



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto:onlineapps@pkc.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100654146-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation: Andrew Megginson Architecture

Ref. Number:

You must enter a Building Name or Number, or both: \*

First Name: \*

Andrew

Building Name:

Andrew Megginson Architecture

Last Name: \*

Megginson

Building Number:

Telephone Number: \*

0131 557 9129

Address 1  
(Street): \*

128 Dundas Street

Extension Number:

Address 2:

New Town

Mobile Number:

Town/City: \*

Edinburgh

Fax Number:

Country: \*

Scotland

Postcode: \*

EH3 5DQ

Email Address: \*

[andrew@andrewmegginsonarchitecture.com](mailto:andrew@andrewmegginsonarchitecture.com)

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Ochil Cottage"/>
First Name: *	<input type="text" value="Matthew"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Williams"/>	Address 1 (Street): *	<input type="text" value="Glenfarg"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Near Kinross"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PH2 9NY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="OCHIL COTTAGE"/>
Address 2:	<input type="text" value="MAIN STREET"/>
Address 3:	<input type="text" value="GLENFARG"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PERTH"/>
Post Code:	<input type="text" value="PH2 9NY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="710397"/>	Easting	<input type="text" value="313489"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Alterations and extension to dwellinghouse and formation of raised patio at Ochil Cottage Main Street Glenfarg Perth PH2 9NY

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See review 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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

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. You can attach these documents electronically later in the process: \* (Max 500 characters)

Application form, decision notice/ report, proposal drawings/ information, overshadowing assessment and review statement.

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

23/02043/FLL

What date was the application submitted to the planning authority? \*

06/12/2023

What date was the decision issued by the planning authority? \*

07/03/2024

## 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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Understand proposals/ existing property fully.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No



## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

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 (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Andrew Megginson

Declaration Date: 30/04/2024

# Review Statement

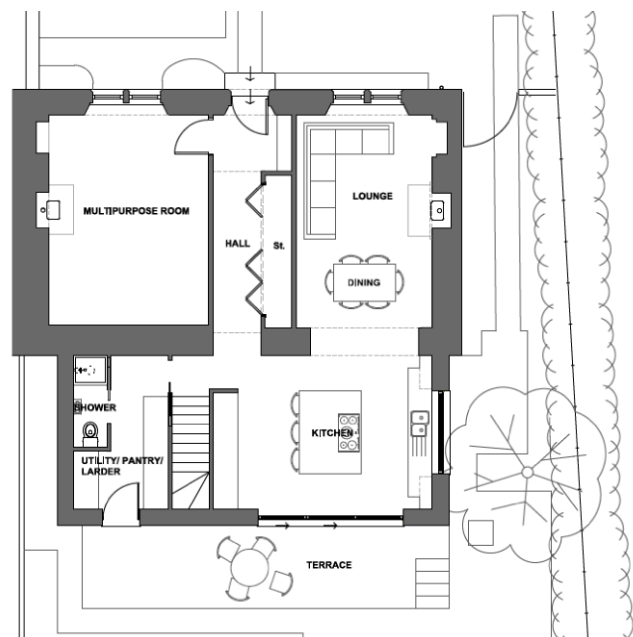
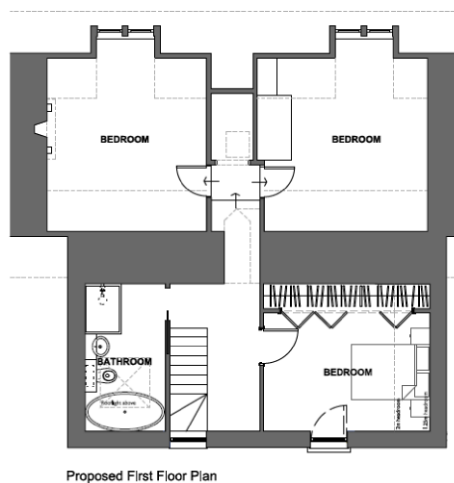
Planning application for alterations and extension to Ochil Cottage Main Street, Glenfarg

Date: April 2024



This review Statement has been prepared by Andrew Megginson Architecture, on behalf of Matthew and Samantha Williams, for a planning application for alterations and extension to their home Ochil Cottage in Glenfarg. Mr and Mrs Williams have recently had a child and are looking to have a second child, Samantha's mother is disabled and terminally ill and Mr and Mrs Williams are looking at the possibility of moving her into their home to care for her which is signified by the room labelled 'Multipurpose Room' which has potential to become a bedroom with an en suite fitted within to the rear side which would be feasible to connect into the drainage for the proposed shower room. At present the existing house feels relatively dark and has very little connection to the rear private amenity area, Mr and Mrs Williams were looking for proposals to remove the existing unpleasant extension and form a contemporary extension that would sympathetically contrast with their existing home to provide much more light filled spaces suitable to modern living whilst also adding in more rooms to accommodate their growing family along with

It should be noted that Ochil Cottage is not listed nor is it within a conservation area. No objections were received from any neighbours with one letter of support being received from a neighbour.



Proposed floor plans





Proposed rear elevation

The reasons for refusal of the planning application are stated below;

1. The proposal, by virtue of its design, siting, scale and finishing materials, would have a detrimental impact on the traditional character of the existing house, and it would not complement its surroundings.

We feel the planning officer's views in relation to this reason for refusal are subjective to the contemporary design we have put forward and strongly refute this reason for refusal. As noted above the ambition of the applicant was to create a modern extension that positively altered the existing spaces to provide more light into them whilst forming a modern day layout which would allow much better views and access to the garden. The additional rooms are also a major requirement for Mr and Mrs Williams. To this we looked to form an extension that was kept solely to the rear to allow the traditional look of the house to be retained in its entirety to the public facing front elevation and only side elevation. At the rear we are looking to create an extension that contrasts sympathetically with the existing building and area in a modern style whilst delivering the requirements of the brief to Mr and Mrs Williams.

The massing and scale of the proposed design takes cognisance of that existing to the property. The proposals look to firstly form a statement pitched roof element to the southern side of the rear elevation, which broadly replicates the rear outshoot that exists to the application property. We have then added two contemporary elements to the north of this which are broken up between ground and first floor to reduce the overall massing of the extension at this side. The northern elements are proposed to be flat roofed to be subservient to the pitched roof element and again allow the massing of the extension as a whole to be broken up well. All elements thus integrate together sympathetically in a composition that expresses the contemporary design approach where pitched roof and flat roof elements to



buildings can be seen elsewhere in the area. The scale of the proposal is lower than the existing cottage where the flat roofed elements step down further which allows the extension to integrate well with the existing dwelling. The stepping down of the flat roofed elements of the extension are also to respond to the adjoining neighbour at that side in terms of visual impact where the lowering in height, stepping back and breaking up of materiality at this side will not have a detrimental visual impact to the neighbour at Glenard.

The details of the proposed extension; the flat roof, eaves details, openings and composition are designed to take on a modern look which contrasts sympathetically with the existing cottage.

The distance the proposed extension protrudes into the garden is only marginally larger than that which exists in terms of the existing rear outshoot showing that the siting has been informed by the existing situation. The proposed extension also does not extend any further into the garden than the existing extension to the adjoining property.

In terms of materiality, we are not introducing anything incongruous to the property or area. As can be seen the existing extension has a contrasting material with the application dwelling where white roughcast has also been used for the extension to the adjoining property to the north, with white roughcast existing to 2 Elm Row on the southern side of the application dwelling. The proposal of smooth white render in the context of the existing situation is therefore in harmony with the surrounding properties and area. Stone is used for the ground floor element of the extension to the north of the rear elevation along with the terrace which ties in with the existing stone existing to Ochil Cottage. Sitting lightly above the stone timber cladding is proposed, unlike the timber shown in the example below we are proposing the timber to be stained in a grey colour to tie in with the slate as this element of the extension is at first floor level and in line with the slate roof of Ochil Cottage. The timber cladding is complimentary to our modern design approach. Slate is used to the pitched roof element of the proposed extension which exists to the roof of Ochil Cottage. The materials thus are congruous with the existing property and surrounding area





Example of a house extension across the road and slightly south of Ochil Cottage where timber cladding has been used at first floor level in a flat roof form. White roughcast also exists to this house.

With the above in mind we feel that the proposals are sympathetic to the existing property and are at harmony with the surrounding area and ask the Local Review Body to dismiss this reason for refusal.

2. The proposal, by virtue of the overlooking from the window on the south elevation and the overlooking from the raised patio, would have a detrimental impact on the residential amenity of the neighbouring properties to the north and the south.

As noted above the planning application has had no objections from any surrounding neighbours who evidently do not have any privacy concerns with the proposals. As per the below photo the southern window that the planning officer considers shall overlook the neighbours at 2 Elm Row, which we have roughly indicated on the image, will look directly onto the existing tree and hedge that shall be retained and provides existing screening between the properties resulting in no privacy issues.



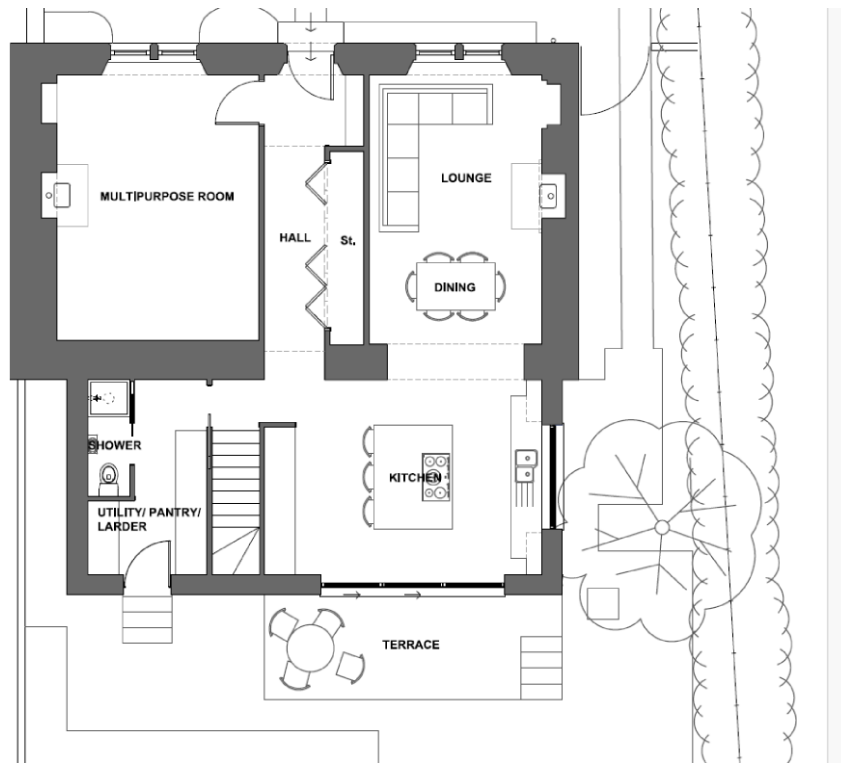




Image of the existing extension where it can be seen the southern elevation faces onto an existing tree and hedging which separates the application property and neighbour at 2 Elm Row where the existing vegetation shall be retained. The location of the proposed window has been shown indicatively in blue.

Similarly with the terrace that the planning officer raises concerns over. At the southern neighbouring side as above, existing vegetation shall provide screening between the application property and 2 Elm Row so we do not consider any privacy issues at this side. At the northern neighbouring side the terrace is located directly outside the proposed utility/ pantry/ larder door simply to provide access from this space direct to the garden. The northern part of the terrace shall simply be used incidentally as an access area to the said utility/ pantry/ larder and as a result of this there will not be detrimental privacy concerns. Furthermore, there is a tall fence and vegetation separating the application property and Glenard to the north. Although we feel with the fact that there were no objections to the proposals from the neighbour at Glenard and as explained above we do not believe there to be any privacy concerns as the proposal currently stands, we would be happy to reduce the terrace area to the northern side to the satisfaction of Perth and Kinross Council. We could stop the terrace at the northern end of the kitchen and have steps down to the garden from the utility/ pantry/ larder only where we would welcome a condition to any approval to this effect.





Example of reduction of terrace and change to steps only from utility which we would be happy to accept as a condition to any approval.

With the above in mind we feel we have demonstrated that there shall be no privacy concerns associated with the proposals and ask the Local Review Body to dismiss this reason for refusal.

3. The proposal, by virtue of the scale of the extension and its proximity to the boundary, would result in overshadowing of the residential property to the north.

Please see attached report from Hollis which concludes that the above should be dismissed.

4. The proposal, by virtue of the scale and design of the extension and its proximity to the boundary, would have an overbearing physical impact on the residential property to the north.

We again reiterate as above that no objections from surrounding neighbours, specifically those to the north in Glenard, were received who of course do not consider the proposals to have an overbearing impact upon them. As per our comments from reason for refusal 1 we feel that the view taken on the proposals is rather subjective and as per our response to reason for refusal 1 believe our proposals are sympathetic to the existing house and area and respect neighbouring properties.





With the above in mind we feel we have demonstrated that the proposals shall not have an overbearing physical impact to Glenard and ask the Local Review Body to dismiss this reason for refusal.

Taking into account all of the above, we respectfully ask councillors to overturn the planning officers decision and grant planning permission.





Mr Matthew Williams  
c/o Andrew Megginson Architecture  
Andrew Megginson  
128 Dundas Street  
New Town  
Edinburgh  
EH3 5DQ

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **7th March 2024**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **23/02043/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 10th January 2024 for Planning Permission for **Alterations and extension to dwellinghouse and formation of raised patio at Ochil Cottage Main Street Glenfarg Perth PH2 9NY**

**David Littlejohn**  
**Strategic Lead (Economy, Development and Planning)**

### **Reasons for Refusal**

- 1 The proposal, by virtue of its design, siting, scale and finishing materials, would have a detrimental impact on the traditional character of the existing house, and it would not complement its surroundings.

Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policies 1A and 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

- 2 The proposal, by virtue of the overlooking from the window on the south elevation and the overlooking from the raised patio, would have a detrimental impact on the residential amenity of the neighbouring properties to the north and the south.

Approval would therefore be contrary to Policy 16(g)(ii): Quality Homes of National Planning Framework 4, contrary to Policy 17: Residential Areas of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

- 3 The proposal, by virtue of the scale of the extension and its proximity to the boundary, would result in overshadowing of the residential property to the north.

Approval would therefore be contrary to Policy 16(g)(ii): Quality Homes of National Planning Framework 4, contrary to Policy 17: Residential Areas of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

- 4 The proposal, by virtue of the scale and design of the extension and its proximity to the boundary, would have an overbearing physical impact on the residential property to the north.

Approval would therefore be contrary to Policy 16(g)(ii): Quality Homes of National Planning Framework 4, contrary to Policy 17: Residential Areas of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

### **Justification**

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

### **Notes**

- 1 There are no relevant informatives.

**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](http://www.pkc.gov.uk) "Online Planning Applications" page.**

#### Plan Reference

01

02

03

04

05

# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	23/02043/FLL	
Ward No	P8- Kinross-shire	
Due Determination Date	9th March 2024	
Draft Report Date	7th March 2024	
Report Issued by	David Rennie	Date 7th March 2024

**PROPOSAL:** Alterations and extension to dwellinghouse and formation of raised patio

**LOCATION:** Ochil Cottage Main Street Glenfarg Perth PH2 9NY

### 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.

### BACKGROUND AND DESCRIPTION OF PROPOSAL

The application property is a traditional semi-detached 1½ storey dwellinghouse situated in a residential area of Glenfarg. Full planning permission is sought to erect a two-storey extension with a raised patio on the west (rear) elevation of the house. To facilitate the proposal, an existing 1½ storey extension on the west elevation is to be removed.

### SITE HISTORY

87/01028/FUL EXTENSION TO REAR AT 13 August 1987 Application Approved

### PRE-APPLICATION CONSULTATION

Pre application Reference: n/a

### DEVELOPMENT PLAN

The Development Plan for the area comprises National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2 (2019) (LDP2).

## **National Planning Framework 4**

The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the following policies of NPF4:

Policy 16: Quality Homes

## **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 17: Residential Areas

## **Statutory Supplementary Guidance**

- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

## **NATIONAL GUIDANCE**

The Scottish Government expresses its planning policies through The National Planning Framework, Planning Advice Notes, Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

## **Planning Advice Notes**

The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management

## CONSULTATION RESPONSES

### Scottish Water

No objection to the proposal but advised the applicant to limit any increase in rainwater discharge and advised that no new connections will be permitted to the public water infrastructure. Also noted that there is live infrastructure in the proximity of the development area that may impact on existing Scottish Water assets and written permission must be obtained before any works are started within the area of our apparatus.

### Structures And Flooding

No objection but advised the applicant to refer to Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2021.

### Development Contributions Officer

No comments to make on this proposal in terms of the Developer Contributions and Affordable Housing Supplementary Guidance.

## REPRESENTATIONS

There was one representation which was in support of the proposal.

### Additional Statements Received:

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

## APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises NPF4 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

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**

Alterations and extensions to existing domestic dwellinghouses are generally considered to be supportable in principle. Nevertheless, consideration must be given to the specific details of the proposed development, within the context of the application site, and whether it would have an adverse impact upon visual or residential amenity or the character and appearance of the place. Assessment of the proposal against the relevant policies is provided below.

### **Design, Layout and Visual Amenity**

The existing house retains much of its original character. Despite the addition of a previous extension to the rear of the house, traditional elements remain visible including a slate roof, stone walls and overhanging eaves with exposed rafters. The rear of the house is readily visible from the street to the rear (Elm Row).

The proposed extension comprises a mix of designs. To the southern side, there is a 1½ storey section with a slated gabled pitched roof and white rendered walls. To the northern side, there is a flat roofed 2 storey section that has a box-on-box appearance due to grey stone walls to the ground floor and dark timber cladding (the precise colour of which has not been specified) to the first-floor walls, which are set back from the ground floor walls. The mix of the roof shapes, finishing materials and roof heights results in the extension having an incongruous design which dominates the rear elevation of the house, and which detracts from the traditional character of the house.

The eaves of the pitched roof section of the extension sit over 1 metre above the eaves of the existing house. This increases the visual domination of the extension over the existing house.

Whilst the existing house has overhanging eaves, the pitched roof section of the extension has clipped eaves that fail to respect the character of the existing house.

Due to its height and width, the proposed extension will obscure most of the traditional walls and eaves, and much of the traditional roof, on the rear of the existing house.

The height of the ridge of the pitched roof section matches the ridge of the existing house; however, setting the ridge lower would have given a degree of subordination to the house. The height of the ridge of the pitched roof section sits 0.5 metres above the ridge of the dormers on the front of the house. The south elevation of the extension is set back a mere 0.3 metres from the south elevation of the house. Due to its ridge height, eaves height, minimal set back on the south elevation and white rendered walls, the proposed extension

would be visually prominent when approaching the property from the south along Main Street. On the site visit, it was noted that the roof of the existing rear extension can be seen from Main Street, but it is not visually obtrusive due to its lower ridge and eaves heights, its set back from the south elevation and its hipped roof.

The proposed raised patio has a simple design. Its floor level is 1 metre above ground level, and it is almost the full width of the extension. This height and width increase the dominance of the proposal on the rear of the existing house.

Due to its design, siting, scale and finishing materials, the proposal has a detrimental impact on the traditional character of the existing house, and it does not complement its surroundings. As such, the proposal fails to comply with Policy 16(g)(i) of NPF4, Policies 1A and 1B of LDP2 and the Perth & Kinross Placemaking Supplementary Guidance 2020.

### **Residential Amenity**

The window on the south elevation of the proposed extension faces the rear garden of the neighbouring residential property and faces windows on the side (north elevation) of the neighbouring house. The window on the proposed extension is less than 3.5 metres from the boundary, and it has a sill height of approximately 1 metre above the internal floor level, despite it having the appearance of a high-level window. The proposed raised patio, the floor of which is approximately 1 metre above ground level, is also less than 3.5 metres from the southern boundary.

The proposed patio is 1.5 metres from the boundary with the residential property to the north and faces the rear garden and a window on the south elevation of that property.

The existing boundary treatments do not provide adequate screening between the properties, particularly when the raised floor levels are taken into account.

Given the above, the proposal will result in overlooking of the properties to the north and the south due to the proximity to the boundaries and the raised floor levels.

The wall forming the north elevation of the proposed extension has a maximum height 6.5 metres, extends 4 metres from the rear wall of the existing (original) house; and will be 1.2 metres from the boundary with the residential property to the north.

Using the 25 degree rule to calculate a loss of light (as specified in the Placemaking Supplementary Guidance), the proposed extension will result in a loss of light to a south-facing window on the ground floor of the neighbouring house. Given its height and depth and as it is to be sited directly to the south of the neighbouring property, the proposed extension



Given its height and depth and as it is to be sited directly to the south of the neighbouring property, the proposed extension would have an oppressive and overbearing physical impact on the property to the north.

Given the above, the proposal is contrary to Policy 16(g)(ii) of NPF4 and contrary to Policy 17 of LDP2.

### **Roads and Access**

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

### **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 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 Development Plan.

Accordingly, the proposal is refused on the grounds identified below.

### **Reasons for Refusal**

1. The proposal, by virtue of its design, siting, scale and finishing materials, would have a detrimental impact on the traditional character of the existing house, and it would not complement its surroundings.

Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policies 1A and 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2, and

contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

2. The proposal, by virtue of the overlooking from the window on the south elevation and the overlooking from the raised patio, would have a detrimental impact on the residential amenity of the neighbouring properties to the north and the south.

Approval would therefore be contrary to Policy 16(g)(ii): Quality Homes of National Planning Framework 4, contrary to Policy 17: Residential Areas of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

3. The proposal, by virtue of the scale of the extension and its proximity to the boundary, would result in overshadowing of the residential property to the north.

Approval would therefore be contrary to Policy 16(g)(ii): Quality Homes of National Planning Framework 4, contrary to Policy 17: Residential Areas of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

4. The proposal, by virtue of the scale and design of the extension and its proximity to the boundary, would have an overbearing physical impact on the residential property to the north.

Approval would therefore be contrary to Policy 16(g)(ii): Quality Homes of National Planning Framework 4, contrary to Policy 17: Residential Areas of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

## **Justification**

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

## **Informatives**

- 1 There are no relevant informatives.

**Procedural Notes**

Not Applicable.

**PLANS AND DOCUMENTS RELATING TO THIS DECISION**

01

02

03

04

05



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto:onlineapps@pkc.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100654146-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Extension and alterations to house

Has the work already been started and/ or completed? \*

☒ No ☐ Yes - Started ☐ Yes – Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Andrew Megginson Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Andrew	Building Name:	Andrew Megginson Architecture
Last Name: *	Megginson	Building Number:	
Telephone Number: *	0131 557 9129	Address 1 (Street): *	128 Dundas Street
Extension Number:		Address 2:	New Town
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH3 5DQ
Email Address: *	andrew@andrewmegginsonarchitecture.com		

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Ochil Cottage
First Name: *	Matthew	Building Number:	
Last Name: *	Williams	Address 1 (Street): *	Glenfarg
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Near Kinross
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PH2 9NY
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

OCHIL COTTAGE

Address 2:

MAIN STREET

Address 3:

GLENFARG

Address 4:

Address 5:

Town/City/Settlement:

PERTH

Post Code:

PH2 9NY

Please identify/describe the location of the site or sites

Northing

710397

Easting

313489

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Trees

Are there any trees on or adjacent to the application site? \*

☒ Yes ☐ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

☐ Yes ☒ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

☐ Yes ☒ No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

☒ Yes ☐ No

Is any of the land part of an agricultural holding? \*

☐ Yes ☒ No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Andrew Megginson

On behalf of: Mr Matthew Williams

Date: 06/12/2023

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? \* ☒ Yes ☐ No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \* ☒ Yes ☐ No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? \* ☒ Yes ☐ No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale. ☒ Yes ☐ No
- e) Have you provided a certificate of ownership? \* ☒ Yes ☐ No
- f) Have you provided the fee payable under the Fees Regulations? \* ☒ Yes ☐ No
- g) Have you provided any other plans as necessary? \* ☒ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- ☒ Existing and Proposed elevations.
- ☒ Existing and proposed floor plans.
- ☒ Cross sections.
- ☒ Site layout plan/Block plans (including access).
- ☒ Roof plan.
- ☐ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \* ☐ Yes ☒ No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Andrew Megginson

Declaration Date: 06/12/2023

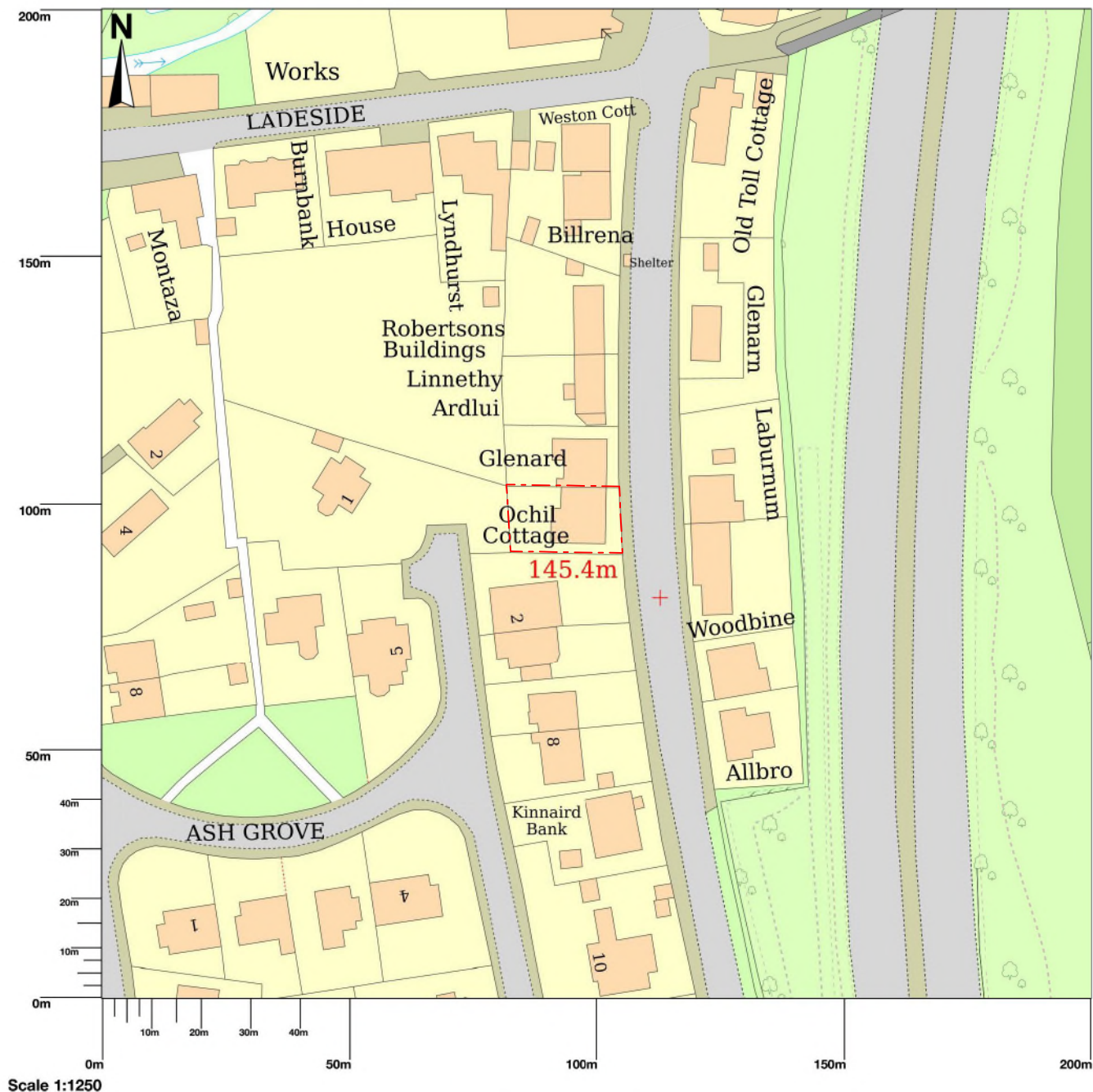


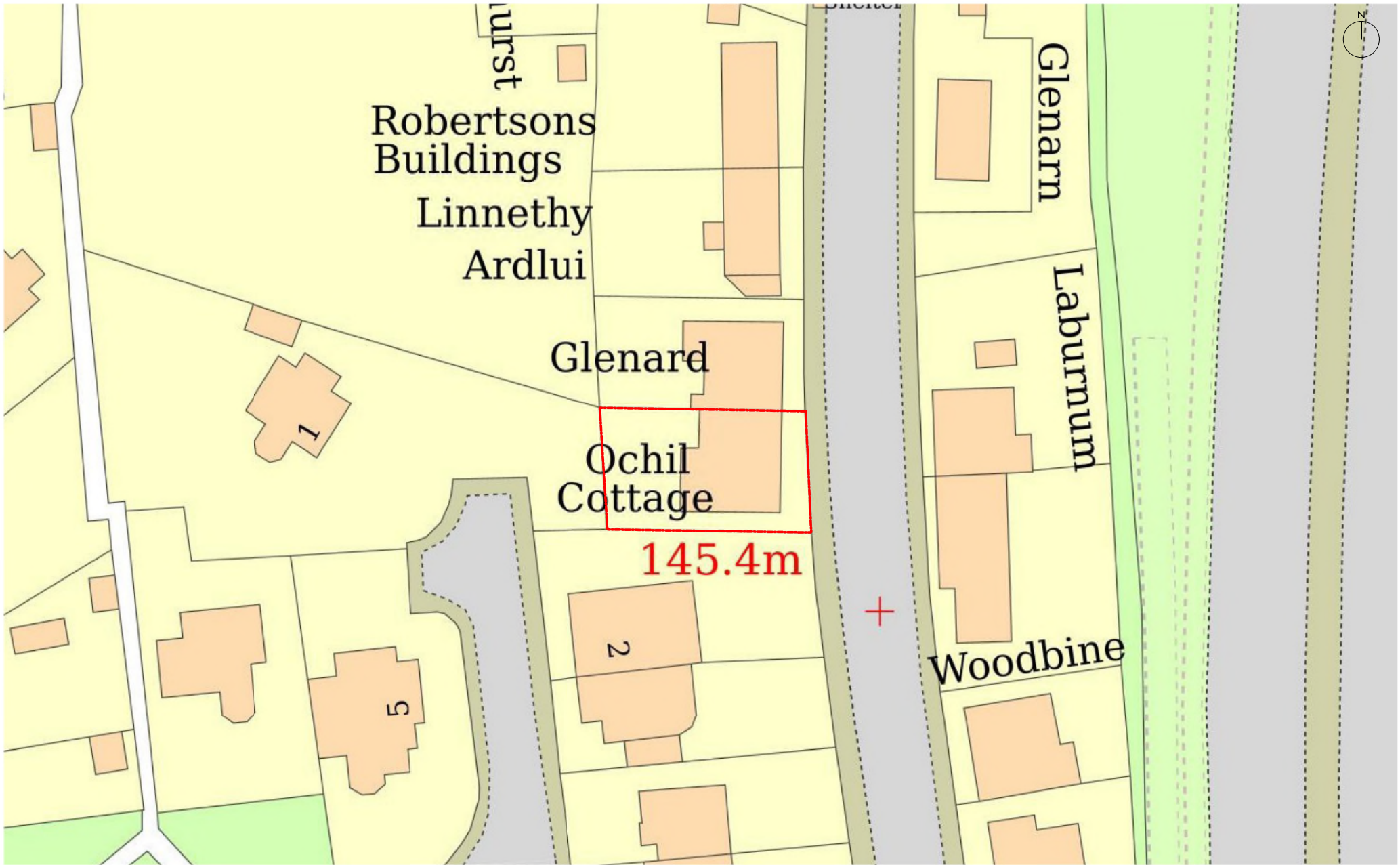
## Payment Details

Pay Direct

Created: 06/12/2023 12:40

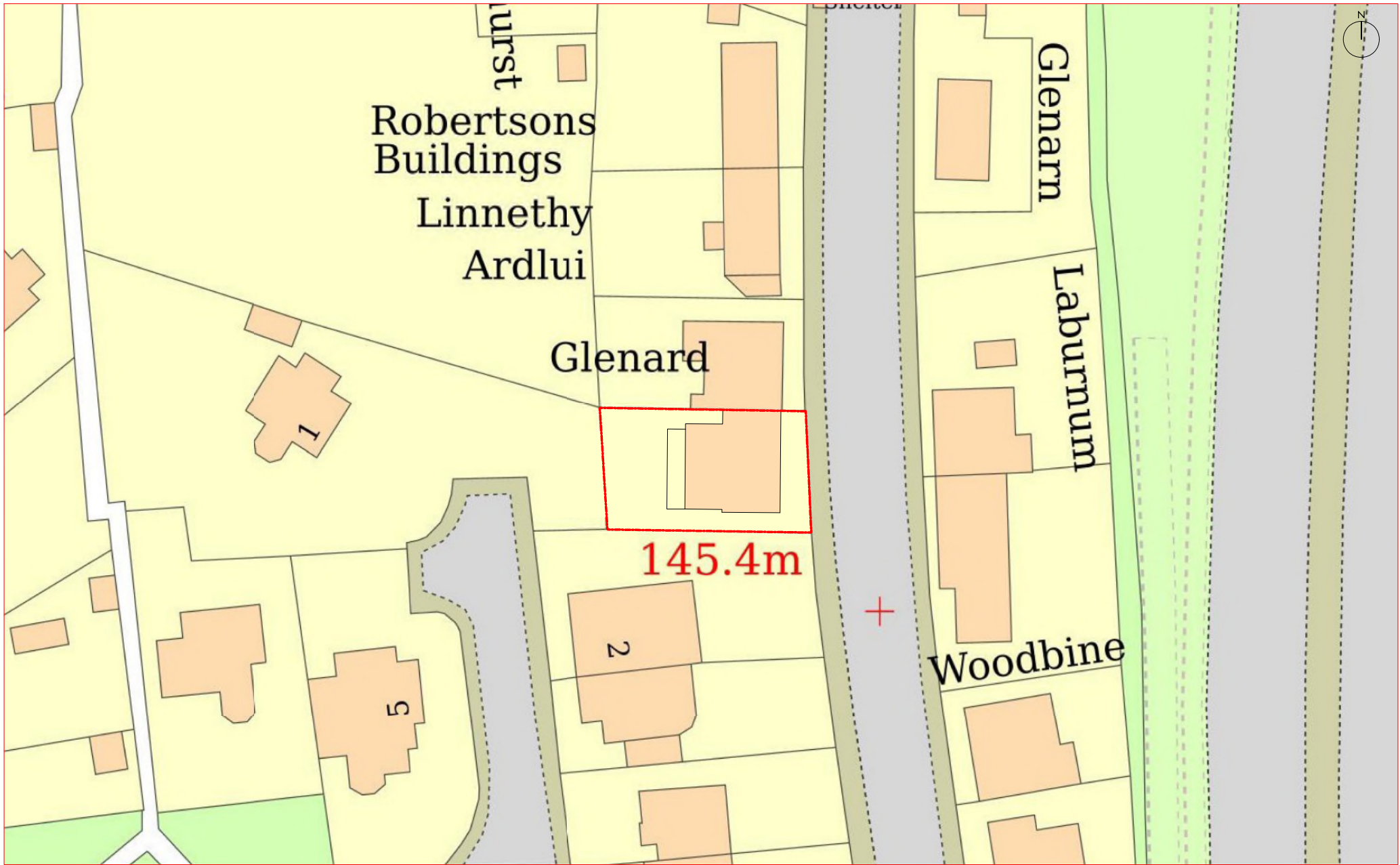
## Ochil Cottage, Main Street, Glenfarg, Perth, PH2 9NY





CLIENT		Mr. Williams	
PROJECT		Proposed Alterations to Ochil Cottage, Glenferg	
DRAWING		Existing Site Plan	
STATUS		PLANNING	
DATE	NOV 23	REV	1027-PL-02
BY	AM	DATE	1200 @ A1



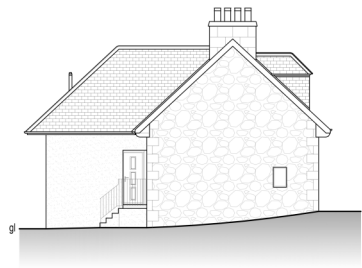


CLIENT		Mr. Williams	
PROJECT		Proposed Alterations to Ochil Cottage, Glenferg	
DRAWING		Proposed Site Plan	
STATUS		PLANNING	
DATE	NOV 23	1627-PL-02	1627
SCALE	1:200 @ A1		

Author: Andrew Megginson  
Checked: Andrew Megginson  
Drawn: Andrew Megginson  
Scale: 1:200 @ A1  
Date: NOV 23  
Drawing: 1627-PL-02  
Status: PLANNING



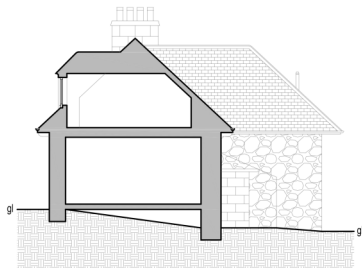
west elevation 1:100 @A1



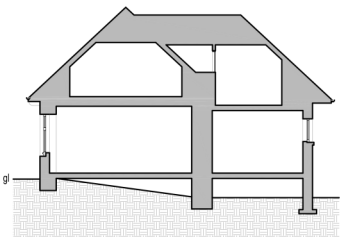
south elevation 1:100 @A1



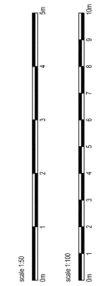
east elevation 1:100 @A1



section/northeast elevation b-b 1:100 @A1



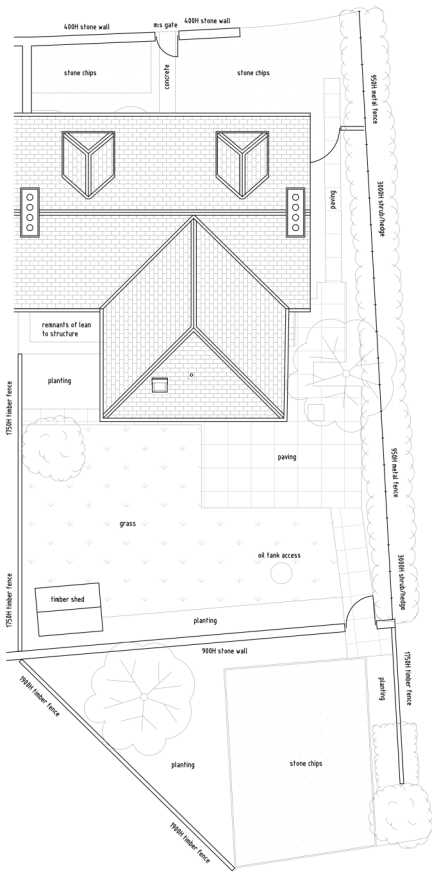
section a-a 1:100 @A1



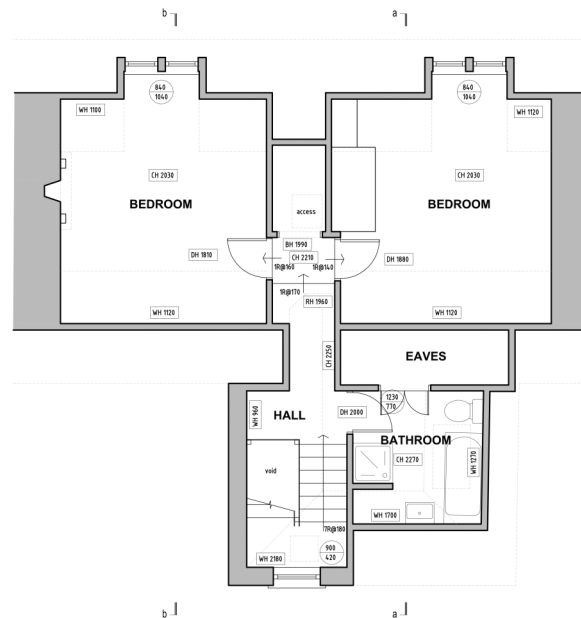
Floor Areas		
GIA	Sq Ft	Sq M
Ground floor	743	69
First Floor	570	52
Total	1,313	121

#### Key:-

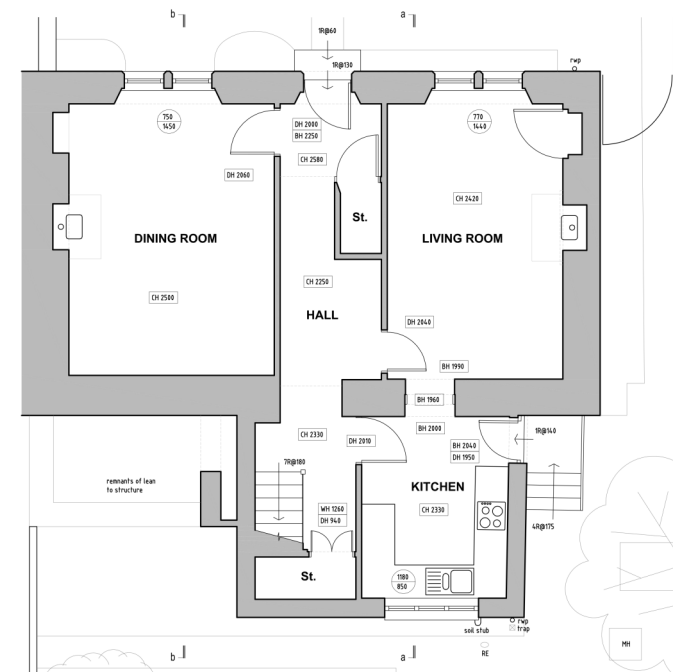
- floor to oil height
- oil to head height
- floor to ceiling height
- floor to lowered ceiling height
- floor to beam height
- door height
- wall height
- floor to top of fan light
- ridge height
- height to underside of joist



site/roof plan 1:100 @A1



first floor plan 1:50 @A1



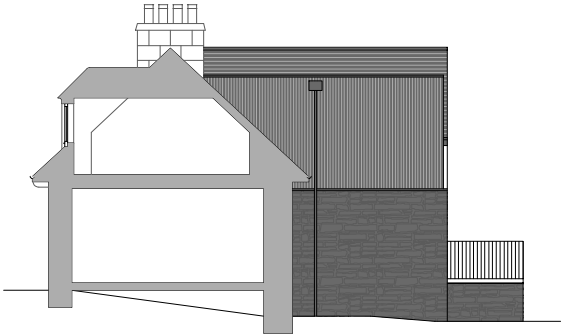
ground floor plan 1:50 @A1

Only scale for planning purposes.  
© Kevin McGinley 2023.

Existing property  
Ochil Cottage  
Main Street  
Glenfarg PH2 9NY  
for  
Andrew Megginson

Date: 10/06/2023 Scale: A1  
Architectural & Surveying Services  
Kevin McGinley  
07730 555 785  
kmcginley@hotmail.co.uk

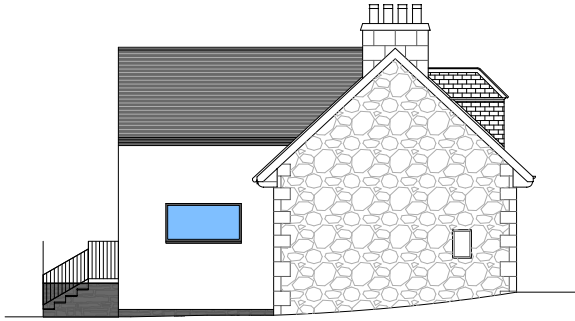
Proposed Materiality:  
Flat Roof - Grey membrane  
Pitched Roof - Slate  
Roof Window - Grey aluminium  
Fascias/ Eaves - Grey uPVC  
Rainwater Goods - Grey uPVC  
Walls - White render, grey stone and dark timber cladding  
Doors/ Windows - Grey aluminium



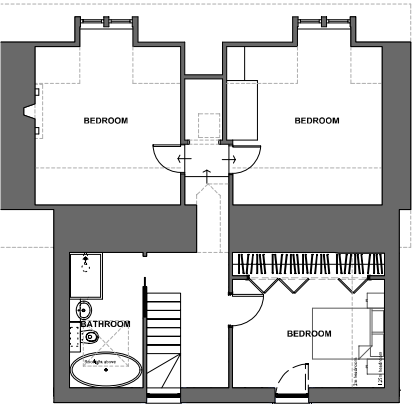
Proposed Side Elevation (North)



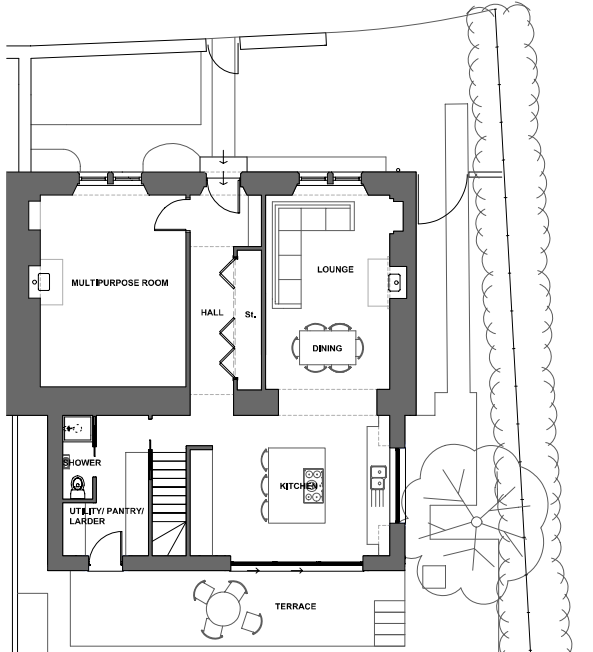
Proposed Rear Elevation (West)



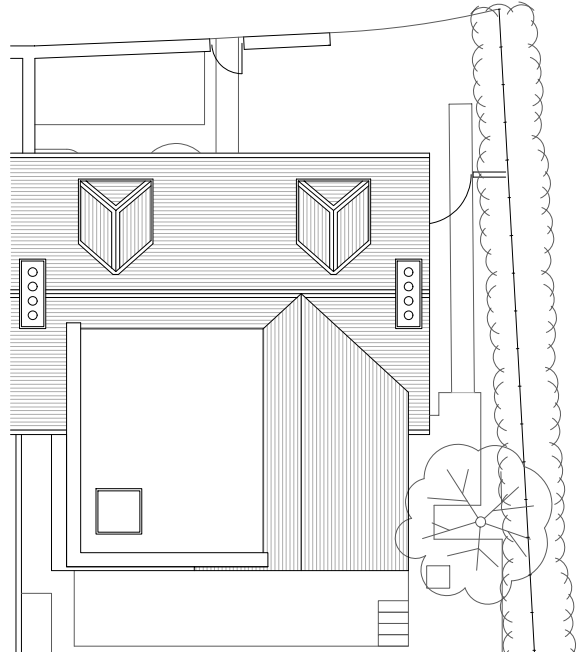
Proposed Side Elevation (South)



Proposed First Floor Plan



Proposed Ground Floor Plan



Proposed Roof Plan

Note: No works to front (North) elevation - to remain as existing

Rev. C	AM	11/12/23	Initial letter
Rev. D	AM	01/12/23	Proposals updated to planning level
Rev. E	AM	01/12/23	Proposals amended following AMM Client discussions
Rev.	Drawn	Date	
Revisions			

CLIENT	Mr. Williams		
PROJECT	Proposed Alterations to Ochil Cottage, Glenfarg		
DRAWING	Plans		
STATUS	PLANNING		
DRAWN	AM	DATE	AUG 23
CHK'D	PL	DATE	1627
REV	C	SCALE	1:100 @ A1

This drawing and its data are property of AMM and should not be reproduced without written consent. All drawings to be checked on site for accuracy and order of materials. If any discrepancies reported immediately. Drawings should be used in accordance with the relevant building codes and standards. The client is responsible for ensuring that the drawings are used in accordance with the relevant building codes and standards. The client is responsible for ensuring that the drawings are used in accordance with the relevant building codes and standards.

Andrew Megginson Architecture  
128 Dundas Street  
New Town  
Edinburgh  
EH3 5DQ  
Tel: 0131 557 9129  
Email: info@andrew  
megginsonarchitecture.com



ANDREWMEGGINSONARCHITECTURE



Daylight and Sunlight amenity report for the  
proposed development at

## Ochil Cottage, Main Street, Glenfarg, Perth PH2 9NY



Prepared for: Mr. Williams

Prepared by: Tom James BSc (Hons) MRICS

Date: 26 April 2024

Reference: 125516-100/BTM/TJ

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### **Appendices**

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Appendix A Assessments to be applied

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Appendix B Context drawings

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Appendix C Daylight study – Surrounding Properties

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Appendix D Sunlight study – Surrounding Properties

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Appendix E Overshadowing study – Surrounding Properties

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## 1. Executive summary

### 1.1. Scope

- 1.1.1. We have been instructed by Mr Williams to determine the effects upon the daylight and sunlight amenity of the existing surrounding buildings which may arise from the proposed development at Ochil Cottage, Main Street, Glenfarg, Perth PH2 9NY.

### 1.2. Assessment criteria

- 1.2.1. To ensure that this assessment can be appropriately evaluated against Perth and Kinross Council's planning policy, daylight and sunlight calculations have been undertaken in accordance with the Building Research Establishment Report 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' 3<sup>rd</sup> Edition, 2022 (the "BRE guide") and also BS EN 17037 'Daylight in buildings' and the UK National Annex, to which the BRE guide refers. The standards and tests applied within this assessment are briefly described in Appendix A.

### 1.3. Summary of effect of proposed development on existing surrounding buildings

#### Daylight

- 1.3.1. In accordance with the BRE guidelines, the effects of the proposed development on the daylight amenity have been assessed using the Vertical Sky Component (VSC) and Daylight Distribution (DD) methods.
- 1.3.2. From desktop research, only 1 neighbouring property has the potential to be affected by the proposed development, being the adjoining building known as Glenard, Main Street
- 1.3.3. Results indicate that this property will meet the VSC and DD targets set out BRE guidelines (100% will meet the BRE target value).

#### Sunlight

- 1.3.4. Overall, results demonstrate that the one room assessed for Annual Probable Sunlight Hours (APSH) within Glenard, Main Street will exceed the BRE target by retaining at least 0.8 times of its annual target former value (100% will meet the BRE target value).

#### Overshadowing

- 1.3.5. The BRE guideline states that an amenity should receive at least 50% of sunlight for a minimum of 2 hours on the 21<sup>st</sup> of March for it to maintain adequate sunlight levels.
- 1.3.6. Results indicate that the one amenity area assessed for overshadowing, being the rear garden of Glenard, Main Street, will exceed the BRE target, confirming negligible effects of the proposed development to the neighbouring property.

## 1.4. Overall

- 1.4.1. Overall, the proposed development will meet the BRE guidelines in relation to daylight & sunlight amenity. This is reflected through the careful design of the proposed development to minimize the effects to the surrounding properties.
- 1.4.2. It is important to note that the methodology and targets set out in the BRE guide are to be used as guidance and the numerical values are not mandatory. This is stated in the introduction of the BRE guide as follows:

*“The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...”*

## 2. Introduction

### 2.1. Scope

- 2.1.1. We have been instructed by Mr Williams to determine the effects upon the daylight and sunlight amenity that may arise from the proposed development of Ochil Cottage, Main Street, Glenfarg, Perth PH2 9NY in respect of the existing surrounding buildings.

### 2.2. Planning policy

- 2.2.1. Perth and Kinross Council's supplementary guide, adopted on 29<sup>th</sup> of January 2020 contains the following policy guidance:

#### Daylight

- *"Any proposed extension should maintain and allow for a reasonable level of natural daylight to internal living space of a neighbouring residential property. Established practice determines that 25° is a suitable maximum obstruction path which should be afforded directly to a front or rear aspect. Beyond this point, windows to living spaces may become adversely affected through relative shadow paths."*

#### Overshadowing

- *"A single storey rear extension of 4m depth, from the original building's rear wall, would in many circumstances be acceptable; even if directly on a property boundary. Thereafter the extension would have to step back from the boundary at an angle of 45 degrees from a point 4m from the original back wall of the property."*
- *Some relaxation of these standards may be considered where the extension is to the north of an affected neighbour or not impacting on a neighbouring habitable room window."*

### 2.3. Assessment criteria

- 2.3.1. To ensure that this assessment can be appropriately evaluated against Perth and Kinross Council's planning policy, daylight and sunlight calculations have been undertaken in accordance with the 'BRE guide' and also BS EN 17037 to which the BRE guide refers. The standards and tests applied are briefly described in Appendix A.
- 2.3.2. The existing building adjacent to the proposed development site are shown on the site plan (see below) and comprise:

Name/address of building	Assumed use	Position in relation to the development
Glenard, Main Street	Residential	North



## Key

-  Proposed Development
-  Surrounding Buildings (Analysed)
-  Surrounding Buildings (Context)

Shadows in this drawing are for illustrative purposes only and do not represent a set time or date.

2.4. Limitations

2.4.1. Our assessment is based on the scheme drawings provided by Andrew Megginson Architecture as listed below. Other third-party information utilised in producing our analysis model, such as 3D mapping is also listed below:

Title	Date Received
<u>ANDREW MEGGINSON ARCHITECTURE</u>	
PLANS.DWG	12 April 2024
<u>PROMAP</u>	
OS_DETAIL_VECTOR.DWG	18 April 2024
OS_DETAIL_3D_DATA_BUNDLE.DWG	18 April 2024

2.4.2. A topographical survey has not been undertaken and all levels and elevation details are approximate, having been obtained from the site inspection, OS data and elevation drawings. However, it is noted that there were no significant changes in ground level between the proposed development and the existing surrounding buildings.

### 3. Assessment and results – effects of new development on existing, surrounding buildings

#### 3.1. Daylight

3.1.1. In accordance with the BRE guide (see also Appendix A) the following building has the potential of being affected by the proposed development:

- Glenard, Main Street

3.1.2. We excluded 4 Elm Row, Glenfarg, Perth PH2 9PQ located south of the proposed development due to the distance between the Site and development, which allows adequate light to comfortably reach the property.

3.1.3. The results of our VSC analysis are shown in full in Appendix D. The following table is a summary of our findings:

Building Address	No. of Windows Analysed	BRE Compliant		Total Percentage BRE Compliant
		Yes	No	
Glenard, Main Street	2	2	0	100
<b>Totals</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>100</b>

3.1.4. Both of the windows assessed will meet the target values as set out in the BRE guidelines (100% will meet the targets).

3.1.5. The Daylight Distribution (DD) results are shown in full in Appendix D. Below is a summary of our findings:

Building Address	No. of Rooms Analysed	BRE Compliant		Total Percentage BRE Compliant
		Yes	No	
Glenard, Main Street	1	1	0	100
<b>Totals</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>100</b>

3.1.6. 1 room has been assessed for DD and results show that this room will meet the target value as set out in the BRE guidelines (100% will meet the targets).

## 3.2. Sunlight

3.2.1. In accordance with the BRE Guide, we have carried out an Annual Probable Sunlight Hours (APSH) analysis.

3.2.2. The table below shows a summary of the results of the APSH assessment. Full numerical results are contained in Appendix E.

Building Address	No. of Windows Analysed	BRE Compliant		Total Percentage BRE Compliant
		Yes	No	
Glenard, Main Street	1	1	0	100
Totals	1	1	0	100

3.2.3. 1 window has been assessed for APSH and results show that this window will meet the target value as set out in the BRE guidelines (100% will meet the targets).

## 3.3. Overshadowing

3.3.1. In accordance with the BRE guide we have also undertaken an overshadowing assessment.

3.3.2. The results of the overshadowing analysis are shown in full in Appendix F, however we have summarised the results in the below table:

Building Address	No. of Amenity Areas Analysed	BRE Compliant		Total Percentage BRE Compliant
		Yes	No	
Glenard, Main Street	1	1	0	100
Totals	1	1	0	100

3.3.3. 1 amenity area has been assessed for overshadowing, being the rear garden space at Glenard, Main Street. The results demonstrate that the amenity will exceed the BRE target criteria for sunlight hours because at least 50% of this area will receive at least two hours of direct sunlight on 21 March, or the reduction in area receiving sun on that date is less than 20%.

## Appendix A

### Assessments to be applied



## Introduction

The main purpose of the guidelines in the Building Research Establishment Report “Site Layout Planning for Daylight and Sunlight – a guide to good practice 2022, 3<sup>rd</sup> Edition” (“the BRE guide”) is to assist in the consideration of the relationship of new and existing buildings to ensure that each retains a potential to achieve good daylighting and sunlighting levels. That is, by following and satisfying the tests contained in the guidelines, new and existing buildings should be sufficiently spaced apart in relation to their relative heights so that both have the potential to achieve good levels of daylight and sunlight. The guidelines have been drafted primarily for use with low density suburban developments and should therefore be used flexibly when dealing with dense urban sites and extensions to existing buildings, a fact recognised by the BRE Report’s author in the Introduction where Dr Paul Littlefair says:

‘The Guide is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design..... In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.....’

In many cases in low-rise housing, meeting the criteria for daylight and sunlight may mean that the BRE criteria for other amenity considerations such as *privacy* and *sense of enclosure* are also satisfied.

The BRE guide states that recommended minimum privacy distances (in cases where windows of habitable rooms face each other in low-rise residential property), as defined by each individual Local Authority’s policies, vary widely, from 18–35m<sup>1</sup>. For two-storey properties a spacing within this range would almost certainly also satisfy the BRE guide’s daylighting requirements as it complies with the 25° rule and will almost certainly satisfy the ‘Three times height’ test too (as discussed more fully below). However, the specific context of each development will be taken into account and Local Authorities may relax the stated minimum, for instance, in built-up areas where this would lead to an inefficient use of land. Conversely, greater distances may be required between higher buildings, in order to satisfy daylighting and sunlighting requirements. It is important to recognize also that privacy can also be achieved by other means: design, orientation and screening can all play a key role and may also contribute towards reducing the theoretical ‘minimum’ distance.

A sense of enclosure is also important as the perceived quality of an outdoor space may be reduced if it is too large in the context of the surrounding buildings. In urban settings the BRE guide suggests a spacing-to-height ratio of 2.5:1 would provide a comfortable environment, whilst not obstructing too much natural light: this ratio also approximates the 25° rule.

---

<sup>1</sup> The commonest minimum privacy distance is 21m (Householder Development Consents Review: Implementation of Recommendations – Department for Communities and Local Government – May 2007)

## Daylight

The criteria for protecting daylight to existing buildings are contained in Section 2.2 of the BRE guide. There are various methods of measuring and assessing daylight and the choice of test depends on the circumstances of each particular window. For example, greater protection should be afforded to windows which serve habitable dwellings and, in particular, those serving living rooms and family kitchens, with a lower requirement required for bedrooms. The BRE guide states that circulation spaces and bathrooms need not be tested as they are not considered to require good levels of daylight. In addition, for rooms with more than one window, secondary windows do not require assessment if it is established that the room is already sufficiently lit through the principal window.

The tests should also be applied to non-domestic uses such as offices and workplaces where such uses will ordinarily have a reasonable expectation of daylight and where the areas may be considered a principal workplace.

The BRE has developed a series of tests to determine whether daylighting levels within new developments and rooms within existing buildings surrounding new developments will satisfy or continue to satisfy a range of daylighting criteria

*Note: Not every single window is assessed separately, only a representative sample, from which conclusions may be drawn regarding other nearby dwellings .*

## Daylighting Tests

'Three times height' test - If the distance of each part of the new development from the existing windows is three or more times its height above the centre of the existing window then loss of light to the existing windows need not be analysed. If the proposed development is taller or closer than this then the 25° test will need to be carried out.

25° test - a very simple test that should only be used where the proposed development is of a reasonably uniform profile and is directly opposite the existing building. Its use is most appropriate for low density well-spaced developments such as new sub-urban housing schemes and often it is not a particularly useful tool for assessing urban and in-fill sites. In brief, where the new development subtends to an angle of less than 25° to the centre of the lowest window of an existing neighbouring building, it is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing building. Equally, the new development itself is also likely to have the potential for good daylighting. If the angle is more than 25° then more detailed tests are required, as outlined below.

VSC Test - the VSC is a unit of measurement that represents the amount of available daylight from the sky, received at a particular window. It is measured on the outside face of the window. The 'unit' is expressed as a percentage as it is the ratio between the amount of sky visible at the given reference point compared to the amount of light that would be available from a totally unobstructed hemisphere of sky. To put this unit of measurement into perspective, the maximum percentage value for a window with a completely unobstructed outlook (i.e. with a totally unobstructed view through 90° in every direction) is 40%.

The target figure for VSC recommended by the BRE is 27%. A VSC of 27% is a relatively good level of daylight and the level we would expect to find for habitable rooms with windows on principal elevations. However, this level is often difficult to achieve on secondary elevations and in built-up urban environments. For comparison, a window receiving 27% VSC is approximately equivalent to a window that would have a continuous obstruction opposite it which subtends an angle of 25° (i.e. the same results as would be found utilising the 25° Test). Where tests show that the new development itself meets the 27% VSC target this is a good indication that the development will enjoy good daylighting and further tests can then be carried out to corroborate this (see under).

Through research the BRE have determined that in existing buildings daylight (and sunlight levels) can be reduced by approximately 20% of their original value before the loss is materially noticeable. It is for this reason that they consider that a 20% reduction is permissible in circumstances where the existing VSC value is below the 27% threshold. For existing buildings once this has been established it is then necessary to determine whether the distribution of daylight inside each room meets the required standards (see under).

Daylight Distribution (DD) Test – This test looks at the position of the “No-Sky Line” (NSL) – that is, the line that divides the points on the working plane (0.7m from floor level in offices and 0.85m in dwellings and industrial spaces) which can and cannot see the sky. The BRE guide suggests that areas beyond the NSL may look dark and gloomy compared with the rest of the room and BS8206 states that electric lighting is likely to be needed if a significant part of the working plane (normally no more than 20%) lies beyond it.

In new developments no more than 20% of a room’s area should be beyond the NSL. For existing buildings the BRE guide states that if, following the construction of a new development, the NSL moves so that the area beyond the NSL increases by more than 20%, then daylighting is likely to be seriously affected.

The guide suggests that in houses, living rooms, dining rooms and kitchens should be tested: bedrooms are deemed less important, although should nevertheless be analysed. In other buildings each main room where daylight is expected should be investigated.

Daylight Factor (D) Test – The D test takes account of the interior dimensions and surface reflectance within the room being tested as well as the amount of sky visible from the window. For this reason it is considered a detailed and representative measure of the adequacy of light. The minimum D values recommended in BS EN 17037 are as follows:

**Table C3 – Target daylight factors ( $D_T$ ) to achieve over at least 50% of the assessment grid in UK domestic habitable rooms with vertical and/or inclined daylight apertures**

Location	$D_T$ for 100 lx (Bedroom)	$D_T$ for 150 lx (Living room)	$D_T$ for 200 lx (Kitchen)
St Peter (Jersey)	0.6%	0.9%	1.2%
London (Gatwick Airport)	0.7%	1.1%	1.4%
Birmingham	0.6%	0.9%	1.2%
Hemsby (Norfolk)	0.6%	0.9%	1.3%
Finningley (Yorkshire)	0.7%	1.0%	1.3%
Aughton (Lancashire)	0.7%	1.1%	1.4%
Belfast	0.7%	1.0%	1.4%
Leuchars (Fife)	0.7%	1.1%	1.4%
Oban	0.8%	1.1%	1.5%
Aberdeen	0.7%	1.1%	1.4%

This is a test used in assessing adequacy of light in rooms within new developments, although, in certain circumstances, it may be used as a supplementary test in the assessment of daylighting in existing buildings, particularly where more than one window serves a room.

**Illuminance ( $E_t$ ) Test** – The illuminance method uses site climate data to measure the illuminance from daylight at each point on an assessment grid in the room at hourly intervals over a typical year. The UK National Annex of BS EN 17037 provides illuminance recommendations for UK dwellings, as follows:

Bedroom	100 lux
Living rooms	150 lux
Kitchens	200 lux

These are median illuminances and should be exceeded over at least 50% of the assessment points in the room for at least half of the daylight hours.

## Sunlight

Sunlight is an important 'amenity' in both domestic and non-domestic settings. The way in which a building's windows are orientated and the overall position of a building on a site will have an impact on the sunlight it receives but, importantly, will also have an effect on the sunlight neighbouring buildings receive. Unlike daylight, which is non-directional and assumes that light from the sky is uniform, the availability of sunlight is dependent on direction. That is, as the United Kingdom is in the northern hemisphere, we receive virtually all of our sunlight from the south. The availability of sunlight is therefore dependent on the orientation of the window or area of ground being assessed relative to the position of due south.



In new developments the BRE guide suggests that dwellings should aim to have at least one main living room which faces the southern or western parts of the sky so as to ensure that it receives a reasonable amount of sunlight. Where groups of dwellings are planned the guide states that site layout design should aim to maximise the number of dwellings with a main living room that meets sunlight criteria. Where a window wall faces within  $90^{\circ}$  of due south and no obstruction subtends to angle of more than  $25^{\circ}$  to the horizontal or where the window wall faces within  $20^{\circ}$  of due south and the reference point has a VSC of at least 27% then sunlighting will meet the required standards: failing that sunlight hours should be measured and it is recommended that the window should receive at least 1.5 hours of sunlight on 21 March. It should be noted that if a room has two windows or more on opposite/adjacent walls, the sunlight hours due to each can be added together provided that any overlap is excluded.

The availability of sunlight is also an important factor when looking at the impact of a proposed development on the existing surrounding buildings. Annual Probable Sunlight Hours (APSH) tests will be required where one or more of the following are true:

- The 'Three times height' test is failed (see 'Daylight' above);
- The proposed development is situated within  $90^{\circ}$  of due south of an existing building's main window wall and the new building subtends to angle of more than  $25^{\circ}$  to the horizontal;
- The window wall faces within  $20^{\circ}$  of due south and a point at the centre of the window on the outside face of the window wall (the reference point) has a VSC of less than 27%.

Where APSH testing is required it is similar to the test for the proposed development. That is to say that compliance will be demonstrated where a room receives:

- At least 25% of the APSH (including at least 5% in the winter months), or
- At least 0.8 times its former sunlight hours during either period, or
- A reduction of no more than 4% APSH over the year.

The Guide stresses that the target values it gives are purely advisory, especially in circumstances such as: the presence of balconies (which can overhang windows, obstructing light); when an existing building stands unusually close to the common boundary with the new development and; where the new development needs to match the height and proportion of existing nearby buildings. In circumstances like these a larger reduction in sunlight may be necessary.

The sunlight criteria in the BRE guide primarily apply to windows serving living rooms of an existing dwelling. This is in contrast to the daylight criteria which apply to kitchens and bedrooms as well as living rooms. Having said that, the guide goes on to say that care should be taken not to block too much sun from kitchens and bedrooms. Non-domestic buildings which are deemed to have a requirement for sunlight should also be checked.

## Sunlight – Gardens and Open Spaces

As well as ensuring buildings receive a good level of sunlight to their interior spaces, it is also important to ensure that the open spaces between buildings are suitably lit. The recommendations as set out in the BRE guide are meant to ensure that spaces between buildings are not permanently in shade for a large part of the year. Trees and fences over 1.5m tall are also factored into the calculations.

The BRE guidelines state that:

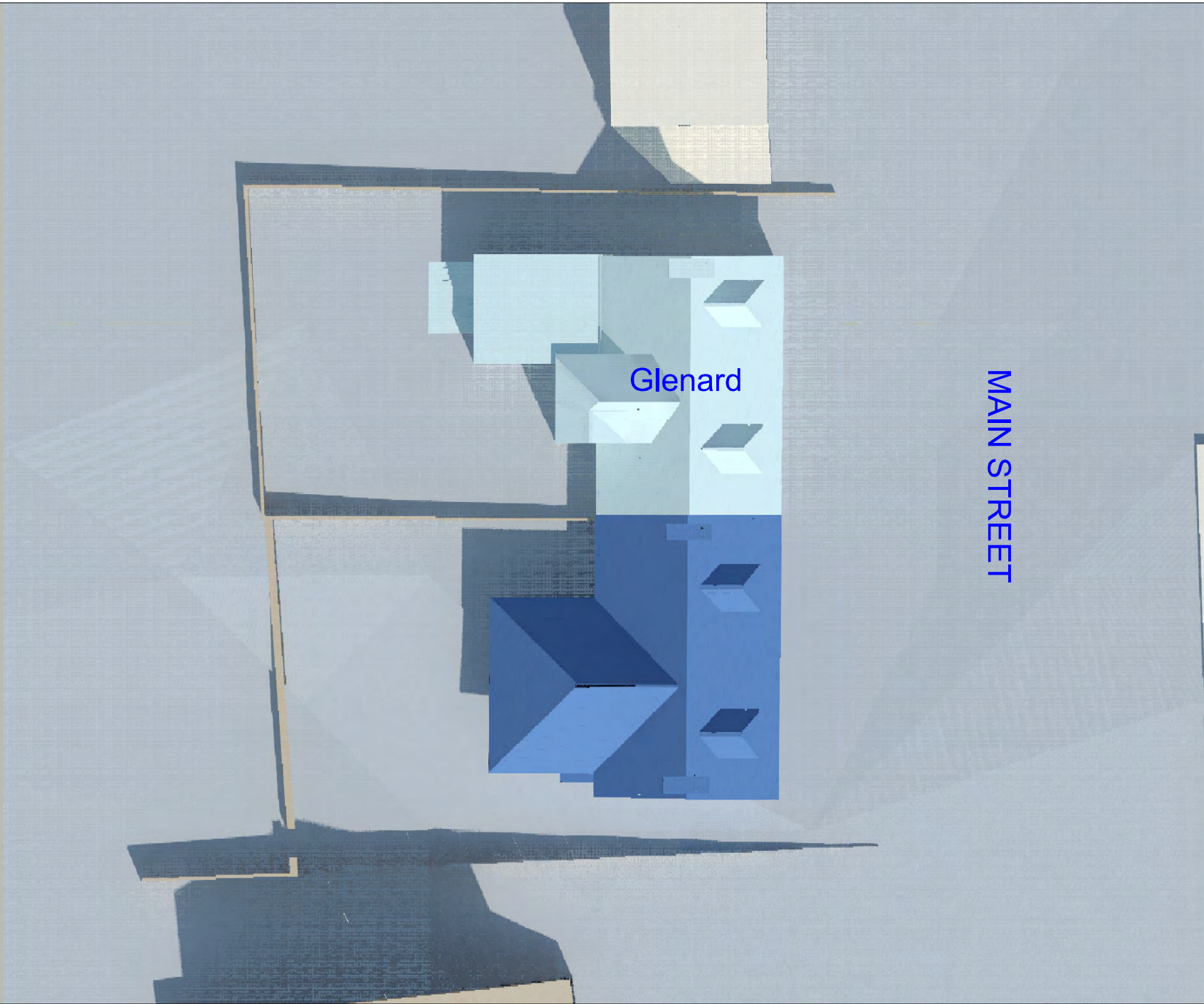
- For a garden or amenity area to appear adequately sunlit throughout the year, at least 50% of the area should receive at least two hours of sunlight on 21 March;
- In addition, if, as result of new development, an existing garden or amenity area does not reach the area target above and the area which can receive two hours of direct sunlight on 21 March is reduced by more than 20% this loss is likely to be noticeable.

Section 3.3 of the BRE guidelines describes a methodology for calculating sunlight availability for amenity spaces.

## Appendix B

### Context drawings





SOURCES OF INFORMATION:  
ANDREW MEGGINSON ARCHITECTURE  
PLANS.DWG  
RECEIVED 12 APRIL 2024  
FROM MAP  
OS\_DETAIL\_VECTOR.DWG  
OS\_DETAIL\_3D\_DATA\_BUNDLE.DWG  
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- Existing Building
- Surrounding Buildings (Analysed)
- Surrounding Buildings (Context)

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Rev.	Date	Amendments	Initial
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TITLE  
Existing Site Plan

CLIENT  
Andrew Megginson  
Architecture

PROJECT  
Ochil Cottage  
Main Street  
Glenfarg Perth PH2 9NY

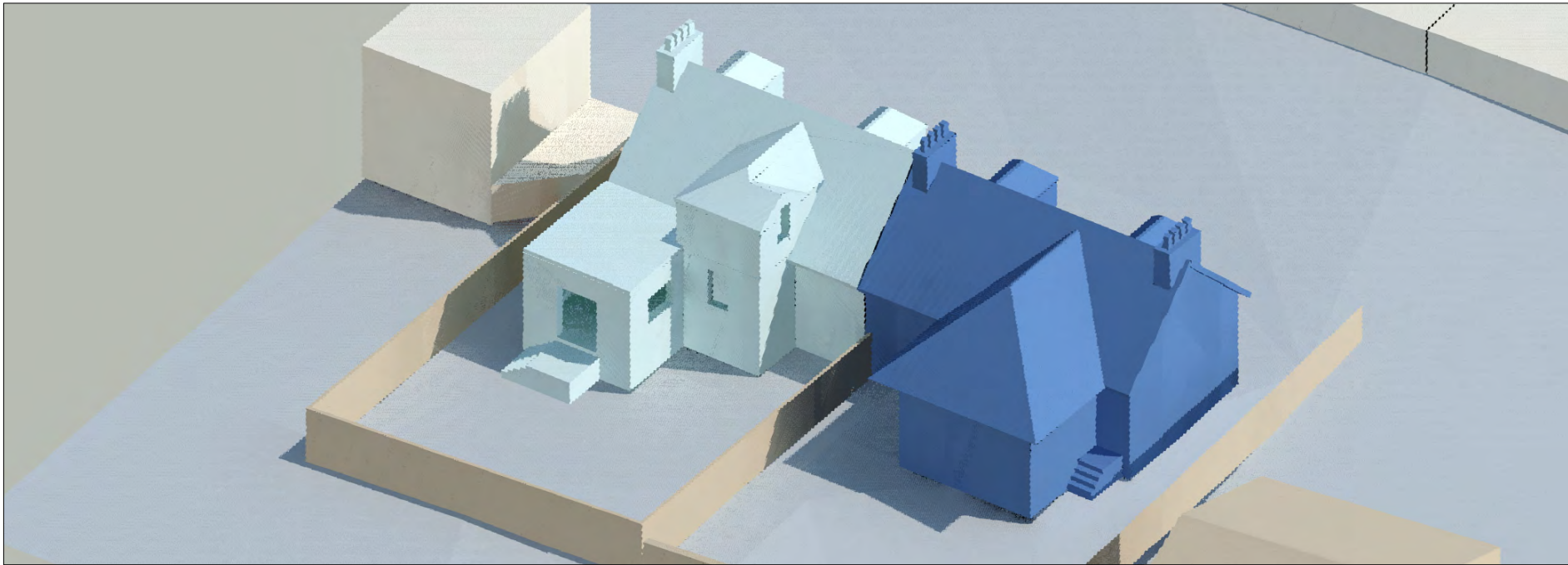
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Existing Site Plan





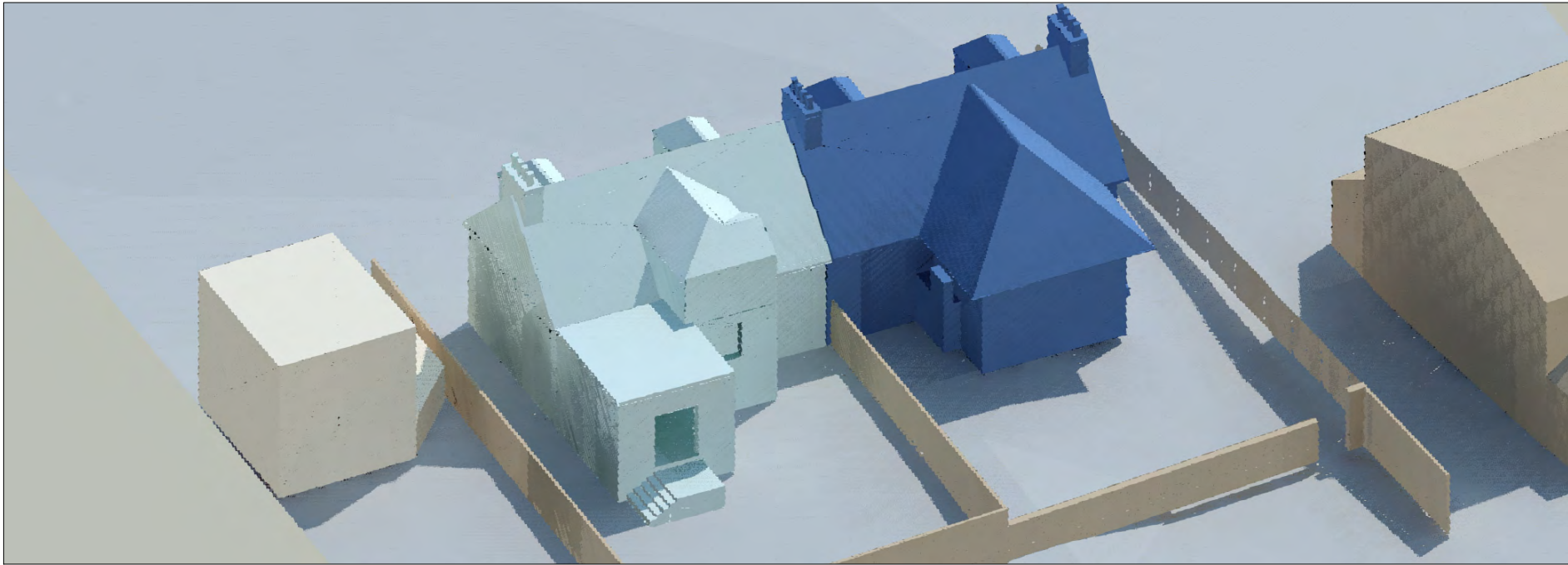
3D Context View – View from South West (Existing)

SOURCES OF INFORMATION:  
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 FROM MAP  
 OS\_DETAIL\_VECTOR.DWG  
 OS\_DETAIL\_3D\_DATA\_BUNDLE.DWG  
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ALL HEIGHTS IN METRES AOD

- Existing Building
- Surrounding Buildings (Analysed)
- Surrounding Buildings (Context)

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3D Context View – View from North West (Existing)

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TITLE  
**3D Views  
 Existing Site**

CLIENT  
**Andrew Megginson  
 Architecture**

PROJECT  
**Ochil Cottage  
 Main Street  
 Glenfarg Perth PH2 9NY**

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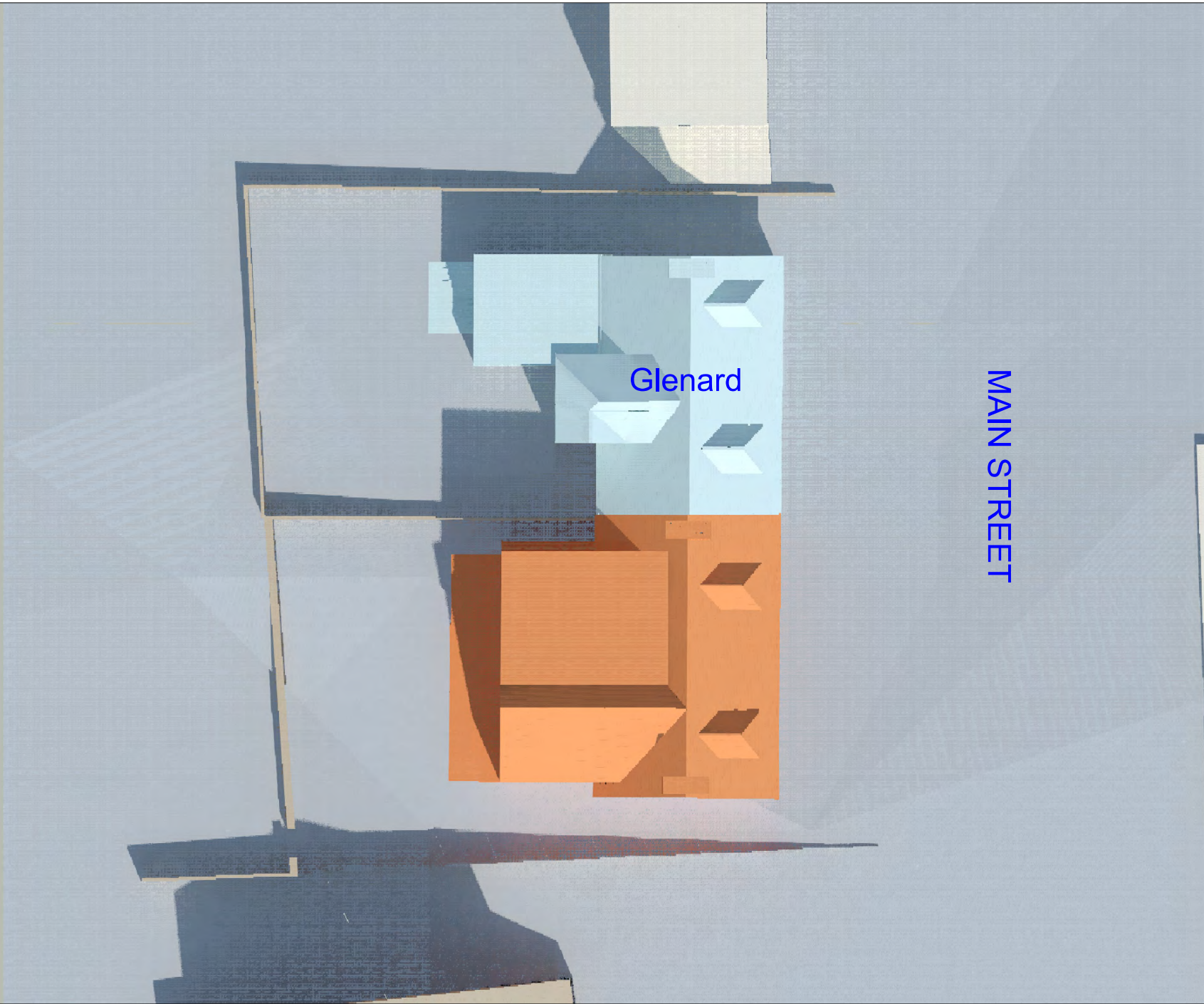
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- Proposed Development
- Surrounding Buildings (Analysed)
- Surrounding Buildings (Context)

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TITLE  
Existing Site Plan

CLIENT  
Andrew Megginson  
Architecture

PROJECT  
Ochil Cottage  
Main Street  
Glenfarg Perth PH2 9NY

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Proposed Site Plan





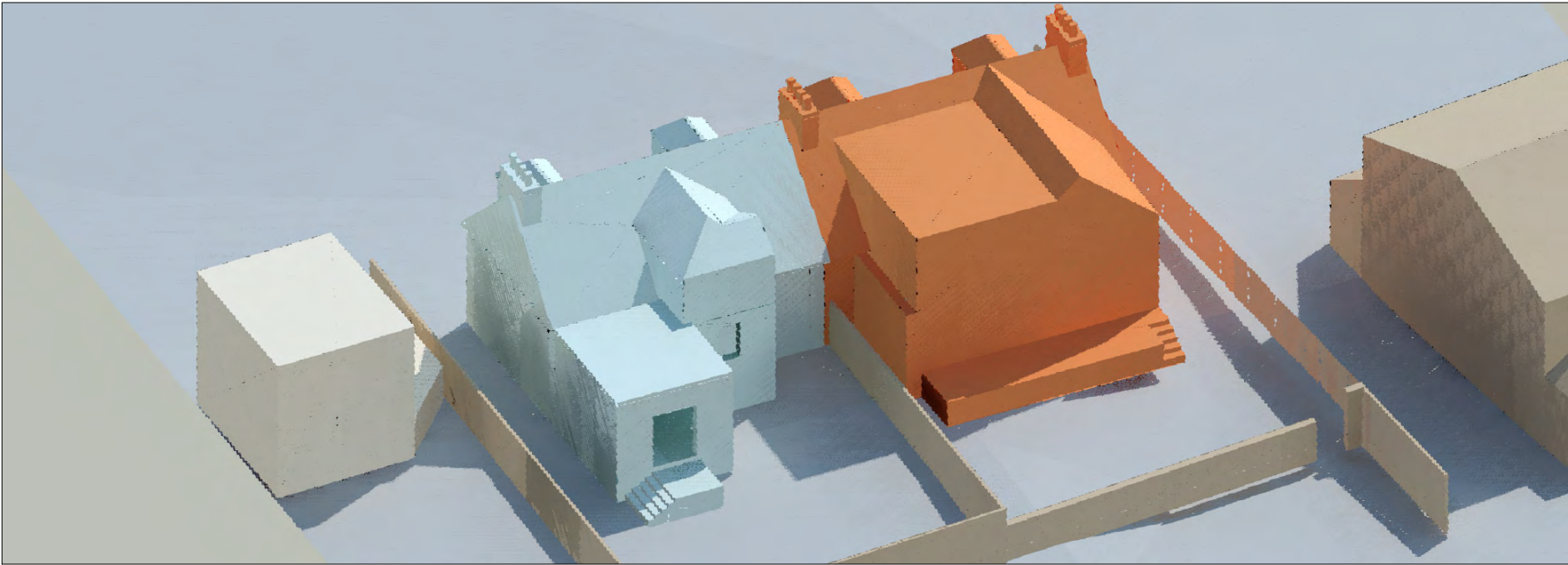
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FROM MAP  
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OS\_DETAIL\_3D\_DATA\_BUNDLE.DWG  
RECEIVED 18 APRIL 2024

**ALL HEIGHTS IN METRES AOD**

- Proposed Development
- Surrounding Buildings (Analysed)
- Surrounding Buildings (Context)

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3D Context View - View from South West (Proposed)



Rev.	Date	Amendments	Initial
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TITLE

**3D Views  
Proposed Site**

CLIENT

**Andrew Megginson  
Architecture**

PROJECT

**Ochil Cottage  
Main Street  
Glenfarg Perth PH2 9NY**

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3D Context View - View from North West (Proposed)

## Appendix C

### Daylight study





Floor Ref.	Window Ref.	Existing VSC	Proposed VSC	Times Former Value	BRE Compliant
Glenard					
Ground	W1	33.92	31.58	0.93	Yes
Ground	W2	39.57	39.57	1.00	Yes



Floor Ref.	Room Ref.	Room Use	Existing SQ M	Proposed SQ M	Times Former Value	% Loss	BRE Compliant
Glenard							
Ground	R1	Kitchen	17.9	17.9	1	0	YES

## Appendix D

### Sunlight study





Floor Ref.	Window Ref.	Existing		Proposed		Winter Times Former Value	Annual Times Former Value	BRE Compliant
		Winter %	Annual %	Winter %	Annual %			
Glenard								
Ground	W1	23	79	16	72	0.70	0.91	YES



## Appendix E

### Overshadowing study

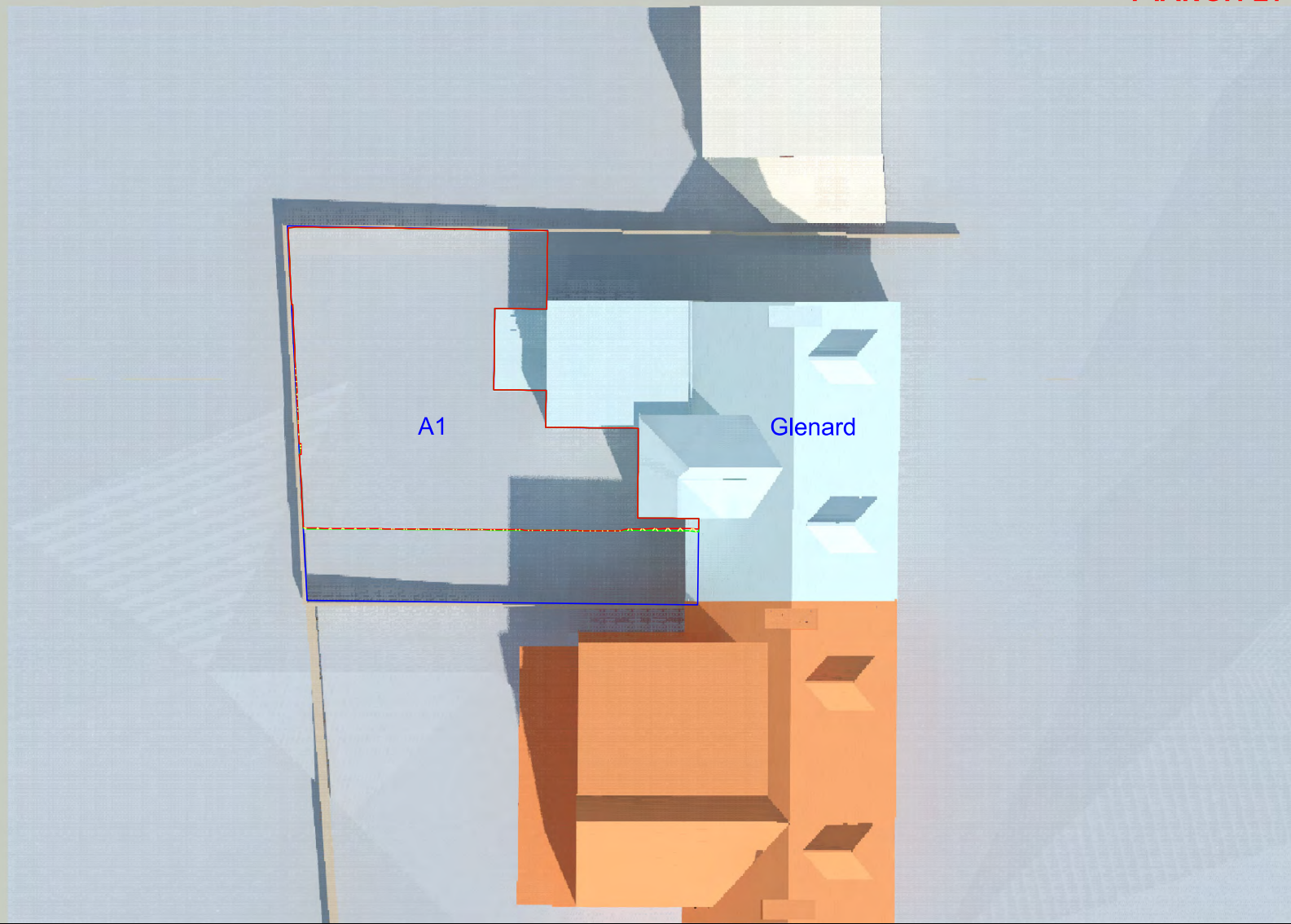


Building Ref	Floor Ref	Amenity Ref	Amenity Area	Existing Lit Area	Proposed Lit Area	Existing %	Proposed %	Pr/Ex	Meets BRE Criteria
Glenard	Ground	A1	131.1	96.9	96.5	74%	74%	1	YES



MARCH 21

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



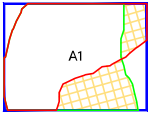
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TITLE	
Existing & Proposed 2hr Sun Contours March 21st	
CLIENT	
Andrew Megginson Architecture	
PROJECT	
Ochil Cottage Main Street Glenfarg Perth PH2 9NY	
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SCALE	DATE
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Glenard - Ground Floor

KEY

-  Existing area receiving over 2 hours of Sun
  -  Proposed area receiving over 2 hours of Sun
  -  Area of loss/gain
  -  Amenity area
- 

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