

LRB-2023-28

**22/02173/FLL – Alteration and extension to dwellinghouse,
29 Pitheavlis Crescent, Perth, PH2 0JX**

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 32-47)*



Mr Gary Bell
c/o Atelier-M Ltd
Alan Macdonald
The Studio
77 Main Street
Longforgan
Perthshire
DD2 5EW

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **10th May 2023**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **22/02173/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 January 2023 for Planning Permission for **Alterations and extension to dwellinghouse 29 Pitheavlis Crescent Perth PH2 0JX.**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposed dormer, by virtue of design, massing and siting, does not respect the character of the existing house.

Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

2. The proposed dormer, by virtue of design, scale, massing, siting and height above the ground level, would be detrimental to the visual amenity of the surrounding area.

Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2.

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 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

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REPORT OF HANDLING

DELEGATED REPORT

Ref No	22/02173/FLL	
Ward No	P10- Perth City South	
Due Determination Date	9th March 2023 Extended to 9th May 2023	
Draft Report Date	5th May 2023	
Report Issued by	DR	Date 5 th May 2023

PROPOSAL: Alterations and extension to dwellinghouse

LOCATION: 29 Pitheavlis Crescent Perth PH2 0JX

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

The application property is a semi-detached dwellinghouse situated in a residential area of Perth. Full planning permission is sought for:

- The erection of a single storey extension on the northeast (rear) elevation of the house. Due to the sloping nature of the site, the extension is to be at basement level.
- The formation of a dormer on the northeast (rear) facing roof plane.

SITE HISTORY

12/02028/FLL Alterations and extension to dwellinghouse 25 January 2013
Application Approved

15/00483/LAW Alterations to dwellinghouse 5 May 2015 Application Approved

PRE-APPLICATION CONSULTATION

Pre application Reference: n/a

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 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

CONSULTATION RESPONSES

Scottish Water
No objection

REPRESENTATIONS

No representations were received.

Additional Statements Received:

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment under Habitats Regulations	Habitats Regulations AA Not Required
Design Statement or 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

Alterations and extensions to existing domestic dwellinghouses are generally considered to be supportable in principle. Nevertheless, consideration must be given to the scale, form, massing, design, position, proportions, and external finishes of the proposed development, within the context of the application site, and whether it would have an adverse impact upon visual or residential amenity.

Assessment of the proposal against the relevant policies is provided below.

Design, Layout and Visual Amenity

The proposed basement-level extension would be a subordinate addition to the rear to the dwellinghouse. The finishing materials, the shape of the roof and the large areas of glazing give the extension a contemporary design. Due to its scale, design and siting, the extension would not detract from the character of the house, and it would not be detrimental to the visual amenity of the area.

The Perth & Kinross Placemaking Supplementary Guidance 2020 provides guidance on appropriate designs for dormers, including: dormers should not be overly dominant; they should be set back from the wall-head; and the front face should be predominantly glazed. These matters are of relevance to the dormer currently under consideration.

The proposed dormer also has a contemporary design. It is to have a flat roof that is to be set just below the ridge line of the roof. Its front face is to be on the wall-head of the house, with cladding extending out as far as the edge of the overhang of the roof. The dormer is to be clad in zinc with a pair of full height glazed doors with a Juliette balcony and a smaller high-level window in the front face. As a result, a significant proportion of the face of the dormer will have cladding rather than glazing.

Due to its design, massing and siting, the dormer does not respect the character of the existing house. As such, the dormer is contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

Due to the topography of the site and the surrounding area and the layout of the streets in the vicinity, the proposed dormer would be a highly visible addition to the rear of the house. Due to its design, scale, massing, siting and height above the ground level at the rear of the house, the dormer would be detrimental to the visual amenity of the surrounding area. As such, the dormer is contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, and contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2.

The concerns about the design of the dormer were raised with the applicant's agent during the assessment of the application and some revisions to the design were proposed. However, the changes did not result in the front of the dormer being set significantly back from the wall head, which is likely to have reduced the visual prominence of the dormer and been beneficial to its massing.

Residential Amenity

Given the layout of the houses and the topography of the area, there is a high intervisibility across many of the rear gardens and houses in the surrounding area.

Due to the topography of the application site, there is currently a degree of overlooking of neighbouring properties from the ground floor windows on the rear of the application dwellinghouse, which are effectively at a first-floor height above ground level. There is also overlooking from the external stairs on the rear of the house. Fences around the boundary of the rear garden provide some screening of neighbouring properties, but mainly from the basement level of the house.

Given the existing levels of overlooking and screening, the proposed basement-level extension would not result in an undue increase in the overlooking of neighbouring properties.

The window and glazed doors on the front of the dormer would be 9 metres from the boundary they face. Given this distance, the existing levels of overlooking and screening, and the existing intervisibility in the area, the proposed dormer would not result in an undue increase in the overlooking of neighbouring properties.

As such, the proposal is in accordance with Policy 16(g)(ii): Quality Homes of National Planning Framework 4 and Policy 17: Residential Areas of the Perth and Kinross Local Development Plan 2.

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.

Reasons for Refusal

1. The proposed dormer, by virtue of design, massing and siting, does not respect the character of the existing house.

Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

2. The proposed dormer, by virtue of design, scale, massing, siting and height above the ground level, would be detrimental to the visual amenity of the surrounding area.

Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2.

Justification

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

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

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Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: 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 100610092-001

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)

Proposed alterations to 29 Pitheavlis Crescent to include a rear single storey extension and attic conversion with rear dormer

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:	Atelier-M Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Alan	Building Name:	The Studio
Last Name: *	Macdonald	Building Number:	77
Telephone Number: *		Address 1 (Street): *	Main Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Longforgan
Fax Number:		Country: *	Perthshire
		Postcode: *	DD2 5EW
Email Address: *			

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Gary	Building Number:	
Last Name: *	Bell	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:

29 PITHEAVLIS CRESCENT

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PERTH

Post Code:

PH2 0JX

Please identify/describe the location of the site or sites

Northing

723057

Easting

310709

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: Alan Macdonald

On behalf of: Mr Gary Bell

Date: 09/12/2022

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 Alan Macdonald

Declaration Date: 09/12/2022

Payment Details