

**TCP/11/16(196)**

**Planning Application 12/00173/FLL – Alteration and extension to dwellinghouse at 21 Ochil Gardens, Dunning, PH2 0SR**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**

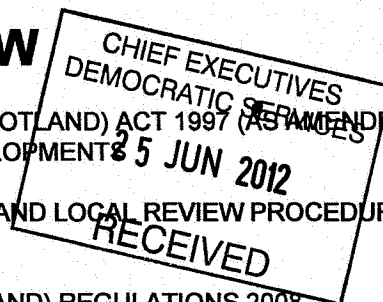


**NOTICE OF REVIEW**

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

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)  
(SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008



**IMPORTANT: Please read and follow the guidance notes provided when completing this form.**  
**Failure to supply all the relevant information could invalidate your notice of review.**

Use BLOCK CAPITALS if completing in manuscript

**Applicant(s)**

Name MR + MRS CAMERON

Address c/o AGENT.

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

**Agent (if any)**

Name JOHN BOGLE

Address ELEMENTS ARCHITECTURE  
ALLAN HOUSE  
BRIDGE OF EARN W.  
DUNNING PH2 0RU

Postcode

Contact Telephone 1 01764 684 467

Contact Telephone 2 02709 957 668

Fax No

E-mail\* john@elementsarchitecture.co.uk

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?

☒ Yes ☐ No

Planning authority

PERTH + KINROSS COUNCIL

Planning authority's application reference number

12/00173/FL

Site address

21 OCHIL GARDENS, DUNNING, PH2 0SR

Description of proposed  
development

ALTERATION + EXTENSION to DWELLINGHOUSE

Date of application 10-02-12

Date of decision (if any) 01-05-12

**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:

**Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- |  | Yes                                 | No                       |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

## Statement

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

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

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

THE REASONS FOR REFUSAL REFER TO THE EXTENSION DOMINATING THE HOST BUILDING & BEING CONTRARY TO THE EXISTING RESIDENTIAL AMENITY & VILLAGE CHARACTER.

THE EXTENSION IS NOT OVER-DOMINATING, THE RIDGE LINE IS MAINTAINED. THE ENTRANCE PORCH TO THE FRONT ENHANCES THE STREET SCAPE. THE REAR ELEVATION IS NOT VIEWED FROM WITHIN THE VILLAGE BOUNDARY OR CANNOT BE SEEN ON THE APPROACH TO THE VILLAGE. THE PROPOSED AESTHETIC REPLICATE THE GENERAL VARIETY OF FORM TO THE REAR OF THESE PROPERTIES.

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.

THERE ARE A NUMBER OF PRECEDENTS WITHIN THE VILLAGE, OF LARGE EXTENSION (NOT CONSIDERED DOMINANT). IN VIEW OF THE 'CHARACTER' OF THE REAR OF THESE PROPERTIES, WE CONSIDER THE PROPOSALS TO BE AN ACCEPTABLE ADDITION.

**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.

- DWG. NO. 11/C055-002 - PHOTOS + PHOTOMONTAGES
- DWG. NO. 11/C055-007 RWA - SUBMITTED AS PART OF APPLICATION 12/00173/FLL
- DWG. PART ELEVATIONS.
- LETTER OF SUPPORT FROM DUNNING COMMUNITY COUNCIL
- CLIENT STATEMENT.

**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:

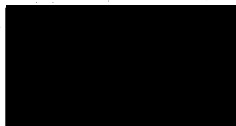
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

**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



ELEMENTS ARCHITECTURE

Date

20-06-12

Mr. Peter Lodge  
Berry Cottage  
The Haugh  
Dunning  
Perth  
PH2 0SL

Perth & Kinross Council  
Development Management  
Puller House  
35 Kinnoull Street  
Perth  
PH1 5GD

7 June 2012

Dear Sirs,

Re: Planning Application for alterations and extension to dwelling house at 21 Ochil Gardens, Dunning, Perth PH2 0SR for Mr & Mrs Cameron – reference 12/00173/FLL

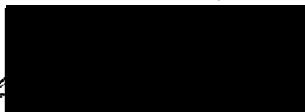
At the recent meeting of Dunning Community Council (DCC), the Delegated Report and Decision Notice for the above application was reviewed, following concerns raised by the applicants. The DCC did not raise any objections to the original application and fully support the planning application for the alterations and extension to this property.

The DCC believe that the proposed two storey extension will not over dominate the existing proportions of the dwelling house and will not adversely effect the existing residential amenity or character of the village within this area. We believe that the immediate neighbour to the east of the proposed extension, who in our opinion will be effected the most, is also supportive of the extension.

The applicants have a young family and are extending their house to improve their situation, as have many within our village. They are valued members of the community, providing positive contributions to our society and we need to retain community spirited individuals within our village.

Will you please take this letter of support into account when reviewing the Appeal of the decision taken to refuse the application.

Yours faithfully,



Peter Lodge  
Secretary, Dunning Community Council



14 June 2012

20 Ochil Gardens  
Dunning  
PH2 0SR

The Environment Service  
Perth & Kinross Council  
Pullar House  
35 Kinnoul Street  
PERTH  
PH1 5GD

Dear Sirs

**Alteration & Extension to  
21 Ochil Gardens, Dunning, PH2 0SR  
Planning ref: 12/00173/FLL**

I refer to the above application and wish to forward my support for my neighbour's proposals.

I live at 20 Ochil Gardens and consider that my property would be most affected by the proposed extension. The removal of their garage to the rear garden greatly improves my visual aspect to the west and increases the amount of evening sun to my rear garden. I note that their proposal presents a gable wall nearer to our shared boundary, however I do not consider this to be overbearing as it only faces onto my driveway.

The choice of materials and design is in keeping with the 1970's architecture and replicates other bungalow extensions in the immediate area. It is my opinion that the proposal does not negatively impact my visual amenity or the village character.

Yours faithfully



Dr Andrew Scott



## **Client Statement by Les & Caroline Cameron**

Thank you for reviewing our planning application. We would be most grateful if you would take into account our remarks below in considering our appeal.

1. Neither the Community Council, nor anyone else, has complained about any detrimental impact to the village environment, or that our plans are out of scale, or generally out of keeping. Our neighbour at 20 Ochil Gardens, Dr Scott, who is most affected as the extension is at "his side" of the house, has no objections whatsoever, and in fact welcomes the changes we propose to make to our home. We have previously appointed our local councillor, Ann Gaunt, as our architect when making some internal improvements to our home, and she has indicated that the objection based on the detrimental effect on the village environment could not be substantiated as we are outwith the conservation area of the village.
2. With reference to the objection that our plans are thought to be out of scale or out of keeping, we are aware of extensions of the same size, type and scale that have been approved WITHIN the conservation area as well as outside of the area, so there does not appear to be any consistency. As well as the new Dunning Primary School building, three such examples are within close proximity to our own home – diagonally opposite at 27 Ochil Gardens, at 1 Romangate and at Harlaw Cottage on Lower Granco Street – all of which have been granted permission to build a 2 storey extension off a single storey bungalow. Ms Gaunt indicated that the decision to refuse our application does not appear to be in keeping, as planning approval has been granted in similar cases closeby.
3. At the entrance to Ochil Gardens there are a number of two storey houses and the street affords a range of styles and size of housing, in addition to bungalows. The photo montage of the rear of Ochil Gardens shows that there is a hotch potch of designs and buildings with no uniformity. With the roofline being unchanged and there already being a gable from our garage there is little difference to its existing appearance.
4. As there is an open aspect to the rear of the property, with no properties overlooking the garden, we have complete privacy and therefore its visual amenity cannot be considered as a major factor as it cannot easily be seen.
5. With regards to the scale of the proposed extension we propose maintaining our existing roofline and our adjoining neighbour at 22 Ochil Gardens has an extension to the side of their property of a similar manner and scale, so it is in keeping with the existing building.

6. We compromised when the planning officer indicated that they were minded to refuse our planning application and submitted amended plans. The planning officer did not indicate that it was the extension into the roofspace that was the issue which did not then allow us the opportunity to address the issue at the time, and furthermore, as the decision on our planning application was not made within the published timescale, it has further delayed the process.

As the aforementioned points highlight that the comments on scale and character have little basis and that the decision against our planning application appears to be inconsistent with the decisions made by other planning officers on extensions within our village, we would welcome the opportunity to have our application reviewed with regard to ensuring consistency of planning decisions. The planning officer referred to the decision being made based on their "opinion" and we hope that our appeal will be looked at objectively as it is our "opinion" that given the fact our home is a greying 70's bungalow that has little visual amenity, the proposed extension will vastly improve the appearance and function of our home.

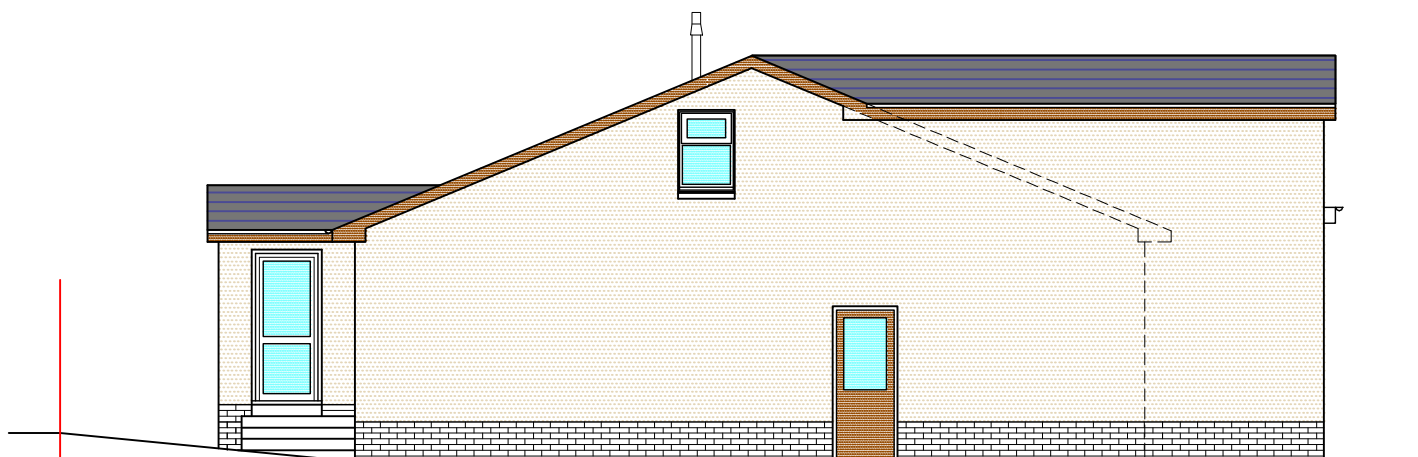
On a personal note we would like to add that we moved to Dunning almost eight years ago with our two young children, attracted by the village life and highly regarded primary school and nearby secondary school. Ochil Gardens was our preferred street as it was a quiet cul de sac providing a safe environment in which to raise our young family. The open aspect to the rear of the property, with no properties overlooking the garden and fantastic views across open fields, was also a significant factor. We expected to have the opportunity to extend our home as our family grew as it was situated outwith the conservation area and we assumed that planning would be straightforward.

The community has been welcoming and we have integrated well. The children and ourselves have a close circle of friends on whom we rely on occasion for support as we have no family living nearby. Mrs Cameron works for local businesses and we are both involved in community groups. Our two eldest children have settled well at school and the third is very much looking forward to starting there in August with her friends.

As there is a lack of affordable housing in the village large enough to accommodate our growing family we see no option that will allow us to remain in the village other than by creating extra space through our proposed extension.

We hope the review board would agree that helping young community minded families to stay in the village where they are settled can only be a good thing - for both them and the village - and we ask that you please support us by allowing our extension to proceed.

Thank You.



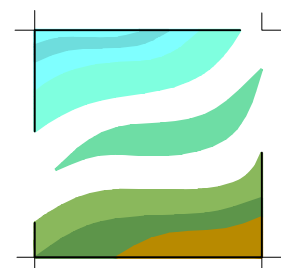
**PROPOSED - NORTH EAST ELEVATION 1:100**



**PROPOSED - NORTH WEST ELEVATION 1:100**

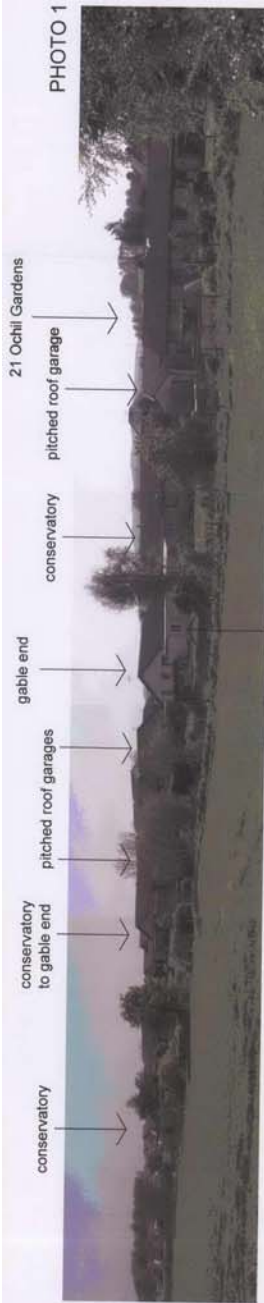
**ALTERATIONS & EXTENSION TO  
21 OCHIL GARDENS, DUNNING.**

**Planning Ref: 12/00173/FLL**



**Elements  
Architecture**





VIEW FROM NORTH FIELD - EXISTING



VIEW FROM NORTH FIELD - PROPOSED

It should be noted that this view is from the field outwith the village boundary. This can only be viewed by the farm workers. Depending on the type of crop planted, this field is generally not easily accessed by the general public.



PHOTO 1



PHOTO 2



PHOTO 3



PHOTO 4



PHOTO 5

PROPOSED

Cottage as viewed from Lower Granco Street



PHOTO 4



Large rear extension to a single-storey weaver's cottage in Lower Granco Street (within the Conservation Area). The ridge line is maintained, finishes replicated, but the extension dominates the rear elevation. The dormer design is not in keeping with general planning design advice (they do not emphasise the vertical), but must be assumed that this project improves the visual amenity and village character.



PHOTO 2



PHOTO 3



PHOTO 4

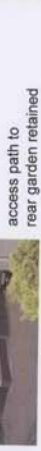


PHOTO 5

PROPOSED

27 Ochil Gardens before extension



PHOTO 2



PHOTO 3



PHOTO 4



PHOTO 5

PROPOSED

Integral garage to ground floor with first floor accommodation clearly visible to the gable end. Clearly an existing bungalow has been extended vertically.

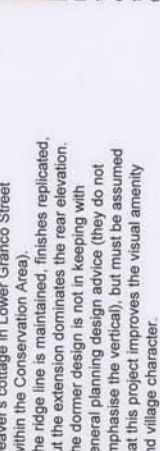


PHOTO 2

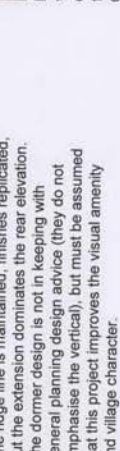


PHOTO 3

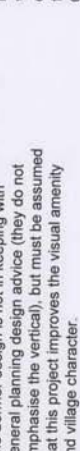


PHOTO 4

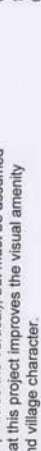


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PHOTO 3



PHOTO 1

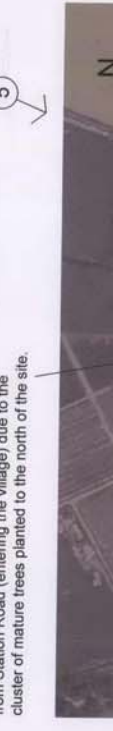


PHOTO 2



PHOTO 3



PHOTO 4

PHOTO 5

PROPOSED

The rear of 21 Ochil Gardens cannot be viewed from Station Road (entering the village) due to the cluster of mature trees planted to the north of the site.



PHOTO 1



PHOTO 2



PHOTO 3



PHOTO 4



PHOTO 5

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The rear of 21 Ochil Gardens cannot be viewed from Station Road (entering the village) due to the cluster of mature trees planted to the north of the site.



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PHOTO 1

PHOTO 2



**TCP/11/16(196)**

**Planning Application 12/00173/FLL – Alteration and extension to dwellinghouse at 21 Ochil Gardens, Dunning, PH2 0SR**

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

**REFERENCE DOCUMENTS** (included in applicant's submission, see pages 271-272)



# PERTH AND KINROSS COUNCIL

Mr And Mrs Cameron  
c/o Elements Architecture  
FAO John Bogle  
Allan House  
Bridge Of Earn Road  
Dunning  
Perth  
PH2 ORU

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 1st May 2012

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/00173/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 10th February 2012 for permission for **Alterations and extension to dwellinghouse 21 Ochil Gardens Dunning Perth PH2 0SR** for the reasons undernoted.

Development Quality Manager

### Reasons for Refusal

1. The proposal is contrary to the Scottish Government's policy statement Designing Places (2008) which seeks to ensure good design at all scales of development. The proposed dormer extension is out of scale with and will over dominate the host building.
2. The proposal by way of its design, scale and form over dominates the existing dwelling house 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](http://www.pkc.gov.uk) "Online Planning Applications" page

## **Plan Reference**

12/00173/1

# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	12/00173/FLL
Ward No	N7- Strathallan

**PROPOSAL:** Alterations and extension to dwelling house

**LOCATION:** 21 Ochil Gardens, Dunning, PERTH, PH2 0SR.

**APPLICANT:** Mr & Mrs Cameron

**RECOMMENDATION:** REFUSE THE APPLICATION

**SITE INSPECTION:** 23 February 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 21 Ochil Gardens, Dunning is a south east facing, north eastern side of a semi-detached 1 storey dwelling house (measuring approximately 85sqm set within 375sqm of garden, dwelling house and garage inclusive) with a single pitched roof detached garage (measuring approximately 19sqm) lying in the driveway to the north of the dwelling house. External finishes: concrete roof tiles; light dry dash render; facing brick base course.

The proposal is:-

Erect a 1 storey pitched roof front porch (2250mm wide x 1800mm deep) with entrance doorway on the north east elevation. External finishes will match existing. Demolish the single pitched roof detached garage.

Erect a pitch (to the front) roof 1 storey extension on the north east elevation (2775mm wide x 12820mm deep). External finishes matching existing. The rear section (from approximately 0.6 metre from the ridge) of the extension will be 2 storeys and will have a flat roof being single-ply membrane dark grey in colour. External wall finishes will match existing.

Erect a 1 storey flat roof rear extension (approximately 7.5 metres wide x 2.5 metres deep) on the North West elevation... External finishes will match existing with the flat roof being single-ply membrane dark grey in colour.

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.

The front porch extension is satisfactory.

The proposed 2 storey extension on the eastern section of the rear elevation will in my view over dominate the existing proportions of the dwelling house. An extension should be subservient to the existing building so that the original building remains the key element of the site. The design, scale and form of the extension will have a detrimental visual impact on the existing property and the surrounding area. It will set

a precedent with its incongruous design that is not sympathetic to the residential amenity or village character.

The proposed 1 storey extension on the north west elevation is satisfactory.

The agent was made aware that the application was likely to be refused. An amended proposal was submitted but it did not affect the reasons for refusal.

#### 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

Scottish Government's policy statement Designing Places (2008)

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 N/A

#### CONSULTATIONS/COMMENTS

Scottish Water                      No objections.

**TARGET DATE:** 10 April 2012

#### REPRESENTATIONS RECEIVED:

Number Received: 1

#### Summary of issues raised by objectors:

The areas of concern can be summarised as:

- Overlooking from large north west facing window;
- Bungalows predominate on the estate.

#### Response to issues raised by objectors:

Development management response:

- As the rear building line is approximately 2.5 metres further back there will be less of the neighbours garden to view, the room is at a lower level and hit and miss fence;

- 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 The proposal is contrary to the Scottish Government's policy statement Designing Places (2008) which seeks to ensure good design at all scales of development. The proposed dormer extension is out of scale with and will over dominate the host building.
- 2 The proposal by way of its design, scale and form over dominates the existing dwelling house 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.

**TCP/11/16(196)**

**Planning Application 12/00173/FLL – Alteration and extension to dwellinghouse at 21 Ochil Gardens, Dunning, PH2 0SR**

## **REPRESENTATIONS**

- Objection from Mrs P Wanless, dated 22 February 2012



**Mrs P Wanless (Objects)**

**Comment submitted date: Wed 22 Feb 2012**

I am objecting to the big window NW elevation that will be over looking my garden, which is totally private.

I chose to live on an estate with bungalows with NO over looking windows and would love to keep my garden private.

