

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

**Erection of garage, Broomfield 5 Littlewood Gardens Blairgowrie PH10 6XZ**

Ref. No: 15/01185/FLL  
Ward No: 3 Blairgowrie and Glens

**Summary**

This report recommends approval of the application for the erection of a garage as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

**BACKGROUND AND DESCRIPTION**

- 1 This application is seeking permission for the erection of a garage at Broomfield, 5 Littlewood Gardens, Blairgowrie. The proposed garage will be located to the west of an existing two storey detached dwellinghouse located in an established residential area towards the south end of Blairgowrie. A dismantled railway runs along the eastern boundary of the site whilst the A923 is located approximately 100m to the west.

**NATIONAL POLICY AND GUIDANCE**

- 2 The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.
- 3 Of specific relevance to this application is:

**Scottish Planning Policy 2014**

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

**DEVELOPMENT PLAN**

- 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 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.
- 8 Under the LDP the site lies within the settlement boundary of Blairgowrie and the principle relevant policies are:

#### **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.

#### **Policy PM1B - Placemaking**

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

#### **Policy RD1 - Residential Areas**

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

### **OTHER COUNCIL POLICIES**

- 12 None

### **SITE HISTORY**

- 13 89/00703/FUL Erection of 5 houses (Approved under delegated powers 9 June 1989)
- 14 91/02087/FUL Erection of 5 houses. (Approved under delegated powers 24 January 1992)
- 15 96/01282/FUL Erection of 2 houses and garages (Approved under delegated powers 20 February 1997)

- 16 98/00371/FUL Erection of a house (Approved under delegated powers 29 May 1998)
- 17 14/01909/FLL Erection of a garden store (in retrospect) (Approved at Development Control Committee 14 January 2015)

## CONSULTATIONS

### Internal

- 18 **Environmental Health** – no objections
- 19 **Transport Planning** – no objections

### External

- 20 None

## REPRESENTATIONS

- 21 Six representations were received objecting to the proposals raising the following issues:
- Concerns over possible business use of the building and associated industrial use
  - Out of character with the area/over intensive development
  - Inappropriate land use
  - Road safety hazard/increased traffic
  - Contrary to Local Plan
- 22 The issues which are considered material planning issues are addressed in the Appraisal section of this report.

## ADDITIONAL STATEMENTS

23

|  |              |
|--|--------------|
| 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**

- 24 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.

## **POLICY**

- 25 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.
- 26 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.

### **Drainage and Flooding**

- 27 There are no drainage or flooding implications associated with this proposed development.

### **Design and Layout**

- 28 The proposed garage will be set back marginally from the existing dwellinghouse. It will be located a distance of 500mm from the communal boundary to the south west which will allow the overhang of the roof to be contained within the application site. The finishing materials are of roughcast rendering for the walls alongside corner quoin detailing and concrete tiles. The garage will be located in an area which is currently used for parking vehicles, however, the property has 2 access points at the turning head, the other being located at the front (north east) of the dwellinghouse. This area provides parking for several vehicles. The garden ground associated with this property is of a generous size, therefore, the proposed garage will not detrimentally impact on useable garden ground.
- 29 I have no immediate concerns with the proposal. Due to its design and finishes it is considered to be a subordinate addition.

### **Visual Amenity**

- 30 There have been concerns that the proposed garage is out of character with the area. The garage will be visible from Littlewood Gardens, however, its views will be obscured by existing boundary treatments. Furthermore, as it is the last property located within the cul-de-sac so there will be no passing traffic. The proposed height, position and finishing materials will result in a structure which is in keeping with the existing dwellinghouse and recently constructed outbuilding and I consider it to be acceptable in terms of impact on the visual amenity of the existing dwellinghouse and the surrounding area.

## **Landscape**

- 31 The proposal will have no negative impact on the wider landscape setting as it is set within existing garden ground and relates visually to the main house.

## **Residential Amenity**

- 32 I have taken account of overshadowing and overlooking and consider the proposal would have no material effect on the amenity of neighbouring properties, as regards privacy, or loss of daylight or sunlight. No windows are located within 9 metres of the boundary and its location within the site and boundary treatments in situ will prevent overshadowing to the neighbouring property.
- 33 Objectors have raised concerns that the use of the garage building is for business purposes, however, there is no evidence to suggest this building will be used for business purposes. A condition will be attached to ensure the building is used solely for residential use which is directly associated with the existing residential use of the main dwellinghouse and for no other purpose or use

## **Roads and Access**

- 34 As the proposal is for a domestic garage associated with the main dwellinghouse it is not expected to generate any additional traffic and as a consequence would be acceptable in relation to the existing access and cul-de-sac arrangements.

## **Developer Contributions**

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

## **Economic Impact**

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

## **LEGAL AGREEMENTS**

- 37 None required.

## **DIRECTION BY SCOTTISH MINISTERS**

- 38 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

## **CONCLUSION AND REASONS FOR RECOMMENDATION**

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

## **RECOMMENDATION**

### **A Approve subject to the following conditions:**

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

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

- 2 The development authorised by this consent shall be used solely for the purposes of a residential use which is directly associated with the existing residential use of the main dwellinghouse and for no other purpose or use, all to the satisfaction of the Council as Planning Authority.

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

### **B JUSTIFICATION**

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

### **C PROCEDURAL NOTES**

None

### **D INFORMATIVES**

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

- 3 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.
- 4 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.
- 5 No work shall be commenced until an application for building warrant has been submitted and approved.

Background Papers: 6 letters of representation  
Contact Officer: Gillian Peebles – Ext 75330  
Date: 1 September 2015

**Nick Brian**  
**Development Quality Manager**

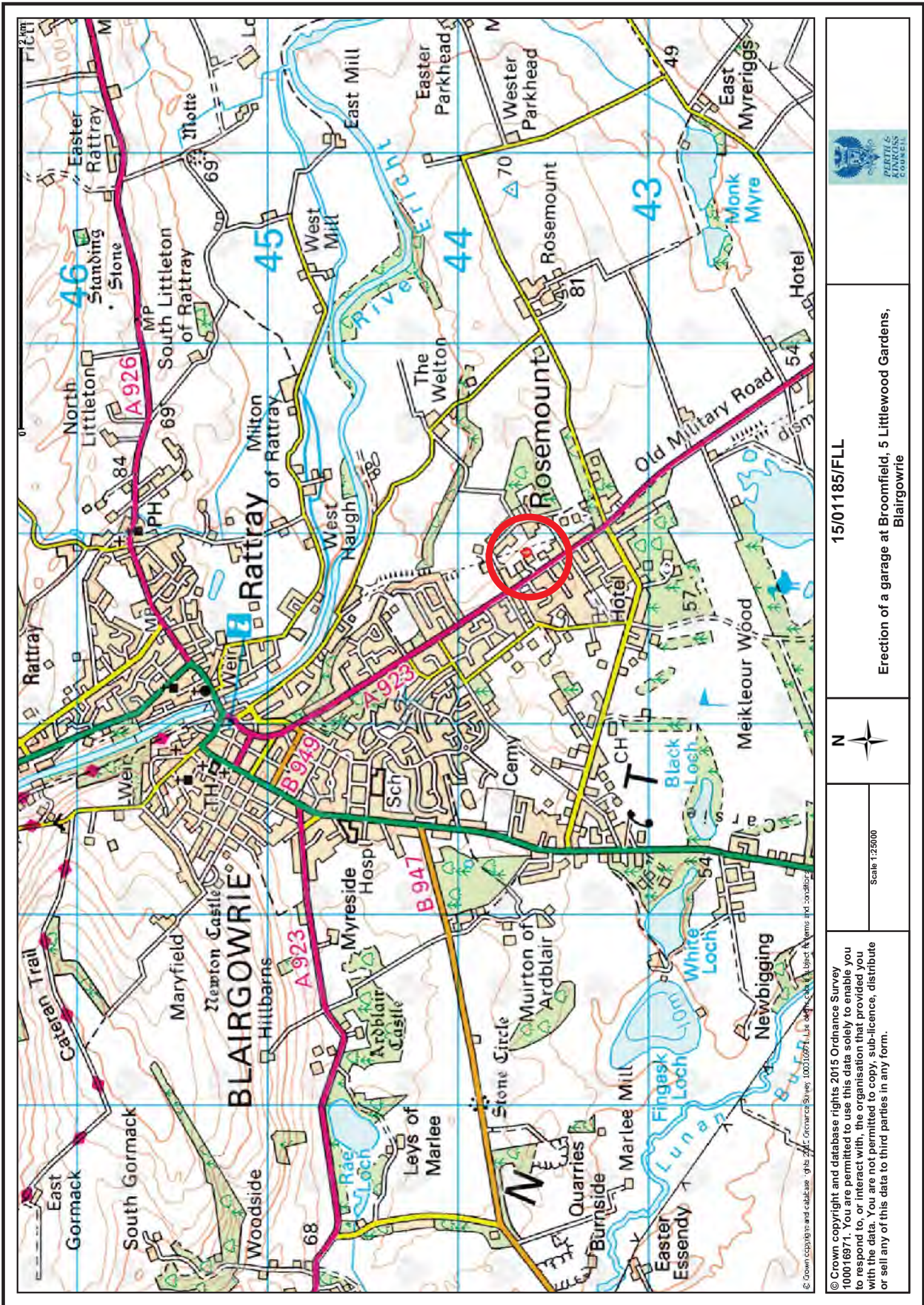
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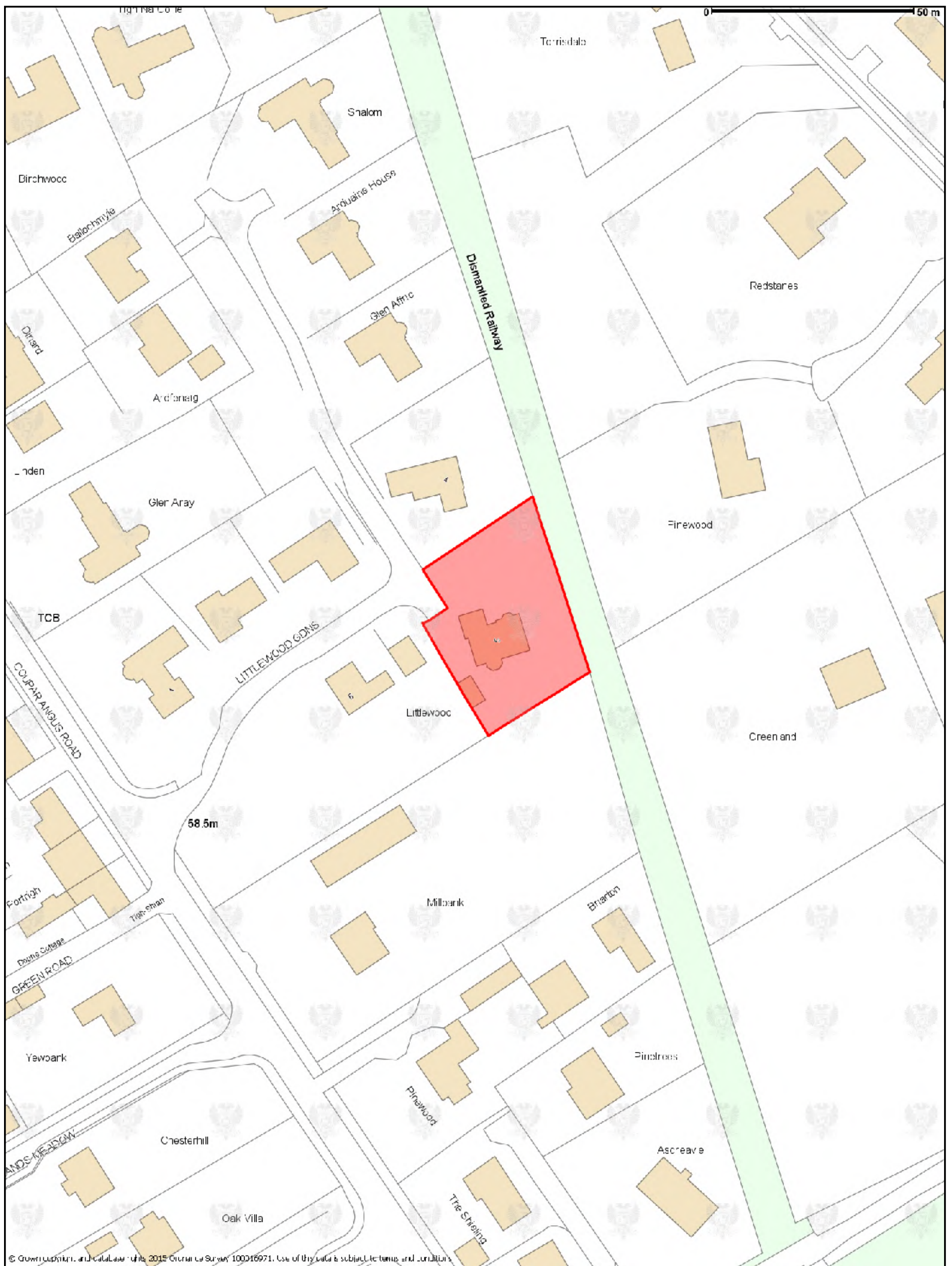
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