

TCP/11/16(180)
Planning Application 11/02130/FLL – Alterations and extension to dwellinghouse at Buzzards Base, Keillour, by Methven, PH1 3RD

**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 2008

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 MRS KATHERINE OLIVER

Address ALDIE COTTAGE
KEILLOUR BY METHVEN
PERTH
Postcode PH1 3RA

Contact Telephone 1
Contact Telephone 2
Fax No

E-mail*

Agent (if any)

Name ARCHID ARCHITECTS LTD.

Address 22 RIVERSIDE ROAD
WORMIT, NEWPORT ON TAY
FIFE
Postcode DD6 8LS

Contact Telephone 1 01382 542883
Contact Telephone 2 07795 260829
Fax No

E-mail* peter@archidarchitects.co.uk

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 & KINKROSS COUNCIL

Planning authority's application reference number

11/02130/FLL

Site address

BUZZARDS BASE, KEILLOUR BY METHVEN, PERTH PH1 3RA

Description of proposed
development

ALTERATIONS & EXTENSION TO DWELLING HOUSE

Date of application

20/12/2011

Date of decision (if any)

13TH MARCH 2012

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

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

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

1) WE WOULD BE HAPPY TO PROVIDE FURTHER INFORMATION IF REQUIRED.

2) THE APPLICANT WOULD LIKE THE OPPORTUNITY TO SPEAK TO THE COMMITTEE IF DEBATED
NECESSARY

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:

Statement

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

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

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

SEE 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 ☒

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.

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.

- REVIEW STATEMENT
- A COPY OF THE APPLICATION DRAWINGS FOR INFORMATION

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

T. Cunningham for ARCHID ARCHITECTS LTD.

Date

11TH APRIL 2012

11th April 2012

LOCAL REVIEW STATEMENT

Application Ref: 11/02130/FLL

Extension at Buzzards Base, Keillour by Methven, Perth PH1 3RD

The applicant is very disappointed in the refusal of her application for an extension of her cottage and we feel that there is no basis for the decision in policy. The decision to refuse appears to be based solely on the opinion of the planning officer with no basis that we can find in policy.

It is our strong contention that the proposed design does have regard for the scale, form, colour and density of existing development within the locality and is entirely in keeping with its surroundings

Relevant Policy:

The officer's report confirms that the relevant policy applicable to the application is the Perth & Kinross Structure Plan 2003 and Strathearn Area Local Plan 2001. We have highlighted the parts that we believe to be particularly pertinent to this application:

Policy 2

All developments will also be judged against the following criteria:

- (a) *The sites should have a landscape framework capable of absorbing or, if necessary, screening the development and where required opportunities for landscape enhancement will be sought;*
- (b) *In the case of built development, regard should be had to the scale, form, colour, and density of existing development within the locality;*
- (c) *The development should be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community;*
- (d) *The road network should be capable of absorbing the additional traffic generated by the development and a satisfactory access onto that network provided;*
- (e) *Where applicable, there should be sufficient spare capacity in drainage, water and education services to cater for the new development;*
- (f) *The site should be large enough to accommodate the development satisfactorily in site planning terms;*
- (g) *Buildings and layouts of new developments should be designed so as to be energy efficient;*
- (h) *Built developments should where possible be built within those settlements that are the subject of inset maps.*

Design: Policy 5

The Council will require high standards of design for all development in the Strathearn Area. In particular encouragement will be given to:

- a) *The use of appropriate high quality materials;*
- b) *Innovate modern design incorporating energy efficient technology and materials;*
- c) *Avoiding the use of extensive under-building on steeply sloping sites;*
- d) *Ensuring that the proportions of any building are in keeping with its surroundings;*
- e) *Ensuring that the development fits its location.*

The design principles set out in the Council's "Guidance and Design of Houses in Rural Areas" will be used as a guide for all development in the Strathearn Area.

It is clear from the planning officer's report that he has considered the scale of the extension relative to the existing house excessive and that this is grounds for refusal. We believe that this is an incorrect interpretation of policy and that the purpose of the above policies is to ensure that development proposals when considered as a whole are respectful of their locality and in keeping with their surroundings.

In his assessment of the design and scale of the proposals, the planning officer states:

"The proposed extension on the east elevation will in my view dominate the existing proportions of the dwelling house. An extension should be subservient to the existing building so that the original building remains as the key element of the site."

We would take issue with this assessment and in particular the highlighted part. There is no policy that we are aware of that would justify such a view in relation to this application. We have looked through the documents that may be appropriate such as *Housing in the Countryside Aug 2009* and *Siting and Design of Houses in Rural Areas* and cannot find any policy guidance which advises that all extensions should be subservient to existing buildings. If the existing building were a historic or listed building we could possibly understand this view and have come across this in relation to extensions to listed historic buildings but that would not apply in this case.

We feel that the officer has considered the existing cottage and possibly its semi-detached neighbour Hareshome (also owned by the applicant) in isolation and has failed to consider the proposed development in relation to its surroundings. We will therefore expand on the surrounding buildings in the immediate vicinity of the proposal and then return to the design of the proposals in conclusion.

Surrounding Buildings



Aldie Cottage – is a 1.5 storey house immediately to the east of the application site with a footprint area of approximately 105sqm and three dormers to the south/road elevation.



Callanish – is a large 1.5 storey house located approximately 85m to the east of the application site with a footprint area of approximately 320sqm, again with three dormers to the south/road elevation.



The Sheilin – in the immediate foreground is another large house approximately 160m to the east of the application site with a footprint area of approximately 384sqm.

Another house called Four Farthings is located between Callanish and the above with a footprint area of 203sqm.

These four houses are the immediate neighbours of buzzards base and make the immediate context one of large detached villas of one and a half storeys. Other properties in the immediate vicinity are:



Wester Keillour – is a traditional two storey farmhouse some 1.3km to the west of the proposed development. A substantial farm house with associated agricultural out buildings.



This house of unknown name is located 1.5km to the west of the proposed extension. This house is a single storey bungalow with a 1.5 storey extension with a wall head dormer and garage below. This extension looks fairly recent and displays a higher ridge height than the original house and is arguably less well integrated into the existing than our proposal.

Conclusion

We feel that the proposed 1.5 storey extension, when considered in its context of surrounding houses is entirely in keeping with the scale, form, colour and density of this context. Although the house created has a footprint of nearly 114sqm, this is relatively modest considering its immediate neighbours. The scale of window openings, pitch of the roof and proposed materials in matching the existing cottage are again entirely in keeping with the surroundings and the development fits its location well.

We think the planning officer's view that '*an extension should be subservient to the existing building*' is not a valid reason for refusal and is not founded on policy but personal opinion. We can't see any reason why the application should not be approved.

TCP/11/16(180)

Planning Application 11/02130/FLL – Alterations and extension to dwellinghouse at Buzzards Base, Keillour, by Methven, PH1 3RD

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

Mrs Katherine Oliver
c/o Archid Architects Ltd.
FAO Peter Gunning
22 Riverside Road
Wormit
Newport On Tay
DD6 8LS
Fife

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 13th March 2012

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **11/02130/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 16th January 2012 for permission for **Alterations and extension to dwellinghouse Buzzards Base Keillour Methven Perth PH1 3RD** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposal by way of its scale and proportions engulfs the original dwelling house and as such is considered contrary to Policy 2(b) and 5 of the Strathearn Area Local Plan 2001 which seek to ensure built development has regard to the scale and form of development within the locality and to ensure the proportions are in keeping with existing development.

Justification

The proposal is contrary to the Development Plan and there are no material considerations apparent which would justify a departure 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 "Online Planning Applications" page

Plan Reference

11/02130/1

11/02130/2

11/02130/3

11/02130/4

11/02130/5

11/02130/6

REPORT OF HANDLING

DELEGATED REPORT

Ref No	11/02130/FLL
Ward No	N9

PROPOSAL: Alterations and extension to dwelling house

LOCATION: Buzzards Base, Keillour, Methven, PERTH, PH1 3RD.

APPLICANT: Mrs K. Oliver

RECOMMENDATION: Refuse the application

SITE INSPECTION: 26 January 2012



OFFICER'S REPORT:

Site description:-

Buzzards Base is a south facing 1 storey semi-detached dwelling house (approximately 56sqm within an overall garden area of approximately 560sqm) situated in a rural location with a shared access with its westerly semi-detached neighbour, Hare Home, overlooking the Keillor Forest and the A85, Perth to Crieff road. External finishes: concrete roof tiles; off white wet dash harling; cement render base course; brown stained timber windows and door.

Redundant hen house/shed (9sqm) situated approximately 5 metres to the north east. External finishes: felt roof with horizontal timber boards on the walls.

The proposal is:-

Erect a gable facing 2 storey (accommodation in roof space with 2 wa-heid dormers and central roof light on the east elevation, footprint equals approximately 57sqm) which protrudes to the rear. External finishes: concrete roof tiles to match existing; wet dash harling to match existing; timber windows stained to match existing.

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 as amended by Planning Etc (Scotland) Act 2006 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. 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. The most relevant policies of the Strathearn Area Local Plan 2001 in this instance are Policies 2 and 5.

Assessment

Design/Scale

Policy 2 (b) and 5 of the Strathearn Area Local Plan 2001 require a development to have regard to the scale and form of existing buildings in the locality and ensure the proportions of any development are in keeping with its surroundings.

The proposed extension on the east elevation will in my view dominate the existing proportions of the dwelling house. An extension should be subservient to the existing building so that the original building remains as the key element of the site. The height of this extension fails to achieve this. The ridge height sits at a higher level than the existing building as does the eave height. In my view the ridge and eaves should be reduced to a height below the existing ridge and eave line to ensure the existing building remains the principal element of the design and to ensure compliance with policies 2 and 5. Whilst I appreciate that lowering the ridge height of the extension will result in a reduction in the accommodation provided, this in my view, is the only way to achieve a solution which ensures the existing building remains the key focus of the site. If the height of the extension was reduced I believe an extension to this property could be supported.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, it is clear that the proposal does not comply with the adopted Strathearn Area Local

Plan 2001 policy 2 and 5. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommend for refusal.

DEVELOPMENT PLAN

The adopted development plans that are applicable to this area are the Perth and Kinross Structure Plan 2003 and the Strathearn Area Local Plan 2001.

Policies Applicable to Entire Plan Area/General Policies

Development Criteria

Policy 2

All developments will also be judged against the following criteria:

- (a) The sites should have a landscape framework capable of absorbing or, if necessary, screening the development and where required opportunities for landscape enhancement will be sought;
- (b) In the case of built development, regard should be had to the scale, form, colour, and density of existing development within the locality;
- (c) The development should be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community;
- (d) The road network should be capable of absorbing the additional traffic generated by the development and a satisfactory access onto that network provided;
- (e) Where applicable, there should be sufficient spare capacity in drainage, water and education services to cater for the new development;
- (f) The site should be large enough to accommodate the development satisfactorily in site planning terms;
- (g) Buildings and layouts of new developments should be designed so as to be energy efficient;
- (h) Built developments should where possible be built within those settlements that are the subject of inset maps.

Design

Policy 5

The Council will require high standards of design for all development in the Strathearn Area. In particular encouragement will be given to:

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- c) Avoiding the use of extensive under-building on steeply sloping sites;
- d) Ensuring that the proportions of any building are in keeping with its surroundings;
- e) Ensuring that the development fits its location.

The design principles set out in the Council's "Guidance and Design of Houses in Rural Areas" will be used as a guide for all development in the Strathearn Area.

SITE HISTORY N/A

CONSULTATIONS/COMMENTS

Scottish Water

No objections.

TARGET DATE: 16 March 2012

REPRESENTATIONS RECEIVED:

Number Received: 0

Summary of issues raised by objectors: N/A

Response to issues raised by objectors: N/A

Additional Statements Received:

Environment Statement – not required.

Screening Opinion – not required.

Environmental Impact Assessment – not required.

Appropriate Assessment – not required.

Design Statement or Design and Access Statement – not required.

Report on Impact or Potential Impact e.g. Flood Risk Assessment – not required.

Legal Agreement Required:

Summary of terms – not required.

Direction by Scottish Ministers – not required.

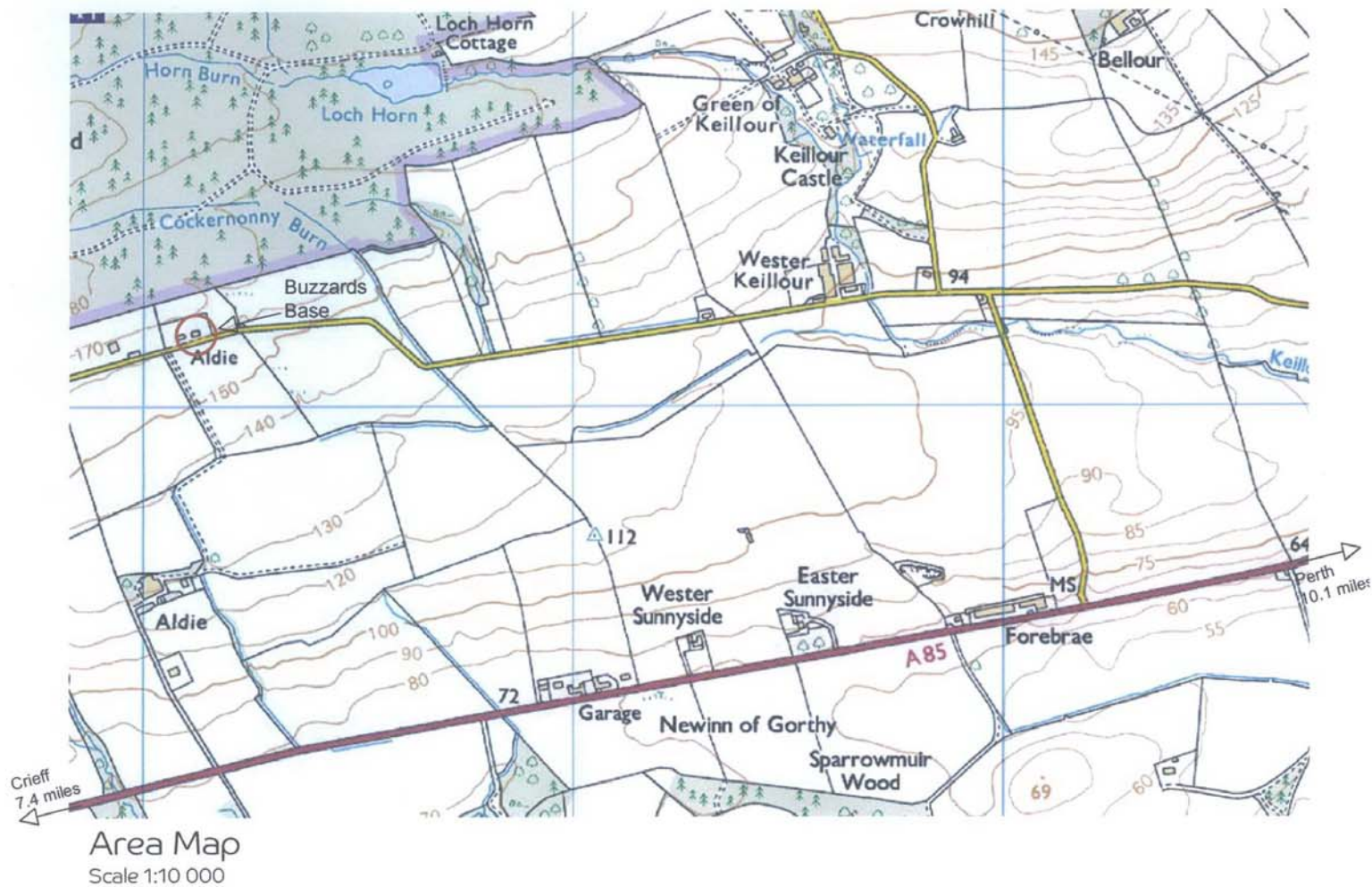
Reasons:-

- 1 The proposal by way of its scale and proportions engulfs the original dwelling house and as such is considered contrary to Policy 2(b) and 5 of the Strathearn Area Local Plan 2001 which seek to ensure built development has regard to the scale and form of development within the locality and to ensure the proportions are in keeping with existing development.

Justification

The proposal is contrary to the Development Plan and there are no material considerations apparent which would justify a departure from the Development Plan.

Notes N/A

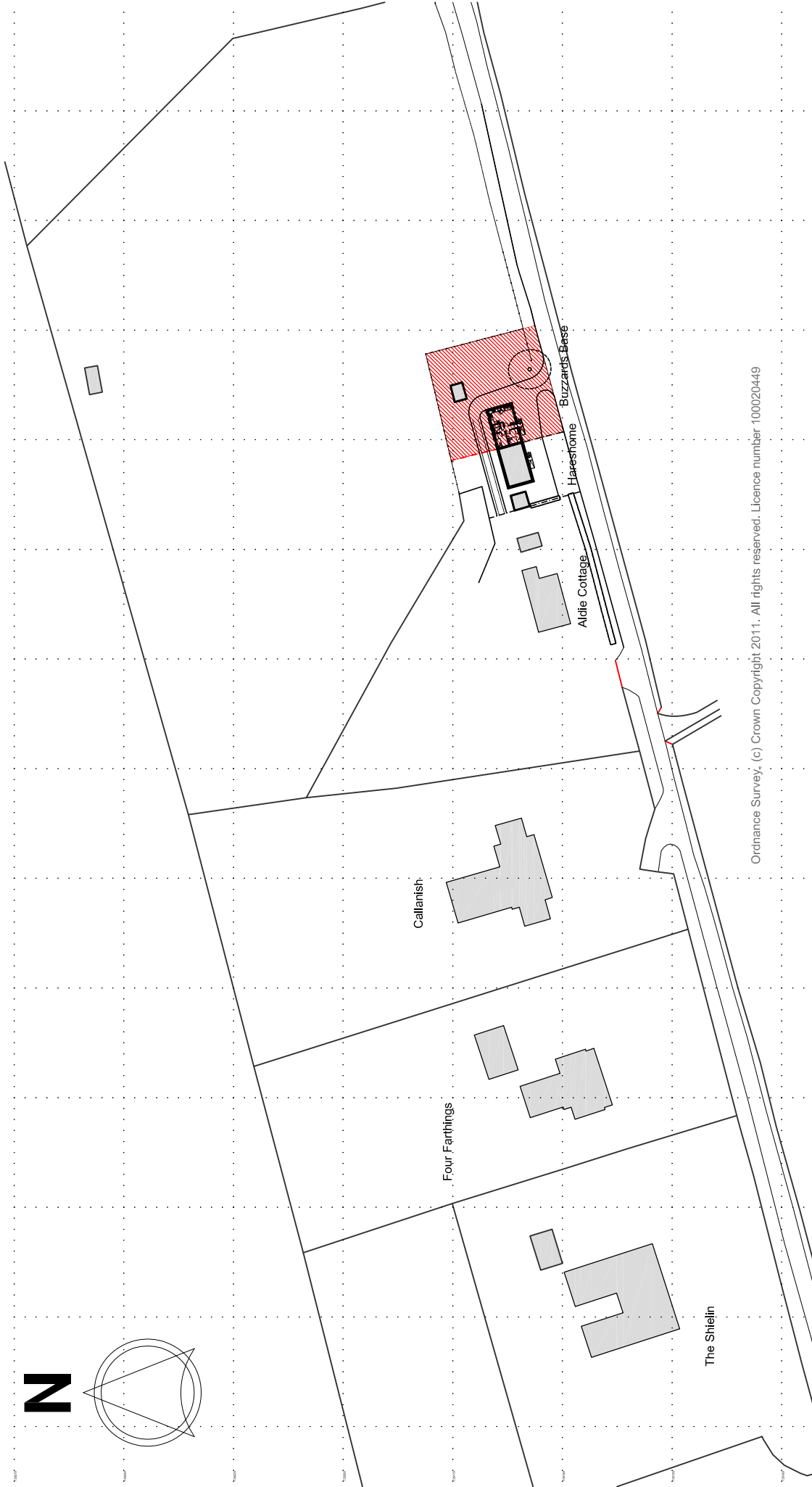


Archid
Architects Limited
22 Riverside Road, Wormit
Newport on Tay, Fife DD6 8LS
Tel: 01382 542883
info@archidarchitects.co.uk

JOB TITLE
Extension at Buzzards Base
Keillour by Methven, Perth PH1 3RD
CLIENT
Mrs Katherine Oliver
DRAWING TITLE
Location Plan

SCALE
1:1250
DATE
Dec 2011
JOB NUMBER
224
DRAWING NUMBER
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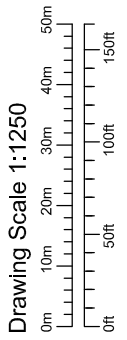
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Location Plan

Scale 1:1250



Archid
Architects Limited
22 Riverside Road, Wormit
Newport on Tay, Fife DD6 8LS
Tel: 01382 542883
info@archidarchitects.co.uk

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Keillour by Methven, Perth PH1 3RD**

CLIENT
Mrs Katherine Oliver

DRAWING TITLE
Location Plan

SCALE
1:1250

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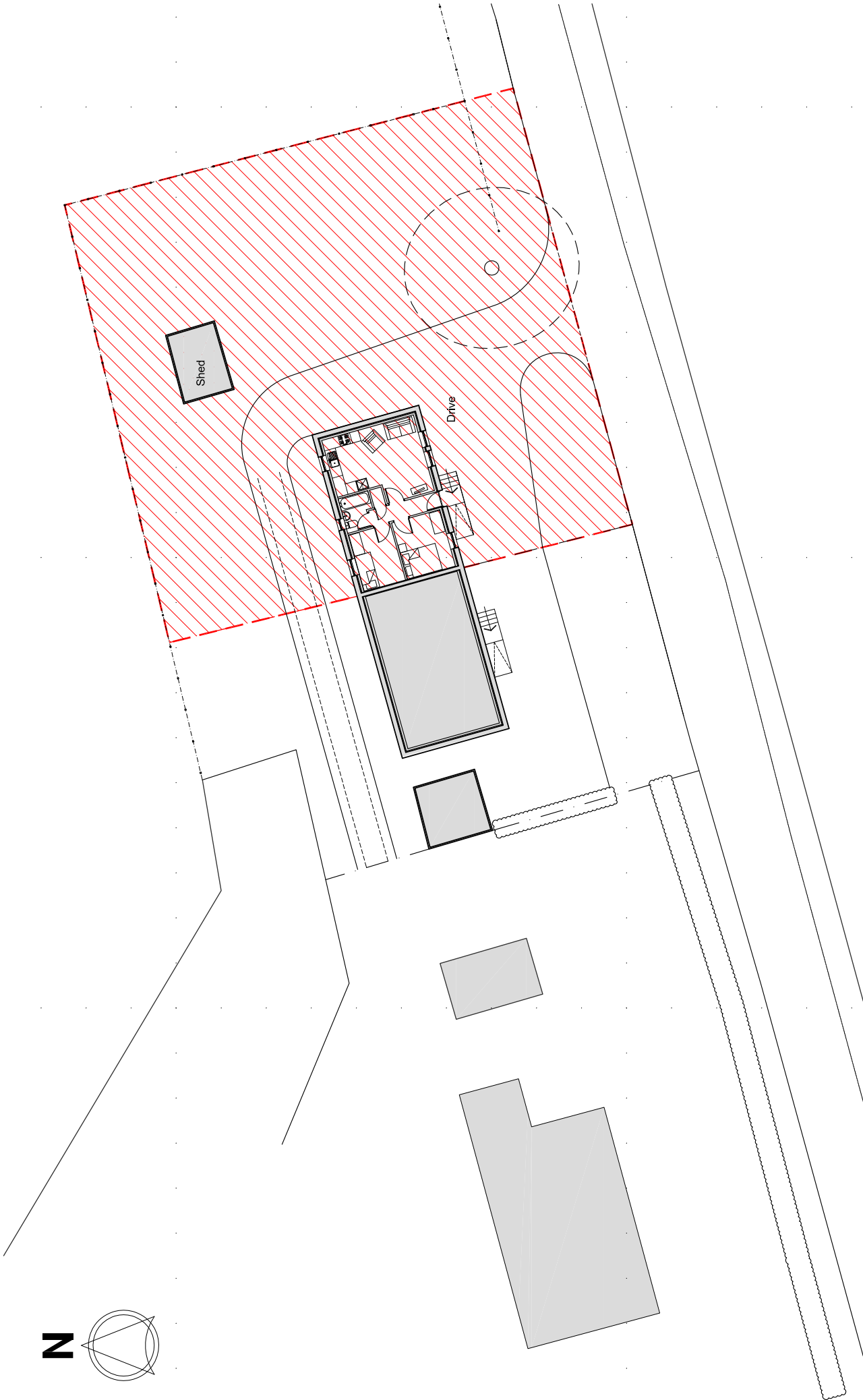
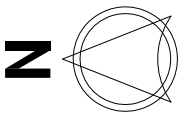
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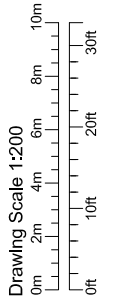
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Existing Site Plan
Scale 1:200



Archid
Architects Limited
22 Riverside Road, Wormit
Newport on Tay, Fife DD6 8LS
Tel: 01382 542883
info@archidarchitects.co.uk

JOB TITLE
Extension at Buzzards Base
Kellour by Methven, Perth PH1 3RD

CLIENT
Mrs Katherine Oliver

DRAWING TITLE
Existing Site Plan

SCALE
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DATE
Dec 2011

JOB NUMBER
224

DRAWING NUMBER
L(90)002

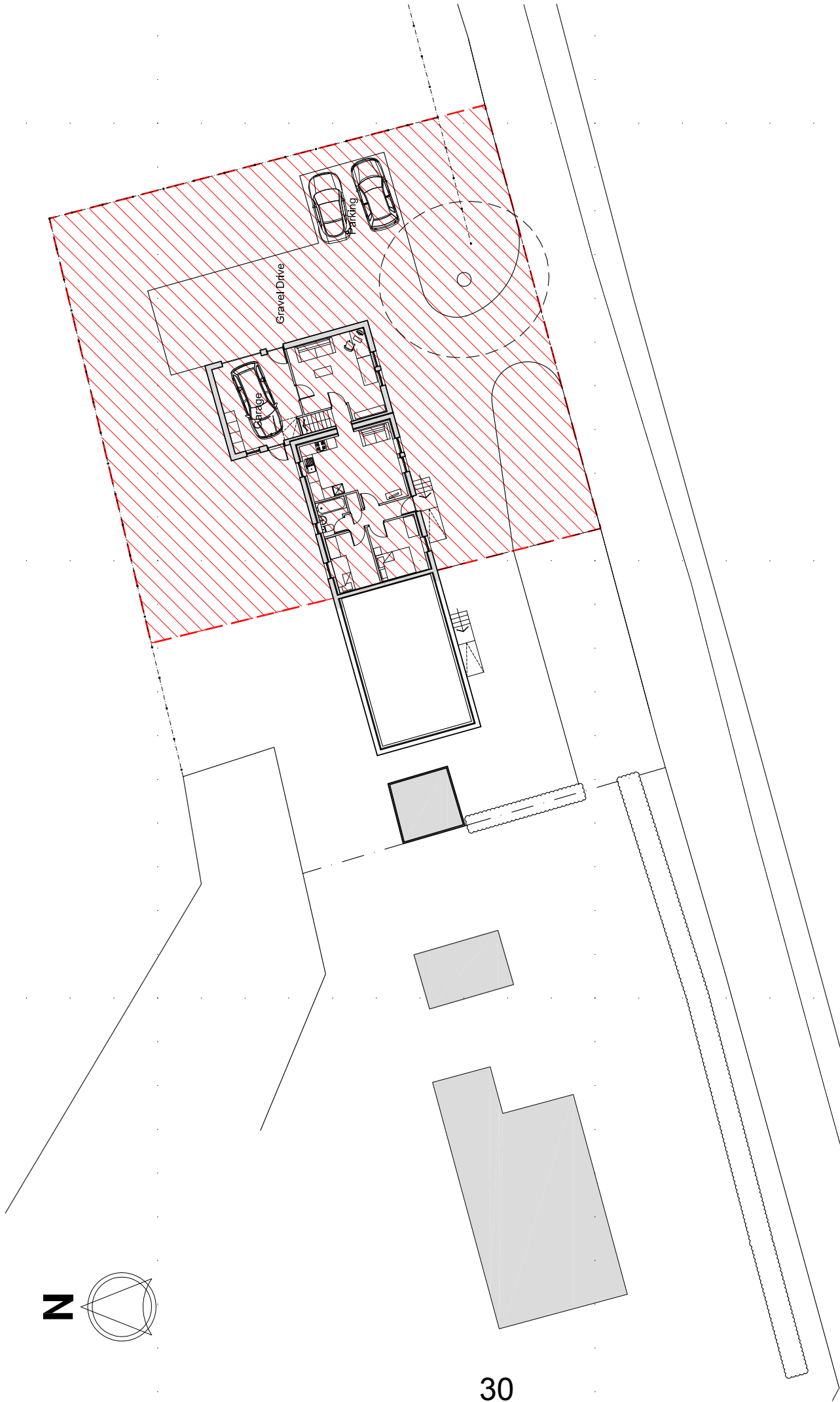
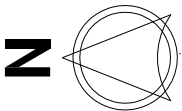
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Proposed Site Plan

Scale 1:200

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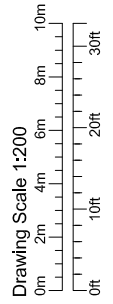
22 Riverside Road, Wormit
Newport on Tay, Fife DD6 8LS
Tel: 01382 342853
info@archidarchitects.co.uk

JOB TITLE
Extension at Buzzards Base
Kaillour by Methven, Perth PH1 3RD
CLIENT
Mrs Katherine Oliver

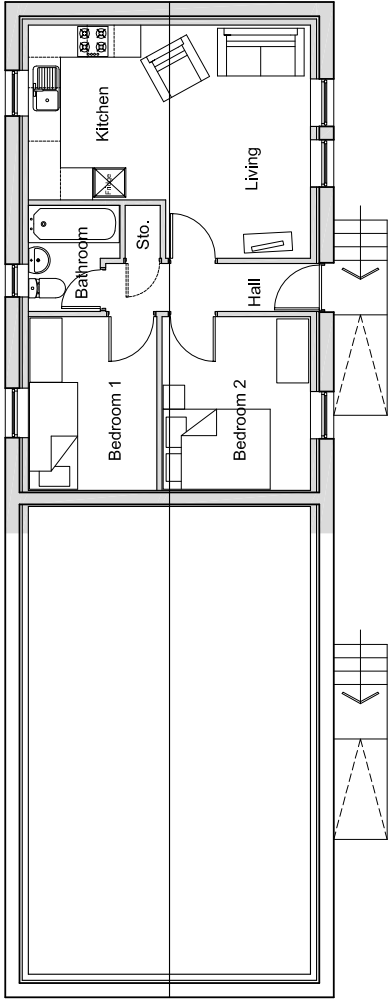
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Proposed Site Plan

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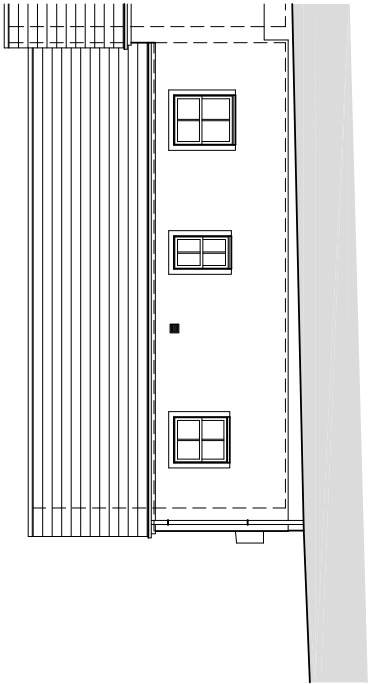
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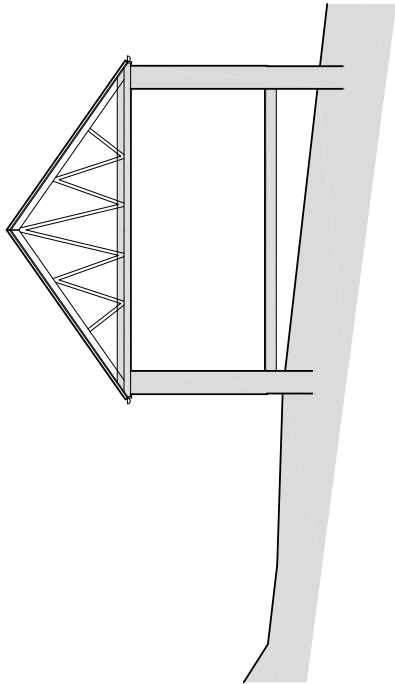
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Scale 1:100



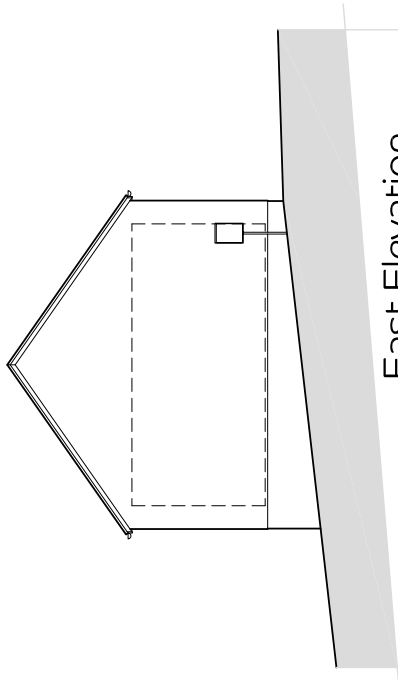
Existing South Elevation
Scale 1:100



Existing North Elevation
Scale 1:100



Existing Section
Scale 1:100



East Elevation
Scale 1:100



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SCALE	1:100	ORIGINAL	A3
DATE	Dec 2011	DRAWN	PG
JOB NUMBER	224	CHECKED	PG
DRAWING NUMBER	L(20)001	REVISION	-

JOB TITLE
Extension at Buzzards Base
Kailour by Methven, Perth PH1 3RD
CLIENT
Mrs Katherine Oliver
DRAWING TITLE
Existing Plan, Section & Elevations

Archid
Architects Limited
22 Riverside Road, Wormit
Newport on Tay, Fife DD6 8LS
Tel: 01382 942883
info@archidarchitects.co.uk

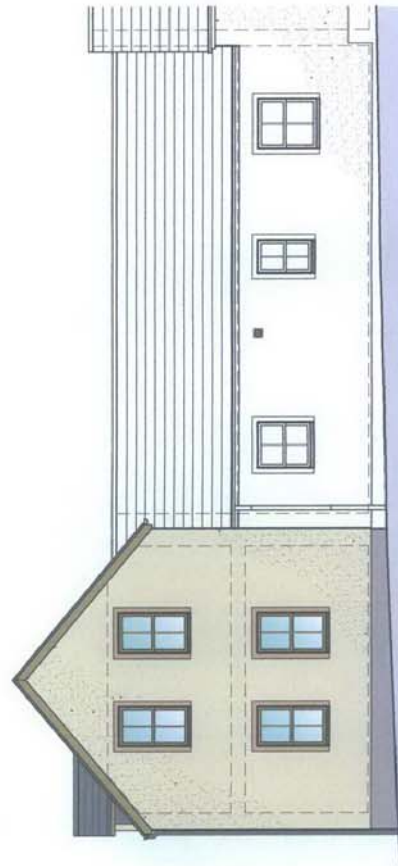
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Proposed East Elevation
Scale 1:100



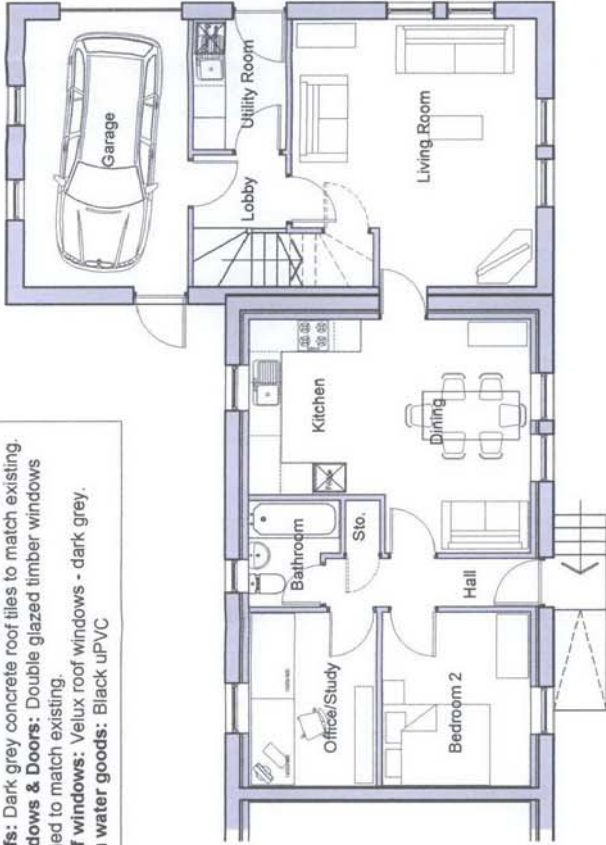
Proposed West Elevation
Scale 1:100



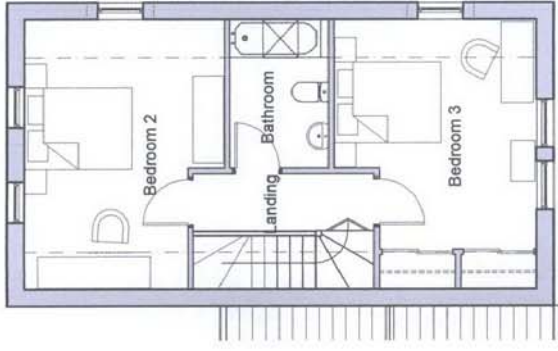
Proposed North Elevation
Scale 1:100

Proposed Extension Finishes:

Walls: To be wet dash harling to match existing.
Roofs: Dark grey concrete roof tiles to match existing.
Windows & Doors: Double glazed timber windows stained to match existing.
Roof windows: Velux roof windows - dark grey.
Rain water goods: Black uPVC



Proposed Ground Floor Plan
Scale 1:100



First Floor Plan
Scale 1:100



Proposed South Elevation
Scale 1:100



DRAWING REF: 11023016

A	REV	Plan updated following client comments.	PG	Int.	Date
					15-12-11

JOB TITLE	Extension at Buzzards Base
CLIENT	Kellour by Methven, Perth PH1 3RD
ARCHITECT	Mrs Katherine Oliver
DRAWING TITLE	Proposed Plan, Section & Elevations
DRAWING NUMBER	L(20)002
REVISION	A

SCALE	1:100
DATE	Dec 2011
JOB NUMBER	224
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ORIGINAL	A3

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