

Perth and Kinross Council
Planning and Placemaking Committee – 22 March 2023
Report of Handling by Head of Planning & Development
(Report No. 23/94)

PROPOSAL: Part demolition of building

LOCATION: 29 Reform Street, Blairgowrie, PH10 6AZ

Ref. No: [22/01243/CON](#)

Ward No: P3- Blairgowrie and Glens

Summary

This report recommends approval of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 Conservation Area Consent is being sought to demolish a long-established, single storey, storage building set to the rear of a vacant retail unit which is located on the edge of Blairgowrie Town Centre.
- 2 The former garden and pet centre premises comprise two unlisted buildings of contrasting heights and characteristics. It is proposed to retain and alter the two-storey unit which fronts onto Reform Street and remove the lesser scaled building which faces onto Union Street.
- 3 A separate planning application has been submitted (22/01242/FLL) which is seeking consent to build on part of the demolished footprint of the store, to link with proposals to alter and convert the remaining two-storey property to form 4 residential flats. An earlier Conservation Area Consent submission and associated planning application (22/00776/CON & 22/00397/FLL) were withdrawn because of concerns expressed about key detailed aspects of the scheme forwarded. Essentially there is no change to the Conservation Area Consent proposals re-submitted for consideration; the subsequent planning application proposals for the re-development of the site have however been modified to a point which is now considered on balance, to be appropriate. The planning application is also being put before members with a similar recommendation of approval.

Pre-Application Consultation

- 4 Pre application Reference: 17/00481/PREAPP sought a view as to the total demolition of the buildings and the erection of 10 flats. Advice was provided as to what steps and information would be required.
- 5 Pre application Reference: 19/00597/PREAPP sought an informal opinion as to the demolition of both buildings at the site to create a heritage centre. Advice was given in respect of the need to submit supporting information such as reports on the structural condition of the buildings to justify their removal.
- 6 Pre-application reference: 21/00046/PREAPP proposed a similar scheme which was broadly supported in principle and culminated in the submission of applications 22/00776/CON & 22/00397/FLL which were later withdrawn.
- 7 The proposed development is not classed as a Major development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, therefore the applicant was not required to undertake not any formal pre-application consultation with the local community.

DEVELOPMENT PLAN

- 8 The Development Plan for the area comprises National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2 (2019) (LDP2).

National Planning Framework 4

- 9 The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve peoples lives by making sustainable, liveable and productive spaces.
- 10 NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.
- 11 The Council's assessment of this application has taken into account the policies of NPF4 and considers that the proposals accord with the intentions of this document.

The principal relevant policy is:

- Policy 7 Historic Assets and Places.

Perth and Kinross Local Development Plan 2019

- 12 The Local Development Plan 2 (2019) (LDP2) sets out a vision statement for the area and states that, "Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth." It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal relevant policy is:

- Policy 28B: Demolition within Conservation Areas

OTHER POLICIES

Non Statutory Guidance

- [Conservation areas](#)

NATIONAL GUIDANCE

- 13 The Scottish Government expresses its planning policies and guidance through The National Planning Frameworks, Planning Advice Notes , Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

Planning Advice Notes

- 14 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 40 Development Management
 - PAN 68 Design Statements

Site History

- 15 **22/00397/FLL** Full Planning Permission application was withdrawn on 28 June 2022 for change of use, alterations and extension to shop to form 4 flats
- 16 **22/00776/CON** application was withdrawn on 28 June 2022 for part demolition of building
- 17 **22/01242/FLL** Full Planning Permission for change of use, alterations and extension to shop to form 4 flats

CONSULTATIONS

- 18 As part of the planning application process the following bodies were consulted:

External

Perth And Kinross Heritage Trust

- 19 Have noted that the building retains historic character that adds value to the historic townscape and acknowledge that the site is archaeologically sensitive as it includes the partial demolition and alteration of a traditional historic building within the Blairgowrie Conservation Area that pre-dates the 1st Edition Ordnance Survey. A condition requiring an historic building survey has been recommended.

Historic Environment Scotland

- 20 Whilst not expressly objecting, HES have again intimated that the building makes a positive contribution to the character of the Blairgowrie Conservation Area and expressed a preference for the retention and reuse of the building on the basis that evidence has not been provided to confirm it is beyond the point of repair or that alternative options such as façade retention have been explored.

Internal

Conservation Team

- 21 In respect of this Conservation Area Consent proposals, internal Conservation Officers share a similar view as Historic Environment Scotland in that the building contributes to the character of the Conservation Area and that the supporting information does not make a clear case that the building is beyond repair or that its demolition is necessary to allow for the re-use of the site.

Representations

- 22 A total of 10 representations were received from 7 individuals. The main issues raised within the representations are:
- 23 The issues raised relate primarily to the detailed redevelopment proposals and include:
- Impact on Conservation Area
 - Loss of car parking, traffic impacts
 - Overlooking and loss of privacy
 - Inappropriate layout and scale
 - Health and safety concerns
- 24 Comments received which are aimed at concerns such as traffic generation attributed to the new development proposals are not relevant to this proposal and which will be addressed in the planning submission. Issues pertinent to the Conservation Area Consent proposals will be addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

Screening Opinion	Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment under Habitats Regulations	Bat survey submitted
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

- 25 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) require the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The Development Plan comprises NPF4 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, this involves considerations of the Council's other approved policies and supplementary guidance, namely Conservation Areas.
- 26 In this instance, Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is relevant and requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated conservation area.

Principle

- 27 The site is located within the central core of the settlement of Blairgowrie. Both Policy 28B of the LDP2 and Policy 7 of NPF4 share an expectation that buildings which are considered to contribute to the Conservation Area will be retained and demolition will only be supported in certain situations. Additionally, that any demolition will not be considered in isolation, to ensure any redevelopment proposals are acceptable within such a sensitive historic environment.
- 28 Neither property is contained within or benefits from inclusion within the statutory list compiled by Historic Environment Scotland of buildings of architectural or historic merit.
- 29 NPF4 specifically makes it clear when proposing the demolition of unlisted buildings in Conservation Area's that there is a need to demonstrate:
- reasonable efforts have been made to retain, repair and reuse the building
 - the building is of little townscape value
 - the structural condition of the building prevents its retention at a reasonable cost; or
 - the form or location of the building makes its reuse extremely difficult.
- 30 In this instance, as a structural engineer's assessment has not been provided, a definitive conclusion as to the capability of the subjects for conversion or economic repair cannot be taken. Whilst this survey would routinely be expected to accompany such applications; it is not mandatory and was not suggested as being a key component in the most recent pre-application enquiry. The focus instead was on justifying the loss of a commercial enterprise in favour of residential use with the town centre. As a result, a map featuring vacant outlets in close proximity to the site has been prepared, which together with the other information, will be taken into account in the determination of the associated planning application.

- 31 The supporting design statement and site photographs forwarded with this Conservation Area Consent submission provide confirmation, that both buildings have been poorly maintained for a considerable period of time and appear the worse of wear, bordering on dilapidation. Further, that the building to the rear has been subject to some unfortunate past render work which has covered much of its original exterior. As such, its current value lies primarily in its simplistic slated roofed form, industrial style collection of rooflights and past association with the forerunner to the RAF – the Royal Air Force Association, which is inscribed above the door.
- 32 Although the signs of water damage and structural deflection raised by the agent are evident, it is highly probable that both units could be converted to an alternative use - if there was a will and funds to do so. The applicants have made it clear however that their aim is to proceed with the partial demolition. In view of this, and after careful deliberation, it is considered that in this prominent location the greater concern to be addressed, is the need to secure some investment and viable re-use of the more public unit, to secure its long-term future and a noticeable improvement to the Conservation Area townscape. The demolition of the rear store is regrettable, but on balance, deemed appropriate and compatible with the weight of policy considerations relative to its level of value, condition and context as implied in policy 28B of LDP2 and 7 of NPF4.

Conservation Considerations, Design and Layout

- 33 The removal of the single storey building will undoubtedly have a degree of impact through the loss of historic fabric within the Conservation Area. Cognisance has to been taken of the long-term outlook and viability of the site however to avoid further degeneration or potential enforced demolition for safety reasons.
- 34 The proposed replacement building is reflective of the original linear layout and well contained building pattern that has developed in this central part of the Blairgowrie Conservation Area. The plans forwarded have addressed concerns raised in the previous withdrawn submissions, in terms of revisions to the design and scale of the new build element. The replacement building has now been set down from the ridge by around 500cm to continue the clear distinction in character between the two units. The changes are considered acceptable and supportable in this location. Conditions have been attached to secure further enhancements in respect of external finishes and fixtures; including the need to survey the building before it is removed and to re-use salvaged materials. Accordingly, the visual impact of the development will be minimised and the character of Conservation Area maintained.

VARIATION OF APPLICATION UNDER SECTION 32A

- 35 This application was not varied prior to determination.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

- 36 None.

DIRECTION BY SCOTTISH MINISTERS

- 37 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 38 To conclude, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with NPF4, and the adopted Local Development Plan 2 (2019). Account has been taken account of the relevant material considerations and none has been found that would justify overriding the Development Plan.
- 39 Accordingly the proposal is recommended for approval subject to the following conditions.

A RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason: To ensure the development is carried out in accordance with the approved drawings and documents.

2. Development shall not commence until the developer has secured an archaeological standing building survey, to be carried out by an independent and suitable qualified archaeological organisation. The scope of the archaeological standing building survey will be set by Perth and Kinross Heritage Trust on behalf of the Council as Planning Authority. The name of archaeological organisation retained by the developer shall be given to the Planning Authority and Perth and Kinross Heritage Trust in writing not less than fourteen days before the commencement date provided in the Notice of Initiation of Development. Copies of the resulting survey shall be deposited in the National Monuments Records for Scotland and in the Perth and Kinross Historic Environment Record upon completion of the survey.

Reason: To ensure an appropriate archaeological standing building survey is carried out and the resulting survey is recorded properly.

3. All original external materials to be removed from the building shall be assessed individually by hand to determine their condition and suitability for re-use. Once assessed, details shall be forwarded to the Planning Authority

confirming their condition and potential for future re-use in advance of any demolition work.

Reason: In order to protect the traditional character and appearance of the Conservation Area and in the interests of sustainability.

4. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used in any new build works or areas subject to repair or reinstatement, shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

5. Prior to the commencement of any work at the site, a Demolition Management Plan (DMP) shall be submitted to and approved in writing by the Council as Planning Authority. The DMP shall include details and phases of the demolition works, anticipated dates and timings, method for disposal, re-use and transfer of waste any associated road closures required. The DMP, as approved in writing, shall be strictly adhered to for the duration of the construction phase of the development.

Reason: In the interests of residential amenity and free traffic flow; to ensure the demolition phase is carefully managed.

B JUSTIFICATION

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

C PROCEDURAL NOTES

None

D INFORMATIVES

1. This Conservation Area Consent will last only for three years from the date of this decision notice, unless the development has been started within that period (see Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as amended by Section 20 of the Planning etc (Scotland) Act 2006).
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. The required information must be submitted via the ePlanning portal if your original application was lodged that way, otherwise send it to us at developmentmanagement@pkc.gov.uk. Please be aware that a fee is payable in respect of each request made, though there is no limit to the number of conditions that can be discharged in a single request. The Fees Charter is available on our website www.pkc.gov.uk.

The Council has two months to consider the information. You should therefore submit the required information more than two months before your permission expires. We cannot guarantee that submissions made within two months of the expiry date of your permission will be able to be dealt with before your permission lapses.
5. No work shall be commenced until an application for building warrant has been submitted and approved.
6. The developer is advised to contact Sophie Nicol, Historic Environment Manager (tel 01738 477027) Perth and Kinross Heritage Trust, to discuss terms of reference for work required.

Background Papers: 10 letters of representation
Contact Officer: A Bendall
Date: 10 March 23

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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