

TCP/11/16(318)

Planning Application 14/00823/FLL – Alterations and extension to dwellinghouse, 9 Stormont Way, Scone, PH2 6SP

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TCP/11/16(318)

Planning Application 14/00823/FLL – Alterations and extension to dwellinghouse, 9 Stormont Way, Scone, PH2 6SP

PAPERS SUBMITTED BY THE APPLICANT

NOTICE OF REVIEW

2 7 AUG 2014

Under Section 43A(8) Of the Town and County 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 2013

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

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
FLECTRONICALLY VIA https://eplanning.scotland.gov.uk

1. Applicant's De	tails	2. Agent's Details	(if any)		
Title	Mr & Mrs	Ref No.			
Forename	The second secon	Forename	Aller		
Surname	R	Surname	Allan		
Sumame	Cassani	Jumanie	Thomson		
Company Name		Company Name			
	9	Building No./Name	102		
Address Line 1	Stormont Way,	Address Line 1	Tweedsmuir Road,		
Address Line 2	Scone,	Address Line 2	Two contain room,		
Town/City	Perth.	Town/City	Perth.		
-	l etai.		i eiui.		
Postcode	PH2 6SP	Postcode	Ph1 2HG		
Telephone		Telephone			
Mobile		Mobile			
Fax		Fax			
Email		Email			
3. Application De	etails				
Planning authority		Perth & Kinross Counc			
		r erur & ramoss counc			
Planning authority's	application reference number	14/00823/FLL			
Site address					
9 Stormont Way,	Scone, Perth. PH2 6SP.				
<u> </u>					
Description of proposed development					
Alteration & Extension to Dwellinghouse.					

Date of application				
Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.				
4. Nature of Application				
Application for planning permission (including householder application)				
Application for planning permission in principle				
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)				
Application for approval of matters specified in conditions				
5. Reasons for seeking review				
Refusal of application by appointed officer	×			
Failure by appointed officer to determine the application within the period allowed for determination of the application				
Conditions imposed on consent by appointed officer				
6. 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.				
Further written submissions				
One or more hearing sessions Site inspection				
Assessment of review documents only, with no further procedure				
If you have marked either of the first 2 options, 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 necessary.				
7. Site inspection				
In the event that the Local Review Body decides to inspect the review site, in your opinion:				
Can the site be viewed entirely from public land? Is it possible for the site to be accessed safely, and without barriers to entry?				

inspection, please exp	why you think the Local Review Body would be unable to undertake an unaccompa plain here:	anied site
8. Statement		
you consider require to opportunity to add to y	I, why you are seeking a review on your application. Your statement must set out a to be taken into account in determining your review. Note: you may not have a fun your statement of review at a later date. It is therefore essential that you submit wecessary information and evidence that you rely on and wish the Local Review Bour review.	ther ith your
If the Local Review Bo have a period of 14 da body.	ody issues a notice requesting further information from any other person or body, ays in which to comment on any additional matter which has been raised by that p	you will person or
State here the reasons continued or provided	ns for your notice of review and all matters you wish to raise. If necessary, this can I in full in a separate document. You may also submit additional documentation wi	be th this form.
See Attached States		
your application was d If yes, please explain t	matters which were not before the appointed officer at the time determined? Yes ☐ No ☒ below a) why your are raising new material b) why it was not raised with the appon was determined and c) why you believe it should now be considered with your reconsidered with your reconsidered.	inted officer eview.

9. 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
Drawings As Existing. Sketch Drawings As Proposed. Statement. Photographs.
Report of Handling. Planning Refusal.
Flaming Refusal.
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.
10. Checklist
Please mark the appropriate boxes to confirm that 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 requesting 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 hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.
Signature: Allan Thomson Date: 26/8/14
Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

Application to the Local Review Body with regard to Planning Application

No. 14/00823/FLL

This appeal to the Local Review Body of Perth & Kinross council refers to the refusal of a application for full planning permission for alterations & extension to No. 9 Stormont Way, Scone, Perth.PH2 6SP. The application was submitted on the 12th May 2014 and subsequently refused on the 10th July 2014, the application reference number being 14/00823/FLL.

The application site occupies a corner plot at the junction of Stormont Way and Coppice Drive, Scone and has a plot area of approximately 410s.m. being roughly 26m deep x 15.5m wide. The existing single story three bedroom semi-detached house on the site has a gross footprint of 84.00s.m. being a plot ratio of just under 22.50%, in addition there is a single Garage of about 15s.m. to the east boundary of the plot which acts as a screen to the adjoining house in Coppice Drive.

The proposals are to construct an extension to the east [rear] of the existing property of 30.16s.m. in gross floor area which would contain a Kitchen and Family area together with a modest Utility Room. All the external finishes to the extension were to match the original building. The existing Kitchen would be converted in to an additional Shower room and storage for the house. In addition an external decking area was proposed to the north of the extension.

In the Planning Officer's report of handling dated 30th June 2104 she states that there are no concerns with regard to the design of the extension and that the overall scale and design of the proposals are in keeping with the existing dwelling and do not affect the character or appearance of the surrounding area. A concern was raised regarding the area of the raised decking in relation to the existing northern boundary and its overlooking of the adjoining property. In this instance my client's would be happy to omit the decking area and provide steps down to the existing grassed ground level from the patio doors.

The other major concern was the size of the private amenity space which would be left to the east of the property when the extension was built. The Planning Officer suggests that the only area of private amenity space would be an area of approximately 40s.m. would be provided to the north of the extension [formerly occupied by the decking area]. Although we agree that this is insufficient for a private amenity space we contend that the area of ground to the east and south of the extension of approximately 66.00s.m. should also be included in the area of private amenity space bring the total available to 106s.m. which is in excess of the normal minimum requirement. If necessary the existing hedgerow to the south boundary on Coppice Drive could be allowed to grow higher to provide additional screening if required.

It is important to note that there were no objections to the proposals by any of the applicant's neighbours.

The Planning Officer had suggested reducing the footprint of the extension to around 12.00s.m. however this area would not meet requirements of my client's and their growing

family. A wraparound extension to the south and east of the building was also discussed however this suggestion would almost certainly meet with an objection from the neighbour to the east by reducing his sight lines when exiting the drive of his property.

In conclusion we contend that the proposed extension meets with the current policies, in particular, Policy RD1 of the Local Development Plan 2014 [copy attached] for the following reasons and that the proposals should be approved by the Local Review Body:

- 1. The proposed decking area [Reason No.2 for refusal] will be omitted altogether from the proposals.
- 2. The remaining private amenity ground should be considered as all the remaining ground to the east of the original building which amounts to 106s.m. in area.
- 3. There were no concerns over the scale and design of the proposed extension.
- 4. There were no objections from any of the adjoining proprietors.
- 5. Any alternatives proposed by the Planning official will not meet the aspirations of the applicants and would almost certainly meet with objections from the neighbours.

3.5 Residential Development

- 3.5.1 At the core of the Scottish Government's explanation of the purpose of the planning system is the need to protect and enhance the built environment where people live, work and spend their leisure time. In Perth and Kinross the majority of people live in clearly defined residential areas either in the city, towns or surrounding villages. The protection and enhancement of these areas is an important objective and one of the broad principles outlined in SPP.
- 3.5.2 The majority of the population either live in Perth, smaller towns or defined villages. However, some households need to live or would like to live in more dispersed settlements or individual houses throughout the rural area. SPP indicates that rural housing has a role in the overall housing land supply in supporting prosperous and sustainable communities. However, there is also need to protect and enhance environmental and landscape quality by ensuring that inappropriate development does not compromise what makes Perth and Kinross such an attractive place to live, work and visit.
- 3.5.3 SPP also allows the Local Development Plan to set out the requirements for the provision of affordable housing where there is a shortage as is the case in Perth and Kinross and this approach is endorsed by TAYplan. SPP also indicates that development plans should address the residential needs of other specialist groups, such as gypsy travellers and the elderly, and there are significant communities of both these groups in Perth and Kinross.
- 3.5.4 The following section sets out the policy framework for these issues in line with Scottish Planning Policy and TAYplan.

Policy RD1: Residential Areas

The Plan identifies areas of residential and compatible uses where existing residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes away from ancillary uses such as employment land, local shops and community facilities will be resisted unless there is demonstrable market evidence that the existing use is no longer viable.

Generally encouragement will be given to proposals which fall into one or more of the following categories of development and which are compatible with the amenity and character of the area:

- (a) Infill residential development at a density which represents the most efficient use of the site while respecting its environs.
- (b) Improvements to shopping facilities where it can be shown that they would serve local needs of the area.
- (c) Proposals which will improve the character and environment of the area or village.
- (d) Business, home working, tourism or leisure activities.
- (e) Proposals for improvements to community and educational facilities.

Policy RD2: Pubs and Clubs - Residential Areas

Pubs, clubs and other leisure uses which support the evening economy are best located in town centres except where they serve a local market. There will be a general presumption against the siting of these below existing residential property, and there will be a presumption against the siting of these in the midst of other (particularly residential) uses where problems of noise or disturbance cannot be satisfactorily addressed.

PERTH AND KINROSS COUNCIL

Mr And Mrs R Cassani c/o Allan Thomson 102 Tweedsmuir Road Perth PH1 2HG Pullar House 35 Kinnoull Street PERTH PH1 5GD

Date 10th July 2014

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: 14/00823/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 12th May 2014 for permission for Alterations and extension to dwellinghouse 9 Stormont Way Scone Perth PH2 6SP for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

- 1. The proposals as submitted would result in a cramped and over-intensive development of the site and result in the loss of private amenity space, to the extent that the space around the dwellinghouse would be inadequate to serve the purposes of the extended unit, to the detriment of the amenity of the house and surrounding area. Approval of the application would therefore be contrary to Policy RD1 of the Local Development Plan 2014.
- 2. The decking by way of its elevated position and close proximity to the neighbouring property at No 7 Stormont Way would cause a significant and unacceptable amount of overlooking, to the detriment of the privacy and residential amenity of that neighbouring property. Approval would therefore be contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014, which seeks to retain and where possible improve existing residential amenity.

Justification

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

Notes

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

14/00823/1

14/00823/2

REPORT OF HANDLING

DELEGATED REPORT

Ref No	14/00823/FLL	
Ward No	N2- Strathmore	
Due Determination Date	11.07.2014	
Case Officer	Gillian Peebles	
Report Issued by		Date
Countersigned by		Date

PROPOSAL:

Alterations and extension to dwellinghouse

LOCATION:

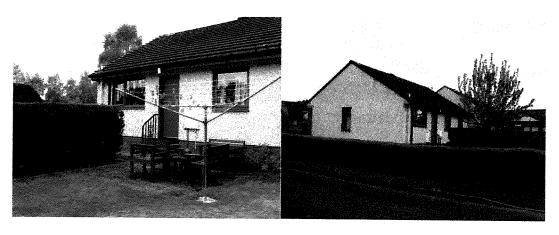
9 Stormont Way Scone Perth PH2 6SP

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: 22 May 2014

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The site refers to a modest, single storey dwellinghouse located in Stormont Way, Scone. The dwellinghouse occupies a prominent corner position within an established residential estate and as such features a small rear private amenity space which is partially occupied by a garage and hardstanding.

Planning consent is hereby sought to extend the dwellinghouse to the rear (east) and erect decking.

SITE HISTORY

None Recent

PRE-APPLICATION CONSULTATION

No pre application enquiry has been received in relation to this proposal.

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, and a series of Circulars.

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy RD1 - Residential Areas

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

Policy PM1A - Placemaking

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

OTHER POLICIES

None.

CONSULTATION RESPONSES

None Required.

REPRESENTATIONS

None at time of report

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 2012 and the adopted Perth and Kinross Local Development Plan 2014.

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

Policy Appraisal

The site is located within the settlement boundary of Scone where Policies RD1: Residential Areas and PM1A: Placemaking are directly applicable. Policy RD1 states that residential amenity will be protected and, where possible, improved. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area. Policy PM1A of the Local Development Plan seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

The proposal is not considered to comply with these policies for the reasons below.

Design and Layout

The proposed extension will provide a kitchen, utility and family area allowing the existing kitchen to be used as a shower room and store. The extension measures $5.8m \times 5.2m$ to a height of 5m and will be finished in materials to match the existing dwellinghouse. The family area will have patio doors which will open out onto a proposed decked area which is raised approximately 0.6m from ground level.

I consider the design of the extension works well with the existing dwelling. The design of the extension is in keeping with existing and the proposed materials respect the character of the dwelling. Overall, the scale and design of the extension is in keeping with the existing dwelling and does not affect the character of the surrounding area.

Turning now to the proposed decking. The raised deck will be 'L' shaped and cover an area of 19 square metres and will be located hard against the communal boundary with No 7 Stormont Way. Whilst I have no concerns with the design of the proposed deck, due to its elevated position will impact on the residential amenity of the neighbouring property.

Residential Amenity

The decking, by reason of its elevation position will significantly reduce the residential amenity of the neighbouring property and result in loss of privacy to that property. Although there is a 1.8m high boundary fence in situ, due to the elevated position of the decking, approval would allow direct and uninterrupted lines of sight across the neighbouring garden from an elevated vantage point. The proposal is therefore, contrary to the aims of the Local Development Plan, in particular Policy RD1 which seeks to retain and where possible improve existing residential amenity.

The proposed extension will also have glazed doors located a distance of 5m from the northern boundary. Whilst this breaches the Council's minimum 9m window to boundary distance, due to the boundary treatments in place, I do not consider the proposal will create an unacceptable level of overlooking.

Private Amenity Space

The application site is set within a plot size measuring approximately 410 square metres and other than the dwellinghouse itself contains a single detached garage measuring 15 square metres. The dwelling has a footprint of 84 square metres and including the garage results in a build to plot ratio of 24 per cent.

The proposed rear extension which measures 30 square metres would result in a build to plot ratio of 31 square metres and although the plot is of adequate size to absorb this size of extension, due to the corner plot location, would not leave an adequate level of private amenity space. The boundary treatments along the western and southern boundaries comprise of a hedge to a height of approximately 1.2 metres which does not provide adequate screening to the rear garden.

The extent in which private amenity space is used relates specifically to the dwellings occupants. It is therefore particularly difficult to forecast the extent of garden ground required and ultimately overtime this will change with any new inhabitant. Notwithstanding this it is important to seek an outside area that can perform the minimum to be expected of a garden i.e. clothes drying, dustbin storage and sitting out. Having had the opportunity to inspect the site I do not consider that a functional private rear amenity space will be maintained after development to serve the needs of an extended 3 bed dwellinghouse. Generally, we look for a rear private amenity space of 100 square metres although in some situations this is not achievable depending on site characteristics and surrounding plot densities. In this particular case as the property is on a corner plot the current rear garden is considerably less than 100 square metres, however, by erecting an extension in the manner indicated will result in a much smaller private amenity space of less than 50 square metres.

I discussed my concerns with both the applicant and the agent and requested the footprint be reduced in size to a maximum of 12 square metres, however, the applicant's desire is to have a much larger extension. In order for the applicant to achieve the required additional floorspace I suggested a wraparound extension on the east/south elevations to provide a larger private amenity space, however, the applicant's preference would be to have the extension located to the rear. Notwithstanding my concerns and potential alternative solutions the applicant wishes to pursue the current application in its current form. I consider that in this instance the proposal does not meet the minimum level of private amenity space and as such would result in a cramped and over-intensive development of the site.

A smaller, more appropriately designed extension could be accommodated within the site. This would, however, require the current plans to be re-worked as opposed to a straightforward revision.

Visual Amenity

The design of the extension is acceptable and will have no adverse impact on the visual amenity of the area.

Landscape

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

Roads and Access

I do not have any concerns with roads or access matters.

Drainage and Flooding

The site is not within an area at risk of flooding. There are no concerns with drainage as part of this proposal.

Developer Contributions

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

Economic Impact

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

Application Processing Time

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

Conclusion

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

- 1. The proposals as submitted would result in a cramped and over-intensive development of the site and result in the loss of private amenity space, to the extent that the space around the dwellinghouse would be inadequate to serve the purposes of the extended unit, to the detriment of the amenity of the house and surrounding area. Approval of the application would therefore be contrary to Policy RD1 of the Local Development Plan 2014.
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Justification

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

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

14/00823/1 14/00823/2

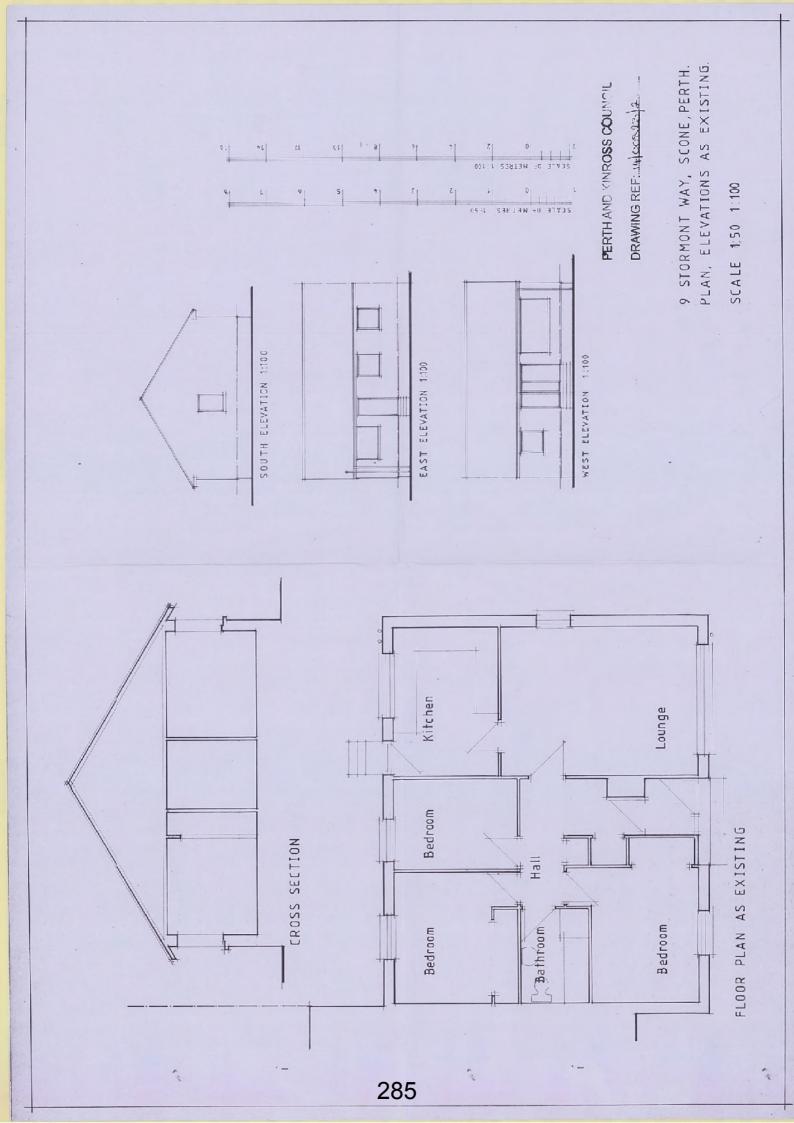
Date of Report 30.06.2014

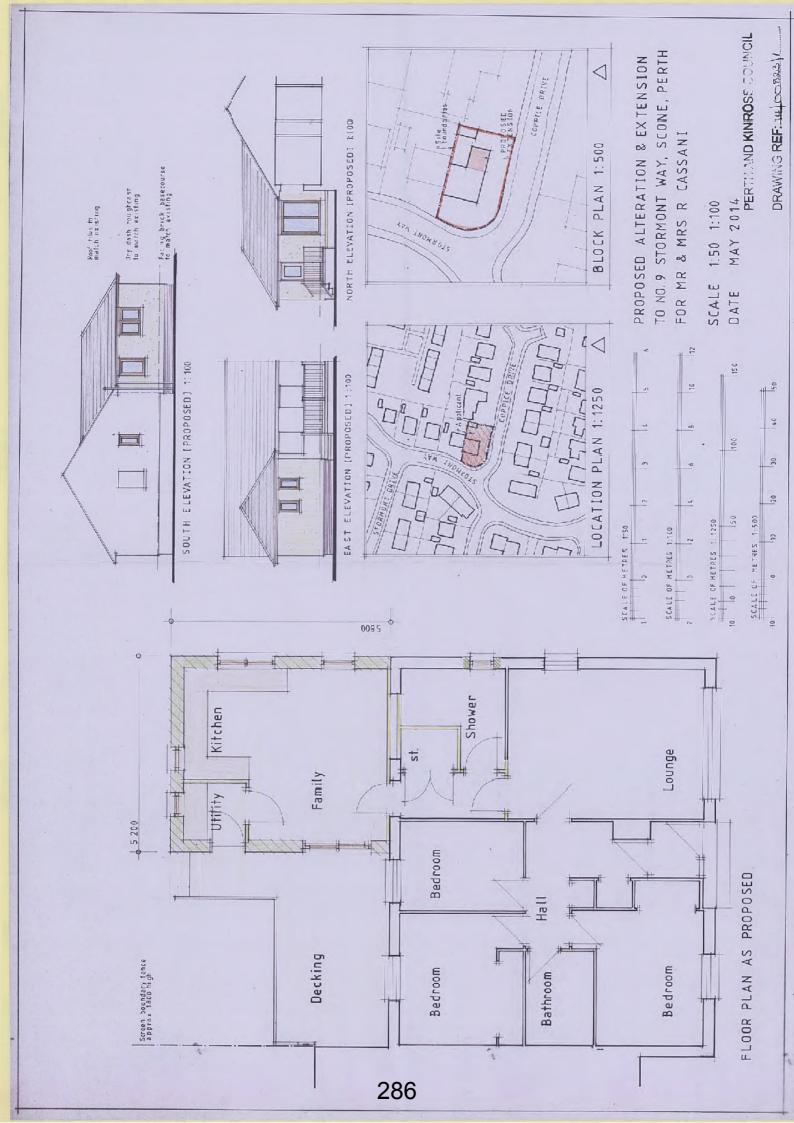














TCP/11/16(318)

Planning Application 14/00823/FLL – Alterations and extension to dwellinghouse, 9 Stormont Way, Scone, PH2 6SP

PLANNING DECISION NOTICE (included in applicant's submission, see pages 271-272)

REPORT OF HANDLING (included in applicant's submission, see pages 273-279)

REFERENCE DOCUMENT (included in applicant's submission, see pages 285-286)