

FPRB Reference: 22/370

Review Decision Notice

Decision by Fife Planning Review Body (the FPRB)

- Site Address: The Thistles, 9 Aikman Place, St Andrews, Fife
- Application for review by Mr Jim Sinclair against the decision by an appointed officer of Fife Council
- Application 22/01569/FULL for Full Planning Permission for installation of dormer extension to front of dwellinghouse and installation of balcony to rear of dwellinghouse
- Application Drawings:
01 - Location Plan/Block Plan, 02 - Existing various eg elevation, floor etc, 03 - Proposed various - elevation, floor etc,

Date of Decision Notice: 2nd March, 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 13th February, 2023. The Review Body was attended by Councillors David Barratt (Convener), Jane Ann Liston, Fiona Corps, Ken Caldwell and Lynn Mowatt.

2.0 Proposal

- 2.1 The application relates to a modern semi-detached single storey dwellinghouse situated within a modern residential area of St. Andrews. The dwellinghouse features a 2 -storey side extension which was approved in 2000, and has a detached 'L' shaped garage/store/workshop within its curtilage. External finishes comprise of an interlocking concrete tiled roof, dry dash rendered walls with facing brick detailing and modern casement windows. The site is located at the end of a cul-de-sac and its curtilage/rear garden is enclosed by woodland to the south-east. The front garden is small and includes a drive for 2 cars.

- 2.2 The proposal is for the installation of first floor balcony onto the rear elevation of the 2-storey side extension (to serve a bedroom) and installation of a boxed dormer extension onto the front of the single storey dwellinghouse to form a 4th bedroom with an en-suite and dressing room. External finishes to the dormer would comprise of a grey coloured single ply roof, grey coloured upvc fascia and soffit, grey coloured horizontal upvc cladding and grey coloured window frames (outside). The proposed dormer would be level with the ridge of the roof and set 275mm above the wallhead, 865mm from the two storey element of the property and 330mm from the property boundary with its semi-detached neighbour. The balcony would project out from the rear building line by 1.5 metres and its balustrade would have a height of 1.1 metres.
- 2.3 The recorded planning history associated with the dwellinghouse includes:
- 99/00853/EFULL – Extensions to dwellinghouse. Approved in 2000.
 - 06/00663/EFULL – First floor extension to garage and alterations to dwellinghouse. Approved in 2006. The approved works did not commence and permission has since lapsed.

3.0 Reasoning

- 3.1 The determining issues in this review were the principle of development, design & visual impact, residential amenity and drainage (an issue not covered by the Appointed Officer).
- 3.2 The FPRB considered the terms of the Development Plan which comprises the Adopted National Planning Framework 4 (2023) (“NPF4”) and the Adopted FIFEplan Local Development Plan (2017) (“FIFEplan”). The FPRB also considered the provisions of Making Fife’s Places Supplementary Guidance (2018) (including Appendices) and Fife Council’s Planning Customer Guidelines on Dormer Extensions (2016).
- 3.3 The FPRB firstly considered that that the principle of development was acceptable under the terms of Policy 1 of the Adopted FIFEplan given that the proposed development related to an extension to an existing residential property, subject to complying with other policy objectives for the site.
- 3.4 Consequently, the FPRB assessed the design and visual impact of the proposed dormer extension and balcony against NPF4 Policies 14 and 16 and Policies 1 and 10 of the Adopted FIFEplan. Giving regard to the design and dimensions of the proposed dormer extension, the FPRB noted that the proposed dormer extension would not be in-keeping with the dimensions recommended for such proposals within Fife Council’s Planning Customer Guidelines on Dormer Extensions (2016). The FPRB considered that through its size and positioning on the front elevation of the dwellinghouse, the proposed dormer extension would have an unacceptable impact on the visual amenity of the dwellinghouse and wider streetscape. With regard to the proposed balcony, given its design and positioning on the rear of the property, the FPRB assessed that the proposed balcony would be acceptable with regard to design and visual impact considerations. The FPRB ultimately concurred with the Appointed Officer’s assessment. The proposed development was therefore considered to be contrary to NPF4 Policies 14 and 16 and Policies 1 and 10 of the Adopted FIFEplan.

3.5 The FPRB assessed the potential residential amenity impacts of the proposed development, including privacy and overshadowing against NPF4 Policies 14, 16 and 23 and Policies 1 and 10 of the Adopted FIFEplan. The FPRB assessed that the proposed development would not lead to any adverse overshadowing issues for neighbouring properties, concurring with the Appointed Officer's assessment. With regard to loss of privacy, the FPRB once again concurred with the Appointed Officer's assessment that the proposed development would not give rise to any adverse impacts for neighbouring properties. The proposed development was therefore considered to comply with NPF4 Policies 14, 16 and 23 and Policies 1 and 10 of the Adopted FIFEplan.

3.6 The FPRB also considered the flood risk and drainage impacts of the proposed development against NPF4 Policy 22 and Policies 3 and 12 of FIFEplan. This issue was not considered by the Appointed Officer as NPF4 was not adopted at the time. Policy 22 of NPF4 introduced specific policy relating to small scale extensions to buildings. The FPRB considered that as the footprint of the dwellinghouse would not be increased, there was no need to consider this issue further.

4.0 Decision

4.1 The FPRB upholds the decision of the Appointed Officer and refuses planning permission for the following reason(s):

1. In the interests of protecting visual amenity; the proposed dormer extension set back distances from ridge, eaves and gables are not acceptable resulting in the dormer being too large in scale and thus overdominating that roofslope. As a result, the proposed dormer would have a significant adverse visual impact on the character of this dwellinghouse, it would detract from the visual amenity of the surrounding area and set an undesirable design precedent for any future dormers that may be proposed at a future date on this street. As such, the dormer proposal is considered contrary to the Adopted NPF4 Policies 14 and 16, Adopted FIFEplan (2017) Policies 1 and 10, Making Fife's Places - Supplementary Guidance (2018), and Fife Council's Planning Customer Guidelines on Dormer Extensions (2016).

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Proper Officer

Advisory notes

1. The length of the permission: This planning permission will lapse on the expiration of a period of three years from the date of this decision notice, unless the development has been started within that period (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
2. Notice of the start of development: The person carrying out the development must give advance notice in writing to the planning authority of the date when it is intended to start. Failure to do so is a breach of planning control. It could result in the planning authority taking enforcement action (See sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
3. Notice of the completion of the development: As soon as possible after it is finished, the person who completed the development must write to the planning authority to confirm the position (See section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended))

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.