

Perth and Kinross Council
Development Management Committee – 19 June 2013
Report of Handling by Development Quality Manager

Modification of existing consent (11/00277/FLL) change of house type and garage at Land North West of Gwendoline Row, Drunzie

Ref. No: 13/00253/FLL
 Ward No:8 – Kinross - Shire

Summary

The report recommends approval of the application as the proposal for changes to the house type and erection of garage on this previously consented site are considered to be acceptable and in accordance with the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 The application site is within the settlement boundary of Drunzie and forms part of a wider residential site for the erection of 10 dwellinghouses which was approved in December 2012. An amended house design was submitted for Plot 2 in 2012 as a non material amendment, however the Council considered that the changes were material and that a change in house type application would be required.
- 2 This application is for a change in the design of the house previously approved on Plot 2 and for the erection of a double garage to the rear of the house. The proposed changes to the design of the house involve the formation of 2 dormer windows on the east (rear) elevation to provide greater bedroom space on the first floor. The proposed garage will be single storey with a pitched roof with up and over doors and materials to match the house. The materials proposed are similar to those previously approved for the wider site including flat grey tiles to the roof, render to the walls and white painted timber cladding and windows.

NATIONAL POLICY AND GUIDANCE

Scottish Planning Policy 2010

- 3 This SPP is a statement of Scottish Government policy on land use planning and contains:
 - the Scottish Government's view of the purpose of planning;
 - the core principles for the operation of the system and the objectives for key parts of the system;
 - statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006;

- concise subject planning policies, including the implications for development planning and development management; and
 - the Scottish Government's expectations of the intended outcomes of the planning system.
- 4 Of relevance to this application are:
- Paragraphs 66-91 Housing

DEVELOPMENT PLAN

- 5 The Development Plan for the area consists of TAYplan Strategic Development Plan 2012 – 2032 and the Kinross Area Local Plan 2004.

TAYplan Strategic Development Plan 2012 – 2032 Approved June 2012

- 6 Under the TAYPlan the principal relevant policy is:-

Policy 5: Housing

- 7 Ensure that the mix of housing type, size and tenure meets the needs and aspirations of a range of different households throughout their lives, including the provision of an appropriate level of affordable housing based on defined local needs. Local Development Plans (where applicable) will need to set affordable housing requirements for or within each housing market area.

Kinross Area Local Plan (2004)

- 8 Under the Local Plan the application site lies within the small defined settlement boundary of Drunzie.
- 9 The principal policies of relevance are in summary:

Policy 1 Sustainable Development

- 10 Guidelines by which all development should be considered in relation to sound principles of sustainable development.

Policy 2 'Development Criteria'

- 11 Criteria by which all developments will be judged. In particular, that the development should have a landscape framework should have regard to the scale, form, colour and density of development.

Policy 5 'Landscape'

- 12 Developments should conserve landscape features and sense of local identity.

Policy 94 'Background Policies'

13 Development should not adversely affect the density, character or amenity of the settlement.

14 Opportunity 6 - Developer Requirements for Drunzie

The Council will support the development of housing in small settlements subject to the undernoted developer requirements.

- Provision of public drainage system with capacity to accommodate surrounding development
- Provision of children's play area

Perth and Kinross Proposed Local Development Plan (PLDP) 2012

15 On the 30 January 2012 the Proposed Plan was published. The adopted Local Plan will eventually be replaced by the Proposed Local Development Plan. The Council's Development Plan Scheme sets out the timescale and stages leading up to adoption. It has recently undergone a period of representation; the Proposed Local Development Plan may be modified and will be subject to examination prior to adoption. This means that it is not expected that the Council will be in a position to adopt the Local Development Plan before December 2014. It is therefore a material consideration in the determination of this application, reflecting a more up to date view of the Council.

16 Under the PLDP the site lies within the settlement boundary for Drunzie.

The principal relevant policies of this plan are:

17 **Policy PM1 Placemaking** – Development must contribute successfully to the quality of the surrounding built and natural environment

18 **Policy RD1 Residential Areas** The plan identifies areas of residential and compatible uses where existing residential amenity and character will be protected and where possible improved. .

SITE HISTORY

19 06/01687/FUL Proposed formation of 10 plots for dwellinghouses and formation of new children's play area 22 September 2007 - Application Withdrawn.

20 08/00348/FUL Formation of 10 plots for dwellinghouses and formation of former layout to create settlement centre 8 January 2009 - Application Approved

21 09/00927/FLL Erection of 8 dwellinghouses 30 November 2009 - Application Refused.

22 10/00214/FLL Erection of 8 dwellinghouses 26 July 2010 - Application Refused.

23 11/00277/FLL Erection of 10 dwellinghouses 13 December 2012 - Application Permitted.

CONSULTATIONS

24 **Shell UK Exploration And Production** No objections

25 **BP Consultations** No objections

26 **Scottish Water** No objections

REPRESENTATIONS

27 Eight letters of objection have been received raising the following issues:-

- Proposal will dominate existing properties
- Loss of rural identity
- Risk of flooding
- Increase in scale and density
- Excessive height
- Highly visible
- Inappropriate materials

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

ADDITIONAL STATEMENTS

29	Environment Statement	Not required
	Screening Opinion	Not required
	Environmental Impact Assessment	Not required
	Appropriate Assessment	Not required
	Design Statement / Design and Access Statement	Not required
	Report on Impact or Potential Impact	Not required

APPRAISAL

Policy

30 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The determining issues here are whether the proposals comply with Development Plan policy or if there are other material considerations, which justify a departure from policy.

31 The principle of residential use on the site has already been established through the approval of the previous consent for 10 dwellinghouses on the site.

The application site is within the small settlement of Drunzie where residential use is acceptable provided all other material planning considerations can be met.

Scale and Design

- 32 This is a relatively minor proposal for changes to the rear elevation to include 2 dormer windows on a roof plane that was previously approved under application 11/00277/FLL with 3 velux windows. The proposed dormers are considered to be acceptable in terms of their scale and design and will not have any adverse impact on the character or appearance of the house itself or any surrounding properties. The scale and design of the proposed garage is also considered to be acceptable and positioned at the rear of the plot with materials to match the house and as a result it will not have any adverse impact on the character or appearance of the area. Concerns were raised through representations about the excessive height of the proposal. It is confirmed however in relation to the previously consented scheme the house position and finished floor level and overall height will remain unchanged and will be below the ridge height of the adjacent dwellinghouse approved on plot 3. The proposed garage floor level is 0.25m above the dwellinghouse, however the ridge height at 4m will be below the dwellinghouse and below the ridge height of the garage previously approved on plot 8. It has been acknowledged that the housing site is visibly sensitive; however the proposed changes to the dwellinghouse and the erection of a garage to the rear will not have any additional detrimental impact on the character of the area from that of the recently approved wider scheme.
- 33 The erection of the garage forms part of the planning application as the applicant wishes to build the garage at the same time as the house. As is often the case in the construction process, a contractor n builds the garage first to afford shelter and security for materials whilst building the house. As background information, Members should be aware that when the house is occupied, the position and size of the garage would render the garage permitted development not requiring to be the subject of a formal application for planning consent. A slight change to the roof pitch would be required to follow this permitted development route making a shallower pitch. I consider that the proposed roof pitch of 30 degrees is visually more attractive than reducing to 17.5 degrees to make the permitted development height.

Residential Amenity

- 34 In terms of residential amenity the proposed changes to the house type and erection of a garage will not have any adverse impact on the amenity of neighbouring property within the wider residential development or to any neighbouring residences across the road in Drunzie in terms of overlooking or overshadowing.

Flood Risk

- 35 There will be no risk of flooding to neighbouring property as a consequence of the change in house type. Surface water drainage will be controlled by the approved SUDs scheme required by condition on the wider approval for this site.

Education

- 36 There is no requirement for an education requirement as this site already has a planning consent for 10 houses granted in January 2009 (08/00348/FUL). Under the Finalised Primary Education and New Housing Contributions Policy dated May 2009 it is stated that the requirement for education contributions cannot be applied retrospectively to a site which had full or planning in principle consent prior to the policy coming into effect. There is no requirement therefore for a contribution under this proposal.

Sustainability

- 37 Housing provision within existing settlements is in accordance with the goals of sustainable development where residents have access to social, economic and community facilities and good access to differing modes of transport.

LEGAL AGREEMENTS

- 38 No legal agreement is required for this proposal.

DIRECTION BY SCOTTISH MINISTERS

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

CONCLUSION AND REASONS FOR RECOMMENDATION

- 39 The proposed change in house type and erection of a garage to the rear of plot 2 is considered to be acceptable and will not have any adverse impact on the residential amenity or character of the area and is in accordance with the Development Plan. As a consequence it is recommended that the proposals be approved.

RECOMMENDATION

- A** Approve the application subject to the following conditions:

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.

- 2 Prior to commencement of work on site details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the approval of the Planning Authority.

Reasons:

- 1 To ensure that the development is carried out in accordance with the plans approved.
- 2 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

B JUSTIFICATION

- 1 The proposal is considered to comply with the Development Plan and there are no material material considerations which would warrant a refusal.

C PROCEDURAL NOTES

- 1 None

D INFORMATIVES

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.

Background Papers: 8 letters of representation

Contact Officer: Mark Williamson – Ext 75355

Date: 3 June 2013

Nick Brian
Development Quality Manager

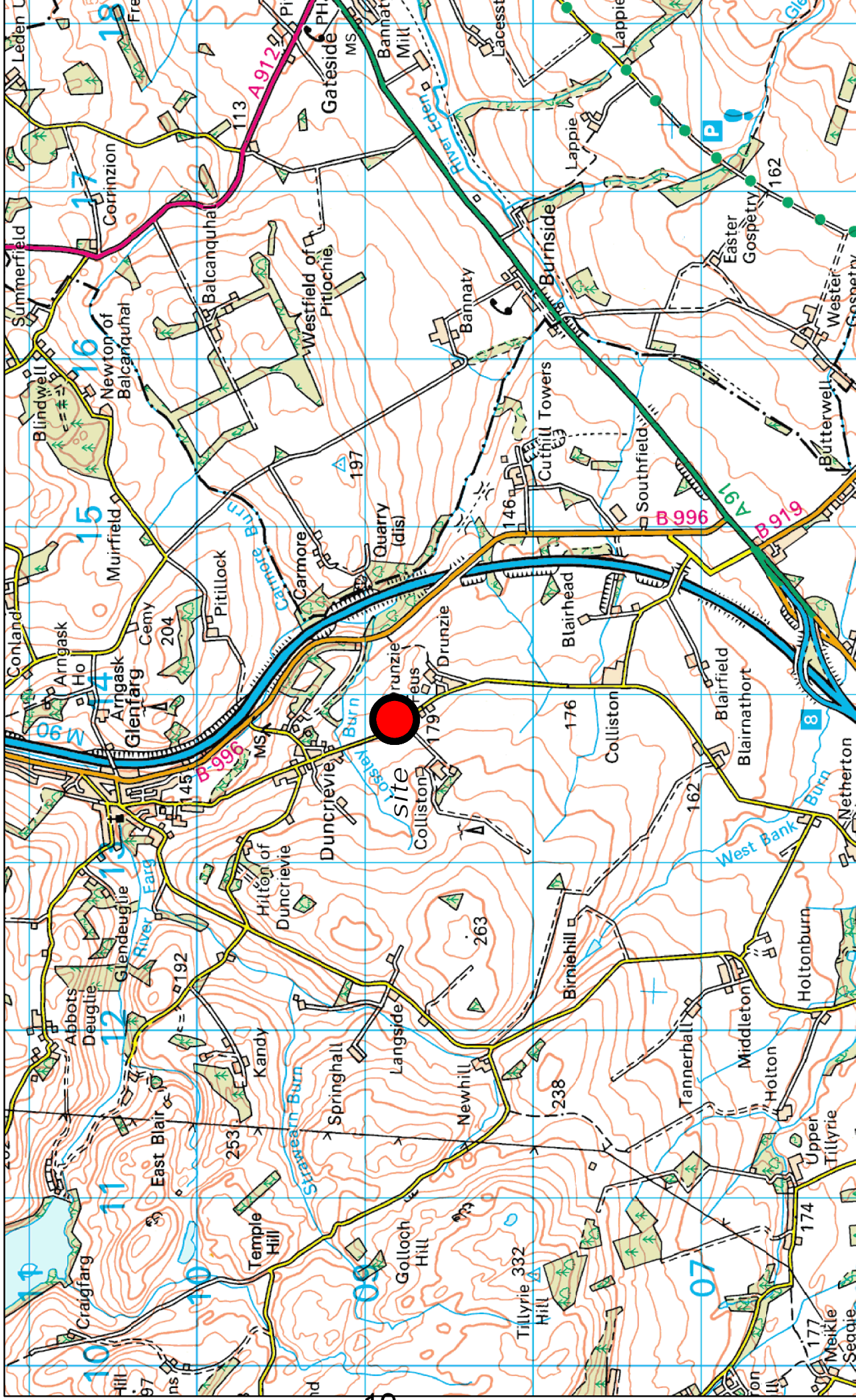
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13/00253/FLL Land northwest of Gwendoline Row Drunzie Glenfarg

Modification of existing consent (11/00277/FLL) change of house type and garage



PERTH & KINROSS COUNCIL
The Environment Service

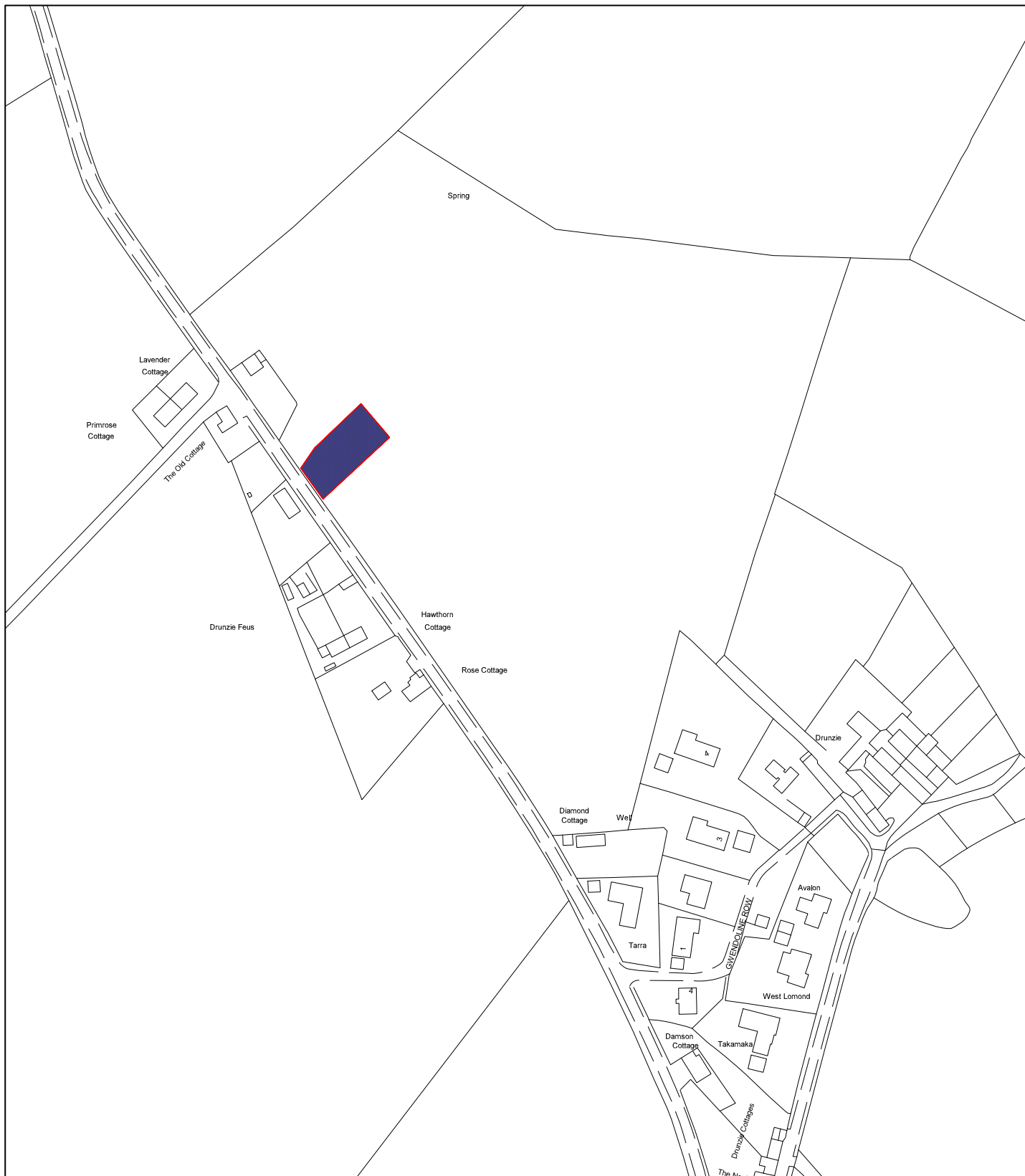


Perth & Kinross Council

13/00253/FLL

Land north west of Gwendoline Row Drunzie Glenfarg

Modification of existing consent (11/00277/FLL) change of house type and garage



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↑ Scale
1:2500