

**TCP/11/16(191)**  
**Planning Application 12/00502/FLL – Erection of a conservatory at 96 David Douglas Avenue, Scone, PH2 6QG**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**





Pullar House 35 Kinnoull Street Perth PH1 5GD

Tel: 01738 475300

Fax: 01738 475310

Email: [onlineapps@pkc.gov.uk](mailto:onlineapps@pkc.gov.uk)

Planning Department

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

Thank you for completing this application form:

ONLINE REFERENCE 000037122-002

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

## Applicant or Agent Details

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

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:

John Gordon Associates Ltd.

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

Ref. Number:

Building Name:

First Name: \*

John

Building Number:

3

Last Name: \*

Gordon

Address 1 (Street): \*

Dean Acres

Telephone Number: \*

01383850134

Address 2:

Comrie

Extension Number:

Town/City: \*

Dunfermline

Mobile Number:

Country: \*

UK

Fax Number:

01383850134

Postcode: \*

KY12 9XS

Email Address: \*

[gordon.associates@btinternet.com](mailto:gordon.associates@btinternet.com)

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="Mrs"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="K"/>
Last Name: *	<input type="text" value="Carswell"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text" value=""/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

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

Building Name:	<input type="text"/>
Building Number:	<input type="text" value="96"/>
Address 1 (Street): *	<input type="text" value="David Douglas Avenue"/>
Address 2:	<input type="text" value="Scone"/>
Town/City: *	<input type="text" value="Perth"/>
Country: *	<input type="text" value="UK"/>
Postcode: *	<input type="text" value="PH2 6QG"/>

## Site Address Details

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

Address 1:	<input type="text" value="96 David Douglas Avenue"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="Scone"/>	Town/City/Settlement:	<input type="text" value="Perth"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="PH2 6QG"/>
Address 4:	<input type="text"/>		

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

Northing	<input type="text" value="726258"/>	Easting	<input type="text" value="314016"/>
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## Description of the Proposal

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

Erection of a conservatory

## 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) – deemed refusal.

## Statement of reasons for seeking review

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

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

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

Separate statement attached.

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

☐ Yes ☒ No

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)

001 - EXISTING & PROPOSED REAR ELEVATIONS & FLOOR PLANS  
002 - PROPOSED SIDE ELEVATIONS  
003 - PROPOSED 1:50 PLAN & CROSS SECTIONS  
LOCATION PLAN  
PP APPLICATION  
PP REFUSAL  
REASONS FOR REVIEW  
EMAIL FROM AFFECTED NEIGHBOUR

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

12/00502/FLL

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

20/03/12

Has a decision been made by the planning authority? \*

☒ Yes ☐ No

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

21/05/12

## 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

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)

ACCESS WILL REQUIRE TO BE ARRANGED WITH THE APPLICANT

## 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: John Gordon

Declaration Date: 25/05/2012

Submission Date: 25/05/2012

Notice of Review  
For  
Erection of a Conservatory  
At  
96 David Douglas Avenue, Scone, Perth. PH2 6QG.

**Reasons For Review**

All of the houses in this row are in an elevated position at the rear with the gardens sloping away from the buildings and raised patio areas are a common feature. Any extension to these properties is going to create some element of overlooking so a common sense approach should be taken. The proposed conservatory will be 3000mm in projection and 2685mm in width featuring a full height boundary wall to the Southeast. The other two sides of the conservatory are to be glazed, with a low level dado wall on the corner. The conservatory would most likely fall under permitted development rights if the height from the ground was not as high.

The applicant wishes to use the proposed conservatory as an extension to their existing Lounge, which can be quite dark due to the orientation of the house, hence offering a much brighter, more pleasant area to sit and enjoy the view offered from the elevated position and to admire their already established garden.

The application property and both neighbouring properties feature raised patio areas to the rear at present with very little or no existing boundary screening. The applicant has consulted with the neighbours on each side and has presented letters to the Planning Department from them confirming they have no objections to the proposal and would actually consider carrying out the same work. The neighbour on the Southeast is looking forward to the increased privacy offered by the full height boundary wall.

The application was refused for issues regarding overlooking to the Northwest, an issue that was not raised with us as Agent, nor was the opportunity given to propose any kind of adequate screening. However, given the height of the existing patio areas, which are used at present for sitting and admiring the garden area, the proposed conservatory would not create any additional overlooking issues above those already present as no rooms will be at risk of losing privacy, only the garden areas, which are already compromised, will be overlooked.

We hope the above will make sense to the review committee and they will see fit to grant permission in this case.







Pullar House 35 Kinnoull Street Perth PH1 5GD

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Planning Department

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

Thank you for completing this application form:

ONLINE REFERENCE                      000037122-001

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

## Description of Proposal

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

Erection of a conservatory

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

☒ No   ☐ Yes - Started   ☐ Yes - Completed

## Applicant or Agent Details

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

☐ Applicant   ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:

John Gordon Associates Ltd.

Ref. Number:

First Name: \*

John

Last Name: \*

Gordon

Telephone Number: \*

01383850134

Extension Number:

Mobile Number:

Fax Number:

01383850134

Email Address: \*

gordon.associates@btinternet.  
com

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

Building Name:

Building Number:

3

Address 1 (Street): \*

Dean Acres

Address 2:

Comrie

Town/City: \*

Dunfermline

Country: \*

UK

Postcode: \*

KY12 9XS

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



Individual



Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: \*

Other

Other Title: \*

Mr. & Mrs

First Name: \*

Last Name: \*

Carswell

Company/Organisation:

Telephone Number:

Extension Number:

Mobile Number:

Fax Number:

Email Address:

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

Building Name:

Building Number:

96

Address 1 (Street): \*

David Douglas Avenue

Address 2:

Town/City: \*

Scone

Country: \*

UK

Postcode: \*

PH2 6QG

## Site Address Details

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

Address 1: 96 David Douglas Avenue

Address 5:

Address 2: Scone

Town/City/Settlement: Perth

Address 3:

Post Code: PH2 6QG

Address 4:

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

Northing 726258

Easting 314016

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Trees

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

☐ Yes ☒ No

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

## Access and Parking

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

☐ Yes ☒ No

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

## Planning Service Employee/Elected Member Interest

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

☐ Yes ☒ No

## Certificates and Notices

Certificate and Notice under Regulation 15 8 – Town and Country Planning (General Development Management Procedure) (Scotland) Order 1992 (GDPO 1992) Regulations 2008

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

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

☒ Yes ☐ No

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

☐ Yes ☒ No

## Certificate Required

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

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Certificate A

I hereby certify that –

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

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

Signed: John Gordon

On behalf of: Mr. & Mrs . Carswell

Date: 20/03/2012

☒ Please tick here to certify this Certificate. \*

## Checklist - Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. \*

☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your proposals. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*

☐ Yes ☒ No

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

## Declare - For Householder Application

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

Declaration Name: John Gordon  
Declaration Date: 20/03/2012  
Submission Date: 20/03/2012

## Payment Details

Cheque: ANGLIAN WINDOWS LTD, 565828

Created: 20/03/2012 14:58



# PERTH AND KINROSS COUNCIL

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

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 21st May 2012

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/00502/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 23rd March 2012 for permission for **Erection of a conservatory 96 David Douglas Avenue Scone Perth PH2 6QG** for the reasons undernoted.

Development Quality Manager

### Reasons for Refusal

1. The proposal is contrary to Policy 71 of the Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000) as it will have a detrimental impact on residential amenity. Its elevated position combined with extensive glazing will result in an unacceptable level of overlooking leading to loss of privacy of neighbouring properties.

### Justification

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

## Notes

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

### Plan Reference

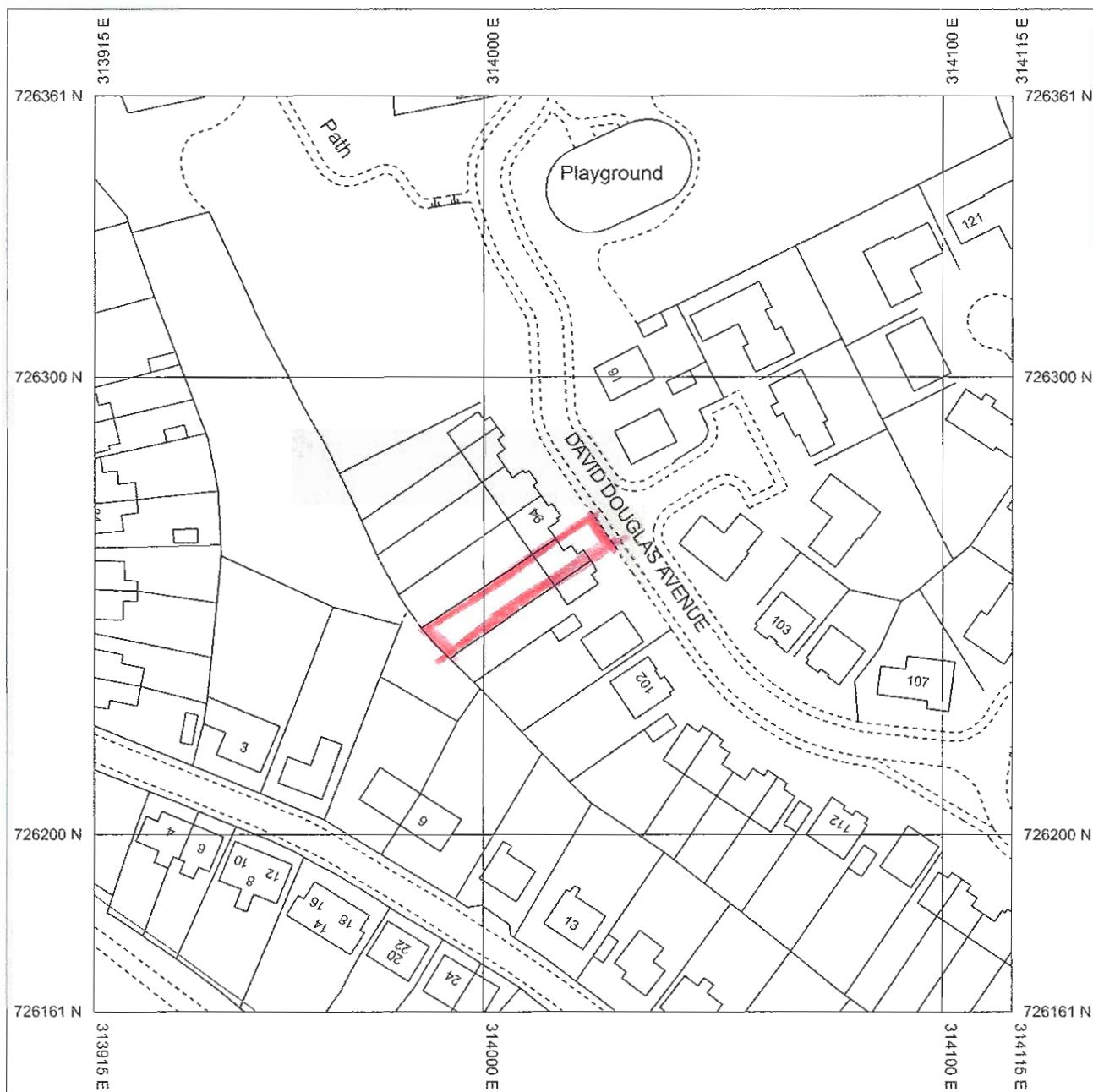
12/00502/1

12/00502/2

12/00502/3

12/00502/4





09972859

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National Geographic Database and incorporating  
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the prior permission of Ordnance Survey

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trademarks of Ordnance Survey, the national mapping  
agency of Great Britain.

The representation of a road, track or path is no  
evidence of a right of way.

The representation of features as lines is no evidence  
of a property boundary.

0 20 40

Scale 1:1250

Supplied By: **Anglian Conservatories**

Serial number: 001030261

Plot Centre Coordinates: 314015, 726261

Property is in domestic use.

All workmanship to BS6000, with the building standards (Scotland) regulations 2011.

Work to existing drainage to be in accordance with BS EN 752-3: 1997 & BS EN 1295-1: 1998.

All drainage to be tested & protected in accordance with BS EN 1610: 1998.

All rainwater pipes/gutters to BS EN 12056-3: 2000.

All new glazing to BS 6262 part 4: 2005.

All glass toughened to BS 6206-A.

Insulated DPC's fitted at all junctions & abutments to prevent cold bridging.

Door/window frames sealed to jambs & doors/windows fully draft proofed to limit air infiltration.

All electrical work to comply with BS 7671: 2001.

Conservatory designed to withstand wind speeds in accordance with BS6399:Part 2.

Conservatory frames secured to new/existing walls using no. 10 x 140mm Fischer fixings or equivalent @ 600mm c/s.


All concrete grade C30. All reinforced concrete grade C35.

All floors to be grade level.

No HAC to be used.

Rockwool 'Rockreveal' (or similar) insulated cavity closures at all wall heads & jambs to provide ½ hour fire resistance.

All facing brick to be frost resistant.



**Anglian**  
HOME IMPROVEMENTS  
CONSERVATORIES DIVISION


TELEPHONE 0845 437 3600  
FACSIMILE 01883 480101

Mr. & Mrs. Carswell,  
96 David Douglas Avenue,  
Scone. PH2 6QG.

Proposed Conservatory

Scale: 1:100      Mar. 12

Ref: Anglian 99/72859/1



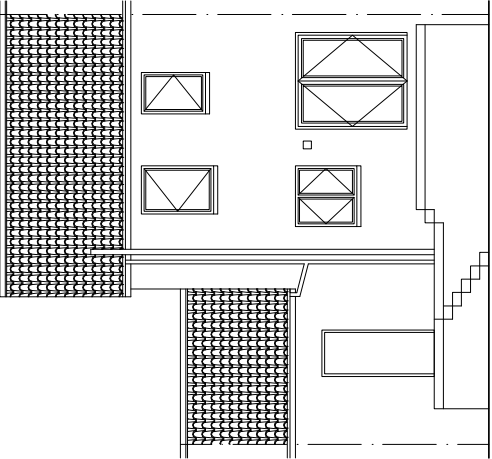
3 DEAN ACRES  
COMRIE  
FIFE KY12 9XS  
Tel/Fax: 01383 850 134  
E-mail: gordon.associates@btinternet.com

JOHN GORDON ASSOCIATES LTD

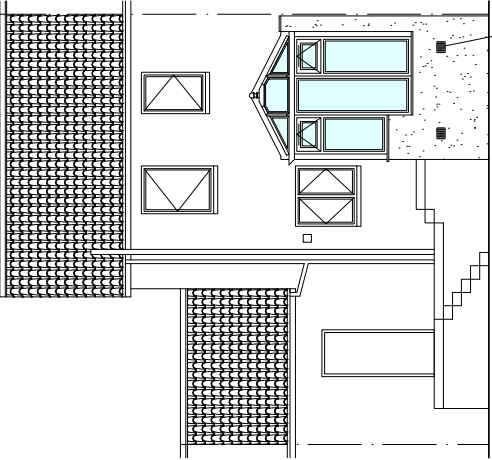
This is a true copy of the plan referred to in our application.

Dated:      Signed: *John Gordon*

Copyright of this drawing, and all other associated drawings, is owned by John Gordon Associates Ltd at the above address.



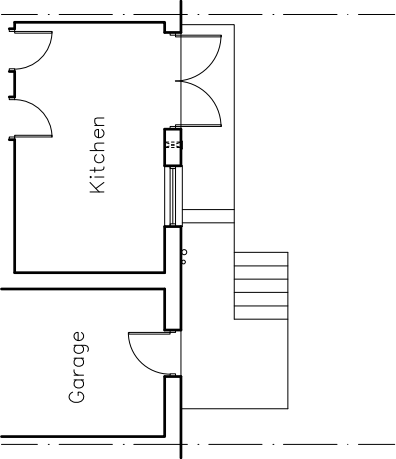
Southwest Elevation As Existing



As Proposed

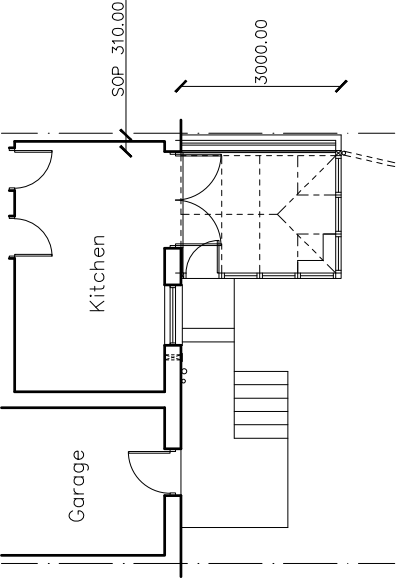
1450.00  
2880.00  
1450.00

New 150 x 225 F&I's @ 1500mm centres



Garage

Kitchen



Garage

Kitchen

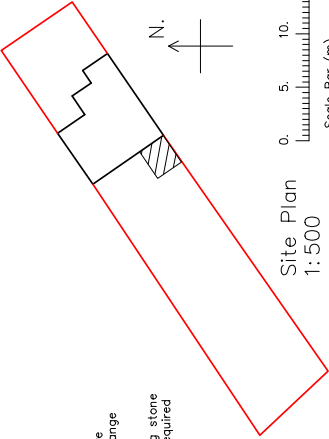
SOP 310.00

3000.00

2685.00

Additional Notes:

1. Customer to remove boundary fence & arrange access.
2. No room for coping stone overhang. Lead cap required to wall head.



Site Plan  
1:500

0 5 10 15  
Scale Bar (m)

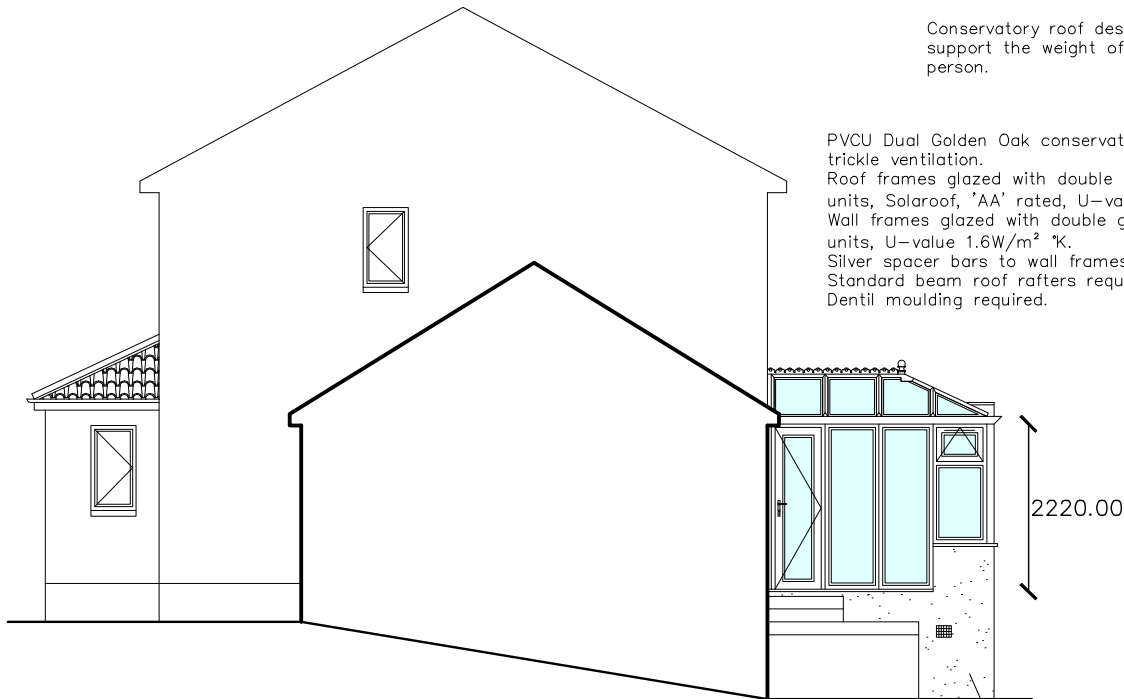
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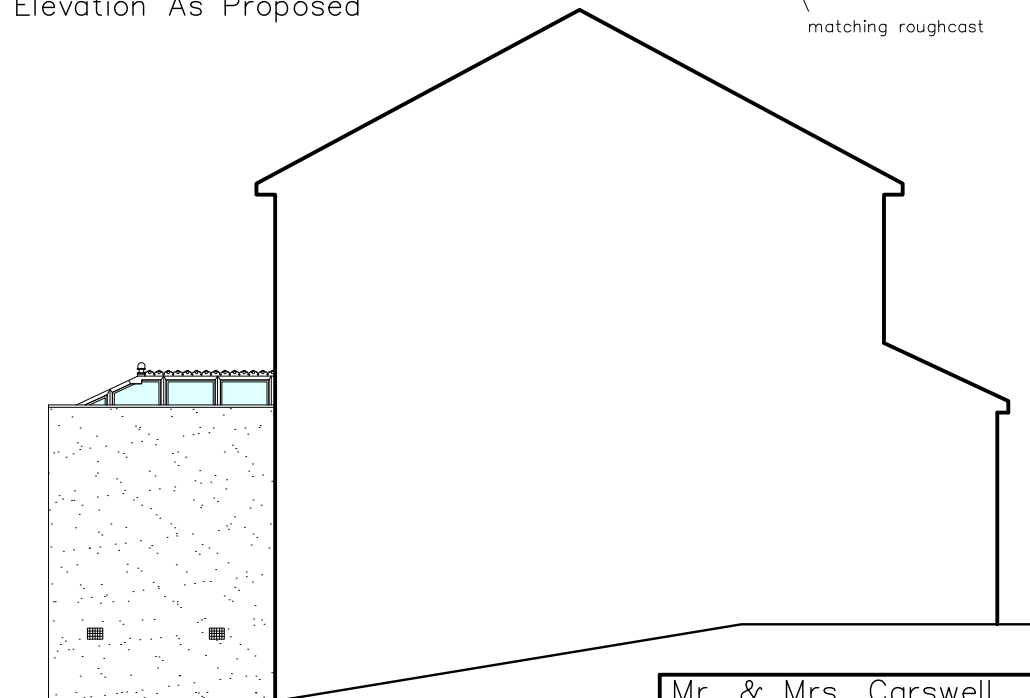
Scale Bar (m)

Conservatory roof designed to support the weight of a person.

PVCU Dual Golden Oak conservatory fitted with 10000mm<sup>2</sup> trickle ventilation.  
 Roof frames glazed with double glazed, toughened sealed units, Solaroof, 'AA' rated, U-value 1.2W/m<sup>2</sup> °K.  
 Wall frames glazed with double glazed, toughened sealed units, U-value 1.6W/m<sup>2</sup> °K.  
 Silver spacer bars to wall frames & roof.  
 Standard beam roof rafters required.  
 Dentil moulding required.



Northwest Elevation As Proposed



Southwest Elevation As Proposed

Mr. & Mrs. Carswell,  
 96 David Douglas Avenue,  
 Scone. PH2 6QG.

Proposed Side Elevations

Scale: 1:100

Mar. 12

Ref: Anglian 99/72859/2



3 DEAN ACRES  
 COMRIE  
 FIFE KY12 9XS  
 Tel/Fax: 01383 850 134  
 E-mail:  
 gordon.associates  
 @btinternet.com

JOHN GORDON ASSOCIATES LTD




This is a true copy of the plan referred to in our application.

Dated:

Signed:

*John Gordon*

Copyright of this drawing, and all other associated drawings, is owned by John Gordon Associates Ltd at the above address.

Electrical Key	
Type	Symbol
Light Switch	
Wall Light	
Twin Sockets	

Existing doors fitted with 10,000mm<sup>2</sup> trickle ventilation.

60 L/sec. extractor fan.

Cathic Stranghold or equivalent starter bars and ties between new and existing walls with vertical insulated dpc s.

All water supply pipes to be insulated using Angiflex in accordance with BS5422: 2009. Any radiators to be fitted with thermostatic control valves.

New connection into soak away in 100mm Ø Marley PVC-u pipe, laid in accordance with manufacturer's instructions. New drainage to be bedded & covered in pea gravel & laid to 1:100 fall. Any drains passing below new works to be protected by lintelling new walls overhead.

To soak away 5m from building & boundaries.

Line of foundations below

Existing platform & handrails to be retained to suit new conservatory.

Dado Wall: Roughcast on 100mm block, 50mm air space, 40mm K8 Kingspan insulation (90mm overall cavity). 100mm block, lined with 42.5mm Kingspan K17 insulation. U-value 0.22W/m<sup>2</sup> K. Halfen/Vista wall ties @ 750 horiz. & 450 vert. c/s.

DPC to BS 743 & a min. of 150mm above ground level.

600 x 150 foundations, 450mm min. below ground, level with existing foundations, or invert level of drainage or taken to adequate load bearing strata, whichever is greater.

One layer A142 reinforcement mesh to foundations, 50mm min. bottom cover.

New DPM sealed to existing DPC.

Base: 18mm chipboard flooring on 50x170 joists @ 450 cts., 100x50 wallplates/dpc, 150mm min. air space below joists, 100mm concrete solium, 1200 gauge DPM on sand blinding on 50mm compacted hardcore. 170mm 170 insulation laid in rows between joists. U-value 0.18W/m<sup>2</sup> K.

700 x 300 concrete foundation with A142 reinforcement mesh with 50mm min. top/bottom cover

Code 4 lead flashing ragged into existing roughcast wall, 150mm min. upstand.

Existing wall stripped and sheathed with 12.5mm plasterboard.

New floor to be 110mm below existing door cill. Max. step down 170mm.

If house foundations are different from standard strips, Building Standards, Architect & Structural Engineer to be notified and all work is to cease



Mr. & Mrs. Carswell,  
96 David Douglas Avenue,  
Scone. PH2 6QG.

Proposed Conservatory

Scale: 1:50 Mar. 12

Ref: Anglian 99/72859/3



3 DEAN ACRES  
COMRIE  
FIFE KY12 9XS  
Tel/Fax: 01383 850 134  
E-mail: gordon.associates@btinternet.com

JOHN GORDON ASSOCIATES LTD

This is a true copy of the plan referred to in our application.

Dated:

Signed: *John Gordon*

Copyright of this drawing, and all other associated drawings, is owned by John Gordon Associates Ltd at the above address.

**John Gordon Associates Ltd**

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**From:** "Kate Carswell" <[REDACTED]>  
**Date:** 25 May 2012 10:21  
**To:** "john gordon" <gordon.associates@btinternet.com>  
**Subject:** FW: Conservatory Application  
Hello Mr Gordon

I am sending the e-mail received from my neighbour. I hope this helps.  
I have read your appeal application and I am happy with it.

Thank you for your help.

Kind regards

Kate Carswell

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Date: Thu, 24 May 2012 18:36:24 +0100  
Subject: Conservatory Application  
From: [REDACTED]  
To: [REDACTED]

Dear Kate and Drew Carswell,

I refer to your recent application to erect a conservatory at No 96 David Douglas Avenue.

I confirm that we have no objections to the building of said conservatory and are not concerned that we may be overlooked.

Hope this helps.

Yours sincerely

Lesley and Craig Jack (No 94 David Douglas Avenue)

25/05/2012



**TCP/11/16(191)**

**Planning Application 12/00502/FLL – Erection of a conservatory at 96 David Douglas Avenue, Scone, PH2 6QG**

**PLANNING DECISION NOTICE** (included in applicant's submission, see pages 681-682)

**REPORT OF HANDLING**

**REFERENCE DOCUMENTS** (included in applicant's submission, see pages 683-686)





## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	12/00502/FLL
Ward No	N2- Strathmore

**PROPOSAL:** Erection of a conservatory

**LOCATION:** 96 David Douglas Avenue Scone Perth PH2 6QG

**APPLICANT:** Mr And Mrs Carswell

**RECOMMENDATION:** REFUSE THE APPLICATION

**SITE INSPECTION:** 4 May 2012



#### OFFICERS REPORT:

Full planning permission is sought for the erection of a conservatory to the rear of 96 David Douglas Avenue.

The property is a modern two storey terraced house. The proposed conservatory will be built off French doors that serve the kitchen where currently there is a small elevated terrace with steps leading down to the garden. The adjacent house is a mirror image of no. 96 with French doors immediately adjacent to the site of the

proposed conservatory. Due to the proximity of neighbours to the south and to afford them some privacy the proposed conservatory will have a solid wall dividing it from the neighbouring property.

I had initial concerns that the construction of the wall of the conservatory will have an adverse impact on the neighbouring property to the south due to overshadowing leading to loss of light. However, the neighbours are supportive of the proposals and having looked more closely at the orientation of the site loss of daylight/sunlight is not likely to be significant. These neighbours have submitted comments but do not object to the proposals.

However, whilst making no comment on the proposals the neighbours to the north are likely to be more adversely affected due to the elevated nature of the development. The conservatory will extend 3metres from the existing house at the height of the existing terrace. This terrace already affords extensive views into neighbouring gardens. The conservatory extension will exacerbate this over looking.

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 adopted development plan that is applicable to this area comprises the Perth and Kinross Structure Plan 2003 and the Perth Area Local Plan 1995 Incorporating Alteration No.1 Housing Land 2000.

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. In this case policy 71 of the adopted Local Plan is considered the predominant policy of relevance. This seeks to preserve and if possible improve residential amenity and village character.

In terms of the development plan, I consider the main determining issue that needs to be considered for this proposal is the affect on residential amenity of surrounding properties.

Due to its elevated position and substantial glazing on the side elevation there will be the possibility of considerable overlooking as a result of the conservatory extension. Whilst some overlooking already occurs, this will be significantly exacerbated by the presence of the proposed conservatory. This will cause a loss of privacy to neighbours to an unacceptable level resulting in a detrimental impact on residential amenity.

I therefore conclude that the proposal is not in accordance with policy 71 in that residential amenity will not be preserved. I recommend that the application be refused.

## **DEVELOPMENT PLAN**

Perth Area Local Plan (1995)

P\_071 Perth Area Villages

Inset Maps 1 - 40 indicate village areas and small settlements where residential amenity and village character will be retained and, if possible, improved. Some scope may exist for infill development but only where this will not adversely affect the density, character or amenity of the village. Generally encouragement will be given to:-

Improvements of existing village shopping facilities where it can be shown that they would serve the needs of the village.

Proposals which will improve the character and environment of the village.

Small scale business activities where they are compatible with the amenity and character of the village.

Proposals for the provision of small scale tourism and leisure facilities in villages.

## **SITE HISTORY**

01/01152/FUL Change of house types to Plot Nos: 35, 36, 66, 70, 71, 76, 78, 81, 82, 83, 85, 86, 87 and 88, curtilage of Plot Nos: 77 and 84 amended and road extended into Plot No. 84 at 12 September 2001 Application Permitted

05/01657/FUL Erection of 50 dwellinghouses 10 February 2006 Application Permitted

## **CONSULTATIONS/COMMENTS**

None.

**TARGET DATE:** 23 May 2012

## **REPRESENTATIONS RECEIVED:**

Number Received: 1

### **Summary of issues raised by objectors:**

One representation has been received from a neighbour. They do not object to the development but make the following comments.

1. The boundary fence should remain in position for the entire build with the exception of: - see comment 2.
2. It has been mutually agreed that the boundary fence can be removed only at the point at which the newly erected conservatory wall needs harled and will be re-erected immediately after harling is complete. A date and time for this should be mutually agreed. As mentioned in comment 1, the boundary fence will remain in position throughout the build until this time.
3. The garden landscape at no.98 should be uninterrupted. Any debris related to the build, that enters no.98, should be cleared and tidied at the end of each day
4. The property at no.98 should not be used as an access route to the worksite at any time

### **Response to issues raised by objectors:**

I consider that the neighbours comments, whilst related to the development, cannot be controlled by planning conditions. Such requirements would be for mutual agreement between the neighbouring householders.

**Additional Statements Received:**

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	None
Report on Impact or Potential Impact	None submitted.

**Legal Agreement Required:** Not required.

**Direction by Scottish Ministers–** n/a

**Reasons:-**

- 1 The proposal is contrary to Policy 71 of the Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000) as it will have a detrimental impact on residential amenity. Its elevated position combined with extensive glazing will result in an unacceptable level of overlooking leading to loss of privacy of neighbouring properties.

**Justification**

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

**TCP/11/16(191)**

**Planning Application 12/00502/FLL – Erection of a conservatory at 96 David Douglas Avenue, Scone, PH2 6QG**

## **REPRESENTATIONS**

- Representation from Ms M Wheeler, dated 3 April 2012



**From:** graeme lackie  
**Sent:** 03 April 2012 21:01  
**To:** Development Management - Generic Email Account  
**Subject:** Planning Application 12/00502/FLL

Dear Sir/Madam,

I write in response to your recent letter dated 28<sup>th</sup> March regarding the above planning application to erect a conservatory at 96 David Douglas Avenue, Scone. We have discussed with Mr & Mrs Carswell in person that we have no major concerns about the proposed build but would like to make the following comments:-

1. The boundary fence should remain in position for the entire build with the exception of: - see comment 2.
2. It has been mutually agreed that the boundary fence can be removed only at the point at which the newly erected conservatory wall needs harled and will be re-erected immediately after harling is complete. A date and time for this should be mutually agreed. As mentioned in comment 1, the boundary fence will remain in position throughout the build until this time.
3. The garden landscape at no.98 should be uninterrupted. Any debris related to the build, that enters no.98, should be cleared and tidied at the end of each day
4. The property at no.98 should not be used as an access route to the worksite at any time

Please feel free to contact me with any questions concerning the comments above.

Yours Sincerely

Michelle Wheeler  
98 David Douglas Avenue

