

**TCP/11/16(239)**  
**Planning Application 12/01984/FLL – Alterations and extension to dwellinghouse at 29 Broom Road, Kinross, KY13 8BU**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

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

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

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

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

Use BLOCK CAPITALS if completing in manuscript

## Applicant(s)

Name **MR + MRS ALEXANDER**

Address **29 BROOM ROAD  
KINROSS**

Postcode **KY13 8BU**

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

## Agent (if any)

Name **FINE DESIGNS**

Address **12 PARK AVENUE  
DUNFERMLINE**

Postcode **KY12 7HY**

Contact Telephone 1 **01383 720320**

Contact Telephone 2 **07811 29689**

Fax No

E-mail\* **info@finedesignsarchitecture.com**

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

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

Yes ☒ No ☐

Planning authority

**PERTH + KINROSS COUNCIL**

Planning authority's application reference number

**12/01984/FLL**

Site address

**29 BROOM ROAD, KINROSS, KY13 8BU**

Description of proposed development

**TWO STOREY SIDE EXTENSION, NEW CHIMNEY  
FLUES, GLAZED ROOF LIGHTS TO EXISTING ROOF**

Date of application

**NOV 2012**

Date of decision (if any)

**20<sup>th</sup> DEC 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:

to allow the REVIEW BODY to VIEW THE MIXED RIDGE OF DECKING, FINISH, ROOF PITCH AND RIDGE LEVEL TO ALL 32 NEIGHBOURING DWELLINGS

**Site inspection**

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

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

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



**Statement**

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

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

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

SEE ENCLOSED STATEMENT.

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.

THE DIVERSE MIX OF LOCAL HOUSE TYPE MAY NOT HAVE BEEN TAKEN INTO ACCOUNT.

**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.

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.

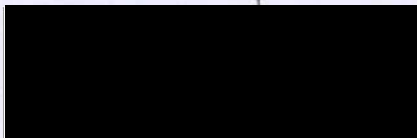
Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number,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



FINE DESIGNS

Date

18.03.13

# **NOTICE OF REVIEW - Appeal Statement**

## **Alteration and Extension to House at 29 Broom Road, Kinross, KY13 8BU for Mr & Mrs Alexander.**

### **Planning Ref - 12/01984/FLL**

Planning Approval was obtained for a very similar proposal.

This was granted on 5<sup>th</sup> March, 2009 - ref 09/00067.

The new application 12/01984/FLL has added 2no stainless steel flues, a new single storey

porch to the front entrance and raised the proposed ridge level by 700mm above existing.

Our consultation with the Planning Authority would suggest that only the raising of the new ridge level was deemed unacceptable.

The proposed full planning application for the above was felt to be contrary to the following policies. I highlight these policies for your information and respond as follows -

### ***Perth & Kinross Council - Local Plan 2004 -***

#### **Policy 2 Development Criteria**

#### **Policy 6 Design & Landscaping**

#### **Policy 67 Design within existing Residential Amenity.**

1. We would argue that the proposal respects the existing character and appearance of the existing dwelling in terms of the design and external finish of the existing dwelling.
2. We would consider that the proposed design is off a high standard of architecture in terms of form, scale, layout, detailing and choice of materials as they do relate directly to the existing dwelling.
3. Our proposal specifies the use of existing finishes to maintain the materiality and uniformity of the dwelling. The design uses a traditional roof form and is characteristic of the local vernacular.
4. The proposed ridge level sits 700mm above the existing ridge level. We do not feel that this is particularly high and in our opinion does not create an uncomfortable relationship between the roof forms and in fact we believe it creates a positive roof feature.
5. Broom Road accommodates 32 detached dwellings, all of which have individual foot prints, form, size, design and with a broad palate of finish. We consider that the proposed design will not look out of place at all within this environment. Its scale is representative of the local area.
6. The proposed dwelling footprint sits comfortably within the site. The double garage that currently sits directly on the site boundary is removed allowing a clear passage between the extension and the site boundary. The rear garden area is retained.

We hope that this is in order and appreciate your favourable consideration of the above.





# Client Statement -

Mr and Mrs Alexander  
29 Broom Road  
Kinross  
KY13 8BU

## **Perth and Kinross Council**

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date: 18<sup>th</sup> March 2013

**Ref: Application Number: 12/01984/FLL**

To whom it may concern:

We are writing to appeal against the refusal of the above planning application for an extension on to our family home in Kinross.

In 2009 we were really pleased to be granted full planning permission to build an extension to our home and we also received full building warrant for the proposal. Unfortunately the building warrant drawings and the planning application drawings did not fully match. The actual foot plate of the extension was the same but the roof height on the extension is proposed to be built slightly higher than the existing house in order to make the new upstairs space more suitable for use as a living room. Subsequently we resubmitted the planning application to cover this issue and to remove or change a couple of items that we were asked to make in the previous approval.

To our surprise and real disappointment the altered application was refused based upon two points from the local plan, which suggest that the extension is not in-keeping with its surroundings and that the development does not fit its location. It goes on to say that the Kinross Area Local Plan 2004 seeks to ensure that development has sympathetic regard to the scale and form of existing buildings. Unfortunately in this second point the report also describes the property as a semi attached building which leads one to think that our side of the "two houses" would not match the other owners, which could be understandable. However the property is not semi detached and is in fact detached.

What has been particularly surprising to us is that the development has been seen as not in-keeping with the surroundings. Broom Road in Kinross has 32 individual homes all of which are detached and every single one of which is a different shape, size and design, many of which have a roof line which is higher than our proposed extension. The most recently approved and built property on the street is far higher than our extension and takes up most of the available site. The two houses adjacent to the West of our property are particularly unusual in shape and have multiple roof lines. The properties just past these are very similar in design when compared to our proposals and are certainly no lower than our proposed roof height.

We could understand in a street of similarly designed and built properties that a change in roofline could raise concern, but on a street with no consistency or uniformity such as ours we would hope that this planning refusal can be viewed in context with the surrounding buildings (as the Local Plan suggests).

Our intentions are to hopefully create a modern family home that gives our growing family the space to live both in terms of internal space but also in the surrounding garden. The extension is giving the family more living space without necessarily losing much of the garden, as the extension sits over the foot print of the existing garage and drive space. However with a lower roofline and subsequently shallower combs, the upstairs space becomes quite cramped and this really reduces the impact the extension will have on family life. We also had hoped that the actual design gave more symmetry to the front of our property which it currently lacks.

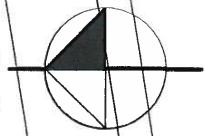
We hope you have the time to look at Broom Road as a whole and to see our proposals in context with the surrounding developments and subsequently take a more favourable view of our proposals to improve our family living space.

Thank you in advance for taking the time to review this decision.

Regards,

Mr and Mrs Alexander

N



BROOM ROAD

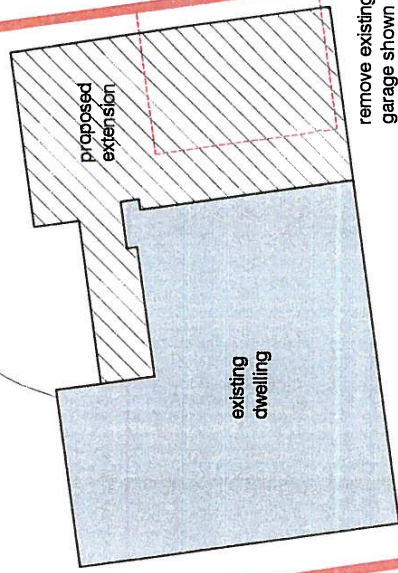
31

29

drive

garden

27



site plan

scale 1:200

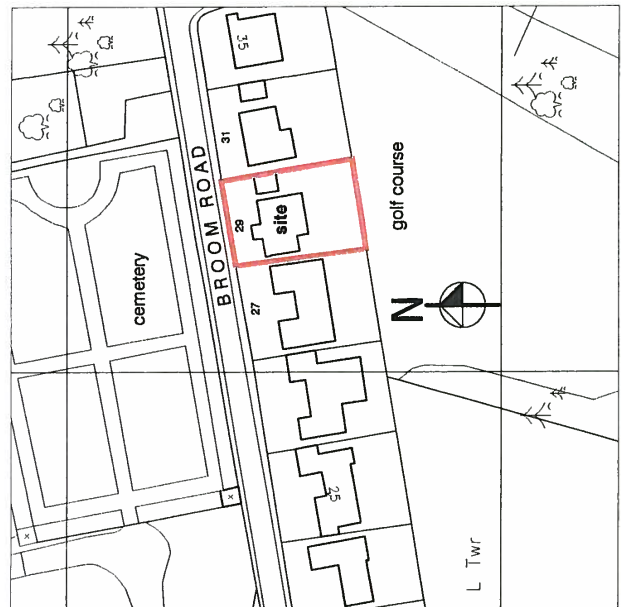
OS serial no 001047377

mason map dunfermline

15 June 2012 © Crown Copyright 2012

NOTES

This drawing is copyright protected and remains the property of FINE DESIGNS ARCHITECTURE.  
All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately to the Architect.  
Use only figured dimensions.



location map

scale 1:1250

OS serial no 001047377

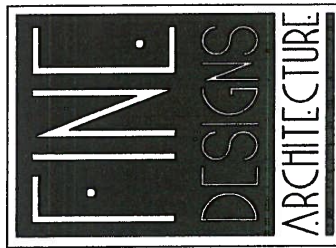
mason map dunfermline

15 June 2012 © Crown Copyright 2012

This is a copy / a true copy of the plan as referred to in the warrant application submitted to Perth & Kinross Council

dated .....

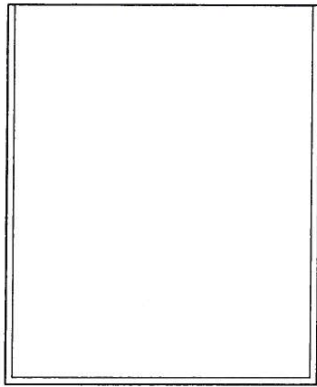
signed .....



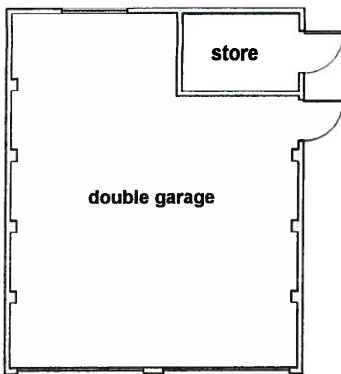
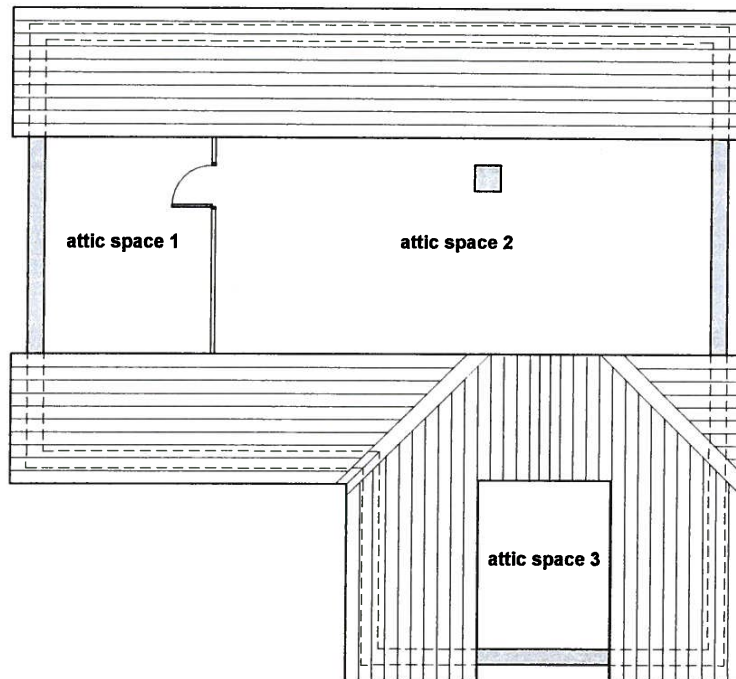
job no	0820	drawing number	bw 01
date	Nov 12	project	alteration and extension to house at 29 Broom Road, Kinross, KY13 8BU, for Mr. & Mrs. Alexander
drawing	site plan & location map	14 Viewfield terrace, dunfermline, fife, ky12 7hz tel + fax: 01383 720320 mod: 0761125689 e-mail: info@finedesignsarchitecture.com www.finedesignsarchitecture.com	



NOTES  
 This drawing is copyright protected and remains the property of FINE DESIGNS ARCHITECTURE.  
 All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately to the Architect.  
 Use only figured dimensions.



existing  
**attic layout plan**  
 scale 1:100



existing  
**floor layout plan**  
 scale 1:100



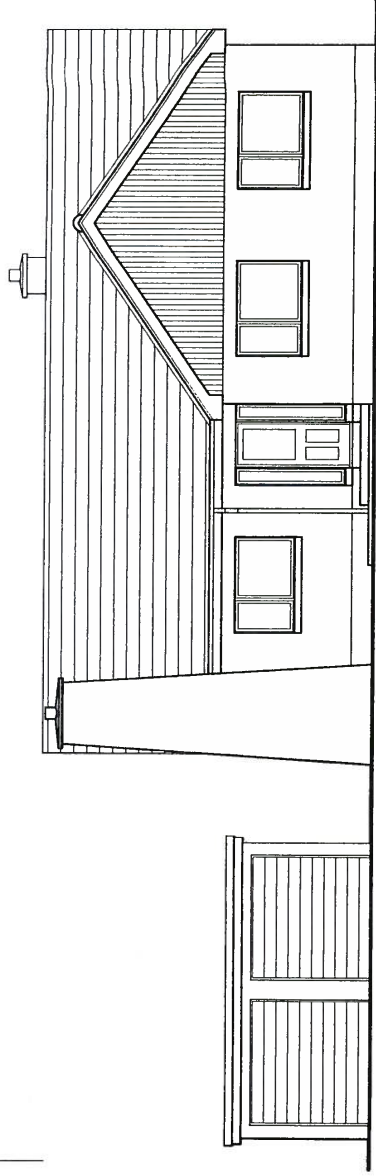
This is a copy / a true copy of the plan as referred to in the warrant application submitted to Perth & Kinross Council dated .....

signed .....	
job no 0820	drawing number bw 02
date Nov 12	
project alteration and extension to house at 29 Broom Road, Kinross, KY13 8BU, for Mr. & Mrs. Alexander	
drawing existing plans	
14 viewfield terrace, dunfermline, fife, ky11 1bz tel & fax: 01383 720320 .. mob: 07511420669 e-mail: info@finedesignsarchitecture.com www.finedesignsarchitecture.com	

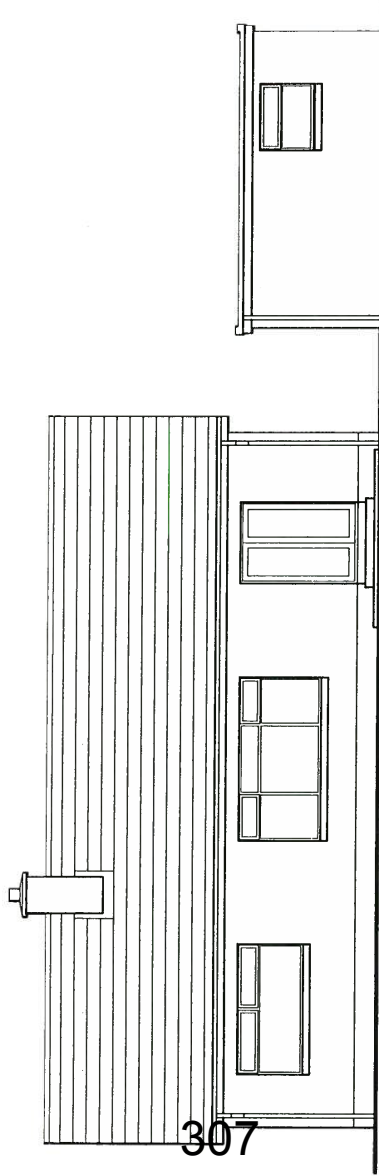


NOTES

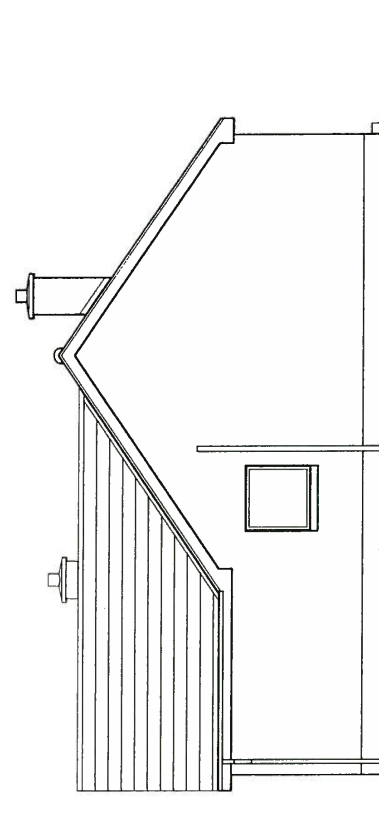
This drawing is copyright protected and remains the property of FINE DESIGNS ARCHITECTURE. All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately to the Architect. Use only figured dimensions.



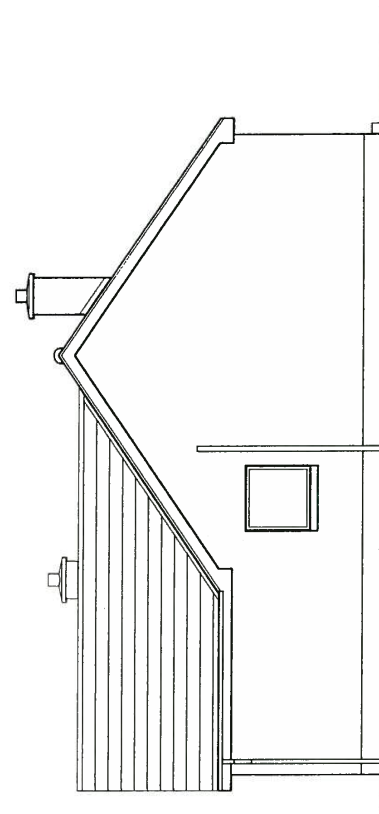
existing  
north elevation  
SCALE 1:100



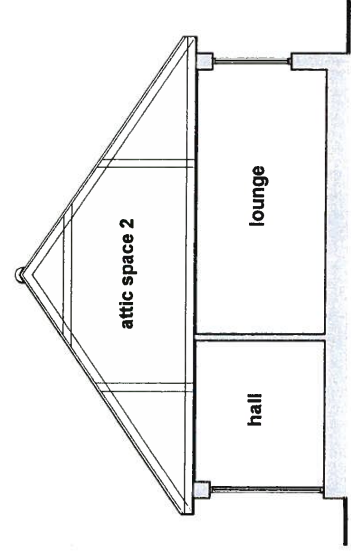
existing  
south elevation  
SCALE 1:100



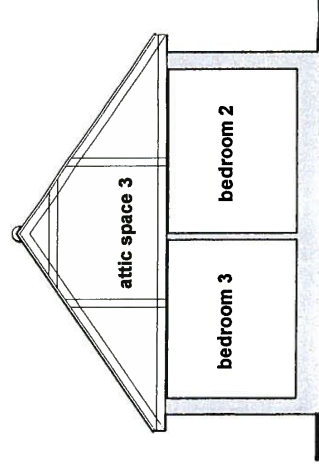
existing  
east elevation  
SCALE 1:100



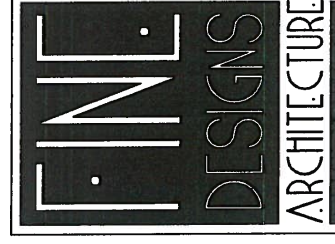
existing  
west elevation  
SCALE 1:100



existing  
cross section  
SCALE 1:100

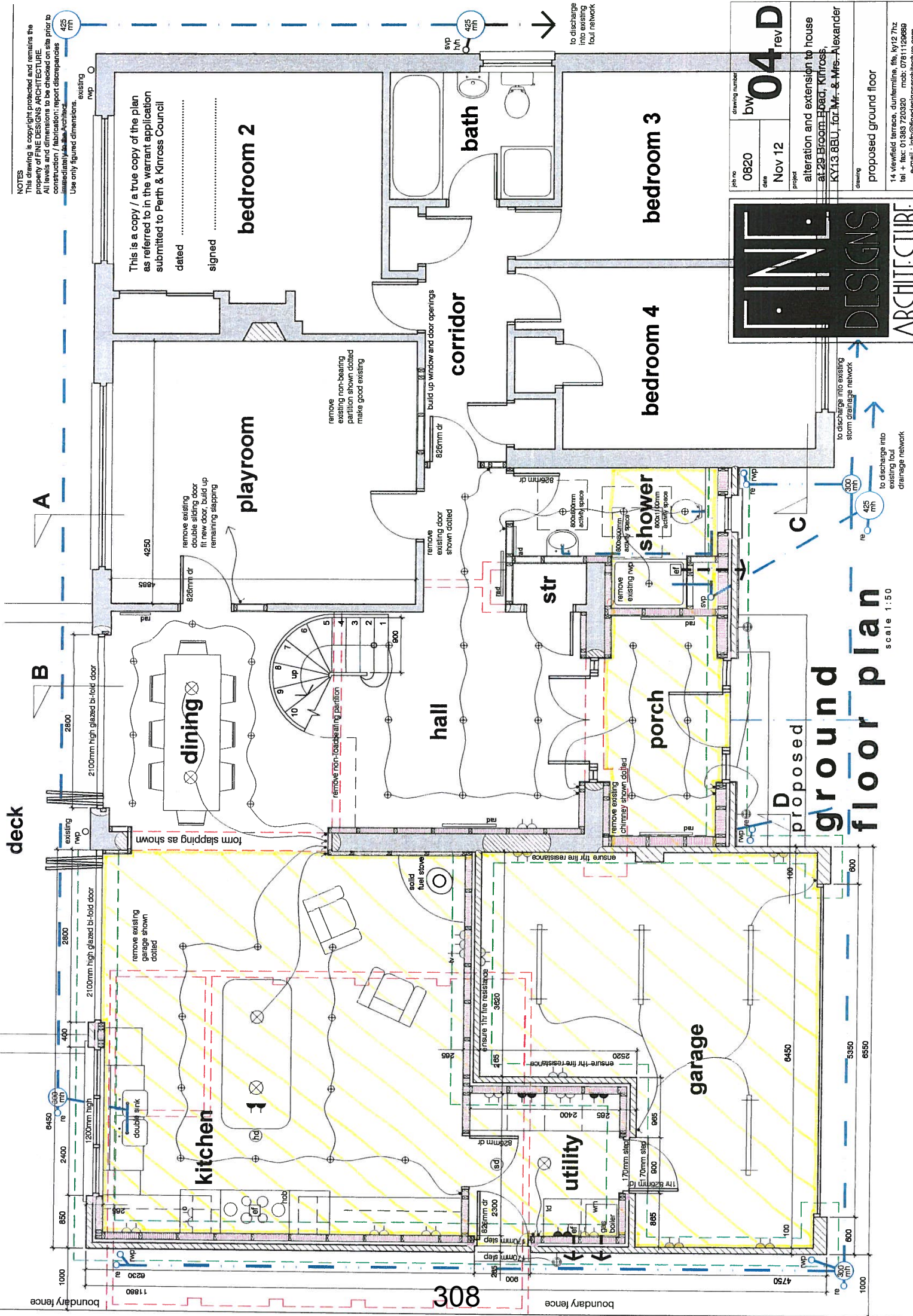


existing  
cross section  
SCALE 1:100



job no 0820	drawing number bw 03
date Nov 12	
project alteration and extension to house at 29 Broom Road, Kinross, KY13 8BU, for Mr. & Mrs. Alexander	
drawing existing elevations	
14 Viewfield Terrace, Dunfermline, Fife, KY12 7HZ tel + fax: 01383 720320 mob: 0781128889 e-mail: info@finedesignsarchitecture.com www.finedesignsarchitecture.com	

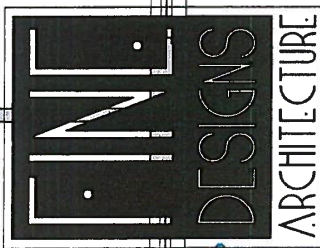




**NOTES**  
This drawing is copyright protected and remains the property of FINE DESIGNS ARCHITECTURE  
All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately to the Architect.  
Use only figured dimensions.

This is a copy / a true copy of the plan as referred to in the warrant application submitted to Perth & Kinross Council  
dated .....  
signed .....

drawing number	0820	bw	04 D	rev	D
date	Nov 12				
project	alteration and extension to house at 29 Broom Road, Kinross.				
client	KY13 8BL for Mr. & Mrs. Alexander				
drawing	proposed ground floor				
address	14 Viewfield Terrace, Dunfermline, Fife, KY12 7HZ				
tel	+44 (0)1843 720320				
fax	+44 (0)1843 720320				
email	info@finedesignsarchitecture.com				



# proposed ground floor plan

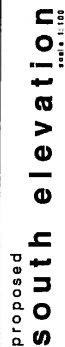
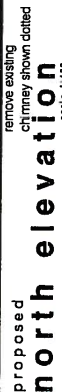
scale 1:50

to discharge into existing storm drainage network  
to discharge into existing foul drainage network





This drawing is copyright protected and remains the property of FINE DESIGNS ARCHITECTURE.  
All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately to the Architect.  
Use only figured dimensions.

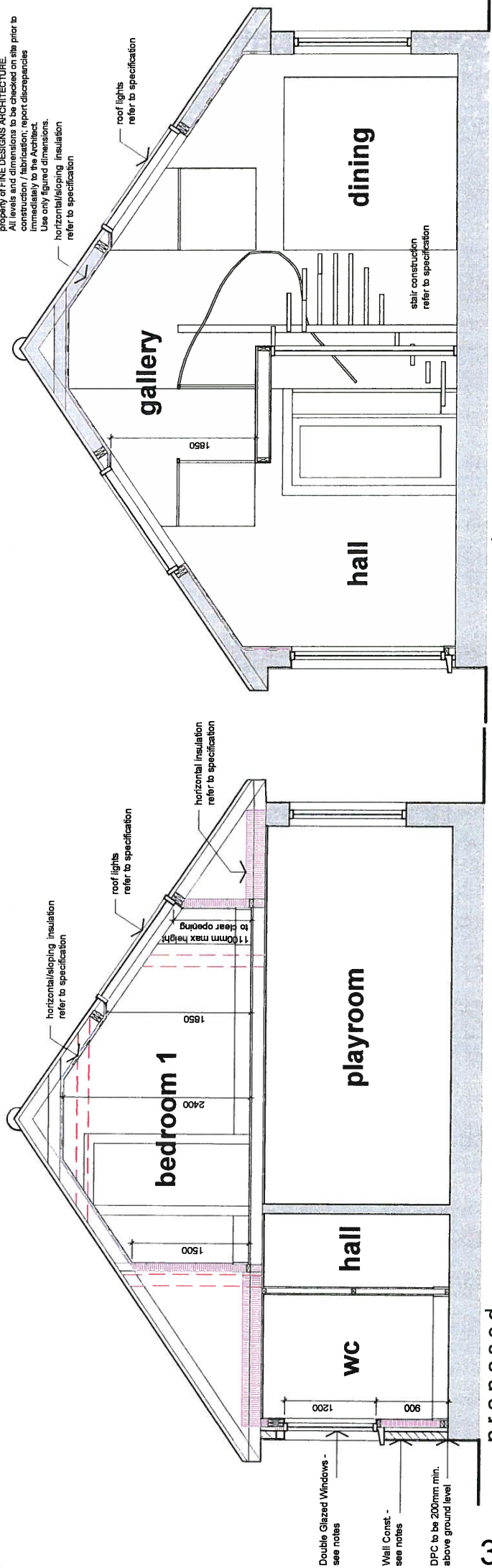


**FINE**  
DESIGNS  
ARCHITECTURE

job no	0820	drawing number	bw 06 rev D
date	Nov 12	alteration and extension to house at 29 Broom Road, Kinross, KY13 8BU, for Mr. & Mrs. Alexander	
project	proposed elevations		
drawing	14 Viewfield terrace, dunfermline, fife, KY12 7HZ tel + fax: 01383 720320 mds: 07611 125669 e-mail: <a href="mailto:info@medesignarchitecture.com">info@medesignarchitecture.com</a>		



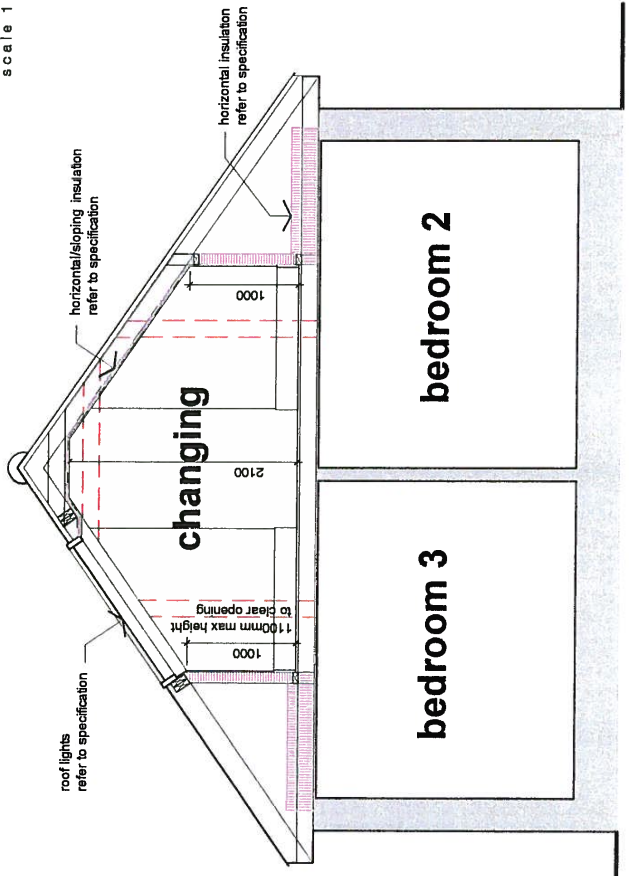
**NOTES**  
 This drawing is copyright protected and remains the property of FINE DESIGNS ARCHITECTURE.  
 All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately to the Architect.  
 Use only figured dimensions.  
 horizontal/sloping insulation refer to specification  
 roof lights refer to specification



proposed

# cross section A-A

scale 1:50



proposed

# cross section C-C

job no

0820

drawing number

bw 07A

date

Nov 12

project

alteration and extension to house at 29 Broom Road, Kinross, KY13 8BU, for Mr. & Mrs. Alexander

drawing

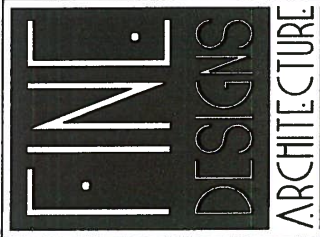
proposed sections A-B-C

14 viewfield terrace, dunfermline, fife, ky12 7hz

tel + fax: 01383 720320 mob: 0781192889

e-mail: info@finedesignsarchitecture.com

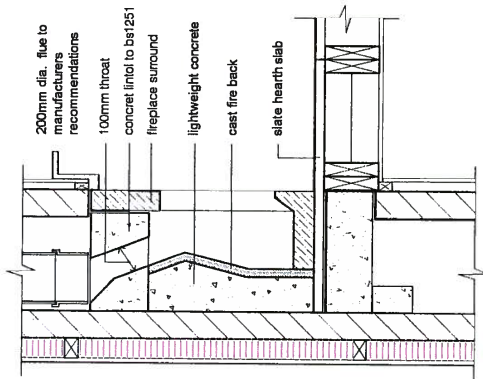
www.finedesignsarchitecture.com



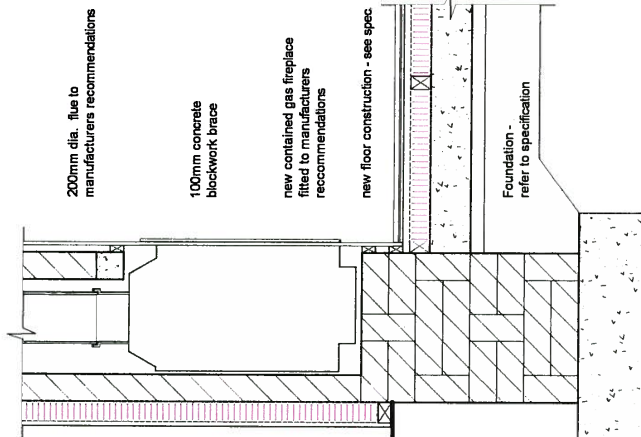


**NOTES**

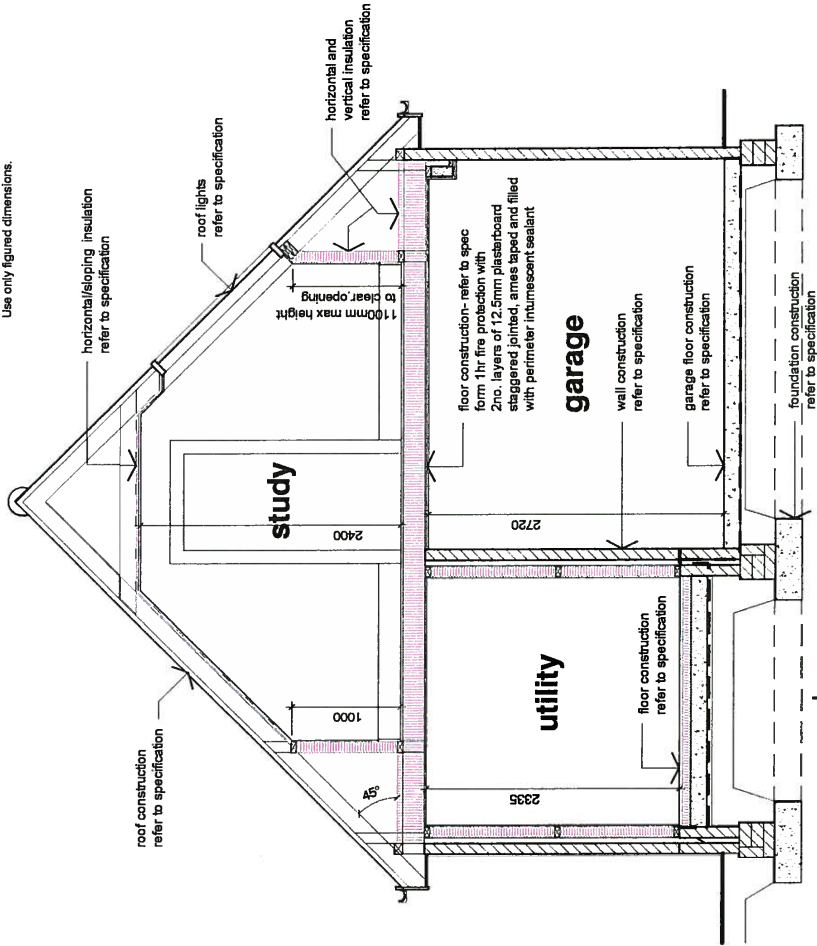
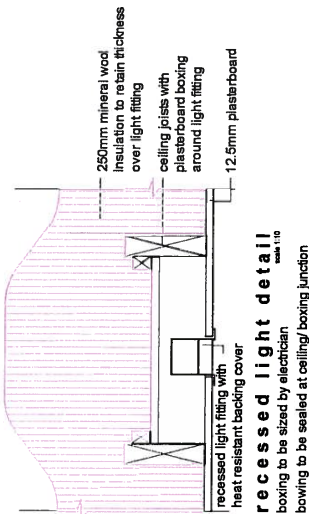
This drawing is copyright protected and remains the property of FINE DESIGNS ARCHITECTURE. All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately to the Architect. Use only figured dimensions.



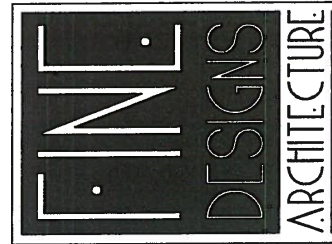
hearth detail  
**first floor**  
scale 1:20



hearth detail  
**ground floor**  
scale 1:20



proposed  
**cross section D-D**  
scale 1:50



job no <b>0820</b>	drawing number <b>bw 08</b>	rev <b>A</b>
date <b>Nov 12</b>	project alteration and extension to house at 29 Broom Road, Kinross, KY13 8BU, for Mr. & Mrs. Alexander	
drawing proposed section		
14 Viewfield terrace, Dunfermline, fife, ky12 7hz tel + fax: 01383 720320 mob: 07811 129889 e-mail: info@finedesignsarchitecture.com		

**TCP/11/16(239)**  
**Planning Application 12/01984/FLL – Alterations and extension to dwellinghouse at 29 Broom Road, Kinross, KY13 8BU**

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS** *(part included in applicant's submission, see pages 305-312)*





# PERTH AND KINROSS COUNCIL

Mr And Mrs Alexander  
c/o Fine Designs  
Ronan McGirr  
13 Park Avenue  
Dunfermline  
KY12 7HX

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 20th December 2012

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/01984/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 13th November 2012 for permission for **Alterations and extension to dwellinghouse 29 Broom Road Kinross KY13 8BU** for the reasons undernoted.

Development Quality Manager

### Reasons for Refusal

1. The proposal by way of its excessive scale, unsympathetic design and dominant visual massing is unacceptable and detrimental to the visual amenity of the dwellinghouse. It is therefore contrary to Policy 2 of the Kinross Area Local Plan 2004 which seeks to ensure that development has sympathetic regard to the scale and form of existing buildings.
2. The proposal by way of its excessive proportions is unacceptable and out of keeping with the existing house. Approval would result in an awkwardly unbalanced extension, to the detriment of the visual amenity of the semi-detached house and the surrounding area. Approval would therefore be contrary to Policy 6 of the Kinross Area Local Plan 2004, which seeks to ensure that the proportions of any building are in-keeping with its surroundings and that development fits its location.
3. The proposal by way of its adverse impact on visual amenity is contrary to Policy 67 of the Kinross Area Local Plan 2004, which seeks to retain and where possible improve existing 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](http://www.pkc.gov.uk) "Online Planning Applications" page

### **Plan Reference**

12/01984/1

12/01984/2

12/01984/3

12/01984/4

12/01984/5

12/01984/6

12/01984/7

12/01984/8

12/01984/9

## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	12/01984/FLL
Ward No	N8- Kinross-shire

**PROPOSAL:** Alterations and extension to dwellinghouse

**LOCATION:** 29 Broom Road Kinross KY13 8BU

**APPLICANT:** Mr And Mrs Alexander

**RECOMMENDATION:** REFUSE THE APPLICATION

**SITE INSPECTION:** 22 November 2012



#### OFFICERS REPORT:

29 Broom Road is a detached bungalow in a residential cul-de-sac in Kinross.

This detailed application seeks planning permission to alter and extend the house over the footprint of an existing detached garage. This application seeks to modify the existing approval (Ref: 09/00067/FUL) as there are discrepancies between the approved planning application drawings and the pending building warrant drawings. It also follows post-approval discussions over the proposed amendments.

Concerns were raised during the post-approval discussions in relation to the suggested amendments. Raising the roof of the proposals approximately 750mm above the level of the existing house roof produces an over-sized and out of proportion extension which dominates the existing house. Although there is no consistent rhythm to the houses along the cul-de-sac, because they vary in scale and design, the proposed extension would clearly be at odds with the existing house. Any proposed extension should be subservient in nature, rather than dominant. Therefore, the proposal by way of its excessive scale, unsympathetic design and dominant visual massing would result in an awkwardly unbalanced extension and is considered to be unacceptable and detrimental to the visual amenity of the dwellinghouse.

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 requires that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. Whilst there are general policy provisions throughout the Approved Strategic Development Plan - TAYplan 2012, the primary development plan policies of specific relevance in this instance are Policies 2, 6 and 67 of the Kinross Area Local Plan 2004. Amongst other things, these policies seek to ensure that development has due regard to the scale and form of development within the locality, that the proportions of any building are in-keeping with its surroundings and that development fits its location.

Having inspected the application site and given close consideration to the submitted plans, I retain concerns as to the proposals impact on the scale and form of development within the existing built environment.

With the above considerations taken into account, I am concerned with the proposals relationship to the above-mentioned development plan policies, the contents of which are listed below. I have taken account of other material considerations and I find none that would justify over-riding the adopted development plan and approving the application.

I therefore withhold my support of the proposal and recommend that the application be refused under delegated powers. Whilst it is regrettable that there are inconsistencies between the planning and building warrant drawings, it would appear that the most appropriate course of action would be to amend the building warrant drawings in order to ensure compliance with the originally approved planning drawings.

## **DEVELOPMENT PLAN**

Within the Strategic Development Plan, TAYplan 2012, the primary policy of specific relevance to this application is;

### **Policy 2: Shaping Better Quality Places**

Part F of Policy 2 seeks to 'ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets, the multiple roles of infrastructure and networks and local design context, and meet the requirements of Scottish Government's Designing Places and Designing Streets and provide additional green infrastructure where necessary'.

### **K\_002 Kinross Development Criteria**

All developments within the Plan area will be judged against the following criteria:

- B** In the case of building development, regard should be had to the scale, form, colour and density of development within the locality.
- F** The site should be large enough to accommodate the impact of the development satisfactorily in site planning terms.



#### K\_006 Kinross Design and Landscaping

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

- d) Ensuring that the proportions of any building are in keeping with its surroundings.
- e) Ensuring that the development fits its location.

#### K\_067 Kinross Housing

Inset Map 2 identifies areas of residential and compatible uses where existing residential amenity will be retained and where possible improved.

### **OTHER POLICIES**

Additionally, although not formally adopted, the Perth & Kinross Council Local Development Plan, Proposed Plan 2012 is a material consideration in the determination of this application. Within the proposed Local Development Plan the primary policy of specific relevance to this application is;

#### Policy RD1: Residential Areas

The Plan identifies areas of residential and compatible uses where existing residential amenity will be protected and, where possible, improved. Generally encouragement will be given to proposals which fall into one or more of the following categories of development and which are compatible with the amenity and character of the area:

- (c) Proposals which will improve the character and environment of the area.

### **SITE HISTORY**

09/00067/FUL Alterations and extension to dwellinghouse Approved 5 March 2009

### **CONSULTATIONS/COMMENTS**

Scottish Water	No objections – informative note required if approved.
----------------	--

**TARGET DATE:** 13 January 2013

### **REPRESENTATIONS RECEIVED:**

Number Received: Zero

**Additional Statements Received:**

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	None
Report on Impact or Potential Impact	None submitted.

**Legal Agreement Required:**

Summary of terms Not required

**Direction by Scottish Ministers** No

**Justification :-**

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

**Reasons:-**

- 1 The proposal by way of its excessive scale, unsympathetic design and dominant visual massing is unacceptable and detrimental to the visual amenity of the dwellinghouse. It is therefore contrary to Policy 2 of the Kinross Area Local Plan 2004 which seeks to ensure that development has sympathetic regard to the scale and form of existing buildings.
- 2 The proposal by way of its excessive proportions is unacceptable and out of keeping with the existing house. Approval would result in an awkwardly unbalanced extension, to the detriment of the visual amenity of the semi-detached house and the surrounding area. Approval would therefore be contrary to Policy 6 of the Kinross Area Local Plan 2004, which seeks to ensure that the proportions of any building are in-keeping with its surroundings and that development fits its location.
- 3 The proposal by way of its adverse impact on visual amenity is contrary to Policy 67 of the Kinross Area Local Plan 2004, which seeks to retain and where possible improve existing residential amenity.





**TCP/11/16(239)**  
**Planning Application 12/01984/FLL – Alterations and extension to dwellinghouse at 29 Broom Road, Kinross, KY13 8BU**

## **REPRESENTATIONS**

- Representation from Appointed Officer, dated 25 March 2013
- Agent's response to representation, dated 18 April 2013





Dear Sir/Madam

I write in response to your request for any further representations in relation to the review of the above planning application decision. There are three further comments that I have at this stage;

1. The attached e-mail details the post-approval(ref: 09/00067/FUL)/pre-refusal(ref: 12/01984/FLL) discussions.
2. I would like to draw the Local Review Body's attention to Section 2.3 "Scale, Shape & Form" on Page 9 of Perth & Kinross Council's Placemaking Guide, which seeks to ensure that an extension is a subservient feature of a house, rather than a dominant one.
3. I also note one minor discrepancy in the refusals second reason, which refers to the property being a *semi-detached* house. For the avoidance of doubt, the property is a detached bungalow, as detailed in the appraisal section of the report of handling.

Kind regards

*Keith Stirton  
Technician – Planning & Regeneration  
Perth & Kinross Council  
The Environment Service  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD*



## CHX Planning Local Review Body - Generic Email Account

---

**From:** Keith Stirton  
**Sent:** 04 October 2012 13:34  
**To:** 'RONAN MCGIRR'  
**Subject:** RE: Ref -09/00067 29 Broom Road, Kinross - Planning Query

Dear Ronan

Any further application would be the subject of an additional site visit in order to assess the proposal in the context of the house and surrounding built environment.

Whilst I can't provide a definitive response to this potential application, I can say that, in general terms, alterations and extension to an existing house should respect the roof levels of the existing house (and usually be subservient to the house, rather than dominant).

On that basis the principle of increasing the ridge level causes a degree of concern.

I hope that this helps.

Kind regards

*Keith Stirton  
 Technician – Planning & Regeneration  
 Perth & Kinross Council  
 The Environment Service  
 Pullar House  
 35 Kinnoull Street  
 Perth  
 PH1 5GD*

*Email [KGStirton@pkc.gov.uk](mailto:KGStirton@pkc.gov.uk)  
 Website [www.pkc.gov.uk](http://www.pkc.gov.uk)  
 Please don't print unless necessary*

---

**From:** RONAN MCGIRR [mailto:ronanmcgirr@btconnect.com]  
**Sent:** 04 October 2012 12:17  
**To:** Keith Stirton  
**Subject:** RE: Ref -09/00067 29 Broom Road, Kinross - Planning Query

Thanks Keith for the feedback.

Is this a polite way of saying that we wouldn't get Planning Approval for the raised ridge level?

regards,

Ronan  
 for FINE DESIGNS

---

**From:** Keith Stirton [KGStirton@pkc.gov.uk]  
**Sent:** 04 October 2012 11:24  
**To:** RONAN MCGIRR  
**Subject:** RE: Ref -09/00067 29 Broom Road, Kinross - Planning Query

Dear Ronan

The amended drawings can not be treated as a non-material variation in this instance due to the extent of amendments involved.

I would also take this opportunity to advise you that a preference would be made in favour of ensuring that the ridge of the proposed structure matches that of the existing house for obvious reasons.

I hope that this is of some assistance.

Kind regards

*Keith Stirton  
Technician – Planning & Regeneration  
Perth & Kinross Council  
The Environment Service  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD*

*Email [KGStirton@pkc.gov.uk](mailto:KGStirton@pkc.gov.uk)  
Website [www.pkc.gov.uk](http://www.pkc.gov.uk)  
Please don't print unless necessary*

---

**From:** Ronan [mailto:[ronanmcgirr@btconnect.com](mailto:ronanmcgirr@btconnect.com)]  
**Sent:** 03 October 2012 15:42  
**To:** Development Management - Generic Email Account  
**Subject:** Ref -09/00067 29 Broom Road, Kinross - Planning Query

**Ref -09/00067 29 Broom Road, Kinross - Planning Query**

FAO Mr Keith Stirton,

Planning Approval was granted in March 2009 for the above extension proposal. However during the Building Warrant stage the proposed ridge level was altered – see attached drawings. The 'pp' drawings were the approved Planning drawings, the 'bw' drawings are the approved warrant drawings.

Do you feel that this design change is acceptable? if so will it be accepted as a non material change? or will it require a new planning application?  
The warrant drawings also show that the rear protruding balcony was omitted as per condition of the original planning consent.

I look forward to your early comments.

Regards,

Ronan  
For FINE DESIGNS  
01383 720320



## 2.3 Scale, Shape & Form

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. Similarly, extensions which distort the shape, scale and proportions of the existing building are less acceptable than those which respect details like roof pitch and original building span depth. This does not however rule out a contemporary approach which contrasts with, yet enhances, the original building by being distinct.

It is nearly always necessary to avoid overwhelming existing buildings, bearing in mind that some buildings have greater 'street' presence than others. If an extension begins to match or exceed the size of the original building the architectural integrity of the original structure can often become lost. Large extensions call for particular ingenuity and imagination in order to reduce the apparent bulk of the desired additional floorspace.

Generally:

- New roof ridges should not normally exceed the height of the original. A new ridge line which is set lower than that of the original will generally be more acceptable.
- In most cases an extension should be a subordinate addition.
- Extensions should seek to achieve a building depth which respects traditional building forms and avoids dependence on artificial lighting and ventilation.



*Rear extension, completely out of scale & character with original build and consumes the rear garden space*



*Garage extension, set back from façade, not only mirrors the design and use of original materials but complements the house in scale*

roof, within certain specified limits. Permitted development rights can be withdrawn by the Council, and further details on this are given below. Where this has occurred you should contact [Development Management](#) for specific advice regarding your proposals.

### Permitted development rights for flatted properties

The revised GPDO introduced some permitted development rights for flatted properties, including 4-in-a-block properties, tenements or subdivided properties. If you live in this type of property you will still need planning permission for an extension, the formation of a driveway and any development within the garden area. However, minor alterations to the external appearance carried out within a 1-metre 'bubble' around the property, such as the erection of satellite dishes or roof lights, do not require planning permission.

### Removal of permitted development rights

Councils have the power to remove permitted development rights in the following circumstances:

- through a Direction under Article 4 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992;
- under the Control of Advertisement Regulations; or by
- removing deemed consent.

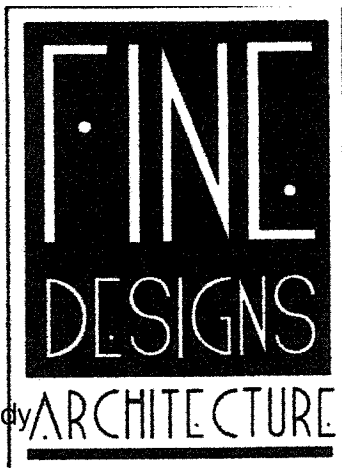
### Planning conditions with permitted development rights removed

The Council may decide that certain permitted development rights should be removed when planning permission is approved in order to protect the character of the property and its environment. For example, this may occur in higher density housing developments where proposals for new extensions need to be carefully assessed. In these situations, permitted development rights are removed through a condition attached to the planning permission. Where this happens, you have to make a planning application for work development which normally does not need one.



*An example of permitted development*





Gillian A Taylor  
The Local Review Body  
Council Building  
2 High Street  
Perth  
PH1 5PH

CHIEF EXECUTIVES  
DEMOCRATIC SERVICES

22 APR 2013

RECEIVED

18.04.13

FD Ref : 0820

## NOTICE OF REVIEW – Drawings

Alteration and Extension to House at 29 Broom Road,  
Kinross, KY13 8BU for Mr & Mrs Alexander.

Planning Ref – 12/01984/FLL

Dear Gillian,

In response to your letter dated 9<sup>th</sup> April and the representation attached, I wish to comment as follows –

I enclose a copy of the house elevations coloured to show the proposed extension in context with the existing dwelling. I would be grateful if this drawing could supersede the elevation drawing currently held in out Notice of Review application.

I have also revised my Appeal Statement and I would appreciate if this would replace the statement currently on file.

I hope that this is in order and we hope to hear an early and favourable response.

Yours sincerely,

Rónan F. McGirr.  
For FINE DESIGNS



## NOTICE OF REVIEW – Appeal Statement

### Alteration and Extension to House at 29 Broom Road, Kinross, KY13 8BU for Mr & Mrs Alexander.

#### Planning Ref – 12/01984/FLL

- 1.0 The elevation drawing shows that the proposed extension will be finished to match the existing house render, the existing roof tile finish, the existing window frames colour, the fascia detail and timber cladding detail and coloured to match the existing.  
We would argue therefore that the proposal respects the existing character and appearance of the existing dwelling in terms of the design and external finish of the existing dwelling.
- 2.0 The proposed ridge height is 700mm higher than the existing but seen in context – particularly the Front North Elevation, the existing roof commands the elevation with its length exposed, whereas the proposed extension only is seen as a gable, and is therefore in my opinion subservient in proportion.
- 3.0 The design of the Front elevation in my opinion is wholly within context with regard to the materials used and the Scale, Shape and Form implemented. The proposed design uses a traditional roof form and is characteristic of the local vernacular.
- 4.0 The proposed dwelling footprint sits comfortably within the site. The double garage that currently sits directly on the site boundary is removed allowing a clear passage between the extension and the site boundary. The rear garden area is retained.
- 5.0 Broom Road accommodates 32 detached dwellings, all of which have individual foot prints, form, size, design and with a broad palate of finish. We consider that the proposed design will not look out of place at all within this environment. Its scale is representative of the local area.

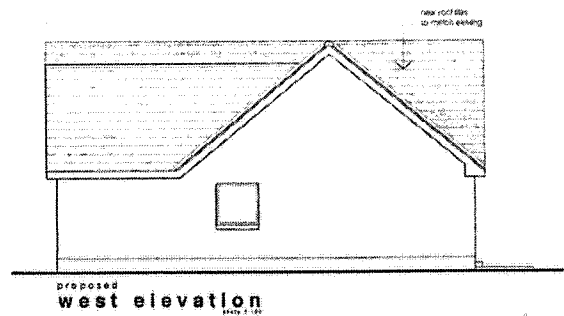
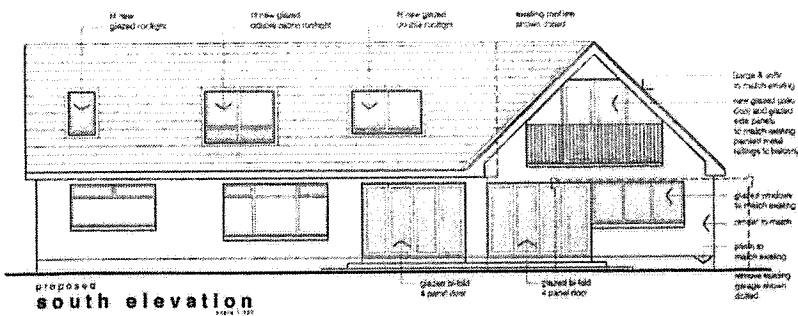
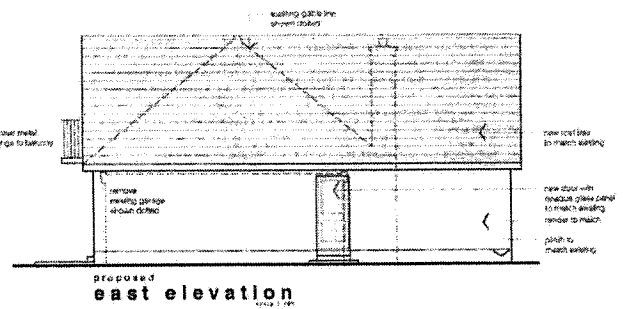
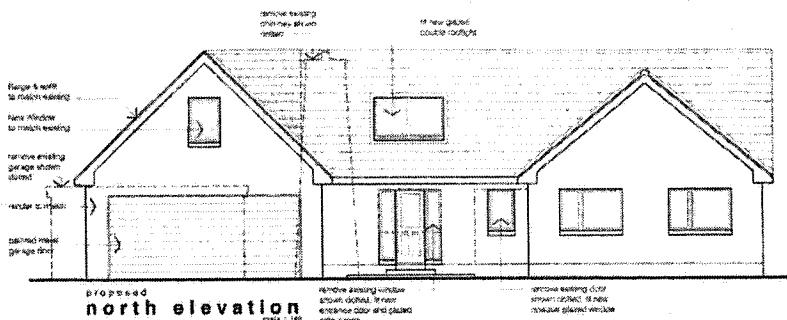
We hope that this is in order and appreciate your favourable consideration of the above.

Ronan F McGirr  
FINE DESIGNS Architecture.



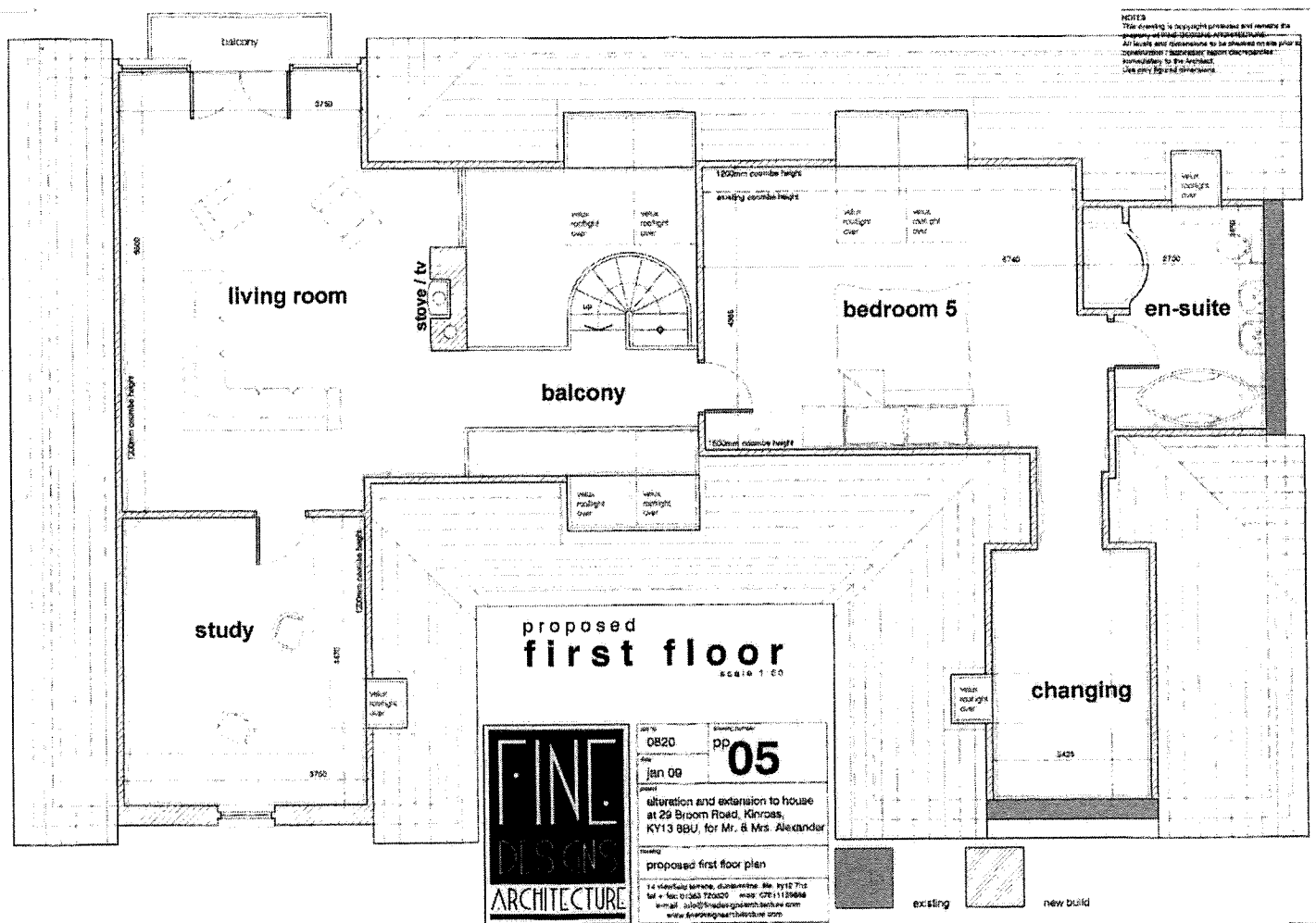


**NOTES**  
This drawing is copyright protected and remains the property of FINE DESIGN ARCHITECTURE. All levels and dimensions to be checked on site prior to construction. Information, report discrepancies immediately to the Architect. Use only Imperial dimensions.



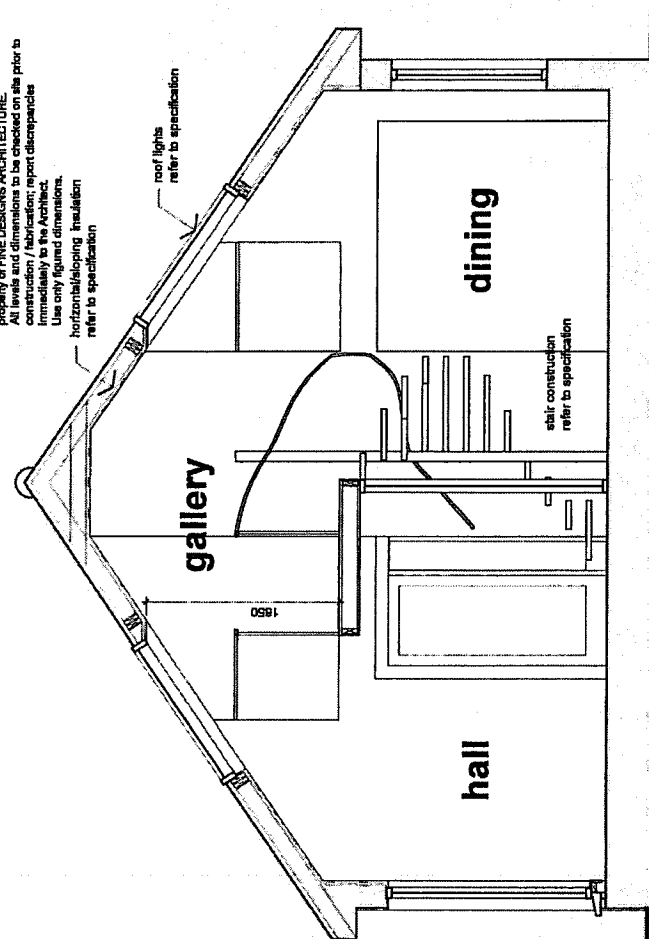
<b>FINE DESIGN ARCHITECTURE</b>	job no.	DB20	drawing number	pp 06
	date	Jan 06		
	project	alteration and extension to house at 29 Broom Road, Kilsnoe, KY13 8BH, for Mr. & Mrs. Alexander		
	content	proposed elevations		
1:4 on-field terrain, datum: 10m, by 12 772 tel: 01 564 770 330 mob: 0781 1129898 e-mail: info@finedesignarchitects.com www.finedesignarchitects.com				







**NOTES**  
 The drawing is copyright protected and remains the property of FINE DESIGN ARCHITECTURE.  
 All levels and dimensions to be checked prior to construction / fabrication; report discrepancies immediately to the Architect.  
 Use only figured dimensions.  
 horizontal/sloping insulation refer to specification  
 roof lights refer to specification



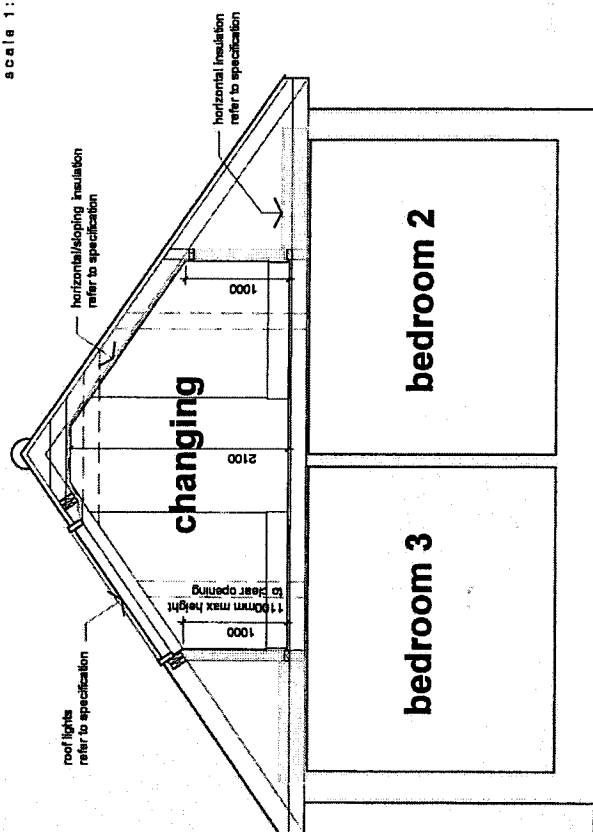
proposed

## cross section A-A

scale 1:50

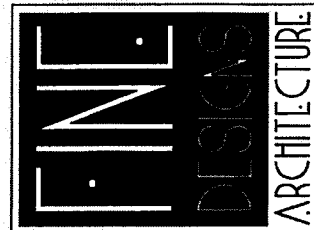
## cross section B-B

scale 1:50



proposed

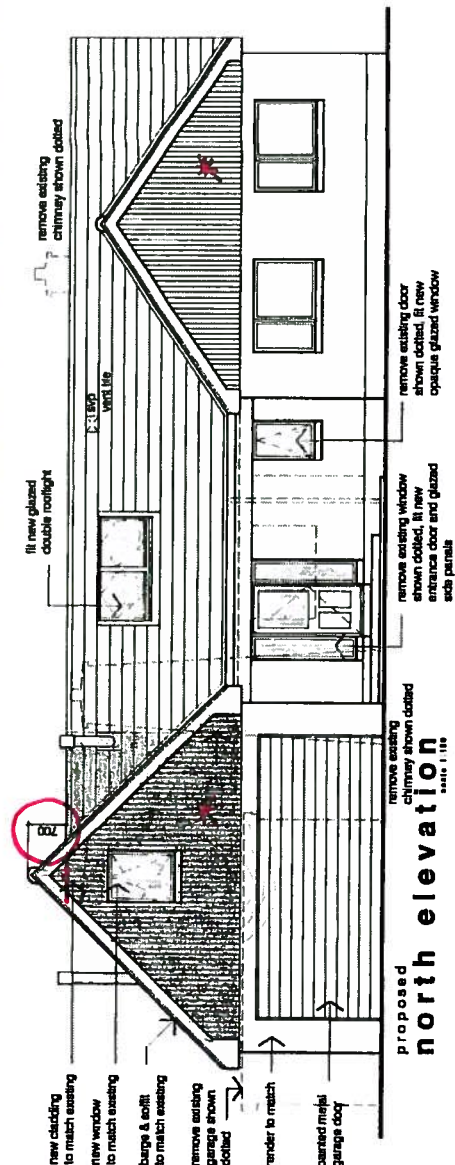
## cross section C-C



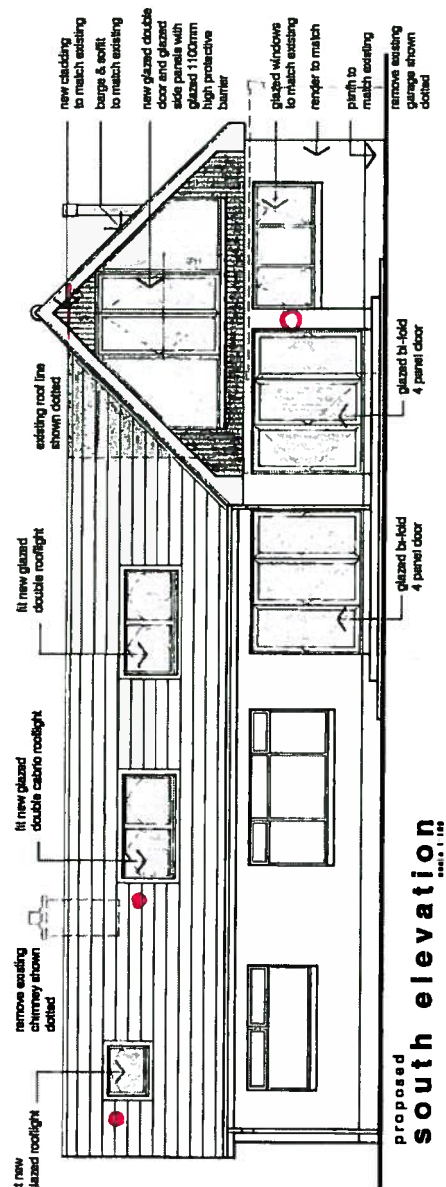
job no	0820	drawing number	bw 07A rev. A
date	Nov 12	project	alteration and extension to house at 29 Broom Road, Kinross, KY13 8BU, for Mr. & Mrs. Alexander
client	proposed sections A-B-C		
14 Viewfield Terrace, Durness, Inverness, Ibs. KY12 7WZ tel + fax: 01363 720020 mds: 0781120099 e-mail: info@finedesignarchitecture.com			

## ROOF FLIGHT HOUSED UP THE ROOF

This drawing is copyright protected and remains the property of FINE DESIGNS ARCHITECTURE. All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately to the Architect.  
Use only squared dimensions.



proposed  
east elevation



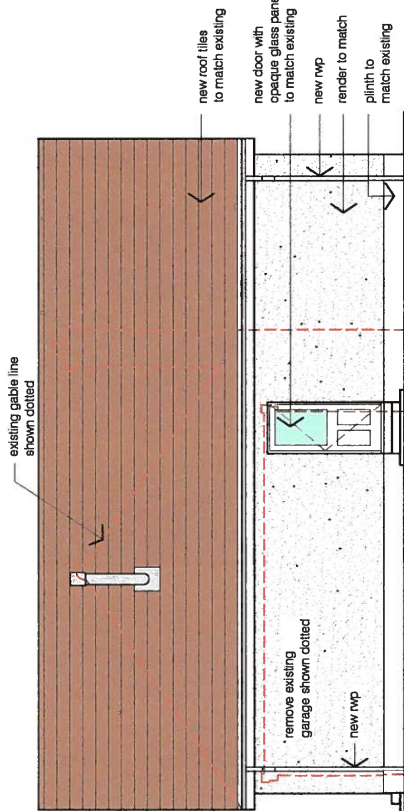
# proposed west elevation

- ALTERATION TO ROOFLIGHT SHAPE | DIMENSIONS
- SEPARATION

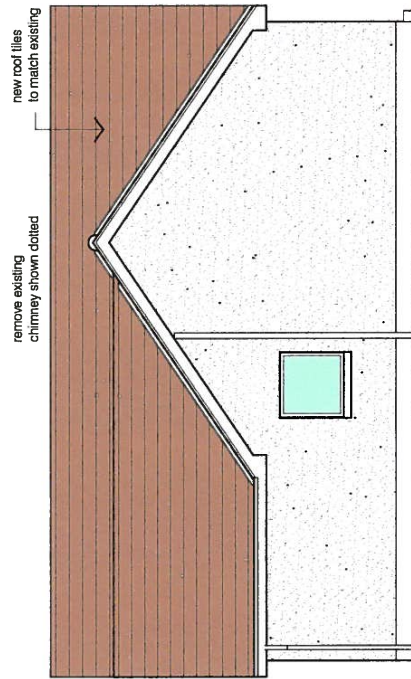
job no	drawing number
0820	bw
date	06 <sup>rev</sup> D
Nov 12	
project	
alteration and extension to house at 28 Broom Road, Kinross, KY13 8BU, for Mr. & Mrs. Alexander	
drawing	proposed elevations
14 Westfield Terrace, Dunfermline, Fife, KY12 7WZ tel +44 (0)1383 720200 fax +44 (0)1383 720201 e-mail info@finelinesearchitects.com <a href="http://www.finelinesearchitects.com">www.finelinesearchitects.com</a>	



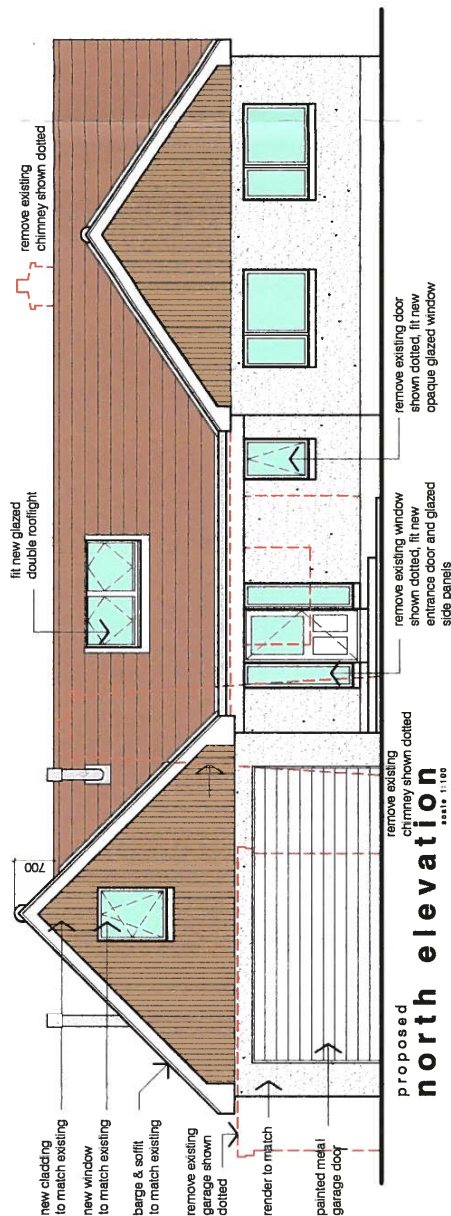
NOTES  
This drawing is copyright protected and remains the property of FINE DESIGNS ARCHITECTURE.  
All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately to the Architect.  
Use only figured dimensions.



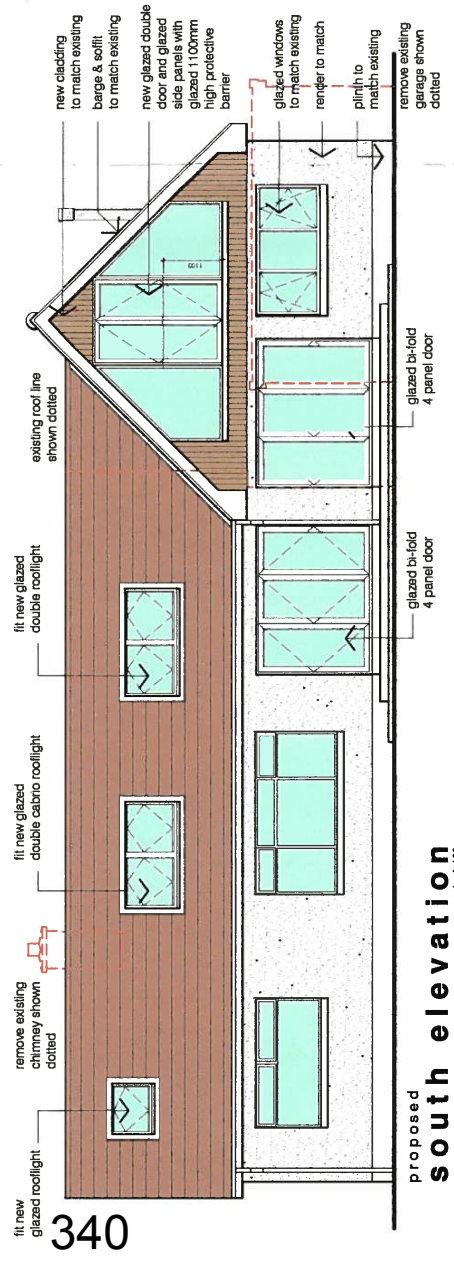
proposed  
**east elevation**  
scale 1:100



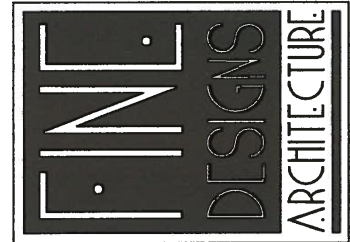
proposed  
**west elevation**  
scale 1:100



proposed  
**north elevation**  
scale 1:100



proposed  
**south elevation**  
scale 1:100



job no	0820	drawing number	bw 06 rev F
date	Apr 13	project	alteration and extension to house at 29 Broom Road, Kinross, KY13 8BU, for Mr. & Mrs. Alexander
drawing	proposed elevations	13 Park Avenue, dunderrilling, fife, ky19 7ix	tel + fax: 01383 720320 mob: 07511 28889
			e-mail: info@finedesignsarchitecture.com www.finedesignsarchitecture.com