

Review Decision Notice

Decision by Fife Planning Review Body (the FPRB)

- Site Address: 10 Cardenden Road, Cardenden, Lochgelly, Fife
- Application for review by Mr Lee Coombe against the decision by an appointed officer of Fife Council
- Application 23/00640/FULL for Full Planning Permission for Replacement dormer extension to front and dormer extension to rear of dwellinghouse
- Application Drawings:
05A - Proposed various - elevation, floor etc, 01 - Location Plan/Block Plan, 02 - Existing Site Plan, 03 - Proposed Site Plan, 04 - Existing various eg elevation, floor etc,
- No Site Inspection took place.

Date of Decision Notice: 19 December 2023

Decision

The FPRB upholds the determination reviewed by them and refuses Planning Permission for the reason(s) outlined below in section 4.0.

1.0 Preliminary

- 1.1 This Notice constitutes the formal decision notice of the Local Review Body as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
- 1.2 The above application for Planning Permission was considered by the FPRB at its meeting on 11 December 2023. The Review Body was attended by Councillors David Barratt (Convener), Robin Lawson, Jane Ann Liston, Altany Craik and Lynn Mowatt.

2.0 Proposal

- 2.1 The application property is a mid-terraced, one and a half storey dwellinghouse, set in a mixed-use area of mixed style properties, albeit the terraced row of 5 properties within which it is set is characterised by their traditional style, small, pitch-roofed dormer extensions on their north-facing front, public elevations.
- 2.2 This application is for a replacement dormer extension to the north-facing front elevation and a dormer extension to the south-facing rear elevation of the house.

3.0 Reasoning

- 3.1 Firstly, the FPRB assessed the design and visual amenity of the proposal on the surrounding character of the area against NPF4 Policies 14 (Design, Quality and Place) and 16 (Quality Homes) and FIFEplan Policies 1 (Development Principles), 10 (Amenity) and 14 (Built and Historic Environment). They found that:

- The design, form and positioning of the front dormer would result in an intrusive design feature that would be incongruent with the character of the immediate area - particularly when considering the regularity of the small, traditional-style dormers within the row of 5 properties where the site is located.
- Despite the box-style dormers within the nearby properties, the proposed front dormer would harm the character and appearance of the row of 5 terraced properties and the immediate area, resulting in unacceptable visual amenity impacts.
- The FPRB ultimately concluded that the proposal would not comply with Policies 14 and 16 of NPF4 and Policies 1 and 10 of FIFEplan relating to design and visual impact.

3.2 The FPRB also agreed with the Appointed Officer's position in relation to the other planning considerations not forming part of the original reasons for refusal. They contended that these matters did not have any material impact that would change their position on this application and concluded that they should not be included as additional reasons for refusal in this instance.

3.3 Overall, the FPRB concluded that the proposal would result in unacceptable design and visual amenity impacts, failing to comply with NPF4 Policy 14 and 16 and Policies 1, 10 and 14 of the Adopted FIFEPlan (2017) and Fife Council's Planning Customer Guidelines on Dormer Extensions (2016). The FPRB did not consider there to be any other matters for consideration or any material considerations which would outweigh the Development Plan position. The FPRB therefore decided that planning permission should be refused, upholding the Appointed Officer's decision.

4.0 Decision

4.1 The FPRB upholds, and varies, the determination reviewed by them and refuses Planning Permission for the following reason(s):

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of visual amenity, the proposed front dormer extension in particular is considered contrary to National Planning Framework 4 (2023) Policies 14 and 16, Adopted FIFEplan (2017) policies 1 and 14, and Fife Council's Planning Customer Guidelines on Dormer Extensions (2016), as it would be of a size and design which would have a significant adverse visual impact on the character and appearance of this mid-terraced house and would appear incongruous and detract from the visual amenity of the terraced row of 5 properties it is set within.

.....
Proper Officer

NOTICE TO ACCOMPANY REFUSAL ETC.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions

NOTICE TO ACCOMPANY REFUSAL ETC. TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on determination by the planning authority of an application following a review conducted under section 43A(8).

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 a condition imposed on a grant of planning permission; or
 - (c) to grant permission or approval, consent or agreement subject to conditions,

the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.

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 V of the Town and Country Planning (Scotland) Act 1997.