

TCP/11/16(522) – 17/01923/FLL – Alterations, extension and formation of a dormer at 16 Smith Street, Kinross, KY13 8DD

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TCP/11/16(522) – 17/01923/FLL – Alterations, extension and formation of a dormer at 16 Smith Street, Kinross, KY13 8DD

**PAPERS SUBMITTED
BY THE
APPLICANT**

CHIEF EXECUTIVE
DEMOCRATIC SERVICES
Notice of Review
28 FEB 2018
RECEIVED

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 2008

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) | Agent (if any) |
| Name <input type="text" value="MR & MRS P. BOYCE"/> | Name <input type="text" value="MCNEIL PARTNERSHIP"/> |
| Address <input type="text" value="16, SMITH STREET KINROSS"/> | Address <input type="text" value="28, VICTORIA AVENUE MILNATHORT KINROSS-SHIRE"/> |
| Postcode <input type="text" value="KY13 8DD"/> | Postcode <input type="text" value="KY13 9YE"/> |
| Contact Telephone 1 <input type="text" value=""/> | Contact Telephone 1 <input type="text" value="01577-863000"/> |
| Contact Telephone 2 <input type="text" value=""/> | Contact Telephone 2 <input type="text" value=""/> |
| Fax No <input type="text" value=""/> | Fax No <input type="text" value=""/> |
| E-mail* <input type="text" value=""/> | E-mail* <input type="text" value="mcneilpartnership2@yahoo.com"/> |
| | Mark this box to confirm all contact should be through this representative: <input checked="" type="checkbox"/> |
| | Yes No |
| * Do you agree to correspondence regarding your review being sent by e-mail? | <input checked="" type="checkbox"/> <input type="checkbox"/> |

| | | | |
|---|---|---------------------------|--|
| Planning authority | <input type="text" value="PERTH & KINROSS COUNCIL"/> | | |
| Planning authority's application reference number | <input type="text" value="17/01923/FLL"/> | | |
| Site address | <input type="text" value="16, SMITH STREET, KINROSS, KY13 8DD"/> | | |
| Description of proposed development | <input type="text" value="ALTERATIONS AND EXTENSIONS TO DWELLINGHOUSE."/> | | |
| Date of application | <input type="text" value="1ST NOVEMBER 2017"/> | Date of decision (if any) | <input type="text" value="7TH DECEMBER 2017"/> |

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)
- 2. Application for planning permission in principle
- 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)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

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
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

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:

N/A.

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 type="checkbox"/> | <input checked="" 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:

THERE ARE ACCESS GATES TO THE COMMUNAL PATH BETWEEN 16 AND 18 SMITH STREET AND FROM THE COMMUNAL PATH TO THE REAR OF 16 SMITH STREET. ACCESS MAY ALSO BE REQUIRED TO THE INTERIOR OF 16 SMITH STREET TO ASCERTAIN THAT THE PROPERTY IS IN NEED OF UPGRADING DOWN ITS CURRENT SUB-STANDARD CONDITION.

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.

WE TOTALLY DISAGREE WITH THE CASE OFFICERS CLAIMS THAT THE PROPOSALS ARE OF EXCESSIVE PROPORTIONS AND BULK, AND ARE DETRIMENTAL TO THE SURROUNDING AREA AND IN PARTICULAR THE KINGS CONSERVATION AREA. THERE ARE A FEW PRECEDENTS ALREADY SET WHICH MAKE OUR PROPOSALS SEEM QUITE MODEST. THE BOARD'S ATTENTION IS DRAWN IN PARTICULAR TO THE REST OF NO 12 SMITH STREET WHICH HAS VERY SUBSTANTIAL GROUND AND UPPER FLOOR EXTENSIONS NOT PARTICULARLY WELL DESIGNED. WE WOULD SUGGEST THAT THE INTEGRITY OF THE CONSERVATION AREA HAS ALREADY BEEN COMPROMISED BY SOME OF THE EXISTING DEVELOPMENTS INCLUDING THE PRESENCE OF AN INDUSTRIAL COMPLEX IN THE FORM OF SMITH STREET MOTORS WORKSHOP. THE SIZE OF THE OVERALL PROPOSALS IS INFERIOR TO THE EXISTING STRUCTURE.

THE PROPOSALS ARE NOT INTENDED TO BE DEVELOPMENT FOR ULTIMATE FINANCIAL GAIN, RATHER THEY WILL BEING UP TO STANDARD AN OTHERWISE SUB-STANDARD DWELLING WHICH WILL PREVENT THE CURRENT UNACCEPTABLE HEAT LOSS THROUGH SUB-STANDARD EXTERNAL WALLS AND PREVENT THE PASSAGE OF FIRE BETWEEN NOS 14 AND 16 SMITH STREET WHERE THERE IS AN INADEQUATE FIRE WALL. THERE IS ALSO A NEED TO PROVIDE AT LEAST THE BASIC FACILITIES FOR DISABLED OCCUPANTS. WE WOULD LIKE TO POINT OUT THAT ONE OF THE APPLICANTS SUFFERS FROM MULTIPLE SCLEROSIS AND REQUIRES FACILITIES THAT WILL ACCOMMODATE TREATMENT AREAS, UPPER FLOOR SANITARY FACILITIES, WHEEL CHAIR ACCESS AND FUTURE STAIR LIFT FACILITIES. THE PROPOSALS HAVE BEEN DESIGNED TO ADDRESS THESE BASIC REQUIREMENTS ONLY.

REGARDING THE REFERENCE TO INAPPROPRIATE MATERIALS WE WOULD BE HAPPY TO SUBSTITUTE LEAD GRAIN P.V.C. CLADDING WITH TRADITIONAL WOOD CLADDING OR ROSEMARY TREES HOWEVER WE WOULD POINT OUT THE MOST OF THE PROPERTIES IN SMITH STREET HAVE P.V.C. WINDOWS AND DOORS TO FRONT AND REAR. OUR PROPOSALS WERE TO MINIMISE THE NEED FOR MAINTENANCE AND TO PROVIDE A LONG LASTING CLEAN APPEARANCE.

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.

N/A

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.

DRAWINGS & MAPS:

| | | |
|-------------------------|-------------------------------|-------------------------|
| DRAWING N° MP522-001 | ELEVATIONS EXIST AND PROPOSED | PKC PLAN REF 17/01923/1 |
| DRAWING N° MP 522-002 | ELEVATIONS AND ROOF PLANS | PKC PLAN REF 17/01923/2 |
| DRAWING N° MP 522-003 | UPPER AND LOWER FLOOR PLANS | PKC PLAN REF 17/01923/3 |
| DRAWING N° MP 522-004 | SITE PLANS | PKC PLAN REF 17/01923/4 |
| ORDNANCE SURVEY EXTRACT | | PKC PLAN REF 17/01923/5 |

PHOTOGRAPHS:

PICTURE REF. IM 001281 REAR VIEW OF 16 SMITH ST, KINROSS (APPLICANT SITE)
 PICTURE REF. IM 001296 REAR VIEW OF 14 AND 16 SMITH STREET, KINROSS
 PICTURE REF. IM 001301 REAR VIEW OF 18 SMITH ST, KINROSS.
 PICTURE REF. IM 001309 VIEW OF SMITH STREET MOTOR WORKSHOP, 6 SMITH STREET, KINROSS
 PICTURE REF. IM 001310 REAR VIEW OF 12 SMITH STREET, KINROSS

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



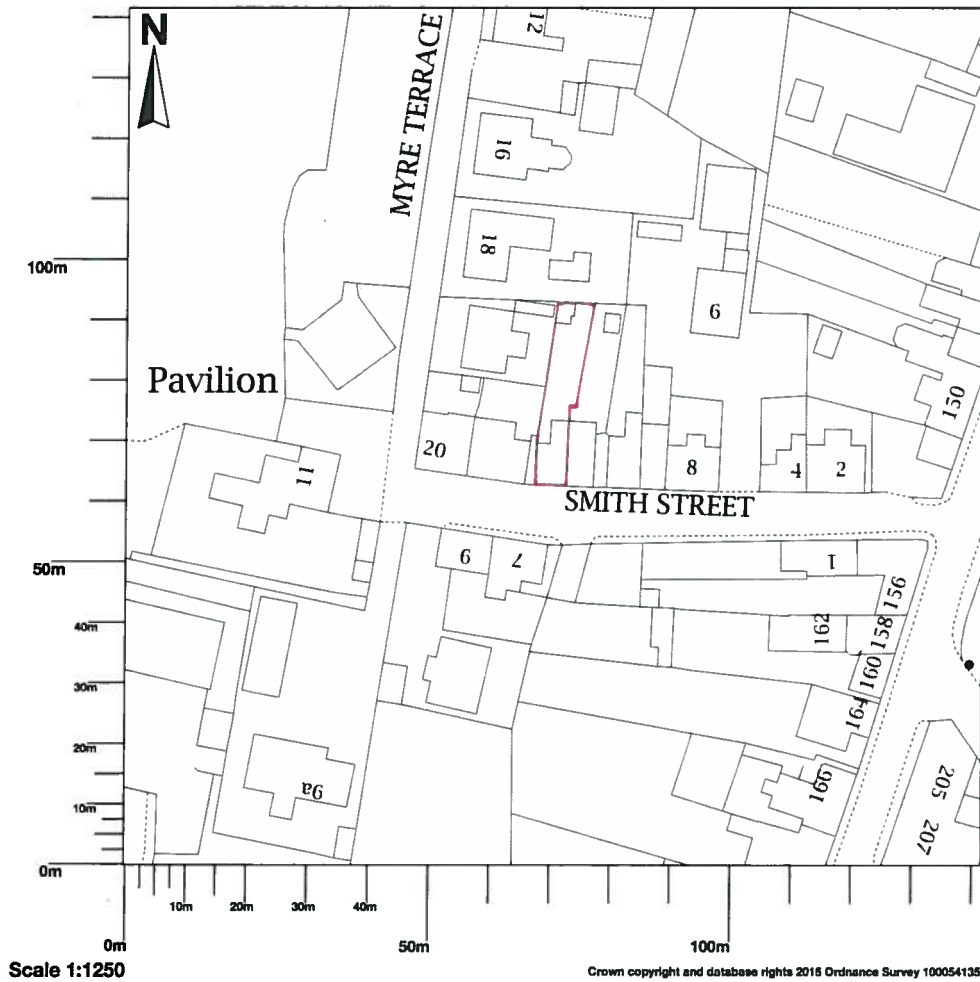
Date

26TH FEBRUARY 2018



PKC PLAN REF 17/01923/5

16 Smith Street, Kinross, KY13 8DD



Map shows area bounded by: 311744.28,701830.3,311885.72,701971.7 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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McNeil Partnership
 Technical Services Division
 28 Victoria Avenue, Milmathort, Kinross
 KY13 9YE
 Tel: 015177-863000

Project:
ALTERATIONS AND EXTENSIONS TO DWELLING HOUSE B

For:
**MR SIMON P. BOYCE
 16, SMITH STREET
 KINROSS
 KY13 8DD**

Tel: 07533-281-1723 (Mr Boyce)
 07533-281-4124 (Mr Boyce)

e-mail: simon@mcneil.co.uk
 Drawing No.: **MS522-001**

Scales: As shown

Drawn By: **E. J. McNeill**

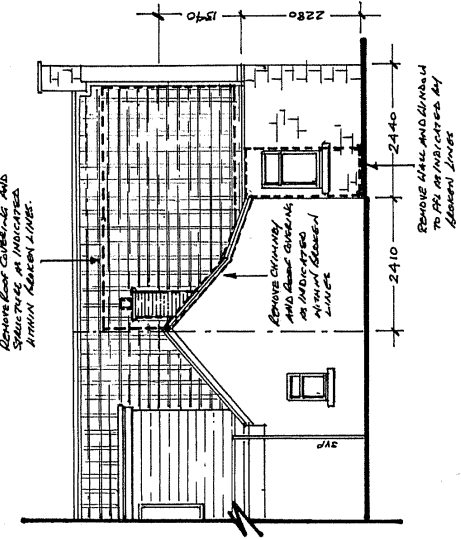
Notes:

- NEW G/P DOWN ROOF COVERING TO BE RECYCLED SLATES.
- NEW UPPER FLOOR STRUCTURE TO BE SHEDDED CHANGING FROM TRUSSED TO SUBSTITUTIONAL MEMBRANE.
- NEW G/P DOWN EXTENSION ABOVE NEW MEMBRANE SHALL BE AS SHOWN DIMENSIONS SET OUT IN MATCH.
- NEW UPPER FLOOR SHALL BE 6' LIGHT ONE HOUR GRADE P.V. ON TOP PARCELS TO MATCH.
- NEW LIMEWASH AND SADDLE TO BE LIGHT ONE HOUR GRADE P.V. ON TOP PARCELS TO MATCH WITH NEW MEMBRANE.
- SEWER DOUBLE GLAZED UNITS.
- REINFORCE PIPES AND CONTAINERS AS PER PLAN BYCE SPECIAL P.V. ON TOP MATCH.

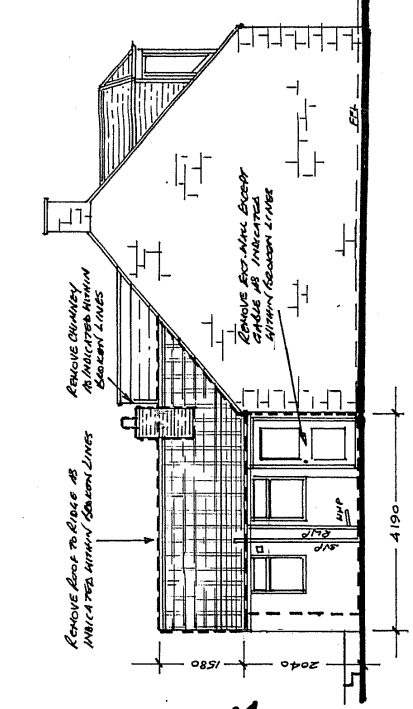
We certify that this is a true & accurate plan of the works referred to in this application for Warrant/ Planning consent

Signed: _____ Date: _____

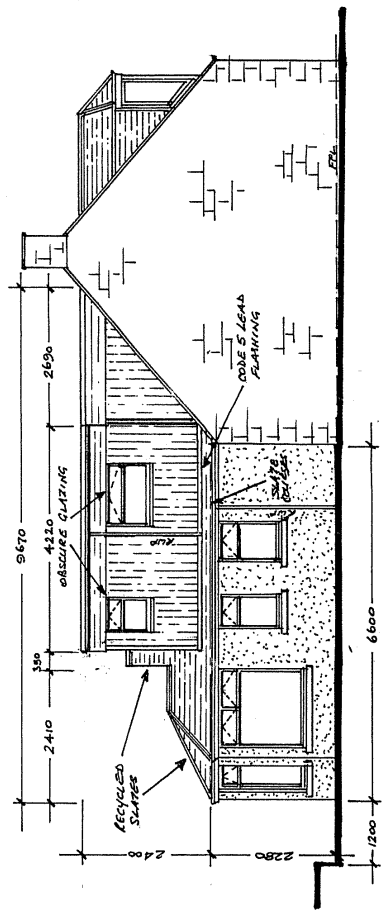
EXISTING NORTH ELEVATION 1:100



EXISTING WEST ELEVATION 1:100

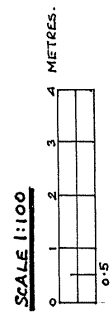
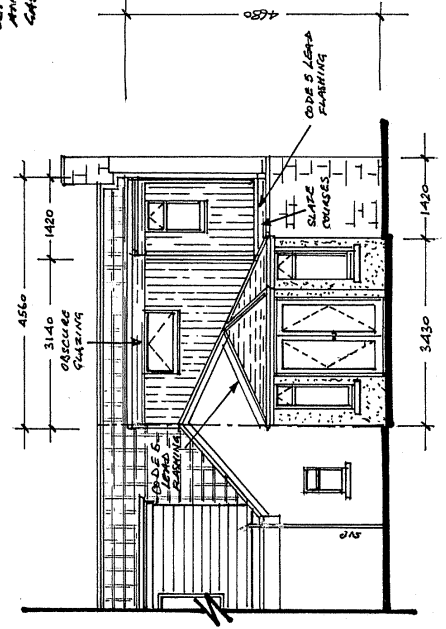


PROPOSED WEST ELEVATION 1:100



* NEW UPPER FLOOR DOUBLES TO BE SET BACK 350... INTO ROOF PLANE AND 350... IN FROM LINE OF GABLE WALLS.

PROPOSED NORTH ELEVATION 1:100



McNeil Partnership
 Technical Services Division
 28 Victoria Avenue, Milnthort, Kinross
 KY13 9YE
 tel : 01577-863000

Project:
 ALTERATIONS AND EXTENSIONS TO DWELLING
 085-8

For:
 MR SIMON P. BOYCE
 16, SAITH STREET
 KINROSS
 KY13 8DD

Tel:
 0753 - 281 - 1723 (MR Boyce)
 0753 - 281 - 4124 (MR Boyce)

e-mail: Ray.brown@pcisland.com

Scales: As shown Drawing No.: MS22 - 002

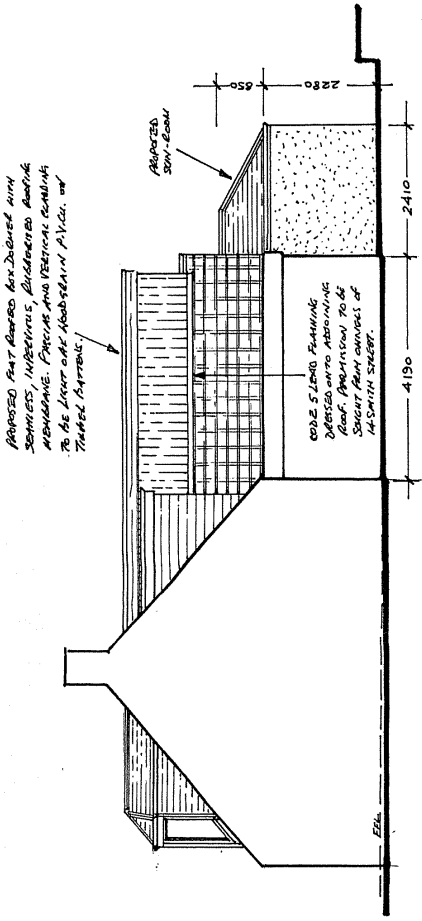
Drawn By: E. J. McNEIL.

Notes:

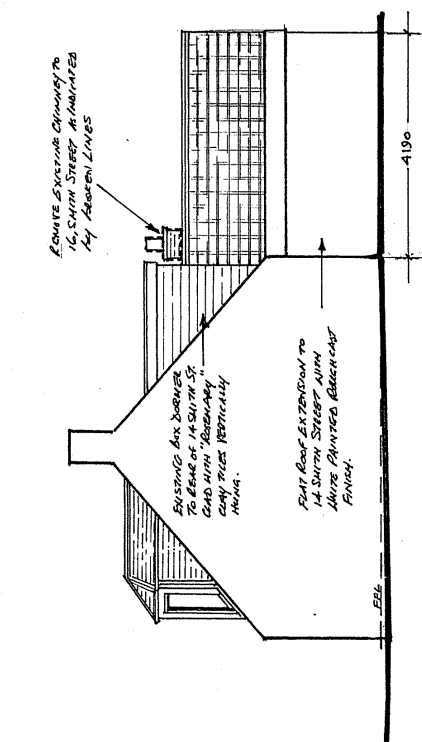
We certify that this is a true & accurate plan of the works referred to in this application for Warrant/ Planning consent

Signed: _____ Date: _____

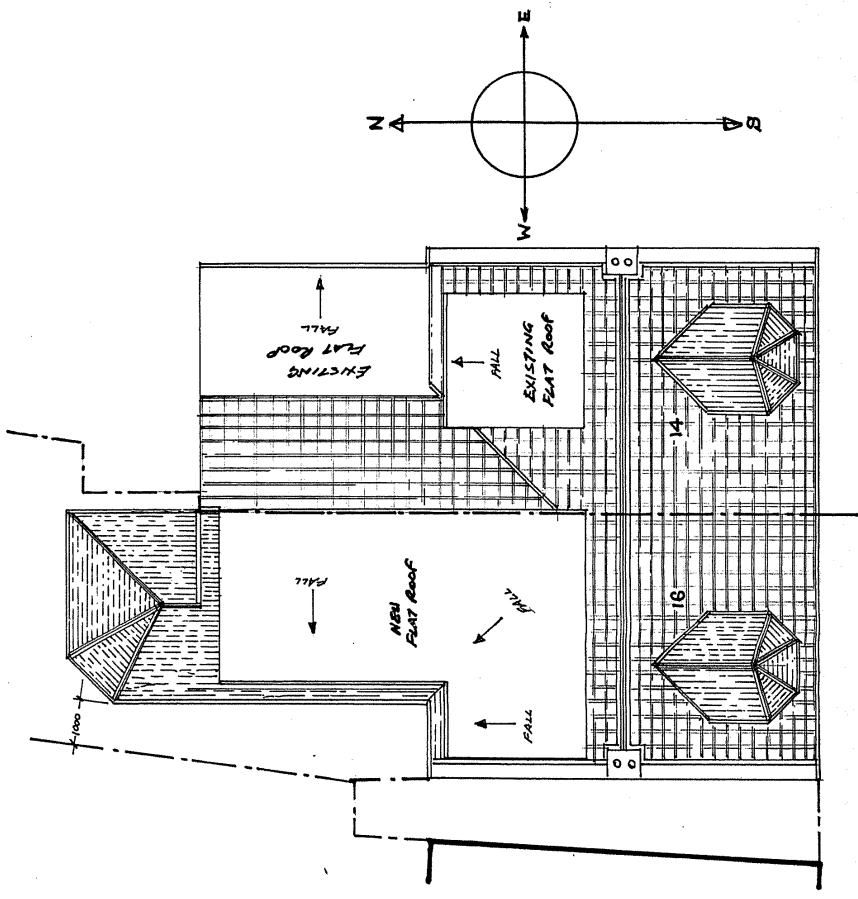
PROPOSED EAST ELEVATION 1:100



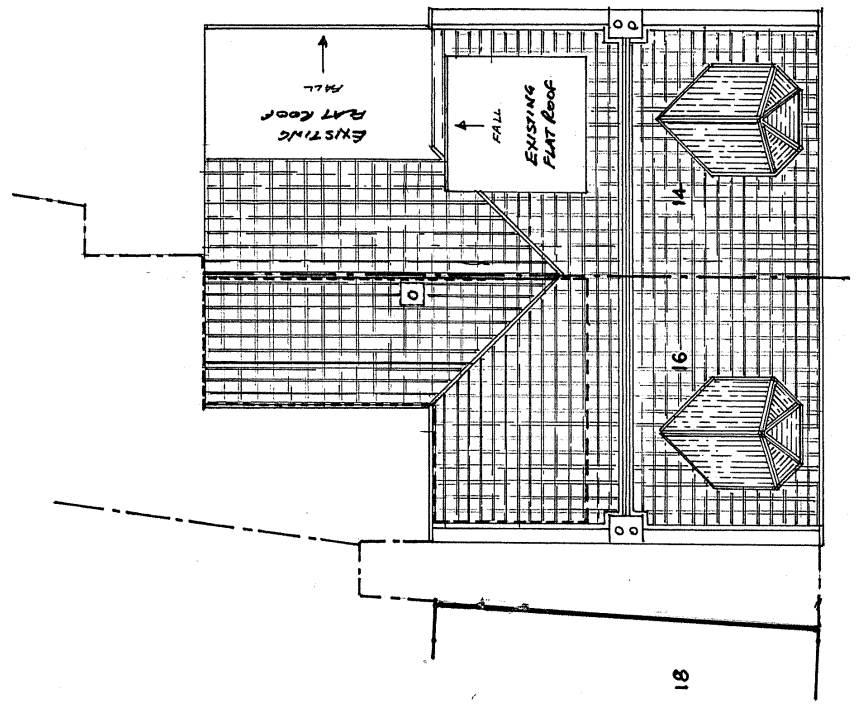
EXISTING EAST ELEVATION 1:100



PROPOSED ROOF PLAN 1:100



EXISTING ROOF PLAN 1:100



PAC PLAN REF. 17/01923/3

McNeil Partnership
 Technical Services Division
 28 Victoria Avenue, Milnthorpe, Kinross
 KY13 9YE
 tel : 01577-863000

Project:
ALTERATIONS AND EXTENSIONS TO DWELLING
HEAD

For:
 MR & MRS P. BOYCE
 16, SMITH STREET
 KINROSS
 KY13 8DD

Tel: 0753 - 281 - 1723 (Mr Boyce)
 0753 - 281 - 4124 (Mr Boyce)

e-mail: fastdrawn@btinternet.com
 Scales: As shown Drawing No. - MPS22-003

Drawn By: E. J. McNeil

Notes:-

We certify that this is a true & accurate plan of the works referred to in this application for Warrant/ Planning consent

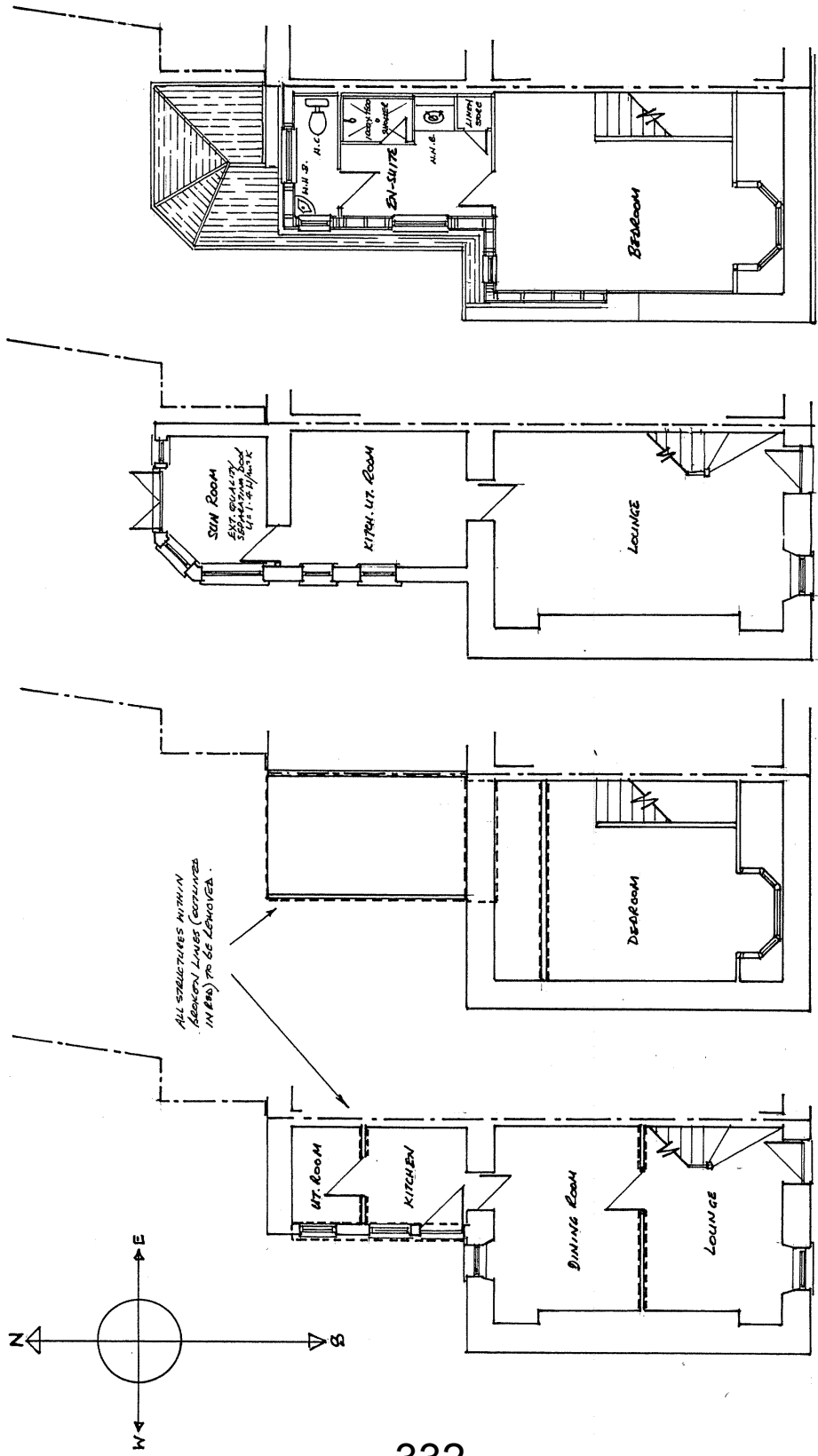
Signed:- Date:-

PROPOSED UPPER FLOOR PLAN 1:100

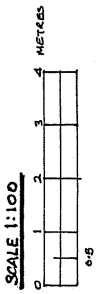
PROPOSED GROUND FLOOR PLAN 1:100

EXISTING UPPER FLOOR PLAN 1:100

EXISTING GROUND FLOOR PLAN 1:100



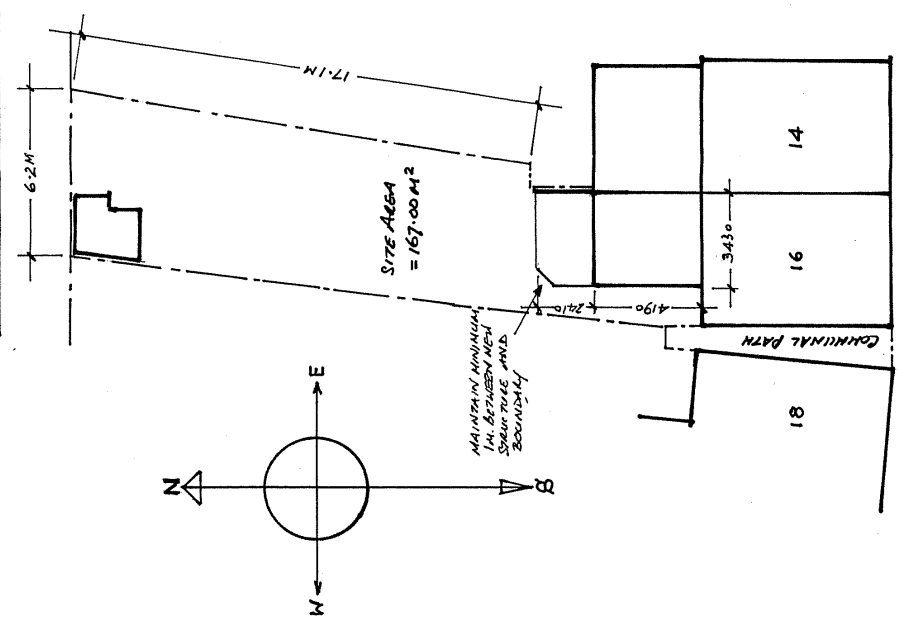
ALL STRUCTURES WITHIN
 DASHED LINES (CONTAINED
 IN RED) TO BE DEMOLISHED.



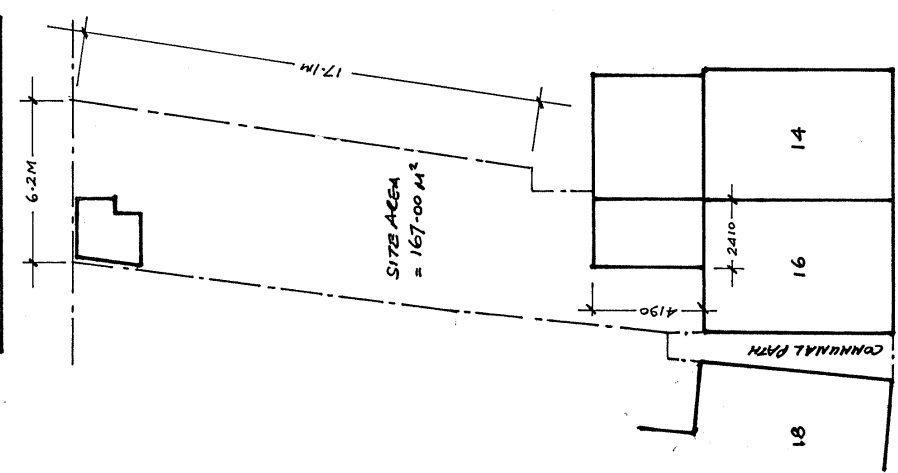
PXC PLAN REF. 17/01923/A

| | |
|--|---|
| <p>McNeil Partnership Technical Services Division 28 Victoria Avenue, Milnthorpe, Kinross KY13 9YE tel: 01577-863000</p> | <p>Project:- ALTERATIONS AND EXTENSIONS TO DWELLING 45/13B</p> |
| <p>For:- MR. ELLIOT P. BOYCE 16, SMITH STREET KINROSS KY13 8DD</p> | <p>Tel:- 0753 - 281 - 1723 (MR BOYCE) 0753 - 281 - 4124 (MR BOYCE)</p> |
| <p>e-mail: ellipt@pcc.ie Scales:- As shown</p> | <p>Drawing No.:- MP522-004</p> |
| <p>Drawn By:- E. J. McNEIL</p> | <p>Notes:-</p> |
| <p>We certify that this is a true & accurate plan of the works referred to in this application for Warrant/ Planning consent</p> | |
| <p>Signed:-</p> | <p>Date:-</p> |

PROPOSED SITE PLAN 1:200



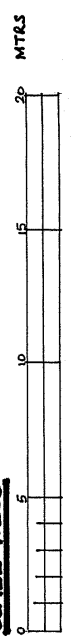
EXISTING SITE PLAN 1:200



SMITH STREET

SMITH STREET

SCALE 1:200



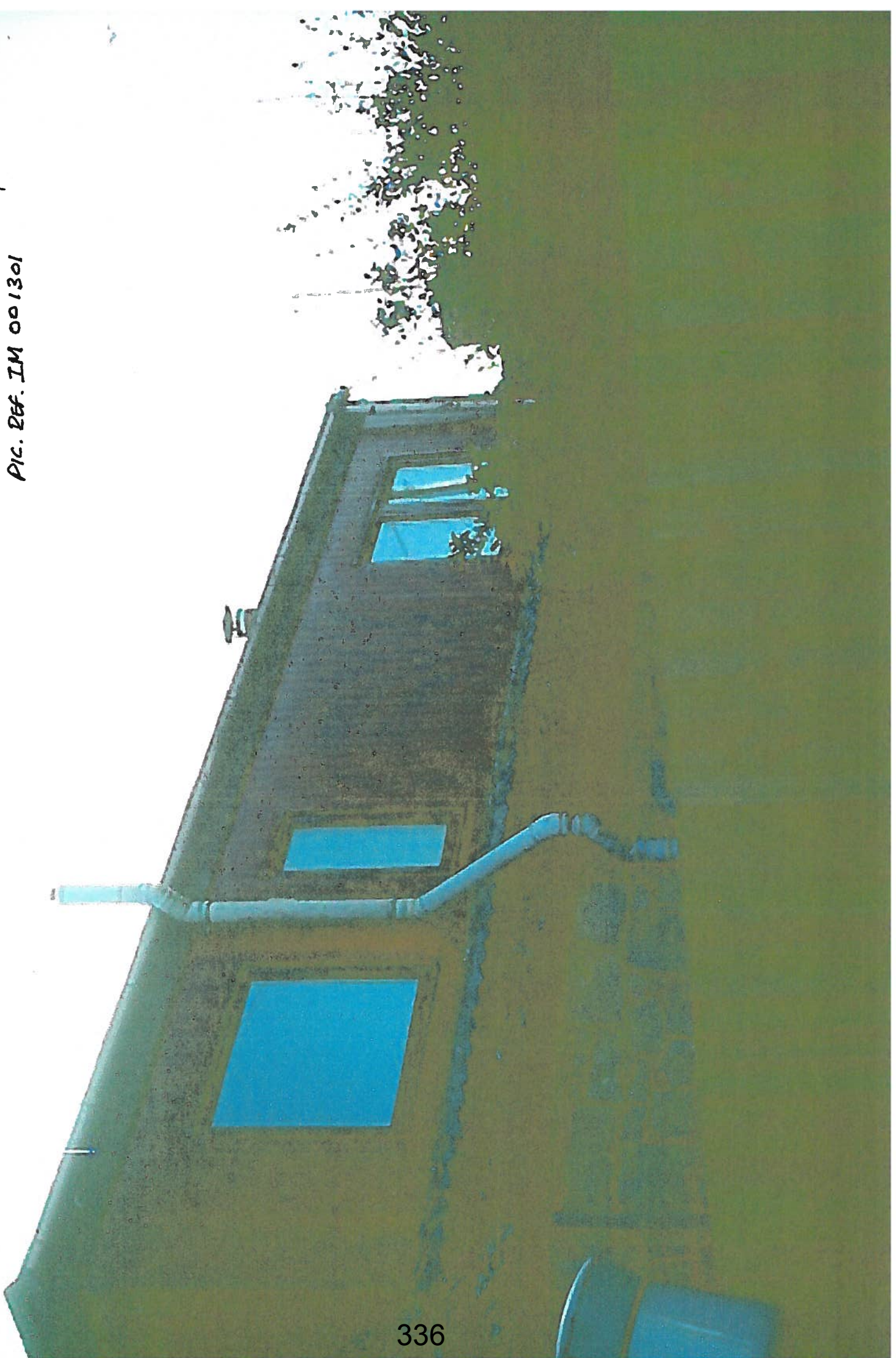
REAR VIEW OF 16, SOUTH STREET, KINGSBEE
PIC. REF. IM 001281



REAR VIEW OF 14, SMITH STREET, KIMBOSS
PIC. REF. IM 001296



REAR OF 18, SMITH STREET, KINGS
PIC. REF. IM 001301



SMITH STREET MOTORS, 6, SMITH STREET, KINROSS
PIC. REF. IM 001309



REAR OF 12, SMITH STREET, KINROSS
PIC. REF. IM 001310



TCP/11/16(522) – 17/01923/FLL – Alterations, extension and formation of a dormer at 16 Smith Street, Kinross, KY13 8DD

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 329-333)*

PERTH AND KINROSS COUNCIL

Mr And Mrs P Boyce
c/o McNeil Partnership
28 Victoria Avenue
Milnathort
Kinross-shire
KY13 9YE

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 7th December 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/01923/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 1st November 2017 for permission for **Alterations, extension and formation of a dormer 16 Smith Street Kinross KY13 8DD** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

1. The dormer extension, by virtue of its excessive proportions, inappropriate bulk, massing, design and composition, would compromise the character and architectural integrity of the cottage, resulting in an adverse impact on the visual amenity of the area. Approval would therefore be contrary to Policies RD1, PM1A and PM1B(c) of the Perth & Kinross Local Development Plan 2014, which seek to ensure that development contributes positively to the character and appearance of the area by complementing its surroundings in terms of design, appearance, scale and massing.

2. The dormer extension, by virtue of its excessive proportions, inappropriate materials, bulk, massing, design and composition, would be harmful to the character and appearance of the Kinross Conservation Area. Approval would therefore be contrary to Scottish Planning Policy 2014 and Policy HE3A of the Perth & Kinross Local Development Plan 2014, which seek to ensure that development proposals preserve and enhance the character and appearance of Conservation Areas.

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

- 1 Any future submissions should ensure that all drawings are presented accurately and consistently.

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

Plan Reference

17/01923/1

17/01923/2

17/01923/3

17/01923/4

17/01923/5

REPORT OF HANDLING

DELEGATED REPORT

| | | |
|------------------------|-------------------|------|
| Ref No | 17/01923/FLL | |
| Ward No | P8- Kinross-shire | |
| Due Determination Date | 31.12.2017 | |
| Case Officer | Keith Stirton | |
| Report Issued by | | Date |
| Countersigned by | | Date |

PROPOSAL: Alterations, extension and formation of a dormer

LOCATION: 16 Smith Street Kinross KY13 8DD

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: 8 November 2017

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is 16 Smith Street, which is a modestly proportioned semi-detached cottage within the Kinross Conservation Area. This application seeks detailed planning permission to alter and extend the rear (North) elevation of the house. The proposal includes a ground floor extension to form

a sun room and a roof space extension to extend the bedroom and to form an en-suite.

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.

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”.

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 outwith 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 adaptation.

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.

OTHER GUIDANCE

Perth & Kinross Council's Draft Placemaking Guide 2017 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..."

The towns and villages of Perth & Kinross offer us a wealth of visual stimulus, with a huge range of architectural styles, building uses and landscapes.

Materials

Local buildings were traditionally built in materials sourced within the area and have often contributed to the unique character of a settlement. New development should reflect this and source high quality, sustainable materials from local sources whenever possible. Use of timber can provide a high quality, natural finish if sensitively designed. Whilst local materials might not always be feasible, the use of stone detailing, individual walls or boundary treatments can assist in the overall sense of local character.

Colour

Choice of colour can have a clear visual impact on the surrounding area... Colour can also define specific parts of a building.

Good detailing will not only improve the appearance of the house but will make it more durable and weatherproof. 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.

Modern housing can sometimes lack the balance between plan depths to roof mass, resulting in visually dominant roofs. Roof massing in the context of the building envelope should create a proportionate balance, reflecting or interpreting the traditional form”.

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 is being consulted upon and comments were invited between 13th July 2017 and 31st August 2017.

INTERNAL COMMENTS

Local Flood Prevention Authority

No objections – informative note recommended on any approval.

REPRESENTATIONS

The following points were raised in the 1 representation received:

- The proportions of the roof extension are large and dominant
- Loss of sunlight
- Drawing discrepancy
- Inappropriate external cladding is out of keeping with the area
- Adverse impact on residential amenity

- Incongruous design, which would not preserve and enhance the character and appearance of the Conservation Area.

ADDITIONAL INFORMATION 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

In general terms, developments which are ancillary to an existing domestic dwellinghouse are considered to be acceptable in principle. Nevertheless, detailed consideration must be given to the scale, form, massing, design, position, proportions and external finishing materials of the proposed development within the context of the application site, and whether it would have an adverse impact on visual amenity or the character and appearance of the Conservation Area.

Design and Layout

The proposal seeks to extend the existing kitchen projection to the rear of the cottage in order to form a sunroom. Additionally, a large flat roofed L-shaped box dormer extension is proposed on the rear of the cottage.

Whilst the letter of objection states that the extent of dormer is inconsistent between the North and East elevation drawings, it does appear that the elevations are shown consistently. However, the elevations are not consistent with the first floor plan and this should be rectified in any future submissions.

Landscape

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

Residential Amenity

The proposed sunroom extension is positioned hard on the boundary with the adjoining property. This has the potential to reduce the amount of available daylight to the window of the adjoining property. However, the height of the proposed eaves is only fractionally higher than that of a fence which could be erected under permitted development rights. Therefore, the fall-back position is that a fence could be erected without the requirement of planning permission which would cause a similar degree of daylight loss.

However, the proposed roof space extension would certainly be an incongruous and unwelcome addition to the rear of the house due to its large proportions and poor integration with the roof of the cottage. This would result in a bulky and imposing appearance, which would have an adverse impact on residential amenity.

Visual Amenity

The scale, form, massing, design, position, proportions and external finishing materials of the proposed sunroom are all considered to be acceptable.

However, the proposed flat roofed L-shaped box dormer extension raises a number of concerns. A badly designed dormer can harm the appearance of a dwellinghouse. To avoid appearing over-dominant, a dormer should not in itself form the major part of the upstairs room. It should simply provide extra headroom and daylight. Dormers should not be over-dominant in relation to the existing scale of the property and should as a minimum:

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

The combination of the height and projection of the proposed dormer would create a flat roofed first floor extension of particularly large proportions, which would result in an unacceptable bulk and visual massing. The proposed dormer would dominate and overwhelm the single storey character of the existing cottage.

Therefore, approval would compromise the architectural integrity of the cottage. Furthermore, the visual impact would be exacerbated by the use of incongruous light oak upvc cladding.

Accordingly, the dormer extension would have an adverse impact on visual amenity and the character and appearance of the Conservation Area.

Roads and Access

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

Drainage and Flooding

The Council's Flooding team has provided comments on the application and raised the fact that the site lies within Scottish Environmental Protection Agency's 1 in 200 year flood risk envelope. An informative note has been recommended on any planning approval in order to draw the applicant's attention to flood risk guidance.

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 2016-2036 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 dormer extension, by virtue of its excessive proportions, inappropriate bulk, massing, design and composition, would compromise the character and architectural integrity of the cottage, resulting in an adverse impact on the visual amenity of the area. Approval would therefore be contrary to Policies RD1, PM1A and PM1B(c) of the Perth & Kinross Local Development Plan 2014, which seek to ensure that development contributes positively to the character and appearance of the area by complementing its surroundings in terms of design, appearance, scale and massing.
- 2 The dormer extension, by virtue of its excessive proportions, inappropriate materials, bulk, massing, design and composition, would be harmful to the character and appearance of the Kinross Conservation Area. Approval would therefore be contrary to Scottish Planning Policy 2014 and Policy HE3A of the Perth & Kinross Local Development Plan 2014, which seek to ensure that development proposals preserve and enhance the character and appearance of Conservation Areas.

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

- 1 Any future submissions should ensure that all drawings are presented accurately and consistently.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

17/01923/1

17/01923/2

17/01923/3

17/01923/4

17/01923/5

Date of Report 6 December 2017

TCP/11/16(522) – 17/01923/FLL – Alterations, extension and formation of a dormer at 16 Smith Street, Kinross, KY13 8DD

REPRESENTATIONS

Date: 22 November 2017
Our Ref: 5684/DQ/KAH
Your Ref:

Planning Service
Perth and Kinross Council
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Dear Sirs

Ref. 17/01923/FUL - Proposed Alterations, Extension and Formation of Dormer at 16 Smith Street, Kinross, KY13 8DD

We submit this letter of objection on behalf of our client Christina Todd who lives at 14 Smith Street, Kinross, next door to the application site.

Our client is objecting to the unacceptable impact that the proposal will have on her residential amenity, and to the character and appearance of the Kinross Conservation Area.

Impact on Residential Amenity

The proposal comprises of a large rear extension to create an enlarged kitchen and sunroom on the ground floor level and an extended en-suite bathroom on the first floor.

Our client's rear garden area is north facing, and therefore only benefits from limited sunlight throughout the year.

The proposal to create a very large flat roofed first floor extension will mean that the limited sunlight our client currently enjoys will be severely curtailed, especially within the garden area closest to her house.

Additionally, Drawing No. MP522-002 (Proposed East Elevation) appears to show the first floor extension extending onto the roof plain of our client's dwellinghouse, with the drawing stating that "**Permission to be sought from owners of 14 Smith Street**" (our client). We can confirm that permission has not been sought, nor will it be given, for the first floor extension to encroach onto our client's roof plain.

Clearly the proposed east elevation drawing does not match with the proposed north elevation drawing in this regard, and the planning application should not be progressed until this discrepancy is rectified.

In any event, the proposed first floor flat roofed extension, to be clad in pvcu woodgrain effect panels will be out of keeping with the character of the area and will visually dominate the immediate environs and will unduly impact on our client's enjoyment of her rear garden by way of loss of sunlight and the creation of an over dominant extension out of keeping with the rest of the dwellinghouse.

Likewise, the proposed ground floor sunroom extension projects some 2.41 metres further back from the existing rear projection of our client's dwellinghouse. This will further exacerbate the loss of sunlight in our client's rear garden.

Policy RD1 of the adopted Local Development Plan states that “... **residential amenity will be protected and, where possible, improved...**” We would contend that the proposal will adversely affect our client's residential amenity, consequently the proposal is contrary to Policy RD1 of the LDP and should be refused.

Impact on the Conservation Area

The proposal site is located within the Kinross Conservation Area.

Policy HE3A of the adopted Local Development Plan states that development within a Conservation Area must preserve or enhance its character or appearance. The policy goes on to state that the design, materials, scale and siting of new development within a conservation area... should be appropriate to its appearance, character and setting.

We would contend that the proposed alterations and extension to 16 South Street is out of keeping with the character and appearance of the Conservation Area. It is an incongruous and alien addition to a traditional and very modestly sized semi-detached cottage. It is overly large and not in proportion to the rest of the cottage. Its design, appearance and size will not preserve or enhance the character and appearance of the Conservation Area. Consequently, the proposal is contrary to Policy HE3A of the LDP and should be refused.

Yours faithfully

MONTGOMERY FORGAN ASSOCIATES

Encl

Comments to the Development Quality Manager on a Planning Application

| | | | |
|---|--|-----------------------------|---------------------------------------|
| Planning Application ref. | 17/01923/FLL | Comments provided by | Steven Wilson |
| Service/Section | TES/Flooding | Contact Details | FloodingDevelopmentControl@pkc.gov.uk |
| Description of Proposal | Alterations, extension and formation of a dormer | | |
| Address of site | 6 Smith Street Kinross KY13 8DD | | |
| Comments on the proposal | No Objection – Property is at risk of flooding with a 1 in 200 year flood event as seen on SEPA’s indicative flood map. It is suggested that flood resilient/ resistant materials should be used to construct this extension | | |
| Recommended planning condition(s) | | | |
| Recommended informative(s) for applicant | PKC Flooding and Flood Risk Guidance Document (June 2014) | | |
| Date comments returned | 23/11/2017 | | |

