

**LRB-2023-35**

**23/00784/FLL – Alterations and extension to dwellinghouse, Ardbeag, North Street, Burrelton, Blairgowrie, PH13 9NZ**

**PLANNING DECISION NOTICE**

**REPORT OF HANDLING**

**REFERENCE DOCUMENTS** *(part included in applicant's submission, pages 355-366)*





Ms S Al-Gayaar  
c/o Norman MacLeod  
18 Walnut Grove  
Blairgowrie  
PH10 6TH

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **28th June 2023**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **23/00784/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 11th May 2023 for Planning Permission for **Alterations and extension to dwellinghouse Ardbeg North Street Burrelton Blairgowrie PH13 9NZ**

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

- 1 The proposed extension, by combination of its height, excessive projection and proximity to the adjoining semi-detached dwellinghouse, would result in an imposing and oppressive impact, to the detriment of the visual and residential amenity of the area.

Refusal would therefore be in line with Policy 14(c) of National Planning Framework 4, which states that development proposals that are poorly designed and detrimental to the amenity of the surrounding area will not be supported. Furthermore, approval would be contrary to Policies 14(a)+(b) of National Planning Framework 4, Policies 1A, 1B(c) and 17(c) of Perth & Kinross Local Development Plan 2 2019 and the Perth & Kinross Placemaking Guide 2020, which seek to ensure that developments contribute positively to the quality of the surrounding built environment in terms of design, position, proportions, and appearance in order to respect the character and amenity of the place, and to protect and where possible improve existing visual and 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.

**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](http://www.pkc.gov.uk) "Online Planning Applications" page.**

Plan Reference

01

02

03

04

05

# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	23/00784/FLL	
Ward No	P2- Strathmore	
Due Determination Date	10th July 2023	
Draft Report Date	27th June 2023	
Report Issued by	KS	Date 27th June 2023

**PROPOSAL:** Alterations and extension to dwellinghouse

**LOCATION:** Ardbeag North Street Burrelton Blairgowrie PH13 9NZ

### SUMMARY:

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

### BACKGROUND AND DESCRIPTION OF PROPOSAL

Ardbeg is a semi-detached bungalow which is located on North Street in Burrelton. This application seeks detailed planning permission for the extension of the house to the rear (west).

### SITE HISTORY

None

### PRE-APPLICATION CONSULTATION

Pre application Reference: Not Applicable.

### DEVELOPMENT PLAN

The Development Plan for the area comprises National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2 (2019) (LDP2).

#### National Planning Framework 4

The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan. The Council's assessment of this application has considered the following policies of NPF4:

Policy 14: Design, quality and place

Policy 16: Quality homes

## **Perth and Kinross Local Development Plan 2 – Adopted November 2019**

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance. The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 17: Residential Areas

### **Statutory Supplementary Guidance**

- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

### **NATIONAL GUIDANCE**

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

#### **Planning Advice Notes**

The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management

#### **Creating Places 2013**

Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

#### **Designing Streets 2010**

Designing Streets is the policy statement in Scotland for street design and changes the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It was created to support the Scottish Government's place-making agenda, alongside Creating Places.

### **CONSULTATION RESPONSES**

None

## REPRESENTATIONS

No letters of representation have been received in relation to this proposal.

### Additional Statements Received:

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Applicable
Appropriate Assessment	Habitats Regulations – AA Not Required
Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

## APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises NPF4 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

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

### Policy Appraisal

In general terms, alterations and extensions to an existing domestic dwellinghouse are considered to be acceptable in principle. Nevertheless, consideration must be given to the specific details of the proposed development, within the context of the application site, and whether it would have an adverse impact upon visual or residential amenity or the character and appearance of the place.

### Design and Layout

Ardbeag is a semi-detached bungalow which is located on North Street in Burrelton. The property has previously had a flat-roofed kitchen/bathroom/store extension added to the rear.

This application seeks detailed planning permission for the erection of a larger extension to the rear (west).

## **Visual and Residential Amenity**

The proposed extension projects 7.1 metres from the house (by comparison the existing extension projects by 2.5 metres). As the depth of the house is 6.3 metres, the proposed extension has the appearance of being disproportionately large, compared to the host building. This is contrary to Perth & Kinross Placemaking Guide 2020, which states that *“an extension should be a subordinate addition in all respects”*. The appearance of the excessive projection is exacerbated by the awkward roof junction, with the lean-to attaching to the bungalow above the eaves level.

The extension would also be located just 250mm from the boundary with the adjoining semi-detached bungalow. Given the excessive projection and close proximity, the extension would have an imposing and oppressive appearance, which would adversely impact the residential amenity of the adjoining property. This is contrary to the Perth & Kinross Placemaking Guide 2020, which states that; *“A single storey rear extension of 4m depth, from the original building’s rear wall, would in many circumstances be acceptable; even if directly on a property boundary. Thereafter the extension would have to step back from the boundary at an angle of 45 degrees from a point 4m from the original back wall of the property”*.

Furthermore, the proposed extension has a footprint of 66.66sqm, compared to 71.5sqm for the original dwellinghouse. This equates to a footprint extension of 93 percent of the original footprint. Although this would not result in overdevelopment of the garden ground, it is again a reflection of the excessive proportions when compared to the host building.

Account has been taken of the varied extensions in the surrounding built environment. However, refusal would be in line with Policy 14(c) of National Planning Framework 4, which states that development proposals that are poorly designed and detrimental to the amenity of the surrounding area will not be supported.

Furthermore, approval would be contrary to Policies 14(a)+(b) of National Planning Framework 4, Policies 1A, 1B(c) and 17(c) of Perth & Kinross Local Development Plan 2 2019 and the Perth & Kinross Placemaking Guide 2020, which seek to ensure that developments contribute positively to the quality of the surrounding built environment in terms of design, position, proportions, and appearance in order to respect the character and amenity of the place, and to protect and where possible improve existing visual and residential amenity.

## **Developer Contributions**

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

## **Economic Impact**

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



## **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **CONCLUSION AND REASONS FOR DECISION**

To conclude, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the Development Plan. Accordingly, the proposal is refused on the grounds identified below.

### **Conditions and Reasons**

- 1 The proposed extension, by combination of its height, excessive projection and proximity to the adjoining semi-detached dwellinghouse, would result in an imposing and oppressive impact, to the detriment of the visual and residential amenity of the area.

Refusal would therefore be in line with Policy 14(c) of National Planning Framework 4, which states that development proposals that are poorly designed and detrimental to the amenity of the surrounding area will not be supported. Furthermore, approval would be contrary to Policies 14(a)+(b) of National Planning Framework 4, Policies 1A, 1B(c) and 17(c) of Perth & Kinross Local Development Plan 2 2019 and the Perth & Kinross Placemaking Guide 2020, which seek to ensure that developments contribute positively to the quality of the surrounding built environment in terms of design, position, proportions, and appearance in order to respect the character and amenity of the place, and to protect and where possible improve existing visual and 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.

### **Informative Notes**

Not Applicable.

### **Procedural Notes**

Not Applicable.

## **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

01

02

03

04

05



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100628205-001

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

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Demolition, alterations and extension to form a kitchen and bathroom

Has the work already been started and/ or completed? \*

No  Yes - Started  Yes - Completed

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

You must enter a Building Name or Number, or both: \*

First Name: \*

Building Name:

Last Name: \*

Building Number:

Telephone Number: \*

Address 1 (Street): \*

Extension Number:

Address 2:

Mobile Number:

Town/City: \*

Fax Number:

Country: \*

Postcode: \*

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:

You must enter a Building Name or Number, or both: \*

Other Title:

Building Name:

First Name: \*

Building Number:

Last Name: \*

Address 1 (Street): \*

Company/Organisation

Address 2:

Telephone Number: \*

Town/City: \*

Extension Number:

Country: \*

Mobile Number:

Postcode: \*

Fax Number:

Email Address: \*

## Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

ARDBEAG

Address 2:

NORTH STREET

Address 3:

BURRELTON

Address 4:

Address 5:

Town/City/Settlement:

BLAIRGOWRIE

Post Code:

PH13 9NZ

Please identify/describe the location of the site or sites

Northing

736942

Easting

319878

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

Yes  No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Norman MacLeod

On behalf of: Ms S Al-Gayaar

Date: 11/05/2023

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.  Yes  No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Norman MacLeod

Declaration Date: 11/05/2023

## Payment Details

Pay Direct

Created: 11/05/2023 10:29