

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

**Erection of a dwellinghouse and detached garage at site formerly occupied by  
'Leewood', Golf Course Road, Blairgowrie**

Ref No: 10/00166/FLL

Ward No: 3- Blairgowrie and the Glens

**Summary**

This report recommends approval of the application for the erection of a replacement dwelling house and garage on the site formerly occupied by 'Leewood', Golf Course Road, Blairgowrie on the grounds that the proposal accords with the provisions of the Development Plan.

**BACKGROUND AND DESCRIPTION**

- 1 The application relates to a cleared site in the Rosemount residential area of Blairgowrie, which was until recently occupied by a bungalow named 'Leewood'. The site is wedge shaped, increasing in width from approx 23m at its southern frontage with Golf Course Road, to approx 35m at its northern end. The length of the site is approx 70m, resulting in an overall plot size of approx 0.2ha. The site is bounded on all four sides by mature hedging/small trees.
- 2 Although this part of Rosemount is characterised by bungalows, the general area is scattered with a number of recent replacement dwellings with higher ridgelines, which sit relevantly comfortably with their smaller counterparts.
- 3 An application for planning permission in principle was granted on this site last year for the demolition of the existing dwellinghouse and the erection of a replacement dwellinghouse, with accommodation within the roofspace. Since the granting of that consent, the former dwelling has been demolished and the site has now been cleared.
- 4 This application is for detailed planning permission for the erection of the replacement dwellinghouse. The proposed dwelling with 2 levels of accommodation is a large family home of a bespoke design, which attempts to give the appearance of a one and half storey dwelling by introducing dormers within the roofspace and providing a high roof to wall ratio. The dwelling will be sited approx 20m back from its frontage with Golf Course Road, with the proposed single storey linear detached garage located to the rear (north) of the dwellinghouse.

**PROCEDURAL MATTERS**

- 5 As a result of discussions with the Planning Service, the applicant opted to amend the design and location of the detached garage from what was originally submitted. The garage's alignment has consequently been moved 90 degrees

from its original north to south alignment to an east to west alignment. In addition, the ridge height of the garage has been reduced, which has resulted in the usable space in the roof being removed. All affected neighbours and other interested parties were re-notified of the amendments.

## **NATIONAL PLANNING POLICY AND GUIDANCE**

- 6 The Scottish Government expresses its planning policies through The National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars.

### **The Scottish Planning Policy 2010**

- 7 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.

Of relevance to this application are

- Paragraphs 66 - 91 : Housing

## **DEVELOPMENT PLAN**

- 8 The Development Plan for the area comprises the Approved Perth and Kinross Structure Plan 2003 and the Adopted Eastern Area Local Plan 1998. There are no policies of strategic relevance relevant to this application contained in the Structure Plan.

### **Eastern Area Local Plan 1998**

- 9 The application site lies within the settlement boundary of Blairgowrie, as defined by the Eastern Area Local Plan, where **Policy 56 (General residential)** is directly applicable. This policy seeks to ensure that all new proposals do not adversely affect the character, density or amenity of the area concerned.

### **Eastern Area Local Plan Review Strategy and Draft 2005**

- 10 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

11 None directly applicable to this proposal.

## SITE HISTORY

12 An application for planning permission in principle was granted in 2009 (09/01475/IPL) for the demolition of the former dwellinghouse and the erection of a replacement dwellinghouse. As part of that consent, a condition was attached which read *'The replacement dwellinghouse shall be no higher than single storey in appearance with any first floor accommodation being provided wholly within the roofspace, to the satisfaction of the Council as Planning Authority'*

## CONSULTATIONS

13 None undertaken.

## REPRESENTATIONS

14 Eight representations have been received, all objecting to the proposal.

15 The representations have raised the following relevant issues:

- Terms of the outline consent
- Visual impact
- Impact on residential amenity
- Loss of existing hedging

16 These issues are addressed in the appraisal section of this report.

## ADDITIONAL STATEMENTS

|    |  |              |
|----|--|--------------|
| 17 | 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         |

## APPRAISAL

### Policy

- 18 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.
- 19 In terms of the Development Plan, the only policy of relevance is Policy 56 of the Eastern Area Local Plan 1998 (EALP), which seeks to ensure that the character, amenity and density of the area is retained and where possible improved by new developments. As planning permission in principle exists for a replacement dwellinghouse on the site, the key test of the acceptability of this proposal is whether or not the design and siting is acceptable, in terms of its visual presence, and its potential impact on the amenity of existing residential properties. For reasons stated elsewhere in the report, I consider the proposal to be acceptable on both fronts.

### Terms of the outline consent

- 20 As the applicant has chosen to apply in full, (as opposed to applying for the approval of matters specified by conditions in the planning in principle consent) the determination of this application is not technically explicitly bound to the terms of the extant planning in principle consent, and in particular the requirements of condition 4 which related to accommodation at first floor level being restricted to *wholly within the roofspace*. However, as the planning history of any site is a valid planning consideration, I would advise the Committee to consider the terms of the existing consent, but still have due regard to the proposed house type in the context of its surroundings.

### Visual Impact

- 21 The principal consideration for this application is the potential visual impact that the dwelling may have from Golf Course Road. The existing planning in principle consent's reference to accommodation *wholly within the roofspace* was purely intended to keep the wall heads on the replacement dwelling relevantly low and to ensure that the wall to roof ratio was not wall dominant, in order to avoid a typical two storey, shallow pitched dwelling occurring within the area. In my opinion, the applicant's agent has successfully designed a dwellinghouse which does offer more accommodation than was perhaps originally envisaged at first floor level, but has done so with an imaginative design which is comparable to the larger dwellings within the area. I do not consider this proposal to be out of character with the area or to introduce an incongruous feature into the streetscene, and consider the proposal to be a marked improvement from the former non-descript bungalow which will ultimately make a positive contribution to the area. I therefore consider the proposal to be in accordance with Policy 56 of the EALP, which seeks to ensure that the character of existing areas is not adversely affected by new proposals.

### **Impact on Residential Amenity**

- 22 The position of the dwelling house on the plot, the distances from neighbouring dwellings and the extent of the existing hedging / small trees along the boundaries of the site, combine to limit the potential impact that the proposal will have on the existing residential properties, in terms of overlooking, loss of privacy or loss of sunlight. With the exception of impacting on some of the private individual views of some of the neighbours, I do not consider the private amenity of any of the neighbours to be adversely affected by the dwellinghouse. A potential issue arising from the original garage has been resolved by the removal of accommodation within the roofspace of the garage. I therefore consider the proposal to be in accordance with Policy 56 of the EALP which seeks to ensure that the amenity of existing residential areas is not adversely affected by new proposals.

### **Road related issues**

- 23 There are no objections from a road safety perspective to the proposed access arrangements.

### **Impact on existing Hedges/Trees**

- 24 The site is contained by a high hedging and small trees along all of its boundaries, which are not only an attractive feature but also provide natural screening for the proposal. As all the boundary treatments are within the control of the applicant, they can be secured via planning conditions.

### **Affordable Housing**

- 25 There is no affordable housing requirement attached to this proposal as it involved a single replacement dwelling.

### **Education Contributions**

- 26 As the proposal is for a replacement house (albeit the house has now been demolished), there is no requirement for an education contribution to the Council.

### **LEGAL AGREEMENTS**

- 27 None required.

### **DIRECTION BY SCOTTISH MINISTERS**

- 28 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 REASON FOR RECOMMENDATION**

- 29 Despite the level of local interest, I consider the proposal to be acceptable in visual terms and would not impact on the private residential amenity presently enjoyed by neighbouring properties. I accept that the accommodation at first floor level is perhaps not entirely in line with the terms of the outline consent, however, nevertheless, on its own merits I consider what has been submitted as acceptable, and ultimately recommend approval.

## **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, unless otherwise provided for by conditions imposed on the planning consent.
- 3 All existing hedges and trees along the site boundaries shall be retained at their existing heights, unless otherwise agreed in writing by the Council as Planning Authority.
- 4 Prior to the occupation of the dwellinghouse, the vehicular access shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Council as Planning Authority.
- 5 The gradient of the access shall not exceed 3% for the first 5.00 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public road, to the satisfaction of the Council as Planning Authority.
- 6 Prior to the occupation of the dwellinghouse, turning facilities shall be provided (and thereafter retained) within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.
- 7 Prior to the commencement of any works on site precise details of all external finishes shall be submitted for the approval in writing by the Council as Planning Authority.
- 8 The garage shall be used for domestic purposes only, to the satisfaction of the Council as Planning Authority.

### **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.
- 4-6 in the interest of road and traffic safety.
- 7 In the interest of visual amenity.
- 8 In order to control the use of the garage.

## **B JUSTIFICATION**

The proposal is in accordance with the Development Plan and there are no material reasons not to support the application.

## **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 The applicant is 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.

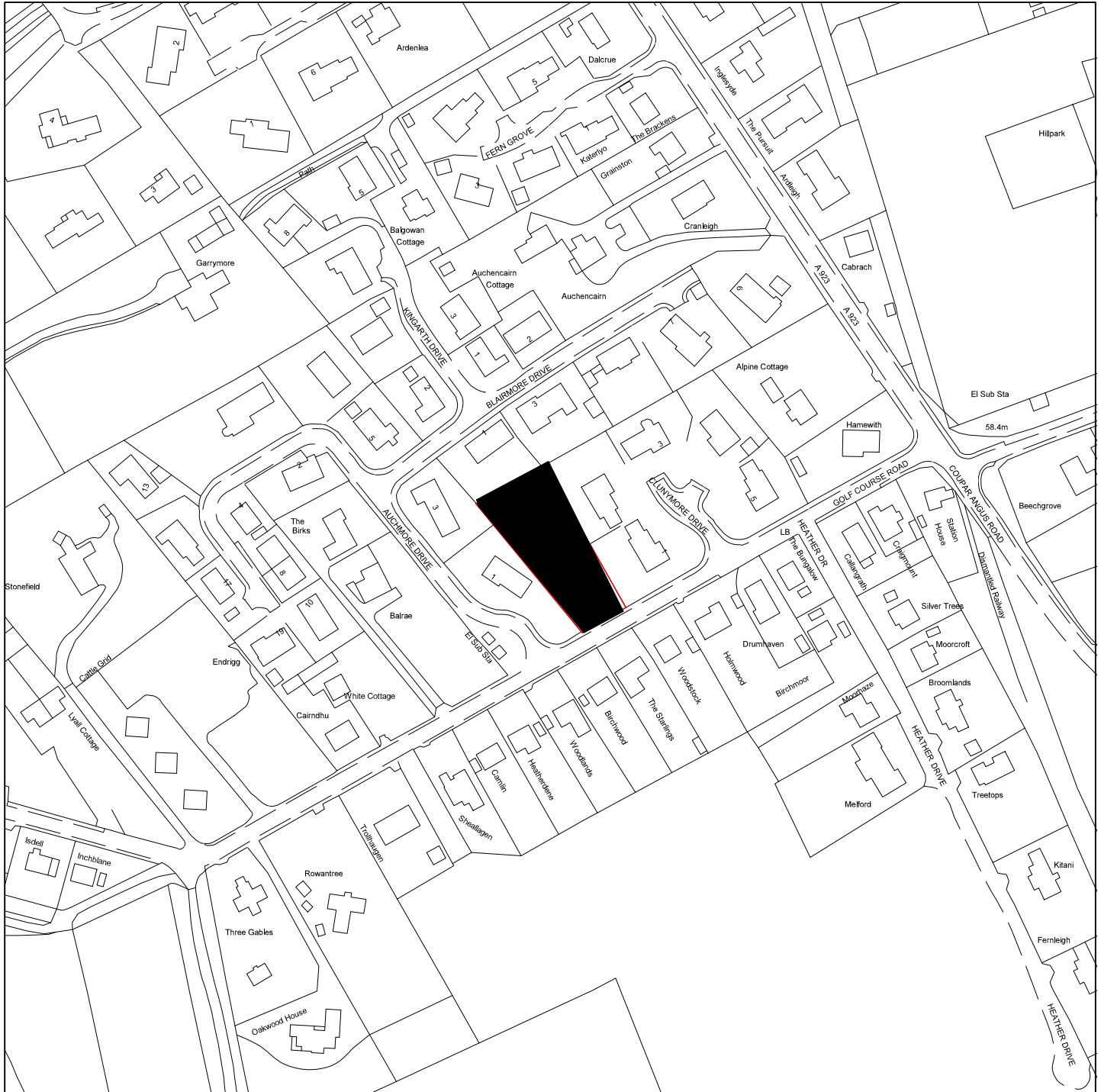
Background Papers: Eight letters of representations.  
Contact Officer: Andy Baxter, Ext 75339  
Date: 24 June 2010

**Nick Brian**  
**Development Quality Manager**



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## Erection dwellinghouse, Golf Course Road, Blairgowrie



Scale : 1:2500

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|---------------------|-------------------------|
| <b>Organisation</b> | Perth & Kinross Council |
| <b>Department</b>   | Planning                |
| <b>Comments</b>     |                         |
| <b>Date</b>         | 07 June 2010            |
| <b>SLA Number</b>   | 100016971               |

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