

LRB-2022-20
21/01583/FLL - Alteration and extension to dwellinghouse and erection of a garage and formation of vehicular access, Clover Cottage, Kinfauns Holdings, West Kinfauns

INDEX

- (a) Papers submitted by the Applicant (***Pages 287-332***)

- (b) Decision Notice (***Pages 335-336***)
 - Report of Handling (***Pages 337-344***)
 - Reference Documents (***Pages 317-318 and 325-331***)

- (c) Representations (***Pages 345-360***)

LRB-2022-20

21/01583/FLL - Alteration and extension to dwellinghouse and erection of a garage and formation of vehicular access, Clover Cottage, Kinfauns Holdings, West Kinfauns

**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:

Yes No

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

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)
- 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:

SEE LRB APPEAL STATEMENT

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

NO.

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 LRB APPEAL STATEMENT

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.

3D VISUALISATIONS HAVE BEEN PREPARED SHOWING THE HOUSE IN CONTEXT TO THE SURROUNDINGS

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.

LRB APPEAL STATEMENT
 PLANNING REFUSAL -
 PLANNING DRAWINGS S/O1 AND PL/O1
 INFORMATION ON SOLAR PANELS SUBMITTED WITH PLANNING APPLICATION
 3D VISUALISATIONS PL/O4, PL/O3, PL/O5, PL/O5 & PL/O6

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

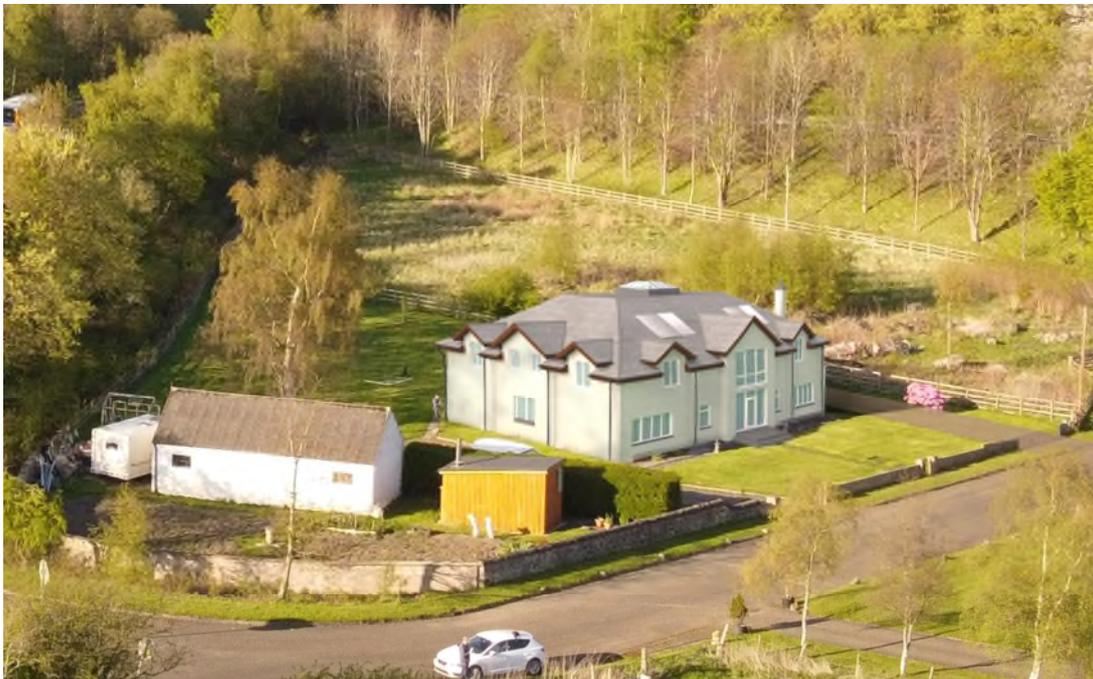
 ON BEHALF OF MMH,

Date

16/05/2022

LRB Appeal

ALTERATIONS AND EXTENSION TO CLOVER COTTAGE KINFAUNS HOLDINGS WEST KINFAUNS PERTH PH2 7JU



LRB Appeal

Applicant:

Mr & Mrs Hughes
Clover Cottage
Kinfauns Holdings
West Kinfauns
Perth
PH2 7JU

Architect:

Alastair Mitchell
McLaren Murdoch and Hamilton
2 Dundee Road
Perth
PH2 7DW

Contents

1. Introduction
2. Site Description
3. Existing Dwelling
4. Proposed Development
- 4.1 3D Visualisations and Comparison
5. Site History
6. Statutory Consultations
7. Overview and Decision of Refusal of Consent
- 7.1 Reason for Refusal of Application
- 7.2 Overview of the Decision and Report Handling
- 7.3 Response to Policy 43
- 7.4 Response to Policy 1A and 1B
- 7.5 Response to Place Making
8. Summary

1.0 Introduction

On behalf of the applicant, we request that the Council Local Review Body, review the decision to refuse the detailed application (21/01583/FLL) which proposed alterations and extension to Clover Cottage and erection of new double garage, Kinfauns Holdings, West Kinfauns, Perth. The application was refused on the 17th February 2022.

The detailed Planning Application proposed the alterations and extension to the existing property to create 2 infill extensions at ground floor level and a new first floor to provide additional bedroom and living accommodation. A new double garage and access roadway were also proposed to the East of the existing house. The proposed buildings will be finished with wet dash render walls and slate roofs to reflect the existing materials that were utilised.

The LRB appeal is intended to set out the facts of the case and make reference to and analyse the relevant planning policy, allowing the LRB to make a balanced and informed decision as to whether the Planning Officers subjective decision to refuse the detailed application should be overturned or not.

The original planning drawings which accompanied the planning application have been appended to the LRB Appeal Statement and should be read and viewed in conjunction with the LRB Appeal Statement.

The following drawings were submitted as part of the planning application:

- 2952 S-01 – Survey Plans and Elevations
- 2952 PL-01 – Proposed Plans and Elevations

2.0 Site Description

Clover Cottage is located in an area of ground between the A85 to the North, M90/Friarton Bridge to the East and the A85 to the South. The site is accessed from the A85 via the former roadway to Walnut Grove that was altered during the construction of the Friarton Bridge. The proposed site is bound on 3 sides by roadways with a small field to the South of the property. The roadway to the North of Clover cottage is elevated above the cottage and is screen by trees and vegetation. To the East, Clover Cottage is bound by the banking to the edge of the slip road from the Friarton Bridge which again is heavily screened by trees and elevated above the existing property. There is a dwelling house to the South of Clover Cottage which is in the client's ownership. Due to the elevated roadways around the perimeter of the site, Clover Cottage can only be viewed from a very small number of vantage points



Image 1 View North from the Friarton Bridge. The shed adjacent to Clover Cottage can be viewed but due to the trees and signage Clover Cottage is not visible. The trees and vegetation continue as shown along the full length of the slip road screening the property from view.



Image 2 – View East and junction of A85 and access roadway to Clover Cottage. Clover Cottage roof is visible but demonstrates that the house is located below the road level on either side and is heavily screen. The site is also dominated by the heavily wooded Kinnoull hill that is located to the rear of the property.



Image 3 – View West down A85 back towards Perth. Clover Cottage is located on the LHS of the photo however due to the screening to the roadway, the site is not visible.



Image 4 – View North from the A85 – Clover Cottage is just visible and demonstrates the screening that surrounds the property, with the trees to the East, North and Kinnoull Woodland. We would also note that the A85 roadway into Perth is also heavy screened (see image 1) with vegetation and this further screens the house from view.



Image 5 – Ariel photo of Clover Cottage. The site is defined with the trees to the North, East and West and roadway and field to the South. 2 outbuildings are located to the West of Clover Cottage.



Image 6 – View East from the exit from Perth, only the outbuilding adjacent to Clover Cottage is visible

3.0 Existing Dwelling

The existing property is a single storey dwelling with an H shaped plan located within a triangular plot of land as shown on Image No.5 above. The dwelling is rendered externally with a white paint finish, natural slate roof with hipped gables and tiled ridge, white PVC-u windows and doors. The existing accommodation comprises 4 bedrooms, bathrooms, kitchen dining living area, utility and rear toilet. One of the bedrooms is currently utilised as an office for the client's business with the other utilised as storage, therefore resulting in the house at present being a 2 bedroom property.



Image 7 – South and West Elevation of existing house with Kinnoull Hill to the rear



Image 8 – North Elevation of existing house with screening to Friarton Bridge visible.



Image 9 – Aerial view of Clover Cottage looking North, showing adjacent properties and landscape framework.



Image 10 – Aerial view of Clover Cottage looking East demonstrating the level of screening that exists around the perimeter of the site.



Image 11 – View North toward Clover Cottage from adjacent field



Image 12 – Aerial photo looking East towards Clover Cottage with entrance roadway visible.



Image 13 – Aerial view showing full extent of site and screening



Image 14 – Aerial photo looking East towards Clover Cottage with entrance roadway visible

4.0 Proposed Development

The proposal that was submitted as part of Planning application (21/01583/FLL) allowed for alterations and extension to Clover Cottage. The intention was to infill the existing H shape plan at ground floor level by creating a new entrance area to the South and a garden room to the North. These infills at ground floor level only increase the footprint of the property by 53sqm.

A new first floor will be formed over the ground floor of the property to create additional bedroom accommodation with en-suite bathrooms, sitting area and also wardrobe accommodation. The first floor will accommodate 4 bedrooms with en-suites, storage area, small sitting area to the South and large sitting area to the North.

The eaves height of the existing property is 3.030m and this will be raised by 1.948m. The intention is that by raising the roof by this amount that there will be an internal coomb height around the perimeter of the first floor off 1.8m forming a coomb which will then rise to 2.4m standard floor to ceiling height for a dwelling house. The roof will be hipped on all sides to reflect the existing property. Dormer windows have been installed into the first floor bedrooms and en-suite bathrooms. The dormer windows have been located over the existing openings where possible. The ridge height of the existing house is 5.928m and this will increase to 8.055m, and increase in height of 2.1m. The overall massing of the house was reduced by creating a flat roof over the central area of the house. The overall increase to the footprint of the house and increase in height will not have detrimental effect to the surroundings or when viewed from the adjacent roadways due to the elevated nature of the surroundings. Solar panels have been located on the Southern elevation of the property to make the building more energy efficient. A cupola has been located on the roof to provide light into the new stairwell.

The exterior of the existing house will be externally insulated to improve the energy efficiency of the property with a white wet dash render finish, the roof finish will be slate to match the existing property. The windows will be finished in white PVC-u to match the existing

A glazed entrance will be formed on the Southern elevation of the property to create some prominence as you enter the building. A glazed screen has also been created on the North elevation to provide views to Kinnoull Hill and beyond.

A double garage and driveway will also be located to the East of the site. The garage will be traditional in nature with a render finish and slate roof to match the proposed dwelling house.

The house is located within a triangle section of ground which is level and finished in lawn. The area of the ground to the East of the site is also in the client's ownership.

4.1 – 3D Visualisations and Comparison

A series of 3D visualisation have been developed to provide a clear understanding of the proposed works in relation to the existing property and to demonstrate that the proposed development will not have a detrimental impact on the area or the surroundings.

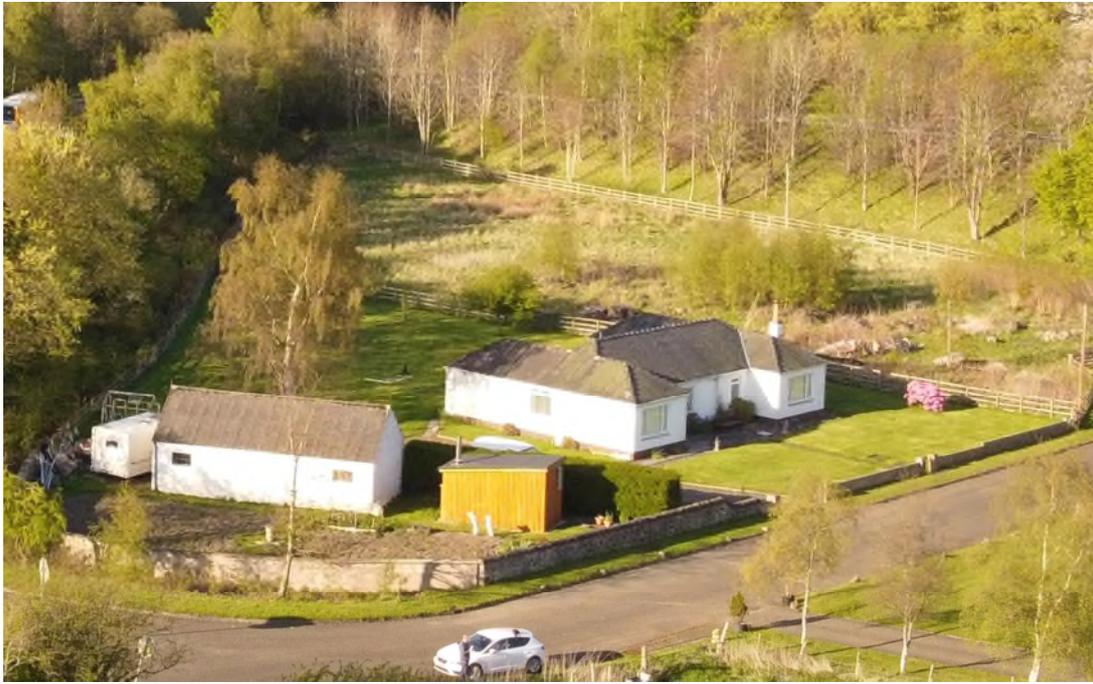


Image 15 – Aerial view of Clover Cottage as existing and associated outbuildings



Image 16 – 3D visualisation of the proposed alterations, extension and new driveway.



Image 17 – Visual comparison drawing with the massing of the proposed development overlaid on top of the existing house. The attached demonstrates that the alterations do not significantly increase the overall massing and will still be screened by the surrounding landscaping which will be maintained.

5.0 Site History

The existing property was extended in the mid 1980's with the addition of the Lounge/Kitchen and Utility area to the East of the existing cottage. No other records of works are noted for the property.

6.0 Statutory Consultations

As part of the planning process a number of parties were consulted. We would note that no objections were received from the following,

1. **Neighbouring Properties** - No neighbour objections were received.
2. **Strategy & Policy – Development Contributions** - I have no comments to make on this proposal in terms of the Developer Contributions and Affordable Housing Supplementary Guidance.
3. **HE/Flooding** - We have reviewed this application and the proposed development is out with the functional floodplain as shown on the SEPA Flood Map. We have no objection to this application.
4. **Transport Planning** - The applicant is proposing to make alteration to an existing four bed roomed dwellinghouse to a six bed roomed property. Insofar as the Roads matters are concerned, I have no objections to this proposal.

5. **Regulatory Service Manager** - During the construction of the Friarton Bridge in the 1970's, the area around the application site was used for sand and gravel abstraction and the materials were used in the bridge's construction. Latterly the void was used as a landfill site. The nature and extent of the materials disposed of in the area are unknown as this was largely unregulated at that time. There is therefore the potential for the proposed development site to be impacted by contamination associated with this former land use. It shall be the responsibility of the applicant to satisfy themselves that the ground conditions are suitable for the development for which planning consent has been granted. Should any contamination be found during the approved works, works should cease and the Land Quality team should be contacted.

7.0 Overview and the Decision to Refuse Consent

7.1 Reason for refusal of Application

The decision to refuse the planning application was made by the Planning Officer under delegated powers. There were three reasons for refusing the planning consent. The reason for refusal are set out below:

1. *Approval would be contrary to Policy 43 of the Perth and Kinross Local Development Plan 2 (2019) as the proposed development would have a significantly detrimental impact on the character and landscape setting of the Green Belt in which the site is located. The proposals are contrary to policy due to their unsuitably large scale, excessive form, inappropriate design and absence of any mitigating factors.*
2. *The proposed development is contrary to Placemaking policies 1A and 1B (subcategories b, c and d) of the Perth & Kinross Local Development Plan 2 (2019), as it will not contribute positively to the quality of the surrounding environment, nor will it respect the character or amenity of the place, in terms of design, height, scale, massing and relationship to the existing building or wider local architectural vernacular.*
3. *Approval would be contrary to Perth & Kinross Council's Placemaking Guide, March 2020 which seeks to discourage particularly large, dominant, unsuitable or inappropriately designed or located developments that are not in keeping with the existing built form, landscape character or established amenity levels. 2 Justification The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan*

7.2 Overview of the Decision and Report of Handling

We have noted the three reasons for refusing the planning consent as follows,

For the Local Review Body in considering the application there are three key questions

1. Will the development have significantly detrimental impact on the character and landscape setting of the Green Belt in which the site is located. Policy 43

2. Will the development have a negative effect on the surrounding environment. Policy 1A and 1B
3. Will the development be dominant and unsuitable. Place Making Policy.

7.3 – Response Policy 43

Policy 43 states that all proposals for new building or extensions to existing building must be of a suitable scale and form, located and designed in such a way as not to detract from the character and landscape setting of the Green Belt. The full criteria is detailed below

(a) it can be demonstrated that the development either supports an established use, or develops a new business within the Green Belt which has a direct relationship to the land; or

(b) it can be demonstrated that the development is essential for agriculture, horticulture (including allotments) or forestry operations; or

(c) it constitutes woodlands or forestry, including community woodlands; or

(d) it constitutes uses which advance the Council's aims of improving public access to the countryside around Perth, including recreational, educational and outdoor sports; or

(e) it complies with criteria (4) or (5) of the Policy 19: Housing in the Countryside and associated Supplementary Guidance, and a positive benefit to the Green Belt can be demonstrated; or

(f) it constitutes essential infrastructure such as roads and other transport infrastructure, masts and telecom equipment, renewable energy developments, or new cemetery provision. The primary consideration will be whether the infrastructure could instead be located on an alternative site which is outwith the Green Belt and a statement may be required identifying the search area and the site options assessed, the details of the existing or proposed activity to which the infrastructure relates, and the reasons as to why a green belt location is essential.

For all proposals development must be appropriate to the overall objectives of the Green Belt to protect and enhance the character, landscape setting and identity of settlements. All proposals for new buildings or extensions to existing buildings must be of a suitable scale and form, located and designed in such a way so as not to detract from the character and landscape setting of the Green Belt.

Appropriate measures may be required to mitigate any adverse impact on the character, setting and identity of the locality. Note: Within the Green Belt the application of Policy 19:

Housing in the Countryside is limited to proven economic need, conversion or replacement buildings.

The Planning Officer have confirmed that the application does not conform with any of the above Policy 43 Criteria. The proposal should be assessed by the Criteria (4) or (5) of Policy 19: Housing in the Countryside and associated Supplementray Guidance, and have a positive benefit to the Green Belt. We would like to note the following in regard to the above comments

It is noted within the handling report that the proposals will create a two and a half storey house. This statement is factually incorrect. The proposal will add a first floor to the property, however the property will only be increasing in height at the eaves by 1.948m and at the ridge by 2.132m. The internal ceiling height at the coomb will be 1.8m making the house a 1 $\frac{3}{4}$ storey house and not a 2 $\frac{1}{2}$ storey house.

The overall height of the existing house is 5.670m from ground level to ridge level. The proposed extension will increase the overall height of the dwelling to 7.995m, this is an increase of 2.325m less than the standard floor to ceiling height in a modern house. The cupula over the new stairwell will be set at 8.775m. The increase in height and massing has also been demonstrated in Section 4.1 of this report.

As has been demonstrated above Clover Cottage is surround on 3 sides by roadways that are considerably elevated above the existing cottage, and the increase in ridge height will not result in the house dominating the surrounding landscape, and from most vantage points around the property it is unlikely that with the additional height the property will even be visible.

It is noted within the handline report that *“the proposed development would have a significantly detrimental impact on the character and landscape setting of the Green Belt in which the site is located. The proposals are contrary to policy due to their unsuitably large scale, excessive form, inappropriate design and absence of any mitigating factors.”*

We would like to demonstrate other applications which have recently been approved in the surrounding area, which clearly demonstrate that other developments have been approved that are more dominant and larger in scale than the proposed works to Clover Cottage. A dwelling was approved and constructed on the South side of the Friarton Bridge at Easter Tersappie (See Image 18). The house below was approved under application 15/00382/FLL. The eaves height of the house are 5.5m with a ridge height of 8.5m. The ridge height of this property is clearly higher than the proposal at Clover Cottage.



Image 18 - The house above has recently been constructed to the South side of the Friarton Bridge, the site is highly visible and has no landscaping back drop. The house is 2 stories in height and has a pitched roof with a central flat section between the 2 pitch roofs.



Image 19 – The above house also features on the front cover of the Local Development Plan and is clearly visible to the LHS of the Friarton Bridge.

Planning approval has also been granted from 15 new dwellings to the East of the site at Walnut Grove. The houses were refused under application 15/00382/FLL but overturned at Planning Appeal by the Scottish Government. Image 20 below provides an overall image of the proposed new development



Image 20 - Proposed new development comprising 15No. 2 storey dwellings which are clearly larger in scale than the existing dwellings within Walnut Grove. Also visible is the 2 storey office building to the West



Image 21 – View North showing the 15 house development. Clearly showing features similar to Clover Cottage i.e hipped roof, dormer windows, solar panels, balconies and mixture of materials with brick, render and timber.



Image 22 – Demonstrating the range of properties that were approved and deemed to be acceptable

The 15No. new houses have ridge heights in the region of 9m in height . Many of the houses are full 2 storey houses and the overall development will have more of an impact on the surrounding landscape than the minor works that are proposed to Clover Cottage. Within the Appeal Report for the 15 houses at Walnut Grove it was noted that

“The site is situated within the Sidlaw Hills Local Landscape Area identified in the council’s Landscape Supplementary Guidance. This document forms part of the LDP. LDP Policy 39: Landscape states that development in local landscape areas should only be permitted where it will not have a significant adverse impact on their special characteristics or qualities. The supplementary guidance states that the Sidlaw Hills Local Landscape Area has a number of special qualities. These include the observation that Kinnoull Hill, to the north of the site, and Moncreiffe Hill, to the south of the site, are prominent viewpoints. The special qualities listed also include the drama of the cliffs, woodland and tower at Kinnoull Hill, high above the motorway, and the cliffs extending beyond, towards Dundee.

The proposed development would be visible in views towards the River Tay from Kinnoull Hill but, seen in the context of the existing housing, the large business building to the west and the main road network, would not draw the eye as being out of place in terms of scale or design. Similarly, the proposed development would be visible from Moncreiffe Hill but, in these long views, would be seen in the immediate context of the existing houses to the north and east and the employment site to the west.

I find that the proposed development would not have a significant adverse impact on the special character or qualities of the Sidlaw Hills Local Landscape Area and, therefore, would comply with Policy 39.”

Clover Cottage as demonstrated above is located in a less prominent location than the site at Walnut Grove. The existing dwelling already exists with only the overall massing being altered. On the basis that a development of 15 houses is deemed not to have a determinantal impact from either Kinnoull Hill or Moncrieff Hill, we would argue that the works to Clover Cottage are minimal in comparison and will clearly have minimal impact to the surrounding area.

Image 23 below provides an example of one of the proposed houses at Walnut Grove. The proposed houses have a mix off elements hipped roof, dormer windows and a mixture of materials. These are all features that have been deemed to be unacceptable at Clover Cottage but acceptable within the development of 15 houses at Walnut Grove.



Image 23 – Proposed new house design at Walnut Grove

7.4 – Response to Policy 1A and 1B

We noted within the handling report *“Placemaking policies 1A & 1B and the supplementary placemaking guidance, aim to secure new development that is harmonious; being respectful, considerate and contributing positively to its surroundings. The works proposed are not compatible in terms of design or scale. The extent of the alterations intended are more akin to that of a new house, being radical in terms of change and dominant in scale. The alterations will wholly engulf and erode the simple form and character of the existing rural cottage which is reflective of the past small holding architecture. The proposals are accordingly incompatible with placemaking considerations.”*

We would note that the house was already extended in the 1980’s and the dwelling has already been altered. The dwelling may have formed part of the range of holdings building in the past but was separate from the remainder of the holdings at Walnut Grove when the Friarton Bridge was developed. The house now very much sits within it own landscape framework with a suburban style 1970’s bungalow constructed to the South of the property.

We also note within the handline report that *“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 visited in the past, and can be viewed from the nearby public roads, also by a variety of remote and electronic means, such as aerial imagery and Streetview, in addition to the photographs submitted by the agents.*

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

We feel it would be beneficial for the members of the Review Committee to carry a site visit to understand the topography around the property as it is currently very concealed and any alteration would **not** have a determinantal effect on the surrounding.

Policy 1A States - *Development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation. The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.*

As noted above as part of the works the intention is to improved the energy performance of the existing property. The existing cottage is also heavily landscaped on three sides by the trunk roads and associated landscaping. This existing landscape will provide a dominant back drop to the proposed house and will also protect the site from the prevailing wind. Even with the increase in height we feel this will not have a detrimental impact on the environment. As note above the features on the proposal are not dissimilar to the 15 houses approved for Walnut Grove.

The house below was also designed and built within Walnut Grove. The house shown in the image below was approved under application 08/00685/FLL



Image 24 – Proposed new house erected at Walnut Grove with glazed gable facing North and also with dormer windows and balconies. This house sits in a prominate position in Walnut Grove and can be viewed from the main A90. The features are similar to the elements on the Clover Cottage.

7.5 – Response to Place Making Guide

The report of handling noted *“Approval would be contrary to Perth & Kinross Council's Placemaking Guide, March 2020 which seeks to discourage particularly large, dominant, unsuitable or inappropriately designed or located developments that are not in keeping with the existing built form, landscape character or established amenity levels. 2 Justification The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan”*

We have demonstrated above that there are a number of developments that have been approved by either the Planning Department or via Planning Appeal that will be more visible than the proposed works at Clover Cottage. We would note that the final appearance of the works is subjective in terms of design and do not take into account the secluded nature of the house and the minimal impact the design will have on the surrounding area due to the elevated and heavily landscaped areas around the perimeter of the site.

The handling report notes that *“The mix of window styles and sizes, combined with intrusive wallhead dormers, external chimney and two, storey expansive central pitched roofed elements are disjointed features which add to the visual clutter and cumulative impact of the scheme. The separate garage unit is also large in scale and devoid of any architectural detailing which would relate it to the original house.”*

We have demonstrated above that similar houses in the area have been approved with similar features and are larger in height and scale to the works proposed at Clover Cottage.



Image 25 – 3B image of proposed alterations to Clover Cottage

8.0 Summary

We have tried to identify within the above report that the decisions that have been taken have not been consistent and that large and more dominant applications have been approved which are more visible and have a greater impact on the surrounding landscape than the proposal put forward as part of the Clover Cottage design.

We would highlight the errors that the proposed alterations are noted as creating a 2 ½ storey house this is incorrect as the new house is in effect a storey and 1 ¾ dwelling, with the ridge height being increase by 2.4m which is insignificant in relation to the surround topography, which is elevated above the property.

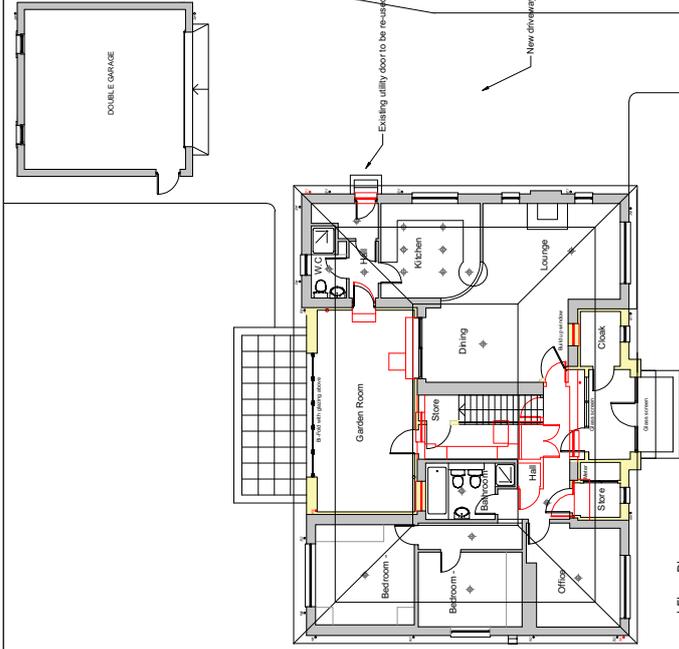
We note that the Planning Officer has not carried out a site inspection , we would question the validity of a decision to refuse a planning application based on reasons without visiting the site. We feel that a site visit is important to understand the context of the house in relation to the surrounding properties, landscape and topography.

The scale of the existing landscaping around the perimeter of the site also has to be considered. Views of the site are very limited as the house is set below the adjoining roadways and the dominant landscape backdrop will not be effected by the proposed alterations.

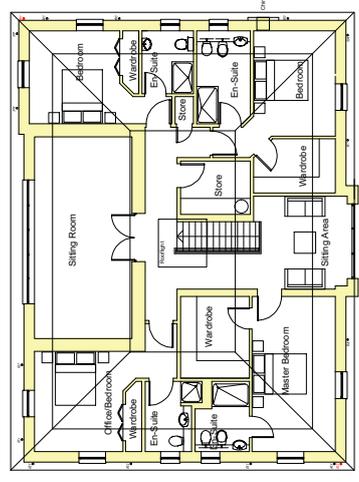
We hope that the above provides a robust response and will allow the decision to refuse the planning application to be overturned

Material Specification
 Walls - Wet dash render finished white
 Roof - Natural slate roof
 Windows - PVC-u windows finished dark grey
 Rainwater Goods - Black PVC-u gutters and downpipes
 Doors - PVC-u finished dark grey
 Garage Doors - Steel roller shutter

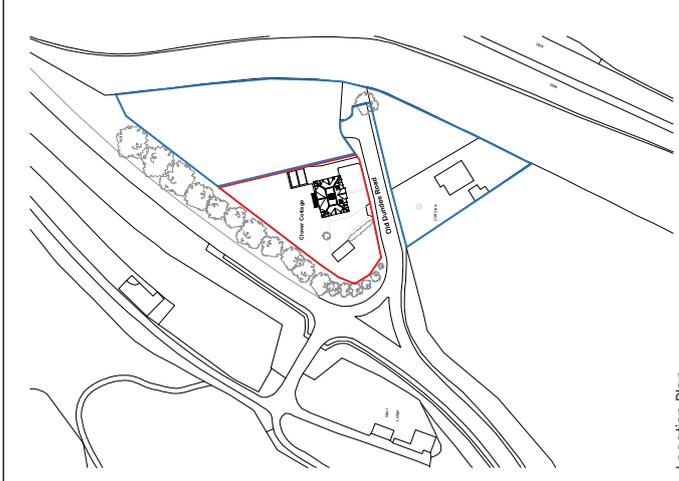
Notes/Revisions



Ground Floor Plans
Scale 1/100



First Floor Plans
Scale 1/100



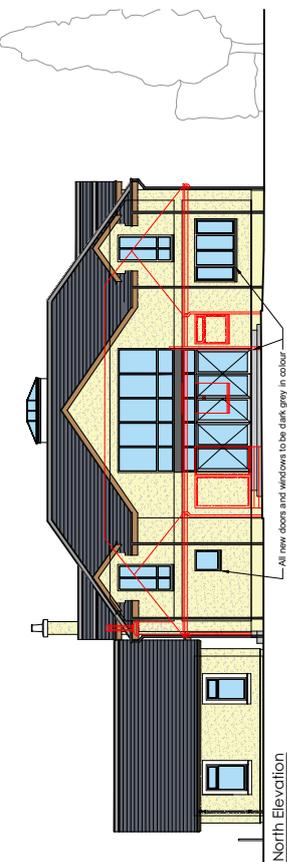
Location Plan
Scale 1/1250

Legend:
 Site Boundary (Red outline)
 Client ownership (Blue outline)

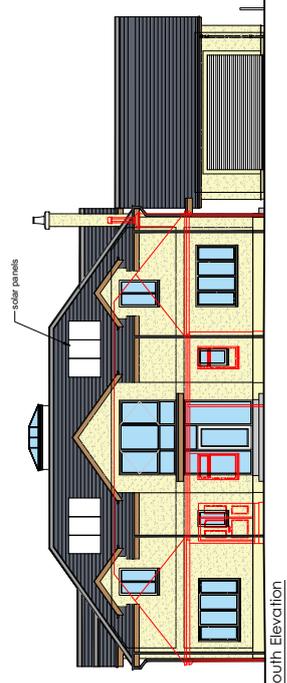


Site Plan
Scale 1/500

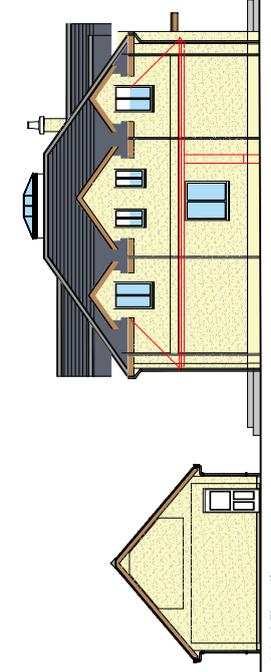
Legend:
 Site Boundary (Red outline)
 Client ownership (Blue outline)



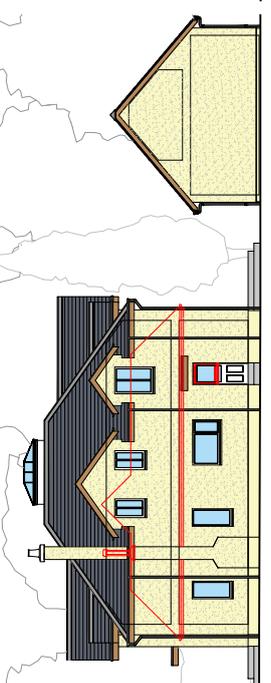
North Elevation
Scale 1/100



South Elevation
Scale 1/100

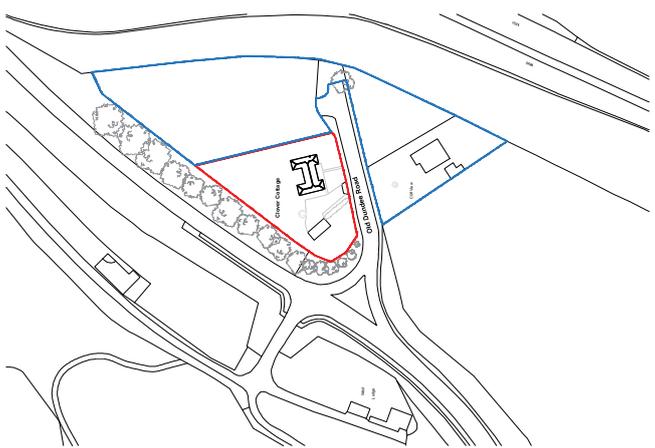


West Elevation
Scale 1/100



East Elevation
Scale 1/100

THE ARCHITECTS COMPANY F. A. 03007 - 0651 Clover Cottage, 1 Kirkfauns Holding Kirkfauns, Perthshire, PH2 7JU for Mr & Mrs Hughes	
DRAWN BY MCLAREN MURDOCH & HAMILTON CHARTERED ARCHITECTS 2 GARDIE ROAD PERTH, PERTHSHIRE PH1 3JG TEL: 01738 620700 FAX: 01738 620701 EMAIL: MURDOCH@MHA.CO.UK	PROPOSED LOCATION, SITE, PLANS AND ELEVATIONS SCALE: As Noted DATE: July 21 PROJECT NO: KR DRAWING NO: DB

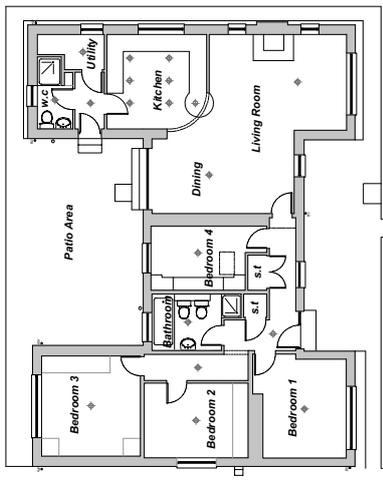


Location Plan
 Scale 1/1250

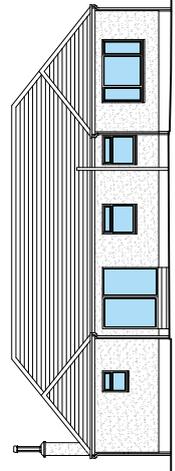
- Site Boundary
- Client ownership



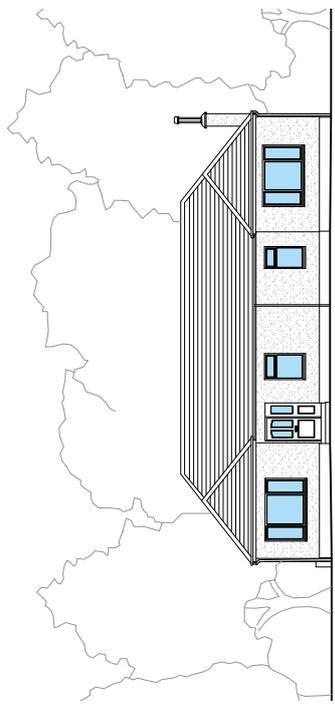
318



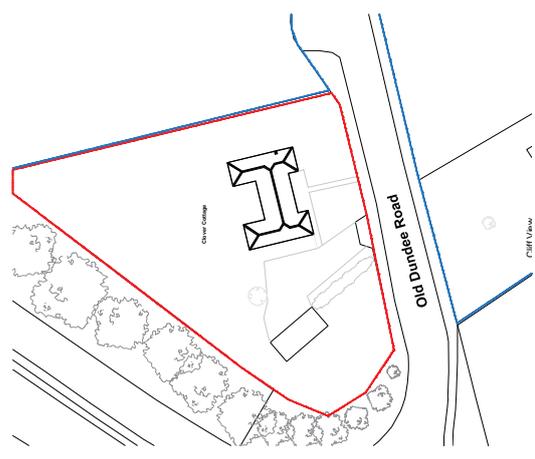
Survey Ground Floor Plans
 Scale 1/100



Survey North Elevation
 Scale 1/100

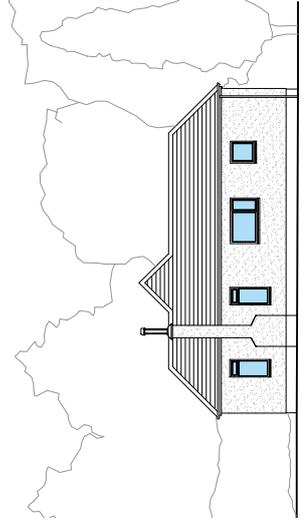


Survey South Elevation
 Scale 1/100

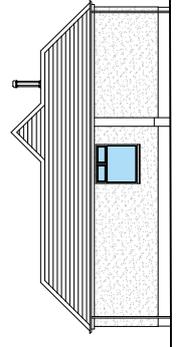


Site Plan
 Scale 1/500

- Site Boundary
- Client ownership



Survey East Elevation
 Scale 1/100



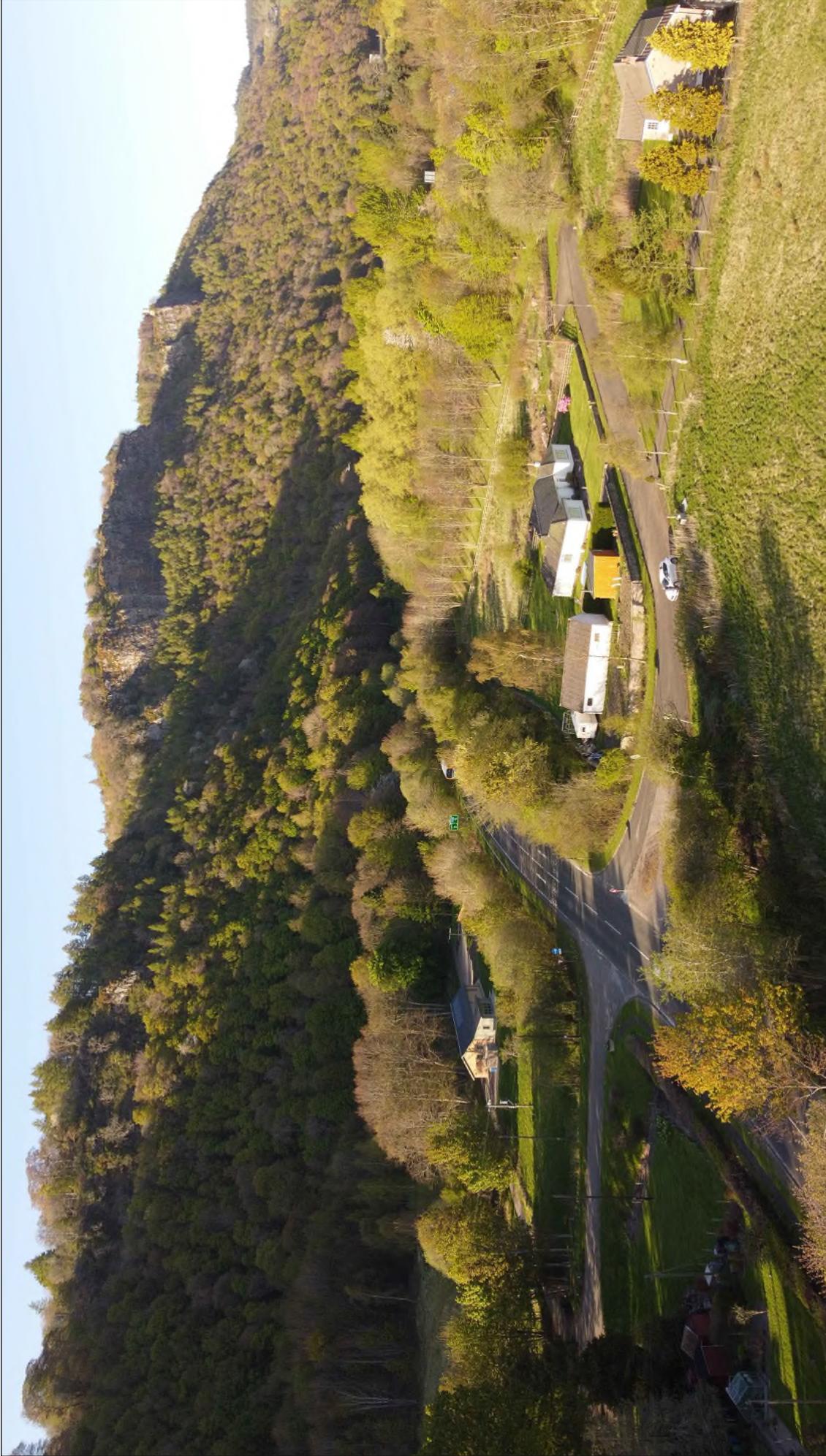
Survey West Elevation
 Scale 1/100

NO DIMENSIONS TO BE SHOWN UNLESS SPECIFICALLY NOTED		ALL SIZES TO BE SHOWN UNLESS SPECIFICALLY NOTED	
Clover Cottage, 1 Kinfauns Holding Kinfauns, Perthshire, PH2 7JU for Mr & Mrs Hughes			
DRAWING TITLE Survey Location, Site, Plans and Elevations		DATE June 21	DRAWN BY DB
SCALE As Noted	DRAWN BY KR	PROJECT NO. 2952 - S - 01	
DRAWING NO. MCLAREN/DROUCH & HAMILTON CHARTERED ARCHITECTS		PROJECT NO. 2952 - S - 01	
ADDRESS 1 Kinfauns Holding Kinfauns, Perthshire, PH2 7JU		TELEPHONE 01738 62000	
FIRM, PROJECT MCLAREN/DROUCH & HAMILTON, CHARTERED ARCHITECTS		TELEPHONE 01738 62000	
DRAWING NO. 2952 - S - 01		DRAWING NO. 2952 - S - 01	



Co-ordinated project information

NOTES/REVISIONS



NO DIMENSIONS TO BE SCALED
THIS DRAWING IS COPYRIGHT

ALL SIZES TO BE SITE VERIFIED
IF IN DOUBT - ASK !

PLANNING ISSUE

A3 ORIGINAL

Clover Cottage, 1 Kinfauns Holding
Kinfauns, Perthshire, PH2 7JU
for Mr & Mrs Hughes

SCALE
N/A

PARTNER

DRAWING TITLE
Existing Dwelling

DATE
MAY 22

DRAWN BY
DB

MCLAREN MURDOCH & HAMILTON
C H A R T E R E D A R C H I T E C T S

TELEPHONE
01738 627061

TELEPHONE
0131 638 6000

2 DUNDEE ROAD
PERTH, PH2 7JW

228 BALGONNIE ROAD
EDINBURGH, EH11 2RZ

DRAWING NO.

2952 - PL - 02



Co-ordinated project information

NOTES/REVISIONS



NO DIMENSIONS TO BE SCALED
THIS DRAWING IS COPYRIGHT

ALL SIZES TO BE SITE VERIFIED
IF IN DOUBT - ASK !

PLANNING ISSUE

A3 ORIGINAL

Clover Cottage, 1 Kinfauns Holding
Kinfauns, Perthshire, PH2 7JU
for Mr & Mrs Hughes

SCALE
N/A

PARTNER

DRAWING TITLE
Proposed Dwelling

DATE
MAY 22

DRAWN BY
DB

MCLAREN MURDOCH & HAMILTON
C H A R T E R E D A R C H I T E C T S

TELEPHONE
01738 627061

TELEPHONE
0131 638 6000

2 DUNDEE ROAD
PERTH, PH2 7JW
228 BALGREEN ROAD
EDINBURGH, EH11 2RZ

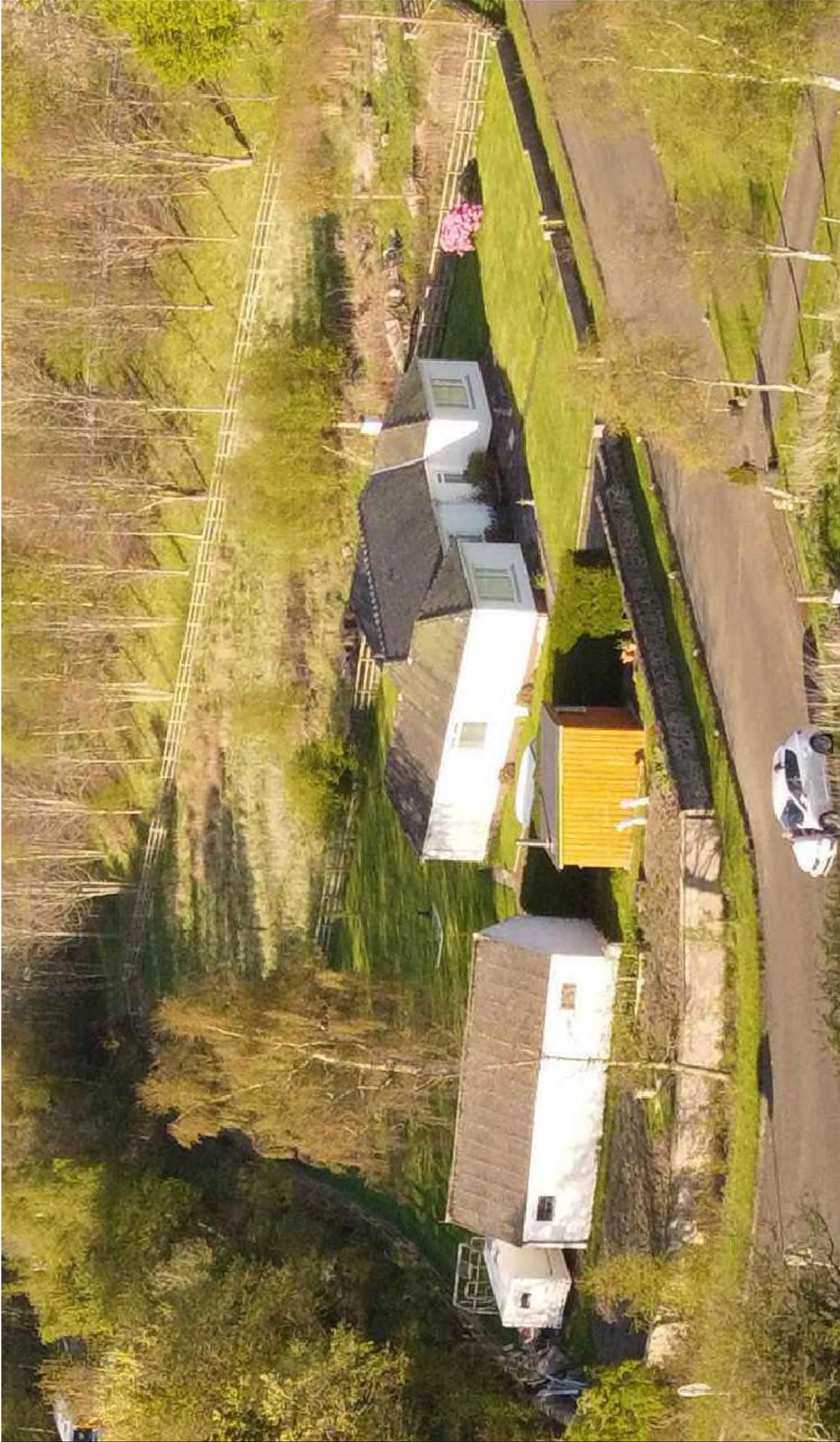
DRAWING NO.

2952 - PL - 03



Co-ordinated project information

NOTES/REVISIONS



NO DIMENSIONS TO BE SCALED
THIS DRAWING IS COPYRIGHT

ALL SIZES TO BE SITE VERIFIED
IF IN DOUBT - ASK !

PLANNING ISSUE

A3 ORIGINAL

Clover Cottage, 1 Kinfauns Holding
Kinfauns, Perthshire, PH2 7JU
for Mr & Mrs Hughes

SCALE
N/A

PARTNER

DRAWING TITLE
Existing Dwelling in Site

DATE
MAY 22

DRAWN BY
DB

MCLAREN MURDOCH & HAMILTON
CHARTERED ARCHITECTS

TELEPHONE
01738 627061

TELEPHONE
0131 538 5000

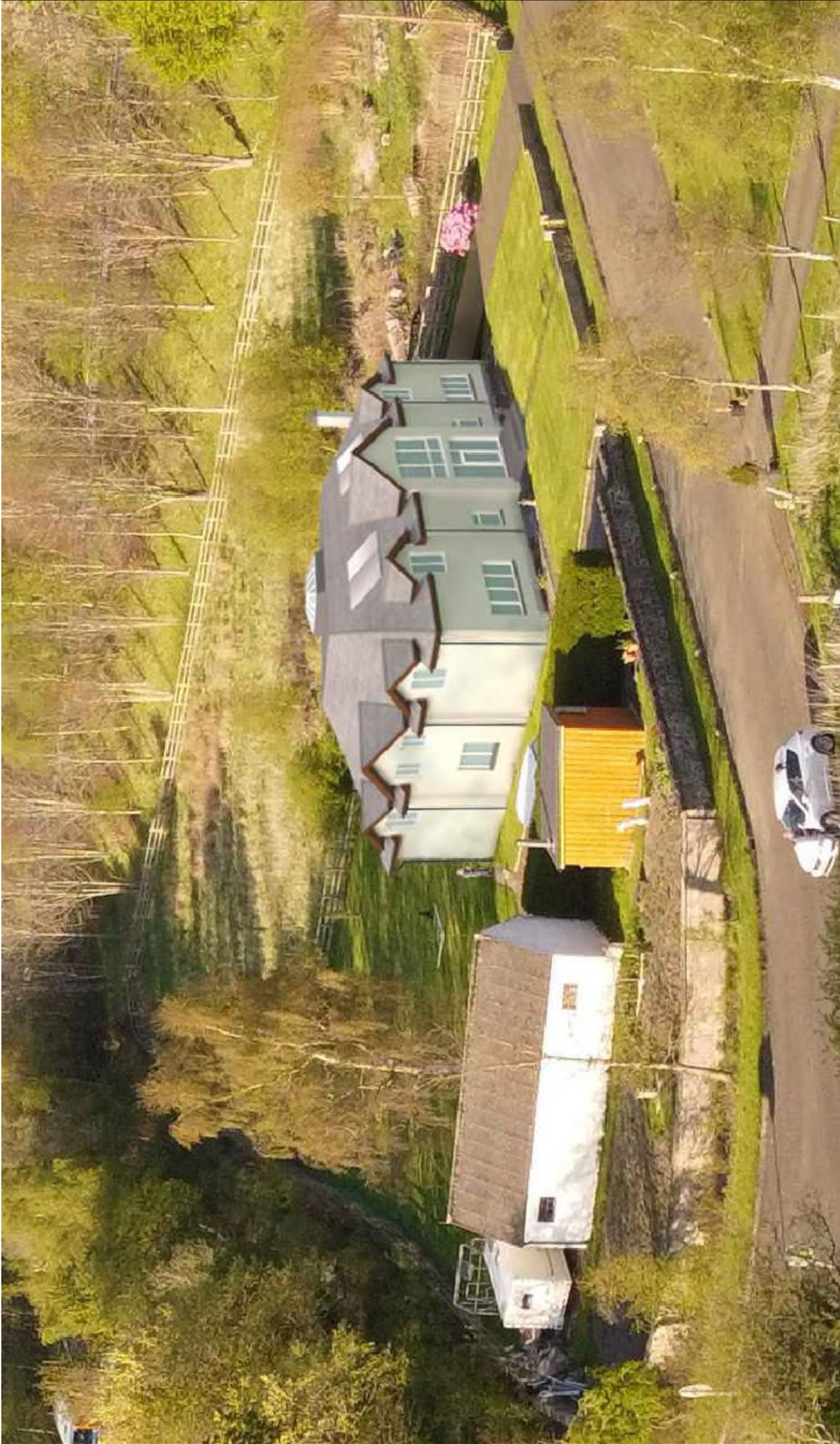
2 DUNDEE ROAD
PERTH, PH2 7JW

228 BALGREEN ROAD
EDINBURGH, EH11 2RZ

DRAWING NO.

2952 - PL - 04

NOTES/REVISIONS



DRAWING NO.

2952 - PL - 05

McLAREN MURDOCH & HAMILTON
CHARTERED ARCHITECTS

TELEPHONE 01738 627861

TELEPHONE 0131 638 6000

2 DUNDEE ROAD
PERTH, PH2 7JW

228 BALGORN ROAD
EDINBURGH, EH11 2EG

DRAWING TITLE

Proposed Dwelling in Site

Clover Cottage, 1 Kinfauns Holding
Kinfauns, Perthshire, PH2 7JU

for Mr & Mrs Hughes

SCALE N/A

PARTNER

DATE MAY 22

DRAWN BY DB

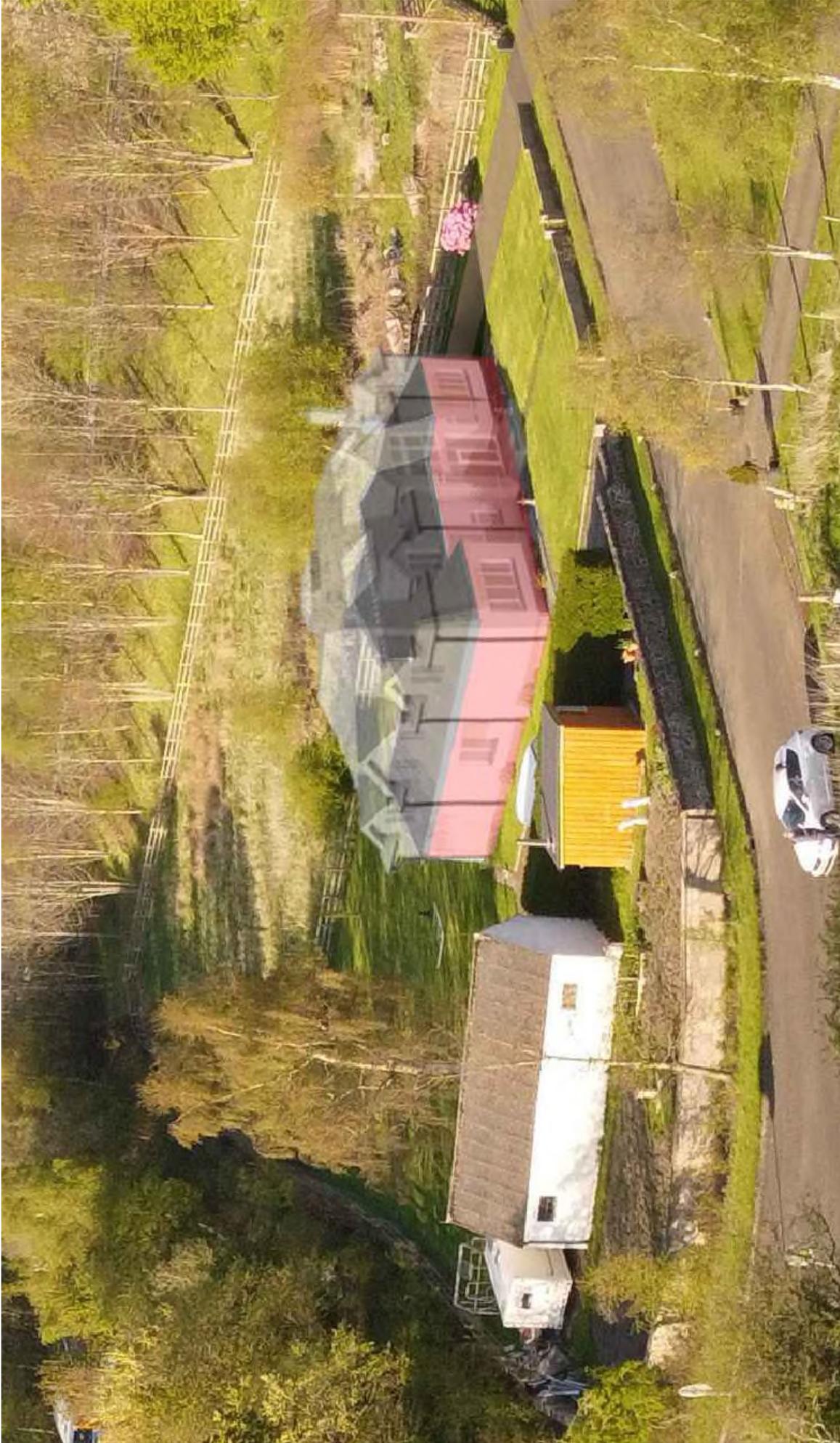
ALL SIZES TO BE SITE VERIFIED
IF IN DOUBT - ASK !

NO DIMENSIONS TO BE SCALED
THIS DRAWING IS COPYRIGHT

PLANNING ISSUE

A3 ORIGINAL

NOTES/REVISIONS



NO DIMENSIONS TO BE SCALED
THIS DRAWING IS COPYRIGHT

ALL SIZES TO BE SITE VERIFIED
IF IN DOUBT - ASK !

PLANNING ISSUE

A3 ORIGINAL

Clover Cottage, 1 Kinfauns Holding
Kinfauns, Perthshire, PH2 7JU
for Mr & Mrs Hughes

SCALE
N/A

PARTNER

DRAWING TITLE

Proposal Mass Comparison

DATE
MAY 22

DRAWN BY
DB

McLAREN MURDOCH & HAMILTON
C H A R T E R E D A R C H I T E C T S

TELEPHONE
01738 627061

TELEPHONE
0131 638 6000

2 DUNDEE ROAD
PERTH, PH2 7JW

228 BALGORN ROAD
EDINBURGH, EH11 2EG

DRAWING NO.

2952 - PL - 06



▲ MARLEY SOLAR ROOF SYSTEM



With Marley SolarTile[®], the integrated solar roof system has come of age. We offer the highest quality with desirable aesthetics at competitive prices, and the ability to capitalise on the design, installation and long-term performance benefits of the full Marley Roof System.

Solar power has developed into an in-demand home improvement requirement, with the genuine cost-saving benefits of using renewable energy to help power our homes. Add to this, the sleek aesthetics of Marley SolarTile and true kerb appeal can be added to long-lasting, maintenance-free performance.

Integrated with full Marley roof system and all tile types

Renewable energy to reduce household bills

Very low profile and unobtrusive

▲ Lightweight, compact and simple to install

▲ Market-leading fire performance*

▲ Exceptional industry leading wind resistance performance

▲ 15 year guarantee

326

15
YEAR

MARLEY ROOFING
SYSTEM WARRANTY

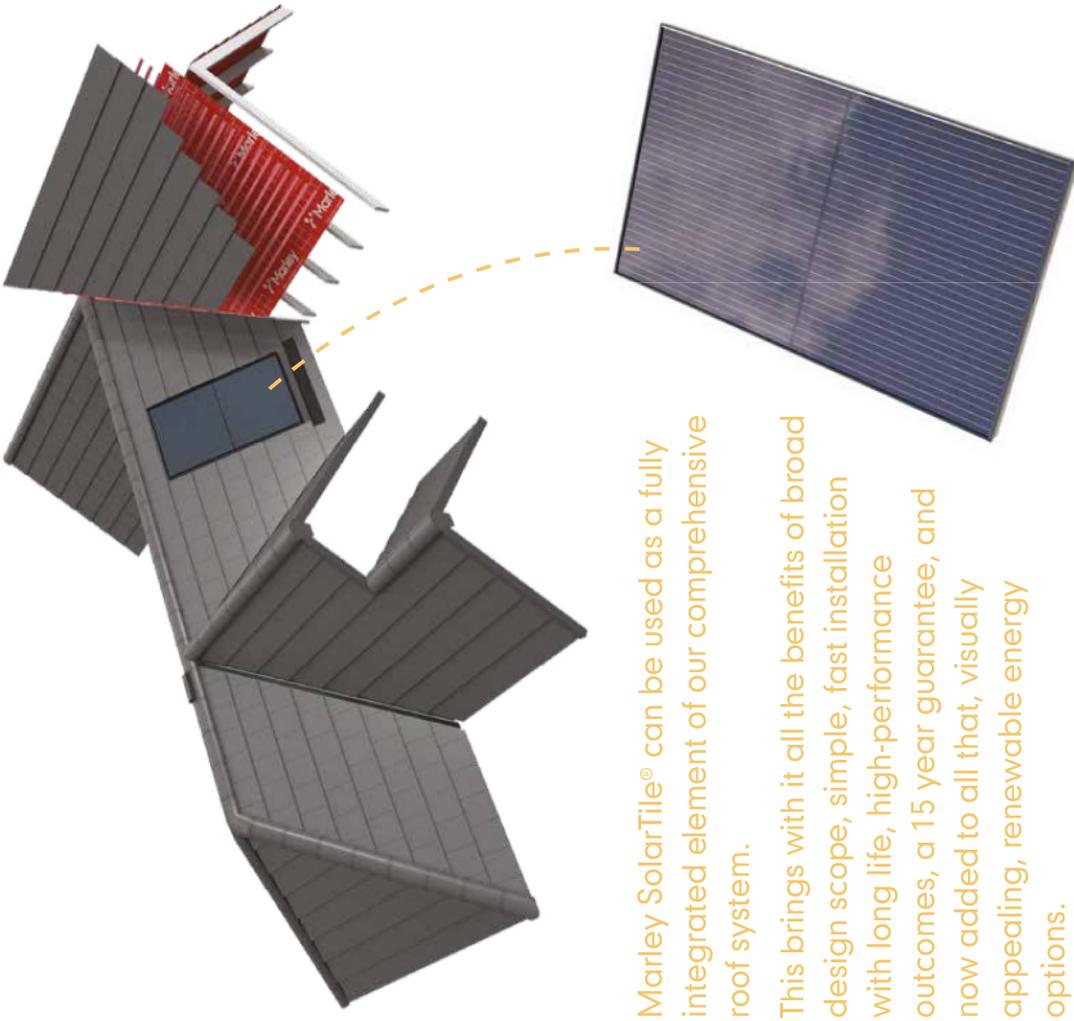
The illustration to the right shows Marley SolarTile[®] used with Modern interlocking tiles. Marley SolarTile can be integrated with any of Marley's ranges of tiles, or those of other manufacturers.

- A JB Red machine-graded, BS 5534-compliant battens
- B Vapour permeable underlay system with superb wind-uplift resistance
- C Flush-fitting (level with roof covering), Marley SolarTile[®] solar panels with excellent wind resistance and full integrability with all elements of the Marley roof system.
- D Aluminium push fit flashing for durability and high fire rating with robust lead flashing to minimise wind uplift
- E Concrete or clay interlocking or plain tiles, available in a range of colours and options (Modern shown)

* Marley SolarTile[®] is Clearline Fusion a Widelan Solar product and the only roof-integrated solar system accredited with the highest resistance to spread of flame and fire penetration in all European fire tests.

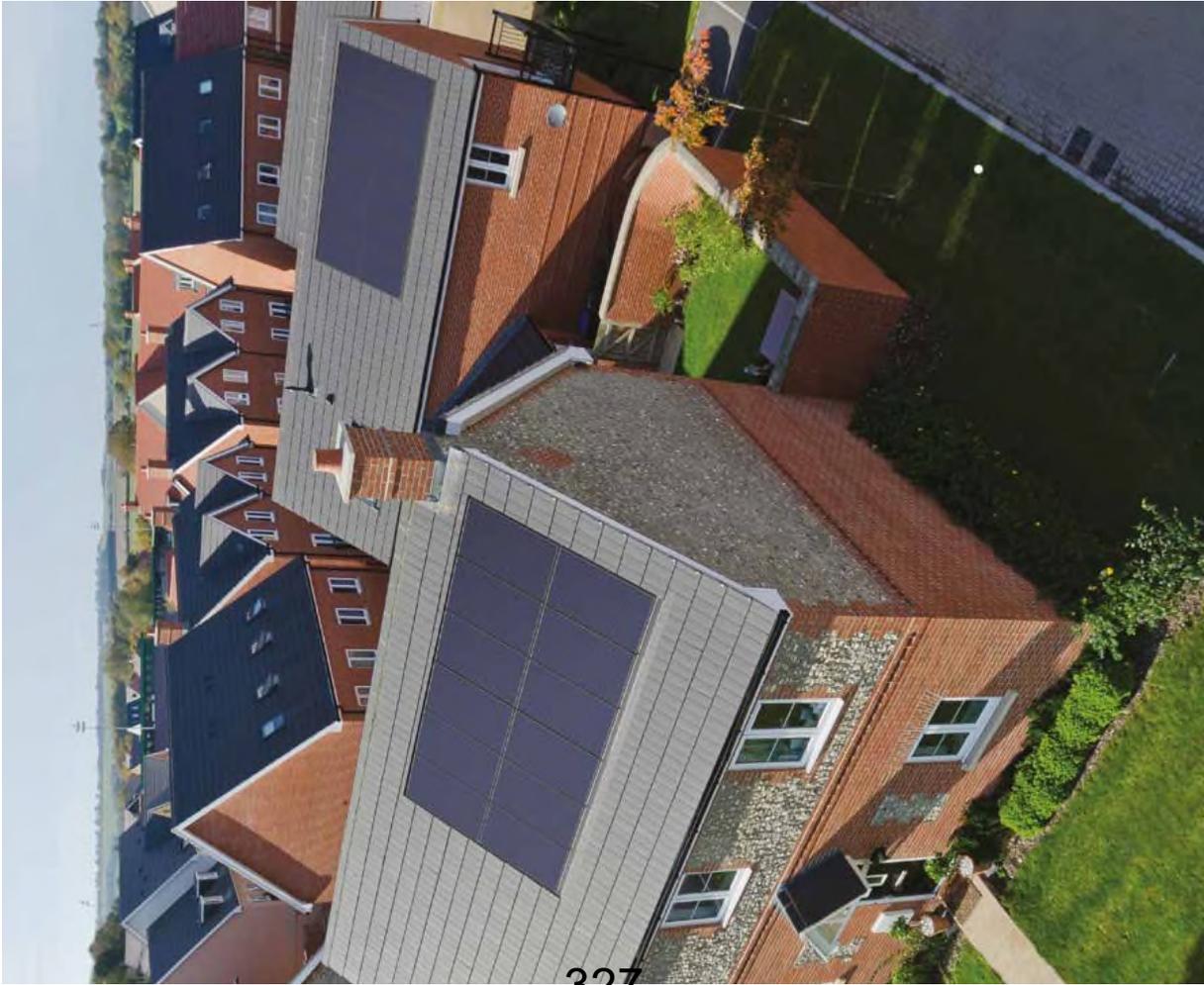


MARLEY SOLAR ROOF SYSTEM



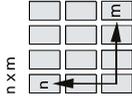
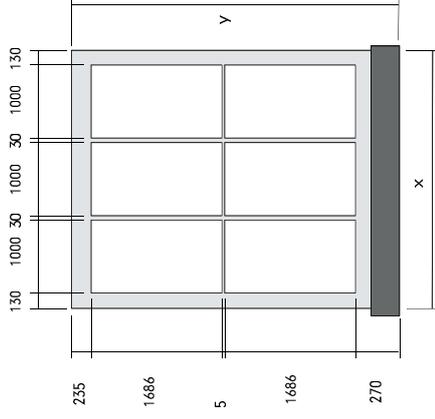
Marley SolarTile® can be used as a fully integrated element of our comprehensive roof system.

This brings with it all the benefits of broad design scope, simple, fast installation with long life, high-performance outcomes, a 15 year guarantee, and now added to all that, visually appealing, renewable energy options.



DESIGN DETAILS

TYPICAL CONFIGURATION



$$x = 260 + (m \times 1000) + ((m-1) \times 30)$$

$$y = 505 + (n \times 1686) + ((n-1) \times 5)$$



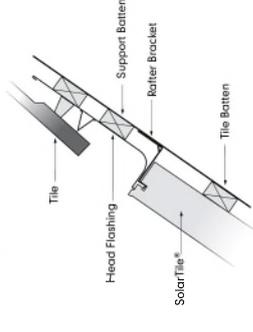
Specification toolkit

Marley provides a comprehensive technical service and a range of online tools to ensure design performance and compliance to the latest Building Regulations and NHBC technical Standards.

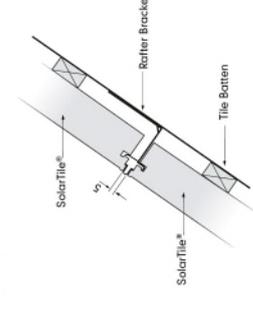
- ▲ Fixing specifications
- ▲ NBS clauses
- ▲ CAD details
- ▲ BIM models

Visit marley.co.uk/specifying

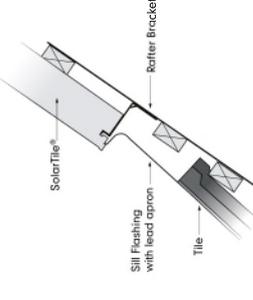
HEAD DETAIL



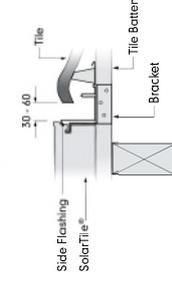
JOIN DETAIL



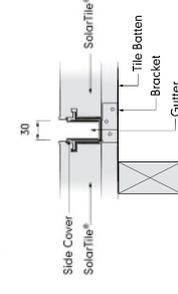
SILL DETAIL



SIDE DETAIL



GUTTER DETAIL

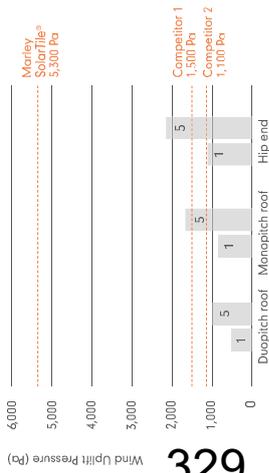


The certified wind resistance for Marley SolarTile® is more than four times higher than competitor products and suitable for even the most exposed locations.

Marley SolarTile is the only roof-integrated solar system accredited with the highest resistance to spread of flame and fire penetration in all European fire safety tests, achieving B_{ref} T1, T2, T3 and T4.

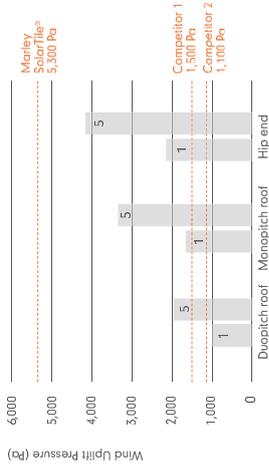
TOWN CENTRE, INLAND, SEA LEVEL

Wind Zones 1 and 5 shown.



EDGE OF TOWN, COASTAL, 200M ALTITUDE

Wind Zones 1 and 5 shown.



329



INSTALLATION

For new roofs or extensions to existing buildings, regulations require that all tiles are fixed with nails or clips. Roof integrated solar panels, like Marley SolarTile®, can be installed easily in a new roof application. The solar panels and flashings can be fitted to the roof first and then the roof covering can be fixed around them.

Integrated solar panels are also easy to install as a retrofit option. Simply remove a patch of tiles and install the solar panels, which leaves spare, perfectly matched tiles available for any future roof repairs. As well as being easy and simple to fit, the installation time for Marley SolarTile is really quick. The patented connection of simply pushing the panels together to create a weather-tight and secure fixing means installation can be less than one hour per kilowatt-peak

For installation advice, contact our technical team 01283 722588



WHY SOLAR?

Solar panel systems, which are often referred to as photovoltaics (PV), work by capturing energy from the sun using photovoltaic cells. What makes the cells so effective is that even on a cloudy day they generate electricity, because the cells don't need direct sunlight to work.

The cells operate by converting sunlight into electricity which can be used by the home or building they are on. The key benefit of adding solar panels to the roof is reduced energy bills. As sunlight is a free energy source, it means energy bills will come down as soon as the panels are installed, and in new build applications it means that bills for home buyers and tenants will start at a reduced rate.

Solar electricity is also a renewable energy and it doesn't release carbon dioxide, so it can significantly cut a building's carbon footprint. A typical home could save between 1.3 and 1.6 tonnes of carbon per year and make a saving of up to £260 on the annual electricity bill (when using the energy generated) simply by installing solar panels*.

*This data is from the Energy Saving Trust



TRAINING

Successful solar roof systems aren't just about products and guarantees; they're about knowledge and communication too – that's why we're here to give practical, engaging and informative training that's completely free of charge.

With a balance of theoretical and practical learning, our courses are designed to make you more knowledgeable about Marley SolarTile® and other products, giving you the confidence to sell and install them.

www.marley.co.uk/training

WHY CHOOSE MARLEY SOLARTILE®?

Marley SolarTile® is a roof integrated solar panel product, which means it replaces the tiles on the roof so that the panels sit lower in the roofline, look more like a part of the building design and deliver a more attractive aesthetic.

Product performance is always key when selecting building products and Marley SolarTile® doesn't disappoint, achieving exceptional fire performance, wind resistance and weather tightness without the need for extra roof battens, adhesive flashing rolls or fire proofing materials.

High winds are always a consideration for roofing applications, Marley SolarTile® has a certified wind resistance more than four times greater than other products on the market, without any modification to the roof structure below and can even be used in exposed locations, giving you peace of mind that the product you choose is of the highest specification.

For more information on Marley SolarTile®, contact one of our specialists - www.marley.co.uk/specialist-locator



REBUILDING NATURAL FORESTS

For every solar panel sold as part of the Marley group, we plant a tree through charitable organisations across the world.



EDEN REFORESTATION PROJECTS

Eden Reforestation Projects operates in Nepal, Mozambique, Haiti, Madagascar and Indonesia. The charity employs local people to help reduce poverty and ensure that trees survive to maturity.

- Supporting people living in impoverished communities
- Restores healthy forests
- Employs local people to manage the forests for the long-term

TREES FOR LIFE

Trees for Life is on a mission to revitalise wild forests in the Highlands of Scotland, by creating a network of woodlands and forests, working with local landowners and communities.

- Enabling the restoration of the Caledonian Forest
- Creating rich habitat
- Supporting wildlife including red squirrels, black grouse and golden eagles



Tell me more

Call 01283 722588

Email info@marley.co.uk

Or visit marley.co.uk/solar

Marley, Lichfield Road, Branston, Burton upon Trent, DE14 3HD



LRB-2022-20

21/01583/FLL - Alteration and extension to dwellinghouse and erection of a garage and formation of vehicular access, Clover Cottage, Kinfauns Holdings, West Kinfauns

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(included in applicant's submission, pages 317-318 and 325-331)*



Mr And Mrs Hughes
c/o McLaren Murdoch And Hamilton
Kathleen Ralston
2 Dundee Road
Perth
PH2 7DW

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **17th February 2022**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **21/01583/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 October 2021 for Planning Permission for **Alterations and extension to dwellinghouse, erection of garage and formation of vehicular access Clover Cottage Kinfauns Holdings West Kinfauns Perth PH2 7JU**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. Approval would be contrary to Policy 43 of the Perth and Kinross Local Development Plan 2 (2019) as the proposed development would have a significantly detrimental impact on the character and landscape setting of the Green Belt in which the site is located. The proposals are contrary to policy due to their unsuitably large scale, excessive form, inappropriate design and absence of any mitigating factors.
2. The proposed development is contrary to Placemaking policies 1A and 1B (subcategories b, c and d) of the Perth & Kinross Local Development Plan 2 (2019), as it will not contribute positively to the quality of the surrounding environment, nor will it respect the character or amenity of the place, in terms of design, height, scale, massing and relationship to the existing building or wider local architectural vernacular.
3. Approval would be contrary to Perth & Kinross Council's Placemaking Guide, March 2020 which seeks to discourage particularly large, dominant, unsuitable or inappropriately designed or located developments that are not in keeping with the existing built form, landscape character or established amenity levels.

Justification

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

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

Plan Reference

01

02

03

REPORT OF HANDLING
DELEGATED REPORT

Ref No	21/01583/FLL	
Ward No	P1- Carse Of Gowrie	
Due Determination Date	30th November 2021	
Draft Report Date	13th February 2022	
Report Issued by	ab	Date 15/2/22

PROPOSAL: Alterations and extension to dwellinghouse, erection of garage & formation of vehicular access

LOCATION: Clover Cottage Kinfauns Holdings
West Kinfauns Perth PH2 7JU

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 visited in the past, and can be viewed from the nearby public roads, also by a variety of remote and electronic means, such as aerial imagery and Streetview, in addition to the photographs submitted by the agents.

This information has meant that, in this case, it is possible and appropriate to determine this application without a further 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

Planning application relates to the above hipped roofed and wet dash rendered, traditionally proportioned, single storey, “holding” property located on a triangularly shaped parcel of land to the west of Walnut Grove. The subjects are located within the Green Belt; the wooded policies of Kinnoull Hill form a prominent landscape feature further to the north.

The land to the east and bungalow to the south are within the same title. The overall grounds are contained by the adjoining road network, which includes the M90 Friarton Bridge to the east leading to the A90 and A85/Old Dundee slip roads to the north and west.

Consent is being sought to radically alter and extend the property. The plans forwarded are seeking to remodel the modest cottage into a large, two and a half storey dwellinghouse. A new vehicular access and detached double garage is also proposed to the east of the house.

SITE HISTORY

None recent on record

PRE-APPLICATION CONSULTATION

Pre application Reference: n/a

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes

(PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

DEVELOPMENT PLA

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 43: Green Belt

OTHER POLICIES

Perth & Kinross Council Placemaking Guide 2020: Technical Guidance
Householder Application

CONSULTATION RESPONSES

Due to the sensitive location of the site, several consultations have been undertaken. Comment has been made as follows:

- Planning & Housing Strategy – have advised that the development does not comply with the Green Belt policy.
- Environmental Health (Contaminated Land) – has advised that the area was known to be subject to sand & gravel extraction in connections with the construction of Friarton Bridge and thereafter the area was used as a landfill site. Records also indicate that at least part of the proposed development site lies within a radon affected area where the measurement/monitoring of radon gas and the installation of mitigation measures may be required.
- Transport Planning – supports conditional approval
- Scottish Water – no objections
- Transport Scotland – no objections

- Development Contributions Officer – no objections
- Structures & Flooding – no objections

REPRESENTATIONS

None received.

ADDITIONAL STATEMENTS

Screening Opinion	Not Required
Environmental Impact Assessment (EIA): Env Report	Not applicable
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact/Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan and the adopted LDP2.

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

Policy Appraisal

The site is located outwith any defined settlement boundary, as such the main policy focus to assess the proposals by are contained within the Greenbelt policy 43 and the Placemaking criteria laid out in policies 1A & 1B.

Greenbelt

Policy 43 states that all proposals for new buildings or extensions to existing buildings must be of a suitable scale and form, located and designed in such a way so as not to detract from the character and landscape setting of the Green Belt. The full criteria is detailed below:

- it can be demonstrated that the development either supports an established use, or develops a new business within the Green Belt which has a direct relationship to the land; or
- it can be demonstrated that the development is essential for agriculture, horticulture (including allotments) or forestry operations; or
- it constitutes woodlands or forestry, including community woodlands; or
- it constitutes uses which advance the Council's aims of improving public access to the countryside around Perth, including recreational, educational and outdoor sports; or
- it complies with criteria (4) or (5) of the Policy 19: Housing in the Countryside and associated Supplementary Guidance, and a positive benefit to the Green Belt can be demonstrated; or

- (f) it constitutes essential infrastructure such as roads and other transport infrastructure, masts and telecom equipment, renewable energy developments, or new cemetery provision.

Planning & Housing Officers have confirmed that the application does not conform with any of the above policy 43 criteria.

Placemaking

Placemaking policies 1A & 1B and the supplementary placemaking guidance, aim to secure new development that is harmonious; being respectful, considerate and contributing positively to its surroundings. The works proposed are not compatible in terms of design or scale. The extent of the alterations intended are more akin to that of a new house, being radical in terms of change and dominant in scale. The alterations will wholly engulf and erode the simple form and character of the existing rural cottage which is reflective of the past small holding architecture. The proposals are accordingly incompatible with placemaking considerations.

Landscape Setting

The application site is located within an area identified as being within the Sidlaw Hills Special Landscape Area, with the wooded slopes and distinctive south-east facing scarps of Kinnoull Hill dominant to the north. The low-lying sections of predominantly agricultural land either side of the River Tay provide an open vista across to Moncreiffe Hill. Both features are notable local landmarks in the southern and eastern approaches into the city and are included in the green belt. A key objective in the Landscape Supplementary Guidance (2015) is to ensure high design quality of new developments in this landscape.

There is some existing linear landscaping along the rear boundary next to the A85. However, this essentially consists of intermittent, semi-mature tree and shrub cover. The site remains visible particularly during the winter months from the adjoining road network and surrounding higher ground.

No additional landscape measures have been proposed for the site. The plans have been designed to provide upper floor living space which would maximise the views out to the north and south. The scale and design of the proposals would however become a dominant and visually intrusive element within the wider landscape setting.

As noted previously, Policy 43 requires that all proposals for new buildings or extensions to existing buildings must be of a suitable scale and form, located and designed in such a way so as not to detract from the character and landscape setting of the Green Belt. The proposals are considered not to meet these objectives and therefore do not comply with the green belt policy.

Visual Amenity

The existing dwellinghouse is set out in an “H” shaped layout and features the distinctive hipped roofed profile and traditional materials which are prevalent in other similar holdings found locally.

The plans forwarded intend to enlarge the 4 bedroomed, modestly proportioned property, in both footprint and in height to create a 6-bedroom dwellinghouse. The areas between the existing side wings will be infilled and the ground floor layout will be largely unchanged, except for a new entrance area to the front (south) and a garden room with bi-fold doors to the rear (north). The roof height will be increased from around 5.85 to 8 metres. Upper floor accommodation will include 4 new en-suite bedrooms and 2 sitting areas; a cupola will be installed in the central roof area resulting in an overall height of 8.8 metres.

The change is substantial, effectively doubling the size of the house, creating two main floors of accommodation. Attempts have been made to replicate the existing house form through a partially hipped roof style. This however is not comparable given the scale and inclusion of a flat section of roof at the top.

The mix of window styles and sizes, combined with intrusive wallhead dormers, external chimney and two, storey expansive central pitched roofed elements are disjointed features which add to the visual clutter and cumulative impact of the scheme. The separate garage unit is also large in scale and devoid of any architectural detailing which would relate it to the original house.

The original building style is in keeping with the rural vernacular and relates well to the context of the semi-open aspect plot. The proposed plans will not however sit comfortably in the site and will stand out as an incongruous, visually intrusive form in the landscape, which is not a positive benefit to the green belt.

The application has been held in an attempt to see if design changes could be sought, and a compromise reached in order to provide for a development less bulky and suburban in nature. This option has been discounted however so the policy concerns remain unchanged. Whilst I have some degree of sympathy with the applicants who wish to take full potential of the scenic surroundings, there are more appropriate ways to enlarge the property and the concerns with the proposals would have been flagged at an early stage if a pre-application enquiry had been submitted.

Residential Amenity

The property sits in a generous albeit semi-open plot which would benefit from additional landscaping measures to enhance amenity levels. The nearest residential unit is located across the access road to the south and within the same ownership, operating as a holiday let. The proposals given the isolated nature of the site and distance from third parties, do not raise any residential amenity concerns.

Roads and Access

Transport planning officers have indicated they are content with conditional approval. Given the proximity to the trunk road network, Transport Scotland have also been consulted, no objections have been raised to the formation of the new access from the spur road.

Drainage and Flooding

Consultees have confirmed that the site lies outwith the functional floodplain and have advised that the supplementary guidance be noted.

Natural Heritage and Biodiversity

No survey reports were forwarded, while this is not deemed to be an issue. Given the extent of the work and roof removal, the presence of any protected species would need to be investigated.

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.

Reasons

1 Approval would be contrary to Policy 43 of the Perth and Kinross Local Development Plan 2 (2019) as the proposed development would have a significantly detrimental impact on the character and landscape setting of the Green Belt in which the site is located. The proposals are contrary to policy due to their unsuitably large scale, excessive form, inappropriate design and absence of any mitigating factors.

2 The proposed development is contrary to Placemaking policies 1A and 1B (subcategories b, c and d) of the Perth & Kinross Local Development Plan 2 (2019), as it will not contribute positively to the quality of the surrounding environment, nor will it respect the character or amenity of the place, in terms of design, height, scale, massing and relationship to the existing building or wider local architectural vernacular.

3 Approval would be contrary to Perth & Kinross Council's Placemaking Guide, March 2020 which seeks to discourage particularly large, dominant, unsuitable or inappropriately designed or located developments that are not in keeping with the existing built form, landscape character or established amenity levels.

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

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01

02

03

LRB-2022-20

21/01583/FLL - Alteration and extension to dwellinghouse and erection of a garage and formation of vehicular access, Clover Cottage, Kinfauns Holdings, West Kinfauns

REPRESENTATIONS

Thursday, 07 October 2021



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

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

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



Dear Customer,

Clover Cottage Kinfauns Holdings, West Kinfauns, Perth, PH2 7JU
Planning Ref: 21/01583/FLL
Our Ref: DSCAS-0050129-697
Proposal: Alterations and extension to dwellinghouse, erection of garage and formation of vehicular access

Please quote our reference in all future correspondence

Audit of Proposal

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

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

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

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

Yours sincerely,

Angela Allison
Development Services Analyst
PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

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

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/01583/FLL	Comments provided by	Bea Nichol
Service/Section	Development Plans	Contact Details	
Description of Proposal	Alterations & extensions to dwellinghouse, erection of garage and formation of access		
Address of site	Clover Cottage, Kinfauns Holdings, West Kinfauns		
Comments on the proposal	<p>The proposed site is outwith the settlement boundary and within the green belt policy area. The Green Belt policy states that proposals should be assessed against the following criteria:</p> <p style="padding-left: 40px;">(a) it complies with criteria (4) or (5) of the Policy 19: Housing in the Countryside and associated Supplementary Guidance, and a positive benefit to the Green Belt can be demonstrated; or</p> <p>The Housing in the Countryside policy allows for the renovation or replacement of dwellinghouses; or the conversion or replacement of redundant non-domestic buildings (LDP2, p.40). In such cases, alterations and extensions may be acceptable based on the design of the proposal. However, this is a significant extension that may impact on the visual amenity of the green belt and will need to be carefully considered in terms of its proportions. The property is currently shown as a single storey property with 4 bedrooms. The original building style is in keeping with the rural vernacular whilst the alterations and extensions raise the roof levels significantly to create a far more dominant building. The proposal doubles the size of the house and the design features create a totally different visual appearance from the current property. This does not comply with the requirement to provide “a positive benefit to the green belt” as it is not a derelict building in disrepair or requiring significant renovation. It is therefore the view of the Development Plans team that this proposal does not comply with green belt policy.</p>		
Recommended planning condition(s)	N/A		
Recommended informative(s) for applicant			
Date comments returned	14/10/2021		

Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

**The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013 S.I.2013 No 155 (S.25)**

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To Perth and Kinross Council Pullar House, 35 Kinnoull Street, Perth PH1 5GD	Council Reference:-	21/01583/FLL
	TS TRBO Reference:-	NE/136/2021

Application made by Mr And Mrs Hughes per McLaren Murdoch And Hamilton , Kathleen Ralston 2 Dundee Road Perth PH2 7DW and received by Transport Scotland on 06 October 2021 for planning permission for alterations and extension to dwellinghouse, erection of garage and formation of vehicular access located at Clover Cottage Kinfauns Holdings West Kinfauns Perth affecting the M90 Trunk Road.

Director, Roads Advice

1. The Director does not propose to advise against the granting of permission
2. The Director advises that planning permission be refused (see overleaf for reasons).
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons).

To obtain permission to work within the trunk road boundary , contact the Area Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-	Area Manager (M90) 0141 272 7100 Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Operating Company:-	NORTH EAST
Address:-	Bear House, Inveralmond Road, Inveralmond Industrial Estate, PERTH, PH1 3TW
Telephone Number:-	01738 448600
e-mail address:-	NEplanningapplications@bearsotland.co.uk

Transport Scotland Response Date:- 11-Oct-2021

Transport Scotland Contact:- Shaun Phillips

Transport Scotland Contact Details:-

Roads - Development Management

Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Telephone Number:

e-mail: development_management@transport.gov.scot

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland, Roads Directorate, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted .

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/01583/FLL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner 
Description of Proposal	Alterations and extension to dwellinghouse, erection of garage and formation of vehicular access		
Address of site	Clover Cottage Kinfauns Holdings West Kinfauns Perth PH2 7JU		
Comments on the proposal	I have no comments to make on this proposal in terms of the Developer Contributions and Affordable Housing Supplementary Guidance.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	15 October 2021		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/01583/FLL	Comments provided by	Lachlan MacLean Project Officer – Transport Planning
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Alterations and extension to dwellinghouse, erection of garage and formation of vehicular access		
Address of site	Clover Cottage Kinfauns Holdings West Kinfauns Perth PH2 7JU		
Comments on the proposal	<p>The applicant is proposing to make alteration to an existing four bedroomed dwellinghouse to a six bedroomed property.</p> <p>Insofar as the Roads matters are concerned, I have no objections to this proposal on the following condition.</p>		
Recommended planning condition(s)	<p>Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type B Figure 5.6 access detail, of Type B Road construction detail. The Type B Road construction detail shall continue from the entrance back to the existing property boundary wall.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p>		
Recommended informative(s) for applicant	<p>The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.</p>		
Date comments returned			

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Service Manager

Your ref 21/01583FLL

Our ref KIM

Date 27/ 10/ 2021

Tel No (4)76442

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

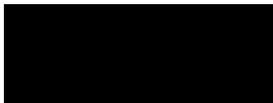
Consultation on an Application for Planning Permission

PK21/01583FLL RE: Alterations and extension to dwellinghouse, erection of garage and formation of vehicular access Clover Cottage Kinfauns Holdings West Kinfauns Perth PH2 7JU for Mr And Mrs Hughes

I refer to your letter dated 12 October 2021 in connection with the above application and have the following comments to make.

Informative

During the construction of the Friarton Bridge in the 1970's, the area around the application site was used for sand and gravel abstraction and the materials were used in the bridge's construction. Latterly the void was used as a landfill site. The nature and extent of the materials disposed of in the area are unknown as this was largely unregulated at that time. There is therefore the potential for the proposed development site to be impacted by contamination associated with this former land use. It shall be the responsibility of the applicant to satisfy themselves that the ground conditions are suitable for the development for which planning consent has been granted. Should any contamination be found during the approved works, works should cease and the Land Quality team should be contacted on 01738 475000 or es@pkc.gov.uk for further advice.



Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	21/01583/FLL	Comments provided by	Duncan Lewis
Service/Section	HE/Flooding	Contact Details	[REDACTED]
Description of Proposal	Alterations and extension to dwellinghouse, erection of garage and formation of vehicular access		
Address of site	Clover Cottage Kinfauns Holdings West Kinfauns Perth PH2 7JU		
Comments on the proposal	<p>We have reviewed this application and the proposed development is out with the functional floodplain as shown on the SEPA Flood Map.</p> <p>We have no objection to this application.</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant	<p>The applicant is advised to refer to Perth & Kinross Council's Supplementary guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development.</p>		
Date comments returned	18/11/2021		

