

TCP/11/16(192)
Planning Application 12/00222/FLL – Alteration and extension to dwellinghouse at Maranatha, 25 Station Road, Methven, PH1 3QF

**PAPERS SUBMITTED
BY THE
APPLICANT**

- 4 JUN 2012

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTSTHE 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.

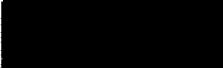
Use BLOCK CAPITALS if completing in manuscript


Applicant(s)


Name Mr Adrian J.G. Ferguson

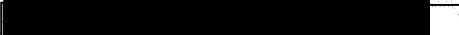
Address "Maranatha"
25 Station Road
Methven

Postcode PH1 3QF

Contact Telephone 1 

Contact Telephone 2 


Fax No 


E-mail* 


Agent (if any)


Name N/A


Address N/A

Postcode 

Contact Telephone 1 

Contact Telephone 2 

Fax No 

E-mail* 

Mark this box to confirm all contact should be
through this representative: ☐Yes No
☒ ☐

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

Planning authority Perth and Kinross

Planning authority's application reference number 12/00222/FLL

Site address "Maranatha", 25 Station Road, Methven, PH1 3QF

Description of proposed development Alterations and extension to dwellinghouse.

Date of application 5th March 2012 Date of decision (if any) 2nd May 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:

The main issue will be to see the street and to note the side facing windows present in many dwellinghouses in the street and a side facing dormer window 3 houses from 25 Station Road.

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 type="checkbox"/> | <input checked="" 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.

Our main concern is that we do not believe that consistency is being applied to all dwellinghouses in Station Road, Methven. Planning applications have been granted for dwellinghouses to have: a) Front facing dormer windows and attic conversion (06/02158/FUL), b) Side facing windows e.g. 25 Station Road, 27 Station Road, 23 Station Road, 21 Station Road, 19 Station Road, 15 Station Road and 43 Station Road, all overlooking neighbours to some extent. c) Side facing dormer windows, were granted for 19 Station Road. d) No consideration was given for the likely usage of the room, as a bedroom it would be primarily used over night. 25 Station Road has adequate living room accommodation on the ground floor and it would be highly unlikely that there would be prolonged periods spent over looking neighbouring gardens/property.

The objections submitted by Mr & Mrs Cruickshank, 27 Station Road were considered by PKC, but it should be noted that whilst privacy is important, 27 Station Road has views of the whole garden at 25 Station Road, from their raised decking and 1st floor balcony, both granted as part of their original planning application when this house was built. It seems inconsistent that the plans of 27 Station Road were deemed acceptable but the plans of 25 Station Road have been rejected.

We have attempted to negotiate with the planning officer to try and come to a compromise but he suggested this route of a local review body. We suggested that the obvious compromise would be to install obscure glass, which would provide light and ventilation but would not interfere with neighbours privacy. It is vital to permit head room that we require dormer windows. We believe this would resolve the issues without any further changes required.

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.

We have not been presented with any further way to raise suggestions to overcome the issues raised in the refusal. This is the route that Alastair Beveridge has suggested to us. We are willing to make a minor change to our submitted plans to have obscure glass in all the side facing dormer windows.

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.

The submitted plans are still with PKC, reference number 12/00222/FLL. These show all necessary drawings for the planning process. The only change would be the wording, where the first floor side facing windows, should say - "obscure glass".

No further documentation requires to be submitted, but we are happy to comply and submit any documentation as instructed by PKC.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

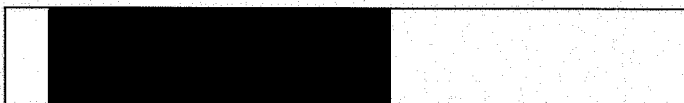
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

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

Signed



Date

31/5/2012

<p>TCP/11/16(192) Planning Application 12/00222/FLL – Alteration and extension to dwellinghouse at Maranatha, 25 Station Road, Methven, PH1 3QF</p>

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

Mr Adrian Ferguson
c/o DWT Design
FAO David Tanish
Creagalmond
Tibbermore
Perth
PH1 1QJ

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 2nd May 2012

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/00222/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 5th March 2012 for permission for **Alterations and extension to dwellinghouse Maranatha 25 Station Road Methven Perth PH1 3QF** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The privacy of both adjoining residential properties would result in an increased level of overlooking of both garden areas to the detriment of the levels of residential amenity previously enjoyed by the occupants of both of these properties and as such is considered contrary to Policy 71 of the Perth Area Local Plan 1995 Incorporating Alteration No.1 Housing and 2000 which seeks to ensure existing residential amenity and village character will be retained and where possible improved.

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

12/00222/1

12/00222/2

12/00222/3

REPORT OF HANDLING

DELEGATED REPORT

Ref No	12/00222/FLL
Ward No	N9- Almond and Earn

PROPOSAL: Alterations and extension to dwelling house

LOCATION: Maranatha, 25 Station Road, Methven, Perth, PH1 3QF.

APPLICANT: Mr A. Ferguson

RECOMMENDATION: REFUSE THE APPLICATION

SITE INSPECTION: 15 March 2012



OFFICER'S REPORT:

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The adopted development plans that are applicable to this area are the Perth and Kinross Structure Plan 2003 and the Perth Area Local Plan 1995 Incorporating Alteration No.1 Housing and 2000.

Site description:-

The application site Marantha, 25 Station Road, Methven is a north west facing 1 storey detached dwelling house (measuring approximately 128sqm within 462sqm of garden ground, dwelling house and garage inclusive) with a single pitched roof detached domestic garage (measuring approximately 18sqm) situated in the rear driveway to the south east of the site. External finishes: interlocking concrete roof tiles; off-white dry dash with facing brick base course; uPVC light brown windows.

Garden room attached to the rear elevation (measuring approximately 18sqm). External finishes match.

The proposal is:-

Utilise the roof space with the addition of 6 pitch roof canted dormers, 2 to the front (north west elevation) plus a central roof light, 2 to the side (north east elevation) plus a roof light, 2 to the side (south west elevation) plus a roof light and a triangular window on the rear (south east elevation). External finishes match.

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

Assessment

There are no issues of strategic relevance raised in this application.

Policy 71 of the Perth Area Local Plan 1995 Incorporating Alteration No.1 Housing and 2000 indicates village areas and small settlements where residential amenity and village character will be retained and, if possible, improved. Generally encouragement will be given to:-

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

Affect on adjoining properties

Extensions to existing properties have the potential to result in overlooking neighbouring dwellings and garden ground. There is a need to secure privacy for all the parties to the development, those who would live in the new extension and those that live in neighbouring dwellings. This proposal breaches the Council's minimum distance of 9m window to boundary relationship on the north east and south west boundaries of the site, I do consider the proposal increases overlooking to an unacceptable level. Furthermore, one letter of objection has been received from a neighbouring property.

The proposed addition of another storey, utilising the roof space with the addition of 6 dormers, particularly the 2 on each of the north east and south west side elevations, will present an unacceptable level of access to overlook both rear gardens and neighbouring residential properties.

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 Perth Area Local Plan 1995 Incorporating Alteration No.1 Housing and 2000 policy 71. 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

Perth Area Local Plan 1995 Incorporating Alteration No.1 Housing and 2000/
Villages/Background Policy

POLICY 71: Inset Maps 1 - 40 indicate village areas and small settlements where residential amenity and village character will be retained and, if possible, improved. Generally encouragement will be given to:-
Proposals which will improve the character and environment of the village.

SITE HISTORY

00/00776/FUL Erection of a house and garage at 23 August 2000 Application Permitted

CONSULTATIONS/COMMENTS

Scottish Water No objections.

TARGET DATE: 5 May 2012

REPRESENTATIONS RECEIVED:

Number Received: 1

Summary of issues raised by objectors:

The areas of concern can be summarised as:

- Overlooks the rear garden area;
- Overlooks the rear property.

Response to issues raised by objectors:

Development management response:

- Dealt with in report;
- Dealt with in report.

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.

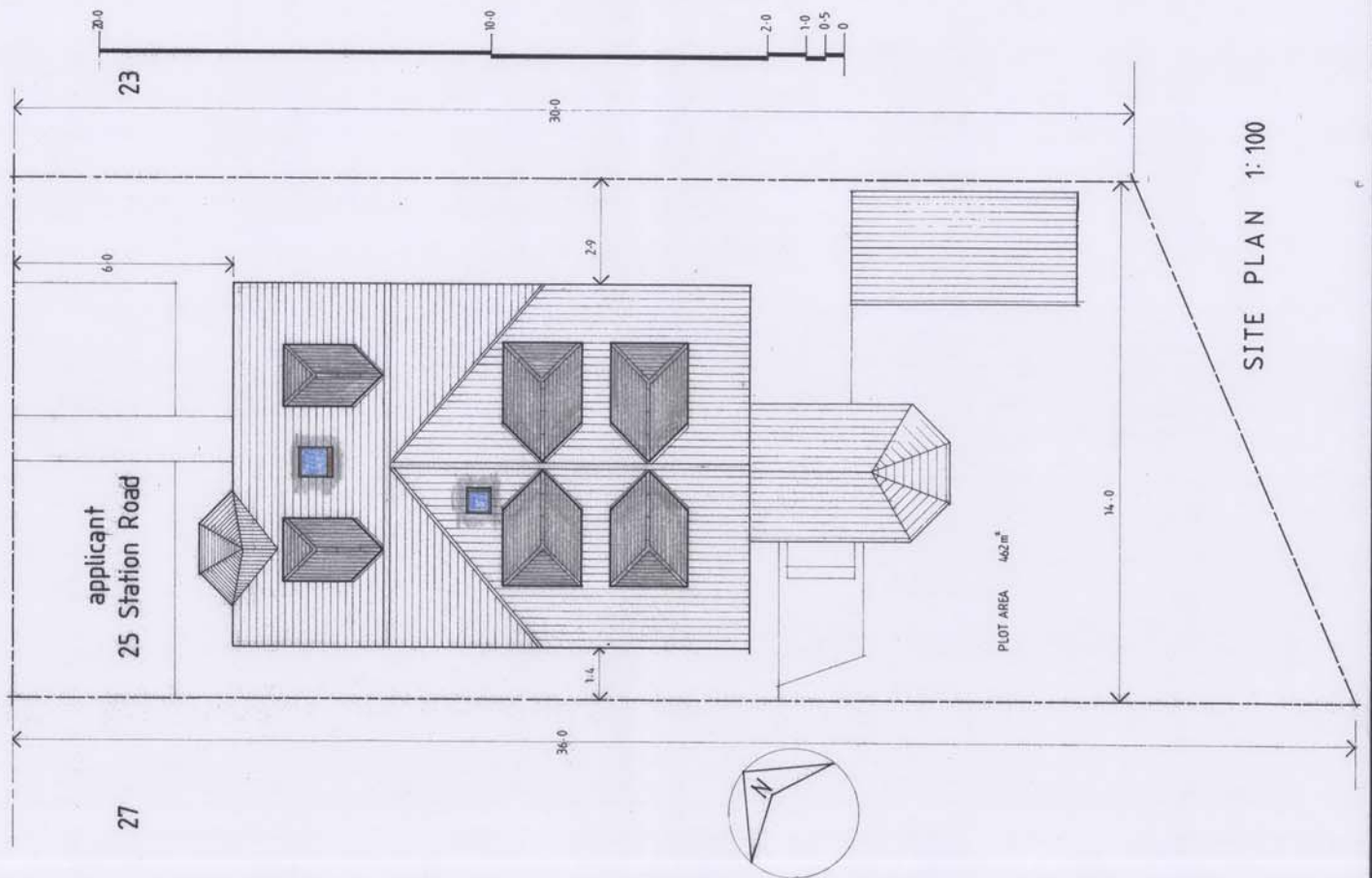
Reasons:-

- 1 As a consequence of the proposed dormer extensions on the side elevations of the dwelling house there will be an unacceptable level of overlooking to both neighbouring garden areas which will have an adverse impact on their privacy. This proposal is therefore considered contrary to Policy 71 of the Perth Area Local Plan 1995 *Incorporating Alteration No.1* Housing Land 2000 which seeks to ensure existing residential amenity and village character will be retained and where possible improved.

Justification

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

STATION ROAD



SITE PLAN 1:100

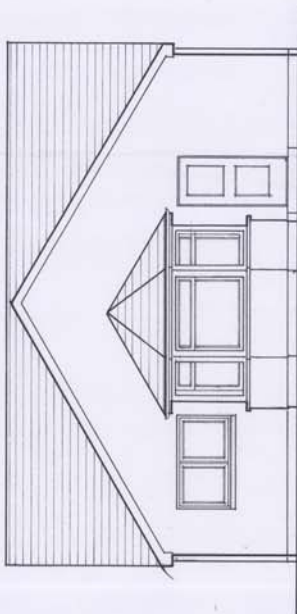


LOCATION PLAN 1:1250

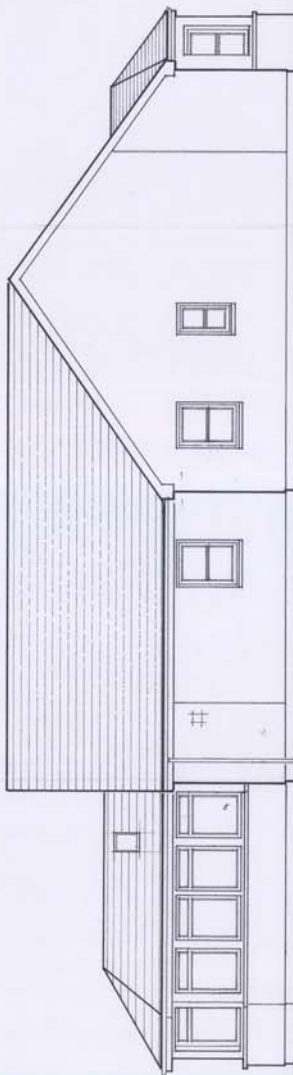
CLIENT	MR and MRS A. FERGUSON
LOCATION	25 STATION ROAD
PROJECT	METHVEN PH1 30F
ALTERATIONS TO ROOF SPACE TO FORM	2 BEDROOMS, BATHROOM, STORE, WARDROBE AND EN SUITE
SCALES	
DATE	6.2.12

PERTH AND KINROSS COUNCIL

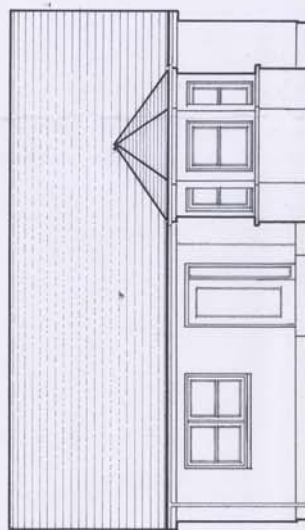
DRAWING REF: 121002211



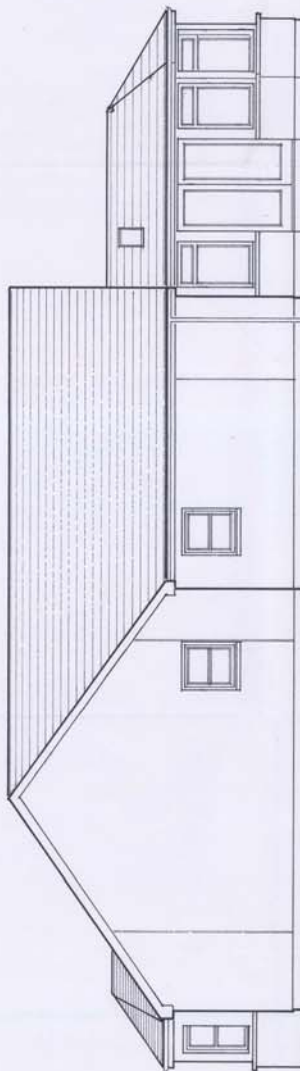
SOUTH EAST ELEVATION



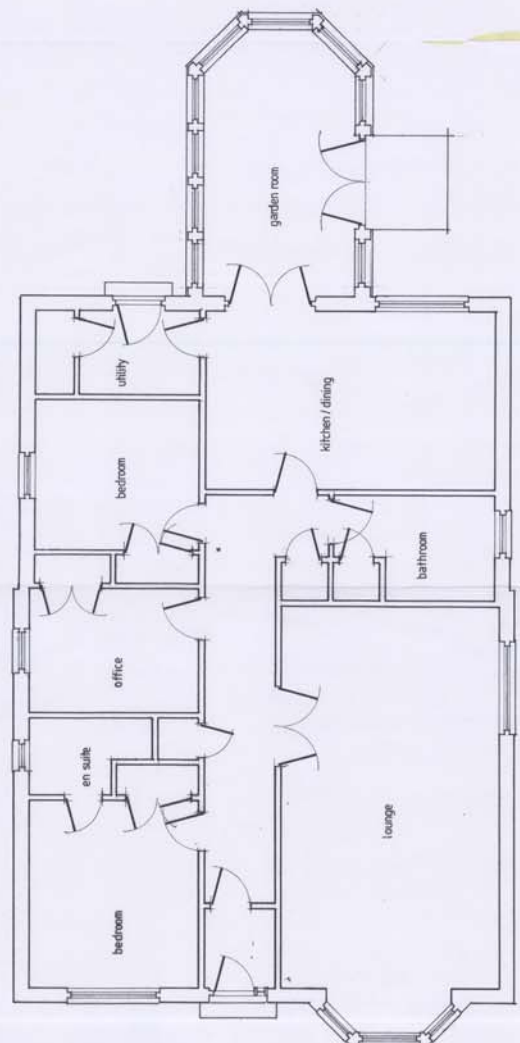
NORTH EAST ELEVATION



NORTH WEST ELEVATION

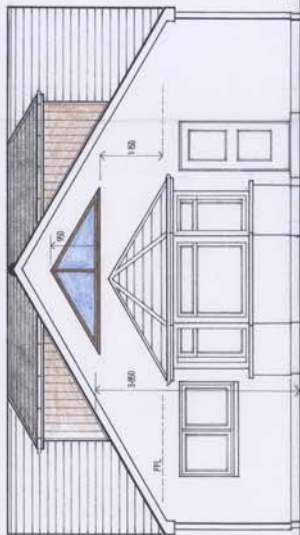


SOUTH WEST ELEVATION

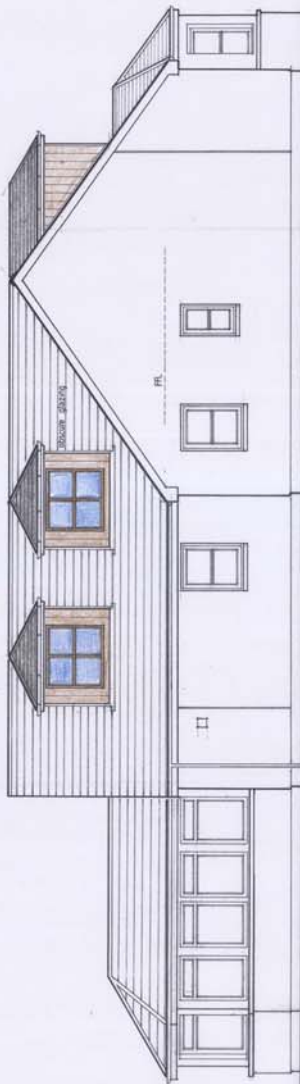


PERTH AND KINROSS COUNCIL
DRAWING REF: 120022/12

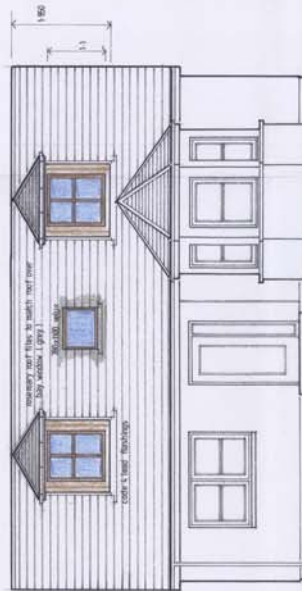
EXISTING FLOOR PLAN AND ELEVATIONS	CLIENT
MR AND MRS FERGUSON	LOCATION
25, STATION ROAD, BETHEN, PH1 3JF	PROJECT
ALTERATIONS TO ROOF SPACE TO FORM 2 BEDROOMS, BATHROOM, STOR, WARDROBE AND EN SUITE	SCALE
	1:50
	DATE 27.2.12



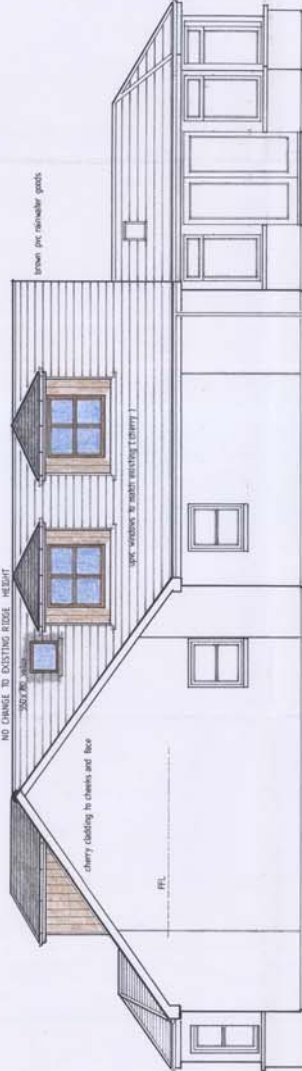
NORTH SOUTH EAST (rear) ELEVATION 1:50



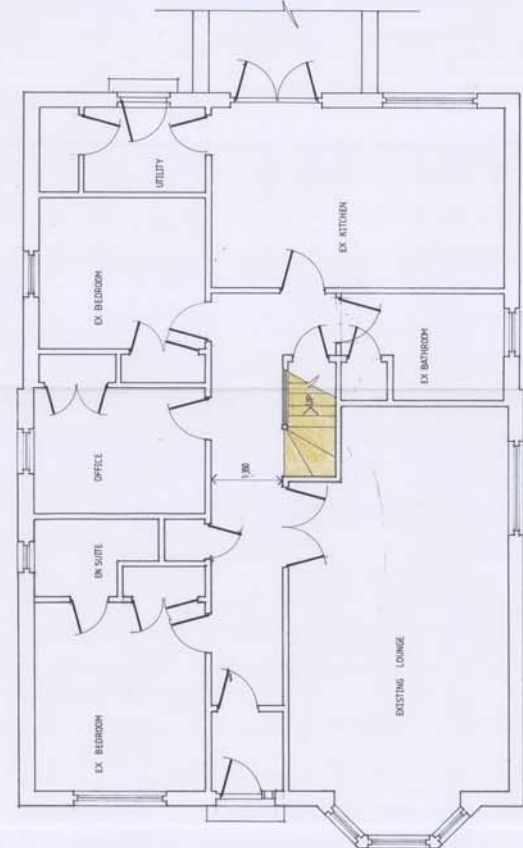
NORTH EAST (side) ELEVATION



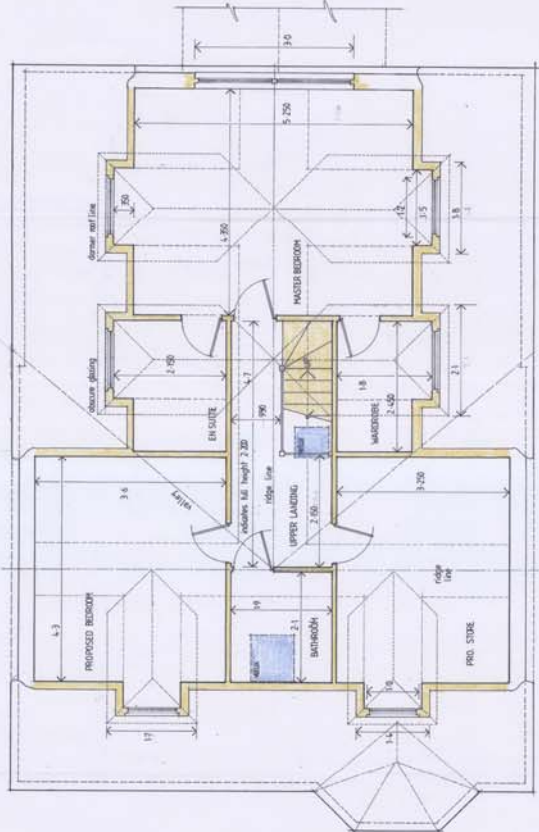
NORTH WEST (front) ELEVATION 1:50



SOUTH WEST (side) ELEVATION



EXISTING AND PROPOSED GROUND FLOOR PLAN 1:50



PROPOSED FIRST FLOOR PLAN

PERTH AND PINNOC COUNCIL

DRAWING NO. 12/00222/13

CLIENT	Mrs and Mrs. A. Ferguson
LOCATION	25 STATION ROAD
PROJECT	ALTERATIONS TO ROOF SPACE TO FORM 2 BEDROOMS, BATHROOM, STORE, WARDROBE AND IN SUITE
SCALES	1:50
DATE	2.12

TCP/11/16(192)**Planning Application 12/00222/FLL – Alteration and extension to dwellinghouse at Maranatha, 25 Station Road, Methven, PH1 3QF**

REPRESENTATIONS

- Objection from Mr and Mrs Cruickshank, dated 27 March 2012
- Representation from Mr and Mrs Cruickshank, dated 23 June 2012
- Applicant's Response to Representation, dated 7 July 2012

Nick Brian
Planning & Regeneration
Pullar House
35 Kinnoull Street
Perth PH1 5GD

Mr & Mrs D Cruickshank
Glenartney
27 Station Road
Methven
Perth PH1 3QF
Tel - 840163

March 27, 2012

emailed to Developmentmanagement@pkc.gov.uk

Dear Nick Brian

Planning application Reference 12/00222/FLL

Thank you for your letter dated 7 March 2012, in which you informed us of the above planning application.

We are replying to strongly object to this application.

There are windows in the plans on a 1st storey level which will give a perfect observation platform, meaning that our home and garden shall be overlooked which will have a detrimental impact upon my family's enjoyment and privacy of our garden, and indeed our internal living areas that shall be looked into from the said windows, this shall eliminate our family privacy which is the reason we specifically bought and built our home here in the quiet village of Methven.

To further let you understand the proposed additional upstairs rooms and the positioning of the windows proposed shall –

1. Overlook our entire back garden, including 2 outdoor eating areas, where we eat and enjoy family and friends company. Our garden is an area of our home that we use daily throughout the year.

2. Also look upon our small family Putting area, where we spend quality fun family time together.

3. Be adjacent to our and have a view into our home – namely our sunroom to the rear of our home and part view into our living area to the front of the property.

We invite you to our home to visualize all we have said and hope that you will be able to help avoid further comprise to our family privacy.

Please can you inform us that you have received this letter and have logged it as an official objection and keep us informed as to the outcome?

Many thanks for your consideration regarding this and the matter of our ongoing privacy.

Yours sincerely

David & Alexis Cruickshank

Mr & Mrs David Cruickshank

FAO – Gillian Taylor
P&K Local Review Body
2 High Street
Perth
PH1 5PH

Mr & Mrs Cruickshank
Glenartney
27 Station Road
Methven
Perth
PH1 3QF

June 23, 2012 (emailed 24 June 2012 to Planninglr@pkc.gov.uk)

Dear Madam,

Your ref TCP/11/16 (192) – 12/00222/FLL, 25 Station Road, Methven.

We refer to the above application and your letter dated 12 June 2012 and thank you for this further opportunity to represent and maintain our privacy within our home and rear private garden.

We initially respond with, we uphold all we have stated in our original letter of objection dated March 27, 2012, and acknowledge the purpose of the review body at this time is regarding the aforementioned planning application, and not the past nor current status of other planning issues. We feel however it is imperative for us to respond to Mr Fergusons statement on page 3 of 4 in the notice of Review Documentation dated 31/05/12 to further clarify that our privacy and that of No 23 Station Rd shall indeed become impeded should this planning application be granted.

1. (a) 06/02158/FUL is for 45 Station Rd, demolition of garage and extension to house and integral garage, no rear upper floor dormer windows and did not over look neighbouring rear private gardens, and not as stated by Mr Ferguson for front facing dormer windows and attic conversion. This has no relevance to this planning application.

(b) All of the named addresses by Mr Ferguson do indeed have side-facing windows, but they are all to the front half of the properties thus overlooking Station Rd, its public pathways and their neighbouring Front open viewed gardens/driveways. No 1st level window has a view into neighbouring rear private gardens, due to their position in the house, that of the house and the angle of the windows.

(c) 19 Station Rd, side facing Dormer window – again is positioned to the front half of the upper floor and due to the building positions of No 17 & 19 and the window angle there is no view into nor overlooking neighbouring rear private gardens.

(d) The usage of the room is not in question, the privacy of neighbouring homes and rear private gardens are, the following statement by Mr Ferguson is not factual nor guaranteed but made as an assumption and we feel this should not be included as a reason for planning to be granted. “It would be highly unlikely that there would be prolonged periods spent over looking neighbouring gardens/property”.

2. Our comments were considered by PKC Planning and noted on the officers report, after his assessment (site inspection 15 March 2012) was made, which states “This proposal breaches the Councils minimum distance of 9m window to boundary relationship on the north east and south west boundaries of the site, I do consider the proposal increases overlooking to an unacceptable level”. Thus “contrary to Policy 71 of the Perth Area Local Plan 1995 Incorporating alteration No.1 Housing land 2000”.

We agree in part with Mr Fergusons statement “privacy is important”, we completely disagree with and respond to Mr Fergusons statement “27 Station Rd has views of the whole garden at 25 Station Rd, from their raised decking and 1st floor balcony” with, We (27 Station rd) do not have views of the whole garden at 25 Station Rd, as you will see from the attached photographs taken (18/06) from the suggested areas of our home, garden, raised decking area and 1st floor balcony, that Mr Ferguson believes we view his rear private garden. It is clear that the only areas visible are those recently constructed /installed through Mr Fergusons choice. What the photographs do prove is how intrusive No 25 shall be to Nos 23 & 27, should planning be granted.

Our raised decking area is the Disabled access and exit route for our home, which does not have a view into neighbours rear private gardens. Our 1st floor balcony was positioned as such to ensure and maintain our and our neighbours rear garden privacy at all times. Which it has until Mr Ferguson recently installed a raised decking area of which, although has no relevance to this planning application, factually does has views into our rear private garden due to its angular position and low level wooden surround. No objections, issues nor concerns were raised when planning was sought for our home in 1999, nor during the building process in 2000, or since we moved in May 2001 by any individual or Planning official – We do not agree with Mr Fergusons suggestion that PKC Planning are being “inconsistent”.

Furthermore to summarize, we do not agree with Mr Fergusons statement “that the obvious compromise would be to install obscure glass”, as the incongruous design which is “vital to permit headroom” and its extreme close proximity, remains visually and structurally obtrusive and shall indeed encumber the privacy and enjoyment of our (and No 23 Station Rd), home and rear private garden. We believe the initial decision to refuse this application and the reasons for refusal should remain unchanged.

We would like to extend our invitation to PKC Planning to you of the Local Review Body to our home and garden to see and judge for yourself all that is included within this and our previous letter of objection.

Yours sincerely

Alexis & David Cruickshank

Mr & Mrs David Cruickshank

Encs - 11 photographs & accompanying descriptive sheet.

Photographs descriptions..

1. Taken from standing position outside kitchen door on raised decking looking left towards No 25. Note no view of No 25 rear private garden can be seen, but clearly roof area of proposed planning for 2 of 6 dormer windows and attic extension can be seen to be in extreme close proximity of property boundaries and in breach of our privacy.
2. Taken from standing position outside kitchen at seating area on raised decking looking towards roof area of proposed planning for 2 of 6 dormer windows and attic extension, which can be seen to be in extreme close proximity of property boundaries and in breach of our privacy.
3. Taken from standing position at nearest point to No 25 from raised decking looking straight ahead. Clearly no view of rear private garden only part of recently constructed extension to No 25, and roof area of proposed planning for 2 of 6 dormer windows and attic extension, which can be seen to be in extreme close proximity of property boundaries and in breach of our privacy.
4. Taken from standing position at nearest point to No 25 from raised decking area looking right. Clearly no view of rear private garden, only part of recently constructed extension to No 25.
5. Taken from standing position from decking area in middle of our rear private garden looking right towards roof area of proposed planning for 2 of 6 dormer windows and attic extension, which can be seen to be in extreme close proximity of property boundaries and in breach of our privacy.
6. Taken from standing position from further most point (right hand side if facing No25) of our rear private garden looking towards No 25 – you will see here clearly the roof area of proposed planning for 2 of 6 dormer windows and attic extension is over looking of our privacy and rear private garden in its entirety.
7. All as described in No6 but from left hand side of garden.
8. Taken from standing position on raised decking at furthest point from No 25, looking towards No 25. Clearly no view of rear private garden only part of recently constructed extension to No 25 and you will see here clearly the roof area of proposed planning for 2 of 6 dormer windows and attic extension is over looking of our privacy and rear private garden its entirety.
9. All as No8 but taken from midway point on raised decking, outside our sunroom.
10. Taken from sitting position inside our family/sun room looking towards our outside area/putting green and towards roof & proposed area of planning for 2 of 6 dormer windows and attic extension, again it is clear to see its extreme close proximity and how it would impede our privacy rights.
11. Taken from standing position at nearest point to No 25 from our 1st floor balcony. Again, no view of No 25 rear private garden can be viewed, other than a part of a recently constructed extension and more recently constructed raised decking area.

CHX Planning Local Review Body - Generic Email Account

From: Mr & Mrs Cruickshank [REDACTED]
Sent: 24 June 2012 17:22
To: CHX Planning Local Review Body - Generic Email Account
Subject: Objection to Application Ref 12/00222/FLL -
Attachments: _Photographs_descriptions_for_LRB_PKC.pdf; Letter_to_LRB_PKC.pdf



No1



No 2



No 3



No 4



No 5



No 6



No 7



No 8



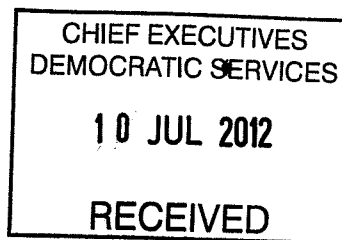
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'Maranatha'
25 Station Road
Methven
Perthshire
PH1 3QF
7/07/2012

Gillian Taylor
Local Review Body
2 High Street
Perth
PH1 5PH

Dear Gillian,

Reference 12/00222/FLL

We appreciate this opportunity to make further representation with regards to the refusal to grant planning permission to the loft conversion at 25 Station Road, Methven.

In January 2001, my wife and I moved into our house in 25 Station Road. This house was constructed especially for us, as my wife (Audrey) suffers from the very rare and debilitating lung condition of LAM (Lymphangioleiomyomatosis). This meant that the house was especially constructed with disabled access and all accommodation on the ground floor. The garden was also built completely level so that my wife could enjoy days in the garden. During the years 2000-2008, my wife's health severely deteriorated, leaving her requiring oxygen therapy on an almost 24 hour basis. Her quality of life was degraded during these difficult years. In August 2008, Audrey received a life saving lung transplant. This highly invasive surgery whilst saving her life has not fully restored her health. She is able to enjoy many aspects of life, but she desires to make her quality of life even better and to contribute further to the lives of others. Transplants never come with a guarantee of extended life expectancy, so Audrey and I want to make every day count.

One of the primary reasons for the loft conversion was to provide a more spacious bedroom, overlooking our rear garden, decking and the Methven burn (stream). This would allow Audrey to enjoy the comforts of her own home during the uncertain future days. This would then permit existing rooms to be used by visitors, family and any required carers. Our application for this extension was placed in good faith and we were very disappointed that our application was refused. We do not have unlimited funds and moving house to gain more space is highly unlikely.

The primary reason for refusal appears to be the aspect of overlooking windows onto neighbouring properties. Over 11 years we have consistently respected the privacy of our neighbours and have sought to maintain a good neighbourly attitude. This includes willingly assisting our neighbours, as they have also assisted us during these years. The application to complete our loft conversion is not a complex case, it is merely a case of whether the issue of overlooking neighbouring properties can be suitably addressed. As stated in our "Notice of Review", we offer a very simple compromise, changing the glazing in any windows that overlook neighbouring rear gardens with obscure glass. This would be a very practical and amicable solution. We would be able to gain the necessary height to comply with building regulations and our neighbours would have their privacy protected.

Mr & Mrs Cruickshank of 27 Station Road have submitted a further representation which details clearly their response to the notice of review. We have no desire to denigrate any of our neighbours, we simply desire to utilise our home and finances to provide comfort for Audrey and to contribute to the lives of others. We simply reiterate that installing obscure glazing on any windows which could be deemed as effecting their privacy and enjoyment of their home and rear private garden, is a suitable conclusion of this matter.

Yours sincerely,

Adrian J.G. Ferguson

