

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 18 DECEMBER 2017

4 TEMPLEHALL PLACE, NEWBIGGING, MONIFIETH

REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT:

The Committee is asked to consider an application for a review of the decision taken by the planning authority in respect of the refusal of planning permission for proposed extension and alterations to dwellinghouse (re-application), application No 17/00684/FULL, at 4 Templehall Place, Newbigging, Monifieth.

1. RECOMMENDATIONS

It is recommended that the Committee:-

- (i) review the case submitted by the Planning Authority (**Appendix 1**); and
- (ii) review the case submitted by the Applicant (**Appendix 2**).

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN

This Report contributes to the following local outcomes contained within the Angus Local Outcomes Improvement Plan 2017-2030:

- Safe, secure, vibrant and sustainable communities
- An enhanced, protected and enjoyed natural and built environment

3. CURRENT POSITION

The Development Management Review Committee is required to determine if they have sufficient information from the Applicant and the Planning Authority to review the case. Members may also wish to inspect the site before full consideration of the appeal.

4. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from the recommendations in the Report.

5. CONSULTATION

In accordance with Standing Order 48(4), this Report falls within an approved category that has been confirmed as exempt from the consultation process.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

Report Author: Sarah Forsyth
E-Mail: LEGDEM@angus.gov.uk

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Appendix 1 – Submission by Planning Authority
Appendix 2 – Submission by Applicant

ANGUS COUNCIL'S SUBMISSION ON GROUNDS OF REFUSAL

APPLICATION NUMBER – 17/00684/FULL

APPLICANT- MR & MRS GRANT & LYNDSEY MILNE

PROPOSAL & ADDRESS – PROPOSED ALTERATIONS AND EXTENSION TO
 DWELLINGHOUSE RE- APPLICATION AT 4 TEMPLEHALL PLACE NEWBIGGING
 MONIFIETH DUNDEE DD5 3UW

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Angus Council

Application Number:	17/00684/FULL
Description of Development:	Proposed Extension and Alterations to Dwellinghouse- Re-Application
Site Address:	4 Templehall Place Newbigging Monifieth Dundee DD5 3UW
Grid Ref:	349761 : 736332
Applicant Name:	Mr & Mrs Grant & Lyndsey Milne

Report of Handling**Site Description**

The site is situated towards the north of Newbigging within a small cul de sac that lies to the west of Pitairlie Road which is the main road through the village. The application property is a single storey detached dwelling positioned on a 538sqm site. The site is bound by single storey residential properties to the east, west and north and 1½ storey residential properties on the opposite side of Templehall Place to the south. The north, west and east and boundaries of the rear garden are comprised of a 1.8 metre high vertically boarded timber fence.

Proposal

The proposal relates to a re-application proposal for the conversion of the roof space of the house to create habitable accommodation and includes the formation of a 30sqm 1½ storey pitched roof extension on the east/side elevation and a 30.2sqm 1½ storey extension on the north/rear elevation of the dwelling. The proposal would allow for three new bedrooms on the first floor and a garage, utility and extended family room on the ground floor. The existing driveway would be extended in a westerly direction up to the existing grass to the front of the house which would allow for two parking spaces. The proposed materials would be concrete roof tiles, white dry dash render, stone base course, white upvc windows and white upvc rain goods.

The application has not been subject of variation.

Publicity

The application was subject to normal neighbour notification procedures.

The nature of the proposal did not require that the application be the subject of press advertisement.

The nature of the proposal did not require a site notice to be posted.

Planning History

15/01108/FULL for Alterations and Extension to Dwellinghouse was determined as "Application Withdrawn" on 24 February 2016.

16/00742/FULL for Proposed Alterations & Extension to Dwelling House Re-Application was determined as "Refused" on 30 December 2016.

Following the refusal of planning application 16/00742/FULL, an appeal was submitted to Development Management Review Committee. The decision to refuse the application was upheld and the review was dismissed on 3 July 2017, date of decision notice 17 July 2017.

Applicant's Case

The supporting statement indicates that the proposal is in keeping with the character of the existing house and it suggests that the feature height glazing is for simply for aesthetics, that there would be no unacceptable overlooking impact on the neighbouring properties and there are other two storey properties on Pitairlie Road that are no less onerous in terms of overlooking than the proposal.

Consultations

Community Council - There was no response from this consultee at the time of report preparation.

Angus Council - Roads - Offered no objection to the proposal.

Scottish Water - There was no response from this consultee at the time of report preparation.

Representations

1 letters of representation was received in objection to the proposal. The main points of concern were as follows:

- Concerns in relation to overlooking;
- visual appearance impacts, the extension would be visible to the neighbours to the rear.

Development Plan Policies

Angus Local Development Plan 2016

Policy DS3: Design Quality and Placemaking
 Policy DS4: Amenity
 Policy TC4: Householder / Domestic Development

TAYplan Strategic Development Plan

The proposal is not of strategic significance and policies of TAYplan are not referred to in this report.

The full text of the relevant development plan policies can be viewed at Appendix 1 to this report.

Assessment

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 proposal is a re-application for a rear and side extension, the first floor rear bedroom window was previously found to be significantly detrimental to the residential amenity enjoyed by the immediate neighbours to the north of the site resulting in refusal of application 16/00742/FULL. Thereafter, an appeal was submitted to the Development Management Review Committee (DMRC). The decision to refuse the application was upheld by the DMRC and the appeal was dismissed. The DMRC reached the conclusion that the decision to refuse the application was in accordance with the Council's Local Plan Policy. The decision of the DMRC is a material consideration of some weight in determining subsequent planning applications at the site.

The previous decision to refuse the application related to loss of parking provision, impact on the character and pattern of development in the surrounding area- in particular the close proximity of the side extension to the neighbouring property to the east and unacceptable impact on the privacy and amenity area of 2 and 3 Cunmont Farm Cottages. The current application is the third attempt by the applicant to obtain planning permission for what amounts to largely the same proposal. The issues that formed the basis of the refusal of the application in this instance are the same issues that have been highlighted at

the time of the withdrawal of planning application ref: 15/01108/FULL and which formed the basis for the refusal of planning application ref: 16/00742/FULL and the subsequent decision of the DMRC not to uphold the appeal against that decision. At no point has there been an attempt to completely address the concerns raised. The current proposal introduces additional off street parking but no changes to the physical form of development are otherwise proposed. At the DMRC meeting of 03 July 2017 the DMRC concluded that:

The proposal was contrary to policies TC4, DS3 and DS4 of the Angus Local Development Plan, the Householder Development Planning Advice Note and Advice Note 14 due to the loss of parking provision, impact on the character and pattern of development in the surrounding area and unacceptable impact on the privacy and amenity of the garden areas of 2 and 3 Cunmont Farm Cottages

Policy TC4: Householder/Domestic Development relates to proposals for house extensions and indicates that development will be supported where the siting, design, scale or massing of the proposal does not:

- (1) adversely affect the residential amenity enjoyed by the house or surrounding domestic properties;
- (2) detrimentally affect the character and/or appearance of the building, site or surrounding area; and
- (3) result in overdevelopment of the plot or a loss of garden ground, parking or bin storage.

The policy indicates that further guidance is set out in the Householder Development Planning Advice Note (PAN). Appendix B relates to assessment of privacy impacts and indicates that privacy is important to the health and well-being of residents. It states that it is appropriate to expect that all alterations and extensions to existing residential properties will not adversely affect the privacy afforded to residents within adjacent neighbouring properties and associated curtilages. Policy DS4 indicates that development will not be permitted where there is an unacceptable adverse impact on the surrounding area or amenity. It indicates that the Council will consider the impact of development on residential amenity in relation to overlooking and loss of privacy. Policy DS3 relates to design quality and placemaking and seeks to deliver a high standard of design that draws upon aspects of landscape or townscape that contributes positively to the character and sense of place of an area.

The application property is located within a modern development which contains a mix of single and two storey property but which was designed so that single storey property backed onto the existing single storey houses at Cunmont Farm Cottages to the north which allowed their residential amenity a degree of protection. The rear element of the proposed extension would introduce two full height first floor bedroom windows on the north elevation which would face 2 and 3 Cunmont Farm Cottages and Kia Cottage and their private rear garden areas. This double window would be approximately 9.2m from the mutual boundary with 3 Cunmont Farm Cottages and 7.7m from the boundary with 2 Cunmont Farm Cottages and these properties would experience the most significant impacts from this window. These properties and their gardens are not currently subject of any first floor overlooking from property to the south and the closest two storey property with first floor windows looking towards these gardens is 3A and 3B Pitairlie Road to the east, which have first floor windows around 36m from the closest boundary with 3 Cunmont Farm Cottages.

The Householder PAN acknowledges the importance of privacy for the health and well-being of residents and identifies an expectation that extensions should not adversely affect the privacy afforded to residents. While the Householder PAN provides no explicit distance test to measure where windows are introduced at first floor level, Advice Note 14 'Small Housing Sites' is relevant for this assessment and indicates that where overlooking from an upper storey is introduced, the distance between the windows and the mutual boundary should be at least 12m. It indicates that in higher density areas or where the adjacent garden is particularly generous this could be relaxed to 9 metres. The area in which the house is located is low/medium density and the garden(s) that would be overlooked are not particularly generous in size. On that basis a minimum distance of 12m is appropriate. The distance would be around 7.7m and 9.2m respectively, which is contrary to Advice Note 14. Whilst the garden areas of 2 and 3 Cunmont Farm Cottages are partly screened by outbuildings, a large area of their gardens would be overlooked by the proposed first floor window. It has been suggested that rear overlooking between 3A and 3B Pitairlie Road are felt to be no less onerous than the proposal and that the proposed degree of overlooking would be negligible. This example is however considered not to be comparable. The situation referred to relates to other properties within the same housing scheme as the application property. The issue in this case relates to the introduction of new overlooking onto properties that pre-date the development. It is

maintained that the proposal would be contrary to the advice given in the Householder PAN and Advice Note 14. It is further maintained that the development would lead to an unacceptable degree of overlooking between the site and properties to the north. The proposal is therefore contrary to policies TC4 and DS4, the Householder Development PAN and Advice Note 14.

Turning to the second test of Policy TC4, the general design of the proposed extensions would not adversely impact on the character or appearance of the dwelling or surrounding area. However, the side extension extends east to incorporate a garage and the ridgeline remains unaltered which would close the gap between the detached properties. At the DMRC meeting of 03 July 2017, the DMRC determined that the extension abutting the boundary and its close proximity to the neighbouring property to the east would detrimentally impact upon the character and appearance of the existing property, the property to the east and the appearance of the wider area due to the closing of the existing gap between the properties which would not accord with the second test of Policy TC4 or the placemaking objectives of Policy DS3. The current proposal has not addressed this issue.

In terms of the third test of Policy TC4, adequate rear garden ground would be maintained and there would be an increased level of car parking to the front of the house which would extend upon the existing driveway, the Roads Service has offered no objection to this. Bin storage can still be located to the rear of the property as there is a footpath on the west side of the house for continued access. The proposal is consistent with the third test of Policy TC4.

In conclusion, the proposal continues to be contrary to policies TC4, DS3 and DS4. The application as currently proposed does not alter the form of development that was previously refused planning permission by the Planning Service and subsequently by the DMRC on appeal. As stated above the decision of the DMRC is a material consideration of significant weight in the determination of this application. It is apparent that the decision of the DMRC has been flagrantly disregarded by the applicant and whilst a minor amendment has been made in terms of the level of off street parking proposed, the fundamental issues highlighted in previous decisions to refuse the application in terms of impacts arising from the physical form of development proposed remain unaltered. The proposed development remains contrary to the development plan and relevant supplementary planning guidance. There are no material considerations that justify approval of the application contrary to the provisions of the development plan.

Legal agreement not required.

Human Rights Implications

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

Equalities Implications

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

Decision

The application is refused

Reason(s) for Decision:

1. The proposal is contrary to policies TC4, DS3 and DS4 of the Angus Local Development Plan,

the Householder Development Planning Advice Note and Advice Note 14 due to the impact on the character and pattern of development in the surrounding area and unacceptable impact on the privacy and amenity of the garden areas of 2 and 3 Cunmont Farm Cottages

Notes:

Case Officer: Pauline Chalmers
Date: 5 October 2017

Appendix 1 - Development Plan Policies

Angus Local Development Plan 2016

Policy DS3 : Design Quality and Placemaking

Development proposals should deliver a high design standard and draw upon those aspects of landscape or townscape that contribute positively to the character and sense of place of the area in which they are to be located. Development proposals should create buildings and places which are:

- o Distinct in Character and Identity: Where development fits with the character and pattern of development in the surrounding area, provides a coherent structure of streets, spaces and buildings and retains and sensitively integrates important townscape and landscape features.
- o Safe and Pleasant: Where all buildings, public spaces and routes are designed to be accessible, safe and attractive, where public and private spaces are clearly defined and appropriate new areas of landscaping and open space are incorporated and linked to existing green space wherever possible.
- o Well Connected: Where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport, the access and parking requirements of the Roads Authority are met and the principles set out in 'Designing Streets' are addressed.
- o Adaptable: Where development is designed to support a mix of compatible uses and accommodate changing needs.
- o Resource Efficient: Where development makes good use of existing resources and is sited and designed to minimise environmental impacts and maximise the use of local climate and landform.

Supplementary guidance will set out the principles expected in all development, more detailed guidance on the design aspects of different proposals and how to achieve the qualities set out above. Further details on the type of developments requiring a design statement and the issues that should be addressed will also be set out in supplementary guidance.

Policy DS4 : Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution;
- Levels of odours, fumes and dust;
- Suitable provision for refuse collection / storage and recycling;
- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing.

Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or

compensatory measures are secured.

Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration.

Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

Policy TC4 : Householder / Domestic Development

Proposals for householder development (including alterations/extensions to houses and flats, development within the curtilage of houses and flats, means of enclosure, satellite antenna and domestic scale microgeneration) will be supported where the siting, design, scale or massing of the proposal, does not:

- o adversely affect the residential amenity enjoyed by the house or surrounding domestic properties including, in the case of microgeneration, through noise or shadow flicker;
- o detrimentally affect the character and/or appearance of the building, site or surrounding area; and
- o result in the overdevelopment of the plot or a loss of garden ground, parking or bin storage.

Further guidance on householder development will be set out in a Householder Development Planning Advice Note.

TAYplan Strategic Development plan

The proposal is not of strategic significance and policies of TAYplan are not referred to in this report.

ANGUS COUNCIL

COMMUNITIES PLANNING

CONSULTATION SHEET

PLANNING APPLICATION NO

17/00684/FULL

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

29	08	17
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**PLEASE DO NOT TAKE AWAY THE LAST SET OF PLANS WHERE POSSIBLE COPIES
WILL BE PROVIDED ON REQUEST**

ELECTRONIC SUBMISSION DRAWINGS TO BE VIEWED VIA IDOX

Comments for Planning Application 17/00684/FULL

Application Summary

Application Number: 17/00684/FULL

Address: 4 Templehall Place Newbigging Monifieth Dundee DD5 3UW

Proposal: Proposed Extension and Alterations to Dwellinghouse- Re-Application

Case Officer: Pauline Chalmers

Customer Details

Name: Mrs Katie Gourlay

Address: 2 Cunmont Farm Cottage Bewbigging Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application


Comment Reasons:

Comment: We object to the building plans for the following reasons

1. Impact on our property. The templehall buildings were designed to ensure we still have privacy however this extension will be very visible from our garden and therefore impact our property.
2. Privacy. At present we have no windows looking into our property or garden and the new extension will result in a window looking directly into our garden a bedroom window and therefore disturbing our privacy.
3. Visual appearance: we currently have a fence that we can see at the back of our property hiding 4 templehall place so we cannot see each other properties. By building the extension our view in our garden would alter and we would be looking into a house.

I feel the Templehall properties were all build initially with the neighbours in mind and designed to not look onto existing houses/gardens. This extension would ruin this and have an effect on our property behind as well as surrounding houses. Our privacy would be particularly effected.

We have only just received this application due to holidays.

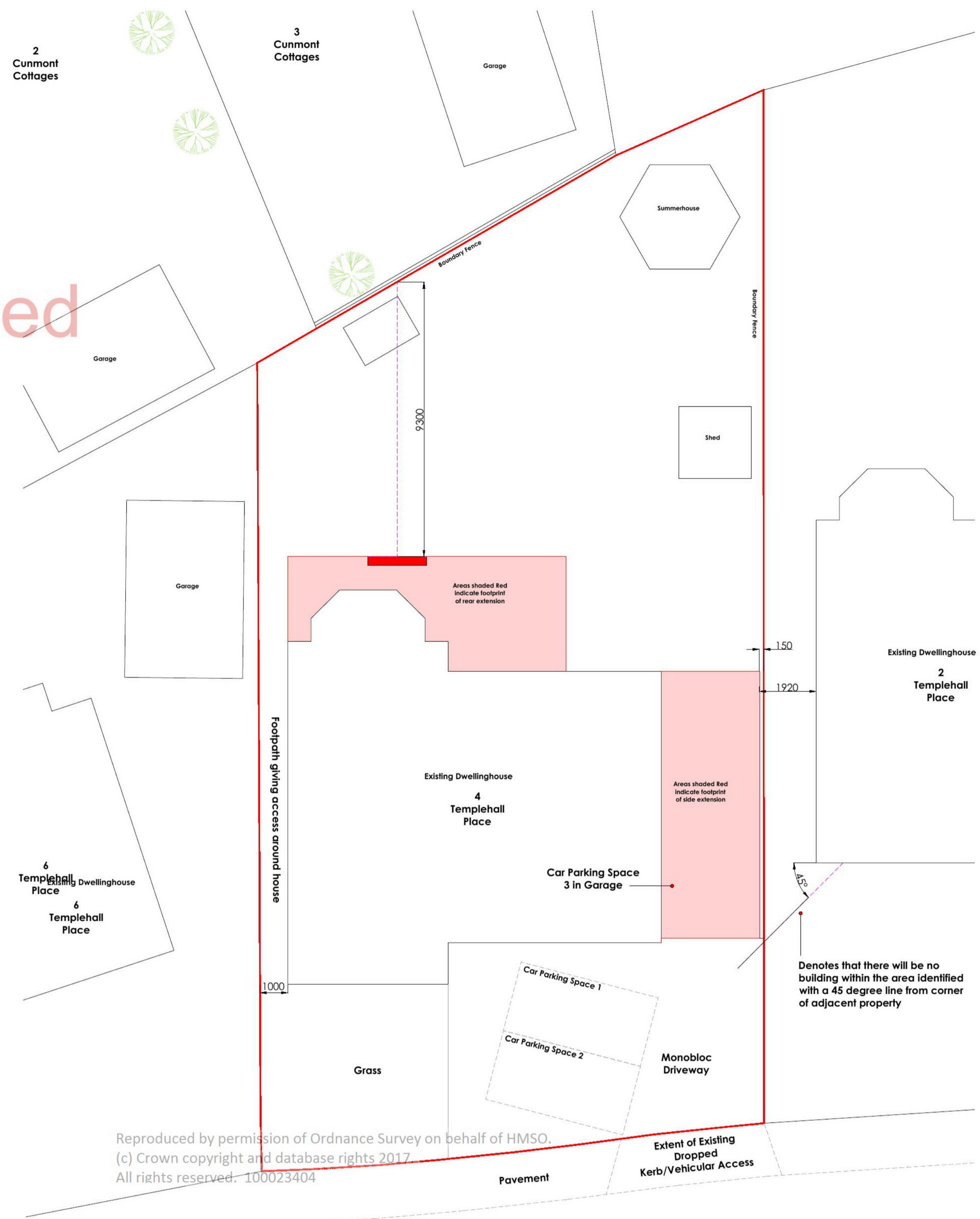
GENERAL LEGEND			
Areas shaded red represents Existing Structure			
New External Walls			
REVISION	DATE	DESCRIPTION OF REVISION	
CLIENT: Mr & Mrs Milne			
PROJECT: Proposed Extension to Dwellinghouse at 4 Templehall Place, Newbigging, By Broughty Ferry, DD5 3UW			
DRAWING TITLE: Existing and Proposed Site Plan			
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1:50, 1:200	26.07.17	JDC-004	KJC
This drawing is issued for the purpose of the status indicated below			
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<input checked="" type="checkbox"/> Planning Application Submission			
<input checked="" type="checkbox"/> Planning Application APPROVED			
<input type="checkbox"/> Building Warrant Application Submission			
<input type="checkbox"/> Building Warrant Application APPROVED			
<input type="checkbox"/> Tender Issue			
<input type="checkbox"/> Construction Drawings to be Adhered to on Site			
 john d crawford Ltd ARCHITECTURAL SERVICES 72 New Wynd Montrose Angus DD10 8RF email info@johndcrawford.co.uk Tel 01674 672064 fax 01674 672126			



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Existing Site Layout (1:100)

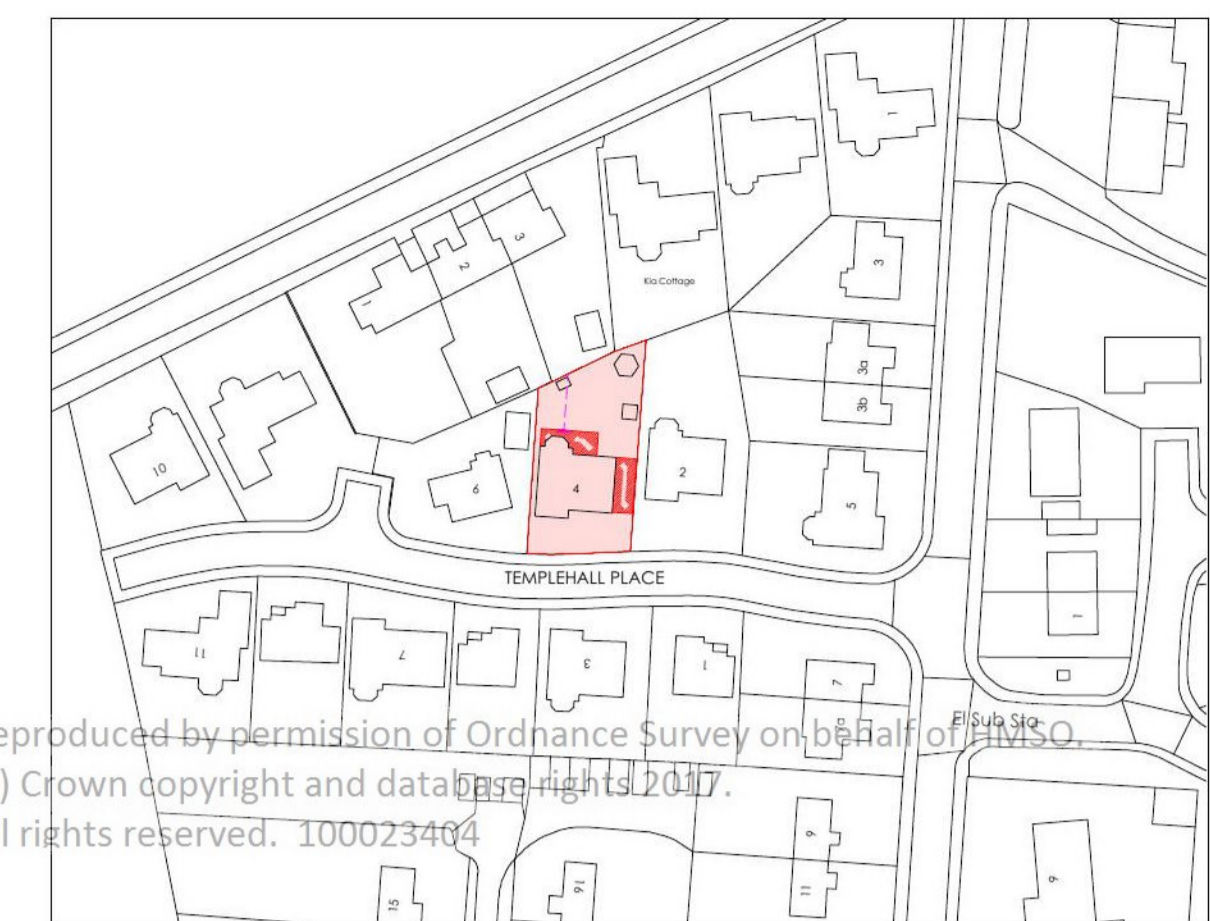
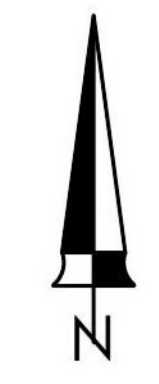
Refused



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Proposed Site Layout (1:100)

Refused



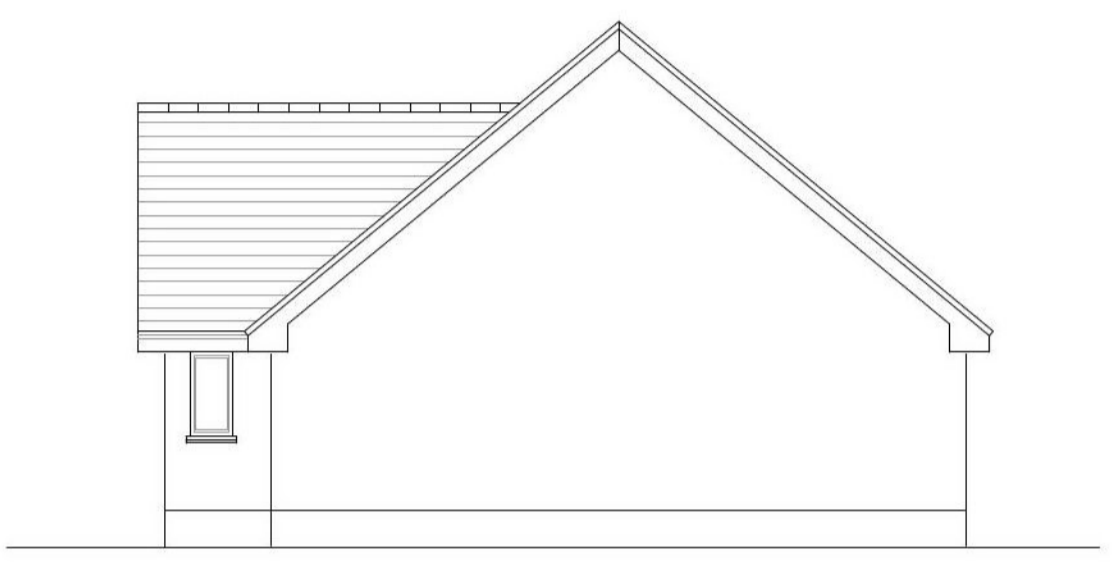
Location Plan (1:1250)



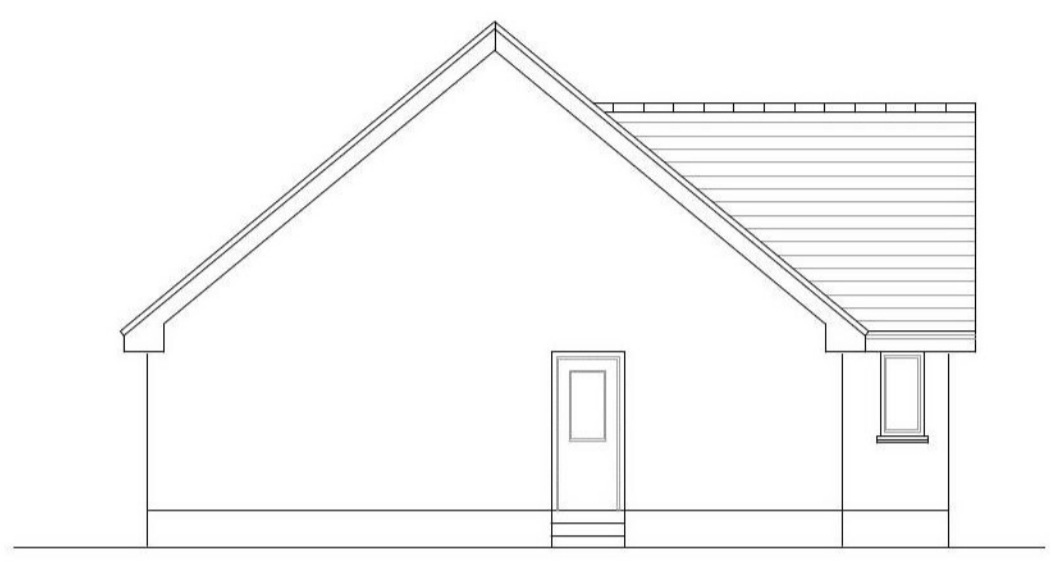
Existing South Elevation (1:100)



Existing North Elevation (1:100)



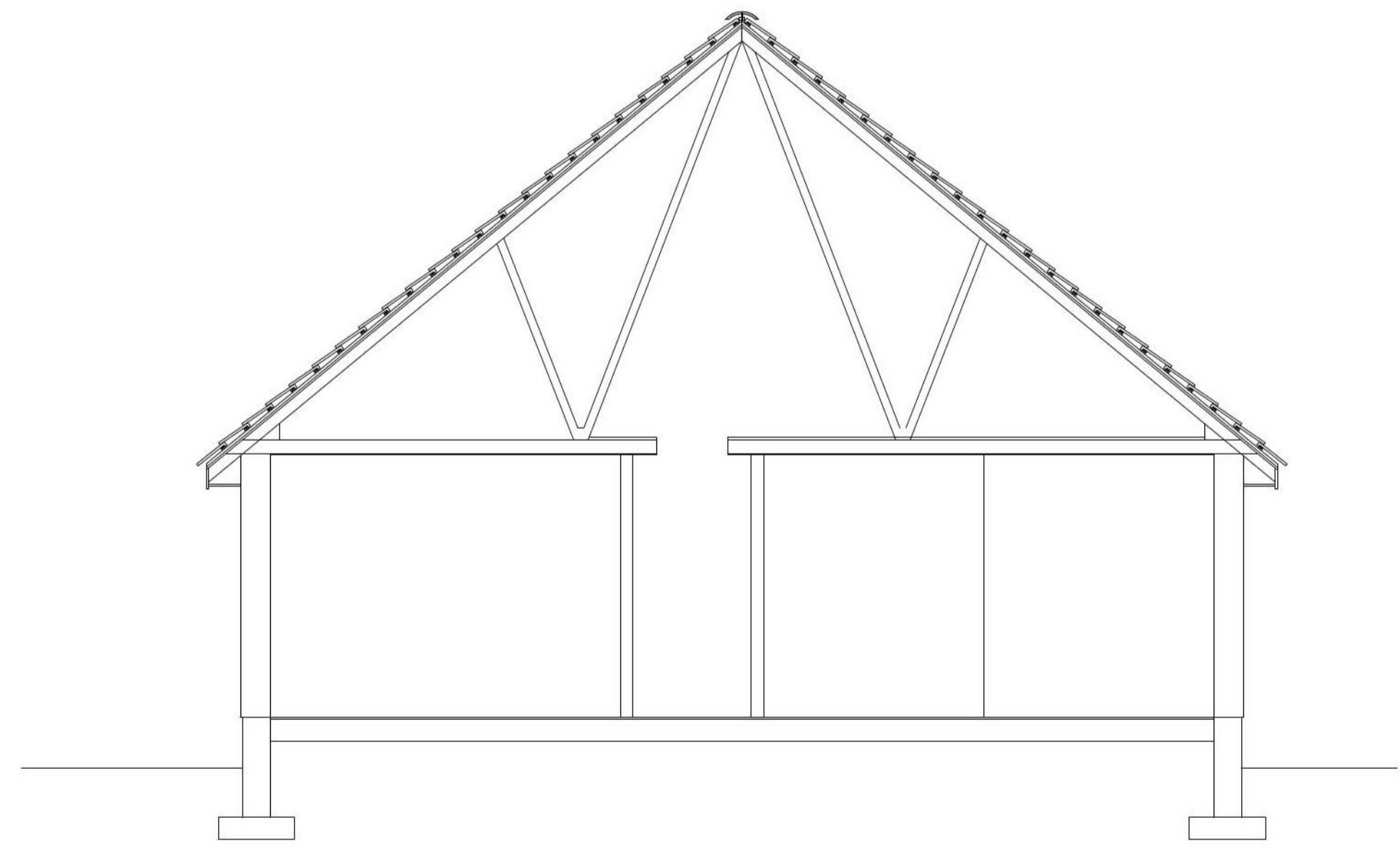
Existing East Elevation (1:100)



Existing West Elevation (1:100)



Existing Ground Floor Plan (1:50)



Existing Section (1:50)

AC4
This drawing is solely for the purposes of obtaining Planning Approval. The drawing may be suitable for constructional purposes but it may be necessary to augment/and or amend this information. No liability will be accepted for any omission should the drawing be used for constructional purposes.
Do not scale this drawing for construction purposes.

GENERAL LEGEND

- Areas shaded represents Existing Structure
- New External Walls

REVISION	DATE	DESCRIPTION OF REVISION

CLIENT Mr & Mrs Milne

PROJECT Proposed Extension to Dwellinghouse at 4 Templehall Place, Newbigging, By Broughty Ferry, DD5 3UW

DRAWING TITLE Existing Floor Plan, Elevations & Section

SCALE	DATE	DRAWING No.	DRAWN BY
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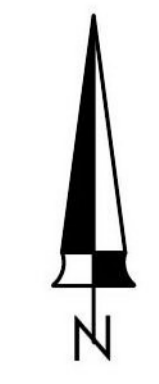
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- Sketch Proposal
- Planning Application Submission
- Planning Application **APPROVED**
- Building Warrant Application Submission
- Building Warrant Application **APPROVED**
- Tender Issue
- Construction Drawings to be Adhered to on Site**

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ELEMENT	PROPOSED CONSTRUCTION MATERIAL
External Walls	Render/Stonework/Timber Cladding
Roof	Concrete Tile to match existing
Windows & Doors	White UPVC to match existing
Rainwater Goods	White UPVC to match existing
Boundary Treatment	N/A
Heating Provision	N/A



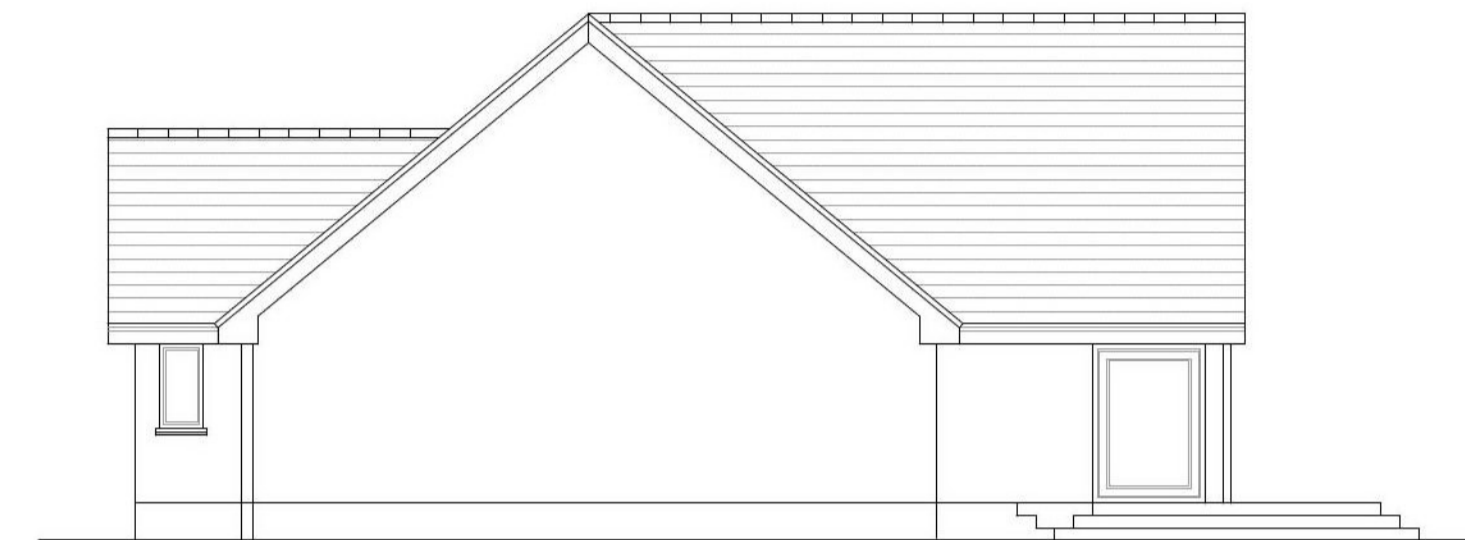
Location Plan (1:1250)



Proposed South Elevation (1:100)



Proposed North Elevation (1:100)

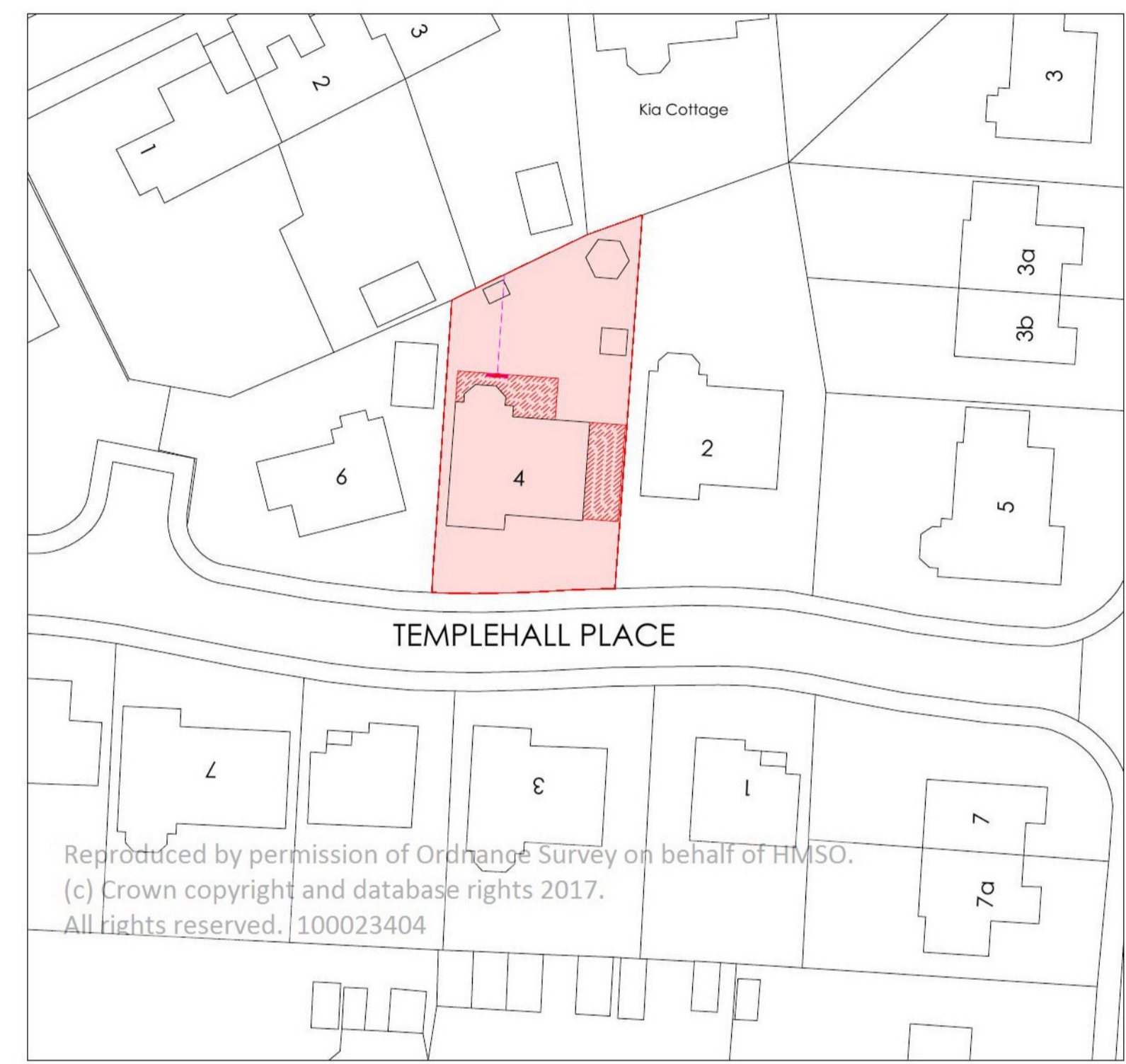


Proposed East Elevation (1:100)

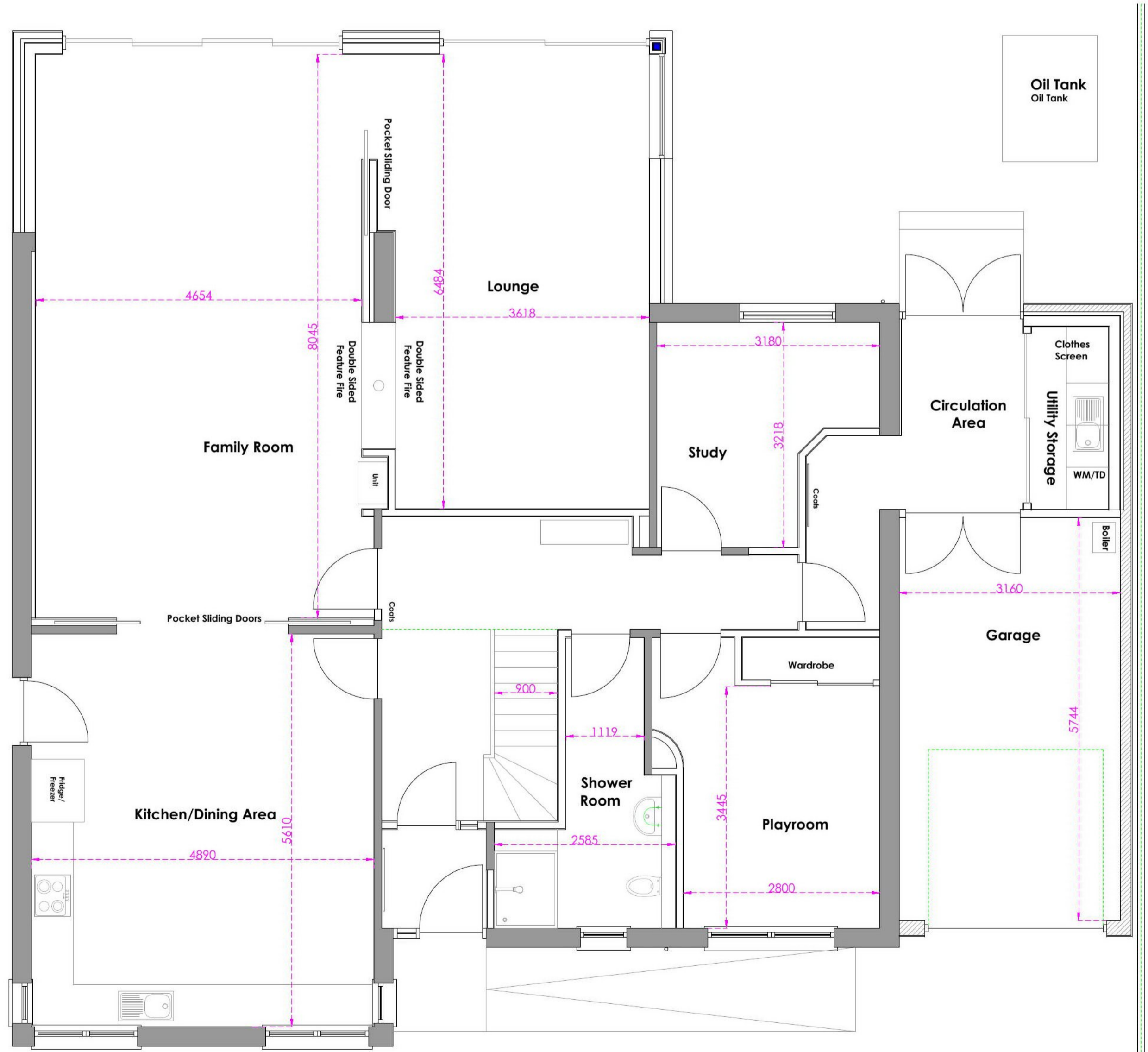


Proposed West Elevation (1:100)

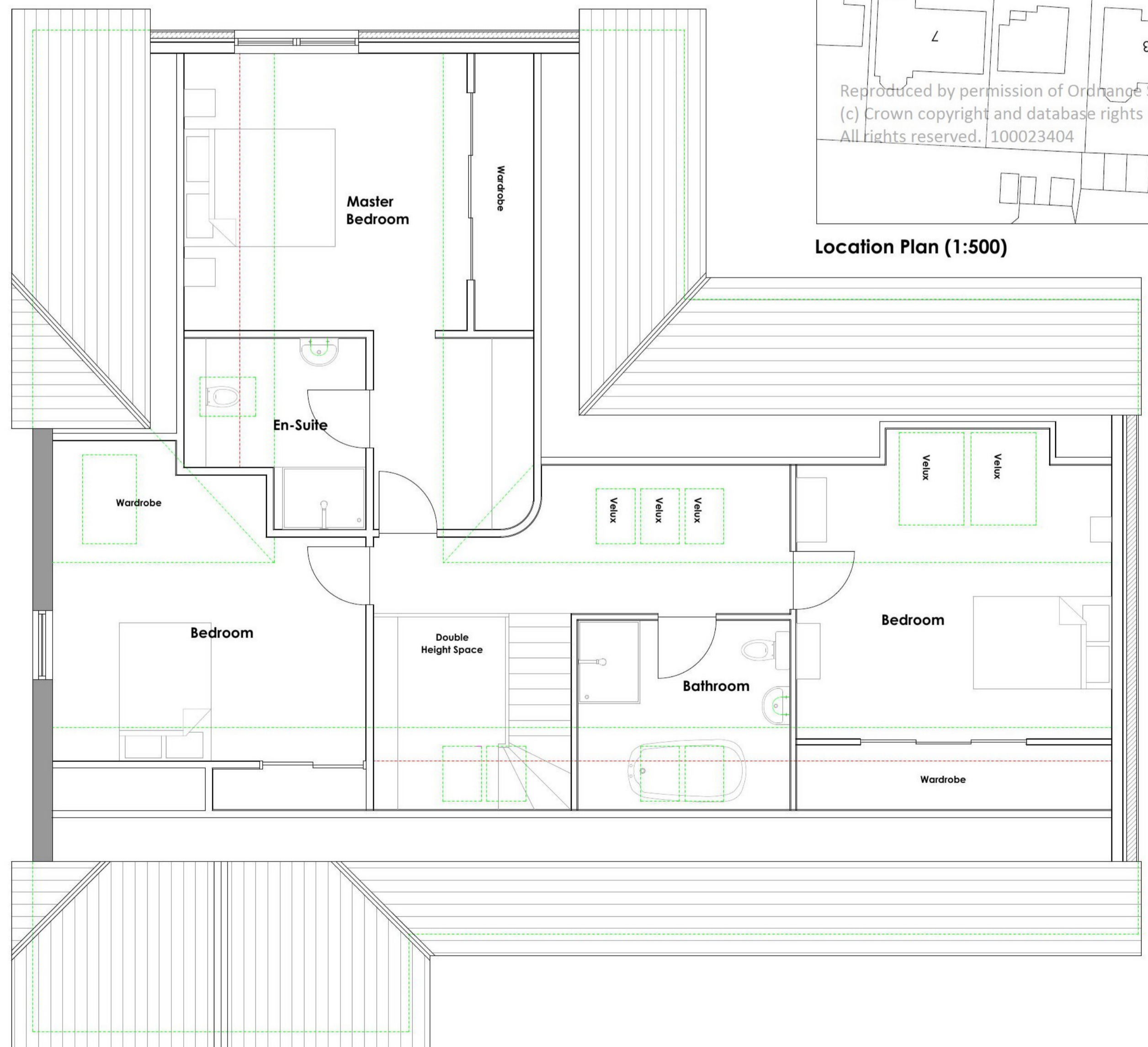
Refused



Location Plan (1:500)



Proposed Ground Floor Plan (1:50)



Proposed First Floor Plan (1:50)

GENERAL LEGEND

	Areas shaded represents Existing Structure	
	New External Walls	
REVISION	DATE	DESCRIPTION OF REVISION

CLIENT Mr & Mrs Milne

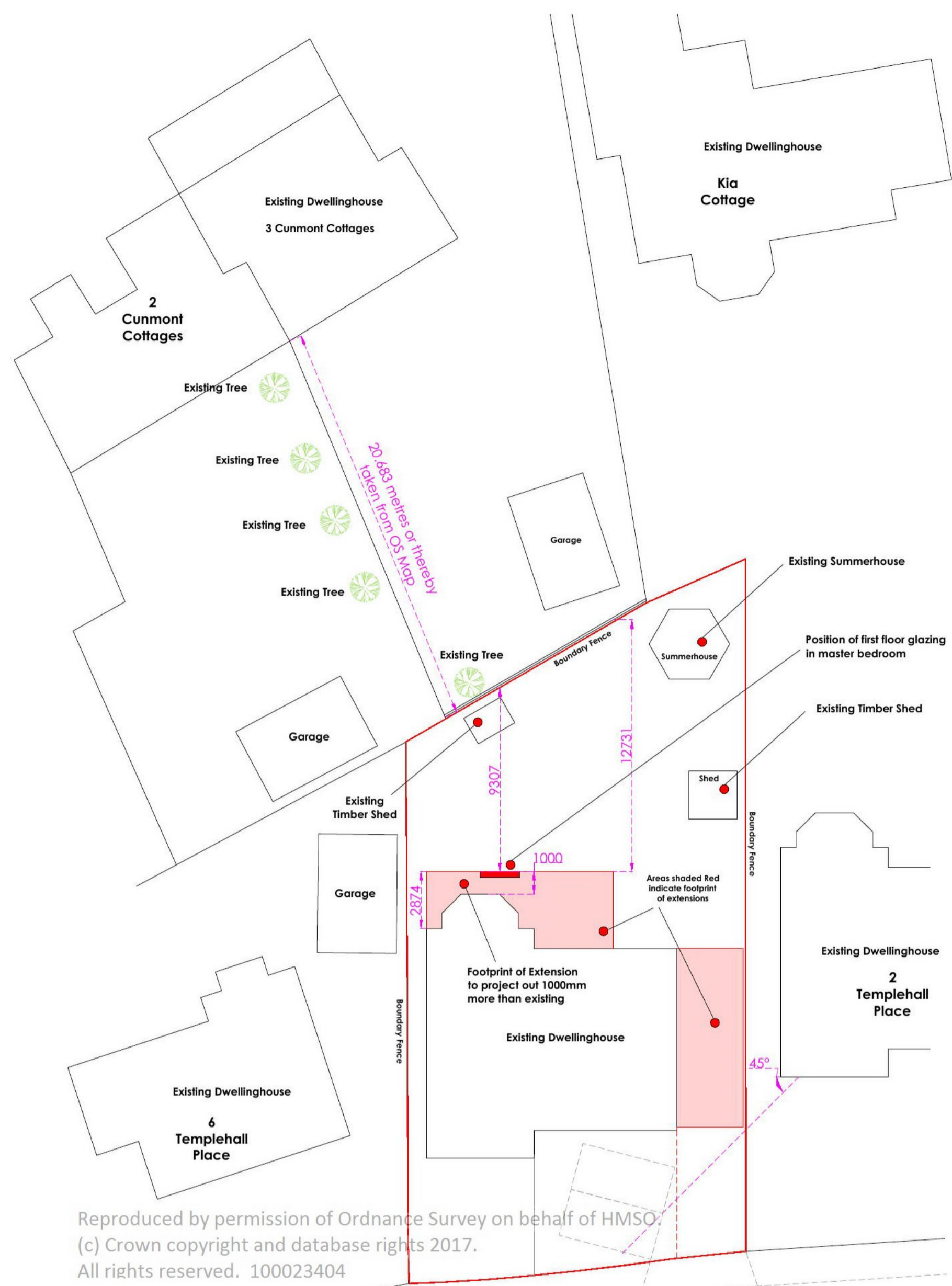
PROJECT Proposed Extension to Dwellinghouse at 4 Templehall Place, Newbigging, By Broughty Ferry, DD5 3UW

DRAWING TITLE Proposed Floor Plan & Elevations

SCALE	DATE	DRAWING No.	DRAWN BY
1:50, 1:100	26.07.17	JDC-002	KJC

This drawing is issued for the purpose of the status indicated below

- Sketch Proposal
- Planning Application Submission
- Planning Application **APPROVED**
- Building Warrant Application Submission
- Building Warrant Application **APPROVED**
- Tender Issue
- Construction Drawings to be Adhered to on Site



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Site Plan (1:200)

Refused



Existing Tree



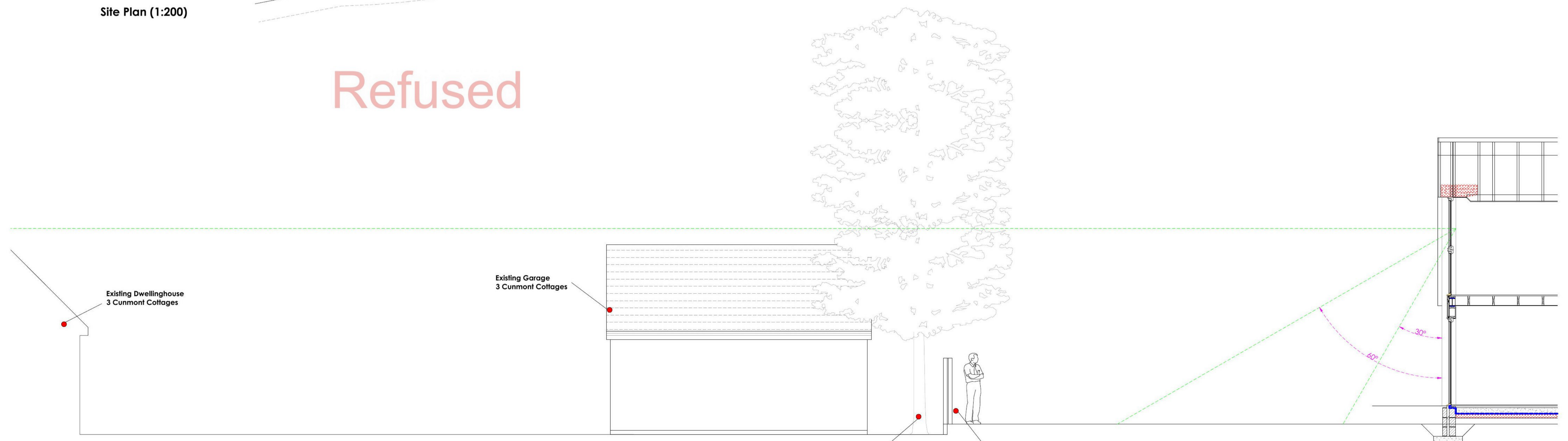
Existing Boundary Fence



Existing Rear Elevation



Existing Garden Ground



Site Section (1:50)

GENERAL LEGEND **AC4**

Areas shaded represents Existing Structure

New External Walls

REVISION	DATE	DESCRIPTION OF REVISION

CLIENT Mr & Mrs Milne

PROJECT Proposed Extension to Dwellinghouse at 4 Templehall Place, Newbigging, By Broughty Ferry, DD5 3UW

DRAWING TITLE Location Plan, Photos & Site Section

SCALE	DATE	DRAWING No.	DRAWN BY
1:50, 1:200	26.07.17	JDC-003	KJC

This drawing is issued for the purpose of the status indicated below

- Sketch Proposal
- Planning Application Submission
- Planning Application **APPROVED**
- Building Warrant Application Submission
- Building Warrant Application **APPROVED**
- Tender Issue
- Construction Drawings to be Adhered to on Site**

john d crawford Ltd
 ARCHITECTURAL SERVICES
 72 New Wynd Montrose
 Angus
 DD10 8RF
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 tel | 01674 672064 fax | 01674 672126











ANGUS COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND)
REGULATIONS 2013

PLANNING PERMISSION REFUSAL
REFERENCE : 17/00684/FULL

To **Mr & Mrs Grant & Lyndsey Milne**
c/o John D Crawford Ltd
72 New Wynd
Montrose
Angus
DD10 8RF

With reference to your application dated 16 August 2017 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Proposed Extension and Alterations to Dwellinghouse- Re-Application at 4 Templehall Place Newbigging Monifieth Dundee DD5 3UW for Mr & Mrs Grant & Lyndsey Milne

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docqueted as relative hereto in paper or identified as refused on the Public Access portal.

The reasons for the Council's decision are:-

- 1 The proposal is contrary to policies TC4, DS3 and DS4 of the Angus Local Development Plan, the Householder Development Planning Advice Note and Advice Note 14 due to the impact on the character and pattern of development in the surrounding area and unacceptable impact on the privacy and amenity of the garden areas of 2 and 3 Cunmont Farm Cottages.

Amendments:

The application has not been subject of variation.

Dated this **9 October 2017**



Kate Cowey - Service Manager
Angus Council
Communities
Planning
County Buildings
Market Street
FORFAR
DD8 3LG

Planning Decisions – Guidance Note

Please retain – this guidance forms part of your Decision Notice

You have now received your Decision Notice. This guidance note sets out important information regarding appealing or reviewing your decision. There are also new requirements in terms of notifications to the Planning Authority and display notices on-site for certain types of application. You will also find details on how to vary or renew your permission.

Please read the notes carefully to ensure effective compliance with the new regulations.

DURATION

This permission will lapse 3 years from the date of this decision, unless there is a specific condition relating to the duration of the permission or development has commenced by that date.

PLANNING DECISIONS

Decision Types and Appeal/Review Routes

The 'decision type' as specified in your decision letter determines the appeal or review route. The route to do this is dependent on the how the application was determined. Please check your decision letter and choose the appropriate appeal/review route in accordance with the table below. Details of how to do this are included in the guidance.

Determination Type	What does this mean?	Appeal/Review Route
Development Standards Committee/Full Council	National developments, major developments and local developments determined at a meeting of the Development Standards Committee or Full Council whereby relevant parties and the applicant were given the opportunity to present their cases before a decision was reached.	DPEA (appeal to Scottish Ministers) – See details on attached Form 1
Delegated Decision	Local developments determined by the Service Manager through delegated powers under the statutory scheme of delegation. These applications may have been subject to less than five representations, minor breaches of policy or may be refusals.	Local Review Body – See details on attached Form 2
Other Decision	All decisions other than planning permission or approval of matters specified in condition. These include decisions relating to Listed Building Consent, Advertisement Consent, Conservation Area Consent and Hazardous Substances Consent.	DPEA (appeal to Scottish Ministers) – See details on attached Form 1

NOTICES

Notification of initiation of development (NID)

Once planning permission has been granted and the applicant has decided the date they will commence that development they must inform the Planning Authority of that date. The notice must be submitted before development commences – failure to do so would be a breach of planning control. The relevant form is included with this guidance note.

Notification of completion of development (NCD)

Once a development for which planning permission has been given has been completed the applicant must, as soon as practicable, submit a notice of completion to the planning authority. Where development is carried out in phases there is a requirement for a notice to be submitted at the conclusion of each phase. The relevant form is included with this guidance note.

Display of Notice while development is carried out

For national, major or 'bad neighbour' developments (such as public houses, hot food shops or scrap yards), the developer must, for the duration of the development, display a sign or signs containing prescribed information.

The notice must be in the prescribed form and:-

- displayed in a prominent place at or in the vicinity of the site of the development;
- readily visible to the public; and
- printed on durable material.

A display notice is included with this guidance note.

Should you have any queries in relation to any of the above, please contact:

Angus Council
Communities
Planning
County Buildings
Market Street
Forfar
Angus
DD8 3LG

Telephone 01307 473212 / 473207 / 473335

E-mail: planning@angus.gov.uk

Website: www.angus.gov.uk



TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 1

*Notification to be sent to applicant on refusal of planning permission
or on the grant of permission subject to conditions decided by Angus Council*

1. If the applicant is aggrieved by the decision of the planning authority-
 - a) to refuse permission for the proposed development;
 - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may appeal to the Scottish Ministers to review the case under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of appeal should be addressed to Directorate for Planning & Environmental Appeals, 4 The Courtyard, Callendar Business Park, Falkirk, FK1 1XR. Alternatively you can submit your appeal directly to DPEA using the national e-planning web site <https://eplanning.scotland.gov.uk>.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 2

*Notification to be sent to applicant on refusal of planning permission
or on the grant of permission subject to conditions decided through
Angus Council's Scheme of Delegation*

1. If the applicant is aggrieved by the decision of the planning authority-
 - a) to refuse permission for the proposed development;
 - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of review should be addressed to Committee Officer, Angus Council, Resources, Legal & Democratic Services, Angus House, Orchardbank Business Park, Forfar, DD8 1AN.

A Notice of Review Form and guidance can be found on the national e-planning website <https://eplanning.scotland.gov.uk>. Alternatively you can return your Notice of Review directly to the local planning authority online on the same web site.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

COMMUNITIES Your experience with Planning

Please indicate whether you agree or disagree with the following statements about your most recent experience of the Council's handling of the planning application in which you had an interest.

Q.1 I was given the advice and help I needed to submit my application/representation:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.2 The Council kept me informed about the progress of the application that I had an interest in:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.3 The Council dealt promptly with my queries:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.4 The Council dealt helpfully with my queries:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.5 I understand the reasons for the decision made on the application that I had an interest in:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.6 I feel that I was treated fairly and that my view point was listened to:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OVERALL SATISFACTION: Overall satisfaction with the service:

Q.7 Setting aside whether your application was successful or not, and taking everything into account, how satisfied or dissatisfied are you with the service provided by the council in processing your application?

Very satisfied	Fairly satisfied	Neither Satisfied nor Dissatisfied	Fairly Dissatisfied	Very Dissatisfied
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OUTCOME: Outcome of the application:

Q.8 Was the application that you had an interest in:-

Granted Permission/Consent	<input type="checkbox"/>	Refused Permission/Consent	<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>
----------------------------	--------------------------	----------------------------	--------------------------	-----------	--------------------------

Q.9 Were you the:- Applicant Agent Third Party objector who made a representation

Please complete the form and return in the pre-paid envelope provided.
Thank you for taking the time to complete this form.

SUPPORTING INFORMATION

PROJECT DESCRIPTION:

Proposed Extension & Alterations to Dwellinghouse

ADDRESS:

4 Templehall Place, Newbigging, Angus, DD5 3UW

APPLICANT:

Mr & Mrs Milne



Prepared by John D. Crawford Ltd on Behalf of Mr & Mrs Milne



72 New Wynd Montrose

Angus

DD10 8RF

email | info@johndcrawford.co.uk

tel | 01674 672064 fax | 01674 672126

Contents

1. **Introduction** *Page 3*
2. **Summary of Proposals** *Page 3*
3. **Relevant Planning Policies** *Pages 4 - 6*
4. **Proposed Site Plan** *Page 7*
5. **Key Points in Support of Extension to accommodate Garage and Bedroom above** *Pages 8 – 12*
6. **Key Points in Support of Extension to accommodate Open Plan Living at Ground Floor Level and Master Bedroom at First Floor Level** *Pages 13 & 14*
7. **Site Plans and Floor Plans** *Pages 15 - 19*
8. **Photographic Support** *Pages 20 & 21*
9. **Case Study of Previously Approved Application** *Pages 22 & 23*
10. **Conclusion** *Page 24*

Introduction

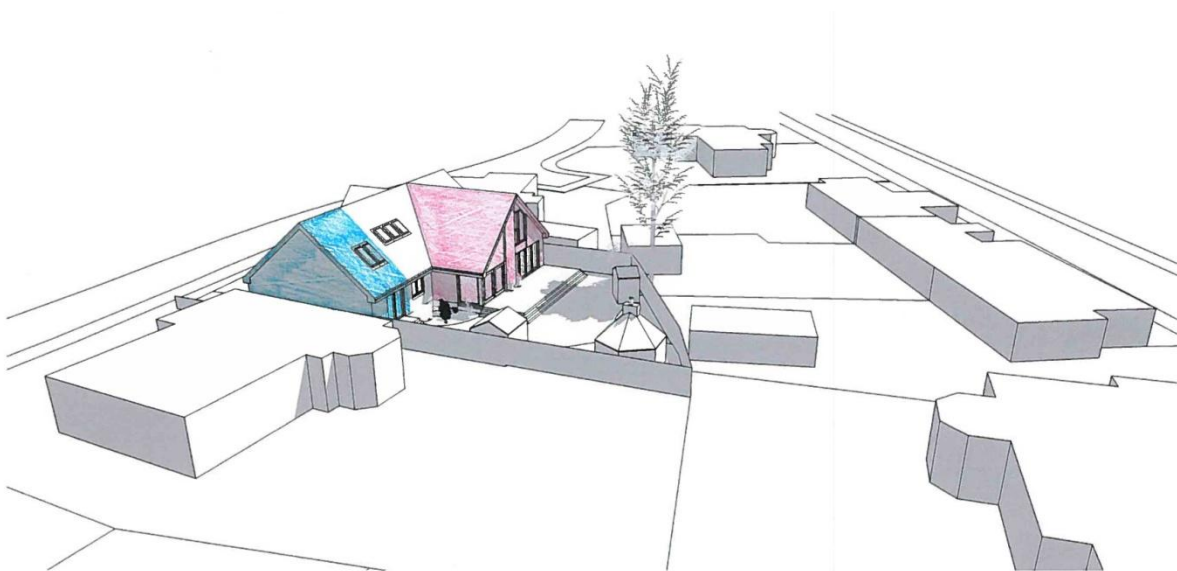
Mr & Mrs Milne have lived in Newbigging for 11 years and their two young children are settled in the village primary school. The family enjoy living in this house but have outgrown it, the locality is ideal proximity to both immediate family and the work commute therefore they have no desire to move. It is with these principles that the applicants wish to remain in this property and attain the required space to suit all current and future family requirements. The main purpose within the proposed plans are to accommodate a study, a playroom, a separate lounge and due to the children's ages to have all bedrooms on the same level.

.....

Summary of Proposals

The proposals include the following:-

- Conversion of existing attic space to form first floor accommodation
- Extension to Eastern side of house to form new garage at ground floor level and bedroom above (Shaded Blue)
- Extension to Northern side of house to form extended family sitting/living space at ground floor level and Master Bedroom at first floor level. (shaded Red)
- Internal Alterations to ground floor layout



Proposed Site Visual – This diagram gives an idea of the distance between proposed extensions and neighbouring properties.

Development Plan Policies Angus Local Development Plan 2016

Policy TC4: Householder / Domestic Development

Proposals for householder development (including alterations/extensions to houses and flats, development within the curtilage of houses and flats, means of enclosure, satellite antenna and domestic scale microgeneration) will be supported where the siting, design, scale or massing of the proposal, does not:

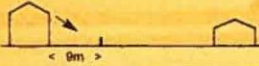
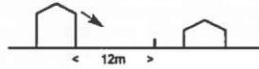
- *adversely affect the residential amenity enjoyed by the house or surrounding domestic properties including, in the case of microgeneration, through noise or shadow flicker;*
- *detrimentally affect the character and/or appearance of the building, site or surrounding area; and*
- *result in the overdevelopment of the plot or a loss of garden ground, parking or bin storage. Further guidance on householder development will be set out in a Householder Development Planning Advice Note.*

Policy DS4: Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties. Angus Council will consider the impacts of development on:

- *Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing. Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured. Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration. Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.*

Planning authority. Even with the erection of screen fences, distances should not be so reduced as to create an overly-cramped environment. For instance a two metre fence or wall erected closer than two metres to an existing neighbouring window, is unlikely to be acceptable as a means of overcoming a deficient window to window distance. Of course, screening cannot be effective where a second floor is concerned and this is the cause of much discontent amongst existing proprietors affected by such proposals. Accordingly, where a second and overlooking storey is involved, the distance between the main windows of the proposed house and the mutual boundary should be at least 12 metres. In higher density areas or where the adjacent rear garden is particularly generous this could be relaxed to a minimum of nine metres.



GARAGES

Too often garages are an afterthought in the design process. Problems can occur when endeavouring to fit the garage into a pre-developed site. Therefore, even if a garage is not to be built at the outset, the layout should allow for their later erection. For instance, 30% plot coverage should not be the objective of a new house with no garage accommodation; avoid a situation where the garage would have to be built on the boundary or, worse still, in front of the house.

On the subject of garages in front of houses, it is strongly recommended that this be avoided. Developments visually dominated by garages sited in front of the residential accommodation will rarely be acceptable.

ADDITIONAL NOTES

It is the intention of the District Council to implement this advice in a FLEXIBLE fashion. This, however, is likely to result in demands in excess of the minimum standards being more common than their relaxation. The guidance is not intended to produce a "planning by numbers" approach to housing layouts and even where the guideline figures have been attained, the planning authority reserves the right to insist on more stringent standards to, for instance, further mitigate the impact on neighbours or to produce a better quality development.

In designing a layout care should be taken not to prejudice future development in adjoining areas (for instance by building too close to boundaries or poor positioning of windows). In some instances this may not be possible but where this has occurred, the planning authority will not necessarily be tied to the guidance indicated in this Advice Note when dealing with future development proposals.

This Advice Note does not apply to sites defined as "backland", i.e. sites without a road frontage, for which applicants should refer to Advice Note 6 - Backland Housing Development.

Angus Council



ADVICE NOTE 14

**SMALL
HOUSING
SITES**

Extract from Advice Note 14

"where a second and overlooking storey is involved, the distance between the main windows of the proposed house and the mutual boundary should be at least 12 metres. In higher density areas or where the adjacent rear garden is particularly generous this could be relaxed to a minimum of nine metres"

Appendix B: Privacy

Privacy is important to the health and well-being of residents. It is appropriate to expect that all alterations and extensions to existing residential properties will not adversely affect the privacy afforded to residents within adjacent neighbouring properties and associated curtilages.

Calculating privacy is relatively complex because what constitutes an acceptable level of privacy depends on the context of a particular site. However, in all cases, the following factors should be taken into consideration when determining the potential impact of an alteration and extension upon the privacy afforded to residents within adjacent neighbouring properties and associated curtilages:

- ▶ The existing window to window distances and those characteristic of the surrounding area.
- ▶ The opportunities to mitigate against any potential adverse effects e.g. the use of obscure glazing i.e. frosted glass, velux windows and/or any existing or proposed additional screening between the respective windows.
- ▶ Respective site levels.
- ▶ The nature of the respective rooms i.e. habitable or non-habitable rooms.
- ▶ The orientation of the respective properties and windows.

In order to assess the potential impact of an alteration and extension upon the privacy afforded to residents within adjacent neighbouring properties and associated curtilages, supporting information regarding the calculation of the potential privacy impacts, along with any required elevation or plan drawings, should be submitted to the Council's Planning Authority. Further advice can be obtained from the Council's Planning Authority (please refer to Contact Details).

It should be noted that Householder Permitted Development Rights ensure that it is virtually impossible for total privacy to be assured and except in the most isolated rural locations, few existing residential properties can claim not to be overlooked to some degree. To maintain a degree of privacy without becoming unduly restrictive on residents wishing to extend an existing residential property, the minimum distances which should be achieved between the windows on an alteration and extension and the existing windows on an adjacent neighbouring property are demonstrated across the page.

Main Living Room Window to:

Main Living Room Window	20 metres
Other Habitable Room Window	15 metres
Non-Habitable Room Window	12 metres
Blank Wall	12 metres

Other Habitable Room Window to:

Other Habitable Room Window	12 metres
Non-Habitable Room Window	10 metres
Blank Wall	10 metres

Non-Habitable Room Window to:

Non-Habitable Room Window	4 metres
Blank Wall	4 metres

Blank Wall to Blank Wall

2 metres

The minimum distances identified above can be reduced when the windows on an alteration and extension to an existing residential property and the existing windows on an adjacent neighbouring property are at an angle to each other. Further advice can be obtained from the Council's Planning Authority (please refer to Contact Details).

Proposed Site Plan

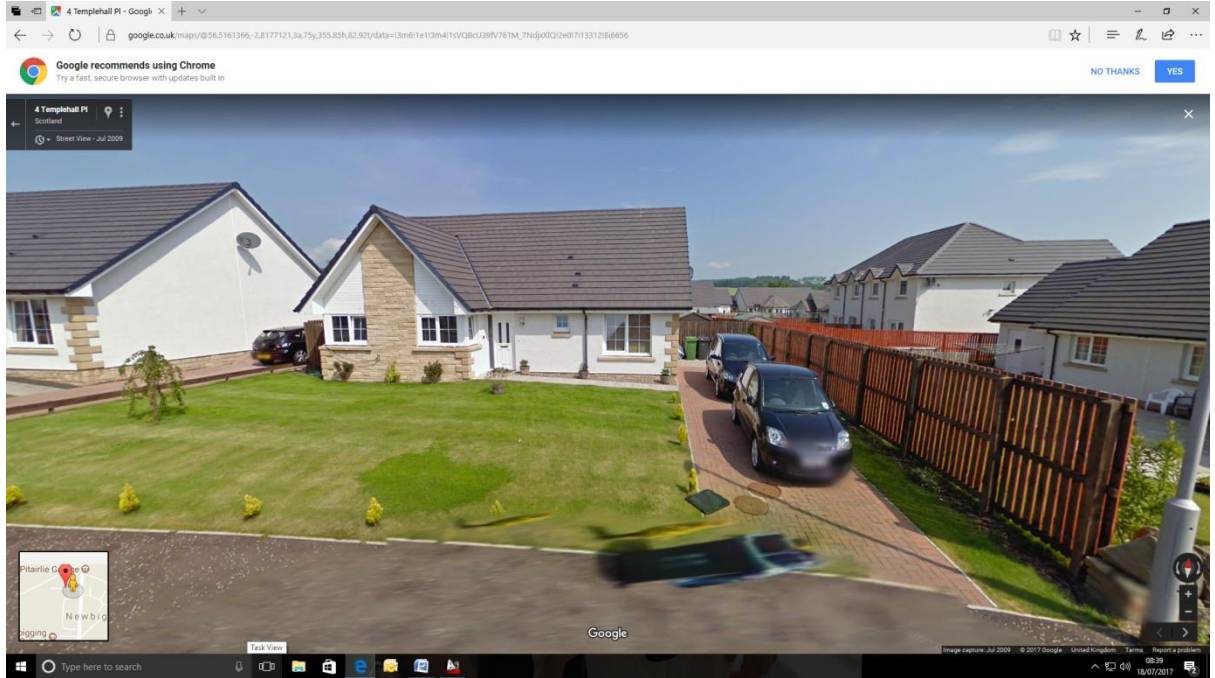


Key Points in Support of Extension to accommodate Garage and Bedroom above:-

- Neighbouring property at no. 7 Templehall Place has an almost identical extension already built.
- Neighbouring property at. 2 Templehall Place have planning approval for an extension to the side of the house. This does not include for a garage and the application has been approved with only 2 car parking spaces shown in driveway
- No benefit in making it a car port since building up the sides and adding a door in the future would be classed as permitted development and not require a planning application.
- In terms of distance to neighbouring property – the extension would sit around 1.8-2.0m from the face of no. 2 Templehall Place. The distance between the properties at no. 5, 7, 9 and 11 is either the same or less than this distance.
- There is already alternative access by gate and paved path around the western side of the proposed property.
- Plans have allowed for plentiful access through the garage door, double doors to the utility room then double patio doors out to the rear garden.
- There is extra car parking made available in the front garden in addition to the driveway and garage. This is more than provided in the already approved application at no. 2 Templehall Place and similar to the already constructed properties within this development.

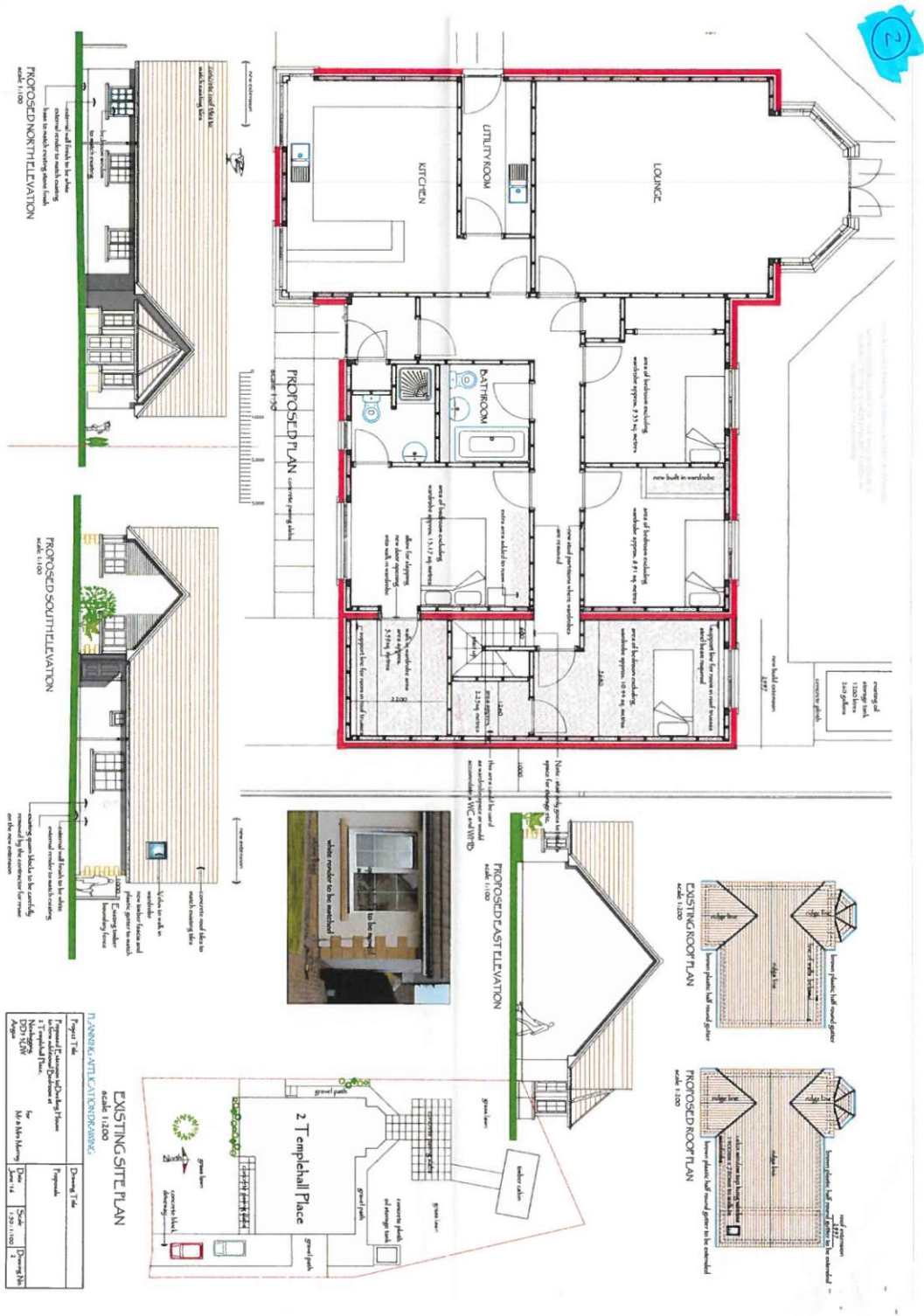
2 Templehall Place Newbigging Minified Dundee DD5 3UW – Existing Photograph

16/00702/FULL | Extension to Dwellinghouse |



2 Templehall Place Newbigging Monifieth Dundee DD5 3UW – Approved Drawings

16/00702/FULL | Extension to Dwellinghouse |



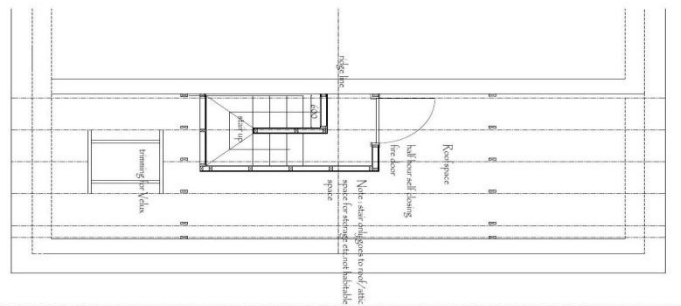
DRAWING INFORMATION	
Figure 1 of 1	Drawing 1 of 1
Project Name: Extension to Dwelling House	Project No: 16/00702
Client: Mr & Mrs Murray	Date: 14/05/2024
Scale: 1:100	Drawn By: JDC
Checked By: JDC	Approved By: JDC

2 Templehall Place Newbigging Monifieth Dundee DD5 3UW – Approved Site Plan

16/00702/FULL | Extension to Dwellinghouse



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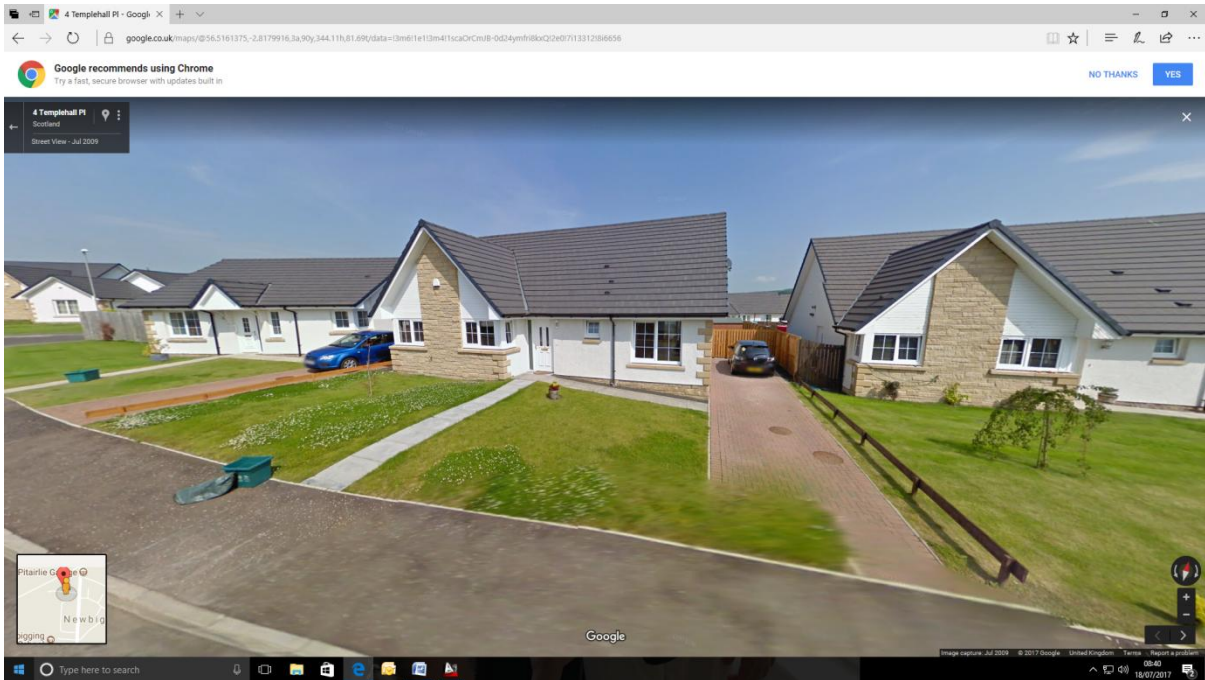


Town & Country Planning (Scotland) Act 1997 As Amended
 APPROVED ON BEHALF OF THE ANGUS COUNCIL
 SUBJECT TO THE CONDITIONS SET FORTH IN
 INTIMATION OF PERMISSION

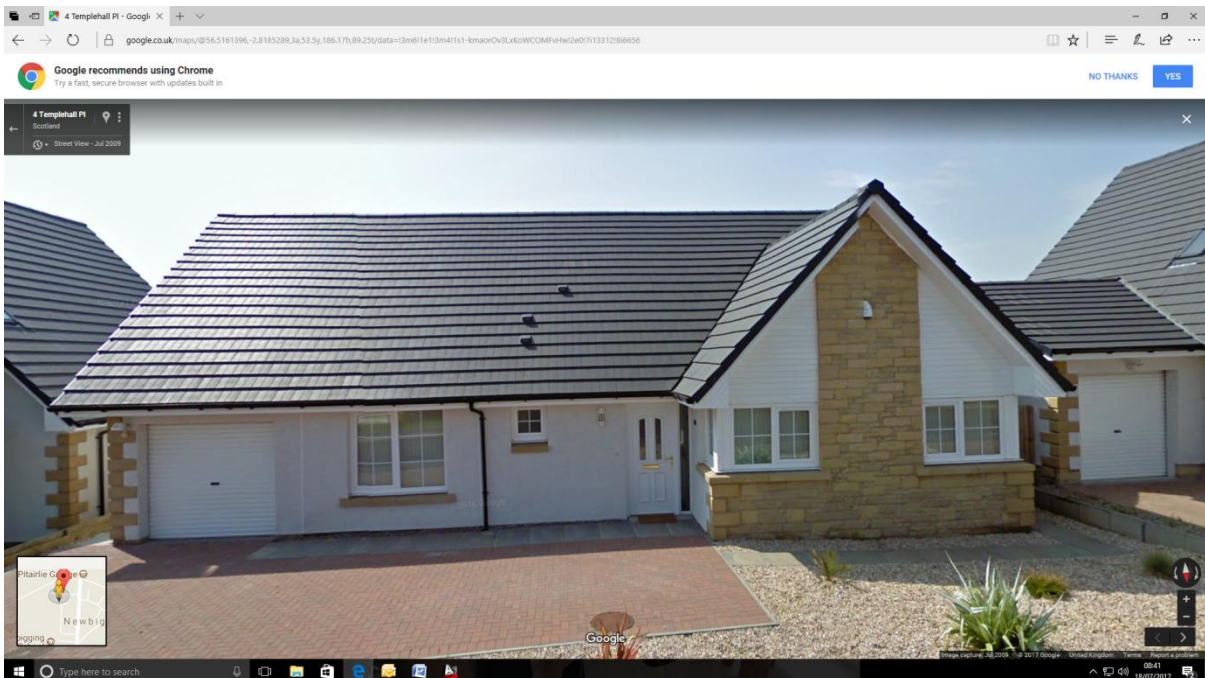
PLANNING APPLICATION DRAWING

Project Title	Proposed Extension to Dwelling House	Drawing Title	Proposed Site Plan
Proposed Extension to Dwelling House to form additional Bedroom at 21 Templehall Place		Author	Arch. Plan
Drawn by	M. & M. Murray	Scale	1:50 (1:200)
Checked by		Date	June 16, 2016
Approved by		Drawn by	Arch. Plan

4 Templehall Place (Applicant Property)



7 Templehall Place - **Already has garage extension identical to what is proposed.**



Key Points in Support of Extension to accommodate Open Plan Living at Ground Floor Level and Master Bedroom at First Floor Level:-

- There are signed letters of support for the application from the owners of several adjoining properties including 3 Cunmont Cottages which is directly to the rear of the applicant property.
- The distance from the back of the house at 3 Cunmont Cottage to the boundary it shares with applicant site is more than 20m. This confirming the 'particularly generous' garden ground as stated in Advice Note 14 and Window Distances detailed in 'Appendix B: Privacy'.
- The location of the garage at 3 Cunmont Farm Cottages and the large mature trees along the boundary between the cottages and the applicant's property provide 'Screening' as referred to in Advice note 14.
- The distance between the applicant house and 3 Cunmont Cottage is currently just short of 30m therefore the proposed extension would sit some 28m from the back of 3 Cunmont Cottage.
- North Elevation - There is an existing protruding gable coming from the main house in this area with a bay that extends further at ground floor level therefore the building line is only being extended out into the garden ground by a further 1.1m.
- The house is surrounded by other properties which have generous garden ground and the houses are positioned a considerable distance from each other.
- There are first floor windows in the two storey properties at 3a, 3b, 7 & 7a Pitairlie Road - all of which are within similar distances to their boundaries which all adjoin other properties. There are also two storey properties at 1, 5 and 9 Templehall Place with first floor windows that have shorter distances to windows at 2, 4, 6 and 8 Templehall Place with no screening.
- The first-floor glazing is within the Master Bedroom, it is not a room that the applicants will stand and look out for any sustained period of time. The fixed panes and one opening window will provide adequate

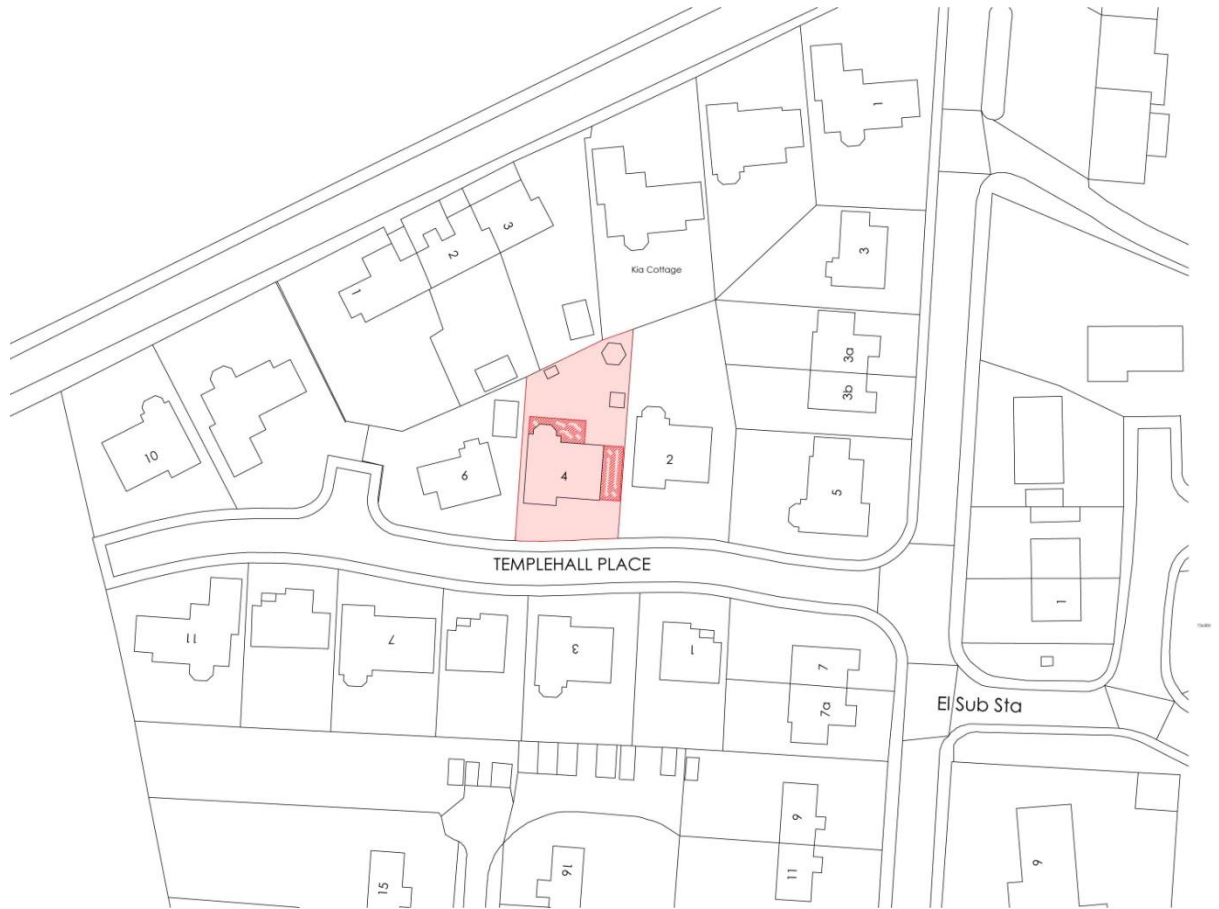
means of natural daylight, ventilation and fire escape to/from the Master Bedroom.

- Application 13/00867/FULL gives approval to an almost identical proposal at 23 Cruickshank Park, Montrose (see case study).

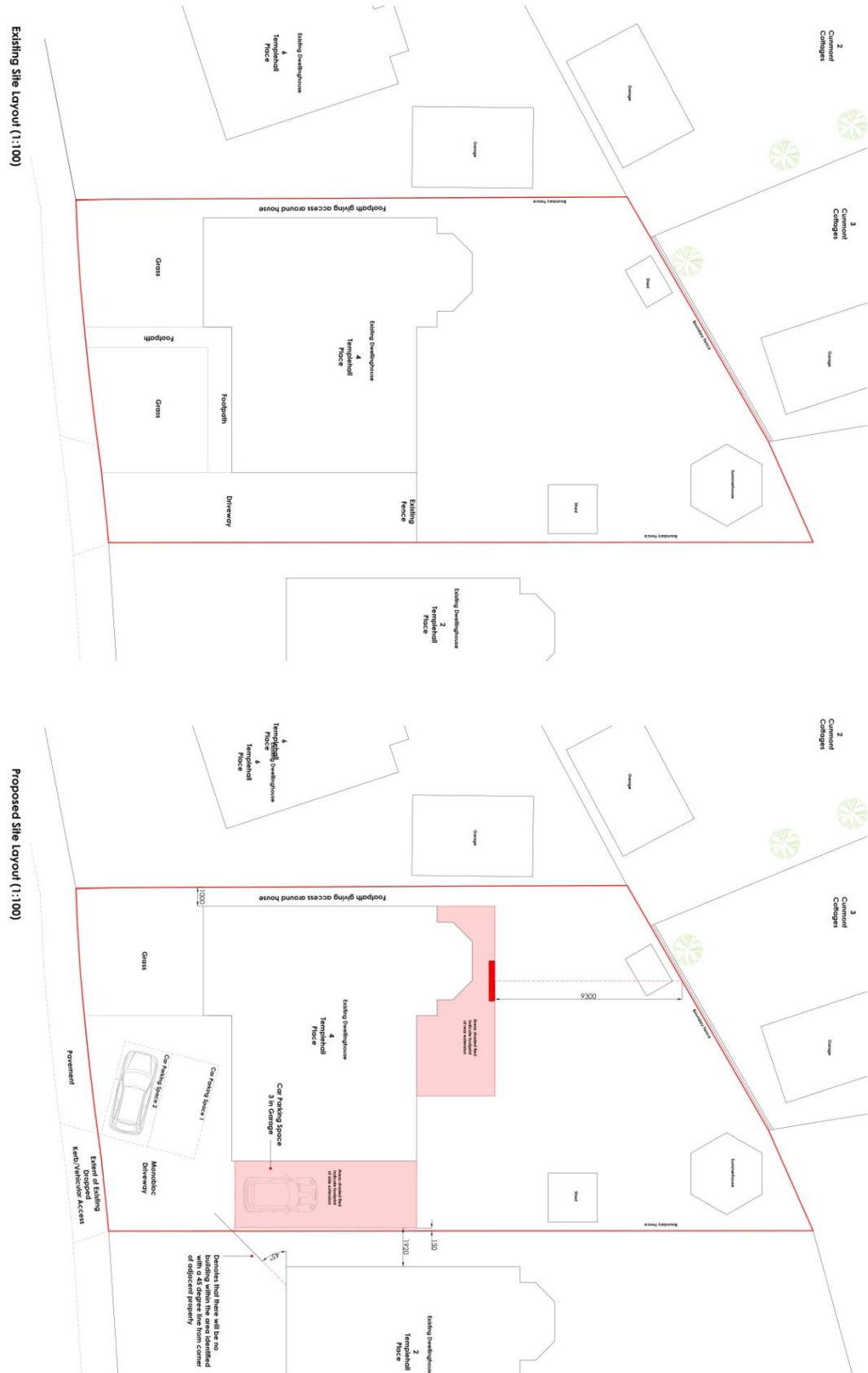
Existing North Elevation



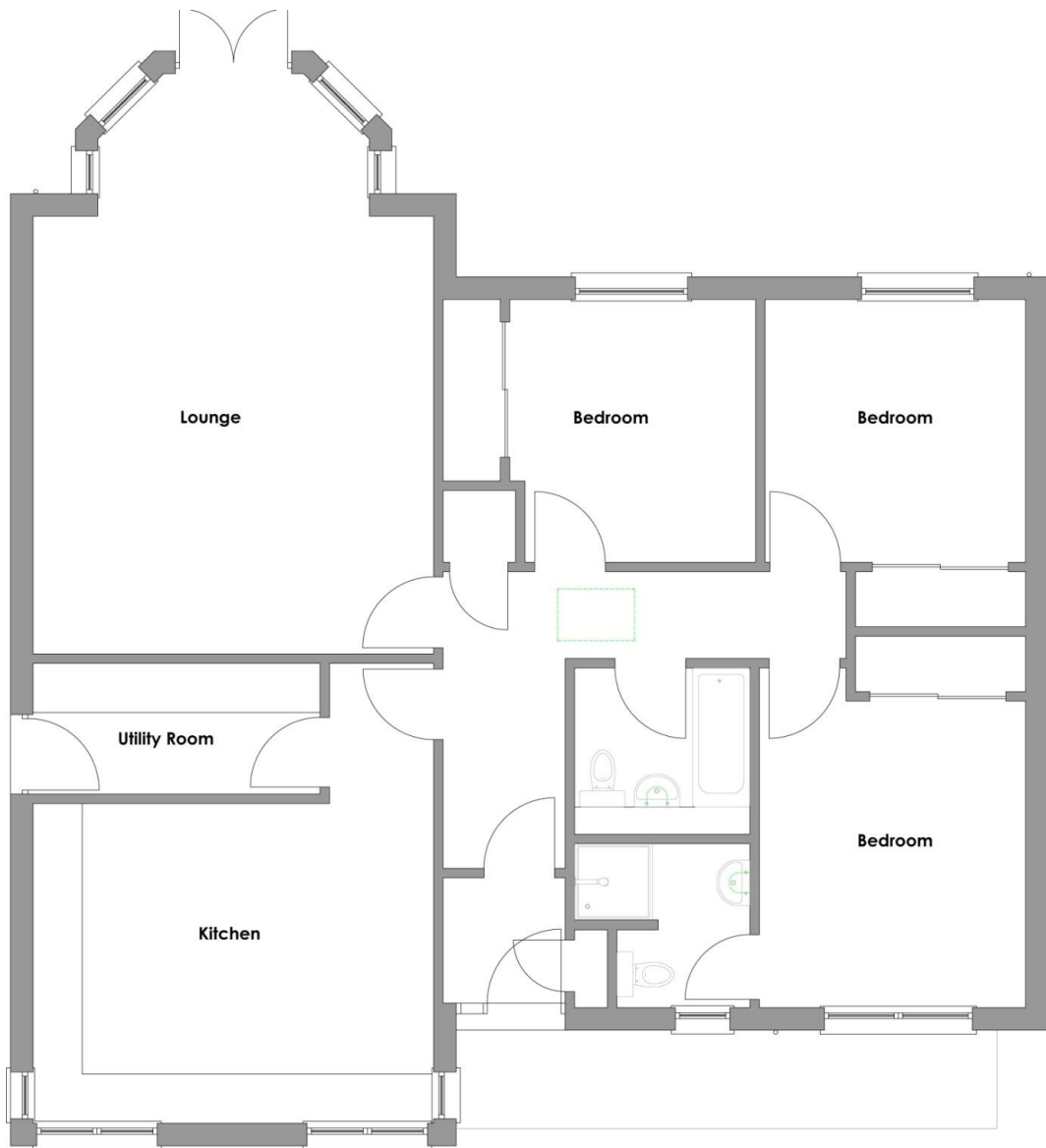
Site Plan



Existing and Proposed Site Plans



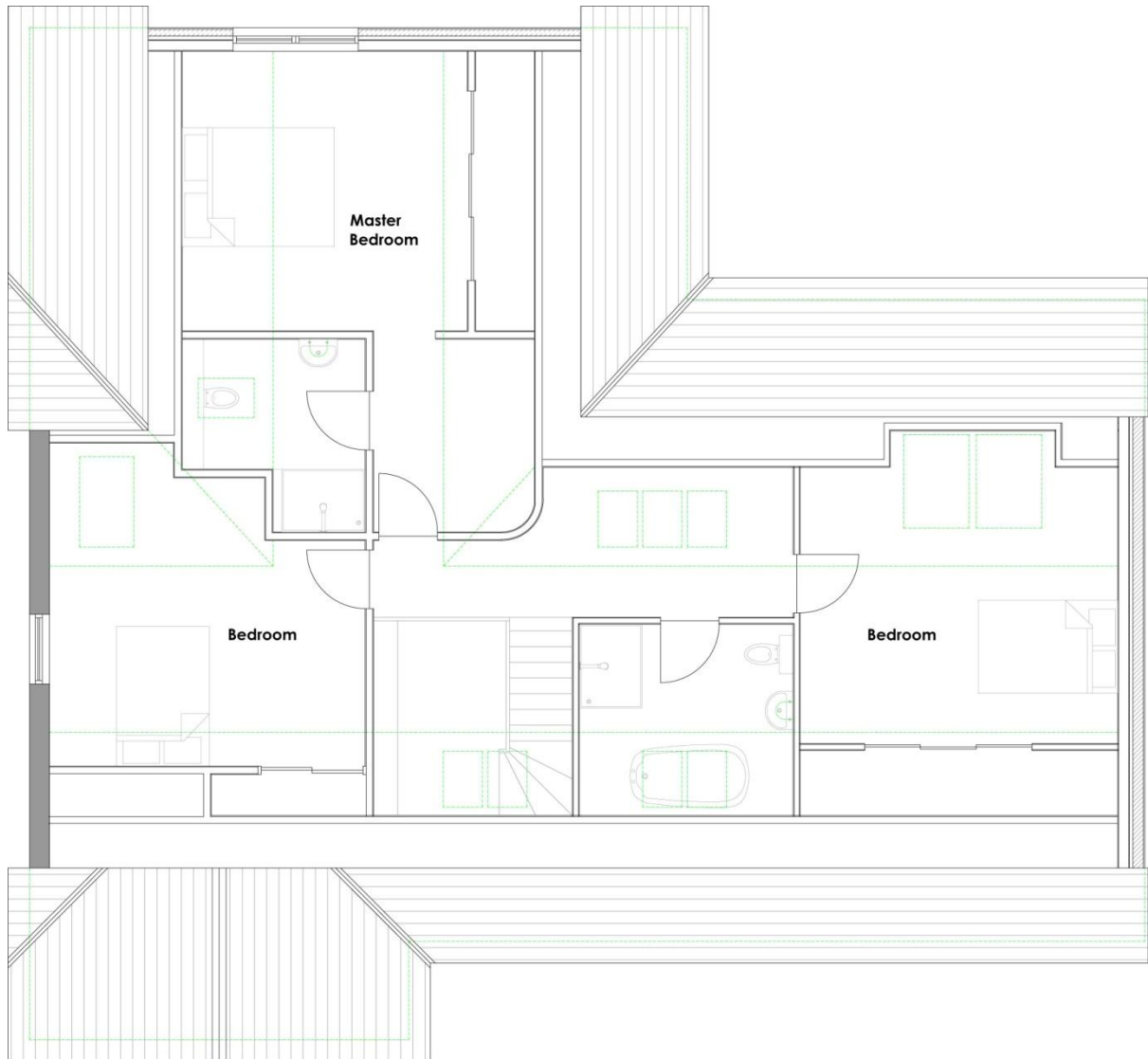
Existing Ground Floor Plan



Proposed Ground Floor Plan



Proposed First Floor Plan



Photographic Support



The image at the top left of this page was taken in February 2016 from a height similar to that of the proposed first floor level. The image shows an existing garage which occupies a large percentage of garden ground at 3 Cunmont Cottages immediately beyond the applicant's boundary fence. The position of this garage together with the screening provided from mature trees and shrubs along the boundary line, even in winter months, offers screening between the properties and therefore we believe that the proposed extension will not have any adverse effect in terms of overlooking private amenity space to the rear of 3 Cunmont Cottages.

The images at the top right and bottom of this page were taken in July 2015 and show how dense the foliage becomes. The largest tree has foliage all year round so will offer sufficient screening at all times and when the deciduous tree has full foliage it will offer an even higher degree of privacy





- This photograph is taken from the garden ground in which the proposed extension is to be formed and shows how the existing first floor bedroom windows within the two storey properties at 3a & 3b Pitairlie Road clearly offer some degree of overlooking of the surrounding properties.

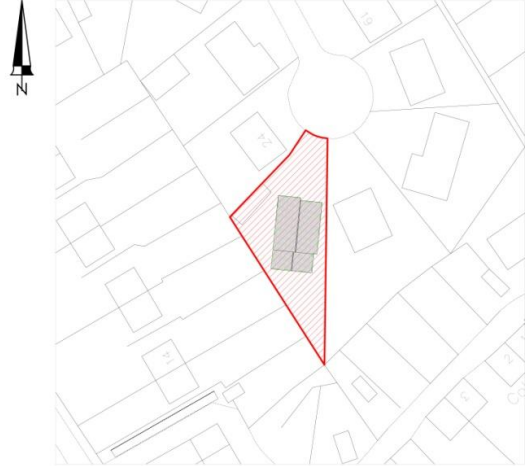


- This photograph has been taken from the first-floor windows at Pitairlie Road. It could be argued that the property at 3 Cunmont Cottages is more visible from this property than it is from the applicant property as there is less screening in terms of trees.

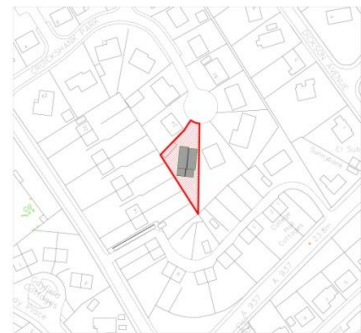
CASE STUDY



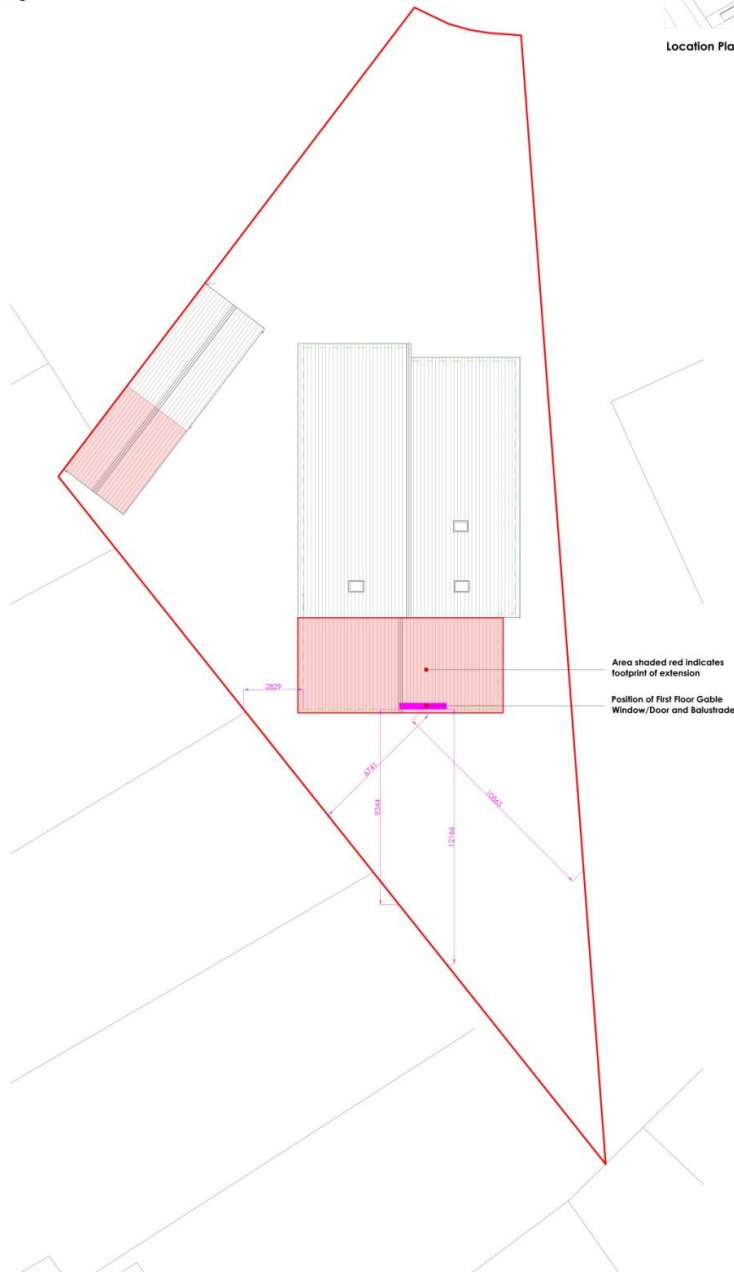
As Built Image



Location Plan (1:500)



Location Plan (1:1250)



PROJECT DESCRIPTION:
Proposed Extension & Alterations to Dwellinghouse

ADDRESS:
23 Cruickshank Park Hillside Montrose DD10 9NA

APPLICANT:
Mr & Mrs Browne

PLANNING REFERENCE:
13/00867/FULL

Site Plan (1:100)

Item	23 Cruickshank Park Hillside Montrose DD10 9NA 13/00867/FULL	4 Templehall Place Newbigging DD5 3UW 15/01108/FULL
Footprint of Extension	32m ²	24m ²
Ground Floor Area	32m ²	30m ²
First Floor Area	20m ²	24m ²
Ground Floor Use	Family Sitting	Family Sitting
First Floor Use	Master Bedroom	Master Bedroom
Distance from LHS of first floor window to boundary in straight line	9344 mm	10006 mm

The extension at 23 Cruickshank Park, Hillside, Montrose that was given planning approval by Angus Council in 2013, is in our opinion very similar to this application. It is similar in terms of footprint, scale, distance from boundaries and room classification. It is also surrounded by a similar number of properties within similar distance. The distance from the centre of the window to boundary in the approved application is less than that provided in this application. We therefore would forward the point of view that if application 13/00867/FULL was approved then we can see no reason why this current application cannot be supported.

Conclusion

We feel that the proposals are very much in keeping with the character of the building and trust that you will appreciate what we are trying to achieve from a design perspective. There is already an identical garage extension and parking at no. 7 and similar approved planning at no. 2 Templehall Place. We have provided sufficient car parking and feel we comply with all planning policies.

With regards the rear extension, when proposing alterations/extensions at first floor level in built up residential areas it is not uncommon for first floor windows to partially overlook other properties and their garden grounds. There are already several existing two storey properties at Pitairlie Road and Templehall Place, that are not any less onerous in terms of overlooking than this would be. The fact that it is a bedroom and not a living area means there will be no noise coming from the room and certainly no intention to gain the opportunity to overlook neighbouring gardens. The feature height glazing is simply for the purposes of aesthetics and to let in sufficient light to a north facing room, privacy is as important to the applicant as it is to the neighbours. A person would view the same from a window with a standard sill level or an escape type roof light as they would from a feature floor to ceiling glazing unit as eye level remains a constant in each example. We hope that this will help achieve a positive outcome for the applicant.

John D Crawford Ltd trust that this document along with the planning application and other supporting documentation shall be sufficient in order to progress our proposed application. John D Crawford Ltd have undertaken and complied with Scottish Planning Policy and carried out all the pre-application in a professional manner.

Prepared by

John D Crawford Ltd

On behalf of Mr & Mrs Milne



72 New Wynd Montrose

Angus

DD10 8RF

email | info@johndcrawford.co.uk

tel | 01674 672064 fax | 01674 672126

From:ChalmersPE
Sent:12 Nov 2016 10:26:12 +0000
To:'Kevin Crawford'
Subject:4 Templehall Place. Newbigging 16/00742/FULL

Dear Sir

I have considered the application further and discussed it with my senior due to the history of the application and can advise that, we believe there are still issues with overlooking.

It is still considered that the proposal would introduce new unacceptable overlooking of 3 Cunmount Cottage and their private garden and there would also be views of Kia Cottage where there is currently no overlooking of these neighbours as the neighbours on either side of the application site and those to the rear are one storey properties.

A test for new upper level windows is indicated in Advice Note 14, this identifies an acceptable distance between an upper level window and the shared boundary it faces. This often is referred to when accessing householder applications. In this instance, the distance from the centre of the window to the boundary would be 9.18 metres when the recommended distance should be 12 metres from an upper level window to a shared boundary but the proposed distance falls short of that. In light of this I would be looking for a change to this window to counteract overlooking.

I have looked over the example you gave to support this application, 23 Cruickshank Park, Hillside 13/00867/FULL and can see that there is offset looking from this upper level window towards the south-west neighbouring properties that are two storey in height. Due to the neighbours two storey height I can see that there is already overlooking between these properties. Therefore, it was considered there would not be a significant level of additional overlooking to justify refusal of this application which resulted in its support. I feel that this approved application is not quite the same in terms of the neighbours positions or heights of their dwellings in relation to the application site and I would be unable to consider it in support of 4 Templehall Place.

I would be unable to support this application in light of the above reasoning and would be looking for an amendment made to the window. As I stated before, I have no objection in principle to an application for an extension, provided it is compliant with

the provisions of Policies DS4: Amenity and TC4: Householder/Domestic Development of the Angus Local Development Plan (2016) also including the guidance outlined in Advice Note 14 and the Householder Development Planning Advice Note. On meeting with the guidance contained within this advice note and policies you will subsequently obtain a more positive response from this department.

I would be obliged if you could provide an amendment within 10 days of the date of this email

I trust that this clarifies the situation for you.

Yours faithfully

Pauline Chalmers: Development Standards Technician: Angus Council: Communities:
Planning & Place: County Buildings: Market Street: Forfar: DD8 3LG: 01307 47(3206)

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE

APPLICATION FOR REVIEW

**PROPOSED EXTENSION AND ALTERATIONS TO DWELLINGHOUSE
(RE-APPLICATION) AT 4 TEMPLEHALL PLACE, NEWBIGGING**

APPLICATION NO 17/00684/FULL

APPLICANT'S SUBMISSION

- | | |
|---------------|---|
| ITEM 1 | Notice of Review |
| ITEM 2 | Location Plan, Photos & Site Section |
| ITEM 3 | Existing and Proposed Site Plan |
| ITEM 4 | Existing Floor Plan, Elevations and Section |
| ITEM 5 | Supporting Information |

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR + MRS	Ref No.	JDC/499
Forename	GRANT + LYNSEY	Forename	KEVIN
Surname	MILNE	Surname	CRAWFORD
Company Name		Company Name	JOHN D CRAWFORD LTD
Building No./Name	4	Building No./Name	72
Address Line 1	TEMPLEHALL PLACE	Address Line 1	NEW WIND
Address Line 2	NEBBISGING	Address Line 2	
Town/City	MONIFEITH	Town/City	MONTROSE
Postcode	DD5 3UW	Postcode	DD10 8RF
Telephone		Telephone	01674 672064
Mobile		Mobile	
Fax		Fax	
Email		Email	kevin@johndcrawford.co.uk
3. Application Details			
Planning authority	ANGLUS COUNCIL		
Planning authority's application reference number	17/00684/FULL		
Site address	<div style="border: 1px solid black; padding: 5px; min-height: 100px;"> 4 TEMPLEHALL PLACE NEBBISGING MONIFEITH DD5 3UW </div>		
Description of proposed development	<div style="border: 1px solid black; padding: 5px; min-height: 100px;"> PROPOSED ALTERATIONS AND EXTENSION TO DWELLING HOUSE </div>		

Date of application

16.08.17

Date of decision (if any)

09.10.17

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)

Application for planning permission in principle

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

Application for approval of matters specified in conditions

5. Reasons for seeking review

Refusal of application by appointed officer

Failure by appointed officer to determine the application within the period allowed for determination of the application

Conditions imposed on consent by appointed officer

6. 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.

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

Further written submissions

One or more hearing sessions

Site inspection

Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

ONE HEARING SHOULD BE SUFFICIENT AS SITE VISITS HAVE ALREADY BEEN CARRIED OUT.

7. Site inspection

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

Can the site be viewed entirely from public land?

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

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

WOULD ADVISE CONTACTING CLIENT TO ARRANGE ACCESS PRIOR TO VISIT - [REDACTED], IF NECESSARY

8. Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

SEE SUPPORTING INFORMATION SUBMITTED ON PORTAL

Have you raised any matters which were not before the appointed officer at the time your application was determined?

Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

ALL DOCUMENTATION SUBMITTED ON PORTAL

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

Statement of your reasons for requesting a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

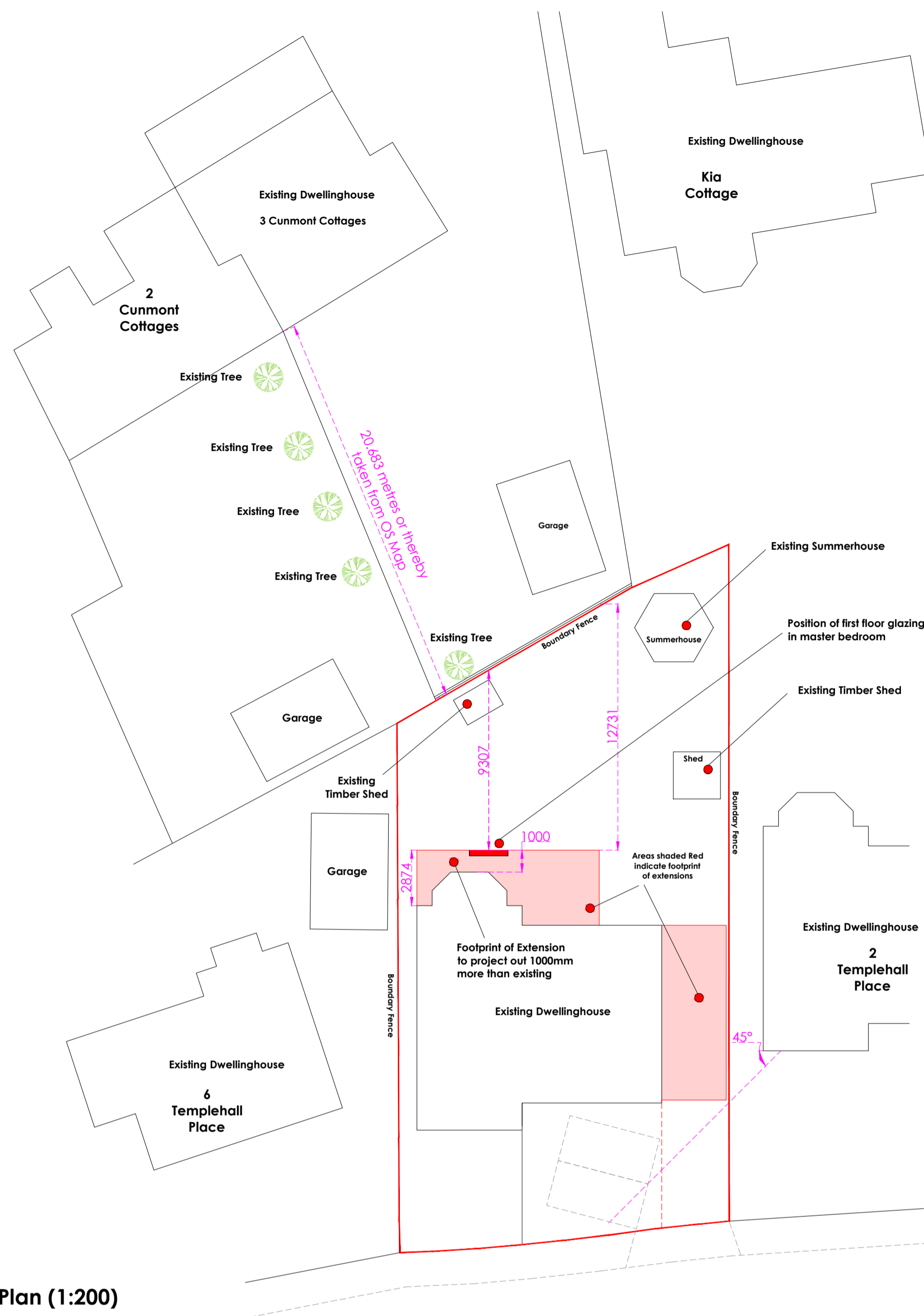
Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:  Name: GILL CAMERON Date: 27.10.17

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.



Site Plan (1:200)



Existing Tree



Existing Boundary Fence

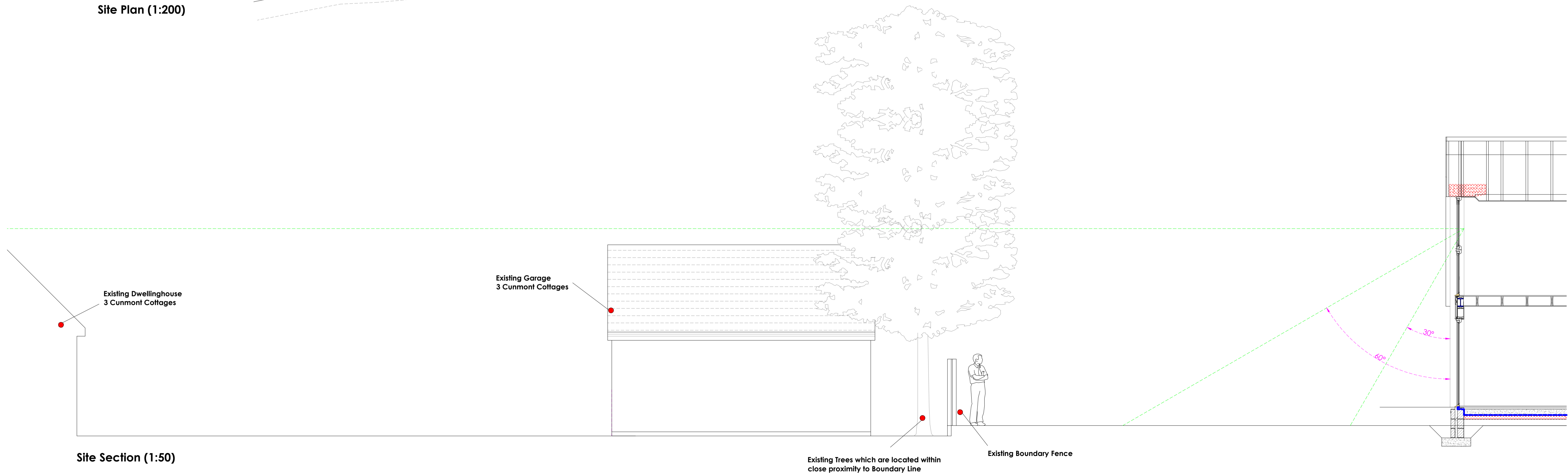


Existing Rear Elevation






Existing Garden Ground

GENERAL LEGEND			
	Areas shaded represents Existing Structure		
	New External Walls		
REVISION	DATE	DESCRIPTION OF REVISION	
CLIENT Mr & Mrs Milne			
PROJECT Proposed Extension to Dwellinghouse at 4 Templehall Place, Newbigging, By Broughty Ferry, DD5 3UW			
DRAWING TITLE Location Plan, Photos & Site Section			
SCALE	DATE	DRAWING No.	DRAWN BY
1:50, 1:200	26.07.17	JDC-003	KJC
This drawing is issued for the purpose of the status indicated below			
<input type="checkbox"/> Sketch Proposal <input checked="" type="checkbox"/> Planning Application Submission <input type="checkbox"/> Planning Application APPROVED <input type="checkbox"/> Building Warrant Application Submission <input type="checkbox"/> Building Warrant Application APPROVED <input type="checkbox"/> Tender Issue <input type="checkbox"/> Construction Drawings to be Adhered to on Site			
john d crawford Ltd ARCHITECTURAL SERVICES 72 New Wynd Montrose Angus DD10 8RF email: info@johndcrawford.co.uk tel 01674 672064 fax 01674 672126			



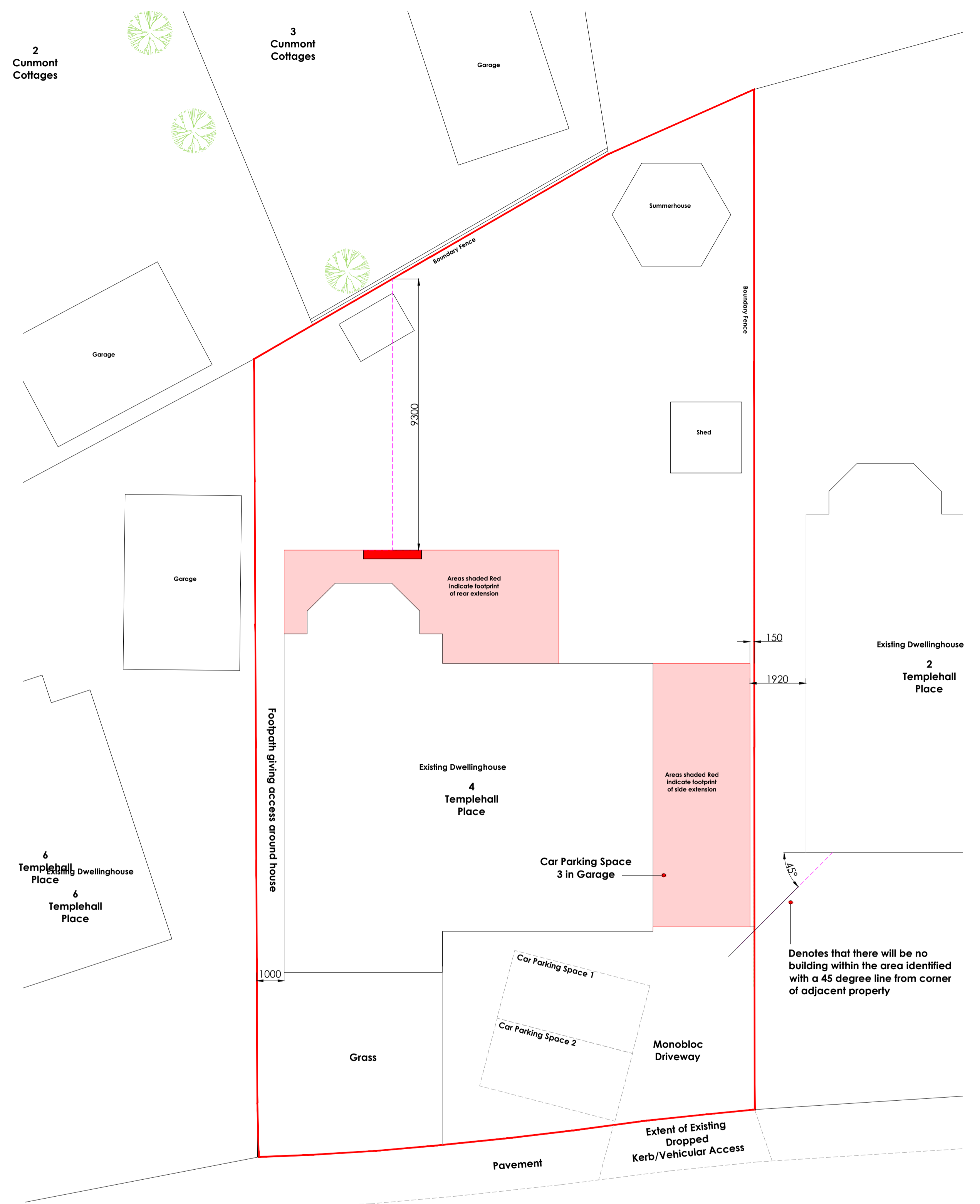
Site Section (1:50)

ITEM 3

GENERAL LEGEND			
	Areas shaded represents Existing Structure		
	New External Walls		
REVISION	DATE	DESCRIPTION OF REVISION	
CLIENT Mr & Mrs Milne			
PROJECT Proposed Extension to Dwellinghouse at 4 Templehall Place, Newbigging, By Broughty Ferry, DD5 3UW			
DRAWING TITLE Existing and Proposed Site Plan			
SCALE	DATE	DRAWING No.	DRAWN BY
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<input type="checkbox"/> Building Warrant Application Submission			
<input type="checkbox"/> Building Warrant Application APPROVED			
<input type="checkbox"/> Tender Issue			
<input type="checkbox"/> Construction Drawings to be Adhered to on Site			
 john d crawford Ltd ARCHITECTURAL SERVICES 72 New Wynd Montrose Angus DD10 8RF email info@johndcrawford.co.uk tel 01674 672064 fax 01674 672126			



Existing Site Layout (1:100)

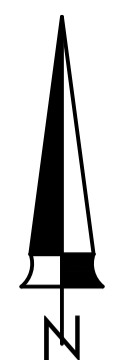


Proposed Site Layout (1:100)

This drawing is solely for the purposes of obtaining Planning Approval. The drawing may be suitable for constructional purposes but it may be necessary to augment/and or amend this information. No liability will be accepted for any omission should the drawing be used for constructional purposes.

Do not scale this drawing for construction purposes.

ITEM 4



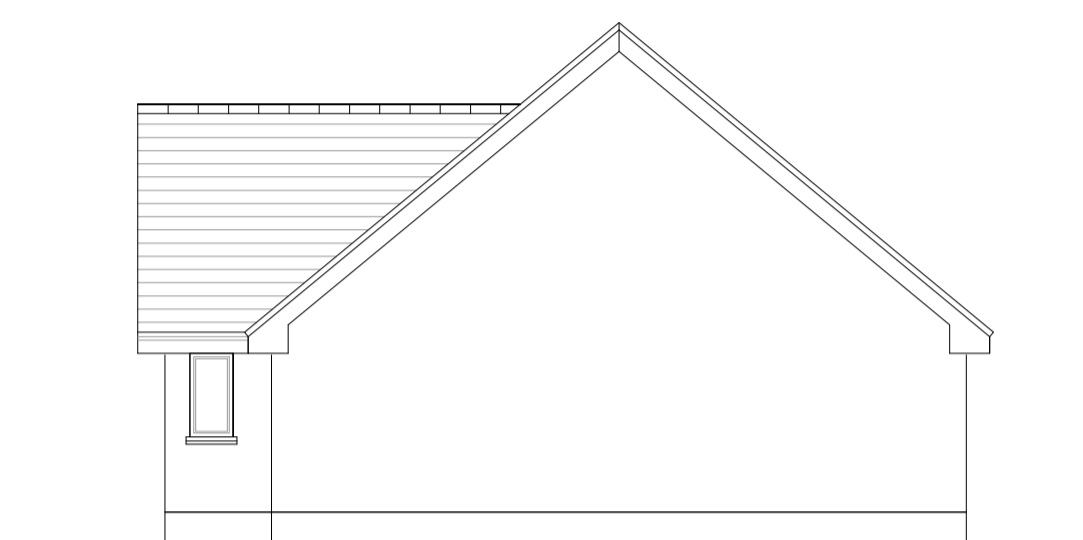
Location Plan (1:1250)



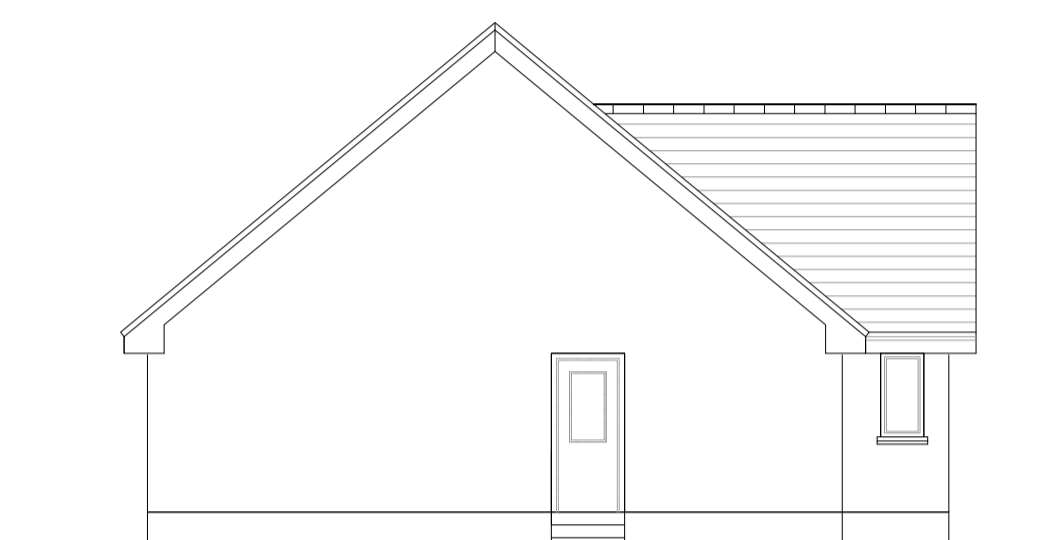
Existing South Elevation (1:100)



Existing North Elevation (1:100)



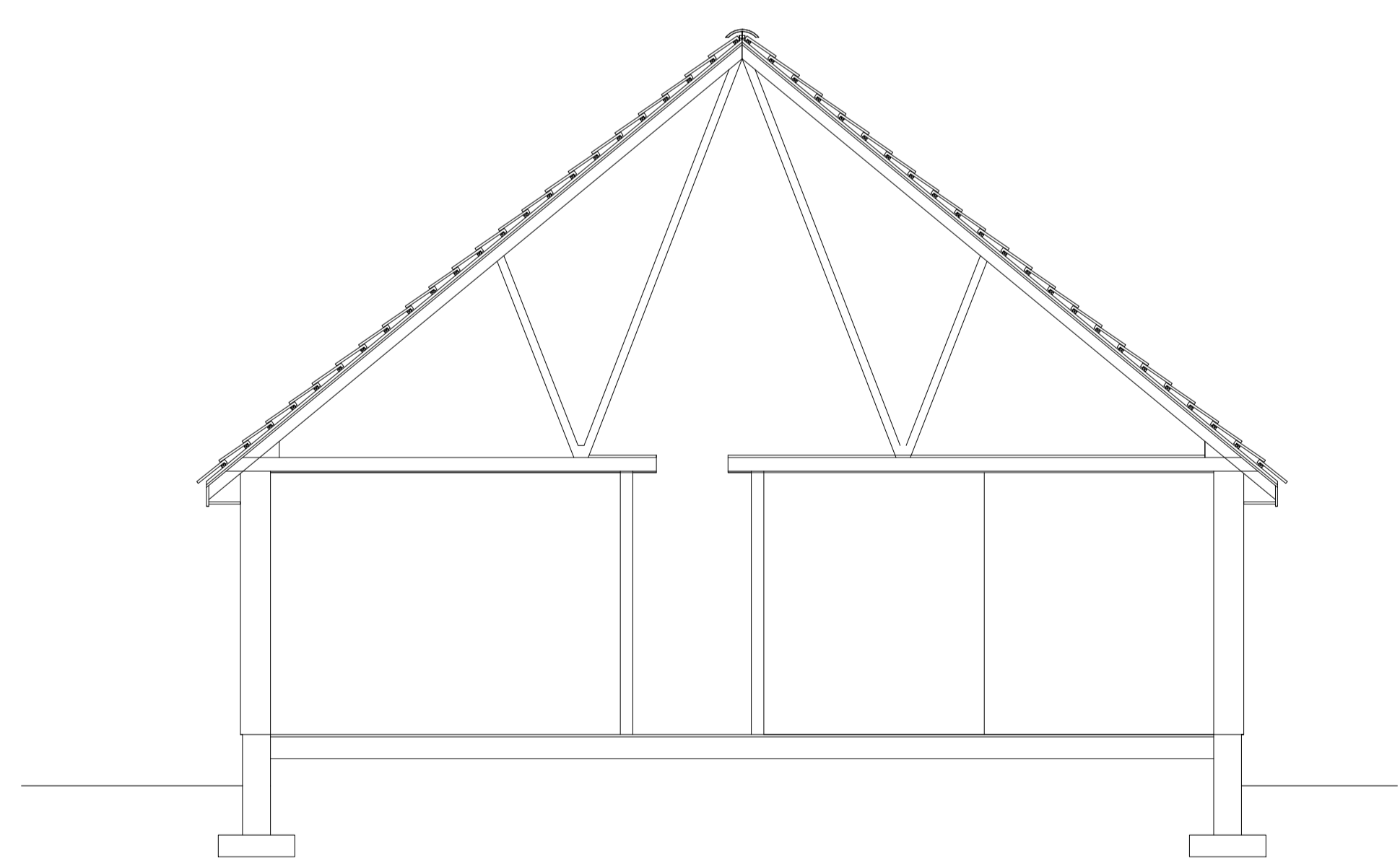
Existing East Elevation (1:100)



Existing West Elevation (1:100)



Existing Ground Floor Plan (1:50)



Existing Section (1:50)

GENERAL LEGEND

- Areas shaded represents Existing Structure
- New External Walls

REVISION	DATE	DESCRIPTION OF REVISION

CLIENT Mr & Mrs Milne

PROJECT Proposed Extension to Dwellinghouse at 4 Templehall Place, Newbigging, By Broughty Ferry, DD5 3UW

DRAWING TITLE Existing Floor Plan, Elevations & Section

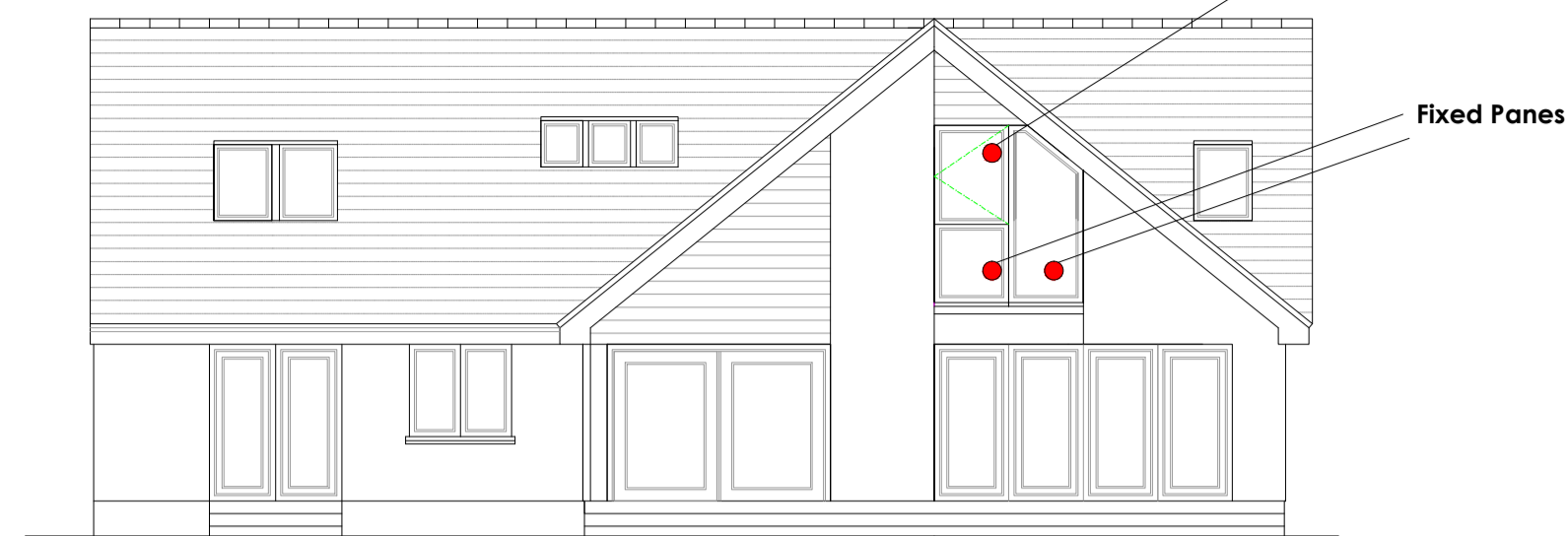
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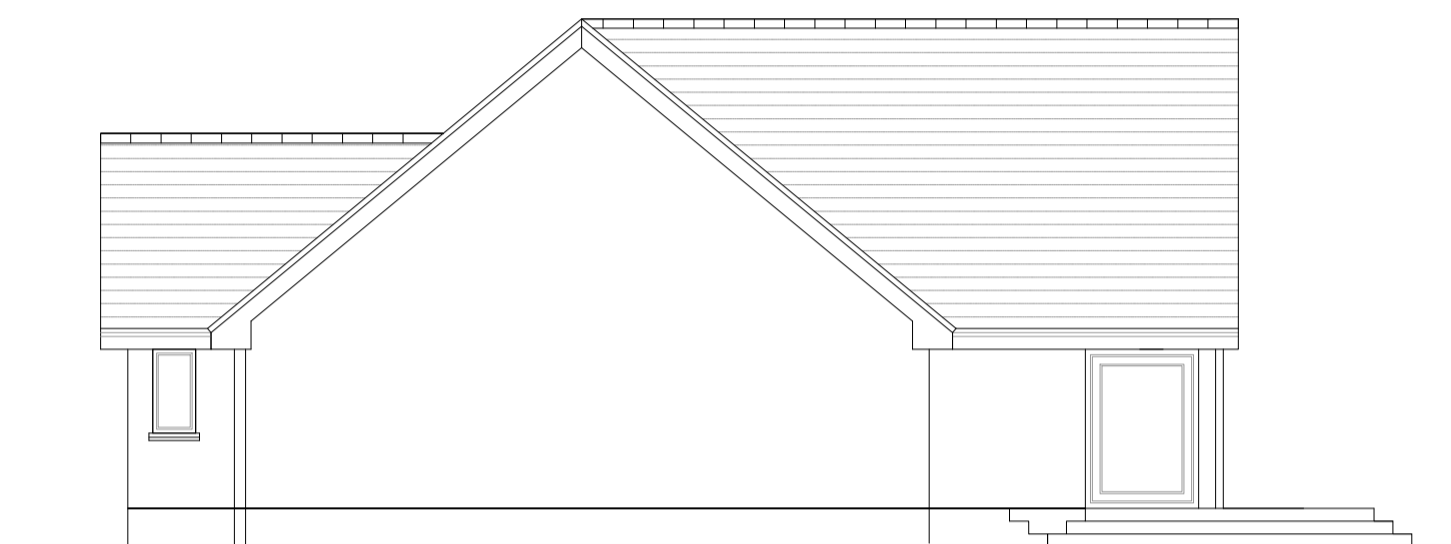
- Sketch Proposal
- Planning Application Submission
- Planning Application **APPROVED**
- Building Warrant Application Submission
- Building Warrant Application **APPROVED**
- Tender Issue
- Construction Drawings to be Adhered to on Site**



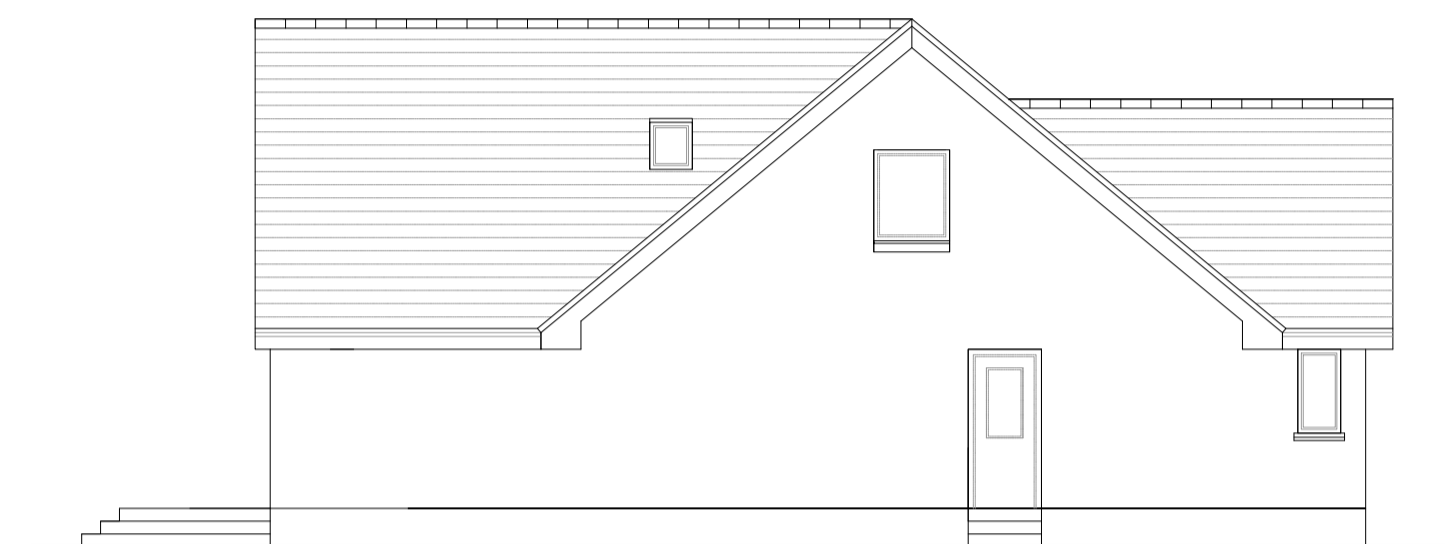
Proposed South Elevation (1:100)



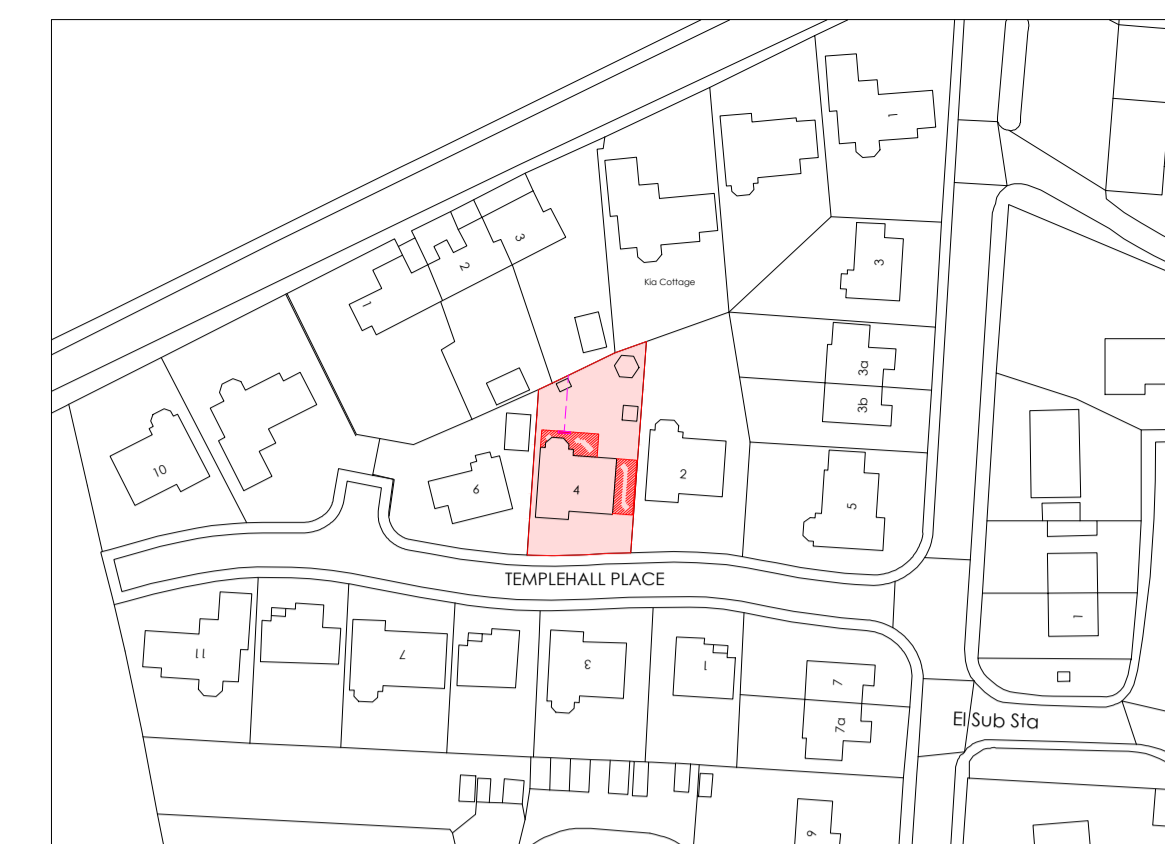
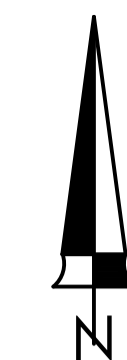
Proposed North Elevation (1:100)



Proposed East Elevation (1:100)



Proposed West Elevation (1:100)

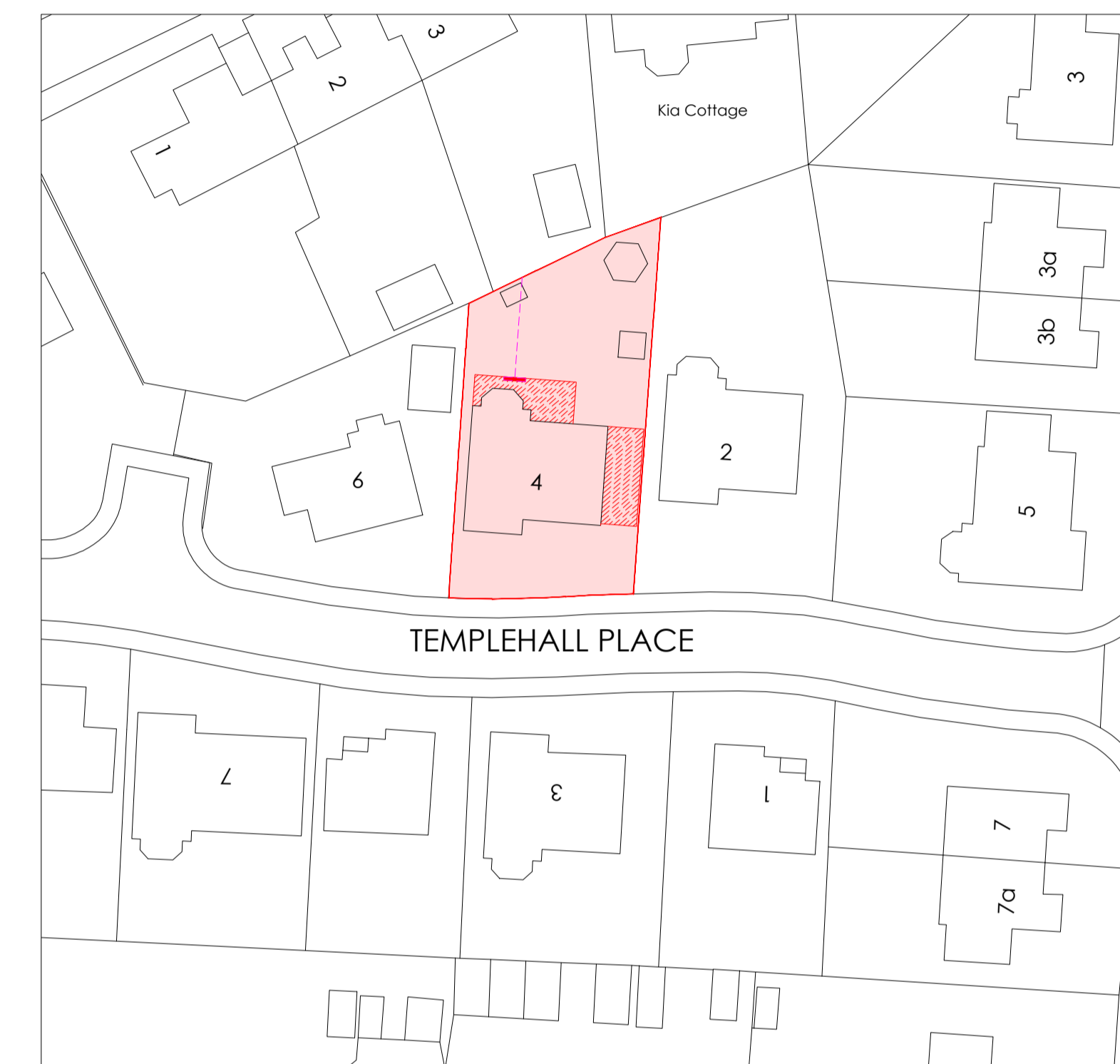


Location Plan (1:1250)

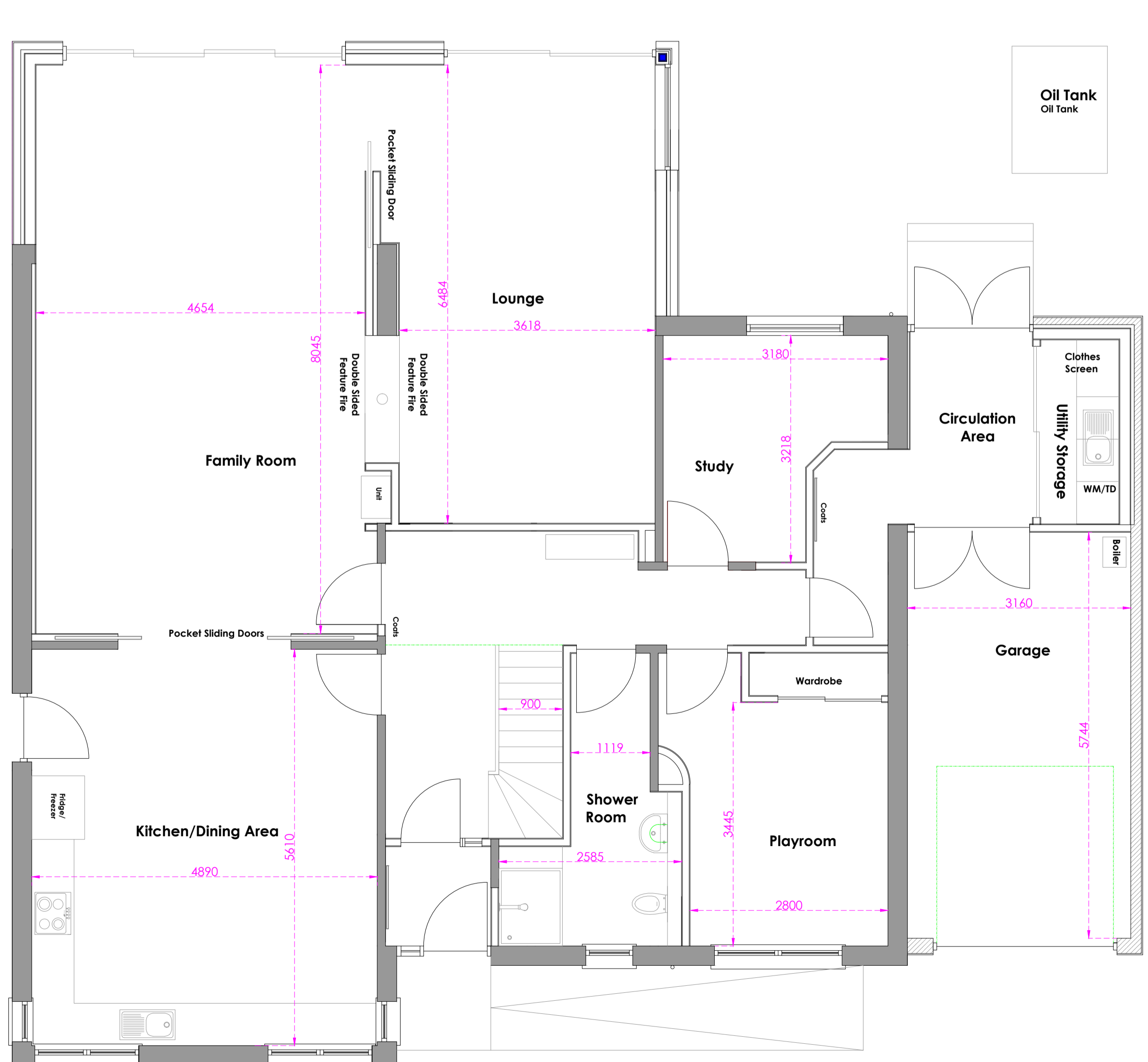
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Do not scale this drawing for construction purposes.

ELEMENT	PROPOSED CONSTRUCTION MATERIAL
External Walls	Render/Stonework/Timber Cladding
Roof	Concrete Tile to match existing
Windows & Doors	White UPVC to match existing
Rainwater Goods	White UPVC to match existing
Boundary Treatment	N/A
Heating Provision	N/A



Location Plan (1:500)



Proposed Ground Floor Plan (1:50)



Proposed First Floor Plan (1:50)

GENERAL LEGEND

- Areas shaded represents Existing Structure
- New External Walls

REVISION	DATE	DESCRIPTION OF REVISION

CLIENT Mr & Mrs Milne

PROJECT Proposed Extension to Dwellinghouse at 4 Templehall Place, Newbigging, Broughty Ferry, DD5 3UW

DRAWING TITLE Proposed Floor Plan & Elevations

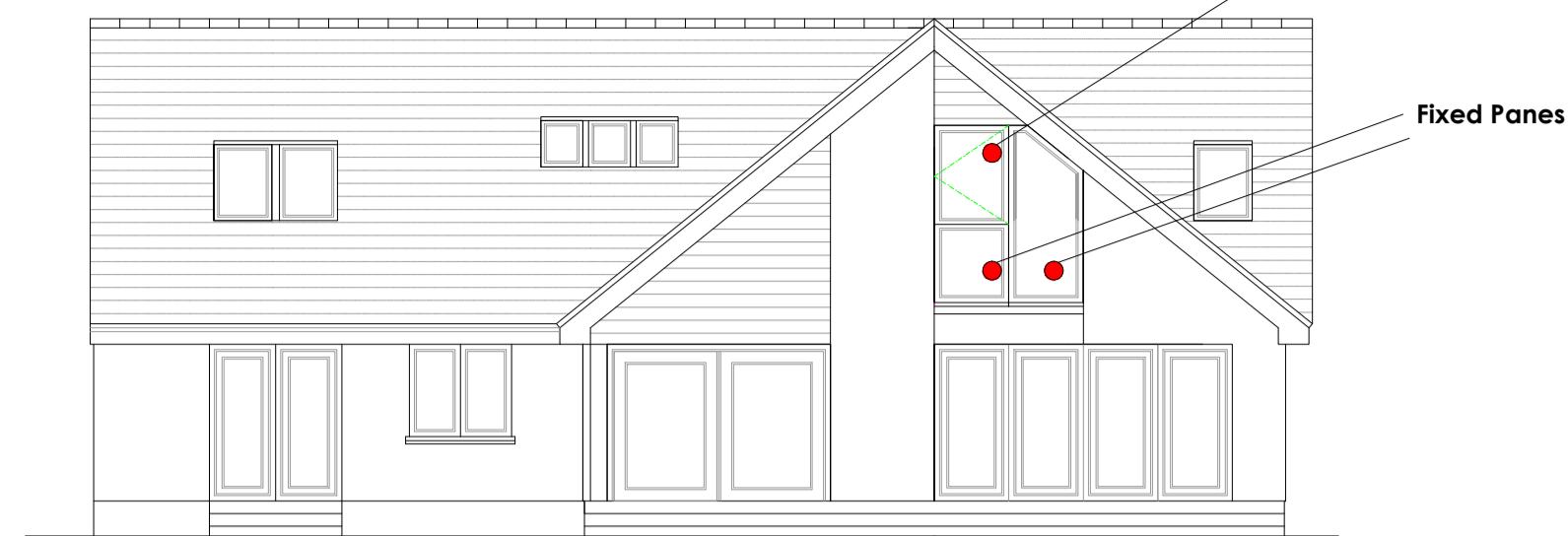
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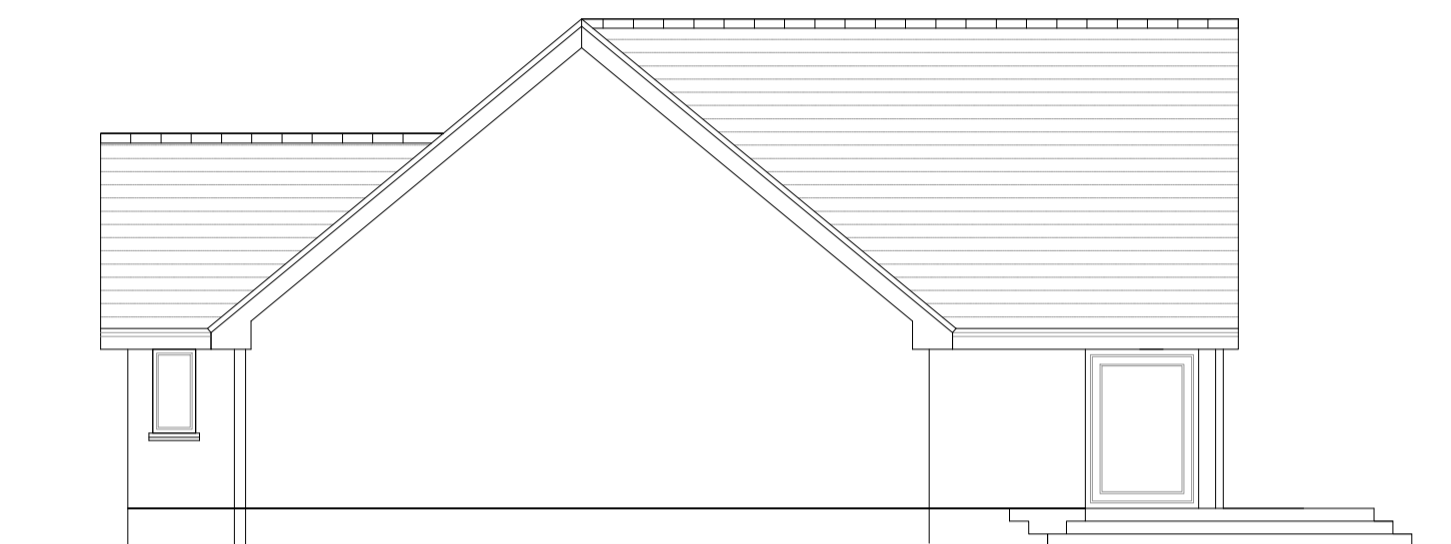
- Sketch Proposal
- Planning Application Submission
- Planning Application **APPROVED**
- Building Warrant Application Submission
- Building Warrant Application **APPROVED**
- Tender Issue
- Construction Drawings to be Adhered to on Site**



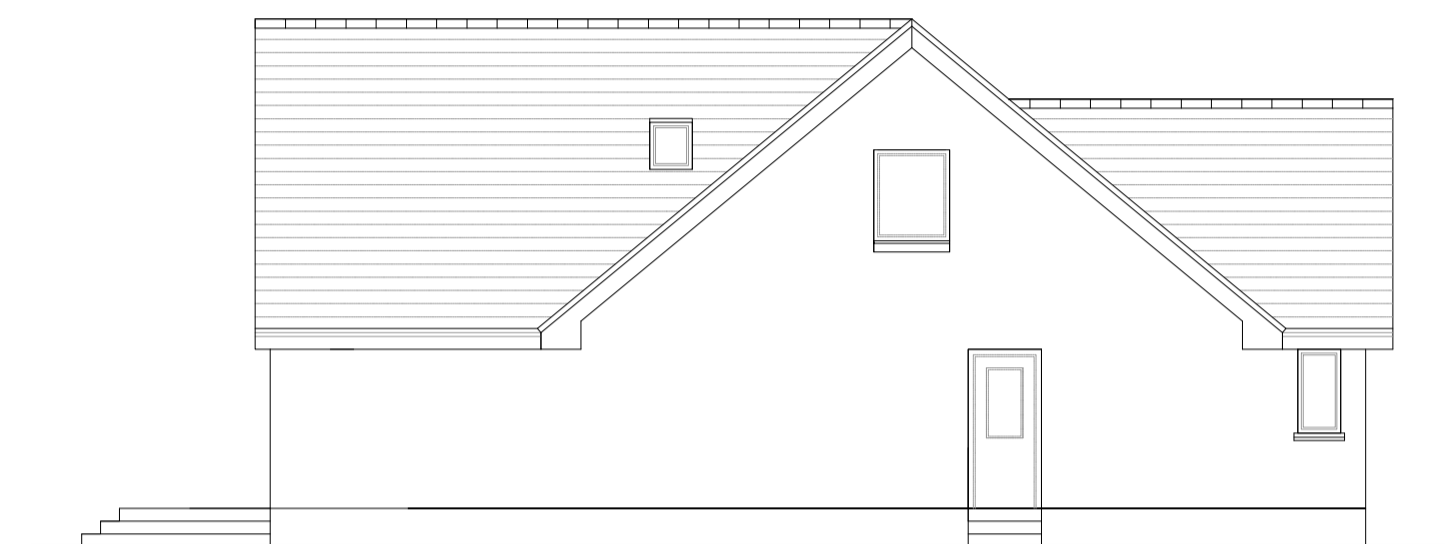
Proposed South Elevation (1:100)



Proposed North Elevation (1:100)



Proposed East Elevation (1:100)



Proposed West Elevation (1:100)

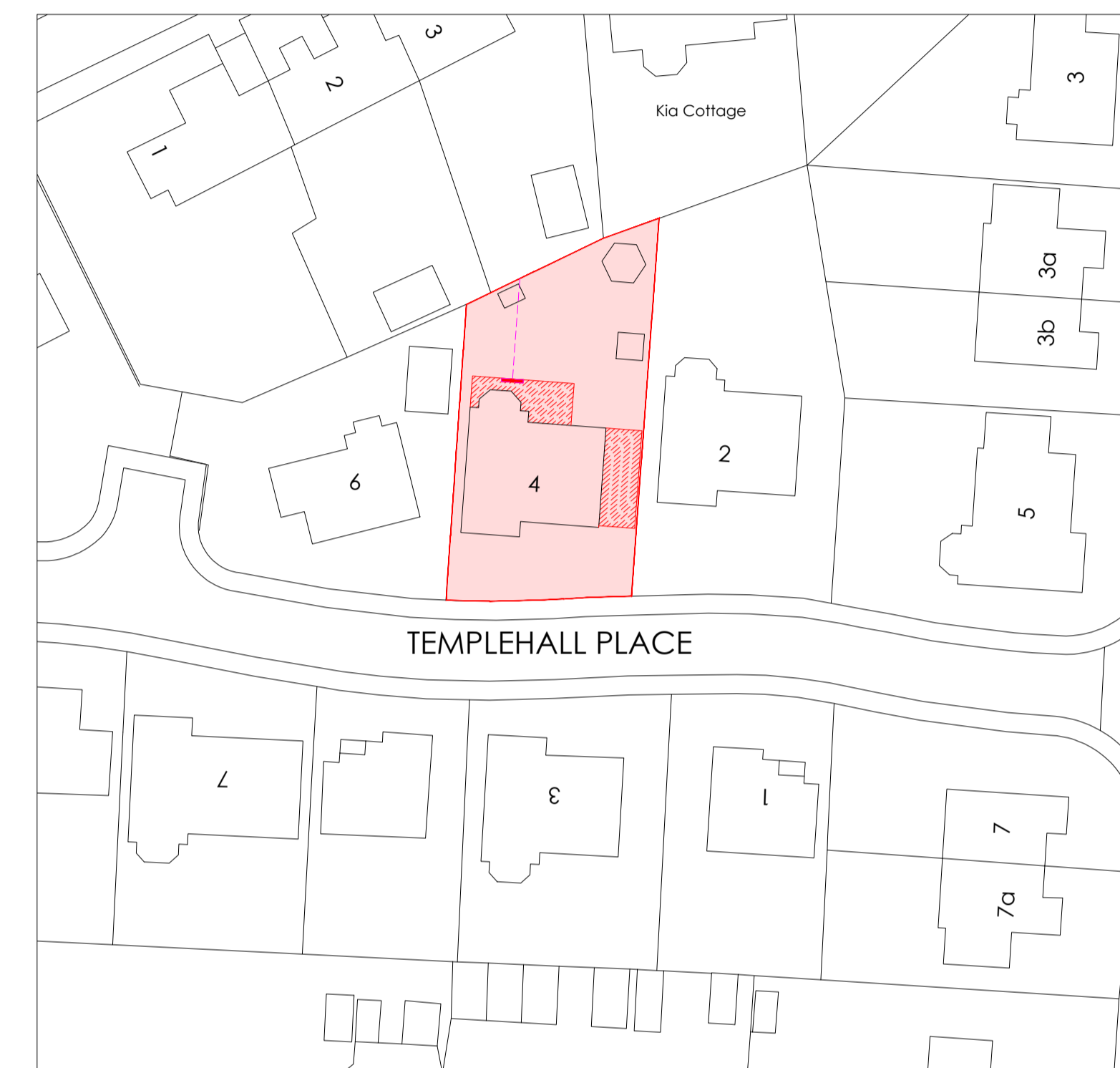


Location Plan (1:1250)

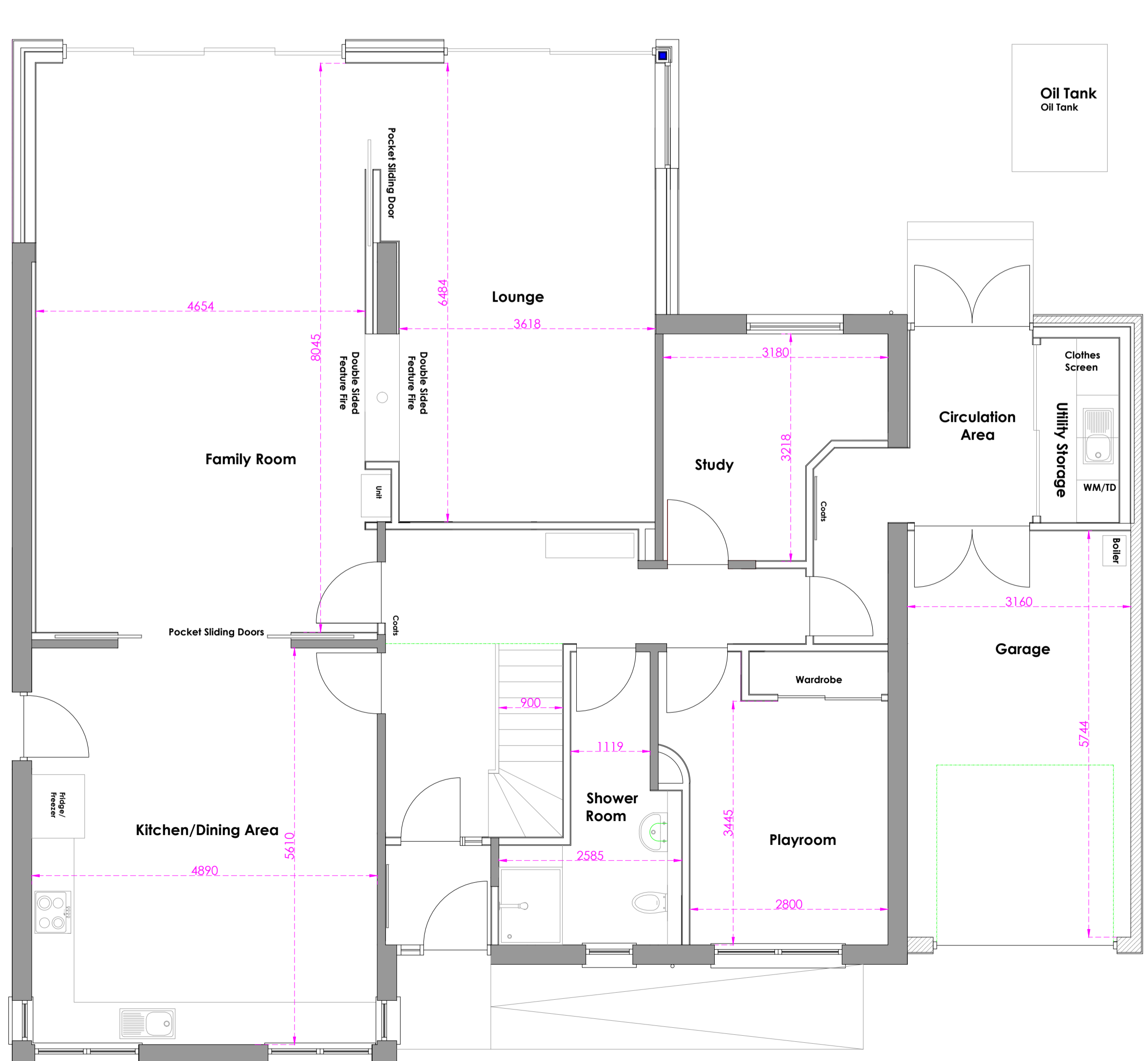
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Windows & Doors	White UPVC to match existing
Rainwater Goods	White UPVC to match existing
Boundary Treatment	N/A
Heating Provision	N/A



Location Plan (1:500)



Proposed Ground Floor Plan (1:50)



Proposed First Floor Plan (1:50)

GENERAL LEGEND

Areas shaded represents Existing Structure
New External Walls

REVISION	DATE	DESCRIPTION OF REVISION

CLIENT Mr & Mrs Milne

PROJECT Proposed Extension to Dwellinghouse at 4 Templehall Place, Newbigging, Broughty Ferry, DD5 3UW

DRAWING TITLE Proposed Floor Plan & Elevations

SCALE	DATE	DRAWING No.	DRAWN BY
1:50, 1:100	26.07.17	JDC-002	KJC

This drawing is issued for the purpose of the status indicated below

- Sketch Proposal
- Planning Application Submission
- Planning Application **APPROVED**
- Building Warrant Application Submission
- Building Warrant Application **APPROVED**
- Tender Issue
- Construction Drawings to be Adhered to on Site**

SUPPORTING INFORMATION

PROJECT DESCRIPTION:

Proposed Extension & Alterations to Dwellinghouse

ADDRESS:

4 Templehall Place, Newbigging, Angus, DD5 3UW

APPLICANT:

Mr & Mrs Milne



Prepared by John D. Crawford Ltd on Behalf of Mr & Mrs Milne

Please note that following on from comments made at previous appeal hearing, we wish to clearly state that these comments have been taken on board and addressed accordingly. Additional off street car parking has now been provided as requested by committee members and reflects an existing situation at 7 Templehall Place.

Contents

- 1. Introduction** *Page 3*
- 2. Summary of Proposals** *Page 3*
- 3. Relevant Planning Policies** *Pages 4 - 6*
- 4. Proposed Site Plan** *Page 7*
- 5. Key Points in Support of Extension to accommodate Garage and Bedroom above** *Pages 8 – 12*
- 6. Key Points in Support of Extension to accommodate Open Plan Living at Ground Floor Level and Master Bedroom at First Floor Level** *Pages 13 & 14*
- 7. Site Plans and Floor Plans** *Pages 15 - 19*
- 8. Photographic Support** *Pages 20 & 21*
- 9. Case Study of Previously Approved Application** *Pages 22 & 23*
- 10. Conclusion** *Page 24*

Introduction

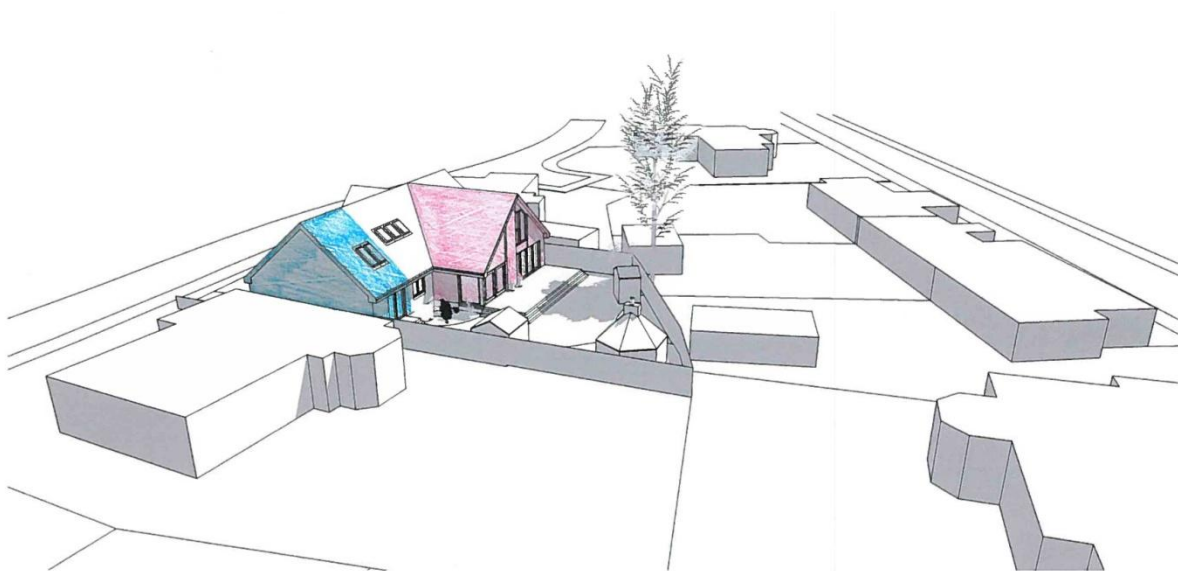
Mr & Mrs Milne have lived in Newbigging for 11 years and their two young children are settled in the village primary school. The family enjoy living in this house but have outgrown it, the locality is ideal proximity to both immediate family and the work commute therefore they have no desire to move. It is with these principles that the applicants wish to remain in this property and attain the required space to suit all current and future family requirements. The main purpose within the proposed plans are to accommodate a study, a playroom, a separate lounge and due to the children's ages to have all bedrooms on the same level.

.....

Summary of Proposals

The proposals include the following:-

- Conversion of existing attic space to form first floor accommodation
- Extension to Eastern side of house to form new garage at ground floor level and bedroom above (Shaded Blue)
- Extension to Northern side of house to form extended family sitting/living space at ground floor level and Master Bedroom at first floor level. (shaded Red)
- Internal Alterations to ground floor layout



Proposed Site Visual – This diagram gives an idea of the distance between proposed extensions and neighbouring properties.

Development Plan Policies Angus Local Development Plan 2016

Policy TC4: Householder / Domestic Development

Proposals for householder development (including alterations/extensions to houses and flats, development within the curtilage of houses and flats, means of enclosure, satellite antenna and domestic scale microgeneration) will be supported where the siting, design, scale or massing of the proposal, does not:

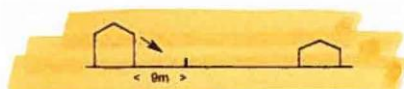
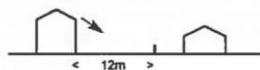
- *adversely affect the residential amenity enjoyed by the house or surrounding domestic properties including, in the case of microgeneration, through noise or shadow flicker;*
- *detrimentally affect the character and/or appearance of the building, site or surrounding area; and*
- *result in the overdevelopment of the plot or a loss of garden ground, parking or bin storage. Further guidance on householder development will be set out in a Householder Development Planning Advice Note.*

Policy DS4: Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties. Angus Council will consider the impacts of development on:

- *Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing. Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured. Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration. Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.*

Planning authority. Even with the erection of screen fences, distances should not be so reduced as to create an overly-cramped environment. For instance a two metre fence or wall erected closer than two metres to an existing neighbouring window, is unlikely to be acceptable as a means of overcoming a deficient window to window distance. Of course, screening cannot be effective where a second floor is concerned and this is the cause of much discontent amongst existing proprietors affected by such proposals. Accordingly, where a second and overlooking storey is involved, the distance between the main windows of the proposed house and the mutual boundary should be at least 12 metres. In higher density areas or where the adjacent rear garden is particularly generous this could be relaxed to a minimum of nine metres.



GARAGES

Too often garages are an afterthought in the design process. Problems can occur when endeavouring to fit the garage into a pre-developed site. Therefore, even if a garage is not to be built at the outset, the layout should allow for their later erection. For instance, 30% plot coverage should not be the objective of a new house with no garage accommodation; avoid a situation where the garage would have to be built on the boundary or, worse still, in front of the house.

On the subject of garages in front of houses, it is strongly recommended that this be avoided. Developments visually dominated by garages sited in front of the residential accommodation will rarely be acceptable.

ADDITIONAL NOTES

It is the intention of the District Council to implement this advice in a FLEXIBLE fashion. This, however, is likely to result in demands in excess of the minimum standards being more common than their relaxation. The guidance is not intended to produce a "planning by numbers" approach to housing layouts and even where the guideline figures have been attained, the planning authority reserves the right to insist on more stringent standards to, for instance, further mitigate the impact on neighbours or to produce a better quality development.

In designing a layout care should be taken not to prejudice future development in adjoining areas (for instance by building too close to boundaries or poor positioning of windows). In some instances this may not be possible but where this has occurred, the planning authority will not necessarily be tied to the guidance indicated in this Advice Note when dealing with future development proposals.

This Advice Note does not apply to sites defined as "backland", i.e. sites without a road frontage, for which applicants should refer to Advice Note 6 - Backland Housing Development.

Angus Council



ADVICE NOTE 14

**SMALL
HOUSING
SITES**

Extract from Advice Note 14

"where a second and overlooking storey is involved, the distance between the main windows of the proposed house and the mutual boundary should be at least 12 metres. In higher density areas or where the adjacent rear garden is particularly generous this could be relaxed to a minimum of nine metres"

Appendix B: Privacy

Privacy is important to the health and well-being of residents. It is appropriate to expect that all alterations and extensions to existing residential properties will not adversely affect the privacy afforded to residents within adjacent neighbouring properties and associated curtilages.

Calculating privacy is relatively complex because what constitutes an acceptable level of privacy depends on the context of a particular site. However, in all cases, the following factors should be taken into consideration when determining the potential impact of an alteration and extension upon the privacy afforded to residents within adjacent neighbouring properties and associated curtilages:

- ▶ The existing window to window distances and those characteristic of the surrounding area.
- ▶ The opportunities to mitigate against any potential adverse effects e.g. the use of obscure glazing i.e. frosted glass, velux windows and/or any existing or proposed additional screening between the respective windows.
- ▶ Respective site levels.
- ▶ The nature of the respective rooms i.e. habitable or non-habitable rooms.
- ▶ The orientation of the respective properties and windows.

In order to assess the potential impact of an alteration and extension upon the privacy afforded to residents within adjacent neighbouring properties and associated curtilages, supporting information regarding the calculation of the potential privacy impacts, along with any required elevation or plan drawings, should be submitted to the Council's Planning Authority. Further advice can be obtained from the Council's Planning Authority (please refer to Contact Details).

It should be noted that Householder Permitted Development Rights ensure that it is virtually impossible for total privacy to be assured and except in the most isolated rural locations, few existing residential properties can claim not to be overlooked to some degree. To maintain a degree of privacy without becoming unduly restrictive on residents wishing to extend an existing residential property, the minimum distances which should be achieved between the windows on an alteration and extension and the existing windows on an adjacent neighbouring property are demonstrated across the page.

Main Living Room Window to:

Main Living Room Window	20 metres
Other Habitable Room Window	15 metres
Non-Habitable Room Window	12 metres
Blank Wall	12 metres

Other Habitable Room Window to:

Other Habitable Room Window	12 metres
Non-Habitable Room Window	10 metres
Blank Wall	10 metres

Non-Habitable Room Window to:

Non-Habitable Room Window	4 metres
Blank Wall	4 metres

Blank Wall to Blank Wall

2 metres

The minimum distances identified above can be reduced when the windows on an alteration and extension to an existing residential property and the existing windows on an adjacent neighbouring property are at an angle to each other. Further advice can be obtained from the Council's Planning Authority (please refer to Contact Details).

Proposed Site Plan

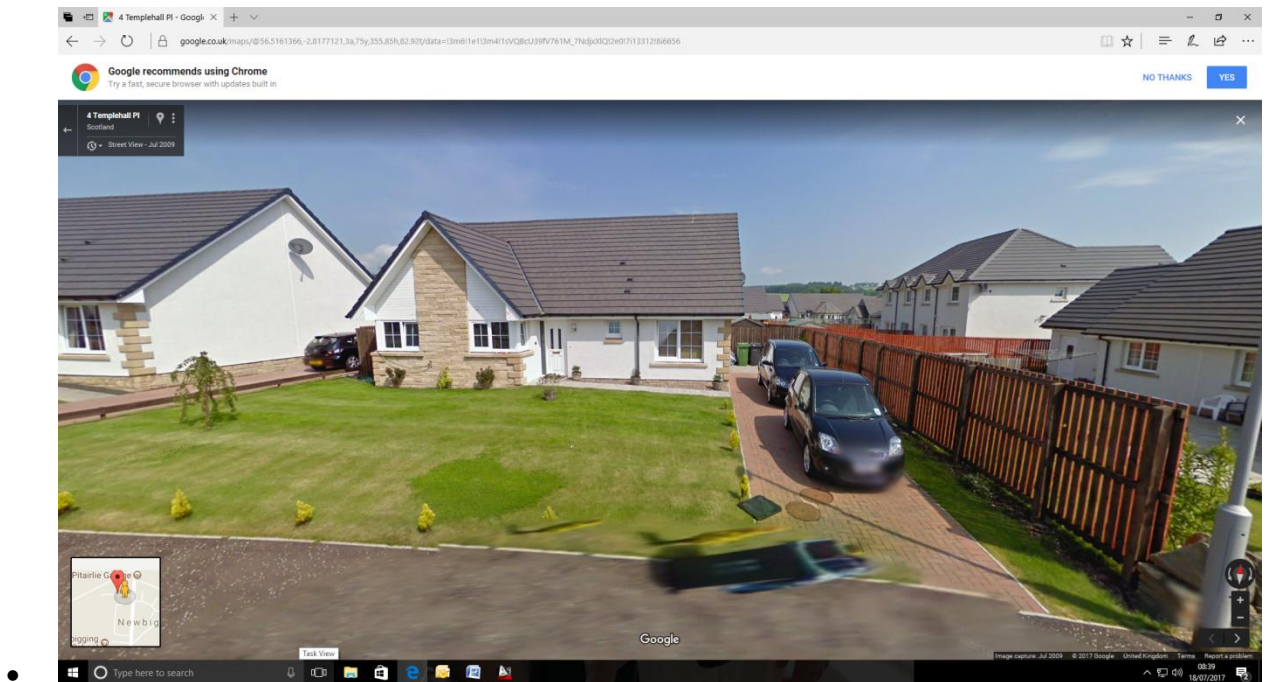


Key Points in Support of Extension to accommodate Garage and Bedroom above:-

- Neighbouring property at no. 7 Templehall Place has an almost identical extension already built.
- Neighbouring property at. 2 Templehall Place have planning approval for an extension to the side of the house. This does not include for a garage and the application has been approved with only 2 car parking spaces shown in driveway
- No benefit in making it a car port since building up the sides and adding a door in the future would be classed as permitted development and not require a planning application.
- In terms of distance to neighbouring property – the extension would sit around 1.8-2.0m from the face of no. 2 Templehall Place. The distance between the properties at no. 5, 7, 9 and 11 is either the same or less than this distance.
- There is already alternative access by gate and paved path around the western side of the proposed property.
- Plans have allowed for plentiful access through the garage door, double doors to the utility room then double patio doors out to the rear garden.
- There is extra car parking made available in the front garden in addition to the driveway and garage. This is more than provided in the already approved application at no. 2 Templehall Place and similar to the already constructed properties within this development.

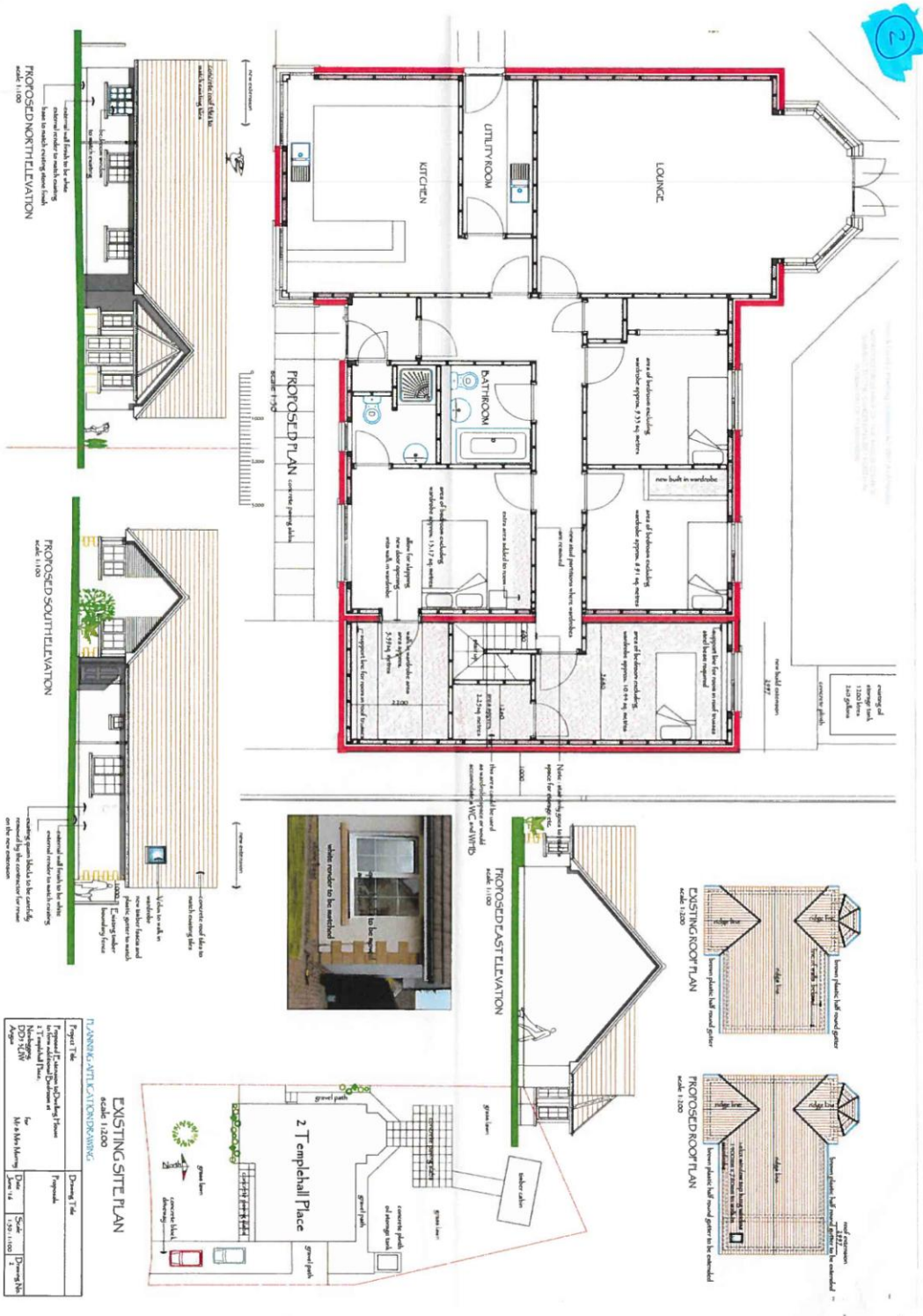
2 Templehall Place Newbigging Minified Dundee DD5 3UW – Existing Photograph

16/00702/FULL | Extension to Dwellinghouse |



2 Templehall Place Newbigging Monifieth Dundee DD5 3UW – Approved Drawings

16/00702/FULL | Extension to Dwellinghouse |



PLANNING APPLICATION DRAWING

Figure 1.6a		Drawing 1.6a	
Proposed Extension to Dwelling House	7 Proposals	Scale: 1:500	Drawing No: 16/00702/FULL
2 Templehall Place	7 Proposals	Scale: 1:500	Drawing No: 16/00702/FULL
Newbigging Monifieth	7 Proposals	Scale: 1:500	Drawing No: 16/00702/FULL
For Mr John Crawford	7 Proposals	Scale: 1:500	Drawing No: 16/00702/FULL
Approved	7 Proposals	Scale: 1:500	Drawing No: 16/00702/FULL

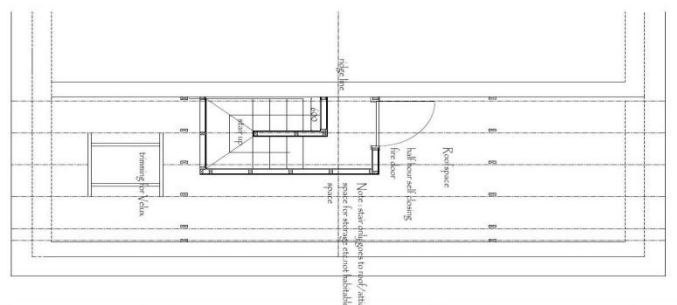
2 Templehall Place Newbigging Monifieth Dundee DD5 3UW – Approved Site Plan

16/00702/FULL | Extension to Dwellinghouse



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PROPOSED SITE PLAN
 scale 1:200



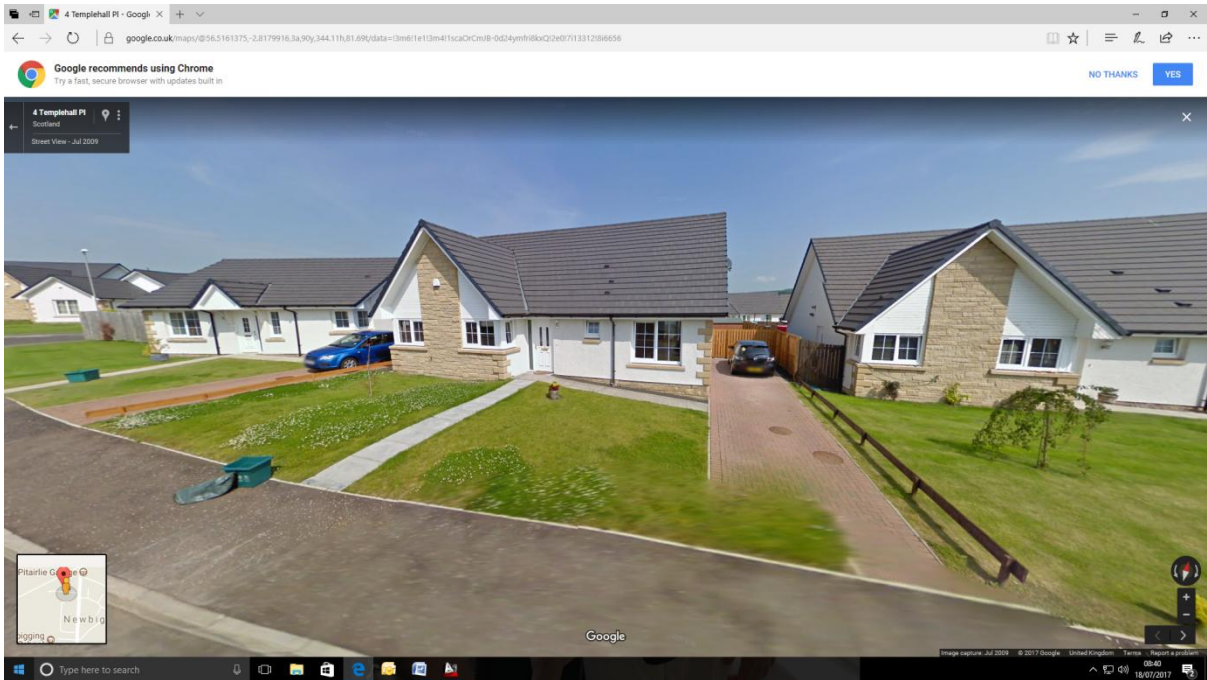
PROPOSED ATTIC PLAN
 scale 1:50

Town & Country Planning (Scotland) Act 1997 As Amended
 APPROVED ON BEHALF OF THE ANGUS COUNCIL
 SUBJECT TO THE CONDITIONS SET FORTH IN
 INTIMATION OF PERMISSION

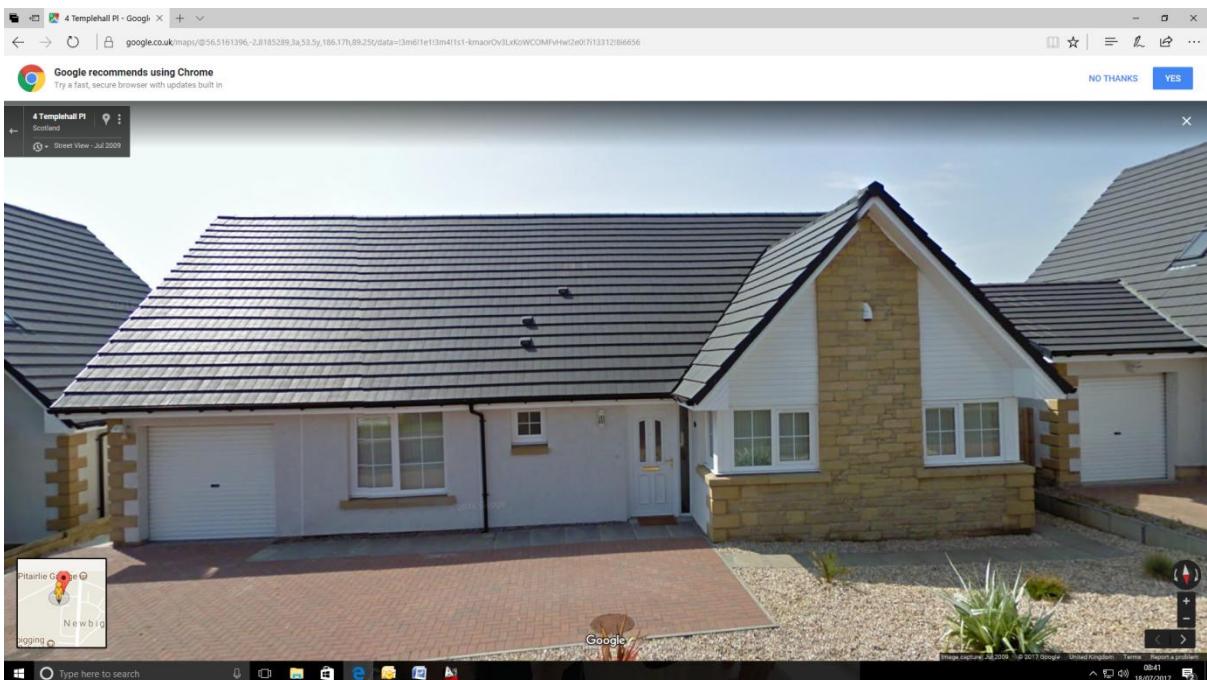
PLANNING APPLICATION DRAWING

Project Title	Proposed Extension to Dwelling House	Drawing Title	Proposed Site Plan
Proposed Extension to Dwelling House at 21 Templehall Place, Newbigging Monifieth, Dundee	for	Project Title	Attic Plan
M & W Architects	M & W Architects	Scale	1:50 (1:200)
Author	Drawn	Scale	1:50 (1:200)
	Checked	Scale	1:50 (1:200)

4 Templehall Place (Applicant Property)



7 Templehall Place - **Already has garage extension identical to what is proposed.**



Key Points in Support of Extension to accommodate Open Plan Living at Ground Floor Level and Master Bedroom at First Floor Level:-

- There are signed letters of support for the application from the owners of several adjoining properties including 3 Cunmont Cottages which is directly to the rear of the applicant property.
- The distance from the back of the house at 3 Cunmont Cottage to the boundary it shares with applicant site is more than 20m. This confirming the 'particularly generous' garden ground as stated in Advice Note 14 and Window Distances detailed in 'Appendix B: Privacy'.
- The location of the garage at 3 Cunmont Farm Cottages and the large mature trees along the boundary between the cottages and the applicant's property provide 'Screening' as referred to in Advice note 14.
- The distance between the applicant house and 3 Cunmont Cottage is currently just short of 30m therefore the proposed extension would sit some 28m from the back of 3 Cunmont Cottage.
- North Elevation - There is an existing protruding gable coming from the main house in this area with a bay that extends further at ground floor level therefore the building line is only being extended out into the garden ground by a further 1.1m.
- The house is surrounded by other properties which have generous garden ground and the houses are positioned a considerable distance from each other.
- There are first floor windows in the two storey properties at 3a, 3b, 7 & 7a Pitairlie Road - all of which are within similar distances to their boundaries which all adjoin other properties. There are also two storey properties at 1, 5 and 9 Templehall Place with first floor windows that have shorter distances to windows at 2, 4, 6 and 8 Templehall Place with no screening.
- The first-floor glazing is within the Master Bedroom, it is not a room that the applicants will stand and look out for any sustained period of time. The fixed panes and one opening window will provide adequate

means of natural daylight, ventilation and fire escape to/from the Master Bedroom.

- Application 13/00867/FULL gives approval to an almost identical proposal at 23 Cruickshank Park, Montrose (see case study).

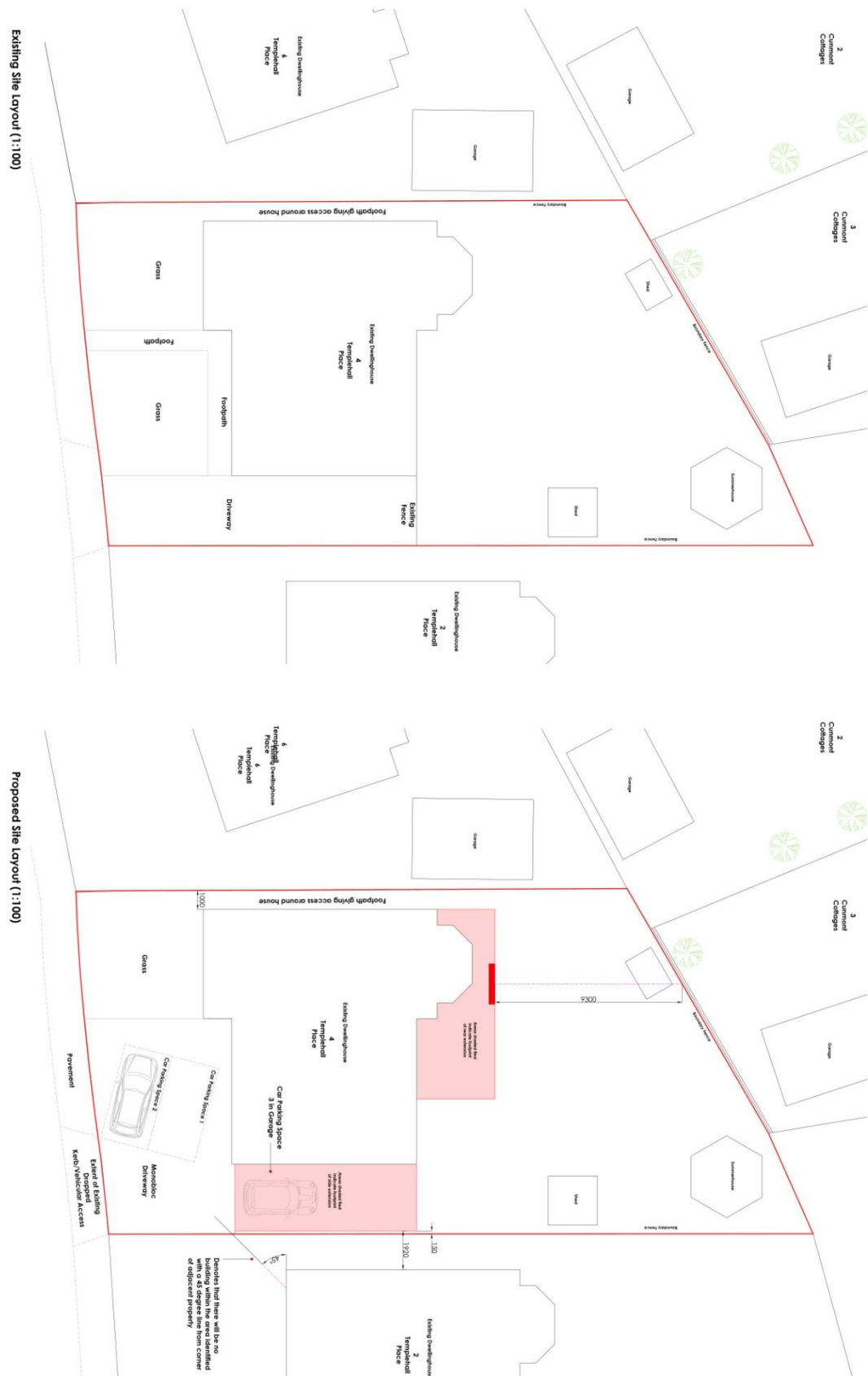
Existing North Elevation



Site Plan



Existing and Proposed Site Plans



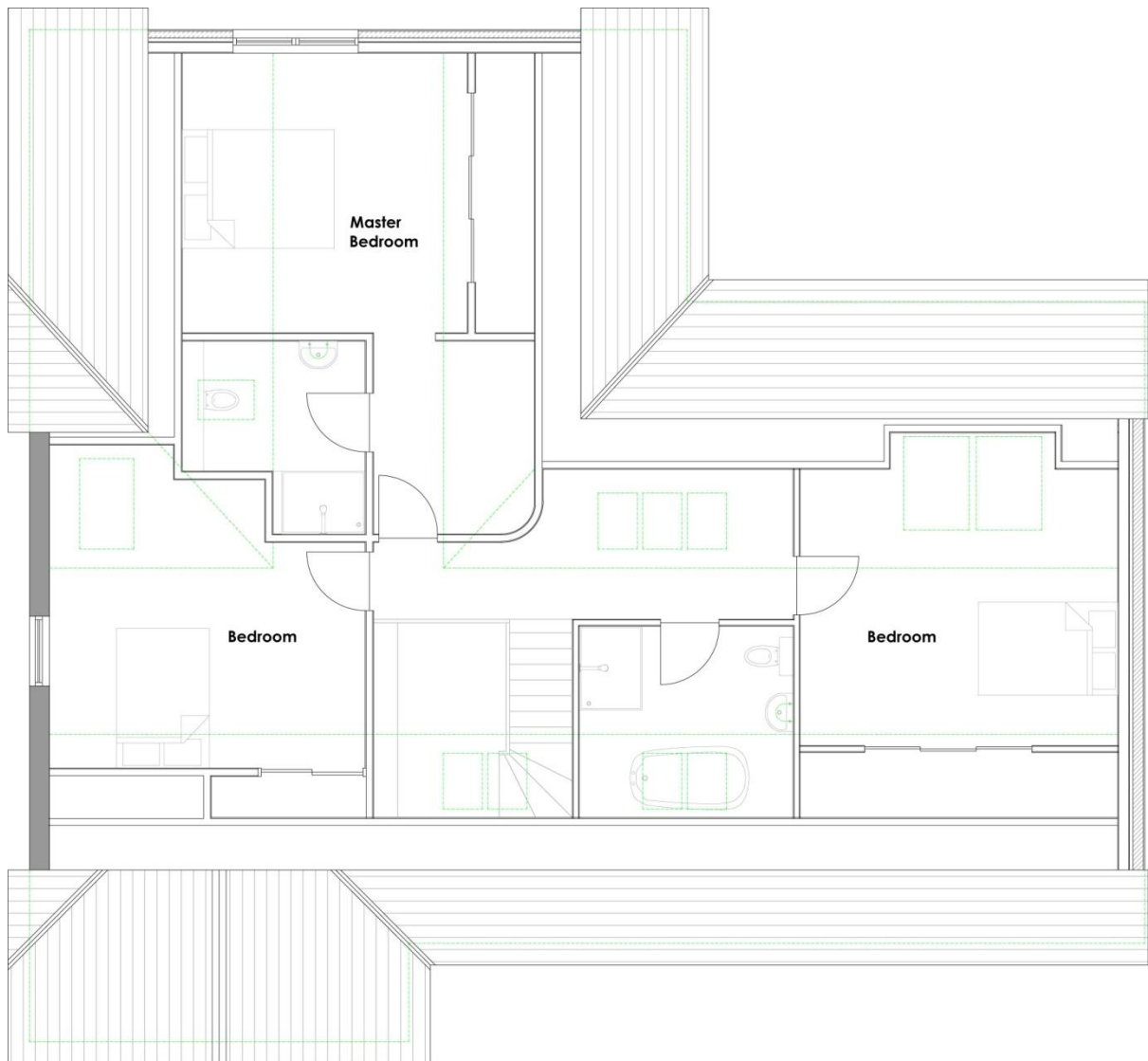
Existing Ground Floor Plan



Proposed Ground Floor Plan



Proposed First Floor Plan



Photographic Support



The image at the top left of this page was taken in February 2016 from a height similar to that of the proposed first floor level. The image shows an existing garage which occupies a large percentage of garden ground at 3 Cunmont Cottages immediately beyond the applicant's boundary fence. The position of this garage together with the screening provided from mature trees and shrubs along the boundary line, even in winter months, offers screening between the properties and therefore we believe that the proposed extension will not have any adverse effect in terms of overlooking private amenity space to the rear of 3 Cunmont Cottages.

The images at the top right and bottom of this page were taken in July 2015 and show how dense the foliage becomes. The largest tree has foliage all year round so will offer sufficient screening at all times and when the deciduous tree has full foliage it will offer an even higher degree of privacy





- This photograph is taken from the garden ground in which the proposed extension is to be formed and shows how the existing first floor bedroom windows within the two storey properties at 3a & 3b Pitairlie Road clearly offer some degree of overlooking of the surrounding properties.

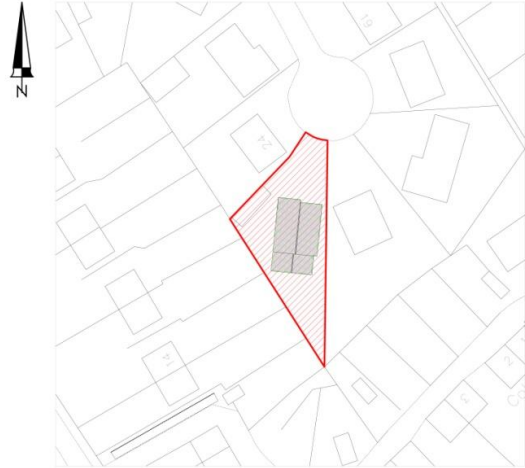


- This photograph has been taken from the first-floor windows at Pitairlie Road. It could be argued that the property at 3 Cunmont Cottages is more visible from this property than it is from the applicant property as there is less screening in terms of trees.

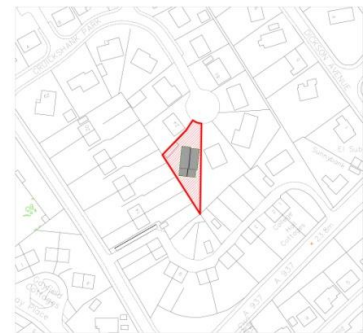
CASE STUDY



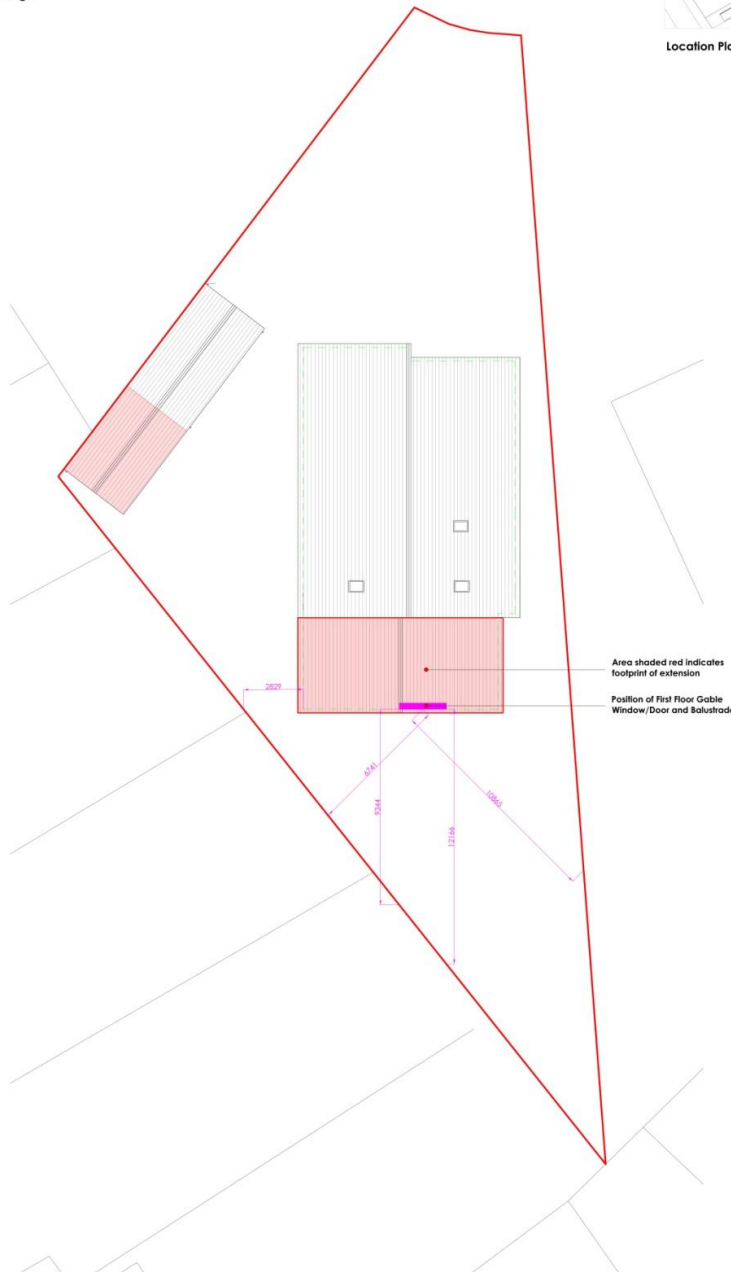
As Built Image



Location Plan (1:500)



Location Plan (1:1250)



PROJECT DESCRIPTION:

Proposed Extension & Alterations to Dwellinghouse

ADDRESS:

23 Cruickshank Park Hillside Montrose DD10 9NA

APPLICANT:

Mr & Mrs Browne

PLANNING REFERENCE:

13/00867/FULL

Site Plan (1:100)

Item	23 Cruickshank Park Hillside Montrose DD10 9NA 13/00867/FULL	4 Templehall Place Newbigging DD5 3UW 15/01108/FULL
Footprint of Extension	32m ²	24m ²
Ground Floor Area	32m ²	30m ²
First Floor Area	20m ²	24m ²
Ground Floor Use	Family Sitting	Family Sitting
First Floor Use	Master Bedroom	Master Bedroom
Distance from LHS of first floor window to boundary in straight line	9344 mm	10006 mm

The extension at 23 Cruickshank Park, Hillside, Montrose that was given planning approval by Angus Council in 2013, is in our opinion very similar to this application. It is similar in terms of footprint, scale, distance from boundaries and room classification. It is also surrounded by a similar number of properties within similar distance. The distance from the centre of the window to boundary in the approved application is less than that provided in this application. We therefore would forward the point of view that if application 13/00867/FULL was approved then we can see no reason why this current application cannot be supported.

Conclusion

We feel that the proposals are very much in keeping with the character of the building and trust that you will appreciate what we are trying to achieve from a design perspective. There is already an identical garage extension and parking at no. 7 and similar approved planning at no. 2 Templehall Place. We have provided sufficient car parking and feel we comply with all planning policies.

With regards the rear extension, when proposing alterations/extensions at first floor level in built up residential areas it is not uncommon for first floor windows to partially overlook other properties and their garden grounds. There are already several existing two storey properties at Pitairlie Road and Templehall Place, that are not any less onerous in terms of overlooking than this would be. The fact that it is a bedroom and not a living area means there will be no noise coming from the room and certainly no intention to gain the opportunity to overlook neighbouring gardens. The feature height glazing is simply for the purposes of aesthetics and to let in sufficient light to a north facing room, privacy is as important to the applicant as it is to the neighbours. A person would view the same from a window with a standard sill level or an escape type roof light as they would from a feature floor to ceiling glazing unit as eye level remains a constant in each example. We hope that this will help achieve a positive outcome for the applicant.

John D Crawford Ltd trust that this document along with the planning application and other supporting documentation shall be sufficient in order to progress our proposed application. John D Crawford Ltd have undertaken and complied with Scottish Planning Policy and carried out all the pre-application in a professional manner.

Prepared by

John D Crawford Ltd

On behalf of Mr & Mrs Milne



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Angus

DD10 8RF

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