

TCP/11/16(491) – 17/00839/FLL – Extension to dwellinghouse (in retrospect) at 24 Friar Street, Perth, PH2 OED

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**TCP/11/16(491) – 17/00839/FLL – Extension to
dwellinghouse (in retrospect) at 24 Friar Street, Perth, PH2
0ED**

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100066847-001

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

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Arthur Stone Planning & Architectural Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Alison	Building Name:	
Last Name: *	Arthur	Building Number:	85
Telephone Number: *	01738 850873	Address 1 (Street): *	High Street
Extension Number:		Address 2:	Newburgh
Mobile Number:		Town/City: *	Fife
Fax Number:		Country: *	United Kingdom
		Postcode: *	KY14 6DY
Email Address: *	info@arthurstoneplanning.co.uk		

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="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Nick"/>	Building Number: <input type="text" value="24"/>
Last Name: *	<input type="text" value="Arthur"/>	Address 1 (Street): * <input type="text" value="Friar Street"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="PERTH"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="PH2 0ED"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text"/>	

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="24 Friar Street"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="Perth"/>
Post Code:	<input type="text" value="PH2 0ED"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="722748"/>	Easting	<input type="text" value="311150"/>
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Description of Proposal

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

Extension to dwellinghouse (in retrospect)

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

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

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

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

Please refer to supporting document - Statement of Matters for Consideration.

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to 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)

Statement of Matters for Consideration.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

17/00839/FLL

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

12/05/2017

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

23/06/2017

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)

Site can be partially seen in distant view. The site relates to a terraced house and only access to rear of property is through house.

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: Mrs Alison Arthur

Declaration Date: 21/09/2017

**Perth and Kinross
Local Review Body**

Statement of Matters for Consideration



Extension to dwellinghouse (in retrospect)

24 Friar Street Perth PH2 0ED

Application Number: 17/00839/FLL

Mr Nick Arthur

1.0 Summary

1.1 This statement is submitted in support of planning application (17/00839/FLL) part in retrospect) for an extension to a dwellinghouse at 24 Friar Street, Perth. This application seeks permission to erect a dormer on the rear elevation of the property, extending the existing attic bedroom. This statement is intended to support the case that this dormer extension has no adverse visual or other impact on the surrounding residential area and should be considered acceptable in terms of the Council's relevant policy and guidance.

1.2 An earlier application for planning permission (16/00881/FLL) was approved for a rear dormer of the same design. This more recent application (17/00839/FLL) was requested by the Planning Authority as a consequence of the built dimensions of the dormer differing from the plans approved for the earlier application.

1.3 The applicant believes the key issue for consideration is whether there is any significant impact due to the difference in dimensions between the approved and proposed dormer and not the acceptability of the proposal in its entirety.

1.4 In support of this review the applicant wishes to make the following key points:

- The proposed dormer is of the same overall design as the previously approved dormer (16/00881/FLL).
- The dormer uses appropriate and high quality materials (with the Report of Handling indicating that materials are considered to be an improvement from the previous consent).
- The character and quality of the streetscene on Friar Street is maintained as no alteration is proposed to the front elevation of the property.
- The area to the rear of properties on Friar Street is characterised by many building alterations and extensions with little coherence in design. There are long rear gardens with mature planting and the entire rear elevation of 24 Friar Street can **only** be viewed from its own private garden ground.
- The only public street view of the rear elevation of 24 Friar Street is from Priory Place (to the east) where distant glimpses of the dormer are only possible.
- The proposed dormer, although larger than that approved dormer is considered to be appropriate to the property and surrounding residential area, respecting its character and amenity, given that it is located on the rear elevation.
- There is no evidence of smoke and odour nuisance from the existing flue as a result of the proposed dormer having been built (or evidence of any nuisance prior to construction). In any case any issues could be addressed with one of many technical solutions available.
- The proposal is considered to be of sufficient quality and minimal impact to be acceptable in terms of the relevant Council policy and guidance. We highlight that Policy PM1A which seeks to ensure all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place is **not** a reason for refusal.
- The informant, who alerted the Council to the discrepancy in the size between the approved and built dormer, did not make any representation to the planning application. The only representations submitted were supportive of the proposal.

- The applicant has made a complaint to the Council as he has concerns about the actions and standards of service of the Council in the preparation of the content of the Report of Handling. The Council has partly upheld the complaint at Stage 2 of the Council's Complaints Handling Procedure and the Report of Handling has been revised.

2.0 Background

2.1 This application 17/00839/FLL was refused planning permission, the Council's reasons stating that:

1. *The proposal is contrary to Policy PM1B, criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the host building and wider residential area.*
2. *The proposal is contrary to Policy PM1B, criterion (c) of the Perth and Kinross Local Development Plan 2014, as the design and density of the proposal does not complement its surroundings in terms of appearance, height, scale and massing.*
3. *The proposal is contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014, as the proposal would result in an increase in smoke and odour nuisance to both the host property and neighbouring properties through the 'downwash' effect, thus compromising residential amenity.*

2.2 The applicant provided a detailed supporting statement to accompany the planning application. Given the reasons for refusal provided, this current statement intends to discuss the following matters for consideration with the aim of demonstrating that the proposal can be supported by policies

- The impact of the proposal on 'Placemaking' (Policy PM1B)
- Smoke and odour nuisance (Policy RD1)

3.0 The Impact of the Proposal on 'Placemaking'

3.1 Reason 1 for refusing the application is that:

'The proposal is contrary to Policy PM1B, criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the host building and wider residential area.'

3.2 We suggest that it is unduly onerous in terms of the definition of 'creating a sense of identity' to require that a proposal for a rear dormer should 'create' a sense of identity.

3.3 However, with the aim of demonstrating that the proposal does meet with policy we would highlight that this area of Perth has its own identity. Part of this identity is the high quality of the streetscene, retaining the traditional character of Friar Street (as shown in the photos below). However, part of the identity of this wider area is also the

experience to the rear of the buildings where many varied alterations, extensions and erection of garden buildings have taken place over time to meets the needs of the residents of this community. Therefore, although the front of the properties, on Friar Street, are largely unchanged there is substantial change to the consistency in appearance and coherence in buildings to the rear of properties.



Friar Street viewed from N to S – no. 24 is part of terrace of four on left of picture



Friar Street viewed from S to N – no. 24 is part of terrace of four on right of picture

3.4 The Report of Handling for the approved application (16/00881/FLL) states that *'In regards to the rear elevation of the property, the elevation is not considered to have as much character as the principal elevation and is no longer symmetrical in nature due to a number of properties having ground floor extensions constructed. This therefore means that there is more flexibility as to what is considered a suitable proposal on the rear elevation'*.

3.5 We believe that the proposal contributes to the particular sense of identity of this area of Perth where the quiet street, traditional, ordered and relatively unchanged belies the nature of the properties to the rear – with little consistency of appearance and with continual changes and upgrading to properties, garden ground and structures. Photographs, below, of the rear of 24 Friar Street, prior to dormer

development, and other rear elevations viewed from 24 Friar Street illustrate the nature of the area.

3.6 We suggest that as no alteration is proposed to the front of the building, the more considerable character of the building is protected and the wider residential area, in terms of the street scene. As noted in the Report of Handling for (16/00881/FFL), the applicant previously agreed to delete a proposed front elevation dormer to ensure the maintenance of the quality of the street and additionally has not implemented the approved front elevation rooflight.

3.7 The nature of the wider residential area to the **rear** of Friar Street and Priory Place is quite different and we suggest that this proposal (for a larger version of an approved dormer) to the **rear of the property** does no significant harm to the host building at 24 Friar Street (and its neighbouring properties in the terrace) or the wider residential area.



Rear elevation of 24 Friar Street and neighbouring properties



A selection of rear dormer extensions viewed from the rear of 24 Friar Street

3.8 Reason 2 for refusing the application is that:

'The proposal is contrary to Policy PM1B, criterion (c) of the Perth and Kinross Local Development Plan 2014, as the design and density of the proposal does not complement its surroundings in terms of appearance, height, scale and massing.'

3.9 The Report of Handling for the refused application states that:

'It is considered that the proposed dormer is not proportionate in scale to the host building and dominates the rear elevation of the property, whilst looking out of place on the wider terrace. The massing of the dormer is also not consistent with the streetscene and thus does not contribute positively to the quality of place....'

3.10 The property at 24 Friar Street is mid terrace of 4 houses with the end houses having hipped roofs. The roof relating to 24 Friar Street is therefore part of the larger shared roofscape. Although the difference in dormer size may be observed on plan, it is contended that the 'host building' is sufficient to accommodate a dormer which is minimally larger than has already been approved, also taking into account the benefit of the shared roofscape visually extending the roof beyond number 24. We believe that there will be negligible perceived difference in the appearance, height, scale and massing of the dormer, particularly as it can be only be seen from limited viewpoints. The difference in size, as shown on the approved and submitted elevation drawings is indicated below.



Outline of approved dormer superimposed on proposed dormer

Proposed dormer (as built) Approved dormer

3.11 The area is characterised by long rear gardens with mature planting. The mature and well screened rear garden of Friar Street meets the rear gardens of Priory Place, with the rear elevations of the nearest properties having any view of the rear of the property at a distance of more than 100m. The entire rear elevation of 24 Friar

Street can **only** be viewed in its entirety from its own private garden ground. We would contend that this limited view of the dormer or the entire rear elevation of the property means that it only has minimal visual impact for anyone in the surrounding area.

3.12 Our understanding of the meaning of streetscene is of the 'view' of the street or the street as a 'scene'. We do not understand the Report of Handling where it states, '*The massing of the dormer is also not consistent with the streetscene and thus does not contribute positively to the quality of place*'. We believe that the rear elevation dormer is not viewed as part of any streetscene. Being to the rear of the property, it is not relevant to the streetscape of Friar Street. We also do not believe that it is relevant to the 'streetscene' of any of the surrounding streets. It can only be fleetingly viewed through gaps in houses on Priory Place but these glimpses can have no impact on the Priory Place streetscene (see photographs below).



Sole distant and glimpsed public view of rear elevation of 24 Friar Street, from Priory Place (east of Friar St) - The anthracite window frame and fascia and slated face and haffits ensure that the dormer is well incorporated into the roof, visually recedes and is not a prominent addition to the property.

3.13 The Report of Handling for the refused application acknowledges that there are no concerns with the dormer's materials and indeed that these are an improvement on those proposed in the earlier application. The Report of Handling for the earlier approved application 16/00881/FFL stated, in two separate places, that:

‘The roof of the proposed dormer are to be slate finish to match the roof of the existing dwellinghouse and the walls are to be timber cladding’.

‘In relation to the design itself of the dormer, this is considered acceptable by the Planning Authority due to the slate roofing matching the roof of the existing dwellinghouse and the timber cladding being appropriate for this type of development. This therefore ensures that the dormer does not look out of place.’

3.14 We believe that the dormer, as built, with slated roof, face and haffits uses materials which are a significant improvement on timber cladding, although this was considered an appropriate material in terms of the approved application (as above). We believe that had timber cladding been used there was potential for a considerably more prominent dormer extension. A photo montage of a timber clad dormer in the same position on the roof, using the only public viewpoint, is included below to illustrate its potential prominence relative to the slated dormer. On this basis it would seem inconsistent that this proposal for a slightly larger and slated dormer would be considered inappropriate when potentially very visible timber cladding was considered appropriate for the approved proposal and that it would ensure that the *‘dormer does not look out of place’*.



Photomontage –dormer with mock up showing timber cladding



Refused dormer with slated face, haffits and roof and grey aluminium frames

3.15 We wish to draw attention to a recent planning application for a property on Priory Place (the street to the east of Friar Street) 15/00689/FLL for alteration and extension to a house by forming a rear dormer. This application was approved in June 2015 using the Perth and Kinross Local Development Plan 2014 as the basis for its

decision (the same Plan as used for this application under review). The Report of Handling for that application states, in consideration of that proposal, that:

'An appropriate dormer should be set back from the wallhead, generally pitched in form, be physically contained within the roof pitch, have the front face predominantly glazed and relate to windows and doors in the lower storeys in terms of character, proportion and alignment. The proposal does not meet any of these criteria and is not normally something which I would support, however, I have no immediate concerns with the proposal as there are a number of dwellings in the immediate vicinity which have similar extensions. This type of extension appears to be a recurring feature in this area, therefore, the extension will not look at odds with the existing dwellinghouse or the surrounding area.'

3.16 The proposal was considered in terms of Policy PM1A of the Local Development Plan, which seeks to ensure all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. The scale and design of the above proposal on Priory Place was not considered to impact on the character and amenity of the surrounding area.

3.17 We acknowledge that the application being considered was a proposal for a quite different dormer in a different location. However, we believe that this example shows that a good deal of flexibility can be applied to the consideration of proposals and that there are potentially 'non-compliant' extensions in the surrounding area which can be considered to be acceptable. As highlighted in paragraph 3.4. the Report of Handling for the approved dormer identified that the nature of the rear elevation of 24 Friar Street allows for more flexibility.

3.18 We respectfully suggest that the above submission demonstrates the acceptability of the proposed dormer in terms of Policy PM1B Placemaking (criteria a and c). We believe the increased size of the proposal in relation to the earlier approval creates no significant altered impact in terms of visual amenity. We believe that it is well designed, uses high quality and appropriate materials and is consistent with and complements the character and identity of the host building and its surroundings.

3.19 We highlight that Policy PM1A which seeks to ensure all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place is **not** given as a reason for refusal.

4.0 Smoke and Odour Nuisance

4.1 Reason 3 for refusing the application is that:

'The proposal is contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014, as the proposal would result in an increase in smoke and odour nuisance to both the host property and neighbouring properties through the 'downwash' effect, thus compromising residential amenity.'

4.2 In responding to this reason for refusal the applicant is initially concerned that the reason states that the proposal would **increase** smoke and odour nuisance. The applicant is not aware of any existing nuisance prior to construction of the dormer.

4.3 In the determination of application 16/00881/FLL for the approved dormer Environmental Health were not consulted. It would therefore seem reasonable to assume that there were no concerns regarding the stove flue and smoke and odour nuisance at that time.

4.4 It is unclear to the applicant why this minimal change in the dimensions of the proposed dormer would result in a situation where a proposal, which did not even trigger an Environmental Health consultation, became one where there is such a risk of unacceptable nuisance that it resulted in a reason for refusal. The applicant is unaware of what aspect of the proposed dormer generates this risk (compared to the situation with the approved dormer).

4.5 The Environmental Health officer, responding to the consultation, stated that *'it is my contention that downwash conditions may occur and the dispersion of emissions may be hindered due to the height of flue in relation to the height of the existing dwelling house and the dormer window/balcony. Therefore there is a greater risk of nuisance conditions arising from the inadequate dispersion of emissions from the flue with regards to smoke odour entering into the existing property at the second floor and new dormer windows'*.

4.6 The comments above use the words **may** and **risk** in considering the likelihood of smoke and odour nuisance. The comments do not conclude that there **would** be an increase in nuisance as stated in the 3rd Reason for Refusal. However, it does not appear that any further investigation was pursued and the applicant was not advised of this concern or given any opportunity to provide his own supporting information. The applicant has been using the wood burning stove during the time since the dormer's construction and has received no complaints regarding smoke and odour nuisance. The applicant has observed that the smoke from the chimney dissipates away from the buildings.

4.7 In any case, we believe that problems with domestic chimneys are generally resolved satisfactorily with appropriate advice and attention. A wide range of cowls and more sophisticated systems with fans and vents are available to address problems along with the ability to vary flue height. It is respectfully suggested that the flue from the wood burning stove on the rear extension should not be a reason which renders this planning proposal unacceptable.

5.0 Conclusion

Our client asks respectfully that the Local Review Body members note the aforementioned positive attributes of the proposed development and consider whether the key objectives of Placemaking in the Local Development Plan will be harmed in any significant way through the approval of this application.

TCP/11/16(491) – 17/00839/FLL – Extension to dwellinghouse (in retrospect) at 24 Friar Street, Perth, PH2 0ED

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

Mr Nick Arthur
c/o Arthur Stone Planning And Architectural Design
Alison Arthur
Jamesfield Business Centre
Jamesfield Business Centre
Abernethy
United Kingdom
KY14 6EW

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 23rd June 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/00839/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 31st May 2017 for permission for **Extension to dwellinghouse (in retrospect) 24 Friar Street Perth PH2 0ED** for the reasons undernoted.

Interim Head of Planning

Reasons for Refusal

1. The proposal is contrary to Policy PM1B, criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the host building and wider residential area.
2. The proposal is contrary to Policy PM1B, criterion (c) of the Perth and Kinross Local Development Plan 2014, as the design and density of the proposal does not complement its surroundings in terms of appearance, height, scale and massing.
3. The proposal is contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014, as the proposal would result in an increase in smoke and odour nuisance to both the host property and neighbouring properties through the 'downwash' effect, thus compromising residential amenity.

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 "Online Planning Applications" page

Plan Reference

17/00839/1

17/00839/2

17/00839/3

17/00839/4

17/00839/9

17/00839/8

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/00839/FLL	
Ward No	P10- Perth City South	
Due Determination Date	30.07.2017	
Case Officer	Sean Panton	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Extension to dwellinghouse (in retrospect).

LOCATION: 24 Friar Street, Perth, PH2 0ED.

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: 6th June 2017

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

24 Friar Street is a traditional terraced property which is located in a residential area in Craigie, Perth. This application seeks detailed planning permission (in retrospect) to erect a new dormer on the rear elevation of the property which will allow for the existing bedroom in the attic space to be extended, providing a large sliding window and Juliette balcony.

The proposed dormer will extrude from the existing roof approximately 3.9metres and will measure 3.5metres in height. The width of the dormer is approximately 4.2metres. This will create a total floor space for the new bedroom of approximately 18.5m². The maximum height of the dormer will be 100mm lower than the existing roofline of the house.

The roof of the proposed dormer is to be slate finish to match the roof of the existing dwellinghouse and the walls are to be slate clad. The fascia will be anthracite and all rainwater goods will be uPVC which also match the existing dwellinghouse. The sliding window on the dormer will be a grey coloured aluminium unit, which is similar to that of the existing extension on the rear of the property. The Juliette balcony will be constructed from glass.

In 2016, the site was granted consent under application (16/00881/FLL) for a smaller scale dormer on the rear elevation. When this application was first presented to the Planning Authority, the dormer proposed on the rear elevation was approximately 4metres in width and 3.5metres in height. I (as Case Officer for the previous application also), felt that this dormer was too large and was not proportionate to the host building and thus was unsupportable. Subsequently, rather than refusing the application, I gave the applicant the opportunity to reduce the width of the dormer (along with other amendments not applicable to this application) so that it was supportable in Planning terms. This was consequently reduced in width to 3metres and to 3.25metres in height. It was made clear to the applicant at this stage that this would be the largest dormer the Planning Authority would support on this property.

At this point, I would like to clarify that it is my understanding that 24 Friar Street is under the same ownership as when the previous application for the site was submitted, and as such, were fully aware of the consent in place and the previous concerns that the Planning Authority had regarding a dormer of this width.

When this application (17/00839/FLL) was submitted, it became clear that the submitted plans did not match what was actually constructed on site (as this application is retrospective). As Case Officer, I contacted the agent and requested that the drawings were amended to reflect what had actually been constructed.

ENFORCEMENT INTEREST

On the 10th May 2017, the Council were alerted that the applicant had begun construction of the dormer and it was significantly wider than the consent in place under application 16/00881/FLL.

Planning Enforcement subsequently investigated the matter and contacted the applicant (refer to case 17/00105/PLACON). The applicant advised that the dormer was not 'significantly wider' and construction would continue. As such, on the morning of 12th May 2017, a Temporary Stop Notice was served under

the Town and Country Planning (Scotland) Act 1997, as amended by Planning Etc. (Scotland) Act 2006.

This Temporary Stop Notice was displayed on the front garden fence and was removed on the same morning it was put up. It is not known who removed this notice. The notice clearly states it must remain on display whilst it remains in force. The Enforcement Officer, accompanied by myself (as previous Case Officer for application 16/00881/FLL), then attended the site again on the afternoon of the 12th May 2017 to put up a second Temporary Stop Notice.

On the 18th May 2017, Building Standards also shown an interest as it came to light that not only did the works not have planning permission, they also did not have a building warrant (refer to case 17/00012/UW). As such, a Legal Notice was served under the Building (Scotland) Act 2003 – Notice under Section 27 requiring the owner or the relevant person to obtain a building warrant or submit a completion certificate.

In conclusion, the property has both a Temporary Stop Notice from Planning Enforcement and a Legal Notice from Building Standards, yet works continued and the development, at time of writing this report, is almost complete.

It was also noted when investigating the site that another approved extension to the property (14/01321/FLL) was also built not in accordance with the approved plans, again, whilst under the same ownership. This is a separate matter however and will be investigated accordingly.

SITE HISTORY

90/01275/FUL EXTENSION TO HOUSE AT 2 August 1990 Application Permitted

14/01321/FLL Extension to house 24 September 2014 Application Permitted

16/00881/FLL Extension to dwellinghouse 13 June 2016 Application Permitted

PRE-APPLICATION CONSULTATION

No pre-application consultation was undertaken however as stated above there has been vast correspondence between the applicant and the Council regarding the on-going Enforcement Issues on the site. The applicant was also advised through the previous application for the site (16/00881/FLL) that 3metres would be the widest dormer considered acceptable on this property.

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of TAYplan should be noted. The vision states *“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy RD1 - Residential Areas

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

OTHER POLICIES

Perth & Kinross Council's Placemaking Guide states that;

“An extension which recognises and respects the form of the existing building is more likely to be successful than one which ignores the design of the original... It is nearly always necessary to avoid overwhelming existing buildings, bearing in mind that some buildings have greater 'street' presence than others”.

CONSULTATION RESPONSES

Environmental Health:

Environmental Health responded to the consultation and highlighted that they were concerned at the impacts created from the addition of a dormer of this scale in relation to the existing flue on the ground floor extension (approved under 14/01321/FLL). The concerns relate to the proximity of the dormer to the flue and the nuisance issues that could arise to neighbouring residents from the 'downwash' effect.

REPRESENTATIONS

4 letters of representation (2 from the same household) were received supporting the proposal. In summary, the letters highlighted the following points:

- Efficient way of increasing accommodation (practicality)
- Sets a good precedent (attractive design)
- Appropriate materials
- Only visible from rear of property
- Blends in with surroundings

1 letter of representation was received objecting to the proposal. In summary, the letter highlighted the following points:

- Reduction of privacy
- Proposal would set precedent
- Detracts from character of area

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	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development

Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

Alterations and extensions to an existing dwellinghouse are considered to be acceptable in principle. Nevertheless, detailed consideration must be given to the scale, form, massing, design, position, proportions and external finishes of any proposals, and whether they would have an adverse impact on visual or residential amenity.

In this instance, the proposal is not considered to be acceptable as the scale, form, massing, design, position and proportions is inappropriate and is considered to have an adverse impact upon the visual and residential amenity of the area for reasons mentioned within this report.

Design and Layout

As stated within the 'Background and Description of Proposal' section of this report, it was made clear to the applicant through the previous application for the site (16/00881/FLL) that 3metres would be the maximum width of any dormer which could be supported on this rear elevation. This is due to the narrow nature of the existing house and the impact that a large dormer could have upon the proportions and visual integrity of the rest of the terraced building.

The applicant has stated through the provided supporting statement that the *'increase in dimension of the dormer arose during the construction process when it became necessary to ensure proper structural support for the sliding windows.'* I have since spoken to Building Standards who have advised me that the dormer consented under application 16/00881/FLL is capable of being constructed and there is no justifiable need in building terms to increase the width of the dormer.

Regardless, as part of this application, I have to assess the application before me and consider whether the proposed dormer is acceptable in relation to the relevant policies of the identified Local Development Plan.

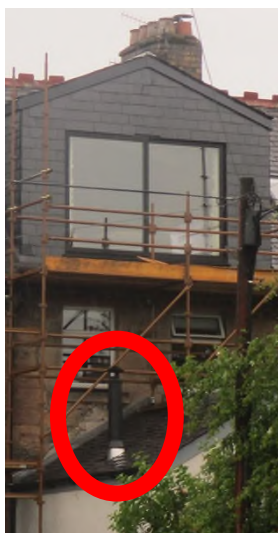
It is considered that the proposed dormer is not proportionate in scale to the host building and dominates the rear elevation of the property, whilst looking out of place on the wider terrace. The massing of the dormer is also not consistent with the streetscene and thus does not contribute positively to the quality of place, as required by Policies PM1A and PM1B Placemaking of the adopted Local Development Plan. This will be reasons 1 and 2 for refusal on this report. The supporting statement makes reference to other properties within the Craigie area which have large dormers. Although not investigated

further, it is extremely unlikely that the dormers cited by the agent were supported under the current Local Development Plan policies as the examples appear historic. On assessing this however, the examples are not considered to justify a dormer of this scale on such a narrow property where the relationship to the terrace is essential. I therefore maintain my stance, as per the previous application, that 3 metres in width is the most appropriate for a house of this scale.

In relation to materials, I am not concerned as the material palette is considered to be an improvement from the previous consent for this site.

Smoke and Odour Nuisance

Environmental Health was consulted as part of this application and highlighted that they were concerned at the impacts created from the addition of a dormer of this scale in relation to the existing flue on the ground floor extension (approved under 14/01321/FLL). The concerns relate to the proximity of the dormer to the flue and the nuisance issues that could arise to neighbouring residents from the 'downwash' effect. Environmental Health are therefore of the stance that the relationship between the proposed dormer and the existing flue will result in the dispersion of emissions from the flue due to the flue being an insufficient height to accommodate the proposal. This could result in smoke and odour nuisance to neighbouring properties, in addition to the host property, which would compromise residential amenity. It is therefore of my opinion that the proposal would have an adverse impact in relation to Residential Amenity in terms of smoke and odour nuisance. This will be reason 3 for refusal on this report. The below photograph shows the relationship between the existing flue and the proposed dormer:



Residential Amenity

With regards to other issues in relation to residential amenity, as seen from the Google SketchUp model below which has been generated, I have concerns at the impact of the proposal upon the existing rooflights on the neighbouring property to the north. It has not been appropriately

demonstrated by the applicant or his agent the impact that the dormer could create upon this rooflight with regards to loss of sunlight from overshadowing. The supporting statement fails to satisfactorily address this matter.



With regards to the overlooking from the proposed development, whilst it is considered to be increased from the previously approved application from the provision of a slightly larger opening, I am not concerned at the impacts of overlooking from the dormer itself as any overlooking will be similar to that approved under 16/00881/FLL. It would therefore be unreasonable to consider this as a reason for refusal.

Visual Amenity

With regards to visual amenity, as discussed above, the proposal does not positively contribute to the host building or wider streetscene and thus has a negative impact upon the visual amenity of the place. Whilst the materials are considered acceptable, the overall massing is not considered to contribute to the visual amenity of the place as attention is drawn towards the dormer which dominates the host building. The proposal is only 100mm lower than the existing roofline and thus does not appear as a dormer and instead as a separate section of building. This is not considered to be appropriate on this traditional terrace block.

Roads and Access

The property already has an existing driveway and this is not due to be compromised by the proposals. As this is an extension to an existing bedroom and not an additional bedroom for the property, it is therefore considered that there are no road or access implications associated with this proposed development.

Drainage and Flooding

There are no drainage and flooding implications associated with this proposed development.

Developer Contributions

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

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application.

Conditions and Reasons for Recommendation

- 1 The proposal is contrary to Policy PM1B, criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the host building and wider residential area.
- 2 The proposal is contrary to Policy PM1B, criterion (c) of the Perth and Kinross Local Development Plan 2014, as the design and density of the proposal does not complement its surroundings in terms of appearance, height, scale and massing.
- 3 The proposal is contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014, as the proposal would result in an increase in smoke and odour nuisance to both the host property and neighbouring

properties through the 'downwash' effect, thus compromising residential amenity.

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

Not Applicable.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

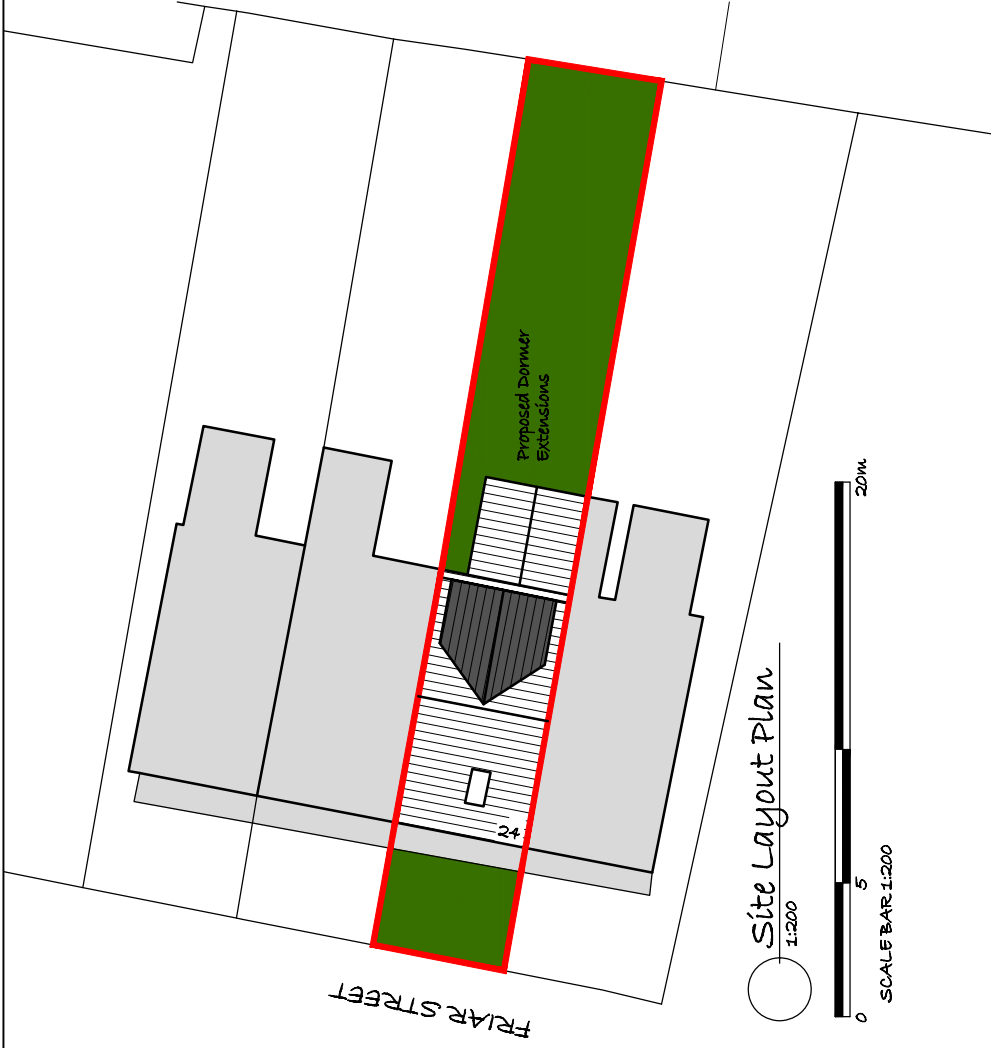
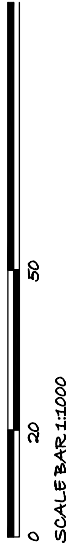
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Date of Report 23rd June 2017 (revised 28th July 2017)



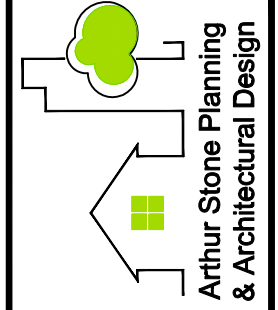
Site Location Plan

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Site Layout Plan

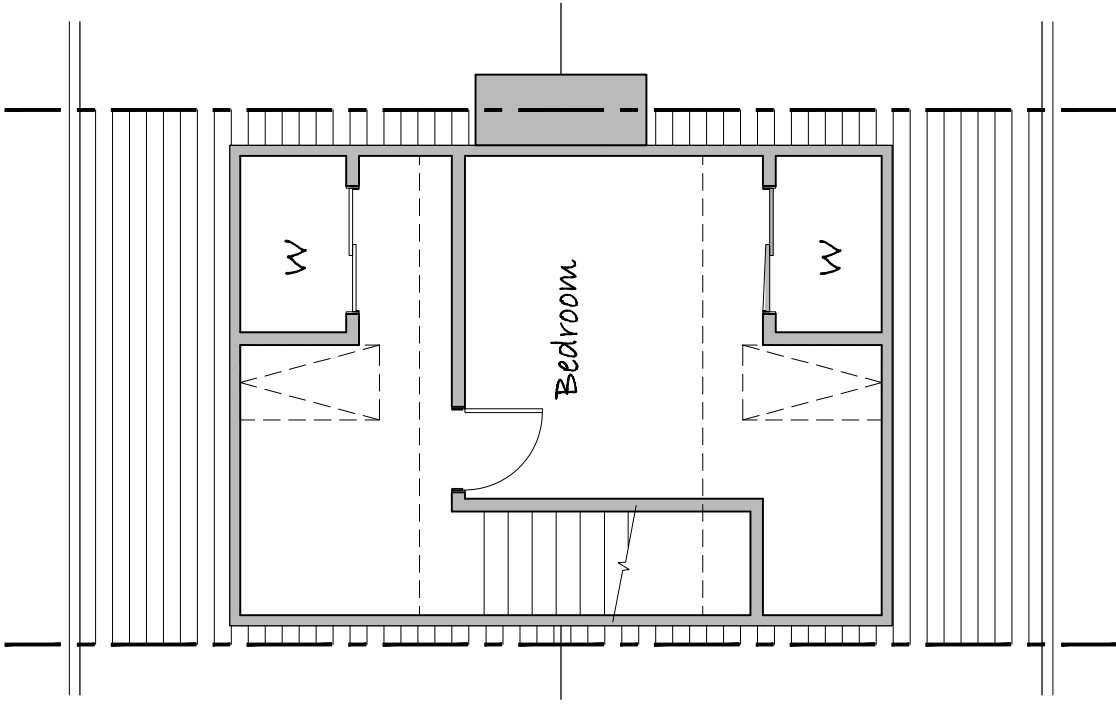
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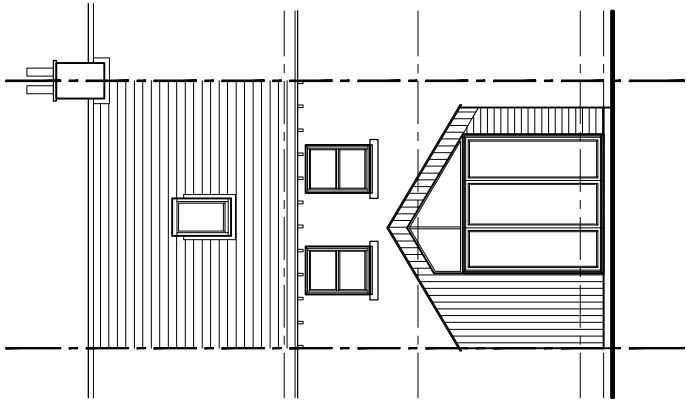
Project
Proposed Dormer Extension & Alterations
to 24 Friar Street, Perth

Title
Site Location & Layout Plan

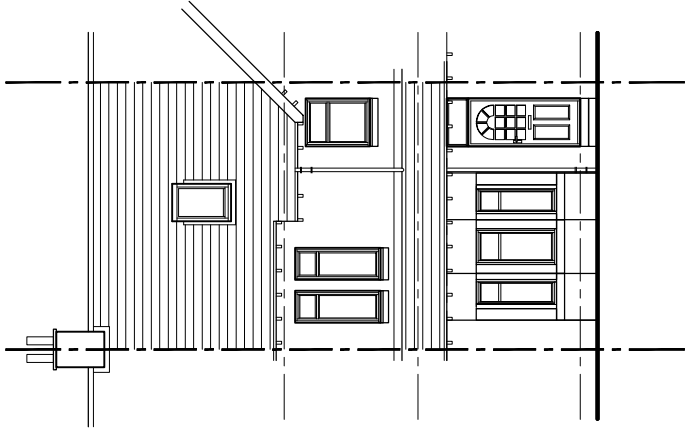
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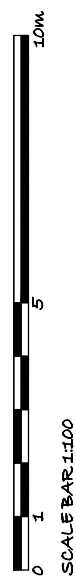
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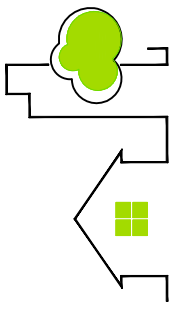


Existing East Elevation
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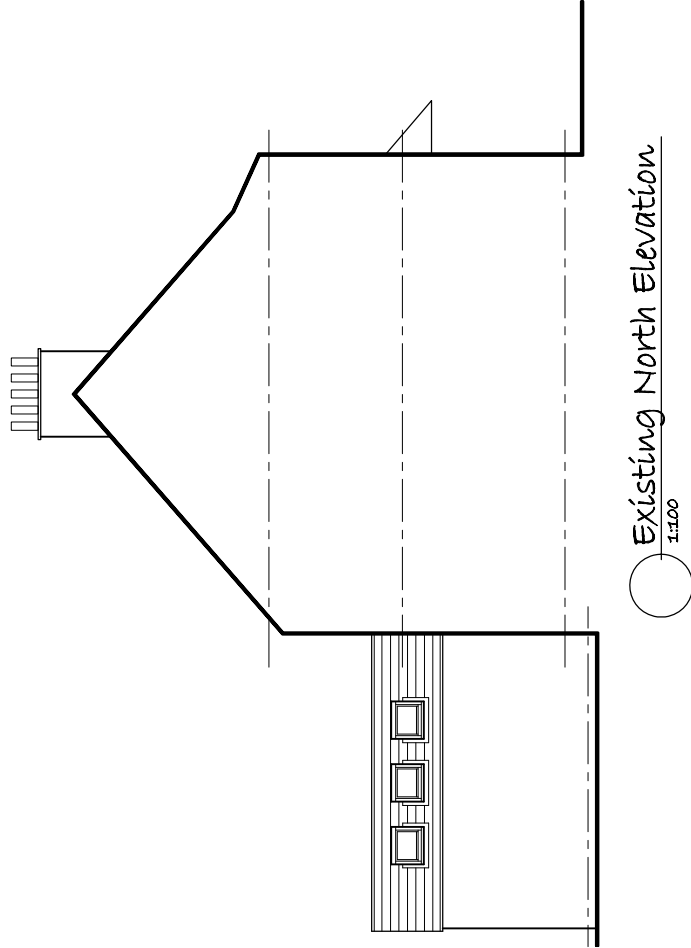
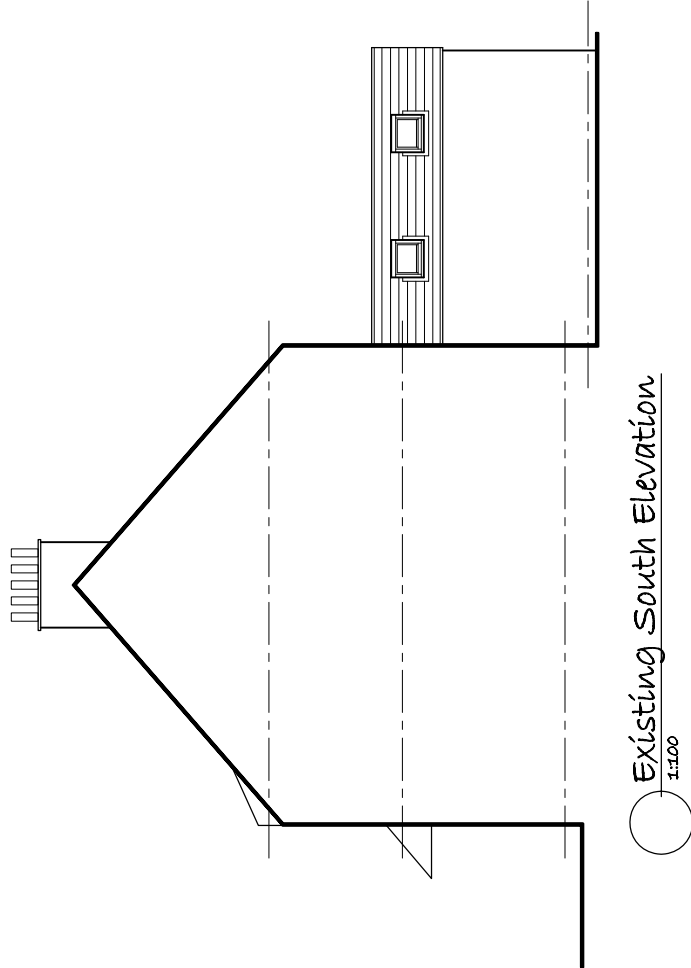
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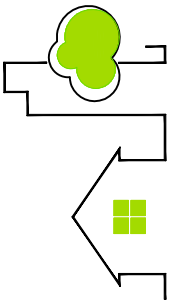


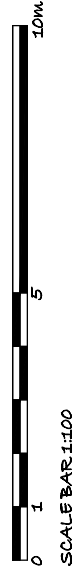
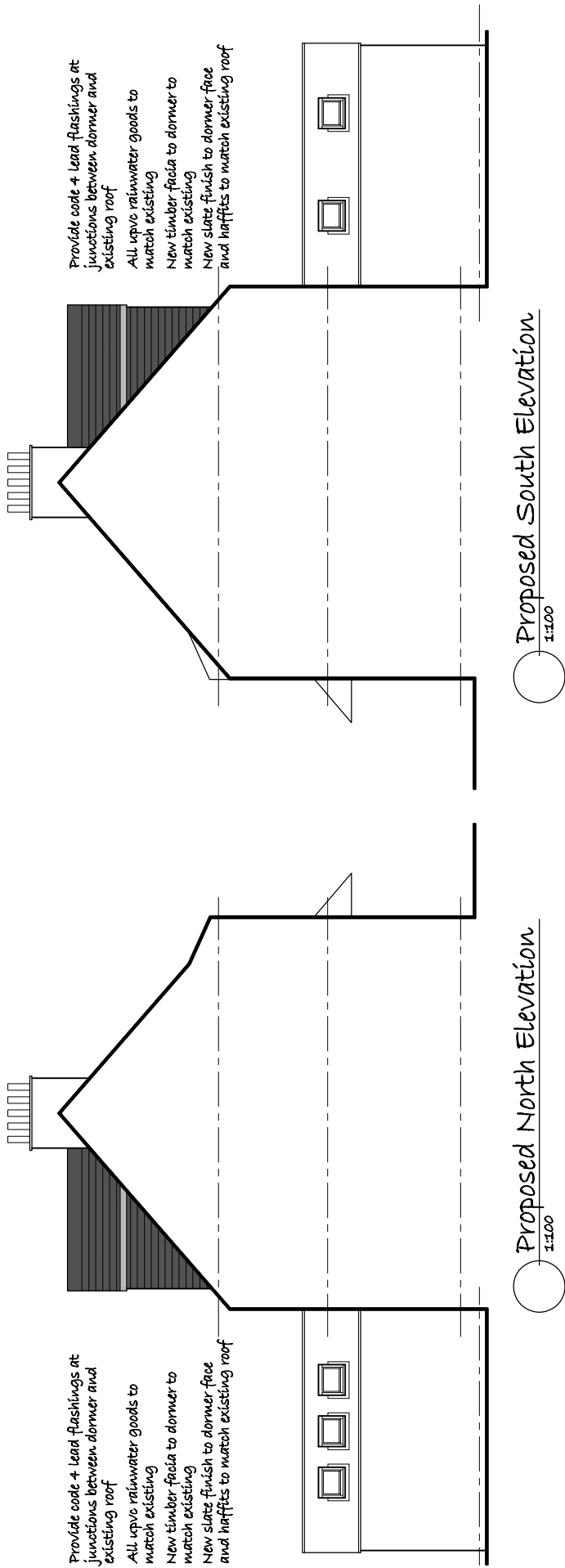
Arthur Stone Planning
& Architectural Design

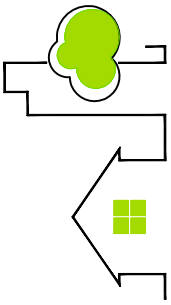
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Drawn D.MCC	Date April 2017	Scale 1:100/50 @ A3	Drawing No D4D/204-101
			REV

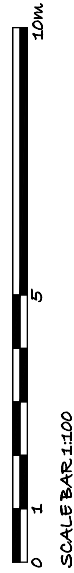
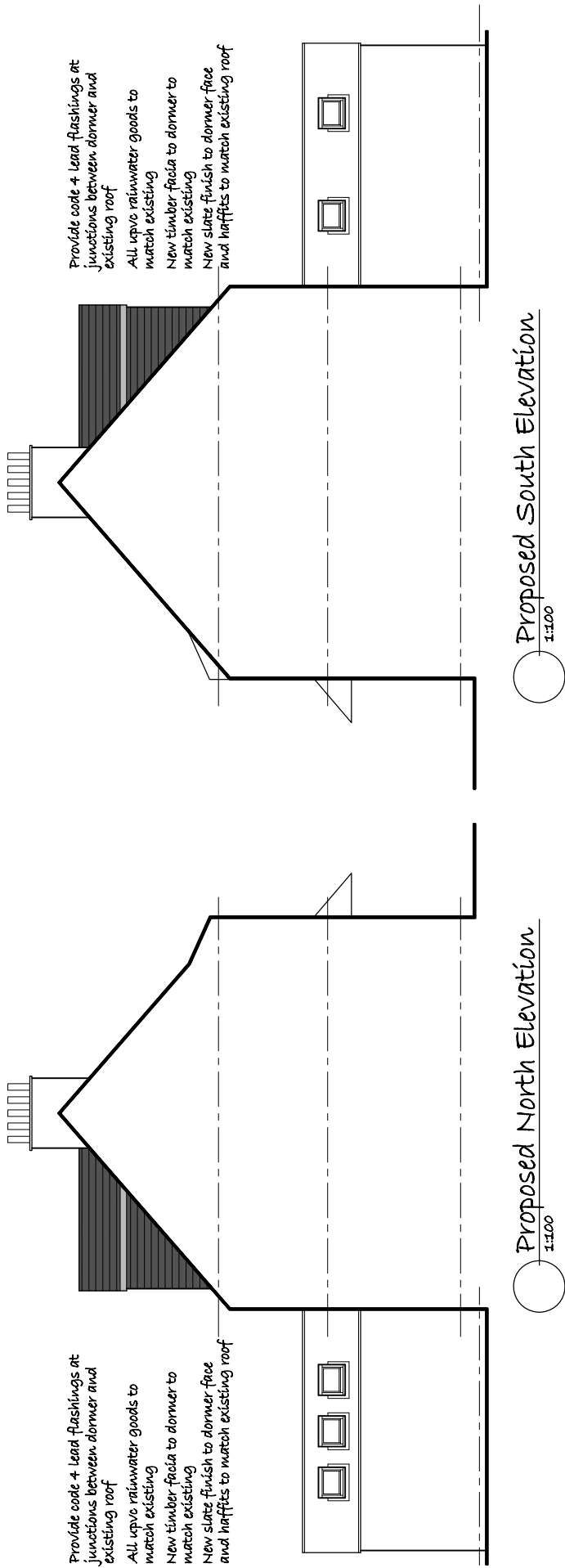


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		Project		
Arthur Stone Planning & Architectural Design		Proposed Dormer Extension & Alterations to 24 Friar Street, Perth		
		Title		
		Existing North & South Elevations		
		Title		
Drawn	D. McC	Date	April 2017	Scale
				1:100 @ A3
				Drawing No
				D4D/204-102
				REV



 Arthur Stone Planning & Architectural Design			
Project Proposed Dormer Extension & Alterations to 24 Friar Street, Perth			
Title Proposed North & South Elevations			
Drawn D. McC	Date April 2017	Scale 1:100 @ A3	Drawing No D4D/204-104
			Rev A



 Arthur Stone Planning & Architectural Design			
Project			
Proposed Dormer Extension & Alterations to 24 Friar Street, Perth			
Title			
Proposed North & South Elevations			
Drawn	Date	Scale	Drawing No
D.MCC	April 2017	1:100 @ A3	D4D/204-104
			REV

The roof of a building, including any rooflights, but excluding any wallheadfascia, flashing or trim, boxed gutters, soffit or barge boards, should have a medium vulnerability to fire within 1.0m from the boundary.

UPVC fascia and rainwater goods to match existing

Provide proprietary ridge vents to provide the equivalent of a 5mm gap to either side of ridge in accordance with BS 5250 and protected against large insect penetration.

Provide 50mm ventilated space below sarking on sloping section of roof with 150mm thick Celotex KR4000 insulation between new 55mm x 45mm rafters at 400mm c/c, maintain the 50mm gap. With 37.5mm thick Celotex PL4000 insulation below rafters with 12.5mm thick plasterboard on vapour barrier, taped and filled to achieve a U-value of 0.15W/m²K.

UPVC patio door to dormer, to match existing, with vent at head. Window to achieve a U-value of 1.4W/m²K.

Provide a protective barrier to a height of at least 1.1m above floor level to the window, it should be designed to conform to BS 6180: 2011. All guarding should be permanently fixed and should not be detachable to permit windows to open. Guarding should be designed so that it is not easily climbable by young children.

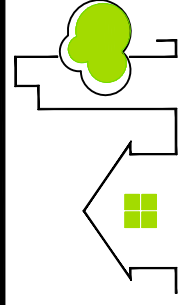
Provide proprietary eaves vents to provide the equivalent of a 25mm continuous gap, and protected against large insect penetration.

NEW 203 X 133 X 30 UB Steel Ridge Beam installed between existing rafters

NEW 152 X 89 X 19 UB Dormer Steel Ridge Beam

Typical Cross Section Through Dormer Extension

1:25



Arthur Stone Planning
& Architectural Design

Project
Proposed Dormer Extension & Alterations
to 24 Friar Street, Perth

Title
Proposed Cross Section

SCALE BAR 1:25



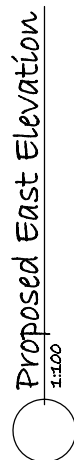
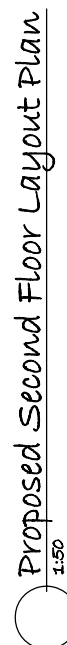
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DATE
April 2017

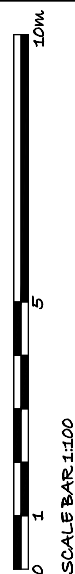
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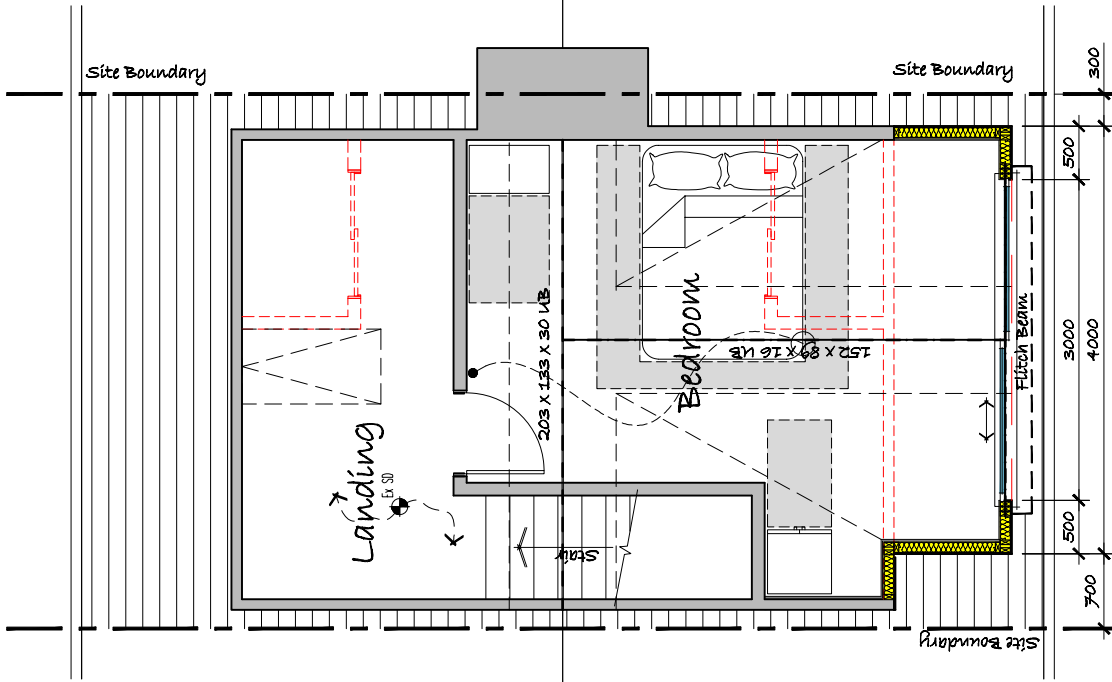
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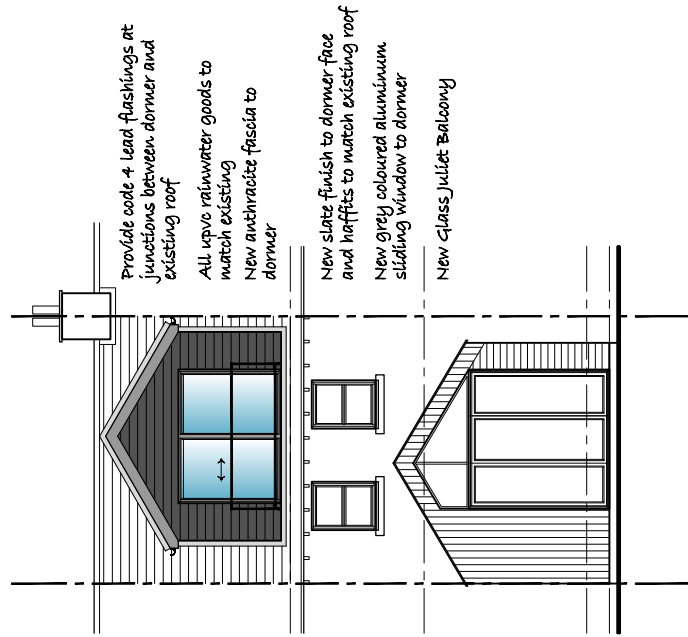
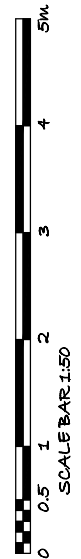
Provide protective barrier to second floor patio door, insuring the openings in the protective barrier should prevent the passage of a 100mm Ø sphere.



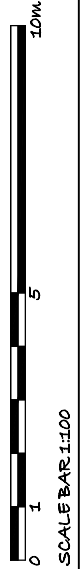
Project	Proposed Dormer Extension & Alterations to 24 Friar Street, Perth		
Title	Proposed Second Floor Layout Plan & Proposed East Elevation		
Drawn	Date	Scale	Drawing No
D.McC	April 2017	1:50 @ A3	D4D/204-103
			Rev
			B



Proposed Second Floor Layout Plan



Proposed East Elevation



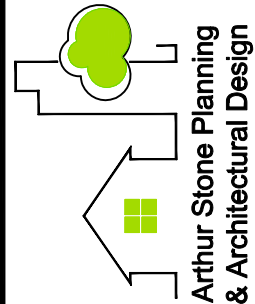
Refer to engineers drawings for structural information.

No other electrics are affected by the proposals

New Dormer Wall construction: - Provide graded slate to match existing on 22mm sarking on 1 No Layer of felt on 19mm thick Exterior Grade Ply on 95mm x 45mm Grade C16 Timber Studs at 600mm c/c, with continuous top and bottom bunder. Provide 80mm thick 'Celotex' GA4000 insulation between the studs, and 35mm thick 'Celotex' TB4000 insulation on the Studs, vapor barrier on 2 No layers of 12.5mm thick Armes taped and jointed plasterboard. Left ready for decoration, to provide medium fire resistance.

No services will penetrate the fire separating wall, all electrics will be face fixed to the wall or form service area in front of wall.

Provide protective glass barrier to second floor patio door, ensuring the openings in the protective barrier should prevent the passage of a 100mm ϕ sphere.



Project			
Proposed Dormer Extension & Alterations to 24 Friar Street, Perth			
Title			
Proposed Second Floor Layout Plan & Proposed East Elevation			
Drawn	D. McC	Date	April 2017
Scale	1:50 @ A3	Drawing No	D4D/204-103
Rev			C

Planning Statement in support of application 17/00839/FLL: Proposed dormer extension at 24 Friar Street, Perth

Introduction

This statement is submitted in support of an application for planning permission (part in retrospect) (17/00839/FLL) for a rear dormer extension to a dwellinghouse at 24 Friar Street, Perth. The traditional terraced property is located in a residential area in Craigie, Perth. This application seeks detailed planning permission to erect a dormer on the rear elevation of the property, extending the existing attic bedroom. Dormer extensions are a common house extension in the surrounding area. This proposed extension to the property will enable the provision of contemporary family accommodation ensuring this traditional house can continue to make a valuable contribution to Perth's housing stock.

Site History and Proposal

An application for a ground floor rear extension to the property (14/01321/FLL) was approved in 2014 and is now implemented with an extension constructed. Application 16/00881/FLL was approved in 2016 for a dormer extension, with dimensions as described in that application's Report of Handling as *'The proposed dormer will extrude from the existing roof approximately 3.75metres and will measure 3 metres in height. The width of the dormer is approximately 3metres'*. The dormer has now been built and this current application has been requested by the Planning Authority as a consequence of the built dimensions of the dormer differing from the approved plans, with the dormer occupying approximately **10%** more of the roofspace.

This currently submitted proposal has the same design of dormer with full length sliding windows and Juliet balcony. The dimension difference is accounted for by the dormer measuring wider and higher than the approved dimensions. This current proposal has a width increased by 1000mm and increased height at the dormer ridge of 145mm. The window set and balcony remain the same size. The proposed materials are a slate finish to the dormer roof, face and haffits, matching the existing roof, aluminium grey coloured sliding window (as approved by 16/00881/FLL) and anthracite fascia (timber fascia approved by 16/00881/FLL). A glass balcony is proposed (differing from the currently approved balcony materials). The approved application also included a rooflight on the principal elevation of the house. This is not included in this current application and is not intended to be installed.

The increase in dimension of the dormer arose during the construction process when it became necessary to ensure proper structural support for the sliding windows.

The proposed dormer is positioned 335mm from the adjoining property boundary (to the north). The existing ground floor extension is positioned 500mm from the adjoining property boundary on this elevation.

The following points are made in support of this proposal:

Design

- The proposed dormer, although larger than that approved by 16/001/FFL is considered to be appropriate to the property and surrounding residential area in terms of its design, as further supported, below. This proposal includes revised use of materials, including an anthracite fascia and glass balcony, which will further enhance its appearance and consolidate its modest visual impact.
- The Report of Handling for application (16/00881/FL) stated that *'In regards to the rear elevation of the property, the elevation is not considered to have as much character as the principal elevation and is no longer symmetrical in nature due to a number of properties having ground floor extensions constructed. This therefore means that there is more flexibility as to what is considered a suitable proposal on the rear elevation.'*
- Although this proposed dormer is larger than the approved dormer (16/00881/FL) its high quality design and materials, with slated roof, face and haffits are well suited in terms of its incorporation into the existing roof, ensuring that it is not viewed as overly dominant. Although it is acknowledged that the proposed dormer occupies a relatively large area of the roof, the approved dormer also occupies a relatively large part of the roof. Further, the roofscape of this property has the ability to accommodate a large extension given the nature of the four property terrace which visually reads as two larger properties. The nature of the adjoining properties means that the adjacent roof gives the appearance of part of the roof of 24 Friar Street. Although the difference in dormer size may be observed on plan, it is contended that visually, in the context of the variety of surrounding properties and the possible locations for achieving any view it is likely that there will be negligible perceived difference in the size of the dormer.



Rear elevation of 24 Friar Street and neighbouring properties

- The area is characterised by long rear gardens with mature planting. The mature and well screened rear garden of Friar Street meets the rear gardens of Priory Place, with the rear elevations of the nearest properties having any view of the rear of the property at a distance of more than 100m. The entire rear elevation of 24 Friar Street can **only** be viewed in its entirety from its own private garden ground.
- Given that the entire rear elevation of the property is confined to a private view, the balance between the upper/lower parts of the building cannot be considered to be a design issue of any public interest. In any case, the Planning Authority in approving the previous application noted that there *'is more flexibility'* in terms of the design on the rear elevation and it is contended that this proposal, although larger, remains visually balanced. This is further assisted by the contrast between the white render of the ground floor extension and dark facing of the dormer which aids it to visually recede.
- We acknowledge that the approved application was the result of negotiation with the Planning Authority who wished a reduced dormer size and this was agreed at the time as the construction issue was not highlighted at that time. At the time given that the smaller dimensions were not a particular issue we did not pursue a case for the larger dimensions or challenge the very general assertion as stated in the Report of Handling that it was *'too large for the existing dwellinghouse and looked out of proportion'*. This subjective statement was not supported by reference to any more specific design criteria for dormer extensions.
- Recent correspondence from Perth & Kinross Council (email of 06/06/17) states that *'the dormer which is currently proposed is far too large for the size of the property and unproportioned to the host building'*. We would suggest that in terms of the relative difference in size between the approved application and the current proposal it is unreasonable to consider that the proposal is 'far too large'. We would again make reference to the text of the Report of Handling for the approved application

(16/00881/FL) where it stated that *'In regards to the rear elevation of the property, the elevation is not considered to have as much character as the principal elevation and is no longer symmetrical in nature due to a number of properties having ground floor extensions constructed. This therefore means that there is more flexibility as to what is considered a suitable proposal on the rear elevation'*. We would advocate that given the nature and variety of rear extensions in the area and the inability to view the entire rear of the property from any public view it difficult to make a case for the proposed dormer being *'unproportioned to the host building'* (as indicated in email from PKC of 06/06/17).

- In any case we would propose that there is an appropriate balance between the existing ground floor rear extension and the proposed dormer and it does not appear over dominant, particularly taking into account the points made above referring to the roof of the property appearing larger due to the relationship with the adjoining property.
- The rear elevation of 24 Friar Street is only glimpsed in the public street view from one location on Priory Place and then only with minimal view of the dormer as illustrated in photos, below. This highlights that the dormer is incorporated well into the roofscape with no adverse visual impact. (The submitted photos show scaffolding remaining and when removed and replaced with the proposed glass balcony its visibility will be further reduced). The surrounding area views from the rear of 24 Friar Street displays a range of significantly less well designed dormer extensions as does the streetscene contributing to the wider public view.



Sole distant and glimpsed public view of rear elevation of 24 Friar Street, from Priory Place - The anthracite window frame and fascia and slated face and haffits ensure that the dormer is well incorporated into the roof, visually recedes and is not a prominent addition to the property.



Rear dormer extensions viewed from 24 Friar Street



Examples of dormer in public street view in area surrounding 24 Friar Street

- Although the approved dormer plans show proposed materials to include slated finish to dormer face and haffits, the Report of Handling indicated in two places that:

'The roof of the proposed dormer are to be slate finish to match the roof of the existing dwellinghouse and the walls are to be timber cladding.'

'In relation to the design itself of the dormer, this is considered acceptable by the Planning Authority due to the slate roofing matching the roof of the existing dwellinghouse and the timber cladding being appropriate for this type of development. This therefore ensures that the dormer does not look out of place.'

Although this statement does not reflect the detail of the approved plans, it would suggest that the Planning Authority's considered view is that timber cladding would be an appropriate material choice for the proposed dormer. It is advocated that, had this been the material proposed, it would have resulted in a significantly more prominent dormer extension than this current, slightly larger slated proposal. On this basis it would seem inconsistent that this proposal for a slightly larger and slated dormer would be considered inappropriate when potentially very visible timber cladding was considered appropriate for the approved proposal and would ensure that the '*dormer does not look out of place*'.

A photo montage of a timber clad dormer in the same position on the roof, using the same photo as above, is included below to illustrate its potential prominence.



Photomontage – originally approved dormer with timber cladding

Residential Amenity

- The Report of Handling for the approved application (16/001/FFL) indicated that *‘The overlooking caused by this proposed dormer however is not considered to compromise neighbouring residential amenity enough to warrant refusal of the application. This is due to the nature of the area having many old traditional buildings compact together which have windows looking into other properties gardens and dwellings. It should also be noted that the building to the north of the terrace of buildings that 24 Friar Street is part of, is a flat tenement which has windows which overlook neighbouring gardens equally to that proposed of the dormer. It would therefore be unreasonable for the Planning Authority to refuse the application on terms of overlooking due to the nature of the surrounding area, a prescedent already being set and an existing rooflight already present where the new dormer is proposed.*
- This proposal includes windows of the same size and position as the approved application. The email correspondence received from the Planning Authority (06/06/17) indicates that this proposal *‘is also considered to have a detrimental impact upon the*

residential amenity of the neighbouring properties in terms of overlooking and overshadowing'. Given that the window size and position is unchanged in this proposal the above statement appears inconsistent with the Report of Handling for the approved application, above, which indicated that the proposal would not compromise residential amenity. It is not considered that the slightly increased height of the dormer roof or widening of the dormer raises any issues of overshadowing.

- It is not considered that this proposal will have any adverse impact on residential amenity and that the view of the Planning Authority should not differ from that taken in relation to the approved application.

Development Plan

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

The Report of Handling for (16/001/FFL) stated that 'Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of TAYplan should be noted. The vision states *"By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs."*

We would suggest that in noting this overall vision the Planning Authority should consider that enabling property owners to carry out well designed property improvements, whilst maintaining a sense of place, and residential amenity, is an inherent part of contributing to quality of life. It ensures appropriate housing stock for modern living and supports local businesses and the economy.

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

Policy PM1A - Placemaking / Policy PM1B - Placemaking

It is advocated that this proposal is compliant with the relevant policies in that it 'respects the character and amenity of the place' and 'contributes positively to the quality of the surrounding built and natural environment'.

Policy RD1 - Residential Areas

The proposal is considered to meet with the terms of this policy in that it is compatible with the amenity and character of this residential area.

Perth & Kinross Council's Placemaking Guide states that;

"An extension which recognises and respects the form of the existing building is more likely to be successful than one which ignores the design of the original... It is nearly always necessary to avoid overwhelming existing buildings, bearing in mind that some buildings have greater 'street' presence than others".

In terms of this guidance we would highlight that this proposal is located on the rear elevation of a property which is only glimpsed in public view and with limited overlooking from the rear of surrounding properties. It does not have any street presence and therefore it is considered that this should not be overly onerous in terms of the limited 'street presence' of the rear of this property. More concerning, in terms of the above guidance, would be changes to the front elevation of these handsome traditional properties. As noted in the Report of Handling for (16/001/FFL), the applicant was amenable to agreeing to the deletion of a proposed dormer on the front elevation of the property and additionally has now deleted the approved front elevation skylight from this proposal. This will ensure the unchanged nature of the front elevation and the maintenance of the quality of the streetscene.

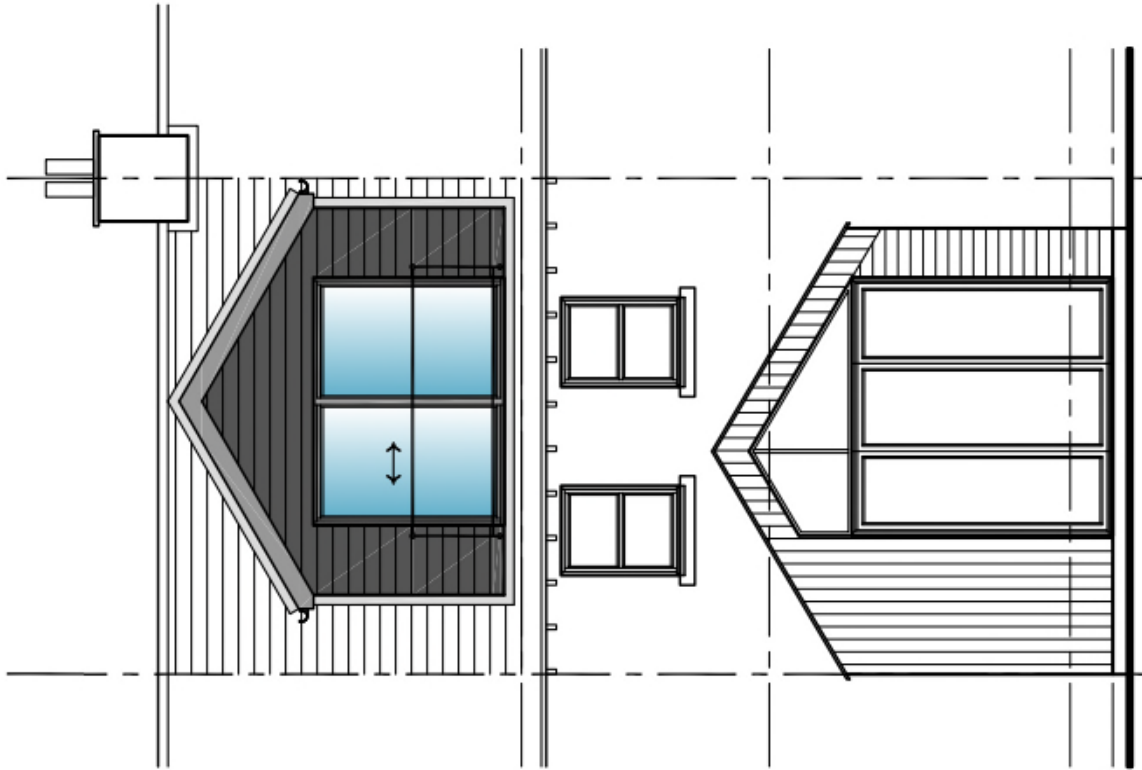
Conclusion

- This statement is intended to support the case for approving this well designed and high quality extension which can be seen to have no adverse visual or other impact on the surrounding residential area.
- The proposed dormer, although larger than that approved by 16/001/FFL is considered to be appropriate to the property and surrounding residential area in terms of its design. This proposal includes revised use of materials, including an anthracite fascia and glass balcony, which will further enhance its appearance and consolidate its modest visual impact.
- The as built dormer only occupies 10% more of the roofspace than the original approved proposal.
- The area is characterised by long rear gardens with mature planting. The entire rear elevation of 24 Friar Street can **only** be viewed from its own private garden ground.
- It is contended that this proposal, although larger, remains visually balanced. This is further assisted by the contrast between the white render of the ground floor extension and dark facing of the dormer which aids it to visually recede.
- The rear elevation of 24 Friar Street is only glimpsed in the public street view. The surrounding area displays a range of significantly less well-designed dormer extensions as does the streetscene contributing to the wider public view.
- The Report of Handling for the approved application stated that timber clad walls was an appropriate material choice, resulting in a significantly more prominent dormer extension than this current, slightly larger slated proposal. It seems inconsistent that this proposal for a slightly larger and slated dormer would be considered inappropriate when

potentially very visible timber cladding was considered appropriate and would ensure that the *'dormer does not look out of place'*.

- This proposal includes windows of the same size and position as the approved application and therefore it is contended that the assessment of the impact on residential amenity should, contrary to the Planning Authority email of 06/06/17, reach the same conclusion as the approved application: that residential amenity is not compromised.
- It is not considered that the slightly increased height of the dormer roof or widening of the dormer raises any issues of overshadowing.
- Proposed change to the front elevation of the property would be of more concern given the high quality of the streetscene. The applicant during negotiation on the approved application deleted the proposed dormer on the front elevation of the property and has now removed the proposal for a front elevation skylight.
- The proposal is consistent with the relevant policies of the Development Plan and related guidance, Policy PM1A - Placemaking / Policy PM1B - Placemaking and Policy RD1 – Residential Areas, Placemaking Guide, respecting the character and amenity of its surrounding area and contributing a well-designed high quality addition to this area of traditional housing within Perth.
- This proposed extension to the property will enable the provision of contemporary family accommodation ensuring this traditional house can continue to make a valuable contribution to Perth's housing stock.

We would ask that the case officer discuss the proposed recommendation with ourselves prior to any decision being made on the proposal.



TCP/11/16(491) – 17/00839/FLL – Extension to dwellinghouse (in retrospect) at 24 Friar Street, Perth, PH2 0ED

REPRESENTATIONS

Comments for Planning Application 17/00839/FLL

Application Summary

Application Number: 17/00839/FLL

Address: 24 Friar Street Perth PH2 0ED

Proposal: Extension to dwellinghouse (in part retrospect)

Case Officer: Sean Panton

Customer Details

Name: Mr Jim Waite

Address: 11 Comely Bank, Perth PH2 7HU

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Enhances Character of Area

Comment: This application should be supported for the following reasons:

1. These old houses are very narrow. Creating a master bedroom in the attic is an efficient way of increasing the accommodation.
2. This application provides an excellent and appropriate model for the other three houses in the block should they wish to expand in future.
3. The materials being utilised are very appropriate: the extension is covered with slates to match the existing ones, and the window frames are of a similar colour, ensuring that the new dormer is visually unobtrusive.
4. The new window is set well back from the existing ground floor extension, projecting no further than the original roof . In height it is below the existing roof line.
5. The new development is visible only from the back of the house; at the front, on Friar Street there is no change.
- 6 The design is sympathetic to the style of the house and if it were not new it would not attract the eye at all, from neighbouring gardens or from Priory Place, which in any case is far off and beyond large trees.

I wholeheartedly support this development, which is wholly in character with the other houses in the street.

Comments for Planning Application 17/00839/FLL

Application Summary

Application Number: 17/00839/FLL

Address: 24 Friar Street Perth PH2 0ED

Proposal: Extension to dwellinghouse (in part retrospect)

Case Officer: Sean Panton

Customer Details

Name: Mrs Sandra Waite

Address: 11 Comely Bank, Perth PH2 7HU

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Enhances Character of Area

Comment: I support this application as, viewed from the back of the house, its attractive design, sympathetic to the surrounding area, uses materials and colour making the extension blend with its surroundings, making this an excellent way to increase living space without altering the street view of the house.

Comments for Planning Application 17/00839/FLL

Application Summary

Application Number: 17/00839/FLL

Address: 24 Friar Street Perth PH2 0ED

Proposal: Extension to dwellinghouse (in part retrospect)

Case Officer: Sean Panton

Customer Details

Name: Mr Colin Currie

Address: 5 Rannes Street, Inch AB52 6JJ

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The extension to living accommodation makes this a much more practical family home. The materials and architectural design used are sympathetic to the existing vernacular, whilst simultaneously bringing a modern narrative to the dormer style.

Comments for Planning Application 17/00839/FLL

Application Summary

Application Number: 17/00839/FLL

Address: 24 Friar Street Perth PH2 0ED

Proposal: Extension to dwellinghouse (in part retrospect)

Case Officer: Sean Panton

Customer Details

Name: Mrs Emily Brown

Address: Craigielea, 3 Friar Street, Perth PH2 0EG

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: What a well designed dormer window! I like how it blends in so well with the roof making it so inconspicuous - a very clever choice of materials. It would be great to see more of this type of extension in the street- great to see design working in so well with the surroundings. Well done!

RECEIVED

23 JUN 2017

21B Priory Place

Perth PH2 OGA

22/6/17.

Planning Application Reference
17/00839/FLL

Dear Sir/Madam

I acknowledge notification of the retrospect planning & give the following reasons why I seriously object to the proposal. ✓

Notes

A. Cross reduction of present privacy.

B. Approval would create precedent for future applications which would create greater encroachment of privacy.

C. Approval would result in detracting from the current characterful surrounding period properties

Thank you for your help with this matter

Yours sincerely

21A Priory Place, Perth PH2 OGA

21B " " " " "

ENTERED IN COMPUTER

23 JUN 2017

CUSTOMER SERVICE
POINT

22 JUN 2017

RECEIVED

Memorandum

To Development Quality Manager

From Regulatory Services Manager

Your ref 17/00839/FLL

Our ref LRE

Date 23 June 2017

Tel No [REDACTED]

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

PK17/00839/FLL RE: Extension to dwellinghouse (in part retrospect) 24 Friar Street Perth PH2 0ED Mr N Arthur

I refer to your email dated 23 June 2017 in connection with the above application and have the following comments to make.

Environmental Health (assessment date –23/06/17)

Comments

This application is in part retrospect for the extension to dwellinghouse with regards to amendment to previously approved (16/00881/FLL) dormer .

Previously approved 14/01321/FLL for a single storey rear extension with the installation of a wood burning stove and flue.

It is my contention that there is the potential for nuisance condition to arise due to the close proximity of the dormer window and it is my understanding that a glass balcony is also to be installed.

Nuisance

This Service has seen an increase in nuisance complaints with regards to smoke and smoke odour due to the installation of biomass appliances. Nuisance conditions can come about due to poor installation and maintenance of the appliance and also inadequate dispersion of emissions due to the inappropriate location and height of flue with regards to surrounding buildings.

The flue exhaust exits through the roof of the ground floor extension (14/01321/FLL) which sits well below the roof ridge of the existing dwellinghouse building.

Therefore it is my contention that downwash conditions may occur and the dispersion of emissions may be hindered due to the height of flue in relation to the height of the existing dwellinghouse and the dormer window/balcony.

Therefore there is a greater risk of nuisance conditions arising from the inadequate dispersion of emissions from the flue with regards to smoke odour entering into the existing property at the second floor and new dormer windows.

Neighbouring properties also have the potential to be affected by smoke/smoke odour due to downwash conditions.

