

Perth and Kinross Council
Planning & Development Management Committee – 3 June 2020
Report of Handling by Head of Planning & Development (Report No. 20/95)

PROPOSAL: Alterations and extension to outbuilding to form a dwellinghouse

LOCATION: Land east of Abbeyhill, Precinct Street, Coupar Angus

Ref. No: [19/01429/LBC](#)
Ward No: P2 - Strathmore

Summary

This report recommends approval of Listed Building Consent (LBC) as the development is considered to comply with the relevant provisions of the Development Plan and that there are no material considerations apparent which outweigh the Development Plan. The recommendation of approval is also considered to be in accordance with the requirements of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (PLBCA).

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 LBC is required for physical works to a listed outbuilding and boundary wall at Precinct Street, Coupar Angus.
- 2 Full planning permission (FPP) was granted last year by the Planning & Development Management Committee for the erection of a new dwellinghouse and associated works. It is the related minor works (removal of a lean-to and the extension) to the outbuilding and the physical joining of the dwelling to the wall which require LBC. The FPP was approved with an informative note that restricted physical works to both the outbuilding or the boundary wall until LBC was in place, as such activity would be an offence.
- 3 The approved dwelling comprised a contemporary designed, flat-roofed single-story building. The principal external finishes were smooth render and sandstone features, with timber windows and doors. Feature panels of fibre cement cladding boards were also included. The design incorporated an interesting 'green roof' feature. Vehicular access was proposed directly from Precinct Street, via an existing double gated opening, although these gates would be replaced.
- 4 Both the Precinct Street boundary wall and the outbuilding are considered to be B listed by virtue of being within the historic curtilage of the adjacent Abbeyhill property.

PRE-APPLICATION CONSULTATION

- 5 Pre-application advice was issued to the applicant prior to the submission.

NATIONAL POLICY AND GUIDANCE

- 6 The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.
- 7 Of specific relevance to this LBC application are,

Scottish Planning Policy 2014

- 8 The Scottish Planning Policy (SPP) was published in June 2014 and sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- The preparation of development plans;
- The design of development, from initial concept through to delivery; and
- The determination of planning applications and appeals.

- 9 The following sections of the SPP will be of particular importance in the assessment of this proposal: paragraphs 135-137 which relate to the Historic Environment.

Historic Environment Policy for Scotland 2019

- 10 This document sets out how Historic Environment Scotland fulfils its regulatory and advisory roles and how it expects others to interpret and implement Scottish Planning Policy.

DEVELOPMENT PLAN

- 11 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

TAYPlan Strategic Development Plan 2016-2036

- 12 TAYPlan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of

life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”

- 13 TAYplan 2016 seeks to protect our cultural assets through Policy 7.

Perth and Kinross Local Development Plan 2019

- 14 The Local Development Plan 2 (2019) (LDP2) was adopted by Perth and Kinross Council on 29 November 2019. The 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.
- 15 As this is an application for LBC only, the sole LDP2 policy of relevance is Policy 27A, which seeks to ensure that listed buildings (and their settings) are appropriately protected from new developments.

SITE HISTORY

- 16 The site has a long planning history dating back to 2006. However, most relevant is the FPP approved in 2019. That decision effectively accepted the development of a dwelling, and the design and scale thereof. Details can be accessed at the below link.
- 17 [19/00090/FLL](#) - Erection of a dwellinghouse. Approved, 24 September 2019.

CONSULTATIONS

- 18 As part of the assessment of the application, the following bodies were consulted:

External

- 19 **Historic Environment Scotland** – No objection. Advise that they have no specific comment in relation to the impact on either the outbuilding or Precinct Street boundary wall.

REPRESENTATIONS

- 20 Twenty four objections have been received. The main relevant issues raised are:
- Conflict with the Local Development Plan
 - Conflict with Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (PLBCA)
 - Adverse Impact on existing boundary wall and outbuilding
 - Impact on internal wall
 - Impact on Setting of Abbeyhill

- 21 It should be noted that as this application seeks only LBC, which relates to the physical works to the listed structures. The following matters that were raised within the objections are therefore not relevant to this application,
- Conflict with previous site history
 - Adverse Impact on a tree outwith the site
 - Conflict with previous site history
 - General road safety issues including traffic volumes and parking
 - Adverse impact on residential and visual amenity
 - Adverse impact on Conservation Area & archaeology
- 22 The material issues which have been raised that are relevant to this application, are addressed in the Appraisal section below.

ADDITIONAL STATEMENTS

23	Screening Opinion	Not Required
	Environmental Impact Assessment (EIA): Environmental Report	Not Applicable
	Appropriate Assessment	Not Required
	Design Statement or Design and Access Statement	Submitted
	Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

- 24 Section 25 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 adopted Development Plan comprises the TAYplan Strategic Development Plan 2016–2036 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.
- 25 In terms of other material considerations, this involves considerations of the requirements of the PLBCA, and the sites planning history. Section 14(2) of the PLBCA places a duty on planning authorities in determining an application for LBC to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Principle

- 26 As FPP for the related dwelling has already been approved, the principle of a dwelling cannot therefore be revisited. Rather only the detail and appropriateness of the physical works to the listed buildings.

Impact on the Listed Buildings

- 27 As stated previously, Section 14(2) of the PLBCA places a duty on planning authorities in determining an application for LBC to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 28 Both the listed outbuilding and the Precinct Street boundary wall are within the historic curtilage associated with the adjacent 'Abbeyhill' property – which is B listed.
- 29 It is clear that the boundary wall has been altered over the years, however it is likely that its original alignment remains and that some original fabric/structure also survives.

Impact on Outbuilding

- 30 In terms of physical impact on the existing outbuilding, the development proposed is considered acceptable and would help to preserve its long-term use. Whilst listed, the outbuilding is not remarkable in its own right and does not have any special features of either architectural or historic interest.
- 31 Nevertheless it remains that it is prominent in the streetscene and within Coupar Angus Conservation Area, therefore its rehabilitation, adaptation and repurposing is welcomed.
- 32 The existing timber boards are to be renewed in larch, with a clear lacquer finish, which is acceptable. Specific details can be controlled via Condition 5.
- 33 It is also proposed to remove a lean-to extension on the southern outbuilding gable and create a structure linking the outbuilding and the substantive new build element of the dwelling. Both individually, and collectively these elements are considered acceptable, and do not have any significant direct impact on any features of special architectural or historic merit.
- 34 In terms of the new build element, this is also considered to be acceptable in terms of its physical impact on the listed building. As before, the outbuilding has little historic or special architectural features which could be diluted by new development. However, notwithstanding this, the proposed dwelling is of a scale and design which is considered acceptable and which will allow for the outbuilding to retain its streetscape prominence and largely allow its publicly visible historic relationship with Abbeyhill (and the boundary wall) to be maintained. As such, the proposal has no adverse impact on any special architectural or historic interest which it possesses.

Impact on Precinct Boundary Wall

- 35 In terms of the physical impact on the wall, the proposed dwelling will sit behind the interior elevation of the wall. As stated previously the wall has been altered over the years, but it does contribute to the area positively.

- 36 Although the proposed dwelling would be partially visible over the top of the wall, its modest height, flat-roofed, single-storey design avoids the building appearing overly in the streetscene, nor dominating the existing wall. The use of materials similar to the wall will also soften its impact. To ensure their appropriateness, external materials will also be requested to ensure their suitability (Condition 5), as will details of any replacement entrance gates (Condition 3). Similar to the position with the outbuilding, the proposed scale and design of the dwelling will allow for the boundary wall to retain its streetscape prominence and allow its historic relationship with Abbeyhill (and the outbuilding) to be maintained.
- 37 It should be noted that Historic Environment Scotland were asked to consider the physical impact on both the outbuilding and boundary wall. They responded that they have considered all the structures within the curtilage of Abbeyhill, and do not wish to make any specific comment.
- 38 In light of the above, proposal is therefore considered to be in accordance with the requirements of the PLBCA and Policy 27A of the LDP2. The proposal will help to ensure the long-term future of both the outbuilding and the boundary wall. The recommendation of approval would also be consistent with Councils decision to approve the earlier planning application.

Impact on Setting of Abbeyhill

- 39 This is an application for LBC, which relates to the physical works proposed to listed buildings, and whether or not they are acceptable. Whilst the proposal does not physically touch any part of the adjacent Abbeyhill, there remains a duty for the Council under the PLBCA to preserve the setting of Abbeyhill. It is also noted that this issue has been raised within the majority of the representations.
- 40 In terms of the direct impact on the setting of Abbeyhill, whilst the site is now inseparate ownership from Abbeyhill, it was historically the garden ground of Abbeyhill and remains an important element to Abbeyhill's historic setting. The key test of whether a potential development is acceptable is whether or not the proposal would preserve (or enhance) the historic setting or any features of special architectural or historic interest which it possesses as per the requirements of S14(2) of the PLBCA.
- 41 The proposed dwellinghouse would be seen over the top of the existing wall and would therefore be seen in the same view as Abbeyhill from Precinct Street. The flat-roofed, single-storey design avoids the building appearing visually intrusive. The use of materials similar to both the existing boundary wall and also Abbeyhill itself will serve to soften its impact.
- 42 The nature of the development would also allow for both the boundary walls and outbuilding to retain their own streetscape prominence, allowing the wider historic relationship with Abbeyhill to be maintained.

Impact on Conservation Area

- 43 Again this application relates to the physical works to listed buildings, however the PLBCA requires that the impact on the character and appearance of Conservation Areas is accounted for when coming to decisions. Also this issue is raised within most representations.
- 44 The issue of whether or not the character and appearance of the Conservation Area would be affected by the proposal was fully considered in the assessment of the consented planning application, which concluded that what is proposed was acceptable - subject to conditions. This position remains unaltered.

Other matters raised within Representations

- 45 The following matters are not relevant to this LBC application, but were fully considered during the assessment of the planning application.
- Residential Amenity
 - Visual Amenity
 - Roads and Access
 - Drainage and Flooding
 - Waste Collection
 - Natural Heritage and Biodiversity
 - Impact in Archaeology
 - Impact on Trees

Impact on Wall

- 46 Within the letters of representations, concerns about the possible removal of a wall inside the site has been raised. There is an existing dwarf garden wall roughly across the centre of the site. This wall appears to be relatively old and could have originally separated areas of the former garden associated to Abbeyhill. It is therefore reasonable to consider this to be listed by virtue of curtilage, however no physical changes to this wall are proposed.

Developer Contributions

- 47 As this is an application for LBC, there is no requirement for any Developer Contributions.

Economic Impact

- 48 The proposal would have limited impact on the local economy.

LEGAL AGREEMENTS

- 49 None required.

DIRECTION BY SCOTTISH MINISTERS

- 50 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

- 51 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise, and to accord with the provisions with the PLBCA. In this respect, consideration of the Local Development Plan and material considerations have been undertaken, and the development neither conflicts with the Development Plan nor provisions of the PLBCA.
- 52 Accordingly the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

A Approve the application subject to the following conditions and reasons,

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. All external doors and windows shall be of timber construction. Prior to the commencement of the development hereby approved, precise specification details of all external doors and windows shall be submitted to and approved in writing by the Council as Planning Authority. The approved details shall thereafter be implemented in full.

Reason: In the interest of protecting the character and historic setting of the listed building.

3. Prior to the commencement of any development precise details relating to the construction materials, and finish of any entrance gate(s) shall be submitted shall be submitted to and for the further written agreement by the Council as Planning Authority. The agreed details shall thereafter be implemented in full to the satisfaction of the Council as Planning Authority.

Reason: In the interest of protecting the character and historic setting of the listed building.

4. The proposed UPVc rainwater goods are not approved. Prior to the commencement of the development, precise details of relating to the construction materials, and finish of all rainwater goods shall be submitted to

and approved in writing by the Council as Planning Authority. The approved details shall thereafter be implemented in full to the satisfaction of the Council as Planning Authority.

Reason: In the interest of protecting the character and historic setting of the listed building.

5. Prior to the commencement of the development hereby approved, samples of all external finishes for both the dwellinghouse and the outbuilding shall be submitted to and approved in writing by the Council as Planning Authority. The agreed details shall thereafter be implemented in full to the satisfaction of the Council as Planning Authority.

Reason: In the interest of protecting the character and historic setting of the listed building.

B JUSTIFICATION

The proposal is in accordance with the Development Plan and the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1997 and there are no material reasons which justify departing from the Development Plan.

C PROCEDURAL NOTES

None.

D INFORMATIVES

1. This listed building consent will last only for 3 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. This is approval of your application Ref no 19/01429/LBC for listed building consent only. It does not include any approval for your related planning application Ref no 19/00090/FLL. No work should commence until all the associated pre-commencement conditions attached to the planning permission have been discharged in writing.
3. For the avoidance of doubt, the internal dwarf garden wall is listed and any proposed works to it will require a separate LBC.
4. This consent 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. Please send the required information to us at developmentmanagement@pkc.gov.uk. Please be aware that the Council has two months to consider the information. You should therefore submit the required information more than two months before your consent 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 consent lapses.

Background Papers: 24 letters of representation

Contact Officer: Andy Baxter 01738 475339

Date: 21 May 2020

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.
--

All Council Services can offer a telephone translation facility.
--