

<p>TCP/11/16(359) Planning Application 15/00007/FLL – Alterations to dwellinghouse, 47 Ashgrove, Perth, PH1 1HP</p>

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TCP/11/16(359)
Planning Application 15/00007/FLL – Alterations to
dwellinghouse, 47 Ashgrove, Perth, PH1 1HP

**PAPERS SUBMITTED
BY THE
APPLICANT**

27 APR 2015

RECEIVED

24 APR 2015

Notice of Review

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

JOHN TAIT

Address

47 ASHGROVE
PERTH

Postcode

PH1 1HP

Contact Telephone 1

[REDACTED]

Contact Telephone 2

—

Fax No

E-mail*

[REDACTED]

Agent (if any)

Name

JOHN F. BRIEN

Address

THE COACH HOUSE
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Postcode

PH2 7DF

Contact Telephone 1

01738 623304

Contact Telephone 2

07879 840631

Fax No

—

E-mail*

john_brien@
btinternet.com

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

Yes No

☒ ☐

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

Planning authority

PERTH & KINROSS COUNCIL

Planning authority's application reference number

15/00007/FLL

Site address

47 ASHGROVE PERTH PH1 1HP

Description of proposed
development

ALTERATIONS TO DWELLINGHOUSE

Date of application

23/12/2014

Date of decision (if any)

05/03/2015

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) | <input checked="" type="checkbox"/> |
| 2. Application for planning permission in principle | <input type="checkbox"/> |
| 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) | <input type="checkbox"/> |
| 4. Application for approval of matters specified in conditions | <input type="checkbox"/> |

Reasons for seeking review

- | | |
|---|-------------------------------------|
| 1. Refusal of application by appointed officer | <input type="checkbox"/> |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/> |
| 3. Conditions imposed on consent by appointed officer | <input checked="" type="checkbox"/> |

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 | <input type="checkbox"/> |
| 2. One or more hearing sessions | <input type="checkbox"/> |
| 3. Site inspection | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input type="checkbox"/> |

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 request a review as permission was granted subject to a condition with which we disagree i.e. condition No.2 requesting that the dormer be finished in a white dry dash render to match the existing house.

The reason given was :- "in the interest of visual amenity; to ensure a satisfactory standard of local environmental quality"

The original elevation drawings (enclosed) show the dormer as being clad with PVC weatherboarding. There is so little of it that we can't see how, compared with any other finish, it could impact on the "visual amenity" of the area and certainly could not "adversely affect the standard of local environmental quality".

Notwithstanding the above, there are many examples in the neighbourhood of dormers and other extensions using a variety of external finishes which in our opinion do not affect visual amenity in any way and we therefore request that this spurious condition be removed from the conditions imposed on the permission.

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.

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.

Elevation drawings as submitted 23/12/2014

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

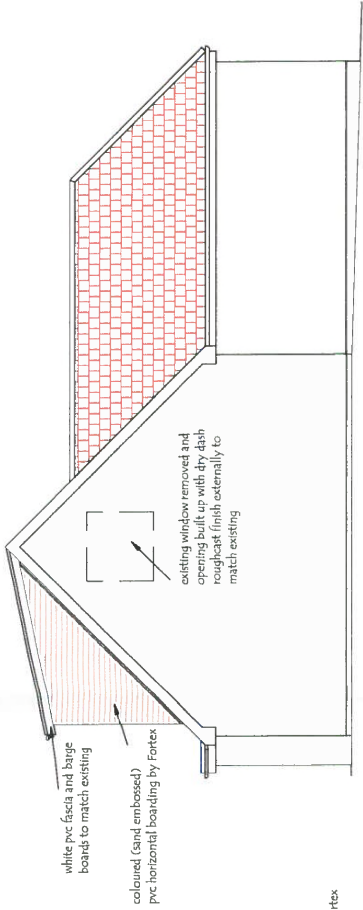
I the ~~applicant~~ agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

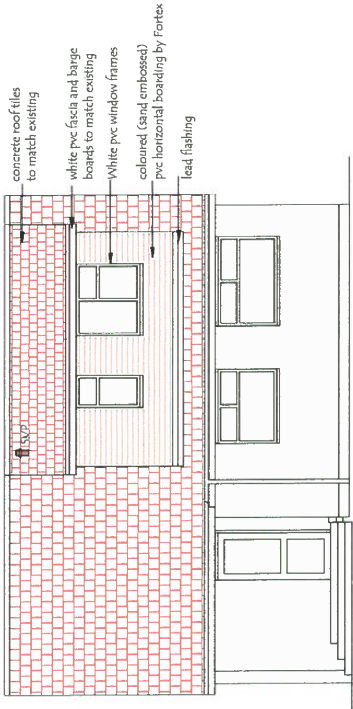


Date

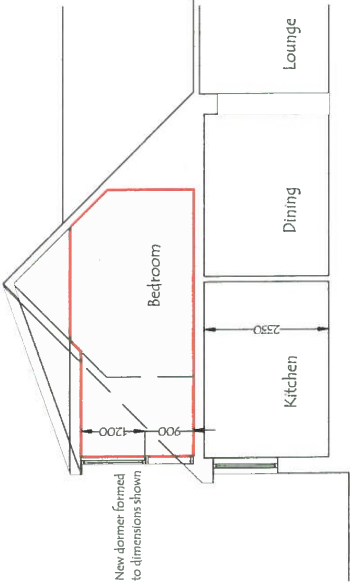
23/04/2015



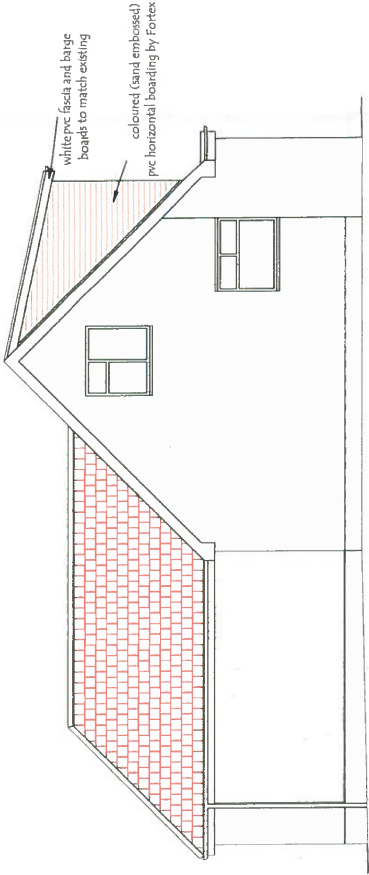
North East Elevation as proposed 1:100



South East Elevation as proposed 1:100



Cross Section as proposed 1:100



South West Elevation as proposed 1:100



Plans as proposed

Alterations and extension
to 47 Ashgrove, Perth

John F. Brien
The Coach House, Bowerswell Road, Perth
Tel. 01738 623504
e-mail john_brien@btinternet.com

<p>TCP/11/16(359) Planning Application 15/00007/FLL – Alterations to dwellinghouse, 47 Ashgrove, Perth, PH1 1HP</p>

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENT *(part included in applicant's submission, see page 201)*

PERTH AND KINROSS COUNCIL

Mr John Tait
c/o John F Brien Architect
John Brien
The Coach House
Bowerswell Road
Kinnoull
Perth
PH2 7DF

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 5 March 2015

Town and Country Planning (Scotland) Acts.

Application Number **15/00007/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 16th January 2015 for planning permission for **Alterations to dwellinghouse** at 47 Ashgrove Perth PH1 1HP subject to the undernoted conditions.

Development Quality Manager

Conditions referred to above

- 1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

Reason - To ensure that the development is carried out in accordance with the plans approved.

- 2 Notwithstanding the details shown on the drawings, unless otherwise agreed in writing the dormer window shall be finished in a white dry dash render to match the existing dwellinghouse, to the satisfaction of the Council as Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.

The plans 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

15/00007/1

15/00007/2

15/00007/3

15/00007/4

15/00007/5

15/00007/6

15/00007/7

REPORT OF HANDLING

DELEGATED REPORT

Ref No	15/00007/FLL	
Ward No	N10- Perth City South	
Due Determination Date	15.03.2015	
Case Officer	Gillian Peebles	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Alterations to dwellinghouse

LOCATION: 47 Ashgrove Perth PH1 1HP

SUMMARY:

This report recommends **approval** of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

DATE OF SITE VISIT: 5 February 2015

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site refers to an extended detached dwellinghouse located within Ash Grove in the Oakbank Area of Perth. The property is located within a long established residential area where there a variety of differing house types, many of them having gabled frontages. This particular property is one and a half storeys in height and set back approximately 13.5 metres from the public footpath.

There is no defined building line along Ash Grove with many of the residential units having larger front gardens than rear gardens which has given more flexibility with extensions on the principal elevation.

Planning consent is sought to extend the dwellinghouse further by means of a dormer window on the principal (south east) elevation of the dwellinghouse. This will allow for an enlargement to bedroom one and for the installation of an en-suite.

SITE HISTORY

97/01310/FUL Extension to house (Application Permitted)

PRE-APPLICATION CONSULTATION

No pre application enquiry has been received in relation to this proposal.

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy RD1 - Residential Areas

In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private open space to be retained changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy PM1A - Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

OTHER POLICIES

None

CONSULTATION RESPONSES

None required.

REPRESENTATIONS

None at time of report

ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact 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 for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

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

The site is located within the settlement boundary of Perth where Policies RD1: Residential Areas and PM1A: Placemaking are directly applicable. Policy RD1 states that residential amenity will be protected and, where possible, improved. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area. Policy PM1A of the Local Development Plan seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. The scale and design of the proposal is not considered to impact on the character and amenity of the surrounding area.

Design and Layout

The dormer window is proposed on the principal elevation of the dwellinghouse set in approximately 0.7 metres from the north east roof slope, 4.2 metres from the south west roof slope and set back approximately 0.3 metres from the wallhead. It will extend to a length of approximately 4.6 metres. It will have a pitched roof finished in roof tiles to match existing. The walls will be finished in pvc horizontal boarding (sand embossed).

Landscape

The proposal is set within existing garden ground and would have no adverse impact on the wider landscape.

Residential Amenity

I have taken account of overlooking and overshadowing and consider this proposal would have no material effect on the amenity of the neighbouring property, as regards loss of privacy, loss of daylight or sunlight.

Visual Amenity

The formation of a dormer window has a major impact on the appearance of a property more so on the principal elevation. Generally dormer windows are best suited to the rear of a property providing there is scope to do so. In this particular case this is not possible due to a previous extension on the rear (north west) elevation.

In general, an appropriate dormer extension should as a minimum:

- Be set below the ridgeline of the roof.
- Be set back from the wall-head.
- Be generally of pitched roof form.
- Be physically contained within the roof pitch.
- Relate to windows and doors in the lower storey(s) in terms of character, proportion and alignment.
- Have the front face predominantly glazed.
- Not extend more than half the length of the roof plane.

Whilst the proposed dormer meets with the majority of the criteria above it is not set below the ridgeline of the existing roof and is borderline more than half the length of the roof plane. As the dormer has a pitched roof finished in tiles to match the existing roof I do not consider it will be visually obtrusive. The only concern I have is with the finishing materials on the walls which comprises of pvc horizontal boarding (sand embossed). I do not think it will be visually pleasing introducing a further material on the principal elevation and as such consider it would be more appropriate for the walls to be finished in a white render to match the existing house, therefore, any approval will be conditioned appropriately.

In terms of its size within the roofslope, I would have preferred for it to be smaller, however, in reducing its size I am not overly convinced it would improve its appearance. As there is no established building line along this section of Ash Grove there is a variety of differing house types, many of which having been significantly extended. For this reason I do not consider the proposal will create an unacceptable visual impact on dwellinghouse or the surrounding area.

Roads and Access

I do not have any concerns with roads or access matters.

Drainage and Flooding

The site is not within an area at risk of flooding. There are no concerns with drainage as part of this proposal.

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.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions.

APPLICATION PROCESSING TIME

The recommendation for this application has been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

- 1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

Reason - To ensure that the development is carried out in accordance with the plans approved.

- 2 Notwithstanding the details shown on the drawings, unless otherwise agreed in writing the dormer window shall be finished in a white dry dash render to match the existing dwellinghouse, to the satisfaction of the Council as Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

Justification

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- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

15/00007/1
15/00007/2
15/00007/3
15/00007/4
15/00007/5
15/00007/6
15/00007/7

Date of Report 23.02.2015

47 Ashgrove, Ash Grove, Perth, PH1 1HP



Block Plan shows area bounded by: 308542.0,723297.0 308632.0,723387.0 (at a scale of 1:500). The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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PERTH AND KINROSS COUNCIL

DRAWING REF: 15/000021

47 Ashgrove, Ash Grove, Perth, PH1 1HP



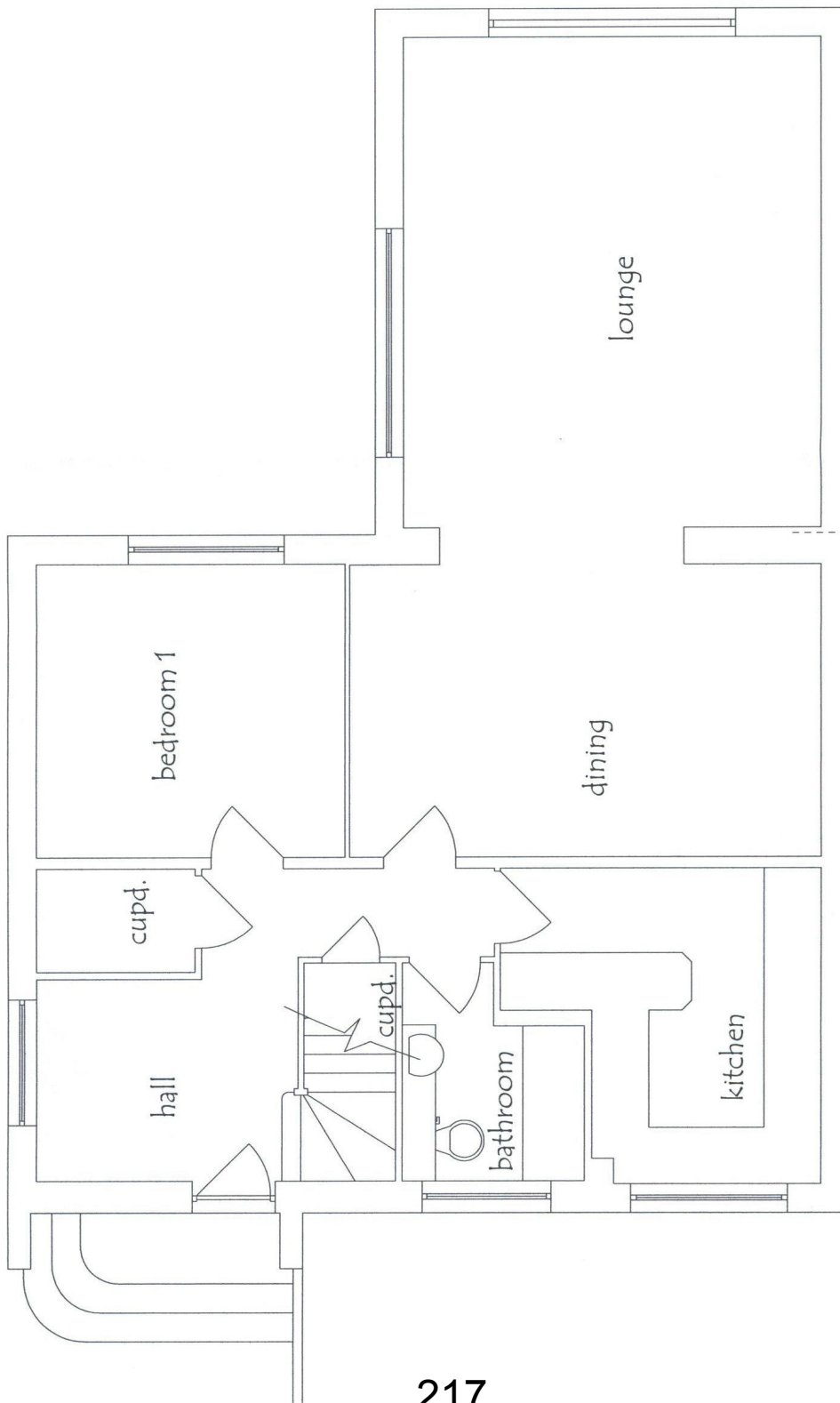
Site Plan shows area bounded by: 308487.0,723242.0 308687.0,723442.0 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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PERTH AND KINCROSS COUNCIL

DRAWING REF: 15/00007/2



Ground floor as existing 1:50

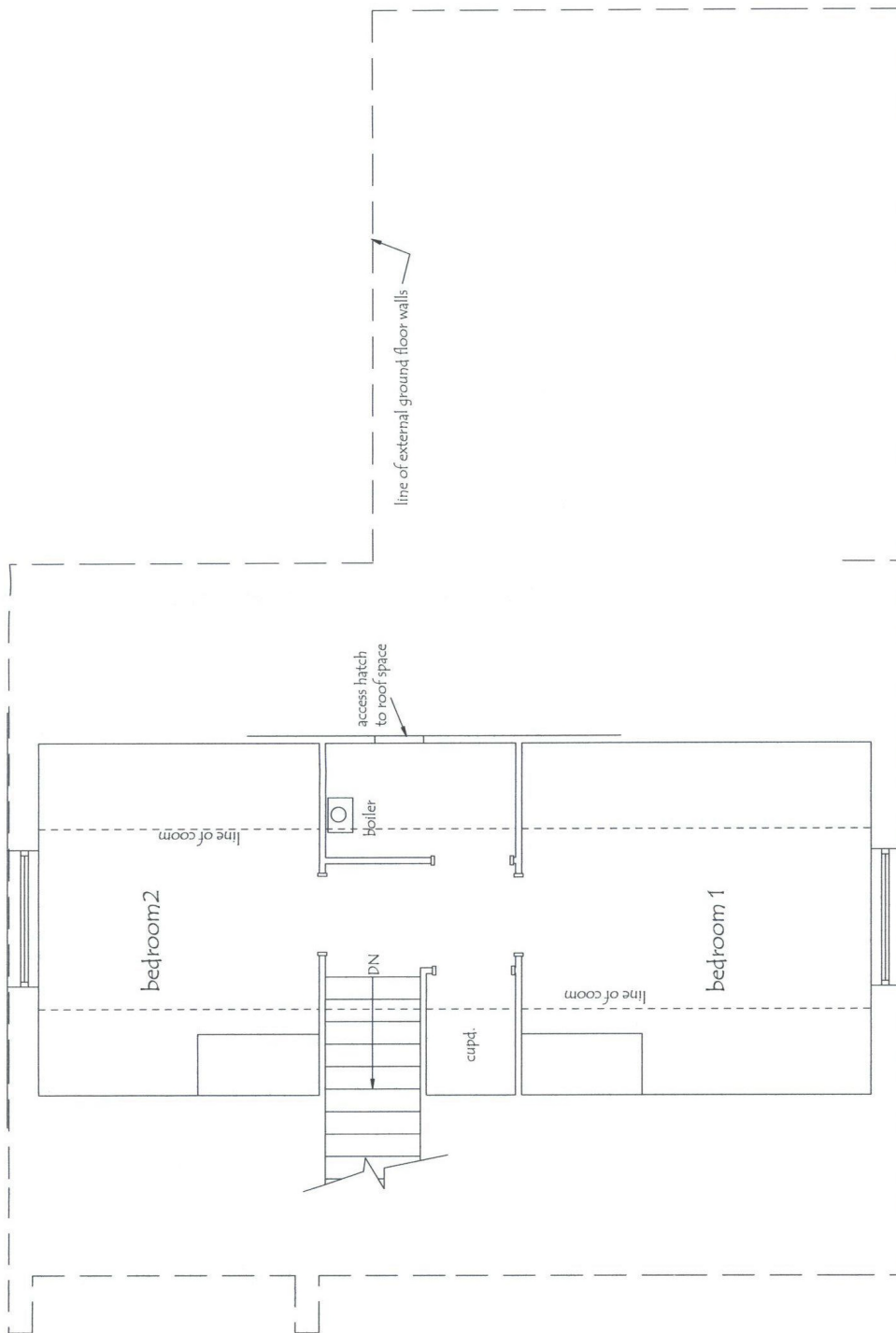
PERTH AND KINROSS COUNCIL

DRAWING REF: 15/00087/4

Plans as existing
scale 1:50

Alterations and extension
to 47 Ashgrove, Perth

John F. Brien
The Coach House, Bowerswell Road, Perth
Tel. 01738623304
architect



First floor plan as existing 1:50

PERTH AND KINROSS COUNCIL

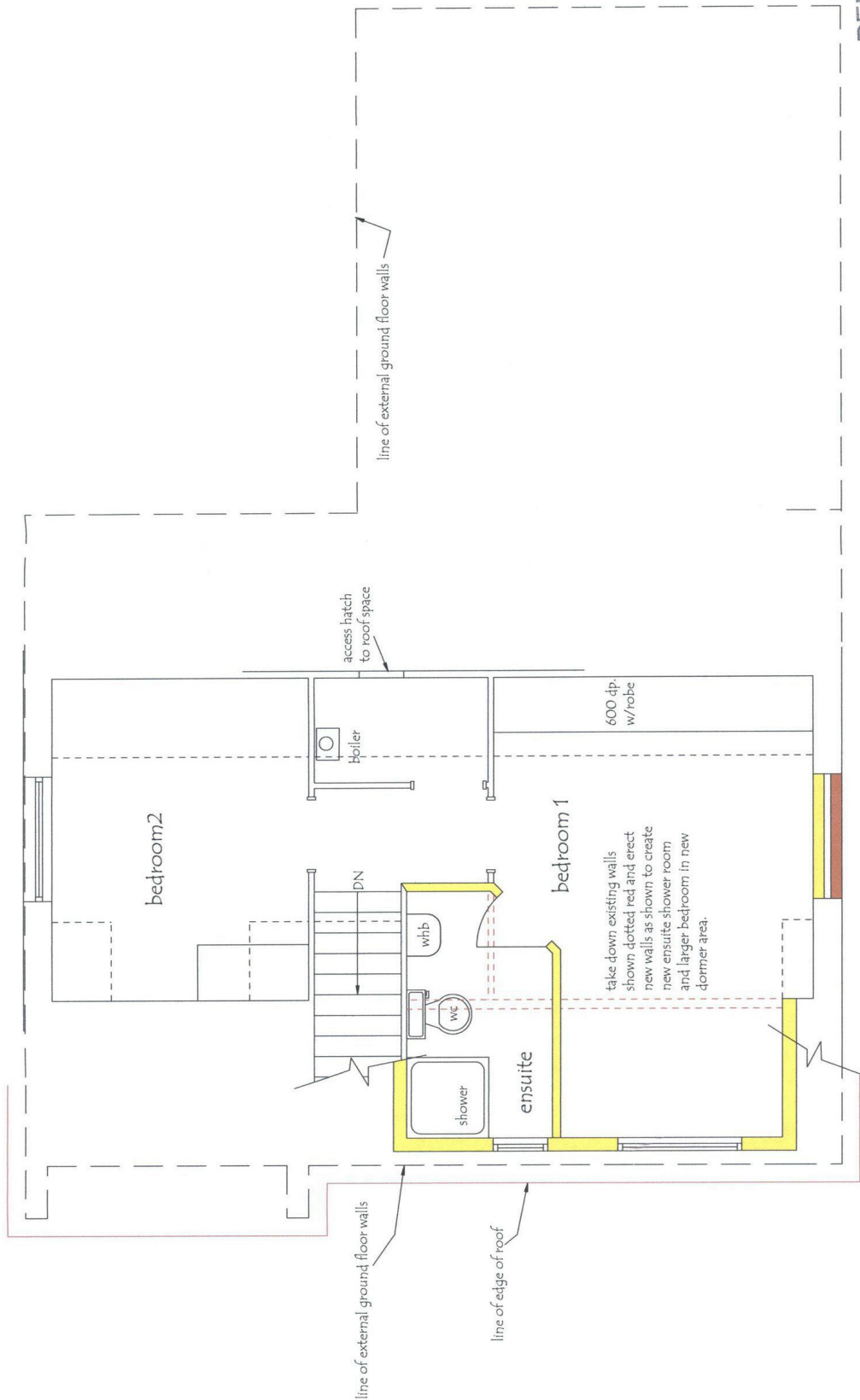
DRAWING REF: 15/00002/5
plans as existing

scale 1:50

Alterations and extension
to 47 Ashgrove, Perth



John F. Brien
The Coach House, Bowerswell Road, Perth
Tel. 01753623504
architect



PERTH AND KIRROGS COUNCIL

First floor plan as proposed 1:50

DRAWING REF: 15/00007/6

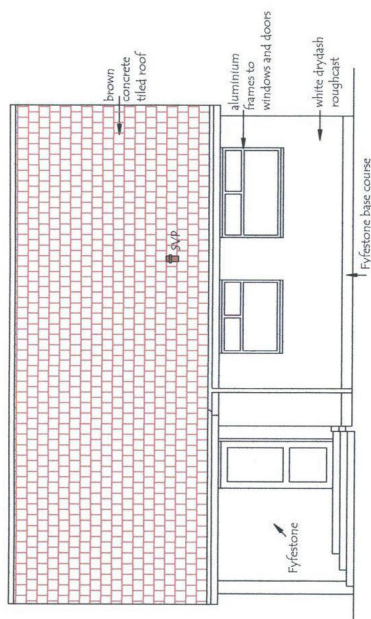
Plans as proposed

scale 1:50

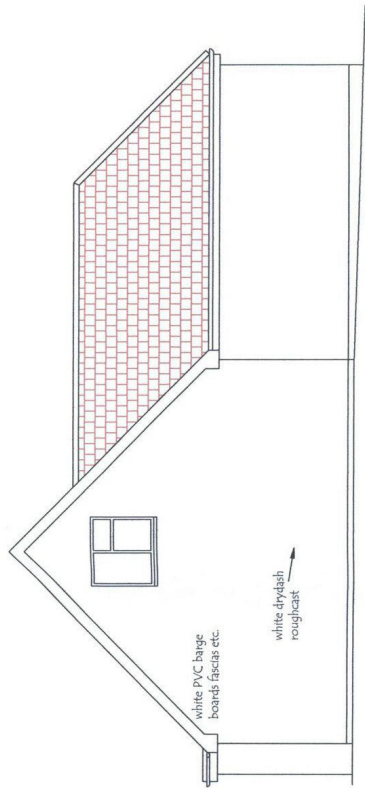
Alterations and extension
to 47 Ashgrove, Perth

John F. Brien
The Coach House, Bowerswell Road, Perth
Tel. 01738623304

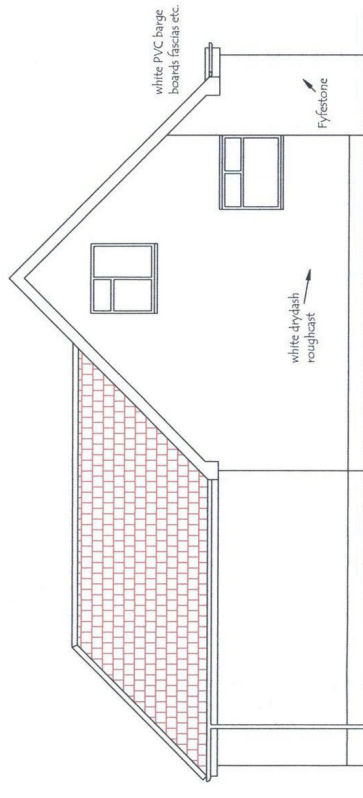




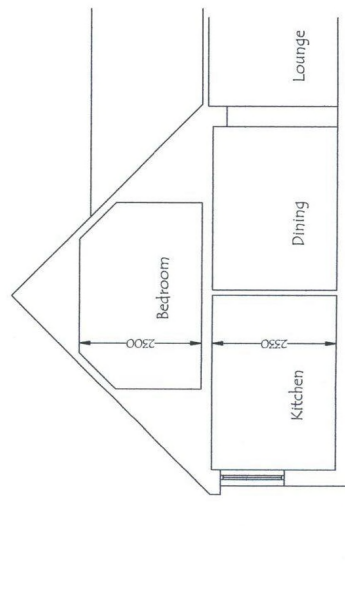
South East Elevation as existing 1:100



North East Elevation as existing 1:100



South West Elevation as existing 1:100



Cross Section as existing 1:100



PERTH AND KINGS COUNCIL

DRAWING NO. 15/00000000

Plans as existing

Alterations and extension
to 47 Ashgrove, Perth

John F. Brien architect
The Coach House, Bowerswell Road, Perth
Tel. 01738 623304
e-mail john_brien@btinternet.com