

**ANGUS COUNCIL**

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 11 SEPTEMBER 2018**

**124 BRECHIN ROAD, ARBROATH**

**REPORT BY THE SERVICE LEADER - LEGAL AND DEMOCRATIC**

**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 formation of a dormer on west (rear) elevation of existing dwellinghouse (re-application), application No 18/00304/FULL, at 124 Brechin Road, Arbroath.

**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**

List of Appendices:

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

**ANGUS COUNCIL'S SUBMISSION ON GROUNDS OF REFUSAL**

**APPLICATION NUMBER – 18/00304/FULL**

**APPLICANT- MR GAVIN FORGIE**

**FORMATION OF A DORMER ON THE WEST (REAR) ELEVATION OF EXISTING  
DWELLINGHOUSE RE-APPLICATION AT 124 BRECHIN ROAD ARBROATH DD11 1TA**

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**Angus Council**

<b>Application Number:</b>	18/00304/FULL
<b>Description of Development:</b>	Formation of a Dormer on the West (Rear) Elevation of Existing Dwellinghouse Re-Application
<b>Site Address:</b>	124 Brechin Road Arbroath DD11 1TA
<b>Grid Ref:</b>	364170 : 742138
<b>Applicant Name:</b>	Mr Gavin Forgie

**Report of Handling****Site Description**

The property is a two storey mid-terraced dwelling that is positioned on a 128sqm site. The house and adjoining neighbours have uniform pitched roofs and there are no other dormers on the neighbouring properties within the run of properties. The house has a dual frontage as the rear elevation faces a car park and Demondale Road beyond the car park access. The house is located on the west side of Brechin Road in the North Arbroath area. There is a varied mix of dwellings within the near vicinity, comprising of terraced, semi-detached, detached and flatted properties.

**Proposal**

The proposal relates to the formation of a box dormer on the east/rear roof plane of the mid-terraced house that would cover 74% of the rear roof plane. The dormer would utilise the full width of the roof and would be 809mm from the eaves and 169mm from the ridgeline.

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**

17/00838/FULL for Formation of a Dormer on the West (Rear) Elevation of Existing Dwelling House was determined as "Refused" on 19 December 2017.

**Applicant's Case**

No supporting case has been stated either by; or on behalf of the applicant.

**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**

One letter of support has been received in relation to the application. The letter states no objection but does not discuss the development in terms of its planning merit.

## **Development Plan Policies**

### **Angus Local Development Plan 2016**

Policy DS4: Amenity

Policy TC4: Householder / Domestic Development

### **TAYplan Strategic Development Plan**

The proposal is not of strategic significance and the policies of TAYplan are not referenced 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.

Policy TC4: Householder/Domestic Development relates to proposals for house and flat alterations/extensions and development within the curtilage of houses and flats. Development will be supported where the siting, design, scale or massing of the proposal do not:

- (1) adversely affect the residential amenity enjoyed by the dwelling and adjoining households,
- (2) detrimentally impact on the character and appearance of the dwelling, site and surrounding area;
- (3) result in overdevelopment of the site or a loss of garden ground, parking or bin storage.

Policy TC4 indicates that further guidance will be set out in the Householder Development Planning Advice Note. The advice notes general design principles indicate that alterations and extensions to existing residential properties should be designed to avoid over dominating or overwhelming the existing residential property or neighbouring properties.

Policy DS4 indicates that development will not be permitted where there is an unacceptable adverse impact on the surrounding area or amenity of neighbouring properties.

In this case, the general layout of the street and immediate surrounding area is a medium and high density area that consists of detached, semi-detached, terraced and flatted properties, most of which have pitched roofs which are located on plots that vary size but have adequate rear garden areas. In terms of test (1) of Policy TC4 and the amenity criteria of Policy DS4 which relates to impacts on the residential amenity of neighbouring houses and property, the proposed box dormer is proposed on the rear roof plane and although it is the first dormer proposed on the rear roof plane of the run of terraced properties it would have no unacceptable overlooking or overbearing impacts or unreasonable overshadowing of the nearest neighbouring properties.

In the course of the consideration of the application and the previously refused application for the same form of development, the applicants agent has been advised that the formation of a dormer could be acceptable in principle however concerns were raised regarding the width of the dormer and the extent of the roof plane that it covered and the fact that it would directly abut the adjoining neighbouring roofs. The applicants agent has advised that the width of the dormer will not be reduced to ensure there would be a clear run of roof free from dormer construction on both sides and below the dormer. The sizeable dormer alters the appearance of the dwelling which results in a visual imbalance. This in turn impacts on the visual amenity of the street scene. This renders the proposal unacceptable in terms of test (1) of Policy TC4, the amenity criteria of Policy DS4 and the guidance within the Householder Development Planning Advice Note as it is considered that the incongruous appearance of the dormer would result in a negative amenity impact on the wider area.

In terms of test (2) of Policy TC4; the dormer would be of a design that is wholly at odds with the design of the dwelling. Scottish Planning Policy (SPP) makes it clear that design is a material consideration in the determination of a planning application. The proposed top heavy design is at odds with the character of the subject property and adjoining houses, particularly as it is the first dormer proposed within a long run of other terraced properties that have no dormers. There is no dispute that a type of dormer on the rear roof plane could be appropriate however the proposed dormer would dominate the roof plane to an unacceptable extent. In this instance the size and coverage of the dormer is considered to result in a composition that is incongruous and which has been completely designed around an expectation of a certain level of internal accommodation. The outer appearance has been a secondary consideration for the designer. The development would have a detrimental impact on the appearance and character of the application property and neighbouring houses. This in turn would detrimentally impact on the appearance and character of the street scene. With this in mind, the box dormer would not accord with test (2) of Policy TC4 and the guidance contained in the Householder Development Planning Advice Note in terms of its impact on the character and appearance of the main house and to some extent, the wider area.

Whilst there is some sympathy for the premise that in instances where further space is required an extension will enable a householder to remain in the same property it should not be the case that extension be permitted at any cost and there is a limit to the extent that any dwelling can be extended before it becomes overdeveloped to the detriment of its external appearance. Whilst the development would not result in an overdevelopment of the site in terms of the conventional understanding of Test 3 of Policy TC4, it is considered that an overdevelopment of the rear roof plane would take place.

The application has been submitted in the face of the reasons for refusal given in respect of the previously refused application for the same form of development referred to in the Planning History Section above. No changes have been made since that application and the form of development that it related to was determined to be unacceptable. The site history and the previous decision is a material consideration in the determination of this application. There has been no material change in circumstance or policy approach since that time and as such there can be no reasonable expectation that a decision to approve the same form of development without any material change in circumstance would be forthcoming. To approve the application for the same form of development in such a circumstance would represent perverse decision making on the part of the planning authority.

In conclusion, the proposal is contrary to the provisions of Policy TC4: Householder/Domestic Development and DS4: Amenity of The Angus Local Development Plan or the Householder Development Planning Advice Note. As with the recently refused application for the same form of development at the same site, 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. That the proposed development by virtue of its form, scale and coverage of the roof plane would result in the overdevelopment of the roof plane to the detriment of the character and visual appearance of the dwelling and the surrounding area. On that basis the proposal is considered to be contrary to Policies DS4 and TC4 in the Angus Local Development Plan and to the Householder Development Planning Advice Note.

**Notes:**

Case Officer: Pauline Chalmers  
Date: 7 June 2018

**Appendix 1 - Development Plan Policies**

**Angus Local Development Plan 2016**

**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**

Not referenced.



## ANGUS COUNCIL

### PLACE PLANNING

#### CONSULTATION SHEET

PLANNING APPLICATION NO

18/00304/FULL

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

23	04	18
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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 18/00304/FULL

### Application Summary

Application Number: 18/00304/FULL

Address: 124 Brechin Road Arbroath DD11 1TA

Proposal: Formation of a Dormer on the West (Rear) Elevation of Existing Dwellinghouse Re-Application

Case Officer: Pauline Chalmers

### Customer Details

Name: Mr Alan Moffat

Address: 12 Demondale road Arbroath

### Comment Details

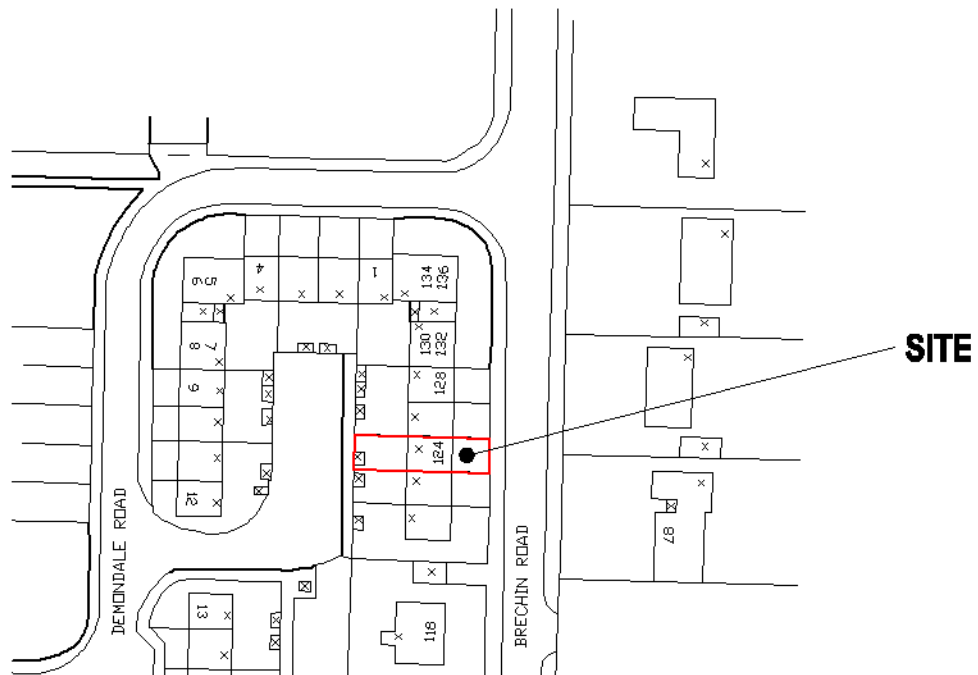
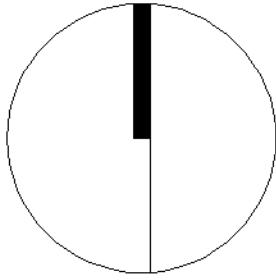
Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: There is no objection to this plan.

North



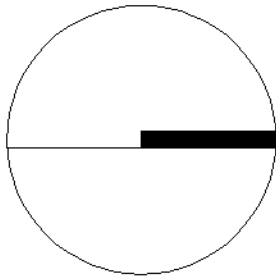
Reproduced by permission of Ordnance Survey on behalf of HMSO.  
(c) Crown copyright and database rights 2018.  
All rights reserved. 100023404

Refused

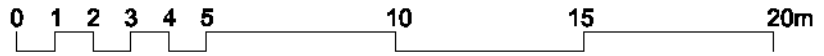
**PROPOSED EXTENSION & ALTERATIONS  
at  
124 BRECHIN ROAD, ARBROATH**

**DRAWING No. 01  
SITE LOCATION PLAN  
scale 1/1250**

**Sept. 2017**

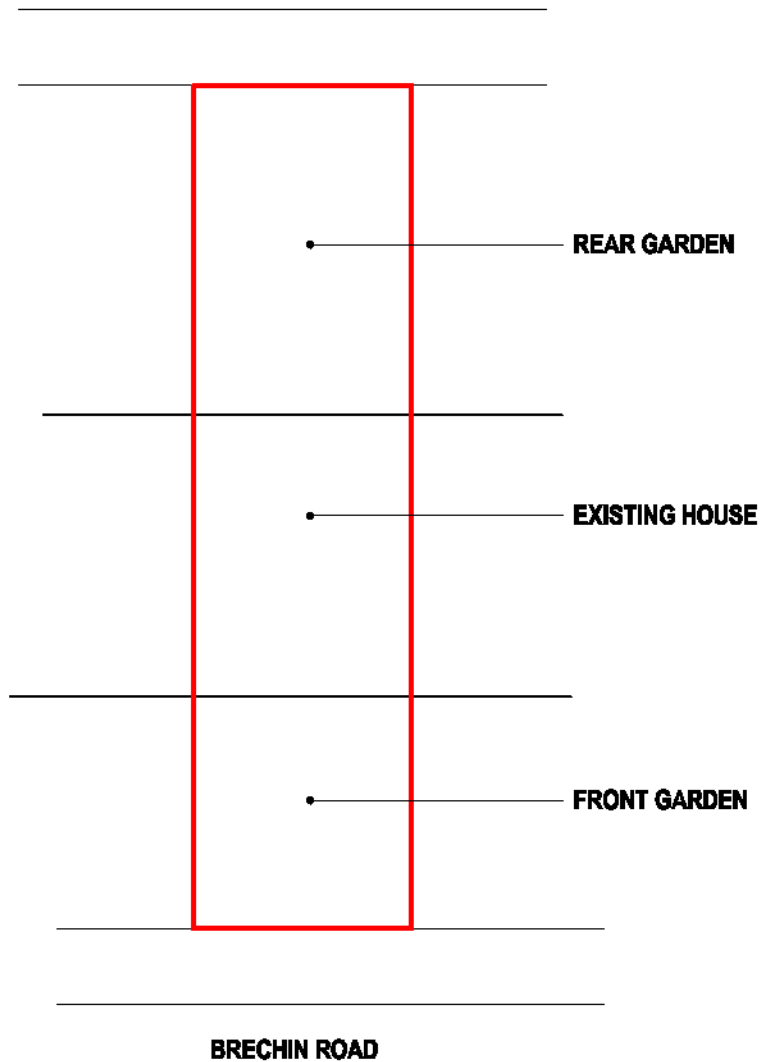


North



Refused

DEMONDALE ROAD

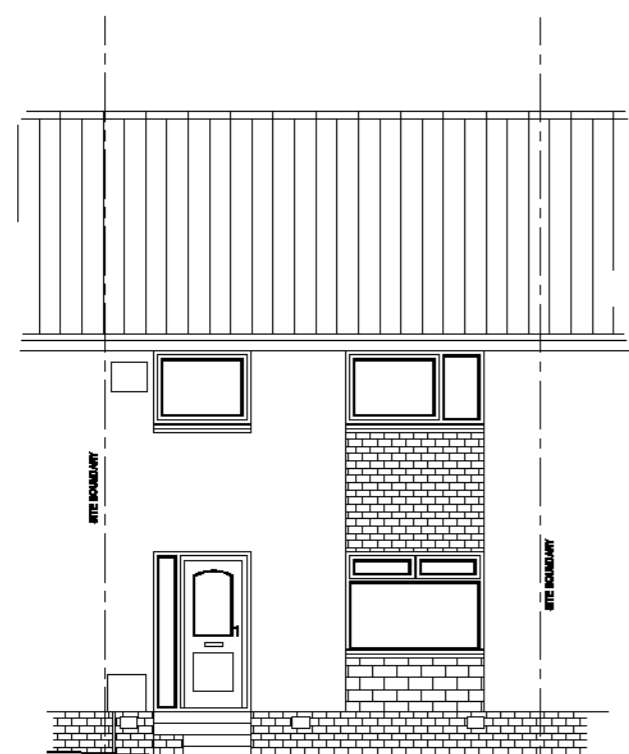


Refused

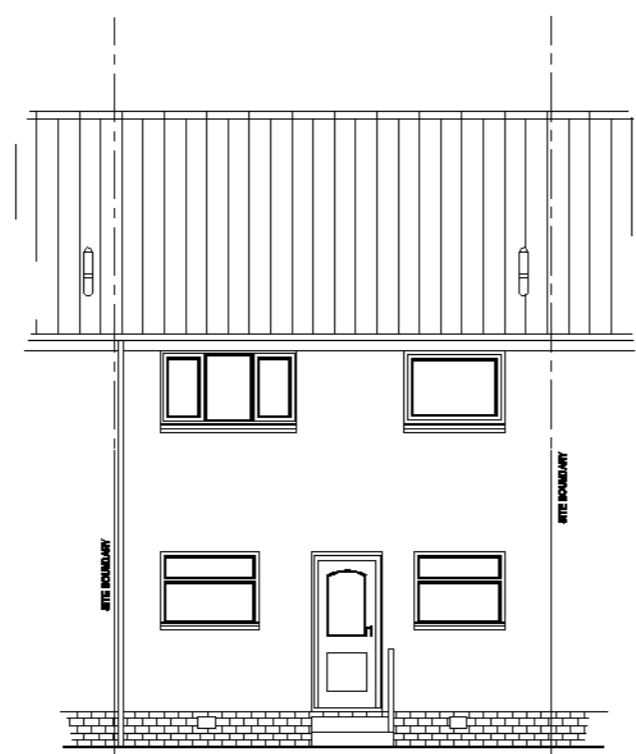
PROPOSED DORMER EXTENSION  
at  
124 BRECHIN ROAD, ARBROATH

DRAWING No. 02  
SITE PLAN  
scale 1/200

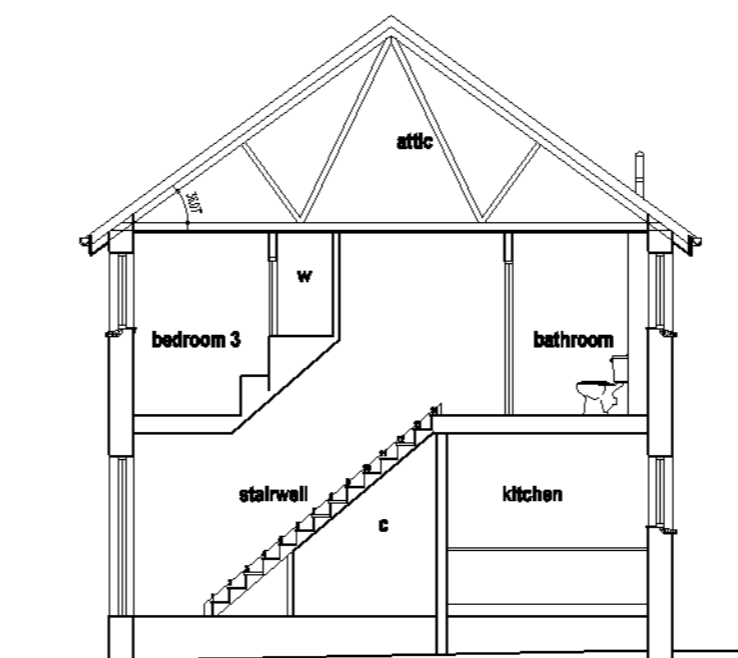
Sept. 2017



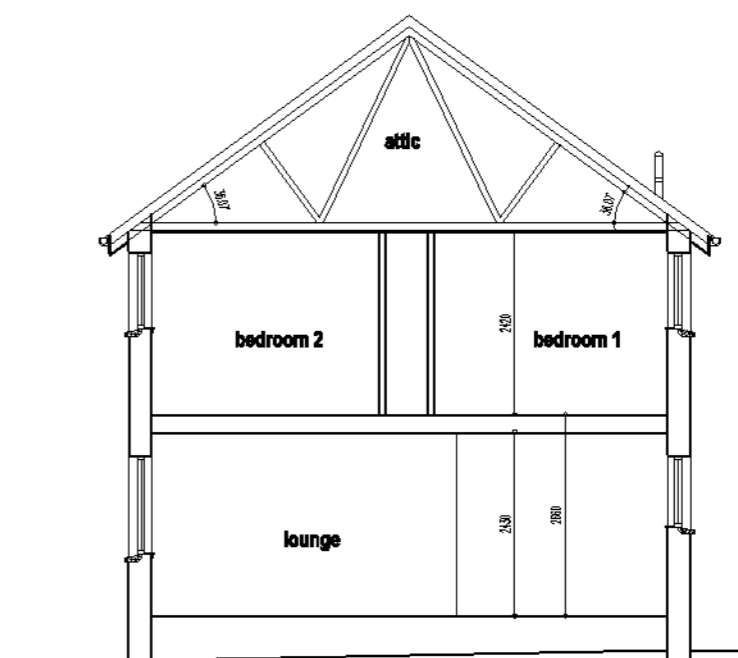
EXISTING EAST ELEVATION



EXISTING WEST ELEVATION

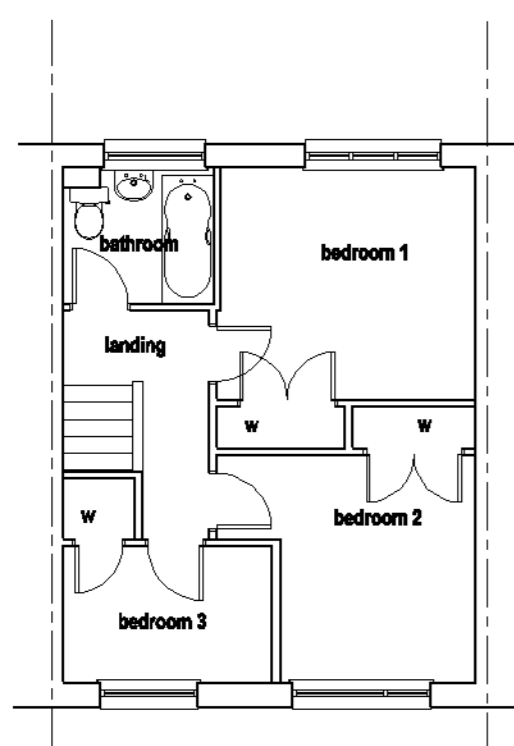


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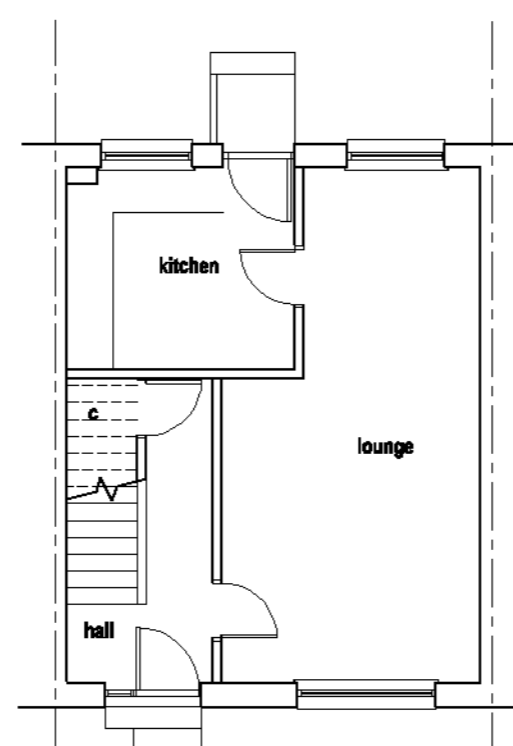


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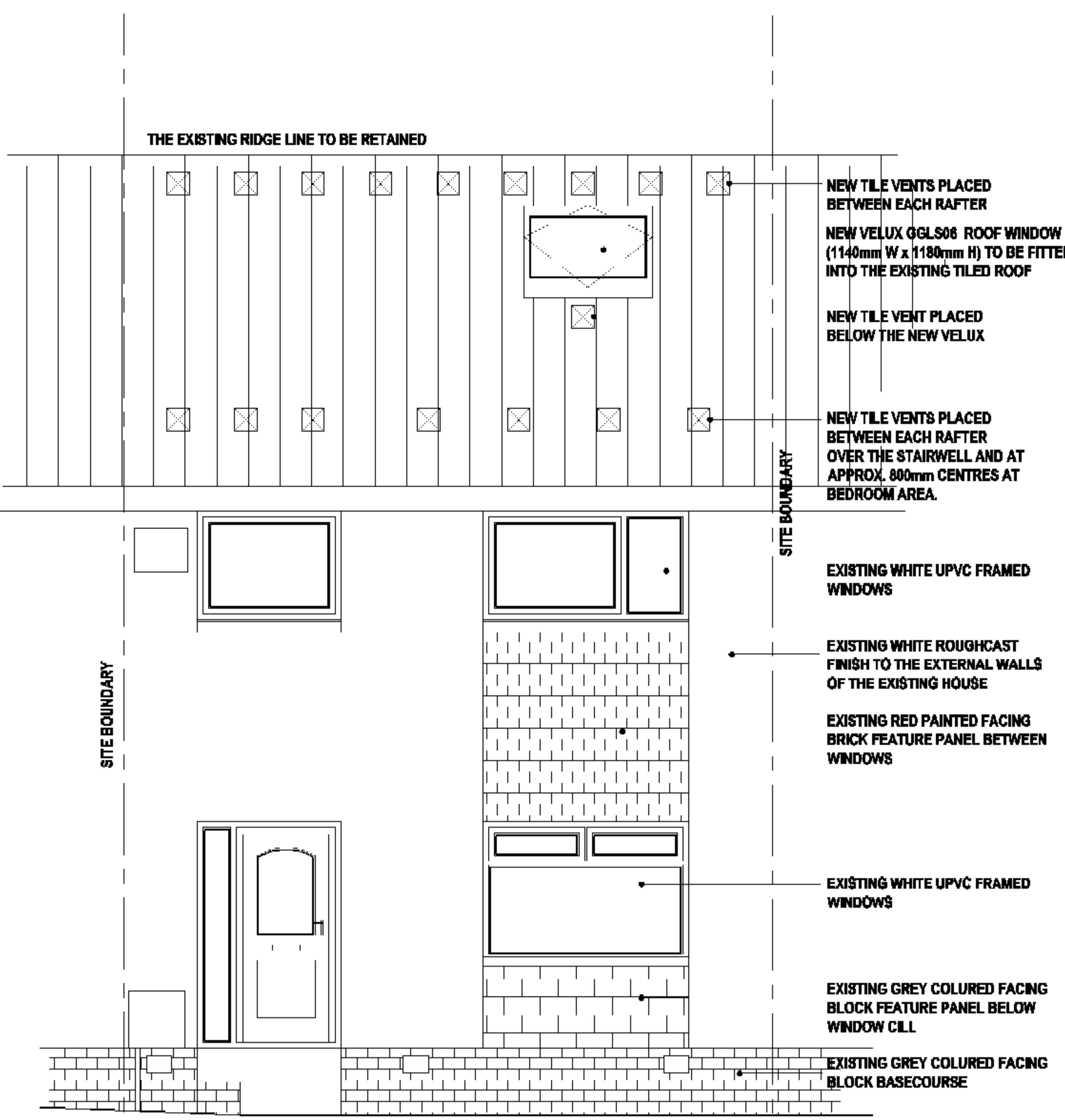


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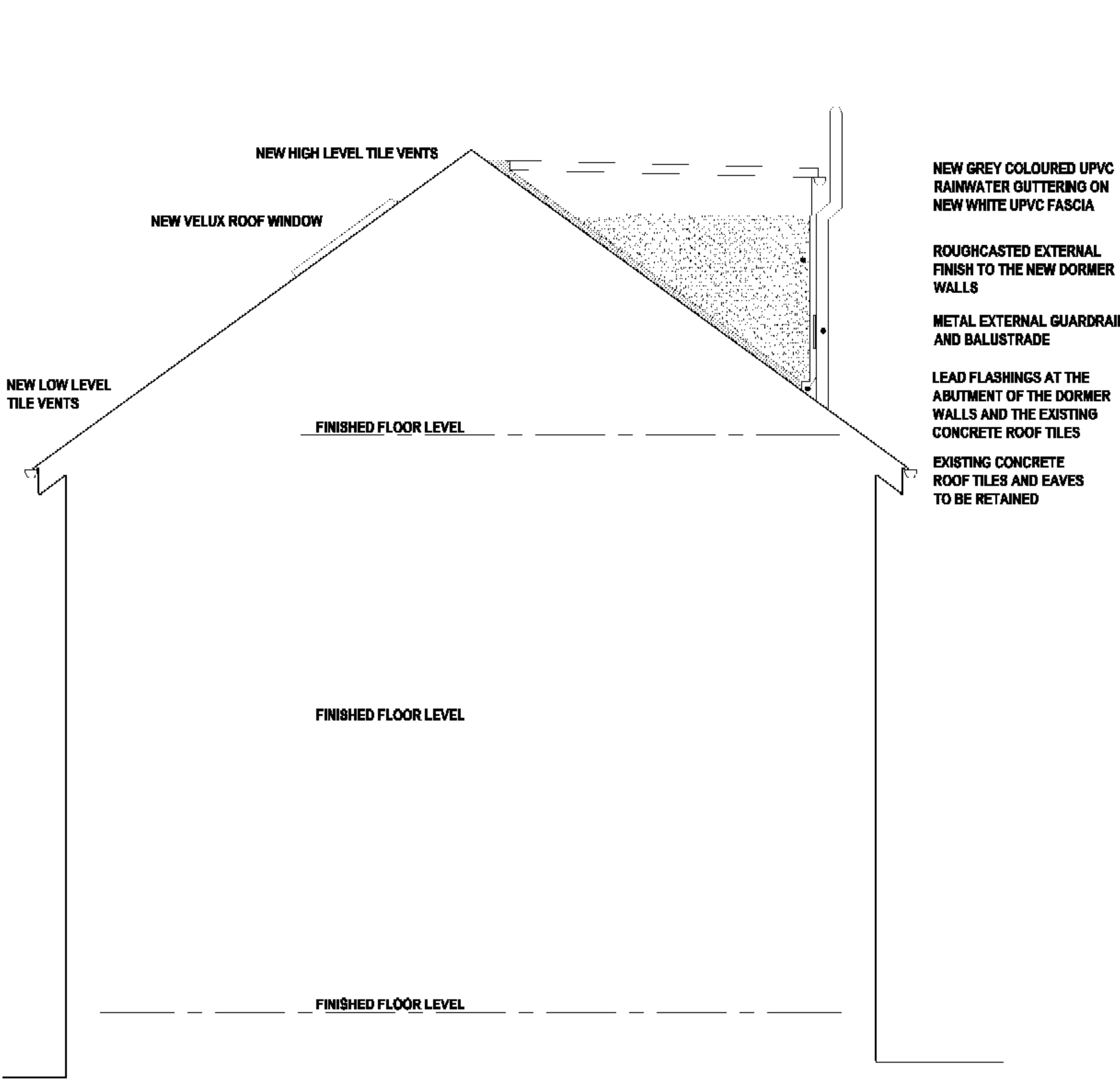


EXISTING GROUND FLOOR

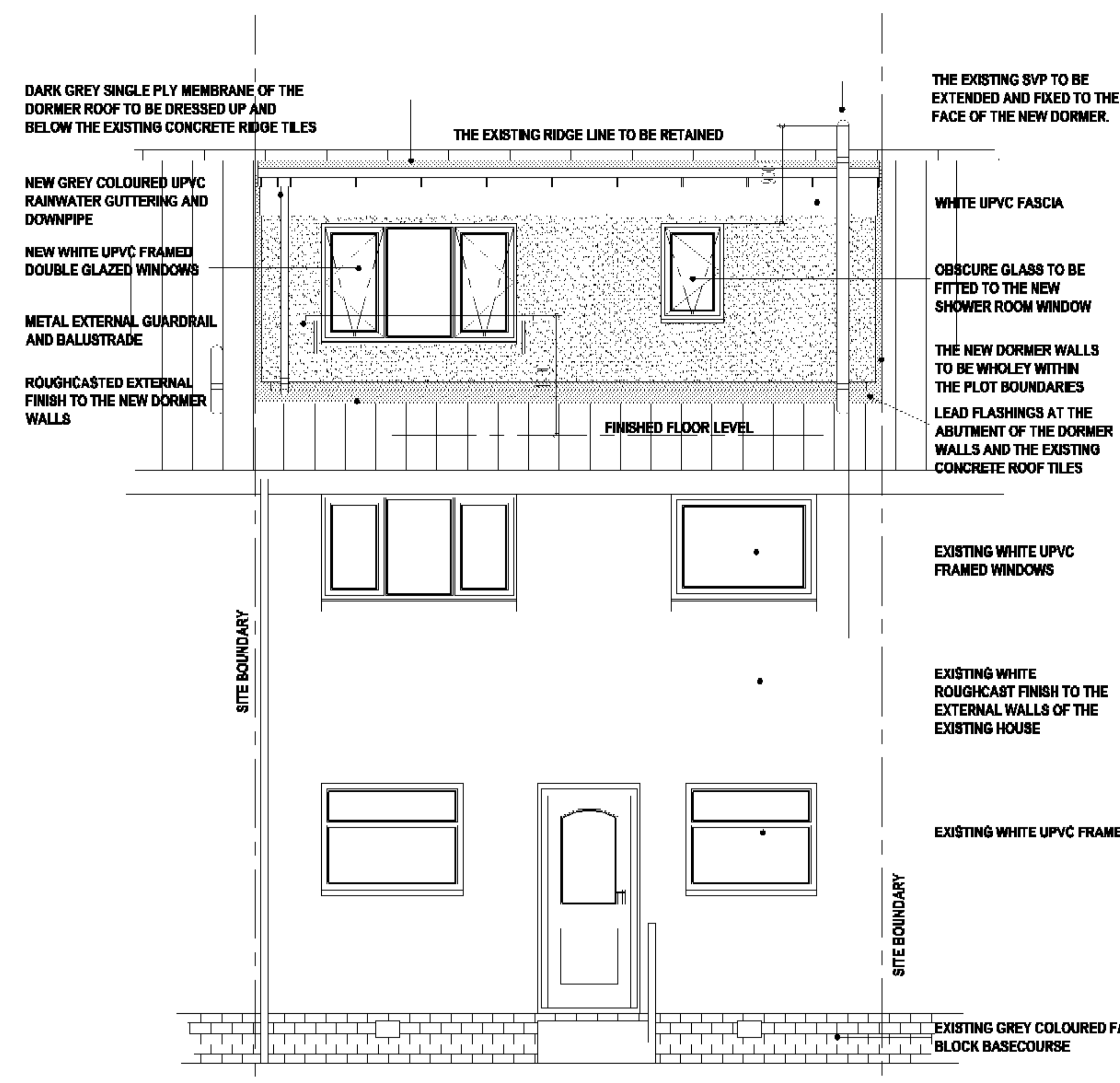
Refused



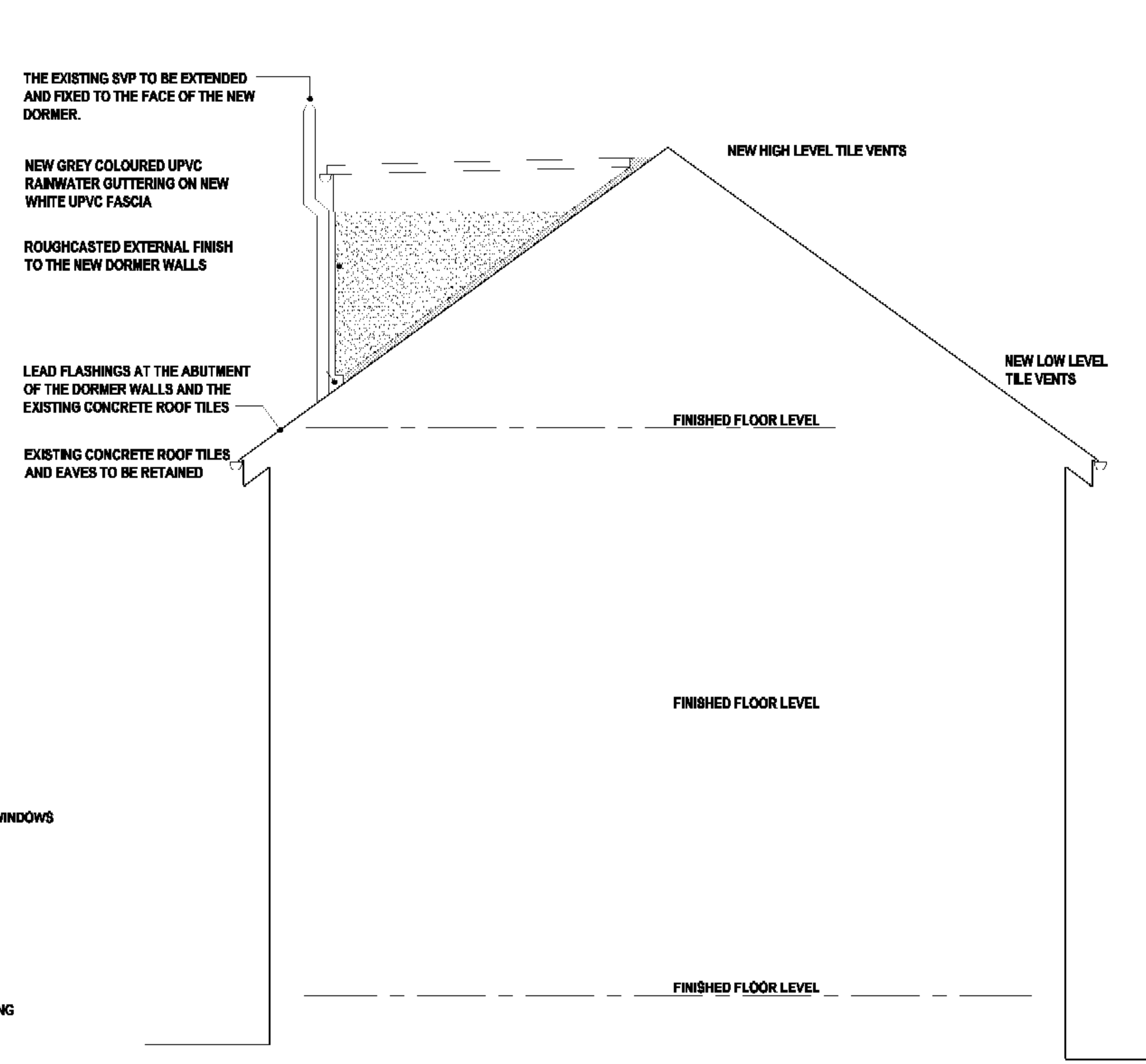
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PROPOSED NORTH ELEVATION

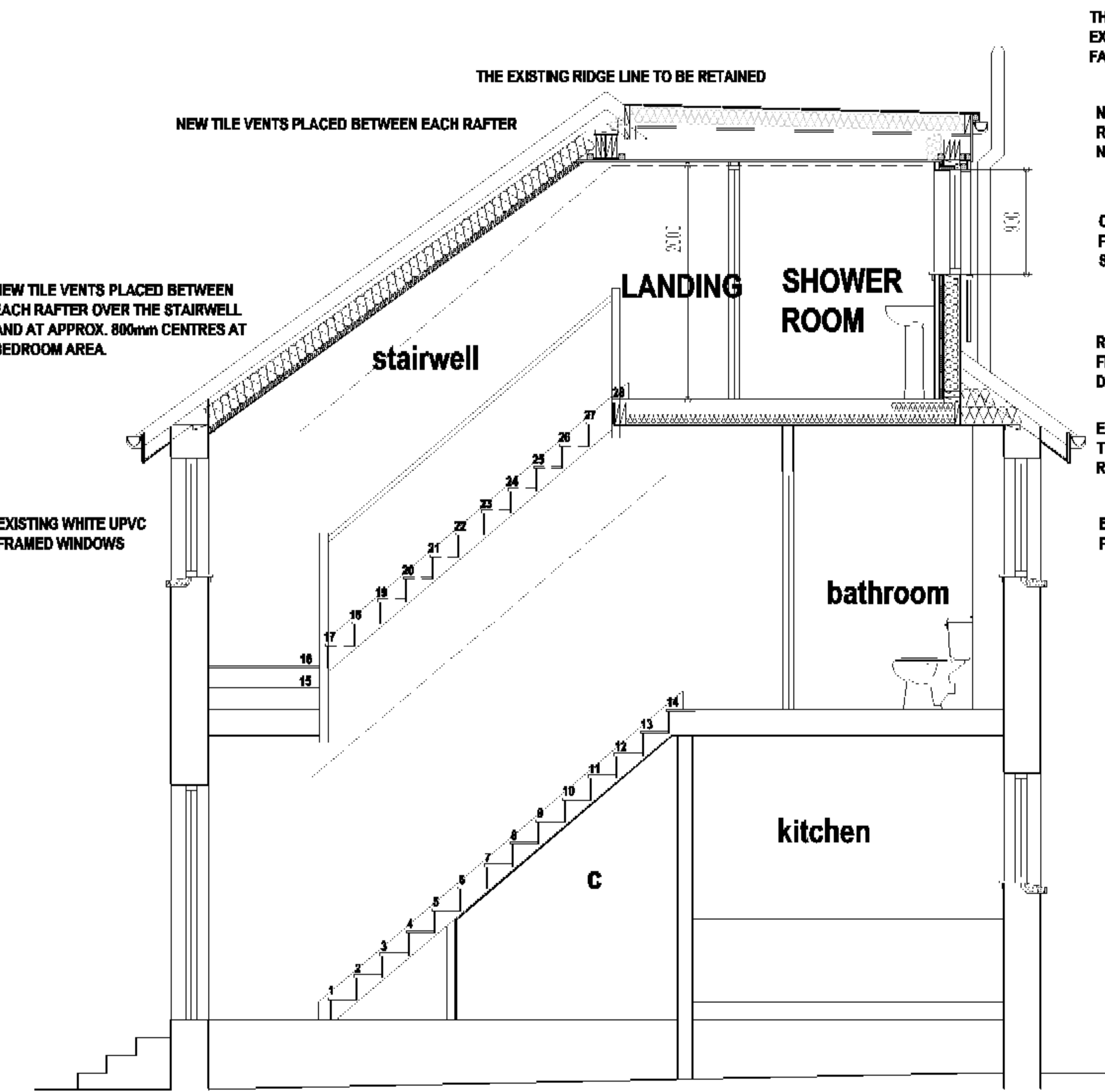


PROPOSED WEST ELEVATION

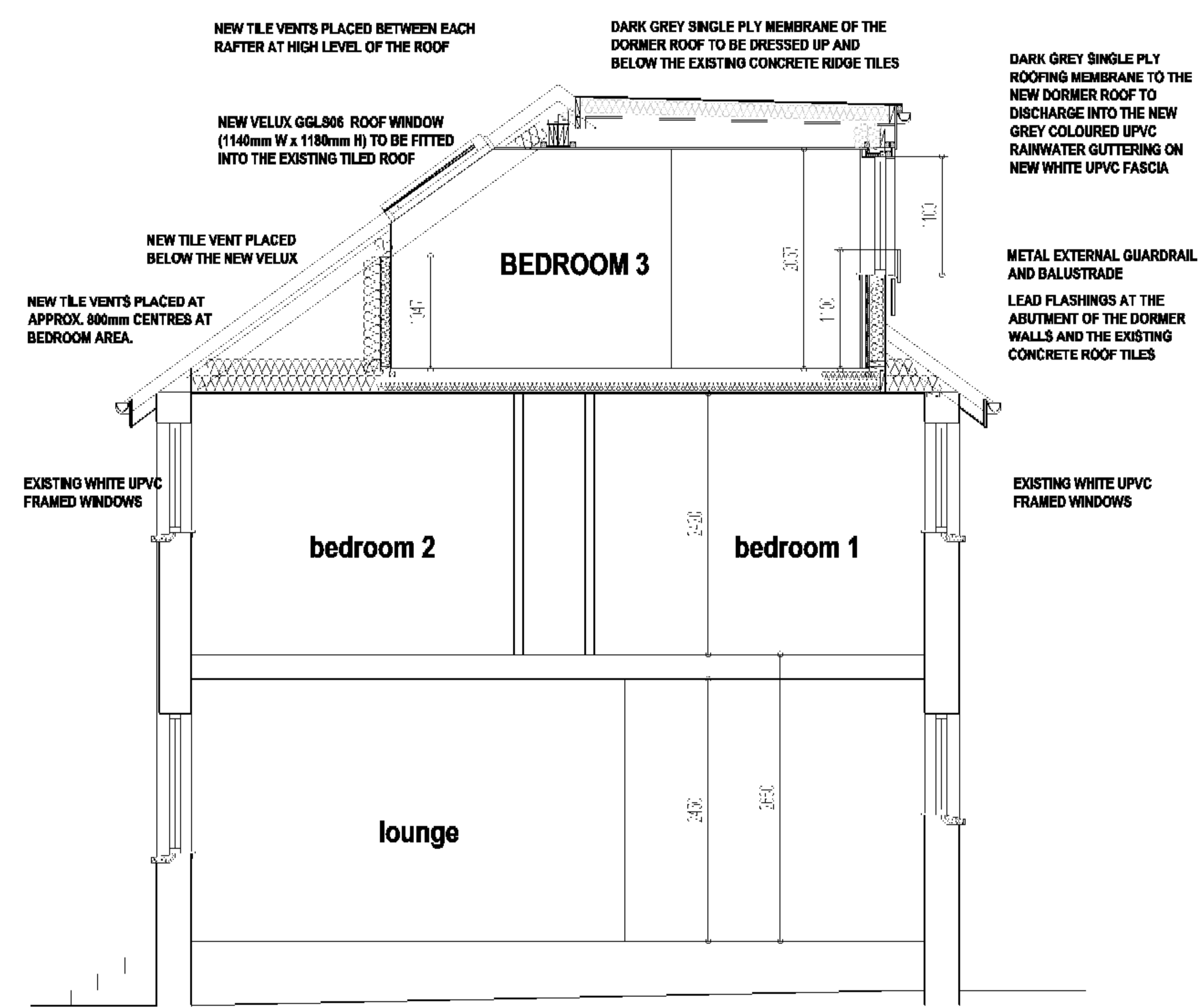


PROPOSED SOUTH ELEVATION

Refused



PROPOSED SECTION 'A'



PROPOSED SECTION 'B'

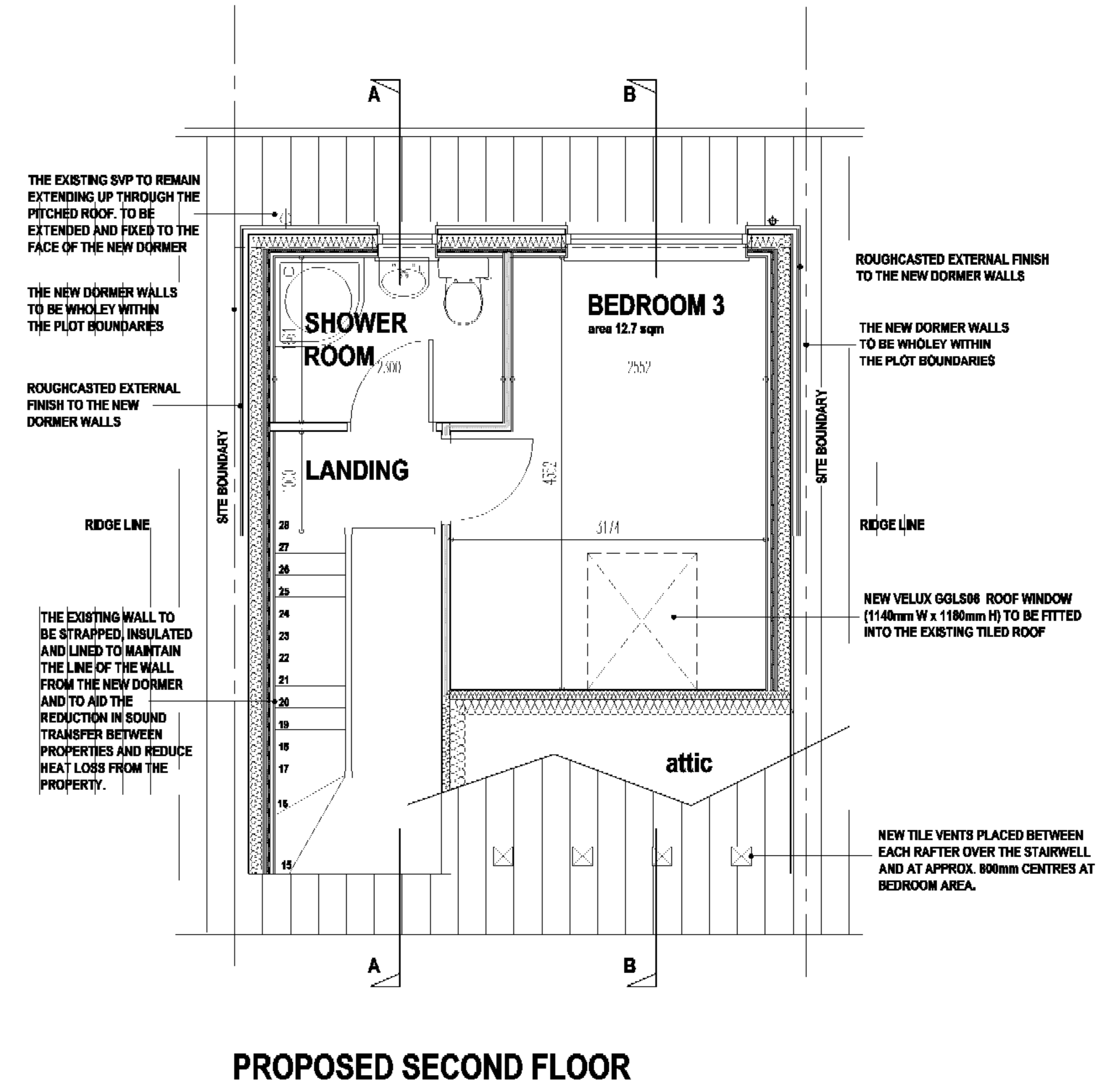
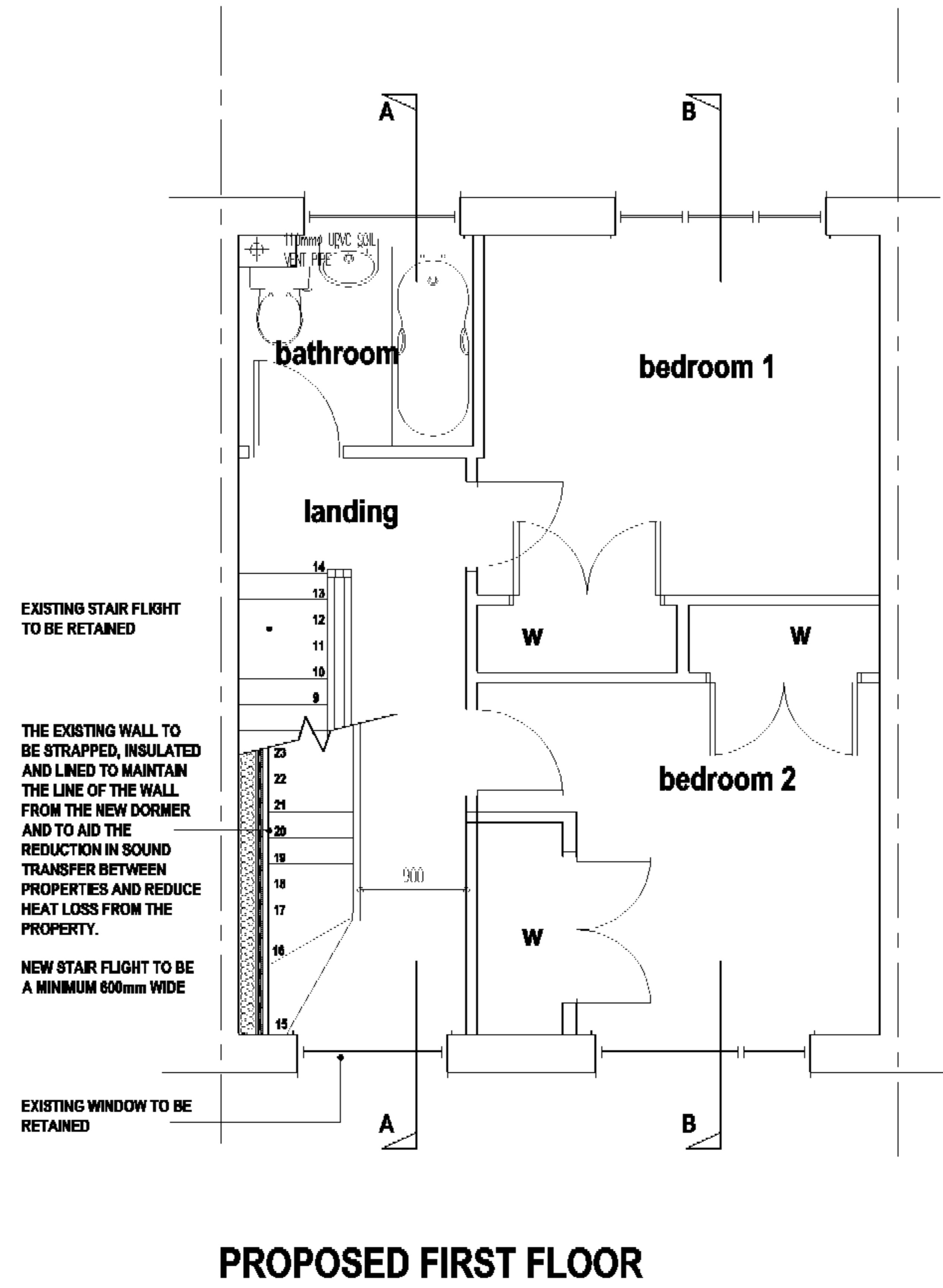
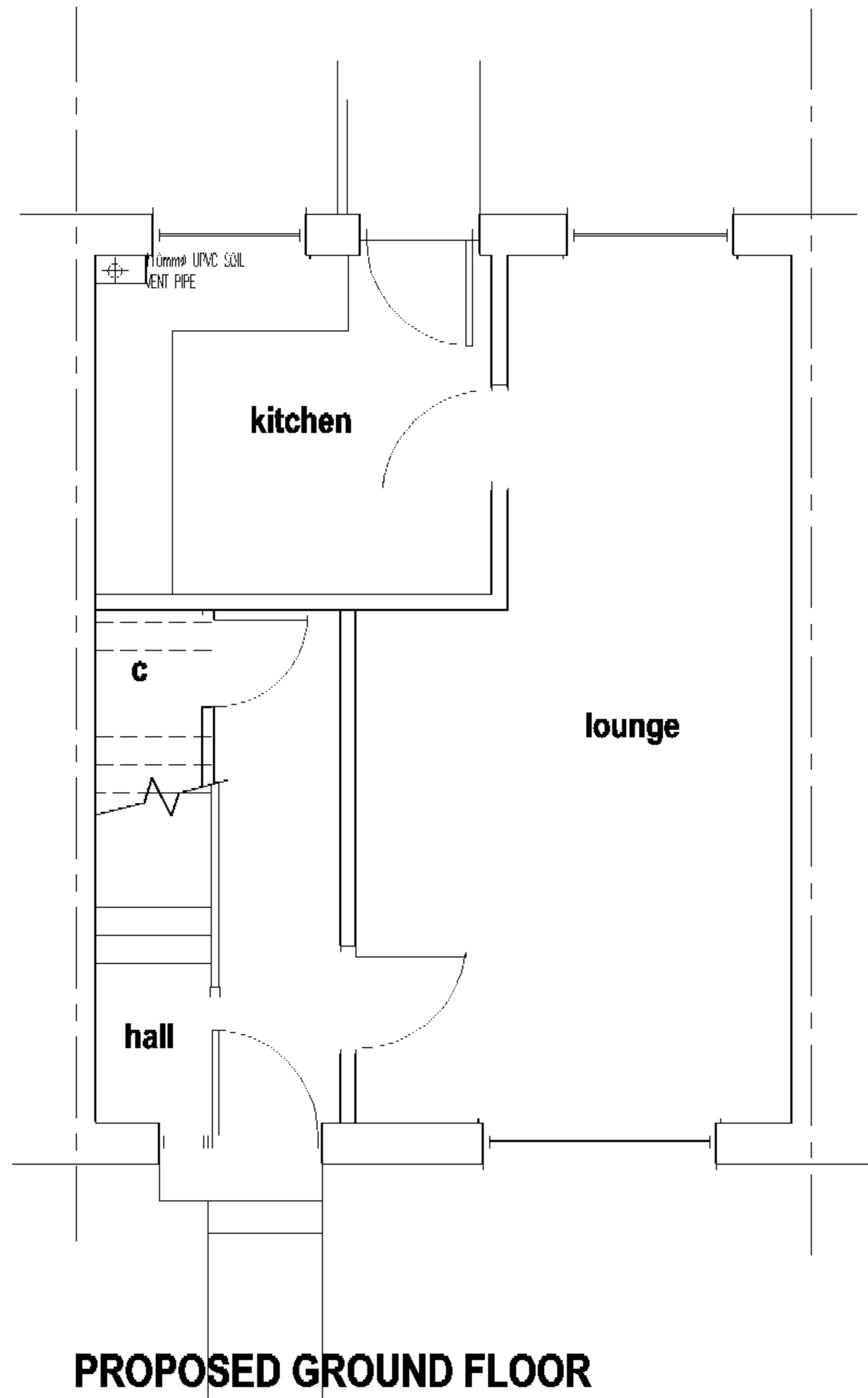
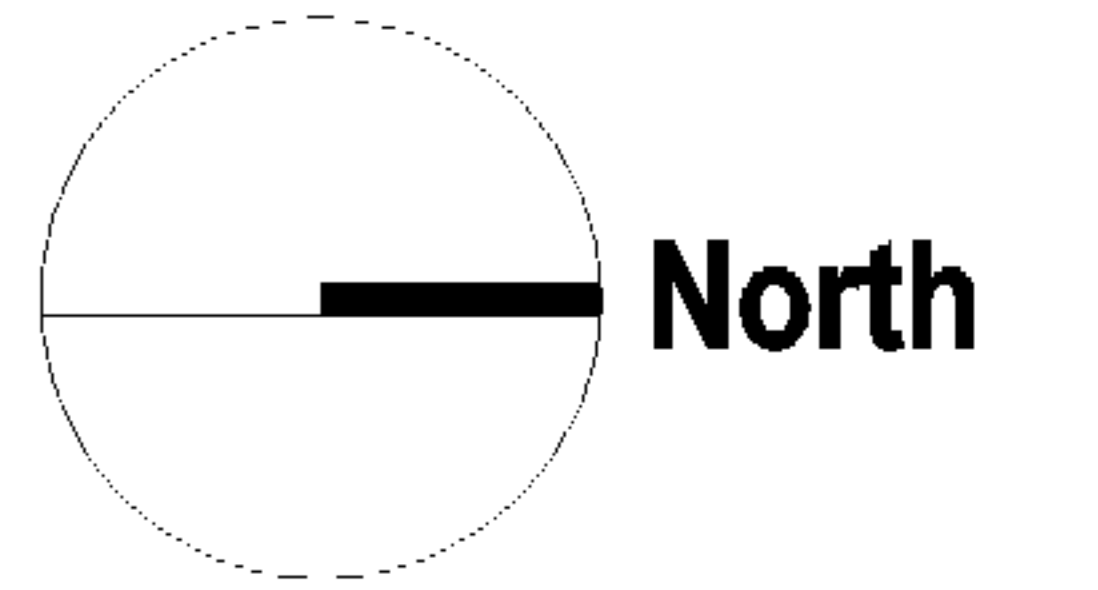
Refused



PROPOSED DORMER EXTENSION at 124 BRECHIN ROAD, ARBROATH

DRAWING No. 04 revision A PROPOSED SECTIONS AND ELEVATIONS scale 1/50 Sept. 2017

# Refused



# Refused



**PROPOSED DORMER EXTENSION**  
at  
**124 BRECHIN ROAD, ARBROATH**

**DRAWING No. 05 revision A**  
**PROPOSED FLOOR PLANS**  
Scale 1/50

Sept. 2017









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

**PLANNING PERMISSION REFUSAL**  
**REFERENCE : 18/00304/FULL**

To **Mr Gavin Forgie**  
**c/o Gordon Brand**  
**12 Church Street**  
**Carnoustie**  
**DD7 6DE**

With reference to your application dated 17 April 2018 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

**Formation of a Dormer on the West (Rear) Elevation of Existing Dwellinghouse Re-Application at 124 Brechin Road Arbroath DD11 1TA for Mr Gavin Forgie**

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 docketed as relative hereto in paper or identified as refused on the Public Access portal.

**The reasons for the Council's decision are:-**

- 1 That the proposed development by virtue of its form, scale and coverage of the roof plane would result in the overdevelopment of the roof plane to the detriment of the character and visual appearance of the dwelling and the surrounding area. On that basis the proposal is considered to be contrary to Policies DS4 and TC4 in the Angus Local Development Plan and to the Householder Development Planning Advice Note.

**Amendments:**

The application has not been subject of variation.

Dated this **15 June 2018**

Kate Cowey - Service Manager  
Angus Council  
Place  
Angus House  
Orchardbank Business Park  
Forfar DD8 1AN

## 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
<b>Development Standards Committee/Full Council</b>	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.	<b>DPEA (appeal to Scottish Ministers)</b> – <b>See details on attached Form 1</b>
<b>Delegated Decision</b>	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.	<b>Local Review Body –</b> <b>See details on attached Form 2</b>
<b>Other Decision</b>	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.	<b>DPEA (appeal to Scottish Ministers)</b> – <b>See details on attached Form 1</b>

**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  
Place  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

Telephone 01307 473212 / 473207 / 473335

E-mail: [planning@angus.gov.uk](mailto:planning@angus.gov.uk)

Website: [www.angus.gov.uk](http://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.

# PLANNING

## 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:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<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:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<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:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<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:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<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:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<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:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<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?**

<b>Very satisfied</b>	<b>Fairly satisfied</b>	<b>Neither Satisfied nor Dissatisfied</b>	<b>Fairly Dissatisfied</b>	<b>Very Dissatisfied</b>
<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.



**From:** [REDACTED]  
**Sent:** 28 May 2018 22:44:47 +0100  
**To:** ChalmersPE  
**Subject:** Re: 124 Brechin Road, Arbroath 18/000304/FULL  
**Importance:** Normal

Pauline,  
I have spoken to the applicant over the weekend and they wish to proceed with the application as it is at present with the larger dormer. They are aware that it is more than likely to be refused as previously.  
Regards  
Gordon

**From:** ChalmersPE  
**Sent:** Thursday, May 24, 2018 9:30 AM  
**To:** [REDACTED]  
**Subject:** RE: 124 Brechin Road, Arbroath 18/000304/FULL

Hello Gordon

I was under the impression that your client was unwilling to change the plans from previous discussions and emails which is why I had not contacted you advising that it would be refused if amendments could not be agreed upon. I had intended to progress the proposal to a refusal determination this week and I thought you were aware that I would be continuing to a determination of refusal. My advice is exactly the same as before and if you would like to discuss this with your client, I will gladly wait until next week but it would be my intention to refuse the application by 29 May 2018.

Please come back to me with an amendment by 29 May, otherwise I would continue to a refusal determination.

I trust this clarifies my position.

Kind regards

Pauline Chalmers: Development Standards Technician: Angus Council: Communities:  
Planning & Place: Angus House: Orchardbank Business Park, Forfar, DD8 1AN

01307 473206

Ext:3206

**From:** [REDACTED]  
**Sent:** 23 May 2018 22:22  
**To:** ChalmersPE  
**Subject:** 124 Brechin Road, Arbroath

Hello Pauline,

The re-application for the dormer has been lodged for about a month now and I was wondering if you had had a chance to pull together your comments and recommendations for this application yet. I suspect they have not changed from the original application but am hoping that you shall once again liaise with myself to offer the client a chance to amend their proposals to something that could be considered favourable to yourselves.

regards

Gordon Brand

This message is strictly confidential. If you have received this in error, please inform the sender and remove it from your system. If received in error you may not copy, print, forward or use it or any attachment in any way. This message is not capable of creating a legal contract or a binding representation and does not represent the views of Angus Council. Emails may be monitored for security and network management reasons. Messages containing inappropriate content may be intercepted. Angus Council does not accept any liability for any harm that may be caused to the recipient system or data on it by this message or any attachment.

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE**

**APPLICATION FOR REVIEW**

**FORMATION OF DORMER ON THE WEST ELEVATION OF EXISTING  
DWELLINGHOUE AT 124 BRECHIN ROAD, ARBROATH**

**APPLICATION NO 18/00304/FULL**

**APPLICANT'S SUBMISSION**

**Page No**

- |               |  |  |
|---------------|--|--|
| <b>ITEM 1</b> | Notice of Review   |  |
| <b>ITEM 2</b> | Statement of Appeal  |  |
| <b>ITEM 3</b> | Location Plan, Site Plan, Sections and Elevations,<br>and Floor Plans. |  |



Angus House Orchardbank Business Park Forfar DD8 1AN Tel: 01307 473360 Fax: 01307 461 895 Email: [plnprocessing@angus.gov.uk](mailto:plnprocessing@angus.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100069691-004

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	<input type="text"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Gordon"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Brand"/>	Building Number:	<input type="text" value="12"/>
Telephone Number: *	<input type="text" value="07749673867"/>	Address 1 (Street): *	<input type="text" value="Church Street"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Carnoustie"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="DD7 6DE"/>
Email Address: *	<input type="text" value="gordonbrand@blueyonder.co.uk"/>		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Gavin"/>	Building Number:	<input type="text" value="124"/>
Last Name: *	<input type="text" value="Forgie"/>	Address 1 (Street): *	<input type="text" value="Brechin Road"/>
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Arbroath"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="DD11 1TA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Angus Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="124 BRECHIN ROAD"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ARBROATH"/>
Post Code:	<input type="text" value="DD11 1TA"/>

Please identify/describe the location of the site or sites

Northing

Easting

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Proposed plan and elevations. Supporting statement.

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

18/00304/FULL

What date was the application submitted to the planning authority? \*

17/04/2018

What date was the decision issued by the planning authority? \*

15/06/2018

## 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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

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

Can the site be clearly seen from a road or public land? \*

Yes  No

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

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

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 (if any) from the earlier consent.

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Formation of a Dormer on the West (Rear) Elevation of Existing Dwellinghouse at 124 Brechin Road, Arbroath DD11 1TA

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

The dormer extension is on the rear elevation of the building and though there are public roads at the rear of the property it is not the main thoroughfare and the area is largely car parking. The dormer's roof has been kept below the existing house's ridge. The front wall of the dormer is back from the wallhead. The dormer proposed is similar to other dormers that have been added to the roof of similar properties over the years.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Gordon Brand

Declaration Date: 04/07/2018



Formation of a Dormer on the West (Rear) Elevation of Existing Dwelling House

At

124 Brechin Road, Arbroath, Angus DD11 1TA

Planning Permission Refusal notice reference 18/00304/FULL dated 15<sup>th</sup> June 2018

## STATEMENT OF REASONS TO REVIEW REFUSAL OF PLANNING PERMISSION

We wish for the refusal of planning permission for this dormer extension to be reconsidered as it is on the rear elevation of the building and though there are public roads at the rear of the property it is not the main thoroughfare and the area is largely car parking.

The dormer's roof has been kept below the existing house's ridge so shall not be visible from the main road to the east that is Brechin Road.

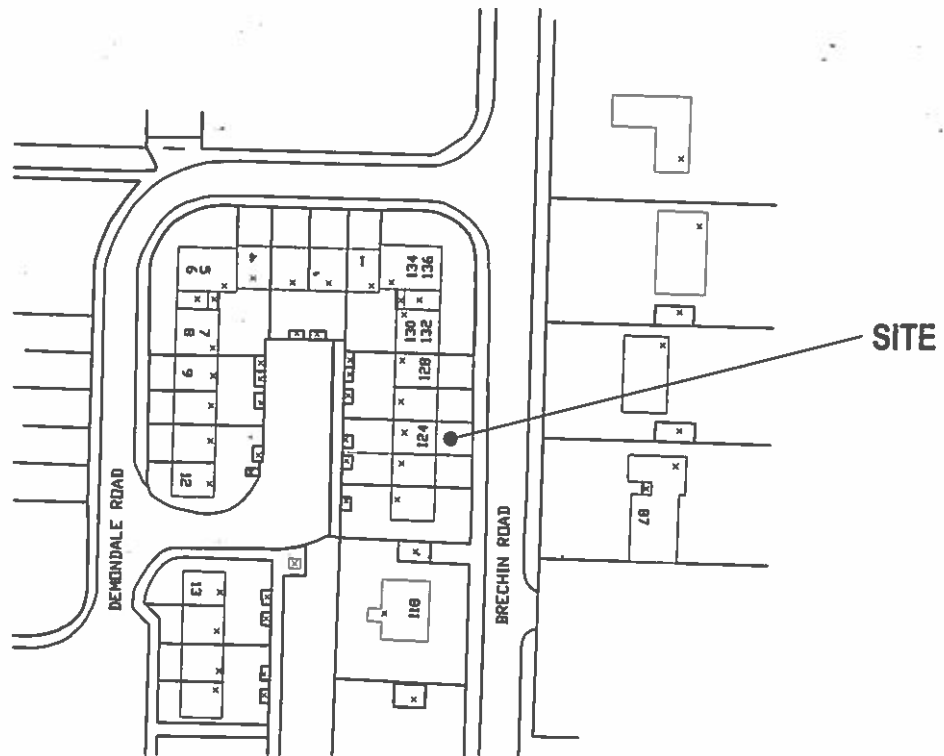
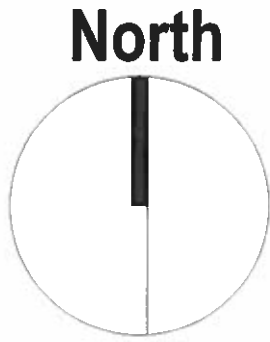
The front wall of the dormer has been pulled back from the wallhead in order to increase the extent of the tiled roof at the eaves.

The width of the dormer extends the full width of the roof space in order to provide the accommodation that the client needs in order to allow their family to continue to stay in the house and area that they like. Their children are getting older and the present accommodation is proving to be a strain. A larger bedroom and an additional shower room shall alleviate the pressure and provide an adequate three-bedroom house.

Simply forming a smaller dormer to provide just a bedroom has been considered but the resultant smaller bedroom, complicated stair design, along with the cost of all the structural upgrades and fire safety upgrades means that this compromised option is not viable.

The dormer proposed is similar to other dormers that have been added to the roof of similar properties over the years, all in order to achieve the same additional accommodation required by a family. We hope that you can take a favourable view of our appeal in this case.

Mr & Mrs G. Forgie,



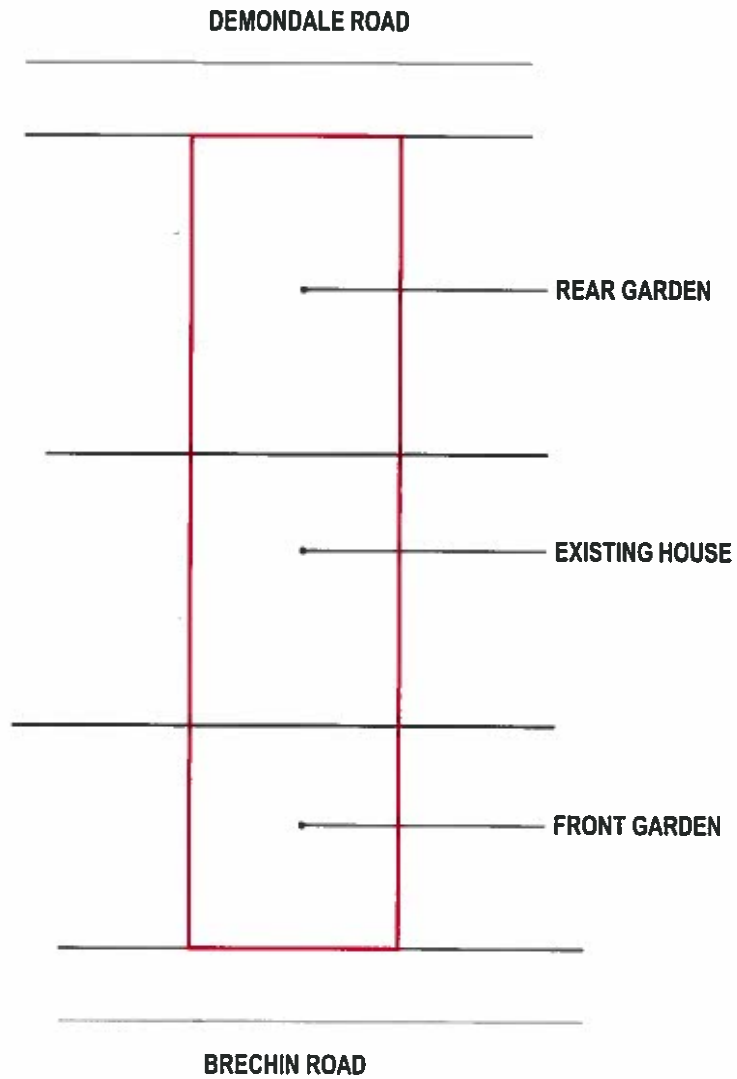
**PROPOSED EXTENSION & ALTERATIONS  
at  
124 BRECHIN ROAD, ARBROATH**

**DRAWING No. 01  
SITE LOCATION PLAN  
scale 1/1250**

**Sept. 2017**



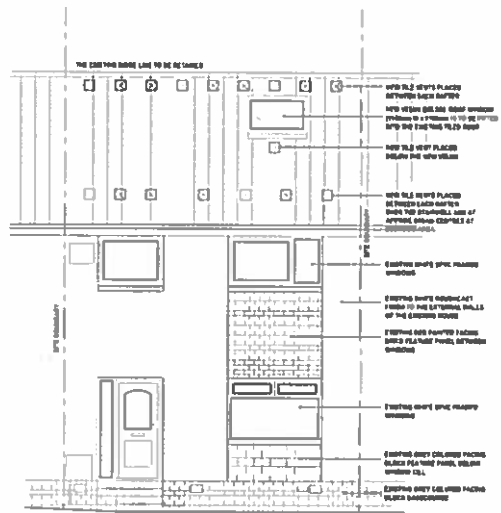
**North**



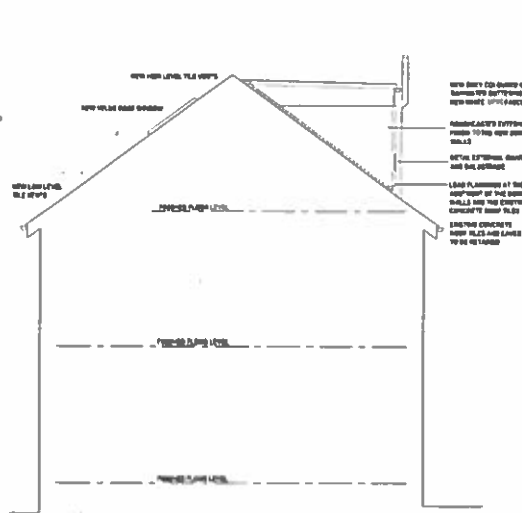
**PROPOSED DORMER EXTENSION  
at  
124 BRECHIN ROAD, ARBROATH**

**DRAWING No. 02  
SITE PLAN  
scale 1/200**

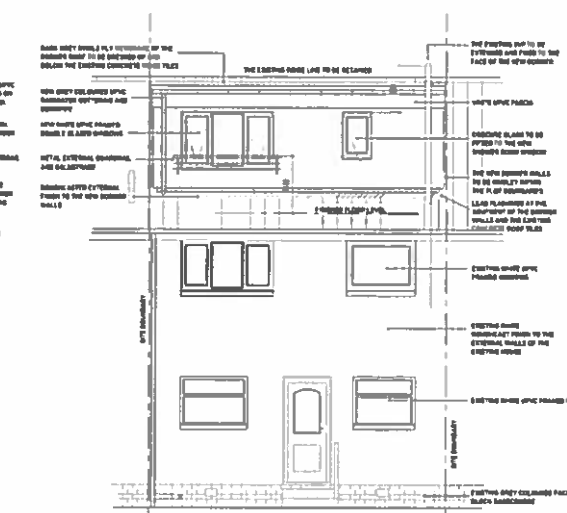
**Sept. 2017**



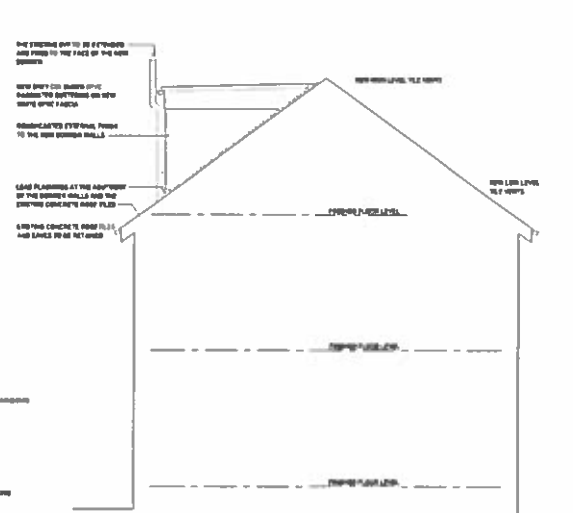
PROPOSED EAST ELEVATION



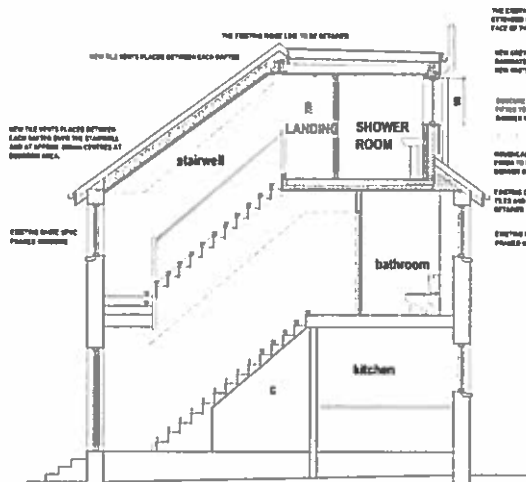
PROPOSED NORTH ELEVATION



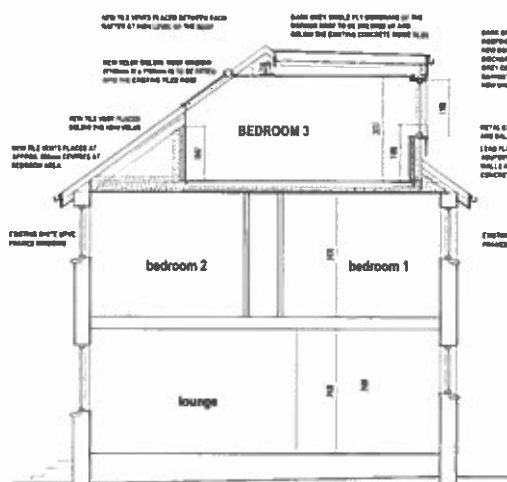
PROPOSED WEST ELEVATION



PROPOSED SOUTH ELEVATION



PROPOSED SECTION 'A'

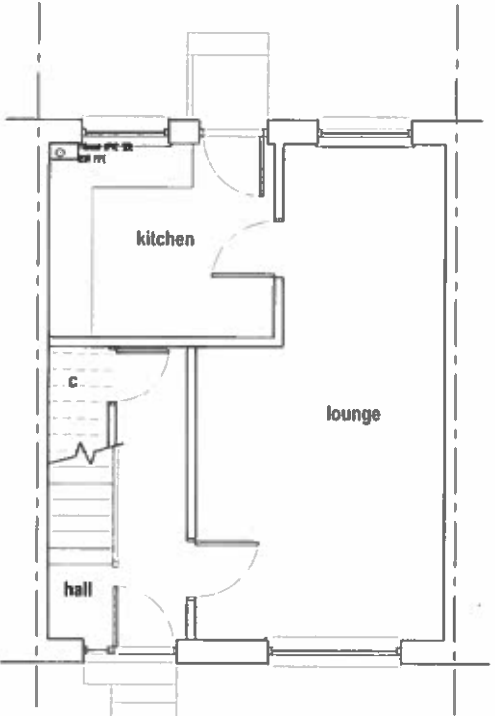


PROPOSED SECTION 'B'

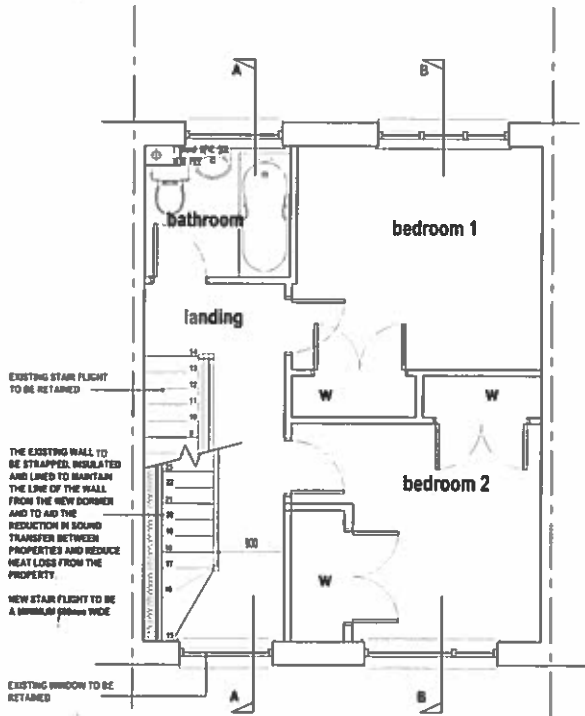
PROPOSED DORMER EXTENSION  
at  
124 BRECKEN ROAD, ABERDATH

DRAWING No. 64 revision A  
PROPOSED SECTIONS AND ELEVATIONS  
Scale: 1/50 Sept. 2017

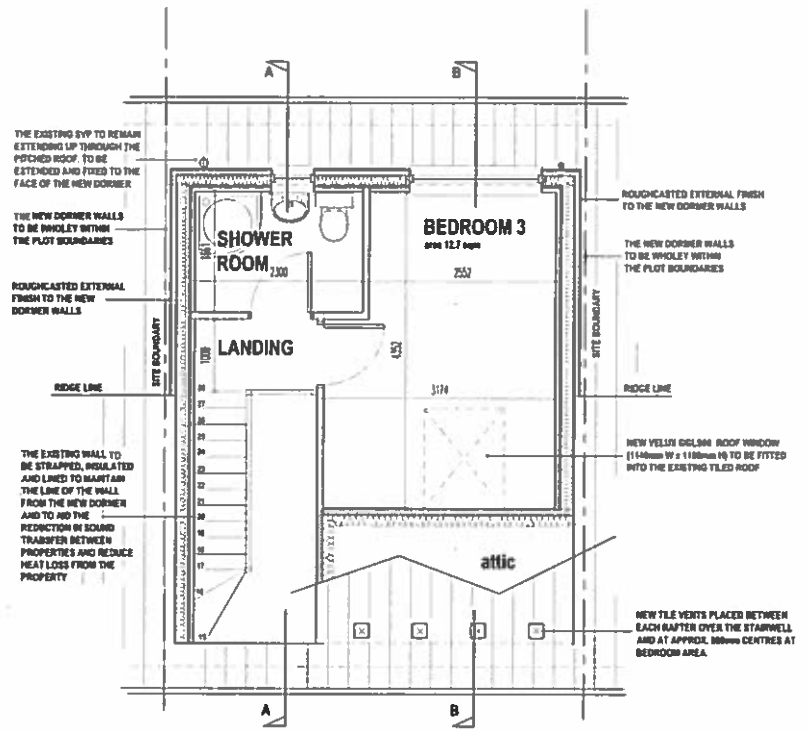




PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR



PROPOSED SECOND FLOOR

EXISTING STAIR FLIGHT TO BE RETAINED

THE EXISTING WALL TO BE STRAPPED, INSULATED AND LINED TO MAINTAIN THE LINE OF THE WALL FROM THE NEW DORMER AND TO AID THE REDUCTION IN SOUND TRANSFER BETWEEN PROPERTIES AND REDUCE HEAT LOSS FROM THE PROPERTY.

NEW STAIR FLIGHT TO BE A MINIMUM 900mm WIDE

EXISTING WINDOW TO BE RETAINED

THE EXISTING SYP TO REMAIN EXTENDING UP THROUGH THE PITCHED ROOF TO BE EXTENDED AND FIXED TO THE FACE OF THE NEW DORMER

THE NEW DORMER WALLS TO BE WHOLLY WITHIN THE PLOT BOUNDARIES

ROUGHCASTED EXTERNAL FINISH TO THE NEW DORMER WALLS

THE EXISTING WALL TO BE STRAPPED, INSULATED AND LINED TO MAINTAIN THE LINE OF THE WALL FROM THE NEW DORMER AND TO AID THE REDUCTION IN SOUND TRANSFER BETWEEN PROPERTIES AND REDUCE HEAT LOSS FROM THE PROPERTY

ROUGHCASTED EXTERNAL FINISH TO THE NEW DORMER WALLS

THE NEW DORMER WALLS TO BE WHOLLY WITHIN THE PLOT BOUNDARIES

NEW VELUX G6L900 ROOF WINDOW (1140mm W x 1180mm H) TO BE FITTED INTO THE EXISTING TILED ROOF

NEW TILE VENTS PLACED BETWEEN EACH GLETFEN OVER THE STAIRWELL AND AT APPROX. 900mm CENTRES AT BEDROOM AREA.



PROPOSED DORMER EXTENSION  
at  
124 BRECHIN ROAD, ARBROATH

DRAWING No. 05 revision A  
PROPOSED FLOOR PLANS  
Scale 1/50

Sept. 2017