

<p>LRB-2022-09 21/02110/FLL – Alterations and extension to dwellinghouse, Brambles, Clunie Street, Abernethy</p>
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LRB-2022-09
21/02110/FLL – Alterations and extension to
dwellingshouse, Brambles, Clunie Street, Abernethy

**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 100475158-006

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:	Arthur Stone Planning & Architectural Design Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Alison	Building Name:	
Last Name: *	Arthur	Building Number:	85
Telephone Number: *	01337 840 088	Address 1 (Street): *	High Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Newburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	KY14 6DA
Email Address: *	info@arthurstoneplanning.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="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Brambles"/>
First Name: *	<input type="text" value="Kirstie"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Graham"/>	Address 1 (Street): *	<input type="text" value="Clunie Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Abernethy"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Perthshire"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="TH2 9JT"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="kirstiejgraham@gmail.com"/>		

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="BRAMBLES"/>
Address 2:	<input type="text" value="CLUNIE STREET"/>
Address 3:	<input type="text" value="ABERNETHY"/>
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 9JT"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="716621"/>	Easting	<input type="text" value="319009"/>
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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 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.

Please see statement for reasons for review

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 for review

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/02110/FLL

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

24/11/2021

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

11/02/2022

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: Mrs Alison Arthur

Declaration Date: 21/03/2022



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& Architectural Design

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Perth & Kinross Council Local Review Body

Statement of Reasons for Seeking Review

Application 21/02110/FLL

Alteration and extension to dwellinghouse

The Brambles, Clunie Street, Abernethy, PH2 9JT



Mr and Mrs Graham

March 2022

Introduction

This statement is prepared on behalf of our clients, Mr and Mrs Graham who are seeking planning permission for alteration and extension to their home at The Brambles, Clunie Road, Abernethy. Their proposal is to form two rear dormers , along with roof lights, to enable the bungalow's attic to accommodate additional living space—2 bedrooms, lounge and shower room. A new front porch is also proposed.

The application was validated on 24th November 2021 and refused planning permission on 11th February 2022. The Reasons for Refusal were:

Reasons for Refusal

1. The proposed box dormer extensions represent an incongruous and unsympathetic addition which will adversely affect the visual character of the host building, and the surrounding area. Approval would therefore be contrary to Perth & Kinross Placemaking Guide 2020 and Policies 1A and 1B (c) of the Perth and Kinross Local Development Plan 2 (2019) which seek to ensure that development contributes positively to the character and amenity of the place by complementing its surroundings in terms of design, appearance, scale and massing.
2. As the proposal will result in the loss of privacy to an adjacent residential property to the detriment of the neighbouring property's residential amenity, the proposal is contrary to Policy 17 of the Perth and Kinross Local Development Plan 2 (2019), which seeks to ensure the residential amenity of existing areas is not adversely affected by new proposals.

Mr and Mrs Graham believe that their proposal merits approval and that the assessment made by the case officer has been unfavourably influenced by the lack of a site visit to fully understand the characteristics of the site and surrounding area.

The Report of Handling states that adequate assessment of the site and its context has been achieved using aerial imagery and Streetview. Physical assessment of the site and proposal demonstrates that these desktop sources do not accurately represent the situation 'on the ground'. We highlight that Clunie Street on Google Streetview is dated 2009. There have been significant changes in the area since that time. Important differences are shown in the photos on the next page. The applicants' own appreciation of their property in relation to neighbouring properties and the surrounding area is significantly different from the remote assessment that has been made by the Council. A physical visit would have enabled the potential impact of the proposal to be accurately assessed, and we contend, would have led to approval of the application.

We have provided a number of photographs of the site and surroundings which we trust provide the Local Review Body with a better understanding of the proposal. We urge the members of the Local Review Body to visit the site to properly familiarise themselves with the characteristics of the proposal and the surrounding area. In summary, we make the following points to support Mr and Mrs Graham's case:

- We believe that the assessment of this proposal has suffered from the lack of a site visit to allow for a proper assessment of the proposal. We urge the members of the Local Review Body to visit the site and its surrounding area to assist in their own assessment of the proposal.
- The proposal is an appropriate addition to this modern bungalow and its form and layout will be in keeping with the existing dwellinghouse and the wider residential area, characterised by a mix of traditional and modern dwellings, contrary to the first reason for refusal. In any case, there will be very limited view of the proposal .
- The proposal will have no impact on the residential amenity of the neighbouring property, Te Rehui, contrary to the second Reason for Refusal, as explained and illustrated in this statement.
- With respect, Mr and Mrs Graham seek the support of the Local Review Body in approving this application.

Clunie Street—Comparison of Streetview 2009 and February 2022 photographs



Google Streetview— 2009—most recent available. The area of garden ground at Te Rehui, adjacent to The Brambles is, in 2009, grass, with washing line, garden furniture and minimal planting.



Current view (February 2022) photographed from Clunie Street into Te Rehui. A large part of the area is now parking and planting is well established covering much of the remaining area. The summer house would not be overlooked as it would not be within the line of sight of the proposed dormer and in any case its orientation is away from The Brambles. This whole area is in the public view of Clunie Street.

Clunie Street—Comparison of Streetview 2009 and February 2022 photographs



Google Street View image—2009—most recent available



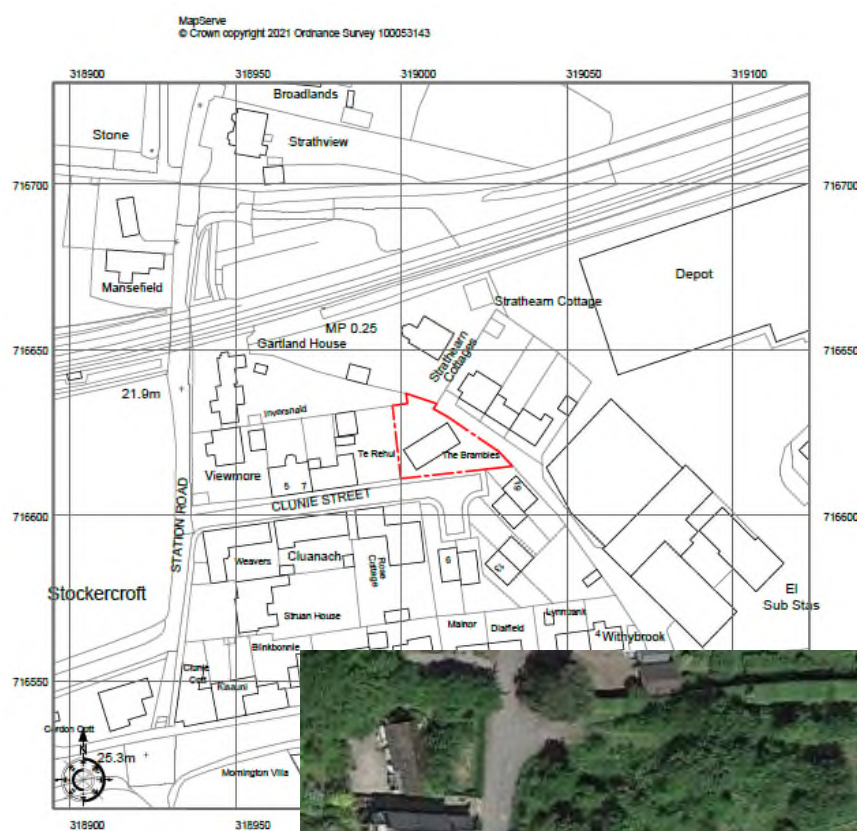
Current view (February 2022) Extension to Rose Cottage constructed (two storey with large first floor box dormer) . The Rose Cottage extension lies directly south of , and overlooks, Te Rehui.

Consultations and Representations

None of the Council's consultees has indicated any objection to this proposal. No representations were submitted.

Site Context and Description

The Brambles lies on the north side of Clunie Street, Abernethy, and is a modern single storey bungalow (approved in 1999). Clunie Street lies on the northermost edge of Abernethy. It is not within, or near, the Abernethy Conservation Area and there are no nearby listed buildings (The Conservation Area and all listed buildings in Abernethy lie to the south of the High Street. The area around Clunie Street /Station Road/Back Dykes is characterised by a mix of traditional stone built and modern dwellinghouses, single and two storey, including modern additions to traditional buildings. The street pattern and the arrangement of dwellinghouses provides for a spacious layout with extensive garden ground. The large Branston warehouse site lies to the east of this residential area and the railway runs to the south, elevated on an embankment and preventing views between this part of Abernethy and the dwellinghouses and park to the north.



Site Location Plan
Scale 1:1250

Site Boundary



Grounds for Seeking Review of the Application

Section 25 (1) of the Town and Country Planning (Scotland) Act 1997 includes that ‘Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise – (a) to be made in accordance with that plan...’

The relevant Development Plan is the Tayside Strategic Development Plan 2017 and the Perth and Kinross Local Development Plan 2019 (LDP2). The proposal has no strategic implications and no further reference has been made to the Strategic Development Plan. The LDP2 provides the main basis for determining planning applications along with reference to guidance, including Perth and Kinross Council’s Placemaking Guide 2020.

The Council refused the planning application for two reasons. We contend that, contrary to these reasons, the proposal can be justified as compliant with LDP2 and its policies.

The Report of Handling states that *‘Alterations and extensions to existing domestic dwellings are generally considered to be acceptable in principle. Nevertheless, detailed consideration must be given to the specific details of the proposed development **within the context of the application site**, and whether it would have an adverse impact on residential and visual amenity.’* (our emphasis)

As noted above, we believe that the site and its context have not been properly assessed and seek that the Local Review Body, in its assessment of the application, concludes that the proposal should be approved.

We note that the Report of Handling assesses Landscape, Roads and Access, and Drainage and Flooding and no concerns are raised with these topics. In addition, the Report of Handling raises no issues with the materials of finishes proposed.

Response to Reason for Refusal 1: Design, Layout and Visual Amenity

1. The proposed box dormer extensions represent an incongruous and unsympathetic addition which will adversely affect the visual character of the host building, and the surrounding area. Approval would therefore be contrary to Perth & Kinross Placemaking Guide 2020 and Policies 1A and 1B (c) of the Perth and Kinross Local Development Plan 2 (2019) which seek to ensure that development contributes positively to the character and amenity of the place by complementing its surroundings in terms of design, appearance, scale and massing.

We contend that this proposal is acceptable in terms of its design and layout, with no adverse impacts on visual amenity, and gains support from LDP Policy 1A and 1B (c) and the Placemaking Guide 2020 (Technical Guidance—Householder Applications).

Policy 1A includes that *‘Development must contribute positively to the quality of the surrounding built and natural environment.’* and *‘the design, density and siting of development should respect the character and amenity of the place’*. Policy 1B (c) referring to placemaking criteria states that *‘The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.’* We seek the LRB to consider the proposal in relation to its surroundings and to conclude that approving this modest house extension will be of no detriment to the area.

Response to Reason for Refusal 1: Design, Layout and Visual Amenity (continued)

The Placemaking Guide 2020 includes criteria relating to dormer extensions, extract below:

An appropriate dormer extension should as a minimum:

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

Extract from P&KC Placemaking Guide 2020



The Placemaking Guide states that ‘An appropriate dormer extension **should**’ (our emphasis) meet with the criteria. Decision making is ‘guided’ by these criteria, as part of a balance of factors in the overall consideration of a proposal. There is no absolute requirement that each of these should be fully met,. The Placemaking Guide introduces the Householder Applications section stating that ‘It is important that roof extensions and alterations fit with the local street character.’ We believe that this proposal is wholly appropriate in terms of the character of Clunie Street and its surroundings.

This proposal has been designed to meet with the Placemaking criteria, to the greatest possible extent, taking into account the technical requirements, in line with Building Standards, in achieving living accommodation in the roof space. This form of dormer is extensively used in extending dwellinghouses of similar design. The proposal is for two dormers, set apart, to minimise the overall scale and mass within the roofspace. Neither of the dormers occupies more than half the length of the roof plane. They meet with the remaining criteria in that they are set below the ridgeline, set back from the wall-head, contained within the roof pitch, relate to the lower storey and have glazed front face.

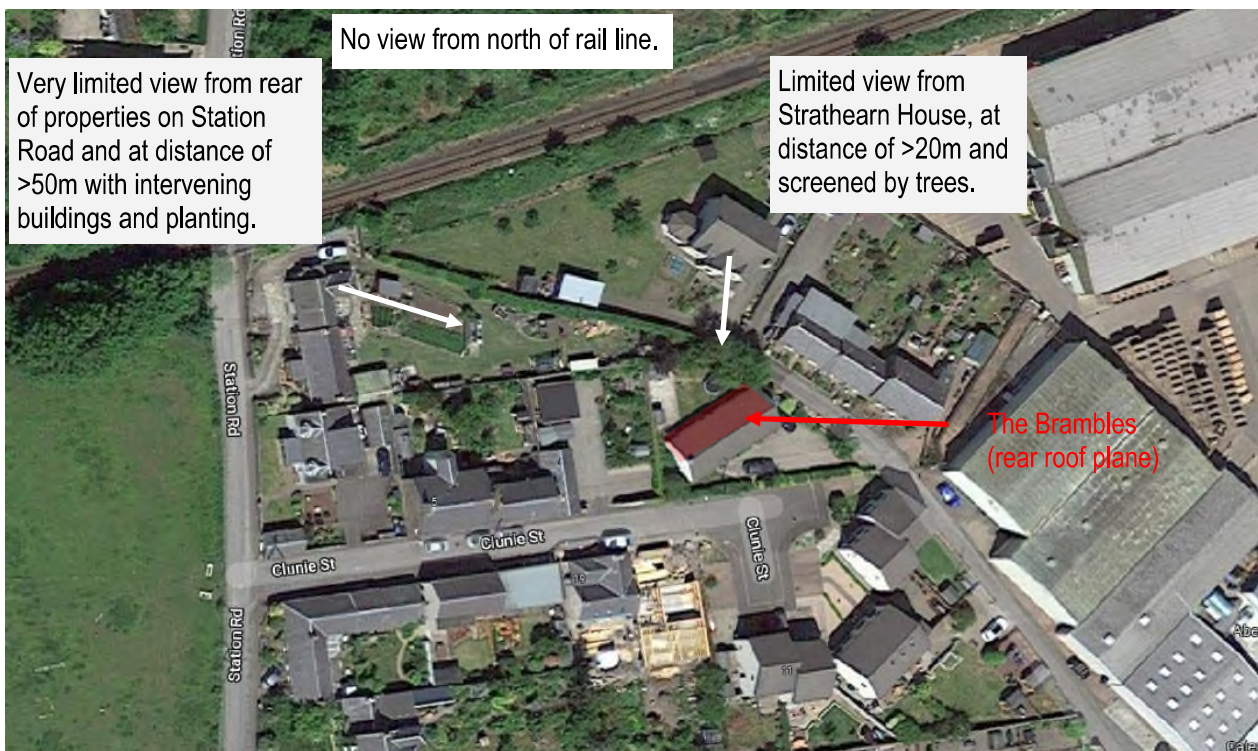
The Report of Handling raises no issue with the dormers being ‘box’, rather than pitched roof , but regrettably it assesses the scale and mass of the two dormers by considering them as a combined ‘single’ dormer , concluding that they would create an ‘incongruous’ addition, We strongly contest this assessment and highlight that the proposal is a widely used design approach to extending similar types of home. The Report of Handling includes that ‘*setting the dormers back from the wallhead by approximately 300mm*’ would ‘*reduce their mass*’ and would allow support of the application. This cannot be technically achieved within the proposal. **We contend that the small difference in the location of the dormers in the roofspace will be of no appreciable visual difference and therefore it is reasonable that approval can be achieved in the proposed location.**

In any case, the rear elevation of The Brambles is in extremely limited view from any surrounding property or the wider area of Abernethy. (see photo on page 8) and only the side elevation of the dormers would be viewed from Clunie Street or Back Dykes. There is a large dormer within the substantial recent extension to Rose Cottage, adjacent (see photo on page 4, not shown on Streetview) and any view of the dormer would be in the context of, and in keeping with, this element. We believe that the visual impact of the proposal is acceptable in terms of the relevant Policies, 1A and 1B (c) and with respect, seek the LRB’s support.



The Brambles (rear elevation)

Photo illustrates the view towards the rear of The Brambles from an elevated position on the embankment located to the north side of the rail line. The location is within inaccessible scrubby woodland and is **therefore not a public view**. Abernethy is entirely hidden from view from below the embankment.



No view from north of rail line.

Very limited view from rear of properties on Station Road and at distance of >50m with intervening buildings and planting.

Limited view from Strathearn House, at distance of >20m and screened by trees.

The Brambles (rear roof plane)

Photo illustrates the almost entirely restricted view of the rear of The Brambles from any private view.

Response to Reason for Refusal 2: Residential Amenity

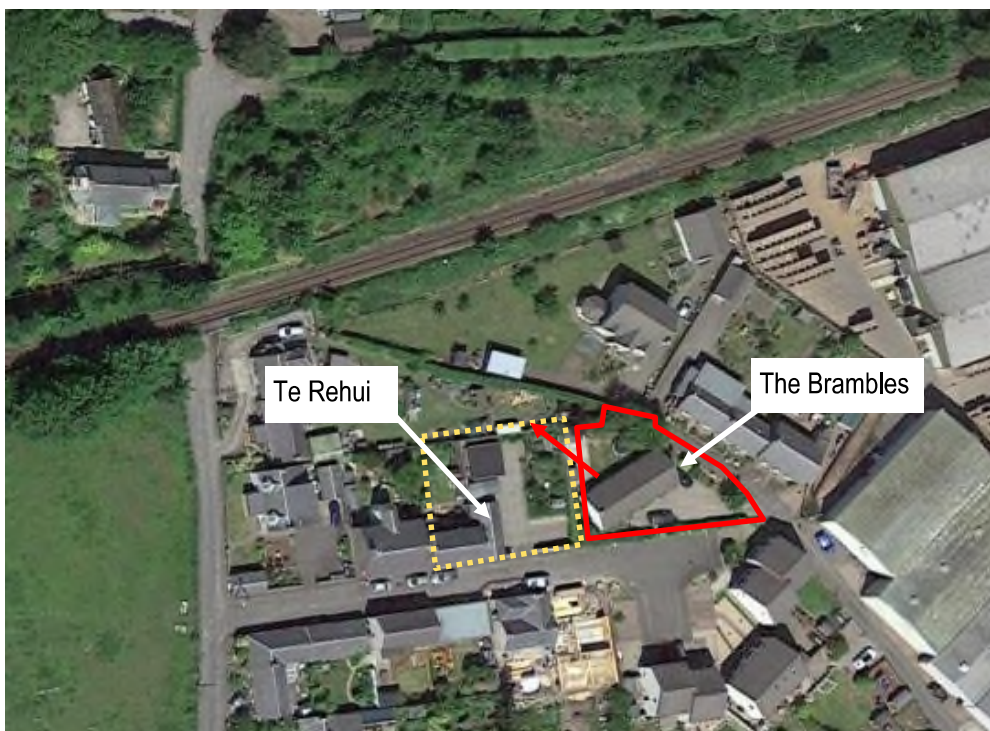
2. As the proposal will result in the loss of privacy to an adjacent residential property to the detriment of the neighbouring property's residential amenity, the proposal is contrary to Policy 17 of the Perth and Kinross Local Development Plan 2 (2019), which seeks to ensure the residential amenity of existing areas is not adversely affected by new proposals.

The Reason for Refusal is based on the assessment in the Report of Handling and is referring solely to the impact on Te Rehui, the neighbouring property to the west.

We contend that this proposal is acceptable in terms of its impact on neighbouring residential amenity and gains support from Policy 17: Residential Areas. This policy states that *'The Plan identifies areas of residential and compatible uses inside settlement boundaries where existing residential amenity will be protected and, where possible, improved.'* We are confident that this proposal protects residential amenity and seek the support of the LRB in reaching the same conclusion.

The Report of Handling includes that *'the proposed Juliette balcony proposed within the lounge dormer sits within close proximity to the shared boundary and as such has the potential to overlook neighbouring private amenity space.'* and *'the location of the Juliette balcony has the potential to overlook the neighbouring property to the west.'*

The Council suggested that flipping the first floor layout (with the living room located to the east side of the property) would resolve this issue as it would look over The Brambles' own garden ground. However, the applicants wish to retain the originally proposed layout, which places the proposed bedroom over the existing bedrooms and living room over the existing kitchen. The applicants' own appreciation of the area, and our own site inspection (please refer to photos on page 10) clearly demonstrates that overlooking of Te Rehui will not be an issue, there will be no loss of privacy and its residential amenity will be protected. Te Rehui has a large plot and it has private garden area located elsewhere, to the north of the dwellinghouse. The area adjacent to The Brambles is in public view of Clunie Street, is largely used as parking and in any case would not be in the view of the proposed dormer. The applicants have spoken with neighbours regarding their proposal and have not received any concerns, with no objections submitted to this proposal.



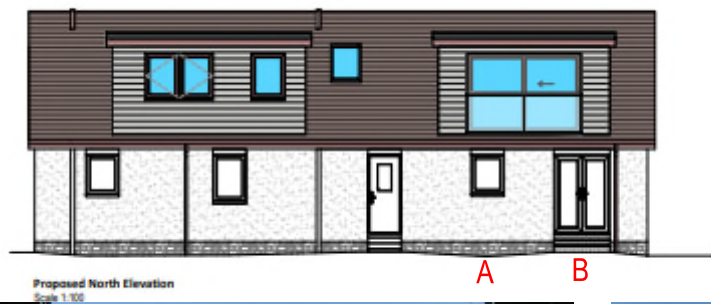
The applicant's state that:

'Our immediate neighbours on the left have an extremely large garden all around the side and back of their L shaped house and we would be looking across the far right corner of it at an angle – this is the front/side section of the garden that includes their hard stand off road parking.'

View from dormer across corner of garden



Response to Reason for Refusal 2: Residential Amenity



Side view towards west from French door below balcony—
B



Side view towards west from kitchen window—A



Land to east of Te Rehui

Photo annotated to show the view from the proposed dormer over the garden of Te Rehui will only 'glance' the corner of the property, across an area that is not used as private garden ground.

Roof of green shed in garden of The Brambles highlighted (refer to photos above for view from The Brambles over shed)

Conclusion

- An appreciation of the site and its surroundings from a site visit suggests that 'remote' assessment of this application has been challenging and has adversely affected the decision making process. We urge the members of the Local Review Body to visit the site and its surrounding area and seek their approval of the proposal.
- We contend that the proposed dormer extensions are a wholly acceptable addition to this modern bungalow and gain support from LDP2 Placemaking Policies 1A and 1B (c), contrary to the Reason for Refusal 1.
- The proposal will have no impact on the residential amenity of the neighbouring property, Te Rehui, contrary Reason to for Refusal 2, as explained and illustrated in this statement.
- With respect, Mr and Mrs Graham seek the support of the Local Review Body in approving this application.

<p>LRB-2022-09 21/02110/FLL – Alterations and extension to dwellinghouse, Brambles, Clunie Street, Abernethy</p>

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS



Mr & Mrs S Graham
c/o Arthur Stone Planning & Architectural Design Limited
Alison Arthur
85 High Street
Newburgh
KY14 6DA

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **11th February 2022**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **21/02110/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 24th November 2021 for Planning Permission for **Alterations and extension to dwellinghouse Brambles Clunie Street Abernethy Perth PH2 9JT**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposed box dormer extensions represent an incongruous and unsympathetic addition which will adversely affect the visual character of the host building, and the surrounding area. Approval would therefore be contrary to Perth & Kinross Placemaking Guide 2020 and Policies 1A and 1B (c) of the Perth and Kinross Local Development Plan 2 (2019) which seek to ensure that development contributes positively to the character and amenity of the place by complementing its surroundings in terms of design, appearance, scale and massing.
2. As the proposal will result in the loss of privacy to an adjacent residential property to the detriment of the neighbouring property's residential amenity, the proposal is contrary to Policy 17 of the Perth and Kinross Local Development Plan 2 (2019), which seeks to ensure the residential amenity of existing areas is not adversely affected by new proposals.

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 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

REPORT OF HANDLING

DELEGATED REPORT

Ref No	21/02110/FLL	
Ward No	P9- Almond And Earn	
Due Determination Date	23rd January 2022	
Draft Report Date	10th February 2022	
Report Issued by	GMP	Date 10th February 2022

PROPOSAL: Alterations and extension to dwellinghouse

LOCATION: Brambles Clunie Street Abernethy Perth PH2 9JT

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 VISIT:

In line with established practices, the need to visit the application site has been carefully considered by the case officer. The application site and its context have been viewed by a variety of remote and electronic means, such as aerial imagery and Streetview, in addition to photographs submitted by interested parties.

This information has meant that, in this case, it is possible and appropriate to determine this application without a physical visit as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site relates to a detached dwellinghouse situated in a cul-de-sac location in Clunie Street, Abernethy. The property is south facing and has one level of accommodation. The property is bound to the front and side by a dense hedge. Other boundary treatments are in the form of walling, fencing and hedging/planting to the side and rear.

Full planning consent is sought to increase the ridge height of the property to allow for accommodation within the roofspace. Two flat roof dormers are proposed to help facilitate this to provide additional head height on the north west (rear) elevation.

SITE HISTORY

97/00191/FUL Erection of house and garage on 9 May 1997 Application Withdrawn

99/01658/FUL Erection of a house at 21 December 1999 Application Approved

21/01728/FLL Alteration and extension to dwellinghouse 21 December 2021

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

Policy 17: Residential Areas

OTHER POLICIES

Perth & Kinross Council's Placemaking Guide (Householders Technical Guidance)
2020

CONSULTATION RESPONSES

External

Scottish Water – no objections.

Internal

Structures And Flooding – no response within statutory timescale, however, small householder developments are generally outwith the scope of Scottish Planning Policy. Furthermore, the proposal will not increase the footprint of the dwellinghouse.

REPRESENTATIONS

None at time of report.

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	Habitats Regulations 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

Alterations and extensions to existing domestic dwellings are generally considered to be acceptable in principle. Nevertheless, detailed consideration must be given to the specific details of the proposed development within the context of the application site, and whether it would have an adverse impact on residential and visual amenity.

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

Design, Layout and Visual Amenity

The proposal is to increase the ridge by approximately 1100mm to allow for accommodation within the roofspace. Two bedrooms, a lounge, shower room, storage and an upper hall is proposed within the roofspace. Two flat roof dormer windows are proposed on the rear elevation to allow for additional head height over the new stair and within a lounge and bedroom. The dormer serving the lounge would have a Juliette balcony. Two double rooflights are proposed on the principal elevation.

In terms of finishing materials the dormers would be finished in a grey single ply roof membrane and the walls silver grey composite cladding.

A new porch is also proposed over the entrance on the principal elevation. This would be of pitched roof form, projecting approximately 1656mm to a width of 2950mm. The porch walls will be finished in a buff facing stone base course to match existing with a silver grey composite cladding and the roof will be finished in dark brown concrete tiles to match existing.

In terms of design the principal of raising the ridge and providing accommodation within the roofspace does not raise concerns, however, the proposed dormers raise concern due to their location close to the wallhead which due to their scale, increases their mass.

Perth & Kinross Council's Placemaking Guide (Householders Technical Guidance) 2020 emphasises an appropriate dormer extension should as a minimum:

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

Whilst the proposed dormers would be set down from the ridge, combined they would exceed more than half of the rear roof plane. Their scale in addition to their location within such close proximity to the wallhead would result in an incongruous addition.

Additionally, due to the angle of the property on the plot, the proposed Juliette balcony proposed within the lounge dormer sits within close proximity to the shared boundary and as such has the potential to overlook neighbouring private amenity space.

The above points were raised with the Agent with a view to flipping the first floor layout so that the lounge would be located at the east end of the property and as such any overlooking would be over the application site garden ground and not the neighbouring property. It was advised that by setting the dormers back from the wallhead by approximately 300mm it would allow them to sit more comfortably within the roofspace and reduce their mass and these combined revisions would allow support of the application.

Unfortunately, the outcome was that the Applicant wished for the layout to remain as is and the application be determined on the basis of the submitted drawings. As such the application cannot be supported in its current form.

Residential Amenity

As noted above, the location of the Juliette balcony has the potential to overlook the neighbouring property to the west. Windows should be located at a minimum distance of 9m to a shared boundary to avoid the potential for overlooking. Moreso at first floor level where mitigation measures are not or cannot be put in place. The property does not sit straight on the plot and due to its angle faces towards the residential property to the west. The Juliette balcony has the potential to overlook the rear private amenity space of that neighbouring property from an elevated position and within close proximity (approximately 4m) to the detriment of their residential amenity.

A potential solution here would be to flip the first floor layout so that the Juliette balcony would be located at the east side of the property and as such look over the application site garden ground. The Applicant's desire, however, is for the first floor layout to remain as is so that the bedroom accommodation can be located above the ground floor bedrooms and therefore located at the same side of the dwelling.

In conclusion, the proposal cannot be supported in its current form as it will result in the loss of privacy to an adjacent residential property to the detriment of the neighbouring property's residential amenity, contrary to Policy 17 of the Perth and Kinross Local Development Plan 2 (2019), which seeks to ensure the residential amenity of existing areas is not adversely affected by new proposals.

Landscape

The domestic scale and nature of the proposal does not raise any landscape impact issues.

Roads and Access

There are no road or access concerns associated with this proposed development.

Drainage and Flooding

There are no drainage and flooding implications associated with this proposed development.

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 box dormer extensions represent an incongruous and unsympathetic addition which will adversely affect the visual character of the host building, and the surrounding area. Approval would therefore be contrary to Perth & Kinross Placemaking Guide 2020 and Policies 1A and 1B (c) of the Perth and Kinross Local Development Plan 2 (2019) which seek to ensure that development contributes positively to the character and amenity of the place by complementing its surroundings in terms of design, appearance, scale and massing.
2. As the proposal will result in the loss of privacy to an adjacent residential property to the detriment of the neighbouring property's residential amenity, the proposal is contrary to Policy 17 of the Perth and Kinross Local Development Plan 2 (2019),

which seeks to ensure the residential amenity of existing areas is not adversely affected by new proposals.

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

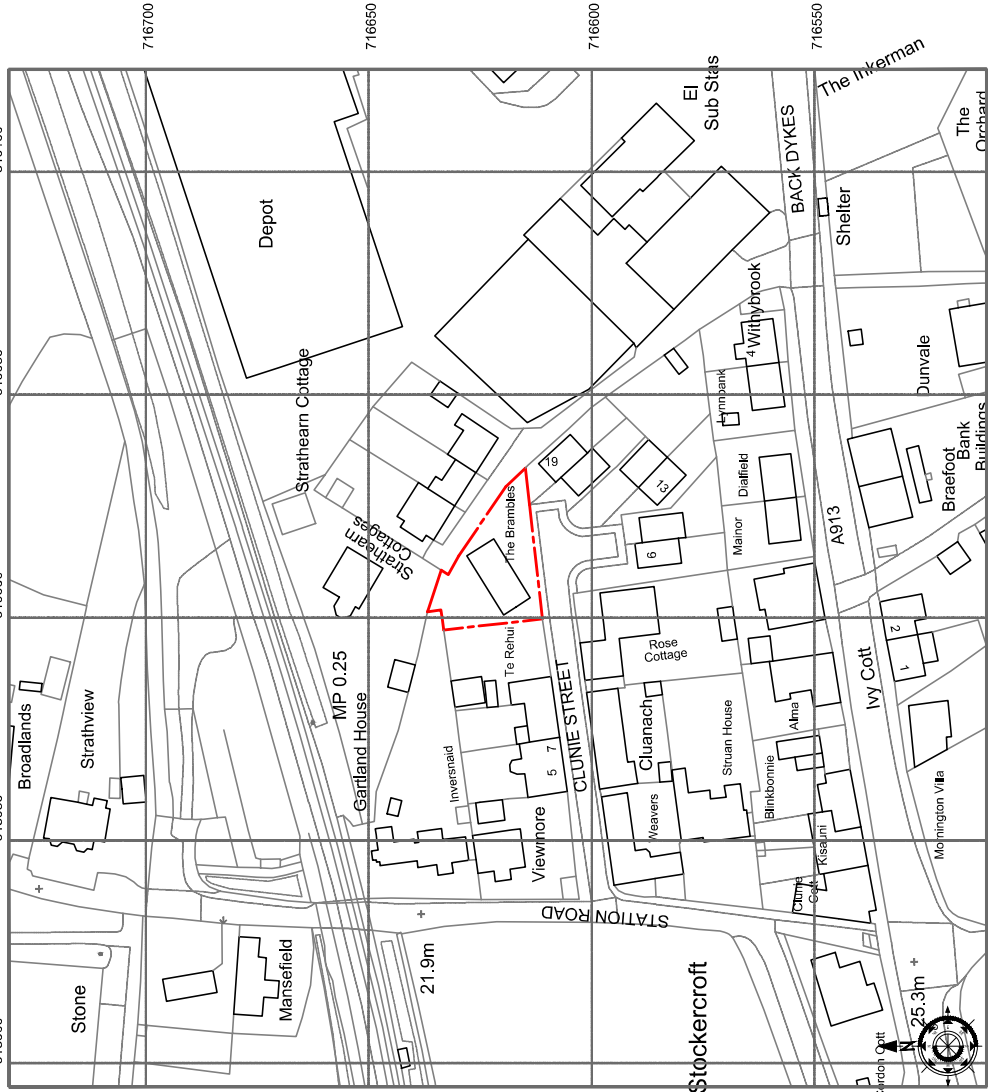
N/A

Procedural Notes

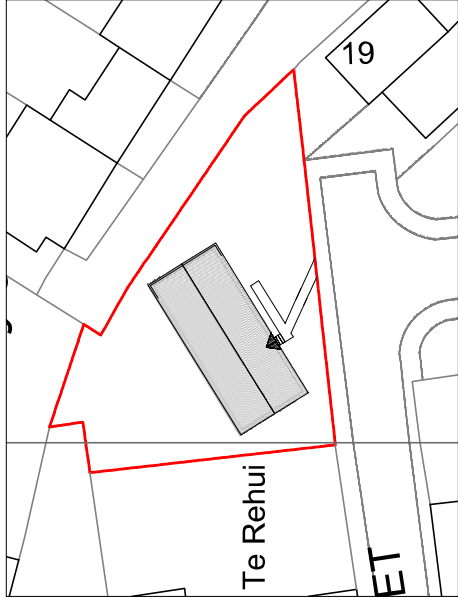
Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

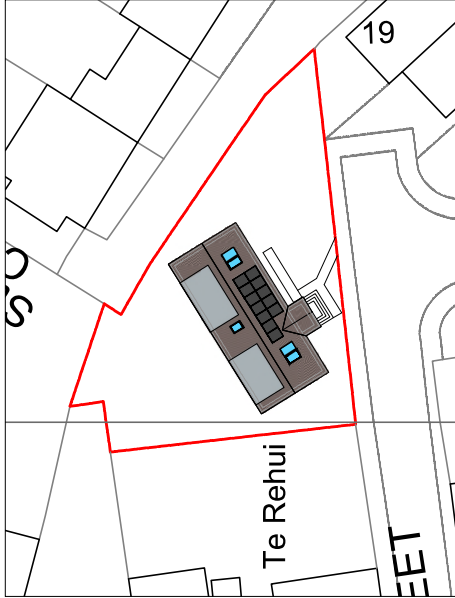
01
02
03



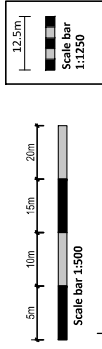
Site Location Plan
Scale 1:1250



Existing Block Plan
Scale 1:500



Proposed Block Plan
Scale 1:500



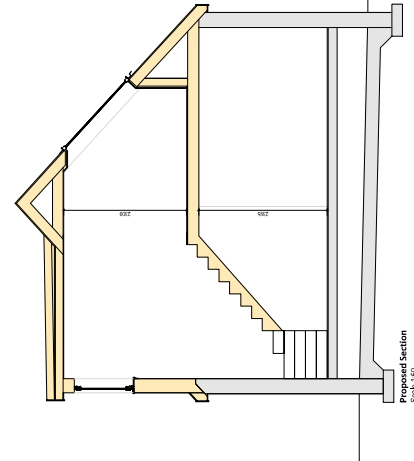
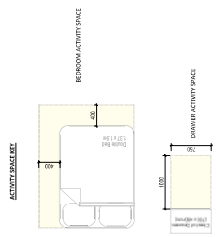
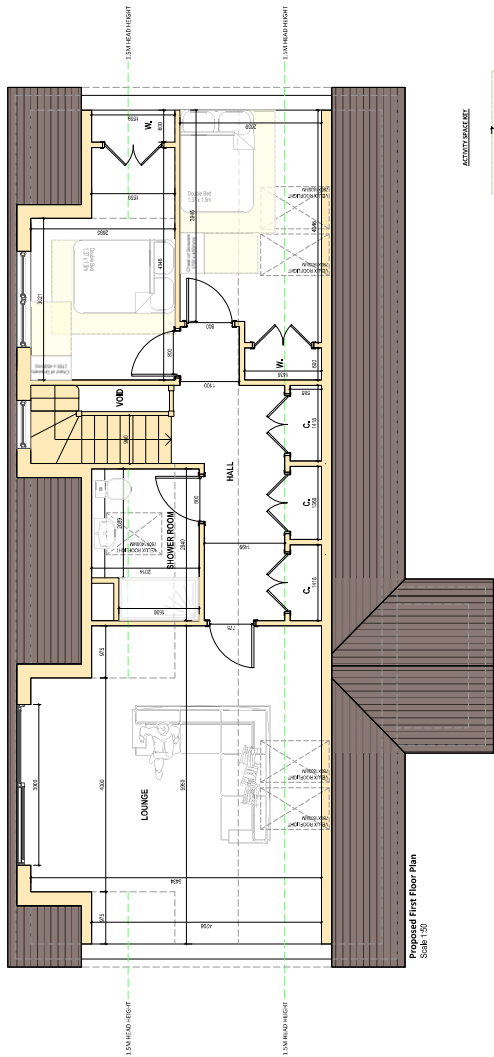
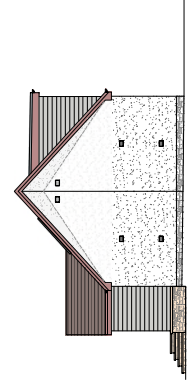
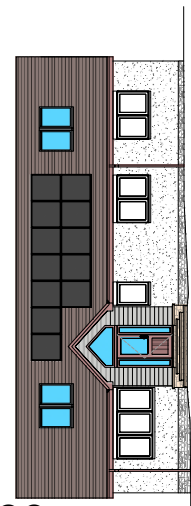
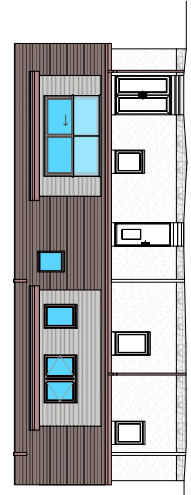
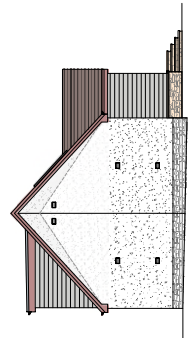
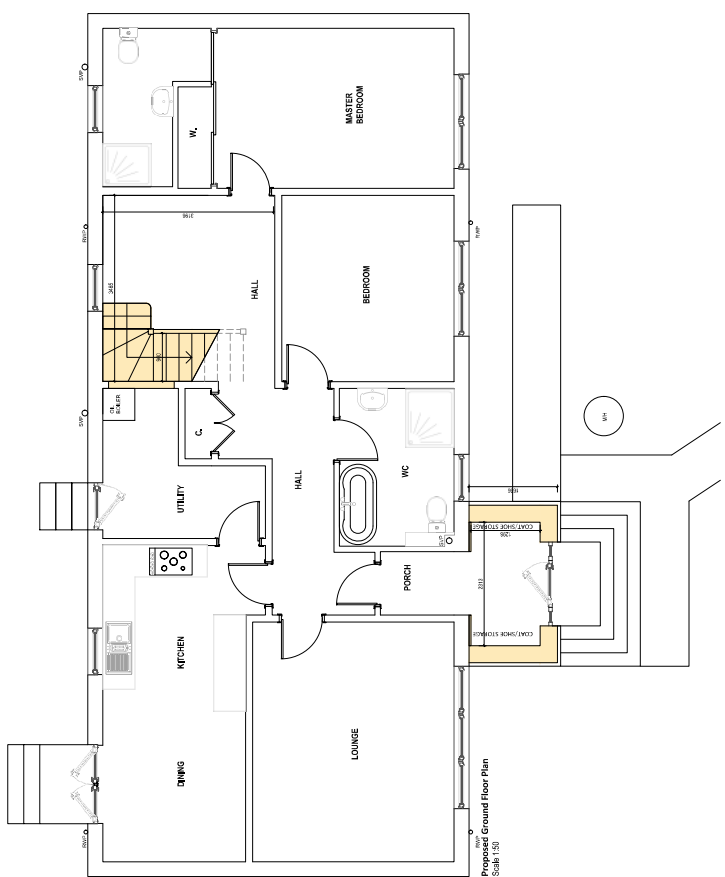
THIS DRAWING HAS BEEN PREPARED TO OBTAIN
STATUTORY LOCAL AUTHORITY CONSENT. ALL SIZES TO
BE CONFIRMED ON SITE PRIOR TO COMMENCING WORK.
E: INFO@ARTHURSTONEPLANNING.CO.UK
A: 85 HIGH STREET, NEWBURGH, KY4 6DA
T: 01337 840088

**Arthur Stone Planning
& Architectural Design**

PROJECT:
Mr & Mrs Graham, Brambles, Clunie Street, Abernethy, PH2 8JT
Loft Conversion to Form Habitable Accommodation and Formation of Front Porch

TITLE:
Proposed Site Location Plan & Block Plans

TECHNICIAN: BH	SCALE(S): 1:500, 1:1250 @ A3
DATE: September 2021	PROJECT NO.: 2021-PP-2-S01
	REV.: A

[illegible]

LRB-2022-09
21/02110/FLL – Alterations and extension to
dwellingshouse, Brambles, Clunie Street, Abernethy

REPRESENTATIONS

Wednesday, 22 December 2021



Local Planner
Planning and Development
Perth and Kinross Council
Perth
PH1 5GD

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Brambles Clunie Street, Abernethy, Perth, PH2 9JT
Planning Ref: 21/02110/FLL
Our Ref: DSCAS-0055225-N2F
Proposal: Alterations and extension to dwellinghouse

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

For all extensions that increase the hard-standing area within the property boundary, you must look to limit an increase to your existing discharge rate and volume. Where possible we recommend that you consider alternative rainwater options. All reasonable attempts should be made to limit the flow.

No new connections will be permitted to the public infrastructure. The additional surface water will discharge to the existing private pipework within the site boundary.

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

- ▶ 175mm combined sewer in the site boundary

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) to apply for a diversion. The applicant must be made aware of this before progressing.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Angela Allison

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."