

LRB-2022-55

22/01083/FLL - Extension to dwellinghouse and formation of raised terrace (revised design), Fermoyle, Glenfoot, Abernethy, PH2 9LS

INDEX

- (a) Papers submitted by the Applicant (Pages 451-476)
- (b) Decision Notice (Pages 461-462)

Report of Handling (Pages 463-468)

Reference Documents (Pages 469-475)



LRB-2022-55
22/01083/FLL - Extension to dwellinghouse and formation

Abernethy, PH2 9LS

PAPERS SUBMITTED BY THE APPLICANT

of raised terrace (revised design), Fermoyle, Glenfoot,



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

100527348-006

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

☑ Individual ☐ Organisation/Corporate entity

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 □ Applicant □ Agent on behalf of the applicant in connection with this application) Agent Details Please enter Agent details Andrew Megginson Architecture Company/Organisation: Ref. Number: You must enter a Building Name or Number, or both: * Andrew Andrew Megginson Architecture First Name: * **Building Name:** Megginson Last Name: * **Building Number:** Address 1 128 Dundas Street 0131 557 9129 Telephone Number: * (Street): New Town Address 2: Extension Number: Edinburgh Town/City: * Mobile Number: Scotland Fax Number: Country: * EH3 5DQ Postcode: * andrew@andrewmegginsonarchitecture.com Email Address: *

Applicant De	tails		
Please enter Applicant of	details		
Title:	Mr	You must enter a Bu	uilding Name or Number, or both: *
Other Title:		Building Name:	Fermoyle
First Name: *	Josh	Building Number:	
Last Name: *	Haslam	Address 1 (Street): *	Glenfoot
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Abernethy
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PH2 9LS
Fax Number:			
Email Address: *			
Site Address	Details		
Planning Authority:	Perth and Kinross Council		
Full postal address of th	e site (including postcode where available):	
Address 1:	FERMOYLE		
Address 2:	GLENFOOT		
Address 3:	ABERNETHY		1
Address 4:			
Address 5:			
Town/City/Settlement:	PERTH		
Post Code:	PH2 9LS		
Please identify/describe	the location of the site or sites		
Northing	715774	Easting	318097

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)
Extension to dwellinghouse and formation of raised terrace
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 a 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 see review statement.
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *
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)

Please provide a list of all supporting documents, materials and evidence which you wish to to rely on in support of your review. You can attach these documents electronically later in the Application form decision notice, report of handling, location plan, rural location plan, exist existing plans, previously approved plans, proposed plans and review statement.	ne process: * (Max 500 c	haracters)	nd	
Application Details				
Please provide the application reference no. given to you by your planning authority for your previous application.	u by your planning 22/01083/FLL			
What date was the application submitted to the planning authority? *	15/06/2022			
What date was the decision issued by the planning authority? *	20/09/2022			
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. *				
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) To see first hand that the new proposals will not have a detrimental effect on the existing property.				
In the event that the Local Review Body appointed to consider your application decides to in Can the site be clearly seen from a road or public land? *		oinion:		
Is it possible for the site to be accessed safely and without barriers to entry? *	<u>2000</u>	Yes No		

Checklist - App	lication 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?. *	X Yes ☐ No		
Have you provided the date a review? *	nd reference number of the application which is the subject of this	⊠ Yes □ No		
,	behalf of the applicant, have you provided details of your name nether any notice or correspondence required in connection with the or the applicant? *	X Yes ☐ No ☐ N/A		
	nt setting out your reasons for requiring a review and by what 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 *		ĭ 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	e of Review			
I/We the applicant/agent certify that this is an application for review on the grounds stated.				
Declaration Name:	Mr Andrew Megginson			
Declaration Date:	16/09/2022			

PROPOSED ROOF EXTENSION AND ALTERATIONS TO FERMOYLE, GLENFOOT

Review Statement

We would firstly like to draw the attention to the very frustrating facts that the planning officers for both recent applications to the above property have not physically visited the site which leads us to believe that they have not managed to fully understand the building, proposals and area which is key to any project such as this.

Secondly, we submitted the application on the 15th June 22, we received an invalidity letter on the 27th June 22 to which we replied with adequate alterations to the planning application on the 29th June 22 with the planning application being validated that day. We were then asked for an extension of time on the 19th 0f August 22 with the extension of time letter noting the reason for the extension as follows;

"Unfortunately, I require additional time to complete my assessment of the application and to write my report on the application. Please be assured that this is not due to any current concerns about the application.".

We allowed this with the content in the extension letter above in mind. We were then refused planning permission on the 28th of September 22. This whole process for a side extension has taken over 3 months.

The content of the extension letter to us suggested that the planning officer had no concerns with the proposals and that they simply needed extra time to write up the report for them to then come back almost a month later, where we can only presume that the planning officer actually looked at the proposals, to say that they did have concerns. We feel this is simply misleading and unacceptable we have pretty much wasted a month here. The applicant is building this extension and carrying out works to the house so he and his family can move in as soon as possible from their current living situation which is not ideal. I feel that the council do forget that these applications involve people and families at the end of the day and this situation is going to cause stress and issue to the applicant and his family.

Perth and Kinross Council planning department have refused a planning application for works to the above property. We have submitted a revised scheme from a formerly approved planning application as we wish to avoid the radical suggestions from the planning officer of that application which includes;

- -Stepping the proposed extension back from the existing front and rear walls at 87.5mm.
- -Dropping the ridge to form a small flat roof, the drop between the existing and proposed roof amounts to 250mm.

The reason for wanting to avoid these suggestions is we do not feel they are justified in that the plans as proposed within our current application are sympathetic to the existing house and are not detrimental to it or the area in any way. We feel the downpipe positions and clear architectural contrast with the three rooflights and modern dormer suitably and softly delineate the extension from the existing house where the running through of the walls and roof at the same build line and heights is acceptable.

Further to the above the suggestions reduce the internal space to an already tight extension and raise buildability/ workmanship issues which can be simply avoided with the proposed plans.

The planning officers for the applications did not visit the site. If they were to visit the site they will have seen that a reasonable level of vegetation and screening exist along the road between that and the application dwelling along with further vegetation existing to the West of the front garden meaning the property at the proposed extension side has a good level of screening to it.

The properties that lie at the same side of the road to the West of the application property are also long buildings that are of the same build line and height although they are in different ownership so our proposals shall tie in with this built form. The downpipes to the properties to the West closest to the application site also delineates each ownership which is similar to how we are using our downpipe positions to softly delineate the extension adequately.

As per the below image we can see the long building typology that exists elsewhere in the immediate area and also the lack of any flat roofed buildings or extensions, other than small outbuildings/ sheds, where furthermore there certainly are no examples of pitched roofs with flat parts on top. The introduction of this form is thus out of character with the area. We do not need any clear subordination to the existing dwelling



house for the reasons stated above where the tying in of the extension would be respectful of the existing house and surroundings.



In conclusion we feel the development is appropriate to the existing dwelling and surrounding area. There is no need for these radical suggestions to be incorporated to a proposal that is sympathetic to the existing property and is cognisant of other architectural elements in the area. We respectfully ask that the Local Review Body agree with this and conclude that the development is acceptable under the Local Development Plan.



Mr Josh Haslam c/o Andrew Megginson Architecture Andrew Megginson 128 Dundas Street New Town Edinburgh EH3 5DQ Pullar House 35 Kinnoull Street PERTH PH1 5GD

Date of Notice: 27th September 2022

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: 22/01083/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 June 2022 for Planning
Permission for Extension to dwellinghouse and formation of raised terrace (revised
design) Fermoyle Glenfoot Abernethy Perth PH2 9LS

David Littlejohn Head of Planning and Development

Reasons for Refusal

- 1. The proposed extension, by virtue of its design and siting, does not respect the character and visual amenity of the existing dwellinghouse.
 - Approval would therefore be contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2.
- The proposed extension, by virtue of its massing, appearance, height and scale, does not complement its surroundings.
 - Approval would therefore be contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2.
- The proposed extension, by virtue of its lack of subordination to the existing dwellinghouse, fails to comply with the Perth & Kinross Placemaking Supplementary Guidance 2020.

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

REPORT OF HANDLING

DELEGATED REPORT

Ref No	22/01083/FLL			
Ward No	P9- Almond And E	P9- Almond And Earn		
Due Determination Date	28th August 2022	28th August 2022 Extended to 28th September 2022		
Draft Report Date	20th September 20	20th September 2022		
Report Issued by	DR	Date 20th September 2022		

PROPOSAL: Extension to dwellinghouse and formation of raised

terrace (revised design)

LOCATION: Fermoyle Glenfoot Abernethy Perth PH2 9LS

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 $1\frac{1}{2}$ storey dwellinghouse situated in the settlement of Glenfoot, to the west of Abernethy.

Full planning permission is sought for:

- 1. the erection of an extension on the west (side) elevation of the dwellinghouse. The extension has two distinct sections. The main section is 1½ storeys in height; the roof height and the roof planes match those of the existing house; and the walls of the front and rear elevations are in line with those of the existing house. The second section is single storey; its roof is lower than that of the house and its walls are set back from those of the house. The roofs and walls of the extension will be finished in materials to match the existing house.
- 2. the formation of a raised terrace in the form of timber decking with a glass balustrade. This will be formed on the north (rear) elevation of the existing house and the proposed extension.

This application is a revised design of a previous planning approval (ref: 22/00173/FLL).

SITE HISTORY

Planning application (ref: 22/00173/FLL) for 'Extension to dwellinghouse and formation of raised terrace', which was approved on 8 June 2022, is relevant to the assessment of the current application.

Based on the originally submitted plans, the application (ref: 22/00173/FLL) would have been recommended for refusal. Following discussions with the applicant's

agent, the plans were revised to secure a development that better related to the character, appearance, and scale of the existing dwellinghouse. The revisions to make the application supportable were:

- 1. A narrow flat roof was added to the main section of the extension to allow the maximum height to be reduced by 0.25 metre.
- 2. The front and rear elevations of the main section of the extension were set back by 0.09 metre from the building line of the existing house.
- 3. The front elevation of the smaller section of the extension was set back by 0.24 metre from the front elevation of the main section of the extension.
- 4. A large single window on the front elevation of the extension was changed to two smaller windows.
- 5. The width of the decking was reduced so that it did not project beyond the westmost elevation of the proposed extension.

The revisions were the minimum that were required to make the proposal acceptable. They were not as radical as had been hoped but were an improvement that helped to break up the mass of the overall development.

In addition to the planning permission (ref: 22/0173/FLL), a building warrant (ref: 22/00476/DOM3) was approved on 08 September 2022 and the applicant's agent advised the Building Standards Team that works were due to commence on 12 September 2022. Whatever the outcome of the current application, planning permission and a building warrant are already in place to allow the house to be extended and a terrace to be formed.

It is highlighted that the original design of the extension (which had to be revised and which was not approved under 22/00173/FLL) was very similar to the design of the extension that is now under consideration: the ridge height of main section of the extension matched the existing roof, and the walls of the front (south) and rear (north) elevations were in line with the walls of the existing house.

PRE-APPLICATION CONSULTATION

Pre application Reference: n/a

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 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

OTHER POLICIES

Perth & Kinross Placemaking Supplementary Guidance 2020

CONSULTATION RESPONSES

Scottish Water No response received

REPRESENTATIONS

No representations were received:

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.

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

Design, Layout and Visual Amenity

The larger section of the extension has been designed to replicate original house. The roof heights and the roof planes of the extension match those of the existing house, and the roof of the extension will be clad in slate to match the existing. The walls of the front and rear elevations are in line with those of the existing house and will be rendered to match the existing.

However, this is not the appropriate design solution for this property. The replication would result in the existing house and the main section of the proposed extension becoming one large solid mass and there would no distinction between the house and the extension. In addition, the replication would unbalance the proportions of the façade (south elevation) of the traditional style of the original house.

Given the above assessment, the proposal fails to comply with the Placemaking Supplementary Guidance, which advises that extensions should be a subordinate addition in all respects. The proposed extension is not set back from the frontage of the building, resulting in a lack of subordination to the existing building. The roof ridge level of the extension is not lower than the existing building, resulting in a lack of subordination to the existing building and a lack of a separate identity to the extension.

Due to its design and siting, the proposal does not respect the character and visual amenity of the existing dwellinghouse and is therefore contrary to Policy 1A: Placemaking of LDP2.

Due to its massing, appearance, height and scale, the proposal does not complement its surroundings and is therefore contrary to Policy 1B(c): Placemaking of LDP2.

(It is notable that, under the existing planning permission (ref: 22/00173/FLL), due to the lower height of the extension and the setting back of the walls of the extension from the walls of the house, the original house stands proud of the extension, and the house and extension read as separate masses. For these reasons, that

application complied with the Placemaking Supplementary Guidance and with Policies 1A and 1B.)

Despite the above, some elements of the proposal are acceptable. The smaller section of the proposed extension would be a subordinate addition. The windows on the front (south) elevation of the extension are traditional in proportion and replicate those on the original house. With a flat-roofed dormer, large windows and glazed doors, and the glass balustrade around the decking, the rear (north) elevation of the proposal is more contemporary in appearance; the rear aspect can afford to be more contemporary given its more secluded setting. The decking would not project beyond the side elevation of the proposed extension, and it would be located to the rear of the house and the extension; this would reduce the visual impact of the decking.

Residential Amenity

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

Given the existing situation, the scale of the proposal and the distances involved, there are no concerns about overlooking or overshadowing of other residential properties.

Roads and Access

There are no road or access implications associated with this proposed development.

Drainage and Flooding

The property is served by a private supply. No drainage and flooding implications are anticipated with this proposed development.

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.

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.

Conditions and Reasons

- 1. The proposed extension, by virtue of its design and siting, does not respect the character and visual amenity 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 extension, by virtue of its massing, appearance, height and scale, 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 proposed extension, by virtue of its lack of subordination to the existing dwellinghouse, fails to comply with the Perth & Kinross Placemaking Supplementary Guidance 2020.

Justification

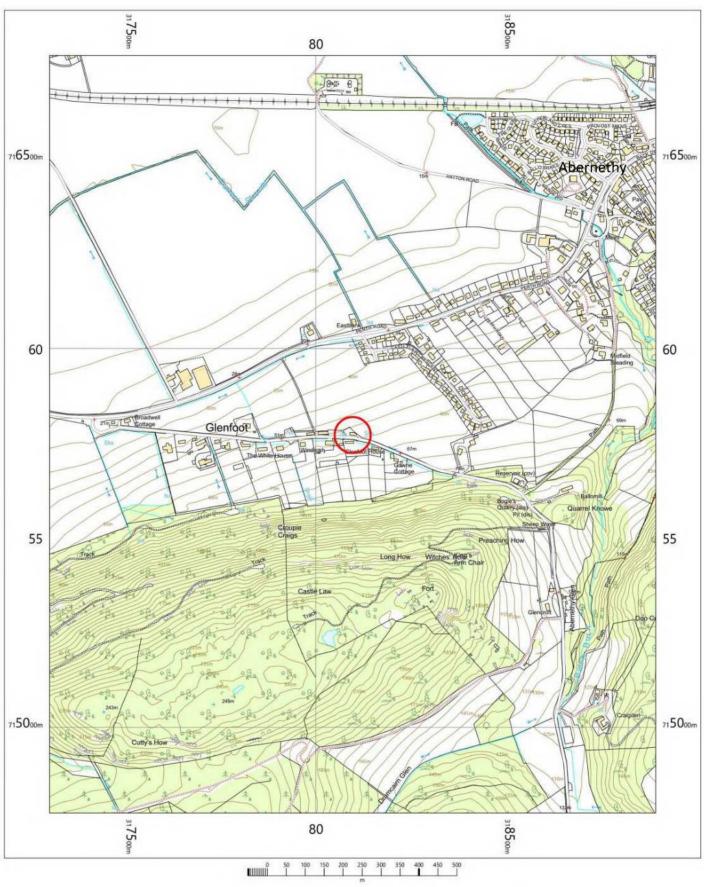
The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01			
02			
03			
04			
05			
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07			



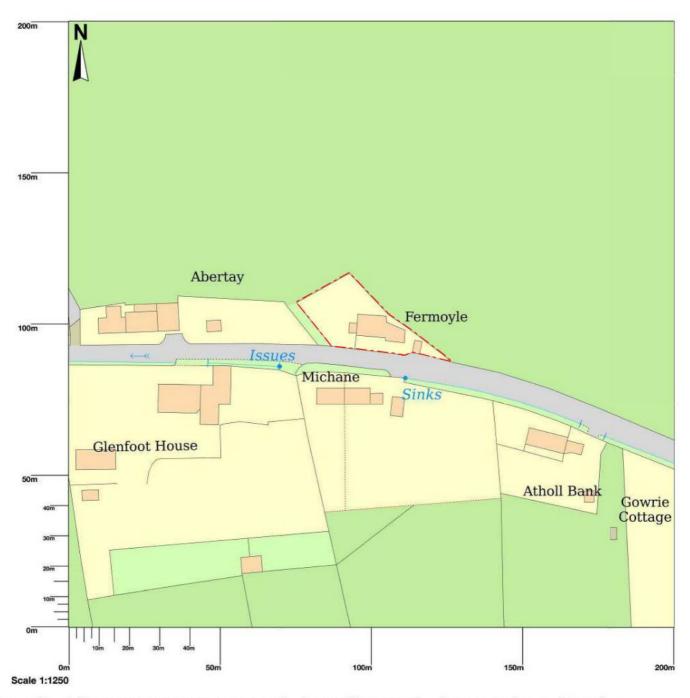








Fermoyle, Glenfoot, Abernethy, Perth, PH29LS

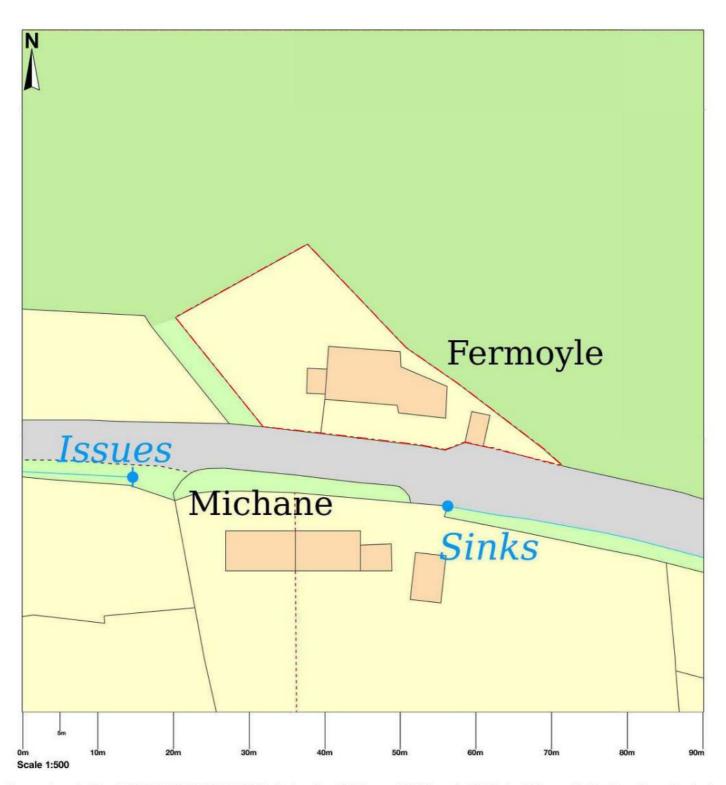


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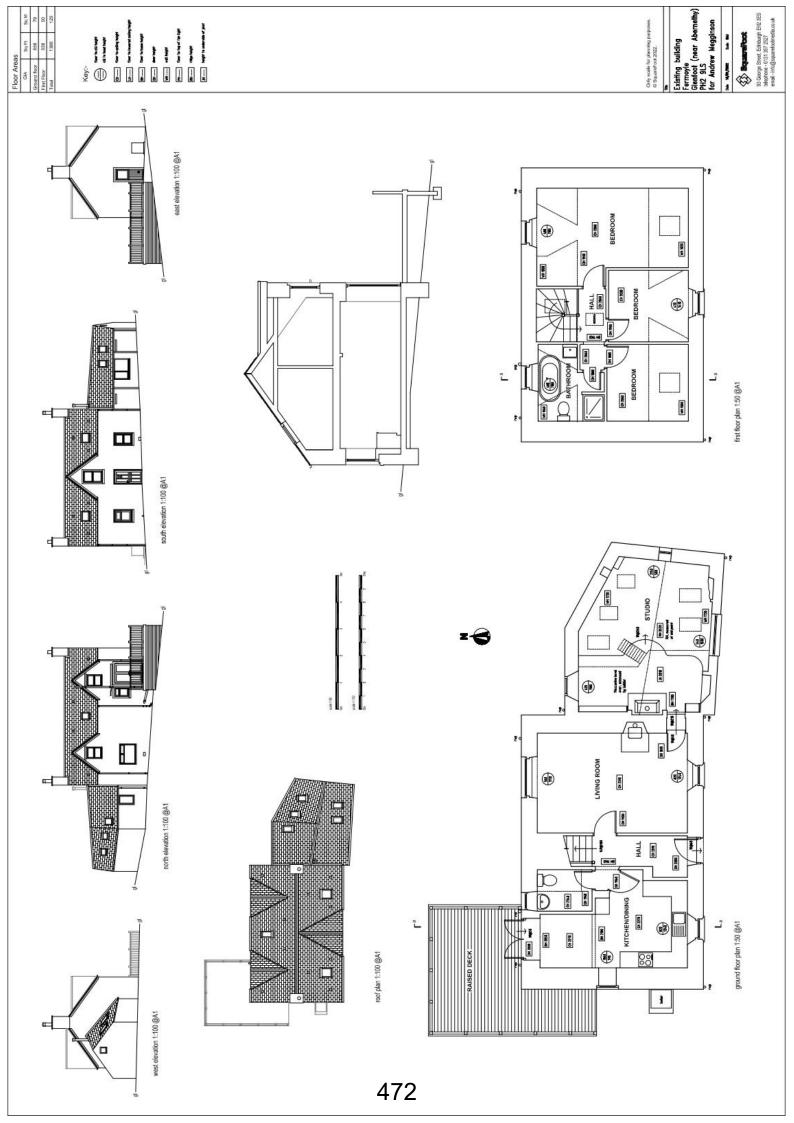




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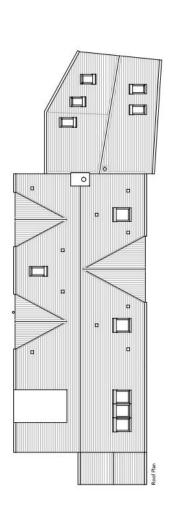


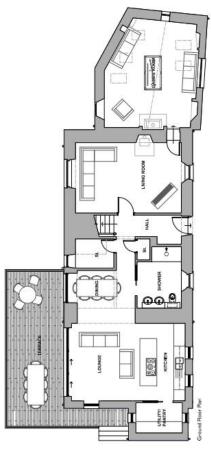
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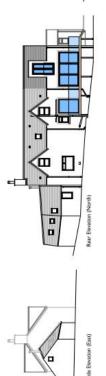








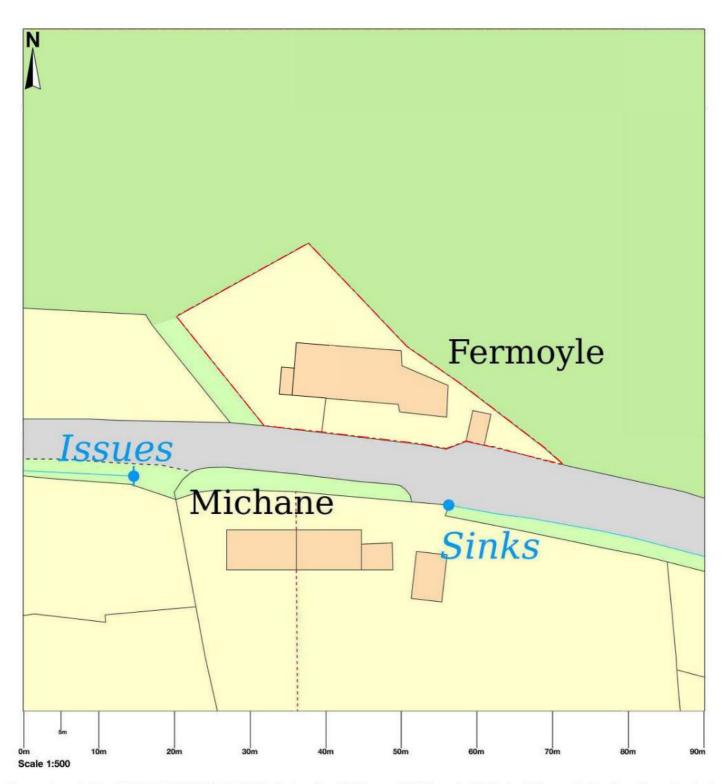








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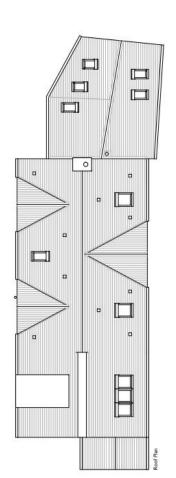


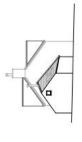
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LRB-2022-55

22/01083/FLL - Extension to dwellinghouse and formation of raised terrace (revised design), Fermoyle, Glenfoot, Abernethy, PH2 9LS

PLANNING DECISION NOTICE (included in applicant's submission, pages 461-462)

REPORT OF HANDLING (included in applicant's submission, pages 463-468)

REFERENCE DOCUMENTS (included in applicant's submission, pages 469-475)