

**TCP/11/16(316)**  
**Planning Application 14/00445/FLL - Alterations and extension to dwellinghouse to form ancillary accommodation and installation of solar panels, Earnbank House, Kinkell, Strathallan, Auchterarder, PH2 1LD**

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**PAPERS SUBMITTED  
BY THE  
APPLICANT**

- Design and Access Statement
- Occupational Therapy Report

Confidential

# DESIGN AND ACCESS STATEMENT

Earnbank House  
Kinkell Bridge  
Perthshire  
PH3 1LD

Alterations and Extension to create a Barrier Free Family Home



25<sup>th</sup> May 2014

**APS**

The Old Schoolhouse  
Invergeldie,  
Glenlednock,  
Comrie,  
Perthshire,  
PH6 2LY

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### 5.0 SUMMARY

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**Note** - The Design and Access Statement should be read in conjunction with:

- 1. Occupational Therapy Report by Rhona Macleod-Garrad dated 19/5/2014.
- 2. Drawings MKB02, MKB05B and MKB25B.
- 3. Photo Appraisals 1 & 2.

## **1.0 SITE DESCRIPTION**

### **1.1 Site location and description**

Earnbank House is located on the south side of the River Earn close to Kinkell Bridge. It is situated in secluded garden ground extending to approximately 0.28 hectares and has open views to the south over rolling fields and farmland.

### **1.2 Earnbank House**

The house is stone built with a pitched and slated roof. The original part of the building dates from about 1830 and a later extension was probably added between 1860 and 1885. A further small extension was added, after demolition of an earlier lean-to structure, at some point in the last century. The building is B listed.

The main part of the house is a handsome building, late Georgian, still with original windows and doors on its principal (north) elevation. The Victorian extension on the south elevation is not as original and windows have been added and altered at various times. An attic conversion of that extension was carried out in the nineteen seventies to add a study and bedroom above the kitchen. These rooms can only be accessed by way of a second staircase from the kitchen and not from the upper floor of the main part of the house.



Earnbank House from the north.



Rear extensions.

A striking feature of the house is the front elevation. Restrained and elegant around a central doorway it presents a harmonious symmetry in all aspects; window pattern, wall proportion, and chimney stacks.

### **1.3 History**

So far as can be determined Earnbank House was originally built as the home for the factor of the surrounding estate.

There is evidence that it originally had a substantial lean-to or flat roofed extension containing kitchen and scullery in the area where the small extension now sits.

The Victorian extension was possibly constructed for use as an estate office and store. Peculiarly, until the nineteen seventies, it had only one ground floor window and no stair access to the loft area on the upper floor. The opening from the west reception room in the main house is not original.

## 2.0 BACKGROUND INFORMATION

### 2.1 The Medley family and their home

The Medley family have owned and occupied Earnbank House for about forty years. They now have need of more space and an altered layout principally because Alex, their young son, suffers from a rare progressive motor neuron disorder, has greatly impaired mobility, and permanently requires walking aids.

Due to Alex's ongoing needs and taking into account the progressive nature of his condition, the house in its present form has many limitations. On the ground floor alone these include:

- The ground floor is not on one level and has internal steps between the kitchen & reception room and the kitchen & rear hall.
- Entry from the hall to the kitchen/dining room is cramped and awkward, mainly because it is constrained by the second stair.
- The openings from the main part of the house to the rear extensions are too narrow for walking aids/wheelchair use.
- The only bathroom in the house is on the ground floor, off the rear hall, in an area noted above as difficult to access.
- The bathroom is totally unsuitable for walking aids/wheelchair use.
- One of the reception rooms is in permanent use as a therapy room and also as Alex's emergency bedroom.

While Alex was a small child these inconveniences could be lived with but, now approaching his ninth birthday and growing bigger all the time, the barriers and constrictions are inhibiting his quality of life. This is particularly unfortunate given his fierce determination to live as independent and unassisted life as he possibly can.



Narrow hallway.



In the kitchen.



The bathroom door.

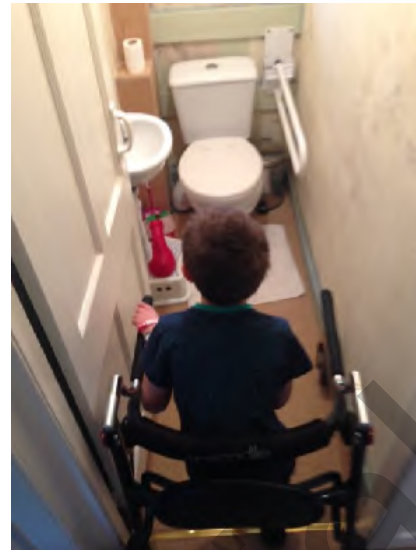
The upper floor too has limitations. The present toilet is only just big enough for use by the able bodied – for Alex it is virtually inaccessible. The main points that need to be addressed are:

- There is no bathroom or shower room on the upper floor.
- The third bedroom, presently occupied by Alex's sister, was originally a bathroom and is very small – too small for continued use.
- The fourth bedroom cannot be accessed from the main upper floor, requires a secondary stair, and feels "detached" from the rest of the house.





An awkward turn.



A tight fit!

Taking all of these weaknesses into consideration it can be seen clearly that the Medley family have a pressing need for more space and for a more “Alex friendly” home.

## 2.2 Description of Brief

The brief is to provide a four bedroom family home that is accessible by all of the family, with sufficient space for Alex to grow and flourish, and to allow him to live as much of an independent and unassisted life as possible. Specific requirements are therefore:

- To provide a level access ground floor with a layout suitable for unassisted living by a walking aids/wheelchair user. (This is to include a bedroom and shower room in case Alex’s mobility deteriorates to the point where access to the upper floor becomes impossible).
- To provide an spacious, accessible kitchen/dining/living area, with access to a garden room to take advantage of outlook to the south and west, and with the potential to incorporate doors directly to the garden.
- To provide a veranda or porch adjacent to a parking area to give covered access in all weather.
- To provide an additional bedroom on the upper floor to allow both young children to have separate bedrooms on the same floor as their parents.
- To provide appropriate bathroom facilities.

In view of the age and state of the property there is also a considerable amount of renovation, repair and upgrading work that needs to be carried. The proposed scheme will incorporate:

- A program of works for the restoration and repair of the existing building fabric including roof repairs and re-slating, repair and repainting of rainwater goods, re-pointing of stonework and repair of windows.
- Measures to improve the overall thermal performance of the house.

### **3.0 DESIGN PRINCIPLES**

Given the requirements identified in the brief it is clear that the design will have to provide additional space as well as specifying alterations to improve access within the original house.

A fundamental aspect of the design is the need to determine where that additional space can be added, and to what extent the present structure can be altered, and still remain predominantly compliant with the requirements of Historic Scotland.

The design process, has taken place in tandem with consultation with PKC Planning and Historic Scotland. It has shown that the most acceptable solution is to demolish the small lean-to extension to the rear. The lean-to, as noted earlier, is the most recent addition to Earnbank House and is also the least attractive part of the building. Demolition will provide part of the space necessary.

#### **3.1 Basic principles of the design**

The chosen solution is for demolition of an unattractive rear extension, construction of a new extension to replicate the Victorian extension, and an additional complimentary garden room extension on the west side which will be screened by existing garden walls and shrubs.

#### **3.2 Planning Guidance and Pre-Application Discussions**

Two pre-application enquiries have been made and these have provided detailed and useful criticism.

- (13/00553/PREAPP – 27<sup>th</sup> July 2013) - The first enquiry showed, as noted above, that there would likely be support for demolition of the small extension at the rear in order to free up space for a new extension.
- (14/00035/PREAPP – 16<sup>th</sup> January 2014) - The feedback received from the second enquiry was very specific and was particularly helpful in developing and refining the detail of the design. The final design has been adjusted to comply with the criteria set out at that stage.
- (14/00445/FLL – 18<sup>th</sup> March 2014) – Further feedback, particularly regarding loss of fabric in the main house, has also helped to inform the final design.

#### **3.2 Consultation with Historic Scotland**

Consultation and discussion has also taken place with Historic Scotland. Their comment and guidance has been central to the final design, both in broad principle and also with regard to detail.

- The decision to replicate the Victorian extension with the proposed new build appears, by consensus, to be the most appropriate way forward. The reasoning being that by following this course the symmetry of the principal (north) elevation will, to some extent, be applied to the rear.
- The original listing document mentions the “broad-eaved roof” and that detail will be adopted for the whole of the proposed new build structure.
- The listing also makes mention of the “original glazing” so that the new windows, where appropriate, will follow the style and proportion of the original.

## 4.0 DESIGN CRITERIA AND SOLUTION

**4.1 Key Issues** – The key issues in terms of position and appearance that must inform the design of extensions to listed buildings are clearly stated by Historic Scotland. Extensions:

- *must protect the character and appearance of the building;*
- *should be subordinate in scale and form;*
- *should be located on a secondary elevation;*
- *must be designed in a high quality manner using appropriate materials.*

These criteria determine that the proposed extension will have to be sited to the rear of the building and that the existing small lean-to extension will need to be demolished to provide the necessary space.

**4.2 Demolition of existing lean-to extension** – As stated above PKC Planning has agreed that demolition of the small lean-to is an acceptable option and that they will be:

*“unlikely to object to the removal of the existing lean to extension on the south elevation” (14/00035/PREAPP)*

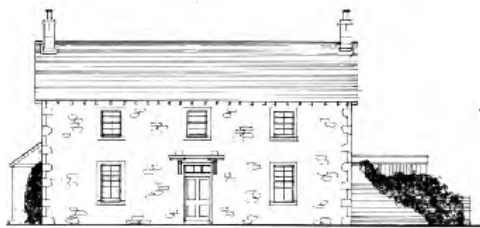
**4.3 Extension by replication** – As noted earlier the new extension will replicate the existing and its design follows the guidance set out by Historic Scotland. Scale and massing are identical. The Historic Scotland publication *Extensions*, section 3.4, states that:

*“Replication is where new work is designed specifically to match the original building and does so in all respects, not only in the use of materials in the same style. The dimensions and finish of the materials used, and details such as coursing, pointing, tooling, window proportion and profile, roof pitch and slate, must all be accurately modelled on the existing building or they will not sit comfortably beside the original.”*

**4.4 Subservience and subordination** – As the new extension will exactly replicate the original it will avoid any tendency to dominate and will remain subservient to the principal and original house. The new extension fully and exactly complies with Historic Scotland guidance, *Extensions*, section 4.1, which states that:

- *An addition or extension should play a subordinate role. It should not dominate the original building as a result of its scale, materials or location, and should not overlay principal elevations.*
- *Where an extension is built beside a principal elevation it should generally be lower than, and set back behind, that facade.*
- *An extension that would unbalance a symmetrical elevation and threaten the original design concept should be avoided.*

The proposed extension is not large and will increase the overall footprint of Earnbank House by less than 20%.



Extension effectively screened.



The old replicated in the new.

Sitting alongside the Victorian original, the new extension will provide a very compact solution to the requirement for additional space on both ground and upper floors. On reflection, it is hard to conceive of a more compact arrangement as virtually the entire internal volume is utilised.

**4.5 Preservation of historic building fabric (original house)** – The proposed design will ensure that within the principal and original part of the house the necessity for alteration is kept to a minimum. The alterations that are necessary are all dictated by access issues and will be:

- Widening of the existing opening from the ground floor hall to the new extension. (This is essential, as an earlier photograph shows, because at 790mm access by Alex is not possible. The change is relatively small, adding 260mm, and will not be obvious.)
- Creating a doorway from the east reception room to the new shower room. (This too is essential. The east reception room is presently in constant use as a therapy space and may eventually have to become Alex's bedroom. The shower/wet room will make his life considerably easier. The proposed doorway could be removed relatively easily at a future date and the room returned to its original state.)
- Removing an upstairs toilet in order to create an opening from the upper hall to the new extension. (The upper rear part of the house is only accessible at present by way of the secondary stair from the kitchen. The proposed opening will be 880mm wide.)
- Installation of a Velux rooflight above the stair. (Essential for natural light in stairwell and hallways – it replaces the existing south window.)

**4.6 Preservation of historic building fabric (Victorian extension)** – The special circumstances relating to this proposal have already made clear the need for a barrier free living space at ground floor level. Under normal circumstances the new ground floor areas could be accessed from the Victorian extension by openings of a modest width. In this case the need for the kitchen, dining and living spaces to be integrated physically, visually, and aurally dictates minimal obstruction. This will result in the loss of a section of the east wall of the present extension. The loss will be internal and will not be visible from outside.

On the upper floor there will be alteration of the east pitch of the roof but that is unavoidable if there is to be useable space in that upper rear area. Once again that change will not be visible from any public viewpoint because it will be masked by the south gables. It will only be visible from the garden or field directly south of the house, all of which is private land.

**4.7 Garden room** – The garden room will add useful living space to the ground floor and will take advantage of south and west views on sunny days. Doors can be added in place of the windows to give Alex level threshold access to a deck or patio in the garden. The garden room will be sheltered on its north side by the existing high, ivy covered garden wall and planter that project from the west gable of Earnbank House. The wall will also act to mask the structure when seen from the public road to the north and will help to minimise the visual impact on the principal elevation.

The submitted design draws on advice received from PKC Planning which stated:

*“The proposed garden room may be acceptable however a lighter touch in the connection with the existing house would be recommended, perhaps with a more obvious separation from the main house. The large slapping in the west elevation is not likely to be supported. A slapping more the size of the existing kitchen window may be more appropriate.” (14/00035/PREAPP)*

The design has been altered exactly in accordance with that advice. It is intended that the garden room should be seen as a complimentary addition rather than as a replication. The minimalist design style with timber cladding, flat roof and large windows, will make a clear statement that it is an addition.

**4.8 Veranda** – The veranda is important and will provide “all weather” cover for setting down and wheelchair access. The existing driveway leads directly to the setting down point. (Alex has never used the front door; it has a step and is double leaf which is rather awkward.)



The veranda eaves line will help promote the impression of a single storey extension. (Photomontage)

The veranda will have an additional benefit in so far as the low eaves line will help promote a “single storey” feel, particularly when viewed from the south east or from

the road at Kinkell Bridge. The eaves will be constructed to match the “broad eaves” detail on the original roof.

**4.9 Materials** – The proposed extension will use appropriate material for all external finishes. Roof – natural slate with zinc and lead; walls – natural stone; garden room walls – locally sourced larch; windows and doors – timber; rainwater goods – cast iron.

**4.10 Front elevation and symmetry** – The existing ivy covered garden wall projecting from the west gable of Earnbank House will screen the garden room very effectively.



The ivy covered garden wall will screen the garden room very effectively.

The veranda on the east side will be a relatively light and open structure and will be partly screened by existing shrubbery on the east gable. There is no viewpoint, from which both sides of the facade will be visible, that might make symmetry an issue of concern.

**4.11 Sustainability** – The proposals are sustainable in a holistic sense:

**Inclusion** – The proposal will provide an accessible and barrier free house. It will enable Alex to remain a part of the local community where he has lived all his life, and to which he contributes.

**Insulation** – Increased insulation and higher u-values will help to reduce energy consumption.

**Materials** – Nationally sourced materials will be used thus reducing transportation. Timber will be responsibly sourced from managed forests.

**Renewables** – Solar panels will be used for domestic hot water and space heating. Solar PV will be added if the budget allows.

**Passive ventilation** – Opening windows on both sides during summer brings in cool air. A “stack effect” will be formed in the



stairwell which will draw hot air up through the roofspace to exhaust through a solar flue.

Natural daylight – Large south facing windows will maximise daylight and reduce the need for artificial light. Rooflights on the upper floor will supplement the smaller windows and provide four times more light than vertical windows. This too will reduce the energy demand.

Water consumption – Low flush cisterns and water efficient taps will be used.

**4.12 Accessible barrier free design** – The design has been informed by BS 8300 and the Wheelchair Housing Design Guide. Particular features include:

- Linear access into house direct from setting down point.
- Improved access to original part of house.
- Accessible kitchen design for inclusivity and adaptability.
- Statutory ground floor toilet and shower room design.
- Flush threshold detailing.
- Physiotherapy spaces.
- Wheelchair storage.

**4.13 Community consultation** – The Medleys have spoken to their two closest neighbours who are both enthusiastic in their support for the proposals. (One family has lodged a note of support with PKC.)

**4.14 Recording** – Given that the proposed extension will result in some unavoidable loss of fabric, it is intended that the Royal Commission on the Ancient and Historical Monuments of Scotland's (RCAHMS) will be given the opportunity to record the historic structure prior to works commencing. This is in line with Historic Scotland guidance, *Extensions*, section 9.1, which states that:

*"RCAHMS is always pleased to consider recording changes to historic structures whenever the opportunity arises."*

**4.15 Conclusion** - All design involves compromise. The proposed design will provide a barrier free home with extended accommodation while at the same time remaining in broad compliance with Historic Scotland requirements. It will ensure that all that is best in Earnbank House is restored and preserved.

By confining all new construction to the rear the design will leave the principal and original structure undisturbed. There will be no visible change to the exterior of the original and main part of the house.

## 5.0 SUMMARY

The proposed design will ensure a barrier free house. It will provide a ground floor living space that is easily accessible from the original part of the house and an additional bedroom and bathroom on the upper floor. These changes will bring about a welcome and necessary improvement in the quality of daily life for the whole of the Medley family.

At the same time the design will respect the historic nature and setting of the house and will preserve and enhance its character. It will do this by removing a redundant and unattractive element and replacing it with one that is more sympathetic in appearance and which will be finished in materials that are a better match for the original.



Earnbank House from the south east showing the proposed extension at the rear. (Photomontage)

The comprehensive programme of external repairs that is to be carried out in tandem with the new works will result in a full restoration of the original house and ensure the good maintenance and condition of Earnbank House.

Perth and Kinross Council have a duty of care to ensure that Alex Medley has access to a normal and “included” life, and a place to live which is suitable for his needs. Accessible housing in the locality of Kinkell Bridge is rare if not non-existent. This proposal is seen as the best solution for providing a family home that keeps Alex in his community, with continuity of care, and it anticipates the support of Perth and Kinross Council to achieve this.



## 6.0 ADDITIONAL PHOTOGRAPHS



Coming into the house.



Kitchen ramp.



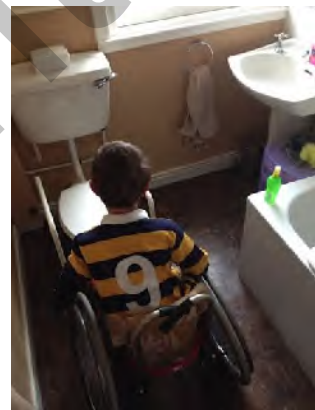
Not enough space!



At the back door.



Kitchen again.



Bathroom squeeze.



In the kitchen.



These corners!



Therapy room.

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## Occupational Therapy Report

Date: 19/05/2014

RE: ALEX MEDLEY, EARNBANK HOUSE, PH3 1LD DOB: 11/08/2005

Alex was originally diagnosed with cerebral palsy but his diagnosis has subsequently changed to hereditary spastic paraplegia (HSP) following investigations. This is a progressive condition and rare in a child so the progression/rate is unknown. His parents have been told that it is probable that Alex's mobility will deteriorate and he will become wheelchair dependent at some stage. Alex currently mobilises with a walker and has a wheelchair when required. He has had a Baclofen pump fitted and he had problems with this last year and had to undergo operations. Alex has varying levels of spasticity, flaccidity, and dystonia in his legs during the day. Alex has hypermobility in his fingers affecting his grip. He wears gators around his legs at night to support his legs and has a sleep system in his bed to keep his hips straight at night. Alex parents are very positive about Alex's abilities and want to remain this way for Alex' sake but are aware that they need to make significant changes to their property to allow Alex to have as much independence and quality of life as possible. Alex is a very positive little boy who strives to be as independent as possible despite his medical conditions.

Alex lives in a 2 storey privately owned property with his family, his mother, step-father and younger sister Charlotte. His step father works full time and is usually home late in the evening so most of Alex care needs are managed by his mother Sam who has a longstanding back problem, made worse by carrying Alex. He can manage the stairs currently with additional rails fitted and holding his mother/father's hand as required and his bedroom with toilet next door is on the first floor, next to his parents, currently to enable his parents to be aware of his and his younger sister's needs and attend to them during the night.

On the ground floor is the family living space including kitchen, living room and bathroom. Alex' parents are planning an extension to the property to ensure Alex short term and long term needs are met and to ensure he is as independent and as safe as possible with optimal quality of life. This is to include a wet room for Alex as he is currently variable in his abilities to use the bath depending on his Baclofen pump being at the correct level for his spasticity, dystonia and muscle strength. Alex' mother Sam has had an ongoing back problem since 1999 - she had a year off work because of this in the past and has L3/4 non alignment, scoliosis and sciatica. She has had intensive physiotherapy sessions over the past 7 months but her back is not getting a chance to rest as she is regularly having to lift/catch Alex to prevent falls. Alex' stepfather is now beginning to have back pain and also seeing the physiotherapist. This problem is likely to intensify as Alex grows heavier so minimising any lifting for his parents is essential.

Alex' parents are looking at planning for his current and long term needs. They want Alex to be as independent as possible in his home and be able to access all facilities on the ground floor. The ground floor doorways and corridor including bathroom doorway are currently too narrow to allow Alex to independently access them - Alex' walker and wheelchair do not fit so mother Sam is having to assist him. They also want Alex to be as independent and safe as possible in his personal care and

feel a wet room would meet his long term needs for wheeled access in the future as required and wish to include this in their current plans as part of the ground floor extension. This has been agreed through OT Adaptations Panel for Grant funding but is awaiting planning permission as part of the bigger adaptations.

The ground floor contains the family living space including kitchen, living room and bathroom and Alex room for his physiotherapy equipment which can be converted to a bedroom for Alex in the future. Alex' parents are planning a ground floor extension to the property to ensure wide doorways for walker/wheelchair access for Alex, level access into and around the property, a ground floor bedroom for Alex, wet room and level access/adequate wheelchair turning space throughout. This will allow Alex to remain in his family home long term with independence and optimal quality of life despite his disability.

Rhona Macleod-Garrad  
Occupational Therapist  
Housing & Community Care  
Perth & Kinross Council

**TCP/11/16(316)**

**Planning Application 14/00445/FLL - Alterations and extension to dwellinghouse to form ancillary accommodation and installation of solar panels, Earnbank House, Kinkell, Strathallan, Auchterarder, PH2 1LD**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**





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 necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000097599-001

The online ref number 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.

## 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:

PPCA Ltd

Ref. Number:

First Name: \*

Maura

Last Name: \*

McCormack

Telephone Number: \*

01312251225

Extension Number:

Mobile Number:

Fax Number:

Email Address: \*

robin@ppca.co.uk

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

Building Name:

Building Number:

Address 1 (Street): \*

Address 2:

Town/City: \*

Country: \*

Postcode: \*

13

Hill Street

Edinburgh

UK

EH2 3JP

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mr"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="Philip"/>
Last Name: *	<input type="text" value="Medley"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

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

Building Name:	<input type="text" value="Earnbank House"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Kinkell Bridge"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Strathallan"/>
Country: *	<input type="text" value="PERTSHIRE"/>
Postcode: *	<input type="text" value="PH3 1LD"/>

## Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
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Full postal address of the site (including postcode where available):

Address 1:	<input type="text" value="Earnbank House"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="Kinkell"/>	Town/City/Settlement:	<input type="text" value="Auchterarder"/>
Address 3:	<input type="text" value="Strathallan"/>	Post Code:	<input type="text" value="PH3 1LD"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="716596"/>	Easting	<input type="text" value="293135"/>
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## Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Alterations and extension to dwellinghouse to form ancillary accommodation and installation of solar panels



## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See attached planning appeal 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

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. You can attach these documents electronically later in the process: \* (Max 500 characters)

All original planning application documentation and relevant correspondence with planning authority  
Council decision notice and Report of Handling  
Planning Appeal Statement

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

14/00445/FLL

What date was the application submitted to the planning authority? \*

07/03/14

What date was the decision issued by the planning authority? \*

18/06/14

## 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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be conducted by a combination of procedures.

Please select a further procedure \*

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? \* (Max 500 characters)

It is considered that it would be beneficial for LRB Members to visit the property to see, first hand, the scale and location of change proposed and acquaint themselves with the details on site.

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

Can the site be clearly seen from a road or public land? \*

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

No reason. If a site visit is undertaken then the LRB Members may find it beneficial to enter the property to see the proposed rear extension as it would be well hidden from the public road. I can confirm that the appellant is content for LRB Members to come on to the property for this reason.

## Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review \*

☒ Yes ☐ No

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 (if any) from the earlier consent.

## Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Maura McCormack

Declaration Date: 18/08/2014

Submission Date: 18/08/2014



**Appeal against refusal of planning permission for  
Alterations and extension to dwellinghouse to form  
ancillary accommodation and installation of solar panels at  
Earnbank House, Kinkell Bridge, Perthshire**

**Local Review Body Appeal Statement**



June 2014

PPCA Limited

Job no: 1420

## **CONTENTS**

1. Introduction
2. The existing dwelling house
3. The need for the proposed development
4. The need for the form of proposed development
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8. Alternatives considered
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## Introduction

1. PPCA Ltd has been instructed by Mrs & Mrs Philip Medley of Earnbank House, Kinkell Bridge to lodge an appeal with the Perth & Kinross Local Review Body against the refusal of planning permission for alterations and extension to their dwellinghouse to form ancillary accommodation and installation of solar panels at Earnbank House, Kinkell Bridge, Perthshire.
2. Planning permission was refused by delegated powers on 18<sup>th</sup> June 2014 for the above proposal with six reasons for refusal given (Council planning application reference 14/00445/SLL).
3. This Report forms the appeal statement to the Local Review Body. All relevant documentation has been submitted as part of this appeal for consideration by the Local Review Body.
4. Earnbank House is a Category B Listed Building. A separate appeal has been lodged with the Scottish Government Directorate of Planning & Environmental Appeals against the refusal of Listed Building consent by the Council for alterations and extension to the dwellinghouse to form ancillary accommodation and installation of solar panels (Council planning reference 14/00448/LBC).

## The existing dwelling house

5. The existing dwelling house comprises a two storey stone built house with slate roof that has been extended to the rear to create an L shaped dwelling footprint. It is a Category B Listed property (date of Listing 5<sup>th</sup> October 1971). The Historic Scotland Listing description states –  
  

*“Circa 1830, 2 storey 3 window whitewashed rubble with black painted margins, consoled doorpiece and broad-eaved roof, original glazing, single storey back wing.”*
6. The glazing to the rear and western elevations of the property, together with the door entrance leading in to the rear garden of the property from the sitting room, are not original to the building having been introduced by relevant permissions dated 1979 and 2006.
7. There is clear evidence in the rear elevation of the property that a large structure (now removed) has been tied in to the original two storey cottage in the location proposed for the new extension. The indentation in the elevation and the fact that the centrally located first floor window opening has been altered suggest a roof tie in at some point along at least half of the elevation to first floor level.
8. As such, the building has been variously, and significantly, adapted in recent times to improve its residential environment. The proposed development will not adversely affect the reasons for which the building was Listed in the first place as set out above.

### **The need for the proposed development**

9. The proposed development that is put forward through the original planning application and this appeal is necessary to meet the ongoing intensive medical and therapeutic needs of the appellant's son and to allow the family to continue to live in the house in the foreseeable future.
10. The details of the medical condition involved have been set out as part of the original planning application and detailed in the Perth & Kinross Council Occupational Therapist Report dated 19<sup>th</sup> May 2014. It is not intended to repeat this here. This letter is dealt with in greater detail later on in this submission.
11. The proposed development represents a logical and reasonable reorganisation of the various internal elements of the house as it stands to accommodate these needs. It will rationalise disparate elements of the property such as the disconnected bedroom above the current kitchen. It will allow for wheelchair / walking frame access throughout the house. It will result in the removal of ancillary items such as access ramps originally installed by the Council that are now, progressively, becoming a hindrance to the mobility of the appellant's son as he moves around the house. It will, through this single planning application, result in a comprehensive long term sustainable solution for the dwelling and meet the needs of the family.

### **The need for the form of proposed development**

12. The proposed development consists of a single storey with attic wing rear extension to the property that will round off the footprint of the building by replacing a lean-to structure and greenhouse with a formal extension of similar form and massing to that existing as well as internal reorganisation of living space. It will also create a garden room and small veranda on the western and eastern elevation of the property respectively. It will increase the footprint of the building by only circa 20%.
13. The proposed development will create a dedicated ground floor therapy room in the northeast reception room of the dwelling in a room currently used for reception purposes. Physical therapy forms a fundamental part of the treatment for the appellant's son and he will benefit greatly from a space dedicated to that purpose.
14. The proposed development will create a ground floor wet room and utility area that will benefit the medical needs of the appellant's son as set out in the Council Occupational Therapy Report in the ground floor extension area. The ground level access veranda area will allow direct and level access into the property. This will remove existing ramped access to the property and allow dry access in inclement weather thus minimising the risk of slippage and falls. Similarly, the garden room will allow direct and level access to the rear garden area of the property. This is not possible at this time due to stepped areas.
15. The slapping proposed in the southern elevation of the existing extension will also allow for direct and level access to the rear garden area of the property.



16. It will, lastly, create a rationalised kitchen / dining area to the rear of the property and result in the removal of the narrow wooden staircase that is necessary to access the bedroom on the first floor of the current extension.
17. The proposed development of the first floor of the property will create a new bedroom above the ground floor wet room / utility area. It will create a bathroom in bedroom 3 (the smallest bedroom) as indicated on the existing layout. The upper floor does not have a bathroom at this time. It will create a new access to existing bedroom 4 which has no first floor access at this time. As noted above, it will rationalise the layout of the property by seeking to impose the minimum amount of change to the building structure itself and respect its current configuration.
18. The proposed development of the first floor of the property is considered entirely logical and creates a first floor living arrangement that one would expect to see in a residential dwelling house. It creates a bathroom space that is lacking at this time. It allows the family to all sleep on one level thereby allowing immediate reaction to any situations that may arise as opposed to sleeping on different levels or in areas on the same level with limited accessibility

### **National Legislation**

19. The Planning (Listed Buildings & Conservation Areas) (Scotland) Act 1997 sets out national legislation as it relates to development affecting Listed Buildings. In full, it notes –

*Clause 14 (subsection 2) –*

*In considering whether to grant listed building consent for any works, the planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*

*Clause 59*

- (1) In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*
- (2) Without prejudice to section 64, in the exercise of the powers of disposal and development conferred by the provisions of sections 191 and 193 of the principal Act, a planning authority shall have regard to the desirability of preserving features of special architectural or historic interest and, in particular, listed buildings.*
- (3) In this section, “preserving”, in relation to a building, means preserving it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character, and “development” includes redevelopment.*

20. Clause 59 (1) is reflected in the Scottish Government Scottish Historic Environment Policy.
21. It is contended that the proposed development will preserve the Listed Building and its setting as a result of the location, scale and nature of the works involved in its extension and alteration. It will not result in serious detriment to the overall character of the building or its surroundings or the loss of any architectural features of the building worthy of retention. As such it complies with the requirements set out above.

### **Reasons for refusal**

22. The Decision Notice issued by Perth & Kinross Council for planning application 14/00445/SLL cites six reasons for refusal. This is supplemented by a Report of Handling. Each of these matters are dealt with in detail below –

### Reasons for Refusal

23. Reason for refusal 1 states that “The proposal is contrary to Policy HE2: Listed Buildings, as the siting, design, scale and mass of the proposed extension adversely affects the buildings special interest, appearance and setting.”
24. In response to this, the proposed single storey with attic wing extension is located to the rear of the property and rounds it off by means of infilling the roughly square area formed by the original building and its later extension. It retains the overall form of the building as a result.
25. It has been designed to replicate the form of the later extension to the property in terms of footprint, massing and scale without appearing pastiche. It uses appropriate materials that are in keeping with the existing original structure and seeks to integrate with it.
26. In terms of scale and mass of the single storey with attic wing extension, it is wholly subservient to both the original and the extended building. With the exception of the small veranda overhang it respects the existing building lines on plan. It is subservient in terms of height in that it does not breach any existing ridgelines and reflects the scale and massing of the later extension referred to above. As noted above, in terms of footprint, it represents a roughly 20% increase in footprint and, as such, cannot be considered as anything other than subservient to the main building.
27. With regard to the proposed garden room this has been scaled back following discussions on an earlier iteration with Council planning officers in line with advice offered at the time. The roofline and footprint of the garden room has been minimised to minimise impact on the building and its setting. From the above, it is contended that this reason for refusal should be set aside as part of this planning appeal.
28. Reason for refusal 2 states that “The proposal does not accord with the requirements of Scottish Planning Policy 2010 (paragraph 113) where it specifically notes that there is a presumption against works that will adversely affect a listed building or its setting. The scale and mass of the proposals will be over dominant and compete directly with the existing Victorian extension and impacting on the listed building as a whole. New extensions should be subordinate to the host building and represent its place in the buildings development history.”

29. The reason for refusal relates to Scottish Planning Policy that has now been superseded. Scottish Planning Policy (June 2014), in relation to Listed Buildings, states at paragraph 141 that –

*“Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting.”*

30. The form and scale of the proposed development is the minimum required to deliver the residential living environment necessary to meet the family's requirements. The impact upon the existing structure is minimal and the internal re-organisation of the property is considered to be rational and in keeping with the building as it currently stands. It preserves the existing character and setting of the building and has minimal impact on the architectural features detailed in the original Listing. The detailed design of the extension in particular (the largest single impact element of the proposed development) has taken into account the use of appropriate design and materials. As noted above the proposed extension cannot be considered as anything other than subservient to the massing and scale of the original building. From the above, it is contended that this reason for refusal should be set aside as part of this planning appeal.
31. Reason for refusal 3 states that “The proposal does not accord with the Scottish Historic Environment Policy (SHEP) 2011 and Historic Scotland's supplementary guidance Managing Change in the Historic Environment: Extensions (Oct 2010), where it makes it clear that an addition or extension should play a subordinate role. It should not dominate the original building as a result of its scale or materials. An extension should be modestly scaled and skillfully sited. The proposed extension to the rear complete with box dormer infill does not play a subordinate role and instead dominates and consumes the rear elevation and due to its siting and proximity, competes with the existing well-proportioned late 19th century extension which is itself correctly subordinate to the original build.”
32. The proposed extension cannot be considered anything other than subordinate to the original building. It represents only a 20% or thereby extension to the building footprint. Following the logic applied by the above reason for refusal the original extension supported by the reason would have formed a much greater proportional extension to

the original dwelling house. This is supported by the reason for refusal. If this is supported then the proposed development advocated through this planning application will have a much lesser proportional impact.

33. The Council Report of Handling describes the form of the proposed single storey with attic wing extension as being a single storey and attic wing to match existing. In scale terms it does not, and cannot, dominate the existing building. It respects building lines, roof heights and massing. It replicates the existing extension that is supported as acceptable development by the Council. It cannot be considered to compete with the 19<sup>th</sup> Century extension as it seeks to replicate that form and massing.
34. The box dormer proposed is necessary to allow adequate circulation space within, and light into, the existing bedroom given the coving and roof angle as existing. It is a feature that does not adversely affect roof lines or overall massing. . From the above, it is contended that this reason for refusal should be set aside as part of this planning appeal.
35. Reason for refusal 4 states that “The proposal does not accord with the Scottish Historic Environment Policy (SHEP) 2011 and Historic Scotland's supplementary guidance Managing Change in the Historic Environment: External Walls (Oct 2010), where in para. 4.5 it states the formation of a new opening in a wall needs to be considered in light of the overall composition of the wall and assessed as to whether or not it would be consistent with the existing design. The cumulative effect of new openings should not harm the special interest of the building. Where the formation of a new opening is found to be consistent with the design of the wall, the minimum historic fabric should be removed and the opening should be detailed to match the existing openings. The proposed slappings are accumulatively harmful to the special character of the building and not to a scale or detail which match existing openings.”
36. As noted elsewhere, the current window and door openings in the 19<sup>th</sup> Century extension and from the sitting room into the garden area and not original features of the Listed Building having been introduced in the 20<sup>th</sup> and 21<sup>st</sup> Centuries. The form of the openings will allow ground floor level disabled access into the garden area for its enjoyment. There are a variety of window opening shapes and sizes in the rear elevation of the property at this time. The proposed development introduces a modern consistency of window size and form in the rear elevation that addresses this negative design and architectural issue. This consistency is in keeping with the symmetry of door and fenestration in the front elevation of the property. . From the above, it is contended that this reason for refusal should be set aside as part of this planning appeal.
37. Reason for refusal 5 states that “The proposal is contrary to Policy PM1A: Placemaking, as the density and overall scale of the proposal does not contribute positively to the quality of the surrounding built environment.”
38. It is not understood why density of development is used as a reason for refusal as the proposed development consists of an extension to an existing dwellinghouse.

39. As noted above, the scale, positioning and massing of the extension is subservient to the main dwelling house for reasons set out there. It does not adversely affect the surrounding built environment. The dwellinghouse is located within the countryside and its only immediate neighbour is a single storey residential dwelling. The dwellinghouse is the only two storey development in the vicinity and will remain so. The extension will be visible from the neighbouring property but will not in any way adversely affect its setting. The neighbouring property owners support the proposed development. From the above, it is contended that this reason for refusal should be set aside as part of this planning appeal.
40. Reason for refusal 6 states that “The proposal is contrary to Policy PM1B: Placemaking (b) and (c) as the height, scale and mass of the whole proposal does not complement its surroundings or integrate sensitively with the existing building.”
41. As noted above, the height, scale and massing of the whole proposal is subservient to the main dwelling house both on plan form and in three dimensions. It does not breach building lines in any significant manner or rooflines at all. . From the above, it is contended that this reason for refusal should be set aside as part of this planning appeal.

#### Council Report of Handling

42. It is contended that the Description of the Proposal is misleading in relation to the “formation of a large flat roof box dormer” linking the two pitched roof extensions. It is clear from the supporting drawings that this is a narrow linking element to the overall scheme only.
43. The Site History omits to mention development permitted in 1979 by the then District Council as referred to above. This gives a more comprehensive picture of the scale of change that the property has been able to accommodate over time.
44. With respect to pre-application consultation undertaken on previous iterations, it is contended that the proposed development put forward through the latest planning application ensures that the fabric, massing and scale of the existing extension will remain intact as a result of proposals.
45. In relation to Design and Layout, the proposed development will not adversely affect the principal roofline of the existing extension. The proposed extension will abut the eastern elevation in the same way that the existing extension abuts the western elevation of the original house. There is no change here that has not already happened and been positively referenced to by the Council in its reasons for refusal set out above.
46. The loss of the chimney breast stack is considered acceptable as the chimney is no longer a functional part of the dwelling and, as such, the chimney is a retained decorative original feature as a result of the development.

47. It is not understood how the proposed single storey extension with attic wing if, as stated, mimics the existing extension can detract from it. The proposed development is subservient to the overall massing of the house. This is set out in the accompanying Design and Access Statement provided by the appellant as part of the original planning application. The issue of the linking box dormer roof has been dealt with above.
48. The Report of Handling refers to the preference of the author in relation to the positioning of the garden room in relation to the existing house. It is contended that an extension straight out from the existing house minimises footprint and reduces the visual impact of this element of the overall scheme. This will, in effect be hidden from view behind an existing stone wall. The need for discretion in design terms has influenced this decision.
49. In relation to the re-slating of the roof, the Report of Handling states that there is no justification provided for this. This is challenged as the reasons for this element of the scheme is set out in the Design and Access Statement prepared in support of the development. In summary, the roof is badly in need of comprehensive repair.
50. The Report of Handling states that it is always preferable to solar panels on new development rather than retrofit them on historic fabric or listed building. There is no land use planning justification for this as solar panels can be, and have been on many occasions, inserted into the historic built environment without detriment to the building in question.
51. In terms of visual and landscape impact, the proposed development is in keeping with the scale and character of the existing dwelling house. The proposed development will only be visible from limited public viewpoints. It will not have a detrimental impact on the overall Listed Building or its neighbouring property. The majority of the proposed development is hidden from public view. There is no issue of residential or visual amenity enjoyed by neighbours or passing members of the public.
52. The Report of Handling is misleading in the section on the Design and Access Statement of May 2014 in relation to the consistency of description of the proposed principal extension. As per the Description on page one of the Report it is a single storey with attic wing.
53. With regards to the correspondence referred to in this Section with Historic Scotland by the appellant's agent, this took the form of various telephone calls, letters and emails variously between October 2013 and January 2014. This is included as part of the appeal documentation. In summary, Historic Scotland would provide comments on the proposed development if requested by the Council. There would appear to be no correspondence publicly available between the Council and Historic Scotland on the planning application.
54. The Report of Handling refers to the Occupational Therapist's Report requested by the appellant and notes that it does not refer to the need for first floor accommodation. It does not, and has no remit to, refer to the need for first floor

accommodation because there are no therapy requirements to be met a first floor level in the property.

### **Other Examples**

55. Whilst there is no such thing as binding precedent in planning as every planning application is determined on its own merits the application of Development Plan policy by the planning authority should be consistent.
56. In that respect, the appellant would wish to bring to the attention of the Local Review Body recent planning and listed Building consents at –
- Ardchoille Lodge Strathmore Street Perth PH2 7HP (references 14/00113/FLL and 14/00117/LBC)
  - The Den 2 Dundee Road Perth PH2 7DW (reference 13/00579/LBC) and;
  - Coach house, Kinmonth House Estate (reference 13/01610/LBC)
57. All relate to the alteration and extension of residential scale properties.
58. With regards to Ardchoille Lodge, this relates to the extension of a Category C Listed Building in Perth. The extension area alone measures approximately 50% of the existing building footprint. The extension is described as unconventional but is considered acceptable due to limited visual impact.
59. With respect to The Den, this permission allows for a single storey extension of the Category C Listed property of almost 50% of the original floor area. The extension is described in the Report of Handling as “suitably subordinate in scale to the host and the design is in harmony with the original architecture”.
60. With respect to the Kinmonth Estate Coach House this consent relates to an extension of the same form, scale and dimensions, but wholly different window openings and a flat box roof linkage to the existing rear of the Category B Listed property in question.
61. The proposed extension at Earnbank House is conventional, represents only an approximate 20% increase in floor space and respects the setting of the Listed Building. As such, in the context of the above, a consistent approach would be to approve the appeal.

### **Alternatives considered**

62. Prior to the most recent applications to Perth & Kinross Council for planning permission and Listed Building consents for the extension to the property, the appellant considered alternative options available. These are set out below –

- “do nothing” scenario. This scenario can be immediately discounted as the house requires adaptation in the short term to allow the appellants to continue to live in it and meet the medical and mobility requirements of their son.
- Extend the property by “elongating” it. The decision to locate the single storey with attic wing extension where it is proposed rounds off the dwelling footprint. It is contended that an elongation of the property by extending the side elevations to the extent required to provide the necessary living environment set out above would significantly adversely affect the integrity and historic form of the building and, as such, was rejected.
- Remove the “attic wing” area referred to in the Report of Handling. This would result in either a flat roofed extension or a roof pitch that would be completely out of character with the rest of the building.
- Move to alternative accommodation. The family has investigated this and there are no wheelchair accessible properties available on the market (either second hand or new build) within the school catchment for Muthill Primary School (the local catchment primary school) or any available suitable self build plots for the construction of a new house. From a continuity perspective the family would wish to remain in the locality if at all possible. A move elsewhere would represent a worst case scenario for the family.

## **Conclusion**

63. In conclusion, and for reasons set out above, it is respectfully requested that the delegated decision to refuse planning permission for the extension of Earnbank House, Kinkell Bridge, Perthshire is over turned by the Council Local Review Body.



## Occupational Therapy Report

Date: 19/05/2014

**NOTE**

The full copy of this report will be made available to the members of the Local Review Body. However, due to the nature of the report it has not been published.



# PERTH AND KINROSS COUNCIL

Mr And Mrs Medley  
c/o APS  
Stewart Anderson  
Old Schoolhouse  
Invergeldie  
Glenlednock  
Comrie  
PH6 2LY

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 18th June 2014

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **14/00445/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 18th March 2014 for permission for **Alterations and extension to dwellinghouse to form ancillary accommodation and installation of solar panels Earnbank House Kinkell Strathallan Auchterarder PH3 1LD** for the reasons undernoted.

Development Quality Manager

### Reasons for Refusal

1. The proposal is contrary to Policy HE2: Listed Buildings, as the siting, design, scale and mass of the proposed extension adversely affects the buildings special interest, appearance and setting.
2. The proposal does not accord with the requirements of Scottish Planning Policy 2010 (paragraph 113) where it specifically notes that there is a presumption against works that will adversely affect a listed building or its setting. The scale and mass of the proposals will be over dominant and compete directly with the existing Victorian extension and impacting on the listed building as a whole. New extensions should be subordinate to the host building and represent its place in the buildings development history.

3. The proposal does not accord with the Scottish Historic Environment Policy (SHEP) 2011 and Historic Scotland's supplementary guidance Managing Change in the Historic Environment: Extensions (Oct 2010), where it makes it clear that an addition or extension should play a subordinate role. It should not dominate the original building as a result of its scale or materials. An extension should be modestly scaled and skillfully sited. The proposed extension to the rear complete with box dormer infill does not play a subordinate role and instead dominates and consumes the rear elevation and due to its siting and proximity, competes with the existing well-proportioned late 19th century extension which is itself correctly subordinate to the original build.
4. The proposal does not accord with the Scottish Historic Environment Policy (SHEP) 2011 and Historic Scotland's supplementary guidance Managing Change in the Historic Environment: External Walls (Oct 2010), where in para. 4.5 it states the formation of a new opening in a wall needs to be considered in light of the overall composition of the wall and assessed as to whether or not it would be consistent with the existing design. The cumulative effect of new openings should not harm the special interest of the building. Where the formation of a new opening is found to be consistent with the design of the wall, the minimum historic fabric should be removed and the opening should be detailed to match the existing openings. The proposed slappings are accumulatively harmful to the special character of the building and not to a scale or detail which match existing openings.
5. The proposal is contrary to Policy PM1A: Placemaking, as the density and overall scale of the proposal does not contribute positively to the quality of the surrounding built environment.
6. The proposal is contrary to Policy PM1B: Placemaking (b) and (c) as the height, scale and mass of the whole proposal does not complement its surroundings or integrate sensitively with the existing building.

## **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**

**14/00448/1**

**14/00448/2**

**14/00445/5**

**14/00445/6**

**14/00445/7**



**REPORT OF HANDLING**  
**DELEGATED REPORT**

Ref No	14/00445/FLL	
Ward No	N7- Strathallan	
Due Determination Date	17.05.2014	
Case Officer	Vivienne Whyte	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Alterations and extension to dwellinghouse to form ancillary accommodation and installation of solar panels

**LOCATION:** Earnbank House Kinkell Strathallan Auchterarder PH3 1LD

**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.

**DATE OF SITE VISIT:** 27 March 2014

**SITE PHOTOGRAPHS**



**BACKGROUND AND DESCRIPTION OF PROPOSAL**

Planning permission is sought to alter and extend Earnbank House, Kinkell by Auchterarder. The proposal includes; 1) alterations to the existing late 19th century rear wing, 2) the demolition of a single storey lean-to extension with modern greenhouse, 3) the erection of a single storey and attic wing to match existing with a new projecting canopy, 4) the formation of a large flat roof box dormer linking the two rear wings at ridge level, 5) the erection of a flat roofed garden room to the west, 6) installation of solar panels and 7) re-slating the

whole house. Other alterations include the large slappings in the 19<sup>th</sup> century rear wing.

Internal alterations are being assessed under a separate application for listed building consent, application no 14/00448/LBC.

This traditional 2-storey vernacular dwelling with charming proportions dating from c.1830s with a later 19th century single storey and attic extension to the rear was listed category B in 1971. The listing details can be found in the Blackford Parish, Listed Building Record reference no 4567.

The building is situated on the south side of Kinkell Bridge and forms part of a picturesque group of structures nestled in the idyllic Strathearn countryside.

## **SITE HISTORY**

06/01294/LBC Installation of new matching first floor 12 pane sash and case window to bedroom 3 August 2006 Application Permitted

14/00448/LBC Alterations and extension to dwellinghouse to form ancillary accommodation and installation of solar panels

## **PRE-APPLICATION CONSULTATION**

13/00553/PREAP – This pre-application proposal included the demolition of the late 19<sup>th</sup> century extension and lean-to extension and the erection of a large, full 2-storey extension with porch and large single storey flat roofed extension, both of which engulfed the full length of the rear elevation.

These proposals were considered to have a significant adverse impact on the listed building. The rear wing was confirmed as forming an integral part of the listed buildings history, character and development and the proposed extension had issues with massing and scale as it was not subservient to the host building.

Further to these comments it was noted that the demolition of the lean-to extension may be considered acceptable if there was sufficient justification for doing so as part of the design scheme and that a small scale single storey extension may be possible to the south (rear).

14/00035/PREAPP – This proposal included the demolition of the lean-to extension, retention of the late 19<sup>th</sup> extension but included raising the wallhead to 2-storey and erecting another wing, also to the rear, to match the heightened wing. The proposal also included a pitched roof garden wing to the west and 4 significant slappings in the historic fabric, 3 of these impacting on the 19<sup>th</sup> century wing and the removal of the staircase within the existing kitchen.

The comments given again confirmed that a 2-storey extension would be unlikely to be supported. In addition to this the raising of the wallhead of the



late 19<sup>th</sup> century wing could not be supported. Furthermore this existing wing should “remain intact”.

Further to these comments it was recommended that the garden room should have a lighter touch with the main house, designing a more obvious separation. There were also concerns raised with the size of the slapping in the west elevation, into the garden room.

The comments concluded that the proposals still over dominated the building and would not be considered appropriate to the buildings character or appearance.

## **NATIONAL POLICY AND GUIDANCE**

The Scottish Government expresses its planning policies through The National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars.

The Scottish Planning Policy 2010 makes specific reference to listed buildings in paragraph 113. It requires planning authorities, when determining applications for planning permission or listed building consent, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997  
Section 14 & 59 of this Act requires the Council to have special regard to the desirability of preserving Listed Buildings or their settings or any features of special architectural historic interest which the building possesses.

Scottish Historic Environment Policy 2011

This document, produced by Historic Scotland provides guidance to Planning Authorities on how to deal with planning applications which affect Listed Buildings and their settings.

Managing Change in the Historic Environment: Extensions (Oct 2010)

Supplementary guidance produced by Historic Scotland, sets out the principles that apply to extending historic buildings. Para. 4.1 specifically notes that extensions should play a subordinate role and should not dominate the original building as a result of scale, materials or location. Extensions should be modestly scaled and skillfully sited.

Managing Change in the Historic Environment: External Walls (Oct 2010)

Supplementary guidance produced by Historic Scotland, sets out the principles that apply to altering the external walls of historic buildings. Para. 4.5 states the formation of a new opening in a wall needs to be considered in light of the overall composition of the wall and assessed as to whether or not it would be consistent with the existing design. The cumulative effect of new openings should not harm the special interest of the building. Where the formation of a new opening is found to be consistent with the design of the

wall, the minimum historic fabric should be removed and the opening should be detailed to match the existing openings.

## **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**

#### **Policy 3: Managing TAYplan's Assets**

This policy seeks to protect TAYplan's assets which includes historic buildings and townscapes.

Further to the above policy 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 HE2 - Listed Buildings**

There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

#### **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.

#### **Policy PM1B - Placemaking**

All proposals should meet all eight of the placemaking criteria.

#### **Policy PM2 - Design Statements**

Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which

exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Historic Garden, Designed Landscape or the setting of a Listed Building or Scheduled Monument.

## **OTHER POLICIES**

Perth and Kinross Council's Placemaking Guide (2012) provides guidance for extensions and alterations:

"The placemaking guide is not intended to limit imaginative and innovative design but discourage particularly large, unsuitable or overly cost-conscious additions and alterations which can destroy the composition of existing buildings and their surroundings. This principle applies to all types of building and is not limited to purely residential property".

## **CONSULTATION RESPONSES**

Scottish Parachute Club - No response.

Environmental Health - No objection.

## **REPRESENTATIONS**

The following points were raised in the 2 representation(s) received:

A letter of support was received from the neighbour at Kinkell Cottage explaining that they are satisfied with the design proposals which will meet the needs of those concerned within family.

A second letter of support has been received from the Community Occupational Therapist expressing her support for the proposals at Earnbank House which will meet the needs of those concerned within family.

### **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	Submitted on 27 May 2014
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 applicable policies of the local plan are Policy HE2: Listed buildings, Policy PM1A & Policy PM1B: Placemaking and Policy PM2: Design Statements

The listed building policy states that there is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the buildings character, appearance and setting.

Policy PM1A on Placemaking states that development must contribute positively, to the quality of the surrounding built and natural environment. The design, density and siting of development should respect the character and amenity of the place.

The criteria in particular which are relevant to this application from the second policy on Placemaking, Policy PM1B are;

- b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area
- (c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.
- (f) Buildings and spaces should be designed with future adaptability in mind wherever possible.
- h) Incorporate green infrastructure into new developments and make connections where possible to green networks.

The design statement policy states that such a document may also be required to accompany an application where design sensitivity is considered a critical issue.

## Design and Layout

The proposal which is predominately located to the rear of the property can be broken down into parts and analysed as such.

### Alterations to the existing late 19<sup>th</sup> century rear wing

The proposal to this wing includes the formation of a wide flat roofed dormer to the west, the complete re-arrangement of the existing window openings and the formation of 3 substantial slappings in the historic fabric. The proposed new wing will also immediately abut and consume the whole of the east elevation and the proposed garden room will abut the west elevation. The east sloping roof will also be lost under a proposed flat roof box dormer connecting the old wing to the proposed wing.

There is therefore a considerable amount of change proposed for this late 19<sup>th</sup> century wing and collectively it is all-encompassing and extremely harmful to the existing historic fabric, character and appearance of the structure.

At ground floor level very little of the historic fabric will be left due to the substantial slappings. The slapping into the garden room is discussed later on in this report. The proposed first floor window is considerably taller than any other existing window, even the ground floor windows which were historically larger than the first floor to avoid a visual imbalance which is what this proposed gable window is doing. A window in this position will also involve the removal of the chimney breast wall and any future reuse of this stack.

Overall the substantial alteration and loss of historic fabric is irreversible and for this reason the proposed alterations collectively cannot be supported. It was explained in the second pre-application enquiry that this extension should “remain intact”.

### Demolition of a single storey lean-to extension with modern greenhouse

During the first pre-application enquiry it was made clear that the removal of the lean-to extension may be considered acceptable if there was justification for doing so as part of a design scheme.

The rear wall above the lean-to extension does imply that there has been another extension at this point in the past. The existing lean-to is the least significant part of the buildings development and is of little architectural merit therefore there is an opportunity to replace this. It was suggested at pre-application stage that it may be possible to replace this with a single storey extension. The merits of the proposed replacement structure are discussed below.

### The erection of a single storey and attic wing with canopy projecting to the east

This extension has been built to mimic the existing late 19<sup>th</sup> century extension and it therefore exactly the same height, width, scale etc. By doing so it immediately takes any significance away from the existing extension. It is not

subordinate in scale and therefore does contribute to the reading of the buildings development history. Its immediate proximity and abutment to the existing extension including the linking flat roof extension above dominates the scene, engulfs the remaining rear wall of the original building and creates a mass that is unacceptable.

The agent has suggested that it is acceptable as it is “extension by replication”, following Historic Scotland’s supplementary guidance on extensions. However this approach may be the answer in certain situations but it does not work here because of the position of the proposed extension and its proximity to the existing extension. The mass and dominance is undoubtedly detrimental to the historic extension and the house as a whole. The agent had hoped that the canopy to the side would create the look of a single storey extension but not only is the side elevation visible from the public road but the continuation of the roof only adds to the visual bulk and mass.

#### The formation of a large flat roof box dormer linking the two rear wings at ridge level

Located to the rear and set back slightly from the gables of the two wings this flat roofed dormer, which runs from one ridge line across to the other, consumes the remaining wall of the rear elevation and covers over a first floor window. The agent believes that as it is not seen from any public vantage point it is acceptable. However regardless of whether or not it can be seen from any part of the public domain, listed buildings are read ‘in the round’ and this addition will be visible for any occupier of the house or visitor when in the rear garden. Such roof additions are visually heavy and dominant and cannot be supported. It also adds to the bulk of the proposed extension which combined completely overwhelms and dominates the late 19<sup>th</sup> century wing.

#### The erection of a flat roofed garden room to the west

This garden room will be set back from the principle elevation behind an existing brick garden wall. Only glimpse views of it will be available as you approach along the public road from the west (more so in the winter months). The style of the proposed garden room is contemporary, a very different approach to the proposed extension mentioned earlier. It better represents its time and continues the buildings evolution. However this proposal was presented at the second pre-application discussion and the advice given was that it had to have a lighter touch with the historic extension by creating a visual break between the two structures. While the original pitched roof has been removed and replaced with a flat roof, the physical connection between the old and new structure has not been amended and I believe it would benefit from doing so, so as to set a clear divide between old and new. It was also advised at pre-app stage to keep the slapping between the old and a new to a minimum by using the existing kitchen window opening, this has been done, thus minimising the loss of historic fabric.

#### Other proposals

The proposals also include the re-slating of the whole house and the installation of 2 No solar panels on the rear slope of the late Georgian house. No information or justification has been provided to support the re-slating of

the whole house, therefore the condition of the slates and reason for re-slating is unknown. The house is slated in Scots slate laid in diminishing courses and this finish contributes significantly to the building special character. Re-slating should only be carried out when it is absolutely essential as a significant percentage of the existing slates will be lost through redressing and good second hand slate will need to be found to match the existing to prevent a 'patchy' look.

It is always preferable to incorporate solar panels into any new development, rather than retrofit them onto the historic fabric/listed building.

#### Design and layout conclusion

It was not possible to mitigate the concerns raised above within the scope of this application and so a withdrawal and resubmission was suggested early on but not taken up. Both the agent and the applicants were determined to try and justify and continue forward with the current proposals. Their justification is explained further on in this report under sub heading 'Other relevant matters' and 'Design and Access Statement'.

To conclude the cumulative impact of the above design and layout proposals are simply all-consuming and will have a significant adverse impact on the special character and appearance of the listed building.

#### **Landscape**

The site is particularly picturesque, located to the south of Kinkell Bridge on a fork in the road with Kinkell Cottage as its only neighbour to the east. On the north side of the bridge there is an old tollhouse, K6 telephone kiosk and gothic gateway leading to Millearn House. This cluster of historic structures all add to the setting of Kinkell Bridge and in turn the picturesque setting of Earnbank House.

The house is instantly noticeable when driving over the bridge as it sits slightly side on to the bridge with the open driveway framing the view of the front but also the side of the house.

The rear looks onto open farmland and despite tree lined avenues of deciduous natives the rear can be seen when approaching the Kinkell Bridge from the south-east because of the angle at which the house sits at.

Gaps in the hedge rows offer glimpse views of the house from the west, more so during the winter months.

#### **Setting of a listed building**

As described above the setting of this listed building is picturesque as are the grounds in which it is set. It is this picturesque quality that plays a key role in the listing of this building and adds to its charm.

Such idyllic, sensitive sites present additional challenges. Proposed extensions can have a significant impact on the buildings setting, character and appearance and that of other neighbouring listed buildings.

### **Residential Amenity**

The proposals will have minimal impact on the adjacent residential amenity given the setback, central position of Earnbank House within a sizeable plot from the only immediate neighbouring property which sits slightly forward of Earnbank House.

### **Visual Amenity**

Earnbank House is the only 2-storey property in the immediate and nearby locale. The closest neighbour, Kinkell Cottage is a single storey property. The proposals as described above will add to the height, mass, scale and density of Earnbank House which in turn will impact to some degree on its relationship to its surroundings and other buildings in the locale.

### **Other relevant matters**

It was made clear in a detailed email to the agent dated 25 April 2014 that the application could not be supported and reasons were given. In a response to this initial email two detailed letters attached to emails were received from both the agent and the applicant explaining the background to the application and the reasons for the proposals. One of the occupants of the house has a disability that is only likely to worsen through time. It is the applicant's wishes to future proof the house to allow them all to continue to live there.

The agent's response dated 29 April 2014 attempts to justify the proposal and brings in the pre-application history.

The applicant's response dated 4 May 2014 brings the Council's attention to the Equality Act 2010 and in particular Part 2, Chapter 2, Adjustments for disabled persons and Part 11, Chapter 1, Section 149 Public sector equality duty. The letter also raises a number of personal issues relating to how they feel they should be able to live as a family. Whilst I am genuinely sympathetic to the applicant's situation the above raised issues are not a material planning consideration and carry little weight with regards to the material impact on the special character and appearance of the listed building.

After some thought and further dialogue with the agent it was decided that a Design and Access Statement would be the only opportunity to justify the applicant's position and give the agent and applicant the opportunity to prove why the proposed design meets the needs of the disability without impacting on the listed building.



## **Design and Access Statement, dated 25 May 2014**

It was agreed with the agent that the 'clock' could be stopped while a Design and Access Statement (DAS) was compiled. The 'clock' was stopped on 16 May 2014. A final copy of the DAS was received on 27 May 2014 and the 'clock' was restarted.

A DAS needs to explain that the approach to access has balanced the duties imposed by the Disability Discrimination Act where the proposal is subject to those and the particular historical and architectural significance of the building. The DAS needs to also justify the approach to ensuring that the listed building preserves or enhances its special historic and architectural importance. Where there is potentially an aspect of the design that will impact on this, the statement should explain why this is necessary and what measures within the approach to design have been taken to minimise its impact.

Following the above, the DAS fails to justify why a two storey extension is necessary to meet the needs of the particular disability referred to in the report. The formation of a first floor shower room or bathroom and the need for a larger bedroom for an able bodied occupant is outwith the 'need' described by the Occupational Therapist (see more details below) who explains the requirements can be achieved at ground floor level. If this is the case the additional first floor accommodation forms part of a 'wish list' which is outwith the scope of a DAS. If indeed this house is to be future proofed the design should have included a lift to allow ease of movement around the whole house, however it does not.

There are many aspects of the report which touch on matters which are outwith the scope of the DAS such as repair, maintenance, improving thermal performance and the addition of solar panels.

The DAS also refers to consultation with Historic Scotland but there is no evidence of this and nor was this carried out in conjunction pre-applications discussion held with Perth & Kinross Council.

To conclude the report bullet points the key issues which need to be addressed to create a barrier free living. I believe all of these points found in para. 4.12 can be achieved without impacting on the character or appearance of the listed building, however not through the current design proposals which impact greatly on the picturesque charm and essential qualities of the listed building.

## **Occupational Therapists report, dated 19 May 2014**

This sensitive document contains personal information relating to one of the occupants of Earnbank House and that persons needs in order to reside at the property long term.

The concluding paragraph reads:

*“[the applicant’s] are planning a ground floor extension to the property to ensure wide doorways for walker/wheelchair access..., level access into and around the property, a ground floor bedroom..., wet room and level/adequate wheelchair turning space throughout. This will allow...independence and optimal quality of life despite...disability”.*

The above statement clearly outlines that the changes necessary to accommodate the needs of the occupant can be done so at ground floor level. Not at any point in the report does the Occupational Therapist refer to any requirements for first floor accommodation.

To make clear it is entirely possible to widen the existing narrow doorways and provide level access around the property without harming the character of the listed building (this has already been addressed in the listed building consent report). It is also possible to accommodate the other needs such as a wet room and wheelchair turning space within a ground floor, and therefore single storey extension. As outlined at pre-application stage it may be possible to erect a single storey extension successfully, therefore it is entirely possible to meet the needs as expressed with some alteration and a modest, subordinate extension. The current proposal therefore goes beyond addressing those laid out in the Occupational Therapist report.

### **Developer Contributions**

The Developer Contributions Guidance is not applicable to this application.

### **Economic Impact**

The economic impact of the proposal is likely to be minimal and has very limited weighting on the overall recommendation.

### **Application Processing Time**

The recommendation for this application has not been made within the statutory determination period despite ‘stopping the clock’. Sufficient time had to be given to fully consider the additional information received such as the Design and Access Statement and Occupational Therapists report.

### **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 be contrary to the approved TAYplan 2012 and the adopted Local Development Plan 2014. On that basis the application is recommended for refusal subject to the reasons noted below.

## **LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **RECOMMENDATION**

### **Refuse the application**

#### **Conditions and Reasons for Recommendation**

- 1 The proposal is contrary to Policy HE2: Listed Buildings, as the siting, design, scale and mass of the proposed extension adversely affects the buildings special interest, appearance and setting.
- 2 The proposal does not accord with the requirements of Scottish Planning Policy 2010 (paragraph 113) where it specifically notes that there is a presumption against works that will adversely affect a listed building or its setting. The scale and mass of the proposals will be over dominant and compete directly with the existing Victorian extension and impacting on the listed building as a whole. New extensions should be subordinate to the host building and represent its place in the buildings development history.
- 3 The proposal does not accord with the Scottish Historic Environment Policy (SHEP) 2011 and Historic Scotland's supplementary guidance Managing Change in the Historic Environment: Extensions (Oct 2010), where it makes it clear that an addition or extension should play a subordinate role. It should not dominate the original building as a result of its scale or materials. An extension should be modestly scaled and skillfully sited. The proposed extension to the rear complete with box dormer infill does not play a subordinate role and instead dominates and consumes the rear elevation and due to its siting and proximity, competes with the existing well-proportioned late 19th century extension which is itself correctly subordinate to the original build.
- 4 The proposal does not accord with the Scottish Historic Environment Policy (SHEP) 2011 and Historic Scotland's supplementary guidance Managing Change in the Historic Environment: External Walls (Oct 2010), where in para. 4.5 it states the formation of a new opening in a wall needs to be considered in light of the overall composition of the wall and assessed as to whether or not it would be consistent with the existing design. The cumulative effect of new openings should not harm the special interest of the building. Where the formation of a new opening is found to be consistent with the design of the wall, the minimum historic fabric should be removed and the opening should be detailed to match the existing openings. The proposed slappings are

accumulatively harmful to the special character of the building and not to a scale or detail which match existing openings.

- 5 The proposal is contrary to Policy PM1A: Placemaking, as the density and overall scale of the proposal does not contribute positively to the quality of the surrounding built environment.
- 6 The proposal is contrary to Policy PM1B: Placemaking (b) and (c) as the height, scale and mass of the whole proposal does not complement its surroundings or integrate sensitively with the existing building.

### **Justification**

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

### **Informatives**

None

### **Procedural Notes**

Not Applicable.

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

14/00445/1

14/00445/2

14/00445/5

14/00445/6

14/00445/7

**Date of Report 16.06.2014**

# HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997  
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

CUSTOMER SERVICE

POINT

7 MAR 2014

Please refer to the accompanying Guidance Notes when completing this application

**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS**

**ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>**

## 1. Applicant's Details

Title ☐ Mr ☐ Mrs ☐ Ms ☐ Miss ☐ Other  
Forename Philip  
Surname Medley

Company Name -  
Building No./Name Earnbank House  
Address Line 1 Kinkell Bridge  
Address Line 2 Perthshire  
Town/City

Postcode PH3 1LD  
Telephone [REDACTED]  
Mobile [REDACTED]  
Fax [REDACTED]  
Email -

## 2. Agent's Details (if any)

Ref No.  
Forename Stewart  
Surname Anderson

Company Name APS  
Building No./Name Old Schoolhouse  
Address Line 1 Invergeldie  
Address Line 2 Glenlednock  
Town/City Comrie

Postcode PH6 2LY  
Telephone 01764 679504  
Mobile -  
Fax -  
Email StewartAPS@aol.com

## 3. Address or Location of Proposed Development (please include postcode)

Earnbank House, Kinkell Bridge, Perthshire, PH3 1LD.

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

## 4. Describe the Proposed Works

Please describe accurately the work proposed:

Alter and extend Earnbank House to provide additional accommodation. Demolish single storey extension at rear of house. Construct replacement extension, construct garden room, and carry out other alterations. (A major reason for the proposed work is to provide self-contained, level access accommodation at ground floor level for a family member with severe disability issues.) Fit solar panels.

Have the works already been started or completed Yes ☐ No ☒

If yes, please state date of completion, or if not completed, the start date:

Date started: [REDACTED]

Date completed: [REDACTED]



If yes, please explain why work has already taken place in advance of making this application.

## 5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes ☒ No ☐

If yes, please provide details about the advice below:

In what format was the advice given? Meeting ☐ Telephone call ☐ Letter ☒ Email ☐

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes ☐ No ☒

Please provide a description of the advice you were given and who you received the advice from:

Name: Mrs Persephone Beer Date: 14/2/2014 Ref No.: 14/00035/PREAPP

Useful advice was received regarding demolition of the rear extension, the size of the proposed replacement extension, and the style of the proposed garden room. The enclosed proposal incorporates revisions to the design in the light of the advice received.

## 6. Trees

Are there any trees on or adjacent to the application site? Yes ☐ No ☒

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

## 7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes ☐ No ☒

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

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes ☐ No ☒

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently Exist on the application site? 5 minimum

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total of existing and any new spaces or reduced number of spaces) 5 minimum

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc).



### 8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes ☐ No ☒

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes ☐ No ☒

If you have answered yes please provide details:

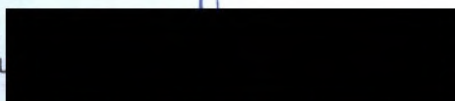
### DECLARATION

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed ☒

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes ☐ No ☐ N/A ☐

Signature



Name:

Stewart Anderson (for APS)

Date:

7th March 2014

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

# LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997  
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland)  
Regulations 2013

## CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

### CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

#### I hereby certify that -

- (1) No person other than the applicant was owner 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 application. ☒
- (2) None of the land to which the application relates constitutes or forms part of agricultural land. ☒

Signed:

On behalf of:

Mr and Mrs Medley

Date:

7th March 2014

### CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

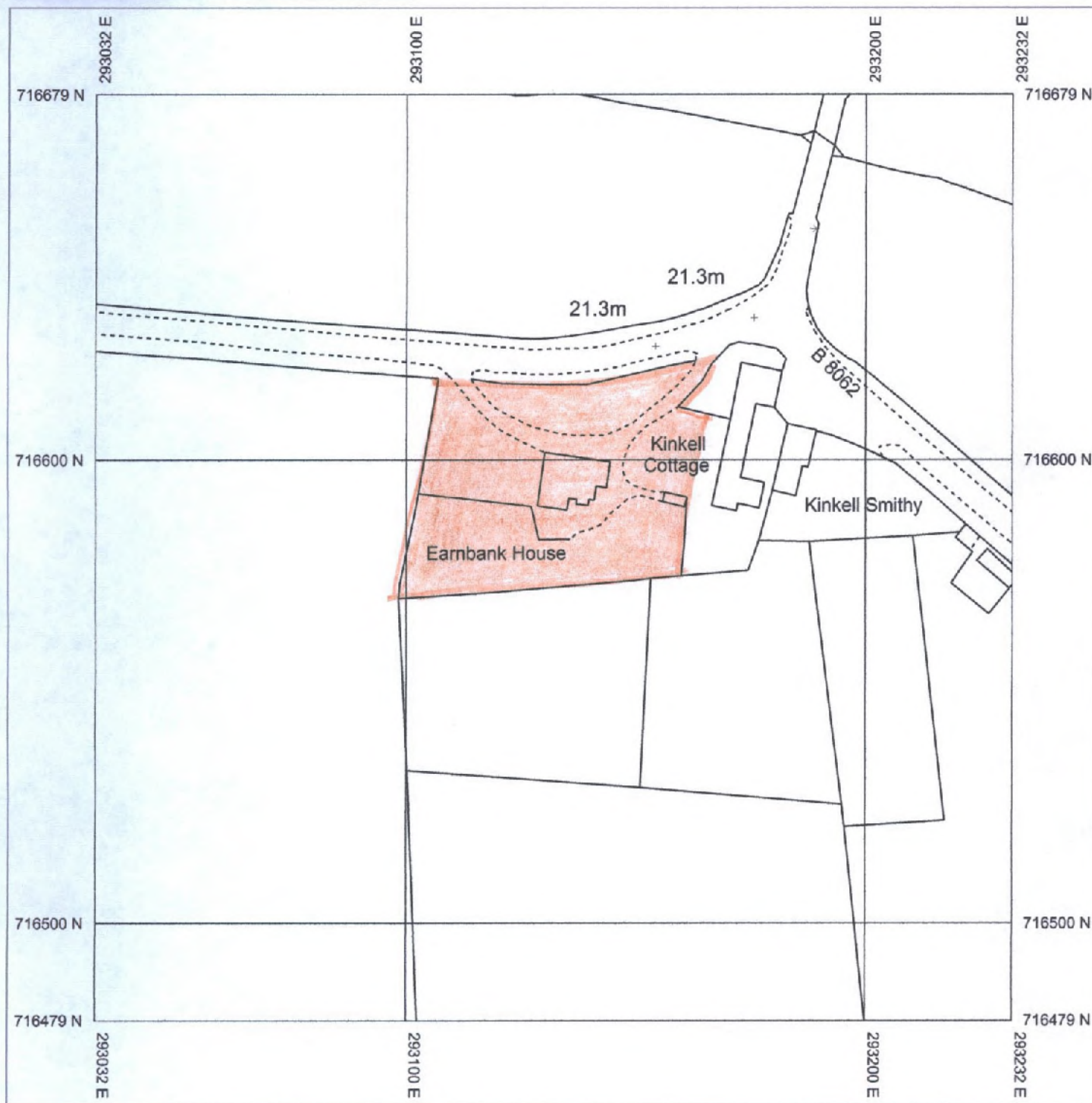
#### I hereby certify that -

- (1) I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are: ☐

Name	Address	Date of Service of Notice

- (2) None of the land to which the application relates constitutes or forms part of agricultural land ☐
- or
- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are: ☐





PERTH AND KINROSS COUNCIL

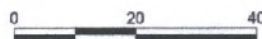
Produced 04/06/2013 from the Ordnance Survey  
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The representation of a road, track or path is no  
evidence of a right of way.

The representation of features as lines is no evidence  
of a property boundary.



Scale 1:1250

DRAWING REF: 14/00445/1

Supplied By: edinburgh copyshop

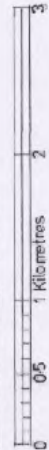
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Plot Centre Coordinates: 293132, 716579

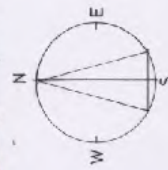
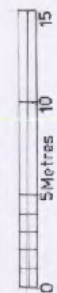




LOCATION MAP 1:25000



SITE PLAN 1:200



PERTH AND KINROSS COUNCIL

DRAWING REF: 14/100/445/2

**APS**

Old Schoolhouse, Invergellich, Clackmannanshire, Perthshire, PH16 2LX.  
Telephone 01794 675934 Email: Stewart@apsplan.com

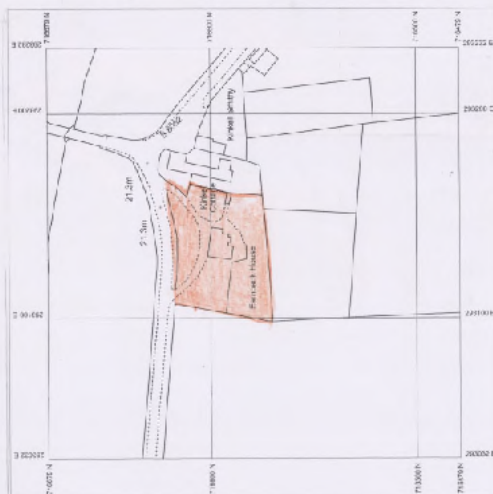
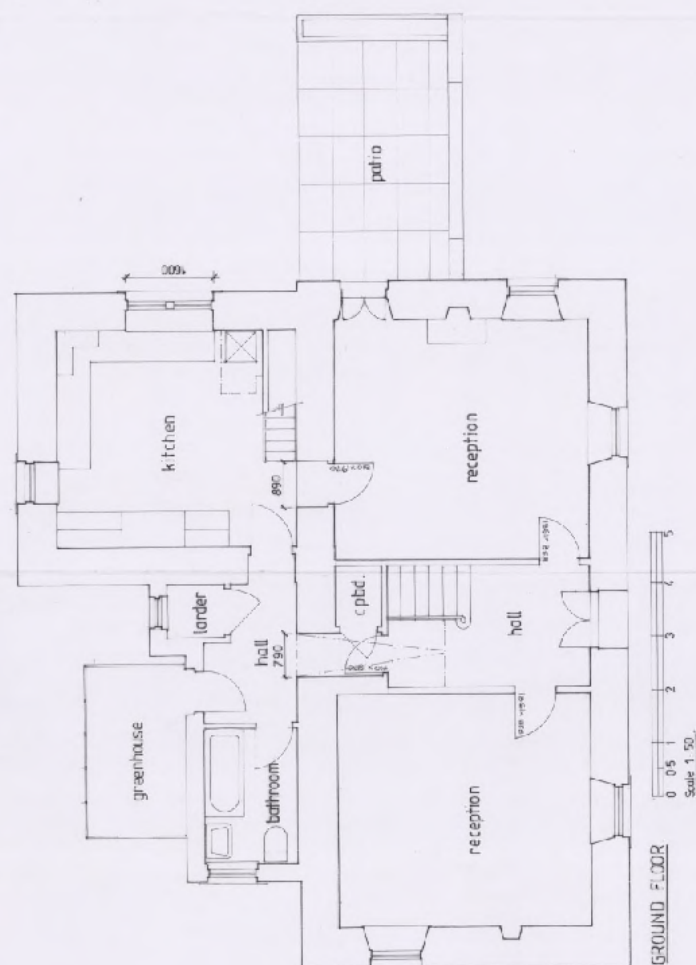
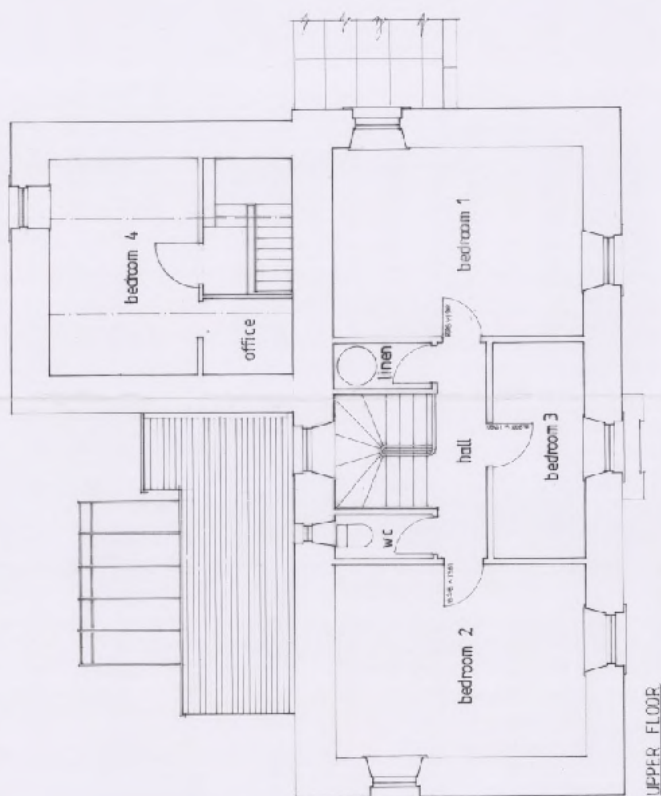
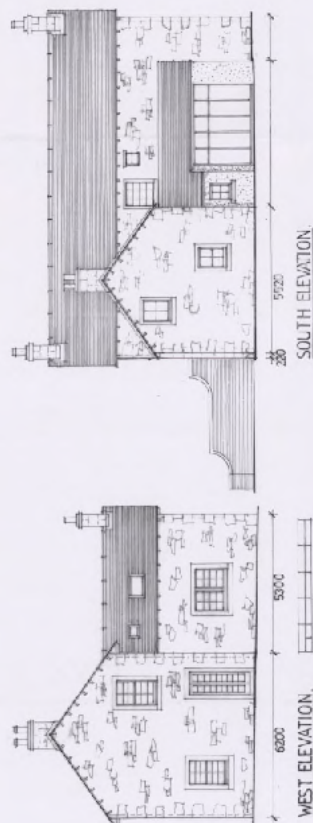
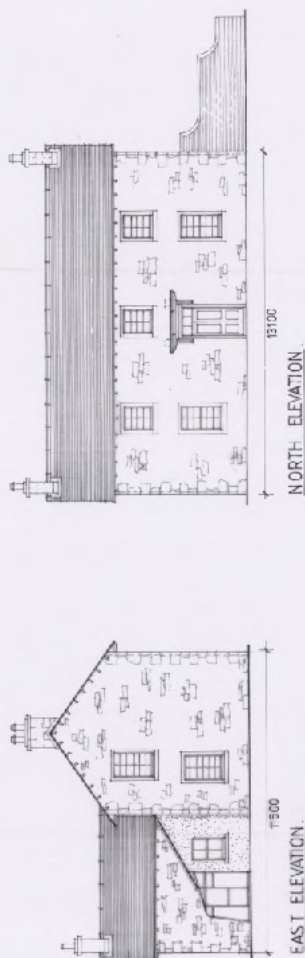
Alter and extend house to provide additional accommodation on ground and upper floors.

CLIENT: Sam & Philip Medley,  
Earnbank House, Kinkell Bridge,  
PH13 1LD.

PROJECT: Site Plan and Location Map.

DATE: 14/03/14 SCALE: 1:200 & 1:25000. DRAWING NO: MKB02





**REVISED**

**PERTH AND KINROSS COUNCIL**

**DRAWING REF: 14/00045/S**

Perth and Kinross Council  
 Planning Department  
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 Website: [www.perth.gov.uk](http://www.perth.gov.uk)

House as existing 1 plan and elevation  
 1509 & 1510A MKB05 B



**PROJECT PURPOSE**  
 The purpose of this project is to provide a detailed architectural design for the proposed development, including site plans, floor plans, and elevations, to be used for planning and construction purposes.

**GENERAL NOTES**  
 1. All dimensions are in millimetres unless otherwise stated.  
 2. The proposed development is to be constructed in accordance with the relevant building codes and standards.  
 3. The design is based on the information provided in the brief and site survey.  
 4. The design is subject to approval by the relevant planning authorities.  
 5. The design is for information only and does not constitute a contract.

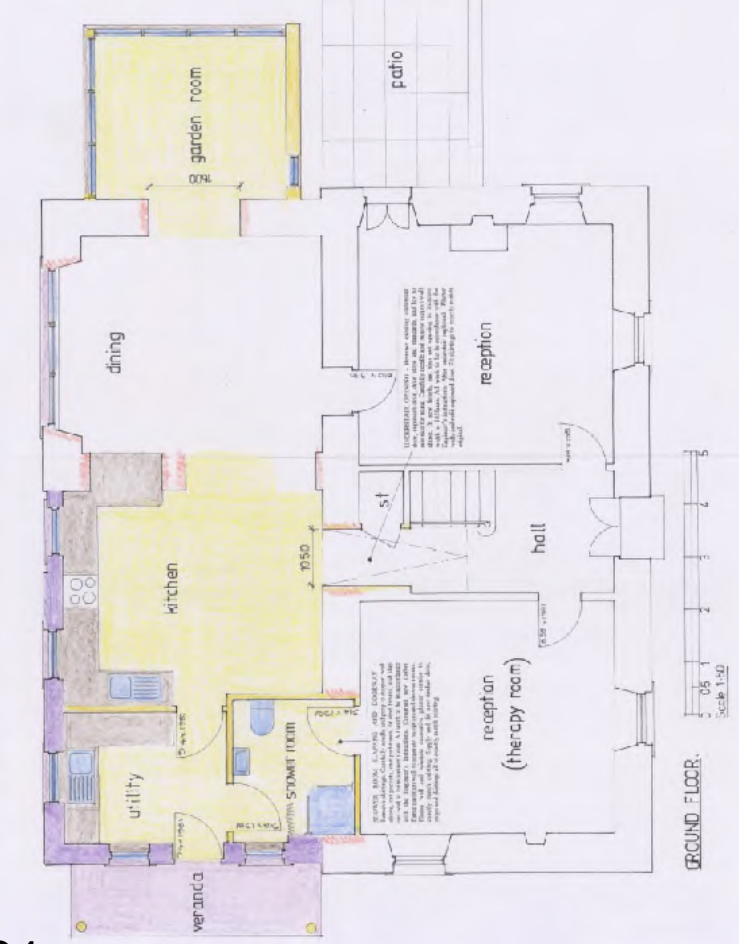
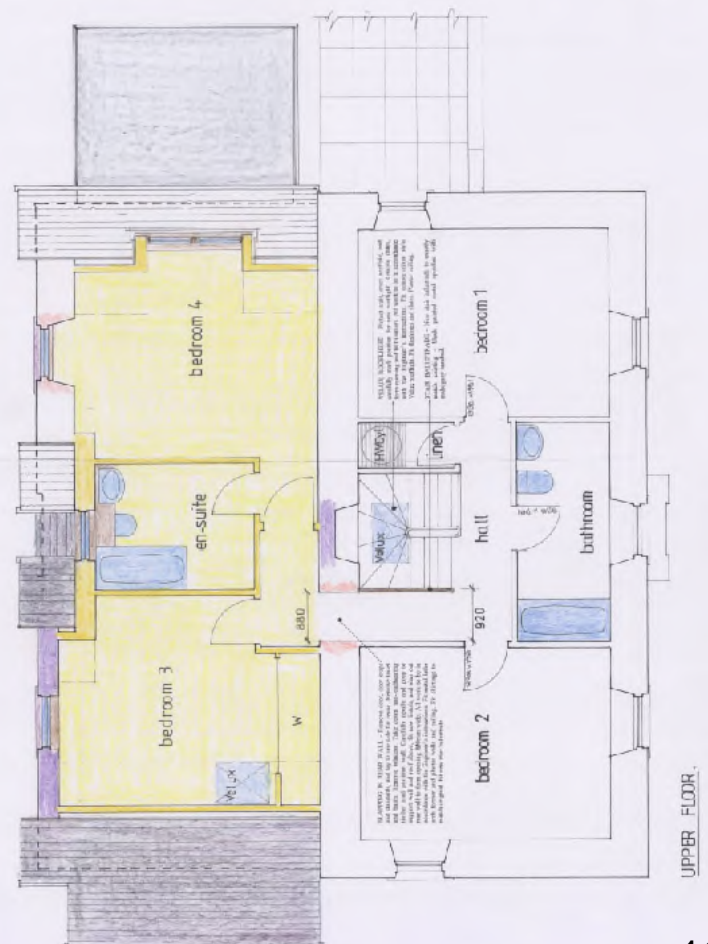
**EXTERIOR FINISHES**  
 The exterior finishes for the proposed development are as follows:  
 - Walls: Rendered finish with a light grey color.  
 - Roofs: Asphalt shingles.  
 - Windows: White painted frames with double glazing.  
 - Doors: White painted frames with double glazing.

**INTERIOR FINISHES**  
 The interior finishes for the proposed development are as follows:  
 - Walls: Plaster finish with a light grey color.  
 - Floors: Polished concrete.  
 - Ceilings: Plaster finish with a light grey color.  
 - Windows: White painted frames with double glazing.  
 - Doors: White painted frames with double glazing.

**MECHANICAL, ELECTRICAL, AND PLUMBING (MEP)**  
 The MEP system for the proposed development is as follows:  
 - Heating: Radiant floor heating system.  
 - Cooling: Air conditioning system.  
 - Water Supply: Municipal water supply.  
 - Sewerage: Municipal sewerage system.

**STRUCTURAL NOTES**  
 The structural system for the proposed development is as follows:  
 - Foundation: Reinforced concrete foundation.  
 - Walls: Reinforced concrete walls.  
 - Slabs: Reinforced concrete slabs.  
 - Roofs: Reinforced concrete roof.

**ENVIRONMENTAL NOTES**  
 The environmental impact of the proposed development is as follows:  
 - Energy: The proposed development is designed to be energy efficient.  
 - Water: The proposed development is designed to be water efficient.  
 - Air Quality: The proposed development is designed to be air quality friendly.



**REVISED**

**PERTH AND KINROSS COUNCIL**

**DRAWING REF 14/00045/6**

<p><b>PROJECT PURPOSE</b>          The purpose of this project is to provide a detailed architectural design for the proposed development, including site plans, floor plans, and elevations, to be used for planning and construction purposes.</p>	<p><b>GENERAL NOTES</b>          1. All dimensions are in millimetres unless otherwise stated.          2. The proposed development is to be constructed in accordance with the relevant building codes and standards.          3. The design is based on the information provided in the brief and site survey.          4. The design is subject to approval by the relevant planning authorities.          5. The design is for information only and does not constitute a contract.</p>	<p><b>EXTERIOR FINISHES</b>          The exterior finishes for the proposed development are as follows:          - Walls: Rendered finish with a light grey color.          - Roofs: Asphalt shingles.          - Windows: White painted frames with double glazing.          - Doors: White painted frames with double glazing.</p>	<p><b>INTERIOR FINISHES</b>          The interior finishes for the proposed development are as follows:          - Walls: Plaster finish with a light grey color.          - Floors: Polished concrete.          - Ceilings: Plaster finish with a light grey color.          - Windows: White painted frames with double glazing.          - Doors: White painted frames with double glazing.</p>	<p><b>MECHANICAL, ELECTRICAL, AND PLUMBING (MEP)</b>          The MEP system for the proposed development is as follows:          - Heating: Radiant floor heating system.          - Cooling: Air conditioning system.          - Water Supply: Municipal water supply.          - Sewerage: Municipal sewerage system.</p>	<p><b>STRUCTURAL NOTES</b>          The structural system for the proposed development is as follows:          - Foundation: Reinforced concrete foundation.          - Walls: Reinforced concrete walls.          - Slabs: Reinforced concrete slabs.          - Roofs: Reinforced concrete roof.</p>
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# DESIGN AND ACCESS STATEMENT

Earnbank House  
Kinkell Bridge  
Perthshire  
PH3 1LD

Alterations and Extension to create a Barrier Free Family Home



25<sup>th</sup> May 2014

**APS**

The Old Schoolhouse  
Invergeldie,  
Glenlednock,  
Comrie,  
Perthshire,  
PH6 2LY

## NOTE

The full copy of this report will be made available to the members of the Local Review Body. However, due to the nature of the report some of the content has been redacted before publishing online.

## INDEX

### 1.0 SITE DESCRIPTION

- 1.1 Site location and description
- 1.2 Earnbank House
- 1.3 History

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- 2.1 The Medley family and their home
- 2.2 Description of Brief

### 3.0 DESIGN PRINCIPLES

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- 3.2 Consultation with Historic Scotland

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- 4.4 Subservience and subordination
- 4.5 Preservation of historic fabric (original house)
- 4.6 Preservation of historic fabric (Victorian extension)
- 4.7 Garden room
- 4.8 Veranda
- 4.9 Materials
- 4.10 Front elevation and symmetry issues
- 4.11 Sustainability
- 4.12 Accessible barrier free design
- 4.13 Community consultation
- 4.14 Recording
- 4.15 Conclusion

### 5.0 SUMMARY

### 6.0 ADDITIONAL PHOTOGRAPHS

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**Note** - The Design and Access Statement should be read in conjunction with:

- 1. Occupational Therapy Report by Rhona Macleod-Garrad dated 19/5/2014.
- 2. Drawings MKB02, MKB05B and MKB25B.
- 3. Photo Appraisals 1 & 2.

## 1.0 SITE DESCRIPTION

### 1.1 Site location and description

Earnbank House is located on the south side of the River Earn close to Kinkell Bridge. It is situated in secluded garden ground extending to approximately 0.28 hectares and has open views to the south over rolling fields and farmland.

### 1.2 Earnbank House

The house is stone built with a pitched and slated roof. The original part of the building dates from about 1830 and a later extension was probably added between 1860 and 1885. A further small extension was added, after demolition of an earlier lean-to structure, at some point in the last century. The building is B listed.

The main part of the house is a handsome building, late Georgian, still with original windows and doors on its principal (north) elevation. The Victorian extension on the south elevation is not as original and windows have been added and altered at various times. An attic conversion of that extension was carried out in the nineteen seventies to add a study and bedroom above the kitchen. These rooms can only be accessed by way of a second staircase from the kitchen and not from the upper floor of the main part of the house.



Earnbank House from the north.



Rear extensions.

A striking feature of the house is the front elevation. Restrained and elegant around a central doorway it presents a harmonious symmetry in all aspects; window pattern, wall proportion, and chimney stacks.

### 1.3 History

So far as can be determined Earnbank House was originally built as the home for the factor of the surrounding estate.

There is evidence that it originally had a substantial lean-to or flat roofed extension containing kitchen and scullery in the area where the small extension now sits.

The Victorian extension was possibly constructed for use as an estate office and store. Peculiarly, until the nineteen seventies, it had only one ground floor window and no stair access to the loft area on the upper floor. The opening from the west reception room in the main house is not original.



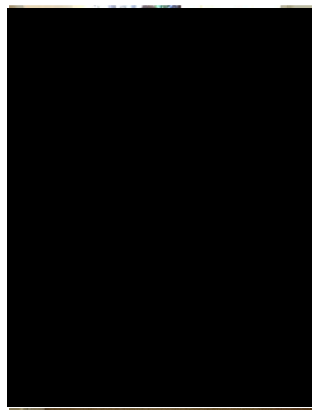
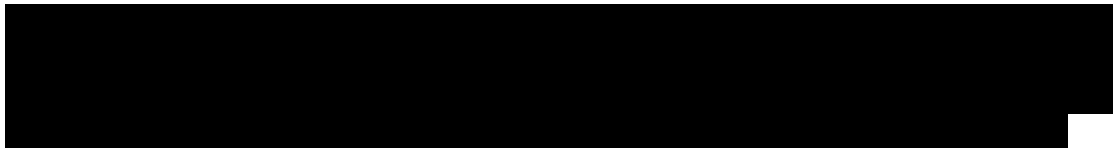
## 2.0 BACKGROUND INFORMATION

### 2.1 The Medley family and their home

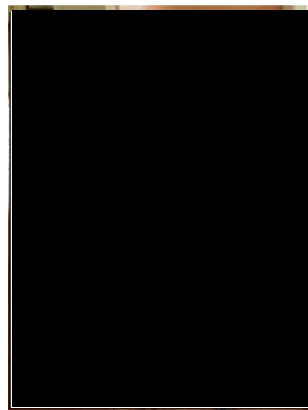
The Medley family have owned and occupied Earnbank House for about forty years. They now have need of more space and an altered layout principally because [REDACTED]

[REDACTED] the house in its present form has many limitations. On the ground floor alone these include:

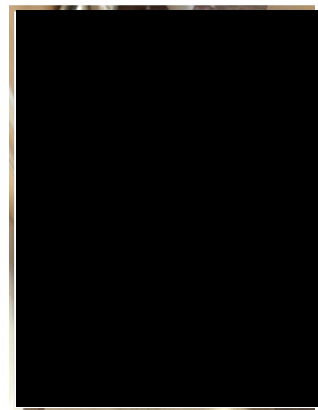
- The ground floor is not on one level and has internal steps between the kitchen & reception room and the kitchen & rear hall.
- Entry from the hall to the kitchen/ dining room is cramped and awkward, mainly because it is constrained by the second stair.
- The openings from the main part of the house to the rear extensions are too narrow for [REDACTED]
- The only bathroom in the house is on the ground floor, off the rear hall, in an area noted above as difficult to access.
- The bathroom is totally unsuitable for [REDACTED]
- One of the reception rooms is in permanent use as a therapy room and also as [REDACTED] emergency bedroom.



Narrow hallway.



In the kitchen.



The bathroom door.

The upper floor too has limitations. [REDACTED]

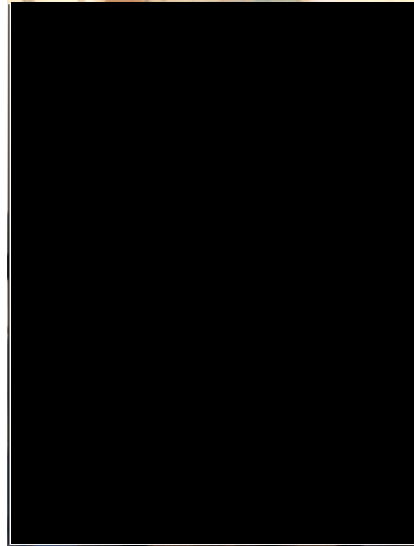
[REDACTED] the main points that need to be addressed are:

- There is no bathroom or shower room on the upper floor.
- The third bedroom, [REDACTED] was originally a bathroom and is very small – too small for continued use.
- The fourth bedroom cannot be accessed from the main upper floor, requires a secondary stair, and feels “detached” from the rest of the house.





An awkward turn.



A tight fit!

Taking all of these weaknesses into consideration it can be seen clearly that the Medley family have a pressing need for more space and for a more [REDACTED] friendly” home.

## 2.2 Description of Brief

The brief is to provide a four bedroom family home that is accessible by all of the family, with sufficient space for [REDACTED] to live as much of an independent and unassisted life as possible. Specific requirements are therefore:

- To provide a level access ground floor with a layout suitable for unassisted living [REDACTED]
- To provide an spacious, accessible kitchen/dining/living area, with access to a garden room to take advantage of outlook to the south and west, and with the potential to incorporate doors directly to the garden.
- To provide a veranda or porch adjacent to a parking area to give covered access in all weather.
- To provide an additional bedroom on the upper floor to allow both young children to have separate bedrooms on the same floor as their parents.
- To provide appropriate bathroom facilities.

In view of the age and state of the property there is also a considerable amount of renovation, repair and upgrading work that needs to be carried. The proposed scheme will incorporate:

- A program of works for the restoration and repair of the existing building fabric including roof repairs and re-slating, repair and repainting of rainwater goods, re-pointing of stonework and repair of windows.
- Measures to improve the overall thermal performance of the house.

### **3.0 DESIGN PRINCIPLES**

Given the requirements identified in the brief it is clear that the design will have to provide additional space as well as specifying alterations to improve access within the original house.

A fundamental aspect of the design is the need to determine where that additional space can be added, and to what extent the present structure can be altered, and still remain predominantly compliant with the requirements of Historic Scotland.

The design process, has taken place in tandem with consultation with PKC Planning and Historic Scotland. It has shown that the most acceptable solution is to demolish the small lean-to extension to the rear. The lean-to, as noted earlier, is the most recent addition to Earnbank House and is also the least attractive part of the building. Demolition will provide part of the space necessary.

#### **3.1 Basic principles of the design**

The chosen solution is for demolition of an unattractive rear extension, construction of a new extension to replicate the Victorian extension, and an additional complimentary garden room extension on the west side which will be screened by existing garden walls and shrubs.

#### **3.2 Planning Guidance and Pre-Application Discussions**

Two pre-application enquiries have been made and these have provided detailed and useful criticism.

- (13/00553/PREAPP – 27<sup>th</sup> July 2013) - The first enquiry showed, as noted above, that there would likely be support for demolition of the small extension at the rear in order to free up space for a new extension.
- (14/00035/PREAPP – 16<sup>th</sup> January 2014) - The feedback received from the second enquiry was very specific and was particularly helpful in developing and refining the detail of the design. The final design has been adjusted to comply with the criteria set out at that stage.
- (14/00445/FLL – 18<sup>th</sup> March 2014) – Further feedback, particularly regarding loss of fabric in the main house, has also helped to inform the final design.

#### **3.2 Consultation with Historic Scotland**

Consultation and discussion has also taken place with Historic Scotland. Their comment and guidance has been central to the final design, both in broad principle and also with regard to detail.

- The decision to replicate the Victorian extension with the proposed new build appears, by consensus, to be the most appropriate way forward. The reasoning being that by following this course the symmetry of the principal (north) elevation will, to some extent, be applied to the rear.
- The original listing document mentions the “broad-eaved roof” and that detail will be adopted for the whole of the proposed new build structure.
- The listing also makes mention of the “original glazing” so that the new windows, where appropriate, will follow the style and proportion of the original.

## 4.0 DESIGN CRITERIA AND SOLUTION

**4.1 Key Issues** – The key issues in terms of position and appearance that must inform the design of extensions to listed buildings are clearly stated by Historic Scotland. Extensions:

- *must protect the character and appearance of the building;*
- *should be subordinate in scale and form;*
- *should be located on a secondary elevation;*
- *must be designed in a high quality manner using appropriate materials.*

These criteria determine that the proposed extension will have to be sited to the rear of the building and that the existing small lean-to extension will need to be demolished to provide the necessary space.

**4.2 Demolition of existing lean-to extension** – As stated above PKC Planning has agreed that demolition of the small lean-to is an acceptable option and that they will be:

*“unlikely to object to the removal of the existing lean to extension on the south elevation” (14/00035/PREAPP)*

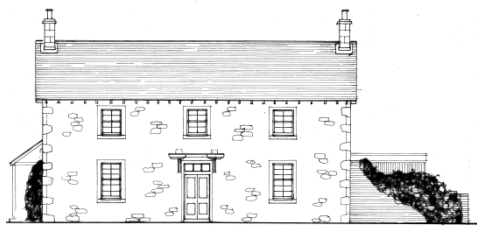
**4.3 Extension by replication** – As noted earlier the new extension will replicate the existing and its design follows the guidance set out by Historic Scotland. Scale and massing are identical. The Historic Scotland publication *Extensions*, section 3.4, states that:

*“Replication is where new work is designed specifically to match the original building and does so in all respects, not only in the use of materials in the same style. The dimensions and finish of the materials used, and details such as colouring, pointing, tooling, window proportion and profile, roof pitch and slate, must all be accurately modelled on the existing building or they will not sit comfortably beside the original.”*

**4.4 Subservience and subordination** – As the new extension will exactly replicate the original it will avoid any tendency to dominate and will remain subservient to the principal and original house. The new extension fully and exactly complies with Historic Scotland guidance, *Extensions*, section 4.1, which states that:

- *An addition or extension should play a subordinate role. It should not dominate the original building as a result of its scale, materials or location, and should not overlay principal elevations.*
- *Where an extension is built beside a principal elevation it should generally be lower than, and set back behind, that facade.*
- *An extension that would unbalance a symmetrical elevation and threaten the original design concept should be avoided.*

The proposed extension is not large and will not increase the overall footprint of Earnbank House by less than 20%.



Extension effectively screened.



The old replicated in the new.

Sitting alongside the Victorian original, the new extension will provide a very compact solution to the requirement for additional space on both ground and upper floors. On reflection, it is hard to conceive of a more compact arrangement as virtually the entire internal volume is utilised.

**4.5 Preservation of historic building fabric (original house)** – The proposed design will ensure that within the principal and original part of the house the necessity for alteration is kept to a minimum. The alterations that are necessary are all dictated by access issues and will be:

- Widening of the existing opening from the ground floor hall to the new extension. [REDACTED] The change is relatively small, adding 260mm, and will not be obvious.)
- Creating a doorway from the east reception room to the new shower room. [REDACTED] The proposed doorway could be removed relatively easily at a future date and the room returned to its original state.)
- Removing an upstairs toilet in order to create an opening from the upper hall to the new extension. (The upper rear part of the house is only accessible at present by way of the secondary stair from the kitchen. The proposed opening will be 880mm wide.)
- Installation of a Velux rooflight above the stair. (Essential for natural light in stairwell and hallways – it replaces the existing south window.)

**4.6 Preservation of historic building fabric (Victorian extension)** – The special circumstances relating to this proposal have already made clear the need for a barrier free living space at ground floor level. Under normal circumstances the new ground floor areas could be accessed from the Victorian extension by openings of a modest width. In this case the need for the kitchen, dining and living spaces to be integrated physically, visually, and aurally dictates minimal obstruction. This will result in the loss of a section of the east wall of the present extension. The loss will be internal and will not be visible from outside.

On the upper floor there will be alteration of the east pitch of the roof but that is unavoidable if there is to be useable space in that upper rear area. Once again that change will not be visible from any public viewpoint because it will be masked by the south gables. It will only be visible from the garden or field directly south of the house, all of which is private land.

**4.7 Garden room** – The garden room will add useful living space to the ground floor and will take advantage of south and west views on sunny days. Doors can be added in place of the windows to give level threshold access to a deck or patio in the garden. The garden room will be sheltered on its north side by the existing high, ivy covered garden wall and planter that project from the west gable of Earnbank House. The wall will also act to mask the structure when seen from the public road to the north and will help to minimise the visual impact on the principal elevation.

The submitted design draws on advice received from PKC Planning which stated:

*“The proposed garden room may be acceptable however a lighter touch in the connection with the existing house would be recommended, perhaps with a more obvious separation from the main house. The large slapping in the west elevation is not likely to be supported. A slapping more the size of the existing kitchen window may be more appropriate.” (14/00035/PREAPP)*

The design has been altered exactly in accordance with that advice. It is intended that the garden room should be seen as a complimentary addition rather than as a replication. The minimalist design style with timber cladding, flat roof and large windows, will make a clear statement that it is an addition.

**4.8 Veranda** – The veranda is important and will provide “all weather” cover for setting down and wheelchair access. The existing driveway leads directly to the setting down point.



The veranda eaves line will help promote the impression of a single storey extension. (Photomontage)

The veranda will have an additional benefit in so far as the low eaves line will help promote a “single storey” feel, particularly when viewed from the south east or from

the road at Kinkell Bridge. The eaves will be constructed to match the “broad eaves” detail on the original roof.

**4.9 Materials** – The proposed extension will use appropriate material for all external finishes. Roof – natural slate with zinc and lead; walls – natural stone; garden room walls – locally sourced larch; windows and doors – timber; rainwater goods – cast iron.

**4.10 Front elevation and symmetry** – The existing ivy covered garden wall projecting from the west gable of Earbank House will screen the garden room very effectively.



The ivy covered garden wall will screen the garden room very effectively.

The veranda on the east side will be a relatively light and open structure and will be partly screened by existing shrubbery on the east gable. There is no viewpoint, from which both sides of the facade will be visible, that might make symmetry an issue of concern.

**4.11 Sustainability** – The proposals are sustainable in a holistic sense:

Inclusion – The proposal will provide an accessible and barrier free house.

Insulation – Increased insulation and higher u-values will help to reduce energy consumption.

Materials – Nationally sourced materials will be used thus reducing transportation. Timber will be responsibly sourced from managed forests.

Renewables – Solar panels will be used for domestic hot water and space heating. Solar PV will be added if the budget allows.

Passive ventilation – Opening windows on both sides during summer brings in cool air. A “stack effect” will be formed in the

stairwell which will draw hot air up through the roofspace to exhaust through a solar flue.

Natural daylight – Large south facing windows will maximise daylight and reduce the need for artificial light. Rooflights on the upper floor will supplement the smaller windows and provide four times more light than vertical windows. This too will reduce the energy demand.

Water consumption – Low flush cisterns and water efficient taps will be used.

**4.12 Accessible barrier free design** – The design has been informed by BS 8300 and the Wheelchair Housing Design Guide. Particular features include:

- Linear access into house direct from setting down point.
- Improved access to original part of house.
- Accessible kitchen design for inclusivity and adaptability.
- Statutory ground floor toilet and shower room design.
- Flush threshold detailing.
- Physiotherapy spaces.
- Wheelchair storage.

**4.13 Community consultation** – The Medleys have spoken to their two closest neighbours who are both enthusiastic in their support for the proposals. (One family has lodged a note of support with PKC.)

**4.14 Recording** – Given that the proposed extension will result in some unavoidable loss of fabric, it is intended that the Royal Commission on the Ancient and Historical Monuments of Scotland's (RCAHMS) will be given the opportunity to record the historic structure prior to works commencing. This is in line with Historic Scotland guidance, *Extensions*, section 9.1, which states that:

*"RCAHMS is always pleased to consider recording changes to historic structures whenever the opportunity arises."*

**4.15 Conclusion** – All design involves compromise. The proposed design will provide a barrier free home with extended accommodation while at the same time remaining in broad compliance with Historic Scotland requirements. It will ensure that all that is best in Earnbank House is restored and preserved.

By confining all new construction to the rear the design will leave the principal and original structure undisturbed. There will be no visible change to the exterior of the original and main part of the house.



## 5.0 SUMMARY

The proposed design will ensure a barrier free house. It will provide a ground floor living space that is easily accessible from the original part of the house and an additional bedroom and bathroom on the upper floor. These changes will bring about a welcome and necessary improvement in the quality of daily life for the whole of the Medley family.

At the same time the design will respect the historic nature and setting of the house and will preserve and enhance its character. It will do this by removing a redundant and unattractive element and replacing it with one that is more sympathetic in appearance and which will be finished in materials that are a better match for the original.



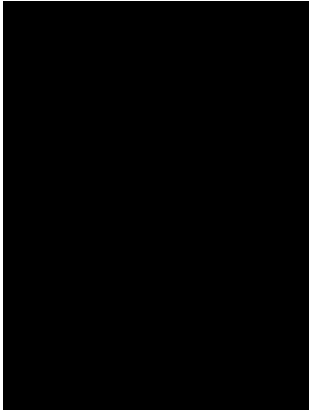
Earnbank House from the south east showing the proposed extension at the rear. (Photomontage)

The comprehensive programme of external repairs that is to be carried out in tandem with the new works will result in a full restoration of the original house and ensure the good maintenance and condition of Earnbank House.





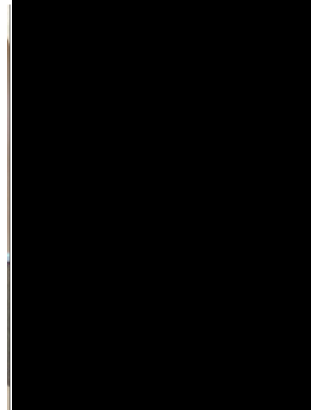
## 6.0 ADDITIONAL PHOTOGRAPHS



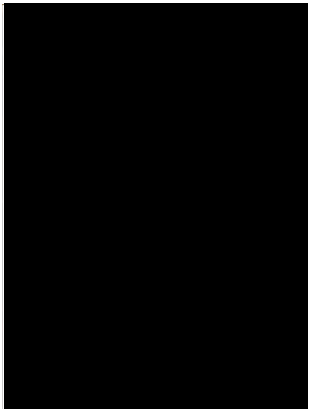
Coming into the house.



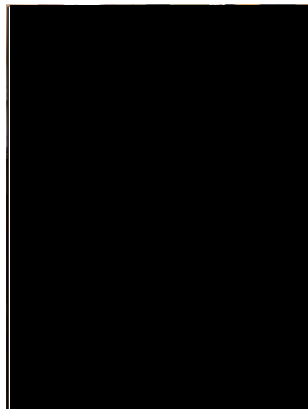
Kitchen ramp.



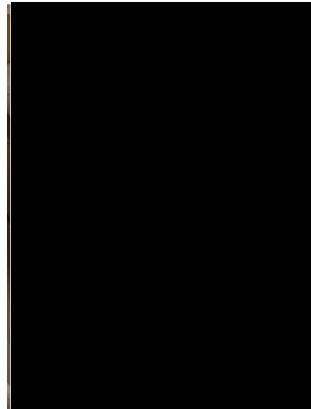
Not enough space!



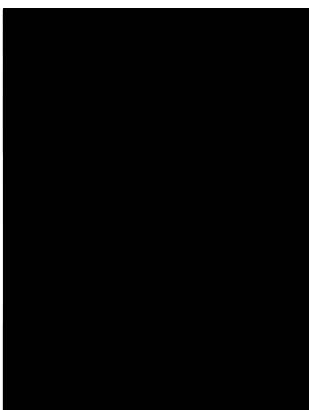
At the back door.



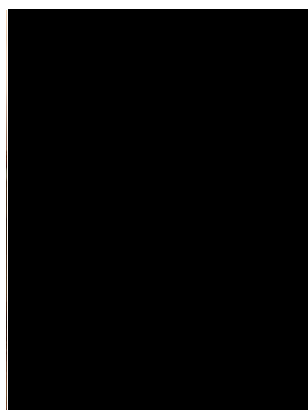
Kitchen again.



Bathroom squeeze.



In the kitchen.



These corners!



Therapy room.



## Vivienne Whyte

---

**From:** StewartAPS@aol.com  
**Sent:** 30 April 2014 10:10  
**To:** Vivienne Whyte  
**Cc:** [REDACTED]  
**Subject:** Re: 14/00448/LBC & 5/FLL - Earnbank House, Kinkell, Strathallan, Auchterarder  
**Attachments:** 07 PKC 2014-04-29 Response to appraisal..pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Vivienne Whyte,

Further to our conversation on Monday I enclose my response. I would be grateful if you would confirm receipt and let me know if you require a paper copy by post.

As noted in the response I would be happy to provide additional drawings or sketches if you think that it would be useful. It may also be that we require some extra time to resolve matters and agree a course of action with you. In any event we can talk in due course.

Many thanks for your help.

Kind regards,

Stewart.

**Stewart Anderson**

### APS

Old Schoolhouse  
Invergeldie  
Glenlednock  
Comrie  
PH6 2LY

Tel: 01764 679504

mail to: [StewartAPS@aol.com](mailto:StewartAPS@aol.com)

In a message dated 25/04/2014 16:08:41 GMT Daylight Time, [VACWhyte@pkc.gov.uk](mailto:VACWhyte@pkc.gov.uk) writes:



# APS

The Old Schoolhouse  
Invergeldie,  
Glenlednock,  
Comrie,  
Perthshire,  
PH6 2LY

Telephone 01764 679504

Vivienne Whyte  
Planning Department  
Perth & Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD

29<sup>th</sup> April 2014

Dear Vivienne Whyte,  
**Mr and Mrs Medley: 14/00448/LBC and 445/FLL**  
**Earnbank House, Kinkell Bridge, PH3 1LD.**

Many thanks for your email of 25<sup>th</sup> April.

Further to our conversation on Monday I have, as promised, given the matter some consideration and hope to change your mind regarding the proposed scheme for Earnbank House although I accept that some modifications may be required. Given that there is a considerable history behind this application I think that I should possibly have provided a more detailed design statement at the time of the submission and that now follows below. For your information I will start with the background to the present proposal.

## **Background to the present application:**

The Medley family have over several generations, owned, occupied and enjoyed Earnbank House for forty years. They now have need of more space and an altered layout principally because one of their young children suffers from a progressive motor neuron disorder, has greatly impaired mobility, and permanently requires walking aids. Due to their son's ongoing needs and taking into account the progressive nature of his condition, the present layout has many weaknesses:

- The ground floor is not on one level and has an internal step between the kitchen and reception rooms.
- The openings from the original part of the house to the rear are too narrow for walking aids/wheelchair use.
- The only bathroom is off the rear hall in an area difficult to access and that bathroom is totally unsuitable for walking aids/wheelchair use.
- The kitchen/dining room loses a lot of potentially useful space to a secondary stair.



- All bedrooms are on the upper floor and are consequently very difficult for unassisted access.
- (These weaknesses are well known and have been commented on by Perth and Kinross Council's Community Occupational Therapy Team, with an application for improvement grant relating to works for a disabled occupant being progressed. Documentation can be supplied.)

Over the course of the past three or four years the Medleys have given much thought to how it might be possible to alter their home in order to improve matters. Several architects have been consulted and at the time that I became involved, in May last year, the brief was to provide a solution that would:

- Provide a level access ground floor with a layout suitable for unassisted living by a wheelchair user, including the possibility of converting one of the ground floor reception rooms to a bedroom with access to a disabled use shower room.
- Provide a light and spacious kitchen/dining area, with access to a garden room to take advantage of outlook to the south and west, and with the potential to incorporate doors directly to the garden.
- To provide a covered porch adjacent to a parking area to give ease of access in all weather.
- To provide additional bedroom accommodation on the upper floor to allow both young children to have separate bedrooms on the same floor as their parents, with appropriate bathroom facilities.
- To incorporate a program of works for the restoration and repair of the existing building fabric including roof, rainwater goods, re-pointing of stonework and repair of windows.

The first proposal that we put forward to PKC in July 2013 was largely based on an earlier scheme by others and was intended to test the waters. The response by Philip Sweeney was very informative. Acting on his advice we consulted with Historic Scotland and, drawing heavily on the guidance set out in their publication *Extensions*, we revised the layout and submitted this to PKC in January.

Persephone Beer appraised the revised proposal and made specific, detailed and useful criticism. The main objection was that the proposals were still over dominating the original house and her detail criticism was that:

- Increasing the height of the existing rear extension would not be supported.
- The height of the proposed two storey rear extension was unacceptable.
- The garden room was too heavy and a "lighter" touch was required.
- The slapping from the house to the proposed garden room was too large.

In the light of Persephone Beer's input, and a subsequent telephone conversation, we revised the design to:



- Avoid altering the height of the existing rear extension.
- Reduce the overall height of the proposed extension by 1400mm to bring it into line with the present 1½ storey structure. (The upper floor window proposed for the east elevation was also deleted and the eaves line was made even lower by the addition of the porch canopy to further promote a "single storey" feel).
- Provide a garden room with a "lighter" appearance by switching to a timber finish with a glass panel in place of the original design with its stone walls. (The original design for a pitched roof was also replaced with a flat roof to reduce the mass and to ensure that the garden room would be largely concealed by the existing brick garden walls projecting from the west gable).
- Reduce the size of the slapping from the house as suggested.

In the belief that we had altered the proposal to a satisfactory extent we made the planning application as you now see it.

#### **Criticisms of the present proposal:**

Turning now to your appraisal of the design your main criticisms appear to be:

- The proposed rear extension overwhelms the south elevation, completely detracting from the older 1½ storey extension.

Our intentions for the proposed extension are to add symmetry to the south elevation, in keeping with the front of the house, and to replicate the existing. This is in accordance with Historic Scotland guidelines. The publication *Extensions*, section 3.4, states that:

*"Replication is where new work is designed specifically to match the original building and does so in all respects, not only in the use of materials in the same style. The dimensions and finish of the materials used, and details such as coursing, pointing, tooling, window proportion and profile, roof pitch and slate, must all be accurately modelled on the existing building or they will not sit comfortably beside the original."*

I therefore believe that the proposed extension, being identical in scale, mass and detail, will not overwhelm the south elevation, particularly as it can only be seen over a considerable distance from the south east. (See photos 1 & 2 below).

It may also be worth noting that the footprint of the proposed extension is relatively small and adds less than 20% to the existing. It is hard to see how else it is possible to add the required additional space, and achieve a wheelchair friendly arrangement, by any other more compact design.

- The flat roofed extension between the older roof and proposed roof is also unacceptably dominant and cannot be supported.

I accept that the plan and elevations, as drawn, do tend to promote the dominance of the flat roofed extension. However, in reality, the roof extension has been designed to be invisible from any viewpoint other than from the field and garden directly south of the house. The existing and proposed south



gables, with their slated roof pitches, will mask the roof extension from all public viewpoints.

I could add a further note to drawing MKB25A to specify that the flat roof must not be visible above the zinc ridges on the two extensions that flank it.

If you think it worthwhile I could prepare a sketch perspective of the proposed house, from a viewpoint on the road to the south east which I think will show that the roof extension is invisible from the road and that the new extension sits well with, and is subordinate too, the principal part of the house.

(I think there is clear evidence that the house has had a much more substantial rear extension at some time in the past than the present single storey extension that we are proposing to demolish. There is an obvious horizontal scar running across the stone wall parallel to the roof of the present single storey extension and approximately 800mm above it. (See photo 3 below). This is almost certainly evidence of an abutment flashing where the roof of an earlier structure made a junction with the rear wall of the original house. I would suggest that this might support our proposal for a larger structure than presently exists.)

- The garden room outshot to the west and veranda on the east distorts the buildings original symmetrical design concept when viewed from the front.

As noted earlier I accepted the criticism that the original proposal for the garden room was too heavy and I altered the design in accordance with the advice received. The design intention is that that this should be a complimentary addition rather than a replication. The timber finish, flat roof, and minimalist design style are intended to make a clear statement that the garden room is an addition.

It may be worth pointing out that my clients intend to retain the existing brick garden walls and planter on the west side of the house and these will go a long way to reducing the extent to which the garden room is visible from the public road on the west side. (See photo 4 below).

Again, if you wish, I will add these walls to the elevation drawings to demonstrate the extent of the screening although the site plan on drawing MKB02 gives a good indication.

With regard to the veranda my comment is that, apart from providing cover for setting down and wheelchair access, the low eaves line greatly promotes the "single storey" feel when viewed from the south east.

Finally, in relation to both the garden room and the veranda, my feeling is that they are both sufficiently far back behind the line of principal elevation to ensure that they will not impinge on it particularly given the screen walls on the west and the "open" structure on the east.



- There is also a considerable amount of alteration and loss of historic material proposed for the existing 1 ½ storey extension, which is not supportable either.

On the positive side I would stress that much that is good is being retained and restored. The roof and chimney will be restored. All wood work to eaves and gable will be restored and stonework will be raked and re-pointed. The west window is not original and will be removed to facilitate the slapping to the garden room.

I accept that there is alteration to the window openings in the existing south gable but, on the upper floor, that is unavoidable as the existing aperture will be too low and close to the new floor level. It may be possible to retain the lower window (which was added by Mr Medley's parents in the 1970's), if another could be added, but I believe the proposed large window to be a better solution.

- Internally the loss of historic fabric continues between the dining and kitchen area and again by the formation of a shower room which unfortunately breaks into one of the front reception rooms distorting the original plan layout.

I fully accept the point regarding the shower room. I have looked at the plan and can see that it is possible to make minor alterations to the proposed layout to ensure that the shower room is moved back sufficiently to avoid breaking into the reception room apart from at the proposed doorway. The new door, doorstops and facings can be specified to exactly replicate existing details. I will amend the layout and submit a revised drawing in due course.

### **Conclusion.**

My clients have a long association with Earnbank House. They love their home and its setting but now have need of additional space and special facilities. To that end we believe that we have put forward a proposal that provides the requisite space and broadly complies with Historic Scotland guidance, *Extensions*, section 4.1, which states that:

- *An addition or extension should play a subordinate role. It should not dominate the original building as a result of its scale, materials or location, and should not overlay principal elevations.*
- *Where an extension is built beside a principal elevation it should generally be lower than, and set back behind, that facade.*
- *An extension that would unbalance a symmetrical elevation and threaten the original design concept should be avoided.*
- *An extension should be modestly scaled and skilfully sited.*

As noted above there are a variety of small changes that can be made to improve the design even further, possibly sufficiently for you to be able to support the proposal, particularly given that the principal elevation will remain unchanged. We await your comment and would be happy to provide further drawings and perspectives if you think that they would be useful.

Finally, we believe that a meeting might be appropriate when you have had time to consider the above and we would be delighted to come to Perth at your convenience to discuss the way forward and the next steps.

Yours sincerely,

A solid black rectangular box used to redact the signature of Stewart Anderson.

Stewart Anderson





Photo 1: Earnbank House from public road to the south east.



Photo 2: More distant view of Earnbank House from public road to the south east.





Photo 3: Evidence of earlier and larger lean-to extension on wall above single storey roof.



Photo 4: Wall and planter screening on west gable.

## Vivienne Whyte

---

**From:** StewartAPS@aol.com  
**Sent:** 02 May 2014 10:30  
**To:** Vivienne Whyte  
**Cc:** [REDACTED]  
**Subject:** Re: 14/00448/LBC & 5/FLL - Earnbank House, Kinkell, Strathallan, Auchterarder  
**Attachments:** PHOTOGRAPHIC APPRAISAL.pdf

Dear Vivienne,

Many thanks for the update.

I enclose a Photographic Appraisal which may be of some use. It shows the effect of the alteration when viewed from the south east. I hope it is useful.

Kind regards,

Stewart.

**Stewart Anderson**

### APS

Old Schoolhouse  
Invergeldie  
Glenlednock  
Comrie  
PH6 2LY

Tel: 01764 679504

mail to: [StewartAPS@aol.com](mailto:StewartAPS@aol.com)

In a message dated 01/05/2014 17:15:43 GMT Daylight Time, VACWhyte@pkc.gov.uk writes:



## **PHOTOGRAPHIC APPRAISAL**

Earnbank House, Kinkell Bridge, PH3 1LD.



Earnbank House viewed from the south east.



Photomontage of an altered Earnbank House from the same viewpoint. This shows the new one and a half storey extension, the veranda canopy, and the roof extension between south gables.

**Tracy McManamon**

---

**From:** J HEUGHAN [REDACTED]  
**Sent:** 23 March 2014 13:56  
**To:** Development Management - Generic Email Account  
**Subject:** planning permission 14/00445/FLL for Earnbank House

Dear Sir / Madam,

Regarding Planning Application 14/00445/FLL, we are happy to support the extension of EARNBANK HOUSE as it has been designed tastefully and will improve the condition of the overall property.

[REDACTED]

Yours faithfully

Jer and Donald Heughan

[REDACTED]







**TCP/11/16(316)**

**Planning Application 14/00445/FLL - Alterations and extension to dwellinghouse to form ancillary accommodation and installation of solar panels, Earnbank House, Kinkell, Strathallan, Auchterarder, PH2 1LD**

**PLANNING DECISION NOTICE** *(included in applicant's submission, see pages 169-171)*

**REPORT OF HANDLING** *(included in applicant's submission, see pages 173-186)*

**REFERENCE DOCUMENT** *(included in applicant's submission, see pages 191-207)*



**TCP/11/16(316)**

**Planning Application 14/00445/FLL - Alterations and extension to dwellinghouse to form ancillary accommodation and installation of solar panels, Earnbank House, Kinkell, Strathallan, Auchterarder, PH2 1LD**

## **REPRESENTATIONS**

- Comment of support from Jer and Donald Heughan, dated 23 March 2014
- Comment of support from Rhona Macleod-Garrad, dated 7 April 2014
- Representation from Regulatory Services Manager, dated 7 April 2014



**Tracy McManamon**

---

**From:** J HEUGHAN [REDACTED]  
**Sent:** 23 March 2014 13:56  
**To:** Development Management - Generic Email Account  
**Subject:** planning permission 14/00445/FLL for Earnbank House

Dear Sir / Madam,

Regarding Planning Application 14/00445/FLL, we are happy to support the extension of EARNBANK HOUSE as it has been designed tastefully and will improve the condition of the overall property.

[REDACTED]

Yours faithfully

Jer and Donald Heughan

[REDACTED]





**Mrs Rhona Macleod-Garrad (Supports)**

**Comment submitted date: Mon 07 Apr 2014**

I would like to support the family's plans to adapt the property





# Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 14/00445/FLL

Our ref KIM

Date 7 April 2014

Tel No 01738 476442

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Consultation on an Application for Planning Permission

**RE: Alterations and extension to dwellinghouse to form ancillary accommodation and installation of solar panels Earnbank House Kinkell Strathallan Auchterarder PH3 1LD for Mr And Mrs Medley**

I refer to your letter dated 25 March 2014 in connection with the above application and have the following comments to make.

**Water** (assessment date – 07/04/14)

### Comments

The application relates to alterations and extension to a dwellinghouse. It is our understanding that no existing private water supplies will be affected by the proposed activities so we have no comment at this time.

