

LRB-2021-24 21/00260/FLL – Erection of a garage, Rusken House, Campmuir, Blairgowrie

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LRB-2021-24
21/00260/FLL – Erection of a garage, Rusken House,
Campmuir, Blairgowrie

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form.

Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

Yes No
☒ ☐

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

Planning authority

Planning authority's application reference number

Site address

Description of proposed
development

Date of application

Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

- | | |
|--|-------------------------------------|
| 1. Application for planning permission (including householder application) | <input checked="" type="checkbox"/> |
| 2. Application for planning permission in principle | <input type="checkbox"/> |
| 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) | <input type="checkbox"/> |
| 4. Application for approval of matters specified in conditions | <input type="checkbox"/> |

Reasons for seeking review

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

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

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

- | | |
|---|-------------------------------------|
| 1. Further written submissions | <input type="checkbox"/> |
| 2. One or more hearing sessions | <input type="checkbox"/> |
| 3. Site inspection | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input checked="" type="checkbox"/> |

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see attached statement and photos.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes ☐ No ☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

Supporting Statement
Location Plan 1to5 0000

Location Plan 1to25 00
Existing and Proposed Block Plans
Elevations and Floor Plan of the garage

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

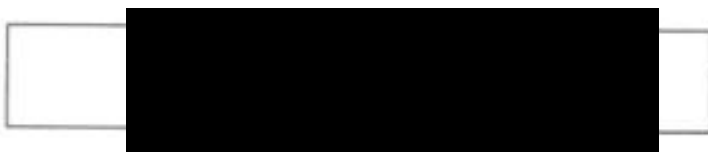
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

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

Signed



Date

28.6.21

APPEAL STATEMENT

The applicant is seeking to build a detached garage which is reasonably accessible at the front of the property.

A previous application for a replacement garage has been approved at the rear of Rusken House, however, this is used for the restoration and storage of a vintage car. The location is not ideal for frequent use due to the restricted side access.

Regardless of whether or not this appeal is successful, the neighbouring proprietor, Mr David Martin, objected to the previous successful proposal and has again objected to the latest refused proposal with a host of items that are factually incorrect and I am unsure as to what degree his lengthy diatribe may have influenced the Planner dealing with this application.

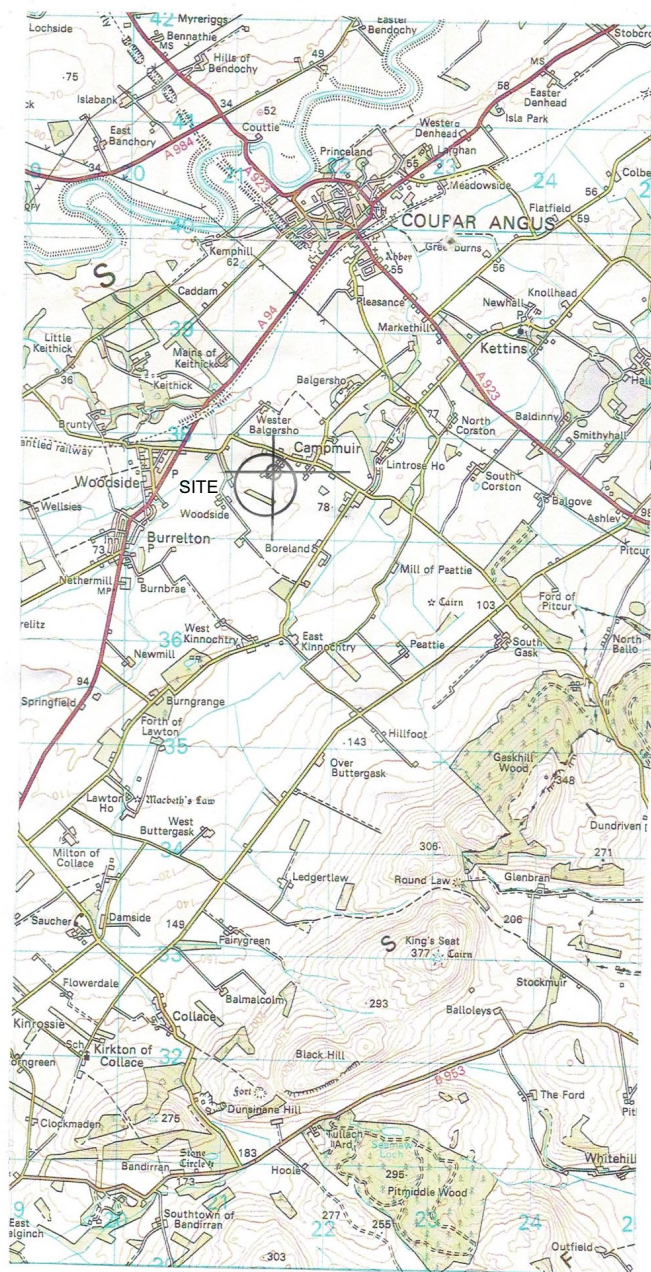
The property named Wirren at the top of the private access road has an integral garage at the front of the property and likewise the planning application at Strawberryfields, Campmuir 20/00001/FLL has had approval for a large detached double garage to the front of the house – the approval for the double garage at Strawberryfields is in a more prominent location on a public road which led the applicant to believe that a smaller garage in a less prominent location off the private access road would more likely be approved.

Additionally, Mr Martin has gone to great lengths to describe where more suitable locations for the garage may be appropriate, however, he has failed to mention that his driveway is on the opposite side of the fence where, up until the planning application was submitted, he frequently parked his caravan thereby defeating many of the points he uses as an objection.

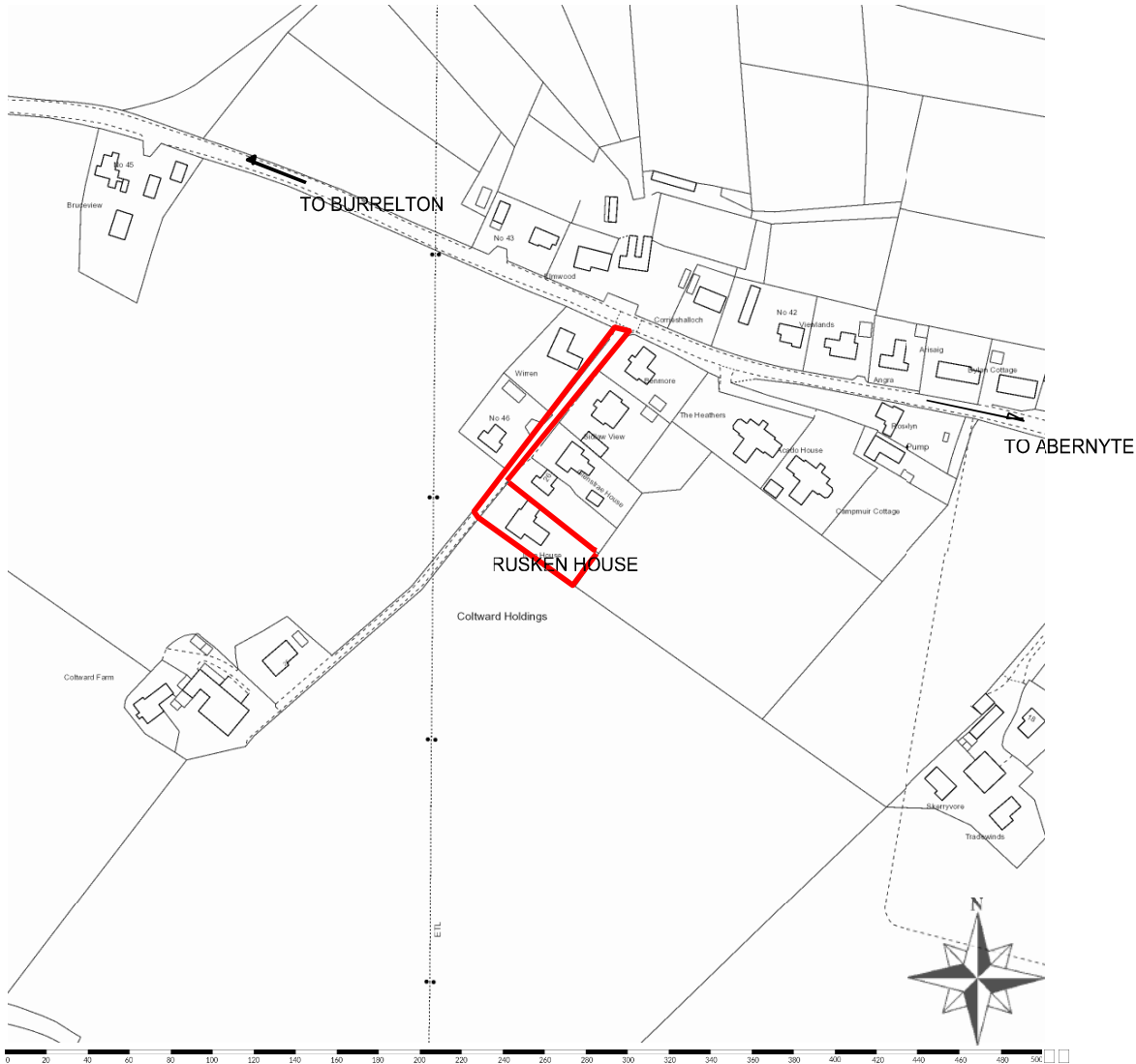
Admittedly, there will be overshadowing, however, this will occur on Mr Martin's driveway– to suggest that the 'shadow created would completely block out the light to the decking area and three rooms mentioned' is nothing but complete exaggeration.



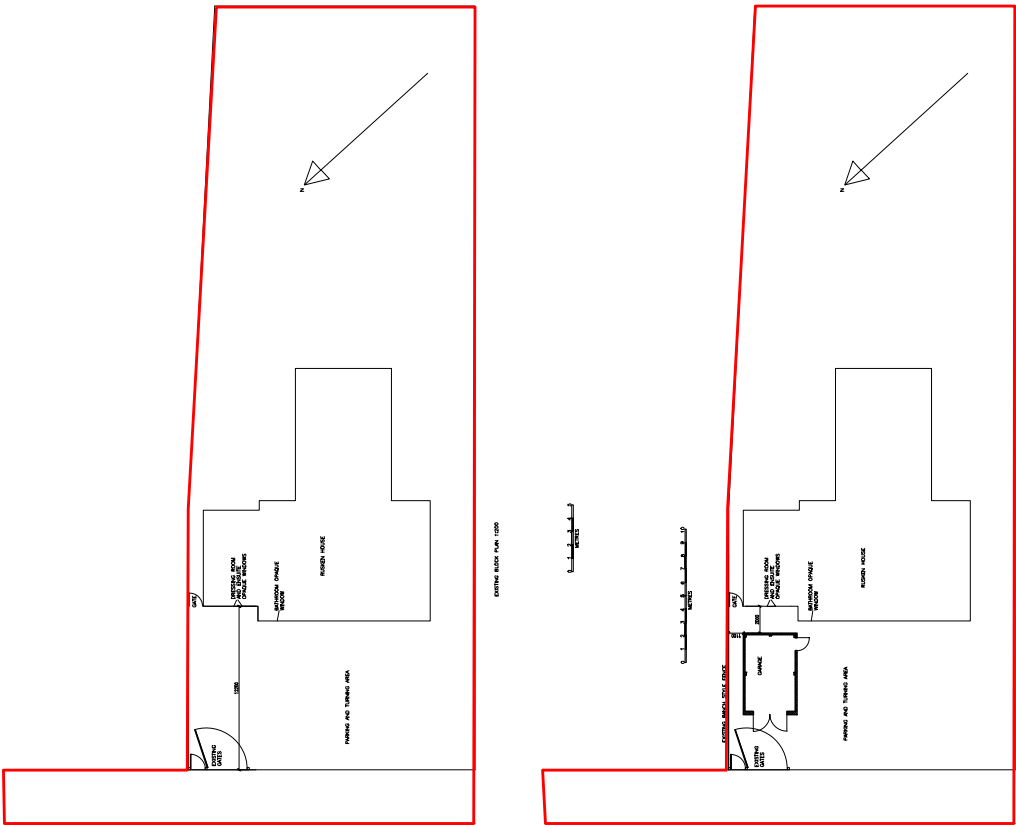




LOCATION PLAN 1:50000



Scale: 1:2500 | Area 25Ha | Grid Reference: 321478,737707 | Paper Size: A3



PROJECT: ERECTION OF A DETACHED GARAGE, RUSKEN HOUSE,
CAMPMUIR PH13 9JF

DRAWING REF: EXISTING AND PROPOSED BLOCK PLANS

PAPER SIZE: A1

NORMAN A MACLEOD

namacleod@aol.com

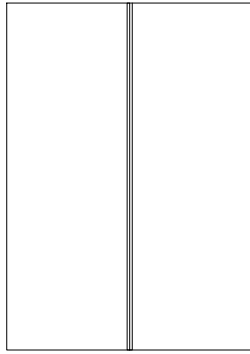
Tel: 07884177328

DATE:FEB 2021

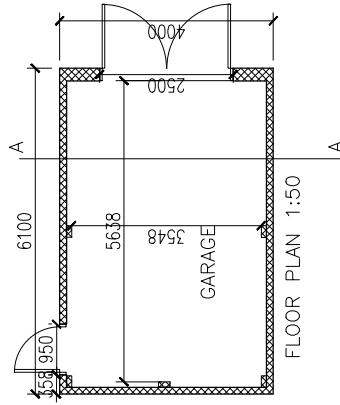
SCALE:1:200

DRAWING NO:2

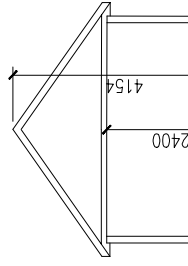
REVISION:



ROOF PLAN 1:50

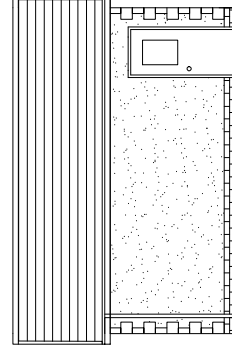


FLOOR PLAN 1:50

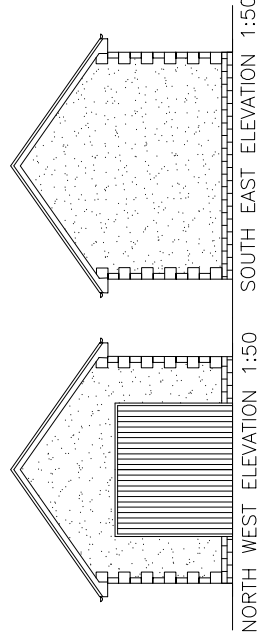


VERTICAL CROSS-SECTION A-A 1:50

EXTERNAL FINISHES
ALL TO MATCH EXISTING HOUSE
GREY CONCRETE ROOF TILES
WHITE DASH RENDER WITH BUFF STONE
QUOINS AND BASE COURSE
BLACK PVCu RAINWATER GOODS
WHITE PVCu WINDOWS AND DOORS



NORTH EAST ELEVATION 1:50



SOUTH EAST ELEVATION 1:50



SOUTH WEST ELEVATION 1:50

PROJECT: ERECTION OF A DETACHED GARAGE AT RUSKEN HOUSE,
CAMPMUIR PH13 9JF

DRAWING REF: FLOOR PLAN, ELEVATIONS & CROSS-SECTION

PAPER SIZE: A1

NORMAN A MACLEOD

namacleod@aol.com

Tel: 07884177328

DATE: FEB 2021

SCALE: 1:50

DRAWING NO: 1

REVISION:

SUPPORTING STATEMENT AND PHOTOS

Please find the attached householder planning application for the erection of a single detached domestic garage which is to be of ancillary use to the house. The proposed garage is to be located 2m in front of the house and 1.1m from the boundary fence.

The windows of the existing house that are located to the rear and side of the proposed garage have opaque glazing and serve an ensuite bathroom, dressing room and bathroom.

The proposed garage is to be located in the existing parking and turning area.

Please find photos below.









<p>LRB-2021-24 21/00260/FLL – Erection of a garage, Rusken House, Campmuir, Blairgowrie</p>

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(included in applicant's submission, pages 13-16)*



Ms J Anderson
c/o Norman MacLeod
18 Walnut Grove
Blaigowrie
PH10 6TH

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: 7th April 2021

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **21/00260/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 February 2021 for Planning Permission for **Erection of a garage Rusken House Campmuir Blairgowrie PH13 9JF**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- 1 The proposed building would be dominant in relation to the existing dwellinghouse by virtue of its location forward of the principal elevation, scale, form, massing, bulk and excessive proportions and would have an imposing and oppressive appearance in comparison to the existing residential property, thereby, having an adverse impact on the character, visual and residential amenity of the surrounding area. Approval would therefore be contrary to Policies 1A and 1B (c), and (d) of the Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that all developments contribute positively to the quality of the surrounding built environment by respecting the character and amenity of the place.
- 1 The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.
- 2 Approval would be contrary to Perth & Kinross Council's Placemaking Guide, March 2020 which seeks to discourage particularly large, dominant, unsuitable or inappropriately designed or located developments that are not in keeping with the existing built form, landscape character or established amenity levels.

Notes

The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

01

02

03

04

REPORT OF HANDLING

DELEGATED REPORT

Ref No	21/00260/FLL	
Ward No	P2- Strathmore	
Due Determination Date	17th April 2021	
Draft Report Date	6th April 2021	
Report Issued by	GMP	Date 6th April 2021

PROPOSAL: Erection of a garage

LOCATION: Rusken House Campmuir Blairgowrie PH13 9JF

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.

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site relates to a detached dwellinghouse, constructed under planning permission 13/00324/FLL, to the south of a run of dwellings at Campmuir, a small settlement approximately 2 miles south of Coupar Angus. The site forms the end plot of a series of former holdings.

Full planning consent was recently approved (20/00010/FLL) for the erection of a replacement, albeit larger, garage in the north east/south west corner of the garden. It would appear that this consent has not been implemented.

Full planning consent is now sought for a detached, pitched roof garage within the front garden, forward of the principal building line. It is unknown if this proposal will supersede the previously approved garage or if this is in addition to.

In accordance with the on-going restrictions of the coronavirus pandemic, the application site has not been visited by the case officer for this particular application, however, was visited for the previous planning application. The application site and its context have, however, been viewed by photographs submitted by the agent and photographs taken by the case officer previously. This information means that it is possible and appropriate to determine this application as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

SITE HISTORY

04/01951/FUL	Erection of a dwellinghouse and garage (Application Refused)
12/02149/FLL	Erection of a dwellinghouse (Application Withdrawn)
13/00324/FLL	Erection of a dwellinghouse (Application Approved)
20/00010/FLL	Erection of a replacement garage (Application Approved)

PRE-APPLICATION CONSULTATION

Pre application Reference: N/A

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2 (2019).

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area 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, study and visit, and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2 – Adopted November 2019

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

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

OTHER POLICIES

Perth & Kinross Council Placemaking Guide 2020 states that garages and outbuildings should generally be subordinate to the original building and should not obscure the approach to the house. Be set back from the frontage and built with materials which respect the house and its surroundings.

New development should also consider and respect the wider landscape character of the area. The design and density should complement its surroundings in terms of appearance, form, height, scale, massing, materials, finishes, colours and the privacy and amenity of neighbours

CONSULTATION RESPONSES

None required.

REPRESENTATIONS

The following points were raised in the 1 representation received:

1. Adverse effect on visual amenity.
2. Loss of sunlight or daylight.
3. Out of character with area.
4. Over intensive development.

The above points are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

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

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan and the adopted LDP2.

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 property is not located within any defined settlement boundary and as such, background policies are applicable in this instance. The main policies of note relate to the Placemaking criteria which seek to ensure that all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. It is considered that this aim is not being met given the inappropriate location, scale and design, together with the resulting lack of relationship or respect to the existing built environment.

Design , Layout and Visual Amenity

The front garden of the property is laid with gravel providing a large parking/turning area. Vehicular access continues to the south west of the dwellinghouse leading to the rear garden where there is an existing garage in the south east/north west corner. Planning permission was recently approved for a replacement garage in this location.

This current proposal seeks consent for a new garage within the front garden. The garage would be set back approximately 4m from the entrance into the front garden. It would be positioned 2m from the main dwellinghouse adjacent to the north east boundary, a distance of 1.1m from this shared boundary.

The garage would be of pitched roof construction and would have a footprint measuring approximately 25sqm. It would reach a height of 4154mm to the ridge and be finished in materials to match the existing dwellinghouse.

The main concern with this proposal is with its location, forward of the principal elevation of the dwellinghouse. The character of the surrounding area largely sees garages located within rear gardens or to the side as opposed to within front gardens. As such the proposed building would be dominant in relation to the existing dwellinghouse by virtue of its location forward of the principal elevation, scale, form, massing, bulk and excessive proportions and would have an imposing and oppressive appearance in comparison to the existing residential property, thereby, having an adverse impact on the character, visual and residential amenity of the surrounding area.

The rear garden is of a generous scale and access is already provided to the south west of the house. As such I see no strong justification to allow a garage within the front garden of this property for the reasons noted above.

Landscape

While the works are contained within the plot boundaries and will not directly impact on any internal landscape features of merit, the new development will result in a negative visual impact to the wider environment.

Residential Amenity

Concerns have been raised insofar as the proposal will result in overshadowing/loss of light to the neighbouring property by reason of its location.

The submitted location plan does not accurately reflect the built development in respect of the neighbouring property which has undergone a number of alterations and extensions in recent times.

The location of the proposed garage within such close proximity to the shared boundary together with the orientation of the garage relative to the neighbouring property is likely to reduce the level of light currently enjoyed by the occupants of that property. In situations such as this, where overshadowing/loss of light is in doubt, an overshadowing analysis would be requested to establish how significantly impacted the neighbouring property would be. In this case, it is considered that as the principle of the works are in doubt, there is no merit in seeking an overshadowing analysis

Roads and Access

No changes are proposed to the existing access arrangements, however, the location of the proposed garage will restrict access into the parking and turning area. With only 4 metres in front of the garage, in order to open the doors the vehicle is likely to block the access road, which will have an impact for neighbouring properties.

Should the applicant seek review, further information should be submitted which demonstrates there will be no obstruction on the access road.

Drainage and Flooding

No drainage or flooding implications from the proposal.

Developer Contributions

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

Economic Impact

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

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

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

Accordingly, the proposal is refused on the grounds identified below:

Conditions and Reasons

1. The proposed building would be dominant in relation to the existing dwellinghouse by virtue of its location forward of the principal elevation, scale, form, massing, bulk and excessive proportions and would have an imposing and oppressive appearance in comparison to the existing residential property, thereby, having an adverse impact on the character, visual and residential amenity of the surrounding area. Approval would therefore be contrary to Policies 1A and 1B (c), and (d) of the Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that all developments contribute positively to the quality of the surrounding built environment by respecting the character and amenity of the place.
2. Approval would be contrary to Perth & Kinross Council's Placemaking Guide, March 2020 which seeks to discourage particularly large, dominant, unsuitable or inappropriately designed or located developments that are not in keeping with the existing built form, landscape character or established amenity levels.

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

N/A

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01
02
03
04

LRB-2021-24
21/00260/FLL – Erection of a garage, Rusken House,
Campmuir, Blairgowrie

REPRESENTATIONS

Comments for Planning Application 21/00260/FLL

Application Summary

Application Number: 21/00260/FLL

Address: Rusken House Campmuir Blairgowrie PH13 9JF

Proposal: Erection of a garage

Case Officer: Gillian Peebles

Customer Details

Name: Mr David Martin

Address:

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Effect on Visual Amenity
- Loss Of Sunlight or Daylight
- Out of Character with the Area
- Over Intensive Development

Comment: We are the neighbouring property to Rusken house and are extremely concerned regarding the prospect of a garage in the situation proposed by Miss Anderson.

Our first concern is the position in the front driveway of the property. The garages in our street and indeed the whole of Campmuir are built at the back and side of each property. This takes up a small amount of space in what are large gardens, and in turn do not cause any neighbouring properties concerns like overshadowing or blocking of light or view whilst still leaving ample room and full use of the remaining gardens. There is not one garage in Campmuir that is built at the front of the property. This garage will be out-with the building line and will appear out of character not only for our street but for the whole village. This proposed garage will cause overshadowing and loss of light into three of our rooms, a kitchen/diner, a child's bedroom and the main bathroom and also our designated decked seating area, as seen in the pictures. Our kitchen/diner has French doors out onto a purpose built decked seating area. This area enjoys the sun and heat from early afternoon right through until the sunsets in the west, which is directly behind the proposed garage. This significant loss of light and the heat from the sun into the three rooms caused by the overshadowing from the garage can be seen in the picture taken from inside our child's bedroom and from our decking area. Two pieces of wood, as you can see in the pictures, have been temporarily put up to show the impact of the garage in the proposed position. These pieces of wood are the exact height of the garage, the overshadowing is apparent with the shadow from the wood being thrown right onto the side of our house and onto our roof. You can imagine when the walls are up, the roof up and taking into account the width of the garage too, the shadow created would completely block the light onto the decking area and the three rooms mentioned.

Miss Anderson's argument to us is that there is no other position for the garage to be built except in the proposed position to the front of the property but Rusken House already benefits from planning permission for a large garage in the back left of the property, where a garage/shed already sits. The permission was granted only last year. Our main concern with the permitted garage at the time was the sheer size of it but, permission was granted and so Miss Anderson could build the garage in that position, still leaving full use of the garden ground. There are a few places in Rusken House's sizeable ground the garage could be built which has no impact on neighbouring properties. One position which would be in keeping with the rest of the houses in the street would be to build the garage in the rear right hand side of the property in front of the sse pole. Miss Anderson has told us she is removing her gas tank from that area in April having opted for a different style of heating. As you can see from the overhead pictures this leaves ample room for a garage in that position. The septic tank is still accessible and as that sits inwards towards the garden is in no way an obstruction. To empty the septic tank there only needs to be room for a person to have access with a hose. The lorry is able to stay in the driveway. There would still be room for access to the sse pole if the garage were in this position as you can see from the pictures attached.

Rusken house benefits from a view to the rear, the entire side and the front of the property. We have an outlook to the rear and partly to the west, down to Burrelton and over to the mountains, this is enjoyed as stated before from our decking area, kitchen/diner and one of our bedrooms. The proposed garage would completely take away this outlook, whilst Rusken house would maintain all of their views. This hardly seems fair-minded considering as stated before, the garages already built in Campmuir do not impact on neighbouring properties. We use the decked area throughout the entire year for family meals during the warmer months, to enjoying the sun, heat and sunset throughout the entire year and also to enjoy the outlook of the landscape from the French doors, our child's bedroom and the decking throughout the entire year. This garage will not only take away the outlook, light and heat it will also have an adverse overbearing effect on our property. We could not use the decking area like we do now, there would be no sunlight onto the decking or into the three rooms mentioned. To have these benefits we have enjoyed for eleven years be taken away because Miss Anderson does not want to block her own view, as she told us when we asked her about the garage, seems extremely unfair considering our outlook will be completely obstructed. While driving up our street, the houses are set back from the road, each in a line. The proposed garage will sit further forward than any of the houses, sticking out substantially. The views beyond Rusken house open up to lovely open fields, The garage will completely detract from this open country feeling causing a visual amenity.

The plans show the proposed garage as being further forward than any building in the street, it leaves minimal room for any larger vehicles, such as delivery vans, septic tank trucks and work vehicles to access the driveway. When the garage doors are open they touch the gate to the property. To us this seems like more of an obstruction to the property entrance than an enhancement. Large vehicles will not risk scraping the garage or the fence and so will sit on the road, blocking anyone needing past. They may also use neighbouring property driveways to turn their vehicles which seems unjust considering Rusken house has it's own driveway.

To conclude, we cannot express enough how much this proposal will impact us and our property.

Rusken house sits in a large enough plot of land that the garage could sit almost anywhere else causing less or no impact to us. The overshadowing would completely block the sun from the afternoon right through until the sunsets at night. This loss of light would cause three of our main rooms to be substantially darkened due to the garage being built in that position. It is completely out of character and would be over-bearing in that position. The prospect of losing the outlook we have now and the sunlight we enjoy and need, to a 6 metre long wall is horrendous. Especially when Rusken house has plenty of other situations for this garage to be built.

David & Jillian Martin



We are the neighbouring property to Rusken House. We objected to this proposal in March when the first application was submitted. We have kept our objection letter the same for the appeal, due to the points being valid and also mirrored by the planning officer who, quite rightly, refused the application. We have included some extra points on PKC policies and how this proposal is contrary to these policies. We remain extremely concerned at the prospect of a garage in the situation proposed by Ms Anderson.

Our first concern is the position in the front driveway of the property. The garages in our street and indeed the whole of Campmuir are built at the back and side of each property. This takes up a small amount of space in what are large gardens, and in turn do not cause any neighbouring properties concerns like overshadowing or blocking of light or view whilst still leaving ample room and full use of the remaining gardens. There is not one garage in Campmuir that is built at the front of the property, as you can see from the enclosed location plan map. This garage will be out-with the building line and will appear out of character not only for our street but for the whole village.

This proposed garage will cause overshadowing and loss of light into three of our rooms, a kitchen/diner, a child's bedroom and the main bathroom and also our designated decked seating area, as seen in the pictures. Perth & Kinross placemaking guide 2020 states, " New buildings must be carefully sited to avoid undue loss of daylight or sunlight to the habitable room windows and private garden ground of the neighbouring property" Our kitchen/diner has French doors out onto a purpose built decked seating area. This area enjoys the sun and heat from early afternoon right through until the sunsets in the west, which is directly behind the proposed garage. This significant loss of light and the heat from the sun into the three rooms caused by the overshadowing from the garage can be seen in the picture taken from inside our child's bedroom and from our decking area, it also shows this proposal is contrary to PKC placemaking guide policy. The planning officer agreed that this proposed garage would cause loss of light and stated this in her report. Two pieces of wood, as you can see in the pictures, have been temporarily put up to show the impact of the garage in the proposed position. These pieces of wood are the exact height of the garage, the overshadowing is apparent with the shadow from the wood being thrown right onto the side of our house and onto our roof. You can imagine when the walls are up, the roof up and taking into account the width of the garage too, the shadow created would completely block the light onto the decking area and the three rooms mentioned.

Miss Anderson's argument to us is that there is no other position for the garage to be built except in the proposed position to the front of the property, but Rusken House already benefits from planning permission for a large garage in the back left of the property, where a garage/shed already sits. The permission was granted only last year. Our main concern with the permitted garage at the time was the sheer size of it but, permission was granted and so Miss Anderson could build the garage in that position, still leaving full use of the garden ground. There are a few places in Rusken House's sizeable ground the garage could be built which has no impact on neighbouring properties.

One position which would be in keeping with the rest of the houses in the street would be to build the garage in the rear right hand side of the property in front of the sse pole. Miss Anderson told us she was removing her gas tank from that area in April having opted for a different style of heating, even if this tank remains there is still plenty of room for a garage in front of it, as you can see from

the overhead pictures this leaves ample room for a garage in that position. The cesspit is still accessible and as that sits inwards towards the garden is in no way an obstruction. To empty the cesspit there only needs to be room for a person to have access with a hose. The lorry is able to stay in the driveway, or there is room for it to drive around the back. There would still be room for access to the SSE pole if the garage were in this position as you can see from the pictures attached. Another position for the garage would be right beside our garage, this would still leave a large garden area, but would have no impact of neighbouring properties. There are plenty of positions this garage could be situated that would not overshadow, block sunlight or views and have no impact on neighbours.

Also taking from PKC placemaking guide 2020. "the appearance and orientation of the extension must be considered from the neighbour's house or garden". Ms Anderson has not considered this garage from our point of view at all. Although we have tried to talk to her about it she still pursued this application, and after being refused and seeing our objection, continues to push for this garage, even stating to us she "does not want to block her own view" When told it would block ours and overshadow our house, she said nothing. Clearly not considering or caring that the orientation of this proposal would impact greatly on our house. As already stated there are many other places for a garage to be built on her land which would cause no impact or significantly less impact on our property. The planning officer thankfully took our objections on board, and also saw for herself, and agreed this proposal would have a negative impact on our house and our lives.

Rusken house benefits from a view to the rear, the entire side and the front of the property. We have an outlook to the rear and partly to the west, down to Burrelton and over to the mountains, this is enjoyed as stated before from our decking area, kitchen/diner and one of our bedrooms. The proposed garage would completely take away this outlook, whilst Rusken house would maintain all of their views. This hardly seems fair-minded considering as stated before, the garages already built in Campmuir do not impact on neighbouring properties. We use the decked area throughout the entire year for family meals during the warmer months, to enjoying the sun, heat and sunset throughout the entire year and also to enjoy the outlook of the landscape from the French doors, our child's bedroom and the decking throughout the entire year. This garage will not only take away the outlook, light and heat it will also have an adverse overbearing effect on our property. We could not use the decking area like we do now, there would be no sunlight onto the decking or into the three rooms mentioned. To have these benefits we have enjoyed for eleven years be taken away because Miss Anderson does not want to "block her own view", as she told us when we asked her about the garage, seems extremely unfair considering our outlook will be completely obstructed.

While driving up our street, the houses are set back from the road, each in a line. The proposed garage will sit further forward than any of the houses, sticking out substantially. The views beyond Rusken house open up to lovely open fields, The garage will completely detract from this open country feeling causing a visual amenity. The following points are part of the PKC placemaking guide 2020 policy, *"Front extensions should generally be avoided, in particular:

Where they dominate the principal elevation of the property

- Where visual impact on an established streetscape is Evident"

This proposed garage would absolutely dominate the principal elevation of Rusken House. It would be seen throughout the entire approach to Rusken house from the turning into the street. Rusken house itself would not be seen until either right in front of it or after having turned into the driveway of said house. This garage would also have a huge visual impact on the street. All the houses are set back from the road, and all garages are set to the back and side of each property, therefore garages

are not seen when driving up the street as they are obscured by their own houses. This proposed garage would stick out further forward than any house and would obscure Rusken House, it would be out with the building line and would obtrude the lovely open feel and views of our street.

The following points were raised by the planning officer who refused this application and they are also from PKC placemaking guide 2020.

*“Outbuildings & garages

Generally, these buildings should:

- Be subordinate to the original building and should not obscure the approach to the house.
- Be set back from the frontage”

Neither of these criteria would be met if this garage was allowed. The planning officer already made these points in her refusal when she stated the garage would be dominant and would be seen before Rusken house. As already stated each garage is obscured by their own house, this proposed garage would completely obscure Rusken house. It is also not set back from the frontage, it would sit to the front of the house and would dominate not only Rusken house but the whole street.

The plans show the proposed garage as being further forward than any building in the street, it leaves minimal room for any larger vehicles, such as delivery vans, cesspit trucks and work vehicles to access the driveway. When the garage doors are open they touch the gate to the property. To us this seems like more of an obstruction to the property entrance than an enhancement. Large vehicles will not risk scraping the garage or the fence and so will sit on the road, blocking anyone needing past. They may also use neighbouring property driveways to turn their vehicles which seems unjust considering Rusken house has it's own driveway. We have witnessed just in this past week, cars towing medium sized trailers struggling to gain access into Rusken house driveway at its sits. They have only achieved this by using the area that the proposed garage is to sit. If the garage were there, the cars along with the trailer would not get the angle to gain access into the driveway, therefore they would have to detach the trailer from the car on the road, blocking access and blocking some of our driveway.

The planning officer noted in her report that “The submitted location plan does not accurately reflect the built development in respect of the neighbouring property which has undergone a number of alterations and extensions in recent times”. The location plan submitted by Ms Anderson is not an up to date representation of our street. It shows our house as it was many years ago and looks small and insignificant compared to the neighbouring houses. As you can see from the attached pictures, our house has been extended over the years and is much larger than Ms Anderson has suggested. We would hope the location plan was not submitted in the hope to deceive, making our house look more like a shed which would not be impacted by this proposal as opposed to the family home it is which would be impacted enormously by this proposal.

To conclude, we cannot express enough how much this proposal will impact us and our property. Rusken house sits in a large enough plot of land that the garage could sit almost anywhere else causing less or no impact to us, as agreed by the planning officer. The overshadowing would

completely block the sun from the afternoon right through until the sunsets at night. This loss of light would cause three of our main rooms to be substantially darkened due to the garage being built in that position. It is completely out of character and would be over-bearing in that position. The prospect of losing the outlook we have now and the sunlight we enjoy and need, to a 6 metre long wall is horrendous. Especially when Rusken house has plenty of other situations for this garage to be built.

David & Jillian Martin



