

Perth and Kinross Council
Planning and Placemaking Committee – 22 March 2023
Report of Handling by Head of Planning & Development
(Report No. 23/93)

PROPOSAL: Change of use, alterations and extension to shop to form 4 flats

LOCATION: 29 Reform Street, Blairgowrie, PH10 6AZ

Ref. No: [22/01242/FLL](#)

Ward No: P3 - Blairgowrie And Glens

Summary

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

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 Planning application site relates to a vacant, two storey retail unit and adjoining single storey storage building, set at the junctions of Reform and Union Streets, on the edge of Blairgowrie town centre.
- 2 The former garden and pet centre premises are located within the Blairgowrie Conservation Area and comprise two unlisted buildings of contrasting heights and characteristics. It is proposed to retain and alter the retail unit which fronts onto Reform Street to form 2 flats and remove the lesser scaled building to the rear, in order to construct a new extension which will accommodate a further 2 flats.
- 3 An earlier Planning Application and Conservation Area Consent submission (22/00397/FLL & 22/00776/CON) were withdrawn because of concerns expressed about key detailed aspects of the scheme forwarded. The scheme has now been amended to an extent which is now considered acceptable.
- 4 The demolition of the storage building is being assessed separately via the submission of Conservation Area Consent reference 22/01243/CON.

Pre-Application Consultation

- 5 Pre application Reference: 17/00481/PREAPP sought a view as to the total demolition of the buildings and the erection of 10 flats. Advice was provided as to what steps and information would be required.

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supported in principle and culminated in the submission of applications 22/00776/CON & 22/00397/FLL which were later withdrawn.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

DEVELOPMENT PLAN

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

National Planning Framework 4

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

The principal relevant policies are, in summary;

- Policy 2: Climate Mitigation & Adaption Policy
- Policy 3: Biodiversity
- Policy 7: Historic Assets & Places
- Policy 13: Sustainable Transport
- Policy 14: Design, Quality & Place
- Policy 15: Local Living & 20 Minute Neighbourhoods
- Policy 18: Infrastructure First

Perth and Kinross Local Development Plan 2019

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

The principal relevant policies are, in summary;

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 2: Design Statements
- Policy 5: Infrastructure Contributions
- Policy 17: Residential Areas
- Policy 28A: Conservation Areas: New Development
- Policy 28B: Demolition within Conservation Areas
- Policy 31: Other Historic Environment Assets
- Policy 41: Biodiversity
- Policy 60A: Transport Standards and Accessibility Requirements: Existing Infrastructure

Statutory Supplementary Guidance

- [Supplementary Guidance - Developer Contributions & Affordable Housing](#) (adopted in 2020)
- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

OTHER POLICIES

Non Statutory Guidance

- [Planning Guidance - Planning & Biodiversity](#)
- [Conservation areas](#)

NATIONAL GUIDANCE

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

Planning Advice Notes

- 15 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 40 Development Management
 - PAN 51 Planning, Environmental Protection and Regulation
 - PAN 68 Design Statements
 - PAN 75 Planning for Transport
 - PAN 77 Designing Safer Places

Creating Places 2013

- 16 Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant

communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

Designing Streets 2010

- 17 Designing Streets is the policy statement in Scotland for street design and changes the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It was created to support the Scottish Government's place-making agenda, alongside Creating Places.

National Roads Development Guide 2014

- 18 This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

Site History

- 19 **22/00397/FLL** Full Planning Permission application was withdrawn On 28 June 2022 for change of use, alterations and extension to shop to form 4 flats
- 20 **22/00776/CON** application was withdrawn On 28 June 2022 for part demolition of building
- 21 **22/01243/CON** Part demolition of building

CONSULTATIONS

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

External

Perth and Kinross Heritage Trust

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

Scottish Water

- 24 Have advised that they have no objections to the proposals; however they are unable to accept surface water connections at this time and the developers will have to obtain separate approval from them commencing with a Pre-Development Enquiry.

Internal

Development Contributions Officer

- 25 Has confirmed that the site is within the Newhill Primary school catchment, however contributions are not applicable in this instance as the flats will only have one bedroom.

Biodiversity/Tree Officer

- 26 Is content with the survey forwarded and supports conditional approval.

Transportation And Development

- 27 Acknowledge that there is no off-street parking provision proposed but have raised no objections given the central location of the site and nearby car parking facilities. Conditions have been added to secure cycle storage, a residential travel plan and a construction traffic management scheme.

Conservation Team

- 28 While not formally objecting to the planning proposals, the Conservation Officer has requested clarity in respect of the type of windows to be installed and finishes proposed. Concerns have been expressed about the lack of justification and loss of the storage building which is covered in the Conservation Area Consent proposals.

Representations

- 29 A total of 10 representations were received from 7 individuals. The main issues raised within the representations are:
- Impact on Conservation Area
 - Loss and lack of car parking, traffic congestion and off-site impacts
 - Overshadowing
 - Overlooking and loss of privacy
 - Inappropriate layout and scale
 - Health and safety concerns
- 30 These issues are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

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

APPRAISAL

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

Principle

- 33 The site is located within the central core of the settlement of Blairgowrie in an area of white land . As such, the general principle of residential use is therefore accepted.
- 34 Policy 17 of LDP2 requires proposals to protect and enhance established amenity levels where possible. Changes away from uses such as local shops, are also proposed to be resisted, unless market evidence indicates that the existing use is no longer viable as a commercial venture.
- 35 The extent of the retail area is modest in comparison with the overall existing floorspace. The loss of the retail unit whilst disappointing, is not entirely unexpected given the pressures town centres have and continue to face to adapt to external forces and changes in consumer habits.
- 36 Vacant shops and offices are unfortunately now commonplace as noted in the plan provided with the submission which provides a snapshot in time, indicating that there are 7 vacant units in close to the application site. It is acknowledged that this number will fluctuate and has been challenged by some objectors. Irrespective, the change of use of the vacant shop is deemed acceptable in terms of LDP2 and NPF4 policy compatibility and is being supported holistically, given the site context and proximity to a number of other retail outlets.

Design and Layout

- 37 The proposed replacement building although smaller in footprint of the demolished store, is reflective of the original linear layout and well contained building pattern that has developed in this central part of the Blairgowrie Conservation Area. The alterations proposed to the exterior of the main building include the bricking of the shop door, removal of shop window and installation of timber sash and case windows. The new building shares a

similar, simple, rectangular, one and half storey pitched roof form. Conservation rooflights are proposed for the northwest and two wall head single dormers to the rear (southeast) Both the old and new wings have an acceptable design and should sit in harmony with each other and the diverse streetscape.

Landscape

- 38 There are no on or off-site landscape impacts.

Residential Amenity

- 39 There are a number of residential properties within close proximity to the site. The high-density layout and historic building pattern close to road frontages is a characteristic of this edge of town centre location. As such there is already a degree of overlooking and close interaction between public and private spaces.
- 40 Comments have been expressed about the scale of the new build proposals and the impact the development will have on nearby residents in terms of loss of privacy or over-shadowing given the proposed increase in ridge height.
- 41 A shadow cast analysis has been provided which indicates that the proposed building will not have any more of a significant effect than the existing church building to the south has during summer months. Some shadow cast will be evident to property frontages during winter months; this is not unexpected given the seasonal low light levels and temporary impacts of residing in such a close-knit urban area.
- 42 The revised plans have been designed so that the main outlook from the new building is to the south away from the street and neighbouring properties. Windows already exist within the building proposed for demolition as to rooflights. Their new replacements will serve a hallway and bathroom at ground floor level with only rooflights on the upper floor north elevation. Loss of amenity by reason of overlooking is therefore not a concern.
- 43 The existing two storey unit readily converts to the use proposed without issue. Adequate private amenity space will exist at the site to cater for the needs of the four x 1 bedroomed units.

Conservation Considerations & Visual Amenity

- 44 The associated removal of the single storey building will undoubtedly have a degree of impact on the Conservation Area through the loss of historic fabric. There is however some noticeable benefit to be had to the wider public realm due to the refurbishment works proposed for the building containing the vacant retail unit, such as removal of extensive cement coatings for new lime pointing, the installation of more traditional windows and securing use which will help to support its long-term upkeep and appearance more befitting to the Conservation setting.

- 45 The plans forwarded have addressed concerns raised in the previous withdrawn submission, in respect of the design and scale of the new build element. The replacement building has now been set down from the ridge by around 500cm to continue the clear distinction in character between the original element and the new extension.
- 46 The changes are considered acceptable and supportable in this location. Conditions have been attached in respect of securing external finishes and fenestration which is appropriate to the Conservation Area. Accordingly, the character of Conservation Area should be maintained, and visual amenity ultimately improved by the proposals, as required by policies 17 & 28A of LDP2 and 7 of NPF4.

Roads and Access

- 47 A key objective within NPF4 is for a stronger emphasis towards developments which promote or assist with sustainable local living goals. This site is located on the edge of the town centre well within walking distance of a variety of local services. Transport Planning Officers have therefore raised no objections to the lack of any designated off-street, car parking provision.
- 48 Representations have made issue about the lack of parking and congestion which may be apparent in the area. There is an adequate level of on street spaces nearby as well as provision within local authority car parks. Conditions have however been added to regulate and mitigate for the demolition and construction works required at the site. The need to provide a Traffic Management Scheme and Residential Travel Plan in advance of work commencing, in addition to secure cycle storage facilities should help address third party concerns.

Drainage and Flooding

- 49 The property is already served by utilities. An informative has been added advising the applicants of the need to secure separate approval for connection to Scottish Waters assets.

Natural Heritage and Biodiversity

- 50 Policy 3 of NPF4 seeks to reverse biodiversity and deliver positive effects from development. As advised during pre-application enquiries, the need for a survey was highlighted to ensure compatibility with LDP2 policy and supplementary guidance. This has been undertaken and a report forwarded which the biodiversity officer is content with. Conditions have been added to secure next boxes at the site

Developer Contributions

- 51 In accordance with Council objectives, no contributions are applicable in this instance due to the modest scale of development and tenure proposed, comprising one-bedroom units. It is understood that the applicants have received some financial assistance from the vacant property feasibility funds.

Economic Impact

- 52 The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

VARIATION OF APPLICATION UNDER SECTION 32A

- 53 This application was not varied prior to determination.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

none

DIRECTION BY SCOTTISH MINISTERS

- 54 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

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

A RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been lawfully started within that period.

Reason: This is a Planning Permission in terms of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of the Planning (Scotland) Act 2019.

2. 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.

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

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

4. All original external materials to be removed from the building shall be assessed individually by hand to determine their condition and suitability for re-use. Once assessed, details shall be forwarded to the Planning Authority confirming their condition and potential for future re-use in advance of any demolition work.

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

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

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

6. Prior to the commencement of the development hereby approved, full details of the existing and proposed, form proportion, construction, opening method and finishes of all new or replacement window units shall be submitted to and agreed in writing by the Council as Planning Authority. The fenestration; as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and protect the character of the surrounding Conservation Area.

7. The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved (document(s) bat survey report relates) shall be fully adhered to, respected and undertaken as part of

the construction phase of development, to the satisfaction of the Council as Planning Authority.

Reason: In the interests of protecting environmental quality and of biodiversity.

8. Prior to the completion or occupation of the building(s) hereby approved, whichever is the earlier, four swift boxes and a triple sparrow terrace nest box shall be provided on the completed building). Thereafter, the agreed scheme shall be maintained in a reasonable condition for the life of the development, to the satisfaction of the Council as Planning Authority.

Reason: In the interests of protecting environmental quality and of biodiversity.

9. Prior to commencement of any development on site, a detailed design for the proposed secure cycle parking facility for a minimum of 8 cycles shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority. The cycle parking, as approved in writing, shall be implemented in accordance with the approved details to the satisfaction of the Council as Planning Authority prior to the occupation of the first flat.

Reason: To encourage active travel and meet advice within Scottish Planning Policy on transport.

10. No part of the development shall be occupied until a Residential Travel Plan (RTP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The RTP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan.

Reason: To promote sustainable transport options and to meet advice within Scottish Planning Policy on transport.

11. Prior to the commencement of the development hereby approved, the applicant shall submit for the further written agreement of the Council as Planning Authority, in consultation with the Roads Authority (Structures), a Construction Traffic Management Scheme (TMS) taking cognisance of the one way street on Union Street, which shall include the following:
 - (a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
 - (b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
 - (c) arrangements to ensure that access for emergency service vehicles are not impeded; and
 - (d) details of HGV movements to and from the site.

The TMS as approved shall be strictly adhered to during the entire site construction programme.

Reason: In the interest of proper site management and free traffic flow.

B JUSTIFICATION

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

C PROCEDURAL NOTES

Conservation Area Consent submission requires to be assessed concurrently.

D INFORMATIVES

1. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
2. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
3. No work shall be commenced until an application for building warrant has been submitted and approved.
4. Existing buildings or structures may contain nesting birds between 1st March and 31st August inclusive. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
5. The developer is advised to contact Sophie Nicol, Historic Environment Manager (tel 01738 477027) Perth and Kinross Heritage Trust, to discuss terms of reference for work required.
6. Application for a new postal address should be made via the Street Naming and Numbering page on the Perth & Kinross Council website at www.pkc.gov.uk/snn. Please note there is a charge for this service and submission cannot be made until the relevant Building Warrant has been approved.
7. This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. The required

information must be submitted via the ePlanning portal if your original application was lodged that way, otherwise send it to us at developmentmanagement@pkc.gov.uk. Please be aware that a fee is payable in respect of each request made, though there is no limit to the number of conditions that can be discharged in a single request. The Fees Charter is available on our website www.pkc.gov.uk.

8. The Council has two months to consider the information. You should therefore submit the required information more than two months before your permission expires. We cannot guarantee that submissions made within two months of the expiry date of your permission will be able to be dealt with before your permission lapses.
9. The applicants can seek guidance on the detailed design and positioning of the cycle storage from Transport Scotland's Cycling by Design 2021 or similar design guide.
10. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
11. Please remember that the granting of planning permission, listed building consent or other associated consent by the Planning Authority does not affect the responsibility of the developer to ensure all other necessary permissions, consents and approvals are in place prior to commencement of works. Developers should also ensure appropriate accommodations are made in respect of services and third party infrastructure and may wish to check proposals against the information held at <https://www.linesearchbeforeudig.co.uk/>.

Background Papers: 10 letters of representation
Contact Officer: Alma Bendall
Date: 10 March 2023

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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