

**TCP/11/16(519) – 17/02272/FLL – Alterations and extension to dwellinghouse at Evearn, Forgandanny, Perth, PH2 9HS**

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**TCP/11/16(519) – 17/02272/FLL – Alterations and extension  
to dwellinghouse at Evearn, Forgandanny, Perth, PH2 9HS**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**





Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto: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 100053602-004

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: Scott Strachan Architect

Ref. Number:

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

First Name: \*

Building Name:

Last Name: \*

Building Number:

Telephone Number: \*

Address 1  
(Street): \*

Extension Number:

Address 2:

Mobile Number:

Town/City: \*

Fax Number:

Country: \*

Postcode: \*

Email Address: \*

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="Evearn"/>
First Name: *	<input type="text" value="A. &amp; Mrs C."/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Gordon"/>	Address 1 (Street): * <input type="text" value="Forgandenny"/>
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 9HS"/>
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="Evearn"/>
Address 2:	<input type="text" value="Forgandenny"/>
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 9HS"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="718312"/>	Easting	<input type="text" value="308727"/>
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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 & 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.

1970's chalet dwelling in conservation area located near B listed Church. Refused on basis of scale & form resulting in adverse impact on visual amenity of house & surrounding area. Conservation officer confirmed no comments or concerns regarding the impact of the proposed extension on the setting of the listed buildings. No objections from neighbours, statutory consultees or the public Pre-application feedback indicated support for a larger scheme with varying eaves heights

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)

Location Plan Block Plan Plans, Section & Elevations Pre-application enquiry Pre-application response

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

17/02272/FLL

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

21/12/2017

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

12/02/2018

## Review Procedure

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

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

☐ Yes ☒ No

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

Please select a further procedure \*

By means of inspection of the land to which the review relates

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

To view the proposal in context. Dwelling does not front a public road and proposal has negligible impact on visual amenity to surrounding area

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

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

☐ Yes ☒ No

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

☒ Yes ☐ No

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



## 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: Mr Scott Strachan

Declaration Date: 22/02/2018



## Scott Strachan

---

**From:** Murray Mitchell [REDACTED]  
**Sent:** 21 August 2017 22:37  
**To:** Scott Strachan  
**Subject:** Fwd: Pre application advice

Regards

**Murray Mitchell**



10 South Street,  
Milnathort  
Kinross  
KY13 9XA

[REDACTED]  
w. [www.mscharacterhomes.com](http://www.mscharacterhomes.com)

Begin forwarded message:

**From:** Claire Gordon [REDACTED]  
**Subject:** Fwd: Fw: Pre application advice  
**Date:** 21 August 2017 at 21:38:25 BST  
**To:** Murray Mitchell [REDACTED]

Original correspondence

----- Forwarded message -----

**From:** The Gordons [REDACTED]  
**Date:** 3 July 2017 at 13:53  
**Subject:** Fw: Pre application advice  
**To:** CLAIRE GORDON [REDACTED]

On Wednesday, 29 June 2016, 22:13, The Gordons [REDACTED] wrote:

Hello

We are living in Forgandenny, Evesham, PH2 9HS and would like to extend our current house to increase the living space and add a bedroom and bathroom upstairs.

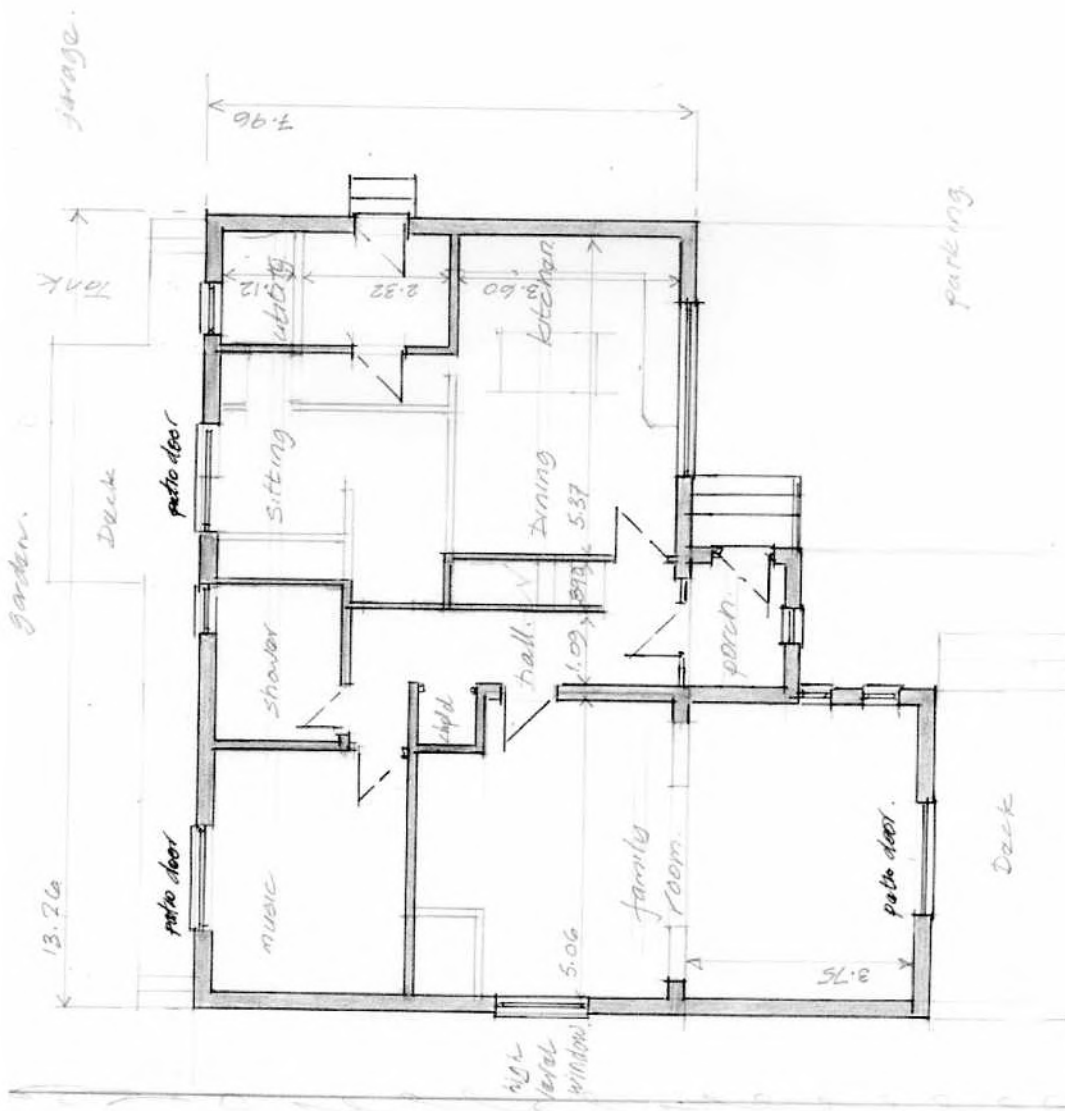
Please find attached a first draft of a concept we like.

We would appreciate your input before we take the drafts and plans any further.

Thank you

Claire and Andrew Gordon

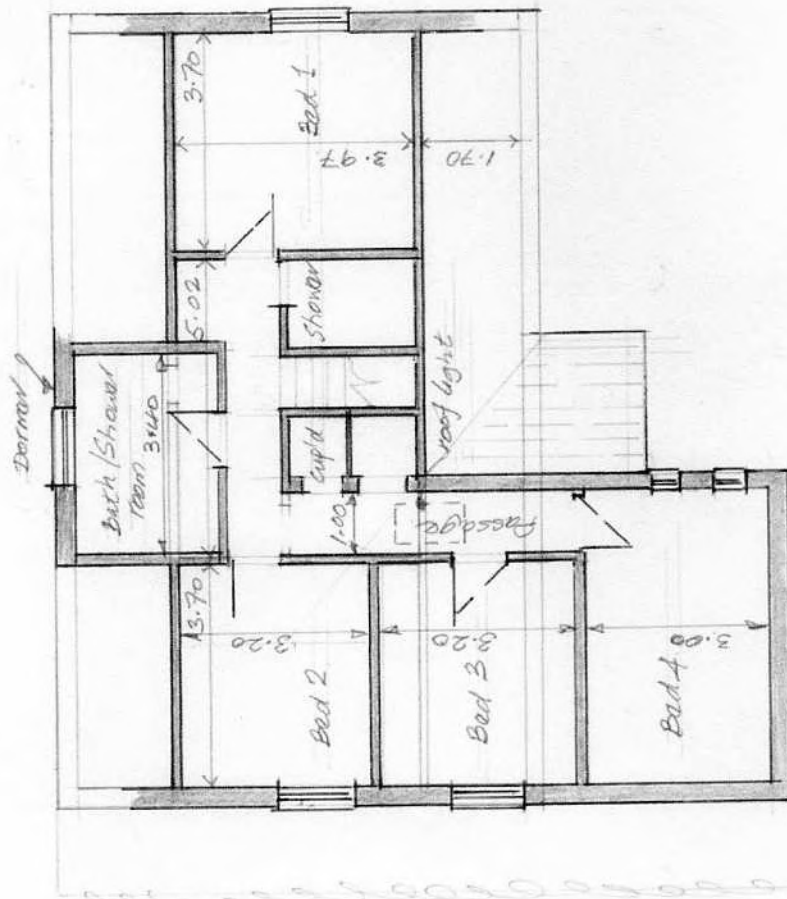
Show original message



EVA ERN EDO  
concept  
Ground Floor

SCALE 1:100

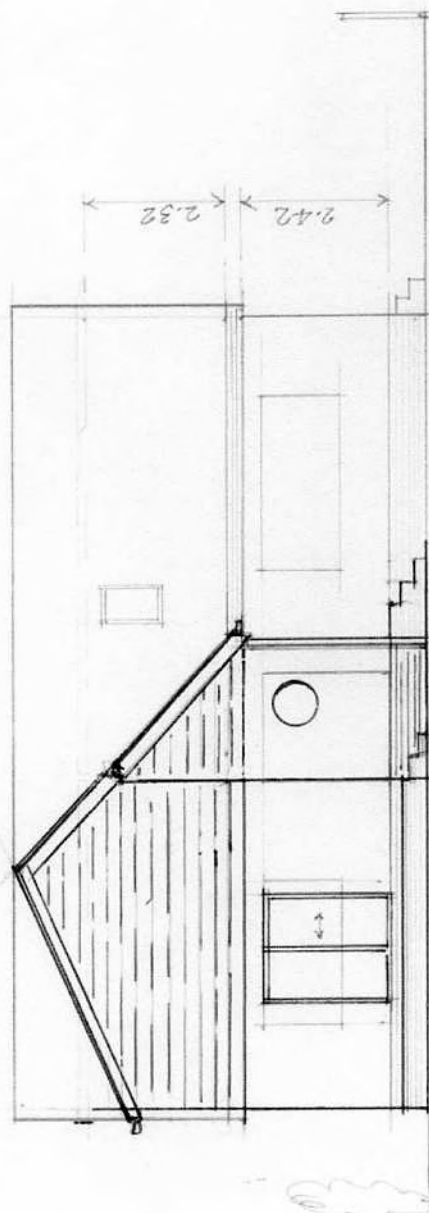
0 1m 2m 3m 4m 5m



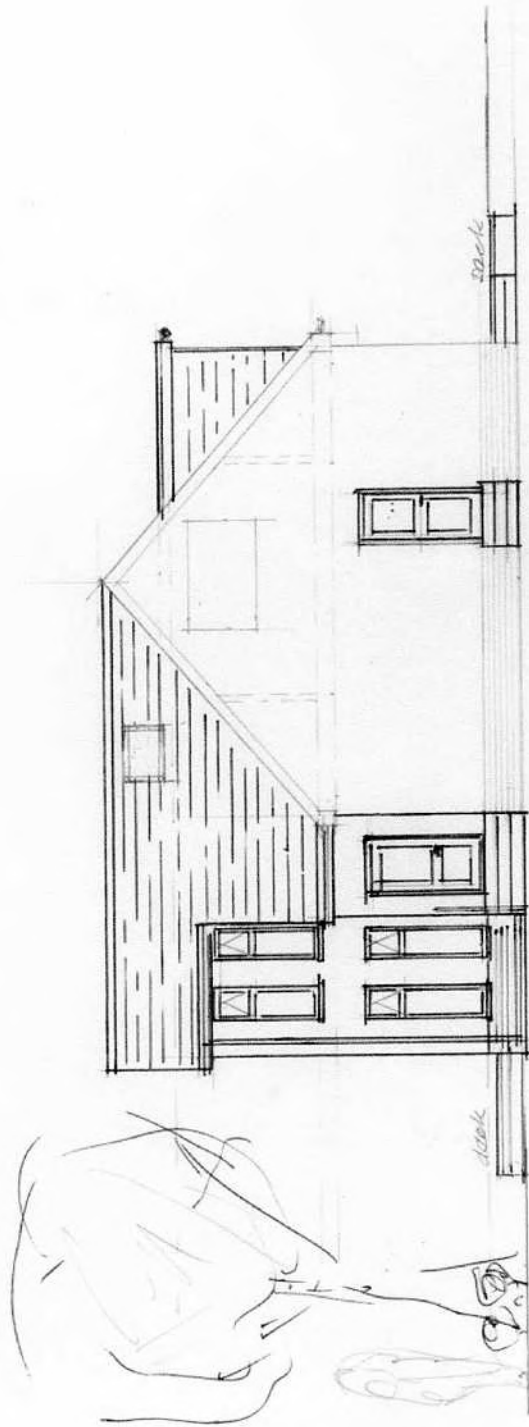
EVEARN  
concept two

First Floor  
Scale 1:100





FUEARN  
concept two  
Front Elevation  
Scale 1:100



EVEARN  
concept TWO.  
side Elevation  
Scale 1:100



## Scott Strachan

---

**From:** Murray Mitchell [REDACTED]  
**Sent:** 21 August 2017 22:37  
**To:** Scott Strachan  
**Subject:** Fwd: PKC Pre Application Response

Regards

Murray Mitchell



10 South Street,  
Milnathort  
Kinross  
KY13 9XA

[REDACTED]  
w. [www.mscharacterhomes.com](http://www.mscharacterhomes.com)

Begin forwarded message:

**From:** Claire Gordon [REDACTED]  
**Subject:** Fwd: Fw: PKC Pre Application Response  
**Date:** 21 August 2017 at 21:37:29 BST  
**To:** Murray Mitchell [REDACTED]

Response from planning officer

On Thursday, 30 June 2016, 17:54, Sean Panton [REDACTED] wrote:

Dear Mr & Mrs Gordon,

**Pre Application Enquiry: Extension to dwellinghouse at Evearn, Forgandenny, Perth, PH2 9HS.**

I refer to your email received on 30 June 2016 regarding the above proposal.

Any proposal such as this would be assessed against council policies and Scottish Government legislation. Of particular relevance is TAYplan 2012 and Perth and Kinross Council's Local Development Plan 2014.

The most relevant policies of this Local Development Plan are policies PM1: Placemaking and RD1: Residential.

The Development Plan can be viewed online:

<http://www.pkc.gov.uk/article/1936/Development-Plan>

Other policies or documents which will be applicable include:

The Placemaking guide and Scottish Planning Policy 2014.

The key considerations would be the design, impact on the surrounding built and natural environment, the finishing materials, height, scale and massing, and the impact on neighbouring properties from overshadowing or overlooking and potential road safety concerns.

### **Comment on proposal**

On an initial look at the plans, it was difficult to identify which sections of the building are new build and which sections are existing. On saying this however, the building does not appear to be substantially increased in size and in terms of scale is considered to be acceptable for the size of the plot and existing dwellinghouse. The height line of the proposed extension is also considered to be acceptable due to being similar to that of the existing building and neighbouring properties. In terms of overlooking, concept 2D shows that there are windows on the side elevation, however I am satisfied that these will not cause any adverse issues of overlooking to neighbouring residents. My concerns however relate to the potential overshadowing of the proposed development. I would advise that prior to submitting an application you fully look at ways to minimise overshadowing. I hope you can appreciate that it is hard to tell fully from these drawings and without visiting the site how much overshadowing will be created.

I therefore consider your proposal to appear acceptable in principle and would advise that you come forward with a formal application once consideration has been given to overshadowing of neighbouring residents.

### **Limitations of This Advice**

It is only by submitting a formal application that a measured and comprehensive response to a proposed development can be given as quickly as resources permit. A formal application involves considering a proposal in terms of the Development Plan and the Council's policies on the basis of detailed plans and any further information and justification which is considered necessary. Formal assessment will also involve visiting the site and the surrounding area; researching the planning history of the site and the surrounding area; carrying out any necessary consultations; and taking account of any comments received from notified neighbours and the wider public.

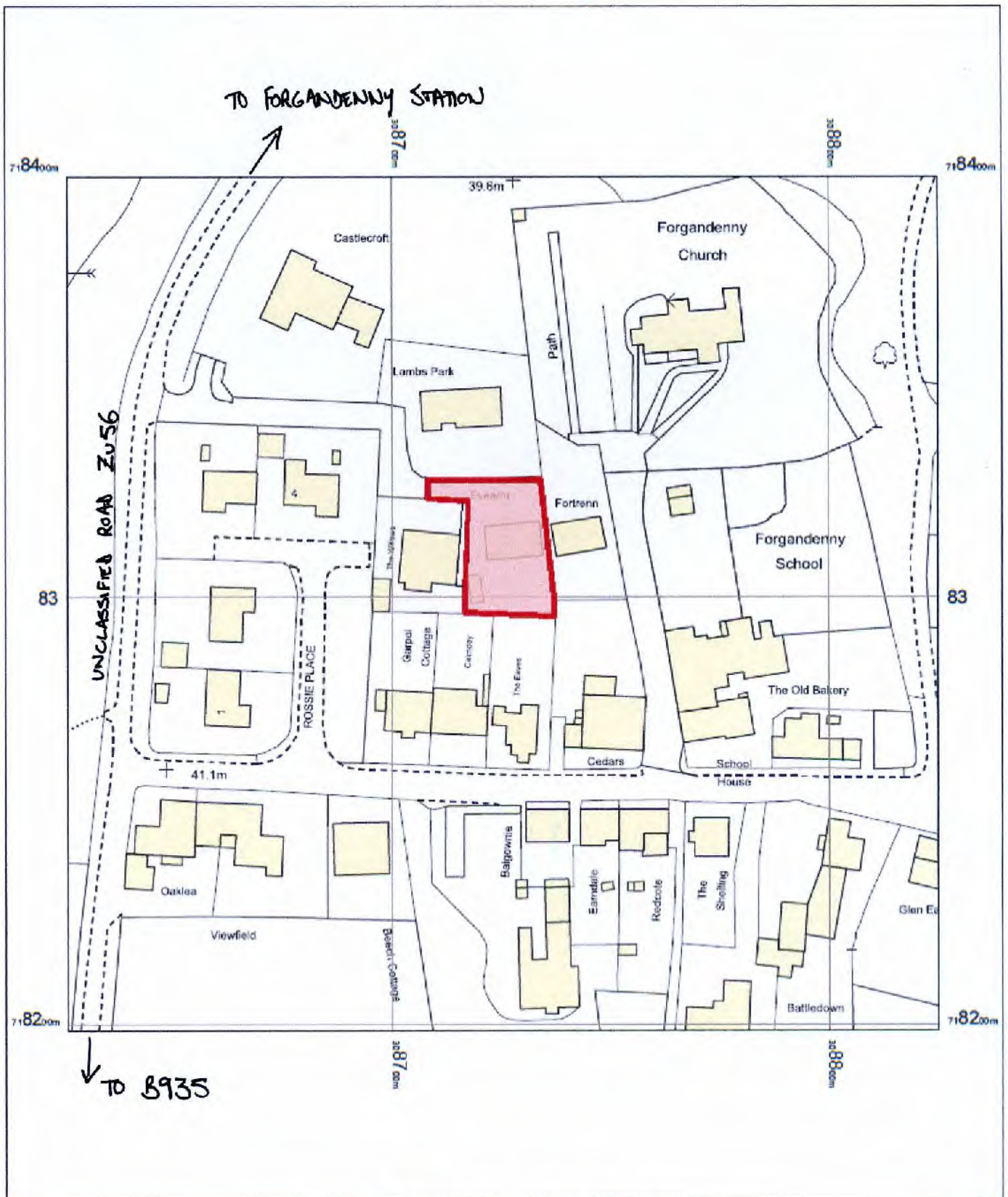
**You should note that I have not necessarily identified all the policies or material considerations which might influence the determination of any planning application. The Council would not in any event be bound by such advice in the event that you submit a planning application.**

Please note that current staffing resources, priorities and workload will not permit me to respond to any further pre-application consultation regarding this proposed development.

I hope that this response has been of some assistance to you.

Kind Regards,  
Sean Panton,  
Development Management,  
Planning & Development,

# Location Plan



Eveam,  
Forgandenny  
Perth  
PH2 9HS

OS MasterMap 1250/2500/10000 scale  
19 May 2017, ID: MNOW-00625325  
[www.nicolsondigital.com](http://www.nicolsondigital.com)

1:1250 scale print at A4, Centre: 308725 E, 718298 N

©Crown Copyright and database rights 2016 OS  
100019980



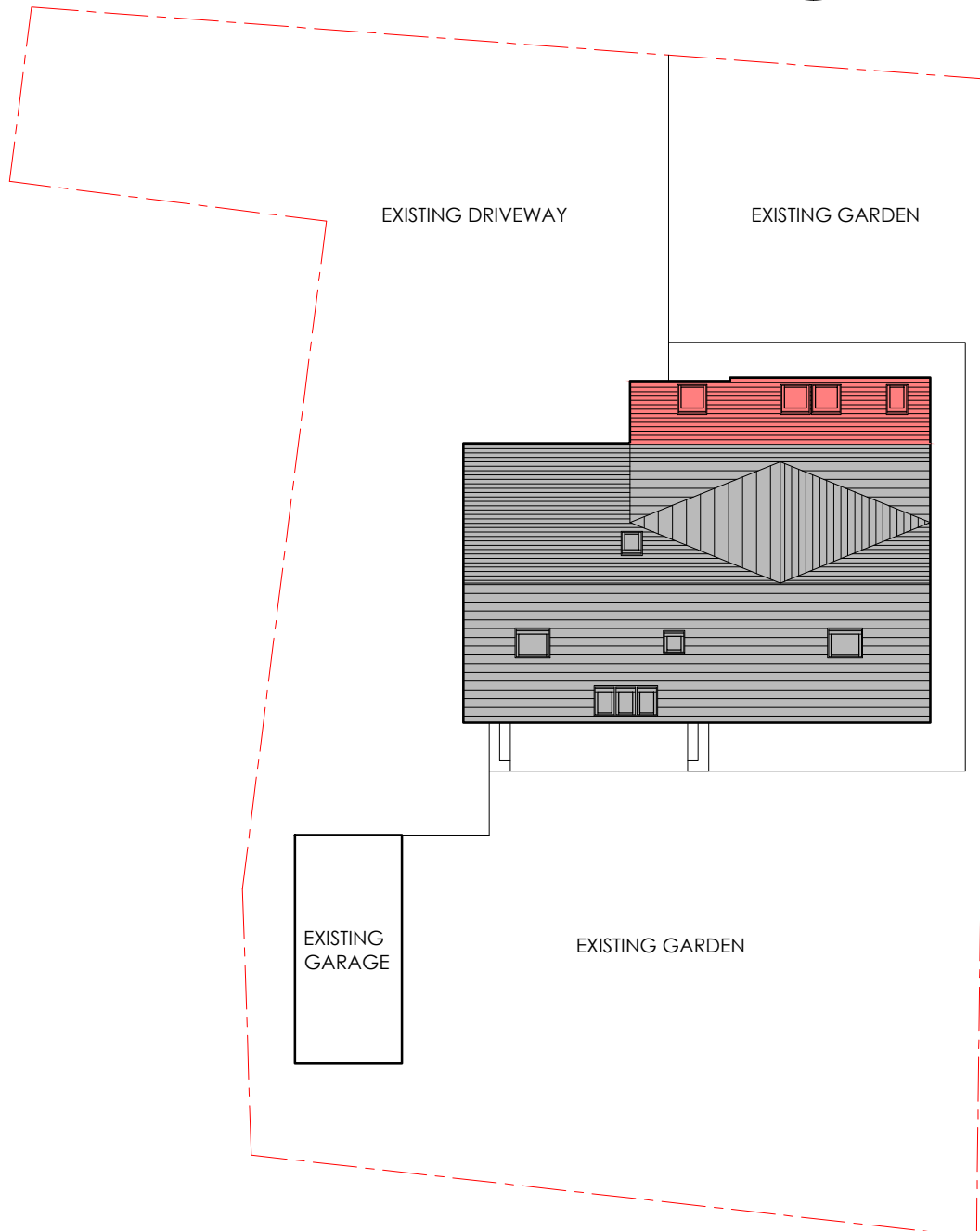
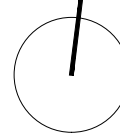


Building Standards  
Approved Certifier

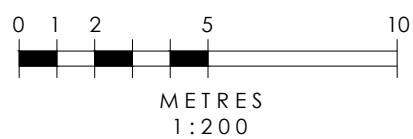


The Scottish  
Government

NORTH



**BLOCK PLAN**  
1:200



**SCOTTSTRACHAN**ARCHITECT

THE HURST, OLD PERTH ROAD, MILNATHORT, KINROSS KY13 9YA  
T. 01577 862694 - M. 07872 318785  
[scott@scottstrachan.co.uk](mailto:scott@scottstrachan.co.uk)

**PROJECT**

ALTERATIONS TO DWELLING  
'EVEARN', FORGANDENNY PERTH PH2 9HS

**CLIENT**

MR & MRS GORDON

**DRAWING TITLE**

BLOCK PLAN

**DATE**

29 MAY 2017

**SCALE**

1:200 @ A4

**DRAWING NO.**

16/311/PL/ 002

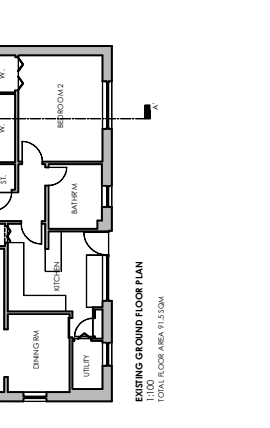
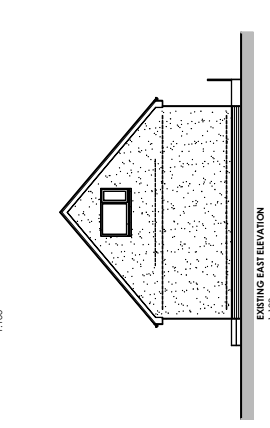
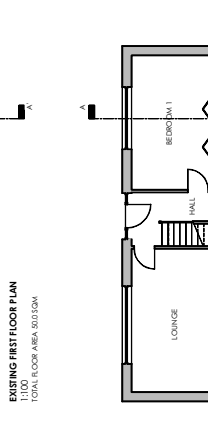
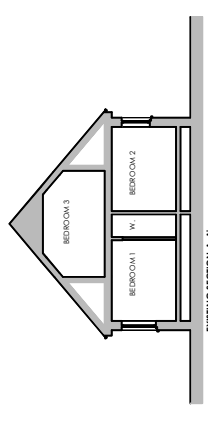
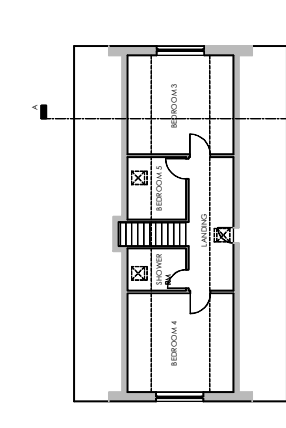
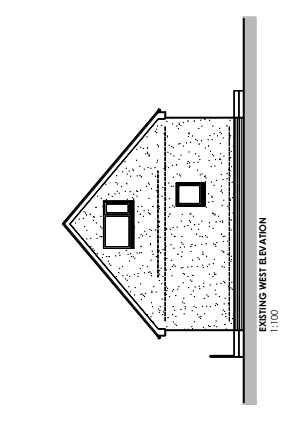
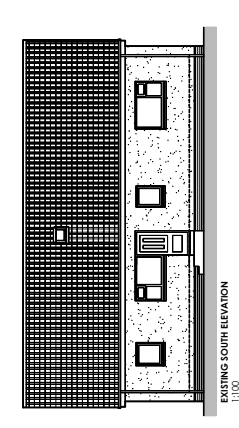
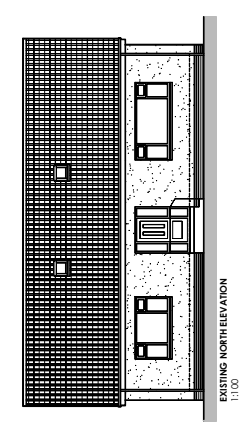
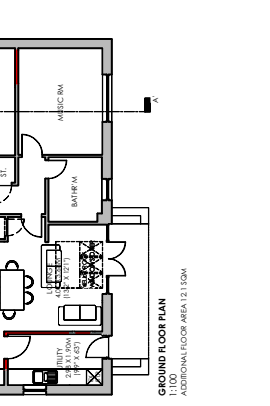
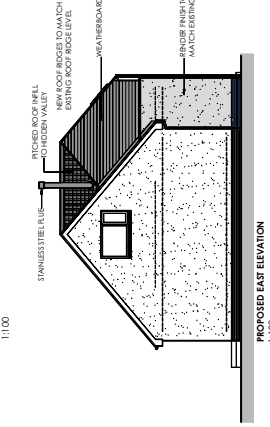
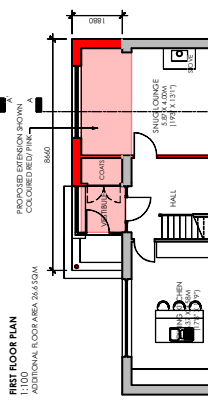
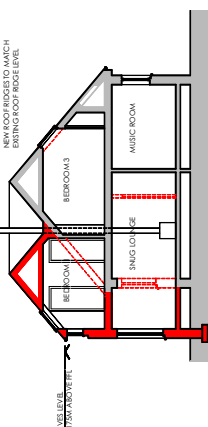
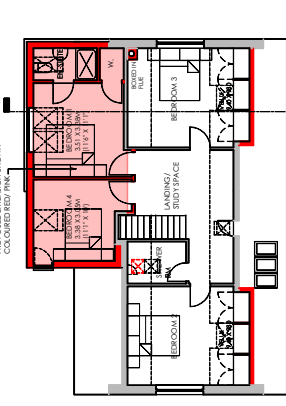
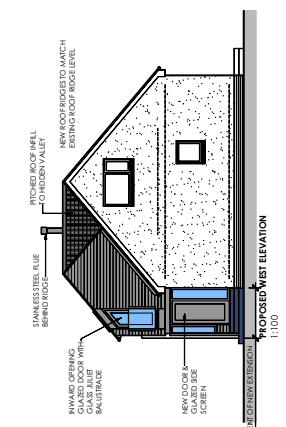
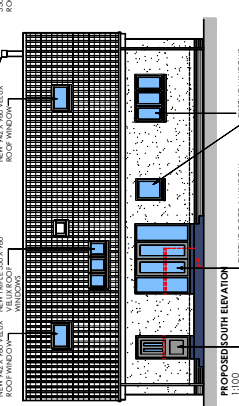
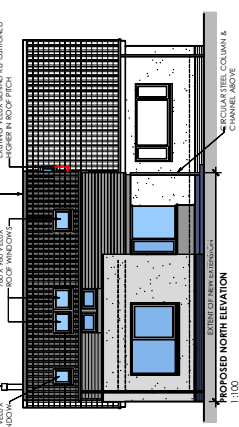




NOTES:  
ALL DIMENSIONS TO BE VERIFIED ON SITE.  
IF IN DOUBT CHECK WITH ARCHITECT.



**PROPOSED EXTERNAL FINISHES**  
**ROOF**  
GREY POWDER INTERLOCKING CONCRETE ROOF  
TILES TO MATCH EXISTING  
STAINLESS STEEL FINISH TO ROOF OF WINDOWS  
STAINLESS STEEL FINISH TO ROOF OF PORCH  
**RAINWATER GOODS**  
BLACK PVC/DREPOW STYLE PHONES &  
CIRCULAR DOWNPIPES  
**WALLS**  
GREY PAINTED INTERLOCKING CONCRETE ROOF  
TILES TO MATCH EXISTING  
GREY PAINTED WOODGRAIN FIBRE CEMENT  
WEATHERBOARD CLADDING TO ROOF OF WINDOWS  
GREY PAINTED EXPOSED STRUCTURAL STEELWORK  
FACING BRICK BASE COURSE TO MATCH EXISTING



A. 1. 26.17		SHOWER ROOM VELUX AWERED
REV	DATE	DESCRIPTION
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**SCOTT STRACHAN ARCHITECT**  
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**PROJECT**  
PROPOSED EXTENSION TO DWELLING  
EVEAR, FOSGARDENNY, PERH PH2 9HS

**CLIENT**  
MR A. & MRS C. GORDON

**DRAWING TITLE**  
FLOOR PLANS, SECTIONS & ELEVATIONS

**DATE**  
19 MAY 2017

**SCALE**  
1:100 @ A1

**DRAWING NO.**  
14/ 311 / PV / 001 REVISION A



<b>TCP/11/16(519) – 17/02272/FLL – Alterations and extension to dwellinghouse at Evearn, Forgandanny, Perth, PH2 9HS</b>
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## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS** *(included in applicant's submission, see pages 175-177)*





# PERTH AND KINROSS COUNCIL

Mr A. And Mrs C. Gordon  
c/o Scott Strachan Architect  
Scott Strachan  
The Hurst  
Old Perth Road  
Milnathort  
Kinross  
Scotland  
KY13 9YA

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 12th February 2018

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/02272/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 21st December 2017 for permission for **Alterations and extension to dwellinghouse Evearn Forgandenny Perth PH2 9HS** for the reasons undernoted.

Interim Development Quality Manager

### Reasons for Refusal

1. The proposed extension, by virtue of its raised wall head and eaves level, excessive proportions, poor form, conflicting composition and lack of integration, would unbalance and overwhelm the existing dwellinghouse and compromise its architectural integrity, resulting in an adverse impact on the visual amenity of the house and surrounding area.

Approval would therefore be contrary to Policies RD1(c), PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014, 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, height, massing, materials, colours and finishes.

## **Justification**

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

## **Notes**

**The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page**

Plan Reference

17/02272/1

17/02272/2

17/02272/3

## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	17/02272/FLL	
Ward No	P9- Almond And Earn	
Due Determination Date	20.02.2018	
Case Officer	Keith Stirton	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Alterations and extension to dwellinghouse

**LOCATION:** Evearn Forgandenny Perth PH2 9HS

#### 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:** 10 January 2018

#### SITE PHOTOGRAPHS



#### BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is Evearn, a detached 1970's "chalet-style" dwellinghouse which is located within the Forgandenny Conservation Area. This application seeks detailed planning permission for alterations to the rear (South) and an extension to the front (North). The application is identical to a previously refused proposal, Ref: 17/00940/FLL.

## **SITE HISTORY**

17/00940/FLL          Extension to dwellinghouse  
Application Refused – 21 July 2017

## **PRE-APPLICATION CONSULTATION**

Pre application Reference:          16/00433/PREAPP

The principle of an extension was considered to be acceptable, but several reservations were raised. The proposal evolved in design and detailing in between the initial pre-application enquiry and the formal application submission.

## **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.

Scottish Planning Policy, paragraph 143, states that;

*“Proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance”.*

## **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**

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 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 HE3A - Conservation Areas**

Development within a Conservation Area must preserve or enhance its character or appearance. The design, materials, scale and siting of a new development within a Conservation Area, and development out with an area that will impact upon its special qualities should be appropriate to its appearance, character and setting. Where a Conservation Area Appraisal has been undertaken the details should be used to guide the form and design of new development proposals.

**Policy PM1A - Placemaking**

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

**Policy PM1B - Placemaking**

All proposals should meet all eight of the placemaking criteria.

**Policy 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.

In addition to the adopted development plan policies listed above, the following policies from Perth & Kinross Local Development Plan 2: Proposed Plan 2017 are now relevant material considerations in the determination of the application;

Policies 1A and 1B: Placemaking, Policy 17: Residential Areas, Policy 28A: Conservation Areas. These Policies generally replicate the equivalent Policies in the adopted Local Development Plan.

## **OTHER GUIDANCE**

Perth & Kinross Council's Draft Placemaking Guide 2017 has now been issued. The guidance states that;

*"Whether it is an extension on a house or a strategic development site, there are always aims and objectives for any new development..."*

*There is considerable scope for modern architecture and building techniques to support new lifestyles but an honest contemporary approach can be matched with local building characteristics to provide attractive modern living. It requires sensitivity and care by the designer but will not necessarily result in additional expenditure.*

*New development should acknowledge the scale and form of the surrounding buildings. This can make a huge difference to the visual impact of a*

*development. Whilst it is not desirable to copy traditional buildings, it is important to harmonise with them.*

*Proportion is a fundamental element of architecture, and relates to the building as a whole and also as sections working harmoniously together. Individual elements of a building must work together to create a coherent design that balances. The building envelope, windows and doors, eaves and roof ridgeline should all work in balance with each other”.*

The Council is in the process of drafting more detailed Technical Notes that will provide specific guidance on domestic extensions.

These will offer more information regarding this type of development and give best practice examples that can be used by applicants and Development Management to support the pre-application and planning application process.

The aim of these technical notes is not to be proscriptive regarding design but to ensure that the Placemaking process has been followed when applying for planning permission for a new development, regardless as to the size, cost or location of a proposal.

The Technical Notes will reflect the messages in the Placemaking Guide and be published alongside the Adopted Supplementary Guidance.

The draft Supplementary Guidance has been consulted upon and comments were invited between 13th July 2017 and 31st August 2017.

## **INTERNAL COMMENTS**

Conservation Officer            No concerns regarding setting of Listed Buildings

Environmental Health            No objections – condition required on any approval

## **REPRESENTATIONS**

No letters of representation have been received in relation to this proposal.

## **ADDITIONAL STATEMENTS RECEIVED:**

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	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**

In general terms, developments which are ancillary to an existing domestic dwelling are considered to be acceptable in principle. However, consideration must be given to the specific details of any proposal, whether it would have an adverse impact on visual amenity and whether it would preserve and enhance the character and appearance of the Conservation Area.

### **Design and Layout**

The existing dwellinghouse has a rectangular footprint and is of a 1970's pitched roof "chalet-style" design, with accommodation contained entirely within the roof space. The houses in the immediately adjacent plots have a mixture of designs and finishes, though all are of single storey appearance, with upper level accommodation contained entirely within the roof space.

This proposal is identical to a previously refused proposal, Ref: 17/00940/FLL. Whilst post-refusal discussions have taken place on a number of alternative design options, none of them were considered to adequately address the concerns raised and/or were cost prohibitive. It is understood that the applicant has re-submitted the same proposal with the intention of taking the case to the Local Review Body, seeing as the previous refusal is now time-barred from a review.

Minor alterations to window and door openings are proposed to the rear (South). Additionally, an extension is proposed to the principal (North) elevation of the house. It measures 8.66m in length, 1.88m in projection; has a raised eaves level and a matching ridge level. The extension has been designed to read deferentially from the existing house, in a contemporary fashion.

### **Landscape**

The scale and nature of the proposals do not raise any significant landscape impact issues.

## **Residential Amenity**

The residential amenity of neighbouring properties would not be adversely affected by the proposed development in terms of overlooking or overshadowing, given their relative positions, orientations and distances.

The Council's Environmental Health Officer has provided comments in relation to potential nuisance conditions caused by the proposed stove. A planning condition has been requested on any approval in order to safeguard surrounding residential amenity.

## **Visual Amenity**

The proposed alterations to the window and door openings to the rear of the building are of no concern and are considered to be acceptable.

Given the variety of surrounding houses in this private cul-de-sac and adjoining plots, the principle of an extension to the front elevation in this context is considered to be acceptable, providing that its proportions, design and finish are appropriate.

The extension is detailed in a contemporary fashion with the partial use of grey fibre cement weatherboard cladding, a Juliette balcony and an open-sided entrance porch which has a steel column supporting the upper level extension.

However, the heightened proportions and raised wall head and eaves level of the extension exceed those of the host building, resulting in a dominant feature which would unbalance and overwhelm the principal elevation of the house, to the detriment of its visual amenity.

Additionally, the proposed ridge line runs parallel to the ridge of the house. Therefore, in addition to its dominant appearance, the resulting extension also lacks cohesion as it is poorly integrated with the house and has an incongruous appearance.

The applicant has cited examples of nearby unsympathetic development in an effort to justify the current proposals. However, none of them are considered to be justification for over-riding the current planning policies in this instance. This application must be determined based upon its own planning merits.

On balance, the present proposals are not considered to meet with adopted planning policies or the recently issued draft Placemaking Guide for the previously stated reasons; therefore the application is recommended for refusal.

## **Conservation Area and Setting of Adjacent Listed Buildings.**

This modern dwellinghouse is located within the Forgandenny Conservation Area and is located adjacent to a number of Listed Buildings. The proposal is



not considered to have an adverse effect on the setting of the adjacent Listed Buildings.

Although the proposal raises a number of visual amenity issues, as detailed above, it is accepted that the impact of the proposals would be contained to an area relatively close to the modern property, and that it would not have such a significant impact on the traditional character and historic integrity of the wider Conservation Area.

### **Roads and Access**

There are no road or access implications 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.

### **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 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**

- 1 The proposed extension, by virtue of its raised wall head and eaves level, excessive proportions, poor form, conflicting composition and lack of integration, would unbalance and overwhelm the existing dwellinghouse and compromise its architectural integrity, resulting in an adverse impact on the visual amenity of the house and surrounding area.

Approval would therefore be contrary to Policies RD1(c), PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014, 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, height, massing, materials, colours and finishes.

### **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**

Not Applicable.

### **Procedural Notes**

Not Applicable.

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

17/02272/1

17/02272/2

17/02272/3

**Date of Report**      **9 February 2018**

**TCP/11/16(519) – 17/02272/FLL – Alterations and extension to dwellinghouse at Evearn, Forgandanny, Perth, PH2 9HS**

## **REPRESENTATIONS**



# Memorandum

To Development Quality Manager

From Regulatory Services Manager

Your ref 17/02272/FLL

Our ref LRE

Date 8 January 2018

Tel No [REDACTED]

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **Consultation on an Application for Planning Permission**

**PK17/02272/FLL RE: Alterations and extension to dwellinghouse Evearn Forgandenny Perth PH2 9HS for Mr & Mrs C. Gordon**

I refer to your letter dated 3 January 2018 in connection with the above application and have the following comments to make.

**Environmental Health** (assessment date –08/01/18)

### **Recommendation**

**I have no objection in principle to the application but recommend that the under noted conditions be included on any given consent.**

### **Comments**

The plans submitted with the application indicate that the applicant proposes to install a wood burning stove within the snug lounge area of the dwelling house.

The closest residential property to the application site is Fortrenn which is approximately 3 metres away.

There are no letters of representation at the time of writing this memorandum.

### **Air Quality**

Biomass has the potential to increase ambient air concentrations of nitrogen dioxide and particulate matter. The Environment Act 1995 places a duty on local authorities to review and assess air quality within their area. Technical guidance LAQMA.TG16 which accompanies this Act, advises that biomass boiler within the range of 50kW to 20MW should be assessed. The pollution emissions of concern from biomass are particulate matter (PM<sub>10</sub>/PM<sub>2.5</sub>) and nitrogen oxides (NO<sub>x</sub>).

The wood burning stove to be installed is a small domestic stove and will be below the range that should be assessed; I therefore have no adverse comments to make with regards to air quality.

### **Nuisance**

However this Service has seen an increase in nuisance complaints with regards to smoke and smoke odour due to the installation of biomass appliances. Nuisance conditions can come about due to poor installation and maintenance of the appliance and also inadequate dispersion of emissions due to the inappropriate location and height of flue with regards to surrounding buildings.

The plans submitted with this application indicate that the proposed flue will be exhausted through the roof and will terminate above the roof ridge. Therefore the emissions should disperse adequately and should not adversely affect the residential amenity of neighbouring properties.

However I recommend that the undernoted condition be included on any given consent.

**Condition**

**EH50** The stove shall only operate on fuel prescribed and stored in accordance with the manufacturer's instructions. The stove and flue and any constituent parts shall be maintained and serviced in accordance with the manufacturer's instructions. No changes to the biomass specifications shall take place without the prior written agreement of the Council as Planning Authority



### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	17/012272/FLL	<b>Comments provided by</b>	Diane Barbary
<b>Service/Section</b>	Conservation	<b>Contact Details</b>	[REDACTED]
<b>Description of Proposal</b>	Alterations and extension to dwellinghouse		
<b>Address of site</b>	Evearn, Forgandenny		
<b>Comments on the proposal</b>	<p>Evearn is an unlisted building in the Forgandenny Conservation Area. The site is to the south west of the category B listed Forgandenny Parish Church and Churchyard (LB 11303 and 11304).</p> <p>I have no comments or concerns regarding the impact of the proposed extension on the setting of the listed buildings.</p>		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	22/01/18		

