

**PERTH AND KINROSS COUNCIL****Enterprise and Infrastructure Committee - 13 June 2012****ABERNETHY CONSERVATION AREA APPRAISAL****Report by Executive Director (Environment)**

This report recommends Committee approves the Abernethy Conservation Area Appraisal, the proposed amended boundary and management measures, and proceeds to formal re-designation by notification to the Scottish Ministers.

**1 RECOMMENDATION**

- 1.1 The Committee is asked to approve the final draft Abernethy Conservation Area Appraisal, the proposed conservation area boundary and associated management measures, and progression onto formal re-designation by notifying Scottish Ministers.

**2 BACKGROUND**

- 2.1 All the outstanding proposals for conservation area designation and amendment emerging from the Development Plan process have now been dealt with. Conservation areas have now been designated in Pitlochry, Blairgowrie, Blair Atholl, Grandtully & Strathtay, Aberfeldy, Crieff and Scotlandwell. The Coupar Angus Conservation Area has been extended and re-designated, and a new Perth Central Conservation Area has been designated which includes the amalgamation of the previous conservation areas in Perth city centre.
- 2.2 The Council has a duty under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 “to formulate and publish, from time to time, proposals for the preservation and enhancement of any parts of their district which are conservation areas.” This means in effect that all existing conservation areas should be reviewed and re-appraised.
- 2.3 Criteria for deciding which conservation areas should be reviewed in order of priority were approved at the Enterprise and Infrastructure Committee on 3 June 2009 (Report 09/265). The criteria for reviewing conservation areas are: (i) a Placecheck has been undertaken or is imminent (ii) the local community has requested a review (iii) there is potential for physical regeneration and linkages with broader schemes (iv) development pressure is creating a need for more detailed guidance or (v) considerable time has elapsed since the original appraisal was undertaken. Requests are prioritised according to how many of the criteria are met. So far 8 conservation areas have been reviewed and approved by the Enterprise and Infrastructure Committee: Errol, Perth Kinnoull, Kinross, Dunning, Comrie, Muthill, Dunkeld and Kenmore. The next conservation area in terms of priority under the approved criteria is Abernethy.

- 2.4 A conservation area was first designated in Abernethy in 1970, and then extended in 1994. A re-appraisal of Abernethy Conservation Area was carried out in November and December 2011. Consultation with the public, local community groups and national bodies on the draft Abernethy Conservation Area Appraisal was undertaken during January and February 2012, including a public exhibition in the Williamson Hall, Kirk Wynd on 23-25 January. A notice of the exhibition was placed in The Courier and on the PKC website. Posters were displayed in shop windows and public notice boards throughout the village.
- 2.5 A tally was kept of visitors to the exhibition which showed around 36 people viewed the information over the three days of the exhibition. The consultation period for written comments was open until 13 February 2012. Written responses were received from three local residents and from Historic Scotland. A summary of the comments received is attached to this report at Appendix 1.
- 2.6 As a result of the review of the conservation area, one minor alteration to its boundary is proposed. A small area of land at the east end of the village, bounded by the Bauk, just off Main Street, was included in the boundary at the review of the conservation area in 1994. In the intervening period a small development of housing has been inserted here, now known as Kinclaven Gardens. This housing does not, in itself, have any particularly special architectural or historic significance and has a neutral effect on the setting of the conservation area. In the interests of maintaining the overall special character of the conservation area, and simplifying the planning regime for these residents, it is proposed to remove this area from the boundary.
- 2.7 No comments were received regarding the proposed boundary change. Substantive comments received generally supported the appraisal and its contents, but made a number of suggestions or corrections to the text. These have all been incorporated into the final draft presented here. The proposed amended boundary of the conservation area is attached at Appendix 2 for information and the final draft Conservation Area Appraisal is attached at Appendix 3.
- 2.8 Enhancement Opportunities
- 2.8.1 Opportunities for enhancement are suggested in the Appraisal for key areas or buildings. These represent initial ideas for potential solutions. There will be early consultation with the local community, including the Community Council and other local groups, as part of the design process.
- 2.9 Conservation Management
- 2.9.1 A draft Article 4 Direction has been prepared for Abernethy Conservation Area to restrict permitted development rights in order to prevent the erosion of the area's character through small scale incremental changes (draft direction contained within the appraisal). An Article 4 Direction requires approval from the Scottish Ministers. The new General Permitted Development (Scotland) Amendment Order 2011 (GPDO) for householder development came into

effect on 6 February 2012. The new GPDO reduces permitted development rights within conservation areas for householders but not others such as statutory undertakers and local authorities. In effect the new GPDO supersedes the need for an Article 4 Direction for householder development within conservation areas. It is therefore considered appropriate to proceed with seeking approval from the Ministers for an Article 4 Direction for certain non-householder classes of development, as outlined in the Appraisal. Additional advertisement controls in the conservation area are also proposed in the Appraisal.

## **2.10 Design Guidance**

- 2.10.1 In order to strengthen the links between the Conservation Area Appraisal and development management, it is considered essential to provide design guidance to encourage alterations, extensions and new development in the conservation area to be of the highest quality and to respect the important features of local distinctiveness identified in the appraisal. Draft design guidance is in development and will be linked with broader design guidance in relation to development throughout the area being progressed through The Placemaking Guide. Specific design guidance may also be prepared for the individual opportunity sites or enhancement schemes identified.

## **3 PROPOSALS**

- 3.1 Committee is asked to approve the Abernethy Conservation Area Appraisal, the proposed boundary and proposed management measures, and progression onto formal re-designation by notifying Scottish Ministers. The Conservation Area Appraisal documents are appended to this report.

## **4 CONSULTATION**

- 4.1 The Head of Legal Services, Acting Head of Finance and the Head of Democratic Services have been consulted in the preparation of this report.

## **5 RESOURCE IMPLICATIONS**

### **5.1 Capital**

- 5.1.1 There are no immediate capital implications arising from the recommendations of the report. Resources have been allocated within the Environment Service capital programme for built heritage in Abernethy. The Tay Landscape Partnership, to which the Council is a major contributor, also presents opportunities to access additional Heritage Lottery Funding (HLF) in line with the scheme's priorities for natural, built and cultural heritage in the area.

### **5.2 Revenue**

- 5.2.1 There are no revenue implications arising from the recommendations of the report.

## 6 COUNCIL CORPORATE PLAN OBJECTIVES 2009-2012

6.1 The Council's Corporate Plan 2009-2012 lays out five Objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. This report impacts on the following:

- (i) A Safe, Secure and Welcoming Environment
- (iii) A Prosperous, Sustainable and Inclusive Economy
- (iv) Educated, Responsible and Informed Citizens
- (v) Confident, Active and Inclusive Communities

## 7 EQUALITIES IMPACT ASSESSMENT (EqIA)

7.1 An equality impact assessment needs to be carried out for functions, policies, procedures or strategies in relation to race, gender and disability and other relevant protected characteristics. This supports the Council's legal requirement to comply with the duty to assess and consult on relevant new and existing policies.

7.2 The function, policy, procedure or strategy presented in this report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- i) Assessed as **relevant** and actions taken to reduce or remove the following negative impacts:
  - a. Some groups (visual/motor impairments, learning difficulties, English as a second language) may experience difficulty accessing information on or understanding policy/decision making in conservation areas. However staff have access to translation services, alternative formats & improved guidance is planned and officer visits can be carried out.
  - b. Occasionally a proposed adjustment may not be achievable because of its impact on the special character of the conservation area, as national legislation must be followed. However usually an alternative proposal can be negotiated.
- ii) Assessed as **relevant** and the following positive outcomes expected following implementation:
  - a. Availability of advice and guidance.
  - b. Provision of enhanced supplementary planning guidance to guide design of adjustments which both assist equality and are sensitive to the conservation area
  - c. Improvement of PKC/PKHT grants procedure to aid targeting to groups/areas most in need and of greatest public benefit.

## **8 STRATEGIC ENVIRONMENTAL ASSESSMENT**

- 8.1 Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies (PPS).
- 8.2 The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and pre-screening has identified that the PPS will have no or minimal environmental effects, it is therefore exempt and the SEA Gateway will be notified. The reason for concluding that the PPS will have no or minimal environmental effects is that the document is primarily one of analysis with a small element identifying future possibilities for management or enhancement. Most of the impacts of these proposals will be covered by other PPSs or require further guidance which will itself be considered under the SEA legislation.

## **9 CONCLUSION**

- 9.1 The Abernethy Conservation Area has been reviewed and re-appraised through the Conservation Area Appraisal process. It is proposed to reduce the existing boundary as a result of this review. An Article 4 Direction is considered necessary in order to safeguard the character and appearance of the conservation area. Opportunities for enhancement have been identified for key areas or buildings.

**JIM VALENTINE  
EXECUTIVE DIRECTOR (ENVIRONMENT)**

**Note:**

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above report.

Enterprise and Infrastructure Committee, 3 June 2009, item 6 (ref. 09/265), Conservation of Built Heritage: Next Priorities

**Contact Officer:** Rachel Haworth, 475357, RLHaworth@pkc.gov.uk  
**Address of Service:** Pullar House, 35 Kinnoull St, Perth PH1 5GD  
**Date:** 31 May 2012

## **APPENDICES**

- 1 Summary of consultation responses
- 2 Proposed Abernethy Conservation Area boundary
- 3 Draft Abernethy Conservation Area Appraisal

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Council Text Phone Number 01738 442573

Appendix 1: Abernethy Conservation Area Appraisal - summary of responses

date received	name/organisation	summary of comments	response
31 Jan 2012	Anon	Agrees with the important features, tree groups and negative features identified. Requests reference to the Post Office is deleted. Suggests that boulder footings to houses on Main Street may indicate sites of older buildings. Welcomes the conservation area being taken in hand. Assumes that older houses on Perth Road are scheduled in their own right.	Noted. Reference to Post office deleted. Appraisal notes possible earth construction indicated by boulder footings. Agree that these houses may have started as single-storey structures and been extended and altered from their original forms. Many of the buildings in Perth Road have a degree of architectural and historic merit but are not considered to be appropriate for inclusion in the conservation area. These buildings are not listed.
10 Feb 2012	Anon	Agrees with the proposed boundary, important features and negative areas identified. Makes detailed suggestions for corrections to the text. Suggests the high boundary walls at the top of School Wynd as a further area for enhancement.	Noted. Corrections welcomed and incorporated. The condition of the walls at School Wynd is noted and will be kept under review.
14 Feb 2012	Anon	Agrees with the proposed boundary, important features and negative areas identified. No detailed comments on the appraisal.  Suggests that the anteroom at the Williamson Hall used for the exhibition was a little cramped.	Noted. Comments on exhibition noted – however the main hall was not available at appropriate times and there were no alternative options for venues available.
16 Feb 2012	Historic Scotland	Considers the appraisal sets out clearly the special character of the conservation area, and provides a sound conservation strategy. No detailed comments	Noted.

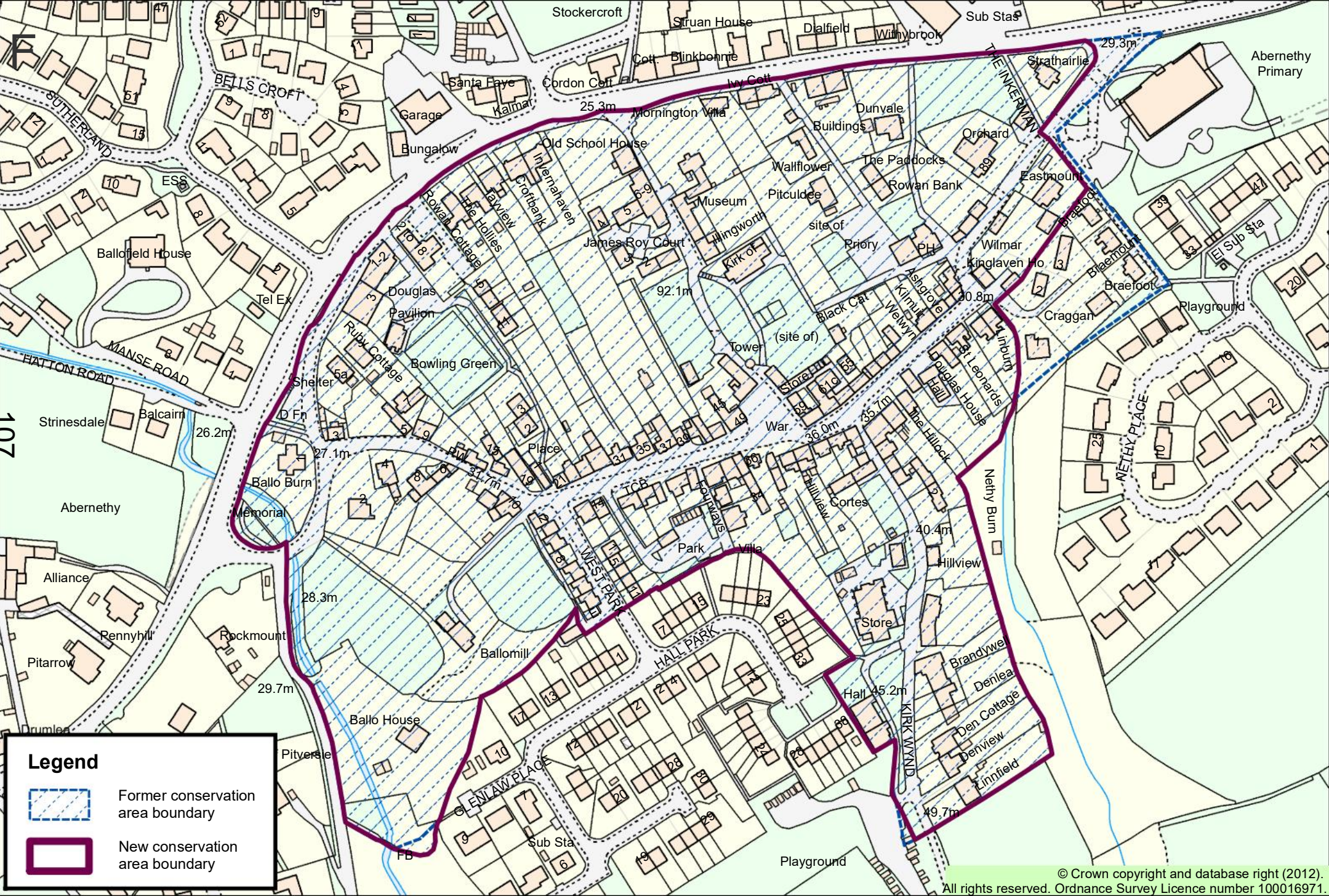
Exhibition ratings (5= very good, 1= very poor)

Advance notice/advertising	3	1
Web information	5	5
Exhibition venue	5	2
Quality of content	5	5
Professional advice	5	5
Convenience and timescale	5	5





Appendix 2: Proposed Abernethy Conservation Area boundary







# Draft Abernethy Conservation Area Appraisal





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## **Chapter 1 INTRODUCTION, PURPOSE AND JUSTIFICATION**

### **Conservation Areas**

1.1 Conservation areas are crucial to the conservation of our built environment. There are over 600 conservation areas in Scotland. They contain groups of buildings extending over areas of a village or town and can also include public parks, woods and historic land. To safeguard them for the enjoyment and benefit of future generations any new development should preserve or enhance their varied character. The local planning authority is required to determine which parts of its area are of special architectural and/or historic interest. It may propose and designate these as conservation areas. The public will be consulted on any proposal to designate conservation areas or change their boundaries.

1.2 Conservation areas must be safeguarded and enhanced. This is defined through:

- Defining the character that merits protection, including the space between buildings;
- Use of appropriate controls over development, demolition and advertising;
- Financial assistance, where appropriate, for works of repair and restoration;
- Protection of trees;
- Interpretation schemes, through leaflets or exhibitions;
- The implementation of enhancement schemes based upon a conservation area appraisal.

1.3 Designation as a conservation area does not place a ban upon all new development within its boundaries. However new development will normally only be granted planning permission if it can be demonstrated that it will not harm the character or visual quality of the area. New development should also positively enhance the area through good design rather than just create a neutral effect.

### **Reason for conservation area review**

2.1 A conservation area was first designated in Abernethy in November 1970 in recognition of its special architectural and historic character. The original area was then extended in 1994. The Council is required to review its conservation areas from time to time and update the conservation area appraisal and management proposals on a regular basis. The review of the Abernethy Conservation Area reflects recent and ongoing development pressures, the opportunities presented by the forthcoming Tay Landscape Partnership Scheme and the fact that a substantial period of time has passed since the original designation (see Appendix 1 for further information on the Tay Landscape Partnership Scheme).

### **Purpose of the Conservation Area Appraisal**

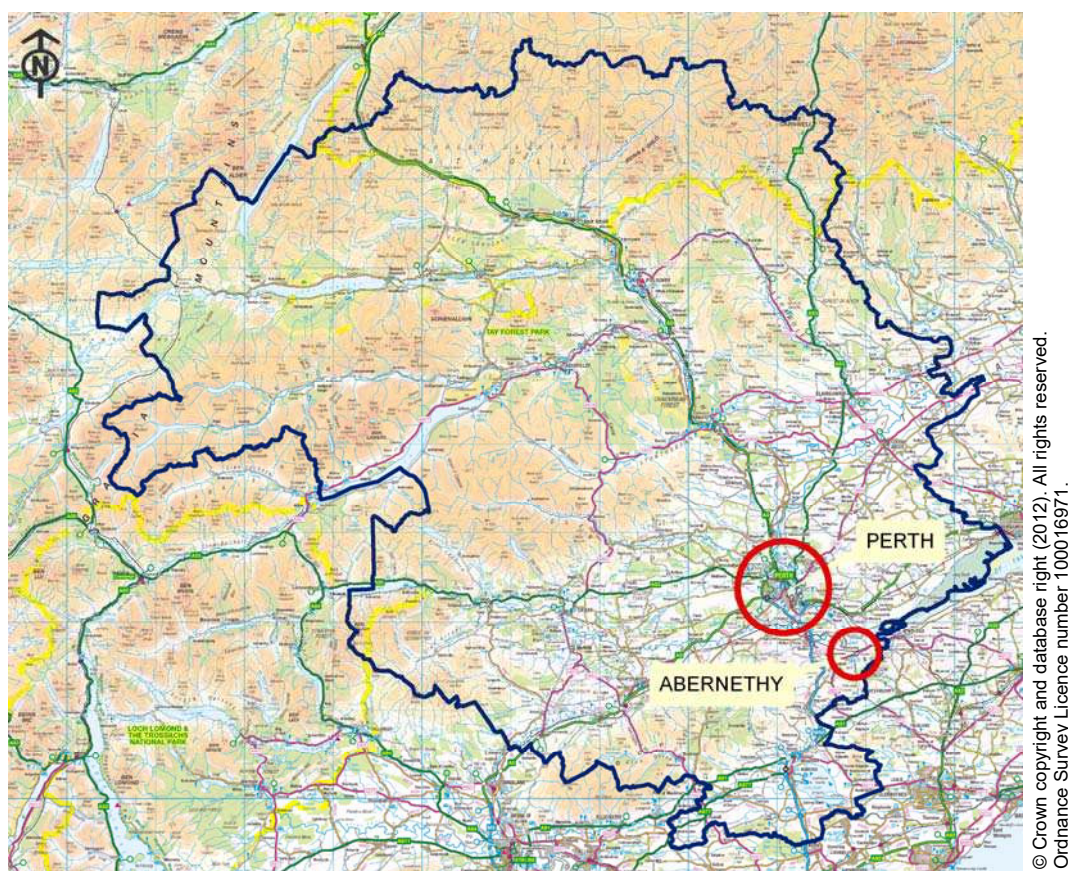
2.2 A Conservation Area Appraisal is a management tool which helps to identify the special interest and changing needs of an area. It serves as supplementary planning guidance to the Local Plan. The appraisal provides the basis for the development of a programme of action that is compatible with the sensitivities of the historic area and can enable the local authority to fulfil its statutory duties to protect and enhance that particular area.

2.3 Appraisals also assist development control and management. They provide the opportunity to inform residents about the special needs and characteristics of the area and help developers identify and formulate development proposals. If a conservation area's special interest has been clearly defined and published in an appraisal then this definition will help those thinking to invest in the area and can be used to guide the form and content of new development.



## Chapter 2 CONTEXT AND SURVEY

Map 1: Location of Abernethy within the Perth & Kinross Council boundary



### Location, History and Development

3.1 Abernethy is situated on rising land above the flood plain at the confluence of the rivers Earn and Tay, at the eastern end of the Ochil range of hills. It lies around 6 miles south-east of the city of Perth, to the south of the Tay, on the A913 Aberargie-Cupar road.

3.2 The remains of several Iron Age hillforts exist in the area, most notably at Castle Law to the south-west of the village. The Roman presence in the area is visible at the temporary marching camp at Carey and a large fort at Carpow, on the banks of the Tay. This fort was an important military and naval base during the third century AD campaign in northern Britain.

3.3 The place name Abernethy relates to its position near the mouth – aber – of the Nethy Burn where it meets the Earn. The settlement was important as a religious and political centre of the Pictish kingdom. Several Pictish carved stones can be seen in the area, including one set into the base of the Round Tower. The early church of St Bride (St Brigid of Kildare) was dedicated c.590 on land reputedly given by the Pictish King Nechtan. By the 13<sup>th</sup> century this early foundation had gone through various transformations to become an Augustinian Priory. The Round Tower, whose precise function is unclear but which may have been a watch tower or campanile, dates from the 11<sup>th</sup> century. The present Parish Church of St Bride was erected 1802, replacing the old Parish Church which may have incorporated parts of a pre-Reformation collegiate church.





**The Round Tower, c.1900's**



**Kirk of St Bride, photo taken from top of tower in 2007**

3.4 Abernethy was granted its burgh charter in 1458 and is known as the smallest and the oldest burgh in Perthshire. Traditionally the economy of the area was based on agriculture, weaving and seasonal salmon fishing. The settlement formed on a raised level between the Nethy and Ballo Burns, set under the escarpment rising up to Torduff Hill. The Main Street or Highgait formed around a curve in the road between crossing points over the two burns. A widened area denoted the market place located at its centre, adjacent to the wynd running north accessing the historic ecclesiastical site now occupied by the Parish Church.



**Abernethy from the north, with Torduff Hill behind**



**Widened area at the Cross, c.1923**

3.5 Property divisions consisted of traditional, parallel lang rigs running north and south from Main Street. These would typically be developed with a main, frontage property facing directly onto Main Street. Gaps or pends then gave access to the rear portion of the rig where long, single storey byres or sheds would occupy the land closest to the frontage building, with the remainder of the long strip rig being used as garden ground with orchards and for domestic stockkeeping. Tootie House at the west end of Main Street is reputed to be named for the practice of the cowherd blowing his horn there to signal the villagers to release their cows to be driven to the common grazing.



**Left, looking through a pend and above, a small informal courtyard just off Main Street**

3.6 Gradually the rigs became more densely developed with multiple dwellings occupying the front portion of many strips, some developing around small, informal courtyards accessed from Main Street. During the early

to mid-19<sup>th</sup> century the north ends of most of the northern rigs became separated off into new units occupied by single dwellings or tenements. At this time Back Dykes formed as a distinct road in its own right, fronted with formal development, rather than simply a back lane marking the ends of the feus. Back Dykes retains some notable examples of 19<sup>th</sup> century building types including an inn, domestic villas and an unusual group of back-to-back tenements. The north side of Back Dykes developed as the industrial area of the town, with linen and weaving works, the railway, which reached Abernethy in 1848, and the gasworks.

date unknown



Image courtesy of A.K. Bell Local Studies, A.K. Bell Library, Perth

**Hotel, Back Dykes**

date unknown



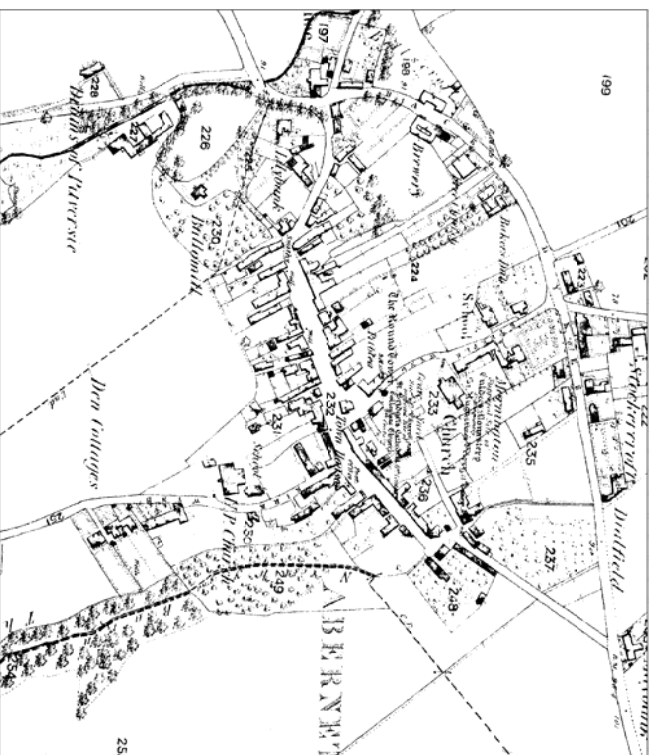
Image courtesy of A.K. Bell Local Studies, A.K. Bell Library, Perth

**19th century domestic villas, Back Dykes**

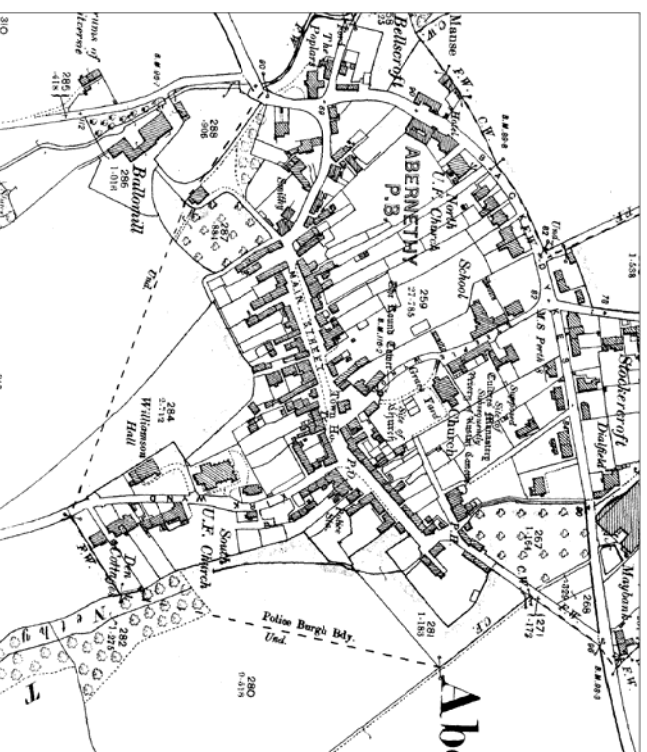
3.7 During the 20<sup>th</sup> century many of the backland sheds or byres gradually disappeared as the practice of domestic stockkeeping dwindled and small-scale industry moved out of the town core. Back Dykes retained the larger industrial sheds, even after the closure of the gasworks and the station in the 1950s. The 'new road' arrived in 1963 which funnelled through-traffic along the route of Back Dykes and away from Main Street. New areas of Council housing were developed at Hall Park in the 1950s.

3.8 More recently there have been a number of infill or backland developments of single dwellinghouses, but no major development sites. As such, although the periphery of the town has changed fairly significantly over time, the core of Abernethy around Main Street and its associated rigs has preserved a high level of its original form and character.

## Settlement development



Map 2: 1st OS Map c.1862-63



Map 3: 2nd OS Map c.1895



Map 4: OS Map c.1987

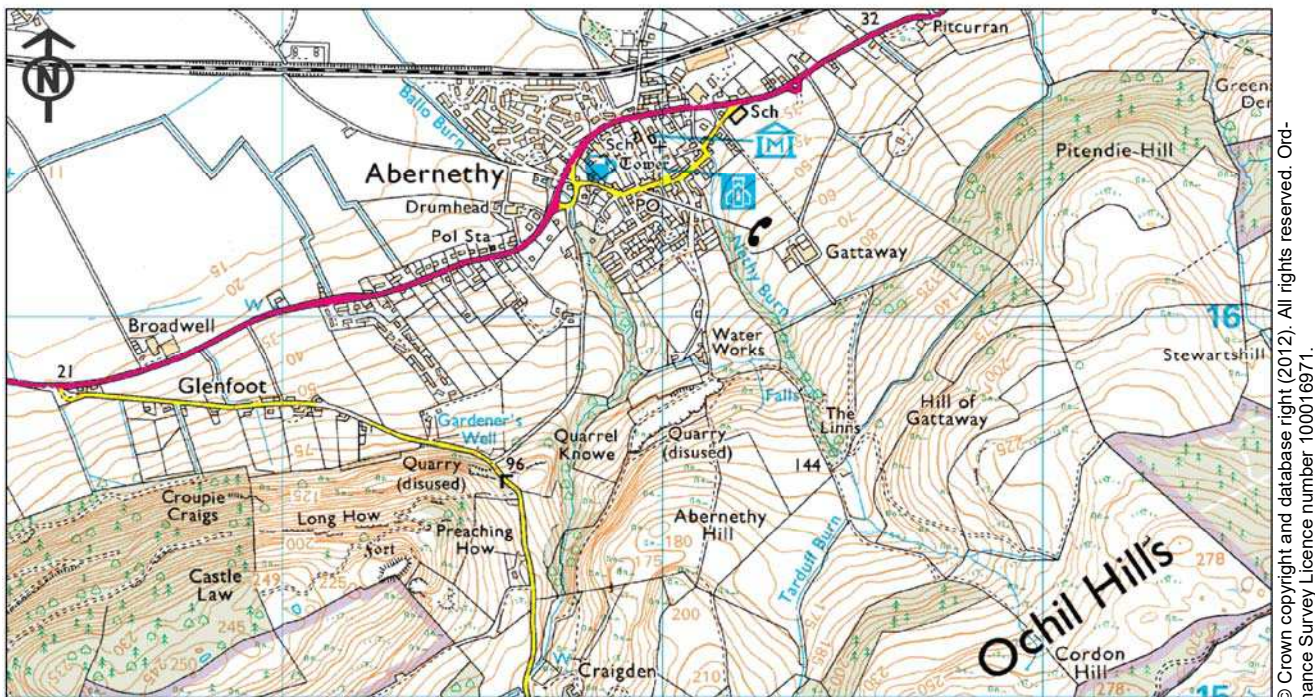


## Chapter 3 TOWNSCAPE ANALYSIS

### Setting and topography

4.1 As noted above, Abernethy sits slightly elevated above the valley floor where the Nethy and Ballo Burns meet the Earn and it in turn meets the Tay. The land rises more steeply to the south, up into Abernethy Glen with Abernethy Hill and Hill of Gattaway forming the southern backdrop to the village. The village setting therefore divides into two contrasting halves; the relatively flat, fertile valley floor to the north used predominantly for agriculture, and the wooded hillsides to the south. In long views from the north, across the Tay or from the railway line, the Round Tower stands out against this wooded backdrop as the key landmark in the area. Historically the lower faces of these hills were quarried and this industry formed an important element in the village's economy during the 19th century.

**Map 5: Abernethy, surrounding settlements and landscape**



### Activity and Movement

4.2 Abernethy is located on the A913, part of the chain of routes which connects the M90 motorway to the settlements of north Fife and Dundee. However since the creation of the 'new road' in the 1960s which by-passes Main Street, most traffic is through-traffic, although this has also given Main Street a more peaceful character which is more pleasant for residents and visitors.

4.3 The village is predominantly residential in character and has become something of a commuter town for the nearby major towns and cities. However tourism plays a role, visitors being drawn by the Round Tower (a guardianship monument under the care of Historic Scotland), the Roman and Pictish remains in the area, as well as for genealogical reasons by the interesting collection of gravestones in the churchyard. The Museum of Abernethy is open during the extended summer season. Visitor accommodation in the village predominantly takes the form of bed and breakfast rooms or cottage holiday lets, and is used as a base for exploring the historic, cultural and scenic attractions of the wider Fife and Perthshire areas.



Graveyard



Museum of Abernethy

4.4 In common with virtually all small settlements, Abernethy has over the years lost the majority of its small, local shops and businesses. These once occupied many of the ground floor premises on Main Street, which have been gradually been converted to residential use. Visitors and residents are now served by two pubs, a tea room, a cafe/restaurant and a grocery store. The village also has its parish church, a community hall and primary school. Other businesses based in the village include a number of development and construction firms, a potato merchant, garage/vehicle repairs, soft furnishings and antiques.

### Street Pattern and Topography

4.5 Entering the core of the village from the west along the main A913, the road crosses the Ballo bridge before curving picturesquely around to meet the head of Main Street. The small public open space at Nurse Peattie Memorial Garden and the grounds of Ballomill provide an attractive, green and tree-lined entrance feature to the old core of the village. From the intersection of Main Street with West Park and Barmore Place the view opens out eastwards along Main Street, with the Round Tower and the War Memorial at the Cross the principal features.



Image courtesy of A.K. Bell Local Studies, A.K. Bell Library, Perth



### Entrance into village from the west, past and present

4.6 East of the War Memorial the ground level falls away gently towards the east end of the street with Kinclaven House terminating the view. The building line becomes slightly more uniform with terraced buildings generally adopting a common front line behind the footway. On the south side, east of Kirk Wynd, an open space forms a forecourt in front of The Hillock and The Knowes providing a break or resting place in the route along the street. It is not clear what the function of this space was originally but it may have enabled further



activities such as markets, etc to occupy the street outwith the Cross area. At the east end Main Street curves back north again to meet Back Dykes. A series of narrow lanes radiates off around Cree's Inn, including Deads Lane providing access to the graveyard and two lanes connecting with Back Dykes. The building pattern becomes less dense and more fragmented in this area with the attractive late 19<sup>th</sup> century villa of Strathairlie terminating the end of the conservation area.



**Looking east along Main Street, past and present**



**Looking south up Kirk Wynd, past and present**

4.7 Kirk Wynd leads south from Main Street, east of the Cross, and traces the line of the Nethy Burn running from the hills to the south along the Den. Views up Kirk Wynd take in the picturesque rural backdrop to Abernethy, characterised by the wooded slopes of the Ochil foothills leading up to Strathmiglo and Glentarkie.

4.8 School Wynd, formerly known as Steeple Wynd, runs northwards from the centre of Main Street to meet Back Dykes. This may have started life as one of many north-south routes running along between the rigs but became predominant owing to the importance of the buildings located along it – the church, tower and school. Similar historic routes have remained as narrow pedestrian lanes, such as Barmore Place. The south end of School Wynd is enclosed by very high, substantial stone walls forming the boundaries to the graveyard and ground to the south of James Roy Court (the former school). This narrow, enclosed route then opens up dramatically into the formal open space at the Cross around the War Memorial. The graveyard itself forms a secluded, peaceful open space, one of the few green public areas within the core of the village.



**Left, narrow School Wynd with tall imposing stone boundary walls, opens up into the Cross, above (photo taken in 2007)**

4.9 Back Dykes shows clearly its later period of development from Main Street, with the majority of buildings of the mid- to later 19<sup>th</sup> century. Along Back Dykes key views are available

between houses and along the lanes towards the landmark Round Tower on the skyline. The north side of Back Dykes is excluded from the conservation area and is generally much lower in quality than the south side, consisting of a variety of modern developments and large shed-type business units alongside some older properties which are generally fairly heavily altered and extended.

### **Buildings and Townscape**

4.9 The buildings lining Main Street present a staggered, slightly irregular building line reflecting the orientation of the rigs behind. They are generally in a very plain, unornamented vernacular style, with a mixture of eaves parallel with the street line or with gables facing the street. The buildings are interspersed with narrow gaps, pedestrian lanes and small courtyards which give a picturesque quality to the building groupings.



**Irregular building line in Main Street, above, and narrow pedestrian gap between buildings, right**





4.10 Kirk Wynd consists of pairs or short terraces of cottages lining the east side, set behind small front gardens. The wynd retains a traditional setted open street drain. The east side has a stronger sense of enclosure than the west; the notable building on the west side is the former South United Free Church, now converted to flats and a builders' premises. Sadly its steeple which would once have been a major landmark in the area was taken down a number of years ago. Williamson Hall, just south of the former church, is also an attractive building set back from the road above a grassy knoll.



**Terraced houses and setted open drain, Kirk Wynd**



**Former church with reduced steeple, photo taken from Round Tower in 2007**

4.11 School Wynd, previously known as Steeple Wynd, is lined with religious and former educational buildings; the Round Tower and Parish Church at the south end; the Museum of Abernethy, converted in 2000 from a former byre and stable; and James Roy Court, formerly the parish school.

4.12 Back Dykes is later in date and more varied in character than the other streets in the village. The former Abernethy Hotel may be, at its core, the oldest building in this part of the village which started life as a brewery and coaching inn and is now converted to flats.

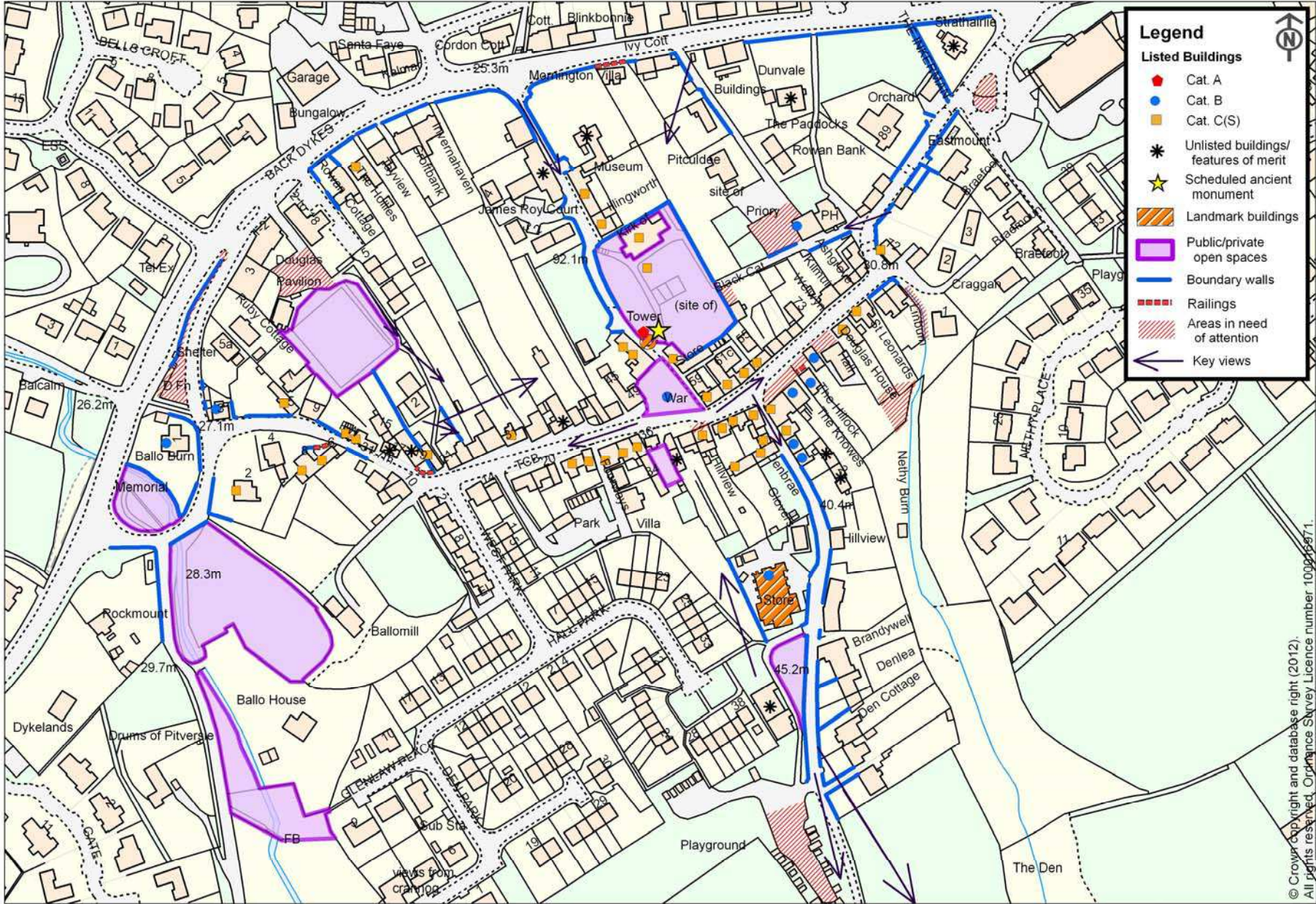
4.13 Moving eastwards along Back Dykes, the south side of the road is lined by a series of cottages set back behind small front gardens with low walls, railings or hedges. This pattern is disrupted at the junction with School Wynd which is flanked by two more substantial buildings in generous grounds, the former School House and Mornington House. Two further high-quality 19<sup>th</sup> century villas, Dunvale and Strathairlie, lie towards the junction with Main Street. To the east of the lane leading to Cree's Inn is a rare survival of a back-to-back tenement building, Bank Buildings, which retains its ancillary brick outbuildings. The lane itself has become developed in an ad-hoc fashion by modern dwellings set back from the lane in suburban-style garden plots.

**Back-to-back tenement building, Bank Buildings, Back Dykes**





Map 6: Townscape analysis



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## Materials and finishes

4.14 Roofs are mainly simple double pitches with slated surfaces, some retaining scots slate laid in diminishing courses. Others have later replacement welsh slate or cement tiles. A few skewes are in evidence, occasionally with carved skewputts. Most buildings have squat stone chimney stacks, sometimes replaced in brick, with yellow clay cans.

4.15 Many chimneys retain their thackstones, showing the roofs were originally thatched. Roof surfaces are generally plain, with very few dormers or roof lights in evidence on front roof slopes, especially in Main Street. A few wallhead dormers can be seen in the later 19<sup>th</sup> or earlier 20<sup>th</sup> century buildings, particularly in Back Dykes.

4.16 Wall surfaces are a mixture of random or squared whin rubble, undressed glacial boulder rubble, or a variety of harled or rendered finishes painted in pale or neutral tones. Dressings are often of blond or red droved sandstone. Occasional feature buildings such as the Parish Church and a few higher-status dwellings have a more refined finish in ashlar or with decorative elements to window and door surrounds.



**Painted ashlar and rubble in subtle tones, decorative marriage lintel and coursed whin stone**

4.17 Marriage lintels are an interesting historic and decorative feature which seem unusually common in Abernethy. These are lintel stones which are carved with the initials of the owner and his wife and the date of the house or the marriage. Many of those visible today date from the 18<sup>th</sup> century.

4.18 Evidence of older construction techniques can be seen in places, where large boulder base courses support lower walls which have a distinct bowed or bellied profile, indicating the possible presence of earth or earth-cored construction. The prevalence of this technique, particularly in the Tay Estuary and Carse of Gowrie area, is just becoming more widely recognised. Many buildings appear to have originally been single storey, later extended to form upper storeys with a different style or construction technique.

4.19 Window opening are relatively small, with margins treated plainly with droved stone or painted render. Many original windows have been lost but where the originals survive (or there are sympathetic replacements) they take the form of timber sliding sash and case windows in 2-, 4-, 12- and 16-pane glazing patterns.

## Spaces

4.20 All spaces, regardless of ownership and accessibility (ie. public and private spaces) contribute to the amenity and character of a settlement, as indicated in the Scottish Government's Planning Advice Note 65: Planning and Open Space. Types of open space include public parks and gardens; private gardens; amenity greenspace; pathways; green corridors; natural or semi-natural greenspaces; allotments; civic spaces such as squares or hard landscaped areas, and churchyards.

4.21 Main Street itself has a fairly dense, developed character with no street trees. Its open spaces, at the War Memorial and outside 52-58 Main Street, have a fairly hard, civic character and can become dominated by parking. However the War Memorial remains the focus of the space and the wider street, and the quality and design of the streetscape details complement their surroundings.



**Open space at the Cross, photo taken from Round Tower in 2007**

4.22 Behind the buildings fronting Main Street the open space of gardens occupying the historic rig system becomes the predominant character. The historic layout is still clearly evident, marked by the lines of boundary walls and fences, and with vestiges of orchards and rear byres remaining. Views of the Round Tower across the rig system from the historic lanes are particularly important to the character of the village. Front gardens also contribute to the character of the conservation area, particularly on the east side of Kirk Wynd and along Back Dykes.



**Long, narrow rear gardens, photo taken from Round Tower in 2007**



4.23 The graveyard surrounding the Parish Church and Round Tower is the principal public open space within the historic core of the village. Set behind an imposing rubble wall and at a higher ground level than most of School Wynd, the graveyard has a secluded, peaceful quality. It is particularly notable for its collection of a few 18<sup>th</sup>, mainly 19<sup>th</sup> century gravestones.

4.24 Nurse Peattie Memorial Garden is also an important public open space within the village, set at the point where the old road diverges from the main A913 route to curve over the Ballo Burn into Main Street. It is set down slightly from street level in a hollow beside the burn and also has a tranquil atmosphere with benches and stone features including an inscription about Nurse Peattie, a local district nurse. The decorative features would benefit from cleaning and re-setting.



**Nurse Peattie Memorial Garden**

4.25 A few spaces within the conservation area, or in its immediate setting, have an untidy, cluttered or unkempt character which would benefit from some attention to clear, rationalise or enhance. The majority of these are used as parking areas and include: the corner of old Back Dykes where it meets the A913 outside the Corn Kist; open space to the rear of Clow Square beside the bowling club; open spaces to the front and rear of the Masonic Hall, Main Street; and the open area surrounded by lock-ups adjacent to the far south end of Kirk Wynd.

### **Trees and landscaping**

4.26 Trees and landscaping are significant and important features of Abernethy Conservation Area and its setting. Woodlands, tree groups, individual trees and boundary treatments all make a positive contribution to the character and appearance of the conservation area.

4.27 The south-western edge of the conservation area is framed by an attractive glen of mature woodland located on both sides of the Ballo Burn. A pedestrian path runs through the glen linking up with Glenlaw Place. This woodland provides an attractive entrance feature and a viewing corridor with the Nurse Peattie Memorial Garden into the conservation area, enhancing the experience of the introduction to the townscape from the west. The south-eastern edge of the village is also framed by a woodland belt running alongside the Nethy Burn. These woodland frames can be viewed from within as well as the approach to the conservation area, enhancing the setting of the village.





Monkey Puzzle



Garden trees



Striking individual trees



Semi-mature ornamental tree



Cherry trees, Graveyard



Woodland by Ballo Burn



Sculptural tree



Back Dykes



Mature private garden



Holly tree



4.28 Individual mature trees and tree groups are attractive features in back gardens seen from wynds and pends running off Main Street and in mature gardens fronting onto Back Dykes. Notable tree species within and around the edge of the conservation area are Cherry; Holly; Lime; Beech; Birch; Chestnut; Ash; Laurel; Scots Pine; Douglas Fir and Cypress. There are also examples of rarer or exotic species such as Chilean Pine (Monkey Puzzle) and Giant Redwood. Abernethy has relatively large proportions of Cherry and Holly trees, including variegated species, compared to other conservation areas. The old Cherry trees in the churchyard of the Kirk of St Bride are particularly important and attractive features.

4.29 Significant individual trees, tree groups and woodland areas within and around the edge of the conservation area are indicated on map 7. Any proposals to fell, top or lop trees within the conservation area are subject to planning management under the Town and Country Planning act (explained further at para. 14.11).

4.30 There is one Tree Preservation Order in Abernethy, which covers a single Horse Chestnut within the garden grounds of The School House, Back Dykes.

4.31 Boundary treatments such as traditional walls, railings, hedges and shrubbery are important features of the village townscape. There are several stone boundary walls and hedges throughout the village, providing a very important ingredient to the distinctive character of this conservation area. Hedges are a variety of broadleaf species (such as beech) and evergreen, particularly laurel. Decorative cast iron railings and gates are relatively rare. All of these original and landscaping features should be preserved.



**Traditionally built rubble wall with hedging**



**Decorative iron gate**



**Legend**

- Individual trees
- Strong hedge lines
- Tree groups
- Tree Preservation Order
- Public/private open spaces
- Key views

The map shows a residential area with various streets including Bell's Croft, Back Dykes, Douglas, Ruby, and Ballinmill. Key landmarks include the Museum, Pitculdie, and the site of the Kirk of St. Mary. The map also shows elevation contours and various landmarks such as the Museum, Pitculdie, and the site of the Kirk of St. Mary. The map is oriented with North at the top.



## Areas in need of attention

5.1 There are some buildings, areas or ill-defined spaces which detract from the quality of the townscape. These areas of poor visual quality have been identified in the townscape survey, shown on map 6. There may be the potential to enhance these areas and opportunities for enhancement are discussed further in paragraphs 15.2 - 15.6.

### Buildings and structures

5.2 On the south side of Main Street, opposite the war memorial and square, is a building which has been converted from a former shop and is significantly altered at ground floor level. The original character of the frontage has been lost.



**Altered façade, Main Street**

5.3 In general there are several domestic buildings in Abernethy which have been compromised by alterations to window openings and the use of non-traditional materials, namely uPVC and aluminium. Some of the uPVC windows have an acutely two-dimensional profile and appearance. There are also examples of solar panels, some of which, due to their positioning, have had a detrimental impact on the streetscape.



**Example of an inappropriate window replacement**

5.4 The electricity sub-station located in Deads Lane is not well screened. The mesh fencing has a particularly negative impact on the setting of the kirkyard of St Bride.



**Electricity sub-station, Deads Lane**

### Spaces

5.5 There are some parking and storage areas which are of poor visual quality. These have been identified in the Spaces section above and on the townscape analysis map. The areas considered to be in particular need of attention are the hotel parking area and metal barrier fences along old Back Dykes near the Corn Kist; the parking area in front of the bowling club and its ill-defined edges; the space in front of and backlands area behind the Masonic Hall, and the lock-up garages and storage area at the south end of Kirk Wynd.





**Metal barrier fencing, Back Dykes**



**Lock-up garages and storage area**

5.6 The Nethy Burn can be seen near the junction of Kinclaven Gardens before it disappears under Main Street. This stretch of the burn appears unkempt and the end boundary fence is visually poor.

5.7 There are other parking areas or surfaces which could benefit from more traditional surfacing. These are mentioned later in the Opportunities for Enhancement section.

### **Building by Building Analysis**

6.1 A comprehensive photographic record of all buildings in the conservation area will be undertaken and retained by the Council for potential future use.

### **Buildings at risk**

6.2 There are no buildings within Abernethy village which are listed on the official Buildings at Risk Register for Scotland. However, the condition of any buildings which become vacant or in poor condition will be monitored and proposed for inclusion on the register if considered appropriate.

### **Public Realm audit**

7.1 Abernethy was the subject of a public realm enhancement scheme in 1993/94. This scheme installed a number of streetscape materials and details, principally in Main Street, which harmonised with the historic character of the area and enhanced the settings of its buildings. Much of this work survives and is in a good state of repair, including kerbs and gulleys in whinstone; parts of the footway paved in large-format slabs emulating traditional flagstones; a cobbled verge to the rear of the footway and surrounding the War Memorial, including low metal bollards; and traditional-style black metal streetlamps.



**Examples of good public realm work carried out using sympathetic materials**

7.2 The forecourt to each building in Main Street is relatively deep and appears to have traditionally been in the control of each owner, as a mixture of material finishes remains including some traditional materials such as flags and setts as well as a variety of arrangements of entrance steps.

7.3 A K6 red telephone box is located on the south side of Main Street and there a few black litter bins of standard design. However in general the level of undesirable street clutter in the historic core is very low. Outwith Main Street the streetscape materials are mostly the standard tarmac or concrete with a generic streetlamp design.

7.4 The east and west ends of Main Street, School Wynd, Kirk Wynd, and Back Dykes are characterised by rubble boundary walls, some topped by hedges or the occasional surviving set of railings. Many have prominent, decorative gate piers in stone. The vestiges of a historic street lamp survive in Kirk Wynd beside the entrance to Williamson Hall.



**Strong boundary features, east end of Main Street**



**Unsympathetic concrete block paving**

7.5 In School Wynd an area of concrete block paving in a pinkish colour has been installed outside the Abernethy Museum. This may be to act as a 'rumble strip', slowing traffic down outside the Museum which is in a narrow part of the Wynd with no dedicated footway. However the colour and finish of the blockwork is not particularly sympathetic to the setting of the museum building or the character of the conservation area and, when it reaches the end of its life, would benefit from an upgrade to more appropriate, natural materials.

7.6 Back Dykes has suffered from conflict between the historic character of many of the buildings and the need to accommodate safety measures adjacent to the busy main road. Although outwith the conservation area, metal barriers on the north side of the road are particularly coarse and bulky and the appearance of the street would benefit from improved design. Chain-link fence and an outdated information board alongside the parking area at the old Back Dykes junction with Main Street also detract from this important entrance point to the core of the village. The unsympathetic character of some of the village's parking areas is mentioned above in 'Spaces'.



**Outdated information stand**

7.7 Roads signage within the conservation area is kept to a minimum and is unobtrusive in character.

### **Surveys of specific issues**

8.1 All conservation areas contain streetscapes, building types, architectural details, materials or other features which are unique to that area and a result of their historical development. These features contribute to an area's local distinctiveness, the characteristics that lend it a unique sense of place. Some of these characteristics are general or intangible, but others can be quite closely defined.

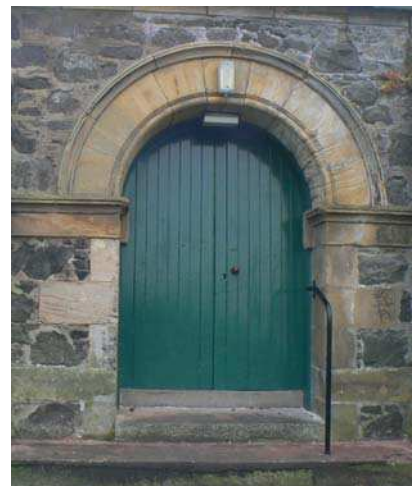
8.2 The following is not an exhaustive list and will be augmented in the future. It identifies the most important types of features and elements of the townscape which help to shape its identity, but which may be most at risk of incremental erosion. A full survey of each category will be undertaken as part of the building analysis survey. This will provide example images which may be referred to when new development, alterations and extensions are proposed in the area.



## Roofscapes



## Windows and doors





## Materials, decoration and detail





## Boundary treatments





## Shopfronts and signs





## Sensitivity analysis

### Setting of the conservation area

9.1 The edges of the conservation area can be sensitive to potential development. It is important to preserve and enhance the setting of the conservation area and the design, scale and landscaping of any development must not adversely affect this setting. Existing tree belts should not be adversely affected.

### Gardens and Designed Landscapes

9.2 There are no sites on the Inventory of Gardens and Designed Landscapes in the immediate vicinity of Abernethy. The closest sites are at Balmanno and Glencarse.

### Archaeology

9.3 There is one scheduled ancient monument within the conservation area, Abernethy Round Tower & Pictish symbol stone, also a category A listed building. This medieval round tower stands 22m high by about 5m in diameter, and dates from the end of the 11th century. It is one of only two round towers of this date surviving in mainland Scotland. A Pictish carved stone is set into its base. A set of jugs is attached to the south side, into which miscreants would be locked to be pilloried or humiliated by the community.



**Scheduled ancient monument: Round tower and Pictish symbol stone**

9.4 In the vicinity of Abernethy are a number of other notable monuments including Carey Roman temporary camp, Carpow Legionary Fortress and Castle Law hill fort. Carey and Carpow comprise, respectively, a Roman temporary camp and enclosure, and a Roman fortress within which evidence of structures such as the headquarters building survives. They are of probable Severan (early 2nd century) date. Both are visible as cropmarks on aerial photographs. Castle Law is a prehistoric hillfort, located on a rocky promontory overlooking the confluence of the Earn and the Tay, and the Roman camp at Carey. The site has been almost completely destroyed by antiquarian excavations apart from at the west end.

9.5 Historic Scotland must be consulted on any proposal potentially affecting scheduled monuments, category A listed buildings, or their settings.

9.6 There are also many sites of local archaeological importance within and around the village. Information on non-designated monuments can be found in the Perth and Kinross Historic Environment Record (HER). Enquiries should be directed to the Heritage Officer at Perth and Kinross Heritage Trust ([www.pkht.org.uk](http://www.pkht.org.uk)). Information from the HER can be viewed online via Pastmap ([www.PASTMAP.org.uk](http://www.PASTMAP.org.uk)).

9.7 For any development proposals a programme of archaeological works including an initial evaluation to assess the significance of any deposits may be required in order to protect and record any archaeological remains impacted upon by the development. Depending on the results of the initial evaluation, the programme of archaeological works may include measures for the preservation in situ and preservation by record, through excavation, analysis or publication.

### **Development pressures**

9.8 The core of Abernethy is already developed to the extent that pressure for major new development is minimal. However pressure for householder development such as extensions and alterations to roofs and elevations; conversions of buildings to residential use, and infill development of single, new dwellings, is evident.

### **Character areas**

10.1 The compact development of Abernethy has resulted in a relatively consistent character within the village and as such does not naturally break down into different zones or areas of separate character.

### **Assessment of significance**

11.1 Abernethy is an important medieval nucleated settlement, which retains its layout of Highgait and lang rigs with a high level of survival. The 12<sup>th</sup> century Round Tower is its key landmark and historic focus, demonstrating the village's former significance as a political and religious centre. Its built fabric is of a high and consistent quality with good examples of local vernacular building, and 18<sup>th</sup> and 19<sup>th</sup> century architecture.



**A terrace of good quality local vernacular buildings; whin rubble built with blonde sandstone dressings**

**Early 19th century building with classical features such as ground floor channelling, angled quoins and window architraves at first floor**





**Legend**

Conservation area boundary

Abernethy Conservation Area

Map showing the layout of the Abernethy Conservation Area, including buildings, streets, and green spaces. The map is a topographical map showing the layout of the conservation area, including buildings, streets, and green spaces.

## Chapter 4 CONSERVATION STRATEGY

### Using the conservation area appraisal

12.1 The Conservation Area Appraisal (CAA) provides a sound basis for development management and for initiatives to promote environmental and economic improvements. Key issues and features that contribute to the character of Abernethy are addressed and proposals will be put forward for enhancing the character of the area. This will be done through local consultation with amenity groups, businesses and other community organisations. Public meetings and exhibitions will also be arranged.

12.2 The CAA provides a framework for on-going management of the conservation area in the medium term as well as the near future. The key objectives are:

- To ensure maintenance of the integrity of the conservation area;
- To prevent erosion of character through small-scale change;
- To enable future evolution and change as long as it is appropriately controlled.

12.3 Implementing these objectives will depend on a number of factors:

- Development proposals must be in accordance with current development plan policies relating to conservation area status and special character of the historic buildings, open spaces and tree groups.
- Design, materials and detailing will require to be in accordance with design guidelines prepared by the local planning authority;
- Development proposals should demonstrate a sustainable approach, including use of materials and sustainability of use;
- Adaptive re-use of buildings and mixed use projects to ensure a reverse in physical, visual or economic decline will be positively considered subject to compatibility with neighbouring property and uses;
- The potential for economic regeneration will be considered as a positive factor, subject to compatibility with neighbours.

12.4 Whilst current planning policies provide a framework for protection of the conservation area, it is important to ensure implementation and enforcement where necessary. A combination of guidance, information and planning tools will be used in this management role, as indicated below:

- Conservation area guidance: design advice covering conservation areas in general will be provided for owners and occupiers of residential and commercial property with regard to building alterations and improvements, and there will also be advice for any new build site infill in conservation areas;
- Grant aid: the local planning authority will provide information regarding what grant schemes may be available from partnership agencies and other organisations for certain types of repair or enhancement works;



- Enforcement action: the planning authority will assess any unauthorised works within and adjacent to conservation areas with a view to taking enforcement action where feasible;
- Article 4 Directions: the planning authority is committed to establishing this additional planning tool within the conservation area in order to bring certain classes of permitted development under planning control (as described in paras. 14.5).
- Repairs Notices: the planning authority will seek to work with owners of listed buildings but may take action in terms of undertaking urgent works or requiring repairs where owners allow buildings to fall into disrepair;
- Compulsory Purchase orders: the planning authority will exercise its rights to acquire buildings in disrepair to assist their repair and conversion in partnership with other agencies;
- Education and training: the planning authority is in the process of establishing links with Historic Scotland, business and enterprise bodies and construction skills providers to facilitate conservation training programmes for building contractors and other interested parties or private individuals. Perth and Kinross Heritage Trust has an ongoing interpretative and outreach education programme in conjunction with other agencies which includes events linked with conservation areas.
- There is a firm commitment from the planning authority to ensure the protection and enhancement of Abernethy Conservation Area and to use statutory planning powers when these are required. The importance of public consultation with local civic amenity and community groups and local businesses is fully understood and this will continue after the conservation area has been designated and established.

## **Monitoring and Review**

12.5 The conservation area will be monitored through:

- Photographic surveys: a detailed survey of all buildings and open spaces within the conservation area has been undertaken as part of the appraisal and will form a basis for monitoring further change;
- Observation: officers from the planning authority will visit the conservation area at regular intervals and check on the progress of any restoration and enhancement schemes and also observe any other works occurring which may be unauthorised;
- Liaison: officers will liaise with local amenity groups, the public and other interested parties as necessary;
- Review: the Conservation Area Appraisal will be monitored and reviewed from time to time depending upon budget constraints and other priorities.



## **Chapter 5 PROPOSALS**

### **Opportunities for development**

13.1 The adopted Perth Area Local Plan 1995 did not identify specific sites for residential or commercial development within Abernethy Conservation Area. Sites for housing were indicated adjacent to and within the setting of the conservation area. Most of these sites have since been developed.

13.2 Further development sites adjoining or near Abernethy village may be allocated for housing or commercial uses in the future Perth and Kinross Local Development Plan.

The Main Issues Report for the Local Development Plan, published for public consultation in 2010, suggests one development option is 100 housing sites at Abernethy ("option 2").

13.3 It is important to preserve and where possible enhance the conservation area and its setting. The design and scale of any development must not adversely affect this setting.

13.4 The Perth Area Local Plan indicates the need to protect the built and natural environment in the Perth area, balanced with the legitimate needs for development. Conservation areas need to be protected and enhanced (para. 3.39). Policy 24 and proposals map A identifies existing conservation areas and indicates that their architectural or historic character will be retained. Infill and other development will only be permitted where it would not affect the character or amenity of the conservation areas. Policy 25 indicates there will be a presumption against the demolition of listed buildings and a presumption in favour of consent for development involving the sympathetic restoration of a listed building, or other buildings of architectural value. This policy also states that the setting of listed buildings will be safeguarded.

### **Conservation area boundary**

14.1 The conservation area was first designated in 1970 and then extended in 1994. During the current re-appraisal and review some alterations to the boundary have been considered. Kinclaven Gardens has been omitted as this is a more recent housing development. Other small changes to the boundary have been made in order to clarify what is included. No further extension to the conservation area is proposed.

14.2 The appraisal and conservation area boundary will be kept under review in future re-appraisal cycles.

### **Effects of permitted development**

14.3 There are examples in Abernethy of development which would not have required planning permission under the General Permitted Development Order 1992, called 'permitted' development', but which in some cases are not appropriate to the traditional character of the townscape.

14.4 The Scottish Government has recently issued a new General Permitted Development Order (February 2012) which restricts householder permitted development rights in conservation areas, such as replacement windows and satellite dishes. However there are still types of development which are classed as "permitted development" such as the alteration or removal of stone walls or railings which do not bound the curtilage of a dwelling-house; some forms of telecommunications development, development by statutory undertakers (water, gas, electricity, road transport, post office and sewerage) and development by local authorities, including lamp standards and street furniture.

14.5 Under Article 4 of the Town & Country Planning (General Permitted Development) (Scotland) Order 1992 the local planning authority can seek the approval of the Scottish Ministers for Directions that restrict permitted development rights. Development is not precluded, but such alterations will require planning permission and special attention will be paid to the potential effect of proposals. An Article 4 Direction is no longer needed for householder development. However, it is considered that an Article 4 Direction will still be required for certain types of development, including development by statutory undertakers and the local authority.

14.6 In Abernethy the townscape is vulnerable to some if not all classes of permitted development. In order to maximise the benefit of a conservation area designation it is considered that an Article 4 Direction for Abernethy Conservation Area should be drafted for Scottish Ministers approval (Draft Article 4 Direction shown in Appendix 2).



**Examples of householder development, previously permitted development, which would now need permission under the new General Permitted Development Order 2011**



### **Advertisements**

14.7 There are certain types of advertisements which do not require advertisement consent under the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984. It is possible for a local planning authority to propose additional advertisement controls through regulation 11 of the 1984 Regulations and seek the approval of the Scottish Ministers. A Regulation 11 direction controls normally permitted forms of 'minor' advertisement which can have an impact in areas of environmental quality. Certain types of advertisements, such as shop, business or tourism related signage, can have a significant impact on historic building frontages and on the overall quality of the townscape. Usually Regulation 11 advert controls are only approved in conservation areas.

14.8 The quality of existing commercial signage in Abernethy is predominantly good, but there are some examples of standardised and illuminated signs provided by national chains which have an adverse visual impact on the townscape. There may be more pressure for commercial signage in the future.

**An example of an illuminated advertisement**





Additional advertisement controls would be a useful development management tool and should therefore be drafted for consultation and Scottish Ministers' approval. Classes of permitted advertisement proposed for removal under Regulation 11 of the Control of Advertisements Regulations 1984 are shown in Appendix 3.

## **Trees**

14.9 There is a case for Tree Preservation Orders (TPOs) to be formulated within the setting of Abernethy if there are trees which are under threat and are considered to be of high visual amenity and important to the setting of the conservation area.

14.10 Any proposals to fell, top or lop trees within the conservation area will be subject to certain planning management controls under the Town & Country Planning Act. Under this Act the local planning authority must be given six weeks notice of the intention to uproot, fell or lop trees. The planning authority then has the opportunity to discuss suitable management of the tree(s) with the owners, such as thinning rather than lopping. The planning authority would also have the option to propose protection by Tree Preservation Order (TPO). Failure to give notice of intention to fell, top or lop trees within the conservation area will render the person liable to the same penalties as for contravention of a TPO, which could involve a fine not exceeding £20,000 per tree.

## **Opportunities for enhancement**

15.1 Individual sites which may be opportunities for enhancement are identified in the Areas in Need of Attention section and the Townscape Analysis map. These include buildings, structures, spaces and boundary edges of poor visual quality and/or condition.

Parking area in Back Dykes, near the Corn Kist

15.2 This area would benefit from a hard landscaping scheme: more traditional surfacing and boundary features.



**Parking area at Back Dykes**



**The edges of the bowling club car park**

Bowling Club car park and environs

15.3 The edges of this space could be improved through a hard and soft landscaping scheme.

Masonic Hall environs

15.4 The backlands would benefit from a rationalisation of the use of this area and soft landscaping enhancements. The edges to the front parking area could be visually improved and possibly the surfacing changed to a more traditional finish.

Kirk Wynd - south end lock-up garages

15.5 More landscaping and screening of this area would reduce the visual impact of these garages and structures. A landscaping scheme could also incorporate proposals to enhance the setting of the Williamson Hall.

15.6 Other spaces which would potentially benefit from more traditional treatments in the future would be the tarmaced parking area in Deads Lane; the concrete block paved section of School Wynd and the space used for resident's parking in Main Street at the east side of the junction with Kirk Wynd. Landscaping improvements to the Nethy Burn could also be considered.

15.7 Please note that these represent initial ideas for potential projects. There will be early consultation with the local community, including the Community Council and other local groups, before any firm proposals are developed further.

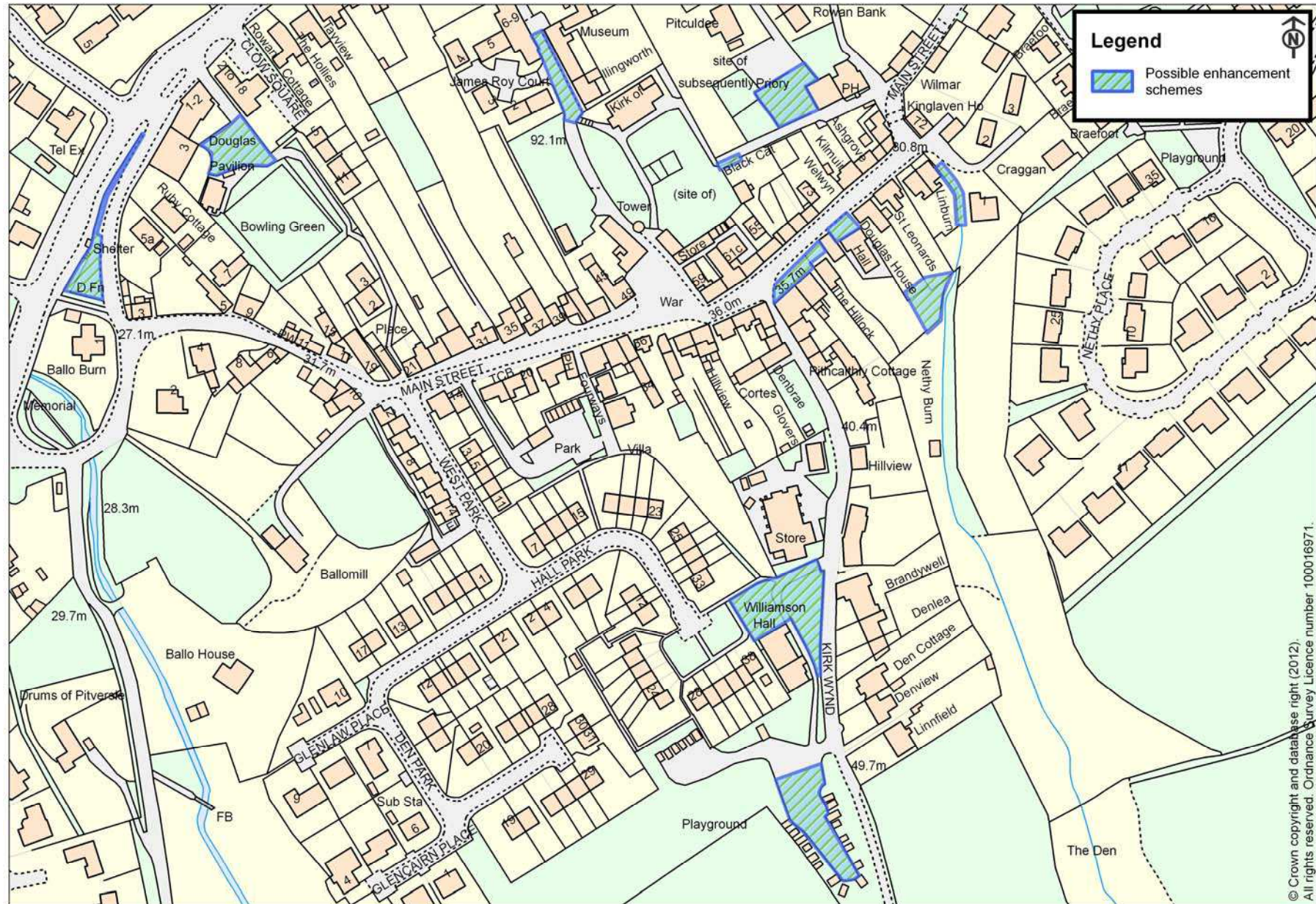
#### Pathway routes

15.8 The management of the conservation area provides an opportunity for the development and enhancement of path networks through Abernethy and around the local area. The Core Path Plan identifies key routes around the village linking to wider networks allowing access throughout the area. There may be scope for improving or extending existing routes linking to the Core Path network (The Core Paths Plan for Perth and Kinross is being considered by the Council's Environment Committee on 25 January 2012).

15.9 Enhancement of the conservation area will be achieved through a variety of agencies and routes: through schemes promoted by the local authority (Perth and Kinross Council) in partnership with local or national agencies, through private business enterprise and development or via conditions or legal agreements attached to planning consents. Funding may be available from a variety of sources including Perth and Kinross Council; Perth and Kinross Heritage Trust; Historic Scotland or the Heritage Lottery Fund, depending on these organisations' priorities and resources at the time.



**Map 9: Potential enhancement sites**



## **APPENDICES**

### **1) Tay Landscape Partnership Scheme**

A Landscape Partnership Scheme, led by Perth & Kinross Countryside Trust and Perth and Kinross Heritage Trust, has been developed to conserve and regenerate the environs of the River Tay and its confluence with the River Earn. It is proposed to develop a programme of reed-bed management, protect remaining orchards and conserve historic buildings and promote regeneration of historic settlements. Further access improvements to the river are proposed with new path networks and other initiatives so that people can get down to the river.

The environs of the Rivers Tay and Earn and the Carse of Gowrie, are rich in biodiversity, agriculture and history but are little appreciated or visited by the public.

The area contains the largest single area of reed-beds in the UK while the river contains the greatest volume of freshwater of any UK river. Its wetlands, drained by medieval monks, were the home of massive orchards which in more recent times have given way to Tayside's famous soft fruit industry. The area is also an important breeding site for rare birds.

The area has evidence of prehistoric human activity with several Neolithic and Bronze Age ceremonial sites. The Palace of Forteviot, dating back to the Pictish aristocracy of the 8<sup>th</sup> and 9<sup>th</sup> centuries, is the earliest identified royal centre in Scotland. It is considered the true 'Cradle of Scotland' as it was here that the Picts and the Gaels joined to form the medieval state of Alba. There is also one of the largest concentrations of temporary Roman camps in Britain, indicating that Tayside was one of the frontiers of the Roman Empire.

Proposals for the Landscape Partnership Scheme will be informed by a range of bodies including Perth and Kinross Council and the Community Council.



## 2) Article 4 Direction

Town & Country Planning (Scotland) Act 1997  
Form of Direction by Planning Authority under Article 4(8)  
Town and Country Planning (General Permitted Development)  
(Scotland) Order 1992

### Abernethy Conservation Area

The Perth & Kinross Council (Restriction of Permitted Development)  
(Abernethy) Direction 2012

Perth & Kinross Council in terms of article 4(1) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (SI 1992/223) being satisfied that it is expedient that all or any development comprising:-

- Class 7 - the erection or alteration of a gate, fence, wall or other means of enclosure;
- Class 16 - the use of land, other than a building, as a caravan site;
- Class 27 - the carrying out on land within the boundaries of a private road or private way of works required for the maintenance or improvement of the road or way;
- Class 30 - the erection or construction and the maintenance, improvement or other alteration by a local authority;
- Class 38 - water undertakings;
- Class 39 - public gas transporters;
- Class 40 - electricity undertakings;
- Class 41 - tramway or road transport undertakings;
- Class 43 - universal service providers; and,
- Class 43A - sewerage undertakings;

should not be carried out within the Conservation Area of Abernethy (area of land as described in the Schedule hereto) unless permission is granted on an application in that behalf, hereby directs that the permission granted by article 3 in respect of:-

Classes 7, 16, 27, 30, 38, 39, 40, 41, 43 and 43A, as described above, shall not apply

This direction may be cited as the Perth & Kinross Council (Restriction of Permitted Development) (Abernethy) Direction 2012.

Signature .....

Designation .....

Chief Executive's Service – Legal  
Perth and Kinross Council  
2 High Street  
Perth PH1 5PH

## SCHEDULE

The area of land hatched in red on the plan annexed and executed as relative hereto, in the district of Perth & Kinross Council.

Note: The plan annexed to the Direction should be executed in the same way as the Direction and duly docketted with reference thereto.



3) **Classes of advertisements proposed for advertisement control under Regulation 11**

Description of Advertisement
<b>Class II (3):</b> Advertisements relating to any institution of a religious, educational, cultural, recreational or medical or similar character to any hotel, inn or public house or hostel, situated on the land on which any such advertisement is displayed.
<b>Class III (3):</b> Advertisements relating to the carrying out of building or similar work on the land on which they are displayed, not being land which is normally used, whether at regular intervals or otherwise for the purpose of carrying out such work.
<b>Class IV (1)</b> Advertisements displayed on business premises wholly with reference to all of the following matters; the business or other activity carried on, the goods sold or services provided, and the name and qualification of the person carrying on such business or activity or manufacturing or supplying such goods or services on those premises.
<b>Class IV (2)</b> Advertisement displayed on any forecourt of business premises wholly with reference to all or any of the matters specified in <b>Class IV (1)</b> .

## Sources

Gifford, John, *The Buildings of Scotland, Perth and Kinross*, New Haven/London 2007  
Haynes, Nick, *Perth & Kinross, An Illustrated Architectural Guide*, Edinburgh 2000  
Pride, Glen L., *Dictionary of Scottish Building*, Edinburgh 1996  
Zwolinski, Dr F. and Swan, J., *Abernethy: A reflective social study from old photographs and postcards*, undated, AK Bell Local Studies Library

### Web sources

Perth and Kinross Historic Environment Record, [www.pkht.org.uk](http://www.pkht.org.uk)  
Abernethy Community Council website, [www.abernethyvillage.co.uk](http://www.abernethyvillage.co.uk)  
Abernethy Museum website, [www.museumofabernethy.co.uk](http://www.museumofabernethy.co.uk)

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