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| <p><b>LRB-2022-13</b><br/><b>21/02247/FLL – Alterations and extension to dwellinghouse, Meadows of Fungarth, Dunkeld</b></p> |
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**LRB-2022-13**  
**21/02247/FLL – Alterations and extension to**  
**dwellinghouse, Meadows of Fungarth, Dunkeld**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

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

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

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

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

Use **BLOCK CAPITALS** if completing in manuscript

## Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

## Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

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

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

Yes ☒ No ☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application  Date of decision (if any)

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

**Nature of application**

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

**Reasons for seeking review**

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

**Review procedure**

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

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

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

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

**Site inspection**

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

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

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

**Statement**

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

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

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

See attached document

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

Yes ☐ No ☒

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

### List of documents and evidence

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

PL01 Location Plan  
 PL02 Block Plans  
 PL03 Existing Drawings  
 PL04 Proposed Drawings  
 PL05 Proposed Elevations 3d View  
 PL06 Proposed Shed  
 PL07 Site Photos  
 PL08 Supplementary Location Plan  
 ASHP Technical Data  
 Design Statement  
 Statement of Review

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

### Checklist

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

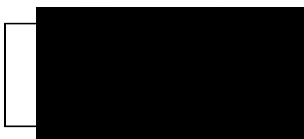
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

### Declaration

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

Signed



Date

8/4/22



## Review Statement

Planning Application Ref: 21/02247/FLL

### Alteration & Extension to Dwelling

#### Meadows of Fungarth, Dunkeld, PH8 0ET



### Introduction

This statement has been prepared in relation to the above planning application which was refused on 9<sup>th</sup> February 2022.

The proposals include for the extension and renovation of an existing dilapidated dwelling in order to secure it's use as residential accommodation and create a home suitable for modern living standards.

The development will allow the young applicants, who have recently stretched themselves financially to purchase the site, to develop a long-term home, allowing them to make sustainable choices working from home and enjoying an outdoor and active lifestyle. The formation of a modest family home on this site will ensure the maintenance of the hitherto unkept grounds, its high amenity value and important part of the local built context.

This report supports the application and dismisses the reasons for refusal, demonstrating the application should be approved due to compliance with local and national planning policy and guidance.

During the course of the application, no opportunity was given for further discussion, resolution of concerns or opportunity to withdraw. It is also understood that no site visit was made and this would be important in assessment of the application.

### Reasons for Refusal

The following reasons for refusal and assessment within the case officer's delegated report do not represent an adequate understanding of the proposals, wider site context and application of the stated policy/guidance:

1. The extension, by virtue of its raised eaves and ridge height would exceed the existing cottage, and its excessive proportions would result is an extension which has unacceptable scale, massing and inappropriate form, which dominates, overwhelms and overdevelops the modest proportions and traditional character of the existing cottage.

Approval would therefore be contrary to Perth & Kinross Council's Placemaking Guide 2020 and Policies 1A and 1B(c) of the Perth and Kinross Local Development Plan 2 2019, which seek to ensure that proposals contribute positively to the quality of the built environment by respecting the existing scale, form, massing, design, proportions, height and appearance, in order to respect the character and amenity of the place.

2. The proposal contains lack of information in relation to drainage proposals, therefore, it is not possible to carry out an assessment of its impact on the Lunan Valley Catchment Area and the Tay Special Area of Conservation catchment.

The proposal is therefore contrary to Policies 38A, 45A, 53A and 53B of Perth & Kinross Local Development Plan 2 2019 as no drainage specification has been provided, it has not been demonstrated that total phosphorous output does not exceed the level currently permitted, that there is a reduction in phosphorous output or that there is no adverse effect on the water environment.

From the Case Officer's report of handling, the reasons for refusal focus on the design of the extension, relationship to the existing cottage and overall height of the extension. Drainage details are also discussed.

Therefore, the focus of the appeal is on the general design and drainage matters.



## Assessment

Each of the above reasons for refusal will be addressed in turn below:

*"The extension, by virtue of its raised eaves and ridge height would exceed the existing cottage, and its excessive proportions would result in an extension which has unacceptable scale, massing and inappropriate form, which dominates, overwhelms and overdevelops the modest proportions and traditional character of the existing cottage."*

## Concept

The design concept and overriding approach towards a sympathetic development appears to have been misunderstood within the case officer's analysis of the proposals.

The original cottage is only 35m<sup>2</sup> and is not capable of providing living standards (in terms of space and facilities) suited to contemporary living. While pertaining to have 3 bedrooms, two of these are located in an attic space with a floor to ceiling height of approx. 1.5m. This is only suitable for storage purposes.

The ground floor of the cottage also has limited ceiling heights, hence the proposal to remove a portion of the ceiling to create more useable space in the heart of the home.

## Design

The design of the extension is very deliberate with a view to respecting the form and character of the existing cottage. A distinct separation between the extension and original cottage has been proposed in order to separate the two buildings. This juxtaposition preserves and enhances both the original and new parts of the house.

The small 'link' between the cottage and extension results in minimal intervention with the existing cottage, further respecting and maintaining its character and integrity.

The extension is simple in form, typical of any rural building, with the roofscape being uncluttered and free of dormers and other structures. It is to be finished with batten on board timber cladding, a material consistent with many other similar properties in the area and well suited within the landscape context.

### One and a Half Storey

The extension has been designed as a one and a half storey structure (not two storey as mentioned in the Report of Handling) in order to provide the appropriate accommodation requirements. While the ridge height is higher than the existing cottage, a deliberate decision has been made to keep the overall height consistent with existing chimneys. This is a modest difference in height.

The proposal of a one and a half storey structure also minimises the overall footprint of the development and is respectful of the small footprint of the cottage. If the proposals were to become a single storey structure, they would appear sprawling and over dominant of the cottage, utilising more of the site area.

The Adopted Placemaking Guide states:

"New roof ridges should not normally exceed the height of the original. A new ridge line which is set lower than that of the original will generally be more acceptable."

The use of the term "normally" and "generally" does not create a mandatory requirement for this. In this instance, a departure from this *guidance* should be deemed appropriate as the proposals are considered and deliberate in both design and reasoning.

The Adopted Placemaking Guide also states:

"If the plot and original building can accommodate it, then a two storey extension may receive planning permission providing the design is satisfactory and there is no unacceptable loss of sunlight, daylight or privacy to adjoining properties."

Departure from the guide is proposed when there are material considerations. In this instance, the material considerations are the respect of the small footprint of the cottage and desire to avoid a sprawling and contained footprint. The site is large and can easily accommodate the proposed extension.



There are many examples of domestic extensions, urban and rural, throughout Perthshire where ridge heights exceed the host dwelling. This is a strong precedent and there should be no reason to allow these structures and not the subject of this appeal.

### Principal Elevation

There is no principal elevation to the existing cottage due to its rural location. The cottage is approached from the rear elevation with doors and windows focused on the private side of the property. The extension has been designed to form a “T” shape with the existing cottage. This reduces the size when viewed from both sides of the property, avoiding being over-dominant of one side or the other.

### Setting

The case officer has made a correct assessment of the landscape setting and residential amenity. There is significant screening due to the woodland setting and the site cannot be seen from the road, surrounding properties or wider landscape.



In summary, the proposals meet the guidance and set out within the Adopted Placemaking Guide and are in accordance with Policies 1A and 1B(c) of Perth & Kinross Local Development Plan 2 (2019), and other supplementary guidance.

*“The proposal contains lack of information in relation to drainage proposals, therefore, it is not possible to carry out an assessment of its impact on the Lunan Valley Catchment Area and the Tay Special Area of Conservation catchment.”*

Section 5 of the Blairgowrie Lochs Special Area of Conservation states:

“New developments, conversions or extensions where the potential capacity to house people is being increased may impact on the Dunkeld - Blairgowrie SAC.

If the proposed development lies in the catchment as shown by the red line on the map, you may be required to provide phosphorus mitigation for your development...”

This guidance does not give a *mandatory* requirement to provide this information and only suggests that further information *may* be required. Further information was not requested during the application process.

The proposals relate to the extension of an existing 3 bedroom property to create a property that remains as 3 bedrooms. Therefore, there is no net increase in the burden on the existing drainage and the applicant should not be subject to the requirement for 125% phosphorous mitigation. This should



be a significant material consideration in the application of policy and consideration should be given towards the fact that the proposals are *not* for new dwelling.

Furthermore, the applicant's intention is to make improvements to an older system, its condition not fully known. This will be by way of a new septic tank or treatment plant. Detailed design of this system will be undertaken by the project engineer once engaged.

This approach should be merited as there is no obligation to make this improvement and it will bring about a net improvement in the existing drainage infrastructure. This is consistent with and meets the aims of Policy 53A Water Environment and 53B Foul Drainage within the Local Development Plan.

The proposals ensure no reduction in permitted levels of water quality and seek to make improvements this is compliant with Policy 45A Lunan Lochs Catchment Area.

The proposals also accord with Policy 38A as the proposals will not have a significant affect on the site and the proposals represent a sustainable development suited to the site and surrounding context.

If further reassurance on the detailed design of the improved system (once undertaken by the project engineer) is deemed a requirement, this could be supplied by means of a condition associated with any planning approval.

### **Summary**

An understanding of the proposals and nature of the requirement has been misunderstood during assessment. The assessment of policy and guidance against this application has been incorrectly applied and the proposals represent clear conformity with both Planning Policy, Placemaking and Supplementary Guidance documents.

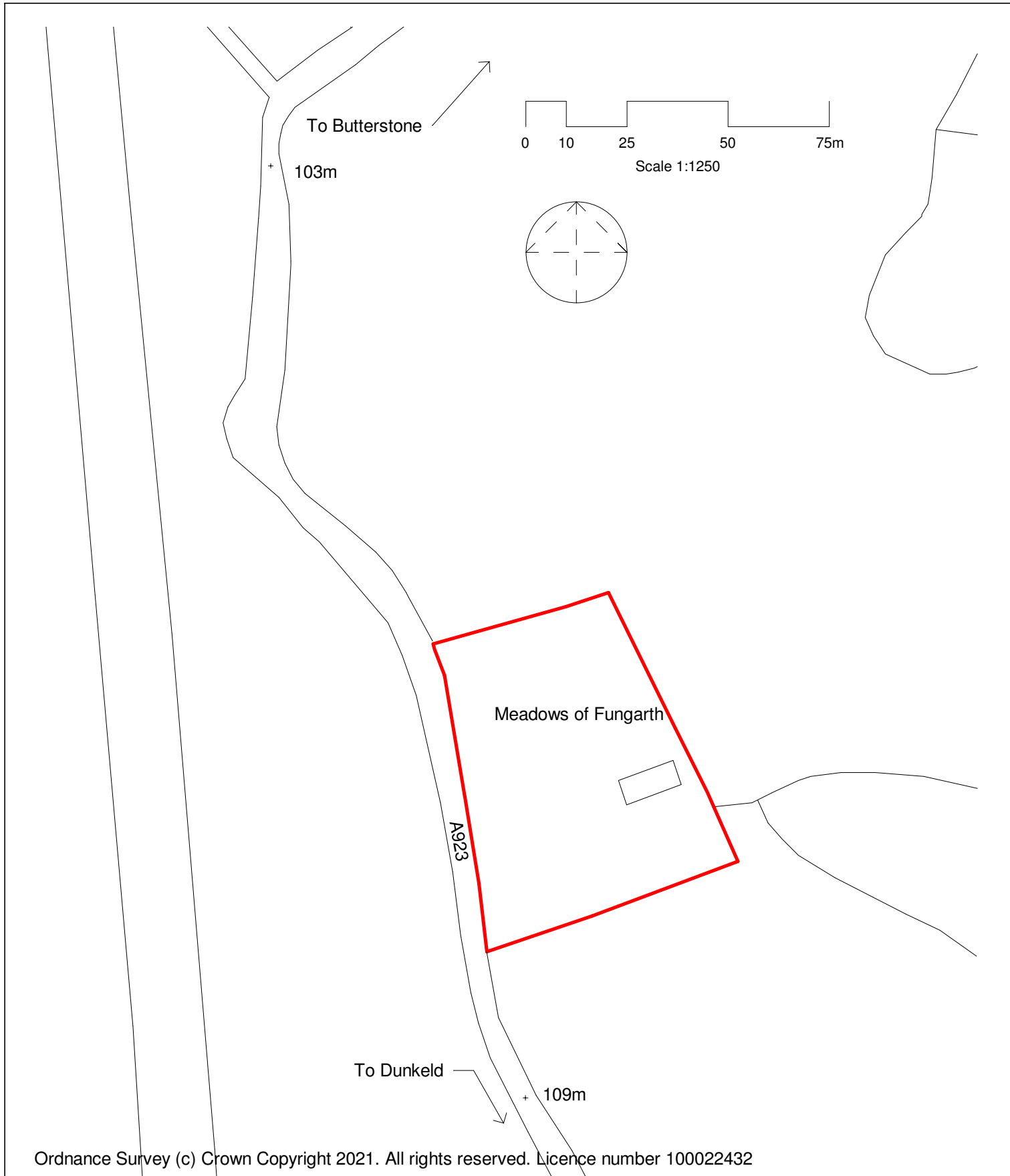
The proposals are for a modest, domestic development which is sensitive in size, character and materiality and maintains the integrity of the existing buildings. The design is considered and is respectful of the surrounding environmental and built context. There will also be net improvements to the site infrastructure.

The high quality design, material palate and minimal impact of the design seeks to improve and enhance the visual amenity of the surrounding built context and create a useable and well-designed space to meet the current and future needs of the applicant.



5 April 2022





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|                                      |                          |  |          |
|--------------------------------------|--------------------------|--|----------|
| <b>studio   EAST</b>                 |                          | PROJECT<br>Meadows of Fungarth<br>Dunkeld, Perthshire, PH8 0ET   |          |
| CLIENT<br>A. Kincaid & H. Fairclough | REV                      | Project Number   | 21106    |
|                                      | <div>A</div>             | Date   | Nov 21   |
|                                      | Scale (@ A4)<br>1 : 1250 | PURPOSE OF ISSUE   | Planning |
| DRAWING NUMBER:<br>PL-01             |                          | King James VI Business Centre, Friarton Rd, Perth, PH2 8DY<br>t: 01738 472090 e: hello@studio-east.co.uk |          |

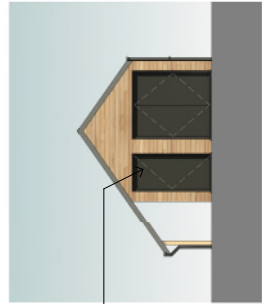




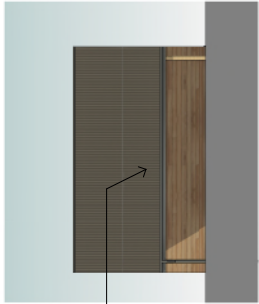








Proposed Shed East Elevation  
1 : 100



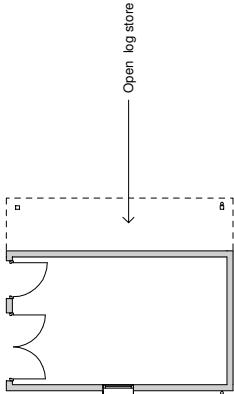
Proposed Shed South Elevation  
1 : 100



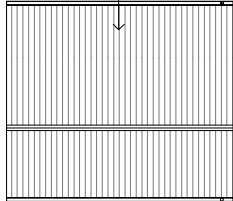
Proposed Shed West Elevation  
1 : 100



Proposed Shed North Elevation  
1 : 100



Proposed Shed Store Plan  
1 : 100



Proposed Shed Store Roof Plan  
1 : 100



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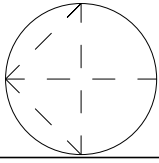
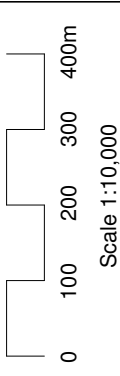
| No.   | Description   | Date |
|---|---|------|
| studio   EAST   |   |      |
| Client  | A. Kincaid & H. Fairdough                           |      |
| Project   | PL-07   |      |
| Project   | Meadows of Fungarth<br>Dunkeld, Perthshire, PH8 0ET |      |
| Sheet   | Site Photos   |      |
| Scale (@ A3)  |   |      |
| Project number  | 21106   |      |
| Date  | Nov 21  |      |
| Purpose of Issue  | Planning  |      |
| Drawn by  | RG  |      |
| King James VI Business Centre, Fife Place Rd, Perth, PH2 8DY<br>T: 01738 472080<br>e: hello@studio-east.co.uk |   |      |



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CLIENT

A. Kincaid & H. Fairclough

DRAWING NUMBER:

PL-08

PROJECT

Meadows of Fungarth  
Dunkeld, Perthshire, PH8 0ET

SHEET

Supplementary Location Plan

Scale (@ A4)

Project Number 21106

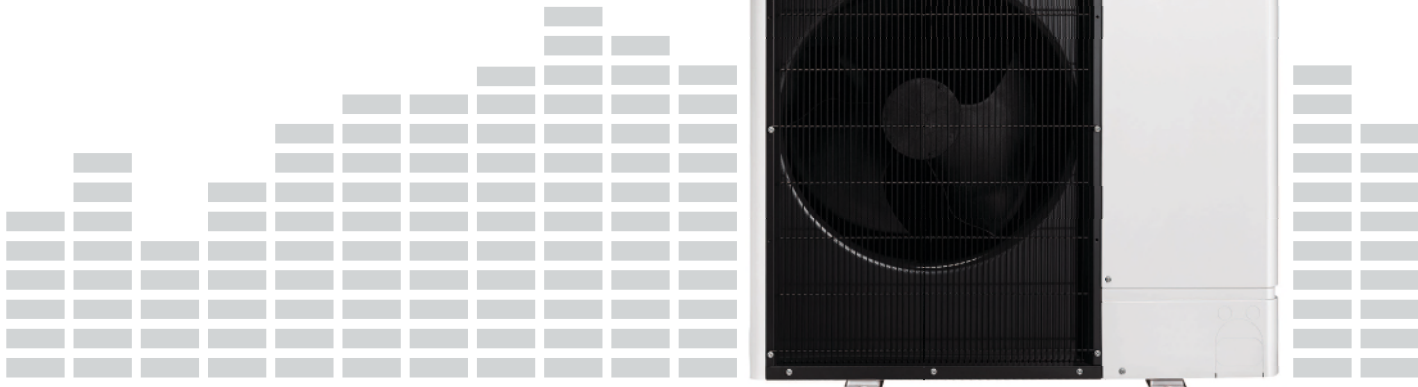
Date Nov 21

PURPOSE OF ISSUE Planning

King James VI Business Centre,  
Friarton Rd, Perth, PH2 8DY  
t: 01738 472090  
e: hello@studio-east.co.uk



# Ultra Quiet Ecodan



**3 Times Quieter** than previous equivalent models,  
virtually eliminating planning restrictions



**58** dB(A)  
Sound Power  
Level



**45** dB(A)  
Sound Pressure  
Level at 1m

Our market leading Ecodan air source heat pumps are designed to provide a home with reliable, trouble free renewable heating and hot water.

## The New Ultra Quiet Ecodan takes air source heat pumps to the next level

These new models offer superb style, market leading energy efficiency and sound levels. Designed especially for residential applications the 8.5kW and 11.2kW units are **3 times quieter than previous models, virtually eliminating planning restrictions.**



Typical sound pressure levels:



**120** dB(A)



**80** dB(A)



**60** dB(A)



**40** dB(A)

This means the Ultra Quiet Ecodan has a sound pressure level similar to a **Library.**

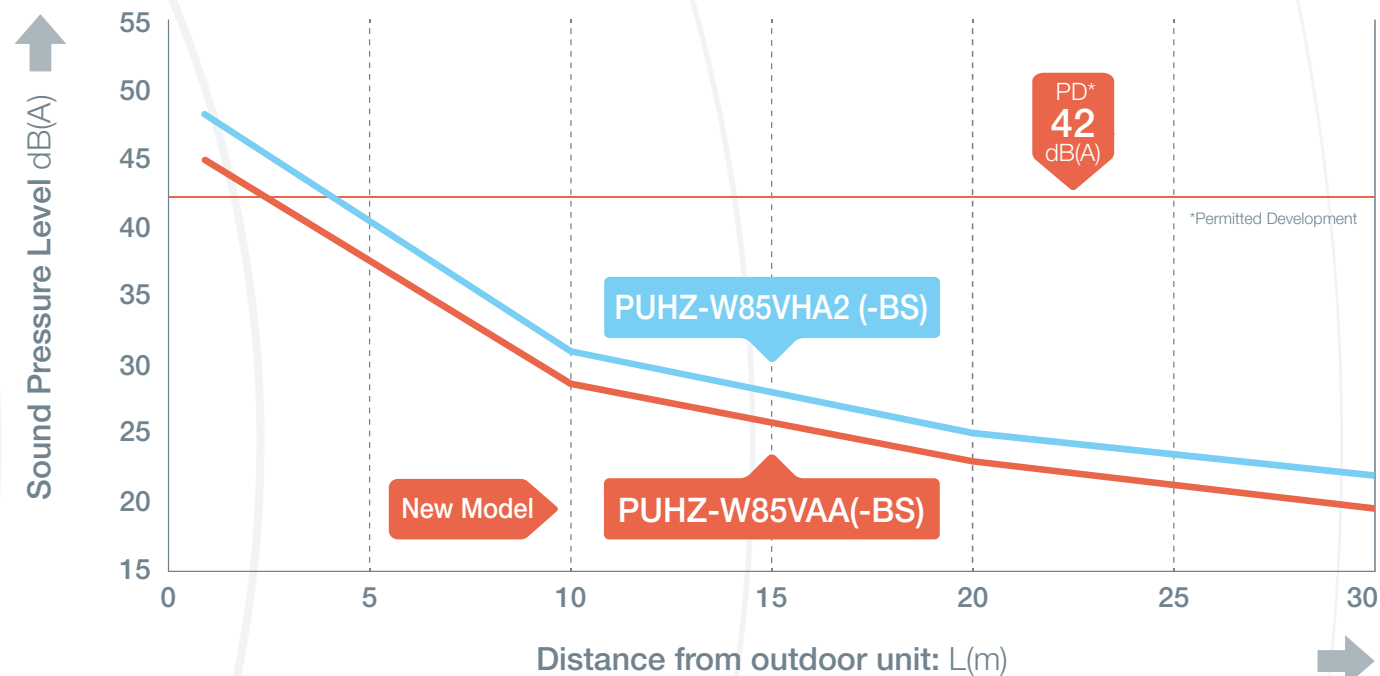
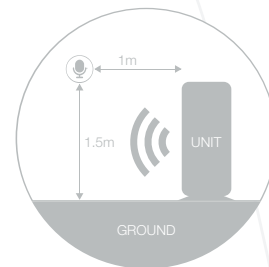


# Estimated Noise Levels

Based on the distance from the outdoor unit

## Annotation and Measurement Condition

1. Sound data was measured once unit operation was stable.
2. Sound reflection from ground and surrounding walls is not considered.



## Low Sound = Heat Pump Placement Flexibility

One of the regulations under **Permitted Development**, is that the sound pressure level of an air source heat pump must not exceed 42dB(A) 1m from the neighbours nearest room (Assessment Position).

With class leading **sound power levels of just 58dB(A)**, the Ultra Quiet Ecodan air source heat pump can be located much closer to the assessment position and **pass planning**.

This ultra quiet performance means you can now choose the most convenient location for your Ecodan, causing no disturbance to neighbours.



[ultraquietecodan.co.uk](http://ultraquietecodan.co.uk)





PUHZ-W85VAA: MCS Ref: HP0002/45  
 PUHZ-W85VAA-BS: MCS Ref: HP0002/46  
 PUHZ-W112VAA: MCS Ref: HP0002/47  
 PUHZ-W112VAA-BS: MCS Ref: HP0002/48



| OUTDOOR UNIT  |  | PUHZ-W85VAA(-BS) | PUHZ-W112VAA(-BS) |
|---|--|------------------|-------------------|
| HEAT PUMP SPACE HEATER - 55°C                             | ErP Rating                               | A++              | A++               |
|   | $\eta_s$                                 | 137%             | 133%              |
|   | SCOP                                     | 3.50             | 3.40              |
| HEAT PUMP SPACE HEATER - 35°C                             | ErP Rating                               | A++              | A++               |
|   | $\eta_s$                                 | 171%             | 170%              |
|   | SCOP                                     | 4.35             | 4.34              |
| HEAT PUMP COMBINATION HEATER - Large Profile <sup>1</sup> | ErP Rating                               | A                | A                 |
|   | $\eta_{wh}$                              | 104%             | 100%              |
|   | Capacity (kW)                            | 8.3              | 11.0              |
| HEATING <sup>2</sup> (A-3/W35)                            | Power Input (kW)                         | 2.86             | 3.73              |
|   | COP                                      | 2.90             | 2.95              |
| OPERATING AMBIENT TEMPERATURE (°C DB)                     |  | -20 ~ +35°C      | -20 ~ +35°C       |
| SOUND DATA <sup>3</sup>                                   | Pressure Level at 1m (dBA)               | 45               | 47                |
|   | Power Level (dBA) <sup>4</sup>           | 58               | 60                |
|   |  |                  |                   |
| WATER DATA  | Pipework Size (mm)                       | 28               | 28                |
|   | Flow Rate (l/min)                        | 25.8             | 32.1              |
|   | Water Pressure Drop (kPa)                | 16.1             | 24.4              |
|   |  |                  |                   |
| DIMENSIONS (mm) <sup>17</sup>                             | Width                                    | 1050             | 1050              |
|   | Depth                                    | 480              | 480               |
|   | Height                                   | 1020             | 1020              |
| WEIGHT (kg)   |  | 97               | 118               |
| ELECTRICAL DATA   | Electrical Supply                        | 220-240v, 50Hz   | 220-240v, 50Hz    |
|   | Phase                                    | Single           | Single            |
|   | Nominal Running Current [MAX] (A)        | 9.1 [22.0]       | 10.9 [28.0]       |
|   | Fuse Rating - MCB Sizes (A) <sup>6</sup> | 25               | 32                |
| REFRIGERANT CHARGE (kg) / CO <sub>2</sub> EQUIVALENT (t)  |  | 2.4/5.01         | 3.3/6.89          |
|   |  |                  |                   |

<sup>1</sup> Combination with EHPT20X-MHCW Cylinder. <sup>2</sup> Under normal heating conditions at outdoor temp: -3°CDB / -4°CWB, outlet water temp 35°C, inlet water temp 30°C.

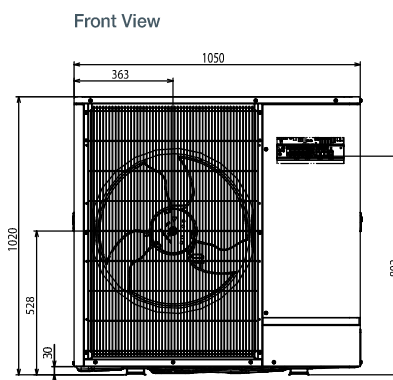
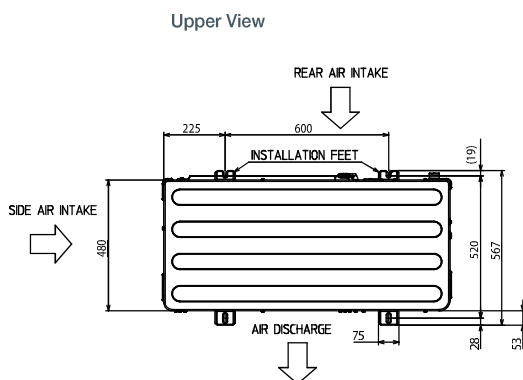
<sup>3</sup> Under normal heating conditions at outdoor temp: 7°CDB / 6°CWB, outlet water temp 55°C, inlet water temp 47°C as tested to BS EN14511. <sup>4</sup> Sound power level tested to BS EN12102. <sup>5</sup> MCB Sizes BS EN60898-2 & BS EN60947-2.

<sup>6</sup> Flow Temperature Controller (FTC) for standalone systems PAC-IP062B-E Dimensions WxDxH (mm) - 520x150x450

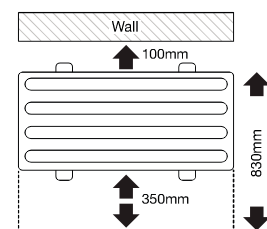
$\eta_s$  is the seasonal space heating energy efficiency (SSHEE)  $\eta_{wh}$  is the water heating energy efficiency

## Product Dimensions

## PUHZ-W85 / 112VAA(-BS)



## Required Space



The space required in front of the unit is 350mm.



Telephone: 01707 278666

email: heating@meuk.mee.com

web: heating.mitsubishielectric.co.uk

UNITED KINGDOM Mitsubishi Electric Europe Living Environment Systems Division  
 Travellers Lane, Hatfield, Hertfordshire, AL10 8XB, England General Enquiries Telephone: 01707 282880 Fax: 01707 278881  
 IRELAND Mitsubishi Electric Europe Westgate Business Park, Ballymount, Dublin 24, Ireland  
 Telephone: Dublin (01) 419 8800 Fax: Dublin (01) 419 8890 International code: (003531)

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Effective as of April 2018 SAP No. 338239



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| <p><b>LRB-2022-13</b><br/><b>21/02247/FLL – Alterations and extension to<br/>dwellinghouse, Meadows of Fungarth, Dunkeld</b></p> |
|--|

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS** *(part included in applicant's submission, pages 121-126 and 128)*





Ms Amy Kincaid  
c/o StudioEAST Chartered Architects  
Richard Taylor  
King James VI Business Centre  
Friarton Road  
Perth  
PH2 8DY

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **9th February 2022**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **21/02247/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 5th January 2022 for Planning Permission for **Alterations and extension to dwellinghouse Meadows Of Fungarth Dunkeld PH8 0ET**

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

1. The extension, by virtue of its raised eaves and ridge height would exceed the existing cottage, and its excessive proportions would result in an extension which has unacceptable scale, massing and inappropriate form, which dominates, overwhelms and overdevelops the modest proportions and traditional character of the existing cottage.

Approval would therefore be contrary to Perth & Kinross Council's Placemaking Guide 2020 and Policies 1A and 1B(c) of the Perth and Kinross Local Development Plan 2 2019, which seek to ensure that proposals contribute positively to the quality of the built environment by respecting the existing scale, form, massing, design, proportions, height and appearance, in order to respect the character and amenity of the place.

2. The proposal contains lack of information in relation to drainage proposals, therefore, it is not possible to carry out an assessment of its impact on the Lunan Valley Catchment Area and the Tay Special Area of Conservation catchment.

The proposal is therefore contrary to Policies 38A, 45A, 53A and 53B of Perth & Kinross Local Development Plan 2 2019 as no drainage specification has been provided, it has not been demonstrated that total phosphorous output does not exceed the level currently permitted, that there is a reduction in phosphorous output or that there is no adverse effect on the water environment.

## **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](http://www.pkc.gov.uk) "Online Planning Applications" page**

### Plan Reference

01

02

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## REPORT OF HANDLING

### DELEGATED REPORT

|                        |                   |                        |
|------------------------|-------------------|------------------------|
| Ref No                 | 21/02247/FLL      |                        |
| Ward No                | P5- Strathtay     |                        |
| Due Determination Date | 4th March 2022    |                        |
| Draft Report Date      | 8th February 2022 |                        |
| Report Issued by       | KS                | Date 8th February 2022 |

**PROPOSAL:** Alterations and extension to dwellinghouse

**LOCATION:** Meadows Of Fungarth Dunkeld PH8 0ET

#### 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, satellite and StreetView imagery, 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

Meadows Of Fungarth is a small, detached cottage which is surrounded by woodland in a rural location approximately 2.5 kilometres northeast of Dunkeld. This application seeks detailed planning permission for a large extension to the west of

the property, various minor alterations to the property itself and the installation of a new septic tank to the southeast of the house. A garden shed is also shown on the application drawings, although this would appear to benefit from permitted development rights.

## **SITE HISTORY**

None

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: Not Applicable.

## **NATIONAL POLICY AND GUIDANCE**

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, 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 33A: Renewable and Low Carbon Energy: New Proposals for Renewable and Low-Carbon Energy

Policy 38A: Environment and Conservation: International Nature Conservation Sites – Tay Special Area of Conservation (SAC) catchment



Policy 38B: Environment and Conservation: National Designations – River Tay  
National Scenic Area (NSA)

Policy 38C: Environment and Conservation: Local Designations

Policy 39: Landscape

Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy

Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development

Policy 41: Biodiversity

Policy 45A: Lunan Lochs Catchment Area

Policy 53A: Water Environment and Drainage: Water Environment

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53C: Water Environment and Drainage: Surface Water Drainage

## **OTHER POLICIES AND GUIDANCE**

Perth & Kinross Council's Placemaking Guide 2020 states that;

*“Extensions should respect the shape, scale and proportions of the existing building and relate to the roof pitch and original building depth... In most cases an extension should be a subordinate addition in all respects... New roof ridges should not normally exceed the height of the original. A new ridge line which is set lower than that of the original will generally be more acceptable.*

### *Side extensions*

- *Set back the extension from the frontage of the building to establish subordination to the existing building.*
- *Lower the roof ridge level on extensions to establish a separate identity to extension.*

## **CONSULTATION RESPONSES**

Scottish Water

*No objections – informative note recommended.*

## **INTERNAL COMMENTS**

Environmental Health (Noise Odour)

*No objections – informative note recommended.*

## **REPRESENTATIONS**

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

## ADDITIONAL STATEMENTS

|  |   |
|--|---|
| Screening Opinion  | Not required                                    |
| Environmental Impact Assessment (EIA):<br>Environmental Report   | Not applicable                                  |
| Appropriate Assessment   | Not undertaken as no<br>drainage spec. provided |
| Design Statement   | Submitted                                       |
| Report on Impact or Potential Impact eg Flood<br>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, extensions and developments which are incidental to an existing domestic dwellinghouse are generally considered to be acceptable in principle. Nevertheless, 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 upon amenity, the character and appearance of the place or the qualifying interests of various designations.

### Design and Layout

Meadows Of Fungarth is a small, detached cottage which is surrounded by woodland in a rural location approximately 2.5 kilometres northeast of Dunkeld. The property is located within various designations and constraints, including, Ancient Woodland Inventory, Lunan Valley Catchment Area, River Tay National Scenic Area and the Tay Special Area of Conservation (SAC) catchment.

This application seeks detailed planning permission for a large extension to the west of the property, various minor alterations to the property itself and the installation of a new septic tank to the southeast of the house.

### Visual Amenity

The existing cottage is of traditional form and single storey appearance; stone-built, with a central entrance door, a window to either side and gabled chimneys projecting through its pitched slate roof. This provides an attractive, symmetrically balanced principal elevation. The cottage has three bedrooms (two of which are within the roof

space), and its modest proportions have been added to with a lean-to kitchen extension on the side (east) elevation.

The proposal seeks planning permission to erect a two-storey extension which would run perpendicular to the single storey cottage, connected through a single storey, flat roofed glazed link. The extension would be finished with a combination of natural and black larch cladding, anthracite profiled metal cladding on the roof and alu-clad timber-framed fenestration.

The extension would far exceed the proportions of the existing house in terms of footprint coverage (more than doubling the size of the cottage), raised eaves level and the ridge height exceeding that of the cottage. Additionally, the layout configuration of the proposal would project the extension beyond both the principal (south) and rear (north) elevations. The resulting effect is an extension which has excessive scale, form, massing, and proportions, which dominates and overwhelms the modest proportions and traditional character of the existing cottage.

Approval would therefore be contrary to Perth & Kinross Council's Placemaking Guide 2020 and Policies 1A and 1B(c) of the Perth and Kinross Local Development Plan 2 2019, which seek to ensure that proposals contribute positively to the quality of the built environment by respecting the existing scale, form, massing, design, proportions, height and appearance, in order to respect the character and amenity of the place.

## **Landscape**

As noted above, the property is located within an established woodland that is designated Ancient Woodland. No trees are to be felled as a result of the proposed development; therefore, a strong degree of enclosure would remain. The proposals are therefore unlikely to have a significant landscape impact or impact on the River Tay National Scenic Area.

## **Residential Amenity**

Given the remote nature of the property and its distance from the nearest residential property (approximately 340m) there would be no adverse impacts on surrounding residential amenity.

## **Roads and Access**

There are no proposed changes to the existing vehicular access arrangements; therefore, there are no road or access implications associated with this proposed development.

## **Drainage and Flooding**

Whilst the proposed septic tank location has been identified on the site plan, no information has been provided as to the specification of the unit. Therefore, it is not possible to carry out an assessment of its impact on the Lunan Valley Catchment Area and the Tay Special Area of Conservation catchment.

The proposal is therefore contrary to Policies 38A, 45A, 53A and 53B of Perth & Kinross Local Development Plan 2 2019 as no drainage specification has been provided, it has not been demonstrated that total phosphorous output does not exceed the level currently permitted, that there is a reduction in phosphorous output or that there is no adverse effect on the water environment.

### **Natural Heritage and Biodiversity**

See Drainage section above.

### **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 extension, by virtue of its raised eaves and ridge height would exceed the existing cottage, and its excessive proportions would result in an extension which has unacceptable scale, massing and inappropriate form, which dominates, overwhelms and overdevelops the modest proportions and traditional character of the existing cottage.

Approval would therefore be contrary to Perth & Kinross Council's Placemaking Guide 2020 and Policies 1A and 1B(c) of the Perth and Kinross Local Development Plan 2 2019, which seek to ensure that proposals contribute positively to the quality of the built environment by respecting the existing scale, form, massing, design, proportions, height and appearance, in order to respect the character and amenity of the place.

- 2 The proposal contains lack of information in relation to drainage proposals, therefore, it is not possible to carry out an assessment of its impact on the Lunan Valley Catchment Area and the Tay Special Area of Conservation catchment.

The proposal is therefore contrary to Policies 38A, 45A, 53A and 53B of Perth & Kinross Local Development Plan 2 2019 as no drainage specification has been provided, it has not been demonstrated that total phosphorous output does not exceed the level currently permitted, that there is a reduction in phosphorous output or that there is no adverse effect on the water environment.

### **Justification**

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

### **Informative Notes**

Not Applicable.

### **Procedural Notes**

Not Applicable.

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

01

02

03

04

05

06

07

08



## Design Statement

### Extension & Renovation at Meadows of Fungarth, Dunkeld

Prepared: 16<sup>th</sup> December 2021

Revisions: 1<sup>st</sup>



Prepared by:

studioEAST Chartered Architects

King James VI Business Centre, Friarton Rd, Perth, PH2 8DY

01738 472090

[hello@studio-east.co.uk](mailto:hello@studio-east.co.uk)

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| 10.0 | Conclusion              |



## **1.0 Introduction**

This report has been prepared to support an application for construction of a one and a half storey extension at Meadows of Fungarth, Dunkeld. The proposed extension will allow for the formation of a modern family home as a meaningful addition to the existing cottage.

## **2.0 Planning History**

There have been no previous applications on this site.



## **3.0 Proposed Development**

The existing cottage is a simple two roomed structure with a WC, roof space and small side extension which has served as a kitchen in the past. The building as it stands requires extensive renovation and does not meet the requirements or expectations of a modern home, both in terms of its size and available facilities.

The proposed extension will allow for the formation of a modern family home featuring 3 bedrooms, open plan living spaces, enhanced thermal performance and an opportunity for leading a sustainable lifestyle.

The existing cottage will be renovated to include a bedroom and living room, with the new extension providing two further bedrooms, kitchen/dining facilities, bathrooms, utility and accessible WC.

This accommodation is proposed over two levels to maintain a modest footprint and avoid overdevelopment of the surrounding amenity space. The extension has been designed to read as a separate building to the cottage through the inclusion of a small single storey structure joining the two buildings.

This considered approach to the design ensures the integrity of the existing cottage is retained and the modern development has only a 'light touch' interaction with the exiting building.

The height difference between the two buildings enhances this separation between new and old and is not seen to be detrimental to either building. This also demonstrates a high quality of design which is fitting within the site and wider rural context.

A new storage/workshop building is also proposed to facilitate the management and maintenance of the woodland site.



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With reference to the Scottish Planning Policy's key principles; planning should promote development that is designed to a high quality:

*"By locating the right development in the right place, planning can provide opportunities for people to make sustainable choices and improve their quality of life. Well-planned places promote well-being, a sense of identity and pride, and greater opportunities for social interaction. Delivering high-quality buildings, infrastructure and spaces in the right locations helps provide choice over where to live and style of home, choice as to how to access amenities and services and choice to live more active, engaged, independent and healthy lifestyles".*

*SPP Outcome 1: A successful sustainable place, pg.6*

In this case, the proposed development will provide the applicant with a high quality, well designed space that will allow them to make a sustainable choice as they pursue their interests to improve their quality of life both now and in the future.

#### **4.0 Site & Topography**

The application site extends to 4104m<sup>2</sup> and is located within an established woodland setting on a level area of ground adjacent but below the A923. The exiting driveway access is located in the north west corner of the site and follows the slope of the site to arrive at a parking area to the rear of the existing cottage.

The site is characterised as a clearing in the woodland setting with the existing and proposed buildings enjoying a private setting with a southerly aspect.

The finished floor levels of the proposed extension will match the existing cottage with ground levels reduced slightly in the area of the extension to ensure robust construction detailing.

#### **5.0 Access & Parking**

The site is to be accessed by the existing driveway which leads to the parking/turning area. This will be renovated to clear overgrowth both at the bell mouth and along its length.

The site already includes for the provision of multiple parking spaces. There is a provision for all vehicles to be able to manoeuvre within the site and leave in a forward gear.

The car parking and manoeuvring areas will be generally finished in a gravel layer within the immediate area of the new building.

#### **6.0 Design & Materials**

##### *Concept*

The original brief was to create a modern but modest family home which will ensure the integrity of the existing cottage is retained as well as meet the needs of the occupants.

The overall footprint of the extension is 63m<sup>2</sup> (+6m<sup>2</sup> for the link) which is similar to the existing cottage.

Combined with the existing cottage, the development presents a high quality contemporary design. Detailing will reflect the local rural design characteristics and is sensitive in scale, massing and materiality.

##### *Open Plan*

The main living areas have been designed as an open plan space featuring space for activities and a small kitchenette/wash space. This simplifies the layout of the house and removes any potential barriers which may restrict enjoyment of this space and future accessibility. This space is extensively glazed which will assist in not only maximizing solar gains but allow views over the garden and woodland beyond.

### *Materials*

The building is designed to be contemporary with rural form and style, matching the vernacular, while maintaining the use of common materials typically found within the area. This includes natural larch cladding and slate roofs.

### *Outdoor Spaces*

Level access to the building is proposed from the car parking/turning area. This provides access to the extension which in turn leads to a patio area in the private garden to the south.

## **7.0 Sustainable Development**

The proposed development, as a whole, will present the opportunity for a holistic sustainable lifestyle with living, working and recreation taking place on site and a limited dependence on the requirement for travel.

The overall development will be designed as a low carbon building with high levels of insulation and energy efficient glazing.

The following technologies and sustainable design principles are intended be included within the scheme:

- High performance windows with low u values
- Heating will be by wood burning stove and a new air source heat pump
- High performance timber frame construction with enhanced airtightness
- Connected to sustainable drainage (foul & surface) already in place on site

## **8.0 Landscaping**

The existing landscape setting will remain largely untouched but due to recent neglect will see a program of maintenance to ensure it future as a high quality setting. This provides a strong definable site that is screened from the public road.

The car parking and manoeuvring areas will be generally finished in a gravel layer within the immediate area of the new dwelling as well as a small patio area within the garden.

## **9.0 Drainage & Services**

Foul & surface drainage will be connected to the existing septic tank/soakaways on site. Capacity will be reviewed with any maintenance/upgrade undertaken as part of the works.

The electricity supply will be provided by an existing mains connection already on the site. Water will be provided by an existing private connection already on the site.

## **10.0 Conclusion**

The overall development will be of a high quality in terms of design, massing and materiality.

By using the existing strong landscape setting and separating the old and new development, the proposals will sit comfortably within the existing environment. This will be a sensitive and efficient development which will enhance the visual amenity of the site.

The proposals aim to provide a contemporary development which will present the opportunity for a sustainable lifestyle both now and in the future.



**LRB-2022-13**  
**21/02247/FLL – Alterations and extension to**  
**dwellinghouse, Meadows of Fungarth, Dunkeld**

## **REPRESENTATIONS**





Monday, 10 January 2022



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

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Buchanan Gate Business Park  
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[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

**Meadows Of Fungarth, Dunkeld, PH8 0ET**  
**Planning Ref: Meadows Of Fungarth Dunkeld PH8 0ET**  
**Our Ref: DSCAS-0055787-8FM**  
**Proposal: Alterations and extension to dwellinghouse**

**Please quote our reference in all future correspondence**

## **Audit of Proposal**

I have carried out an audit of the below listed drawings and I'm pleased to confirm that Scottish Water has no objection to the development proceeding.

## **Please Note**

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.

## **General Notes**

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.

---

This response is in relation to the information you have provided. If there are any changes to your proposed development, you may be required to submit the proposed amendments for review.

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.

Yours sincerely,

**Pamela Strachan**

Planning Team Analyst

[planningconsultations@scottishwater.co.uk](mailto: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."*

# Memorandum

To Development Management & Building  
Standards Service Manager

From Regulatory Services Manager

Your ref 21/02247/FLL

Our ref OLW  
Tel No 01738 476958

Date 21 January 2022

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **Consultation on an Application for Planning Permission PKC 21/02247/FLL RE: Alterations and extension to dwellinghouse Meadows Of Fungarth Dunkeld PH8 0ET for Ms Amy Kincaid**

I refer to your letter dated 6 January 2022 in connection with the above application and have the following comments to make.

### **Environmental Health**

#### **Recommendation**

I have no objections to the application but recommend the undernoted informative be included on any given consent.

#### **Comments**

This application is for alterations and extension to a dwellinghouse which will include the provision of a single woodburning stove and associated flue.

#### **Air Quality**

Perth and Kinross Council have a duty to assess biomass boilers for capacity within the range of 50kW to 20MW in terms of nitrogen dioxide and particulate matter based on their effect on air quality in the area. Though the application does not include any information on the stove, it is likely to be domestic sized and therefore I have no adverse comments to make with regards to air quality.

#### **Odour**

Another matter pertaining to the stove which could cause an issue has the potential for smoke or odour disamenity. This Service has seen an increase in complaints with regards to smoke and odour due to the installation of biomass appliances. This can be caused due to poor installation and maintenance of the biomass appliances and also inadequate dispersion of emissions due to the inappropriate location and height of a flue with regards to surrounding buildings.

I note from the submitted plans that the flue will terminate above roof ridge height, which will aid in dispersion of emissions. I would advise that smoke/odour could be further minimised through the use of fuel recommended by the stove manufacturer.

In light of the above, the residential amenity at neighbouring dwellinghouses should not be adversely affected by smoke/odour.

I would therefore have no objections to this development provided that the following informative is attached to the consent.

### **Informative**

The approved stove system shall be installed and thereafter operated and maintained in accordance with the manufacturer's recommendations, such that smoke odours are not exhausted into or escape into any neighbouring dwellings. Failure to do so may result in an investigation and possible action by Environmental Health under the Environmental Protection Act 1990.