

Perth and Kinross Council
Development Management Committee – 16 September 2015
Report of Handling by Development Quality Manager

Renewal of permission 12/00889/FLL (extension to dwellings) at 6 And 8 Glamis Court, Gleneagles Village, Auchterarder, PH3 1SQ

Ref. No: 15/01088/FLL
Ward No: 7 – Strathallan

Summary

This report recommends approval of the application for the renewal of permission 12/00889/FLL (extension to dwellings) as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 This application seeks a further extension of time to the planning permission for alterations and extension to two apartments in the residential development of Glamis Court, Gleneagles.
- 2 Original application (Ref: 08/01914/FUL) was initially refused by Perth & Kinross Council under delegated powers and then was allowed by The Scottish Government on appeal. The original application subsequently received an extension of time by the Development Management Committee on 1 August 2012 (Ref: 12/00889/FLL).
- 3 Although this planning application seeks to renew the previous consent, the Committee should be aware that the consent existed at the time when this planning application was initially lodged, but has now expired. It is also noteworthy that neighbour notification was re-issued on 22 July 2015, listing both property addresses.

NATIONAL POLICY AND GUIDANCE

- 4 The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars. However, due to the scale of the development proposed under this application none of the national level policies are of direct relevance in this instance.

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

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

Perth and Kinross Local Development Plan 2014

- 7 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance. Under the LDP the site lies within the settlement boundary for Gleneagles. The principal policies are, in summary:

Policy RD1 - Residential Areas

- 8 In identified areas, residential amenity will be protected and, where possible, improved. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy PM1A - Placemaking

- 9 Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaptation.

Policy PM1B - Placemaking

- 10 All proposals should meet all eight of the placemaking criteria.

Policy HE4 – Gardens and Designed Landscapes

- 11 The integrity of sites included on the Inventory of Gardens and Designated Landscapes will be protected and enhanced.

OTHER POLICIES

- 12 Perth & Kinross Council’s Placemaking Guide states that; *“The placemaking guide is not intended to limit imaginative and innovative design but discourage particularly large, unsuitable or overly cost-conscious additions and alterations which can destroy the composition of existing buildings and their surroundings”*.

SITE HISTORY

- 13 **08/01838/FUL** - Extension to dwellinghouses. Application withdrawn – 22 September 2008

- 14 **08/01914/FUL** - Extension to dwellinghouses. Application refused under delegated powers – 29 May 2009. Appeal Allowed – 10 September 2009
- 15 **12/00889/FLL** - Renewal of existing consent (08/01914/FUL). Alterations and extension to dwellings. Application approved at Development Management Committee – 3 August 2012

CONSULTATIONS

External

- 16 Historic Scotland (Historic Gardens and Designed Landscapes) No objections.

REPRESENTATIONS

- 17 A total of ten letters of objection have been received. Nine letters have been received from surrounding residents and the tenth letter has been received from a property consultancy firm that wrote on behalf of The Dunbar and Glamis Courts Residents Association.
- 18 The representations have raised the following relevant material planning issues which are addressed in the Appraisal section of this report.
- Overdevelopment
 - Excessive scale
 - Adverse impact on the character appearance and visual amenity of the houses
 - Detrimental impact on residential amenity and Loss of privacy (see para.26).
 - Additionally, the accuracy of the land ownership declaration has been raised (see para.27). These issues are all raised in the Appraisal section of this report.
- 19 Additionally, the following non-material considerations were raised: -
- Loss of view
 - Loss of value to property
 - Against local association rules and title deed conditions.

ADDITIONAL STATEMENTS

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Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	None
Report on Impact or Potential Impact	None submitted.

APPRAISAL

- 21 Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014. 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

- 22 The most relevant policies of the Development Plan are Policies RD1, PM1A and PM1B of the Perth and Kinross Local Development Plan 2014. These policies seek to ensure that the scale, form, design, massing, position, proportions and finishes of any proposals are appropriate in the context of the surrounding built environment and that they would not have an adverse impact on visual or residential amenity.

Historic Garden/Designed Landscape

- 23 Historic Scotland was consulted on the application to renew the permission, given that the site is located within the grounds of Gleneagles Hotel, which is included in the Inventory of Gardens and Designed Landscapes in recognition of its national importance. The consultation response confirms that Historic Scotland considers the proposals do not raise issues of national significance; therefore no objection has been raised in this respect.

Visual Amenity

- 24 The physical alterations comprise raising the existing flat roof into a shallow pitched mansard roof in order to increase the internal accommodation within the roof space. This includes the formation of dormer windows and installation of roof light windows.
- 25 The appeal Reporter on the original application concluded that the proposal contained complementary external finishing materials and that the extensions would not be disproportionate in size and would fit in their surroundings in terms of scale, form and colour. The Reporter continued, stating that the proposals would not constitute overdevelopment and would not have an adverse impact on the character or visual appearance of the surrounding area.

Residential Amenity

- 26 Furthermore, the Reporter did not consider that the proposals would have a significant adverse impact on surrounding residential amenity in terms of overlooking or overshadowing.

Land ownership declaration

- 27 The land ownership declaration was previously queried by members of the public. Accordingly, the issue was raised with the applicants, who confirmed that they own all of the land to which the application relates. A similar declaration has been made in relation to this application. The renewal must therefore be progressed on the basis of the land ownership declaration and any further challenges to this must be raised through the appropriate channel.

LEGAL AGREEMENTS

- 28 None

DIRECTION BY SCOTTISH MINISTERS

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

- 30 This application simply seeks to renew the existing permission. Therefore, the physical alterations sought remain the same as those approved on appeal. The impact of those alterations would also remain similar to those already approved.
- 31 The previous renewal was granted by Development Management Committee as the development was considered to be in accordance with the then adopted Strathearn Area Local Plan 2001 and the proposed Local Development Plan 2012. Those policy documents have now been superseded by the Perth and Kinross Local Development Plan 2014 and the relevant adopted policies are listed above.
- 32 Given that the adopted Perth and Kinross Local Development Plan 2014 seeks to achieve similar objectives to the previous Development Plan, and that there are no significant changes in the content of planning policy in respect of this development, the proposals are considered to be in compliance with policy.
- 33 In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the Development Plan. Account has been taken of all other material considerations and none would justify overriding the adopted Development Plan. On that basis the application is recommended for approval, subject to conditions.

RECOMMENDATION

A Approve subject to the following conditions

- 1 Before any work on the development hereby approved is begun particulars of the type and colour of the roof tiles, window frames and roof lights shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

Reason – To protect the visual amenity and character of the area.

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

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

B JUSTIFICATION

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

C PROCEDURAL NOTES

None.

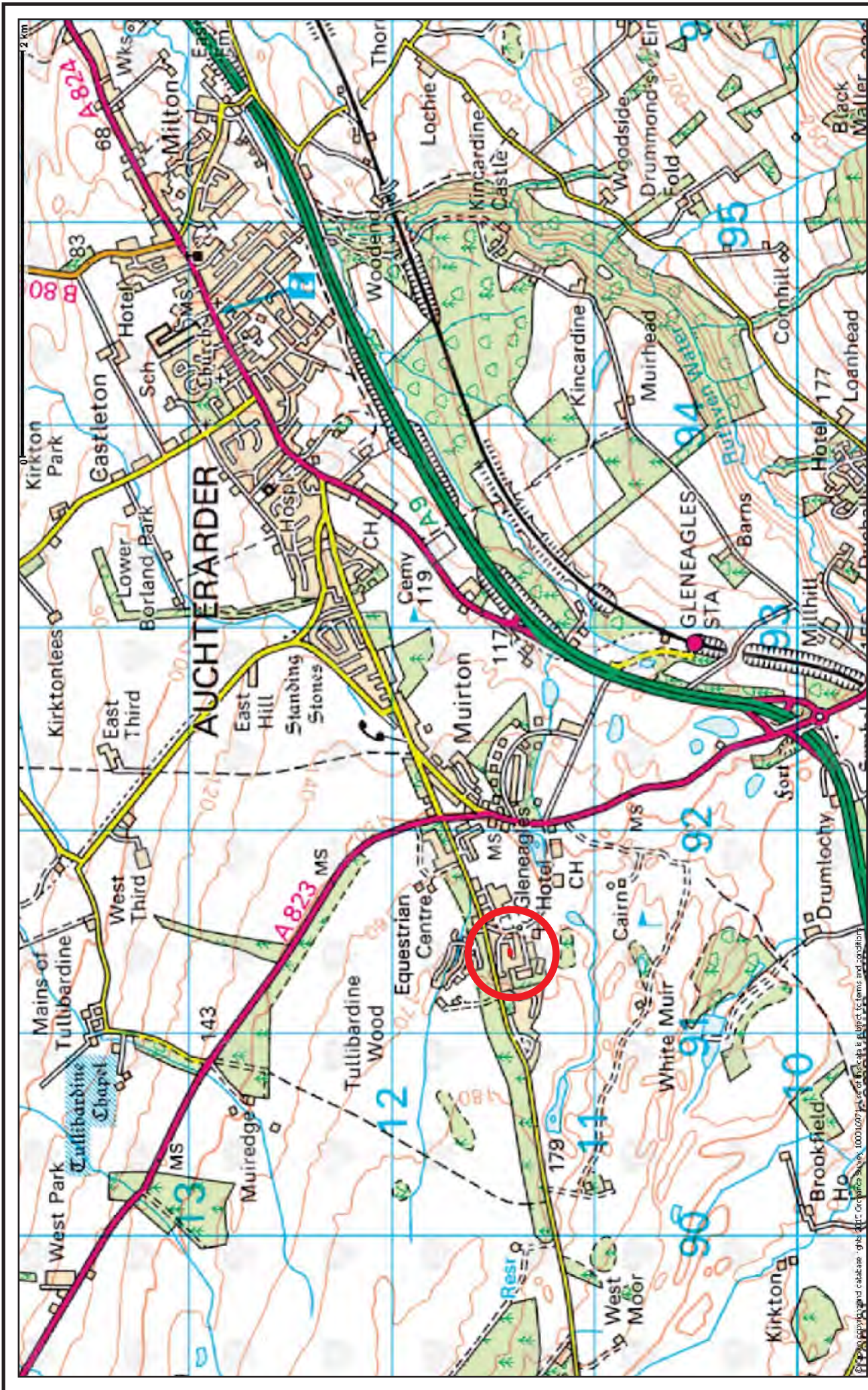
D INFORMATIVES

- 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: 10 letters of representation
Contact Officer: Keith Stirton – Ext: 75328
Date: 1 September 2015

Nick Brian
Development Quality Manager

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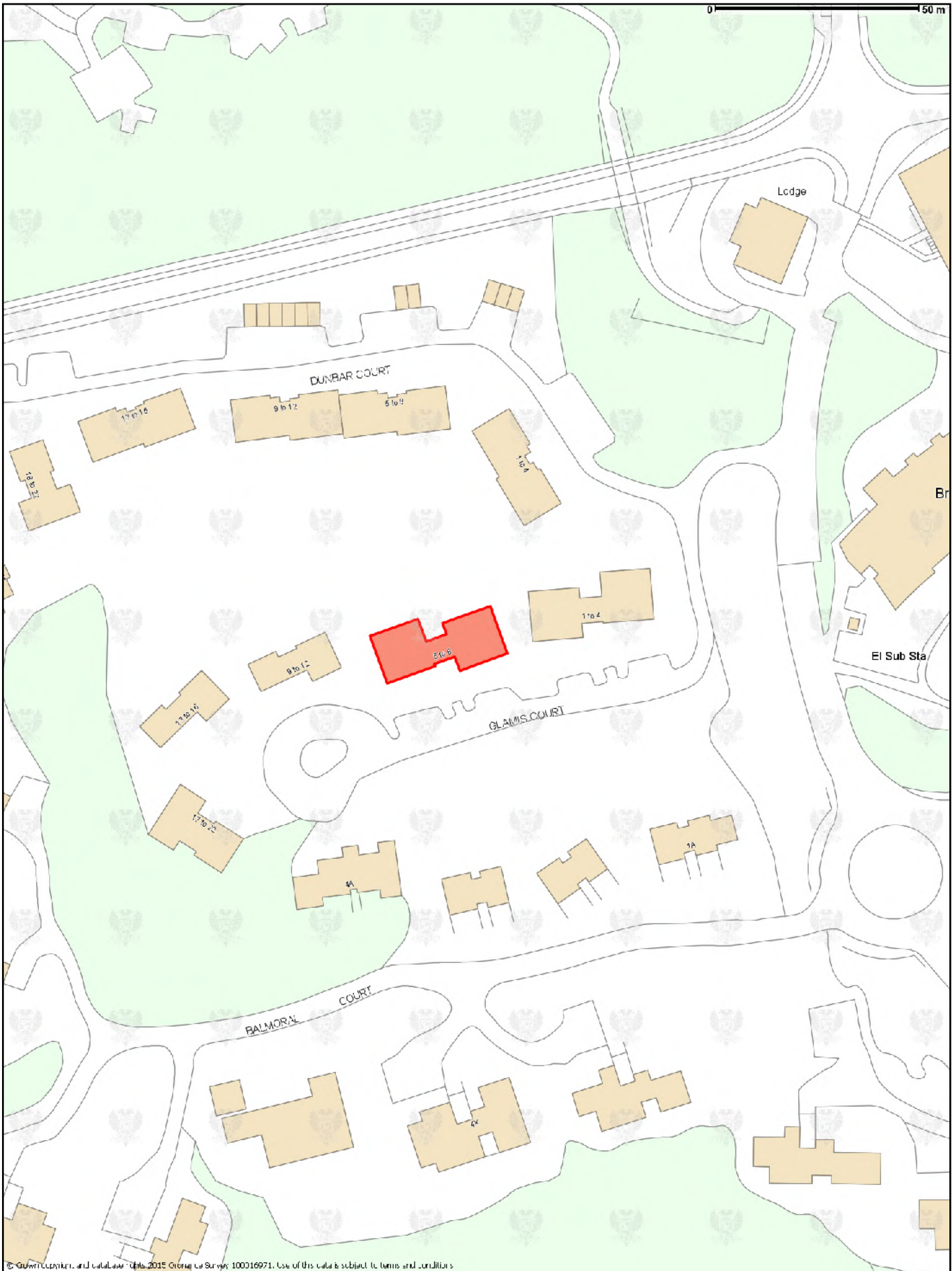
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