

Perth and Kinross Council
Development Control Committee – 7 April 2010
Report of Handling by Development Quality Manager

**Alterations and extension to dwellinghouse at 4 Ardchoille Gardens
Perth, PH2 7HR**

Ref. No: 10/00009/FLL
Ward No: 12 – Perth City North

Summary

This report recommends approval of the application for alterations and extension to dwellinghouse at 4 Ardchoille Gardens as the development is considered to comply with the Development Plan for the area and there are no material considerations apparent which would outweigh the Development Plan in this instance.

BACKGROUND AND DESCRIPTION

- 1 The application site relates to a single storey property which currently has accommodation in the roof served by roof lights and is located in a residential area of Perth.
- 2 The proposal is to alter the roof by increasing the height by 0.4m, adding three dormers to the rear (east) elevation and extending the roof to the south side to form a carport with accommodation above and a larger first floor. In addition, a gable will be formed in the roof to the front (west) elevation, incorporating a restricted balcony. The dormer added to this elevation would have a similar feature. Currently the property has two bedrooms at ground floor level with an additional two in the roofspace. Under the proposals this would be increased to four bedrooms in the roofspace but with a reduction to one at ground floor.

NATIONAL POLICY AND GUIDANCE

The Scottish Planning Policy 2010

- 3 This SPP is a statement of Scottish Government policy on land use planning and contains:
 - the Scottish Government's view of the purpose of planning,
 - the core principles for the operation of the system and the objectives for key parts of the system,
 - statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
 - concise subject planning policies, including the implications for development planning and development management, and
 - the Scottish Government's expectations of the intended outcomes of the planning system.
- 4 There is, however, no relevant National Planning Policy given the small scale nature of this proposal

DEVELOPMENT PLAN

- 5 The development plan for the area comprises the approved Perth and Kinross Structure Plan 2003 and the adopted Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000).

Perth and Kinross Structure Plan 2003

- 6 There are no specific policies which relate to the proposal given the small scale nature of the development.

Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000)

- 7 The principal relevant policies are in summary: -

Policy 41 General Residential Policy

- 8 This policy identifies areas of residential and compatible uses where existing residential amenity will be retained and where possible improved.

Perth Area/ Central Area Draft Local Plan 2004

- 9 Members will be aware that on the 30 January 2008 the Council's Enterprise and Infrastructure Committee took the decision not to progress this plan to a finalised stage, therefore although the contents of the Draft Plan should be noted, I consider the weighting which is given to its policies and proposals should be limited at this point in time.

OTHER COUNCIL POLICIES

- 10 There are no other Council policies which are applicable to this application.

SITE HISTORY

- 11 There is no planning history pertaining to the application site.

CONSULTATIONS

- 12 Scottish Water - No objections

REPRESENTATIONS

- 13 Six letters of representations have been received, all objecting to the proposal

Summary of Issues raised by Representations

- 14 The representations have raised the following relevant issues: -
- Out of character

- Over development
- Loss of privacy and overlooking
- Loss of amenity
- Inappropriate materials
- Overshadowing
- Setting a precedent

These issues are all raised in the Appraisal section of this report.

- 15 An issue was raised regarding the devaluation of properties but this is not a material planning issue and is therefore not a matter for the Planning Authority to consider in the determination of this application.

ADDITIONAL STATEMENTS

16

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	None
Report on Impact or Potential Impact	None submitted

APPRAISAL

Policy

- 17 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 18 In terms of the Development Plan, the key policies are contained in the adopted Local Plan, which is the Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000). I therefore consider the key determining issue for this application to be whether the proposal complies with Policy 41 of this plan, which seeks to ensure (amongst other things) that new developments do not adversely affect the amenity of existing residential properties or the character of the area concerned. For reasons stated elsewhere in the report, I consider the proposal (subject to conditions) acceptable in terms of its impact on the amenity of existing residential properties and compatible with the character of the surrounding area. I therefore consider the proposal to be in accordance with the development plan.

Residential Amenity

- 19 The issues raised under residential amenity are in relation to the proposed increase of the roof height by approximately 400mm and the formation of 5 dormer windows (2 at the front and 3 to the rear).

- 20 The depth of the back garden from the east elevation is 9.2 metres and to the west the distance from the front of the dwelling to the far side of the road is approximately 12 metres (and at least 32 metres can be measured to the nearest dwelling in Ardchoille Gardens). These distances comply with the council rules of thumb which state that windows should not be within 9 metres of the boundary. Furthermore there are existing second storey windows in the properties to the rear (Rosemount Place) and more importantly all of the windows are off set and not directly facing.
- 21 The increase of the roof height by 400mm and resulting increase in roof mass has created concerns over possible overshadowing. Due to the orientation of the property, the distance from neighbouring property and this combined with the roof being hipped, I do not consider that overshadowing will be a significant issue. Any overshadowing would most likely be in the evening and would mostly affect the applicant's own garden.

Design and Materials

- 22 It is accepted that the design proposed is unlike the other houses in the street but the proposal would not set an undesirable precedent. It follows the roof design of the existing properties by retaining the gable at the front and the hipped roof. The dormer design with a pitched roof is acceptable and further dormers can be seen on the front and rear elevations of other dwellings in the street.
- 23 The roof tiles proposed are terracotta however in light of the weathering of the other tiles in the street a darker tone would be appropriate and this can be conditioned on a consent. The proposed timber boarding on the dormers and on the front gable would look out of place therefore a condition should be added to ensure an appropriate alternative material is used.

Overdevelopment

- 24 The only increase to the footprint is the carport created under the roof extension running along the south elevation. The extension overall creates an additional bedroom and an enlarged kitchen/dining. As the carport has been created over the existing driveway and adequate garden ground would be retained I do not consider the proposal would constitute overdevelopment.

LEGAL AGREEMENTS

- 25 None required.

DIRECTION BY SCOTTISH MINISTERS

- 26 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 27 The proposal is acceptable in terms of scale and design, and it will not have a significant adverse impact on the neighbouring properties residential amenity through either privacy or overshadowing. The proposal will alter the streetscene but I do not consider that it will do so negatively. There are no material considerations that would justify refusing the application and therefore the application is recommended for approval subject to conditions.

RECOMMENDATION

A Approve the application subject to the following conditions:

- 1 The development shall be begun within a period of three years from the date of this consent.
- 2 The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.
- 3 Notwithstanding the details shown on the approved plans, the terracotta roof tiles are not approved. Details of the specification and colour of the proposed roof tile; shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The details as approved shall be implemented prior to the occupation and/or use of the development. For the avoidance of doubt a darker colour of tile will be required.
- 4 Notwithstanding the details shown on the approved plans, the timber boarding on the dormers and west gable is not approved. Details of the specification and colour of the proposed finish; shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The details as approved shall be implemented prior to the occupation and/or use of the development.

Reasons:

- 1 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning etc (Scotland) Act 2006.
- 2 To ensure that the development is carried out in accordance with the plans approved.
- 3 In the interest of visual amenity.
- 4 In the interest of visual amenity.

B JUSTIFICATION

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure there from.

C PROCEDURAL NOTES

None.

D INFORMATIVES

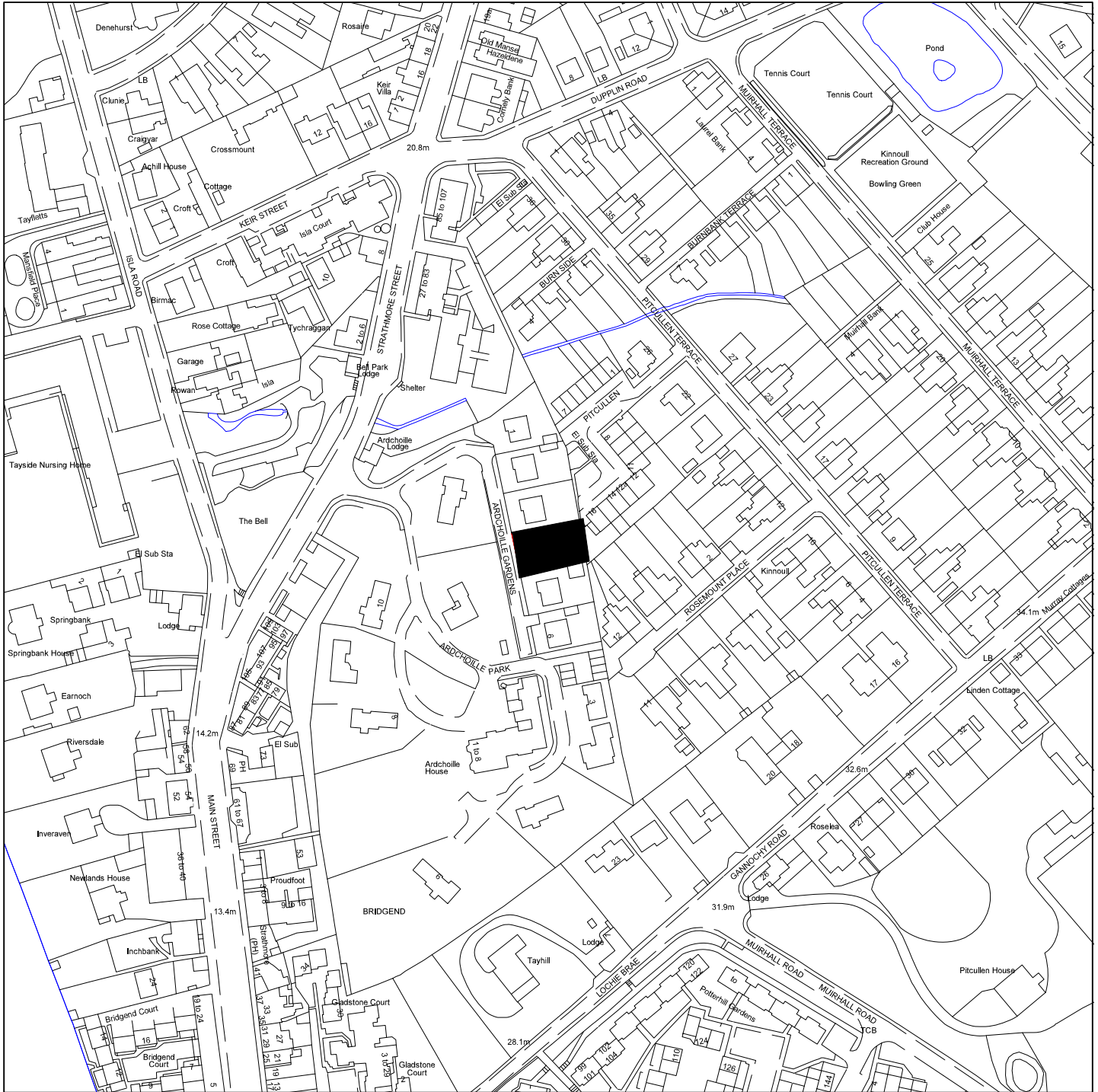
- 1 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 2 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 3 No work shall be commenced until an application for building warrant has been submitted and approved.

Background Papers: 6 letters of representation
Contact Officer: Joanne Ferguson Ext 75320
Date: 16 March 2010

**NICK BRIAN
DEVELOPMENT QUALITY MANAGER**

10/00009/FLL

Alterations & extension 4 Ardchoille Gardens, Perth



Scale : 1:2500

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Organisation	Perth & Kinross Council
Department	Planning
Comments	
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