

TCP/11/16(516) – 17/01447/FLL – Alterations and extension to dwellinghouse, Balnagowan, Aberargie, Perth, PH2 9NE
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**TCP/11/16(516) – 17/01447/FLL – Alterations and extension
to dwellinghouse, Balnagowan, Aberargie, Perth, PH2 9NE**

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

Thank you for completing this application form:

ONLINE REFERENCE 100063632-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

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:	Joanna Lockhart, Architect		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Joanna	Building Name:	
Last Name: *	Lockhart	Building Number:	28
Telephone Number: *	01592 840771	Address 1 (Street): *	Gamekeepers Road
Extension Number:		Address 2:	Kinnesswood
Mobile Number:		Town/City: *	Kinross
Fax Number:		Country: *	Scotland
		Postcode: *	KY13 9JR
Email Address: *	me@joannalockhart.co.uk		

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="Mrs"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="Balnagowan"/>
First Name: *	<input type="text" value="Arlene"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Kennedy"/>	Address 1 (Street): * <input type="text" value="Aberargie"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Perth"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="PH2 9NE"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text"/>	

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="Balnagowan"/>
Address 2:	<input type="text" value="Aberargie"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="Perth"/>
Post Code:	<input type="text" value="PH2 9NE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="715781"/>	Easting	<input type="text" value="316121"/>
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Description of Proposal

Please provide a description of your 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 existing dwelling house

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 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.

Refer to attached 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

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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)

Statement of justification for review

Application Details

Please provide details of the application and decision.

What is the application reference number? *

17/01447/FLL

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

30/08/2017

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

30/10/2017

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

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

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: Ms Joanna Lockhart

Declaration Date: 22/01/2018

Joanna Lockhart
Architect

28 Gamekeepers Road
Kinnesswood
Kinross
KY13 9JR
Tel: 01592 840771

e-mail: me@joannalockhart.co.uk
www.joannalockhart.co.uk

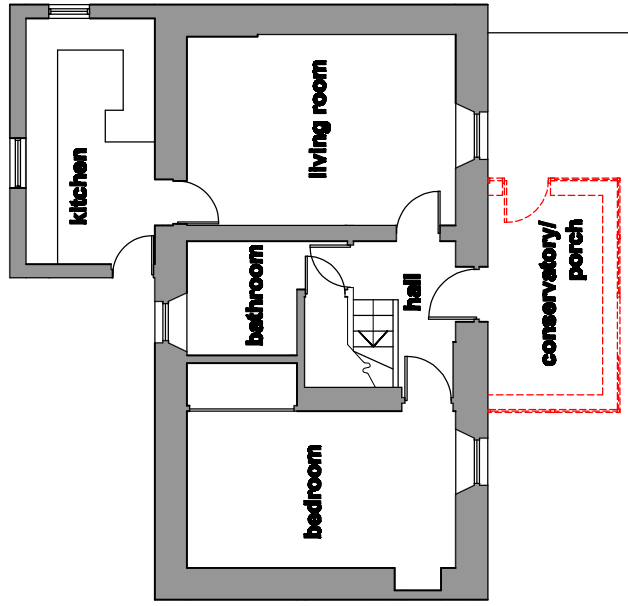
Notice of Review for Balnagowan, Aberargie, Perth, ref 17/01447/FLL

This application seeks to appeal against the refusal of planning consent for a replacement porch at Balnagowan, Aberargie. The planning application concerned the replacement of an existing sunroom to the front of the building.

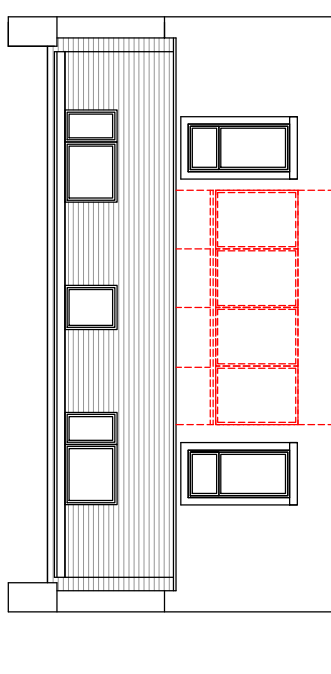
The existing sunroom has come to the end of its useful life, and is a flat roofed structure, tacked onto the front of the existing traditional cottage, which also has a flat roofed dormer extending along its full width to the front. The proposed replacement porch would be 0.8m wider than the existing porch and 2 m longer. It would have a pitched roof and stone walls and would tie in with the existing one, particularly in terms of the roof, which would be natural slate with a fairly steep pitch, which would reinforce and enhance the character of the original house and lessen the impact of the existing, rather incongruous, flat roof dormer.

The cottage is located rurally, along a dead end lane with 3 other cottages. It cannot be seen from the front from either of the 2 nearby main roads (A912 and A913). It does not form part of a streetscape in the usual sense and for this reason, it is felt that the Development Plan guidelines for a property in a street in a town or village should not apply as the property is simply part of a small cluster of rural houses. Furthermore, the house next door to this one has a much larger conservatory, also to the front and there have been no objections from neighbours.

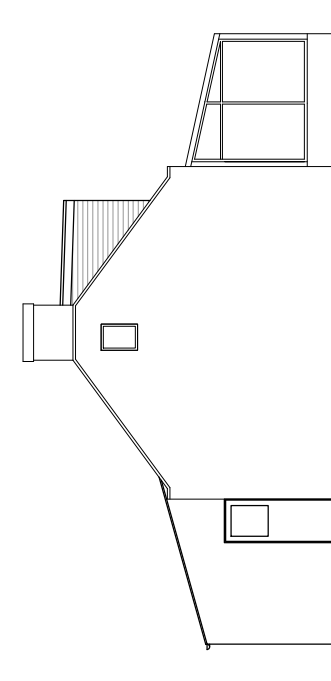
In summary, it is felt that the proposed replacement porch would in fact greatly enhance the appearance of this house, as well as its necessary functionality, by being more in keeping with the original house's appearance as well as enhancing the rural aesthetic of the area. Traditional cottages and farmhouses often have large porches to the front. This proposal, though increasing the existing footprint by a small proportion, is modest in scale, and would create a balanced and harmonious design.



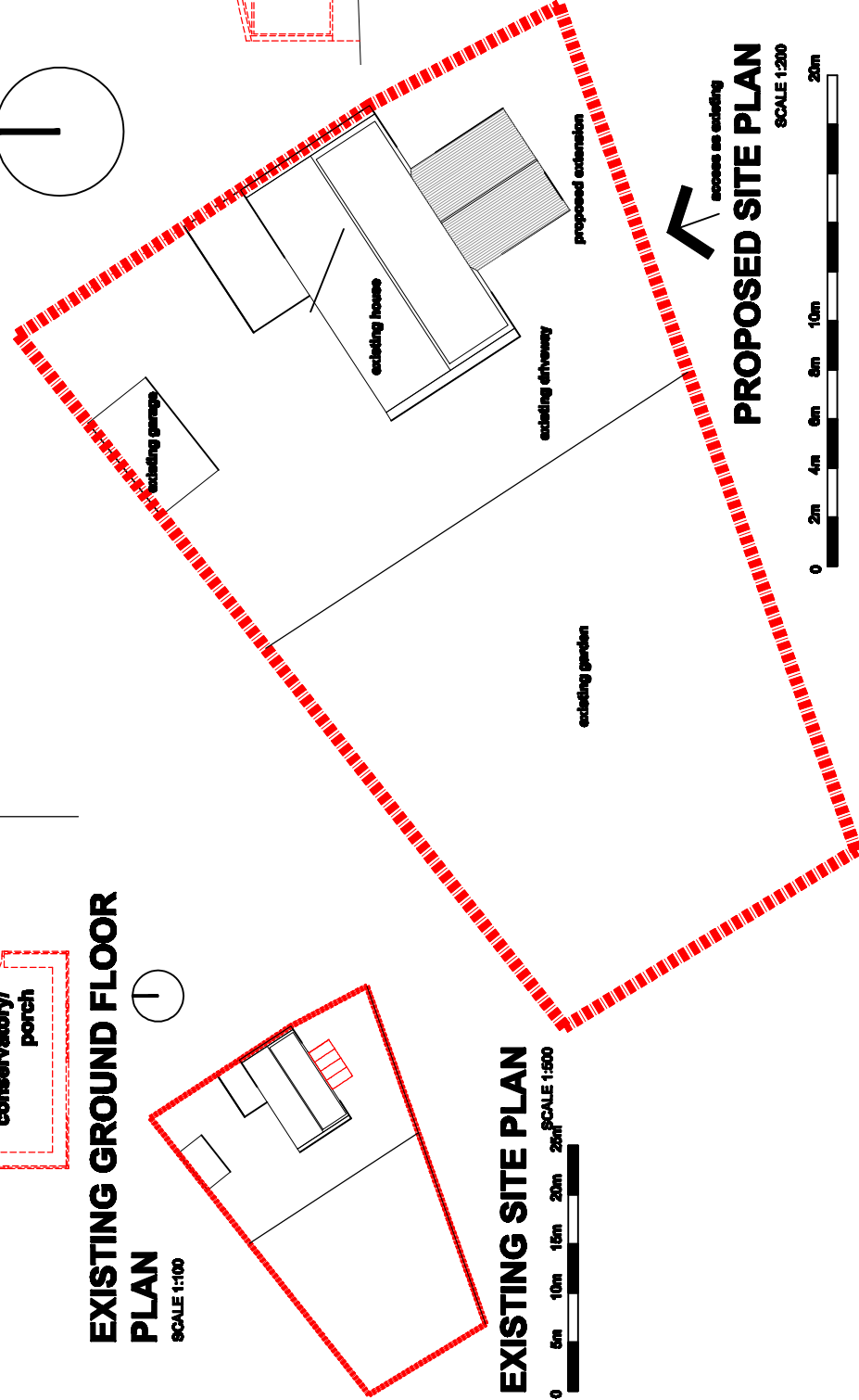
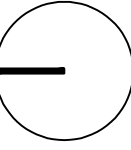
EXISTING GROUND FLOOR PLAN
SCALE 1:100



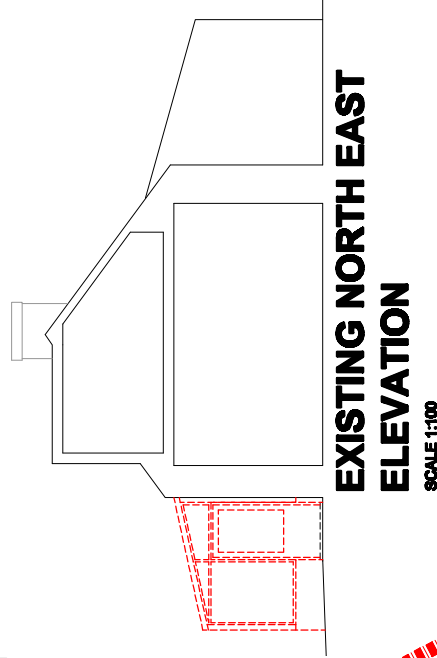
EXISTING SOUTH EAST ELEVATION
SCALE 1:100



EXISTING SOUTH WEST ELEVATION
SCALE 1:100



PROPOSED SITE PLAN
SCALE 1:200



EXISTING NORTH EAST ELEVATION
SCALE 1:100



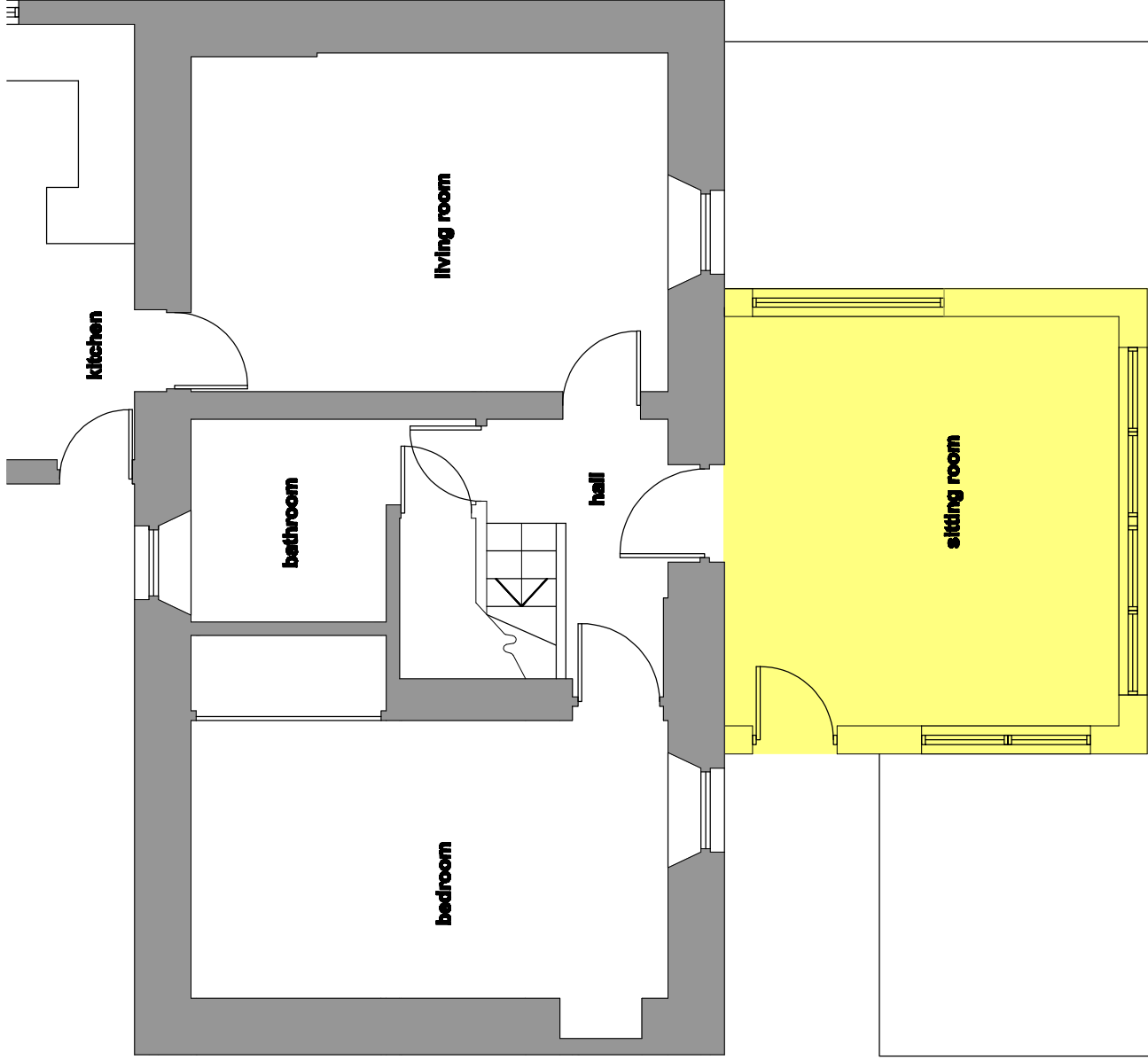
EXISTING SITE PLAN
SCALE 1:500

planning

joanna lockhart:architect

28 Gamblespore Road
Kilnseaward, KY13 5JR
Tel: 01852 546771
e mail: me@joannalockhart.co.uk

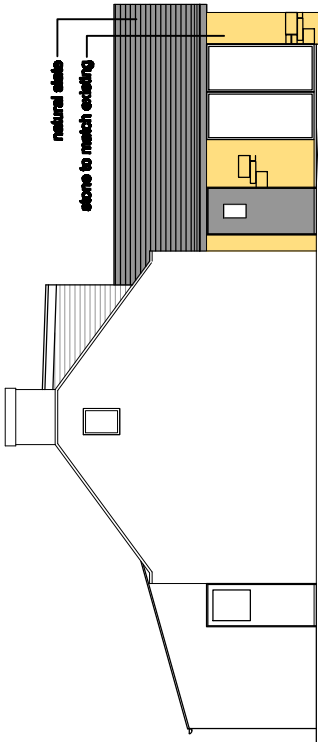
Project Name : Proposed Extension to Balmagowan, Alesbury
Client : Ariane Kennedy
Drawing Name : Existing Ground Floor plan and Elevations.
Proposed Site Plan.
Scale : 1:100, 200
Date: Aug17
Drawing No: 0971/01
Revised: B



PROPOSED PART GROUND FLOOR PLAN

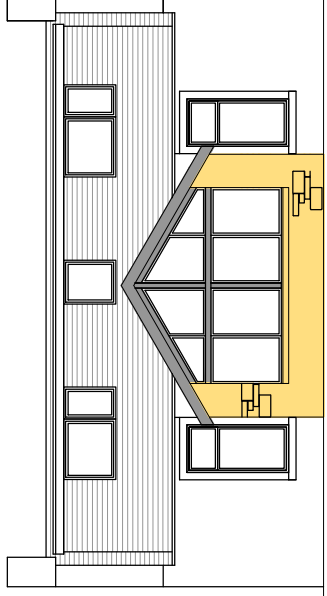
proposed extension

SCALE 1:50



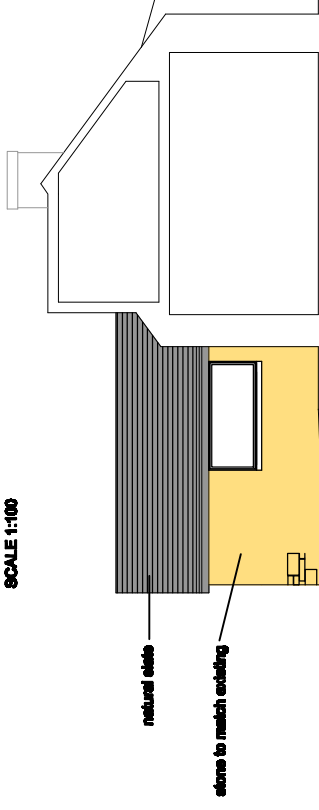
PROPOSED SOUTH WEST ELEVATION

SCALE 1:100



PROPOSED SOUTH EAST ELEVATION

SCALE 1:100



PROPOSED NORTH EAST ELEVATION

SCALE 1:100



joanna lockhart:architect

28 Gamblepore Road
Kilnwood, KY13 5JR
Tel: 01852 846771
e mail: me@joannalockhart.co.uk

Project Name : Proposed Extension to Balmagowan, Alesample
Client : Arlene Kennedy
Drawing Name : Proposed Part Ground Floor plan, Proposed Elevations
Scale : 1:50, 100
Date: Aug17
Drawing No: 0071/02

Revised: C

planning

TCP/11/16(516) – 17/01447/FLL – Alterations and extension to dwellinghouse, Balnagowan, Aberargie, Perth, PH2 9NE

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(part included in applicant's submission, see pages 511-512)*

PERTH AND KINROSS COUNCIL

Mrs Arlene Kennedy
c/o Joanna Lockhart, Architect
Joanna Lockhart
28 Gamekeepers Road
Kinnesswood
Kinross
Scotland
KY13 9JR

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 30th October 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/01447/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 30th August 2017 for permission for **Alterations and extension to dwellinghouse Balnagowan Aberargie Perth PH2 9NE** for the reasons undernoted.

Interim Head of Planning

Reasons for Refusal

1. The proposed development by virtue of its scale and unbalanced design, is not in keeping with either the character or appearance of the existing residential property and will result in an incongruous development being introduced into the local area. Accordingly, the proposal is contrary to Policies RD1, PM1A and PM1B (c and d) of the Perth and Kinross Local Development Plan 2014.

Justification

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

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

17/01447/1

17/01447/2

17/01447/3

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/01447/FLL	
Ward No	P9- Almond And Earn	
Due Determination Date	29.10.2017	
Case Officer	Gillian Peebles	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Alterations and extension to dwellinghouse

LOCATION: Balnagowan Aberargie Perth PH2 9NE

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: 28 September 2017

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site relates to a semi-detached dwellinghouse known as Balnagowan which is located to the east of the A912 within the settlement of Aberargie. Full planning consent is sought to remove the existing conservatory on the principal elevation and replace it with a single storey sitting room extension.

SITE HISTORY

None recent.

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 2014.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Within the approved Strategic Development Plan, TAYplan 2012, the primary policy of specific relevance to this application is:-

Policy 2: Shaping Better Quality Places

Part F of Policy 2 seeks to 'ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets, the multiple roles of infrastructure and networks and local design context, and meet the requirements of Scottish Government's Designing Places and Designing Streets and provide additional green infrastructure where necessary'.

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy RD1 - Residential Areas

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

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

OTHER POLICIES

None

INTERNAL CONSULTATION RESPONSES

Local Flood Prevention Authority – response below

Small scale alterations and extensions are generally out with the scope of Scottish Planning Policy.

The SEPA flood maps indicate a significant fluvial flood risk at the site during the 1:200 year event, however the proposals are not increasing the number of persons potentially at risk, so we have no objection to the development.

The applicant may wish to consider the use of flood resilient/resistant construction techniques.

REPRESENTATIONS

None at time of report.

ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required

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

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

The site is located within the settlement boundary of Aberargie where Policies RD1: Residential Areas and Policy PM1A and B: Placemaking are directly applicable.

Policy RD1 states that residential amenity will be protected and, where possible, improved. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy PM1A of the Local Development Plan seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

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

- (c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

The proposal is not considered to comply with the above policies for the reasons stated elsewhere in the report.

Design and Layout

The existing property has a modest porch/conservatory on the principal elevation (south east) of a semi-detached cottage. The footprint of the existing porch is approximately 10 square metres, glazed on all 3 elevations and has a gently sloping roof. The property has also been extended in the past, both to the front and rear.

The principal elevation currently features an overwhelming box dormer which extends almost the full length of the south eastern roof slope.

The proposal is to demolish the conservatory/porch and replace it with a pitched roof extension. The footprint of the proposal measures approximately 22 square metres and will reach an approximate height of 3.8 metres to the ridge. It will have glazing up to the eaves on the principal elevation and glazing also on the other 2 remaining elevations. The roof will be finished in natural slate and the walls will be finished in stone, both to match existing.

The footprint of the proposal is conducive to a new room which is differential to an entrance porch and by its very scale its use is intensified. Front extensions are generally not favoured as they often detract from the design of what is considered to be the most important and prominent elevation, as well as the collective appearance of the streetscene.

Whilst I acknowledge, given its cul-de-sac location and restricted number of properties, there is no repeating rhythm within the street and there is no defined building line. however, very rarely can large front extensions be assimilated in a visually acceptable manner, invariably appearing out of place. The property is very much of its time, with no significant architectural features, but it does contribute to the wider character of the area.

Constructing an extension on the front elevation of this house would detract from the appearance of the existing property. I feel that the proposed extension is out of scale with the existing property resulting in an unbalanced and unsympathetic extension, which is out of keeping with the character and appearance of the existing cottage and the surrounding area. Having taken cognisance of the surrounding area I do not consider the extension fits its location or acknowledges the form and massing of the original house. It will be located approximately 2.5 metres in from the edge of the public footpath at its closest point and 3.7 metres at its furthest and due to its limited distance will appear as an overwhelming addition when viewed from the public domain.

I contacted the Applicant's Agent with a view to reducing the size of the extension, however, the applicants desire was for an extension of this size and as such wanted the application to be assessed as submitted. I am in no doubt that a replacement modest porch is an acceptable addition, however, the footprint should not exceed that of existing otherwise will have a visual impact on not only the existing property, however, that of the surrounding area. The distance from the principal elevation to the road is extremely limited and anything larger will have an overbearing impact.

Landscape

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

Residential Amenity

Windows are proposed on all 3 elevations within 9 metres of the boundary, however, as these overlook front gardens and not rear private amenity space I have no concerns.

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

Visual Amenity

The location, scale and massing of the extension, forward of the principal elevation and within such close proximity to the public footpath/public road will have a detrimental impact on the appearance of the existing property and will have a significant impact on the character of the area.

It may be argued that the proposed replacement will be a visual enhancement due to the age and condition of the existing conservatory/porch. I do not share the same opinion as the scale and massing will overwhelm the existing property to the detriment of the visual amenity of the existing cottage and surrounding area.

As stated in the Placemaking Guide, front extensions should generally be avoided, in particular where visual impact on an established streetscape is evident. Modest porches or canopies may be an acceptable addition, however, as previous indicated the footprint of this proposal by far exceeds what could be seen as an acceptable addition on the principal elevation of this property.

It is not considered that the proposal satisfies the policy requirement in relation to the Placemaking Policies and therefore refusal reasons based on the impact the development would have on the character of the surrounding area is sustainable.

Roads and Access

No changes are proposed to the existing parking or access arrangements.

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.

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 2016 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for 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

Conditions and Reasons for Recommendation

1. The proposed development by virtue of its scale and unbalanced design, is not in keeping with either the character or appearance of the existing residential property and will result in an incongruous development being introduced into the local area. Accordingly, the proposal is contrary to Policies RD1, PM1A and PM1B (c) of the Perth and Kinross Local Development Plan 2014.

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

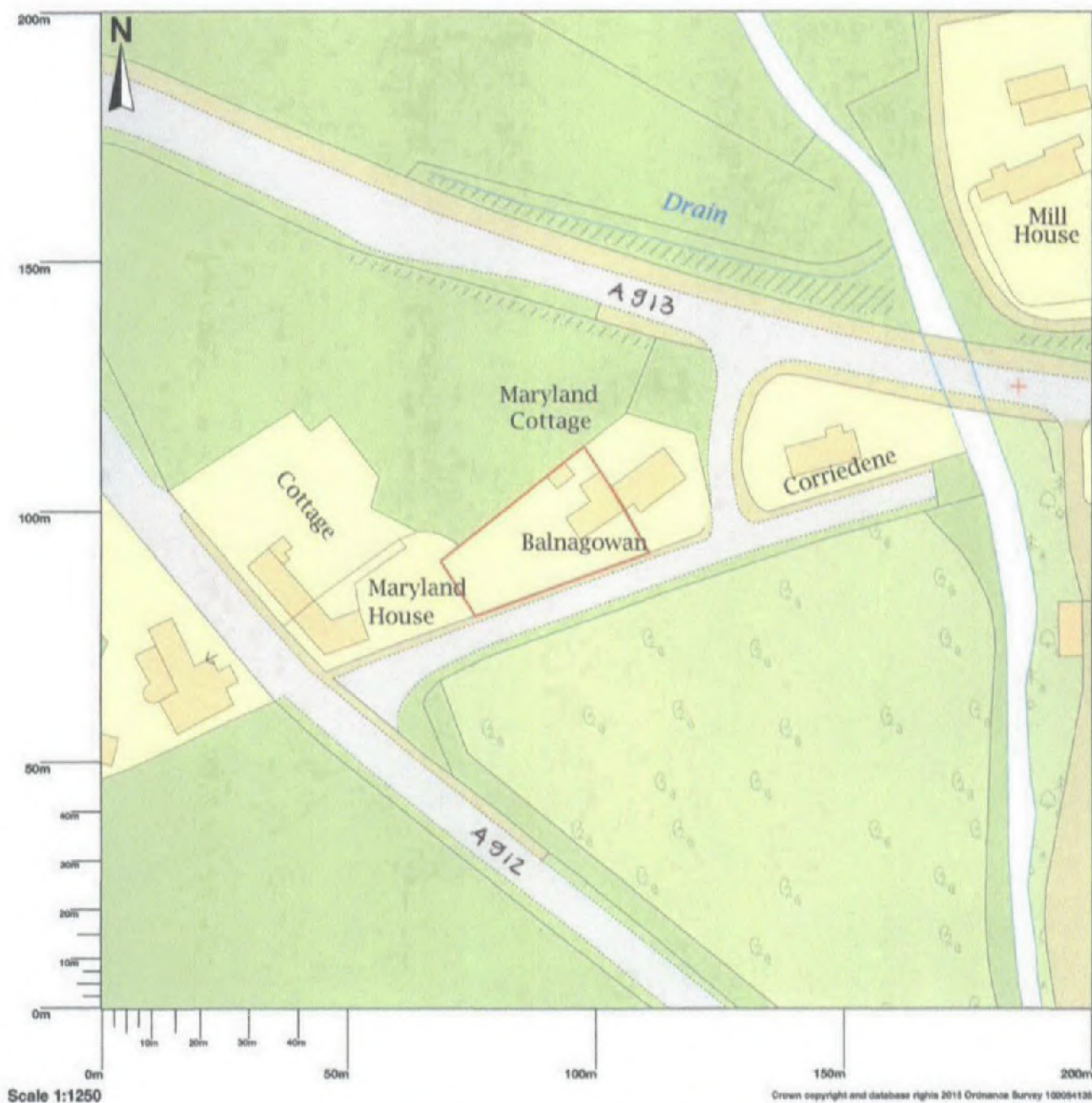
17/01447/1

17/01447/2

17/01447/3

Date of Report 30 October 2017

Balnagowan, Aberargie, Perth, PH2 9NE



Map shows area bounded by: 316021.0,715681.0,316221.0,715881.0 at a scale of 1:1250. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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TCP/11/16(516) – 17/01447/FLL – Alterations and extension to dwellinghouse, Balnagowan, Aberargie, Perth, PH2 9NE

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01447/FLL	Comments provided by	Gavin Bissett
Service/Section	TES/Flooding	Contact Details	██████████ ████████████████████
Description of Proposal	Alterations and extension to dwellinghouse		
Address of site	Balnagowan Aberargie Perth PH2 9NE		
Comments on the proposal	<p>Small scale alterations and extensions are generally out with the scope of Scottish Planning Policy.</p> <p>The SEPA flood maps indicate a significant fluvial flood risk at the site during the 1:200 year event, however the proposals are not increasing the number of persons potentially at risk, so we have no objection to the development.</p> <p>The applicant may wish to consider the use of flood resilient/resistant construction techniques.</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant	PKC Flooding and Flood Risk Guidance Document (June 2014)		
Date comments returned	04/09/2017		

