

Perth and Kinross Council
Development Control Committee – 14TH January 2015
Report of Handling by Development Quality Manager

**Replacement of garden store (in retrospect), Broomfield 5 Littlewood Gardens
Blairgowrie PH10 6XZ**

Ref. No: 14/01909/FLL

Ward No: 3 - Blairgowrie and Glens

Summary

This report recommends approval of the application for the replacement garden store (in retrospect) as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 This application is seeking permission in retrospect for the replacement of a garden store at Broomfield, 5 Littlewood Gardens, Blairgowrie. The proposed (existing) outbuilding measures approximately 7m x 4m and 3.85m in height to the roof ridge (2.4m to the eaves). The building is in the grounds of a two storey, detached property in an established residential area towards the south end of Blairgowrie. A dismantled railway runs along the eastern boundary of the site whilst the A923 is located approximately 100m to the west.

NATIONAL POLICY AND GUIDANCE

- 2 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.

Of specific relevance to this application is:

Scottish Planning Policy 2014

- 3 The Scottish Planning Policy (SPP) was published on 23 June 2014. It sets out national planning policies which reflect Scottish Minister's priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances.

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

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

Perth and Kinross Local Development Plan 2014

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

Policy PM1A - Placemaking

- 7 Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

Policy RD1 - Residential Areas

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

OTHER COUNCIL POLICIES

- 9 N/A

SITE HISTORY

- 10 89/00703/FUL Erection of 5 houses Approved under delegated powers 9 June 1989
- 11 91/02087/FUL Erection of 5 houses. Approved under delegated powers 24 January 1992
- 12 96/01282/FUL Erection of 2 houses and garages Approved under delegated powers 20 February 1997
- 13 98/00371/FUL Erection of a house Approved under delegated powers 29 May 1998

CONSULTATIONS

- 14 None

REPRESENTATIONS

15 Eight representations were received objecting to the proposals. The summary of the points raised are as follows:

- Concerns over possible business use of building and associated industrial use
- Design and finishes of building
- Business traffic generation and impact on safety of the residential cul de sac
- Development carried out without planning consent
- Inadequate separation of building from boundary
- Contrary to local plan and policy
- Impact on wildlife on land to rear of site

These issues are addressed in the Appraisal section of the report

ADDITIONAL STATEMENTS

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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	Not required

APPRAISAL

Policy

- 17 Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.
- 18 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.
- 19 Policies PM1A and RD1 seek that development makes a positive contribution to the surrounding built and natural environment whilst protecting residential amenity. This building has a matching appearance to the existing dwellinghouse and does not result in any detrimental impacts on residential amenity therefore according with these policies.

Design and Layout

- 20 The proposed (now existing) garden building measures 7m x 4m and 3.85m in height to the roof ridge (2.4m to the eaves). The previous building which has been replaced measured approximately 7m x 4m and 2.9m in height to the roof ridge (2.4m to the eaves). In terms of scale therefore, the new building is only larger than the original shed in height and not footprint. The front (north-east) elevation features a partially glazed door in the centre of the elevation with a window located on either side of this door. The side (south-east) elevation features a large single window measuring 1.1m x 1.3m. This configuration of features is very similar to those of the original timber shed, with only minor variations in dimensions. The rear (south-west) and side (north-west) elevations are blank elevations.
- 21 Objections have been raised regarding the finish of the building and its subsequent character and also the fact it is located within 1m of the site boundary which an objector believes is prohibited. The finish of the building in this case is considered to be acceptable as it has been constructed to a high standard and development can take place right up to an applicant's boundary subject to it being acceptable in all other aspects and not impacting on residential amenity.

Visual Amenity

- 22 The scale of the new building is not much larger than the structure that it replaced and still retains the subordinate nature and appearance of an outbuilding. The finish materials of roughcast rendering for the walls alongside corner quoin detailing and concrete tiles with white UPVC window and door frames will result in a structure which mirrors the design and finishes of the dwellinghouse itself, helping to tie the two buildings together and create a sense of unity between them. The new building has an improved appearance over the original (now replaced) timber shed.

Landscape and wildlife

- 23 The proposal will have no negative impact on the wider landscape setting as it relates visually to the main house. In addition the building is close to a boundary with a residentially property and the area of non-residential ground which the representations raise concern over in respect of wildlife interest lies beyond the rear boundary of the site, at an acceptable distance from the building.

Residential Amenity

- 24 The building will not result in overlooking of neighbouring properties. The height of the building is approximately 1m taller than the previous garden shed however its location within the site and distance from neighbouring the property is such that it will not result in overshadowing of any neighbouring properties.

- 25 Objectors believe that the use of this ancillary building is for business purposes however the plans have to be taken at face value and there is no evidence to suggest this building will be used for business purposes. A condition will be attached to ensure the building is used solely for purposes ancillary to the enjoyment of the dwellinghouse. If this condition is not complied with then enforcement action will be taken against the applicant.

Roads and Access

- 26 As the proposal is to be ancillary accommodation to the house then it is not expected to generate any additional traffic and as a consequence would be acceptable in relation to the existing access and cul de sac arrangements.

Developer Contributions

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

Economic Impact

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

LEGAL AGREEMENTS

- 29 None required.

DIRECTION BY SCOTTISH MINISTERS

- 30 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, 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

- 31 In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions.

RECOMMENDATION

- A Approve subject to the following conditions:**

- 1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

Reason - To ensure that the development is carried out in accordance with the plans approved

- 2 The development authorised by this consent shall be used solely for purposes incidental to the enjoyment of the dwellinghouse and for no other purpose..

Reason - In order to safeguard the residential amenity of the area.

B JUSTIFICATION

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

C PROCEDURAL NOTES

None

D INFORMATIVES

None.

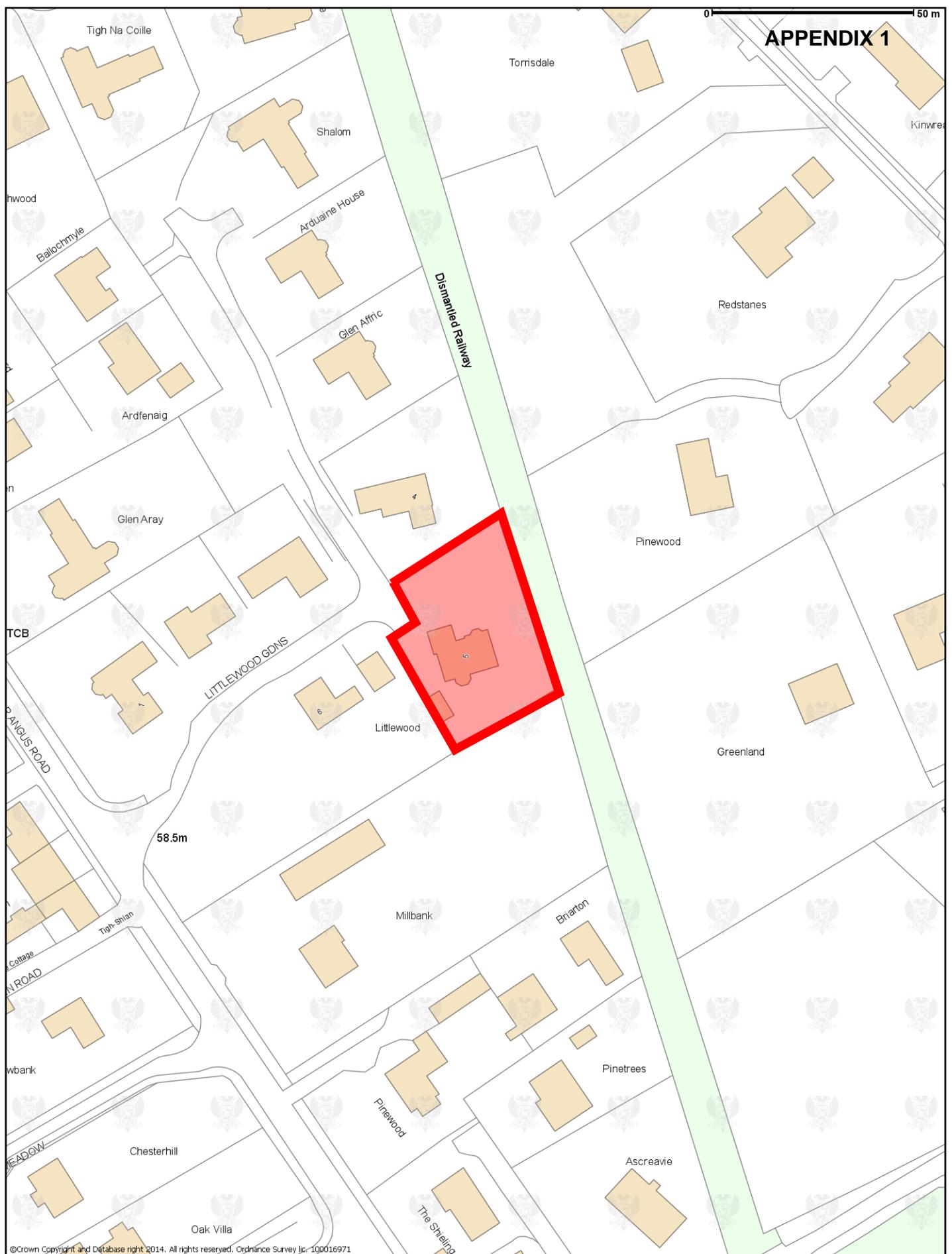
Nick Brian
Development Quality Manager

Background Papers: 8 letters of representation
Contact Officer: Graham Mitchell – Ext 75375
Date: 10th December 2014

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