

LRB-2022-40
22/00442/FLL – Alterations to flat, 16 Dundee Road, Perth,
PH2 7EY

INDEX

- (a) Papers submitted by the Applicant (***Pages 9-24***)
- (b) Decision Notice (***Pages 27-28***)
 - Report of Handling (***Pages 29-34***)
 - Reference Documents (***Pages 23 and 35***)
- (c) Representations (***Pages 37-42***)

LRB-2022-40
22/00442/FLL – Alterations to flat, 16 Dundee Road, Perth,
PH2 7EY

**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 KEIRA DONALDSON

Address [REDACTED]

Postcode [REDACTED]

Contact Telephone 1 [REDACTED]

Contact Telephone 2 [REDACTED]

Fax No [REDACTED]

E-mail* [REDACTED]

Agent (if any)

Name [REDACTED]

Address [REDACTED]

Postcode [REDACTED]

Contact Telephone 1 [REDACTED]

Contact Telephone 2 [REDACTED]

Fax No [REDACTED]

E-mail* [REDACTED]

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

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

Yes ☒ No ☐

Planning authority

PERTH AND KINROSS COUNCIL

Planning authority's application reference number

022/00442/FLL

Site address

16 DUNDEE ROAD
PERTH PH2 7EY

Description of proposed
development

ALTERATIONS TO FLAT 16 DUNDEE RD - WITH
ADDITIONAL DORMER

Date of application

17/03/2022

Date of decision (if any)

04/05/2022

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) | <input checked="" type="checkbox"/> |
| 2. Application for planning permission in principle | <input type="checkbox"/> |
| 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) | <input type="checkbox"/> |
| 4. Application for approval of matters specified in conditions | <input type="checkbox"/> |

Reasons for seeking review

- | | |
|---|-------------------------------------|
| 1. Refusal of application by appointed officer | <input checked="" type="checkbox"/> |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/> |
| 3. Conditions imposed on consent by appointed officer | <input type="checkbox"/> |

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 | <input checked="" type="checkbox"/> |
| 2. One or more hearing sessions | <input checked="" type="checkbox"/> |
| 3. Site inspection | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input type="checkbox"/> |

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:

TO PROVIDE FURTHER HISTORICAL EVIDENCE RELATING TO PREVIOUS DOXERS AT FRONT OF ROOF ON BUILDING DATING BACK TO EARLY 18TH CENTURY WHEN FIRST BUILT. (1804) AS ADDITIONAL DOXER MEETS ITS HISTORICAL CHARACTER OF ORIGINAL BUILDINGS SO BUILDING APPROVAL SHOULD BE RECONSIDERED.

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 checked="" 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:

CAN BE VIEWED FROM ROAD CLEARLY BUT IF FURTHER ACCESS REQUIRED THROUGH GATE - CONTACT WILL BE REQUIRED.

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.

WE ARE SEEKING A REVIEW DUE TO REASONS OF REFUSAL - ①
 ADDITIONAL DORMER WOULD ADVERSELY IMPACT ON THE HISTORIC
 CHARACTER OF EXISTING BUILDING - THE BUILDING WAS BUILT IN
 1804 - KINNOLL PRIMARY SCHOOL. DORMERS WERE A
 PROMINENT FEATURE SINCE THEN. OUR REQUEST FOR A
 FURTHER DORMER IS IN KEEPING WITH THIS HISTORIC BUILDING
 AS THE DORMERS ALREADY TRADITIONALLY BUILT TO THIS PERIOD
 - SLATE, LEAD + CAST GUTTERING. PHOTOGRAPH EVIDENCE
 PROVIDED WITH APPLICATION. AN ADDITIONAL DORMER WOULD
 PRESERVE THIS HISTORIC PERIOD OF THE BUILDING AND ENHANCE
 THE AREA AS A MODERN VELUX IS NOT IN KEEPING OF THE
 HISTORIC NATURE OF THE BUILDING - SEE PHOTOGRAPHS
 ② THE PROPOSAL NEITHER PRESERVES NOR ENHANCES THE
 CHARACTER OR APPEARANCE OF THE CONSERVATION AREA
 - THE BUILDING HAS BEEN EXTENSIVELY RENOVATED BACK TO
 ORIGINAL STATE WHICH PRESERVES THE HISTORICAL CHARACTER
 OF BUILDING IN THE CONSERVATION AREA. UNLIKE THE HOTEL-
 TRAVEL LODGE NEXT DOOR USING MODERN MATERIALS.

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.

PHOTOGRAPHS SHOW EVIDENCE OF PREVIOUS DORMERS WHICH
 WERE PROMINENT TO FRONT OF THE BUILDING SINCE EARLY
 1800'S. -> ONWARDS.

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.

PHOTOGRAPHS - (PHOTOCOPIES)

- ① ORIGINAL BUILDING WITH PROMINENT DORMER AT FRONT OF BUILDING
- ② + ③ " "
- ④ BEFORE RESTORATION WORK, ORIGINAL DORMERS HAVE REMOVED
- ⑤ BEFORE RESTORATION OF FRONT OF BUILDING
- + ⑥ " "
- ⑦ PRESENT VIEW FRONT OF BUILDING
- ⑧ PRESENT VIEW SIDE OF BUILDING
- ⑨ PROPOSED PLAN/DRAWINGS

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:

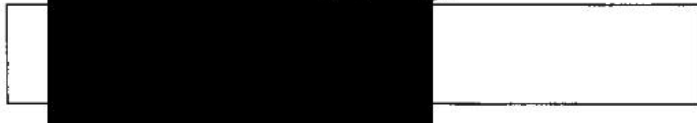
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

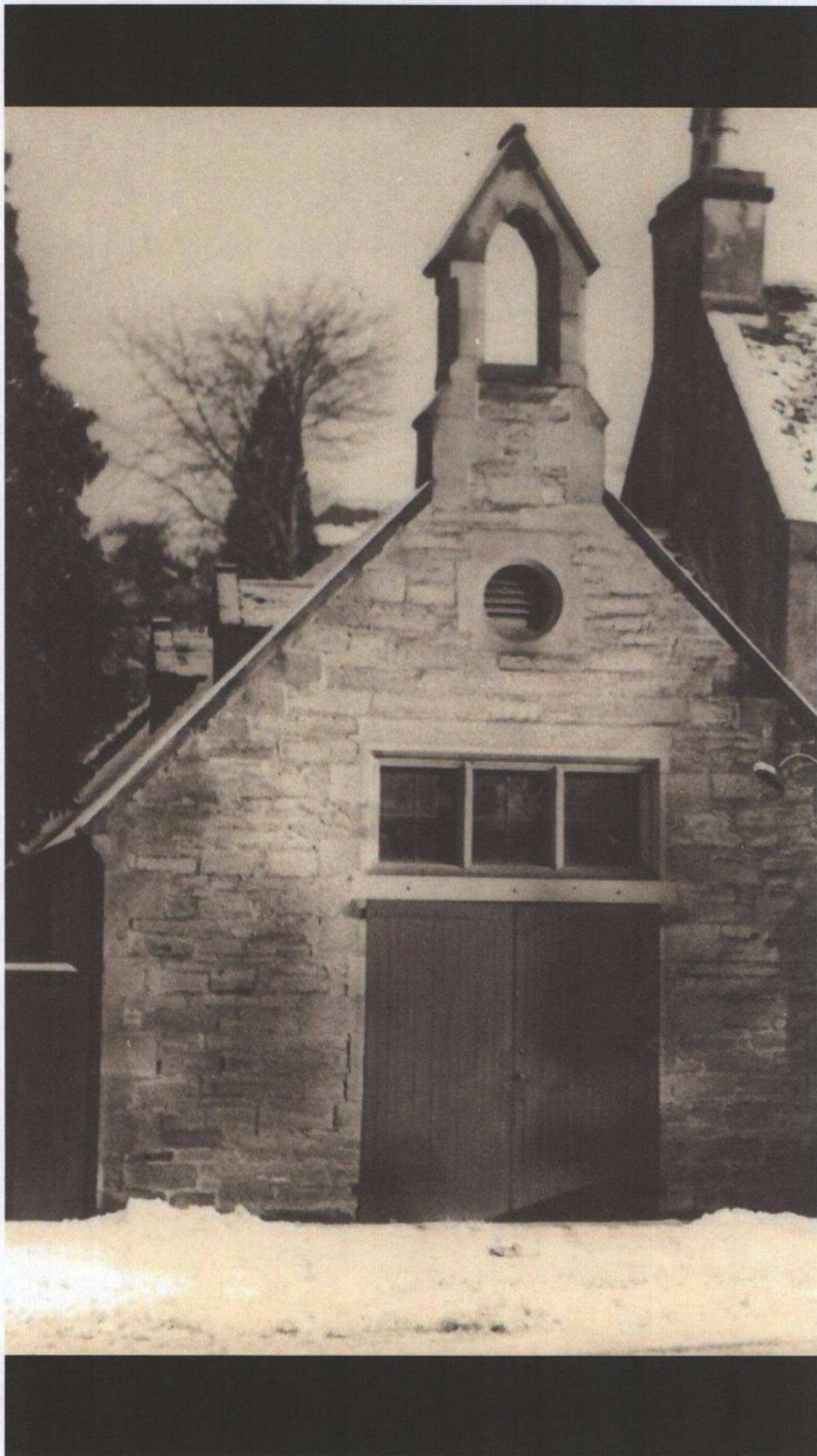
I the applicant/~~agent~~ [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



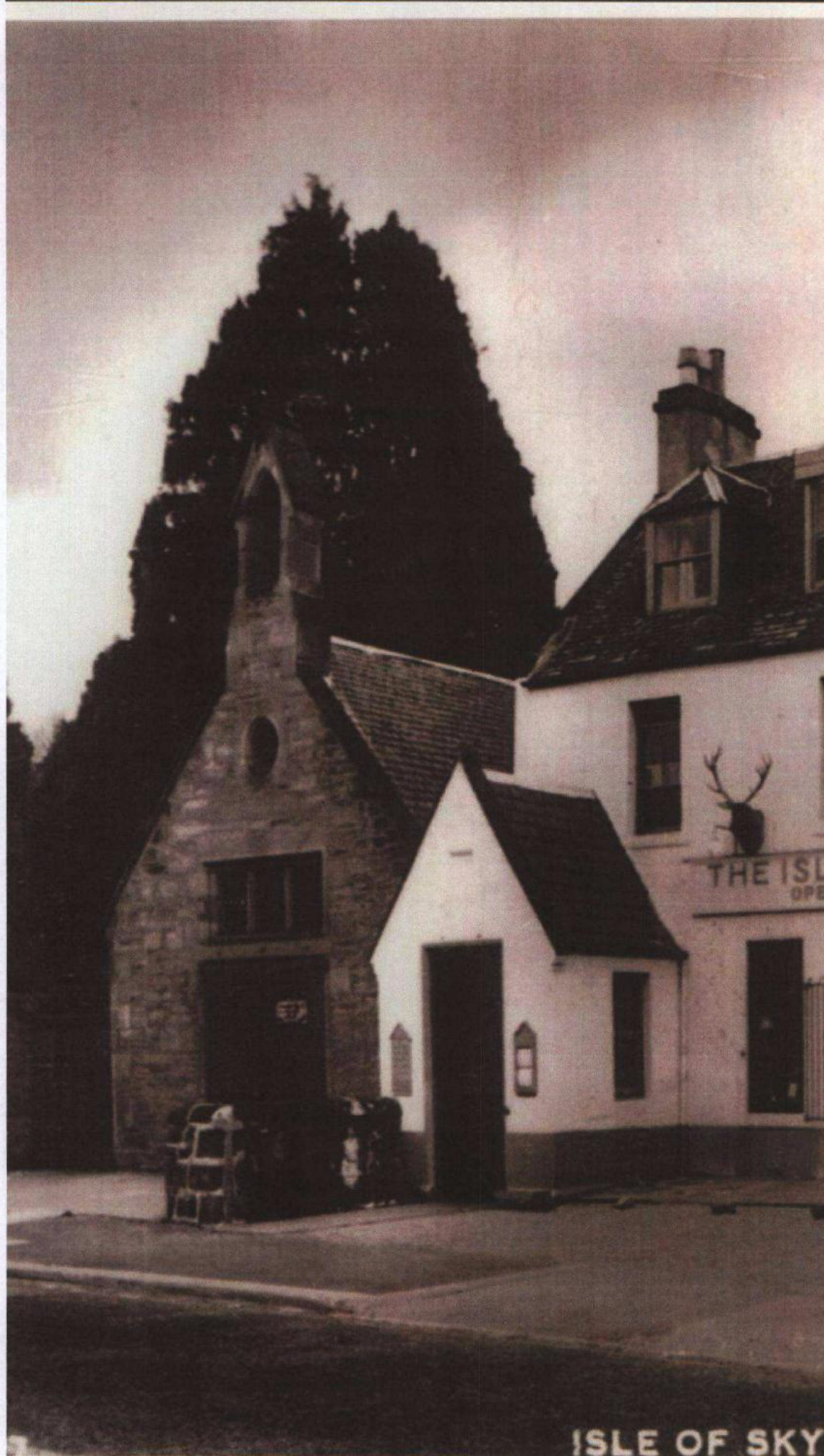
Date

20/07/2022



1. ORIGINAL BUILDING 15

PROMINENT DORMER
AT FRONT OF BUILDING



2. ORIGINAL BUILDING 16



3. ORIGINAL BUILDING PROMINENT DORMER AT FRONT OF BUILDING



4. BEFORE RESTORATION WORK, ORIGINAL DORMERS
HAVE BEEN REMOVED¹⁸

P&P; KD ID M22/7/2022 08:51:45

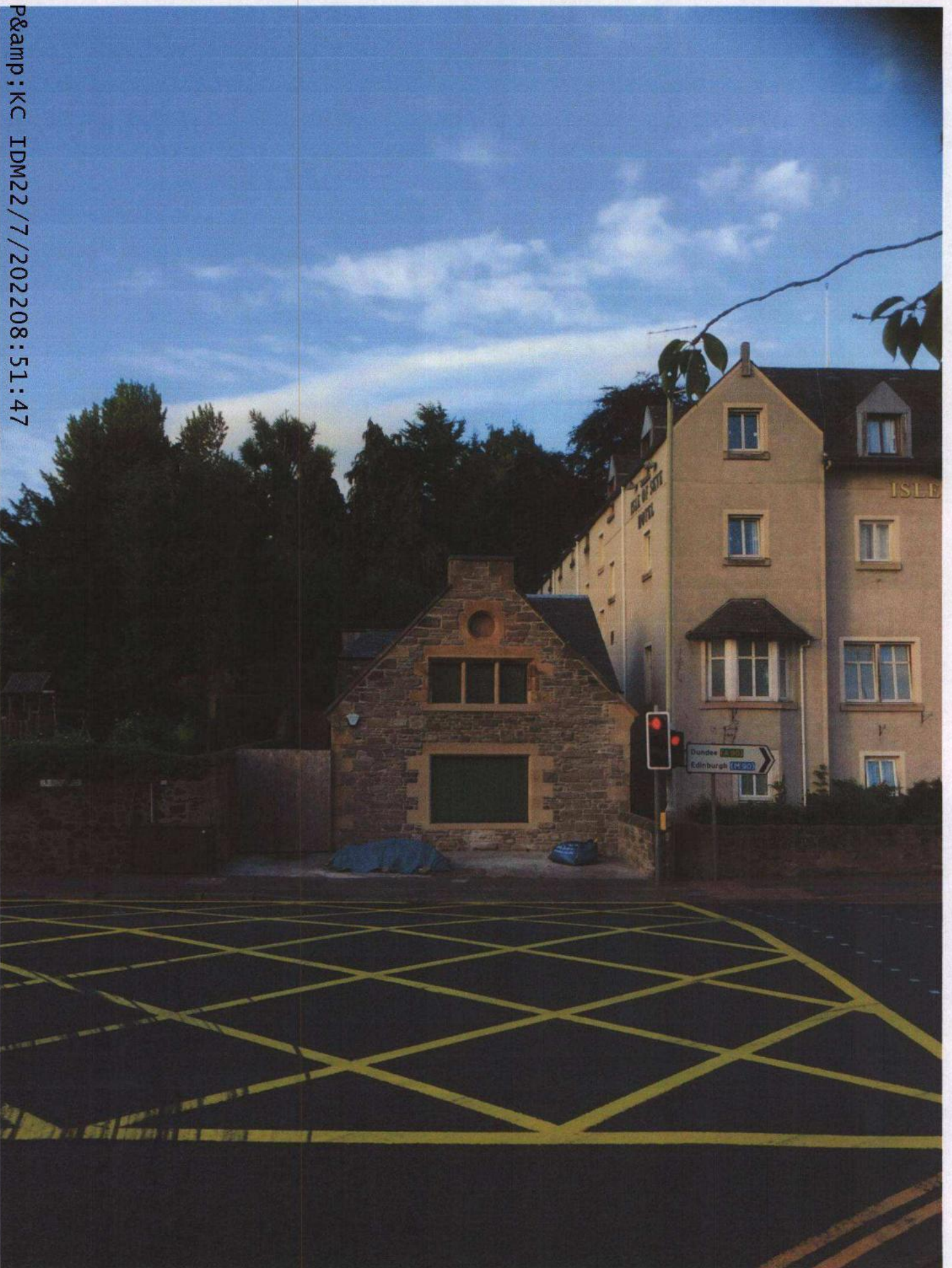


5. BEFORE RESTORATION OF FRONT OF BUILDING

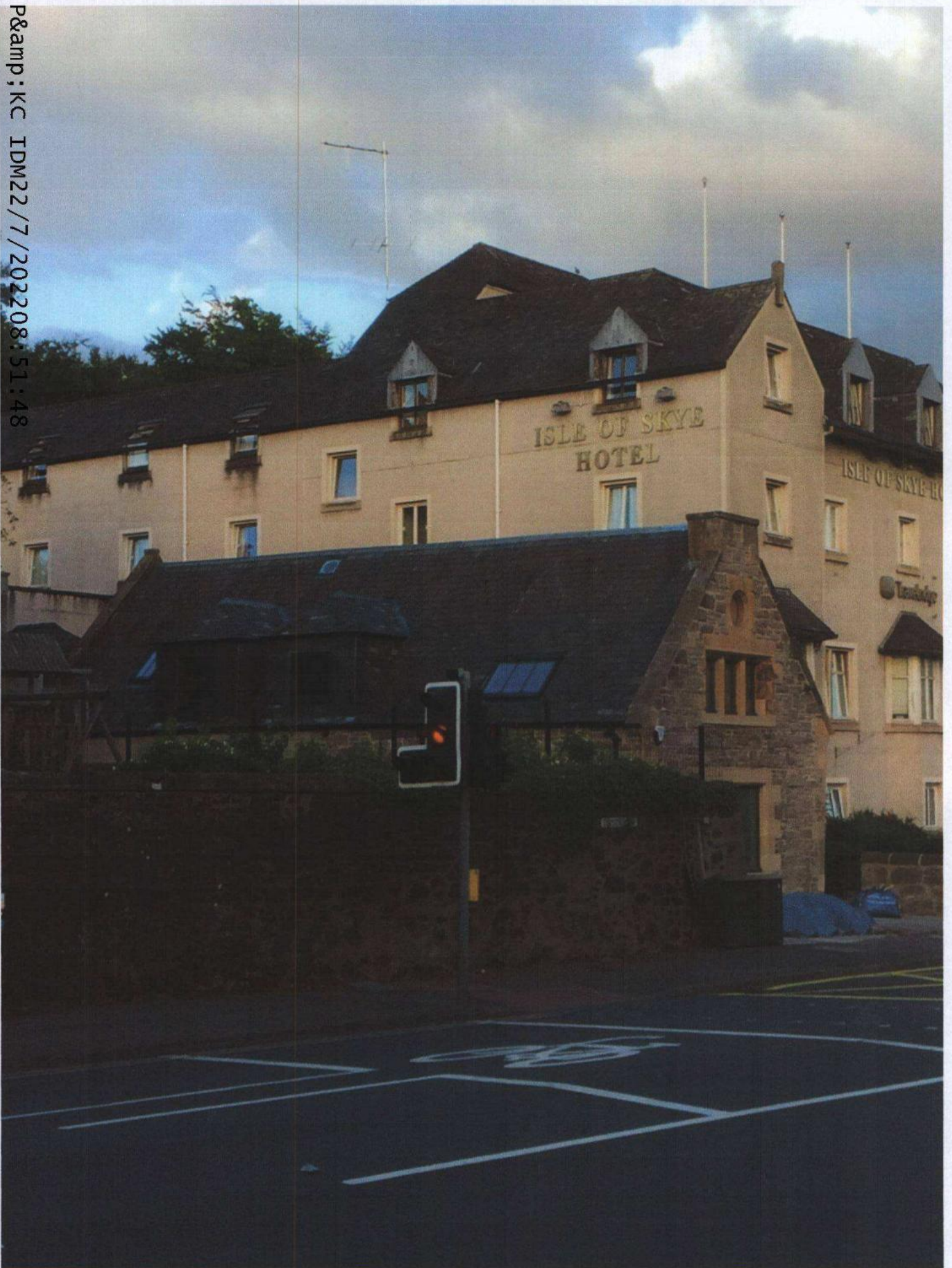
P&A; KC ID#22/7/2022 08:51:46



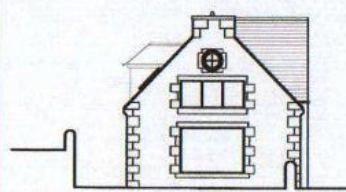
6. BEFORE RESTORATION OF FRONT OF BUILDING.



7. PRESENT VIEW FRONT OF BUILDING.



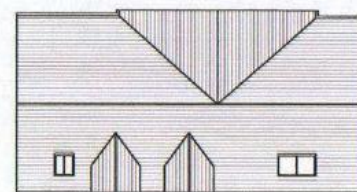
8. PRESENT VIEW SIDE OF BUILDING.



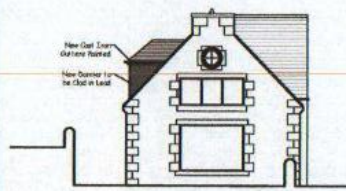
Existing West Elevation
@ 1-100



Existing North Elevation
@ 1-100



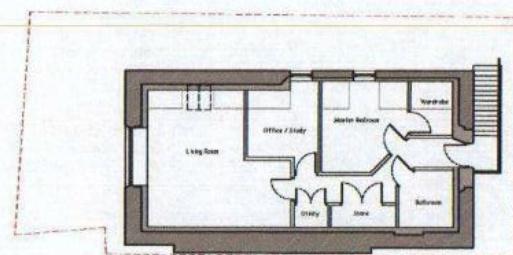
Existing Roof Plan
@ 1-100



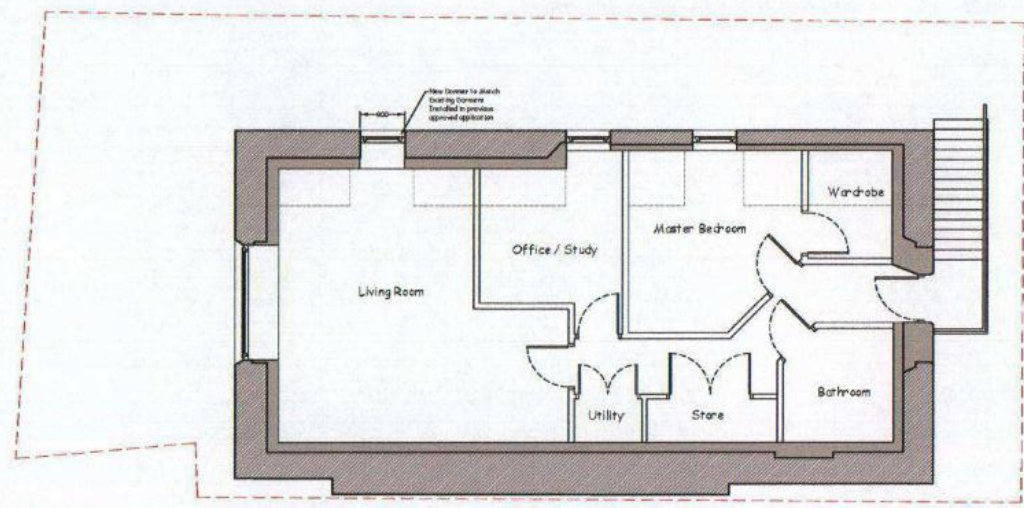
Proposed West Elevation
@ 1-100



Proposed North Elevation
@ 1-100



Existing First Floor Plan @ 1-100



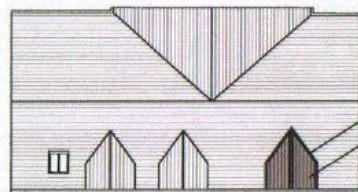
Proposed First Floor Plan @ 1-50



Proposed Block Plan
@ 1-200

Scale 0m 1m 2m 3m 4m 5m 6m 7m 8m 9m 10m
Scale 1:100
Scale 0m 1m 2m 3m 4m 5m
Scale 1:50

ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE
DISCREPANCIES TO BE REPORTED BEFORE PROCEEDING
©This drawing is copyright of Technical Design Solutions.



Proposed Roof Plan
@ 1-100

Scale 0m 5m 10m 15m 20m
Scale 1:200

Technical Design Solutions TDS technicaldesignsolutions4@gmail.com www.technicaldesign-solutions.com Mobile: 07802754325		Project Proposed Installation of new Single Dormer at 16 Dundee Road Perth, P-27EY	
Title Existing and Proposed First Floor Plan and Elevations		Drawn Date Scale Drawing No. Rev	
FP		Mar 22 1:50 / 100 @ A1 2129-002 A	

9. PLANS DRAWINGS PROPOSED

LRB-2022-40
22/00442/FLL – Alterations to flat, 16 Dundee Road, Perth,
PH2 7EY

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(part included in applicant's submission, page 23)*



Mr Keir Donaldson
c/o TDS
Fraser Pitkeathly
20 Grange Road
Monifieth
DD5 4LR

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **4th May 2022**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **22/00442/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 17th March 2022 for Planning Permission for **Alterations to flat 16 Dundee Road Perth PH2 7EY**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The additional dormer would adversely impact on the historic character of the exiting building, which is located within a prominent site within the Kinnoull Conservation Area and which contributes positively to the character and appearance of the Conservation Area. As the proposal would neither preserve nor enhance the character or appearance of the Conservation Area, it is contrary to the adopted Perth and Kinross Local Development Plan 2 (2019) Policies 1 (Placemaking) and 17 (Residential Areas) which seek to protect existing areas from inappropriate new development, and Policy 28 (Conservation Areas) which seeks to ensure that new development within Conservation Areas either preserves or enhances the area.
2. As the proposal neither preserves nor enhances the character or appearance of the Conservation Area, recommending approval would be contrary to the requirements of Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 which requires Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated Conservation Area when exercising its planning function.

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

Plan Reference

01

02

REPORT OF HANDLING

DELEGATED REPORT

Ref No	22/00442/FLL	
Ward No	P12- Perth City Centre	
Due Determination Date	16th May 2022	
Draft Report Date	4th May 2022	
Report Issued by	AMB	Date 4 May 2022

PROPOSAL: Alterations to flat

LOCATION: 16 Dundee Road, Perth, PH2 7EY

SUMMARY:

This report recommends **refusal** of a detailed planning application for alterations to a flat on Dundee Road Perth, 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.

SITE VISIT:

In line with established practices, the need to visit the application site has been carefully considered by the case officer. The application site and its context have been viewed by a variety of remote and electronic means, such as aerial imagery and Streetview, in addition to photographs submitted by interested parties.

This information has meant that, in this case, it is possible and appropriate to determine this application without a physical visit as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

BACKGROUND AND DESCRIPTION OF PROPOSAL

This application seeks to obtain detailed planning permission for alterations to a flat located on Dundee Road, Perth – which is within a Conservation Area.

The alterations comprise the addition of a dormer window on the north (front) elevation.

SITE HISTORY

Planning permission (18/02007/FLL) for the Part change of use and alterations to dental surgery (class 2) to form a first floor flat, formation of an external staircase and erection of a fence was approved in 2019, and implemented. The proposed alterations relate to that new flat.

PRE-APPLICATION CONSULTATION

None undertaken.

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. The SPP seeks to protect our cultural assets from inappropriate new developments.

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 site is located within the settlement of Perth, and within the Conservation Area where the following policies are applicable,

Policy 1 – Placemaking
Policy 5 – Developer Contributions
Policy 17 – Residential Areas
Policy 28 – Conservation Areas

OTHER COUNCIL POLICIES

Placemaking Guide 2020

This is the most recent expression of Council policy towards Placemaking Standards

Developer Contributions and Affordable Housing

This is the most recent expression of Council policy towards Developer Contributions.

EXTERNAL CONSULTATION RESPONSES

None undertaken.

INTERNAL COUNCIL COMMENTS

Conservation Team have commented on the proposal and have objected on the grounds that the proposal would not enhance the character or appearance of the Conservation Area.

Development Contributions Officer has commented on the proposal and indicated that no developer contributions are applicable.

REPRESENTATIONS

No letters of representations have been received.

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	AA Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact	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.

In addition to this, Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is relevant and requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated conservation area.

Policy Appraisal

In terms of land use policies, the key policies are found within the LDP2. Within that plan, Policies 1 (Placemaking), 17 (residential areas) and 28 (conservation areas) are applicable. Policy 1 seeks to ensure that all new developments do not adversely affect the areas concerned, Policy 17 looks to protect residential areas from inappropriate new development and Policy 28 looks to ensure that the character and appearance of Conservation Areas are either enhanced or protected by new development.

Impact on the Conservation Area

The key issue for this proposal is the impact in the Conservation Area.

16 Dundee Road is an unlisted building, but it is in a prominently located position in the Kinnoull Conservation Area - at the east end of the Queen's Bridge. Historically, the building was a primary school, and it has recently been converted to business premises with a flat above.

While the building is not listed, it has a distinctive historic character – which contributes positively to the Conservation Area.

Discussions on the previous planning application (18/02007/FLL) emphasised the requirement to preserve the most visible elements of the building, e.g. the west and north elevations. Given the small scale of the building, dormers are a significant alteration which is not characteristic of this building type.

It was agreed that, in order to accommodate living space on the first floor, two dormers would be acceptable as per the 2018 permission, but that these would be set back as much as possible to ensure that the historic character of the west elevation was protected. This was a pragmatic decision to allow for active reuse of the building.

The proposed third additional dormer would be a much more visible intrusion on the principal elevation and would not meet requirements of the LDP2 or the PLBCA which requires all proposals within Conservation Areas to preserve or enhance the Conservation Area. In addition, the dormer would preserve or enhance the historic appearance of the building.

Residential Amenity

The proposal raises no issues in terms of impacting on existing residential amenity.

Roads and Access

The proposal raises no issues in terms of road related matters.

Drainage and Flooding

The proposal raises no issues in terms of drainage or flooding issues.

Natural Heritage and Biodiversity

The proposal raises no issues in terms of bio-diversity issues.

Developer Contributions

The proposal is for alterations to an existing residential property, which does not attract any Developer Contributions or the need for Affordable Housing provision.

Economic Impact

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

VARIATION OF APPLICATION UNDER SECTION 32A

The application has not been varied.

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 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. The proposal is also considered to be contrary to the PLBCA.

Accordingly the proposal is refused on the grounds identified below.

- 1 The additional dormer would adversely impact on the historic character of the exiting building, which is located within a prominent site within the Kinnoull Conservation Area and which contributes positively to the character and appearance of the Conservation Area. As the proposal would neither preserve nor enhance the character or appearance of the Conservation Area, it is contrary to the adopted Perth and Kinross Local Development Plan 2 (2019) Policies 1 (Placemaking) and 17 (Residential Areas) which seek to protect existing areas from inappropriate new development, and Policy 28 (Conservation Areas) which seeks to ensure that new development within Conservation Areas either preserves or enhances the area.
- 2 As the proposal neither preserves nor enhances the character or appearance of the Conservation Area, recommending approval would be contrary to the requirements of Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 which requires Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated Conservation Area when exercising its planning function.

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

None, refusal recommended.

Procedural Notes

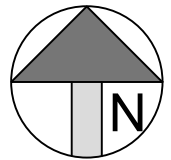
Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

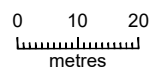
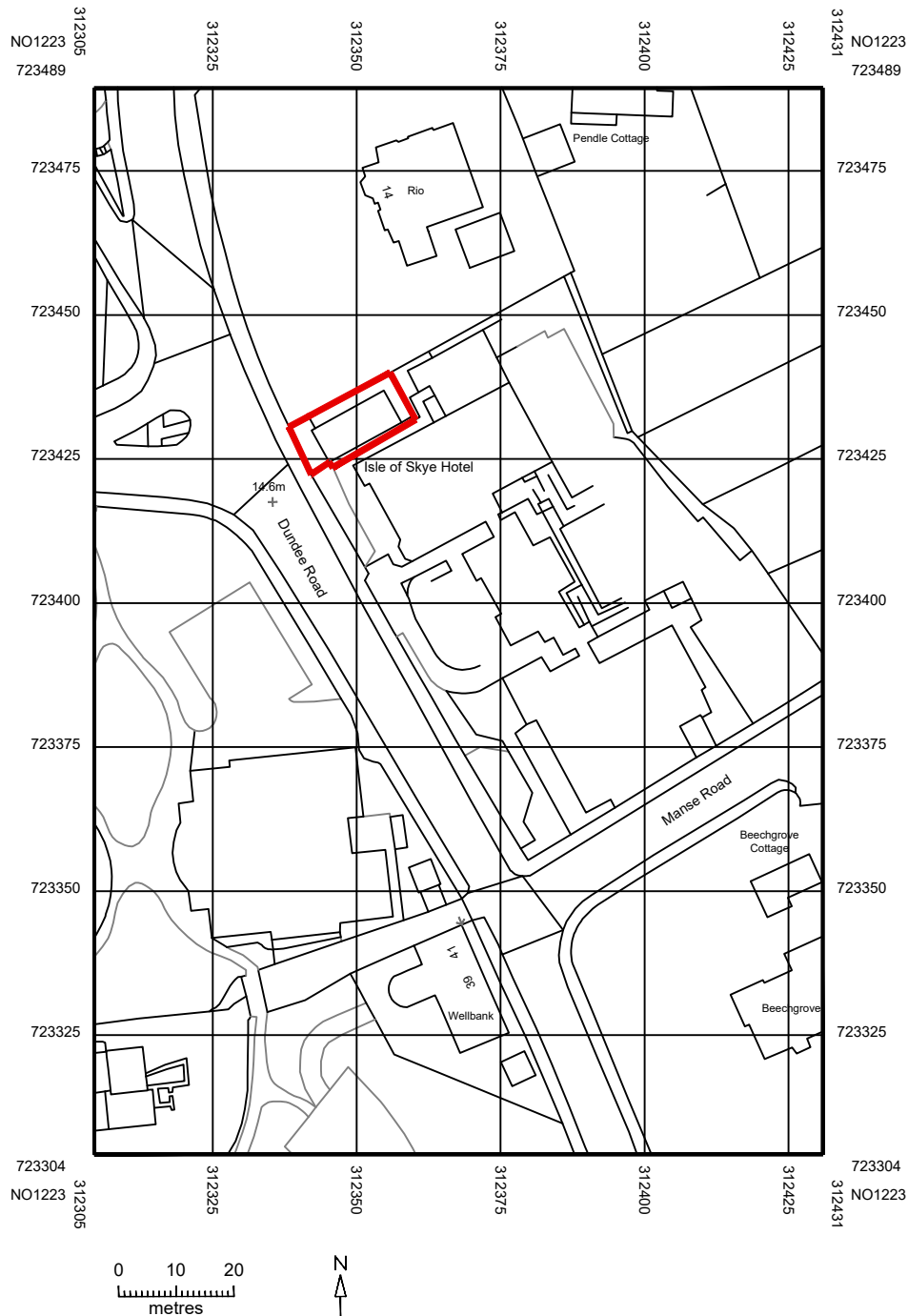
01, 02



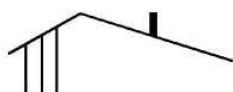
Scale
1:1250



MapServe



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Technical Design Solutions TDS
technicaldesignsolutions4@gmail.com
www.technicaldesign-solutions.com
Mobile:07802754321

Project

Proposed Instalation of new Single Dormer at 16
Dundee Road Perth, PH2 7EY

Title

Proposed Site Location Plan

Drawn
FP

Date
Mar 22

Scale
1:1250@A4

Drawing No
2129-001

Rev
A

LRB-2022-40
22/00442/FLL – Alterations to flat, 16 Dundee Road, Perth,
PH2 7EY

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	22/00442/FLL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner Email: [REDACTED]
Description of Proposal	Alterations to flat		
Address of site	16 Dundee Road Perth PH2 7EY		
Comments on the proposal	I have no comments to make on this proposal in terms of the Developer Contributions and Affordable Housing Supplementary Guidance.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	05 April 2022		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	22/00442/FLL	Comments provided by	Diane Barbary
Service/Section	Conservation	Contact Details	
Description of Proposal	Alterations to flat		
Address of site	16 Dundee Road, Perth		
Comments on the proposal	<p>16 Dundee Road is an unlisted building, prominently located in the Kinnoull Conservation Area at the east end of the Queen's Bridge. Historically, the building was a primary school, and it has recently been converted to business premises with a flat above.</p> <p>While the building is not listed, it has a distinctive historic character. Discussions on the previous application (18/02007/FLL) emphasised the requirement to preserve the most visible elements of the building, e.g. the west and north elevations. Given the small scale of the building, dormers are a significant alteration which is not characteristic of this building type. It was agreed that, in order to accommodate living space on the first floor, dormers would be acceptable, but that these should be set back as much as possible to ensure that the historic character of the west elevation was protected. This was a pragmatic decision to allow for active reuse of the building.</p> <p>The proposed additional dormer would be a much more visible intrusion on the principal elevation, and would not meet requirements to preserve or enhance the historic appearance of the building.</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	14/04/2022		

