

4(iv)(a)

LRB-2023-41

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23/00796/FLL - Installation of replacement windows and door at Melville Terrace, cowgate, Southbank, Errol, Perth, PH2 7QS

**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 2013

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

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

Planning authority's application reference number

Site address

Description of proposed development

Date of application Date of decision (if any)

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.

We are appealing against this decision as a matter of urgency and want the following to be considered :-

- Please see the attached image of the front of our house. The upstairs windows are UPVC windows fitted in 2003 before Errol was designated a conservation area in 2004. We could not afford to get the downstairs windows/door replaced at the time.
- The downstairs windows/door are now at the stage where repair is no longer viable, and replacement is the only option.
- As per government guidance, we are working hard to greatly improve our home energy efficiency. We cannot afford to burn more gas/electricity/coal/wood to heat our homeand should not be expected to wear extra layers of clothing as we did last year in trying to keep warm and within budget! We are trying to invest any spare cash we have in improving the property's EPC.
- As pensioners, we saved for the more affordable, energy efficient UPVC replacements which would be very similar to the existing upper windows. When getting quotes, we stressed that the replacement windows/door should look as close as possible to the originals, from the road. As well as energy efficiency improvements, security is also greatly improved.
- With probably 80 % plus of Errol homes having UPVC, we had no worries in applying for planning permission and were shocked when refused.
- The designation of Errol as a conservation area I assume this should be regularly reviewed but cannot find any records of this being the case.

We would ask that the reconsideration of this request is reviewed asap please. The original request was raised back in March, and we were hoping to have the new windows in place long before the typical Scottish Autumn/Winter weather arrived

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.

When raising the original planning application, we copied a successful neighbours application where appropriate. We did not think that the we would need to add further information and expected the planning department to reach out to us if further information was required.
 With reference to the details above and below , we are submitting this additional information to help clarify our position.

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.

I can't access the original online application anymore, but from memory the description around 15/05/23 was "Replacing four windows and one door" backed up with appropriate drawings. There was quite a substantial delay, because planning dept. did not review submission until 29/5/23, then advised drawings were not to standard required. We then engaged the services of an architect and submitted updated drawings 27/07/23. This was then checked by a technician 14/08 and passing to planning officer. We then contacted the planning department 05/10/23 asking for any update.....received the rejection email dated 06/10/23.
Beginning to end has taken 5 months so far.

Documents that will be sent to support our review request will be :-

Notice of Review Form

23-00796-FLL Rejection letter

House front.jpg

654_P_302A[2620].pdf - Property scaled elevations

654_S_101A[2710].pdf - Existing front elevation

654_P_301A[2621].pdf - Proposed front elevation

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

Graeme Duffy

Date

19/10/2023



Mr Graeme Duffy
Melville Terrace
Southbank
Errol
PH2 7QS

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **6th October 2023**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **23/00796/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 3rd August 2023 for Planning Permission for **Installation of replacement windows and door at Melville Terrace Cowgate Southbank Errol Perth PH2 7QS**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- 1 The proposed eastmost window, by virtue of its uPVC frames, the height of the meeting rail, and the addition of horns, is detrimental to the traditional character of the house and is detrimental to the character and appearance of the Errol Conservation Area.

Approval would therefore be contrary to Policies 7(d) Historic Assets and Places and 16(g)(i) Quality Homes of the National Planning Framework 4; contrary to Policies 1A & 1B Placemaking and 28A Conservation Areas: New Development of the Perth and Kinross Local Development Plan 2; and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

- 2 The proposed windows in the bay window, by virtue of their uPVC frames, the opening method, and the varying frame widths, are detrimental to the traditional character of the house and are detrimental to the character and appearance of the Errol Conservation Area.

Approval would therefore be contrary to Policies 7(d) Historic Assets and Places and 16(g)(i) Quality Homes of the National Planning Framework 4; contrary to Policies 1A & 1B Placemaking and 28A Conservation Areas: New Development of the Perth and Kinross Local Development Plan 2; and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

- 3 The proposed door, by virtue of its non-traditional design, the uPVC frames, and the

extensive use of glazing, is detrimental to the traditional character of the house and is detrimental to the character and appearance of the Errol Conservation Area.

Approval would therefore be contrary to Policies 7(d) Historic Assets and Places and 16(g)(i) Quality Homes of the National Planning Framework 4; contrary to Policies 1A & 1B Placemaking and 28A Conservation Areas: New Development of the Perth and Kinross Local Development Plan 2; and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

Justification

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

The plans and documents 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

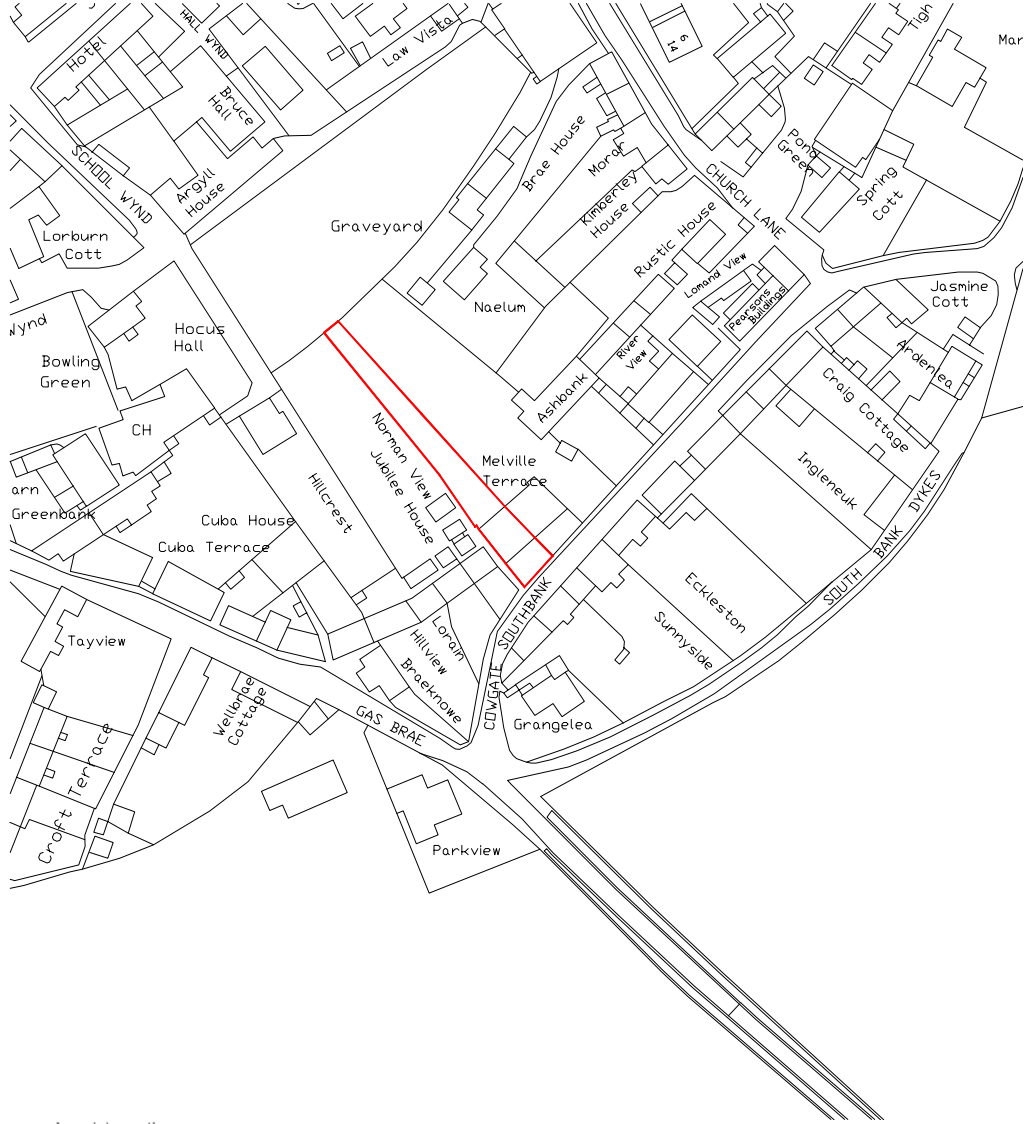
01

02

03

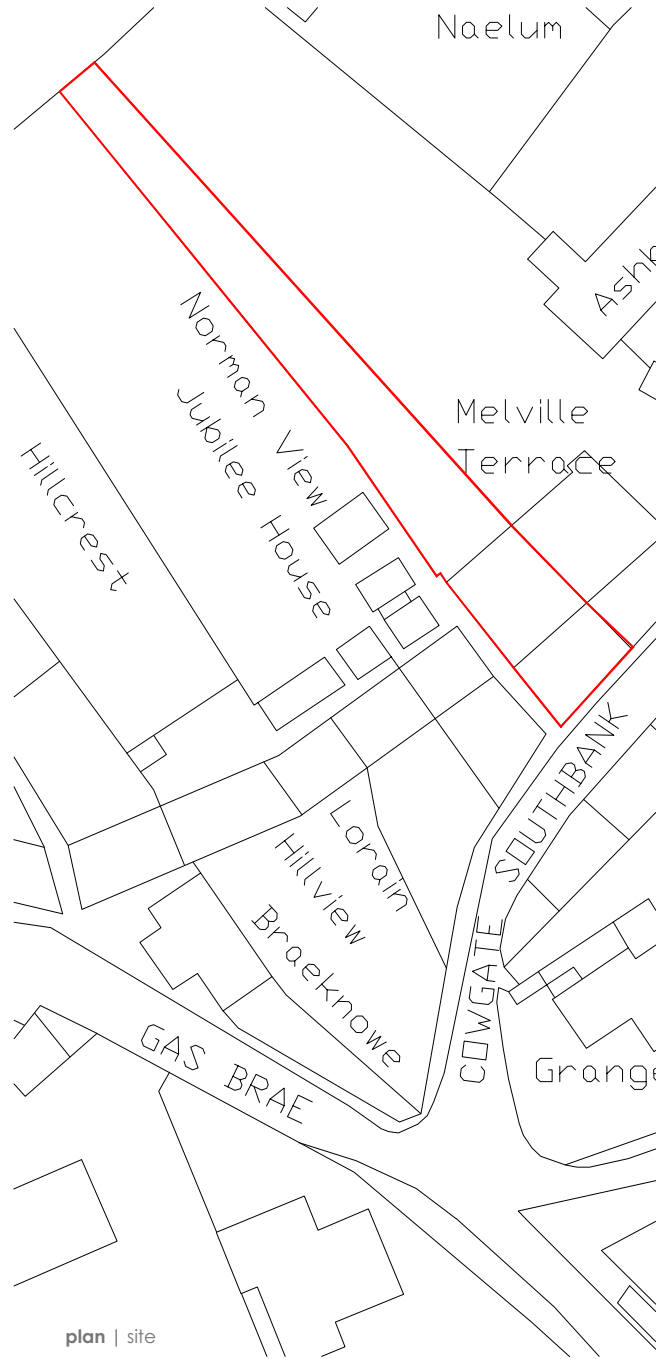


scale bar | 1:1250



plan | location

scale bar | 1:500



plan | site

the copyright of this drawing subsists with
ajfitchet | architect llp
 do not scale for construction purposes
 refer all dimensional queries to architect
 read in conjunction with all other drawings

a	client amends	26.07.23
-	first issue	25.07.23
rev.	desc.	issued

mr + mrs duffy
replacement windows to gf
melville terrace, southbank, erol

description. | location + site plan
 drawing no. | 654_P_302

status | planning
 scale | 1:1250, 1:500
 paper size | A3L

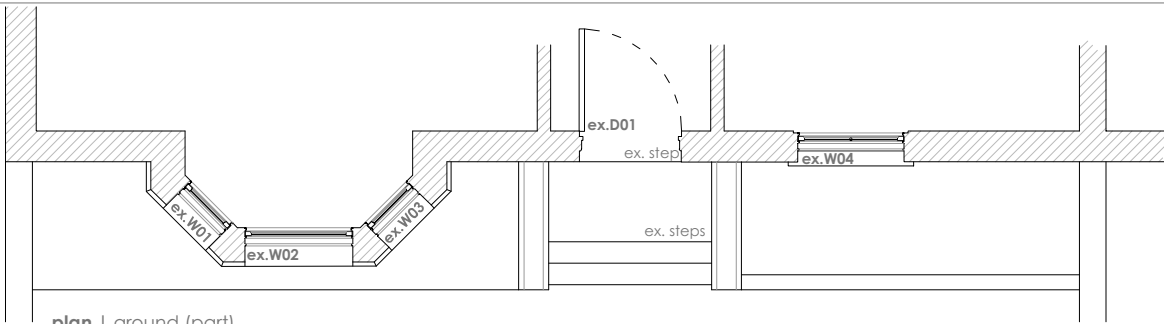


drawn | LW checked | AJF



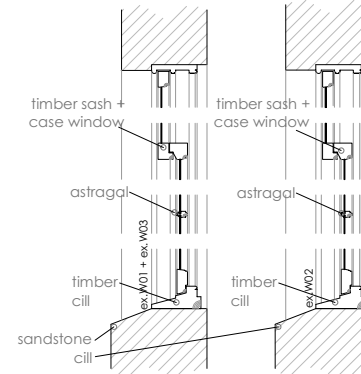
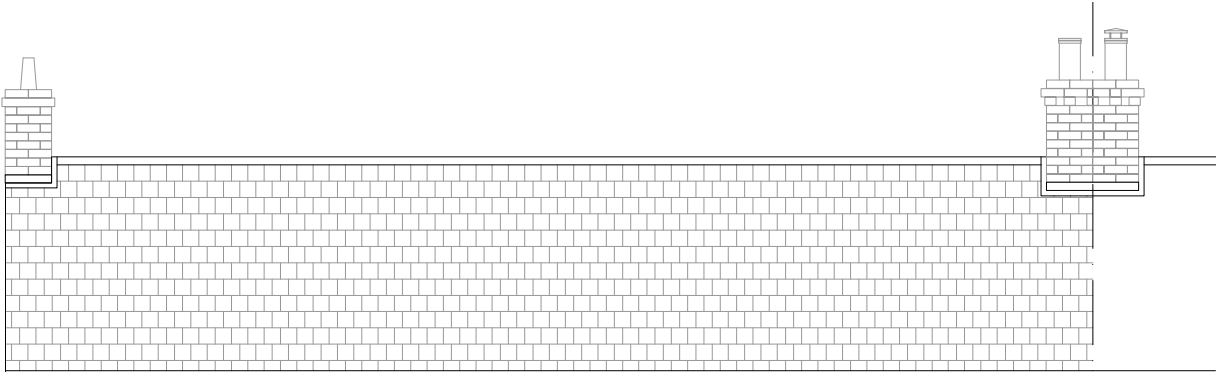
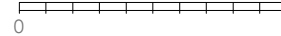
ajfitchet | architect
www.ajfitchet.com

prospect III | gemini crescent | dundee
 01382 339589 | studio@ajfitchet.com



plan | ground (part)

scale bar | 1:20

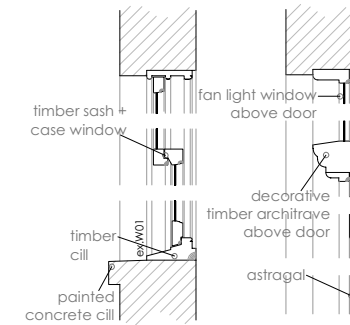


details | ex.W01, ex.W02 + ex.W03

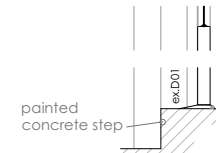


elevation | south

scale bar | 1:50



detail | ex.W04



detail | ex.D01

the copyright of this drawing subsists with
ajfitchet | architect llp.
 do not scale for construction purposes
 refer all dimensional queries to architect
 read in conjunction with all other drawings

a	details added	02.08.23
-	first issue	25.07.23
rev.	desc.	issued

mr + mrs duffy
replacement windows to gf
melville terrace, southbank, erol

description. | **existing front elevation**
 drawing no. | **654_S_101**

status | survey
 scale | 1:50
 paper size | A3L

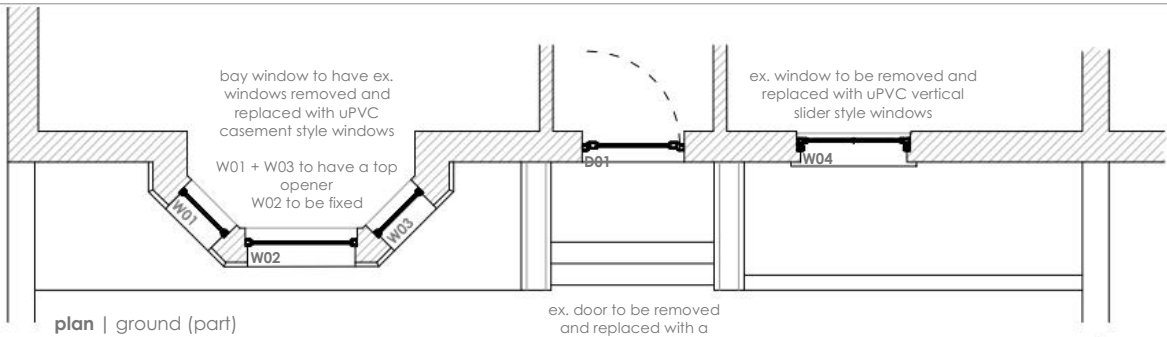


drawn | LW checked | AJF

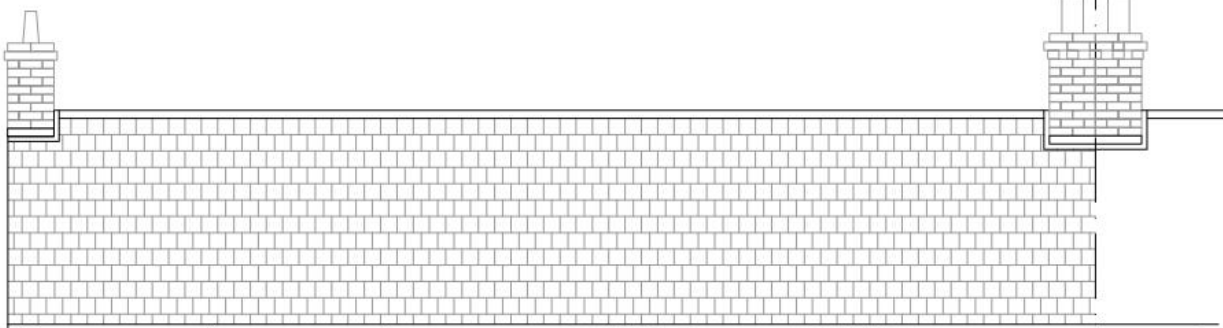


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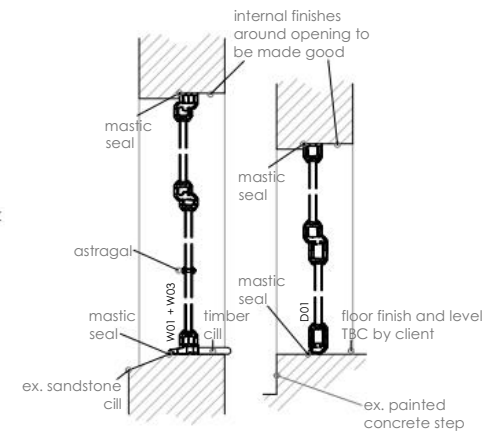
prospect III | gemini crescent | dundee
 01382 339589 | studio@ajfitchet.com



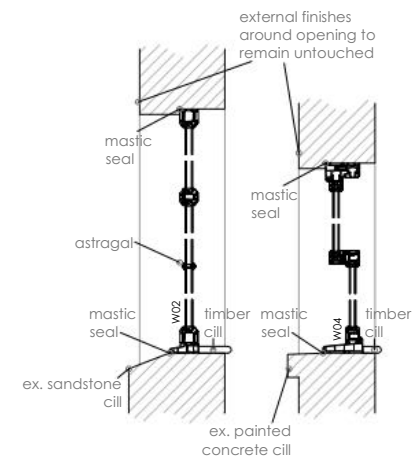
plan | ground (part)



elevation | south



details | W01, W03 + D01



details | W02 + W04

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ajfitchet | architect llp.
 do not scale for construction purposes
 refer all dimensional queries to architect
 read in conjunction with all other drawings

rev.	desc.	date
a	client amends	26.07.23
-	first issue	25.07.23
		issued

mr + mrs duffy
replacement windows to gf
melville terrace, southbank, erol

description. | **prop. elevation**
 drawing no. | **654_P_301**

status | planning
 scale | 1:50
 paper size | A3L

drawn | LW checked | AJF



ajfitchet | architect
www.ajfitchet.com

prospect III | gemini crescent | dundee
 01382 339589 | studio@ajfitchet.com