

TCP/11/16(315) Planning Application 14/00852/FLL - Extension to dwellinghouse 7 Gallowhill Road Kinross KY13 8RA

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TCP/11/16(315)
Planning Application 14/00852/FLL - Extension to dwellinghouse 7 Gallowhill Road Kinross KY13 8RA

PAPERS SUBMITTED BY THE APPLICANT

CHIEF EXECUTIVES tice of Review DEMOCRATIC SERVICES

NOTICE OF REVIEW 18 AUG 2014

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

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008

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

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)			Agent (if an	Agent (if any)		
Name [MR & HOS F	RASER MUNRO	Name	MCNEIL PARTNERSHIP		
Address	7, GALLOWI	HILL ROAD	Address	28, VICTORIA AVENUE MILNATHORT KINROSS-SHIRE		
Postcode	KY13	824	Postcode	KY13 DYE		
Contact Tele Contact Tele Fax No			Contact Te Contact Te Fax No	elephone 1 0/577 - 863000		
E-mail*			E-mail*	meneilbartnership @ yahoo.co.iek		
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 auti	hority		PERT	4 MB KINKOSS POLNCIL		
Planning authority's application reference number 14/00852/FLL						
Site address 7, GALLOWHILL ROAD, KINROSS, KYI3 8RA						
Description of proposed development ROLL PLOS EXTENSION TO LEAR OF DIVERTING HOUSE, REPLACE EXISTING CREWN ROOF TO SUN ROOM WITH NEW DYM PITCH ROOF.						
Date of application 1374MMy 2014 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.						

Nat	Notice of R	eview
1.	Application for planning permission (including householder application)	
2.	Application for planning permission in principle	H
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)	
4.	Application for approval of matters specified in conditions	
Rea	sons for seeking review	_
1.	Refusal of application by appointed officer	
? .	Failure by appointed officer to determine the application within the period allowed for determination of the application	
3.	Conditions imposed on consent by appointed officer	
Rev	riew procedure	
to d suct	Local Review Body will decide on the procedure to be used to determine your review and may a during the review process require that further information or representations be made to enable letermine the review. Further information may be required by one or a combination of proced h as: written submissions; the holding of one or more hearing sessions and/or inspecting the ch is the subject of the review case.	them
nan	ase indicate what procedure (or combination of procedures) you think is most appropriate fo dling of your review. You may tick more than one box if you wish the review to be conducted abination of procedures.	r the by a
1.	Further written submissions	
2.	One or more hearing sessions	H
3.	Site inspection	
4	Assessment of review documents only, with no further procedure	
neio	bu have marked box 1 or 2, please explain here which of the matters (as set out in your states w) you believe ought to be subject of that procedure, and why you consider further submissions ring are necessary:	ment or a
	-	

Site inspection

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

- 1. Can the site be viewed entirely from public land?
- 2 Is it possible for the site to be accessed safely, and without barriers to entry?

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

1. AN ENTIRE VIEW OF THE APPLICANT SITE	IS NOT PARILIE	WIE TO FRANCE	courteurs des une	
TLEES, SCHEENS, AND SHELLEBERY.	10011001010	Sat 10 Pares	CO POUT COTTUS, MAY	2 16

2. Access is RESTRICTED BY LICKED GATES TO SIDE OF HOUSE AND ROAR GARDEN FENCE.

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.

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Have you raised any matters which were not before the appointed officer at the time the
determination on your application was made?
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 by the appointed officer before your application to the control of the control o
the appointed officer before your application was determined and why you consider it should now be
considered in your review.
1
1

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.

	ORIGINAL DRAWINGS FOR UPPER FLOOR EXTENSION		
	REVISED DRAWINGS WITH COSELING LETTER LEGATOING EXT. G/FLOR EXTENSION.		
1			
•			
	Note. The planning authority will make a copy of the notice of review, the review documents and any		
	motice 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 of termoval 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.		
	reme and additional name and the contract contra		

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	14TH AUGUST 2014
-				

Notice of Review of Planning Application 14/00852/FLL

Subject:-

Form upper floor extension to the rear of dewellinghouse and replace existing crown roof to sun room with dual pitch roof to match extension at 7 Gallowhill Road Kinross KY13 8RA, for Mr. & Mrs. F. Munro.

Statement:-

Initial contact on this application was in the form of a telephone call from the case officer to the agent. The case officer advised that although acknowledging various developments of questionable design within the surrounding area; he would not be able to support this application unless the proposed width of the upper floor extension was reduced from 7.5M to no more than the width of the existing ground floor sun room extension which is 5.35M from the existing house gable wall. This advice/request was considered but found impractical in fulfilling the applicants needs for an additional bedroom and upper floor family bathroom.

As the case officer had cited the width of the existing ground floor extension, it was assumed that there was a desire to ensure some form of unity in appearance between the upper and lower extensions, which led to the submission of revised proposals extending the width of the existing ground floor extension to the same as the upper floor proposals in the form of an open portico addition to the sun room with matching roof designs. This proposal was also rejected by the case officer, who further went on to refuse the application in its entirety, on the following grounds:-

- 1.) The proposed extension is unsympathetic in scale, bulk, and visual massing, and would be detrimental in visual amenity to the existing building and surrounding area.
- 2.) Approval of the proposed design would distort the integrity of the existing/original structure.

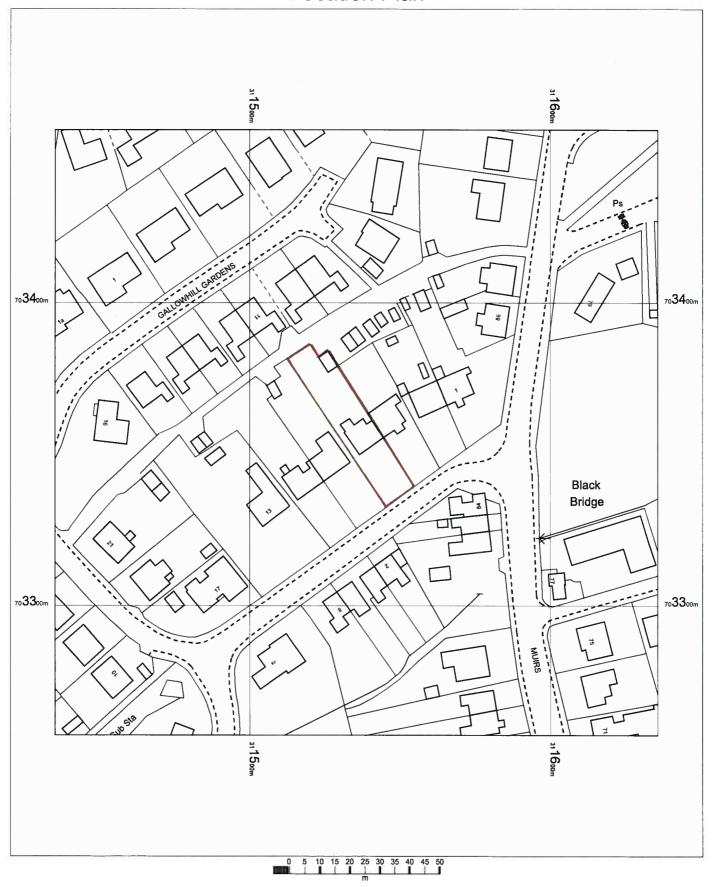
The foregoing reasons for refusal are challenged for the following reasons:-

- a.) The proposed extension is not unsympathetic in scale as, along with the former ground floor extension the cumulative floor area is less than the original house, and is therefore inferior to the original per Planning Guidance Notes.
- b.) Bulk and visual massing are not considered valid reasons, again, on the grounds that the proposals are inferior to the original structure and by virtue of the fact that a very similar 6.5M wide structure has already been approved and constructed at number 5 Gallowhill Road Kinross, which forms the other half of the affected building.
- c.) We would ask how the proposals, which are very similar to the existing extension at number 5 Gallowhill Road, can distort the shape, scale, etc. of the existing building, if this has not been the case with previous extensions to the building comprising numbers 5 and 7 Gallowhill Road, We are aware of a slight difference in roof pitches, and are prepared to revise our proposals to mirror that of number 5 Gallowhill Road, should this be deemed to be necessary.

In conclusion, we ask the Board to consider this refusal and its reasons, unfair and unjust, in consideration that

- (I) the proposals are very similar to the 6.5M wide upper floor extension to 5 Gallowhill Road,
- (II) Are less of an impact on the surrounding area than the full width upper floor extension and various ground floor extensions to number 13 Gallowhill Road,
- (III) That on the matter of bulk, or visual massing, our proposals are considered to have less of an impact than the two and a half storey recent development at Ivy Gardens, Muirs, Kinross, within a settlement area, where all existing structures of domestic residence are no more than two storeys.
- (IV) the proposals are to the rear of the dwelling, and would only be partially viewable from the public footpath to the rear of the applicants property due to existing structures such as garages and fences, and natural screening in the form of mature trees, bushes, and shrubbery. The proposals would only be fully viewable from the inside of the applicants rear garden.

Location Plan



7 Gallowhill Road
Kinross
KY13 8RA

OS MasterMap 1250/2500/10000 scale
12 May 2014, ID: MNOW-00323769
mapsnow.co.uk

1:1250 scale print at A4, Centre: 311536 E, 703357 N

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100017780

McNeil Partnership 28 Victoria Avenuc Milnathort Kinross KY13 9YE tel01577-863000

Perth and Kinross Council Pullar House Kinnoull Street Perth PH1 5GD

08/07/2014

ATT:- Keith Stirton

RE:- 14/00852/FLL Extension to 7 Gallowhill Road Kinross KY13 8RA

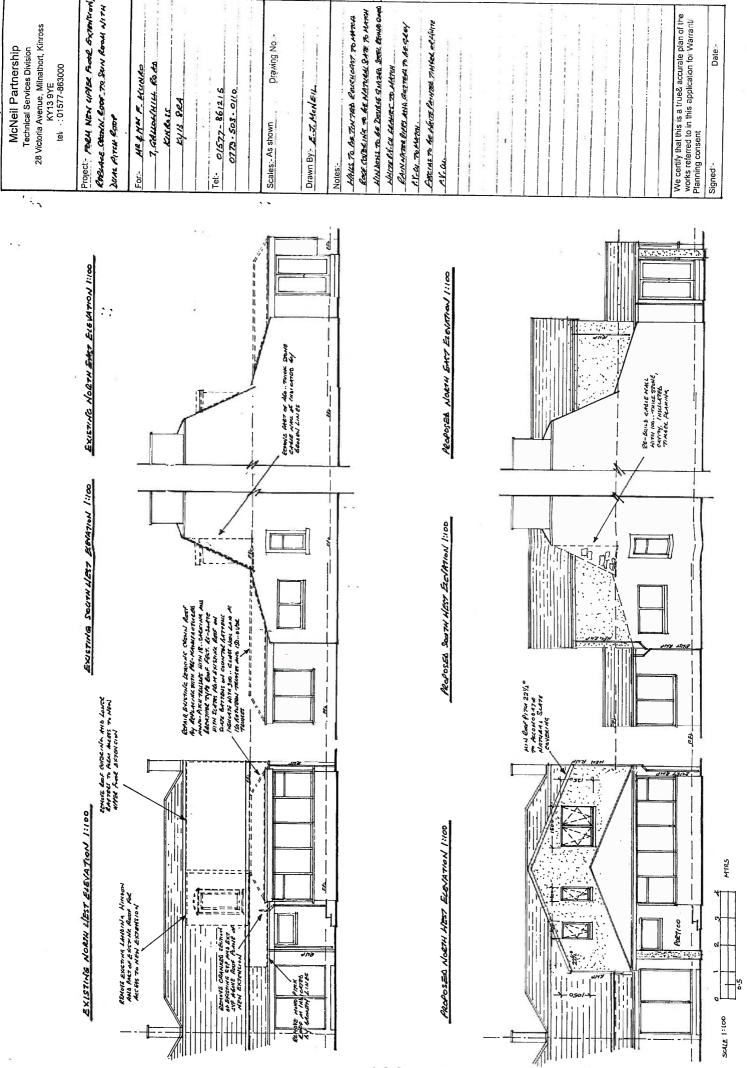
We refer to the subject planning application and subsequent e-mails regarding same, and your inability to accept our proposals.

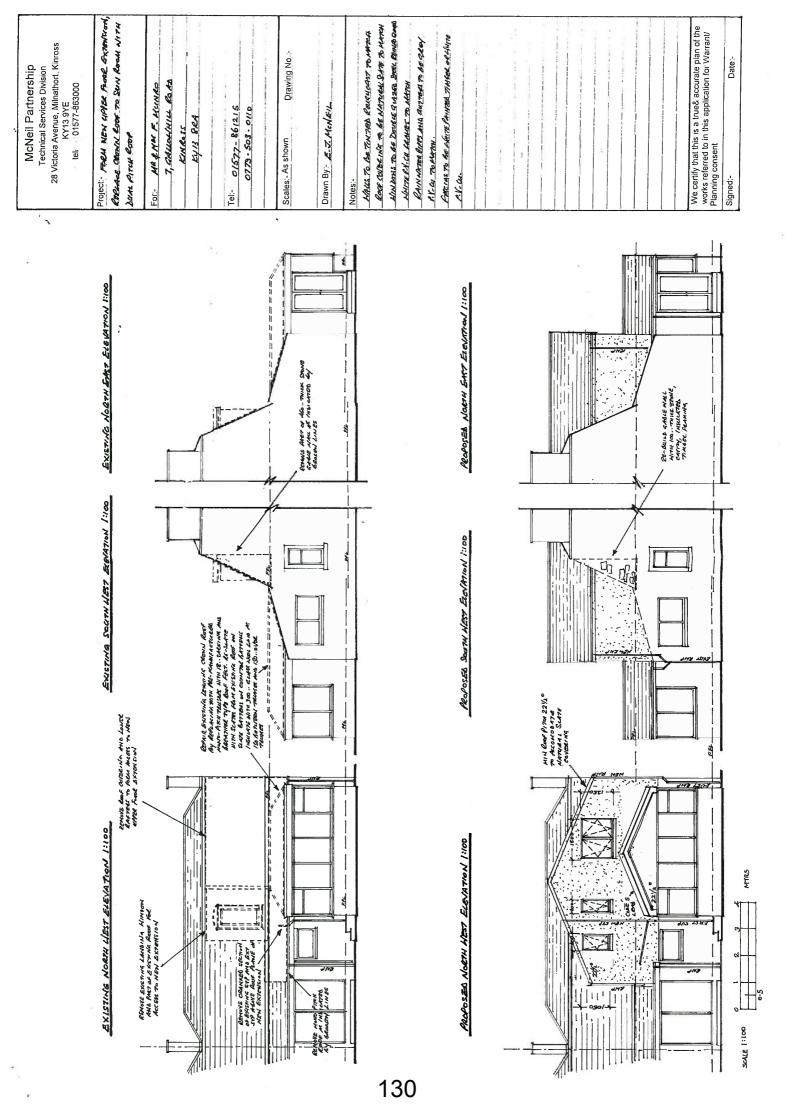
As the dictating factor, from your point of view, would appear to be the existing ground floor sun room extension, we have now developed a further proposal which we feel would bring the ground floor development and proposed upper floor development into line, by extending the sun room by a portico, all under the same roof.

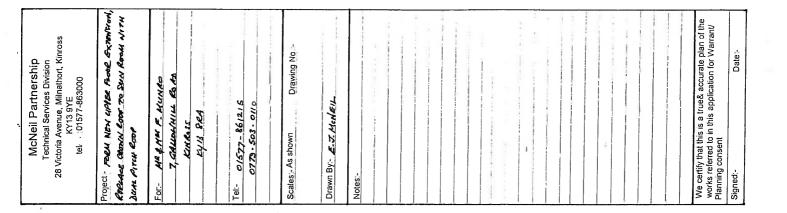
We would be grateful for your consideration of this proposal, and look forward to hearing from you at your earliest convenience.

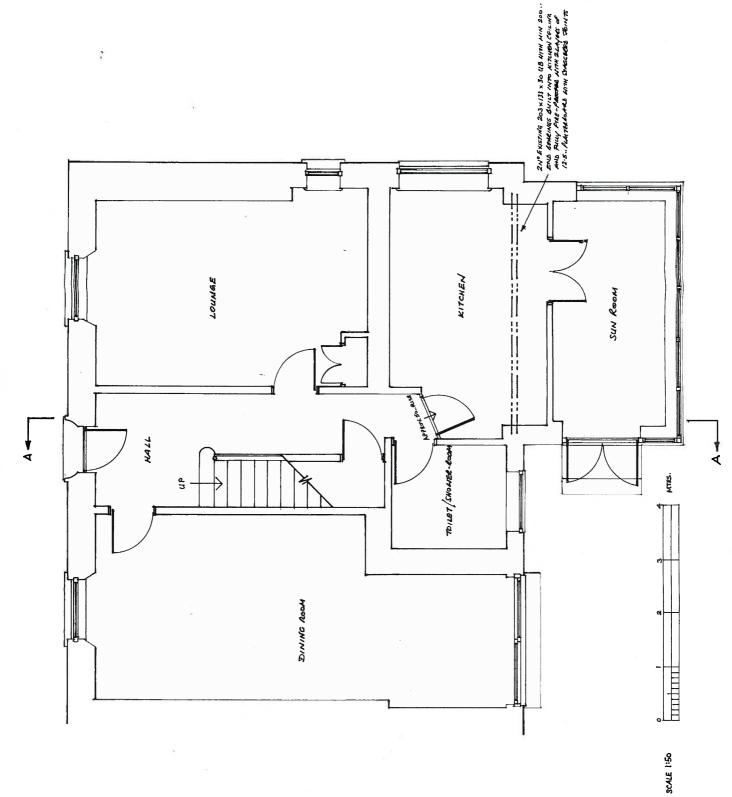
Yours faithfully

Eric McNeil for McNeil Partnership









7 GALLOWHILL CO. A.D. Ky 13 8RA KINGORS Scales:- As shown Notes:-47E ALCA 698-48M² - W9.85 GALAGE 132

McNeil Partnership Technical Services Division 28 Victoria Avenue, Milnathort, Kinross KY13 9YE teb ::01577-863000

Project - FORM NEW UPIES Frook GRAPHINON, KABLALE CHANIN LOOF TO BUN ROOM NITH BUM PIECE LOOF

FOR- MR& MAK F. HUNKO

Tel: 0/577-86(2) S 0773 - 503 - 0110

Drawing No -

Drawn By: E.J. Mexis.

We certify that this is a true& accurate plan of the works referred to in this application for Warrant Planning consent

MTRS.

SCALE 1:200

Signed:-

Date -



TCP/11/16(315)

Planning Application 14/00852/FLL - Extension to dwellinghouse 7 Gallowhill Road Kinross KY13 8RA

PLANNING DECISION NOTICE REPORT OF HANDLING

REFERENCE DOCUMENT (part included in applicant's submission, see pages 125 and 130-132)

PERTH AND KINROSS COUNCIL

Mr And Mrs Fraser Munro c/o McNeil Partnership 28 Victoria Avenue Milnathort Kinross-shire KY13 9YE Pullar House 35 Kinnoull Street PERTH PH1 5GD

Date 10th July 2014

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: 14/00852/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 15th May 2014 for permission for **Extension to dwellinghouse 7 Gallowhill Road Kinross KY13 8RA** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

- 1. The proposed extension, by virtue of its unsympathetic scale, bulk and visual massing would have a significant adverse impact on the visual amenity of the existing dwelling and surrounding area. Approval would therefore be contrary to Policies RD1, PM1A and PM1B of the Local Development Plan, which seek to ensure that development respects the character and amenity of the place.
- 2. Approval would distort the shape, scale, proportions and roof pitch of the existing building, overwhelming the existing dwelling and compromising the architectural integrity of the original structure, which would be contrary to the aims and objectives of Perth & Kinross Council's Placemaking Guide.

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 "Online Planning Applications" page

Plan Reference

14/00852/1

14/00852/2

14/00852/3

14/00852/4

14/00852/5

14/00852/6

REPORT OF HANDLING DELEGATED REPORT

Ref No	14/00852/FLL	
Ward No	N8- Kinross-shire	
Due Determination Date	14.07.2014	
Case Officer	Keith Stirton	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Extension to dwellinghouse

LOCATION: 7 Gallowhill Road Kinross KY13 8RA

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: 29 May 2014

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

7 Gallowhill Road is a semi-detached dwellinghouse which is located within a residential street in Kinross.

This detailed application seeks planning permission to carry out alterations and extension to the rear of the property, including; replacing the roof of the sun room and creating a first floor extension.

SITE HISTORY

None

PRE-APPLICATION CONSULTATION

Pre application Reference: Not applicable

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, and a series of Circulars.

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy PM1A - Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy RD1 - Residential Areas

In identified areas, residential amenity will be protected and, where possible, improved. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

OTHER POLICIES

Perth & Kinross Council's Placemaking Guide;

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.

An extension which recognises and respects the form of the existing building is more likely to be successful than one which ignores the design of the original. Similarly, extensions which distort the shape, scale and proportions of the existing building are less acceptable than those which respect details like roof pitch and original building span depth.

It is nearly always necessary to avoid overwhelming existing buildings. If an extension begins to match or exceed the size of the original building the architectural integrity of the original structure can often become lost. In most cases an extension should be a subordinate addition.

Conversion of an existing hipped roof into a gabled roof as a form of roof extension is generally not desirable and will not be encouraged.

CONSULTATION RESPONSES

None required

REPRESENTATIONS

No letters of representation have been received.

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	Not Required
Access Statement	
Report on Impact or Potential Impact	Not Required
eg Flood Risk Assessment	

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

Alterations and extension to an existing dwellinghouse, which is located within an area identified by the Local Development Plan as "Residential Areas", are considered to be acceptable in principle. Nevertheless, detailed consideration must be given to the scale, form, design and finishes of any proposed extension, and whether it would have an adverse impact on visual or residential amenity.

Design and Layout

The existing semi-detached dwellinghouse takes the form of a hipped mansard roof (dual pitched), with the upper floor contained entirely within the roof space. The property sits amongst similar properties, many of which have been altered and extended in the past. This application seeks approval for a large two storey extension to the rear of the property.

The proposal disregards the form of the existing building by introducing a significantly raised wall head, an excessively wide gable and a shallow, single pitched roof. Both the face and the sides of the gable are to be clad in roughcast, which would emphasise the overwhelming bulk and visual massing of the extension at first floor level. The resulting extension would be a very assertive and unsympathetic addition, which would be completely out of scale and character with the existing house.

Whilst the extension would not have an adverse impact on the residential amenity of neighbouring properties in terms of overlooking or overshadowing, it would have a significant adverse impact on the visual amenity of the area.

The proposal is therefore considered to be contrary to Policies RD1, PM1A and PM1B of the Local Development Plan and Perth & Kinross Council's Placemaking Guide.

I take account of the variety of extensions in the surrounding area, some of which are less sympathetic than others. However, none of these have comparable proportions or visual impact to the proposal before me.

Developer Contributions

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

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2012 or the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Reasons for Recommendation

- The proposed extension, by virtue of its unsympathetic scale, bulk and visual massing would have a significant adverse impact on the visual amenity of the existing dwelling and surrounding area. Approval would therefore be contrary to Policies RD1, PM1A and PM1B of the Local Development Plan, which seek to ensure that development respects the character and amenity of the place.
- Approval would distort the shape, scale, proportions and roof pitch of the existing building, overwhelming the existing dwelling and compromising the architectural integrity of the original structure, which would be contrary to the aims and objectives of Perth & Kinross Council's Placemaking Guide.

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

14/00852/1

14/00852/2

14/00852/3

14/00852/4

14/00852/5

14/00852/6

Date of Report 2 July 2014

