

FPRB Reference: 20/351

Review Decision Notice

Decision by Fife Planning Review Body (the FPRB)

- Site Address: Annfield Cottage, Brunton, Cupar, Fife
- Application for review by Mr John Bell against the decision by an appointed officer of Fife Council
- Application 20/00489/FULL for Full Planning Permission for Erection of two storey extension to rear of dwellinghouse, installation of three dormers to front, alterations to roof height and roof covering, installation of replacement windows, door and rooflights and associated engineering works to rear
- Application Drawings:
01 - Location Plan, 02 - Block Plan, 03 - Proposed Block Plan, 04 - Existing various e.g. elevation, floor etc, 05 - Proposed various - elevation, floor etc, 06 - Window and Door Elevations

Date of Decision Notice: 14th October, 2021.

Decision

The FPRB upholds the determination reviewed by them and refuses Planning Permission for the reason 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 27th September, 2021. The Review Body was attended by Councillors David Barratt (Convener), Alice McGarry, Bill Porteous, Rosemary Liewald and Graham Ritchie.

2.0 Proposal

- 2.1 The proposed development site is a Category 'C' Listed one-and-a-half storey detached dwellinghouse, located within the Brunton Conservation Area. Finishing materials of the property include traditional mixed dark whinstone walling, clay roof tiles, light brown uPVC windows/doors and light brown uPVC rainwater goods. There are a mix of property types in the surrounding area, however, they follow a similar architectural form, constructed using the local dark whinstone with contrasting blonde sandstone margins. The immediate area mostly consists of detached and semi-detached properties similar to the one that is the subject of this application. The property currently has garden ground to the front, side and rear, and is bound by hedges and stone walling. The application property forms part of a group listing with the neighbouring Taychreggan and Walnut Grove to the east.

- 2.2 The proposal is for the erection of a one-and-a-half storey extension to the rear of the dwellinghouse, increase in the height of the wallhead and roof ridge by approximately 450mm, formation of three pitched roof dormer extensions to the front of the property, installation of replacement rooflights to the rear and installation of replacement windows, door and rainwater goods to the front and rear. There are also engineering and landscaping works proposed to the rear garden to accommodate the proposed rear extension.

3.0 Reasoning

- 3.1 The determining issues in this review were visual amenity and impact on the historic environment, namely on the character and appearance of the Category C Listed Building and Brunton Conservation Area, residential amenity and road safety. The FPRB considered the terms of the Development Plan which comprises the TAYplan (2017) (“Strategic Development Plan”) and the Adopted FIFEplan (Fife Local Development Plan 2017) (“Adopted Local Development Plan”). The FPRB also considered the provisions of Making Fife’s Places Supplementary Guidance (2018) (including Appendices). The FPRB also gave consideration to Sections 59 and 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997. The Fife Council Planning Customer Guidelines – Windows in Listed Buildings and Conservation Areas; Dormer Extensions; Home Extensions (including conservatories and garages); Garden Ground; Minimum Distances between Window Openings and Daylight and Sunlight– Brunton Conservation Area Appraisal and Management Plan (2018). Historic Environment Scotland (HES) Policy Statement (2019) and HES Managing Change in the Historic Environment – Roofs; Extensions; and Windows – also formed part of the assessment.
- 3.2 The FPRB assessed the visual impacts of the proposed rear extension, front dormer extensions and increase in wallhead and roof ridge heights and the impact of these works on the character and appearance of the listed building and conservation area. The FPRB considered that the size and scale of the proposed rear extension and front dormer extensions would significantly alter the appearance of the dwellinghouse to the detriment of the character of the listed building and conservation area. The FPRB additionally considered that the proposed raising of the wallhead and roof ridge heights would have an unacceptable visual impact, adversely altering the building proportions of the listed building. Giving consideration to the appellant’s argument that the dwellinghouse required to be extended to improve living standards and meet modern building standards, with the alterations also being comparative in scale and design to works recently carried out on another listed building within Brunton, the FPRB concluded that these material considerations would not outweigh the significantly adverse impact the proposed extension, dormer extensions and raising of the wallhead and roof ridge would have on the character and appearance of the listed building and conservation area. The FPRB concluded that the proposed works to extend and raise the wallhead and roof ridge heights of the dwellinghouse, by virtue of their inappropriate scale and proportions, would have a significantly adverse visual impact, detrimentally impacting on the traditional character and appearance of the listed building and Brunton Conservation Area, contrary to Policies 1, 10 and 14 Adopted FIFEplan (2017).

- 3.3 The FPRB also assessed the visual impact of the additional works which were included in the proposal – installation of replacement rooflights, windows, door and rainwater goods. The FPRB considered that the existing rooflights, uPVC windows, door and rainwater goods were considered to be inappropriate for the listed building and conservation area setting. The FPRB did not raise any concerns regarding the installation of the proposed rooflights on the rear elevation of the dwellinghouse. The FPRB considered that the proposed replacement windows and door would be an improvement over the existing uPVC, however, the design and appearance of the replacements were not of a design that could be supported in the context of the listed building and conservation area. The proposed replacement uPVC rainwater goods were considered to be inappropriate, however, the FPRB advised that were the application to be approved, they would be content for a condition to be used to ensure cast iron was used instead. In conclusion, whilst noting the inappropriate materials of the existing features, the FPRB considered that the proposed replacement windows, door and rainwater goods would not be an acceptable addition to the listed building, nor appropriate for the conservation area, with the works considered to be contrary to Policies 1, 10 and 14 of the Adopted FIFEplan (2017).
- 3.4 The FPRB assessed the residential amenity implications of the proposal. On matters of privacy, the FPRB concurred with the Appointed Officer's assessment that no significant overlooking/privacy issues would arise as a consequence of development given the presence of existing openings on the front and rear elevations of the property and the positioning of windows and patio doors on the proposed rear extension and front dormer extensions relative to neighbouring properties' private garden areas and windows. Similarly, with regard to potential loss of daylight, the FPRB concurred with the Appointed Officer assessment that the proposed development would not give rise to adverse loss of daylight concerns for the neighbouring Taychreggan. Furthermore, giving consideration to loss of sunlight to neighbouring outdoor amenity spaces, the FPRB once again sided with the Appointed Officer's assessment that due to the path of the sun and the height and position of the proposed development, the private rear garden ground of the neighbouring Taychreggan would not experience a significantly adverse loss of sunlight. Overall, the FPRB concluded that the proposed development would not give rise to significantly adverse residential amenity concerns for neighbouring properties, complying with Policies 1 and 10 of the Adopted FIFEplan (2017) in this regard.
- 3.5 The FPRB assessed the impacts the proposed development would have on the size and usability of the application property's remaining rear garden area. Noting the contradictory figures in the Appointed Officer's report of handling as to what percentage of the existing garden ground area would be occupied by the proposed rear extension, the FPRB concluded that as the proposed 21 square metre rear extension would occupy less than 25% of the existing garden ground area, this would be in-keeping with the recommendations within the planning customer guidelines on 'Garden Ground', with the application property retaining a sufficiently sized area of garden ground. On this basis, the proposed development was considered to comply with Policies 1 and 10 of the Adopted FIFEplan (2017).
- 3.6 The FPRB assessed the impact of the proposal on road and pedestrian safety. As the development proposed an extension to a residential property, the FPRB considered whether the application property's existing off-street parking arrangements were suitable to continue to serve the enlarged property. The FPRB noted that the existing property had two bedrooms and that no additional bedrooms were/

were being proposed as part of the development. With this, the FPRB concluded by agreeing with the Appointed Officer's assessment that no further off-street parking spaces would be required to be created. On this basis, the FPRB concluded that the development would not have any significant road or pedestrian safety issues and was in accordance with Policies 1, 3 and 10 of the Adopted FIFEplan (2017).

3.7 The FPRB concluded that the proposed development would give rise to significantly adverse visual amenity concerns which would negatively impact on the character and appearance of the Category C Listed Building and Brunton Conservation Area. 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 upheld the Appointed Officer's decision and refused the application.

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 the character and integrity of this Category C Listed Building and surrounding Conservation Area; the proposed works by virtue of their inappropriate scale and proportions (e.g. through the installation of dormers to the front, increase in wallhead, gable walls and roof ridge heights and roof pitch), overall design and choice of external finishing materials cumulatively would detrimentally impact on the traditional character, quality and authenticity of the Listed Building and wider Brunton Conservation Area within which the site and building are located. Furthermore, the use of non-traditional external finishing materials such as UPVC rainwater goods, inappropriate dormer cheek finishes, a lack of justification to merit replacement works as opposed to employing best conservation practices, and a lack of detail and specification with regards to the colours and external finishes would all have the potential to undermine the qualities and character of the building which merited a statutory listing. Such works, if permitted, would conflict with the objectives of Scottish Planning Policy (2014), Historic Environment Scotland (HES) - Policy Statement (2019), Managing Change in the Historic Environment - Roofs (2010), Managing Change in the Historic Environment - Extensions (2020), Managing Change in the Historic Environment - Windows (2018), Policies 1, 10 and 14 of the Adopted FIFEplan (2017) and Fife Council's Planning Customer Guidelines on Dormer Extensions (2016), Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018), Fife Council's Planning Customer Guidelines on Home Extensions (including conservatories and garages) (2016), and the Brunton Conservation Area Appraisal and Management Plan (2018), and if approved the decision would set an undesirable precedent on future decisions for dormer refurbishment on other Listed Buildings and properties within Conservation Areas.

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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.