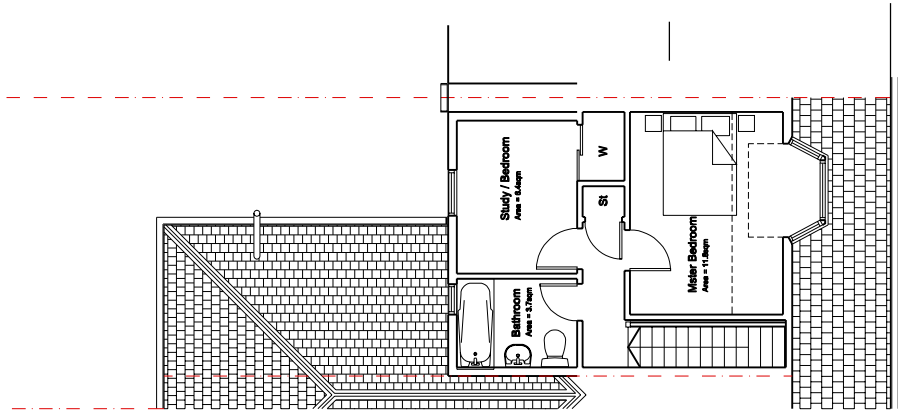
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job no. **1607**
dig no. **(20)004**
rev. **A**

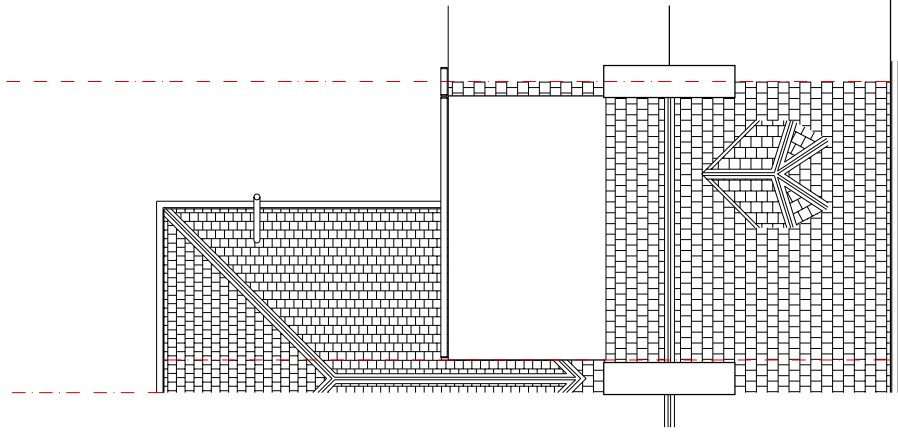
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Proposed Alterations to 2 Lime Cottage Main St Balbeggie	As Proposed	Planning Application
client Mr & Mrs Brian Clark	date May 2016	scale 1:100@A3
drawn AM	checked AM	



Ground Floor Plan
1:100

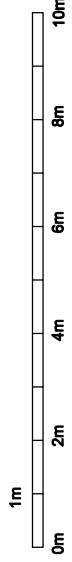
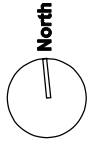


First Floor Plan
1:100



Roof Plan
1:100

as Existing



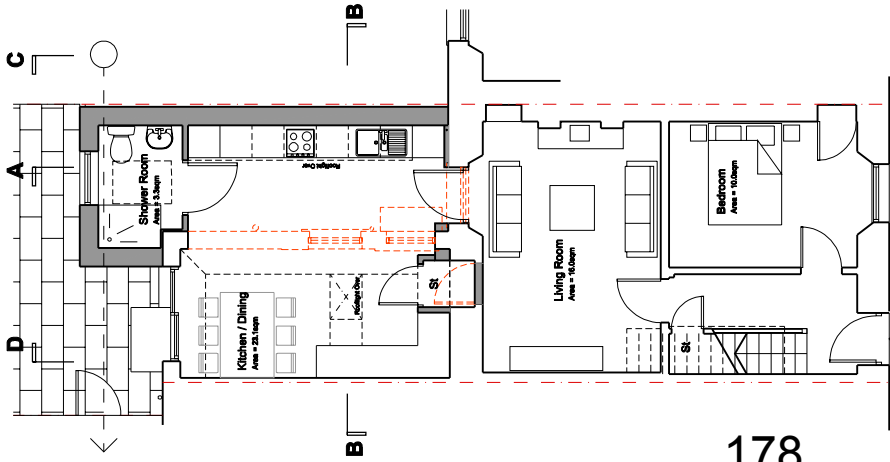
Rev A May'16 Section references added
Revisions

ATELIER - M

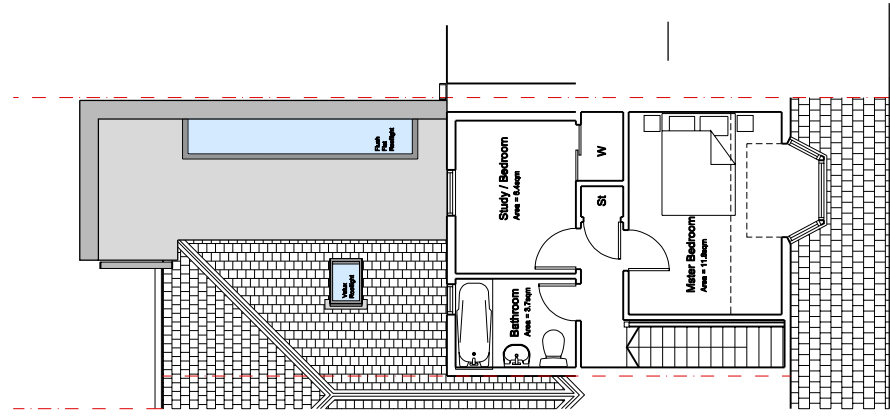
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job no. **1607**
dig no. **(20)001**
rev. **A**

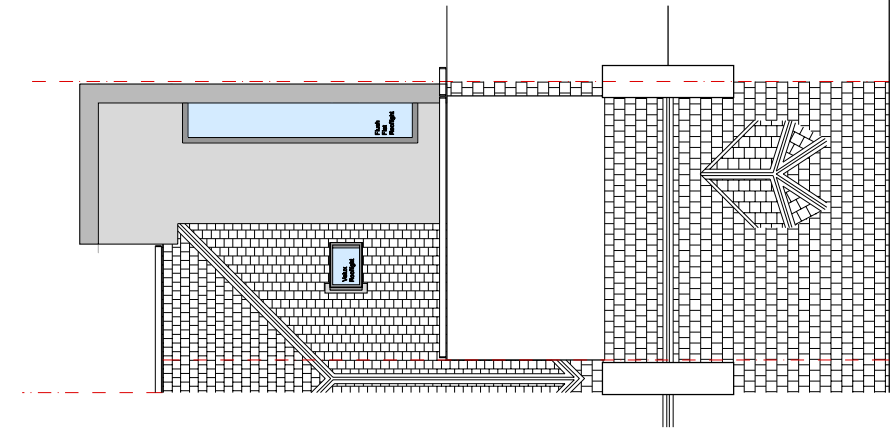
project	title	scale
Proposed Alterations to 2 Lime Cottage Main St Balbeggie	Floor Plans As Existing Planning Application	1:100@A3
client Mr & Mrs Brian Clark	date May 2016	scale 1:100@A3
drawn AM	checked AM	



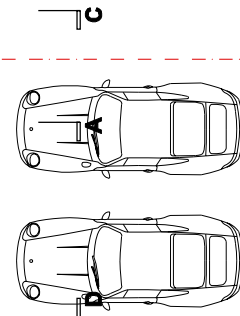
Ground Floor Plan
1:100



First Floor Plan
1:100



Roof Plan
1:100



as Proposed

Rev A May'16 Section references added
Revisions

Outline Specification

- Roof**
Single ply membrane flat roof system, colour to be light grey.
Profiled aluminium flashings and copings, colour dark grey.
Gutters and downpipes to be uPVC, colour dark grey.
- Walls**
Wet dash render on brickwork, colour white.
Smooth render course below DPC level
- Windows**
Existing kitchen white uPVC double glazed window to be repainted to Shower Room, must film to be applied to glass to give opaque privacy screen.
New Velux rooflight to slide roof over existing kitchen with proprietary flashings, colour dark grey.
Proprietary flat roof glazing system to extension, dark grey aluminium surround frame.

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job no. 1607
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rev. A

project title
Proposed Alterations to
2 Lime Cottage Main St Balbeggie
client
Mr & Mrs Brian Clark
drawn
AM checked
AM

floor plans
As Proposed
Planning Application
date
May 2016
scale
1:100@A3