

List of Enclosures – Agenda Item 6

	<u>Page(s)</u>
1. Notice of Review dated 16 November 2012 and associated correspondence.	60 - 75
2. Application for Planning Permission dated 28 August 2012 and associated plans.	76 - 86
3. Consultation response from Environmental Health dated 19 September 2012.	87
4. Report of Handling dated 26 October 2012.	88 - 91
5. Refusal of Planning Permission dated 2 November 2012.	92 – 93
6. Extract from Falkirk Council Local Plan – Policy EQ1.	94
7. Extract from Falkirk Council Local Plan – Policy SC9.	95
8. Falkirk Council Supplementary Planning Guidance Note – House Extensions and Alterations.	96 - 119

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 2008



Falkirk Council

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 that the guidance notes are issued by the Scottish Government. They apply to planning authorities generally and not specifically to Falkirk Council

In terms of the Act and regulations referred to above, Falkirk Council's Planning Review Committee sits as the "local review body".

Please use **BLOCK CAPITALS** if completing by hand.

Applicant(s)

Name	Mr and Mrs Romanis
Address	8 South Broomage Avenue
	Larbert
	Postcode: FK5 3LF
Tel	-
Mobile	-
Fax	-
e-mail *	-

Agent

Name	Acre Architects
Address	10 Harvey Avenue
	Polmont
	Postcode: FK2 0QR
Tel	[REDACTED]
Mobile	-
Fax	-
e-mail *	

Mark this box to confirm all contact should be through your agent or representative: ☒

* Do you agree to correspondence regarding your review being sent by e-mail? Yes ☐ No ☒

Planning authority's application reference number

P/12/0537/FUL

Site address

Description of proposed development

8 South Broomage Avenue, Larbert, FK5 3LF

Extension to Dwellinghouse to Form Garage with Storage Loft, Orangery and Utility Room.

Date planning application declared
valid by Planning Authority

04/09/12

Date of Decision (Leave blank if
appeal against non-determination)

02/11/12

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

Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. 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) ☐
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

Review procedure

The Planning Review Committee 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 consider that the review should be conducted by a combination of procedures. Please note, however, that the final decision as to procedure will rest with the Planning Review Committee.

1. Further written submissions
2. One or more hearing sessions
3. Site inspection
4. Assessment of review documents only, with no further procedure

☒
☒
☒
☐

If you have marked box 1 or 2, 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 are necessary:

The reasons for refusal listed on the decision notice are as follows:

The proposed utility and orangery extension by reason of its size, design and location would form a bulky and incongruous addition to the property

This is very different from the single issue raised in the letter dated 05/10/12 and subsequent meeting with the planning officer where it was apparent that the only issue was the use of a flat roof. The fact that this was the only unresolved matter, formed the basis of the applicant's (Mr and Mrs Romanis's) decision to allow the refusal to go through in order that the review/appeal process could begin.

The review body therefore should focus their attention on the flat roof and not the size, over all design and location of the proposed extension so as not to cloud the process with matters which up until the decision notice, we believed to be resolved or perhaps the decision notice should be changed to reflect this.

Site Inspection

In the event that the Planning Review Committee decides to inspect the review site, in your opinion:

1. Can the site be viewed entirely from public land?
2. Is it possible for the site to be accessed safely, and without barriers to entry?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

NA

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. 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 Planning Review Committee to consider as part of your review.

If the Planning Review Committee issues a notice requesting further information from any other person or body, copies of any such information received will be sent to you and 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 in the space provided 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.

Are you submitting a statement of reasons for review in a separate document?

Yes

☐

No

☒

Reasons for Notice of Review

The reasons for refusal listed on the decision notice are as follows:

The proposed utility and orangery extension by reason of its size, design and location would form a bulky and incongruous addition to the property

This is very different from the single issue raised in the letter dated 05/10/12 and subsequent meeting with the planning officer where it was apparent that the only issue was the use of a flat roof. The fact that this was the only unresolved matter, formed the basis of the applicant's (Mr and Mrs Romanis's) decision to allow the refusal to go through in order that the review/appeal process could begin.

The review body therefore should focus their attention on the flat roof and not the size, over all design and location of the proposed extension so as not to cloud the process with matters which up until the decision notice, we believed to be resolved or perhaps the decision notice should be changed to reflect this.

It should also be noted that the extension sits within a particularly attractive part of residential larbert where it is apparent that the neighbouring residents look after their houses with pride. None of the neighbours contacted as part of the process made comment on the proposals, if the proposed extension was incongruous (to use the planning term) we are sure the neighbouring residents would have commented.

The applicants would not do anything to jeopardise the overall character and charm of their own house or the area and feel that the rear flat roof over the utility and orangery is the most sensible roofing solution in this instance.

We have attached a copy of the letter from the planning department highlighting the issue of the flat roof along with a copy of our letter of response following our meeting (prior to the decision notice) which addresses the original issue raised regarding the proposed rear extension's flat roof.

We have also attached our original planning application drawings and photographic examples of typical orangery roof arrangements in order that the review committee can familiarise themselves with the orangery roof concept and understand why the proposed rear extension roof was designed in this manner.

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

Yes

☐

No

☒

Are you submitting additional documentation?

☒☐

If you answer yes to either or both of the above questions, you should explain in the box below, why you are raising new material and/or introducing additional documentation, why it was not raised with or made available to the appointed officer before your application was determined and why you think it should now be considered in your review. Please note that it will be for the Planning Review Committee to decide whether or not all or any of the new material/additional documentation will be considered in the review.

The main issue has always been the use of a flat roof on the rear extension (over the Utility and Orangery).

We have provided images/photographs of orangeries for those that are unfamiliar with them and in particular their roof design to clarify why the rear extension roof was designed in this manner.

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 and intend to rely on in support of your review.

1.	3 photographs of typical orangery roofs.
2.	A copy of the planning departments letter 05/10/12 raising the issue of the flat roof only.
3.	Our letter of response to the planning departments letter 05/10/12 and subsequent meeting with the planning officer regarding the flat roof design.
4.	The application drawings R100/01, 02, 03, 04 and 05
5.	
6.	
7.	
8.	
9.	
10.	

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.

Checklist

Please mark the appropriate boxes to confirm 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 requiring 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 [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

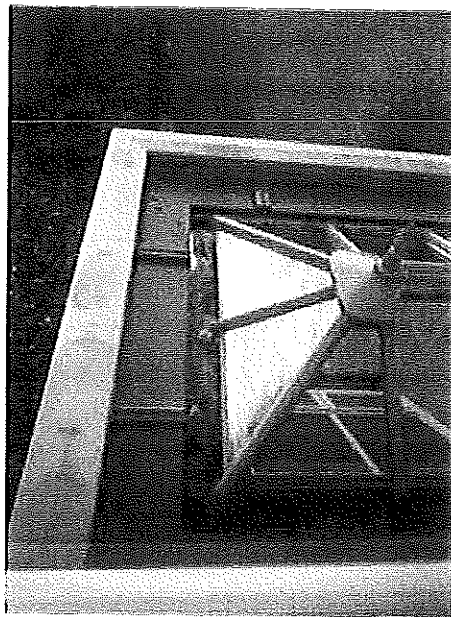
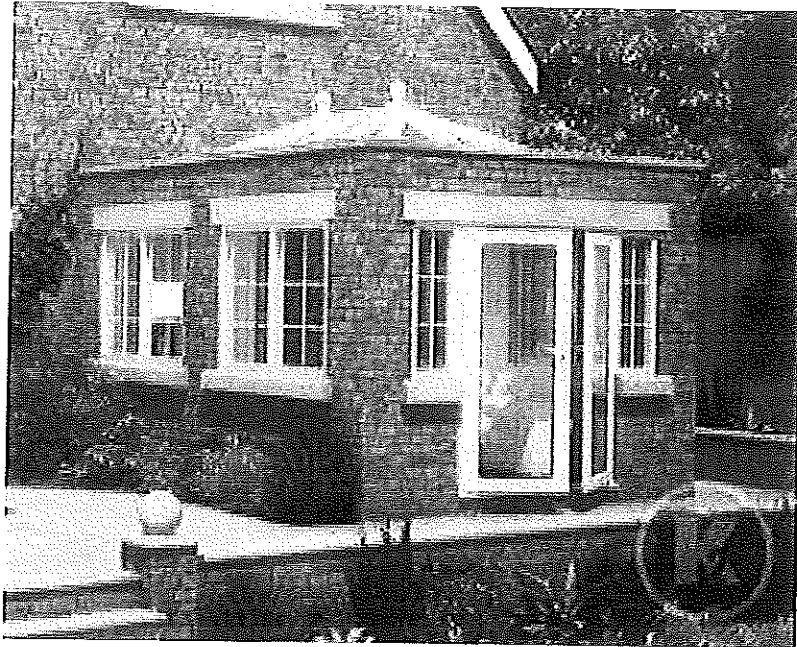


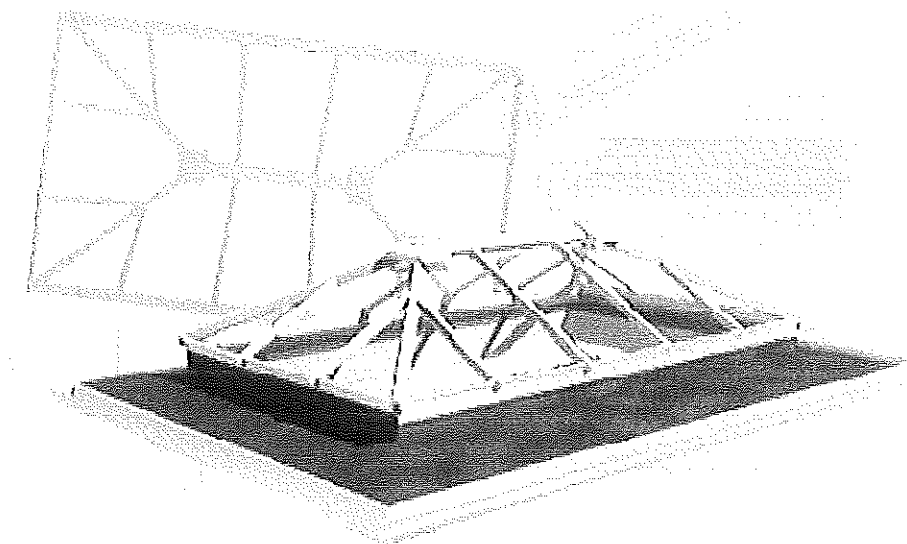
Date

16/11/12

This form and other documents should be returned to:

The Development Manager,
Development Services,
Abbotsford House,
Davids Loan,
Falkirk FK2 7YZ

orangery roofs



PLANNING AND TRANSPORTATION

Enquiries to : Katherine Chorley
 Direct Dial : 01324 504704
 Fax : 01324 504747
 e-mail : katherine.chorley@falkirk.gov.uk



Falkirk Council
Development Services

Our Ref : P/12/0537/FUL/KC/JT
 Please quote in all correspondence

5 October 2012

Acre Architects
 10 Harvey Avenue
 Polmont
 Falkirk
 FK2 0QR

Dear Sirs

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

Development Extension to Dwellinghouse to Form Garage With Storage Loft, Orangery and Utility Room
Location 8 South Broomage Avenue Larbert FK5 3LF
Application No. P/12/0537/FUL

I refer to the above application and write to advise that the proposal raises issues under the Council's "Supplementary Guidance Note on House Extensions and Alterations" (SPG), in respect of the following:

The document advises that flat roofs will generally be discouraged and are only considered appropriate at single storey level where the following criteria are met;

- Creating an incidental, well integrated element to the rear (max 6sq metres),
- Forming a plateau concealed by a pitched roof,
- Concealed behind a parapet,
- A characteristic feature of the original house.

It is considered that the large area of flat roof proposed at the rear would be out of character with the original house and would form an incongruous addition to the property. It would not meet the requirements of the SPG as set out above and is therefore considered unacceptable.

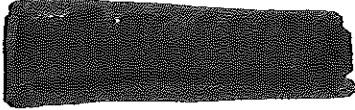
I would therefore request that the application be withdrawn to allow for further discussions and amendments. A new application could then be submitted at no extra cost (providing it was submitted within a year of the current application having been submitted. This does not refer to any advert fees which may still be required).

Director: Rhona Geisler

Abbotsford House,
 David's Loan, Falkirk FK2 7YZ
 LP 3 Falkirk-2.
 Telephone: 01324 504950
 www.falkirk.gov.uk

Should you wish to discuss this further please do not hesitate to contact me on the above number or email address.

Yours faithfully

A black rectangular redaction box covering the signature of Katherine Chorley.

Katherine Chorley
Assistant Planning Officer

Copy to:
Mr & Mrs Romanis
8 South Broomage Avenue Larbert FK5 3LF



Our ref: ST/02
25 October 2012

FAO Katherine Chorley
Development Services
Planning Department
Falkirk Council
Abbotsford House
David's Loan
Falkirk
FK2 7YZ

Dear Sirs

Proposed extension to dwelling house at 8 South Broomage Avenue, Larbert, FK5 3LF
Application number P/12/0537/FUL

Following your letter 5th October regarding the flat roofed area for the proposed extension at the above address and the subsequent meeting on 15th October we have discussed the matters raised with the applicants, Mr and Mrs Romanis.

We wish to appeal your decision regarding the suitability of the flat roofed area of the proposed rear extension and have outlined our reasons below.

We have considered the issues raised in your letter which states that flat roofs are generally discouraged in accordance with the Supplementary Guidance Note on House Extensions and Alterations (SPG) and have drawn the following conclusions regarding the issues raised.

- ***Creating an incidental, well integrated element to the rear (max 6sq metres)***

Mr and Mrs Romanis felt that an orangery would provide them with the required accommodation and would be in keeping with the character of the surrounding area. Due to the positioning of the orangery (to be accessed from the kitchen) and its traditional roof type (e.g. glazed, pitched, hip ended lantern rooflight set within a flat roof) it made little sense to have a different kind of roof type over the linking area between the garage and the orangery. Therefore the area of roof serving the orangery and the adjacent link area were designed to be the same material and shape in order to avoid awkward roof details and shapes.

The SPG states the following within part 1.8 :

The design guidance aims generally to create simpler, discreet extensions next to the main house, avoiding over elaborate shapes, materials and details.

The proposed rear extension was designed with the above philosophy in mind. An alternative roof type for the rear extension would have resulted in a number of elaborate shapes with complicated roof junctions and valleys which in turn would have involved a variety of

materials. The flat roof design and material chosen lends itself to this situation and would allow safer maintenance access to the roof and the surrounding house structure.

- **Forming a plateau concealed by a pitched roof**

A plateau design was avoided for the reasons described above in relation to junctions, valleys and detailing.

- **Concealed behind a parapet**

The proposed rear extension roof is concealed behind a parapet.

- **A characteristic feature of the original house**

The existing house does have a flat roofed dormer extension to the rear, a flat roofed garage at the side and a flat roofed plateau area serving the two storey accommodation to the rear.

During our meeting you suggested that a fresh application showing a reduced rear extension would be looked at more favourably by the planning department. The suggested solution involved moving the rear wall 2 metres towards the garage reducing the rear extension by 10 sq metres.

Mr and Mrs Romanis feel that this is too large an area of accommodation to lose as it would result in the loss of the required separate Utility room in order to keep the orangery at an appropriate scale.

The proposed Utility room was originally positioned to serve as a draught lobby between the cold garage/outside and the warm house. While it would be possible to re house the Utility room within the garage as suggested it would result in either an unheated Utility area open to the garage or a self contained heated Utility room which would eat into the garage floor area limiting the types of car that could be garaged and accessed comfortably.

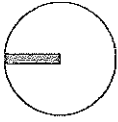
We would be grateful if you could consider the points above and make us aware of the next steps in the appeals process.

We look forward to hearing from you in due course.

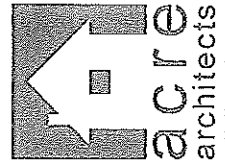
Yours faithfully

Acre Architects

North



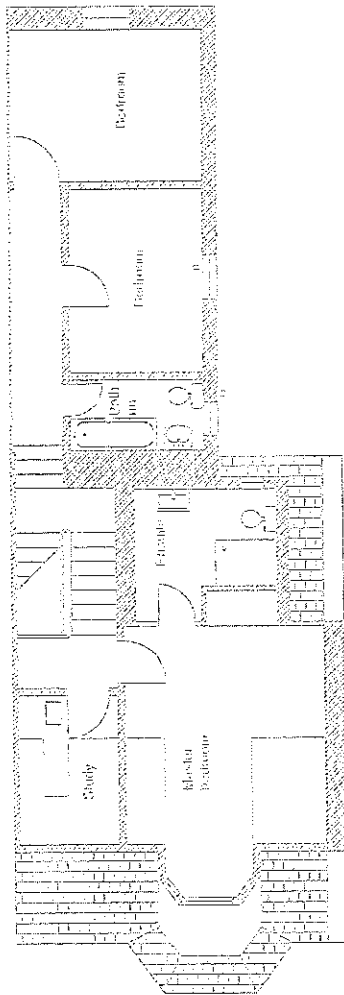
Location Plan @ 1:1250



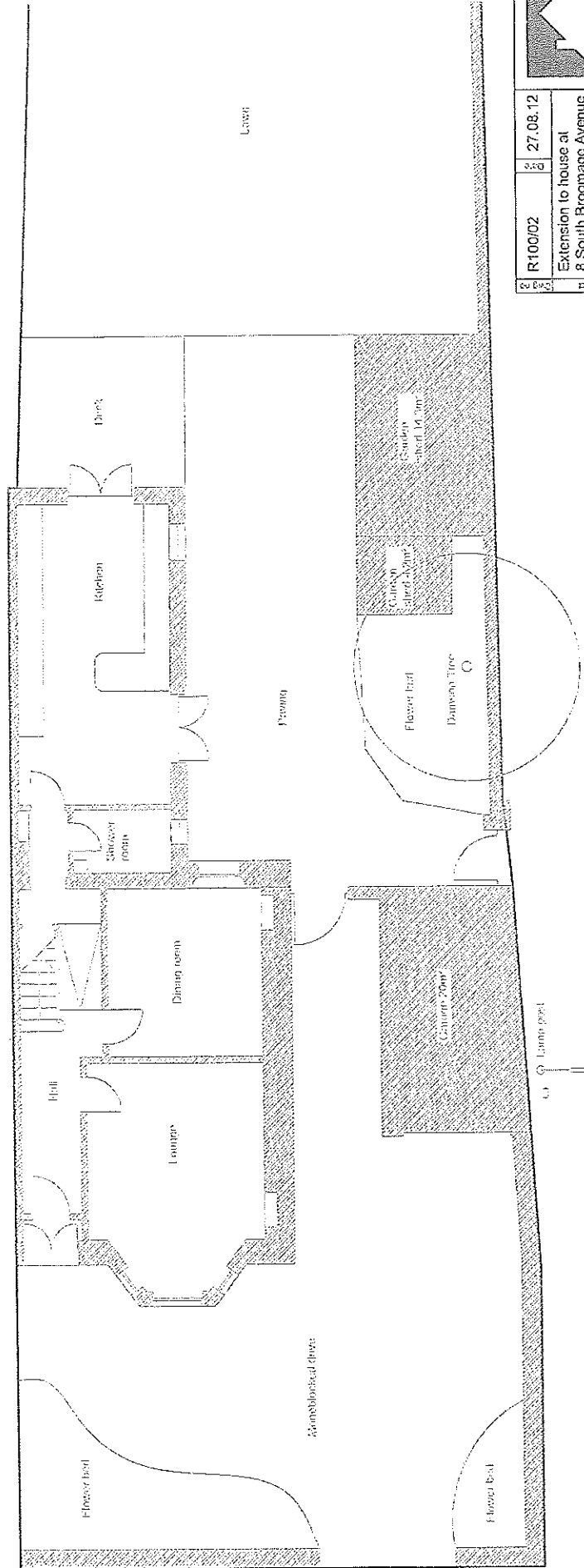
10 Harvey Avenue
Penarth - FK2 0QR
01224 710 001
studio@acre10.com

R100/01	27.08.12
Extension to house at 8 South Broomage Avenue Larbert FK5 3LF	
Mr & Mrs Romanis	
Location and Block Plan	
Revision	



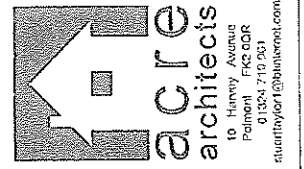


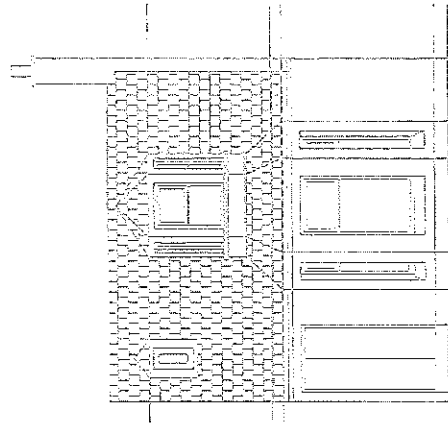
Existing First Floor Plan @ 1:100



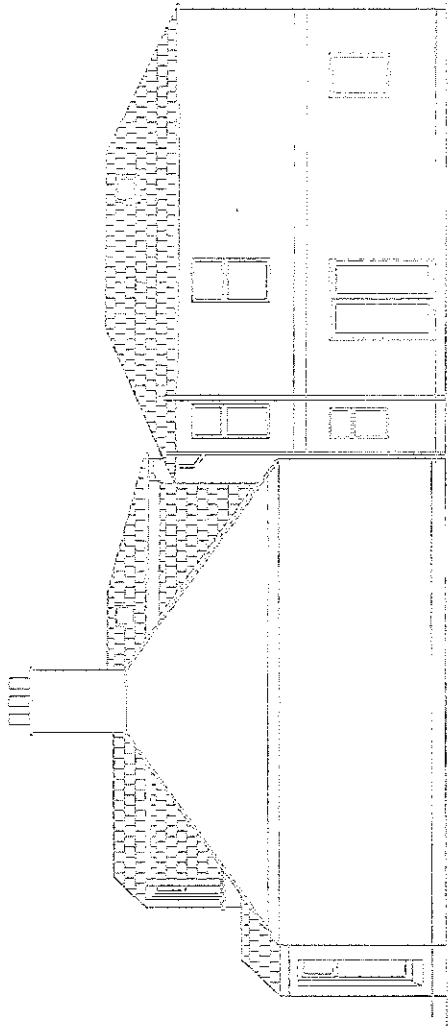
Existing Ground Floor Plan @ 1:100
and part block plan

Revision	Drawn	Check	Project	Design No
1				
Existing Floor Plans				
Mr & Mrs Romanis				
FKS 3LF				
Larbert				
Extension to house at				
8 South Broomage Avenue				
Date				
27.08.12				

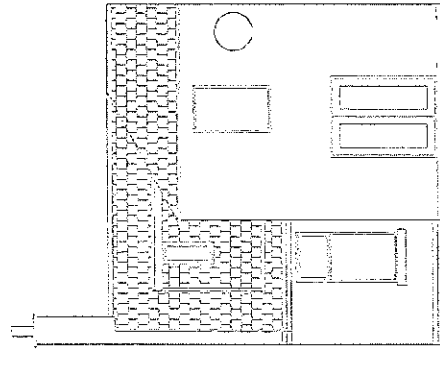




Existing Front Elevation @ 1:100

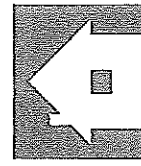


Existing Side Elevation @ 1:100



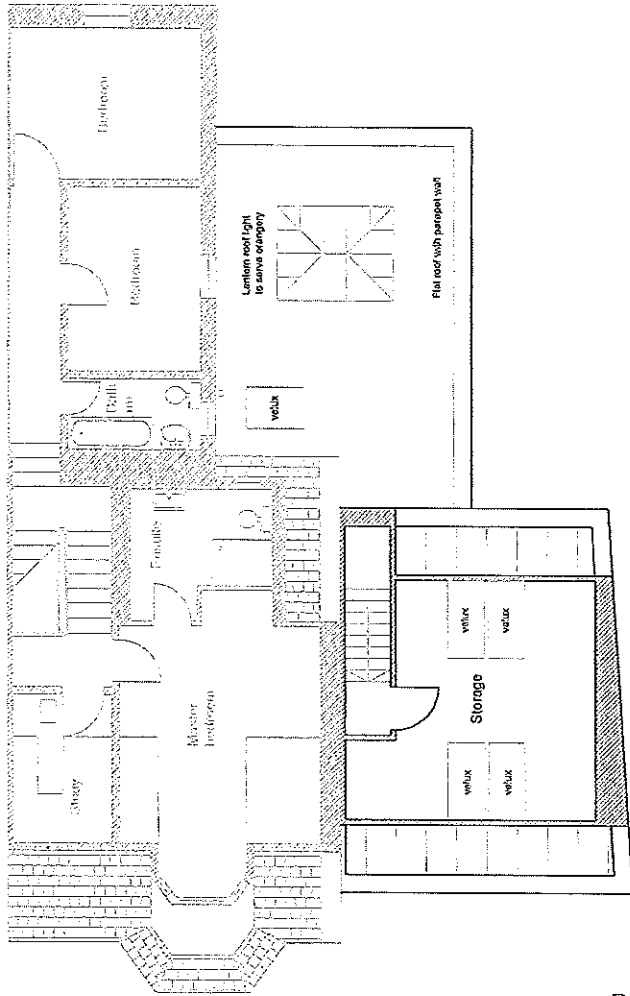
Existing Rear Elevation @ 1:100

Project	R100/03	27.08.12
Proposed	Extension to house at 8 South Broomage Avenue Larbert FK5 3LF	
Client	Mr & Mrs Romanis	
Drawn	Existing Elevations @ 1:100	
Revised	/	

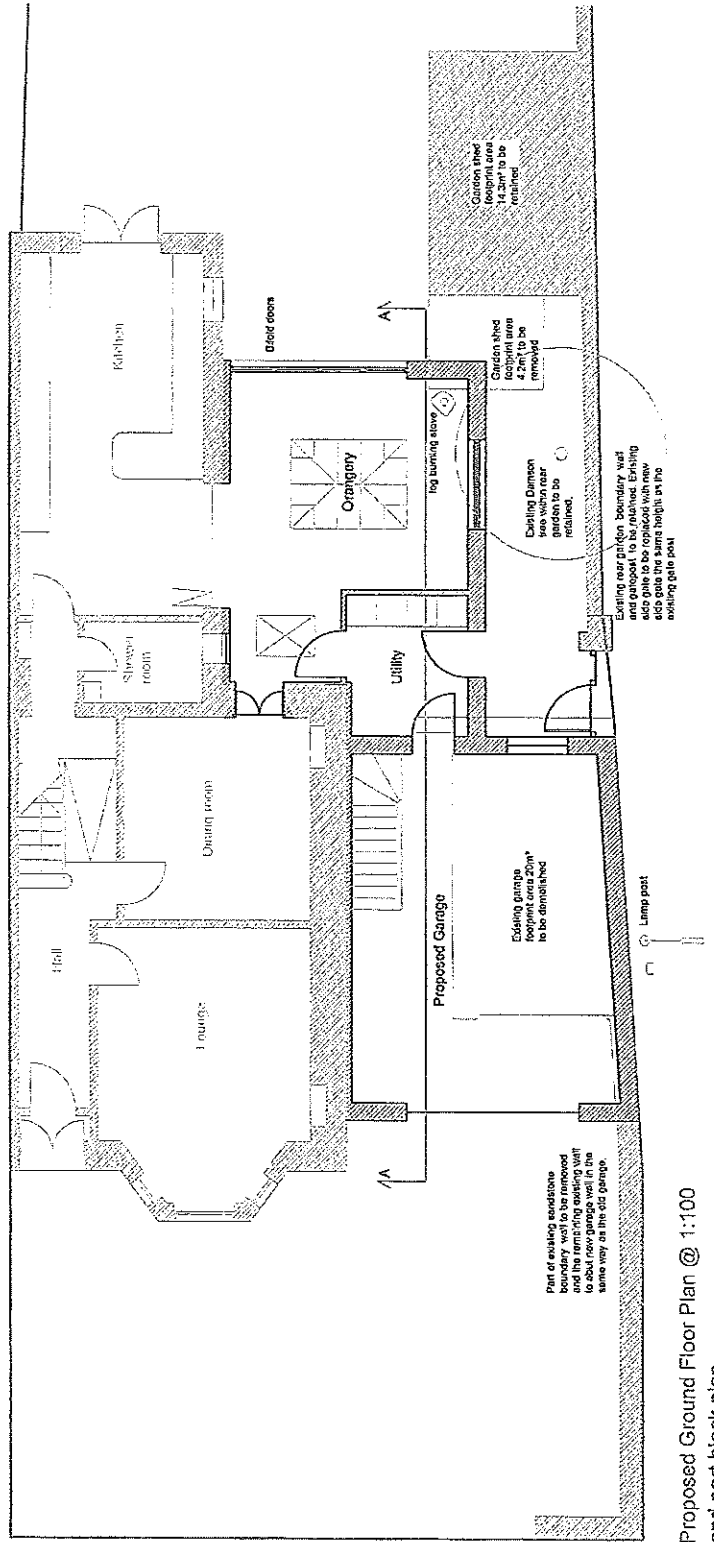


acre
architects


10 Harvey Avenue
Polmont FK20 0QR
01324 710 001
sue@acredesign.co.uk

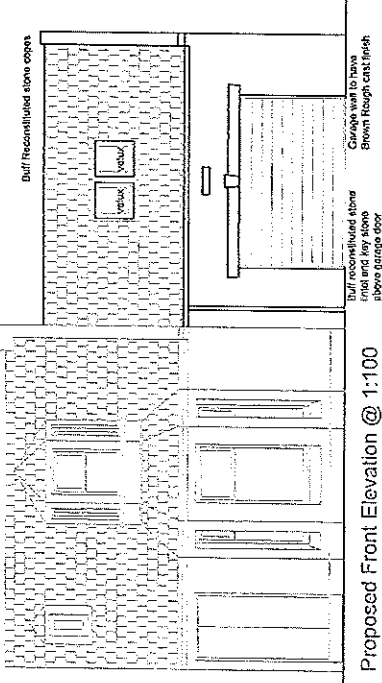


Proposed First Floor Plan @ 1:100

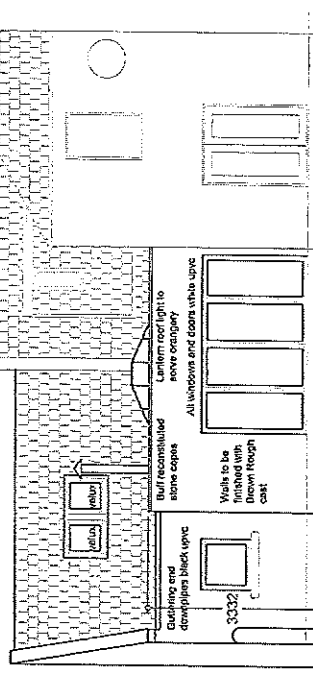


Proposed Ground Floor Plan @ 1:100 and part block plan

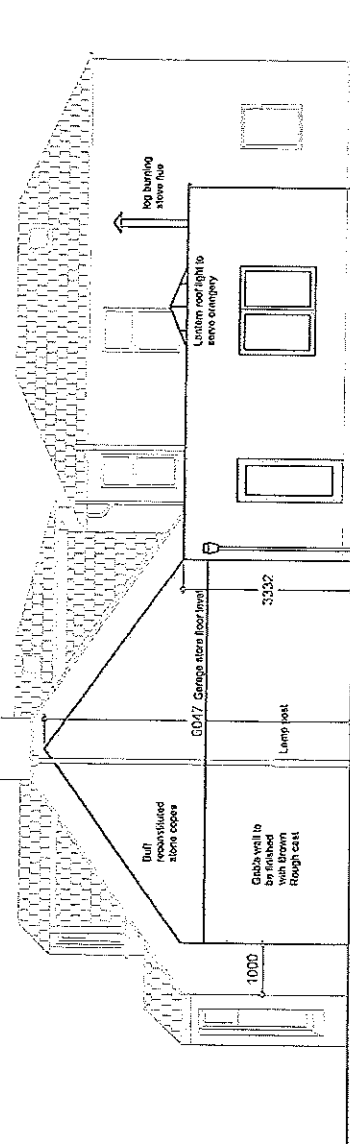
Drawn by	Project	Client	Drawn by	Project	Client
R100/04	27.08.12	Extension to house at 8 South Broomage Avenue Larbert FK5 3LF	Mr & Mrs Romanis	Proposed Floor Plans	
<div>  <div> a cre architects 10 Harvey Avenue Palmont FK2 9JK 01224 7710 941 info@acreath.com </div> </div>					



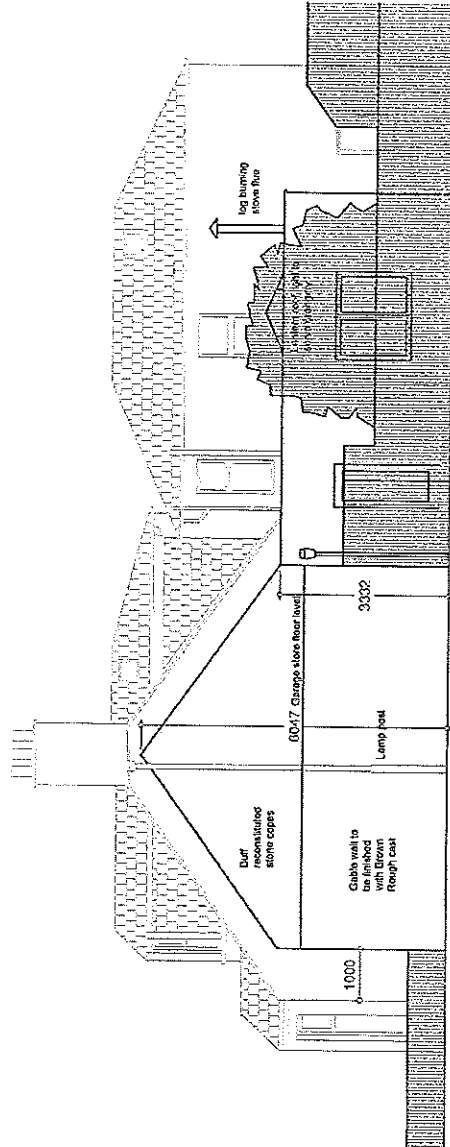
Proposed Front Elevation @ 1:100



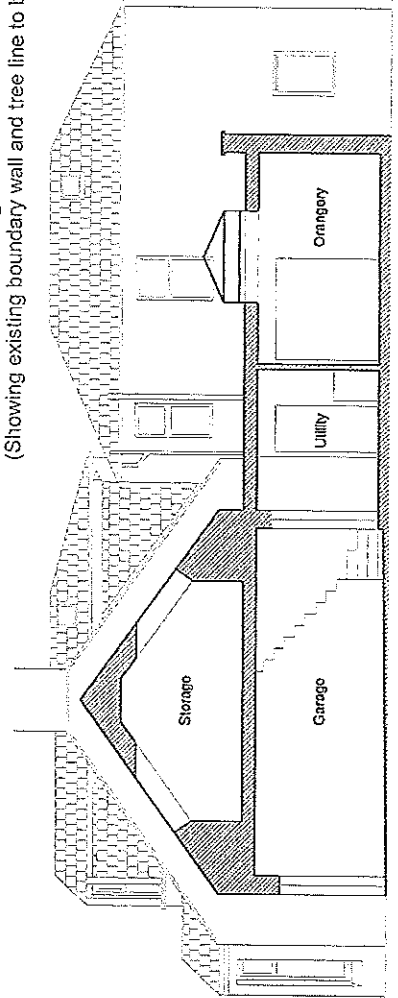
Proposed Rear Elevation @ 1:100



Proposed Side Elevation @ 1:100



Proposed Side Elevation @ 1:100
(Showing existing boundary wall and tree line to be retained)



Proposed Section AA @ 1:100

HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2008

Please refer to the accompanying Guidance Notes when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR & MRS ROMANIS	Ref No.	
Forename		Forename	STUART
Surname	ROMANIS	Surname	TAYLOR
Company Name		Company Name	ACRE ARCHITECTS
Building No./Name		Building No./Name	10
Address Line 1		Address Line 1	HARVEY AVE.
Address Line 2		Address Line 2	POUMONT
Town/City		Town/City	FALKIRK
Postcode		Postcode	FK2 0QR
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Address or Location of Proposed Development (please include postcode)			
8 SOUTH BROOMAGE AVENUE, LARBERT, FK5 3LF			
NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.			
4. Describe the Proposed Works			
Please describe accurately the work proposed:			
EXTENSION TO DWELLING HOUSE, TO FORM GARAGE WITH STORAGE LOFT, ORANGERY AND UTILITY ROOM AT THE SIDE/REAR OF THE PROPERTY.			
Have the works already been started or completed Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
If yes, please state date of completion, or if not completed, the start date:			
Date started: <input style="width: 150px;" type="text"/>		Date completed: <input style="width: 150px;" type="text"/>	

If yes, please explain why work has already taken place in advance of making this application.

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes ☐ No ☒

If yes, please provide details about the advice below:

In what format was the advice given? Meeting ☐ Telephone call ☐ Letter ☐ Email ☐

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes ☐ No ☒

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

6. Trees

Are there any trees on or adjacent to the application site? Yes ☒ No ☐

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes ☐ No ☒

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes ☐ No ☒

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

3

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total of existing and any new spaces or reduced number of spaces)

3

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc).

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes ☐ No ☒

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes ☐ No ☒

If you have answered yes please provide details:

DECLARATION

I, the ~~applicant~~ agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the ~~applicant~~ agent hereby certify that the attached Land Ownership Certificate has been completed ☒

I, the ~~applicant~~ agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes ☐ No ☐ N/A ☒

Signature:

Name:

ALKE ARCHITECTS

Date:

28/08/12

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.

