

# Glenlyon & Loch Tay Community Council

July 25<sup>th</sup>. 2024

Re: LRB 2024-29- Notice of Review (redacted)

The Community Council (CC) stands by its original objections to this application and is fully supportive of the Planning Officer's Decision Report; his decision to refuse it and the Decision Notice. However, having read the Notice of Review the CC would like to make the following comments:

## Introduction:

The applicant clearly states that the pod is for ancillary accommodation for the existing house. As such it matters not whether it is considered listed or not, it definitely does not comply with LDP2 Ancillary and Annex Accommodation Supplementary Guidance. It is as far away from the main house as it can be and still be within its curtilage, some 65 metres, It is isolated without even visual connection.

## Grounds of Appeal / Review:

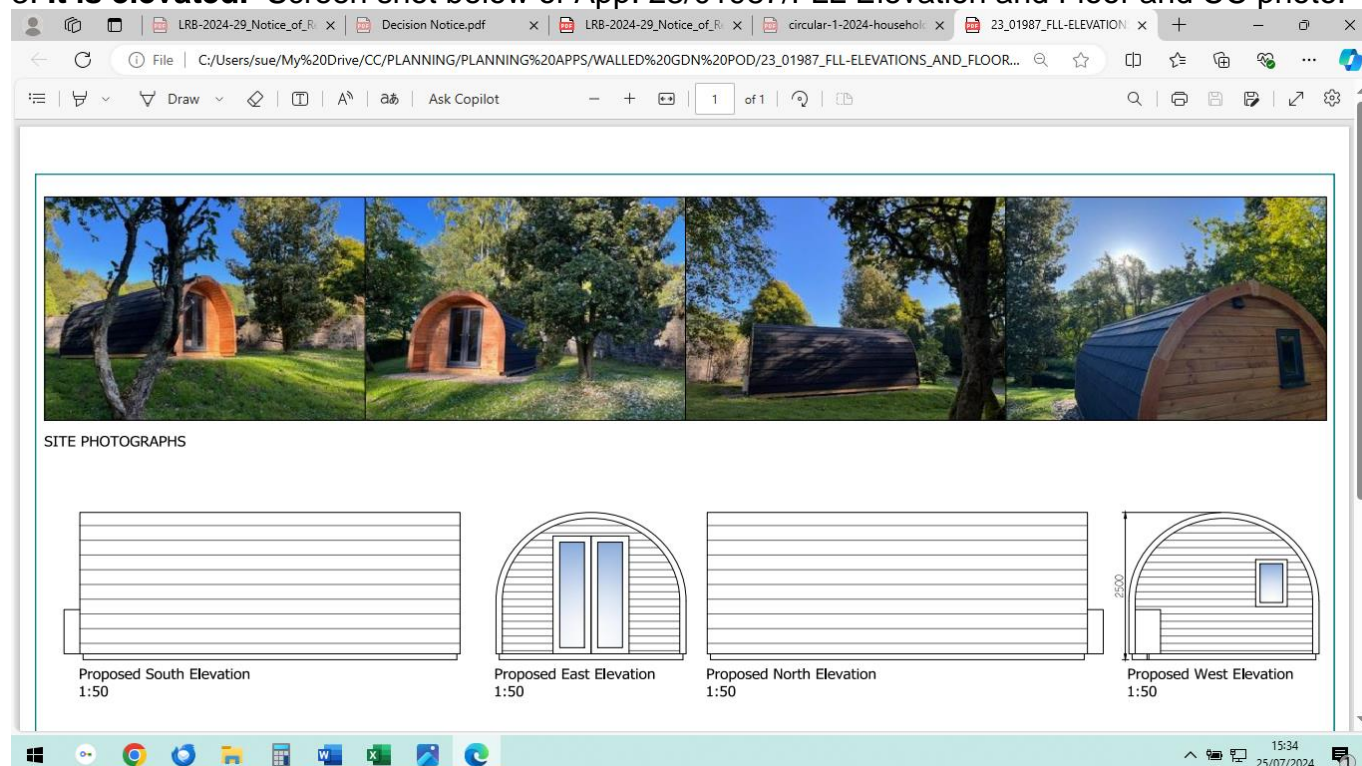
**Para.3** LDP2 Policy 1A refutes that argument and it is doubtful that Planning Officers need a suggestion from an applicant about obtaining legal advice.

1. There appear to be two conflicting statements:

*"The character of the Garth area is not defined by the properties within it",... "The diversity of builds in Garth is arguably its established character..."*

In fact, Garth owes its special character to its landscape designed by James McLaren. The present -day eclectic mix of architecture is, none the less architecture and the buildings, dwelling houses. The pod is alien to both the landscape and the building-type being nearer the hutting/shed end of the spectrum than dwelling house; more commonly associated with tourist camp sites; and does not respect the established character and amenity of the area.

**3. It is elevated.** Screen shot below of App. 23/01987/FLL Elevation and Floor and CC photo:





Screening trees and shrubs are deciduous and therefore have little effect for 7 months of the year when, being close to the West Drive, passers-by and anyone in the garden of Garth House can be clearly seen from the pod and vis versa.

4. Whether the pod is in the rear garden is questionable. According to Circular 1/2014: Householder Permitted Development Rights, "Principal elevation" is used to identify the front of the dwellinghouse and mostly this is the side which fronts a road. This would make the southside of the Walled Garden the Principal Elevation as it faces the West Drive, even though the main entrance is on the eastern side. The main windows are also on the south side. Therefore, the pod is in the front garden and not the rear as claimed

It does not sit comfortably on its plot. It is perched on a knoll, close to and above the West Drive which is the main access to the west side of the Garth Estate.

#### *Conclusions.*

The Planning Officer has a duty to respond to objectors; "*neighbours and others*".

Re: Appendix A - E.mail 18<sup>th</sup>. April 2024:

Despite the Planning Officer's helpful suggestions, in the Decision Report, to re-site the pod the applicant is adamant that this is not physically possible. This is questionable. [REDACTED]

[REDACTED] Therefore, [REDACTED] must be able to gain access and it has been reported that the bottom of drive was widened for that purpose. Therefore, it should be possible to move the pod to the back/north of the house either as a whole or in sections. Alternatively, the northern garden could be accessed via the field behind it.

Comment – To return to *Conclusions*, the rather belligerent tone could perhaps best be directed to the professional who gave the applicant wrong advice in the first place rather than at the Planning Officers who have a responsibility to implement National, Regional and Local planning policy.

The CC respectfully asks the Local Review Body, when making its decision, to consider the implications of setting a precedence as it would not like to see a rash of pods or similar suddenly appearing inappropriately in its area.

Thank you.

Regards,

Susan Dolan-Betney, Chair