



# Perth and Kinross Local Review Body

Council Building  
2 High Street  
Perth  
PH1 5PH

09/11/2023

A hybrid meeting of the **Local Review Body** will be held in **the Council Chamber** on **Thursday, 16 November 2023 at 10:30.**

If you have any queries please contact Committee Services on (01738) 475000.

**LISA SIMPSON**  
**Clerk to the Local Review Body**

***Those attending the meeting are requested to ensure that all mobile phones and other communication devices are switched off.***

## **Members**

Councillor Bob Brawn (Convener)  
Baillie Claire McLaren  
Councillor Richard Watters  
Councillor Ian Massie (Reserve)

## **Applicant Advisers**

Clerk  
Legal Adviser  
Planning Adviser



**Local Review Body**

**Thursday, 16 November 2023**

**AGENDA**

- 1 WELCOME**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTE OF MEETING OF THE LOCAL REVIEW BODY OF 23 OCTOBER 2023** **1 - 6**  
(copy herewith)
- 4 APPLICATIONS FOR CONSIDERATION**
  - 4(i) LRB-2023-28 - 22/02173/FLL – ALTERATION AND EXTENSION TO DWELLINGHOUSE, 29 PITHEAVLIS CRESCENT, PERTH, PH2 0JX** **7 - 78**  
Review papers attached
  - 4(ii) LRB-2023-34 - 23/00418/FLL – CHANGE OF USE, ALTERATIONS AND EXTENSION TO STEADING TO FORM DWELLINGHOUSE, 50 METRES EAST OF BORELAND FARM, GLENDEVON, DOLLAR** **79 - 370**  
Review papers attached
  - 4(iii) LRB-2023-35 - 23/00784/FLL – ALTERATIONS AND EXTENSION TO DWELLINGHOUSE, ARDBEAG, NORTH STREET, BURRELTON, BLAIRGOWRIE, PH13 9NZ** **371 - 406**  
Review papers attached
  - 4(iv) LRB-2023-36 - 23/00962/FLL - CHANGE OF USE OF FLAT TO FORM SHORT-TERM LET ACCOMMODATION UNIT (IN PRINCIPLE), 21 RAEBURN PARK, PERTH, PH2 0ER** **407 - 450**  
Review papers attached
  - 4(v) LB-2023-37 - 23/00581/FLL - CHANGE OF USE OF FLAT TO FORM SHORT-TERM LET ACCOMMODATION UNIT, FLAT 4, 38 BONNETHILL ROAD, PITLOCHRY, PH16 5BS** **451 - 490**  
Review papers attached
- 5 APPLICATION PREVIOUSLY CONSIDERED**

**5(i) LRB-2023-25 - 23/00186/FLL – PART DEMOLITION,  
ALTERATIONS AND EXTENSION TO DWELLINGHOUSE,  
FOREST LODGE, LADYWALL, BIRNAM, DUNKELD, PH8 0DU**  
Review papers attached

**491 - 580**

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## PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held on Monday 23 October 2023 at 1:00pm.

Present: Councillors B Brawn, D Illingworth and G Stewart.

In Attendance: R Burton (Planning Adviser), G Fogg, (Legal Adviser) and J Guild (Democratic Governance Officer) (all Corporate and Democratic Services).

Also Attending: A Brown and M Pasternak (both Corporate and Democratic Services) and C Brien (Communities).

### 1. WELCOME

Councillor Brawn welcomed all present to the meeting.

Councillor Brawn extended a personal thanks to all parties involved in flood rescue efforts throughout Perth and Kinross including Police Scotland, Tayside Fire and Rescue Services, Resilience Groups, Tayside Contracts, Perth and Kinross Council Officers and Scottish and Southern Electricity Networks. Councillor Brawn also extended his thoughts to the people of Brechin impacted by the worst of the flooding.

### 2. DECLARATIONS OF INTEREST

No Declarations of Interest were made in terms of the Councillors Code of Conduct.

### 3. MINUTES

The minute of meeting of the Local Review Body of 11 September 2023 was submitted and noted.

### 4. APPLICATIONS FOR REVIEW

- (i) **LRB-2023-29**  
**Planning Application – 23/00184/FLL – Erection of a fence (in retrospect) 22 King Street, Stanley, Perth PH1 4ND – Mr and Mrs Birse-Stewart**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse erection of a fence (in retrospect) 22 King Street, Stanley, Perth PH1 4ND.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the review application for erection of a fence (in retrospect) 22 King Street, Stanley, Perth PH1 4ND, be granted subject to relevant terms, conditions and informatives including conditions that the fence be permitted for a temporary period of 5 years and the height at the entrance to the driveway be adjusted to be in accordance with Transport Planning standards on visibility splays.

**Justification**

With the imposition of relevant conditions, Members considered the proposal to be in accordance with the Development Plan.

**Note**

Councillor Stewart dissented from the majority opinion. He considered that whilst the vacant church has been subject to vandalism, the fence would not stop this entirely, and is detrimental to visual amenity.

- (ii) **LRB-2023-30**  
**Planning Application – 23/00755/FLL – Change of use of flat to form a short term let accommodation unit (in retrospect) 131 Atholl Road, Pitlochry PH16 5AG – Ms J Preston**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse change of use of flat to form a short term let accommodation unit (in retrospect) 131 Atholl Road, Pitlochry PH15 5AG.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the review application for change of use of flat to form a short term let accommodation unit (in retrospect) 131 Atholl Road, Pitlochry PH15 5AG, be granted, subject to the imposition of relevant terms, conditions and informatives, including a

condition that the change of use be permitted for a temporary period of 5 years.

**Justification**

Councillors B Brawn and D Illingworth considered that whilst the proposal is not in accordance with the Development Plan, the accommodation is part of an existing business and as the Perth and Kinross Planning Guidance on Short Term Lets (2023) is in draft format only, the review be granted for a temporary period.

**Note**

Councillor Stewart dissented from the majority opinion. He considered that whilst the use of the property as a short term let accommodation business contributes to the local economy, it could also be beneficial on the open market for first time buyers, and therefore ought to be refused.

**(iii) LRB-2023-31  
Planning Application – 23/00593/FLL – Erection of a dwellinghouse land 20 metres south west of Braeside House, Hatchbank Road, Gairney Bank, Kinross KY13 9JY – Mr and Mrs Megginson**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse erection of a dwellinghouse land 20 metres south west of Braeside House, Hatchbank Road, Gairney Bank, Kinross KY13 9JY.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the review application for erection of a dwellinghouse land 20 metres south west of Braeside House, Hatchbank Road, Gairney Bank, Kinross KY13 9JY, be refused for the following reasons:

1. The proposed development is poorly designed, fails to respect the character and amenity of the place, will have a detrimental effect on the building pattern and character of the area and will have a significant detrimental impact on residential amenity. The proposal does not satisfy the requirements of NPF4 Policy 14: Design, Quality and Place and NPF4 Policy 17: Rural Homes and LDP2

Policy 1: Placemaking and related Placemaking Supplementary Guidance (2020) and LDP2 Policy 19: Housing in the Countryside and the related Housing in the Countryside Supplementary Guidance (2020) of the Perth and Kinross Local Development Plan 2 (2019).

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**Note**

Councillor Illingworth dissented from the majority opinion. He considered that there is a requirement for single storey accommodation in the area, particularly for use by elderly or disabled individuals, and for that reason would have upheld the application.

**(iv) LRB-2023-32  
Planning Application – 23/00453/FLL – Erection of a dwellinghouse land 25 metres east of Gateside Cottage, Forteviot, Perth – Mr and Mrs Roberts**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse erection of a dwellinghouse land 25 metres east of Gateside Cottage, Forteviot, Perth.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the review application for erection of a dwellinghouse land 25 metres east of Gateside Cottage, Forteviot, Perth, be refused for the following reasons:
  1. The proposal is contrary to Policy 17: Rural Homes of National Planning Framework 4, as it fails to meet any of the criteria within Policy 17(a) and is not suitably scaled, sited or designed to be in keeping with the character of the area.
  2. The proposal is contrary to Policy 19: Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the Council's Housing in the Countryside Guide 2020 as the proposal fails to



- satisfactorily comply with any of the categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.
3. The proposal is contrary to Policy 1A and 1B: Placemaking of the Perth and Kinross Local Development Plan 2 (2019). The proposed development would not contribute positively to the built and natural environment due to its exposed position combined with the siting, design and lack of a landscape framework.
  4. The site is designated as prime agricultural land (category 2). The proposal is contrary to Policy 50: Prime Agricultural Land of the Perth and Kinross Local Development Plan 2 (2019) which does not support development on such land outwith settlement boundaries unless it is necessary to meet a specific established need.
  5. The proposal is contrary to Policy 39: Landscape of the Perth and Kinross Local Development Plan 2 (2019) as it has not been demonstrated through assessment against a landscape capacity study that the site is appropriate for the development and meets the criteria in Policy 39 that seeks to maintain and enhance the landscape qualities of Perth and Kinross.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**Note**

Councillor Illingworth dissented from the majority opinion. He considered it appropriate to grant the review.

- (v) **LRB-2023-33  
Planning Application – 23/00437/FLL – Extension to  
dwellinghouse, 17 Tulliebelton Road, Bankfoot, Perth PH1 4BS –  
Mr B Gibb**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse extension to dwellinghouse, 17 Tulliebelton Road, Bankfoot, Perth PH1 4BS.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the review application for extension to dwellinghouse, 17 Tulliebelton Road, Bankfoot, Perth PH1 4BS, be refused for the following reasons:
  1. The proposals, by combination of their excessive footprint increase, disproportionate projection and excessively long blank north elevation, would overdevelop the existing bungalow and result in an adverse impact upon the character and visual amenity of the area.  
Refusal would therefore be in line with Policy 14(c) of National Planning Framework 4. Furthermore approval would be contrary to Policies 14(a)+(b) and 16(g) of National Planning Framework 4, Policies 1A, 1B(c) and 17(c) of Perth and Kinross Local Development Plan 2 (2019) and Perth and Kinross Council's Placemaking Guide 2020, which seek to ensure that development contributes positively to the quality of the surrounding built environment in terms of massing, proportions and appearance, in order to respect the character and amenity of the place.
  2. The proposals by combination of the excessive projection, footprint increase and relationship with the adjoining property, would overdevelop the existing bungalow and result in an overwhelming and imposing appearance and an adverse impact upon surrounding residential amenity.  
Approval would therefore be contrary to Policy 16(g) of National Planning Framework 4 and Policies 1A, 1B(c) and 17(c) of Perth and Kinross Local Development Plan 2 (2019), which seek to ensure that development contributes positively to the quality of the surrounding built environment in terms of design, proportions and appearance, in order to protect and where possible, improve, existing residential amenity.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

### **Note**

Councillor Brawn dissented from the majority opinion. He considered that with the imposition of relevant conditions, the proposal would be in accordance with the Development Plan.

**LRB-2023-28**  
**22/02173/FLL – Alteration and extension to dwellinghouse,**  
**29 Pitheavlis Crescent, Perth, PH2 0JX**

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- (b) Decision Notice (***Pages 61-62***)
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- (c) Representations (***Pages 75-78***)



**LRB-2023-28**

**22/02173/FLL – Alteration and extension to dwellinghouse,  
29 Pitheavlis Crescent, Perth, PH2 0JX**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**





Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto:onlineapps@pkc.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100610092-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:  You must enter a Building Name or Number, or both: \*

First Name: \*  Building Name:

Last Name: \*  Building Number:

Telephone Number: \*  Address 1 (Street): \*

Extension Number:  Address 2:

Mobile Number:  Town/City: \*

Fax Number:  Country: \*

Postcode: \*

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Gary"/>	Building Number:	<input type="text" value="29"/>
Last Name: *	<input type="text" value="Bell"/>	Address 1 (Street): *	<input type="text" value="Pitheavlis Crescent"/>
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Perth"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PH2 0JX"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="29 PITHEAVLIS CRESCENT"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PERTH"/>
Post Code:	<input type="text" value="PH2 0JX"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="723057"/>	Easting	<input type="text" value="310709"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Alterations and extension to dwellinghouse at 29 Pitheavlis Crescent Perth PH2 0JX

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to accompanying Review Request Statement

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

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please refer to the Review Request Statement for exceptional circumstance - 2 draft drawings were issued prior to determination. Full set of amended drawings have been issued with this review along with some visualisations within the Review Statement.

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Please refer to accompanying Review Request Statement

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/02173/FLL

What date was the application submitted to the planning authority? \*

10/01/2023

What date was the decision issued by the planning authority? \*

10/05/2023

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

There is a locked gate to the side of the house for entry to the rear garden, requires Applicant to be at home to unlock gate.

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Alan Macdonald

Declaration Date: 09/08/2023

# Review Request Statement

22/02173/FLL - Alterations and Extension to Dwellinghouse  
at  
29 Pitheavlis Crescent Perth PH2 0JX

Prepared by

Atelier-M Ltd

On behalf of

Mr & Mrs Gary Bell

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- List of Documents

## Introduction

This statement has been prepared by Atelier-M Ltd Architects on behalf of our Client, Mr & Mrs Gary Bell.

It is in request to review the decision of the Appointed Planning Officer to refuse a planning application which had sought detailed planning permission for the alterations and extension to 29 Pitheavlis Place Perth PH2 0JX.

The application was submitted to Perth & Kinross Council on 07 January 2023 and was eventually refused by the Appointed Planning Officer on 10 May 2023 (Planning Application Reference Number 22/02173/FLL).

During email correspondence with the Appointed Planning Officer between 21 February 2023 and 04 May 2023, options for amendments to the proposals were presented to the Appointed Planning Officer but the Application was determined abruptly without the Applicant being able to formally upload Amended Drawings for determination.

We seek the inclusion of the Amended Drawings as part of this Review.



## Site Location and Description

The application site, which measures c.375sq metres in area, is located on the eastern side of Pitheavlis Crescent.

The site is the southern half of a semi-detached building. It is bound to the east by gardens to Stuart Avenue and Cavendish Avenue.

It is bound to the south by a corner dwelling to Pitheavlis Crescent and Cavendish Avenue which is greater than 18m distance from the side elevation.

The site slopes from front to back. The existing accommodation is on a single level which has a basement at the rear garden level.

The existing dwelling is constructed of stone blocks with smooth ashlar stone quoins to the window / door opening and corner blocks. The roof is of profiled terracotta tiles.



Site Photographs





## Description of the Proposals

The application which had been submitted to Perth & Kinross Council had sought detailed planning permission for the alterations and extension to form a rear facing dormer and a 1.5 storey high rear extension to partially utilise the basement below the main accommodation level at garden level.

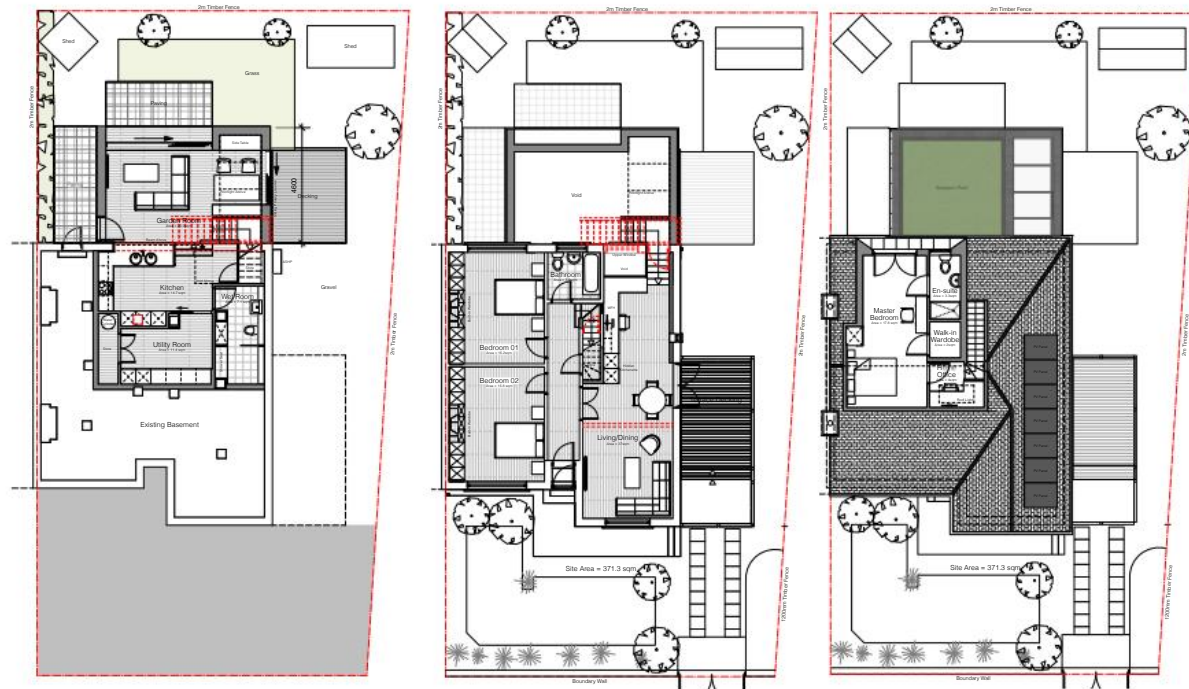
The alterations and extension would form a new kitchen / dining / family room at garden level with utility and accessible shower room.

The works proposed would also include the conversion of the attic with a contemporary zinc dormer to the rear elevation that would form a new master bedroom and ensuite bathroom.

The works included the thermal efficiency improvements to the existing structure and also the installation of an air source heat pump to replace the gas boiler. The southern face of the roof incorporated recessed PV panels.

The flat roof to the garden extension included a sedum roof for water attenuation and bio-diversity.

The proposals aimed to modernise and transform the semi detached dwelling to be fit for the 21st century in terms of thermal efficiency, sustainability and adaptability.



## Reasons for Refusal

The Appointed Planning Officer deemed the proposed dormer was contrary to the following policies;

- Policy 16(g)(i): Quality Homes of National Planning Framework 4,
- Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2,
- Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2,
- Perth & Kinross Placemaking Supplementary Guidance 2020.

Notwithstanding the above, there were no objections to the Application.

The above policies rely upon the subjectivity of the Appointed Planning Officer and decisions could vary depending on the case officer. In no way is what is proposed for the dormer anything like the bad examples illustrated in the Placemaking Supplementary Guidance 2020.

National Planning Framework 4 63

c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:

- self-provided homes;
- accessible, adaptable and wheelchair accessible homes;
- build to rent;
- affordable homes;
- a range of size of homes such as those for larger families;
- homes for older people, including supported accommodation, care homes and sheltered housing;
- homes for people undertaking further and higher education; and
- homes for other specialist groups such as service personnel.

d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.

e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:

- a higher contribution is justified by evidence of need; or
- a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes.

f) The contribution is to be provided in accordance with local policy or guidance.

g) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:

- the proposal is supported by an agreed timescale for build-out; and
- the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;

iii. and either:

- delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
- the proposal is consistent with policy on rural homes; or
- the proposal is for smaller scale opportunities within an existing settlement boundary; or
- the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.

g) Householder development proposals will be supported where they:

- do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
- do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

Part 2 – National Planning Policy

**Placemaking**

**Policy 1A: Placemaking**

Development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.

The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and where practical beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

**Policy 1B**

All proposals should meet all the following placemaking criteria:

- Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings;
- Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area;
- The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours;
- Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space;
- All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport;
- Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible;
- Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.

(continue)

Local Development Plan 2, 2019 20

**Types of Householder Applications**

There are a range of householder applications that require careful thought before making an application. The following section provides some guidance on the issues that a planning officer will consider when assessing a submission.

**Roof extensions and alterations**

It is important that roof extensions and alterations fit with the local street character. Think carefully about the context before:

- Converting an existing hipped roof into a gabled roof.
- Altering the streetscene by changing the roofscape and space between buildings.
- Creating over dominant dormer windows.

An appropriate dormer extension should as a minimum:

- Be set below the ridgeline of the roof.
- Be set back from the wall-head.
- Be generally of pitched roof form.
- Be physically contained within the roof pitch.
- Relate to windows and doors in the lower storey(s) in terms of character, proportion and alignment.
- Have the front face predominantly glazed.
- Not extend more than half the length of the roof plane.

Poor responses to roof pitch

54

## Extension of Time Request

The Appointed Planning Officer requested an Extension of Time on 03 March 2023 for the planning application to be determined by 9th March 2023 to 9th April 2023.

During the communications within the month of April 2023, there was no further date for extension of time requested.

The Applicant was not aware of a new deadline set for 9th May 2023 for determination of the Planning Application, this was never intimated in email correspondence by the Appointed Planning Officer, even in email correspondence on 04 May 2023.

This was admitted in an email of 01 June 2023 by the Appointed Planning Officer.

Due to this lack of clear communication from Perth & Kinross Council, to inform that there was a deadline for determination on 09 May 2023, we seek the exceptional circumstance that new information be formally included as part of this Review Request, namely the Amended Drawings that were issued to the Appointed Planning Officer, as draft drawings, on 13 April 2023.

Planning and Development Head of Service David Littlejohn	
Pullar House 35 Kinnoull Street, PERTH PH1 5GD Tel 01738 475300 Fax 01738 475310	If telephoning or calling please ask for David Rennie Telephone 01738 475291 Email DARennie@pkc.gov.uk Ref No 22/02173/FLL Date 3rd March 2023
Mr Gary Bell c/o Atelier-M Ltd Alan Macdonald The Studio 77 Main Street Longlogran Perthshire DD2 5EW	

Dear Sir/Madam

**RE: Alterations and extension to dwellinghouse 29 Pitheavlis Crescent Perth PH2 0JX**

I refer to the application for planning permission, which you submitted for the above proposed development and which was validated by the Council on 10th January 2023. Town and Country Planning (Scotland) Act, 1997 as amended by Planning etc (Scotland) Act 2006 requires that the Council determines this planning application within a period of two months, unless a further period is agreed with the applicant/agent.

I have to inform you that for the reason(s) stated below it will not be possible for your planning application to be determined within the statutory period.

I would therefore propose an extension of time from 9th March 2023 to 9th April 2023 in order that your planning application may be fully considered. I trust that you will be agreeable to this but if you have any concerns please contact me within 3 working days. If I do not hear from you within that time, I will assume you have no objection.

**Reasons for Extension**

- Additional time is required to hopefully allow issues with possible overlooking and the design of the dormer to be addressed.

Yours faithfully  
David Rennie

**From:** David Rennie DAREnnie@pkc.gov.uk  
**Subject:** RE: 22/02173/FLL | Alterations and extension to dwellinghouse | 29 Pitheavlis Crescent, Perth PH2 0JX  
**Date:** 4 May 2023 at 10:52  
**To:** Alan Macdonald alan@atelier-m.co.uk

Dear Alan

I appreciate that you are trying to address the issue of overlooking from the dormer, and I appreciate the level of accommodation that your client is seeking. However, my concerns about the scale of the dormer remain, and the revised design would further increase the visual prominence of the dormer.

Kind regards  
David Rennie

David Rennie | Planning Officer | Development Management | Perth & Kinross Council | Pullar House, 35 Kinnoull Street, Perth PH1 5GD | Phone: 01738 475291 | Email: DAREnnie@pkc.gov.uk | Web: [www.pkc.gov.uk/planning](http://www.pkc.gov.uk/planning)

**From:** David Rennie DAREnnie@pkc.gov.uk  
**Subject:** RE: 22/02173/FLL | Alterations and extension to dwellinghouse | 29 Pitheavlis Crescent, Perth PH2 0JX  
**Date:** 1 June 2023 at 11:16  
**To:** Alan Macdonald alan@atelier-m.co.uk

Dear Alan

Apologies for the delay in responding to you.

In my emails below, I had advised that I was intending to recommend refusal of the application and that the revised design had not addressed my concerns. I appreciate that I could have stated in my email of 4 May that I was still intending to recommend refusal before the expiry date.

As noted on the decision notice, the plans relating to the decision are the original drawings.

There are limited circumstances where new information can be submitted to the Local Review Body. There is further information on this at [Local Review Body - Perth & Kinross Council \(pkc.gov.uk\)](http://Local Review Body - Perth & Kinross Council (pkc.gov.uk))

I appreciate your client's wishes to extend their house. If you are considering submitting another application in the future, I hope that our previous discussions and my report of handling for this application both provide advice on what is likely to be supportable.

Kind regards  
David Rennie

David Rennie | Planning Officer | Development Management | Perth & Kinross Council | Pullar House, 35 Kinnoull Street, Perth PH1 5GD | Phone: 01738 475291 | Email: DAREnnie@pkc.gov.uk | Web: [www.pkc.gov.uk/planning](http://www.pkc.gov.uk/planning)

## Amendment to Dormer

During the discussions with the Appointed Planning Officer, alternative draft proposals for the dormer were submitted on 13 April 2023 and 26 April 2023.

The draft proposals attempted to address the concerns that were raised.

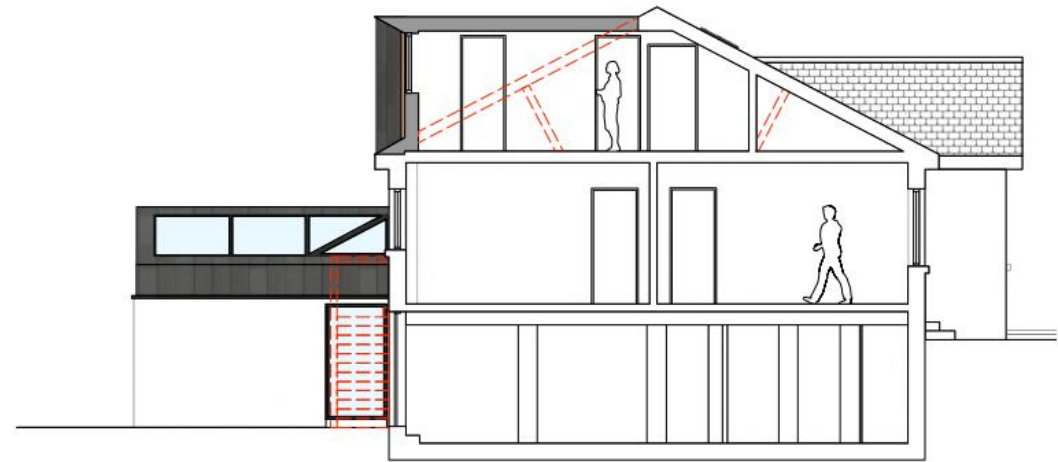
The Applicant had been deliberating which draft version was to be formally submitted for the determination, but due to lack of communication this opportunity was not offered to the Applicant.

It is for this unique reason that we wish the Amended drawings to be considered for this Review Request.

Within the Amended proposals, the vertical face of the rear elevation had been stepped back from the rear wall head. The cheeks and head of the dormer would taper out to give a contemporary sleek profile that has been granted by other Scottish local authorities.

The proposed dormer and garden extension are to be read together as a whole with the zinc materiality to both elements.

The images opposite illustrate the detailing intention of the proposed dormer with the tapered profile.



## Precedents

Within the proximity of the application site, there has been numerous precedent projects that have been given Consent that are of a poorer design. It is stated that these were determined under different Planning Policies, but they do set precedent.

These precedents are;

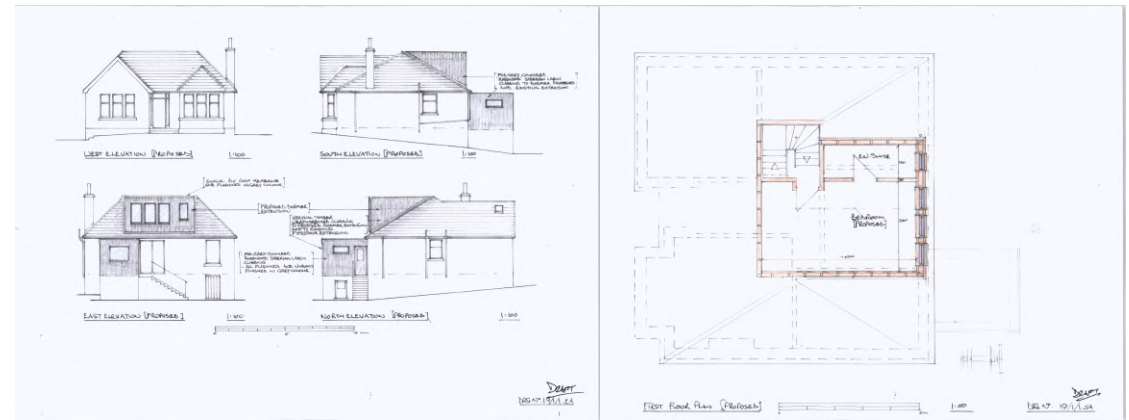
Planning Application Reference Number 19/01012/FLL  
12 Murray Terrace Perth PH1 1BT

Planning Application Reference Number 11/01100/FLL  
31 Pitheavlis Crescent Perth PH2 0JX

Planning Application Reference Number 18/00376/FLL  
33 Cavendish Avenue Perth PH2 0JX

The above Applications each have issues that the Appointed Planning Officer would now find contrary to Policy.

The policies are subjective and open to interpretation. It is not the purpose of this document to criticise the Appointed Planning Officer, but the detailing of the zinc dormer could have been controlled by Conditions if minor changes were deemed to be necessary.



Visualisations



## Summary and Conclusion

The proposed dormer (as Amended) would be;

- Below the ridge level,
- Vertical face recessed from the rear wall head,
- Vertical face predominately glazed,
- Physically contained within the roof pitch,
- Less than half the width of the eaves line,
- Contemporary design,
- Contrast but sympathetic to the house, and
- Compliment the Garden extension.

The proposed alterations and extension would;

- Modernise the existing dwelling,
- Make the dwelling more energy efficient,
- Make the dwelling more sustainable,
- Reduce carbon emissions with the installation of;
  - air source heat pump
  - PV roof panels
- Improve bio-diversity with sedum roof.
- Allow future adaptability for 'Lifetime Homes'
- Make the dwelling fit for the 21st century.



## List of Documents

### Application Drawings

2205(00)001A - Location Plan  
2205(20)001 - Basement Plan as Existing  
2205(20)002 - Ground Floor Plan as Existing  
2205(20)003 - Roof Plan as Existing  
2205(20)004 - Elevations as Existing  
2205(20)005 - Sections AA & BB as Existing  
2205(20)010 - Basement Plan as Proposed  
2205(20)011 - Ground Floor Plan as Proposed  
2205(20)012 - First Plan as Proposed  
2205(20)013 - Roof Plan as Proposed  
2205(20)014 - Elevations as Proposed  
2205(20)015 - Elevations as Proposed  
2205(20)016 - Sections AA & BB as Proposed  
2205(20)017 - Exploded Axonometric as Proposed  
2205(20)018 - Front Axonometric as Proposed  
2205(20)019 - Rear Axonometric as Proposed

### Amended Drawings

2205(20)012A - First Plan as Proposed  
2205(20)013A - Roof Plan as Proposed  
2205(20)014A - Elevations as Proposed  
2205(20)016A - Sections AA & BB as Proposed  
2205(20)017A - Exploded Axonometric as Proposed  
2205(20)018A - Front Axonometric as Proposed  
2205(20)019A - Rear Axonometric as Proposed

### Correspondence

Letter for Extension of Time - dated 03 March 2023  
Email Correspondence - dated 04 May 2023  
Email Correspondence - dated 01 June 2023







## DRAWING ISSUE SHEET

<b>Job No:</b>	<b>2205</b>	<b>CLIENT:</b>	<b>Mr &amp; Mrs Gary Bell</b>
CI/SfB Ref:	(varies)	PROJECT:	<b>Proposed Alterations to 29 Pitheavlis Crescent, Perth, PH2 0JX</b>
Drawing Category:	General Arrangement	SHEET No:	1

<b>DRAWING</b>	Day	09	10	09						
	Month	12	01	08						
	Year	22	23	23						

Number	Title	Size	Scale							
2004(00)001	Location Plan	A3	1:1250	-	A	A				

DISTRIBUTION	ISSUE FORMAT (P=Paper, E=Email, D=Disk)	E	E	E						
<b>Client:</b>	Mr & Mrs Gary Bell	1	1	1						
<b>Principal Designer:</b>										
<b>Quantity Surveyor:</b>										
<b>Project Manager:</b>										
<b>Structural Engineer:</b>										
<b>Planning:</b>	Perth & Kinross Council	E	E	E						
<b>Building Warrant:</b>										
<b>Contractor:</b>										
<b>Other:</b>										
<b>ISSUED by:</b>		AM	AM	AM						
<b>ISSUE Status:</b>	P=Preliminary, A=Approved, I=Informational, E=For Review, D=For Construction	A	A	A						

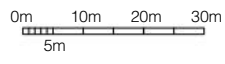
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CI/SfB Ref:	(20)	PROJECT:	<b>Proposed Alterations to 29 Pitheavlis Crescent, Perth, PH2 0JX</b>
Drawing Category:	General Arrangement	SHEET No:	1

<b>DRAWING</b>	Day	09	09																	
	Month	12	08																	
	Year	22	23																	

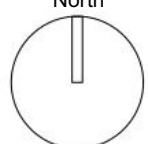

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2205(20)002	Ground Floor Plan as Existing	A3	1:100	-	-															
2205(20)003	Roof Plan as Existing	A3	1:100	-	-															
2205(20)004	Elevations as Existing	A3	1:100	-	-															
2205(20)005	Section AA & BB as Existing	A3	1:100	-	-															
2205(20)010	Lower Ground Floor as Proposed	A3	1:100	-	-															
2205(20)011	Ground Floor Plan as Proposed	A3	1:100	-	-															
2205(20)012	First Floor Plan as Proposed	A3	1:100	-	A															
2205(20)013	Roof Plan as Proposed	A3	1:100	-	A															
2205(20)014	NE & SE Elevations as Proposed	A3	1:100	-	A															
2205(20)015	NW & SW Elevations as Proposed	A3	1:100	-	A															
2205(20)016	Sections A-A & B-B as Proposed	A3	1:100	-	A															
2205(20)017	Exploded Axo as Proposed	A3	NTS	-	A															
2205(20)018	Front Axo as Proposed	A3	NTS	-	A															
2205(20)019	Rear Axo as Proposed	A3	NTS	-	A															

DISTRIBUTION	ISSUE FORMAT (P=Paper, E=Email, D=Disk)	E	E																	
<b>Client:</b>	Mr & Mrs Gary Bell	1	1																	
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<b>Planning:</b>	Perth & Kinross Council	E	E																	
<b>Building Warrant:</b>																				
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<b>Other:</b>																				
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<b>ISSUE Status:</b>	P=Preliminary; A=Approved; I=Informational; E=Email; D=Disk	A	A																	

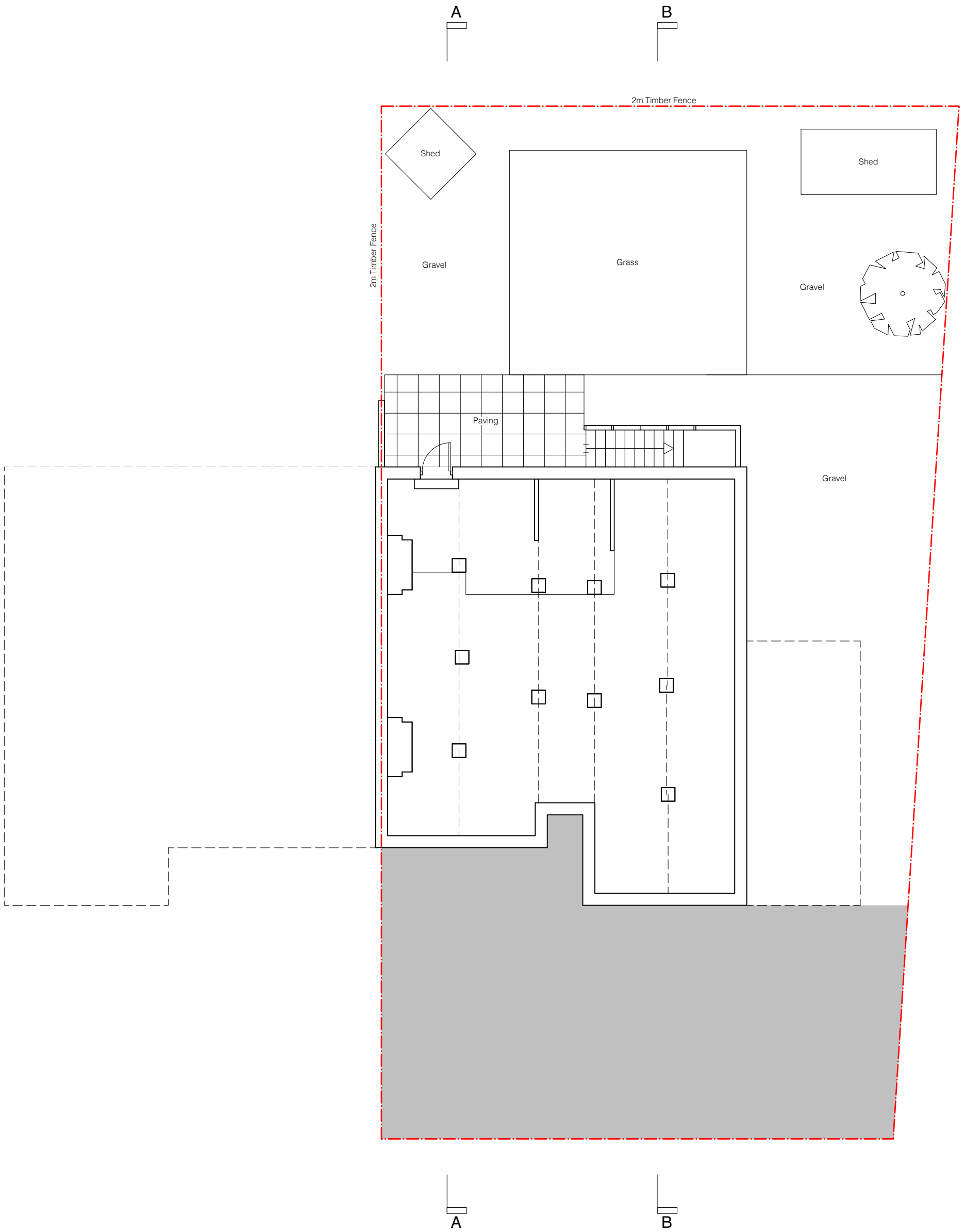


Location Plan 1:1250

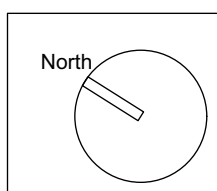
**ATELIER - M**

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	drawn SOT checked AM	date December 2022	scale 1:1250 @ A3	Registered Office: 2 Westbank Road Longforgan Company No: 2 SC289842	

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**Basement Floor Plan 1:100**

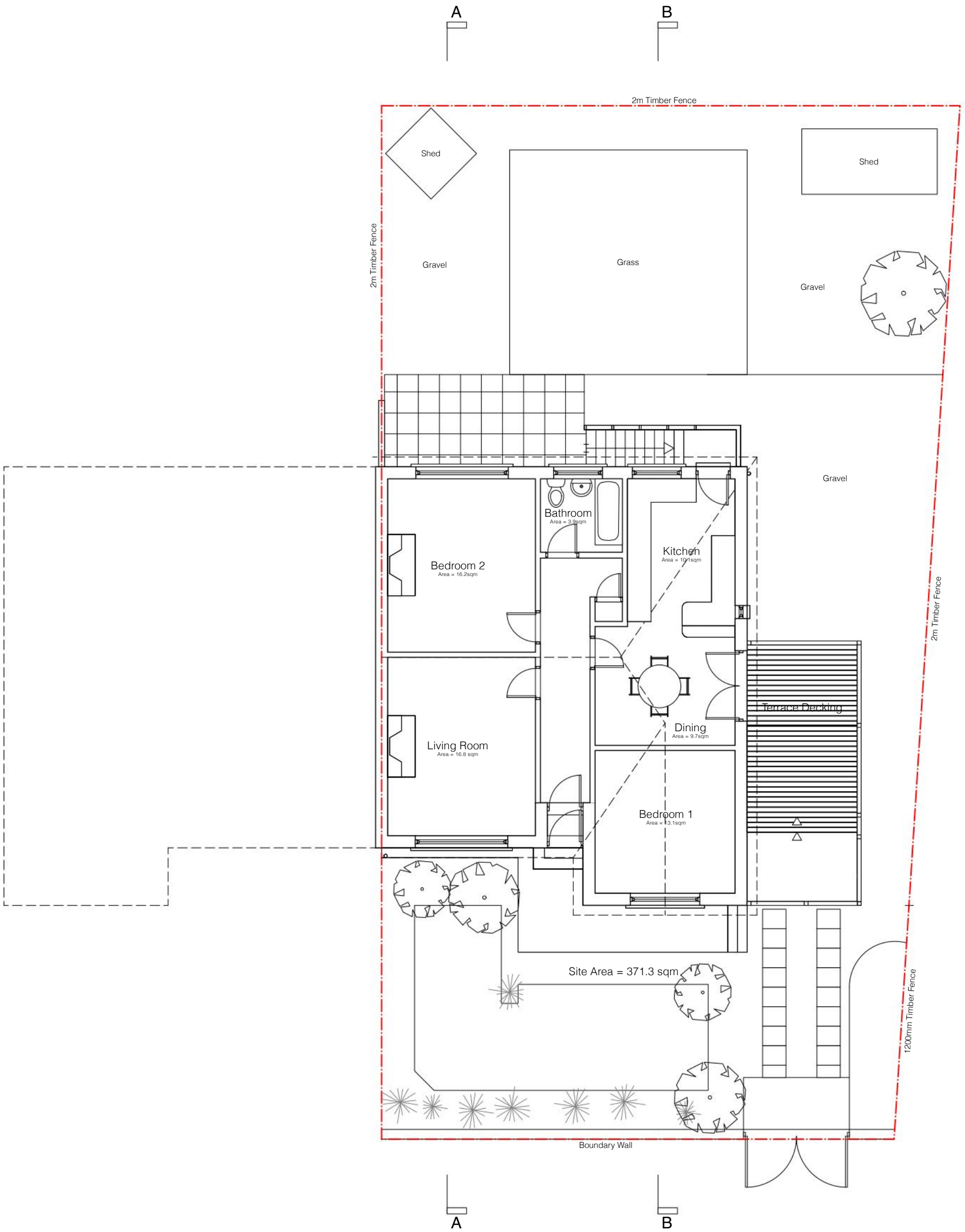


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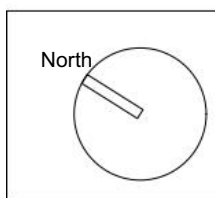
project Proposed Alterations to 29 Pithleavis Cres, Perth
client Mr & Mrs Gary Bell
drawn SOT checked AM

title Basement Plan As Existing	
date June 2022	scale 1:100@ A3

job no. <b>2205</b>	<b>ATELIER-M</b> architecture & design THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 <a href="mailto:mail@atelier-m.co.uk">mail@atelier-m.co.uk</a> <a href="http://www.atelier-m.co.uk">www.atelier-m.co.uk</a>
dwg no. <b>(20)001</b>	
rev.	



Ground Floor Plan 1:100

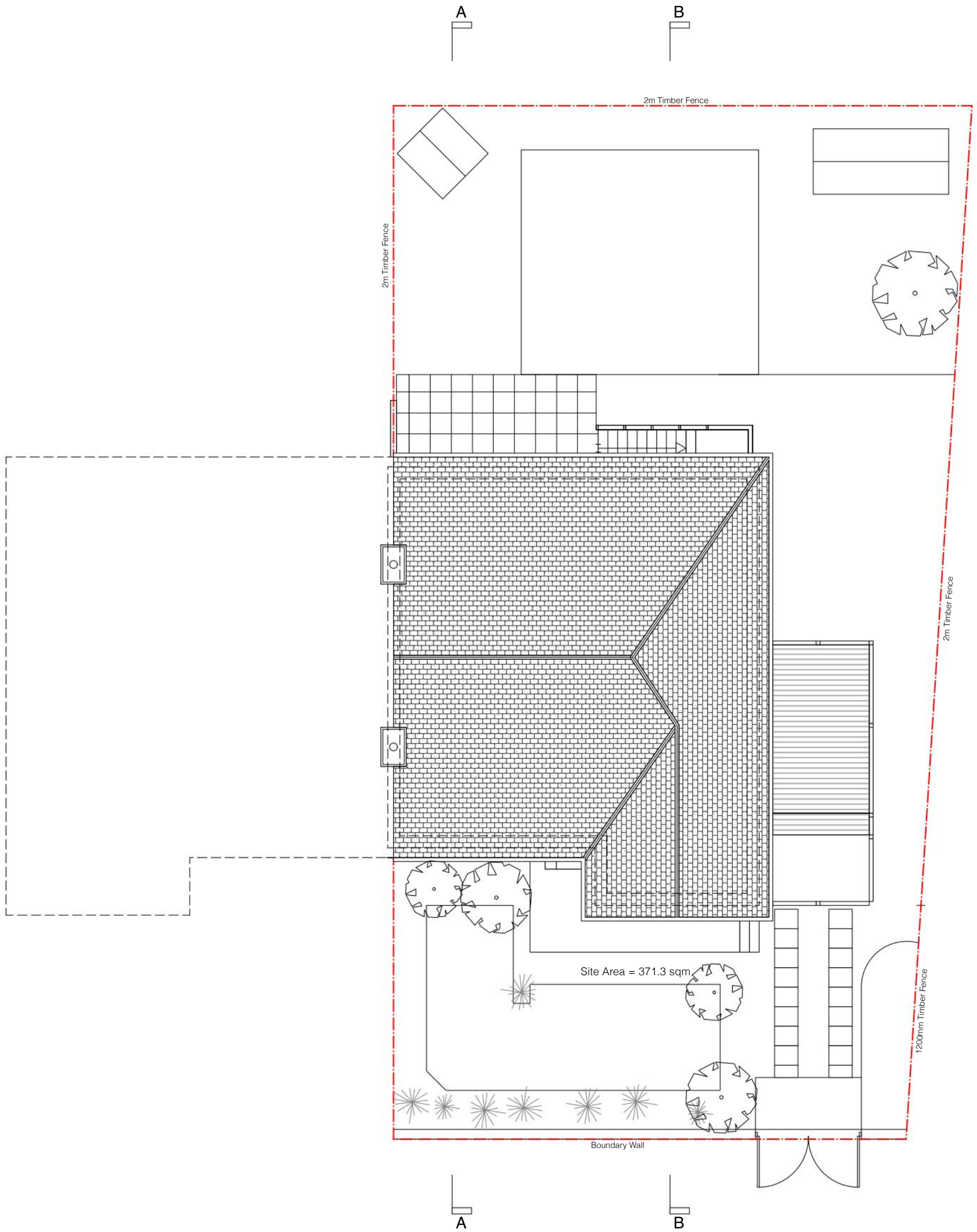


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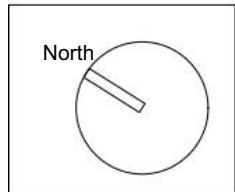
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client	Mr & Mrs Gary Bell		
drawn	SOT	checked	AM

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job no.	2205	<b>ATELIER-M</b> architecture & design THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
dwg no.	(20)002	
rev.		



**Roof Plan 1:100**

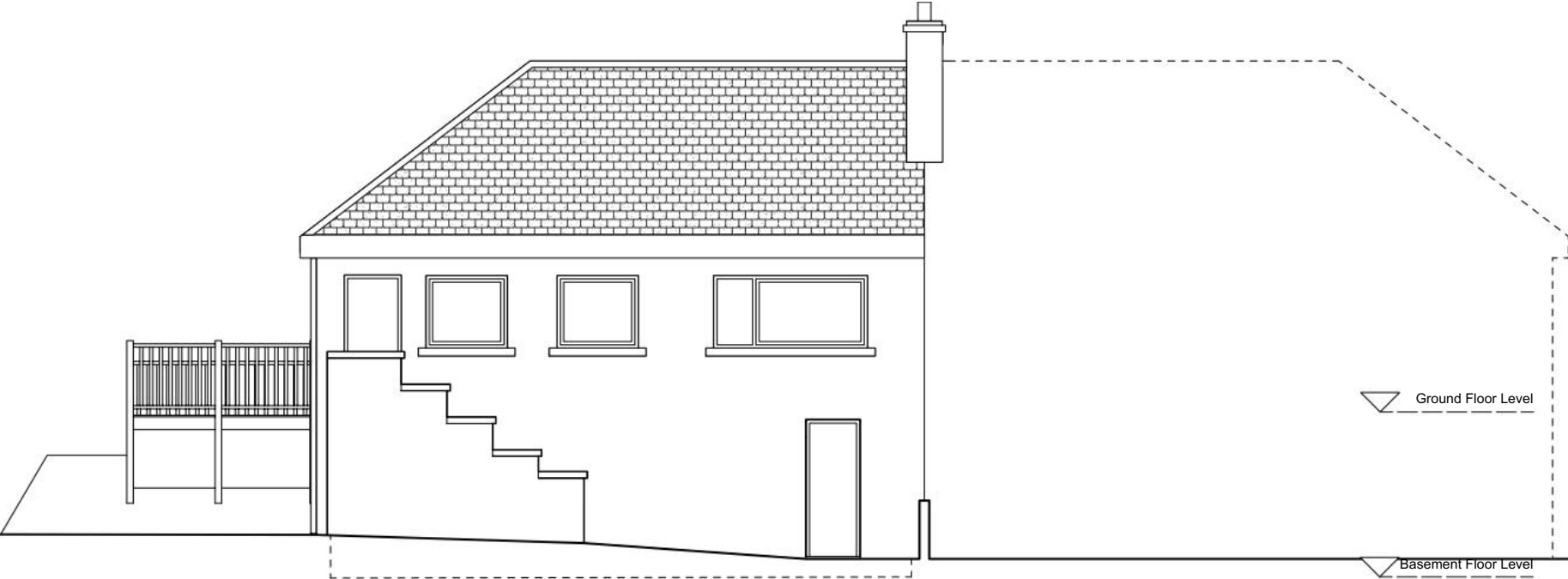


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project Proposed Alterations to 29 Pithleavis Cres, Perth	
client Mr & Mrs Gary Bell	
drawn	SOT
checked	AM

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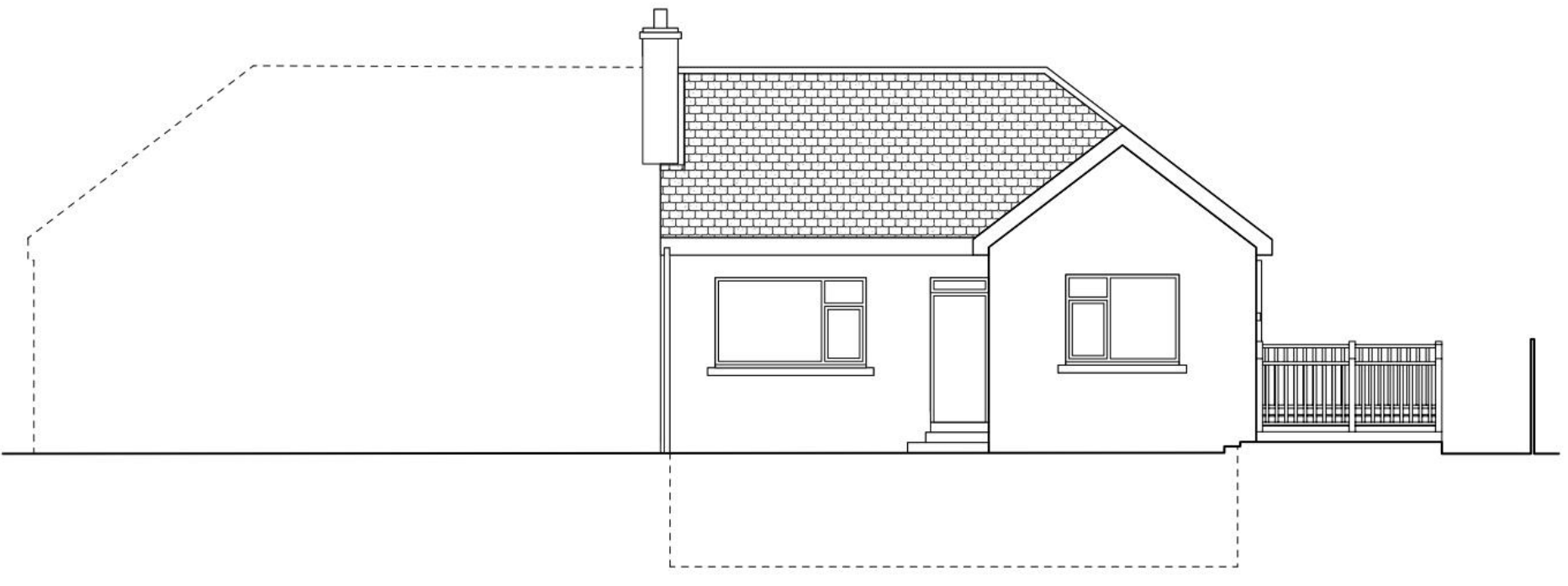
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dwg no. <b>(20)003</b>	
rev.	



North East Elevation 1:100



South East Elevation 1:100



South West Elevation 1:100



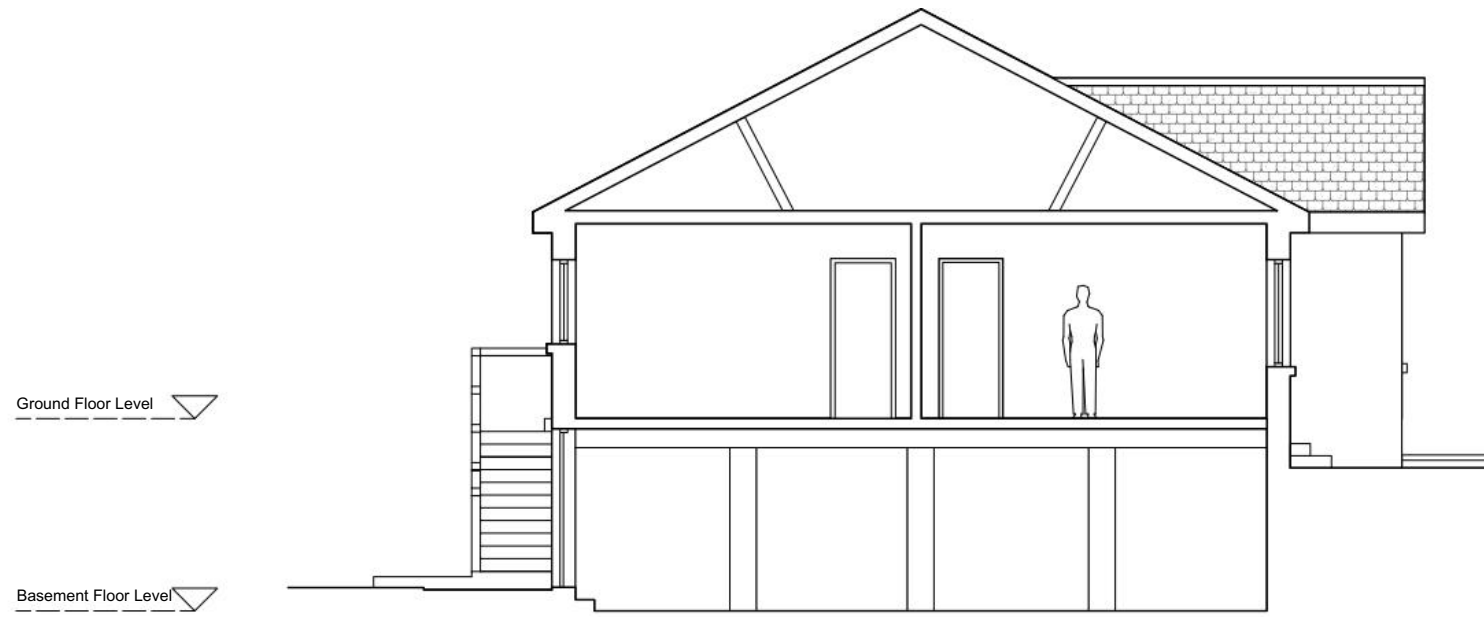
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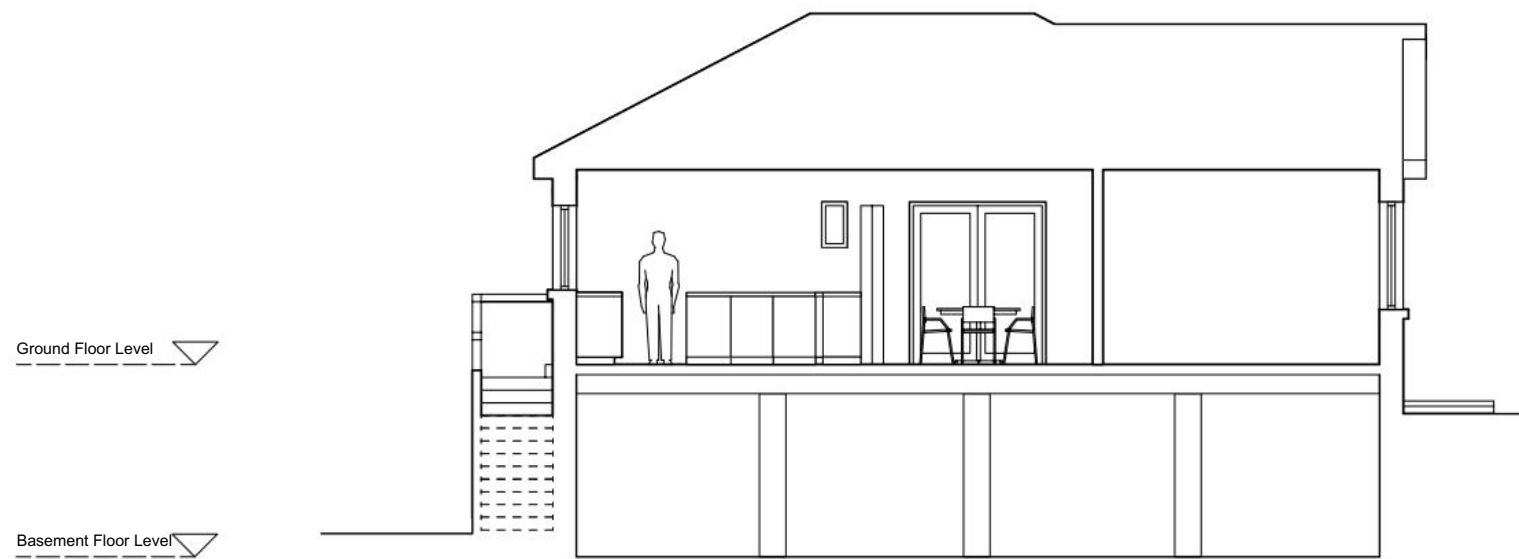
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**Section AA 1:100**



**Section BB 1:100**

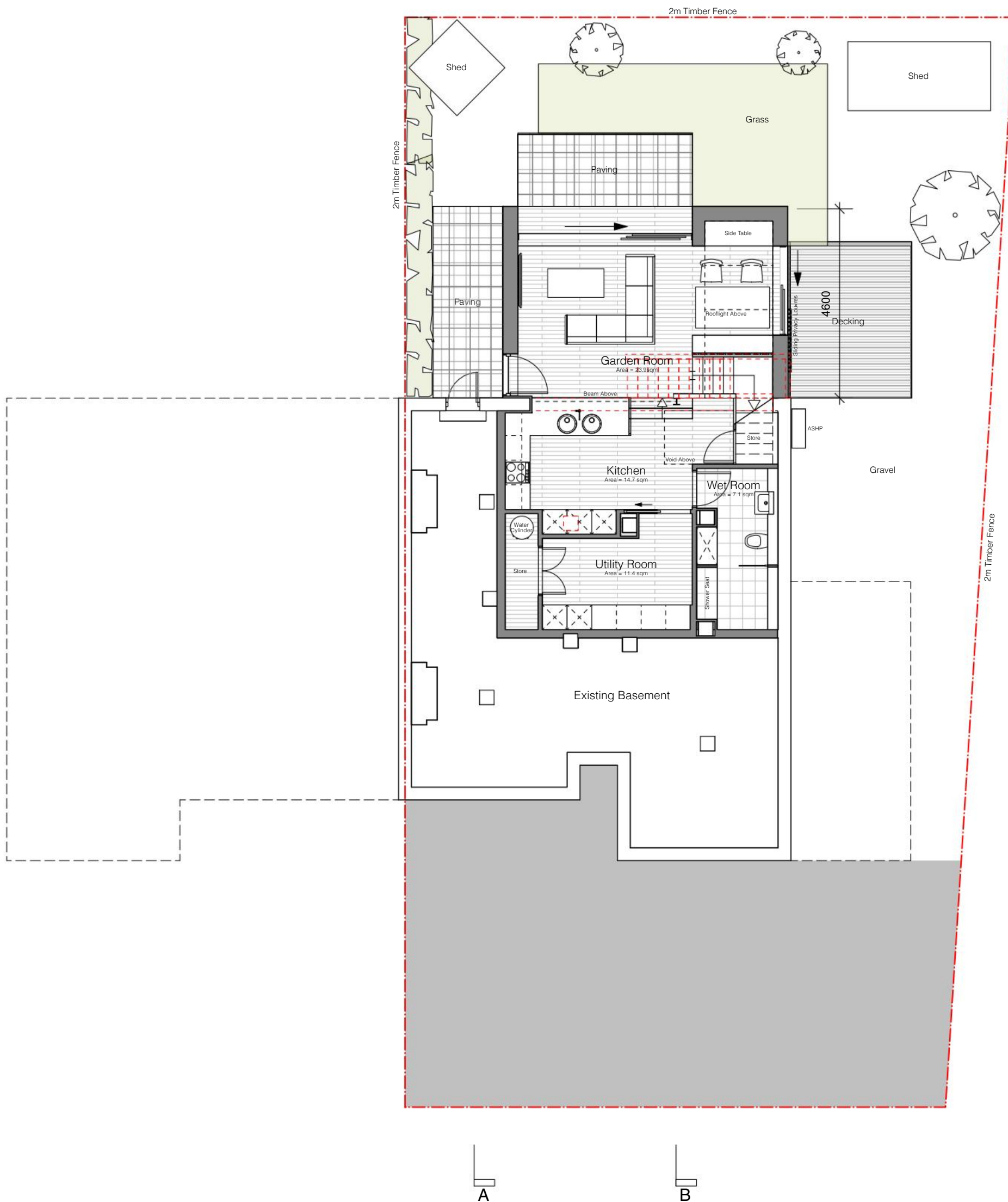


as Existing

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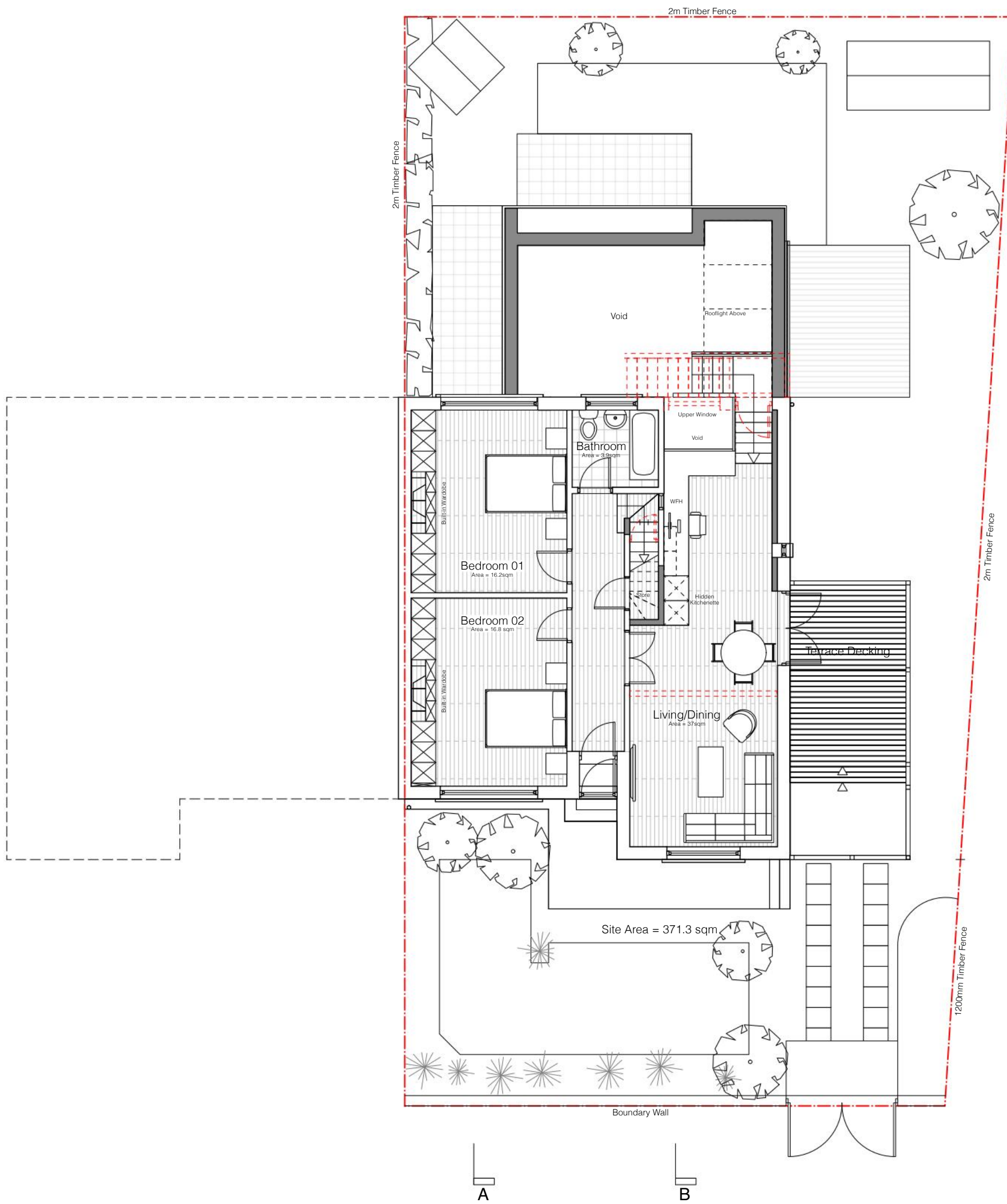
Lower Ground Floor Plan 1:100



# ATELIER-M

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		client Mr & Mrs Gary Bell	date December 2022	scale 1:100 @ A3	
		drawn SOT	checked AM	rev.	Registered Office: 2 Westbank Road Longforgan Company No: 2 SC289842

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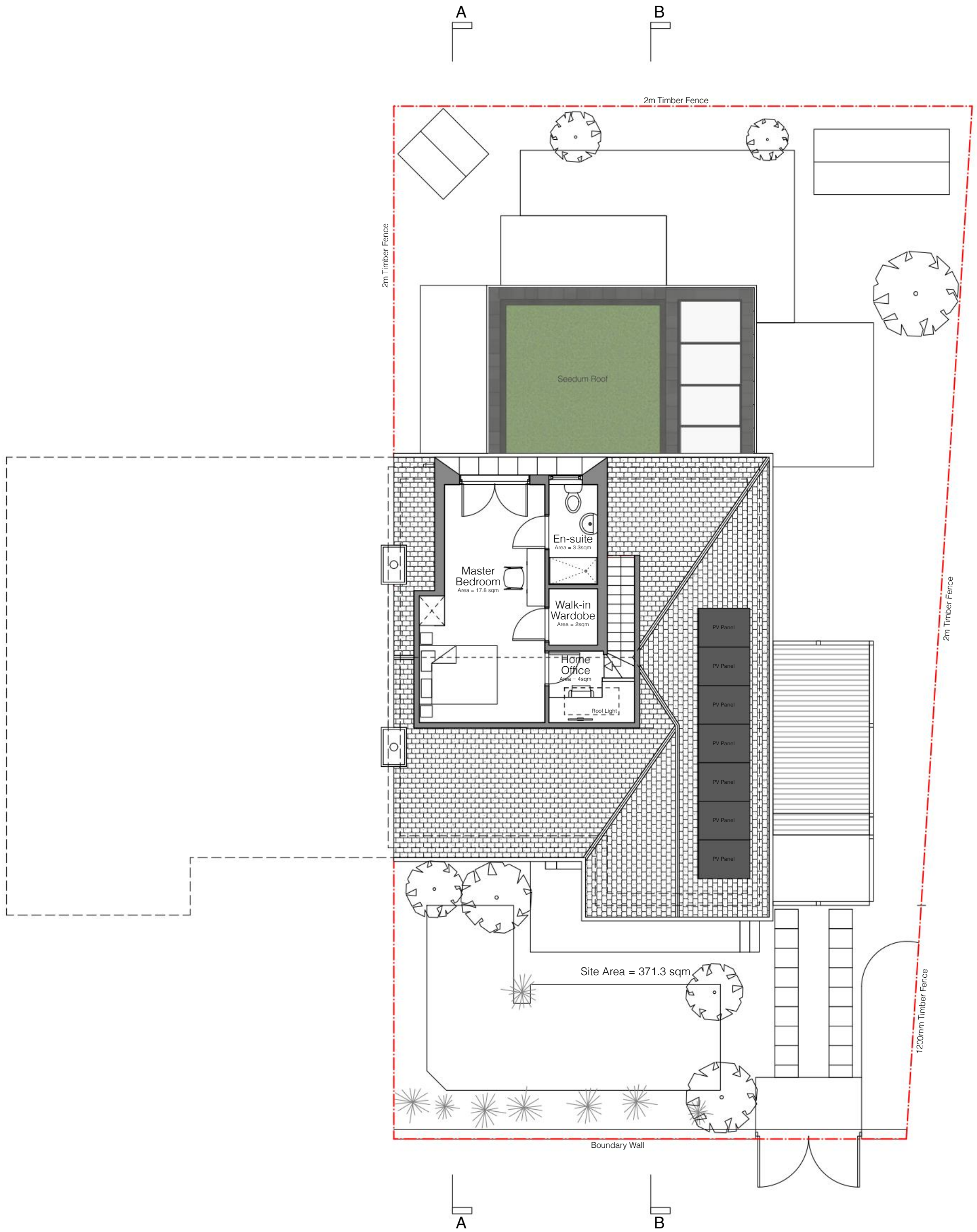


Ground Floor Plan 1:100

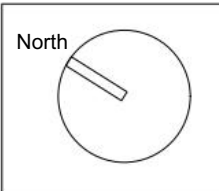
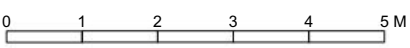


**ATELIER-M**

	revisions	project Project Proposed Alterations to 29 Pilleavis Cres, Perth	title Ground Floor Plan As Proposed	job no. <b>2205</b>	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
		client Mr & Mrs Gary Bell	date December 2022	scale 1:100 @ A3	
		drawn SOT	checked AM	rev.	Registered Office: 2 Westbank Road Longforgan Company No: 2 SC289842



**First Floor Plan 1:100**



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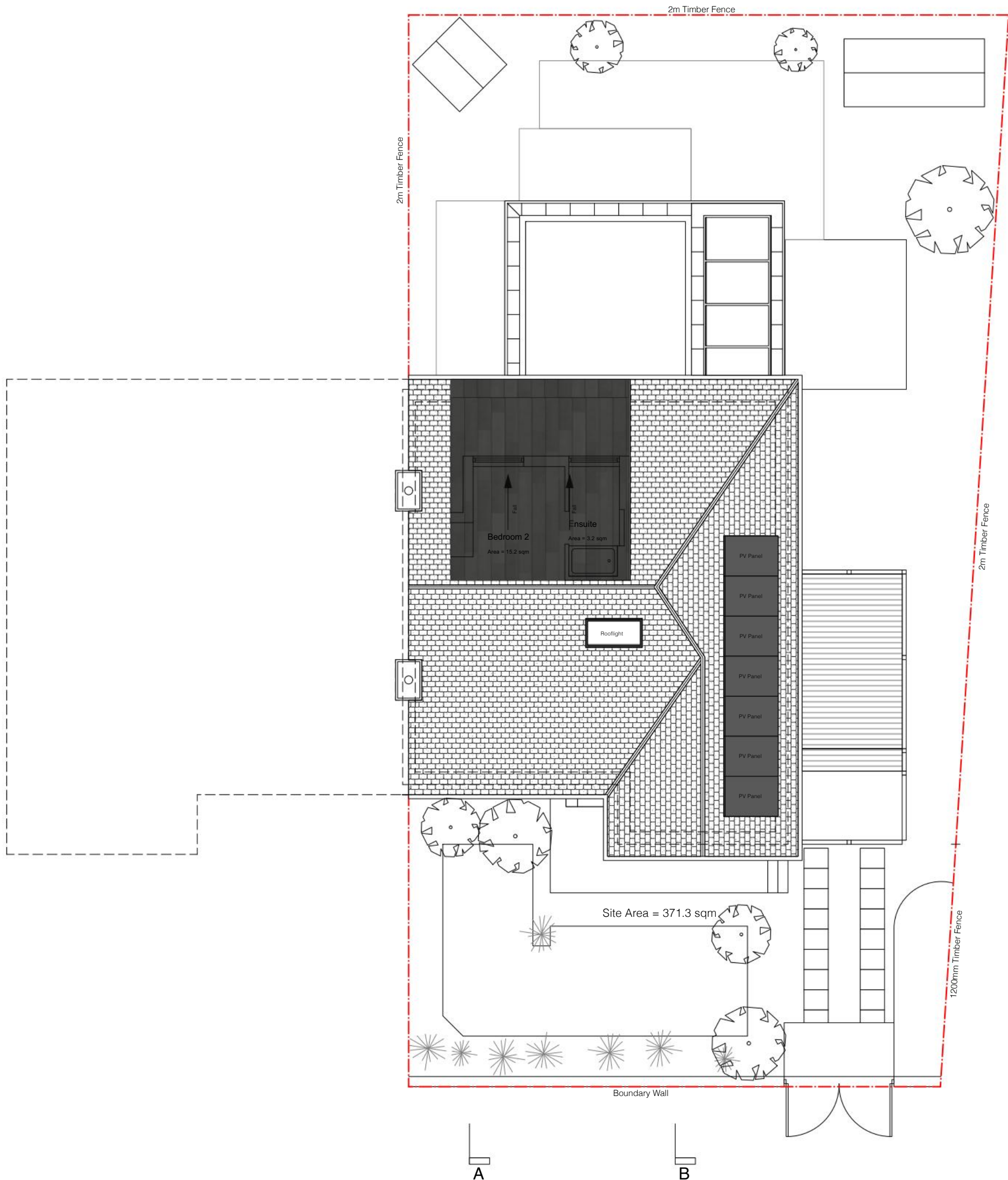
project Project Proposed Alterations to 29 Pilleavis Cres, Perth
client Mr & Mrs Gary Bell
drawn SOT
checked AM

title First Floor Plan As Proposed
date December 2022
scale 1:100 @ A3

job no. <b>2205</b>	<p>THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk</p>
dwg no. <b>(20)012</b>	
rev.	

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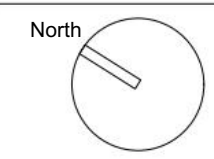
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Roof Plan 1:100



revisions	project	Project Proposed Alterations to 29 Pilleavis Cres, Perth		title	Roof Plan As Proposed		job no.	2205		THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
	client	Mr & Mrs Gary Bell		date	December 2022		dwg no.	(20)013		
	drawn	SOT	checked	AM	scale	1:100 @ A3		rev.		Registered Office: 2 Westbank Road Longforgan

ATELIER-M





North East Elevation 1:100

**Outline Specification**

**Walls**  
Extension walls to be white render below, except for larch cladding on SE elevation. Dark grey zinc cladding above window line.

**Roofs**  
Dormer and extension roof to be zinc clad. Seedum finish to extension flat roof.

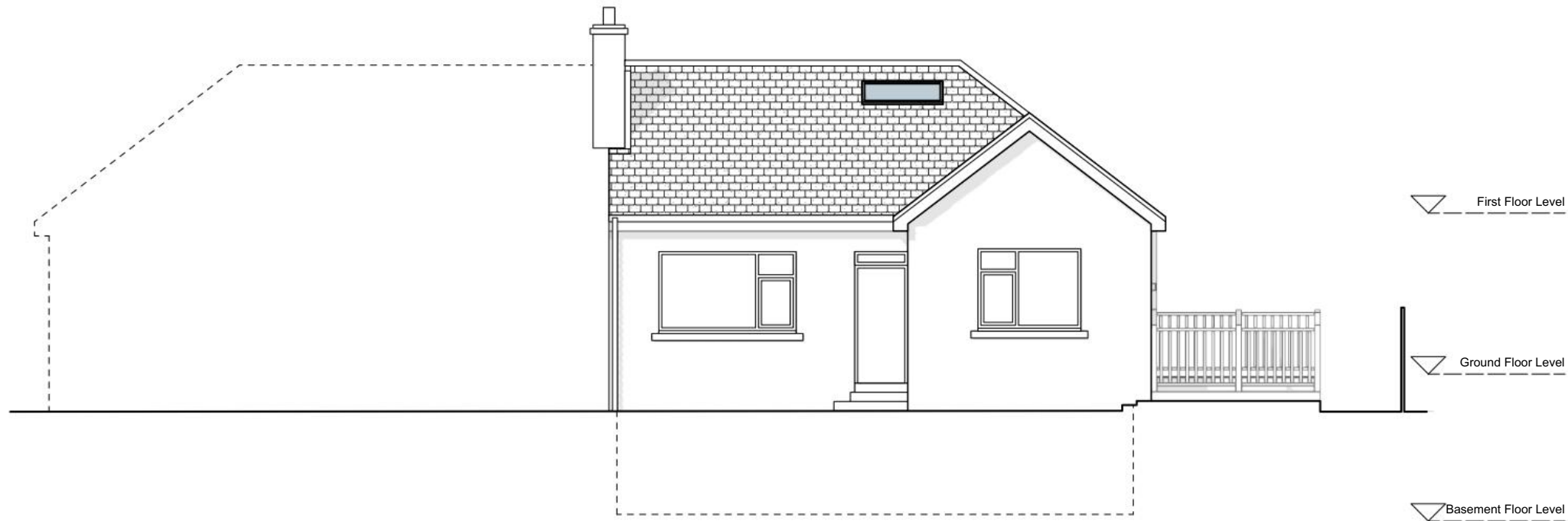
**Windows**  
All new windows to be aluminium clad timber, triple glazed windows. Colours tbd.

**Rooflights**  
Velux rooflights to existing roof on front elevation. Proprietary patented glazing over dining space.

**Balustrades**  
Frameless glass balustrade to attic bedroom.

**Air Source Heat Pump**  
Mitsubishi Ecodan PUHZ-W85VAA

**PV Panels**  
Viridian Solar Clearline Fusion

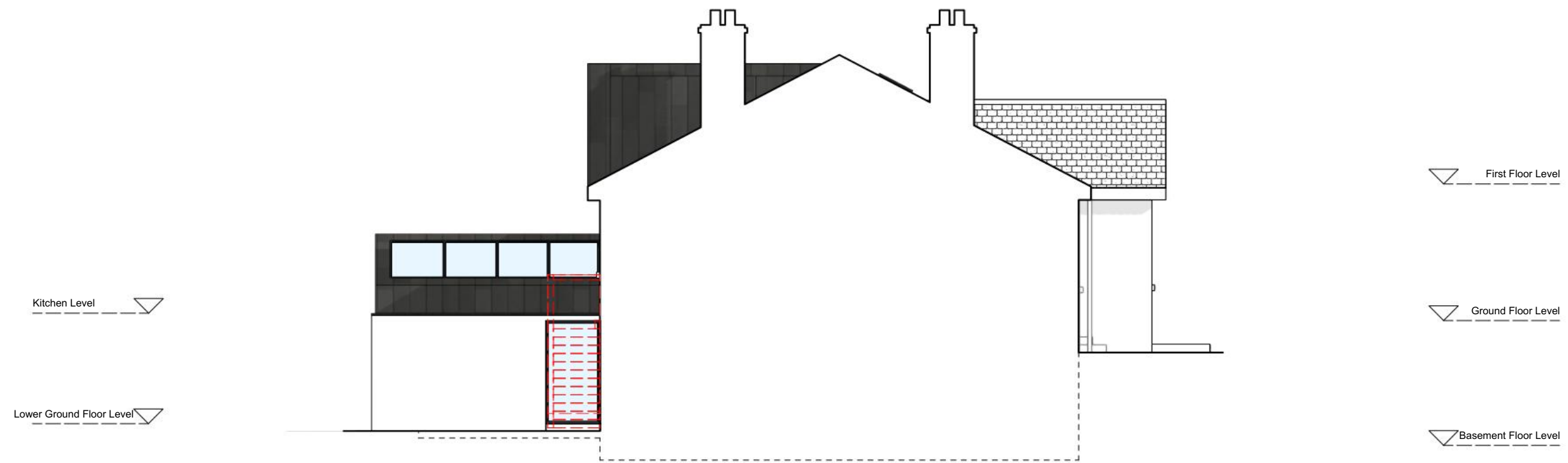


South West Elevation 1:100



as Proposed

	revisions	project Project Proposed Alterations to 29 Pitleavis Cres, Perth	title NE & SW Elevations As Proposed	job no. <b>2205</b>	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
		client Mr & Mrs Gary Bell	date December 2022	dwg no. <b>(20)014</b>	
		drawn SOT	checked AM	scale 1:100 @ A3	rev.



North West Elevation 1:100



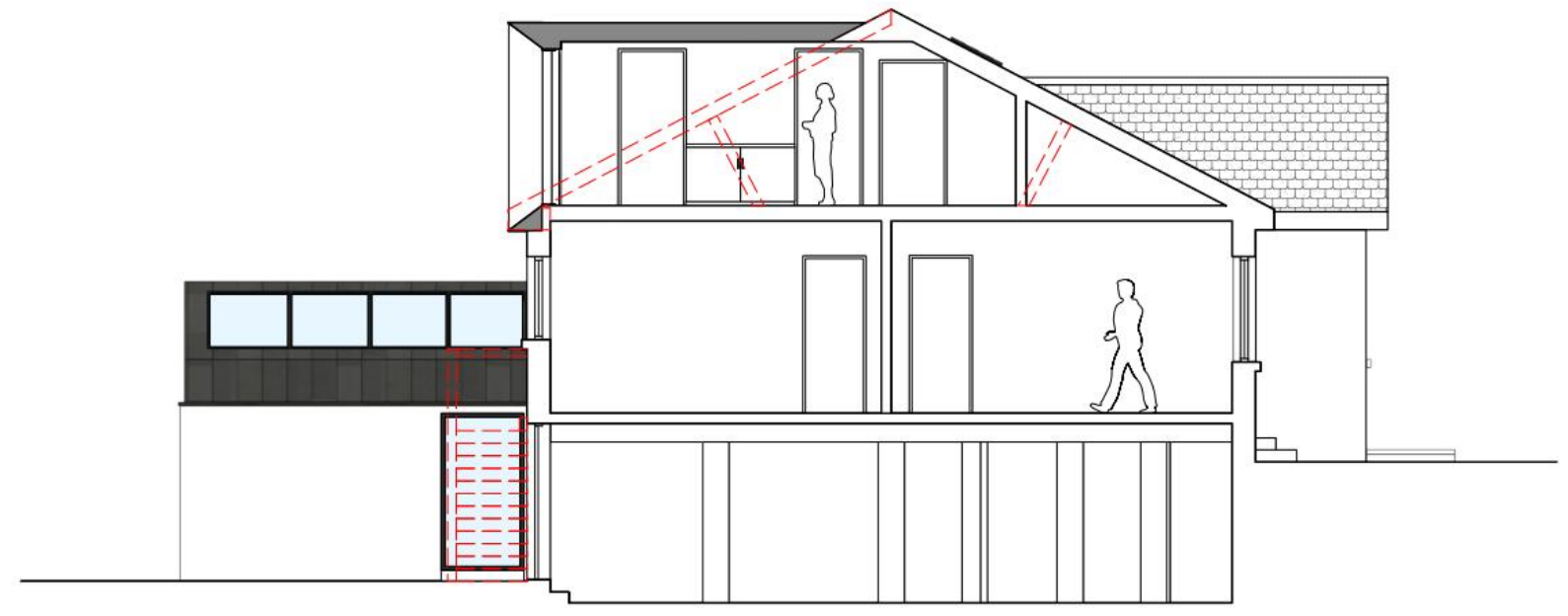
South East Elevation 1:100



as Proposed

	revisions	project Project Proposed Alterations to 29 Pitleavis Cres, Perth	client Mr & Mrs Gary Bell	title NW & SW Elevations As Proposed	job no. <b>2205</b>	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
		drawn SOT	checked AM	date December 2022	scale 1:100 @ A3	

Lower Ground Floor Level



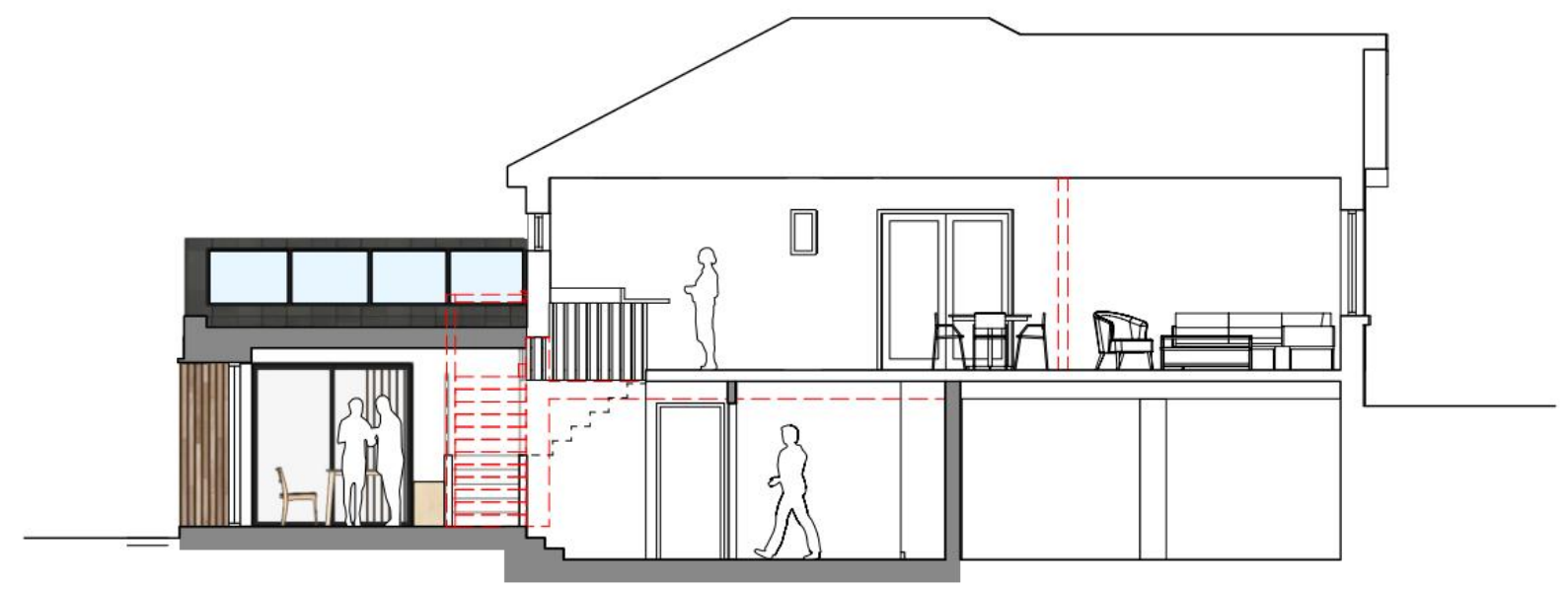
First Floor Level

Ground Floor Level

Basement Floor Level

Section AA 1:100

Lower Ground Floor Level



First Floor Level


Ground Floor Level

Basement Floor Level

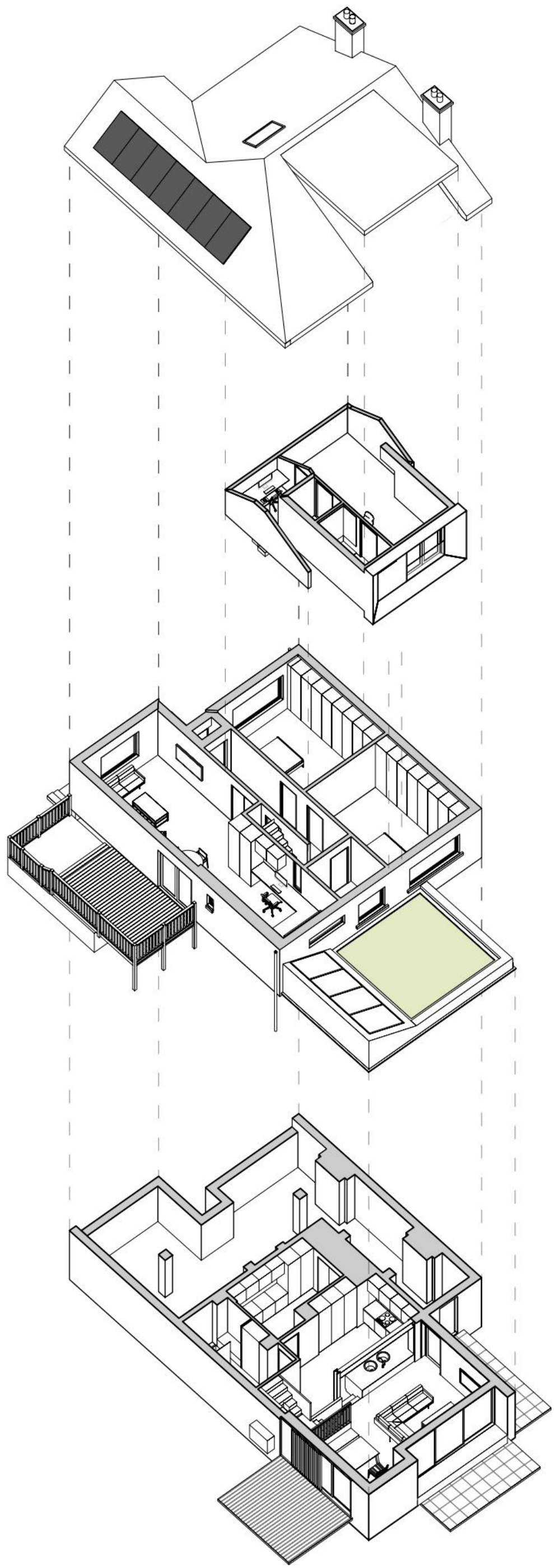
Section BB 1:100



as Proposed

revisions	project	Project Proposed Alterations to 29 Pitleavis Cres, Perth	title	Section AA & BB As Proposed	job no.	2205	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
	client	Mr & Mrs Gary Bell	date	December 2022	dwg no.	(20)016	
	drawn	SOT	checked	AM	scale	1:100 @ A3	 architecture & design





Main Roof

First Floor

Ground Floor

Lower Ground Floor

**ATELIER - M**

revisions
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project Project Proposed Alterations to 29 Pitteavis Cres, Perth
client Mr & Mrs Gary Bell
drawn SOT

checked AM
date December 2022

title Exploded Axonometric As Proposed
scale NTS@A3

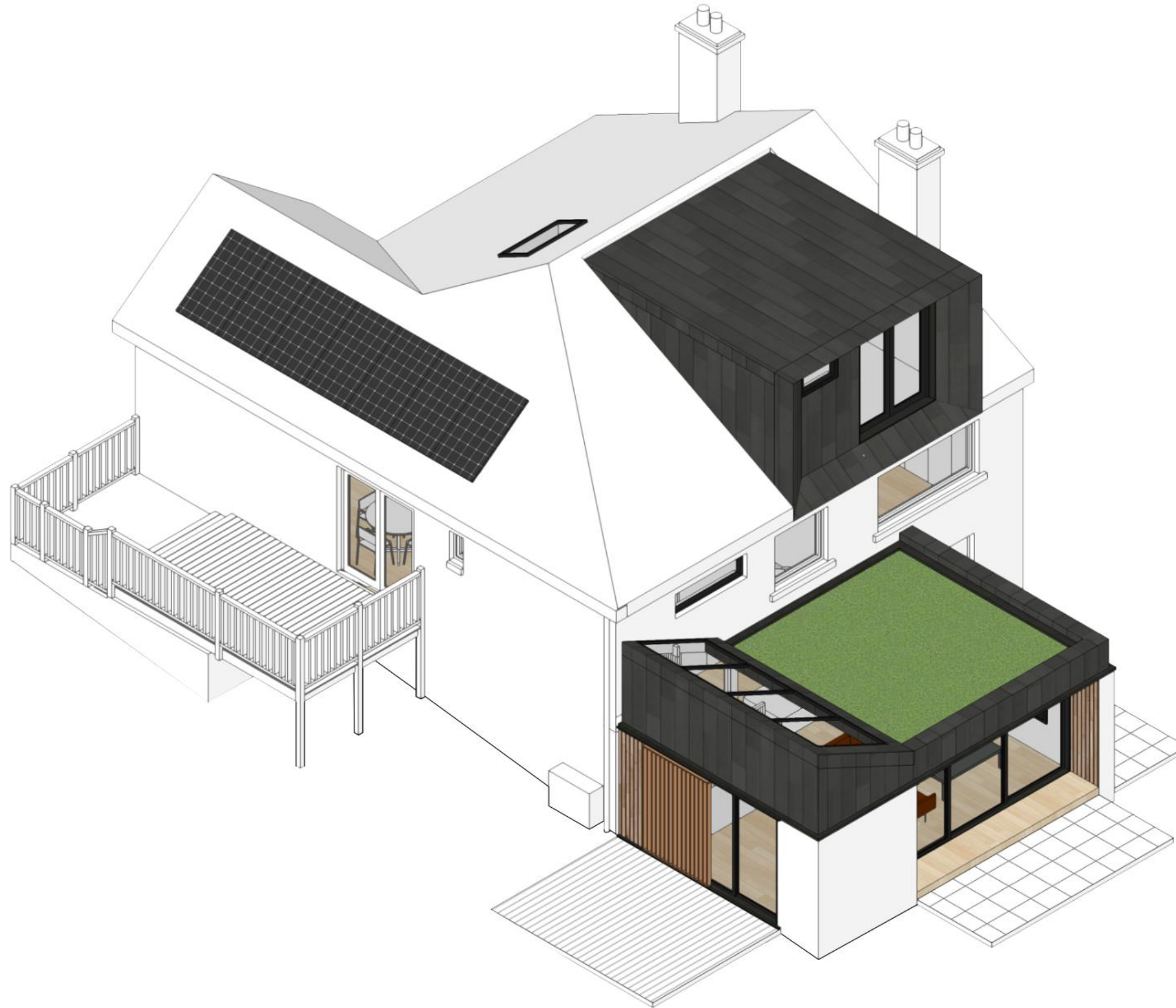
job no. <b>2205</b>
dwg no. <b>(20)017</b>
rev.

THE STUDIO  
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Longforgan  
Perthshire  
DD2 5EW  
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mail@atelier-m.co.uk  
www.atelier-m.co.uk



**ATELIER-M**

revisions	project Project Proposed Alterations to 29 Pitleavis Cres, Perth client Mr & Mrs Gary Bell	title Front Axonometrics As Proposed date December 2022 scale NTS@A3	job no. <b>2205</b> dwg no. <b>(20)018</b> rev.	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
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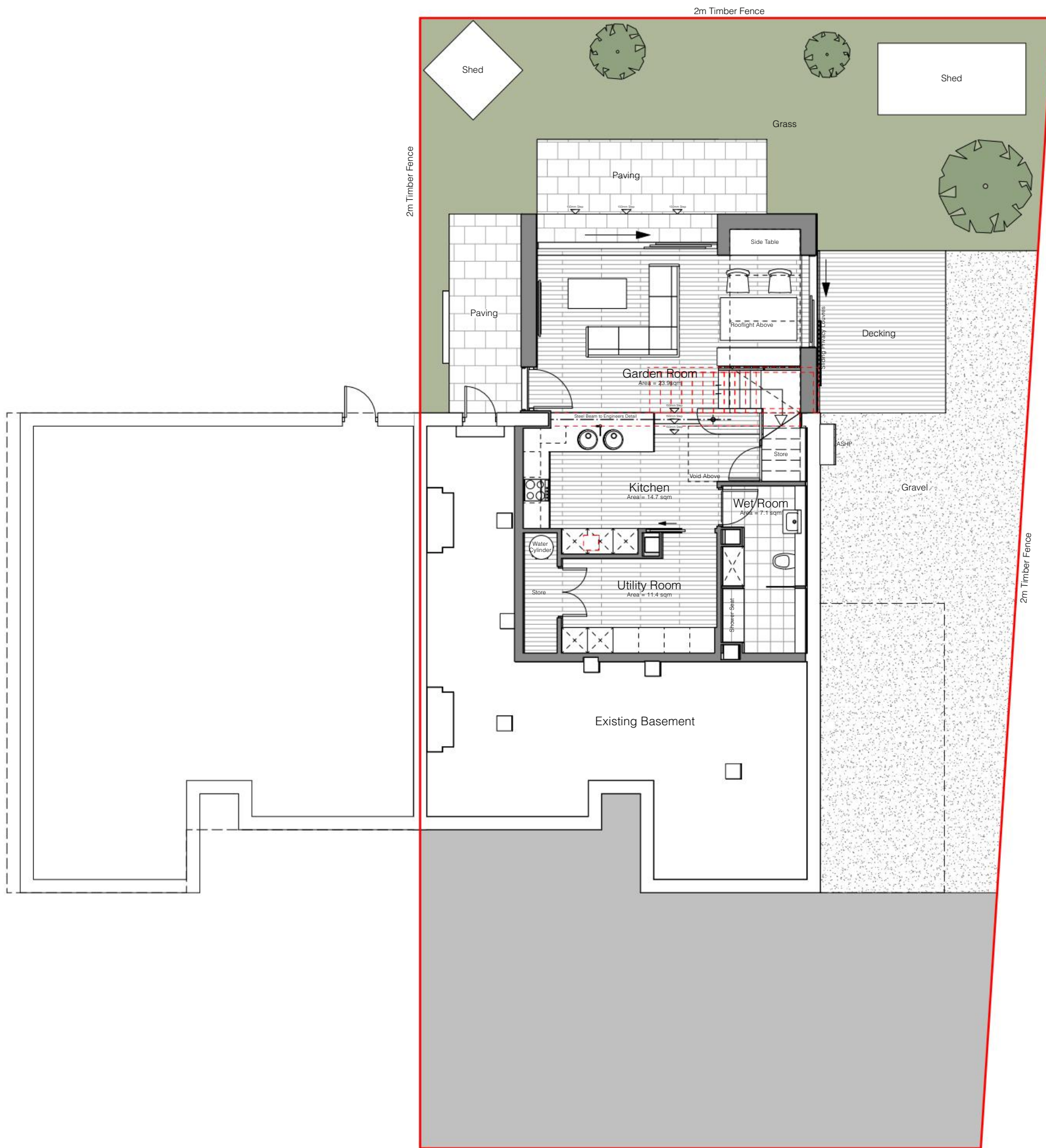


**ATELIER-M**

	revisions	project Project Proposed Alterations to 29 Pitleavis Cres, Perth client Mr & Mrs Gary Bell drawn by SOT	title Rear Axonometrics As Proposed date December 2022 scale NTS@A3	job no. <b>2205</b> dwg no. <b>(20)019</b> rev.	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
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A

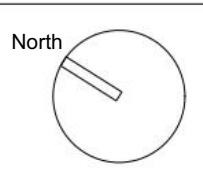
B



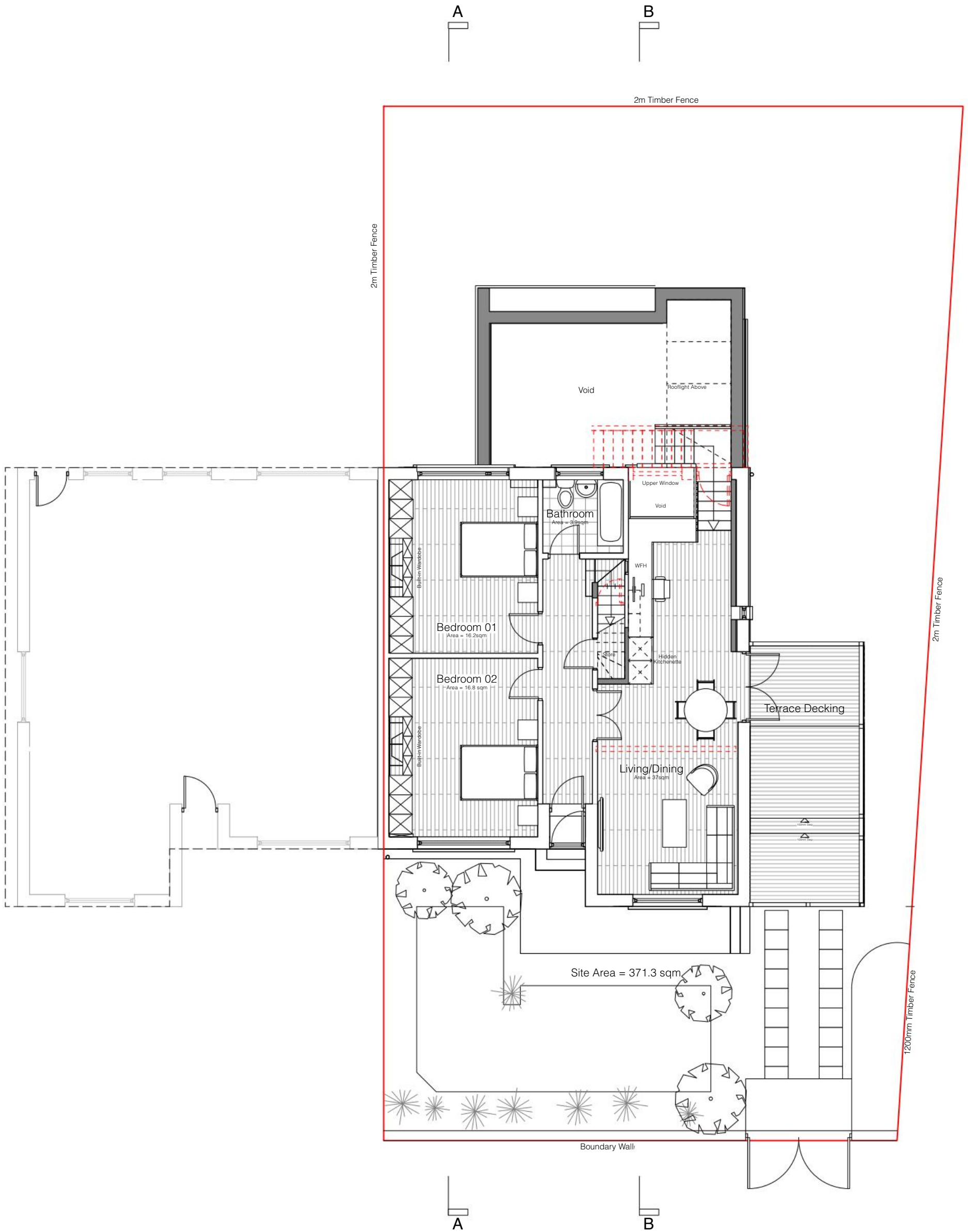
A

B

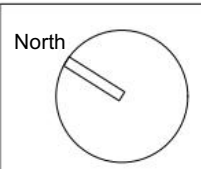
Lower Ground Floor Plan 1:100



revisions A May '23	project Proposed Alterations to 29 Pitleavis Cres, Perth		title Lower Ground Floor Plan As Proposed Planning Application		job no. <b>2205</b> dwg no. <b>(20)010</b> rev. <b>A</b>	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
	client Mr & Mrs Gary Bell	date December 2022	scale 1:100 @ A3	Registered Office: 2 Westbank Road Longforgan Company No: 2 SC289842		



Ground Floor Plan 1:100



revisions	project	title	job no.
A May '23	Proposed Alterations to 29 Pitleavis Cres, Perth	Ground Floor Plan As Proposed Planning Application	2205
	client	date	dwg no.
	Mr & Mrs Gary Bell	December 2022	(20)011
	drawn	checked	rev.
	SOT	AM	A

scale	1:100 @ A3
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Registered Office:	2 Westbank Road Longforgan
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**ATELIER-M**

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Longforgan  
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DD2 5EW  
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A

B



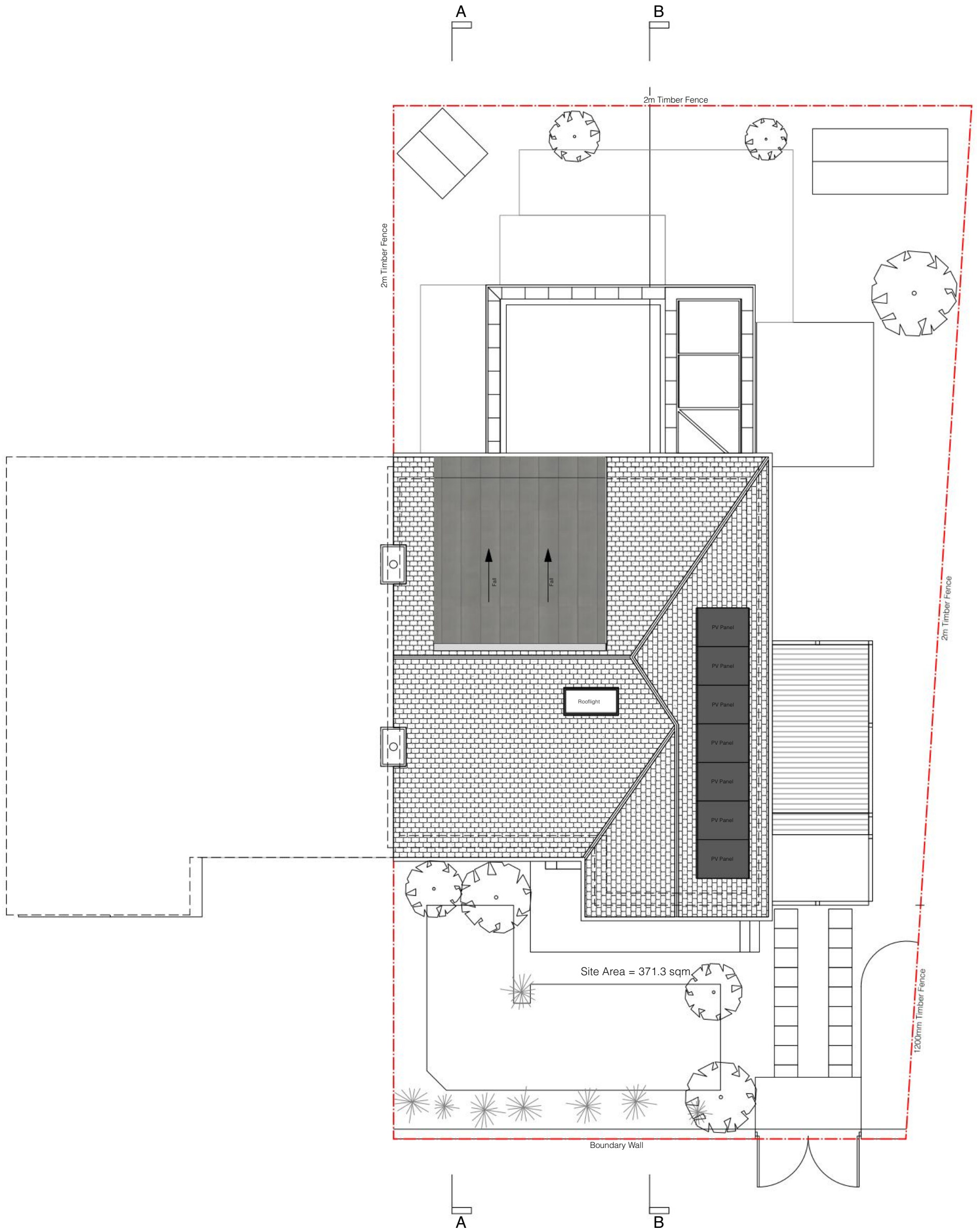
A

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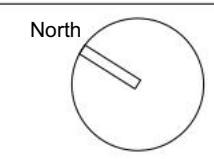
First Floor Plan 1:100



	revisions A May '23	project Proposed Alterations to 29 Pitleavis Cres, Perth	title First Floor Plan As Proposed	job no. <b>2205</b>	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 <a href="mailto:mail@atelier-m.co.uk">mail@atelier-m.co.uk</a> <a href="http://www.atelier-m.co.uk">www.atelier-m.co.uk</a>	
	client Mr & Mrs Gary Bell	date December 2022	scale 1:100 @ A3	dwg no. <b>(20)012</b>		
This drawing is the copyright of Atelier-M Ltd. This drawing is to be read in conjunction with the consultant's drawings, any discrepancies must be referred to the architect.		drawn SOT	checked AM	rev. Rev A	Registered Office: 2 Westbank Road Longforgan Company No: 2 SC289842	



Roof Plan 1:100



revisions A May '23	project Proposed Alterations to 29 Pitleavis Cres, Perth		title Roof Plan As Proposed		job no. <b>2205</b> dwg no. <b>(20)013</b> rev. Rev A	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
	client Mr & Mrs Gary Bell	date December 2022	scale 1:100 @ A3	drawn SOT		



North East Elevation 1:100

**Outline Specification**

**Walls**  
Extension walls to be white render below, except for larch cladding on SE elevation. Dark grey zinc cladding above window line.

**Roofs**  
Dormer and extension roof to be zinc clad. Seedum finish to extension flat roof.

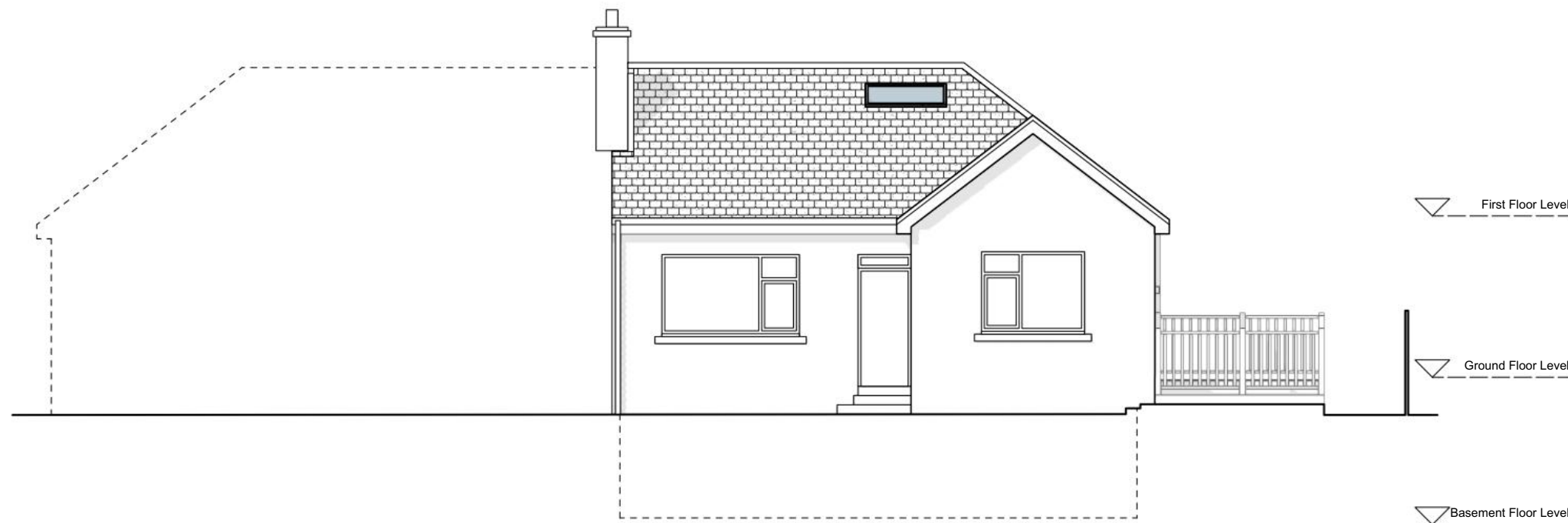
**Windows**  
All new windows to be aluminium clad timber, triple glazed windows. Colours tbd.

**Rooflights**  
Velux rooflights to existing roof on front elevation. Proprietary patented glazing over dining space.

**Balustrades**  
Timber louvres to act as balustrade to dormer, opening windows.

**Air Source Heat Pump**  
Mitsubishi Ecodan PUAZ-W85VAA

**PV Panels**  
Viridian Solar Clearline Fusion



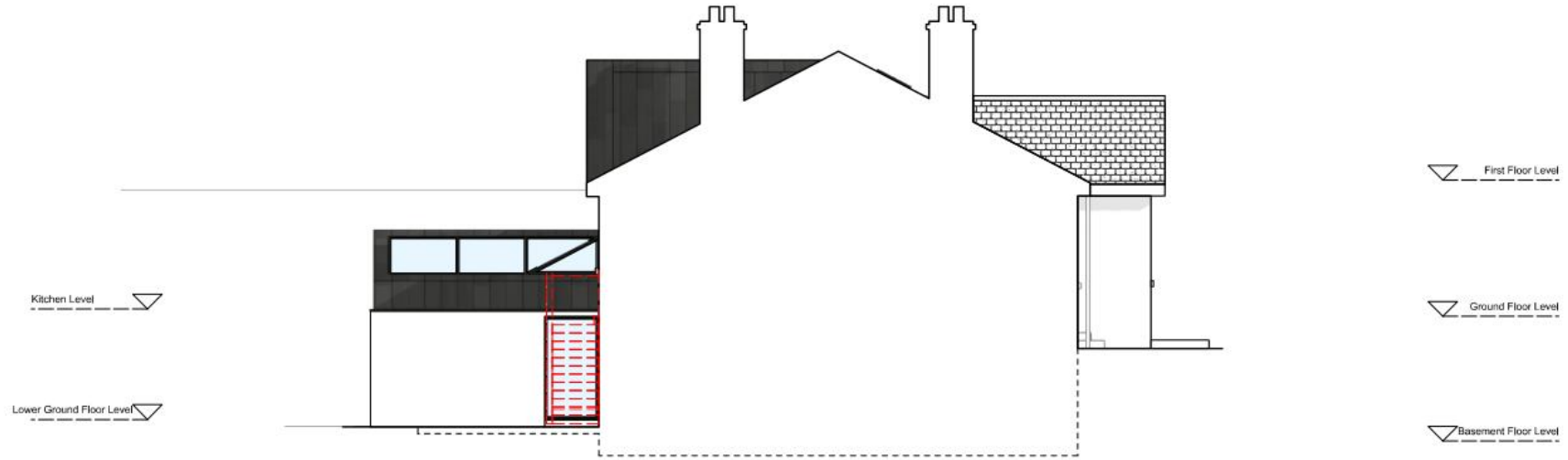
South West Elevation 1:100



as Proposed

revisions A May '23	project Proposed Alterations to 29 Pitleavis Cres, Perth		title NE & SW Elevations As Proposed		job no. 2205 dwg no. (20)014 rev. Rev A	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
	client Mr & Mrs Gary Bell	drawn SOT	checked AM	date December 2022		





North West Elevation 1:100



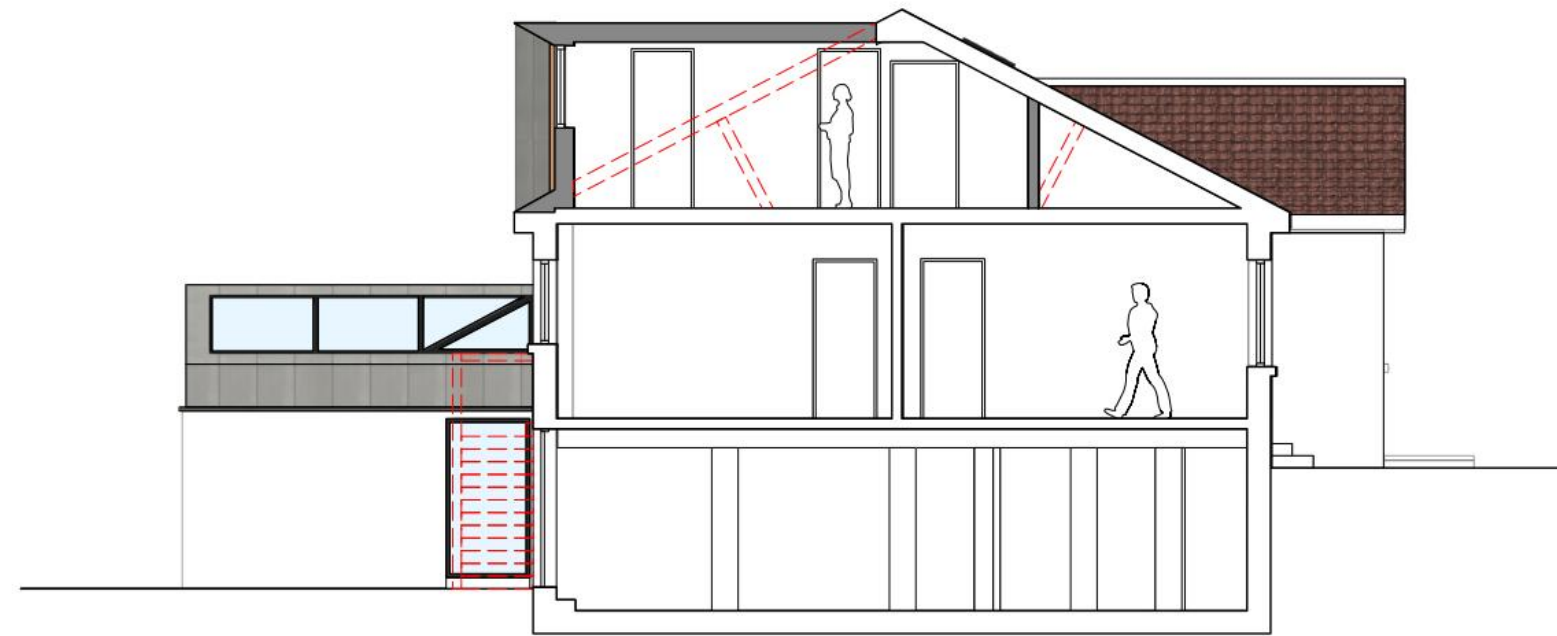
South East Elevation 1:100



as Proposed

revisions A May '23	project Proposed Alterations to 29 Pitleavis Cres, Perth	title NW & SW Elevations As Proposed	job no. 2205	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
	client Mr & Mrs Gary Bell	date December 2022	scale 1:100 @ A3	
drawn SOT	checked AM	rev. Rev A	Registered Office: 2 Westbank Road Longforgan Company No: 250289542	

Lower Ground Floor Level



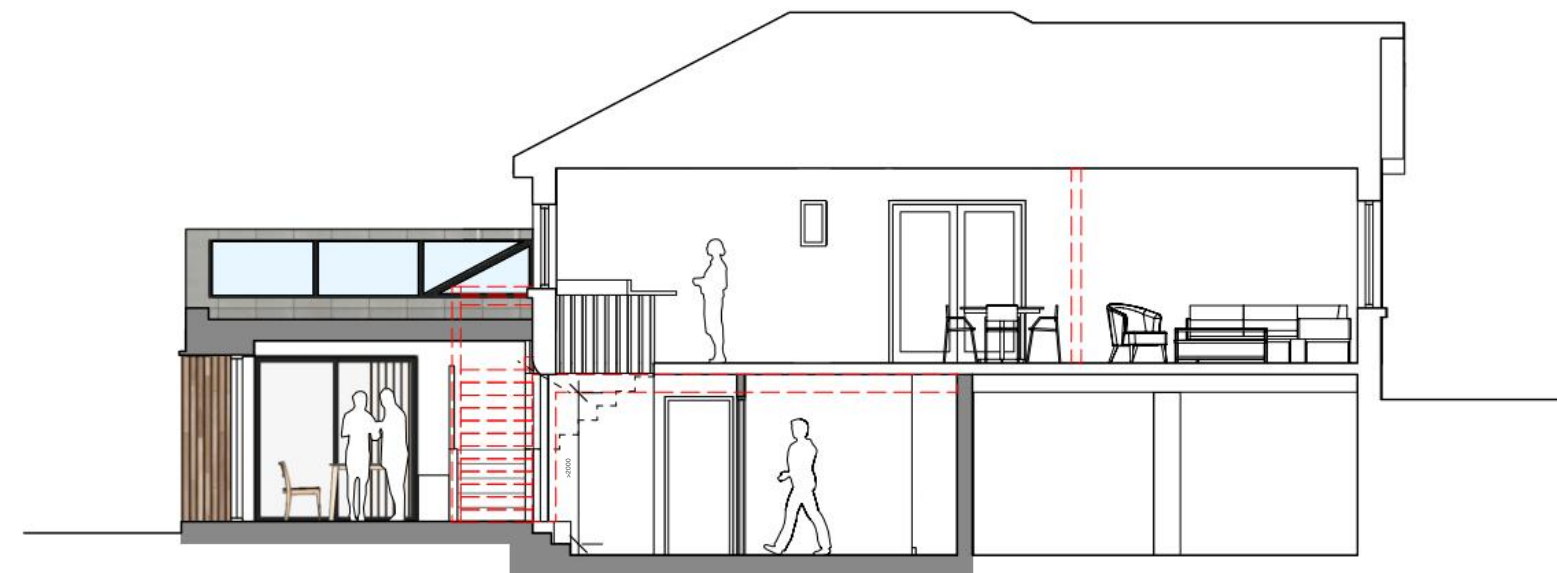
First Floor Level

Ground Floor Level

Basement Floor Level

Section AA 1:100

Lower Ground Floor Level



First Floor Level

Ground Floor Level

Basement Floor Level

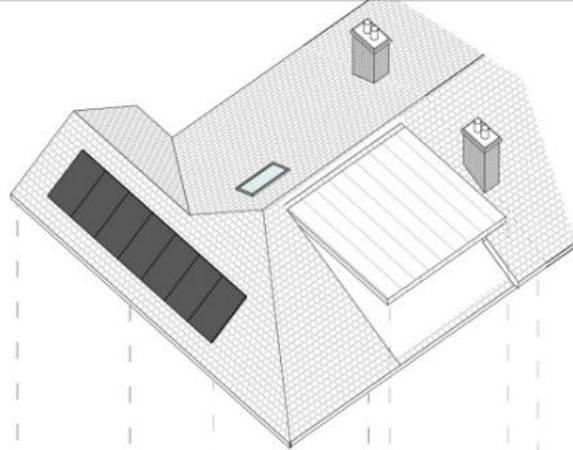
Section BB 1:100



as Proposed

	revisions A May '23	project Proposed Alterations to 29 Pitleavis Cres, Perth client Mr & Mrs Gary Bell drawn SOT	title Section AA & BB As Proposed Planning Application date December 2022 checked AM scale 1:100 @ A3	job no. 2205 dwg no. (20)016 rev. A THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk Registered Office: 2 Westbank Road Longforgan Company No: 2 SC289842
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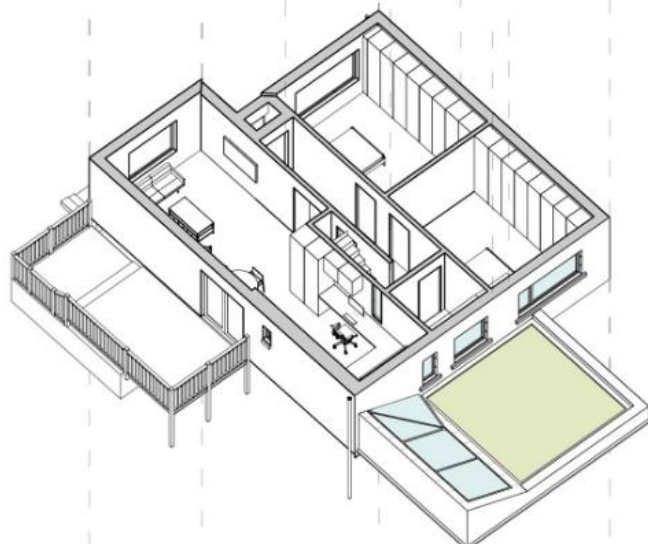
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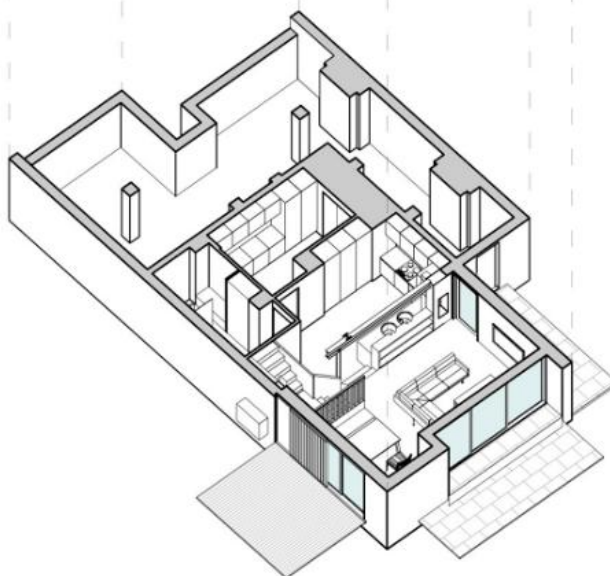
Main Roof



First Floor



Ground Floor



Lower Ground Floor

**ATELIER - M**

revisions  
A August 2023 Small changes to presentation.

project  
Proposed Alterations to  
29 Pitleavis Cres, Perth  
client  
Mr & Mrs Gary Bell

title  
Exploded Axonometric  
As Proposed  
Planning Application

date  
December 2022

scale  
NTS@A3

job no.  
2205  
dwg no.  
(20)017  
rev.  
A

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**ATELIER - M**

	revisions A May '23	project Proposed Alterations to 29 Pitleavis Cres, Perth client Mr & Mrs Gary Bell drawn SOT	title Front Axonometrics As Proposed date December 2022 checked AM scale NTS@A3	job no. <b>2205</b> dwg no. <b>(20)018</b> rev. Rev A	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
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**ATELIER - M**

	revisions A May '23	project Proposed Alterations to 29 Pitleavis Cres, Perth client Mr & Mrs Gary Bell drawn SOT	title Rear Axonometrics As Proposed date December 2022 checked AM	job no. <b>2205</b> dwg no. <b>(20)019</b> rev. Rev A	THE STUDIO 77 Main Street Longforgan Perthshire DD2 5EW T:01382 360378 mail@atelier-m.co.uk www.atelier-m.co.uk
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**LRB-2023-28**

**22/02173/FLL – Alteration and extension to dwellinghouse,  
29 Pitheavlis Crescent, Perth, PH2 0JX**

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS** *(part included in applicant's submission, pages 32-47)*







Mr Gary Bell  
c/o Atelier-M Ltd  
Alan Macdonald  
The Studio  
77 Main Street  
Longforgan  
Perthshire  
DD2 5EW

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **10th May 2023**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **22/02173/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 10th January 2023 for Planning Permission for **Alterations and extension to dwellinghouse 29 Pitheavlis Crescent Perth PH2 0JX.**

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

1. The proposed dormer, by virtue of design, massing and siting, does not respect the character of the existing house.

Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

2. The proposed dormer, by virtue of design, scale, massing, siting and height above the ground level, would be detrimental to the visual amenity of the surrounding area.

Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

## Notes

The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page.

Plan Reference

01

02

03

04

05

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16

# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	22/02173/FLL	
Ward No	P10- Perth City South	
Due Determination Date	9th March 2023 Extended to 9th May 2023	
Draft Report Date	5th May 2023	
Report Issued by	DR	Date 5 <sup>th</sup> May 2023

**PROPOSAL:** Alterations and extension to dwellinghouse

**LOCATION:** 29 Pitheavlis Crescent Perth PH2 0JX

### SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

### BACKGROUND AND DESCRIPTION OF PROPOSAL

The application property is a semi-detached dwellinghouse situated in a residential area of Perth. Full planning permission is sought for:

- The erection of a single storey extension on the northeast (rear) elevation of the house. Due to the sloping nature of the site, the extension is to be at basement level.
- The formation of a dormer on the northeast (rear) facing roof plane.

### SITE HISTORY

12/02028/FLL Alterations and extension to dwellinghouse 25 January 2013  
Application Approved

15/00483/LAW Alterations to dwellinghouse 5 May 2015 Application Approved

### PRE-APPLICATION CONSULTATION

Pre application Reference: n/a

### DEVELOPMENT PLAN

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

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 people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the following policies of NPF4:

Policy 16: Quality Homes

### **Perth and Kinross Local Development Plan 2 – Adopted November 2019**

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 17: Residential Areas

### **Statutory Supplementary Guidance**

- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

### **NATIONAL GUIDANCE**

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

### **Planning Advice Notes**

The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management

### **CONSULTATION RESPONSES**

Scottish Water  
No objection

### **REPRESENTATIONS**

No representations were received.

### Additional Statements Received:

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

### APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with 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, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

#### Policy Appraisal

Alterations and extensions to existing domestic dwellinghouses are generally considered to be supportable in principle. Nevertheless, consideration must be given to the scale, form, massing, design, position, proportions, and external finishes of the proposed development, within the context of the application site, and whether it would have an adverse impact upon visual or residential amenity.

Assessment of the proposal against the relevant policies is provided below.

#### Design, Layout and Visual Amenity

The proposed basement-level extension would be a subordinate addition to the rear to the dwellinghouse. The finishing materials, the shape of the roof and the large areas of glazing give the extension a contemporary design. Due to its scale, design and siting, the extension would not detract from the character of the house, and it would not be detrimental to the visual amenity of the area.

The Perth & Kinross Placemaking Supplementary Guidance 2020 provides guidance on appropriate designs for dormers, including: dormers should not be overly dominant; they should be set back from the wall-head; and the front face should be predominantly glazed. These matters are of relevance to the dormer currently under consideration.

The proposed dormer also has a contemporary design. It is to have a flat roof that is to be set just below the ridge line of the roof. Its front face is to be on the wall-head of the house, with cladding extending out as far as the edge of the overhang of the roof. The dormer is to be clad in zinc with a pair of full height glazed doors with a Juliette balcony and a smaller high-level window in the front face. As a result, a significant proportion of the face of the dormer will have cladding rather than glazing.

Due to its design, massing and siting, the dormer does not respect the character of the existing house. As such, the dormer is contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

Due to the topography of the site and the surrounding area and the layout of the streets in the vicinity, the proposed dormer would be a highly visible addition to the rear of the house. Due to its design, scale, massing, siting and height above the ground level at the rear of the house, the dormer would be detrimental to the visual amenity of the surrounding area. As such, the dormer is contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, and contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2.

The concerns about the design of the dormer were raised with the applicant's agent during the assessment of the application and some revisions to the design were proposed. However, the changes did not result in the front of the dormer being set significantly back from the wall head, which is likely to have reduced the visual prominence of the dormer and been beneficial to its massing.

### **Residential Amenity**

Given the layout of the houses and the topography of the area, there is a high intervisibility across many of the rear gardens and houses in the surrounding area.

Due to the topography of the application site, there is currently a degree of overlooking of neighbouring properties from the ground floor windows on the rear of the application dwellinghouse, which are effectively at a first-floor height above ground level. There is also overlooking from the external stairs on the rear of the house. Fences around the boundary of the rear garden provide some screening of neighbouring properties, but mainly from the basement level of the house.

Given the existing levels of overlooking and screening, the proposed basement-level extension would not result in an undue increase in the overlooking of neighbouring properties.

The window and glazed doors on the front of the dormer would be 9 metres from the boundary they face. Given this distance, the existing levels of overlooking and screening, and the existing intervisibility in the area, the proposed dormer would not result in an undue increase in the overlooking of neighbouring properties.

As such, the proposal is in accordance with Policy 16(g)(ii): Quality Homes of National Planning Framework 4 and Policy 17: Residential Areas of the Perth and Kinross Local Development Plan 2.

## **Developer Contributions**

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

## **Economic Impact**

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

## **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **CONCLUSION AND REASONS FOR DECISION**

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 be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the Development Plan.

Accordingly, the proposal is refused on the grounds identified below.

### **Reasons for Refusal**

1. The proposed dormer, by virtue of design, massing and siting, does not respect the character of the existing house.

Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

2. The proposed dormer, by virtue of design, scale, massing, siting and height above the ground level, would be detrimental to the visual amenity of the surrounding area.

Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

## **Procedural Notes**

Not Applicable.

## **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

01

02

03

04

05

06

07

08

09

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11

12

13

14

15

16





Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto:onlineapps@pkc.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE      100610092-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Proposed alterations to 29 Pitheavlis Crescent to include a rear single storey extension and attic conversion with rear dormer

Has the work already been started and/ or completed? \*

No    Yes - Started    Yes – Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant    Agent

## Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Atelier-M Ltd"/>	
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *
First Name: *	<input type="text" value="Alan"/>	Building Name: <input type="text" value="The Studio"/>
Last Name: *	<input type="text" value="Macdonald"/>	Building Number: <input type="text" value="77"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Address 1 (Street): * <input type="text" value="Main Street"/>
Extension Number:	<input type="text"/>	Address 2: <input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: * <input type="text" value="Longforgan"/>
Fax Number:	<input type="text"/>	Country: * <input type="text" value="Perthshire"/>
		Postcode: * <input type="text" value="DD2 5EW"/>
Email Address: *	<input type="text" value="REDACTED"/>	
Is the applicant an individual or an organisation/corporate entity? *		
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity		

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Gary"/>	Building Number: <input type="text" value="REDACTED"/>
Last Name: *	<input type="text" value="Bell"/>	Address 1 (Street): * <input type="text" value="REDACTED"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text" value="REDACTED"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="REDACTED"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="REDACTED"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="REDACTED"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

## Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

29 PITHEAVLIS CRESCENT

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PERTH

Post Code:

PH2 0JX

Please identify/describe the location of the site or sites

Northing

723057

Easting

310709

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

Yes  No

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

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Alan Macdonald

On behalf of: Mr Gary Bell

Date: 09/12/2022

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.  Yes  No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Alan Macdonald

Declaration Date: 09/12/2022

**Payment Details**



**LRB-2023-28**

**22/02173/FLL – Alteration and extension to dwellinghouse,  
29 Pitheavlis Crescent, Perth, PH2 0JX**

## **REPRESENTATIONS**





**From:** Planning Consultations <PlanningConsultations@scottishwater.co.uk>  
**Sent:** 10 February 2023 10:53  
**To:** Development Management <DevelopmentManagement@pkc.gov.uk>  
**Subject:** Scottish Water – Application Response - 22/02173/FLL 29 Pitheavlis Crescent  
Perth PH2 0JX

CAUTION: This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.

22/02173/FLL | Alterations and extension to dwellinghouse | 29 Pitheavlis Crescent Perth  
PH2 0JX

### **Audit of Proposal**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

For all extensions that increase the hard-standing area within the property boundary, you must look to limit an increase to your existing discharge rate and volume. Where possible we recommend that you consider alternative rainwater options. All reasonable attempts should be made to limit the flow.

No new connections will be permitted to the public infrastructure. The additional surface water will discharge to the existing private pipework within the site boundary.

I trust the above is acceptable however if you require any further information regarding this matter please contact us on 0800 389 0379 or via the e-mail address below or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Kind regards,

Ruth Kerr

Technical Analyst  
North Regional Team

Strategic Development  
Development Services  
Dedicated Freephone Helpline: 0800 389 0379

[DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)

Scottish Water.

Trusted to serve Scotland.



**LRB-2023-34**  
**23/00418/FLL – Change of use, alterations and extension to**  
**steading to form dwellinghouse, 50 metres east of**  
**Boreland Farm, Glendevon, Dollar**

## **INDEX**

- (a) Papers submitted by the Applicant (***Pages 81-356***)
  
- (b) Decision Notice (***Pages 121-122***)
  - Report of Handling (***Pages 123-136***)
  - Reference Documents (***Pages 202-354 and 359-368***)
  
- (c) Representations (***Pages 369-370***)



**LRB-2023-34**

**23/00418/FLL – Change of use, alterations and extension to  
steading to form dwellinghouse, 50 metres east of  
Boreland Farm, Glendevon, Dollar**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**





Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto:onlineapps@pkc.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100638425-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

You must enter a Building Name or Number, or both: \*

First Name: \*

Building Name:

Last Name: \*

Building Number:

Telephone Number: \*

Address 1 (Street): \*

Extension Number:

Address 2:

Mobile Number:

Town/City: \*

Fax Number:

Country: \*

Postcode: \*

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text" value="Mr and Mrs"/>	Building Name: <input type="text"/>
First Name: *	<input type="text"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="MacDonald"/>	Address 1 (Street): *
Company/Organisation	<input type="text" value="."/>	Address 2:
Telephone Number: *	<input type="text"/>	Town/City: *
Extension Number:	<input type="text"/>	Country: *
Mobile Number:	<input type="text"/>	Postcode: *
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="oliver.munden@avisonyoung.com"/>	

## Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="BORELAND FARM"/>
Address 2:	<input type="text" value="GLENDDEVON"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="DOLLAR"/>
Post Code:	<input type="text" value="FK14 7JY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="704897"/>	Easting	<input type="text" value="298615"/>
----------	-------------------------------------	---------	-------------------------------------



## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Change of use, alterations and extension to steading to form dwellinghouse

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to submitted Review Statement

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

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Please refer to submitted document list located at end of Review Statement

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

23/00418/FLL

What date was the application submitted to the planning authority? \*

20/03/2023

What date was the decision issued by the planning authority? \*

15/06/2023

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Necessary to understand site layout, use and form of buildings, alongside setting of listed building

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Site access via a private stone track

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: . Avison Young (UK) Ltd.

Declaration Date: 13/09/2023



# Boreland Farm

Town and Country Planning (Scotland) Act 1997 (as amended) – section 43A (8)  
- Application to review refusal of planning application 23/00418/FLL

Review Statement

September 2023

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**Report title:** Boreland Farm Review Statement

**Prepared by:** Oli Munden

**Status:** FINAL

**Date:** September 2023

**For and on behalf of Avison Young (UK) Limited**

# 1. Introduction

- 1.1 This is an application to review a refusal of a planning application under Section 43A(8) of the Town and Country Planning (Scotland) Act 1997 (as amended). It has been prepared by Avison Young on behalf of Mr and Mrs Macdonald (hereafter “the applicant”).
- 1.2 This statement sets out the grounds of the review against the refusal under delegated powers by officers of Perth and Kinross Council (“PKC”) to grant planning permission for the “*Change of use, alterations and extension to steading to form dwellinghouse*” at 50 Metres East Of Borland Farm Glendevon Dollar FK14 7JY (hereafter “the site”).
- 1.3 The application (ref: 23/00418/FLL) was refused by PKC on 15<sup>th</sup> June 2023. The reasons for refusal are given on the decision notice (**Document 1**) and are as follows:
- 1. The proposal is contrary to Policy 19: Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as Category 5 of the SG states that any new build element should be limited to 25% of the overall footprint of the existing building. The proposal involves an extension which is substantially larger and more than double the footprint of the host building. The proposal also fails to meet any of the other categories of development outlined in the SG. The proposal is also contrary to Policy 17 (Rural Homes) of National Planning Framework 4 (NPF4) as the proposal results in a development which is not suitably scaled and it not in-keeping with the character of the area.*
  - 2. The proposal is contrary to Policies 1A and B (Placemaking) of the Perth and Kinross Council Local Development Plan 2 (2019) and Policy 14 (Design, Quality and Place) of National Planning Framework 4 (NPF4) as the scale and footprint of the proposed extension dominates the host building and results in a development which is detrimental to the character and visual amenity of the area.*
  - 3. The proposal is contrary to Policy 27A (Listed Buildings) and Policy 7 of National Planning Framework 4 (NPF4) as the substantial scale of the proposed extension more than doubles the volume and footprint of the host building, creating an unacceptable impact on the character and interest of the listed building and remainder of the listed group. An extension of the scale proposed is also at odds with the existing pattern of development and fails to complement its surroundings in terms of appearance and scale.*
- 1.4 The application was refused under delegated powers and no site visit was undertaken by officers prior to a decision being taken. A copy of the Report of Handling is **Document 2**.
- 1.5 This statement sets out further detail regarding the proposal and the grounds of review.
- 1.6 An associated Listed Building Consent application was also refused under delegated powers. It is intended that should these proposals be approved this is likely to be on the basis that the impact on the listed buildings is acceptable given the third reason for refusal copied above.
- 1.7 We therefore intend to reapply for Listed Building Consent should this detailed planning application be approved.

## Grounds of Review

- 1.8 Scottish Government confirmed in a letter to all Heads of Planning in Scotland (in 2011) that Local Reviews should be conducted by means of a full consideration of the application afresh. This is known as the ‘de novo’ approach and is similar for appeals to Scottish Ministers. See **Document 3** for a copy of this letter.

- 1.9 This in effect means that the Local Review Body is entitled to consider the merits of the planning proposal afresh, bearing in mind the development plan and all material considerations and are also entitled to reach different views on the weight to be attached to key matters within the application.
- 1.10 As such, the grounds of review are as follows:
- This review falls to be determined in line with Section 25 of the Town and Country Planning (Scotland) Act 1997 – *'in making any determination under the Planning Acts regard is to be had for the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'*.
  - The development proposed complies with two separate categories within LDP policy where new residential development in countryside locations can be supported. It is also supported by a number of criteria from NPF4.
  - They are located within an existing building group which is accepted by the Council, and if built, would represent approximately 25% of the floorspace within the building group, thereby complying with the content of the 'Housing in the Countryside' supplementary guidance.
  - Furthermore, there is a specific locational and physical size requirement for these proposals, in that they will secure the continued operation of the farm into the future by allowing the applicant and their family to move onto the farm, to ensure the smooth day to day running. This would also ensure that its future operation can continue for future generations and is therefore a strong material consideration in regards the economic benefits which these proposals could generate.
  - Sustainability of the site would be improved, as the locating of the applicant and their family onto the site would reduce the need for unsustainable regular journeys to and from the site from another dwelling elsewhere. The theme of sustainability is strongly supported by NPF4 and is a central theme throughout the document.
  - Significant investment would be made into the site to reuse and refurbish a redundant and listed agricultural building which has reached the end of its useable life. The works proposed would ensure the building can be retained
  - Compliance with the development plan placemaking policies is established, with the form, mass and materials of the proposals considered to be acceptable when assessed against policy.
  - That the proposals would not have an impact on any listed buildings, due to the historical significance identified within the buildings listing primarily relating to the farmhouse and that the proposals are located away from the farmhouse. View of the proposal from the farmhouse would also be screened by the existing steading.
  - In addition the form of the proposal mirrors that as already present within the site, explicitly the relationship between the farmhouse and its adjacent steading to the west, which forms an 'L' shaped building.
  - Matters such as access, water and drainage, ecology, amenity of existing and proposed residents alongside contaminated land and education can be addressed through planning conditions or a legal agreement as set out within the Report of Handling (**Document 2**).
  - Five letters of representation were received from neighbours and residents at Glendevon regarding the proposal, all of which were in support. A copy of these are contained as **Document 18**. No objections were received.

**Structure of Submission**

1.11 In setting out the case for the applicant, this statement comprises the following sections:

- Section 2: Site and Surroundings
- Section 3: The Proposals
- Section 4: The Development Plan and Other Material Considerations
- Section 5: The Key Issues
- Section 6: Key Issue – Housing in the Countryside and Rural Homes
- Section 7: Key Issue – Placemaking and Design
- Section 8: Key Issues – Listed Buildings
- Section 9: Compliance with the development plan
- Section 10: Conclusions
- Section 11: Suggested Procedure to be adopted
- Section 12: Supporting Information/Document List



## 2. Site and surroundings

- 2.1 The site is located within the established, family-run, Boreland Farm situated to the north-west of the village of Glendevon in Perth and Kinross.
- 2.2 A site location plan is provided below and reproduced in **Document 14**.

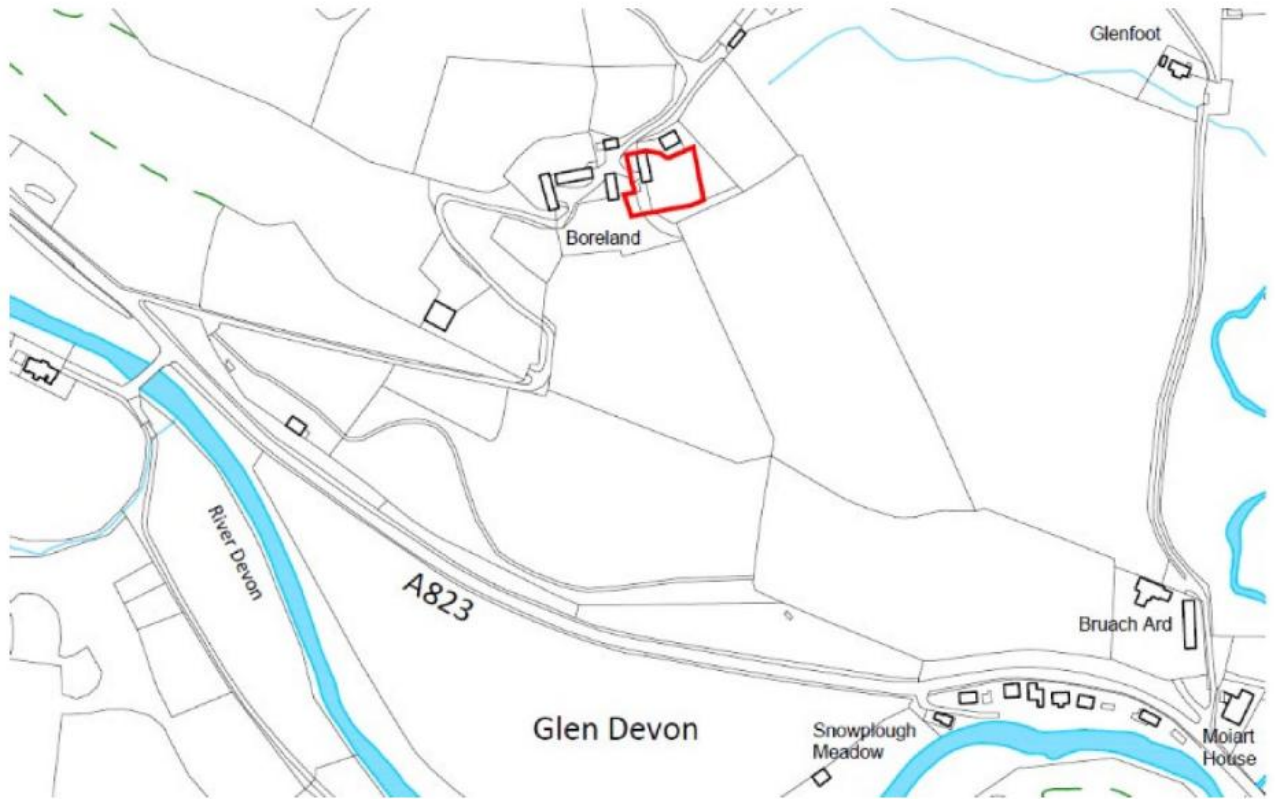


Figure 1: Extract from location plan

- 2.3 The site is surrounded by a cluster of farm buildings and steadings to the west. Boreland Farm has been owned and managed by the applicant’s family for over a century. It is currently owned and run by the applicant’s father, who is the third generation of the family to run the farm.



Figure 2: View of steading subject of this appraisal



Figure 3: Land to east of steading showing location of proposed extension



Figure 4: Picture of the main farmhouse to the west of the site

- 2.4 The steading along with the main farmhouse and two other steading blocks are Category B listed as one cluster (a copy of the listing is available as **Document 4**). The farm is accessed from the A823 which sits below the site to the south west. Due to the surrounding topography and elevation of the site above the A823, the farm and associated buildings are completely screened from views from the A823. Conversely, the farm has commanding views across Glen Devon but can only be seen from long range views from the south.
- 2.5 The steading presently has limited primary function, mainly being used for long term storage of miscellaneous and generally unused farm equipment due to the disrepair the building lies in. To the

rear of the steading, there is a large open space in which the proposed extension is located. There is a sizeable space directly in front of the steading in which several cars could be parked.

- 2.6 Outwith the cluster of farm buildings, this site lies in a large area of open countryside. Other residential dwellings are scattered across the glen; with a property to the east being over 300m away and a property to the south-east being over 350m away.
- 2.7 As noted, Boreland Farm is situated to the north-west of Glendevon. The small village has a number of houses as well as a hotel and restaurant. In addition to this, due to its proximity to Auchterarder and Gleneagles, there is a range of holiday-type accommodation along the glen and within Glendevon itself. Boreland Farm is within a short driving distance of the village where the family are well known.
- 2.8 **Document 8** comprises a photographic walkthrough of the farm layout, to provide details of how the farm is arranged.

## Planning history

- 2.9 Having researched the Perth and Kinross planning portal, there is no planning history publicly available for this site. The single-storey farmhouse was built in 1765 and was reconstructed as a 2-storey, three window house in the early 19<sup>th</sup> Century. Prior to this, we believe that one of the steading buildings acted as the main farmhouse, however it is not clear which one this relates to. At the same time, the three additional steadings were built, where they still remain 200 years later. This cluster of four buildings was officially listed in 1971, with a copy of the listing available as **Document 4**. A number of historic maps are included as **Document 5** and historic photos as **Document 7**, both of which which demonstrate the historic growth of the site.
- 2.10 A number of farm related buildings have been delivered across the wider site, which have benefitted from permitted development rights due to their agricultural nature. This included a lean to extension at the north and south of the steading building subject of this application (c. 1960's) which is identified in the images below. The structure to the south has now been removed, with that to the north present, but in poor condition.



*Figure 5: Former lean to adjacent to steading to south*



Figure 6: Former lean-to located to north and south of steadings. Shown by tin roof



Figure 7: image from 1980's showing form of buildings on the site. The extensions to north, south and east of the steading subject to this application can be seen

- 2.11 In addition, a hay shed was constructed in the 1960's to the immediate north east of the main farmhouse, with a further stable building constructed to the north east of the steading subject of this application. This is shown in Figure 6 above and was constructed in 2010 to accommodate 9 rare breed pedigree, breeding Clydesdale horses and three ponies.

### 3. The Proposals

- 3.1 This section of the report outlines the proposals in more detail. As mentioned in the previous section, Boreland Farm has been owned and managed by the applicant's family for over a century. With the applicant's father, now in his 70s, his daughter (the applicant) and her family are increasingly helping with the day-to-day running of the farm. It is the intention that the applicants father will soon retire leaving the running of the farm to his daughter (the applicant) and her family.
- 3.2 The current residential accommodation on the farm is within the main farmhouse which only has two bedrooms. Evidently, this will not support Mrs MacDonald, her husband and their three children. These proposals aim to provide the accommodation on site that the family require in order to allow for the continued operation of the farm and to secure the future for the next generation of the family.
- 3.3 As noted in the Design Statement, the family currently reside in the Crook of Devon. In order for the family to be able to appropriately provide the husbandry and welfare that the farms livestock demand 7 days a week, this development seeks to allow the family to relocate within much closer proximity to their farming responsibilities. Furthermore, the proposals would bring the farm back into active use, and secure the future of the farm for future generations.
- 3.4 The applicant has considered a number of other sites within the village of Glendevon, but no suitable or viable options have been identified, despite seeking planning advice on other sites. As a result, the site at Boreland Farm represents the most appropriate and sustainable location for the applicant to relocate to, whilst ensuring that the long term future of the farm can be secured.
- 3.5 The listed steading is built from stone with a traditional slate roof. As mentioned, it is in a poor state of repair and requires significant investment in order to bring it back into use through the restoration process. A number of photographs which identify the current state of the buildings are submitted as part of **Document 8**.



*Figure 8: Picture of the steading showing current disrepair*



Figure 9: Picture of the steading showing current disrepair

3.6 The design statement provides further information on the proposed development, including the materials, scale and design. The proposed extension is designed to mirror and complement the existing steadings form. Despite this, the extension has been designed to be subservient to the original steading, with a lower ridge height and building line which is set back from the steadings gable end. In order to maximise the views the property will boast, the extension is perpendicular to the steading. This also ensures the extension will be screened by the existing steading upon approach. Due to the existing and proposed building orientation, it cannot be seen from the farmhouse. This is particularly important given the focus of the listing is on the farmhouse.

3.7 The design statement (**Document 12**) goes on to provide further detail of the accommodation proposed:

*“Ancillary accommodation such as the kitchen, bathroom and stores are situated to the extension's north side and are dug into the slope of the site to reduce the mass of the accommodation required by a large family. There is a flat green roof proposed for over this ancillary accommodation, again to reduce the overall mass and to help this element of the building to blend into the landscape. Rather than mimic the architectural style of the existing steading which could be viewed as pastiche, the extension's aesthetic is contemporary. The new build pitched roof and standing gables present a form that relates to existing steading and domestic rural architecture. However, the stripped back minimalist aesthetic ensures an entirely contemporary modernist architecture to ensure its distinction from the original steading. The new single storey link between the steading and the extension ensures that their individual architectural identities are maintained, and they sit alongside each other comfortably. The overall composition of the development is that the new build element can be viewed as adding to the existing cluster of Boreland Farm buildings.”*

3.8 The proposed development has been carefully considered and well-designed with the topography, landscape and history of the area in mind in order to enhance the natural surroundings of the site. Additionally, factors such as lighting, privacy, energy and materials have all been carefully incorporated into the design process and demonstrated within the design statement. As noted by the elevations below, it has been built into the site topography in order to reduce its physical mass as much as possible within the surrounding context.



Figure 10: Extract of proposed building elevations

3.9 A number of CGI's have also been produced which were submitted in support of the refused application. To support this Review, a new CGI has been created showing the west elevation to further demonstrate the appropriateness of the scale of the proposed extension and to highlight the quality of the proposals, alongside demonstrating the minimal impact on the form and character of the to the steading building. These are submitted as **Document 6**.

3.10 Notably, the CGI's demonstrate that the proposed extension cannot be seen from the listed building group or farmhouse (other than when looking from the east). This reduces any impact on the setting of the building and highlights that the proposals would not dominate the host building or group.

## 4. The Development Plan and Material Considerations

- 4.1 In the context of these proposals, the National Planning Framework 4 (adopted February 2023) (“NPF4”) alongside the Perth and Kinross Local Development Plan 2 (adopted November 2019) (“LDP”) comprise the development plan which are to be considered in the assessment of these proposals.
- 4.2 Regards Material Considerations, we consider these to comprise:
- Managing Change in the Historic Environment (April 2019)
  - Interim Guidance on the Principles of Listed Building Consent (April 2019)
  - Perth and Kinross – Housing in the Countryside Supplementary Guidance (March 2020)
  - Perth and Kinross – Placemaking Supplementary Guidance (March 2020)
- 4.3 A full assessment of the development against the development plan and the material considerations listed above was undertaken within the originally submitted Planning and Heritage Statement (**Document 13**) prepared in support of the original application.
- 4.4 It is not intended to replicate that assessment within this Review document, however by way of a summary, the Planning and Heritage Statement assessed the following matters:
- The principle of development in this location
  - The impact of development on listed buildings
  - The design approach to development
  - Environmental considerations
- 4.5 The report found that on balance, the overall proposals were acceptable particularly when the precedence which NPF4 has over the LDP is considered.



## 5. Grounds for Review and Key Issues

- 5.1 As part of the originally submitted application, a Planning and Heritage statement was produced by Avison Young. A copy of the report is included as part of this review as **Document 13**.
- 5.2 The document highlighted that when the proposals are assessed against the development plan comprising the National Planning Framework 4 (adopted February 2023) ("NPF4"), the Perth and Kinross Local Development Plan 2 (adopted November 2019) ("LDP") alongside an array of other material considerations, the development would be in full accordance with these documents.
- 5.3 It should be noted that Section 24(3) of the Town and Country Planning (Scotland) Act 1997 (as amended) states: "*In the event of any incompatibility between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date is to prevail.*" Following the adoption of NPF4 in February 2023, it is therefore clear that NPF4 should take precedence over the LDP for decision making purposes.
- 5.4 It is therefore unfortunate that Council planning officers have taken a contrary view to these proposals in refusing the application for the following reasons:
1. *The proposal is contrary to Policy 19: Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as Category 5 of the SG states that any new build element should be limited to 25% of the overall footprint of the existing building. The proposal involves an extension which is substantially larger and more than double the footprint of the host building. The proposal also fails to meet any of the other categories of development outlined in the SG. The proposal is also contrary to Policy 17 (Rural Homes) of National Planning Framework 4 (NPF4) as the proposal results in a development which is not suitably scaled and it not in-keeping with the character of the area.*
  2. *The proposal is contrary to Policies 1A and B (Placemaking) of the Perth and Kinross Council Local Development Plan 2 (2019) and Policy 14 (Design, Quality and Place) of National Planning Framework 4 (NPF4) as the scale and footprint of the proposed extension dominates the host building and results in a development which is detrimental to the character and visual amenity of the area.*
  3. *The proposal is contrary to Policy 27A (Listed Buildings) and Policy 7 of National Planning Framework 4 (NPF4) as the substantial scale of the proposed extension more than doubles the volume and footprint of the host building, creating an unacceptable impact on the character and interest of the listed building and remainder of the listed group. An extension of the scale proposed is also at odds with the existing pattern of development and fails to complement its surroundings in terms of appearance and scale.*
- 5.5 It is particularly relevant to note given that planning officers have not undertaken a site visit for these proposals and as such, cannot have fully understood the proposals or the reason for their submission.
- 5.6 Based on the above three reasons for refusal we consider that the following three key issues should be explored further, being:
1. **Housing in the Countryside and Rural Homes** – the proposed development is appropriately located within an existing cluster of buildings and is required to ensure the long term future of the farming operation. It is required to enable the next generation of the MacDonald family to move to the farm in order to oversee and manage the day to day operations of the farm. When the extension would comprise c. 25% of the floorspace across the site, and when considered

against the guidance which refers to "*generally no more than 25%*" it is considered that the addition proposed by this application is acceptable.

2. **Placemaking** – the layout of the proposed development is entirely appropriate when considered in the context of the listing group and other existing farm buildings within the immediate vicinity. The extension is demonstrated to be subservient to the existing dwelling to which it is attached and has clearly been designed to demonstrate that it would comprise a new addition to it.
3. **Listed Buildings** – it is our view that the assessment on listed buildings which has been undertaken by the Council officer is incorrect in that it fails to properly consider that the building is listed as part of an overall group rather than individually. It is necessary to assess the proposals against the impact on the overall grouping rather than an individual element of it. When this is undertaken, and the form of the proposals are fully assessed against the current layout, it is evident that the proposals would not have any adverse impact on the significance of the listed buildings, and that it would replicate a form of development which is already present on the site.

5.7 Each of these key issues has been taken in turn within the following sections of this statement.

5.8 It is noted that within the Report of Handling (**Document 2**) various conclusions and acceptance are reached on a variety of matters. A summary of these is provided below however as the proposals are considered to have addressed these matters, no further consideration is required.

- **Residential amenity** – the proposals would not impact on the residential amenity of any existing dwelling and would provide acceptable levels of amenity for future residents. The proposed development has no impacts on overlooking or overshadowing of existing residential buildings. In addition, sufficient garden ground is provided for future occupiers. The Report of Handling concludes that this demonstrates compliance with Policy 1A and B of the LDP and Policy 14 c) of NPF4. As a note, we assume the reference to policies 1A and B are in relation to amenity matters only.
- **Contaminated Land** – a condition regarding an assessment of land for contamination as a condition to address LDP Policy 58A is required. This would be acceptable to the applicant.
- **Ecology** – the submitted ecology survey (including for bats) does not identify any bats or other protection species within the buildings subject of these proposals. A condition requiring mitigation measures identified within the ecology report (**Document 16**) is required. Furthermore, the delivery of three swallow nest boxes on the completed building would also be required and would be controlled by condition to ensure compliance with LDP Policy 41 and NPF4 policy 3. Both of these items are considered acceptable to the applicant.
- **Drainage** – it is acknowledged acceptable for the site to be served by a new private foul water system, however a SUDS system would be required under Policies 53C and 22c of the LDP. Implementation of the soakaway shown on the submitted plans would address this matter. This is acceptable to the applicant and could be controlled by condition.
- **Developer contributions** – a contribution of £5,164 towards primary school education is required. This could be dealt with by legal agreement and would be acceptable to the applicant.
- **Traffic and transport** – the Council roads officer has not raised any concerns regarding access to the development site, however provision for three car parking spaces is required and could be dealt with by condition. This is acceptable to the applicant.

5.9 Further detail of these matters is provided by the Consultee Comments (**Document 10**).

## 6. Key Issue - Housing in Countryside and Rural Homes

### Reason for Refusal

6.1 The first reasons for refusal relates to housing in the countryside and rural homes, stating that:

*"The proposal is contrary to Policy 19: Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as Category 5 of the SG states that any new build element should be limited to 25% of the overall footprint of the existing building. The proposal involves an extension which is substantially larger and more than double the footprint of the host building. The proposal also fails to meet any of the other categories of development outlined in the SG. The proposal is also contrary to Policy 17 (Rural Homes) of National Planning Framework 4 (NPF4) as the proposal results in a development which is not suitably scaled and it not in-keeping with the character of the area."*

6.2 Before we consider this reason for refusal further, we wish to note that the Supplementary Guidance referred to above does not state *"that any new build element should be limited to 25% of the overall footprint of the existing building"* but instead states *"in general, no more than 25% of the total units or footprint should comprise new build development"*.

6.3 This is a minor, but significant difference in that 25% should be calculated based on the floorspace of the development should the proposed extension proposed by this application be delivered, not the existing floorspace. This is explored further below.

### Policy position

6.4 Policy 19 of the LDP is the relevant planning policy which relates to housing in countryside locations, such as that of the Review site. It identifies 6 locations where the erection of new houses in countryside locations will be supported being:

1. *building groups;*
2. *infill sites;*
3. *new houses in the open countryside on defined categories of sites as set out in Section 3 of the Supplementary Guidance;*
4. *renovation or replacement of houses;*
5. *conversion or replacement of redundant non-domestic buildings;*
6. *development on rural brownfield land."*

6.5 Further details for assessing each of these criteria is included within the Housing in the Countryside Supplementary Guidance (extract as **Document 9**) which forms part of the LDP.

6.6 The relevant policy from NPF4 is Policy 17 Rural Homes. This is replicated below:

#### Policy Intent:

*To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations.*

Policy Outcomes:

- *Improved choice of homes across tenures so that identified local needs of people and communities in rural and island areas are met.*
- *Homes are provided that support sustainable rural communities and are linked with service provision.*
- *The distinctive character, sense of place and natural and cultural assets of rural areas are safeguarded and enhanced.*

6.7 In regards the policy itself, it states that the development for new homes in rural areas will be supported where the development is suitable scaled, sited and designed to be in keeping with the character of the area and where one (or more) category can be met. Relevant to these proposals are categories “(iii) reuses a redundant or unused building” and “(iv) is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets”. In rural locations, new homes should consider how they will “contribute towards local living and take into account identified local housing needs (including affordable housing), economic considerations and the transport needs of the development as appropriate for the rural location.”

**Policy Assessment**

6.8 Within the Report of Handling (**Document 2**) it is considered that only Category 5 is relevant to these proposals because this category deals with the conversion of redundant traditional buildings. However it is concluded within the Report of Handling that the proposals fail to comply with this category because “the SG states that any new build elements should be limited to 25% of the overall footprint.” This conclusion is incorrect because the SG actually states:

*“Extensions and new-build houses should only be contemplated where they reinforce the architectural integrity and external appearance of the original buildings and their grounds by, for example, infilling appropriate gaps in a group or rounding off a group. It is very unlikely that the entire ‘brownfield’ area of a site will be suitable for housing; **in general, no more than 25% of the total units or footprint should comprise new build development.**” (Avison Young Emphasis)*

6.9 The SG clearly states “in general” meaning that exceptions to the rule can be accommodated by the policy. The Report of Handling is confused in this regard, as it explicitly notes that “which are well beyond the 25% allowed by policy” but further on states “there may be scope for a larger extension in this instance than the 25% indicated within the SG in order to ensure the re-use of the listed building”. The Report of Handling (**Document 2**) does not include any calculation to demonstrate that the proposals exceed the 25% allowance.

6.10 Whilst no explicit guidance is provided by the SG as to how the size of an extension should be assessed, we consider that given the wording elsewhere under category 5 stating “alterations or extensions should be in harmony with the existing building form and materials” should be used to assess the acceptability of an extension.

6.11 The assessment that has been completed only assess the extension to the steading, rather than the overall footprint of all buildings within the group. In this case, that means all buildings at Boreland Farm. It is these buildings, plus the floorspace of the proposed extension which the 25% should be assessed against.

6.12 In the context of these proposals, the building group comprises the three steadings, the farmhouse, hay barn and stables. In total, these buildings have an existing total floorspace of 477 sq.m. Once the

proposed extension of 160 sq.m is considered, this would give a total floorspace of 637 sq.m. 25% of 637 sq.m is 159.3 sq.m, which is slightly smaller than the 160 sq.m proposed.

- 6.13 To look at it another way, the extension of 160 sq.m would represent 25.2% of the total building footprint, once constructed. Given the allowance which states '*generally*', and the conclusion within the Report of Handling and as identified in paragraph 6.9 above, this very minor exceedance is considered acceptable.
- 6.14 There are clear links to the placemaking principle and acceptability of being in proximity to the listed buildings, which area dealt with under section 7 and 8 of this statement.
- 6.15 We also note that the officer has accepted that Category 5 of the policy applies because the building is no longer fit for purpose, a position which is accepted within the Report of Handling.
- 6.16 Beyond Category 5, it is our view that Category 1 – Building Groups is also relevant. This is defined as groups of buildings which do not have a defined settlement boundary. The SG further notes that a building group can be defined as 3 or more existing buildings of a size at least equivalent to a traditional cottage. The description of the Listed Buildings (**Document 4**) also makes it clear that the farm comprises a group of buildings. In our view, this clearly falls within Category 1 of the policy. This is supported by the wording within the Report of Handling which makes various references to the fact that the buildings are a group.
- 6.17 The SG provides support for new homes in building groups under certain circumstances being:
- New housing will respect the character, scale and form of the existing group, and will be integrated into the existing layout and building pattern.
  - New housing will not detract from the visual amenity of the group when viewed from the wider landscape.
  - A high standard of residential amenity will be provided for both existing and new housing.
- 6.18 In response to these criteria we contend that:
- The size, mass and proposed materials of the proposed extension are acceptable and that the proposals will not impact residential amenity for existing and proposed occupiers. This is explored further in placemaking section of this report, with the Report of Handling (**Document 2**) confirming acceptability of the height and mass of the proposals, as well as confirming that there would be no adverse impact on the amenity of existing or new residents
  - The CGI's submitted to support the application (**Document 6**) demonstrate that the proposals would be subservient to the existing buildings and given the topography of the site alongside the building design, there would not be any impact on the visual amenity of the group.
  - The proposed dwelling is located away from the only other residential building within the site (farmhouse) and would neither have any impact on it, nor would be impacted by it due to the building design and that the new build element of the proposals are located a distance away from the existing building. Furthermore, they demonstrate that the proposed development cannot be seen from the Farmhouse. This is further demonstrated by CGI 6 on **Document 6**.
- 6.19 On the basis of the above, we believe that both Category 1 and Category 5 of LDP Policy 19 provide support for the proposed development.

- 6.20 Turning to NPF4, the relevant policy is Policy 17 Rural Homes. When considering policies within NPF4 it is necessary to assess the proposals against the policy intent, policy outcomes and the policy itself. In this respect the policy states the following:
- 6.21 It has already been established within the preceding section that the design is considered appropriate in the context of the existing listed buildings above and within the Report of Handling that the proposals comply with criteria iii) and iv) of NPF4. However little consideration has been given to policy intent and outcomes.
- 6.22 The policy intent makes it clear that the policy is to ensure rural homes are of high quality and sustainability located. As above, the quality of the building is considered further in the following chapter and is considered to be of good quality. The sustainability of neither the location of the development has been given any consideration in the determination of the application, indeed the Report of Handling does not attempt to make any assessment of the positive sustainability credentials which the proposals offer.
- 6.23 Matters of sustainability were fully laid out within the originally submitted Planning and Heritage Statement (**Document 13**) and Design Statement (**Document 12**), however by way of a summary, there is a need for a new family home at Boreland Farm to accommodate the current owners daughter and her family. They currently live away from the site and are required to travel to the farm on a daily basis to ensure the smooth operation of the farm. This is inherently unsustainable and the development of a property for them to reside in at the farm would significantly improve the sustainability of their travel patterns. Furthermore, it is expected that as the current owner retires, there will be a requirement for the applicant to spend more time on the farm which would require additional vehicle trips to it. This is considered a strong material consideration given one of the key overall themes within NPF4 is matters of sustainability, requiring proposals to meet explicit sustainability standards.
- 6.24 Along with the black face sheep on the farm, there is also breeding Pedigree Hampshire Downs, along with a breeding program for the rare breed Pedigree Clydesdale horses where there are mares, foals and a stallion. Therefore, supporting the sustainability of an in danger native breed, with the stallion 1s a main contributor of live foals over current and recent years for the UK is vitally important.
- 6.25 Furthermore, the policy outcome provides support for these proposal would provide a home for an identified need for local people, as well as supporting sustainable rural communities which is liked to a service provision, i.e. the servicing of an existing agricultural business at a farm. Finally, matters of design are considered in the following section of this report.

## 7. Key Issue - Placemaking and Design

### Reason for Refusal

7.1 The second reason for refusal is due to placemaking and design matters, stating that:

*"The proposal is contrary to Policies 1A and B (Placemaking) of the Perth and Kinross Council Local Development Plan 2 (2019) and Policy 14 (Design, Quality and Place) of National Planning Framework 4 (NPF4) as the scale and footprint of the proposed extension dominates the host building and results in a development which is detrimental to the character and visual amenity of the area."*

7.2 The Report of Handling (**Document 2**) makes it clear that matters of placemaking and design should be considered in conjunction with cultural heritage. As such, this section of the report should be considered in conjunction with section 8 which deals with listed buildings and cultural heritage matters further.

### Policy Position

7.3 Policy 1A states that:

*"Development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation. The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development."*

7.4 Policy 1B is also relevant as it applies to all new development proposals and states:

*"All proposals should meet all the following placemaking criteria:*

- a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*
- b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.*
- c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
- d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.*
- e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.*
- f) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.*
- g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*
- h) Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks.*

- i) *Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).*
- j) *Sustainable design and construction."*

7.5 NPF4 Policy 14 states:

Policy Intent:

*To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.*

Policy Outcomes:

- *Quality places, spaces and environments.*
- *Places that consistently deliver healthy, pleasant, distinctive, connected, sustainable and adaptable qualities.*

Policy Wording

- a) *"Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.*
- b) *Development proposals will be supported where they are consistent with the six qualities of successful places:*

*Healthy: Supporting the prioritisation of women’s safety and improving physical and mental health.*

*Pleasant: Supporting attractive natural and built spaces.*

*Connected: Supporting well connected networks that make moving around easy and reduce car dependency*

*Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.*

*Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.*

*Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time. Further details on delivering the six qualities of successful places are set out in Annex D.*

- c) *Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported."*



**Policy Assessment**

- 7.6 A full policy assessment of these matters has already been undertaken within the originally submitted Planning and Heritage Statement and therefore it is not intended to replicate those findings here, however it is noted that the Report of Handling has not undertaken a full assessment of the policy.
- 7.7 It is however noted that the Report of Handling did not undertake any assessment of these policies and as such cannot have reached a balanced decision which considers the development plan as a whole, as directed by NPF4.
- 7.8 We do however wish to respond to the findings of the Report of Handling which identified that because the proposals fail to address the listed building policies, it therefore fails the design policies as the proposals are considered to be out of context with the existing listed buildings. We have considered this point in further detail in the following section and have concluded that when the proposals are assessed against the overall scale of the listed buildings, there is no impact on its significance or setting.

## 8. Key Issue – Listed Buildings

### Reasons for Refusal

8.1 To third reason for refusal relates to listed buildings and states:

*“The proposal is contrary to Policy 27A (Listed Buildings) and Policy 7 of National Planning Framework 4 (NPF4) as the substantial scale of the proposed extension more than doubles the volume and footprint of the host building, creating an unacceptable impact on the character and interest of the listed building and remainder of the listed group. An extension of the scale proposed is also at odds with the existing pattern of development and fails to complement its surroundings in terms of appearance and scale.”*

8.2 We also recognise that in respect of the associated Listed Building Consent, Historic Environment Scotland did not object to the application (**Document 11**) and that in respect of the detailed application subject of this review, the Perth and Kinross Heritage Trust did not object either. A copy of this response is enclosed with the consultee responses as **Document 10**.

### Policy Basis

8.3 The requirements of Policy 27A: Listed Buildings from the LDP and relevant sections of Policy 7 of NPF4 are copied below:

#### LDP Policy 27A: Listed Buildings

*“There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use, and any proposed alterations or adaptations to help sustain or enhance a building’s beneficial use should not adversely affect its special architectural or historic interest.*

*Encouragement will be given to proposals to improve the energy efficiency of listed buildings within Perth and Kinross, providing such improvements do not have a significant detrimental impact on the special architectural or historic interest of the building.*

*Enabling development may be acceptable where it can be shown to be the only means of preventing the loss of listed buildings and securing their long-term future. Any development should be the minimum necessary to achieve these aims. The layout, design, materials, scale, siting and use of any development which will affect a listed building, or its setting should be appropriate to the building’s character, appearance and setting.”*

#### NPF4 Policy 7

##### Policy Intent:

*To protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.*

##### Policy Outcomes:

*The historic environment is valued, protected, and enhanced, supporting the transition to net zero and ensuring assets are resilient to current and future impacts of climate change.*

*Redundant or neglected historic buildings are brought back into sustainable and productive uses.*

*Recognise the social, environmental and economic value of the historic environment, to our economy and cultural identity.*

Policy Wording

*“a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.*

*Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.*

*c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.”*

8.4 In addition to the LDP and NPF4, consideration should also be given to the variety of guidance documents produced by Historic Environment Scotland, being:

- Managing Change in the Historic Environment (April 2019)
- Interim Guidance on the Principles of Listed Building Consent (April 2019)

**The Special interest of the listed buildings and historical site development**

8.5 The formal Building Listing for the site (Borland LB11794) (**Document 4**) categories the buildings as being Category B listed, with the formal listing having been made in 1971. This applies to the farmhouse and three listed steadings only. Historic Environment Scotland identify that a category B listed building comprise *“Buildings of special architectural or historic interest which are major examples of a particular period, style or building type”*.

8.6 In regards the specific listing subject of this site, the formal listing states the following description of the development and historic significance of the buildings:

*“House originally long single-storey dated 17 DL <-> CR 65 (David Law and Catherine Rutherford); W. part unaltered, E. part reconstructed early 19 century as 2-storey 3-window with railed steps to door, both parts harled with margins; 3 detached parallel steading blocks, w. block dated 17A.L. 47, middle block mid-19th cent., railed terrace and steps to garden in front of house.”*

8.7 Given the above, it is clear that the proposals represent a group listing to comprise all buildings. This includes the farmhouse and three steading buildings only.

8.8 This listing identifies that the first records of the farm in its current form are from c. 1765. It is understood that the farmhouse as currently built is not original and was reconstructed in the early 19<sup>th</sup> century. We believe that one of the original steading buildings was used as the farmhouse before the farmhouse was reconstructed.

8.9 Following the reconstruction of the farmhouse, the layout largely remained unaltered until the 1940's. at this time, a number of minor extensions and additions were made to the farm, notably before the building was listed.

- 8.10 To accommodate the changing technologies which became available, in the 1940s the non-stone-built buildings in the yard were erected for use by farm machinery including tractors. This principally relates to the building to the north east of the farmhouse. There was also a hay shed attached to the steading subject of this application, which runs in the same direction as these proposals. It was formed of wooden sides, with a tin roof. A photograph showing this is included as images 2 and 3 of **Document 7**. It was removed in the early 2000's.
- 8.11 Finally, around the same time as the hay barn was installed, two barns were erected at either end of the steading subject of these proposals. The northern barn remains present with the southern barn extension now removed, both of which are identified by photographs 9 and 10 of **Document 8**.
- 8.12 The current form of the site is demonstrated by the existing site plan, which is replicated below and submitted as part of **Document 15**.

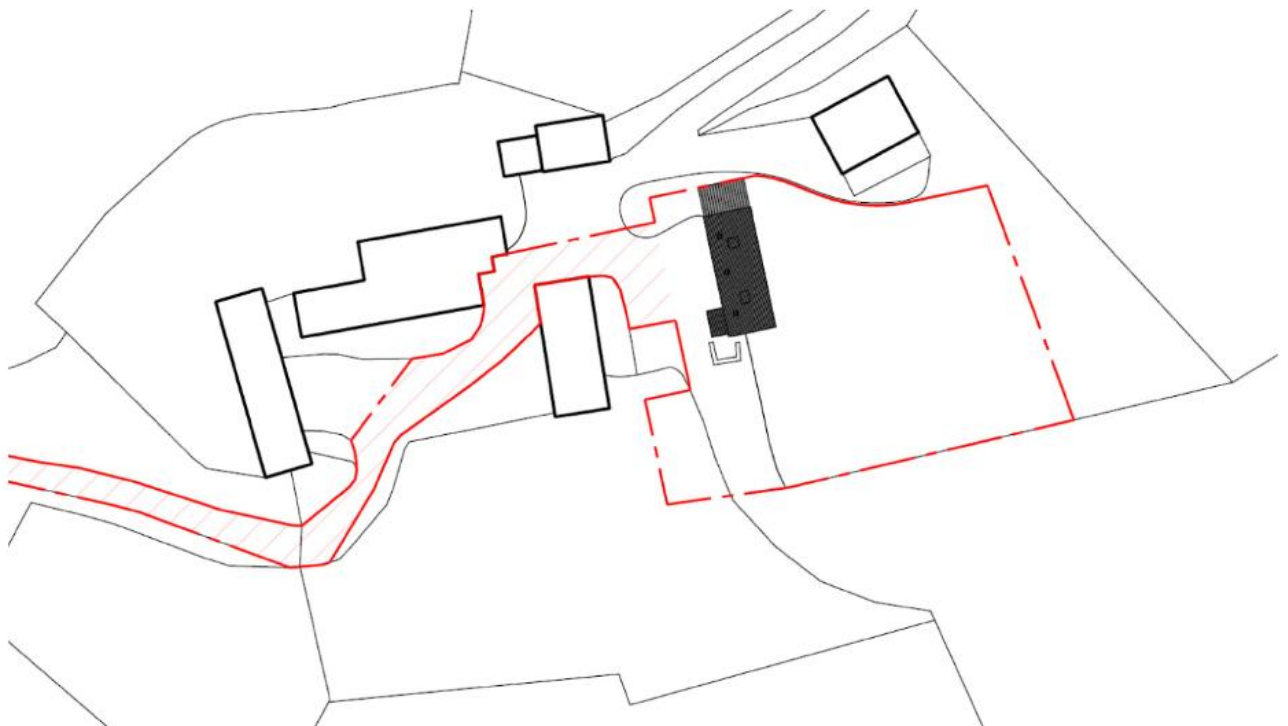


Figure 11: Extract from existing site plan

- 8.13 It is clear that the farmhouse lies adjacent to a perpendicular steading to the north west of the site. Looking at the historical mapping (**Document 4**) of the farm there is a suggestion that at one time, the steading and farmhouse were linked together. Whether this is due to the way in which the property has been mapped or that the buildings were adjoined, as it currently stands these buildings are both read as currently perpendicular to each other (image 4 contained within **Document 8**). This is a form which is replicated by the proposed development.

#### Listed building significance and setting

- 8.14 The listing makes it clear that the key building of note is the farmhouse, and suggests that the steading blocks are only listed due to their proximity to the farmhouse and the form in which all buildings on site lie. In addition, the steadings are not identified as having any special architectural or historic merit within the listing, which highlights all areas of historic interest being in relation to the farmhouse, e.g. its physical form, railed terrace and steps to front. This therefore suggests that the steadings are of lesser significance than the farmhouse.

- 8.15 Notably, as shown by the historic imagery and current photographs of the site (**Document 7** and **8**) the farmhouse is orientated perpendicular to the steading buildings but is also linked to a connecting building which is parallel to the steadings.
- 8.16 This layout clearly demonstrates that there is a history of buildings lying both parallel and perpendicular to the farmhouse. The extension sought by these proposals is perpendicular and is therefore similar to the other buildings which form part of the listing group.
- 8.17 Turning to the setting, this is clearly within an area of countryside with the residential component of the existing development orientated to take full advantage of the views to the south along the Glendevon valley. It is protected to the north and east by rising topography with trees beyond with further trees and vegetation providing protection from the west. There is less protection from views from the south owing to the topography, however a small number of trees are present. These elements do not contribute towards the reasoning for the listing for the property, with no other listed buildings in or around the application site. The photographs within **Document 8** clarify this further.
- 8.18 As described above, listed buildings are listed as such due to their special architectural or historic interest. In this respect, the farmhouse is of a very traditional form which is commonly identified within Scotland. There are a significant number of farmhouses and dwellings of this style throughout the country and is a style which is still used today for new build residential properties
- 8.19 On this basis it is clear that it is not necessarily the actual form of the farmhouse building, but its specific detailing regarding its proportions, stepped access, railings and harling with margins that is of significance.
- 8.20 The listing identifies no significance to the steadings other than to note that they are parallel in nature. These proposals would not make any change to this parallel layout, with the extension mirroring that which is already in place with the farmhouse and its adjacent perpendicular steading.
- 8.21 Turning to the parallel steadings, these form a courtyard effect with the farmhouse creating the northern boundary and two of three steadings providing the east and west boundary. The formation of a courtyard area with the farmhouse facing into it is a typical form of farm buildings across the Country. Likewise, the creation of two blocks perpendicular to each other are also common place. Within the immediate area there are a number of examples where this form is used. This is explicitly noted within the Councils own "Housing in the Countryside Supplementary Guidance" (Extract at **Document 9**) at page 22.

### **Assessment of the proposals**

- 8.22 As identified above the two policies of relevance are LDP Policy 27 and NPF4 policy 7. Both policies are assessed within the Report of Handling (**Document 2**), however this assessment is only based on the single listed steading rather than the listing group which it lies within. It is noted that both the Report of Handling and the formal consultation response from the Conservation officer (contained within **Document 10**) acknowledge the building lies within a listed group, however does not provide any assessment against the building group.
- 8.23 In regards LDP policy 27, there are three main areas which require to be considered.
- 8.24 Firstly, the policy supports the sympathetic restoration of listed buildings providing that the works do not impact on the special interest of the listed building. As has been discussed above, the proposals replicate an existing feature of the listed buildings and therefore are not considered to impact upon the special interest of the building. This demonstrates compliance with the first part of the policy.

- 8.25 Secondly, proposals should be energy efficient and will be supported unless there is impact on the special interest of the building. The proposals are designed to fully comply with the necessary building standards, and in many cases will exceed them. This includes the specifications of the doors and windows as submitted as part of the original application (contained within **Document 15 and 17**) but also the specification of the structure itself. In specific detail, the proposals would feature a green sedum roof across approximately 50% of the roof area, as well as being orientated to face south, thereby maximising solar gain potential. It is also proposed that renewable technologies will be used to heat the building, likely through the use of an Air Source Heat Pump. Given the works would bring back into active use a redundant listed building, they are considered to meet this criteria. It is noted the matter of sustainability and energy efficiency are not discussed in the Report of Handling.
- 8.26 The third and final criteria relates to an enabling case, but also that proposals have an acceptable layout, design, materials, scale, siting and use.
- 8.27 Referring back to the Report of Handling and Conservation officers response, both documents indicate that the scale and form of the development is not in keeping with the single steading rather than an assessment of the overall group listing. In this respect, the group listing comprises 4 separate buildings, the single farmhouse and 3 steading buildings. As discussed in section 5, the proposals would represent, if built, 25% of the floorspace across the site.
- 8.28 Furthermore, the extension is in a design and format which is subservient to the existing dwelling with materials used which clearly highlight the new and old elements of the site. where the new element of the proposals attaches to the existing, this is undertaking using lightweight materials in the form of glass, which requires limited alterations to the listed building where it abuts. The roof requires to be a slightly heavier material, however are designed so that where it adjoins the existing steading, limited alterations are required. Any alterations can be accommodated as part of the roofing works to the existing steading which are required due to its current condition.
- 8.29 Finally, the Report of Handling accepts that the design ethos is considered acceptable given the height and materials proposed.
- 8.30 In conclusion, the Report of Handling finds that the proposals fail the policy requirements of LDP policy 27 due to the scale of the proposals, however we contend that this conclusion is incorrectly arrived at due to a failure to consider the impact on the overall listing group. Instead, it only focusses on the impact on the single steading building.
- 8.31 Turning to NPF4 Policy 7, a similar requirement to that of LDP policy 27 is included within the policy itself and is reflected in the above. Cognisance also needs to be given to the policy intent to "*protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places*" alongside the policy outcomes, particularly that "*redundant or neglected historic buildings are brought back into sustainable and productive uses*".
- 8.32 This statement has clearly demonstrated the need for these proposals, and highlighted that without the investment which this proposal would bring forward there is a significant danger that the farm would cease to operate and the existing listed buildings could fall into a greater state of disrepair and could ultimately be lost to active use. We therefore consider that as the proposals meet with both the intent and outcomes of the policy, and are therefore supported by policy as an appropriate alteration and extension to a listed building.

## 9. Compliance with the Development Plan

9.1 We respectfully submit that the overall level of support for the review proposals from the majority of policies within the development plan indicate that they would accord with it. Furthermore, there are material considerations that the appellant also believes weigh in favour of supporting the proposals.

9.2 In this regard, we believe it is appropriate to refer to the House of Lords decision, 'City of Edinburgh Council v. Secretary of State for Scotland and Others (folder 4, document 51), in particular the judgement of Lord Clyde where in respect of the decision maker it states that:

*"He will also have to consider whether the development proposed in the application before him does or does not accord with the development plan. There may be some points in the plan which support the proposal but there may be some considerations pointing in the opposite direction. He will require to assess all of these and then decide whether in light of the whole plan the proposal does or does not accord with it. He will also have to identify all the other material considerations which are relevant to the application and to which he should have regard. He will then have to note which of them support the application and which of them do not, and he will have to assess the weight to be given to all of these considerations. He will have to decide whether there are considerations of such weight as to indicate that the development plan should not be accorded the priority which the statute has given to it."* (Avison Young **emphasis**)

9.3 This approach is also advocated within the recent adopted National Planning Framework 4. Having reviewed NPF4, its role and purpose is set out at Annex A, which also provides detail of how it should be used. It states that "**NPF4 should be read as a whole. It represents a package of planning policies to guide us to the place we want Scotland to be in 2045.**" (**AY Emphasis**).

9.4 Furthermore, at page 98 of Annex A3 it also states that "**Planning is complex and requires careful balancing of issues. The policy intent is provided to aid plan makers and decision makers to understand the intent of each policy and to help deliver policy aspirations.**" (**AY Emphasis**).

*"The policy sections are for use in the determination of planning applications. The policies should be read as a whole. Planning decisions must be made in accordance with the development plan, unless material considerations indicate otherwise. It is for the decision maker to determine what weight to attach to policies on a case by case basis. Where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies."*

9.5 Given the above, any planning decision should be taken with cognisance of the compliance of the proposals against the development plan as a whole.

## 10. Conclusions

10.1 This Grounds for Review Statement sets out the appellant's case in that the three reasons for refusal can be set aside and planning permission granted. This is because:

- This review falls to be determined in line with Section 25 of the Town and Country Planning (Scotland) Act 1997 – *'in making any determination under the Planning Acts regard is to be had for the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'*.
- The development proposed complies with two separate categories within LDP policy where new residential development in countryside locations can be supported. It is also supported by a number of criteria from NPF4.
- They are located within an existing building group which is accepted by the Council, and if built, would represent approximately 25% of the floorspace within the building group, thereby complying with the content of the 'Housing in the Countryside' supplementary guidance.
- Furthermore, there is a specific locational and physical size requirement for these proposals, in that they will secure the continued operation of the farm into the future by allowing the applicant and their family to move onto the farm, to ensure the smooth day to day running. This would also ensure that its future operation can continue for future generations and is therefore a strong material consideration in regards the economic benefits which these proposals could generate.
- Sustainability of the site would be improved, as the locating of the applicant and their family onto the site would reduce the need for unsustainable regular journeys to and from the site from another dwelling elsewhere. The theme of sustainability is strongly supported by NPF4 and is a central theme throughout the document.
- Significant investment would be made into the site to reuse and refurbish a redundant and listed agricultural building which has reached the end of its useable life. The works proposed would ensure the building can be retained
- Compliance with the development plan placemaking policies is established, with the form, mass and materials of the proposals considered to be acceptable when assessed against policy.
- That the proposals would not have an impact on any listed buildings, due to the historical significance identified within the buildings listing primarily relating to the farmhouse and that the proposals are located away from the farmhouse. View of the proposal from the farmhouse would also be screened by the existing steading.
- In addition the form of the proposal mirrors that as already present within the site, explicitly the relationship between the farmhouse and its adjacent steading to the west, which forms an 'L' shaped building.
- Matters such as access, water and drainage, ecology, amenity of existing and proposed residents alongside contaminated land and education can be addressed through planning conditions or a legal agreement as set out within the Report of Handling (**Document 2**).
- Five letters of representation were received from neighbours and residents at Glendevon regarding the proposal, all of which were in support. A copy of these are contained as **Document 18**. No objections were received.



- 10.2 It is respectfully requested that the Local Review Body reconsiders the proposal and undertakes their own assessment of planning policies, to find in favour of the arguments set out within this Review Statement correct and therefore allowing planning permission to be granted.

## 11. Suggested Procedure to be Adopted

- 11.1 The Local Review Body has several options in determining this Review. In this situation, we recommend that an accompanied site visit is undertaken by the Local Review Body to fully understand and appreciate the current layout of the farm and understand the location for which the proposals are to be sited. Furthermore, it will enable the Local Review Body to understand why the reasons for refusal should be reviewed as follows:
- The proposed development would create a form of development which is already present at the site, mirroring the farmhouse and its adjacent steading building. When the proposed extension is considered in the context of the building group, if built, its floorspace would extend to 25% of the building group and would therefore be in compliance with the relevant policy and Supplementary Guidance. It would also ensure that the reuse and refurbishment of a redundant listed building can be undertaken (Reason 1).
  - The proposed development is of a design and scale that is in keeping within the existing farm buildings (Reason 2).
  - The historical significance and architectural merit of the listed building group are predominately located upon the existing farmhouse. The location of the proposed development is beyond the farmhouse, replicating a form of development already present by the existing farmhouse. The proposals would therefore not impact on the historical significance of the property. (Reason 3).
- 11.2 In addition, further written representations could be used to provide further information on any aspects where the Local Review Body would wish to understand further.

## 12. Supporting Information/Document List

12.1 This review is supported by the following documents:

- 1) Decision notice for 23/00418/FLL
- 2) Report of Handling for 23/00418/FLL
- 3) Scottish Government Letter regarding 'de novo' approach
  
- 4) Borland Listing
- 5) Historical Maps
- 6) CGI's for 23/00418/FLL
- 7) Historic Photos
- 8) Photographic Walkthrough
  
- 9) Housing in Countryside Supplementary Guidance March 2020 (Extract)
- 10) Consultee Responses
- 11) Historic Environment Scotland Response to 23/00417/LBC
  
- 12) Design Statement
- 13) Planning and Heritage Statement
- 14) Location Plan
- 15) Application drawings
- 16) Ecology Report
- 17) Glazing specification
- 18) Letters of Support

# Contact details

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Date of Notice: **15th June 2023**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **23/00418/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 3rd May 2023 for Planning Permission for **Change of use, alterations and extension to steading to form dwellinghouse 50 Metres East Of Borland Farm Glendevon Dollar FK14 7JY**

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

1. The proposal is contrary to Policy 19: Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as Category 5 of the SG states that any new build element should be limited to 25% of the overall footprint of the existing building. The proposal involves an extension which is substantially larger and more than double the footprint of the host building. The proposal also fails to meet any of the other categories of development outlined in the SG. The proposal is also contrary to Policy 17 (Rural Homes) of National Planning Framework 4 (NPF4) as the proposal results in a development which is not suitably scaled and it not inkeeping with the character of the area.
2. The proposal is contrary to Policies 1A and B (Placemaking) of the Perth and Kinross Council Local Development Plan 2 (2019) and Policy 14 (Design, Quality and Place) of National Planning Framework 4 (NPF4) as the scale and footprint of the proposed extension dominates the host building and results in a development which is detrimental to the character and visual amenity of the area.

3. The proposal is contrary to Policy 27A (Listed Buildings) and Policy 7 of National Planning Framework 4 (NPF4) as the substantial scale of the proposed extension more than doubles the volume and footprint of the host building, creating an unacceptable impact on the character and interest of the listed building and remainder of the listed group. An extension of the scale proposed is also at odds with the existing pattern of development and fails to complement its surroundings in terms of appearance and scale.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

### **Notes**

**The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page**

Plan Reference

01

02

03

04

05

06

07

08

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## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	23/00418/FLL	
Ward No	P7- Strathallan	
Due Determination Date	2nd July 2023	
Draft Report Date	13th June 2023	
Report Issued by	JW	Date 13 June 2023

**PROPOSAL:** Change of use, alterations and extension to steading to form dwellinghouse

**LOCATION:** 50 Metres East Of Borland Farm Glendevon  
Dollar FK14 7JY

#### **SUMMARY:**

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

#### **BACKGROUND AND DESCRIPTION OF PROPOSAL**

Full planning permission is sought for the change of use, alterations and extension to a steading to form a dwellinghouse at Borland Farm, Glendevon. The steading building is a category B listed building and there is an associated listed building consent application (23/00417/LBC). The steading is part of a cluster of listed buildings at the farm which includes neighbouring steading buildings and the adjacent farmhouse. The site is located to the north and above the A823 public road where access is taken from along an existing private access track.

The single storey steading building is currently utilised for storage associated with the farm. The steading is a stone built, slate roofed structure but is currently in a poor state of repair. The proposal seeks to re-use the steading for residential accommodation with a single storey extension proposed to the east projecting 23 metres from the eastern most elevation of the existing steading. The existing steading is proposed to accommodate a snug, utility area and bedroom with the new single storey extension to accommodate a dining kitchen, living area, three bedrooms and a study. A flat roofed, green roof link structure is proposed to connect the existing building with the new extension which is to extend along the northern side of the extension for its entire length. To the south of the extension a pitched slate roof is proposed. The new extension to be clad in a dressed heartwood rainscreen cladding.

A car parking area is proposed to the west of the existing listed steading and the garden ground for the property is proposed to be located to the south of the steading and new extension.

The proposal seeks to accommodate the next generation of the family owned farm.

The proposal has been subject to a pre application enquiry where the Planning Authority indicated concerns with the scale of the proposed extension and the impact which the scale would have on the character of the listed steading (22/00094/PREAPL).

## **SITE HISTORY**

23/00417/LBC Alterations and extension to steading to form dwellinghouse

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: 22/00094/PREAPL

## **DEVELOPMENT PLAN**

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**

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 people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the following policies of NPF4 :

Policy 3: Biodiversity

Policy 4: Natural Places

Policy 7: Historic Assets and Places



Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings

Policy 13: Sustainable Transport

Policy 14: Design, Quality and Place

Policy 16: Quality Homes

Policy 17: Rural Homes

Policy 22: Flood Risk and Water Management

Policy 23: Health and Safety

### **Perth and Kinross Local Development Plan 2 – Adopted November 2019**

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 2: Design Statements

Policy 5: Infrastructure Contributions

Policy 6: Settlement Boundaries

Policy 19: Housing in the Countryside

Policy 27A: Listed Buildings

Policy 39: Landscape

Policy 41: Biodiversity

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53C: Water Environment and Drainage: Surface Water Drainage

Policy 53A: Water Environment and Drainage: Water Environment

Policy 58A: Contaminated and Unstable Land: Contaminated Land

## Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

### **Statutory Supplementary Guidance**

- [Supplementary Guidance - Developer Contributions & Affordable Housing](#) (adopted in 2020)
- [Supplementary Guidance - Flood Risk and Flood Risk Assessments](#) (adopted in 2021)
- [Supplementary Guidance - Housing in the Countryside](#) (adopted in 2020)
- [Supplementary Guidance - Landscape](#) (adopted in 2020)
- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

### **OTHER POLICIES**

#### **Non Statutory Guidance**

- [Planning Guidance - Planning & Biodiversity](#)
- [Supplementary Guidance - Renewable & Low Carbon Energy](#) (draft)

### **NATIONAL GUIDANCE**

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

#### **Planning Advice Notes**

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 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 75 Planning for Transport

#### **National Roads Development Guide 2014**

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.

## **CONSULTATION RESPONSES**

### **INTERNAL**

Transportation And Development – additional car parking spaces required but general access arrangements considered to be acceptable.

Environmental Health (Noise Odour) – no objection subject to informative regarding use of stove

Conservation Team – objection given scale of extension and detrimental impact on wider character of listed grouping

Development Contributions Officer – education infrastructure contribution required

Biodiversity/Tree Officer – bat survey considered to be acceptable subject to conditions regarding bio diversity enhancement

Environmental Health (Contaminated Land) – condition recommended

### **EXTERNAL**

Scottish Water – no objection

Perth And Kinross Heritage Trust – condition recommended

## **REPRESENTATIONS**

A total of five letters of representation have been received all of which support the application and raise the following:

- Allows re-use of existing building
- Allows family to move to area and operate farm
- Supports rural economy and future operation of Borland Farm
- Enhances community
- Allows natural surveillance of area.

All of the above issues are noted and are addressed within the appraisal section below.

**Additional Statements Received:**

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

**APPRAISAL**

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with 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, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

In this instance, section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities in determining such an application as this to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. 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.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

**Principle**

In policy 19 - Housing in the Countryside of the LDP2, it is acknowledged that opportunities do exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved. Thus the development of single houses or groups of houses which fall within the six identified categories will be supported. This is also referenced in the recently adopted National

Planning Framework 4 (NPF4) where Policy 9 seeks to encourage the re-use of vacant and derelict land empty buildings and the re-use of brownfield land.

Policy 17 of NPF4 is also relevant and seeks to encourage, promote and facilitate affordable and sustainable homes in the right locations and provides criteria in which proposals for new rural homes will be accepted. This policy includes provision for the re-use of redundant or unused buildings but does not include any detailed criteria for consideration. Therefore, the criteria contained within the Council's Housing in the Countryside SG in relation to the re-use of existing buildings is considered to be the most relevant and up to date criteria for consideration this development.

The SG supports proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

- 1) Building Groups
- 2) Infill site
- 3) New houses in the countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance
- 4) Renovation or replacement of houses
- 5) Conversion or replacement of redundant non-domestic buildings
- 6) Development on rural brownfield land

Category 5 is the most relevant in this instance and allows for the conversion of redundant traditional buildings and for limited new build accommodation where there are no other pressing requirements for other uses such as business or tourism. This is echoed by Policy 9 and 17 of NPF4. Category 5 goes on to state that permission will be granted for the change of use and alteration of redundant buildings provided they are of traditional form and construction or are non-traditional but are otherwise of architectural merit. It is clear from the information provided that the existing building has limited scope for storage or use given its scale and condition.

Category 1 of the SG is not considered to be relevant in this instance as that principally relates to new build development within a building group and this proposal relates to an existing building.

The submission indicates that the building is not structurally sound and has suffered from water ingress and therefore no longer serve a purpose for the farm. This conclusion is accepted.

In this instance, the building on site is of traditional form and construction and therefore can be considered under Category 5, which allows for new build elements to be included but this requires to be limited and should specifically relate to conversion rather than complete replacement. There remains a requirement, however, to ensure that the development complies with other relevant policies of NPF4 and LDP2.

Category 5 of the SG states that any new build elements should be limited to 25% of the overall footprint. The detail of this is referenced on pages 22 and 23 of the SG and the applicant's agent was advised of this as part of the pre application response.

The submission seeks to justify the size of the extension to the existing steading and explains that the size of the house is needed to ensure the continual operation of the farm given that it will be occupied by the next generation of the family who own the farm.

Regardless of the end user of the property, ultimately the original character of the steading building requires to be maintained in any proposal and given the size and footprint of the proposed extension the original character would be lost. The extension to the east of the host building would more than double the size of the original building and would therefore result in a proposal with new build elements which are well beyond the 25% allowed by policy and therefore cannot be supported. The agent has claimed within the submission that given the condition of the steading building this proposal for conversion into a dwelling may be the last opportunity to save the listed building before it falls into a further state of disrepair. It should be noted that the owner of a listed building has a responsibility to maintain it and therefore this argument is not considered to hold significant weight nor does it justify the extensive scale of the extension.

Generally, extensions should only be used where they reinforce the architectural integrity of the original building by, for example, filling in a gap in a steading or rounding off a group which is not the case here. It was indicated within the pre application response that there may be scope for a small scale extension but that the size of the proposed extension would require to be substantially reduced. Further assessment of this issue is outlined below in the cultural heritage section. The justification provided for the scale of the extension is not considered to be sufficient to justify a departure from policy in this instance.

It is accepted that given the listed status of the building that there may be scope for a larger extension in this instance than the 25% indicated within the SG in order to ensure the re-use of the listed building, however the submission has made no attempt to reduce the scale of the extension despite the concerns outlined within the pre application response. The extension, as submitted, is identical in scale, design and footprint to that which was submitted as part of the pre application submission.

Overall the scale of the extension results in a development which fails to be subservient to the host building as required by the SG and fails to respect the character and amenity of the place and the design fails to complement its surroundings in terms of appearance and scale (policies 1A and 1B of LDP2 and Policy 14 of NPF4). It is accepted that given the site circumstances and need to secure the re-use of the listed building that a larger extension than the 25% allowance could be accepted here but that which is proposed is

substantially larger than the host building resulting in a proposal which dominates the host building.

Therefore, in conclusion the proposal fails to meet any of the categories of development outlined within the Housing in the Countryside SG and is therefore contrary to Policy 19 of the LDP2. The proposal is also contrary to Policy 17 (Rural Homes) of NPF4 as the proposal results in a development which is not suitably scaled and it not in-keeping with the character of the area.

The proposal, due to its scale and footprint dominates the host building and is also considered to be contrary to policies 1A and B of the LDP2 and to Policy 14 of NPF4.

### **Design and Layout and Cultural Heritage**

Generally, the design and scale of development should respect its surroundings and adhere to Policies 1A and B of LDP2 which relate to placemaking and Policy 14 of NPF4 which seeks to deliver well designed development. Further guidance is also provided within the associated Placemaking Supplementary Guidance. Furthermore, the siting criteria outlined within the Housing in the Countryside Supplementary Guidance is also relevant. The proposal also requires the landscape character of the area to be respected and meet the requirements of Policy 39 of the LDP2, given the sites location within the Ochil Hills Local Landscape Area (SLA). Policy 4(a) of NPF4 is also applicable and seeks to ensure that the development does not have an unacceptable impact on the natural environment.

The steading building is part of a group of category B listed buildings which include the two parallel steading blocks to the west and the farmhouse. The parallel layout of the three steading blocks at Borland are specifically mentioned within the listing on Historic Environment Scotland's website. Policy 27A of the LDP2 and Policy 7 of NPF4 are therefore also applicable here which states that there is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to ensure they remain in active use. The policies do allow for alterations and adaptations which would help to sustain or enhance the building's beneficial use but, importantly, these changes should not adversely affect its special architectural or historic interest. These issues were highlighted in the pre application response and as mentioned above no changes to the proposal have resulted from these concerns.

The pre application response indicated that a large extension extending to the east which completely alters the historic layout of the eastern most steading and the parallel steading block group would not be supported. It is noted that the submission references the condition of the steading and that the proposal is indicated to be the last opportunity to save the steading before it becomes derelict. Adaptions and alterations to a listed building to enable it to be brought back into active use are supported by policy, but the policy makes it clear that changes should not adversely affect the special character or historic

interest. In this case the substantial scale of the proposed extension more than doubles the volume and footprint of the building, creating an unacceptable impact on the character and interest of the listed building and remainder of the listed group. The provision of a large projection on the eastern side of the building is considered to adversely impact on the special character of the eastern most steading by increasing its footprint substantially and dominating the listed building. It is also of a scale which does not follow the building pattern and layout of the remainder of the group of listed parallel steadings. The pre application response advised the architect that the extension requires to be reduced in scale but no attempt to reduce the scale has been made. The general design ethos of the extension is considered to be appropriate given the height and chosen materials but it requires to be reduced in footprint to ensure that it does not dominate the listed building and the remainder of the grouping.

While there may be scope for a modest extension here, and the proposed lower-level link is a sympathetic means of extending a small historic building, the extension should be appropriately scaled and sited to remain secondary to the original building, and should protect the setting of the steading and the wider listed group. In this case, the parallel layout of the steading blocks is a distinct feature which is mentioned in the list description. An extension of the scale proposed extending to the east would be at odds with the existing pattern of development and fails to complement its surroundings in terms of appearance and scale.

Therefore, the proposal, as submitted is considered to be contrary to Policies 1A and B and Policy 27A of LDP2 and Policy 7 of NPF4.

### **Residential Amenity**

Policy 1A and B of LDP2 and Policy 14 (c) of NPF4 require any development to not detrimentally impact on residential amenity and to ensure any occupiers of new development have an adequate level of residential amenity. The proposed development is not considered to result in any impacts on neighbouring properties in terms of overlooking and overshadowing and the proposed house is considered to have an appropriate level of garden ground for future occupiers.

### **Contaminated Land**

Given the historic use of the site there may be contaminated land. Therefore the Council's Contaminated Land Team have recommended a condition to ensure that a contaminated land assessment is undertaken in accordance with the requirements of Policy 58A of the LDP2.

### **Ecology**

A bat survey for the existing building has been submitted. All methods in the submitted Bat Survey Report are in accordance with best practice. The report states that no further bat surveys are required as the building has negligible



potential for bats. A condition should be applied to any permission requiring all mitigation measures within the report to be adhered to.

The submitted Bat Survey Report notes the presence of swallows. This proposal could contribute positively to local biodiversity by providing at least three swallow nest boxes on the completed buildings as compensation for destroying bird nests. This can be secured by condition should planning permission be granted.

The proposal therefore accords with Policy 41 of the LDP2 and Policy 3 of NPF4

### **Drainage**

Policy 53B of the LDP2 and Policy 22 of NPF4 requires new development to be served by a private drainage system where there is no public system available. The site is proposed to be served by a new private foul water system.

Surface water drainage requires to be collected via a SUDS system as required by Policy 53C and Policy 22(c) of the LDP2. A surface water soakaway is indicated on the submitted plans.

The proposal is therefore considered to accord with the policies of LDP2 and NPF4 relating to drainage.

### **Developer Contributions**

#### Education

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.

This proposal is within the catchment of The Community School of Auchterarder.

There is a requirement for a developer contribution of £5164 and the applicant has indicated a willingness to pay the contribution upfront should planning permission be granted.

### **Traffic and Transport**

The vehicle access to the public road network for the property will be via the existing vehicle access to the site on a private track from the A823.

The application states parking will be provided on site for one vehicle, which falls short of the requirements of the National Roads Development Guide. The size of the dwellinghouse attracts three car parking spaces, as such the applicant shall provide a further two parking spaces on site. This could be secured by condition should planning permission be granted.

### **Roof of Neighbouring Steading**

It should be noted that the middle steading block, which is also listed, has been re-roofed in profile metal sheeting. This work appears to have been carried out without listed building consent. If further development of the steading group is proposed, full consideration should be given to protecting the historic character of the building group as a whole. The applicant was advised of this during pre application discussions but no listed building consent application has been submitted. This matter has been passed to the Council's Enforcement Team to address.

### **Personal Circumstances**

The Planning Authority generally supports the growth of the rural economy and generally supports the succession operation of the farm proposed by family members but this does is not considered to outweigh the policy concerns identified above.

### **Economic Impact**

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

## **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **CONCLUSION AND REASONS FOR DECISION**

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 be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the Development Plan.

Accordingly the proposal is refused on the grounds identified below.

### **Reasons for Refusal**

1 The proposal is contrary to Policy 19: Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020 (SG) as Category 5 of the SG states that any new build element should be limited to 25% of the overall footprint of the existing building. The proposal involves an extension which is substantially larger and more than double the footprint of the host building. The proposal also fails to meet any of the other categories of development outlined in the SG. The proposal is also contrary to Policy 17 (Rural Homes) of National Planning Framework 4 (NPF4) as the proposal results in a development which is not suitably scaled and it not inkeeping with the character of the area.

2 The proposal is contrary to Policies 1A and B (Placemaking) of the Perth and Kinross Council Local Development Plan 2 (2019) and Policy 14 (Design, Quality and Place) of National Planning Framework 4 (NPF4) as the scale and footprint of the proposed extension dominates the host building and results in a development which is detrimental to the character and visual amenity of the area.

3 The proposal is contrary to Policy 27A (Listed Buildings) and Policy 7 of National Planning Framework 4 (NPF4) as the substantial scale of the proposed extension more than doubles the volume and footprint of the host building, creating an unacceptable impact on the character and interest of the listed building and remainder of the listed group. An extension of the scale proposed is also at odds with the existing pattern of development and fails to complement its surroundings in terms of appearance and scale.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

### **Informatives**

None

### **Procedural Notes**

Not Applicable.

**PLANS AND DOCUMENTS RELATING TO THIS DECISION**

01-12

**Directorate for the Built Environment**  
Jim Mackinnon, Director and Chief Planner



T: 0131-244 0770 F: 0131-244  
E: jim.mackinnon@scotland.gsi.gov.uk

Heads of Planning

29 July 2011

Dear Colleagues

### **Local Review Procedures**

The issue of whether, or not, reviews by Local Review Bodies (LRBs) should be conducted by means of a full consideration of the application afresh (De Novo), or whether they are solely a review of the appointed officer's decision has been raised regularly by delegates of the Local Review Body forum.

By way of clarification and in the interests of consistency, Annex A sets out the Scottish Government's position on this matter and confirms that the 'de novo' approach should be adopted in determining cases brought before LRBs.

I hope this information is helpful in setting out the Scottish Government's position on this particular matter.



**Jim Mackinnon**  
**Chief Planner**



## Local Review Body decisions: Review of the decision taken by the planning officer or fresh consideration of the planning proposal?

ANNEX A

### Background

1. The Local Review Body Forum has discussed the decision making role of the local review body (LRB). Some planning authorities believe that the LRB is required to review the delegated decision which was taken by an officer of the authority whilst others believe that the LRB must consider the merits of the planning proposal afresh, bearing in mind the development plan and all material considerations (the 'de novo' approach). This was also raised at the various stakeholder events that contributed to the Scottish Government's one year review of planning modernisation<sup>1</sup>.

### Consideration

2. Although termed a 'review' the decision of the planning authority when acting as the local review body is still the decision of the authority on a planning application and the same considerations would apply to the factors that require to be taken into account when making a decision as they would in the case of a first determination.
3. Section 37(2)2 requires the planning authority to have regard to the provisions of the development plan and other material considerations. Section 43A (5) makes it clear that requirements to have regard to the development plan and any other material consideration remain in place. In addition section 43B (2) makes it clear that the requirement to have regard to the provisions of the development plan and other material considerations is unaffected.
4. Section 43A does not contain the same wording as section 48(1) - which sets out that Scottish Ministers (when dealing with an appeal) may deal with the application as if it had been made to them in the first instance - but it is the Scottish Government view that it is not necessary to state this because the application was made to, and is being determined by, the planning authority.
5. The planning authority have powers under section 43A (15) to reverse, vary or uphold a determination made by a planning officer. These mirror the powers of Scottish Ministers on appeal.

### Conclusion

6. The consideration of an application by an LRB is in effect consideration of an application by the planning authority and should be treated accordingly. The Scottish Government therefore considers that, based on the above argument, the 'de novo' approach should be adopted in determining cases brought before LRBs.
7. This approach is also consistent with the approach to appeals adopted by DPEA. Consistency of handling of cases regardless of whether they are determined by LRB or DPEA would, in our view, promote confidence in the planning process.

Scottish Government  
29 July 2011

<sup>1</sup> <http://www.scotland.gov.uk/Topics/Built-Environment/planning/modernising/progress/DMReview>

<sup>2</sup> References to sections refer to sections of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006.

The only legal part of the listing under the Planning (Listing Buildings and Conservation Areas) (Scotland) Act 1997 is the address/name of site. Addresses and building names may have changed since the date of listing – see 'About Listed Buildings' below for more information. The further details below the 'Address/Name of Site' are provided for information purposes only.

## Address/Name of Site

**BORLAND**

**LB11794**

Status: Designated

## Documents

There are no additional online documents for this record.

## Summary

**Category**  
B

**Local Authority**  
Perth And Kinross

**NGR**  
NN 98651 4900

**Date Added**  
05/10/1971

**Planning Authority**  
Perth And Kinross

**Coordinates**  
298651, 704900

**Parish**  
Glendevon

## Description

House originally long single-storey dated 17 DL <> CR 65 (David Law and Catherine Rutherford); W. part unaltered, E. part reconstructed early 19 century as 2-storey 3-window with railed steps to door, both parts harled with margins; 3 detached parallel steading blocks, w. block dated 17A.L. 47, middle block mid 19th cent., railed terrace and steps to garden in front of house.

# References

## Bibliography

No Bibliography entries for this designation

## About Listed Buildings

Historic Environment Scotland is responsible for designating sites and places at the national level. These designations are Scheduled monuments, Listed buildings, Inventory of gardens and designed landscapes and Inventory of historic battlefields.

We make recommendations to the Scottish Government about historic marine protected areas, and the Scottish Ministers decide whether to designate.

Listing is the process that identifies, designates and provides statutory protection for buildings of special architectural or historic interest as set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

We list buildings which are found to be of special architectural or historic interest using the selection guidance published in [Designation Policy and Selection Guidance \(2019\)](#)

Listed building records provide an indication of the special architectural or historic interest of the listed building which has been identified by its statutory address. The description and additional information provided are supplementary and have no legal weight.

These records are not definitive historical accounts or a complete description of the building(s). If part of a building is not described it does not mean it is not listed. The format of the listed building record has changed over time. Earlier records may be brief and some information will not have been recorded.

The legal part of the listing is the address/name of site which is known as the statutory address. Other than the name or address of a listed building, further details are provided for information purposes only. Historic Environment Scotland does not accept any liability for any loss or damage suffered as a consequence of inaccuracies in the information provided. Addresses and building names may have changed since the date of listing. Even if a number or name is missing from a listing address it will still be listed. Listing covers both the exterior and the interior and any object or structure fixed to the building. Listing also applies to buildings or structures not physically attached but which are part of the curtilage (or land) of the listed building as long as they were erected before 1 July 1948.

While Historic Environment Scotland is responsible for designating listed buildings, the planning authority is responsible for determining what is covered by the listing, including what is listed through curtilage. However, for listed buildings designated or for listings amended from 1 October 2015, legal exclusions to the listing may apply.



If part of a building is not listed, it will say that it is excluded in the statutory address and in the statement of special interest in the listed building record. The statement will use the word 'excluding' and quote the relevant section of the 1997 Act. Some earlier listed building records may use the word 'excluding', but if the Act is not quoted, the record has not been revised to reflect subsequent legislation.

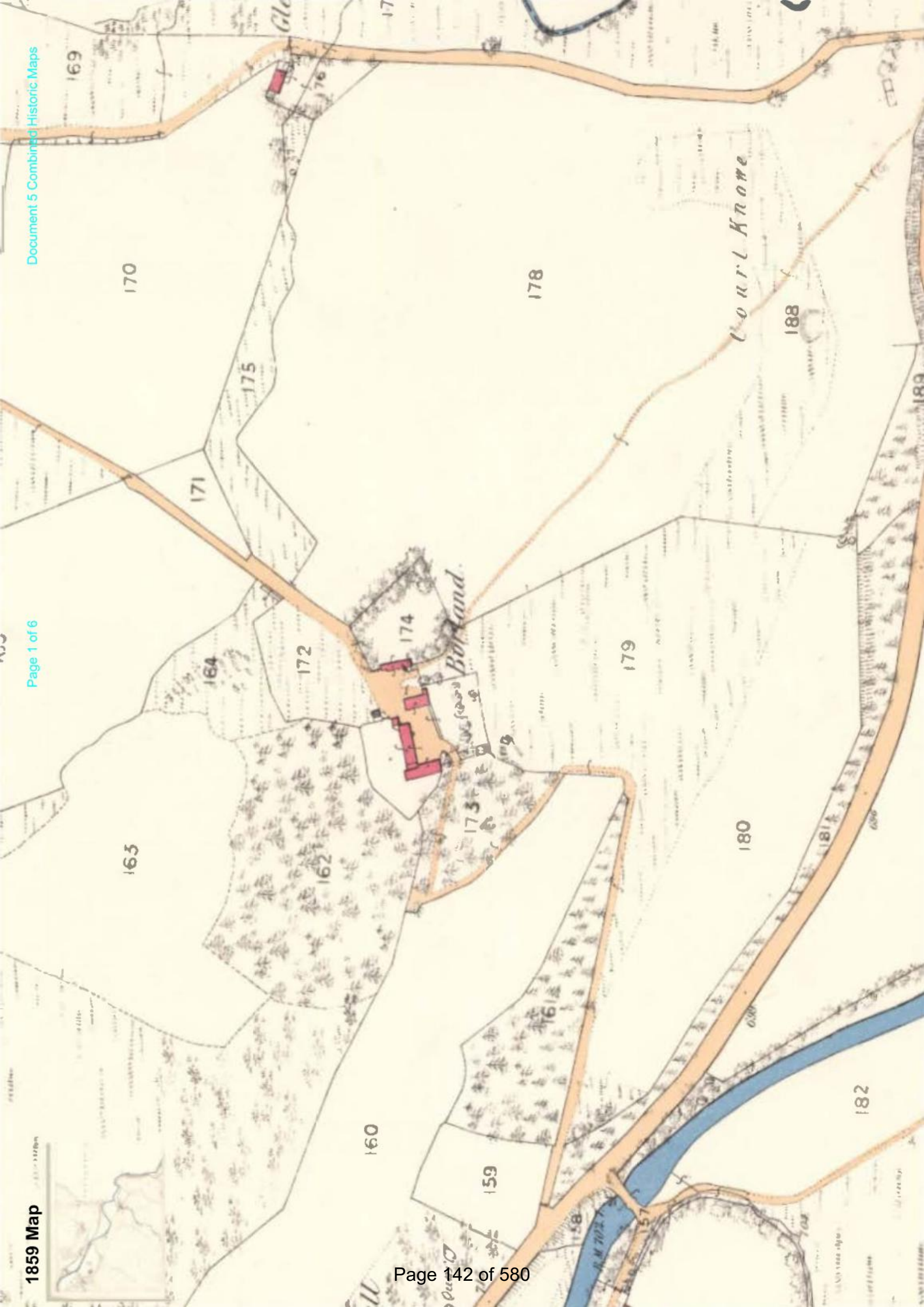
Listed building consent is required for changes to a listed building which affect its character as a building of special architectural or historic interest. The relevant planning authority is the point of contact for applications for listed building consent.

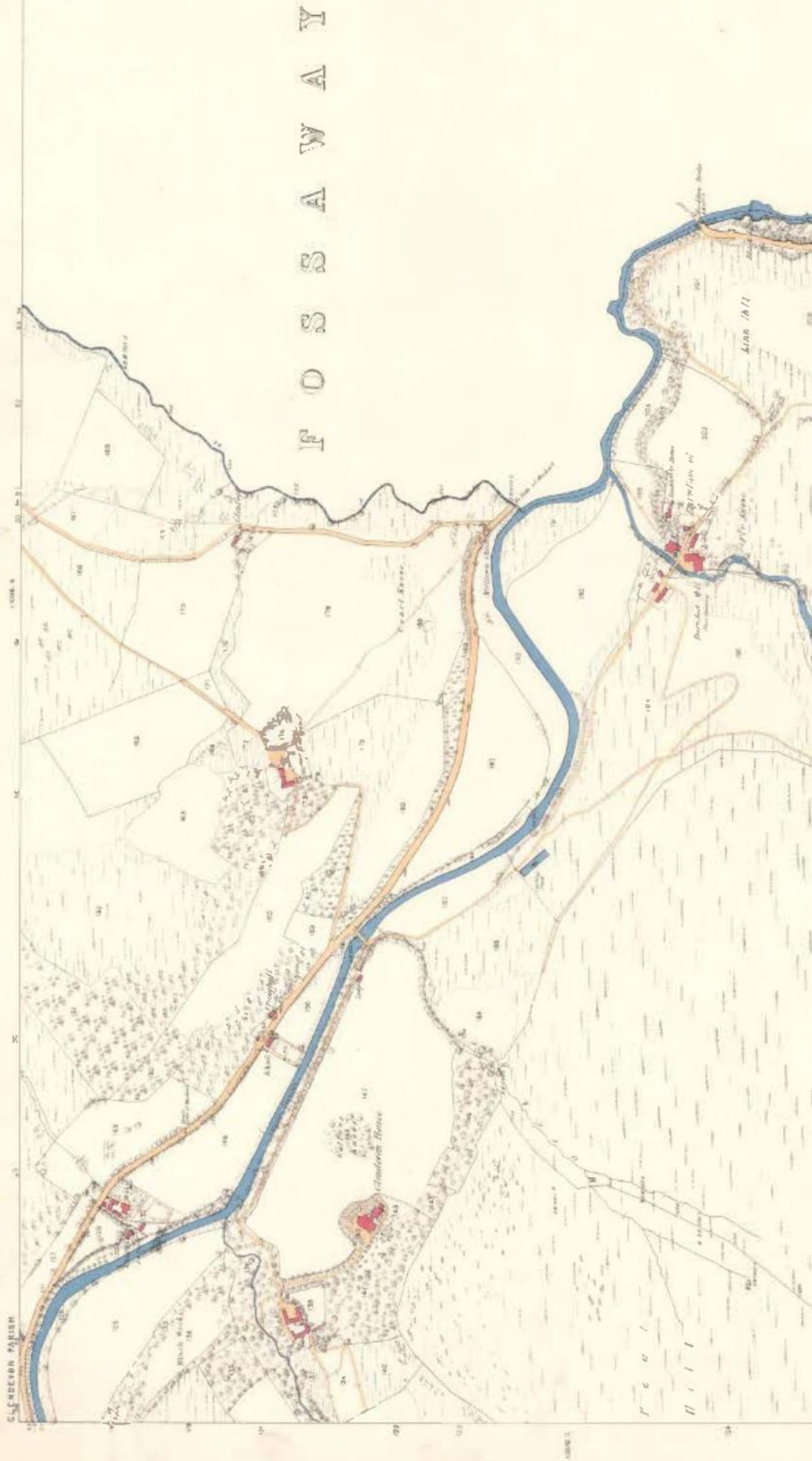
Find out more about listing and our other designations at [www.historicenvironment.scot/advice-and-support](http://www.historicenvironment.scot/advice-and-support). You can contact us on 0131 668 8914 or at [designations@hes.scot](mailto:designations@hes.scot).

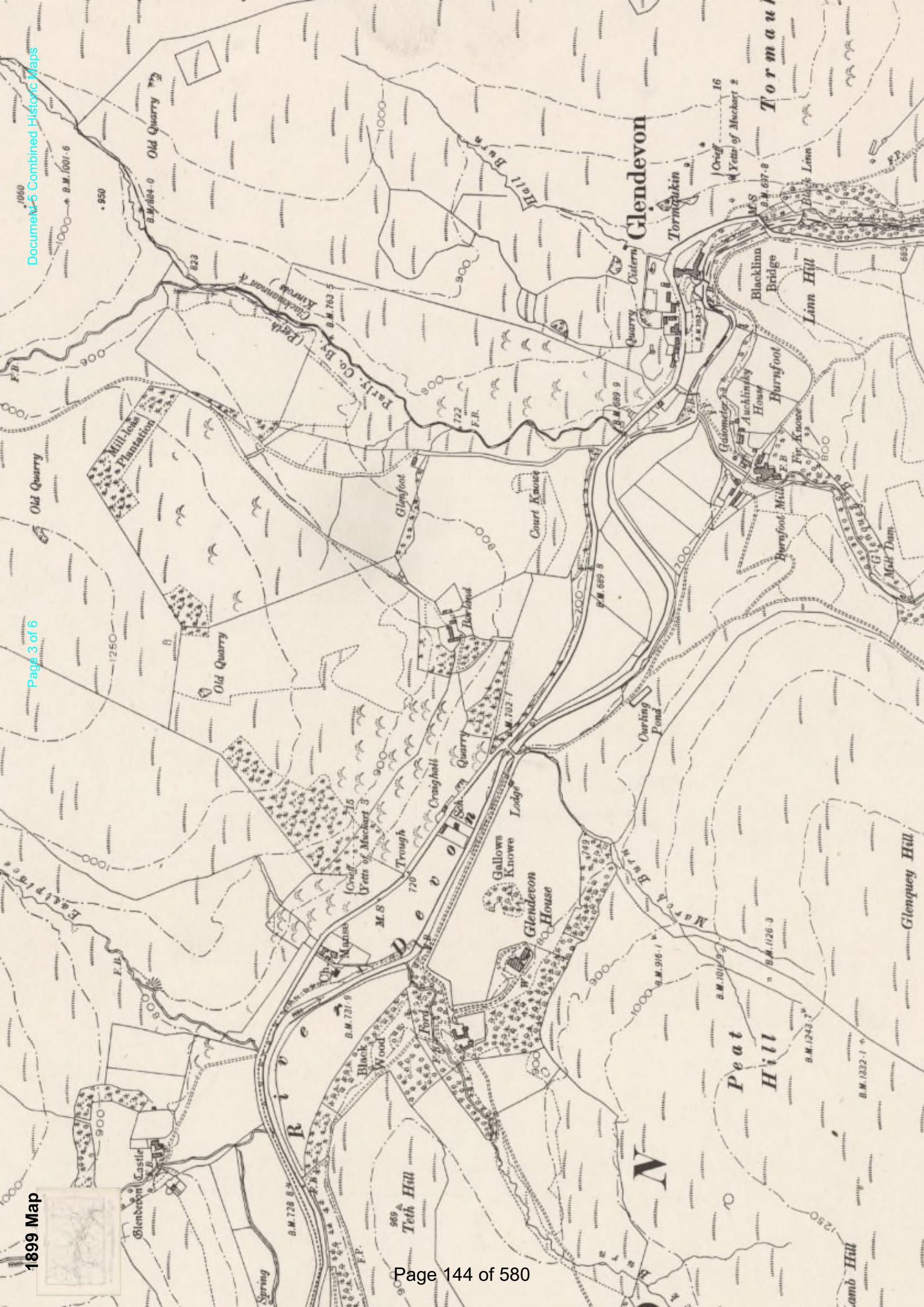
## Images

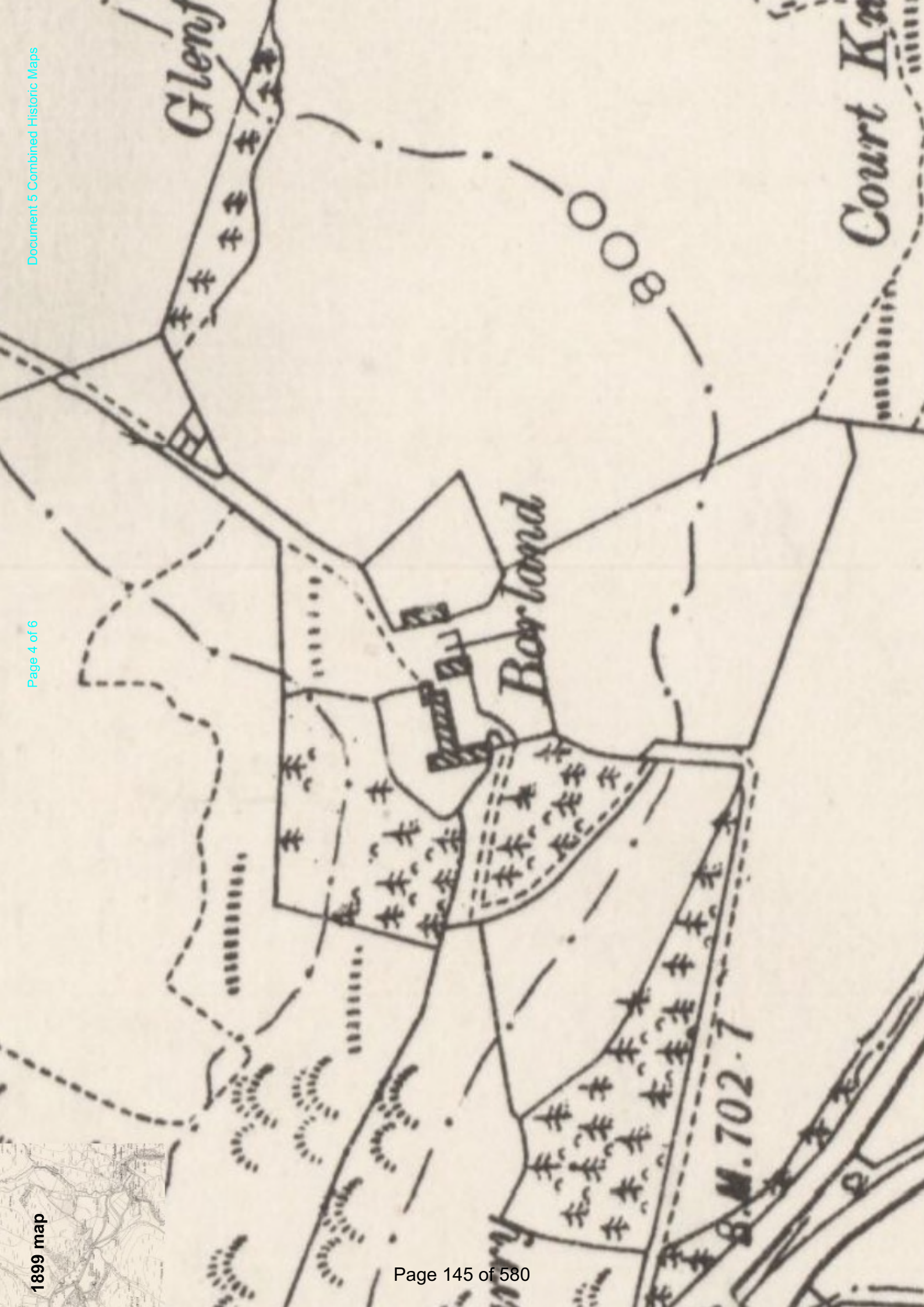
There are no images available for this record.

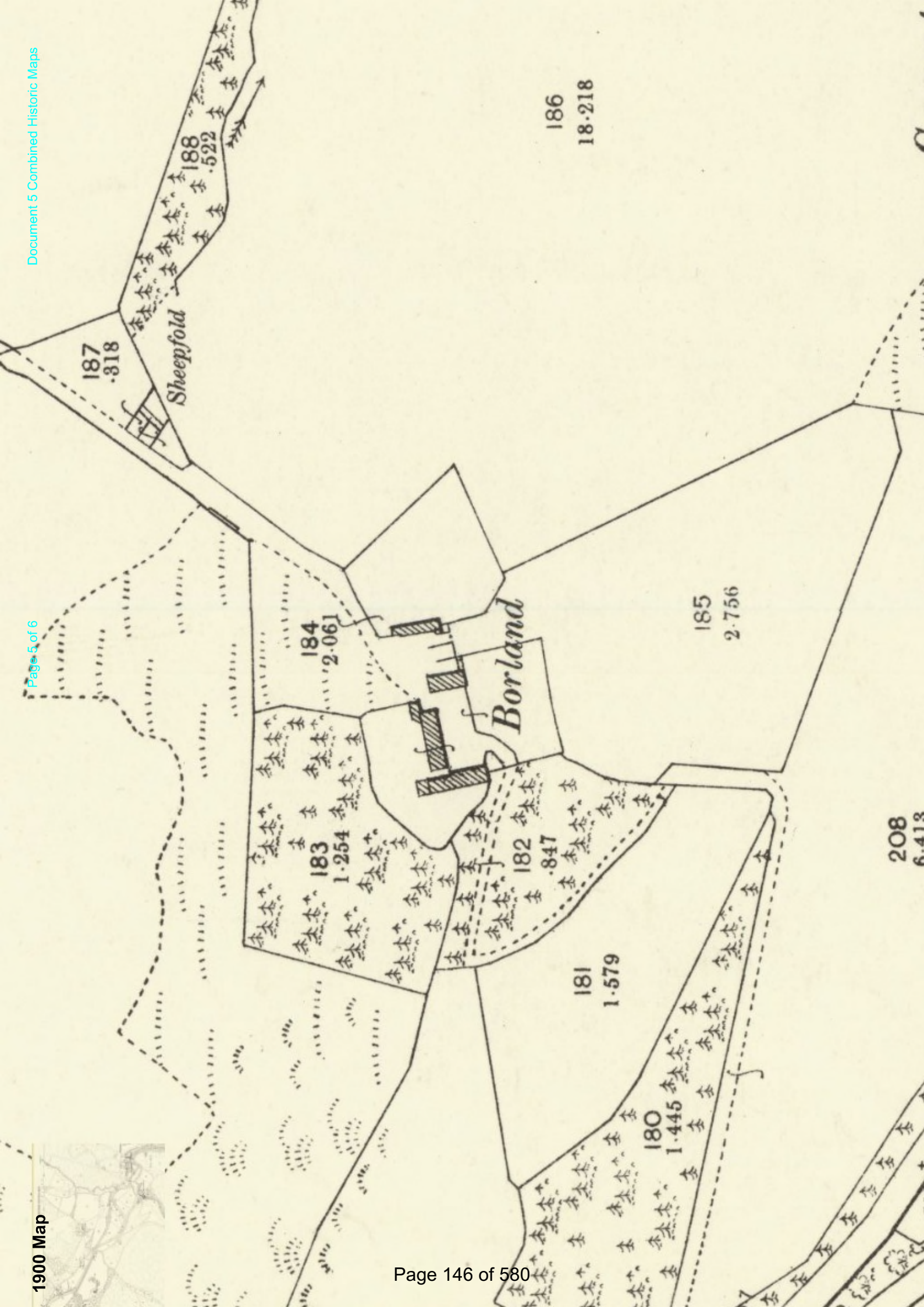
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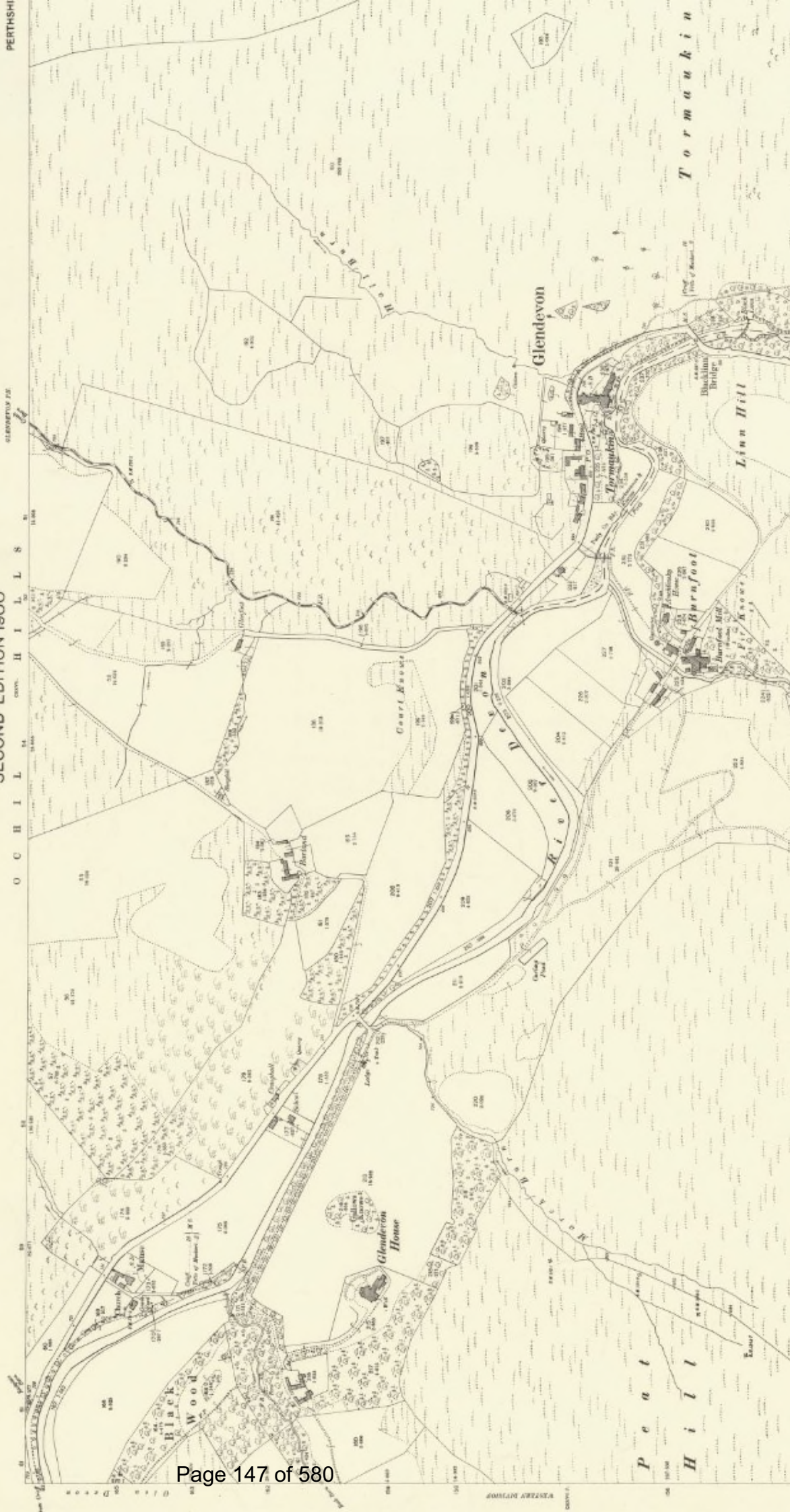








SECOND EDITION 1900



## Document 6: Boreland Farm – CGI's

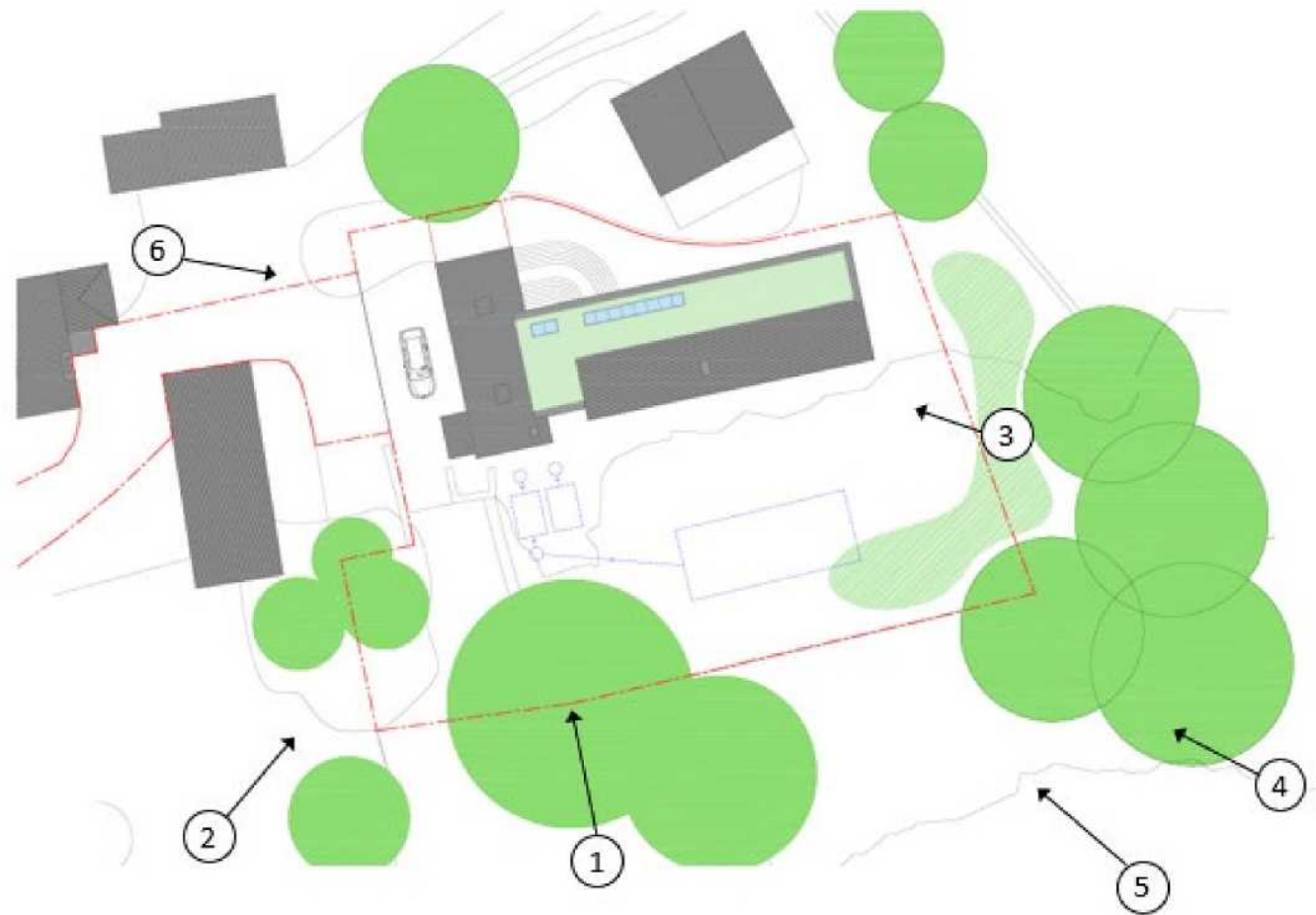


Figure 1: CGI Viewpoint Locations





*Figure 2: View 1 existing*



*Figure 3: View 1 proposed*



*Figure 4: View 2 existing*



*Figure 5: View 2 proposed*



*Figure 6: View 3 existing*



*Figure 7: =View 3 proposed*



*Figure 8: View 4 existing*



*Figure 9: View 4 proposed*





*Figure 10: View 5 existing*



*Figure 11: View 5 proposed*



*Figure 12: View 6 existing.*



*Figure 13: View 6 proposed*

## **Document 7: Boreland Farm – Historical Photos**



*Figure 1: image from 1980's showing form of buildings on the site. The extensions to north, south and east of the steading subject to this application can be seen*



*Figure 2: Former lean to adjacent to steading to south*



*Figure 3: Former lean-to located to north and south of steadings. Shown by tin roof. Photo 1960's*

# Document 8: Boreland Farm – Photographic Walkthrough

Photos taken August 2023



*Figure 1: Entrance into Farm. Far western steading just visible.*



*Figure 2: Entrance into farm with middle steading coming into view.*





*Figure 3: entrance in central courtyard with farmhouse and middle steading.*



*Figure 4: Farmhouse with attached outbuilding and perpendicular steading.*



Figure 5: View from farmhouse.



Figure 6: track leading north east with farmhouse on left and central steading to right. Hay barn beyond (Blue building).



*Figure 7: First view of steading subject to proposals. Stable beyond to the east.*



*Figure 8: Closer view of steading subject to proposals.*



*Figure 9: Location of former shed to south of steading.*



*Figure 10: view of steading looking south west. Hay barn shown attached to steading.*



*Figure 11: looking north west towards central steading, Roof of farmhouse beyond.*



*Figure 12: Location of proposal to front of photo with stable building to north.*



*Figure 13: View from proposed site looking south. Note trees offer some protection from long range views.*



*Figure 14: Proposed site location with steading to left and stable to right.*



*Figure 15: view looking downhill from farm track to farm. Roof of steading subject of proposals can only just be made out.*



*Figure 16: view looking downhill close to farm. Steading subject of these proposals can only just be seen between stable and mature tree. Farmhouse and hay barn to centre/ centre-right*



*Figure 17: View looking south east from farm track (blue hay barn to right) towards central steading and farmhouse.*



*Figure 18: View of rear of Farmhouse.*



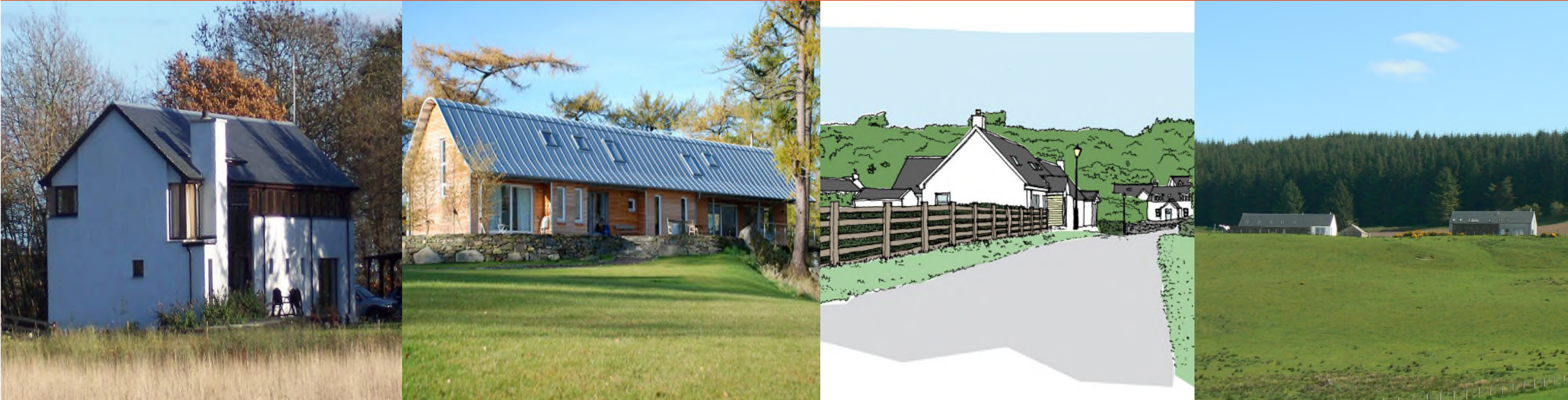


Figure 19: View of front of farmhouse. Note stepped access, harled with margins to windows and doors.



Figure 20: Closer view of front door with stepped access





 Housing in the Countryside  
Supplementary Guidance

March 2020

# For All Proposals

## Pre-application Discussions

**The submission of a pre-application enquiry is recommended for all proposals.**

The proposed development should not conflict with any other policy or proposal in Local Development Plan 2. In addition, proposals must meet all of the following criteria:

### *A Successful, Sustainable Place*

- i) Proposals should comply with Policy 1: Placemaking and the guiding principles contained in the Council's Placemaking Guide.
- ii) Proposals should not encourage unsustainable travel patterns. Proposals in less sustainable locations will only be permitted where the benefits outweigh the disbenefits, for example, the provision of essential farm worker housing or bringing an empty traditional building back into use.
- iii) The scale, layout and design of the proposal must be appropriate to, and have a good fit with, the landscape character of the area in which it is located. It must demonstrate a specific design approach that not only integrates the development within its setting but also enhances the surrounding environment. Buildings should be sympathetic in terms of scale and proportion to other buildings in the locality. Open space and garden ground associated with the proposal should be considered as an integral part of the development. Suburban ranch-type fences and non-native fast

growing conifers should be avoided, and garden ground should be of an appropriate size for the scale and form of the proposal. Where new planting is considered to be in keeping with local landscape character, locally native trees and shrubs should be used to integrate developments with the surrounding landscape and to provide additional biodiversity benefits.

iv) The quality of the design and materials of the house(s) should be reflected in the design and finish of outbuildings, means of enclosure, access etc. Outbuildings such as workshops, garages and sheds should be of an appropriate scale, proportion and form, reflecting that of the house(s). The Planning Authority will consider whether permitted development rights in respect of extensions, outbuildings and means of enclosure should be removed to protect the rural character of both the building and its curtilage.

v) All proposals require to comply with Policy 5: Infrastructure Contributions, and the Developer Contributions and Affordable Housing Supplementary Guidance.

vi) All proposals for 5 units or more will require 25% of the proposed development to be for affordable housing in line with Local Development Plan 2 Policy 20: Affordable Housing, and the Developer Contributions and Affordable Housing Supplementary Guidance. For the purposes of this Supplementary Guidance the renovation or replacement of an occupied or recently occupied house (as opposed to a ruin) will not constitute the creation of a new unit.

vii) Encouragement will be given to the incorporation of measures to facilitate home working within new development.

viii) There will be a presumption against the demolition of Listed Buildings, or their restoration in a way which adversely affects the special architectural or historic interest of the original building.

### ***A Low Carbon Place***

i) Where possible, existing on-site materials, particularly stone and slate, should be re-used in the construction of new houses, extensions and/or boundary enclosures, in order to help reflect local character and contribute to sustainability. Where on-site materials cannot be reused the reasons for this should be explained.

### ***A Natural, Resilient Place***

i) It is the Council's policy to halt the loss of biodiversity. Proposals must demonstrate how they will make a positive contribution to the biodiversity of the site. Examples of how this could be achieved include: planting native boundary hedges and trees, building integrated nest boxes into stonework, or providing new nest boxes.

ii) Proposals which might impact on protected sites, or where protected habitats or species (for example, bats, barn owls, house martins, swallows, or swifts) might be present, will require the submission of a survey as part of the planning application to show their location. Proposals should include appropriate measures to avoid loss or disturbance to species. Failure to undertake a survey may mean the proposal contravenes the Wildlife and Countryside Act 1981 (as amended) and European Directives, and may lead to refusal of the application. Failure to undertake the relevant survey at the appropriate time of year may delay the planning application.

iii) Development proposals should not result in adverse effects, either individually or in combination, on the integrity of the Firth of Tay and Eden Estuary, Loch Leven, South Tayside Goose Roosts and Forest of Clunie Special Protection Areas and Dunkeld-Blairgowrie Lochs and the River Tay Special Areas of Conservation.

iv) Proposals for houses adjacent to a working farm will only be permitted where a satisfactory residential environment can be created, and where the introduction of a dwelling will not compromise the continuation of legitimate agricultural and related activities, or the amenity of the residents.

v) In line with Policy 53B: Foul Drainage, a feasible foul drainage solution is a requirement of all development.

### ***A Connected Place***

i) Satisfactory access and services should be available, or capable of being provided, by the developer. Development should not exacerbate any existing access or connectivity issues. Appropriate mitigation measures should be included as part of the development.

## Category 1 - Building Groups

Building groups are those groups of buildings which do not have a defined settlement boundary in Local Development Plan 2. The size, layout and form of building groups vary widely across the Council area ranging from compact groups to areas which are characterised by a more dispersed building pattern.

### Defining a Group

For the purposes of this Supplementary Guidance a building group is defined as 3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group. The majority of the buildings in the group should be either residential or be suitable for conversion to residential under Category 5 of this guidance. Premises which are smaller than a traditional cottage, such as small domestic garages and outbuildings, will not count towards the requirement for at least 3 buildings.

As abovementioned, some areas are characterised by a more dispersed building pattern. Where buildings appear as an obvious group within their landscape setting permission will be granted for new houses subject to the requirements listed in 'Adding to a Group'. Where buildings are too dispersed to appear as a single group it may be possible to break them down into sections with each section treated as a separate group (see illustrations overleaf).

### Adding to a Group

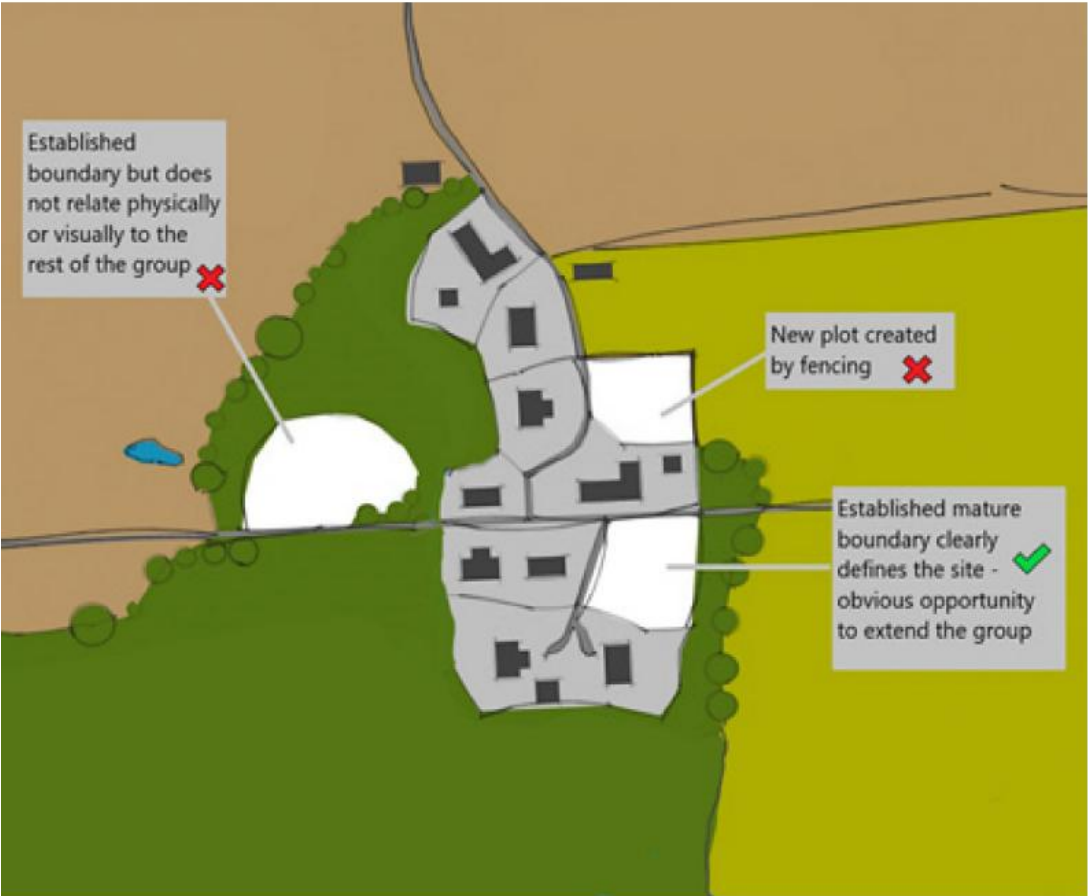
**Permission will be granted for houses within building groups providing it can be demonstrated that:**

- **New housing will respect the character, scale and form of the existing group, and will be integrated into the existing layout and building pattern.**
- **New housing will not detract from the visual amenity of the group when viewed from the wider landscape.**
- **A high standard of residential amenity will be provided for both existing and new housing.**

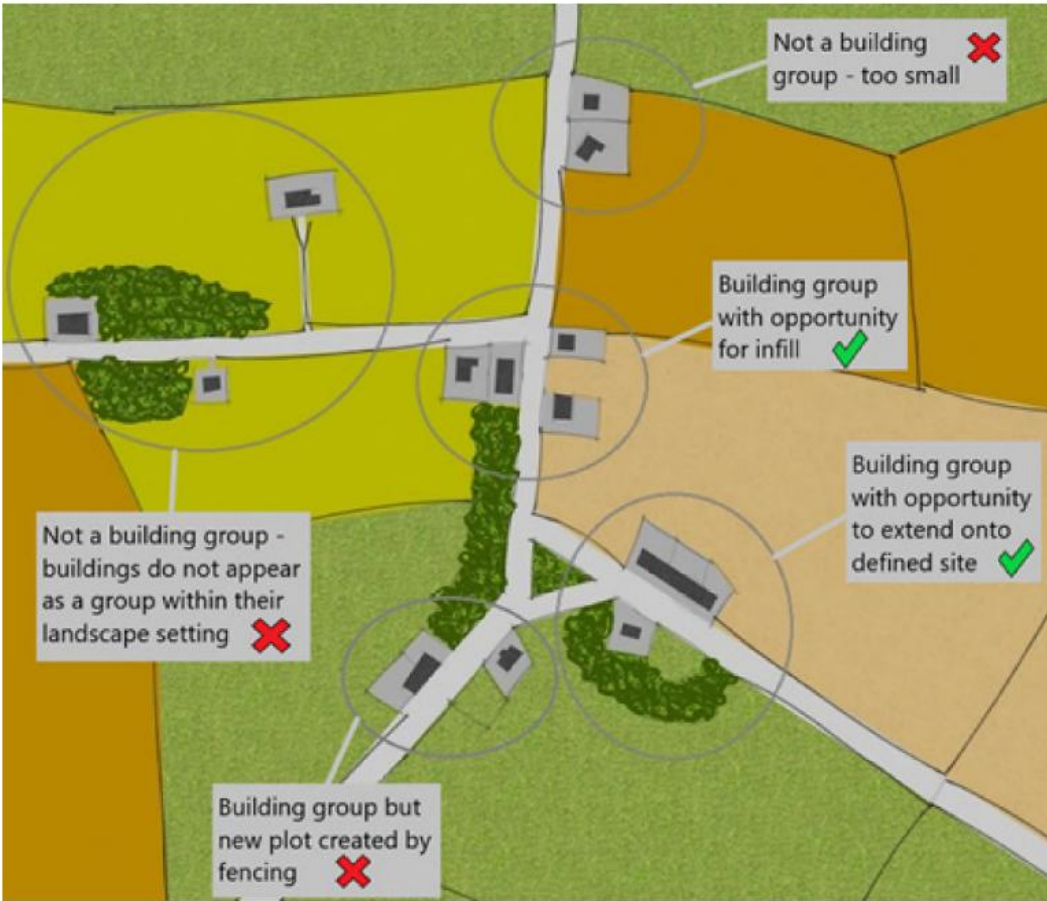
Permission may be granted, subject to the criteria above, for houses which extend the group into a readily definable adjacent site. This will be formed by existing topography, roads or well-established existing landscape features such as a watercourse or mature tree belt which will provide a suitable setting.

*Fencing or young trees or hedging planted with the specific intention of creating a site will not be accepted as existing landscape features for the purposes of this Supplementary Guidance, nor will the felling of an area of woodland or orchard specifically to create a site.*

**Example of a compact building group**



**Example of a dispersed building group**



## Ribbon Development

Proposals which create or contribute towards ribbon development will not be supported. For the purposes of this policy, ribbon development is defined as a line of houses built along an existing road each served by an individual access. Each case will require to be assessed on its own merits, and it will depend on whether linear development is a character of the area, but in general terms proposals which will result in a continuous line of 5 or more houses will be considered as creating ribbon development and will not be supported. The extension of a linear building group – to create a continuous line of no more than 5 houses – will only be supported where the group is being extended into a readily definable site.

For the avoidance of doubt, proposals adjacent to and outwith a settlement which has an identified boundary in Local Development Plan 2 will be assessed under Policy 6: Settlement Boundaries and not Policy 19: Housing in the Countryside.



## Category 5 - Conversion or replacement of redundant traditional non-domestic buildings

Across Perth & Kinross there are traditional<sup>1</sup> farm buildings and building complexes, such as steadings, which make a valuable contribution to the rural landscape but which have fallen out of agricultural use as they no longer meet the needs of modern agricultural practices. The purpose of this category is to encourage the retention of such buildings by allowing them to be reused for housing if an alternative employment use cannot be found.

This category covers both individual buildings and building complexes such as farm steadings. In all cases a statement will be required evidencing that the buildings are redundant, and that there are no other pressing requirements for other uses, such as business or tourism, on the site. For the purposes of this policy 'redundant' is defined as buildings which:

- are no longer fit for purpose, or
- are surplus to the current or likely future operational requirements of the business

Where buildings are no longer fit for purpose and business operations require to be moved as a result, the reasons for this together with the details of any replacement building and where this will be located should be submitted along with the application.

Where an application for conversion to housing is approved on the grounds that the building is surplus to requirements, this will be taken into account in the assessment of any future application for new buildings associated with the business.

<sup>1</sup> See definition on page 19

In all cases it must be demonstrated that the buildings are no longer in use, and that they cannot be sold or let on the open market for another employment use. Evidence will be required that the buildings have been marketed for sale or rent for employment use for at least 1 year.

### Traditional non-domestic buildings

Permission will be granted for the change of use and alteration of redundant non-domestic buildings to form houses providing the buildings are:

- of traditional form and construction, or
- are non-traditional but are otherwise of architectural merit, and make a positive contribution to the landscape, and character of the surrounding area.

Any alterations or extensions should be in harmony with the existing building form and materials. It may also be appropriate in some cases to allow some limited new build accommodation associated with the conversion of traditional building complexes.

Replacement of traditional buildings will only be permitted in cases where there is objective evidence that the existing building(s) require to be reconstructed because of structural deficiencies which cannot be remedied at an economic cost. Evidence should be in the form of a Development Viability Statement, prepared by an independent expert, which sets out the detailed costs of converting the building(s).

The Statement should also demonstrate that all potential options for retaining the building(s) have been explored. The replacement building(s) must be generally faithful to the design, form, scale, siting and materials of the existing building(s) but may incorporate non-original features which adapt it to modern space requirements and building standards or reflect a local architectural idiom.

It will not normally be possible to agree the principle of demolition without having full details of what the existing building is going to be replaced with. As such, applications in principle will not normally be acceptable where demolition is proposed.

Proposals for the conversion, extension or replacement of traditional non-domestic buildings will be subject to all of the following criteria:

- The development is in an accessible location i.e. in close proximity to a settlement or public transport links or in proximity to services for example schools, shops.
- The conversion / reconstruction has, as its core, the footprint and layout of the existing building(s) i.e. a steading or courtyard layout should not be replaced by detached units laid out in a group.
- The proposal will result in a development of high design quality and of a scale appropriate to its location, and there is a satisfactory composition of new and existing elements in terms of style, layout and materials.

- Extensions and new-build houses should only be contemplated where they reinforce the architectural integrity and external appearance of the original buildings and their grounds by, for example, infilling appropriate gaps in a group or rounding off a group. It is very unlikely that the entire 'brownfield' area of a site will be suitable for housing; in general, no more than 25% of the total units or footprint should comprise new build development.
- Those parts of the site not required for buildings or private gardens will require to be landscaped to a high standard. Landscaping plans demonstrating this, and how any other land outwith the application site but within the applicant's control will be used to provide landscape screening for the proposal, must be submitted and approved as part of the planning application.

#### Non-traditional non-domestic buildings

It is acknowledged that non-domestic buildings and structures constructed of modern materials such as steel, corrugated iron or concrete, can become unsightly if they fall out of use and / or are not properly maintained. Such buildings may offer an opportunity for an alternative employment use, and Policy 8: Rural Business and Diversification supports the expansion of existing business and the creation of new ones in rural areas. The reuse of traditional buildings for housing has the benefit of bringing valued buildings back into beneficial use. Allowing the replacement of non-traditional buildings, however, creates a residential use where one previously did not exist without this benefit. The Housing in the Countryside policy therefore does not support the replacement of these non-traditional buildings with housing.

### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	23/00418/FLL 23/00417/LBC	<b>Comments provided by</b>	Diane Barbary
<b>Service/Section</b>	Conservation	<b>Contact Details</b>	[REDACTED]
<b>Description of Proposal</b>	Change of use, alterations and extension to steading to form dwellinghouse		
<b>Address of site</b>	50 Metres East of Boreland Farm, Glendevon, Dollar		
<b>Comments on the proposal</b>	<p>The current applications relate to the easternmost steading block in the category B listed Boreland Farm building group.</p> <p>Information has been submitted to support the proposed large extension to the east, stating that this is the only means of ensuring the repair and reuse the steading block, which is currently in poor condition.</p> <p>It is a stated policy outcome of NPF4 that redundant or neglected historic buildings are brought back into sustainable and productive uses. However, proposals will only be supported where it preserves the character of the building and its special architectural or historic interest and setting.</p> <p>In this case the substantial scale of the proposed extension more than doubles the volume and footprint of the building, creating an unacceptable impact on the character and interest of the listed building.</p> <p>While there may be scope for a modest extension here, and the proposed lower-level link is a sympathetic means of extending a small historic building, the extension should be appropriately scaled and sited to remain secondary to the original building, and should protect its setting. In this case, the parallel layout of the steading blocks is a distinct feature which is mentioned in the list description. An extension of the scale proposed extending to the east would be at odds with the existing pattern of development. The proposed works to the existing listed building should aim to conserve the existing fabric wherever possible, for example by utilising existing window and door openings.</p> <p>It should be noted that the middle steading block, which is also listed, has been reroofed in profile metal sheeting. This work appears to have been carried out without listed building consent. If further development of the steading group is proposed, full consideration should be given to protecting the historic character of the building group as a whole.</p> <p>Due to the adverse impact on the historic interest and setting of the listed</p>		

	buildings within the group, I object to the proposal in its current form.
<b>Recommended planning condition(s)</b>	
<b>Recommended informative(s) for applicant</b>	
<b>Date comments returned</b>	08/06/2023



To:	John Williamson, Planning Officer
From:	Grace Woolmer-White, Historic Environment Officer
Tel:	01738 477056
Email:	GWoolmer@pkht.org.uk
Date:	9 <sup>th</sup> June 2023

**23/00418/FLL | Change of use, alterations and extension to steading to form dwellinghouse | 50 Metres East Of Borland Farm Glendevon Dollar FK14 7JY**

**23/00417/LBC | Alterations and extension to steading to form dwellinghouse | 50 Metres East Of Borland Farm Glendevon Dollar FK14 7JY**

Thank you for consulting PKHT on the above applications. I can confirm that proposed development is considered to be archaeologically sensitive as it includes alteration to an existing and B Listed farmstead complex (MPK14107; LB11794). This farmstead appears to pre-date the 1st Edition Ordnance Survey of the area and remains largely unchanged in layout. The steading proposed for development forms an important part of the original historic farm complex and is likely to retain original fabric and features that preserve its early character and origins.

PKHT believes that wherever possible historic buildings should be retained and re-used in order to preserve the character of the local landscape. The Local Development Plan 2019 notes that historic assets should be protected and preserved in situ wherever feasible. It is also noted in NPF4 (Policy 7, Historic Assets and Places) that redundant historic buildings should be brought back into sustainable and productive use. We appreciate that this application's aim is to repurpose the historic steading building but given the nature of the scheme and the various modifications involved we believe an appropriate record should be made of the building in advance of any works on site.

Therefore, if permission is granted for the proposed works, it is recommended that a negative suspensive condition for standing building recording be attached to consent to ensure that an appropriate record is made of this historic building range prior to re-development.

**Recommendation:**

In line with National Planning Framework 4's historic environment section (Policy 7, Historic Assets and Places, pages 45-47) it is recommended that the following condition for historic building survey be attached to consent, if granted:

**HE26A** *Development shall not commence until the developer has secured an archaeological standing building survey, to be carried out by an independent and suitably qualified archaeological organisation. The scope of the archaeological standing building survey will be set by the Council as Planning Authority in consultation with Perth and Kinross Heritage Trust. The name of archaeological organisation retained by the developer shall be given to the Council as Planning Authority and PKHT 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 Record of the Historic Environment and in the Perth and Kinross Historic Environment Record upon completion of the survey.*

Notes:

1. **Should consent be given, it is important that the developer, or their agent, contact me as soon as possible. I can then explain the procedure of works required and, if necessary, prepare for them written Terms of Reference.**

2. This advice is based on information held on the Perth and Kinross Historic Environment Record. This database of archaeological sites and historic buildings is regularly updated.

Wednesday, 10 May 2023



Local Planner  
Planning and Development  
Perth and Kinross Council  
Perth  
PH1 5GD

Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Steps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

**Land 50 Metres East Of Borland Farm, Glendevon, Dollar, FK14 7JY**  
**Planning Ref: 23/00418/FLL**  
**Our Ref: DSCAS-0086387-R3Z**  
**Proposal: Change of use, alterations and extension to steading to form dwellinghouse**

**Please quote our reference in all future correspondence**

### **Audit of Proposal**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

### **Drinking Water Protected Areas**

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

### **Surface Water**

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

### General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
  - ▶ Site Investigation Services (UK) Ltd
  - ▶ Tel: 0333 123 1223
  - ▶ Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)
  - ▶ [www.sisplan.co.uk](http://www.sisplan.co.uk)

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Ruth Kerr.**

Development Services Analyst

[PlanningConsultations@scottishwater.co.uk](mailto:PlanningConsultations@scottishwater.co.uk)

### Scottish Water Disclaimer:

*"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."*



### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	23/00418/FLL	<b>Comments provided by</b>	Lucy Sumner
<b>Service/Section</b>	Strategy & Policy	<b>Contact Details</b>	<b>Development Contributions Officer:</b> Lucy Sumner [REDACTED]
<b>Description of Proposal</b>	Change of use, alterations and extension to steading to form dwellinghouse		
<b>Address of site</b>	50 Metres East Of Borland Farm Glendevon Dollar FK14 7JY		
<b>Comments on the proposal</b>	<p><b>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</b></p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p><b>Primary Education</b></p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of The Community School of Auchterarder Primary School.</p>		
<b>Recommended planning condition(s)</b>	<p><b>Summary of Requirements</b></p> <p>Education: 1 x £5,164 <b>Total: £5,164</b></p> <p><b>Phasing</b></p> <p>It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant.</p> <p>The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to</p>		

	complete.
<b>Recommended informative(s) for applicant</b>	<p><b>Payment</b></p> <p><b>Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.</b></p> <p><b>Methods of Payment</b></p> <p>On no account should cash or cheques be remitted.</p> <p><b>Scheduled within a legal agreement</b></p> <p>This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.</p> <p><b>NB:</b> The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.</p> <p><b>Other methods of payment</b></p> <p>Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.</p> <p><b>Bank Transfers</b></p> <p>All Bank Transfers should use the following account details;  <b>Sort Code:</b> 834700  <b>Account Number:</b> 11571138</p> <p>Please quote the planning application reference.</p> <p>The Council operate an electronic direct debit system whereby payments may be made over the phone.  To make such a payment please call 01738 475300 in the first instance.  When calling please remember to have to hand:</p> <ol style="list-style-type: none"> <li>a) Your card details.</li> <li>b) Whether it is a Debit or Credit card.</li> <li>c) The full amount due.</li> <li>d) The planning application to which the payment relates.</li> <li>e) If you are the applicant or paying on behalf of the applicant.</li> <li>f) Your e-mail address so that a receipt may be issued directly.</li> </ol>

	<p>Education Contributions For Education contributions please quote the following ledger code: 1-30-0060-0001-859136</p> <p><b>Indexation</b></p> <p>All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p><b>Accounting Procedures</b></p> <p>Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.</p>
<b>Date comments returned</b>	22 May 2023

### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	<b>23/00418/FLL</b>	<b>Comments provided by</b>	Joanna Dick Tree and Biodiversity Officer
<b>Service/Section</b>	Strategy and Policy	<b>Contact Details</b>	██████████ Email <a href="mailto:biodiversity@pkc.gov.uk">biodiversity@pkc.gov.uk</a>
<b>Description of Proposal</b>	Change of use, alterations and extension to steading to form dwellinghouse		
<b>Address of site</b>	50 Metres East Of Borland Farm Glendevon Dollar FK14 7JY		
<b>Comments on the proposal</b>	<p><b>Policy 41: Biodiversity</b> The Council will seek to protect and enhance all wildlife and habitats, whether formally designated or not, considering natural processes in the area. Planning permission will not be granted for development likely to have an adverse effect on protected species unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated.</p> <p><u>European Protected Species</u> All bat species found in Scotland are classed as European protected species. They receive full protection under the Conservation (Natural Habitats, &amp;c.) Regulations 1994 (as amended) making it an offence to disturb a bat in a roost, obstruct access to a roost and damage or destroy a breeding or resting place of such an animal. The impact of development on protected species must be understood before planning permission can be granted.</p> <p>Planning permission will not be granted for development that would, either individually or cumulatively, be likely to have an adverse effect upon European protected species (listed in Annex IV of the Habitats Directive (Directive 92/43/EEC)) unless the Council as Planning Authority is satisfied that:</p> <p>(a) there is no satisfactory alternative, and</p> <p>(b) the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.</p> <p>In no circumstances can a development be approved which would be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range.</p> <p>All methods in the submitted Bat Survey Report are in accordance with best practice. The Report states that no further bat surveys are required as the building has negligible potential for bats.</p> <p><u>Breeding Birds</u> For all wild bird species in Great Britain, it is an offence to intentionally or recklessly kill, injure or take a bird; take, damage, destroy or interfere with a</p>		

	<p>nest of any bird while it is in use or being built; or obstruct or prevent any bird from using its nest.</p> <p>The submitted Bat Survey Report notes the presence of swallows. This proposal could contribute positively to local biodiversity by providing at least three swallow nest boxes on the completed buildings as compensation for destroying bird nests.</p> <p><u>Biodiversity Enhancement</u> Enhancement of biodiversity should be demonstrated in all projects and needs to be site specific based on surveys, location, development size, surrounding habitats and landscape character, and follow ecologist recommendations.</p> <p>The Bat Survey Report includes recommendations for enhancement, and these should be followed in full. Provision of bird nesting boxes, a barn owl box and bat boxes. A plan showing the locations of these should be submitted to the planning authority.</p> <p>Guidance is available in the PKC Planning for Nature Guidance <a href="http://pkc.gov.uk/Planning-Guidance-Planning-&amp;Biodiversity-Perth-&amp;Kinross-Council">Planning Guidance - Planning &amp; Biodiversity - Perth &amp; Kinross Council (pkc.gov.uk)</a></p>
<p><b>Recommended planning condition(s)</b></p>	<p>If you are minded to approve the application then I recommend the following conditions be included in any approval:</p> <ul style="list-style-type: none"> <li>• <b>NE00</b> The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved (document(s) <b>INSERT</b> 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.</li> <li>• Prior to the commencement of development hereby approved, details of the location and specification of <b>three sparrow nest boxes, one barn owl nesting box and three bat boxes</b> shall be submitted for the further written agreement of the Council as Planning Authority. Thereafter, <b>all nest boxes</b> shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit</li> </ul>
<p><b>Recommended informative(s) for applicant</b></p>	<p><b>BATS</b></p> <p>Due to the nature of the proposal, it is important to keep in mind the possibility of finding bats when undertaking construction works. If bats are found during works, the work should stop immediately, and you should contact NatureScot Species Licensing Team for advice. Building works should avoid the times of year when bats are most vulnerable to disturbance. The summer months, when bats are in maternity roosts, and the winter months when bats are hibernating, should be avoided. Typically, early spring and autumn months are the best times to do work that may affect bats. If you suspect that bats are present, you should consult NatureScot for advice. For further information visit the Bat Conservation Trust website</p>

	<p><a href="http://www.bats.org.uk/">http://www.bats.org.uk/</a> . Please note that bats are protected by law, and it is a criminal offence to deliberately harm, capture, kill or disturb a bat or its resting place.</p> <p><b>BION</b> 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.</p>
<b>Date comments returned</b>	25 May 2023

# Memorandum

To Development Management & Building  
Standards Service Manager

From Regulatory Services Manager

Your ref 23/00418/FLL

Our ref CHF

Date 24/05/2023

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **Consultation on an Application for Planning Permission 23/00418/FLL RE: Change of use, alterations and extension to steading to form dwellinghouse at Land 50 Metres East Of Borland Farm Glendevon Dollar for Mr and Mrs MacDonald**

I refer to your letter dated 9 May 2023 in connection with the above application and have the following comments to make.

### **Contaminated Land**

#### Comments

A previous land use that has led to the contamination of a site is generally identifiable from historical records. However, consideration needs to be given to situations where this is not so apparent and there is the potential for contamination to cause a constraint in the redevelopment of specific sites. A good example of this is where there is a proposed use change from agricultural to residential.

Potentially there are a range of contaminants that could be present in agricultural land. This is particularly true of areas used as farmyards which may have contained a variety of buildings that have been put to a number of uses. Aside from the likely presence of made ground any number of chemicals could have been used and potentially leaked or been spilled. The risks associated with this remain difficult to quantify until there has been some form of sampling and chemical analysis of the soils contained within the development area. This will help determine the suitability of the site for the proposed development and whether any measures are needed to mitigate against any risks that have been identified.

Therefore, if planning permission is granted in respect of this development I would recommend that the following condition is applied within the consent.

#### Condition

#### **EH41**

Prior to the commencement of works on site, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken and as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) will be submitted for consideration by the Council as Planning Authority. If after the preliminary risk assessment identifies the need for further assessment, an intrusive investigation should be undertaken to identify;

- I. the nature, extent and type(s) of contamination on the site

- II. measures to treat/remove contamination to ensure the site is fit for the use proposed
- III. measures to deal with contamination during construction works
- IV. condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.





# Memorandum

To Development Management & Building  
Standards Service Manager

From Regulatory Services Manager

Your ref 23/00418/FLL

Our ref OLW

Date 26 May 2023

Tel No [REDACTED]

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Consultation on an Application for Planning Permission

**PKC 23/00418/FLL RE: Change of use, alterations and extension to steading to form dwellinghouse, Land 50 Metres East Of Borland Farm Glendevon, Dollar for Mr and Mrs MacDonald**

I refer to your letter dated 9 May 2023 in connection with the above application and have the following comments to make.

### Environmental Health

#### Recommendation

I have no objections to the application but recommend the undernoted informative be included on any given consent.

#### Comments

This application is for alterations and extension to a steading to form a dwellinghouse, which will include the provision of two woodburning stoves.

#### Air Quality

Perth and Kinross Council have a duty to assess biomass boilers for capacity within the range of 50kW to 20MW in terms of nitrogen dioxide and particulate matter based on their effect on air quality in the area. Though the application does not include any information on the stoves, they are likely to be domestic sized and therefore I have no adverse comments to make with regards to air quality.

#### Odour

Another matter pertaining to the stoves which could cause an issue has the potential for smoke or odour disamenity. This Service has seen an increase in complaints with regards to smoke and odour due to the installation of biomass appliances. This can be caused due to poor installation and maintenance of the biomass appliances and also inadequate dispersion of emissions due to the inappropriate location and height of a flue with regards to surrounding buildings.

I note from the submitted plans that both stoves exit via a chimney which will terminate above roof ridge height, aiding in the dispersion of emissions. I would advise that

smoke/odour could be further minimised through the use of fuel recommended by the stove manufacturer.

In light of the above, the residential amenity at neighbouring dwellinghouses should not be adversely affected by smoke/odour.

I would therefore have no objections to this development provided that the following informative is attached to the consent.

### **Informative**

The approved stove system shall be installed and thereafter operated and maintained in accordance with the manufacturer's recommendations, such that smoke odours are not exhausted into or escape into any neighbouring dwellings. Failure to do so may result in an investigation and possible action by Environmental Health under the Environmental Protection Act 1990.



### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	23/00418/FLL	<b>Comments provided by</b>	Lachlan MacLean Project Officer – Transport Planning
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	TransportPlanning@pkc.gov.uk
<b>Description of Proposal</b>	Change of use, alterations and extension to steading to form dwellinghouse		
<b>Address of site</b>	50 Metres East Of Borland Farm, Glendevon, Dollar FK14 7JY		
<b>Comments on the proposal</b>	<p>The applicant is proposing to convert and extend the existing steading building to create a new dwellinghouse with four bedrooms.</p> <p>The vehicle access to the public road network for the property will be via the existing vehicle access to the site on a private track from the A823.</p> <p>The application states parking will be provided on site for one vehicle, which falls short of the requirements of the National Roads Development Guide. The size of the dwellinghouse attracts three car parking spaces, as such the applicant shall provide a further two parking spaces on site. <b>A condition is recommended to comply with standards.</b></p> <p>Insofar as the Roads matters are concerned, I have no objections to this proposal on the following conditions.</p>		
<b>Recommended planning condition(s)</b>	<p>Prior to commencement of any development on site, a detailed design showing the position of three car parking bays shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority. The car parking bays, as approved in writing, shall be implemented and permanently retained in accordance with the approved details to the satisfaction of the Council as Planning Authority prior to the development being brought into use.</p> <p>Reason – To provide adequate on site car parking to comply with the National Roads Development Guide.</p>		
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	30 May 2023		



**By email to:**  
**Developmentmanagement@pkc.gov.uk**

Perth and Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131-668-8716  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300065769  
Your ref: 23/00417/LBC  
29 May 2023

Dear Perth and Kinross Council

Planning (Listed Building Consent and Conservation Area Consent Procedure)  
(Scotland) Regulations 2015  
Land 50 Metres East Of Borland Farm Glendevon Dollar FK14 7JY - Alterations and  
extension to steading to form dwellinghouse

Thank you for your consultation which we received on 16 May 2023. The proposals  
affect the following:

<b>Ref</b>	<b>Name</b>	<b>Designation Type</b>
LB11794	BORLAND	Listed Building

### **Our Advice**

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

### **Further Information**

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-)

[historic-environment-guidance-notes/](#). Technical advice is available through our Technical Conservation website at [www.englished.org](http://www.englished.org).

Yours faithfully

**Historic Environment Scotland**

Design Statement

Conversion and Extension of Existing Steading at  
Boreland Farm, Glendevon.  
FK14 7JY.

March 2023.



This report has been prepared by Saran Architects to illustrate the design approach taken whilst developing the planning information for the proposed conversion, restoration and extension of an existing steading building at Boreland Farm in Glendevon. The content of this report will focus on the following areas:

- 1.0 Introduction
- 2.0 Site Details
- 3.0 Existing Seading
- 4.0 Brief
- 5.0 Design
- 6.0 Materials
- 7.0 Impact on Surroundings
- 8.0 Energy
- 9.0 Conclusion
- 10.0 CGIs



**1.0 Introduction**

The Boreland Farm applicant first approached Staran Architects after watching a television program which followed the construction of one of Staran's earlier projects to conserve, refurbish and extend the Gardener's Bothy on the Briglands Estate near Kinross. This earlier project has many similarities to this application as they both involve the sensitive refurbishment of an existing Category B listed building; both involve increasing the original listed buildings floor area by more than 25% and are both situated within the Perth and Kinross local authority. Additionally, both developments have a similar existing floor area with Gardener's Bothy measuring 53 sq.m and Boreland Farm's existing listed steading building measuring 51 sq.m. The approved extension to the Gardener's Bothy was 180 sq.m., whereas this application involves a 160 sq.m extension to the floor plate of the listed steading. Furthermore, both developments aim to provide a family home within the rural community of Perth and Kinross.





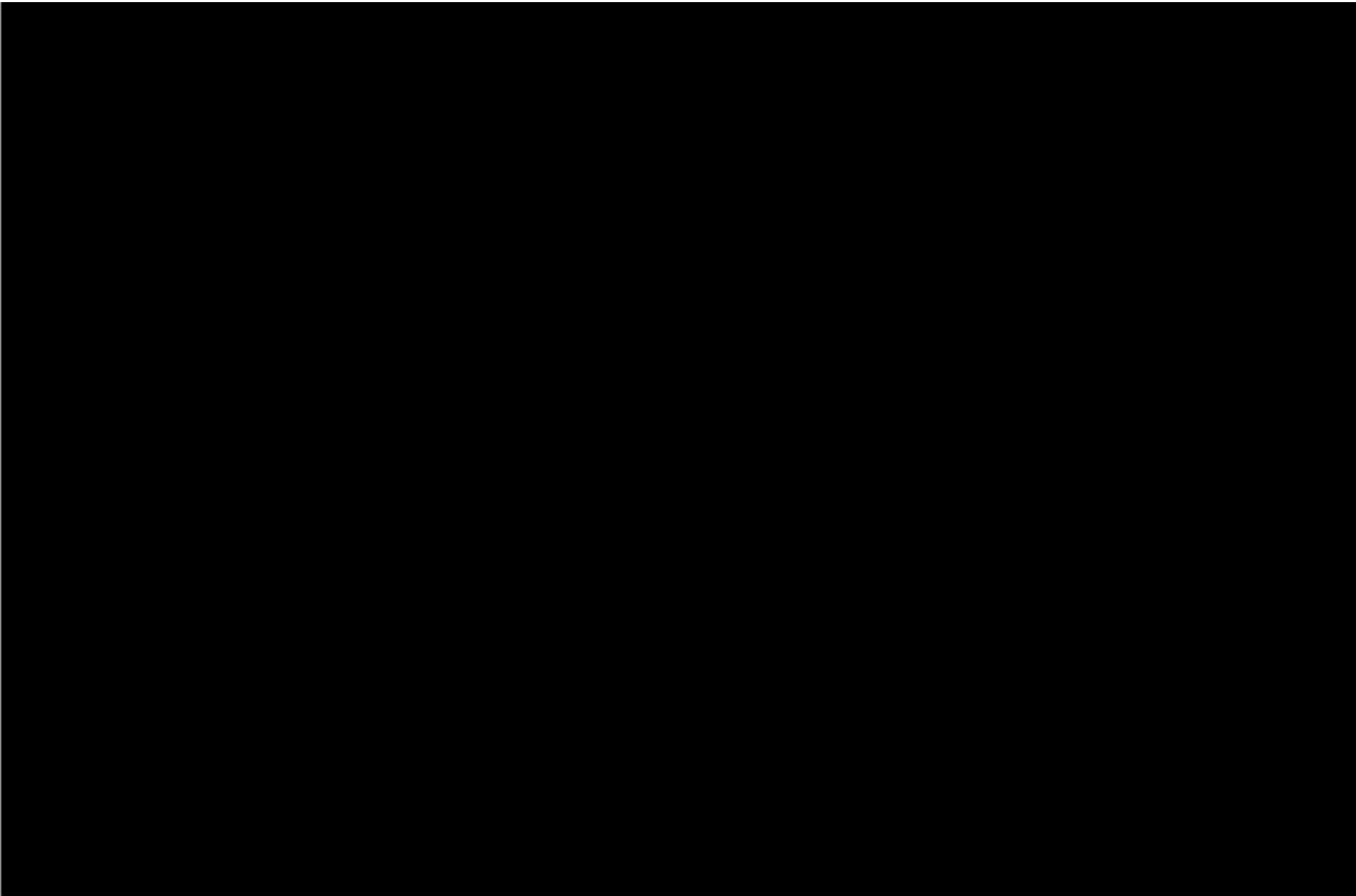
**2.0 Site Details**

The existing steading building to be converted is located within a cluster of building at Boreland Farm in Glendevon. The steading along with the main farmhouse and two other steading blocks are Category B listed. The farm is accessed from the A823 which sits below the site to the south. Due to the surrounding countryside topography and elevation of the site above the A823, the farm and associated buildings are completely screened from views from the A823. Furthermore, once you have entered the cluster of farm building, the steading to be converted only become visible once you've passed through and are leaving the original cluster of farm buildings. Conversely, the farm and site have commanding views across Glendevon.

The following images illustrate the journey to the Boreland Farm from the A823.



**Journey to the Site**

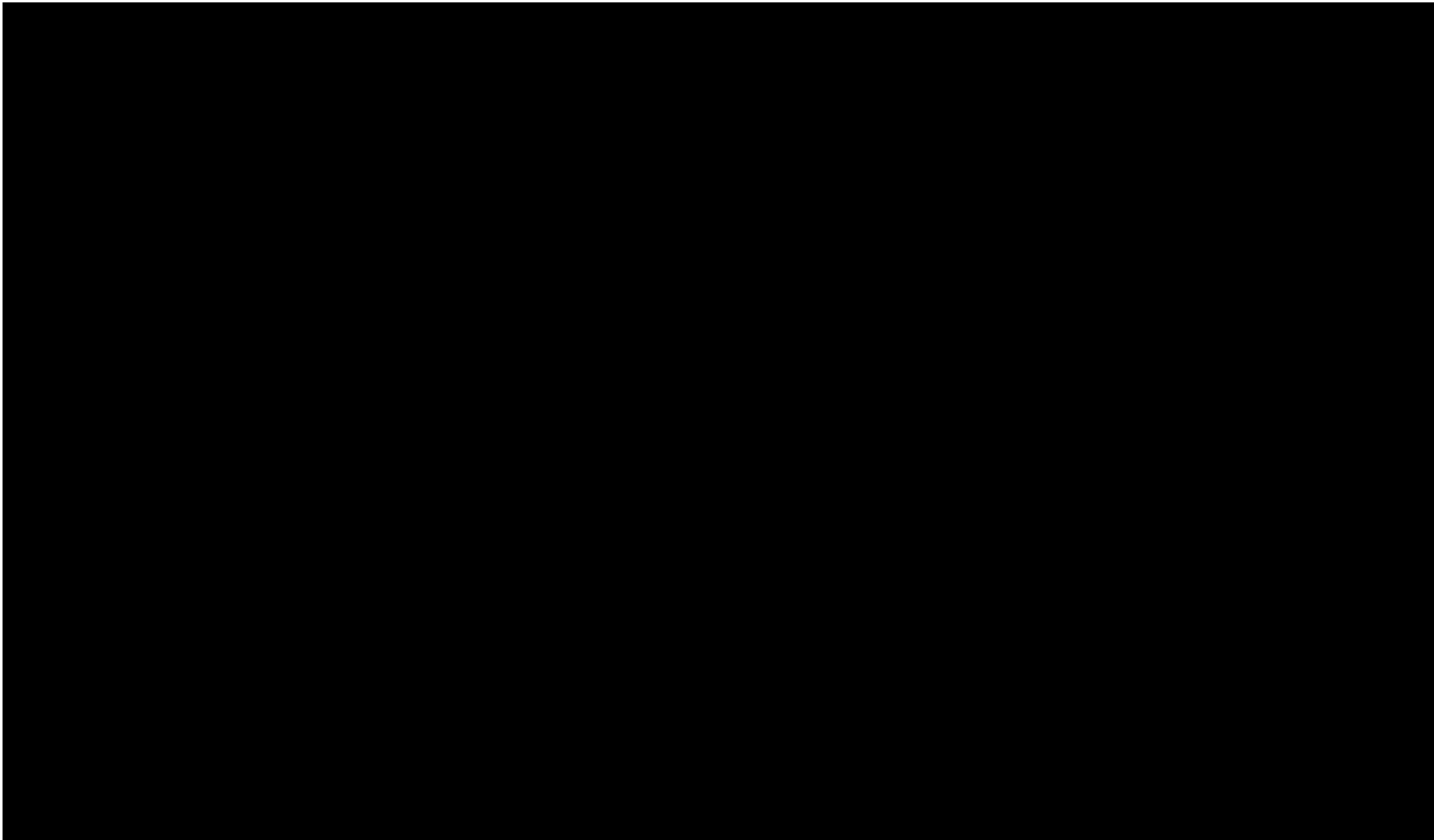


The following images illustrate the journey through the cluster of buildings at Boreland Farm before the listed steading building and site become visible.



**Journey Through the Cluster of Farm Buildings**



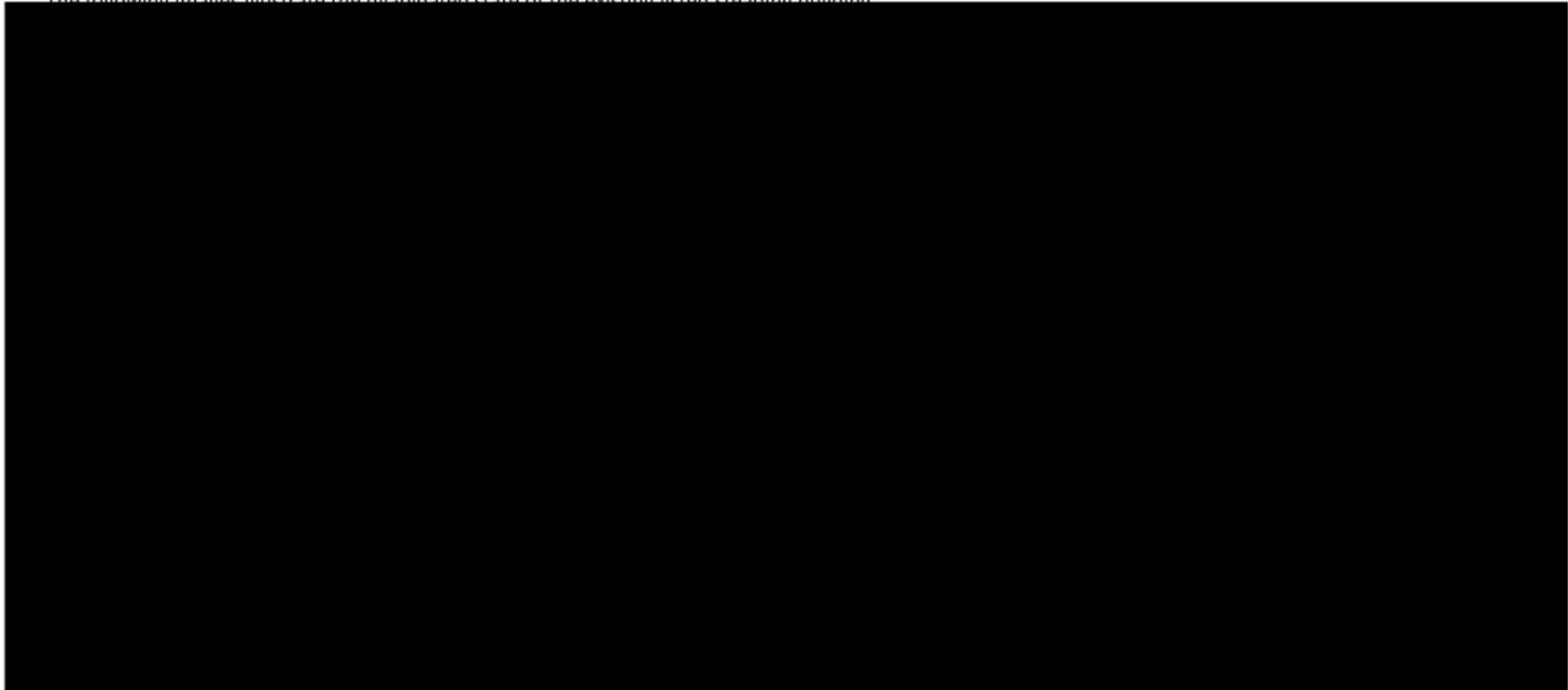


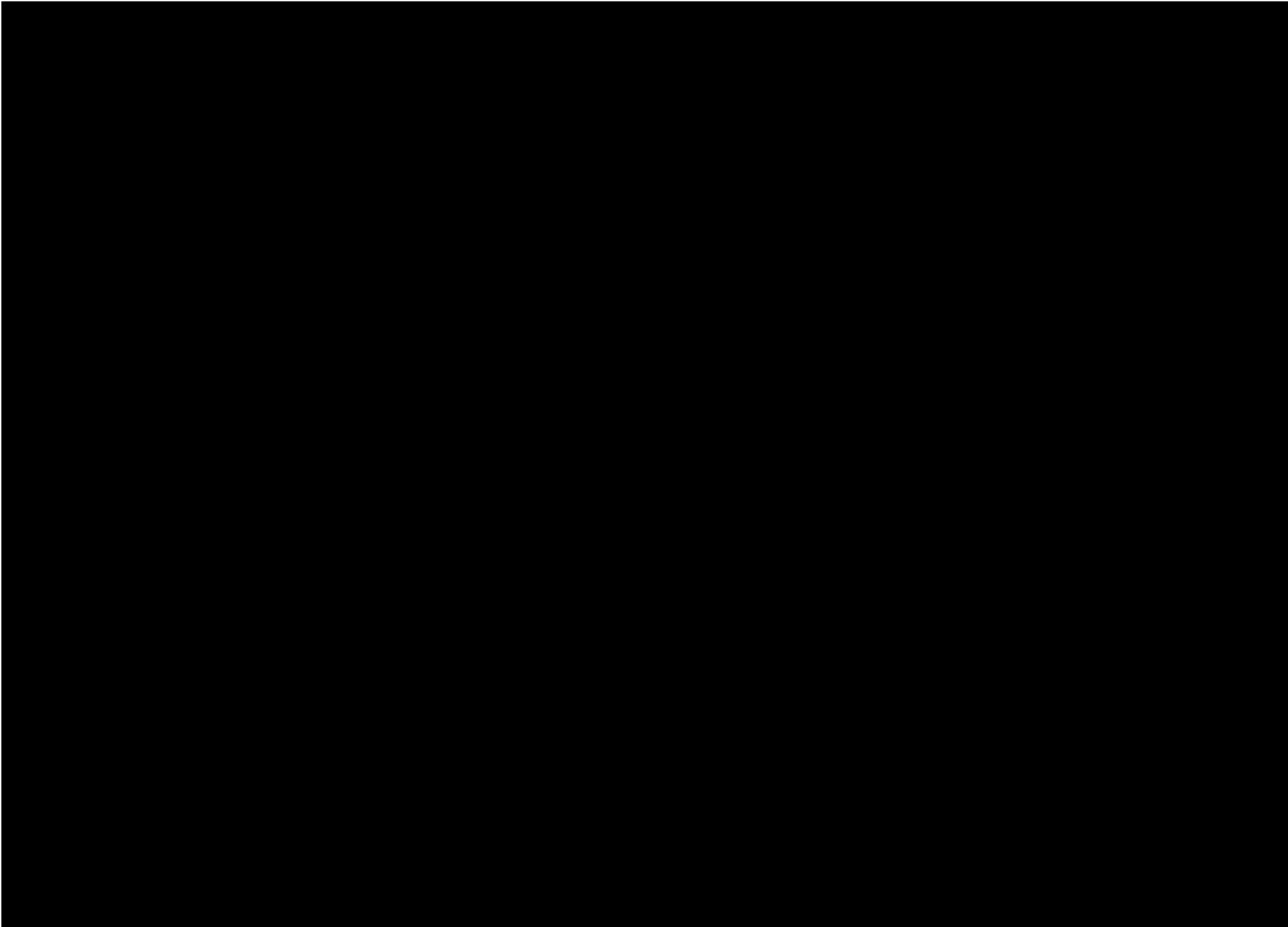
### 3.0 Existing Steading

The existing Category B listed steading building that the applicant proposes to refurbish and extend has a simple low-lying form with standing gables. Unfortunately, it is in a poor state of repair and requires significant investment to restore it. It is not economically viable to restore the building to its original purpose when there are far more cost-efficient modern farm storage solutions readily available on the market. Given the steading's current state, realistically this development is likely to be last opportunity to save the steading before it becomes derelict.

It is acknowledged that Perth and Kinross' supplementary planning guidance states "in general, no more than 25% of the total units or footprint should comprise new build development". However, to apply general guidance to such a unique opportunity to save the listed steading would seem unsustainable and arguably directly conflicting with one of the key aims of The National Planning Framework 4 which seeks to improve the sustainability of development across the country. As noted earlier it is not economically viable to restore the steading to its original purpose, therefore, converting to a dwelling for the applicant's family is the only option that appears feasible. Yet, if you apply this general guidance that any new build element should be restricted to 25% of the original 50sq.m. existing steading building it would only provide 62.5 sq.m overall. The resultant increase of the steading building's area would be unable to support the accommodation required by the applicant family. In truth, it would also be unable to support the minimum design standards of a 2-bedroom apartment within some local authorities.

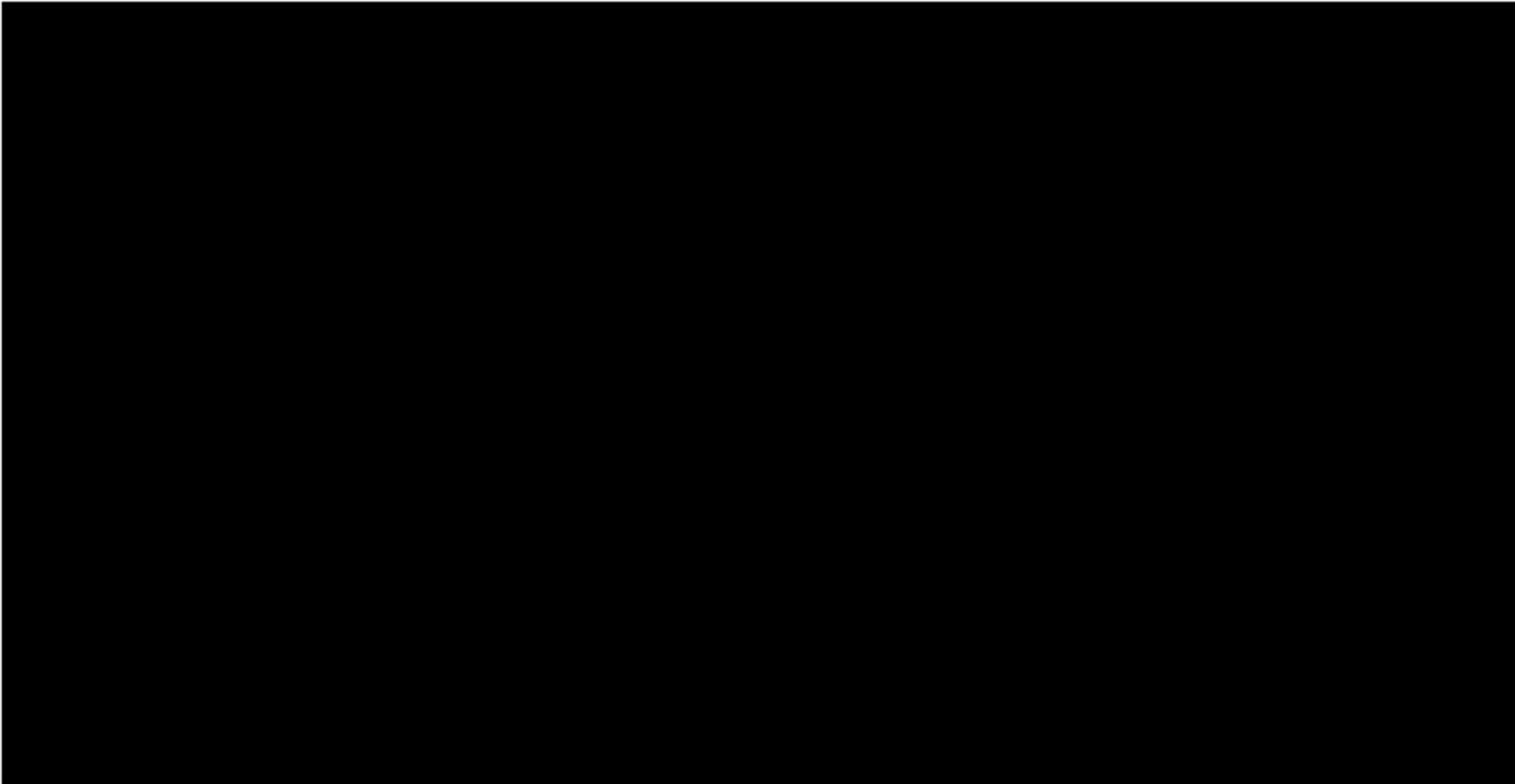
The following images illustrate the dilapidated state of the existing listed steading building.





**4.0 Brief**

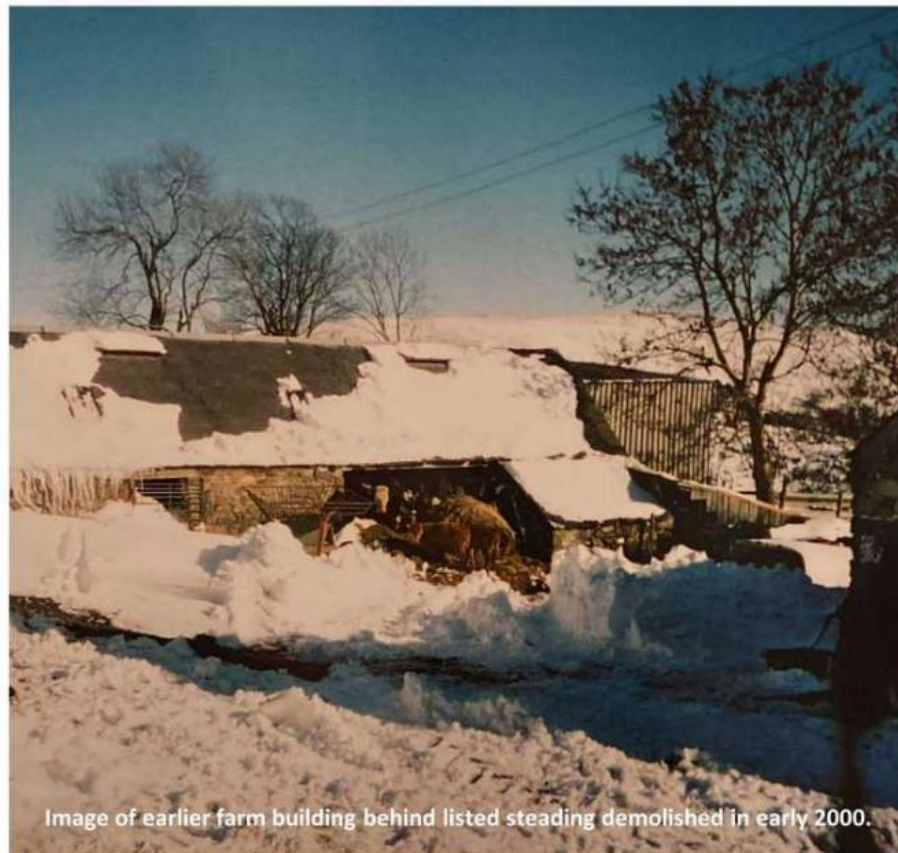
Borland Farm has been owned and managed by the applicant’s family for over a century. It is currently owned and run by the applicant’s father Mr Paterson, who is the third generation in the family to run the farm. Mr Paterson is in his 70s and now his daughter Claire and her family help run the farm and care for the rare breed pedigree breeding Clydesdale Horses, pedigree Hampshire Down and Blackface sheep flocks. Currently Claire and her family live in the Crook of Devon, however, this arrangement is not sustainable as Claire and her family require to be on farm around the clock, 7 days a week to provide the animal husbandry and welfare that the farm’s livestock demand. The current living accommodation on site is the farmhouse which only has two bedrooms and will not support Claire, her husband and three children. The proposals aim to provide the accommodation on site that the family require in order to continue to work the farm and secure its future for the next generations of the Paterson family. Additionally, the support Claire and her family will be able to provide, will ensure Mr Paterson can continue to live on the farm where he was born on and has lived all his life.

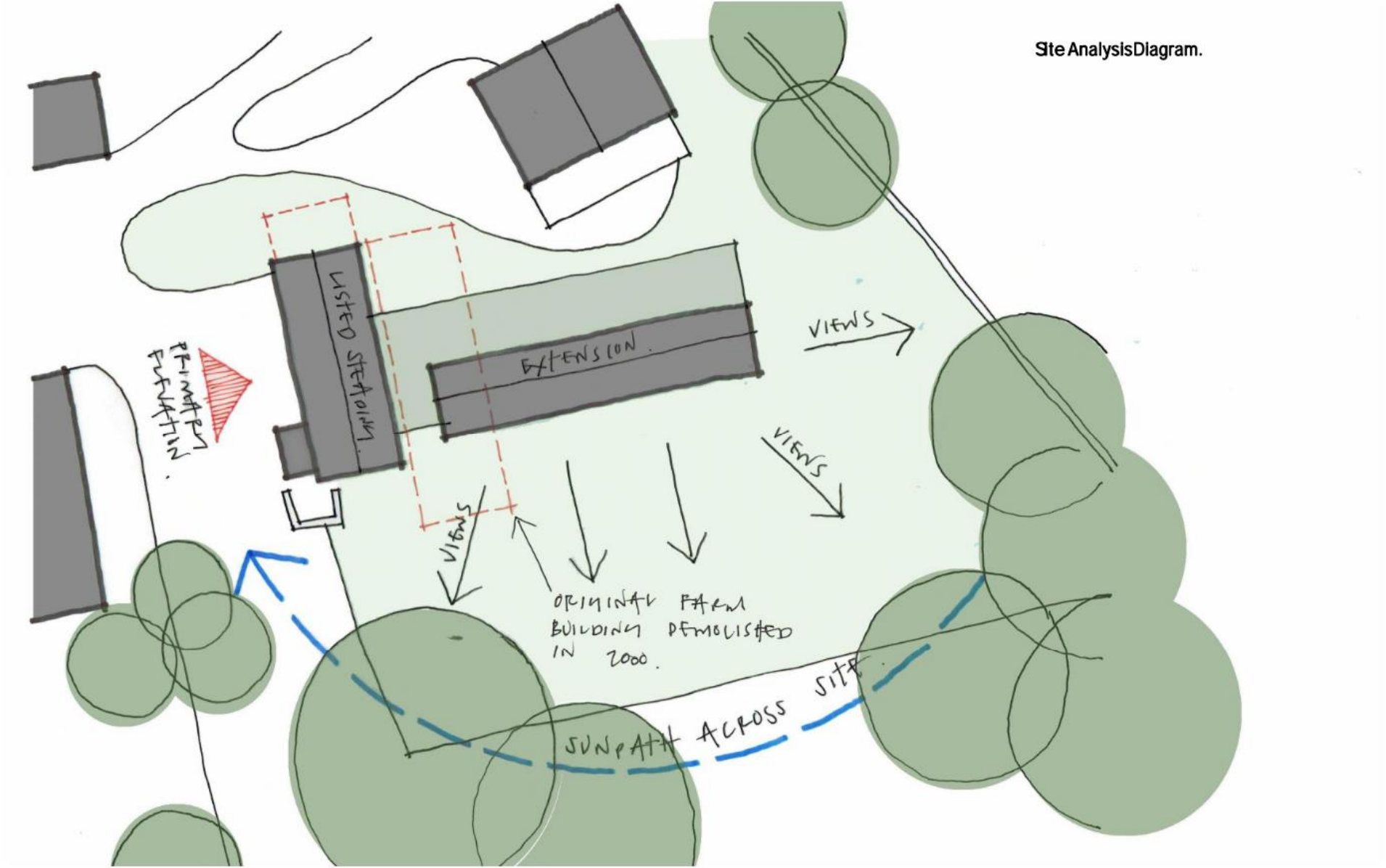




## 5.0 Design

Similar to an earlier farm building on the site that was demolished in early 2000, the proposed extension sits behind the primary west elevation of the listed steading. In contrast, the extension's design and position are more respectful in its relationship to the steading. The new extension proposal mirror and complement the existing steading's form. However, the extension is subservient to the steading, its ridge height is lower, and its building line is set back from the steading's south facing gable end. The extension is perpendicular to the steading, which mirrors the relationship of the existing farmhouse which sits perpendicular to one of the other listed steadings. Furthermore, the relationship between the steading and extension not only ensures that the new accommodation has views over Glendevon, but also that the extension is screened by the listed steading on the approach to its primary west facing listed elevation. Ancillary accommodation such as the kitchen, bathroom and stores are situated to the extension's north side and are dug into the slope of the site to reduce the mass of the accommodation required by a large family. There is a flat green roof proposed over the ancillary accommodation, again to reduce the overall mass and help this building element blend into the landscape. Rather than mimic the architectural style of the listed steading which could be viewed as pastiche, the extension's aesthetic is contemporary. The new build pitched roof and standing gables present a form that relates to the existing steading and domestic rural architecture. However, the stripped back minimalist aesthetic ensures an entirely contemporary modernist architecture to ensure its distinction from the steading. The new single storey link between the steading and the extension is set even further back from the gable of the steading to create a positive break between the steading and new extension. This break ensures that the individual architectural identities of both the steading and extension are maintained, and they sit alongside each other comfortably. The overall composition of the development is that the new build element can be viewed as adding to the existing cluster of Boreland Farm buildings.





**6.0 Materials**

The predominate materials proposed for the extension are slate roofing to match the existing listed steading and dressed heartwood rainscreen cladding. Not only do these materials require little maintenance, but they are also completely recyclable. Over time the heartwood rainscreen cladding will weather to a silver grey and compliment the colour tones of the existing stone to the steading. Primarily these materials were chosen to provide a contrast between the existing listed steading and the new build element so that the architectural identity of both old and new are maintained. Additionally, they have also been chosen to reflect materials often used in an agricultural architecture, thereby, respecting the steading's setting and original use. Furthermore, this refined material palette combined with the extension's simple geometry, crisp detailing all aim to ensure a contemporary and enduring architectural aesthetic. Again, aiding to maintain the more traditional architectural identity of the existing listed steading but ensuring the new build element sits comfortably and respectfully alongside it.

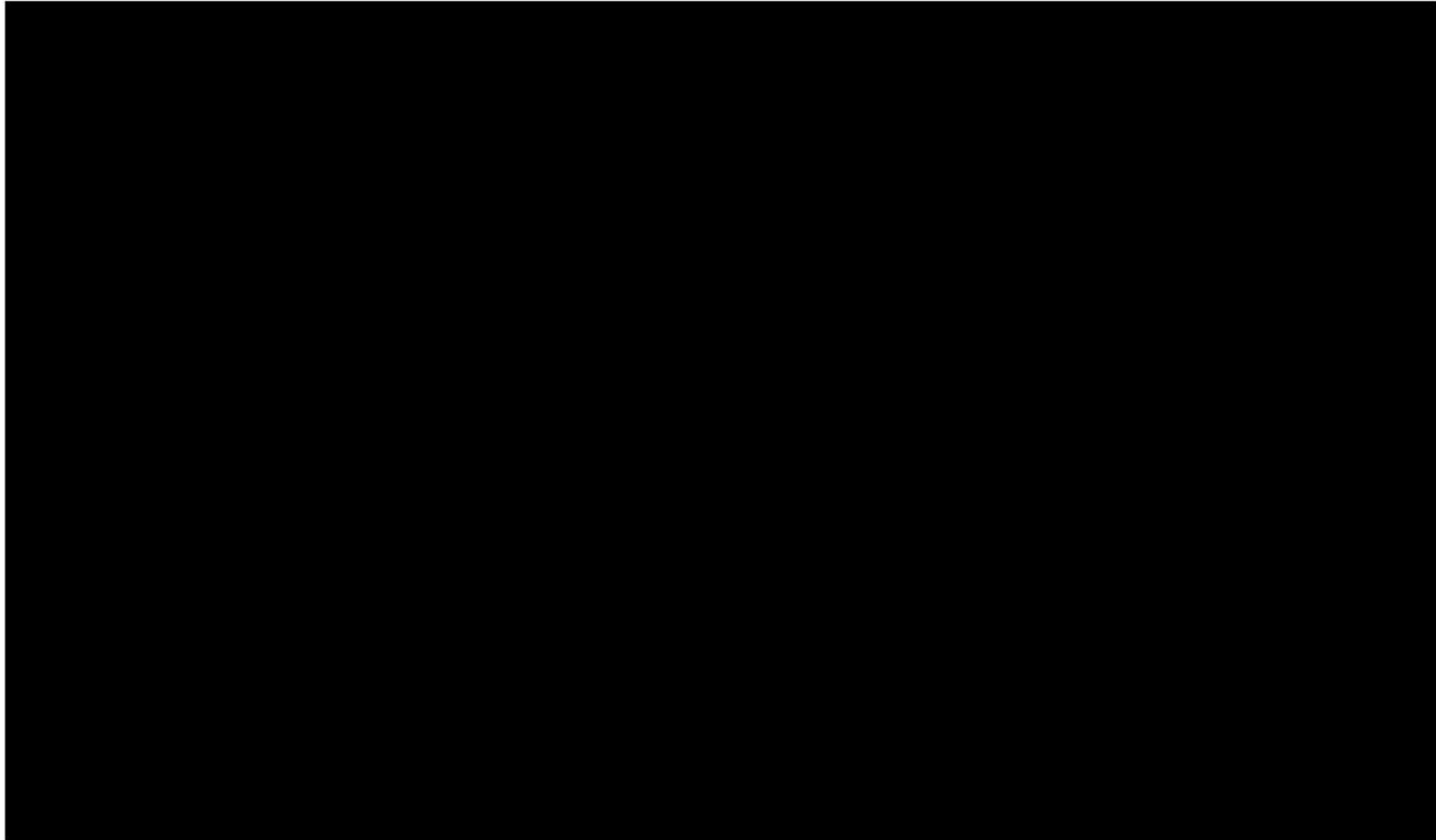


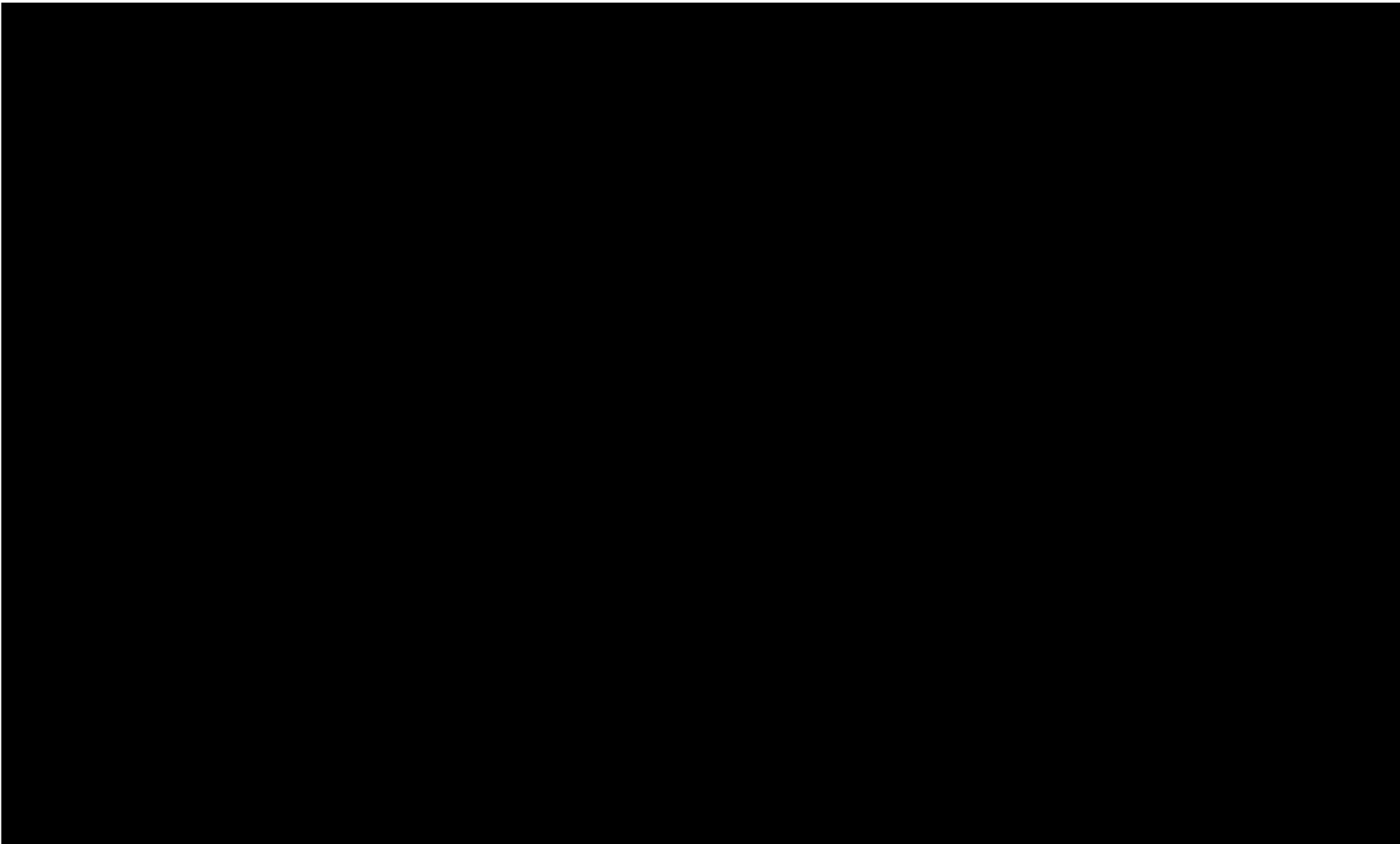
Examples of Contemporary Architecture in Traditional Form.



**7.0 Impact on Surroundings**

As noted previously, due to the surrounding countryside topography and elevation of the site above the A823, the farm and associated buildings are completely screened from views from the A823. However, the following images demonstrate the modest impact the development will have on the immediate surrounding.





## 8.0 Energy

The existing steading's building fabric and the new extension will be upgraded and constructed to ensure a highly energy efficient dwelling comparable to modern housing standards. The design will employ best principles for natural daylighting and ventilation. The construction will include high levels of insulation, energy efficient glazing and construction detailing to ensure the building has an appropriate air tightness level. An appropriate renewable energy source such as ground or air source heat pump and solar PVs will be incorporated to reduce the properties reliance on fossil fuels and reduce its associated carbon footprint.

## 9.0 Conclusion

In conclusion, the development and extension have been carefully considered to ensure it respectfully enhances, connects and sits alongside the existing listed steading. The proposals do not constitute overdevelopment of the generous site and have no adverse impact on daylighting, sunlight or privacy to neighbouring buildings. The extension has been carefully positioned so it is set well back from the steading's south facing gable and it is screened from view when approach the steading's primary west facing elevation. Additionally due to the site topography, the development will not be seen from the A823. The new house will present an energy efficient home built with high-quantity recyclable materials to ensure the property is upgraded and is comparable with modern housing standards and is fit for purpose. In summary, the proposal has been carefully considered to ensure a contemporary modern and enduring design which is not detrimental to the character of the existing listed steading, Borland Farm or the surrounding area. The proposals will secure the ownership of the farm for the future generations of the Paterson family and enable Mr Paterson to stay at the farm where he has stayed his entire life. Furthermore, it will secure the listed steading that will otherwise be lost to ruin without this investment.

10.0 CGIs









**AVISON  
YOUNG**



# **Boreland Farm Planning and Heritage Statement**

Mr and Mrs MacDonald

March 2023

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## Appendices

- Appendix 1** Location Plan
- Appendix 2** Historic Environment Scotland Building Listing – LB11794
- Appendix 3** Historic Maps
- Appendix 4** Development Plan Policies

**Report title:** Boreland Farm: Planning and Heritage Statement

**Prepared by:** Oliver Munden/Lewis Robins

**Status:** Final

**Draft date:** March 2023

**For and on behalf of Avison Young (UK) Limited**

# 1. Introduction

- 1.1 This Planning Statement is prepared on behalf of Mr and Mrs MacDonald in respect of a Detailed Planning Application and Listed Building Consent for a conversion and extension to a steading to form a residential dwelling, at Boreland Farm, Glendevon.
- 1.2 This Planning Statement assesses the proposals against the Development Plan and other material considerations and in doing so, comprises the following sections:
- Section 2: Site and Surroundings
  - Section 3: The Proposals
  - Section 4: Statutory Provisions
  - Section 5: Planning Policy Assessment
  - Section 6: Conclusions
- 1.3 This planning statement will sit alongside other technical documents which have been collated to form the planning application submission.

## 2. Site and Surroundings

- 2.1 The site is located within the established, family-run, Boreland Farm situated to the north-west of the village of Glendevon in Perth and Kinross.
- 2.2 A site location plan is provided below and reproduced in **Appendix 1**.

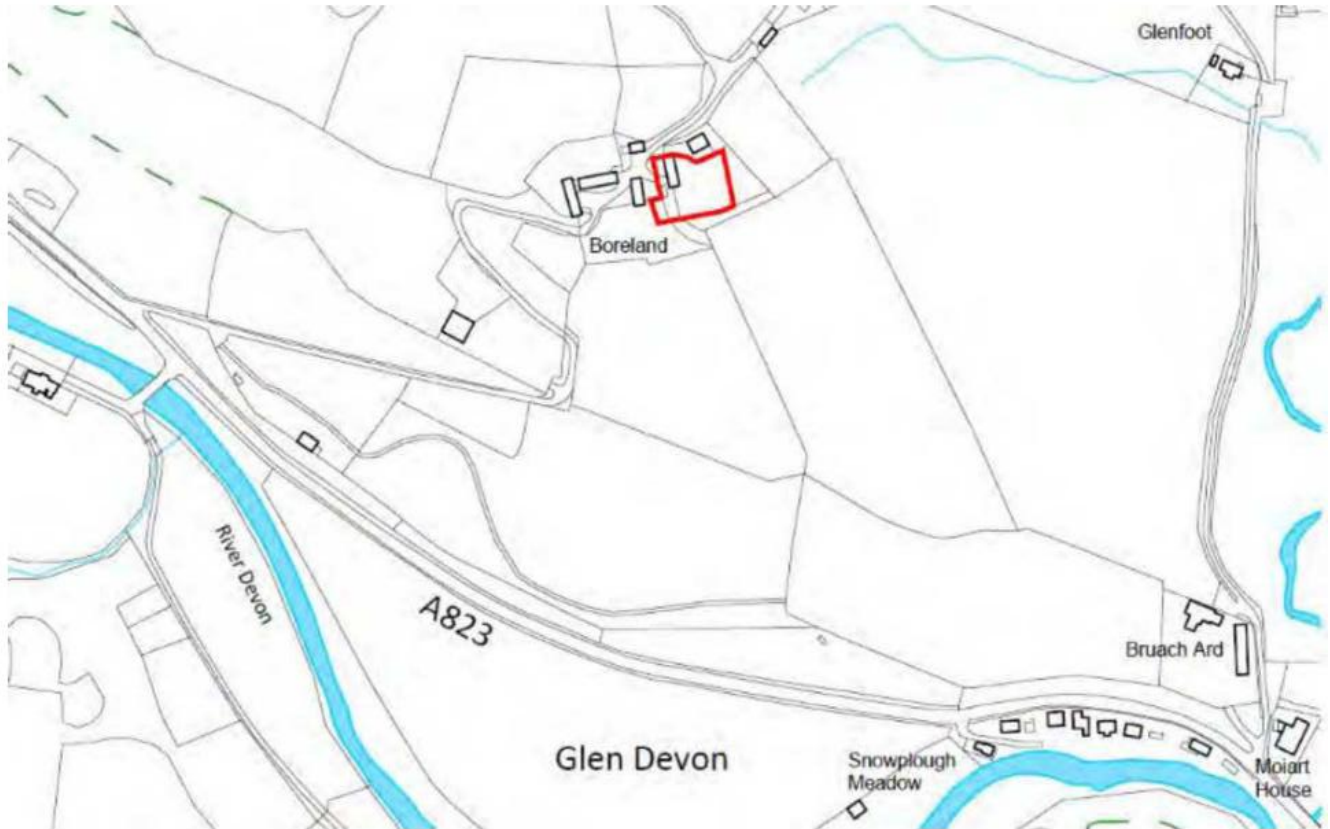


Figure 1: Extract from location plan

- 2.3 The site is surrounded by a cluster of farm buildings and steadings to the west. Boreland Farm has been owned and managed by the applicant's family for over a century. It is currently owned and run by the applicant's father, who is the third generation of the family to run the farm.



Figure 2: View of steading subject of this appraisal



*Figure 3: Land to east of steading showing location of proposed extension*



*Figure 4: Picture of the main farmhouse to the west of the site*

- 2.4 The steading along with the main farmhouse and two other steading blocks are Category B listed as one cluster (a copy of the listing is available as **Appendix 2**). The farm is accessed from the A823 which sits below the site to the south west. Due to the surrounding topography and elevation of the site above the A823, the farm and associated buildings are completely screened from views from the A823. Conversely, the farm has commanding views across Glen Devon.
- 2.5 The steading presently has limited primary function, mainly being used for long term storage of miscellaneous and generally unused farm equipment due to the disrepair the building lies in. To the rear of the steading, there is a large open space in which the proposed extension is located. There is a sizeable space directly in front of the steading in which one or two cars could be parked.

- 2.6 Outwith the cluster of farm buildings, this site lies in a large area of open countryside. Other residential dwellings are scattered across the glen; with a property to the east being over 300m away and a property to the south-east being over 350m away.
- 2.7 As noted, Boreland Farm is situated to the north-west of Glendevon. The small village has a number of houses as well as a hotel and restaurant. In addition to this, due to its proximity to Auchterarder and Gleneagles, there is a range of holiday-type accommodation along the glen and within Glendevon itself. Boreland Farm is within a short driving distance of the village where the family are well known.

## Planning history

- 2.8 Having researched the Perth and Kinross planning portal, there is no planning history publicly available for this site. The single-storey farmhouse was built in 1765 and was reconstructed as a 2-storey, 3 window house in the early 19<sup>th</sup> Century. At the same time, the 3 additional steadings were built, where they still remain 200 years later. This cluster of four buildings was officially listed in 1971, with a copy of the listing available as **Appendix 2**. A number of historic maps are included as **Appendix 3**.
- 2.9 A number of farm related buildings have been delivered across the wider site, which have benefitted from permitted development rights due to their agricultural nature. This included a lean to extension at the north and south of the steading building subject of this application (c. 1960's) which is identified in the images below.



*Figure 5: Former lean to adjacent to steading*



*Figure 6: Former lean to adjacent to steading*

- 2.10 In addition, a hay shed was constructed in the 1960's to the immediate north east of the main farmhouse, with a further stable building constructed to the north east of the steading subject of this application. This is shown in Figure 3 above and was constructed in 2010 to accommodate 4 rare breed pedigree, breeding Clydesdale horses.



### 3. The Proposals

- 3.1 This section of the report outlines the proposals in more detail. As mentioned in the previous section, Boreland Farm has been owned and managed by the applicant's family for over a century. With the applicant's father, now in his 70s, his daughter (the applicant) and her family are increasingly helping with the day-to-day running of the farm. It is the intention that the applicants father will soon retire leaving the running of the farm to his daughter (the applicant) and her family.
- 3.2 The current residential accommodation on the farm is within the main farmhouse which only has two bedrooms. Evidently, this will not support Mrs MacDonald, her husband and their three children. These proposals aim to provide the accommodation on site that the family require in order to allow for the continued operation of the farm and to secure the future for the next generation of the family.
- 3.3 As noted in the Design Statement, the family currently reside in the Crook of Devon. In order for the family to be able to appropriately provide the husbandry and welfare that the farms livestock demand 7 days a week, this development seeks to allow the family to relocate within much closer proximity to their farming responsibilities. Furthermore, Mrs MacDonald and her family view these proposals as an opportunity to save the listed steading that, without this investment, would otherwise be lost to ruin.
- 3.4 The listed steading is built from stone with a traditional slate roof. As mentioned, it is in a poor state of repair and requires significant investment in order to bring it back into use through the restoration process. The application includes a number of photographs which identify the current state of the buildings. Given the steadings current state, the proposed development is likely to be the final opportunity to restore the steading before it becomes derelict and beyond economic repair.



*Figure 7: Picture of the steading showing current disrepair*



Figure 8: Picture of the steading showing current disrepair

- 3.5 The design statement provides further information on the proposed development, including the materials, scale and design. The proposed extension is designed to mirror and complement the existing steadings form. Despite this, the extension has been designed to be subservient to the original steading, with a lower ridge height and building line which is set back from the steadings gable end. In order to maximise the views the property will boast, the extension is perpendicular to the steading. This also ensures the extension will be screened by the existing steading upon approach.
- 3.6 The design statement goes on to provide further detail of the accommodation proposed:
- “Ancillary accommodation such as the kitchen, bathroom and stores are situated to the extension’s north side and are dug into the slope of the site to reduce the mass of the accommodation required by a large family. There is a flat green roof proposed for over this ancillary accommodation, again to reduce the overall mass and to help this element of the building to blend into the landscape. Rather than mimic the architectural style of the existing steading which could be viewed as pastiche, the extension’s aesthetic is contemporary. The new build pitched roof and standing gables present a form that relates to existing steading and domestic rural architecture. However, the stripped back minimalist aesthetic ensures an entirely contemporary modernist architecture to ensure its distinction from the original steading. The new single storey link between the steading and the extension ensures that their individual architectural identities are maintained, and they sit alongside each other comfortably. The overall composition of the development is that the new build element can be viewed as adding to the existing cluster of Boreland Farm buildings.”*
- 3.7 The proposed development has been carefully considered and well-designed with the topography, landscape and history of the area in mind in order to enhance the natural surroundings of the site. Additionally, factors such as lighting, privacy, energy and materials have all been carefully incorporated into the design process and demonstrated within the design statement.



*Figure 9: Extract of proposed building elevations*

## 4. Statutory Provisions

- 4.1 As outlined above, this planning and heritage statement is submitted in support of concurrent applications for planning permission and listed building consent. The relevant statutory provisions and legislative context for each of the applications is outlined below.

### Planning Application

#### Town and Country Planning (Scotland) Act 1997

- 4.2 Section 25 of the Town and Country Planning (Scotland) Act 1997 (the Principal Act) states that the determination of planning applications should be made in accordance with the development plan unless material considerations indicate otherwise.
- 4.3 This is further set out in section 37(2) of the Principal Act which states that in determining applications, *"the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations."*

#### Planning (Listed Building and Conservation Areas) (Scotland) Act 1997

- 4.4 As a listed building, Section 59(1) of the (Listed Building and Conservation Areas) (Scotland) Act 1997 (LBCA Act) is also applicable and sets out the general duty as respects listed buildings in exercise of planning functions. This states *"in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess."*
- 4.5 Section 64 of the LBCA Act must also be considered in the context of the site's location within a conservation area and sets out the general duty as respects conservation areas in exercise of planning functions. This places a general duty on planning authorities relative to conservation areas and states that *"special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

### Listed Building Application

#### Planning (Listed Building and Conservation Areas) (Scotland) Act 1997

- 4.6 The relevant statutory provision for the assessment of listed building applications is the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997. In making decision on listed building applications, section 14(2) is applicable and requires the Planning Authority, or Scottish Ministers, in considering whether to grant Listed Building Consent for any works to *"have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"*.

## 5. Planning Policy Assessment

- 5.1 In the context of these proposals, the National Planning Framework 4 (adopted February 2023) (“NPF4”) alongside the Perth and Kinross Local Development Plan 2 (adopted November 2019) (“LDP”) comprise the development plan which are to be considered in the assessment of these proposals.
- 5.2 In order to fully assess the policies outlined in **Appendix 4** of this report, this section appraises the application proposals against the Development Plan and material considerations established in the previous section of this report. From this process, we consider that the key considerations are:
- The principle of development in this location
  - The impact of development on listed buildings
  - The design approach to development
  - Environmental considerations

### The Principle of Development in this Location

- 5.3 As mentioned previously in Section 3 of this report and within the submitted Design Statement, the requirement to deliver a new residential property at this location is to secure the future of Boreland Farm within a single family line. This significant history spans five generations, with the proposed development allowing the next generation to continue running this established farm for many years to come. Furthermore, the renovation and conversion of a redundant listed building to form a new, residential dwelling ensures the historic character of this location can be retained.
- 5.4 The location of the proposed development requires **Policy 9: Brownfield, vacant and derelict land and buildings, Policy 29 Rural Development** and **Policy 17: Rural Homes** of NPF4 and **Policy 19: Housing in the Countryside** of the LDP to be considered. Policy 7 provides explicit support for the “reuse of existing buildings” which these proposal seek to achieve.
- 5.5 Policies 17 and 29 of NPF4 provide support for rural homes and development where proposals comply with one or more criteria as set out in policy. As is clear, the proposals comply with a number of these criteria as they relate to the reuse of a redundant building, and to support the sustainable management of a rural business where there is an essential need for a workers to live on the site. We therefore consider the proposals comply with and are supported by Policy 17 and 29.
- 5.6 Turning to Policy 19 of the LDP, the policy makes it clear that the Council will support proposals in the countryside which fall into at least one of the categories as set out within the policy. These proposals satisfy Policy 19 by aligning both points 1 and 5 (‘building groups’ and ‘conversion or replacement of redundant non-domestic buildings’). We address both of these criteria below in the context of the policy and the **Housing in The Countryside Supplementary Guidance** (SG).
- 5.7 Category 1 relates to building groups, defining these as groups of buildings which do not have a defined settlement boundary. The SG further notes that a building group can be defined as 3 or more existing buildings of a size at least equivalent to a traditional cottage. The proposed site for the renovation, conversion and extension of the redundant listed building this proposal relates to is within a group of four listed buildings (as demonstrated by the building listing at **Appendix 2**) situated in close proximity to one another, alongside two further, unlisted, outbuildings. It is therefore clear that the proposals meet with Category 1 as it lies within a defined building group.
- 5.8 Whilst this demonstrates that the proposals fall into Category 1, a number of criteria also need to be addressed. These matters of visual amenity, scale, character and residential amenity are considered

within the design statement submitted alongside this application, however in summary it is demonstrated that the design of the proposals ensure that the building would be appropriate in its setting. Please refer to the submitted Design Statement for more details. This information clearly meets the criteria for Category 1 of Policy 19: Housing in the Countryside.

5.9 Category 5 is also a relevant category which these proposal would fall under. Focusing on the conversion or replacement of redundant traditional non-domestic buildings, Category 5 notes that:

*"Permission will be granted for the change of use and alteration of redundant non-domestic buildings to form houses providing the buildings are:*

- *of traditional form and construction, or*
- *are non-traditional but are otherwise of architectural merit, and make a positive contribution to the landscape, and character of the surrounding area.*

*Any alterations or extensions should be in harmony with the existing building form and materials."*

5.10 As already discussed, the proposal relate to the refurbishment and extension of an existing agricultural building which is falling into disrepair and has become redundant for the farming use which they were initially constructed for. This is demonstrated by the fact that they are only in use as long term storage for the farm and that the other steadings have been kept in active use and maintenance as such given their need to be retained for farming use. In addition the buildings are of a traditional form and construction as identified by the building listing included at **Appendix 2**.

5.11 While the principle of the development is therefore supported by Category 5 of the SG, it also requires that evidence is provided to demonstrate why the building is no longer suitable for farming use. Whilst the farm comprises a number of buildings, a number of other steadings have been repurposed as they were in a condition suitable to do so. In this regard, there are two newer buildings on the site which have been developed to accommodate the needs of the farm, given the existing buildings are no longer suitable. This includes a stable block building in 2010 which accommodates 4 rare breed, breeding horses to the far east of the site, and a hay ban to the immediate north east of the main farmhouse which was constructed in the 1960's.

5.12 Furthermore, whilst it is noted within the SG that evidence of marketing of the site for at least 1 year should be provided, due to the location within the wider farm, relatively limited access into the site and that the building is not wind and watertight, it would not be suitable for any alternative uses by a third party unconnected with the farm operation.

5.13 The SG also includes a number of criteria which should be addressed where the proposals relate to the conversion, extension or replacement of non-domestic buildings. This are included below in italic text, with a response provided to each.

- *The development is in an accessible location i.e. in close proximity to a settlement or public transport links or in proximity to services for example schools, shops.*

The proposed location is within a building group and is designed to ensure to support the future success of the farm. Access is provided by a private track, which connects to the public road network providing access to a range of services in the wider area. The village of Glendevon includes a small number of services, with school provision located in Auchterarder to the north or Crieff to the east.

- *The conversion / reconstruction has, as its core, the footprint and layout of the existing building(s) i.e. a steading or courtyard layout should not be replaced by detached units laid out in a group.*

The layout of the proposed extension runs perpendicular to the existing building, which reflects the wider historic building group, particularly the existing residential property to the north west of the site within the building group.

- *The proposal will result in a development of high design quality and of a scale appropriate to its location, and there is a satisfactory composition of new and existing elements in terms of style, layout and materials.*

The development is located within a cluster of existing farm building on the slopes of Glen Devon. The form and scale of the proposed extension reflects the architecture of the adjacent steadings which have simple pitched slate roof, standing gables and clipped low eaves. In contrast, the extension's design is entirely contemporary to provide a distinction between the existing listed steading and new extension, thereby, ensuring the architectural identities of both old and new are maintained.

- *Extensions and new-build houses should only be contemplated where they reinforce the architectural integrity and external appearance of the original buildings and their grounds by, for example, infilling appropriate gaps in a group or rounding off a group. It is very unlikely that the entire 'brownfield' area of a site will be suitable for housing; in general, no more than 25% of the total units or footprint should comprise new build development.*

As has already been explained, the purpose of these proposals are to accommodate the family of the next generation of a long term family owned farm. As such, there is a requirement that a certain sized property is delivered to accommodate the family. This includes a minimum of 4 bedrooms which also helps provide future flexibility to ensure the family can remain at the property. Alongside this bedroom space, provision of other spaces are also required including living areas. Based on these characteristics, the development has been designed in such a way as to limit the need to extend the building, however requires that an extension of 160sq.m of new build can be delivered. Whilst it is recognised that this goes beyond the 25% increase, the SG notes that this is a general comment, suggesting that each proposal should be addressed on its own merits. It is also considered that if a 25% extension was all that was delivered on this site, it would deliver an overall dwelling of only 62.5 sq.m, which would not meet the minimum space standards for a 2 bedroom property in other local authority areas. In this case, we consider that the need to ensure the continual operation of this farm is a key consideration in the determination of this application and is a material reason as to why the 25% extension allowance set out in supplementary guidance should be set aside. Finally, the historic images outlined in section 2 demonstrate that the barn has previously been previously subject to extensions in the 1960's, which is before the building was listed in 1971 (as identified in Appendix 2).

- *Those parts of the site not required for buildings or private gardens will require to be landscaped to a high standard. Landscaping plans demonstrating this, and how any other land outwith the application site but within the applicant's control will be used to provide landscape screening for the proposal, must be submitted and approved as part of the planning application.*

Details of landscaping are provided as part of the planning application, demonstrating that a high quality and appropriately designed landscape is proposed.

5.14 Given the above, it is clear that the proposals comply with Policy 19.

- 5.15 In addition to this, the HES guidance documents are also supportive of these proposals because they support the continued use of a listed building, whilst making substantial improvements to it. This is particularly relevant as without the new build residential dwelling proposed, the building would continue to fall into a state of disrepair and likely not be suitable for reuse or economic redevelopment in the future.
- 5.16 Given the location and nature of these proposals being as a single, residential dwelling, it is not a significant traffic generating use and as such, does not conflict with **Policy 60B: Transport**.

## The Impact of Development on Listed Buildings

- 5.17 This proposal seeks to renovate and convert an existing listed building within a cluster of four individual buildings all of which are covered by a single listing 'Borland LB11794'. A copy of the listing is included as **Appendix 2** for clarity. The four buildings fall under one listing by HES and are Category B listed. The formal description of the listing is as follows:

*"House originally long single-storey dated 17 DL <> CR 65 (David Law and Catherine Rutherford); W. part unaltered, E. part reconstructed early 19 century as 2-storey 3-window with railed steps to door, both parts harled with margins; 3 detached parallel steading blocks, w. block dated 17A.L. 47, middle block mid-19th cent., railed terrace and steps to garden in front of house."*

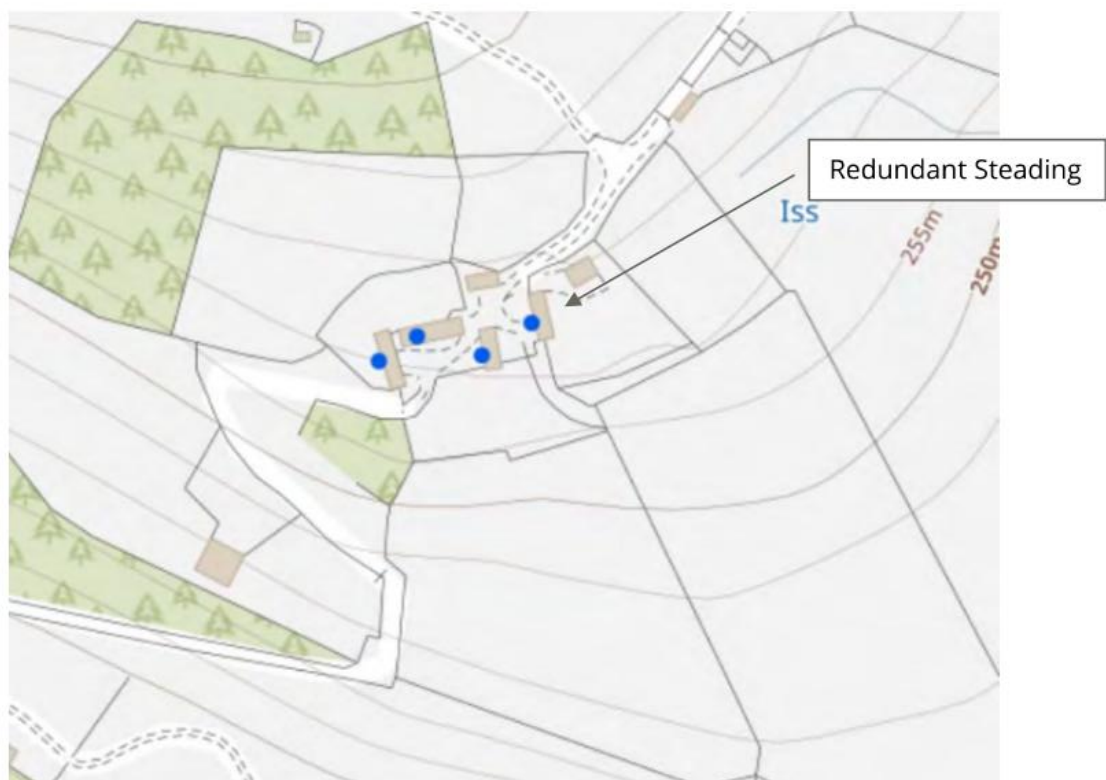


Figure 10: Screenshot from Historic Environment Scotland Designations Map identifying the site at Boreland Farm

- 5.18 Notably, the listing makes little specific reference to the steading buildings, with the main purpose of the listing relating to the single residential property. A set of photographs is included within the wider submission. In addition, it does not make any reference to any historical features of the steadings other to note that they are detached and parallel in nature. We note that the farmhouse lies perpendicular to the steadings, providing precedent for such a layout.



- 5.19 The proposed development seeks to renovate, convert and extend an existing redundant steading into a single residential dwelling. The steading in question is highlighted in the above copy of the historic mapping.
- 5.20 These proposals accord with the Managing Change guidance notes produced by HES which encourages the adaption of historic buildings to form new uses. Additionally, these proposals are complementary to the Interim Guidance on the Principles of Listed Building Consent document from HES which encourages the alteration or adaption of listed buildings which will sustain or enhance the beneficial use of the building. This development enables the listed building to be utilised, other than remain unused and would not impact on the special interest of the building.
- 5.21 Given the above, the proposal also accord with **Policy 27A: Listed Buildings** of the LDP and **Policy 7: Historic Assts and Places** of NPF4 because it would help prevent the further decay of a listed building by repairing the existing fabric of the building. In turn this would prevent the building from falling into disrepair and remaining redundant. Thus, the proposals are fully supported by Policy 27A of the LDP and Policy 7 of NPF4.

## The Design Approach to Development

- 5.22 The proposed design solution is set out in the Design Statement as submitted with the suite of documents that support this application. The proposals accord with **Policy 1A and Policy 1B: Placemaking** from the LDP which seeks to protect and enhance the natural and historic environment, alongside **Policy 14: Design, quality and place** of NPF4. Policy 1B goes on to list criteria which development should meet. In respect of policy 1A, the proposals will transform part of a long-term vacant site with a high-quality development and accordingly, will have a positive impact on its setting. The height, massing and form of the proposal responds to its surrounding context and are considered acceptable as they are similar in context to the existing layout and design of the site and as such Policy 1A can be complied with.
- 5.23 Turning to Policy 1B, we have copied (italic) and responded to the various criteria below:

- a) *Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*

In a contemporary interpretation, the design of the extension draws heavily on the form, mass and architecture of the existing steading buildings. Similar to the existing farmhouse which sits perpendicular to one of the other existing listed barns, the new extension also sits perpendicular to the existing listed steading it is associated with. Both the existing farmhouse and new extension constitute the main family accommodation at the farm and both face south across Glen Devon.

- b) *Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.*

The proposed development is a single storey structure, located against a hillside in the context of other buildings. It therefore does not breach the skyline views, and in addition, is not visible from the village of Glendevon or the A823. There are some very long range views of the site from hillside locations, only accessible by foot. The building design and materials have been chosen to match where possible the existing vernacular, utilising materials of a similar style and colour to that used elsewhere within existing buildings at the farm. This ensures the development will sit well with the landscape and would not draw significant attention to the proposed dwelling. Finally, there are no important landmarks within the vicinity which would be impacted by the proposals.

- c) *The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*

As per criteria b), the scale and form of the development is in keeping with the existing buildings, and is therefore appropriate. In addition, the chosen materials complement that of the existing buildings and would not have an adverse impact on the surroundings.

- d) *Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.*

The extension has been deliberately located to the east of the existing listed steading so that it is screened from view when approaching and then entering and circulating through the cluster of existing farm building. The extension itself will only be revealed as you begin to move past the existing listed steading. The ridgeline of extension's roof is lower than the steadings and it's building line is set well back from the listed steading gable end to ensure the extension is subservient to the original steading. Approximately 40% of extensions accommodation is dug into the slope of the hillside which again is aimed at reducing its impact.

- e) *All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.*

This consideration is not relevant given the context of these proposals being for a single dwelling.

- f) *Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.*

The proposed dwelling is all on a single level, which will allow it to be adapted in the future, if required, for existing or future occupiers.

The existing steading's building fabric and the new extension will be upgraded and constructed to ensure a highly energy efficient dwelling comparable to modern housing standards. The design will employ best principles for natural daylighting and ventilation. The construction will include high levels of insulation, energy efficient glazing and construction detailing to ensure the building has an appropriate air tightness level. An appropriate renewable energy source such as ground or air source heat pump and solar PVs will be incorporated to reduce the properties reliance on fossil fuels and reduce its associated carbon footprint.

Furthermore, the dwelling layout will incorporate accessible accommodation on one storey. Thereby, ensuring the house will continue to support the client's needs should they ever become housebound.

- g) *Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*

It is clearly demonstrated that as the proposals relate to the refurbishment and retention of an existing listed building, that this criteria can be complied with.

- h) *Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks.*

It is considered that the development of this proposal will reduce travel needs as the family will not need to travel to the farm to support its operation as they would be on site this would significantly improve the sustainability of the operation of the farm.

- i) *Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).*

The farm is currently serviced by Perth and Kinross Council refuse collection, using bins which are located at the entrance to the farm. This currently provides sufficient space for additional bin storage to be included to serve the proposed dwelling.

- j) *Sustainable design and construction.*

This is addressed under criteria f) above.

5.24 The above clearly demonstrates that the proposals comply with Policy 1B.

5.25 **Policy 2: Design Statements** of the LDP requires proposals which may affect the setting of a listed building to provide such a statement. This is provided as part of the planning application, therefore we consider that Policy 2 is satisfied.

5.26 To provide further support to policies 1A, 1B and 2, the **Placemaking Supplementary Guidance** document has been produced by the Council. This SG develops the placemaking criteria introduced through Policy 1: Placemaking and provides further guidance on how to achieve the policy requirements provided in the LDP. The SG notes:

*“An extension to a building can be conceived to either appear as an integral part of the original architecture or, alternatively, it may be of a contemporary or contrasting design. In the former, an extension may go unnoticed. In the latter case the extension would purposefully be different yet aim to be equally compatible and complementary. It is not often appreciated that the best extensions are architecturally attractive in their own right. Both approaches require particular skill and the Council recommends that you seek professional advice from someone trained and experienced in designing buildings. A well-designed extension can enhance a property.”*

5.27 From the above, it is clear that the proposed development has taken cognisance of the SG and criteria listed within Policy 1A and 1B. These proposals seek to extend a redundant listed building, taking into consideration the character of the existing building in order to enhance the original architecture. Furthermore, the SG notes the six key principles which should be researched and responded to during the placemaking process. The proposed development, while of a small scale, is still able to demonstrate the characteristics the guidance seeks proposals to deliver. This has been best demonstrated through the Design Statement submitted in support of this application, which in turn complies with Policy 2 of the LDP.

## Environmental Considerations

5.28 **Policy 52: Flood Risk** is relevant to consider ensuring that the proposals would not be adversely affected by flooding. Having reviewed the SEPA flood maps it is shown that the location of the proposed development would have little or no flood risk from either river or surface water flooding, meaning there were no flood-related constraints on development in this location. As such, the proposed development complies with Policy 52 and has demonstrated this compliance accordingly. An excerpt of the SEPA flood map is included below.

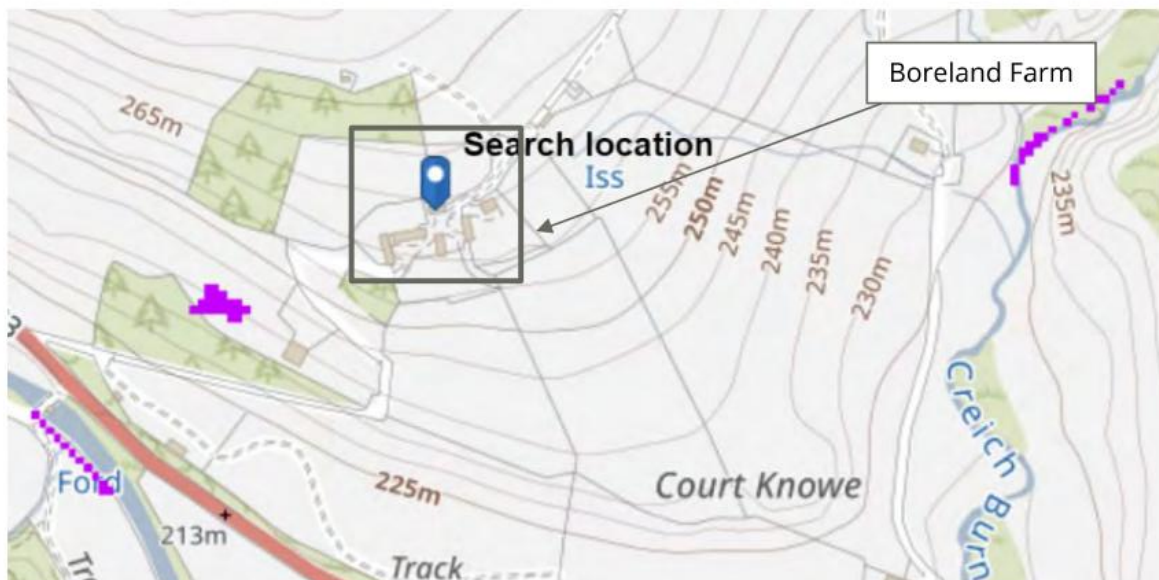


Figure 11: Screenshot of SEPA Flood Maps

- 5.29 With regard to Flood Risk Assessment requirements, it has been shown in Figure 11 above that the proposed site is not at risk of flooding, and therefore the SG notes that an FRA will not be required. This information satisfies the above policy and has been clearly demonstrated.
- 5.30 With regards to the remaining technical policies, **Policy 53B: Foul Drainage**, **Policy 53C: Surface Water Drainage** and **Policy 53E: Water Supply** have all been considered in detail by the architects when preparing the design of this development. It is intended that waste water will be dealt with by a septic tank and soak away. Regarding water supply it is intended to connect to the Scottish Water network. These measures demonstrate compliance with the various parts of Policy 53.
- 5.31 The LDP includes a number of policies relating to the reduction in carbon, energy efficiency and green infrastructure being **Policies 32, 33 and 42**. This is also a key theme set out across all policies within NPF4 particularly within **Policies 1 and 2**. In this respect, and as identified in the response to design matters, the existing steading's building fabric and the new extension will be upgraded and constructed to ensure a highly energy efficient dwelling comparable to modern housing standards. The design will employ best principles for natural daylighting and ventilation. The construction will include high levels of insulation, energy efficient glazing and construction detailing to ensure the building has an appropriate air tightness level. An appropriate renewable energy source such as ground or air source heat pump and solar PVs will be incorporated to reduce the properties reliance on fossil fuels and reduce its associated carbon footprint. The development will also comply with relevant building standards.
- 5.32 It is also relevant to note that the applicant currently has to travel a substantial distance to and from the farm to help ensure its smooth running. This is inherently unsustainable and the development of a property for them to reside in at the farm would significantly improve the sustainability of their travel patterns.
- 5.33 The final matter to address is Biodiversity set out within **Policy 41** of the LDP and **Policy 3** of NPF4. In respect of this, an ecology survey has been undertaken of the site and the steading to be converted. This survey did not identify any presence of protected species or the potential that the building could support any protected species. The proposed development includes a number of ecological enhancements, including bird, bat and owl boxes which are identified on the proposed site plan.
- 5.34 As a result, we consider that Policy 41 of the LDP and Policy 3 of NPF4 can be fully complied with.

## 6. Conclusion

- 6.1 The development proposals relate to the refurbishment and extension to a derelict listed building to provide accommodation for the next generation of owners at this family run farm. The proposed building comprises materials appropriate to the character and setting of the listed buildings without being impact upon them. In addition, it cannot be easily viewed from out with the site with no views possible for the main road to the south or west.

This planning and heritage statement demonstrates that the proposals are largely consistent with policy set out in NPF4 and the LDP. Taking a balanced view of the full content of the Development Plan, and given that NPF4 takes precedent over the LDP, planning should be granted for the proposed development.

# Appendix 1

## Location Plan

The Contractor must verify all dimensions on site prior to commencing any works, purchase of specified items, and production of fabrication drawings. The contractor takes full responsibility in ensuring that all works executed are in accordance with the current Building Regulations. The Contractor is to advise the Architect of any errors or omissions. No party should take dimensions digitally from this drawing. No variations or modifications to work shown shall be implemented without prior written approval. All issues of this drawing are superseded by the latest revision. All drawings and specifications remain the property of the Staran Architects Ltd. All drawings to be read in conjunction with the project Health and Safety Plan, any conflicts should be presented to the projects Principal Designer. © STARAN Architects Ltd



Site Location Plan

0 M 50 100 150 200 250 300 350 400 450 500



Scale - 1:5000



Indicates Site Boundary.

OS map provided by:  
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# STARAN

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Project  
Conversion and Extension to Existing Barn at  
Boreland Farm, Glendevon, FK14 0UK for  
Mr and Mrs MacDonald.

Drawing Title  
Location Plan

Job Number	Drawing Number	Revision	Scale @ A4
2243	GA(PL)001	-	1:5000

PLANNING

# Appendix 2

Historic Environment Scotland Building Listing –  
LB11794



The only legal part of the listing under the Planning (Listing Buildings and Conservation Areas) (Scotland) Act 1997 is the address/name of site. Addresses and building names may have changed since the date of listing – see 'About Listed Buildings' below for more information. The further details below the 'Address/Name of Site' are provided for information purposes only.

## Address/Name of Site

**BORLAND**

**LB11794**

Status: Designated

## Documents

There are no additional online documents for this record.

## Summary

**Category**

B

**Local Authority**

Perth And Kinross

**NGR**

NN 98651 4900

**Date Added**

05/10/1971

**Planning Authority**

Perth And Kinross

**Coordinates**

298651, 704900

**Parish**

Glendevon

## Description

House originally long single-storey dated 17 DL <> CR  
65 (David Law and Catherine Rutherford); W. part  
unaltered, E. part reconstructed early 19 century  
as 2-storey 3-window with railed steps to door, both parts  
harled with margins; 3 detached parallel steading  
blocks, w. block dated 17A.L. 47, middle block mid  
19th cent., railed terrace and steps to garden in  
front of house.

## Bibliography

No Bibliography entries for this designation

## About Listed Buildings

Historic Environment Scotland is responsible for designating sites and places at the national level. These designations are Scheduled monuments, Listed buildings, Inventory of gardens and designed landscapes and Inventory of historic battlefields.

We make recommendations to the Scottish Government about historic marine protected areas, and the Scottish Ministers decide whether to designate.

Listing is the process that identifies, designates and provides statutory protection for buildings of special architectural or historic interest as set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

We list buildings which are found to be of special architectural or historic interest using the selection guidance published in [Designation Policy and Selection Guidance \(2019\)](#)

Listed building records provide an indication of the special architectural or historic interest of the listed building which has been identified by its statutory address. The description and additional information provided are supplementary and have no legal weight.

These records are not definitive historical accounts or a complete description of the building(s). If part of a building is not described it does not mean it is not listed. The format of the listed building record has changed over time. Earlier records may be brief and some information will not have been recorded.

The legal part of the listing is the address/name of site which is known as the statutory address. Other than the name or address of a listed building, further details are provided for information purposes only. Historic Environment Scotland does not accept any liability for any loss or damage suffered as a consequence of inaccuracies in the information provided. Addresses and building names may have changed since the date of listing. Even if a number or name is missing from a listing address it will still be listed. Listing covers both the exterior and the interior and any object or structure fixed to the building. Listing also applies to buildings or structures not physically attached but which are part of the curtilage (or land) of the listed building as long as they were erected before 1 July 1948.

While Historic Environment Scotland is responsible for designating listed buildings, the planning authority is responsible for determining what is covered by the listing, including what is listed through curtilage. However, for listed buildings designated or for listings amended from 1 October 2015, legal exclusions to the listing may apply.

If part of a building is not listed, it will say that it is excluded in the statutory address and in the statement of special interest in the listed building record. The statement will use the word 'excluding' and quote the relevant section of the 1997 Act. Some earlier listed building records may use the word 'excluding', but if the Act is not quoted, the record has not been revised to reflect subsequent legislation.

Listed building consent is required for changes to a listed building which affect its character as a building of special architectural or historic interest. The relevant planning authority is the point of contact for applications for listed building consent.

Find out more about listing and our other designations at [www.historicenvironment.scot/advice-and-support](http://www.historicenvironment.scot/advice-and-support). You can contact us on 0131 668 8914 or at [designations@hes.scot](mailto:designations@hes.scot).

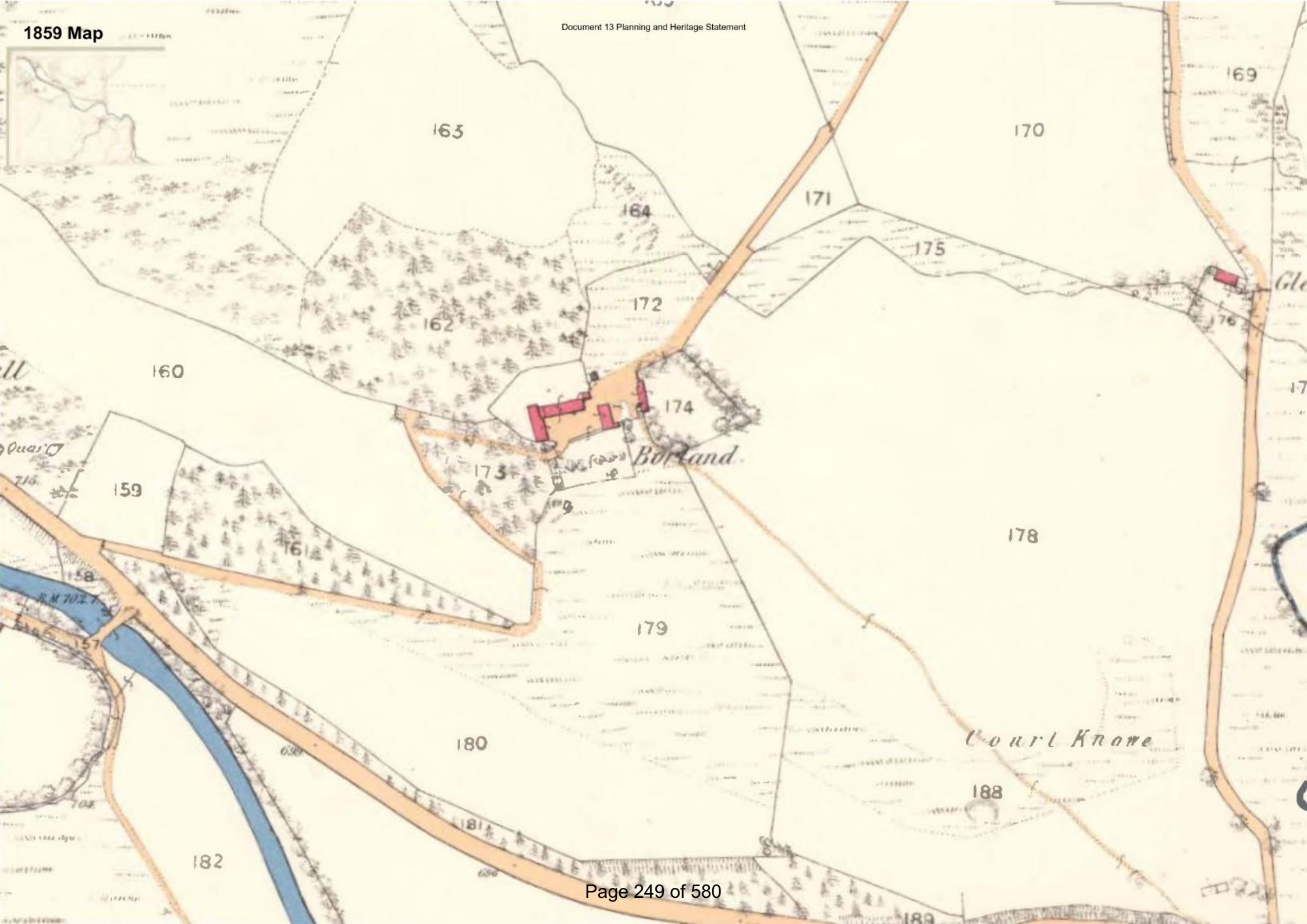
## Images

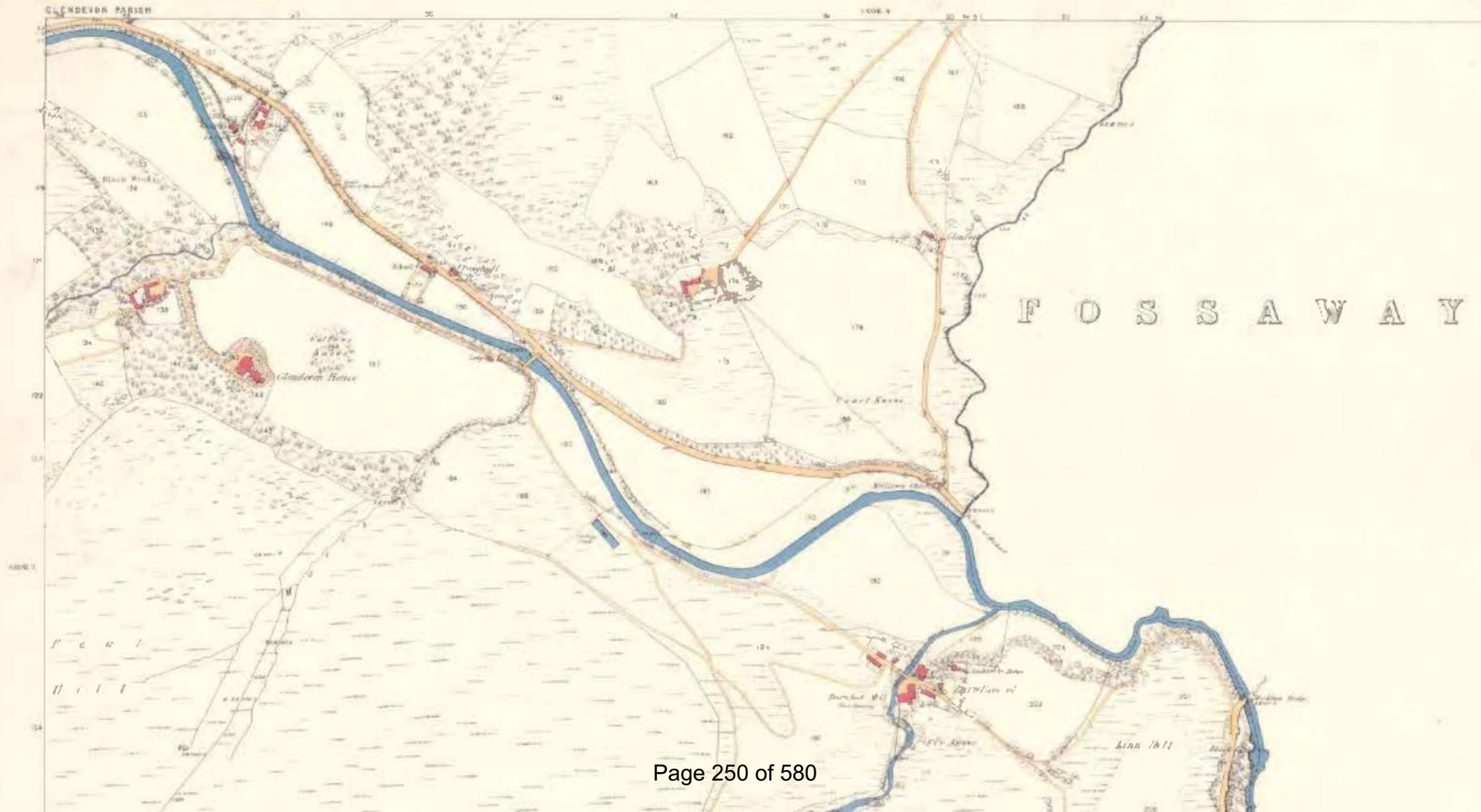
There are no images available for this record.

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# Appendix 3

## Historic Maps



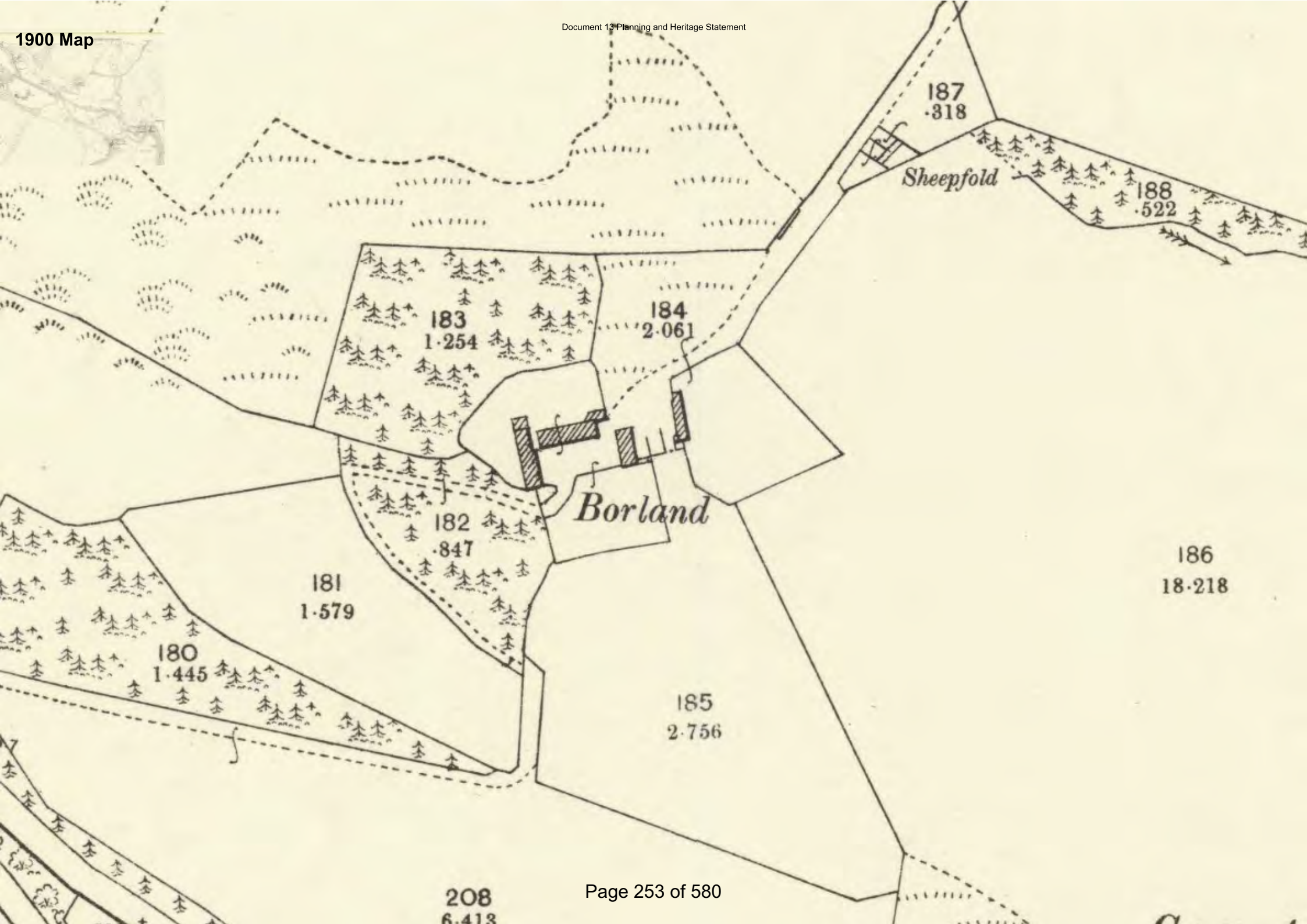








1900 Map



SECOND EDITION 1900

OCHIL HILLS



# Appendix 4

## Development Plan Policies

# Appendix 4: Development Plan Policies

## Contents

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2.	Scotland's Fourth National Planning Framework (NPF4).....	1
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4.	Material Planning Considerations .....	11

## 1. The Development Plan

- 1.1 The Town and Country Planning (Scotland) Act 1997 (as amended) requires that planning applications are determined in accordance with the Development Plan unless other material considerations indicate otherwise. This section therefore considers the relevant policy context by National and Local policy.
- 1.2 Significant reform is being undertaken in the Planning System in Scotland, with significant changes to the policies, plans and processes of planning as a whole. Following the approval by the Scottish Parliament of the revised draft National Planning Framework Four ("NPF4") in January 2023, the NPF4 was adopted in February 2023. The adoption of NPF4 significantly alters the development planning process in Scotland, with NPF4 becoming part of the development plan. This means strategic development plans, such as TAYPlan2 are now superseded.
- 1.3 In the context of these proposals, the National Planning Framework Four (adopted February 2023) alongside the Perth and Kinross Local Development Plan 2 (adopted November 2019) ("LDP") comprise the development plan which are to be considered in the assessment of these proposals.

## 2. Scotland's Fourth National Planning Framework (NPF4)

- 2.1 The Scottish planning system has been undergoing a period of significant reform in recent years. Following Parliamentary approval of the revised draft NPF4 in January 2023, it was adopted on 13<sup>th</sup> February 2023. It now forms part of the Development Plan which all planning applications in Scotland should be assessed against, alongside the Local Development Plan. The adoption of NPF4 surpasses NPF3 and Scottish Planning Policy (SPP) as well as signalling the formal ceasing of Strategic Development Plans such as TAYPlan2. Transitional arrangement guidance has been published to confirm the processes in which planning applications will be determined following the adoption of NPF4 to ensure as much continuity as possible. These arrangements have been considered throughout this report.
- 2.2 NPF4 is centred around 6 spatial principles which should be used to plan for the future. The principles which are relevant to these proposals are highlighted below.
1. *"Conserving and Recycling Assets: We will make productive use of existing buildings, places, infrastructure and services, locking in carbon, minimising waste, and building a circular economy."*
  2. *"Rural Revitalisation: We will encourage sustainable development in rural areas, recognising the need to grow and support urban and rural economies."*
- 2.3 In specific regard to relevant policies within NPF4 these are split into 4 sections.

## Sustainable Places

2.4 Policy 1 Tackling the climate and nature crises and policy 2 Climate mitigation and adaptation are relevant. The policies states:

### Policy 1

*When considering all development proposals significant weight will be given to the global climate and nature crises."*

### Policy 2

- a. *Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.*
- b. *Development proposals will be sited and designed to adapt to current and future risks from climate change.*
- c. *Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported."*

### Policy 3

2.5 Policy 3 biodiversity requires biodiversity improvements to be made by all schemes. The sections relevant to these proposals are included below:

- a) *"Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.*
- c) *Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.*
- d) *Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration"*

### Policy 7

2.6 Given the listed buildings on the site, Policy 7 is relevant with the relevant section copied below:

- c) *Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.*

### Policy 9

2.7 As the site is currently reusing an existing derelict building, parts a) and d) of policy 9 Brownfield, vacant and derelict land and empty buildings is relevant to consider. This states:

- a) *"Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has*

*naturalised should be taken into account.*

- d) *Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option."*

## **Liveable Places**

### **Policy 14 Liveable places**

2.8 Policy 14 relates to design, quality and place. It states:

- a) *"Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.*
- b) *Development proposals will be supported where they are consistent with the six qualities of successful places:*

*Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.*

*Pleasant: Supporting attractive natural and built spaces.*

*Connected: Supporting well connected networks that make moving around easy and reduce car dependency*

*Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.*

*Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.*

*Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time. Further details on delivering the six qualities of successful places are set out in Annex D.*

- c) *Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported."*

### **Policy 17**

2.9 Given the content of these proposals part a) of Policy 17 Rural Homes requires detailed consideration. It states:

*"a) Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development:*

- i. is on a site allocated for housing within the LDP;*
- ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention;*
- iii. reuses a redundant or unused building;*

- iv. *is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;*
- v. *is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;*
- vi. *is for a single home for the retirement succession of a viable farm holding; vii. is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or*
- vii. *reinstates a former dwelling house or is a one-for-one replace"*

## **Productive Places**

### **Policy 29**

2.10 Policy 29 Rural development is relevant to consider, stating:

*"a) Development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including:*

- i. *farms, crofts, woodland crofts or other land use businesses, where use of good quality land for development is minimised and business viability is not adversely affected;*
  - ii. *diversification of existing businesses;*
  - iii. *production and processing facilities for local produce and materials, for example sawmills, or local food production;*
  - iv. *essential community services;*
  - v. *essential infrastructure;*
  - vi. *reuse of a redundant or unused building;*
  - vii. *appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;*
  - viii. *reuse of brownfield land where a return to a natural state has not or will not happen without intervention;*
  - ix. *small scale developments that support new ways of working such as remote working, homeworking and community hubs; or*
  - x. *improvement or restoration of the natural environment.*
- b) *Development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location."*

### 3. Perth and Kinross Local Development Plan 2

- 3.1 The Perth and Kinross Local Development Plan 2 was adopted in November 2019 and sets out a wide range of policies and proposals relating to the development and use of land across the Perth and Kinross Council area.



*Figure 1: Extract from the LDP proposals map*

- 3.2 The LDP does not identify the site specifically, however the site lies within the wider Ochil Hills Local Landscape Area. An extract of the proposals map which highlights the site is shown below.
- 3.3 Within the LDP, the policies are set out in 4 different sections, each relating to specific characteristics and considerations relevant for new development. The various sections, and the relevant policies extracted from each, are set out below.
- 3.4 The LDP centres around these four overarching themes, for which new development should strive to achieve. Each features a range of policies which should be considered when proposing new development in Perth and Kinross. These sections are as follows:
- A successful, sustainable place
  - A low-carbon place
  - A natural, resilient place
  - A connected place
- 3.5 We have had regard to the individual policies as set out in each of the above themes and have identified the relevant policies for this proposal. Each policy identified will be detailed directly below and discussed in Section 5 of this report.



## A successful, sustainable place

3.6 In Section 3.1 of the LDP, the first policy theme 'A successful, sustainable place' is introduced. The key objectives of this section are noted as:

- *“Creation and continuation of high-quality places that meet the needs of the existing and future communities.*
- *Support for local businesses to ensure economic growth in the region.*
- *Provide an ongoing supply of readily available commercial/ industrial land of 25ha across Perth and Kinross.*
- *Focus on retail and commercial development in accessible centres that provide employment and services to residents and visitors.*
- *Ensure provision of housing that is socially inclusive and meets a wide range of needs.*
- *Promotion of a strong cultural character through arts, cultural, community sport and recreational facilities offering opportunities for social interaction and local identity.*
- *Maintain the distinctiveness and diversity of the area through the protection and enhancement of the natural and historic environment.”*

3.7 The first relevant policy from the LDP is Policy 1: Placemaking which relates to the character and amenity of a place. Policy 1A states that:

*“Development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation. The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.”*

3.8 Policy 1B is also relevant as it applies to all new development proposals and states:

*“All proposals should meet all the following placemaking criteria:*

- a) *Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*
- b) *Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.*
- c) *The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
- d) *Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.*
- e) *All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.*
- f) *Buildings and spaces should be designed with future adaptability, climate change and resource*

*efficiency in mind wherever possible.*

- g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*
- h) Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks.*
- i) Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).*
- j) Sustainable design and construction.”*

3.9 Policy 1: Placemaking also confirms that Supplementary Guidance sets out how the Council aims to implement the above policy. This is considered further under material considerations.

3.10 Policy 2: Design Statements also refers applicants to the Placemaking Supplementary Guidance noted above. The policy states:

*“Design statements will normally need to accompany a planning application if the development:*

- a) comprises five or more dwellings;*
- b) is a non-residential use greater than 0.5 ha in area; or*
- c) affects the character and/or appearance of a Conservation Area, Historic Garden, Designed Landscape, or the setting of a Listed Building or Scheduled Monument.”*

3.11 Part C of the above policy is relevant to these proposals given the Listed Building status.

3.12 Policy 6: Settlement Boundaries is not directly relevant; however, it advises that: *“Where there is no defined boundary, or for proposals on sites that do not adjoin a settlement boundary, Policy 19: Housing in the Countryside will apply.”*

3.13 As per the above, Policy 19: Housing in the Countryside is relevant to this proposal given the nature and location of the development. This policy states:

*“The Council will support proposals for the erection, or creation through conversion, of single houses and small groups of houses in the countryside which fall into at least one of the following categories:*

- 1. building groups;*
- 2. infill sites;*
- 3. new houses in the open countryside on defined categories of sites as set out in Section 3 of the Supplementary Guidance;*
- 4. renovation or replacement of houses;*
- 5. conversion or replacement of redundant non-domestic buildings;*
- 6. development on rural brownfield land.”*

3.14 As noted as part of these proposals, we consider that a number of the above criteria are relevant. In

addition to Policy 19, supplementary guidance provides additional detail in regard to how this policy will be applied. This is detailed in the planning policy assessment.

- 3.15 Policy 27A: Listed Buildings is appropriate for this development given the listed status of the building in which these proposals seek to renovate and convert. Policy 27A states:

*"There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use, and any proposed alterations or adaptations to help sustain or enhance a building's beneficial use should not adversely affect its special architectural or historic interest.*

*Encouragement will be given to proposals to improve the energy efficiency of listed buildings within Perth and Kinross, providing such improvements do not have a significant detrimental impact on the special architectural or historic interest of the building.*

*Enabling development may be acceptable where it can be shown to be the only means of preventing the loss of listed buildings and securing their long-term future. Any development should be the minimum necessary to achieve these aims. The layout, design, materials, scale, siting and use of any development which will affect a listed building, or its setting should be appropriate to the building's character, appearance and setting."*

- 3.16 Detailed consideration has been given to this policy given the nature of these proposals throughout the preparation of this application.

## **A low-carbon place**

- 3.17 The next policy section from the LDP is 'A low-carbon place', as detailed in Section 3.2 of the LDP. The key objectives of the policies in this area are:

- *"Improve the long-term resilience and robustness of the natural and built environment to climate change.*
- *Ensure that development and land uses make a positive contribution to helping to minimise the causes of climate change and adapting to its impacts.*
- *Protect the natural and built environment, and ensure that new development embraces the principles of sustainable design and construction, energy efficiency and heat decarbonisation.*
- *Protect and enhance the character, diversity and special qualities of the area's landscapes to ensure that new development does not exceed the capacity of the landscape in which it lies.*
- *Conserve and enhance habitats and species of international, national and local importance.*
- *Promote the sustainable development of electricity generation from a diverse range of renewable and low-carbon energy technologies, including the expansion/repowering of renewable and low-carbon energy generation capacity and heat networks, in accordance with national objectives and targets."*

- 3.18 From this policy area of the LDP, Policy 32: Embedding Low and Zero Carbon Generating Technology in New Development should be adhered to for the majority of new development. However, the policy states that it does not apply in certain circumstances, including the change of use or alteration and extension of buildings such as that proposed by these applications.

## A natural, resilient place

- 3.19 The policies in Section 3.3 relate directly to landscape, habitat and wildlife as well as climate and the quality of place and life. The key objectives for this policy section are:
- *“Conserve and enhance habitats and species of international, national and local importance.*
  - *Identify and promote green networks where these will add value to active travel, the provision, protection and enhancement, and connectivity of habitats, recreational land, and landscapes in and around settlements.*
  - *Improve the long-term resilience and robustness of the natural and built environment to climate change.*
  - *Ensure that development and land uses make a positive contribution to helping minimise the causes of climate change and adapting to its impacts.*
  - *Protect and enhance the character, diversity, and special qualities of the area’s landscapes to ensure that new development does not exceed the capacity of the landscape in which it lies.”*
- 3.20 Policy 42: Green Infrastructure must be considered by all new development. The Council have listed a range of points within this policy requiring new development to contribute to green infrastructure. These are:
- a) *“Creating new multifunctional green infrastructure, particularly where it can be used to mitigate any negative environmental impacts of the development, and /or create linkages to wider green and blue networks*
  - b) *Incorporating lofty standards of environmental design*
  - c) *Ensuring that development does not lead to the fragmentation of existing green and blue networks*
  - d) *The protection, enhancement and management of existing green infrastructure within and linked to the site and the incorporation of these into development proposals:*
    - i. *Open spaces and linkages for active travel or recreation, including links between open spaces and the wider countryside and the provision of new connections where required*
    - ii. *Existing species and habitats and the creation of new habitats and wildlife corridors, including trees, hedgerows and woodlands where appropriate*
    - iii. *The water environment which is an important contributor to the network of blue and green corridors for the alleviation of flood risk, wildlife, recreation and the amenity needs of the community. ”*
- 3.21 Policy 52: New Development and Flooding has been considered and does apply to these proposals. This policy categorises sites into the following three types of flood risk:
1. *“Medium to high flood risk are not suitable for civil infrastructure;*
  2. *Low to medium flood risk are suitable for most forms of development; and*
  3. *Little or no flood risk shown present no flood related constraints on development.”*

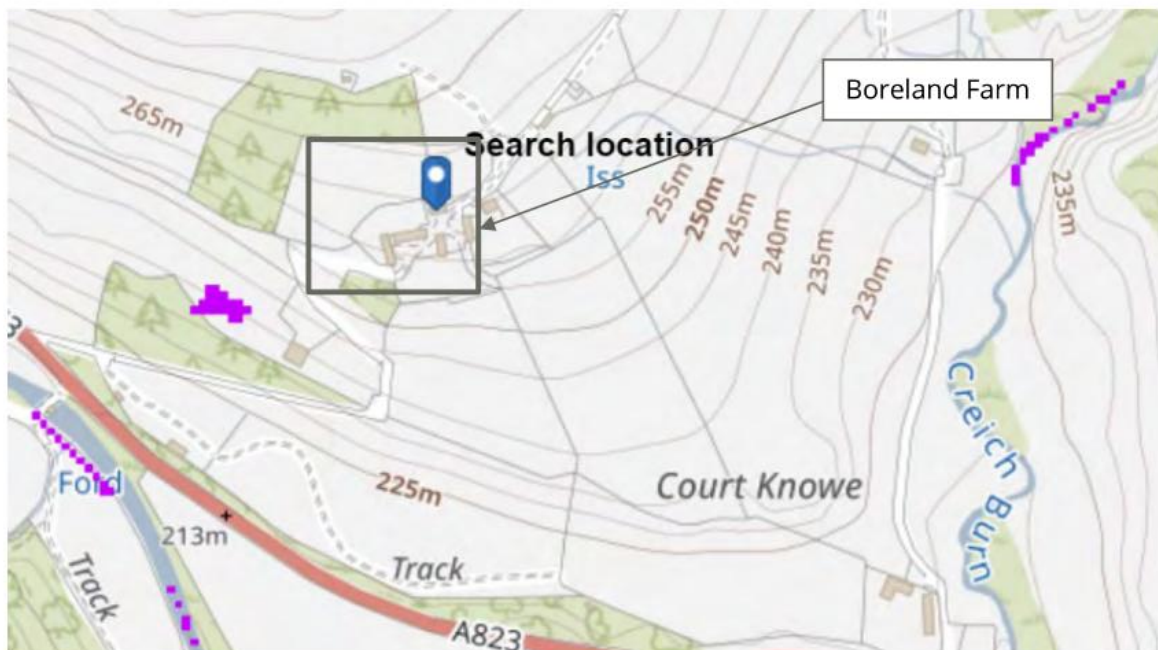


Figure 2: Screenshot of SEPA Flood Maps

- 3.22 In addition to Policy 52, the Flood Risk and Flood Risk Assessment Supplementary Guidance provided has also been considered.
- 3.23 Policy 53B: Foul Drainage states:
- “Foul drainage from all developments within and close to settlements that have public sewerage systems will require connection to the public sewer. In settlements where there is little or no public sewerage system, a private system may be permitted provided it does not have an adverse effect on the natural and built environment, surrounding uses and amenity of the area. For a private system to be acceptable it must comply with the Scottish Building Standards Agency Technical Handbooks and applicants should also demonstrate suitable maintenance arrangements will be put in place for communal systems.”*
- 3.24 Policy 53C: Surface Water Drainage is highlighted as the policy makes note of Sustainable Urban Drainage Systems (SUDS). Policy 53C states:
- “All new development will be required to employ Sustainable Urban Drainage Systems (SUDS) measures including relevant temporary measures at the construction phase. SUDS will be encouraged to achieve multiple benefits, such as floodwater management, landscape, green infrastructure, biodiversity and opportunities to experience nature near where people live. Ecological solutions to SUDs will be sought and SUDS integration with green/blue networks wherever possible.”*
- 3.25 Finally, Policy 53E: Water Supply is also to be considered. Policy 53E states:
- “All new development must be served either by a satisfactory mains or private water supply complying with the Water (Scotland) Act 1980 and associated Private Water Regulations, without prejudicing existing users. It will be the responsibility of the developer to demonstrate that any new supply is suitable and is safe to be consumed as drinking water in line with the above act and regulations.”*
- 3.26 As noted above, the Flood Risk and Flood Risk Assessment Supplementary Guidance has also been considered in the following section.

## A connected place

- 3.27 The key objectives for the final policy section, 'A connected place' of the LDP are listed below:
- *"Identify and provide for new and improved social and physical infrastructure to support an expanding and changing population.*
  - *Establish clear priorities to ensure stakeholders and agencies work in partnership so that investment is co-ordinated and best use is made of limited resources to enable the delivery of the strategy, supporting the aims and objectives of the Strategic Transport Projects Review, the Regional Transport Strategy, and the Tay Cities Deal.*
  - *Ensure investment in the renewal and enhancement of existing infrastructure is consistent with the strategy of the Plan in order to make best use of the investment embedded in our existing settlements.*
  - *Provide a flexible policy framework to respond to changing economic circumstances and developing technology."*
- 3.28 The concluding section of policy of the LDP has been reviewed in detail, however it was concluded that only Policy 60B: New Development Proposals (Transport Standards and Accessibility Requirements) should be considered as relevant for these proposals.
- 3.29 This policy refers to any development for *"significant traffic generating uses"*. These proposals relate to the development of a single residential property and are not considered to be a 'significant traffic generating use' and therefore the policy does not require any further assessment. Despite this, should the local authority believe there is a case for Policy 60B to be satisfied, the applicant is agreeable to further conversations with the Council on this matter.

## 4. Material Planning Considerations

- 4.1 This section identifies a number of other supporting documents which are considered to be material considerations in the determination of these applications. Historic Environment Scotland

### Managing Change in the Historic Environment (April 2019)

- 4.2 Managing Change is a series of guidance notes produced by HES which supports national level policy for planning and the historic environment. The generic Managing Change document starts with the following statement: *"Planning and other authorities should take this guidance into account when making decisions"*. It continues, making reference to the preservation of listed buildings by keeping them in use or bringing them back into use. This document also notes:

*"New uses may enable us to retain much of the fabric and special interest of a building, but they will always have an impact on its intangible value. The process of conversion will have some impact on a buildings special interest, regardless of how well it is handled.*

*Incorporating an existing building within an overall scheme might require additional thought and deliberation, but can lead to a more considered, imaginative and ultimately successful place. Scotland has a long and successful history of reusing listed buildings for a variety of new uses. Historic buildings are readily suitable for adaption to new uses."*

- 4.3 The Managing Change document goes on to set out a range of approaches which can be used to

secure the continued use or reuse of listed buildings. One of these approaches is through 'extension', which is evidently relevant to these proposals. The guidance note continues to discuss the solution of 'extension' in more detail where it states: *"many listed buildings have the capacity for some form of extension. Sometimes an extension is essential to keep the listed building in use, for example where there is little scope for internal intervention or where the original building is very small."* In the context of these proposals, it is clear that the 'extension' solution is the only viable route to ensure the listed building remains in use and is conserved for the future.

4.4 The proposed development includes works to, and within the curtilage of, listed buildings. Due attention should therefore be made to the proposal's setting and its relationship to the retained listed buildings. The following additional Managing Change guidance notes are therefore applicable - 'Setting', and 'New Design in Historic Settings'.

4.5 The 'Setting' guidance note (June 2016) refers to three stages in assessing the impact of a development on the setting of a historic asset or place:

- *"Stage 1: Identify the historic assets that might be affected by the proposed development"*
- *Stage 2: Define and analyse the setting by establishing how the surroundings contribute to the ways in which the historic asset or place is understood, appreciated and experienced"*
- *Stage 3: Evaluate the potential impact of the proposed changes on the setting, and the extent to which any negative impacts can be mitigated"*

4.6 The 'New Design in Historic Settings' guidance note (May 2016) identifies a range of general principles which should be considered as part of the design process. The general principles make note that:

*"New development should respond to:*

- *Urban structure*
- *Urban grain*
- *Density and mix*
- *Scale*
- *Materials and detailing*
- *Landscape*
- *Views and landmarks"*

## **Interim Guidance on the Principles of Listed Building Consent (April 2019)**

4.7 This guidance was published by Historic Environment Scotland ("HES") as part of the Historic Environment Scotland Policy Statement (2016). Listed buildings are protected under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. This guidance document has been considered as part of this proposal in detail. The interim guidance notes: *"In assessing an application for listed building consent, the planning authority is required to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses"*.

4.8 The interim then guidance goes on to state:

*“Where a proposal involves alteration or adaption which will sustain or enhance the beneficial use of the building and does not adversely affect the special interest of the building, consent should normally be granted”.*

4.9 This guidance document has been considered throughout the preparation of these proposals to ensure the protection and enhancement of the listed building is retained at all times.

## **Perth and Kinross Council Supplementary Guidance (“SG”)**

### **Housing in the Countryside (March 2020)**

4.10 This supplementary guidance document has been considered as a material consideration to support the development this report proposes. This SG links directly to LDP Policy 19: Housing in the Countryside – the principle of this development. The SG opens:

*“Policy 19: Housing in the Countryside aims to: safeguard the character of the countryside; support the viability of communities; meet development needs in appropriate locations; and ensure that high standards of siting and design are achieved. Central to achieving this is harnessing the potential of the numerous redundant traditional rural buildings which contribute to the character and quality of the countryside. These buildings represent a significant resource both architecturally and from a sustainability point of view and have the potential to be reused and adapted to help meet present and future rural housing needs.”*

4.11 Policy 19 lists a range of criterion for housing in the countryside. This development relates specifically to Category 1 and Category 5 from this list. Each of the criterion from Policy 19 are further detailed in the above SG, with categories 1 and 5 being noted below.

#### **CATEGORY 1 – BUILDING GROUPS**

*“Building groups are those groups of buildings which do not have a defined settlement boundary in Local Development Plan 2. For the purposes of this Supplementary Guidance a building group is defined as 3 or more existing buildings of a size at least equivalent to a traditional cottage and which, when viewed within their landscape setting, appear as a group. The majority of the buildings in the group should be either residential or be suitable for conversion to residential under Category 5 of this guidance.”*

*“Permission will be granted for houses within building groups providing it can be demonstrated that:*

- *New housing will respect the character, scale and form of the existing group, and will be integrated into the existing layout and building pattern.*
- *New housing will not detract from the visual amenity of the group when viewed from the wider landscape.*
- *A high standard of residential amenity will be provided for both existing and new housing.”*

#### **CATEGORY 5 - CONVERSION OR REPLACEMENT OF REDUNDANT TRADITIONAL NON-DOMESTIC BUILDINGS**

*“This category covers both individual buildings and building complexes such as farm steadings. In all cases a statement will be required evidencing that the buildings are redundant, and that there are no other pressing requirements for other uses, such as business or tourism, on the site. For the purposes of this policy ‘redundant’ is defined as buildings which:*



- *are no longer fit for purpose, or*
- *are surplus to the current or likely future operational requirements of the business”*

*“Permission will be granted for the change of use and alteration of redundant non-domestic buildings to form houses providing the buildings are:*

- *of traditional form and construction, or*
- *are non-traditional but are otherwise of architectural merit, and make a positive contribution to the landscape, and character of the surrounding area.*

*Any alterations or extensions should be in harmony with the existing building form and materials.”*

## **Placemaking (March 2020)**

4.12 This Placemaking supplementary guidance document makes cognisance of Policy 1A and Policy 1B as detailed above. The SG has been considered in order to ensure the policies outlined here have been considered in full.

*“This document develops the placemaking criteria and gives further guidance on how to achieve the policy requirements provided in the Local Development Plan and provide clear explanations as to how to achieve high quality development that responds to the unique setting of the Perth & Kinross Council area.”*

*“An extension to a building can be conceived to either appear as an integral part of the original architecture or, alternatively, it may be of a contemporary or contrasting design. In the former, an extension may go unnoticed. In the latter case the extension would purposefully be different yet aim to be equally compatible and complementary. It is not often appreciated that the best extensions are architecturally attractive in their own right. Both approaches require particular skill and the Council recommends that you seek professional advice from someone trained and experienced in designing buildings. A well-designed extension can enhance a property.”*

*“The Scottish Government identifies six key areas to research and respond to in the Placemaking process:*

1. *Distinctive*
2. *Safe & Pleasant*
3. *Easy to move around and beyond*
4. *Welcoming*
5. *Adaptable*
6. *Resource efficient”*

## Contact details

### Enquiries

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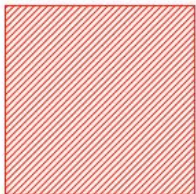
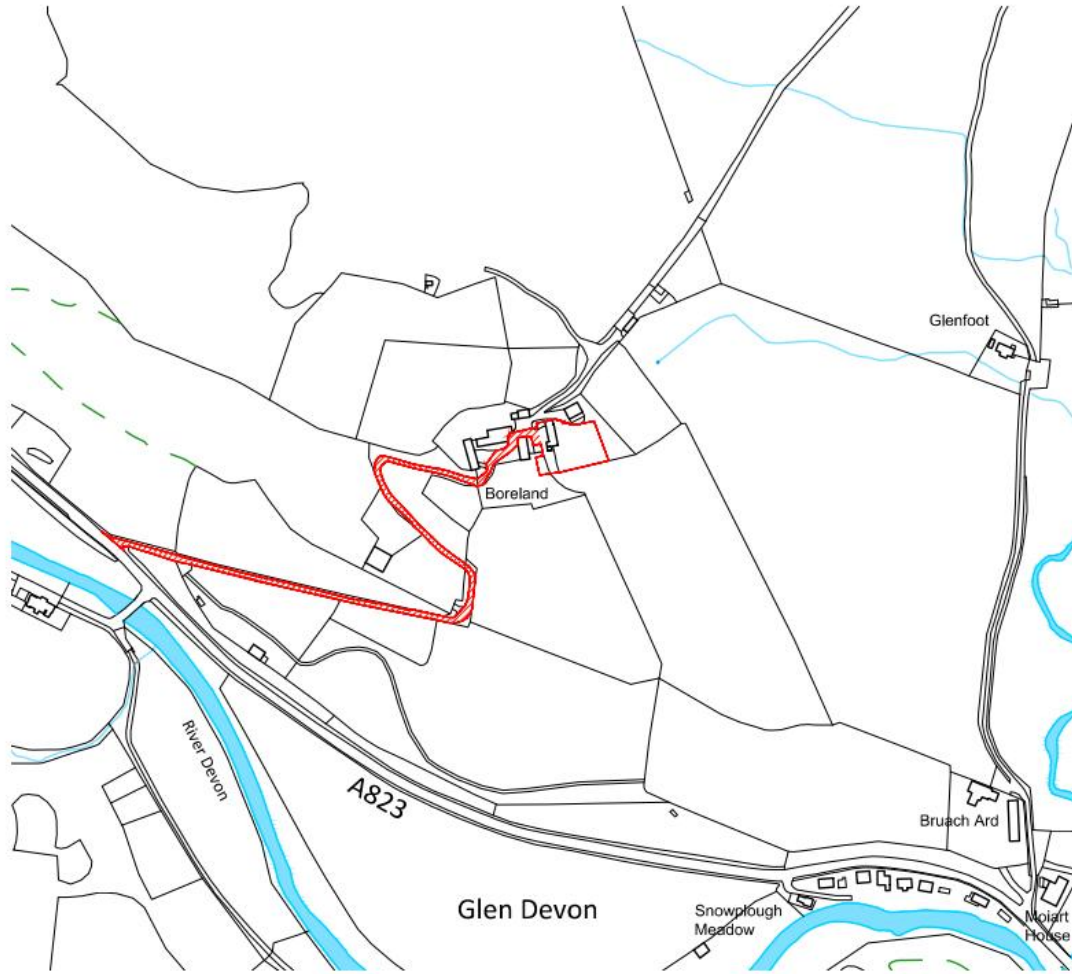
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Hatch indicates area within red line boundary where no development or improvement works are proposed.

Site Location Plan

0 M 50 100 150 200 250 300 350 400 450 500



Scale - 1:5000

Indicates Site Boundary.

- C Revised following planning comments. 02.05.23
- B Revised following planning comments. 18.04.23
- A Revised following planning comments. 05.04.23

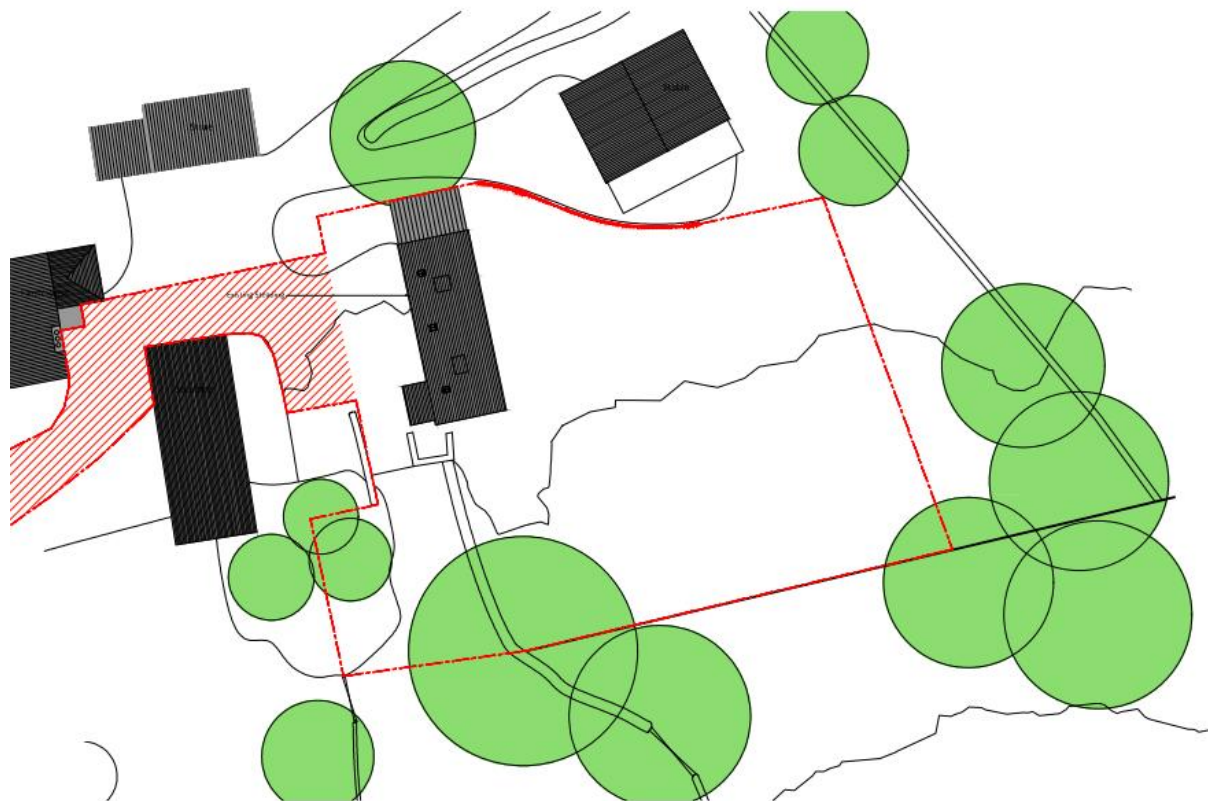
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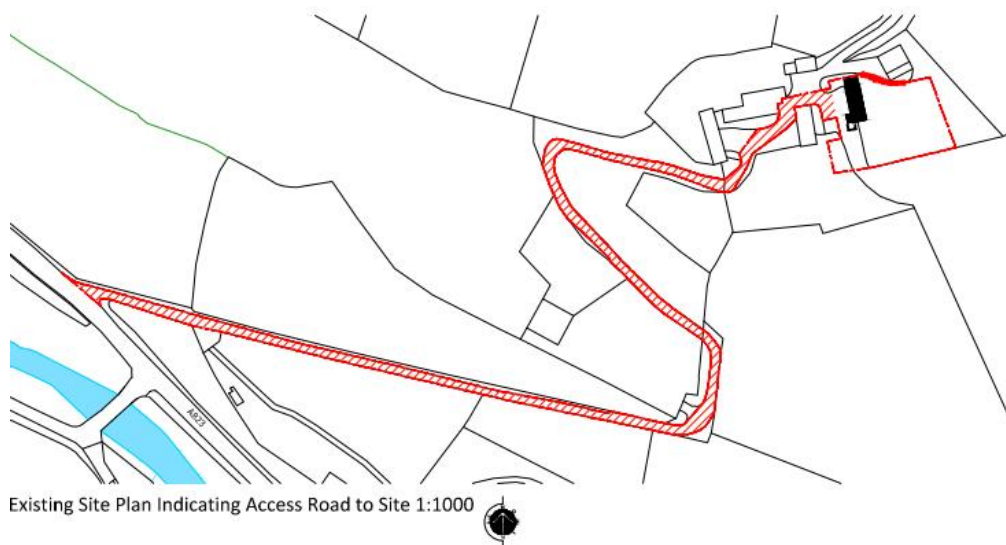
Project  
Conversion and Extension to Existing Steading at  
Boreland Farm, Glendevon, FK14 7JY for  
Mr and Mrs MacDonald.

Drawing Title  
Location Plan

Job Number	Drawing Number	Revision	Scale @ A4
2243	GA(PL)001	C	1:5000



Existing Site Plan 1:200



Existing Site Plan Indicating Access Road to Site 1:1000

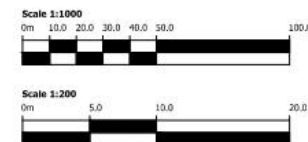
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Indicates Site Boundary.



Hatch indicates area within red line boundary where no development or improvement works are proposed.



C	Revised following planning comments.	02.05.23
B	Revised following planning comments.	18.04.23
A	Revised following planning comments.	05.04.23
REV	Notes	Date

**Project**  
Conversion and Extension to Steading at  
Boreland Farm, Glendevon, FK14 7JY for  
Mr and Mrs MacDonald.

**Drawing Title**  
Existing Site Plan

Job Number	Drawing Number	Revision	Scale @ A1
2243	GA(PL)002	C	1:200, 1:1000

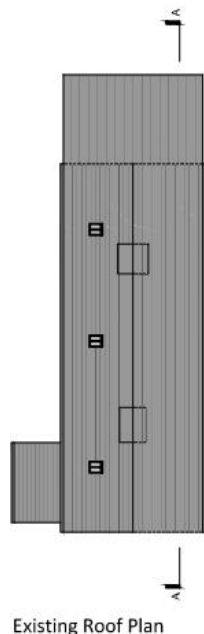
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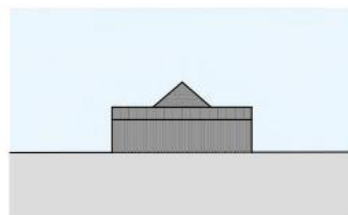
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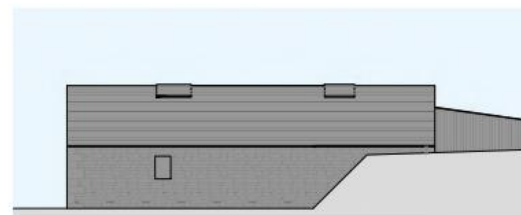
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Existing Roof Plan



Existing North Elevation



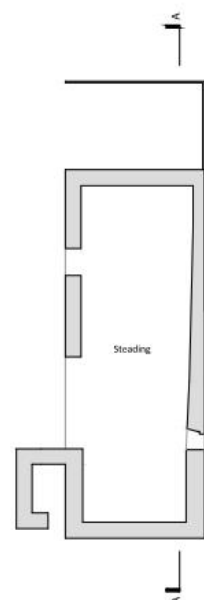
Existing East Elevation



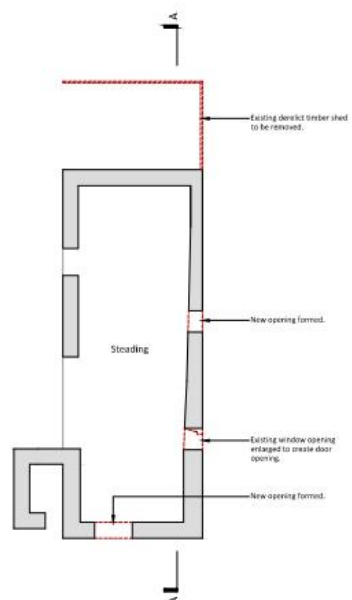
Existing South Elevation



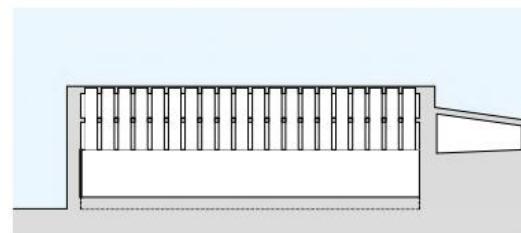
Existing West Elevation



Existing Floor Plan



Proposed Demolition Floor Plan



Existing Section A-A



REV	Notes	Date
A	Revised following planning comments.	05.04.23

**Project**  
Conversion and Extension to Existing Steading at Boreland Farm, Glendevon, FK14 7JY for Mr and Mrs MacDonald.

**Drawing Title**  
Existing Layout, Elevations and Section and Proposed Demolition Layout

Job Number	Drawing Number	Revision	Scale @ A1
2243	GA(PL)003	A	1:100

PLANNING

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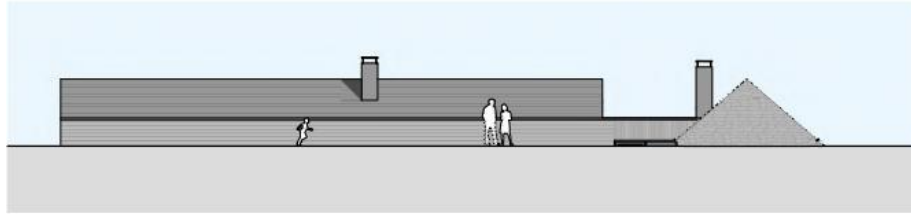
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Proposed North Elevation



Proposed East Elevation



Proposed South Elevation







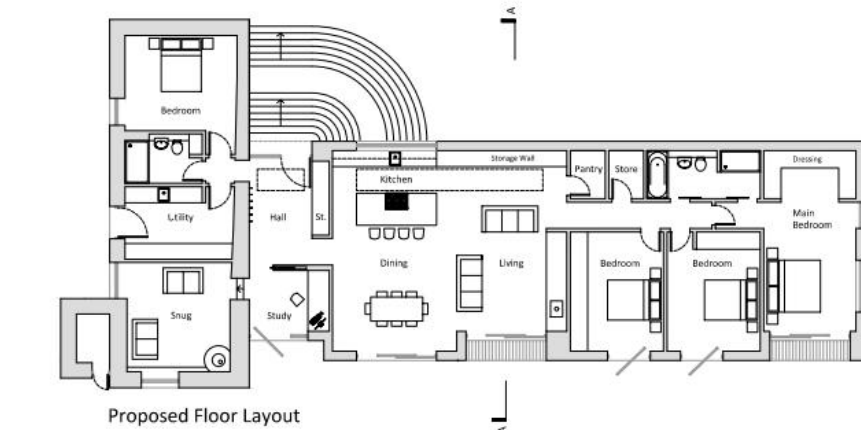
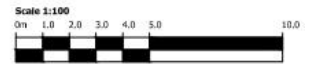
Proposed West Elevation (Primary Elevation)

Refer to Detailed Section 3  
Refer to Detailed Section 1

Refer to Detailed Section 2

### Material Key

-  Existing slate roofing or new slate roofing to match existing.
-  Existing stonework or new stonework to match existing.
-  Dressed heartwood rainscreen cladding.
-  High performance Aluclad thermally broken triple glazed window, door or screen units.



Proposed Floor Layout



Section A-A

REV	Notes	Date
B	Revised following planning comments.	18.04.23
A	Revised following planning comments.	05.04.23

**Project**  
Conversion and Extension to Steading at Boreland Farm, Glendevon, FK14 7JY for Mr and Mrs MacDonald.

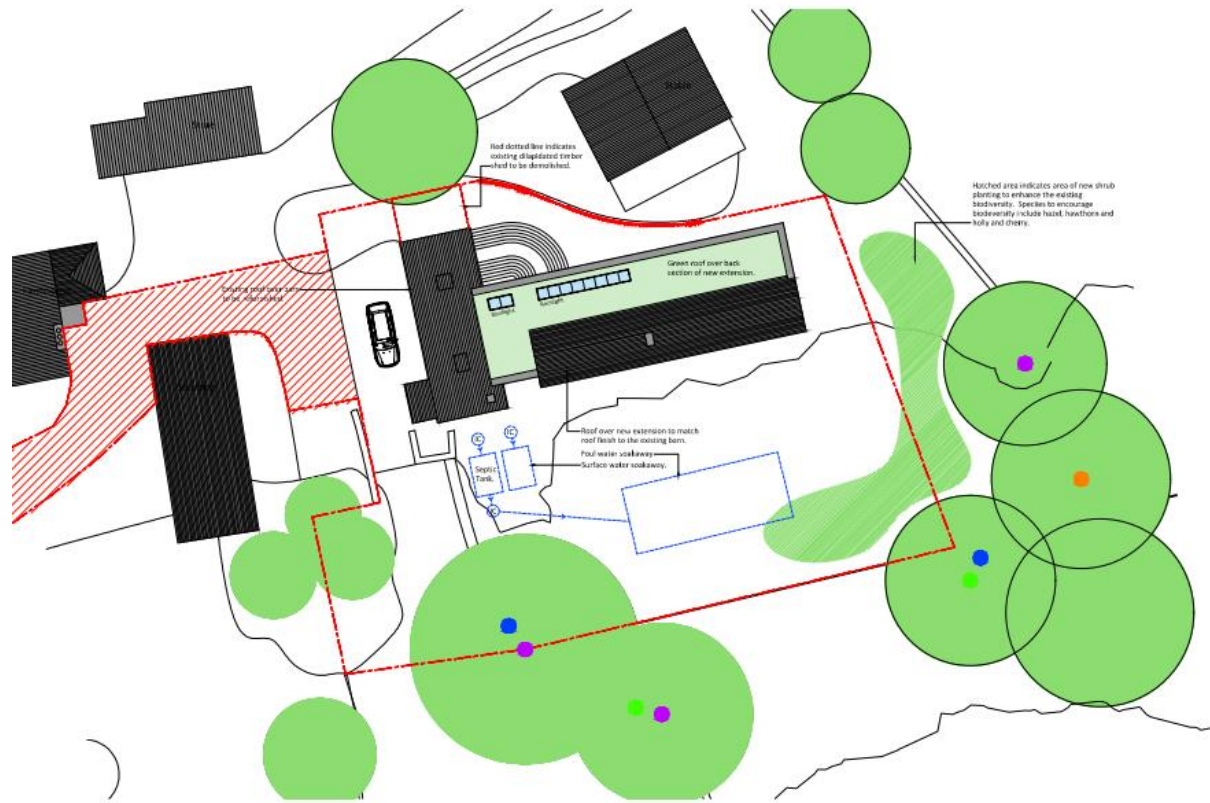
**Drawing Title**  
Proposed Layout, Elevations and Section

Job Number	Drawing Number	Revision	Scale @ A1
2243	GA(PL)005	B	1:100

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Proposed Site Plan 1:200



Proposed Site Plan Indicating Access Road to Site 1:1000

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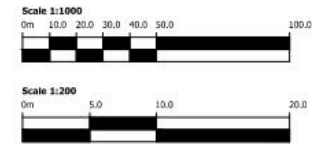
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Indicates Site Boundary.



Hatch indicates area within red line boundary where no development or improvement works are proposed.

- Indicates Owl Box Location.
- Indicates Bat Box Location.
- Small Hole Bird Nesting Box Location.
- Open Fronted Bird Nesting Box Location.



C	Revised following planning comments.	02.05.23
B	Revised following planning comments.	18.04.23
A	Revised following planning comments.	05.04.23
REV	Notes	Date

**Project**  
Conversion and Extension to Existing Steading at Boreland Farm, Glendevon, FK14 7JY for Mr and Mrs MacDonald.

**Drawing Title**  
Proposed Site Plan

Job Number	Drawing Number	Revision	Scale @ A1
2243	GA(PL)004	C	1:200, 1:1000

PLANNING

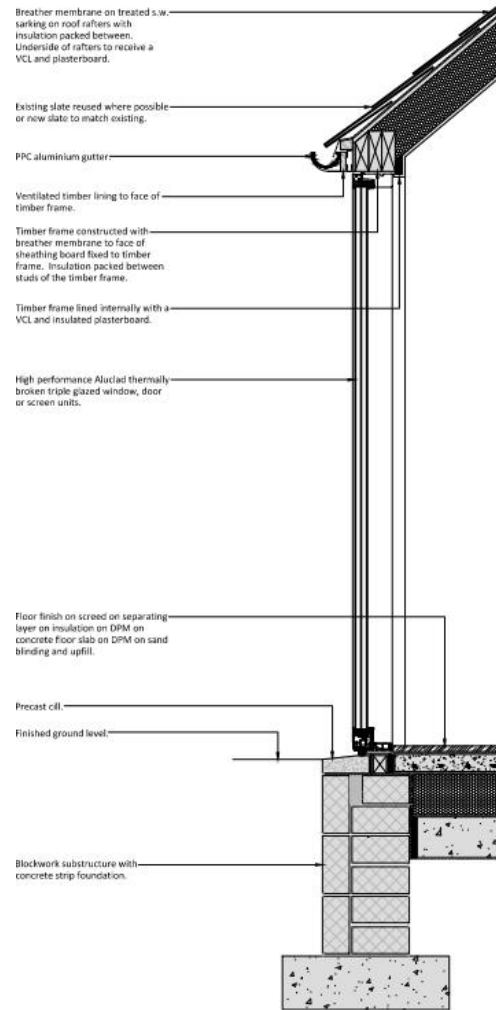
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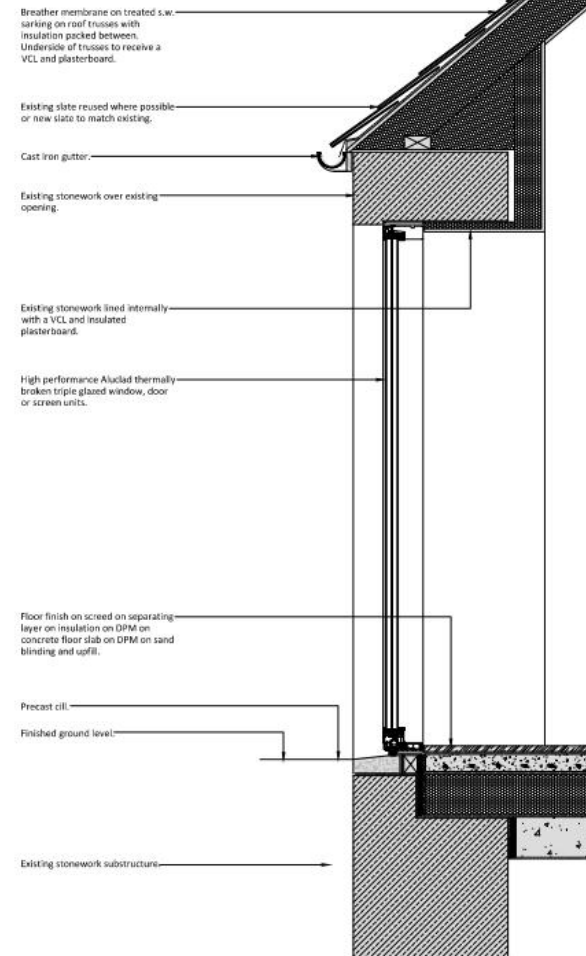
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Detailed Section 1  
Through New Opening to Extension.



Detailed Section 2  
Through Existing Opening to Barn.



REV	Notes	Date

**Project**  
Conversion and Extension to Steading at Boreland Farm, Glendevon, FK14 7JY for Mr and Mrs MacDonald.

**Drawing Title**  
Detailed Sections

Job Number	Drawing Number	Revision	Scale @ A1
2243	GA(PL)006	-	1:10

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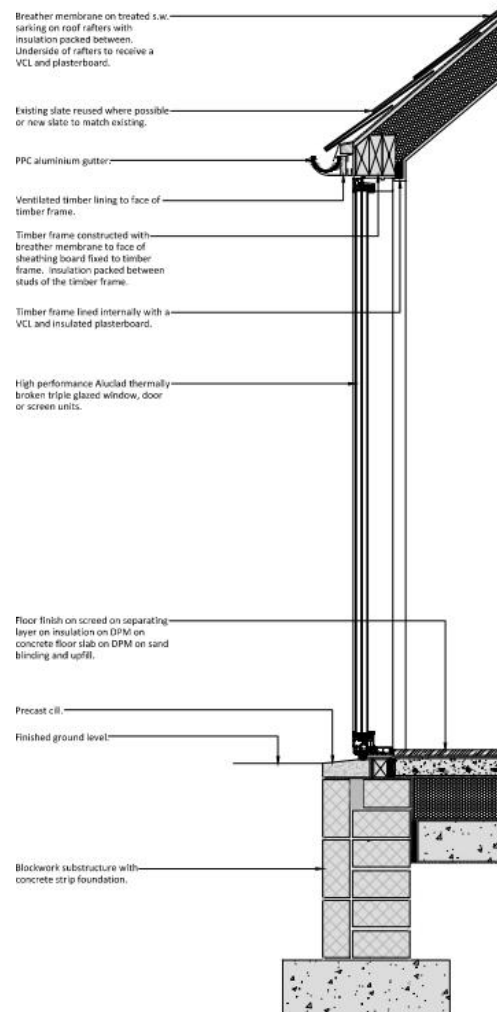
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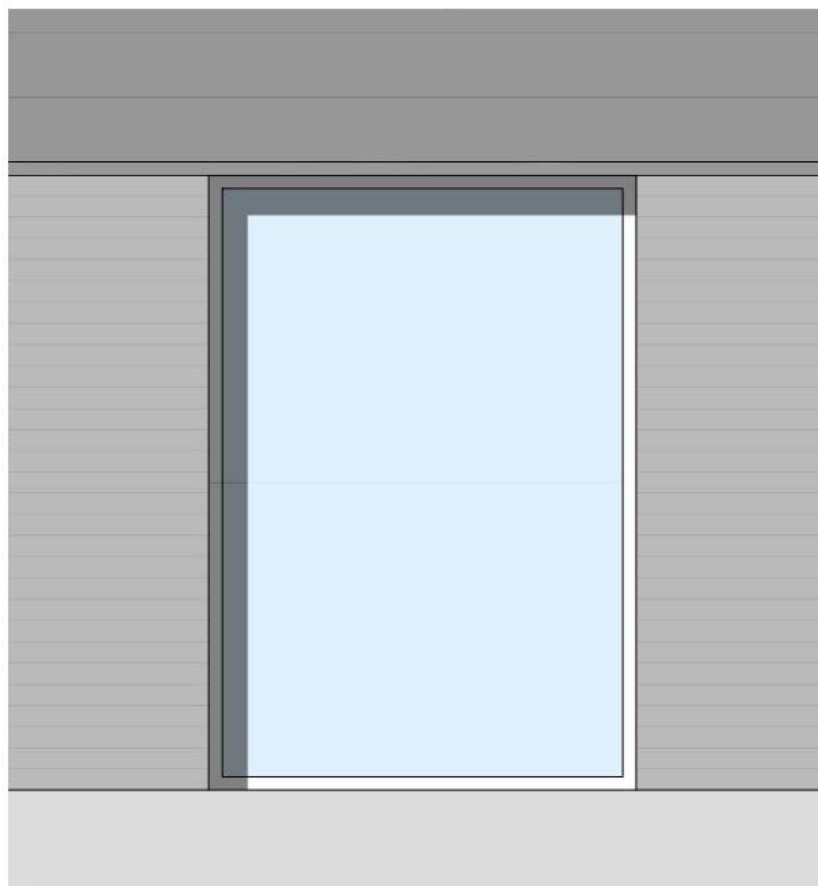
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Refer to adjacent Detailed Section 1



Detailed Section 1  
Through New Opening to Extension.



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REV	Notes	Date
A	Revised following planning comments.	18.04.23

Project  
Conversion and Extension to Steading at  
Boreland Farm, Glendevon, FK14 7JY for  
Mr and Mrs MacDonald.

Drawing Title  
Detailed Section 1

Job Number	Drawing Number	Revision	Scale @ A1
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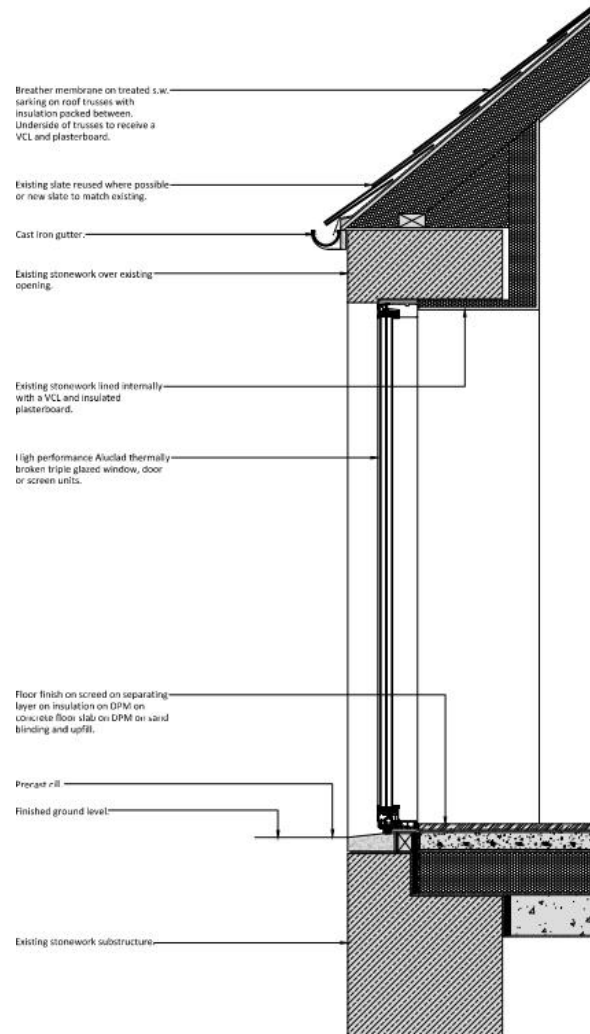
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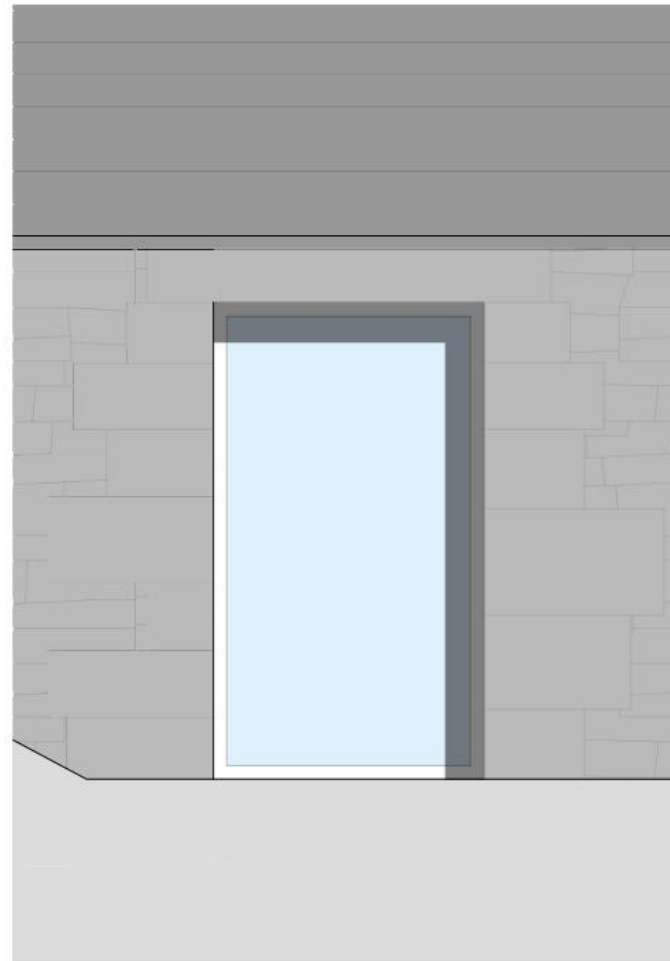
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Refer to adjacent Detailed Section 2



Detailed Section 2 Through Existing Opening to Steading.



Refer to adjacent Detailed Section 2

Detailed Elevation Through Existing Opening to Steading.



REV	Notes	Date

**Project**  
Conversion and Extension to Steading at Boreland Farm, Glendevon, FK14 7JY for Mr and Mrs MacDonald.

**Drawing Title**  
Detailed Section 2

Job Number	Drawing Number	Revision	Scale @ A1
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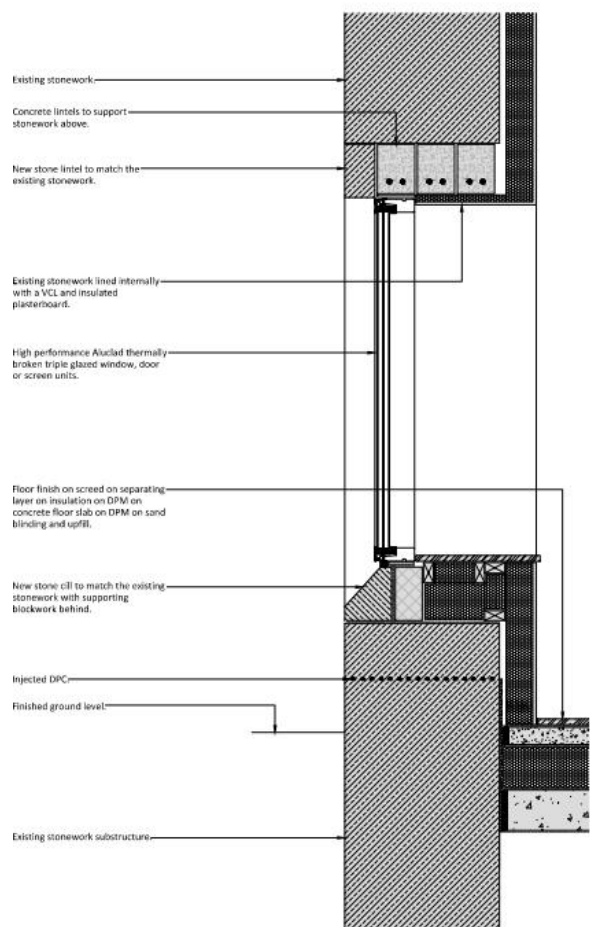
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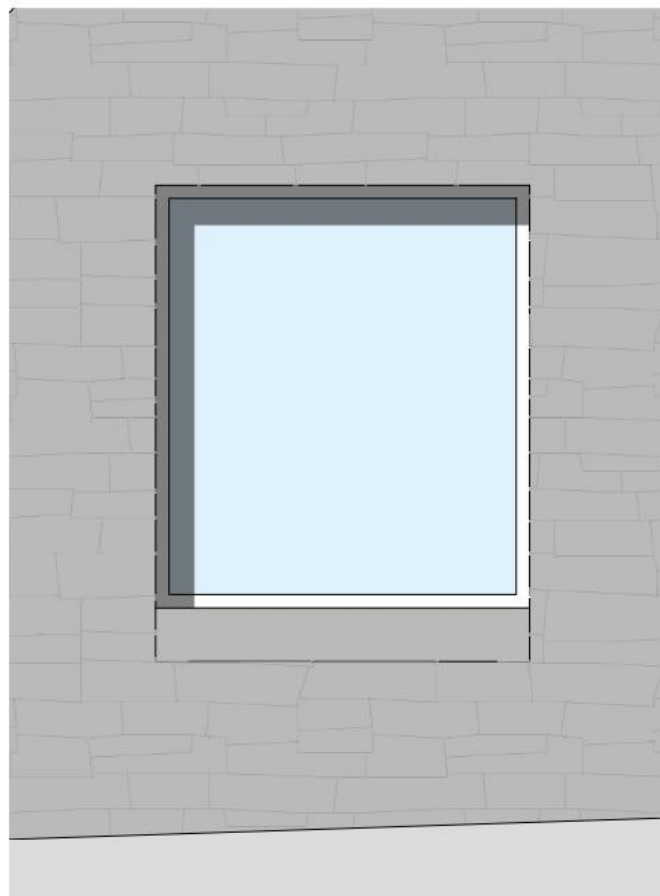
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Refer to adjacent Detailed Section 3



Detailed Section 3  
Through New Window Opening to Steading.



Refer to adjacent Detailed Section 3

Detailed Elevation  
New Window Opening to Steading.



REV	Notes	Date

**Project**  
Conversion and Extension to Steading at  
Boreland Farm, Glendevon, FK14 7JY for  
Mr and Mrs MacDonald.

**Drawing Title**  
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Boreland Farm, Glendevon  
Preliminary Ecological Assessment (PEA)

*For Staran Architects*

06<sup>th</sup> March 2023

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## Version

VERSION	DATE	AUTHOR	REVIEWED	APPROVED
CIC v1.0	27/02/23	Ophélie Lasne	Stewart Parsons	28/02/23
CIC v1.1	06/03/23	Stewart Parsons	Emma Parsons	06/03/23

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The report, and the information contained in it, is intended to be valid for a maximum of 12 months from the date of the survey, providing no significant alterations to the site have occurred.



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# Executive Summary

Ellendale Environmental Limited was commissioned by Staran Architects, on behalf of their client, to undertake a Preliminary Ecological Assessment (PEA) in support of a planning application for an area of land and an existing steading building at Boreland Farm, Glendevon, Perth and Kinross ('the site'). It is proposed to convert and extend the steading to provide a residential property on the site ('the proposed development').

Surveys undertaken at the site as part of the PEA included a Phase 1 Habitat survey, a protected species walkover and a Preliminary Roost Assessment (PRA). The Phase 1 Habitat survey was undertaken following a Phase 1 survey methodology to list the plant species associated with each habitat. The preliminary protected species walkover was conducted for the site and the surrounding area, and a PRA was undertaken for the building and trees present on the site.

The site is located approximately 20km north-east of Stirling and is approximately 0.1 hectares in size. The site comprises a steading building and associated paddocks, with areas of poor semi-improved grassland which are heavily grazed and surrounded by wire fences. This limits the site in its potential to provide habitat for protected species.

Evidence of nesting birds, namely swallows, was found within the steading at the time of the survey. In addition, small garden birds, including blue tits, robins and sparrows, were observed going in and out of the brush piles located around the edges of the site. No evidence of barn owl activity was identified within the site or steading building.

The grassland within the site does not provide suitable habitat for common reptile and amphibian species, and no refugia were found during the survey that were suitable to support reptile species. There are no waterbodies within or close to the site that would provide suitable habitat for amphibians. In addition, the heavy grazing pressure present throughout the site will further reduce the site suitability to welcome common reptiles and amphibians.

No evidence of badger was found within the site or around the boundaries of the site and the species is not considered to be present.



The building present on site is a former agricultural building and is constructed from traditional stone walls with a timber frame roof covered with slate tiles. The building was found to be in a poor condition with gaps in the tiles and the ridge line missing. In addition, a large gap was found to be present at the south-eastern corner of the building. These gaps allow rain to enter the roof and internal structure of the building, thus reducing the suitability of the roof to support bat species.

The building is therefore assessed as providing Negligible Roost Potential. Internally and externally, there was no evidence of bat activity or roosting bats in the building, and it is considered unsuitable for roosting bats. No further surveys for bats are recommended for the steading.

Mature ash trees are present around the boundaries of the site and provide suitable habitat for nesting and foraging birds. Some cracks and crevices were noted on the trees that could provide Low Roost Potential for bat species; however, no evidence of bat activity was noted. It is understood that the trees will remain as part of the proposed development and won't be disturbed. As such, no further bat surveys are required for the trees.

Overall, the site is assessed as providing low suitability to support protected species and no evidence of protected species were identified during the survey.

Some modest post-development ecological enhancements at the site have been recommended that are proportionate with the low level of environmental impact from the proposed development. These measures aim to increase the diversity of species present on the site after the completion of future development works.





# 1. Introduction

## 1.1 Commission

Ellendale Environmental Limited was commissioned by Staran Architects, on behalf of their client, to undertake a Preliminary Ecological Assessment (PEA) in support of a planning application for an area of land and an existing steading building at Boreland Farm, Glendevon, Perth and Kinross ('the site'). It is proposed to convert and extend the steading to provide a residential property on the site ('the proposed development').

## 1.2 Site Details

The site is located north-east of Stirling at Boreland Farm, Glendevon, Perth and Kinross, FK14 7JY, at OS grid reference NN 98657 04899.

Figure 1: Site location



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### 1.3 Survey Objectives

On the basis of the brief provided by the client, Ellendale Environmental conducted an ecological survey of the site and a 50m buffer (where accessible and appropriate) to fulfil the following needs:

- Obtain baseline information on the current habitats and ecological features in and around the site;
- Identify any further specialist surveys that may be required;
- Identify the presence (or potential presence) of any protected species whose disturbance may require consent under The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) or the Wildlife and Countryside Act, 1981 (as amended); and
- Identify any species or habitats which may require special mitigation during works within the site.



## 2. Methodology

### 2.1 Data Search

Publicly available databases, including MAGIC and the NBN Atlas, were consulted for historical evidence of:

- Statutory land-based designations;
- Non-statutory land-based designations; and
- Protected and notable species.

The data search was conducted within a 2km radius of the site boundaries. This was extended to 5km for bat species.

### 2.2 Phase 1 Habitat Survey

A Phase 1 Habitat survey of the site area was undertaken, and the habitats present on the site were mapped following the Phase 1 survey methodology (JNCC, 2010), listing the plant species associated with each habitat. This methodology was a Phase 1 habitat survey, whereby all habitats were surveyed and recorded onto a base plan, and any habitats that were considered to be of potential interest to nature conservation were recorded through the use of target notes to annotate a Phase 1 habitat map.

### 2.3 Preliminary Protected Species Walkover

The site and surrounding areas were examined for signs of protected species. The presence/potential presence of protected or notable species of conservation concern was recorded using target notes, following the Chartered Institute of Ecological and Environmental Management guidance (CIEEM, 2012).

### 2.4 Preliminary Roost Assessment

An inspection of the steading and trees within the site was undertaken from ground level, looking for evidence of bats, bat roosting sites and possible bat access/egress points.

In examining the building and trees for bats, particular attention was given to any crevice in which bats may roost. These were inspected for bat droppings, bat urine, feeding remains, oil staining from the fur of bats (indication of frequent use of a



particular site), and wear of substrates caused by the movement of bats in and out over a long period of time.

### 2.5 Survey Area

The survey covered the entire site and areas within 50m (where accessible and appropriate).

### 2.6 Survey Limitations

The aim of this survey was not to record every species present on the site, as one survey acts as a snap-shot, recording only those species which are present at the time or whose presence can be indicated through the occurrence of field signs, such as feeding remains, droppings or places used for shelter or foraging.

Evidence collected has been used to draw conclusions about the flora and fauna within the boundary of the site and to provide an assessment of their ecological and nature conservation value.

Weather was not a limiting factor to the survey. The prevailing conditions at the time of the survey are summarised in Table 1.

*Table 1: Survey weather conditions*

SURVEY DATE	TEMPERATURE (°C)	WIND SPEED (MPH)	CLOUD COVER / PRECIPITATION
22/02/23	7.1	1.5 Avg. 2.2 Max.	90% cloud cover. Dry and cold.

### 2.7 Surveyors

The survey was undertaken by Stewart Parsons, Director and Principal Ecologist of Ellendale Environmental, who is a full member of CIEEM and Chartered Environmentalist (CEnv). Stewart has over 19 years' professional experience of ecological surveys across the UK.

The survey was assisted by Ophélie Lasne, Assistant Ecologist of Ellendale Environmental and a qualifying member of CIEEM, who has experience of undertaking PEAs.



## 3. Results

A 2km data search for existing designated sites and biological records was undertaken from NatureScot SiteLink and the NBN Atlas.

### Statutory Designated Sites

There are no statutory designated sites located within 2km of the site.

### Non-Statutory Designated Sites

There are no non-statutory designated sites located within 2km of the site.

### Protected and Notable Species

The following terrestrial protected species were identified within 2km (5km for bats) of the site boundaries by the data search:

- Common lizard *Zootoca vivipara* (one record, located 2km west of the site, recorded in 2021);
- Eurasian otter *Lutra lutra* (five records, the closest of which is located 1.1km south-east of the site, recorded in 2015);
- Pine marten *Martes martes* (two records, the closest of which is located 0.7km south-west of the site, recorded in 2015);
- Eurasian badger *Meles meles* (one record, located 0.5km south of the site, recorded in 2020);
- Eurasian red squirrel *Sciurus vulgaris* (31 records, the closest of which is located 0.3km west of the site, recorded in 2017);
- Daubenton's bat *Myotis daubentonii* (30 records, the closest of which is located 3.9km south-east of the site, the most recent recorded in 2019);
- Common pipistrelle *Pipistrellus pipistrellus* (four records, the closest of which is located 1.5km north-west of the site, the most recent recorded in 2018); and
- Soprano pipistrelle *Pipistrellus pygmaeus* (one record, located 4.7km south-east of the site, recorded in 2006).



### Bird Species

Approximately 82 bird species have been recorded within 2km of the site and are shown on the NBN Atlas; however, none of these records are within the site boundaries.

#### 3.1 Phase 1 Habitat Survey

The site is approximately 0.1 hectares in size and is located approximately 20km north-east of Stirling at Boreland Farm in Glendevon, Perth and Kinross. It comprises a steading building ('the target building') and associated land.

The site is bounded to the north, east and south by agricultural lands. To the west there are buildings associated with Boreland Farm and associated land.

There are six Phase 1 habitat types, including boundary features, recorded on site, namely:

- J.4 Bare ground;
- J.3.6 Built-up areas (building);
- B.6 Poor semi-improved grassland;
- A.3.1 Broad-leaved scattered trees;
- J.5 Other habitats; and
- J.2.3.4 Fence.

#### J.4 Bare ground

At the entrance to the site, there is an area of bare ground used for access to the steading and for the parking of farm machinery. Occasional ruderal species are present having established on the less disturbed ground around the edges of this area. Species present include dead nettle *Lamium sp.*, bittercress *Cardamine sp.*, willowherb *Epilobium sp.*, foxglove *Digitalis purpurea*, dock *Rumex sp.*, creeping buttercup *Ranunculus repens*, cock's-foot grass *Dactylis glomerata* and moss *Sphagnum sp.* A retaining wall is present at the northern end of the site and was noted to be covered with moss.



*Photograph 1: showing a view of the site access and target building*



### I.3.6 Built-up areas (buildings)

The target building present on site is an old byre (or a previous horse stable) and is constructed from traditional stone walls with a timber frame roof covered with slate tiles. The building is approximately 16m long by 6m wide and is single-storey. The building was found to be in a poor condition with missing ridge and tiles. A small stable is present to the south. To the north of the building a small lean-to structure is present. It is constructed from wooden walls and a corrugated sheet metal roof that have both been previously painted.

### B.6 Poor semi-improved grassland

An area of poor semi-improved grassland is present to the south-west of the target building. This small paddock was under heavy grazing pressure from horses at the time of the survey with the presence of bare ground and was noted to be species-poor.



Species present include perennial rye-grass *Lolium perenne*, creeping buttercup and broadleaved dock *Rumex obtusifolius*.

To the east of the target building there is another paddock of poor semi-improved grassland that is also grazed. Species present including perennial rye grass, creeping buttercup, broad-leaved dock, soft rush *Juncus effusus* and common nettle *Urtica dioica*. At the time of the survey the grassland sward height was low and was noted to be species-poor.

*Photograph 2: showing a view of the semi-improved grassland area to the east of the site*



#### A.3.1 Broad-leaved scattered trees

To the south of the site there are some mature ash *Fraxinus excelsior* trees located on the corner of the field boundaries. The trees were noted to be in good condition at the time of the survey, with no signs of ash die-back *Hymenoscyphus fraxineus*.





### 1.5 Other habitats

Brash piles were noted to be present around the boundaries of the site. It is understood that these are being cleared from the site. Retaining rock walls are also present within the site around the field boundaries. They were found to be in poor condition with moss present and rocks missing.

*Photograph 3: showing a brash pile with mature ash trees in the background*



#### 1.2.3.4 Fence

A barbed wire fence is present along the site boundaries to the south, east and west. The small paddock located to the south of the site is accessed with a steel gate.



### 3.2 Preliminary Protected Species Walkover

The site comprises a former agricultural building and associated paddocks dominated by poor semi-improved grassland and surrounded by wire fences.

Grassland within the site was noted to be heavily grazed, with a low sward height and was species-poor. This limits the site in its potential to provide habitat for protected species. The grassland within the site does not provide suitable habitat for common reptile and amphibian species, and no refugia were found during the survey that were suitable to support reptile species. There are no waterbodies within or close to the site that would provide suitable habitat for amphibians.

Evidence of nesting birds, namely swallows *Hirundo rustica*, was found within the building at the time of the survey. In addition, small garden birds, including blue tits *Cyanistes caeruleus*, robins *Erithacus rubecula* and sparrows *Passer sp.*, were observed going in and out of the brash piles. No evidence of barn owl *Tyto alba* activity was identified within the site or building.

No evidence of badger was found within the site or around the boundaries of the site and the species is not considered to be present.

Overall, the site is assessed as providing low suitability to support protected species and no evidence of protected species were identified during the survey.

### 3.3 Preliminary Roost Assessment

The building present on site is a former agricultural structure and is constructed from traditional stone walls with a timber frame roof covered with slate tiles. The building is approximately 16m long by 6m wide and is single-storey.

Externally, the walls of the building were noted were found to be in a reasonable condition, but with some gaps and crevices present due to loose or missing mortar. No evidence of bat activity was found on the walls during the survey and they were noted to be cold and wet which reduces the suitability for roosting bats species.

The roof of the building was noted to be in poor condition with some loose and missing tiles noted. A large gap was found to be present at the south-eastern corner of the building. In addition, it was noted that the ridge of the roof was missing with a gap present along the length of the building. These gaps allow rain and wind to enter the roof structure of the building making it wet and cold and thus reducing the



suitability of the roof to support bat species. No evidence of bat activity was found on the external roof surface of the building during the survey.

*Photograph 4: showing a view of the external walls of the target building.*



Internally, there was no evidence of roosting bats. Windows and doors were open or broken and holes were noted to be present in the roof, creating a cold internal space. It was noted that the walls and roof were wet with algae present. Rotten timbers and mould was noted throughout the structure indicating that it is wet. This makes the space unsuitable for bats that require dry and stable conditions for roosting.

The main structure of the target building is therefore assessed as providing Negligible Roost Potential and no evidence of bat activity or roosting bats was found during the survey. Internally and externally, there was no evidence of roosting bats in the building, and it is considered unsuitable for roosting bats. No further surveys for bats are recommended.



*Photograph 5: showing a view of the ridge of the building*



To the north of the main building there is a small lean-to structure that is constructed from a wooden frame with corrugated metal sheets on the roof. This area was noted to be open and in poor condition and is assessed as providing Negligible Roost Potential for bats species. No further surveys for bats are recommended.



*Photograph 6: showing a view of the lean-to structure located north of the main building*



A lean-to is present to the south-east of the main structure and is constricted from traditional stone walls with a timber frame roof covered by slate tiles. The structure is open to the south with gaps and holes noted in the roof structure. Internally, the space was noted to be wet and unsuitable for roosting bats.

Ash trees are present on the site boundaries along the wire fence line and are not connected to any other landscape features. Some gaps and crevices were noted that may provide Low Roost Potential for bat species; however, no evidence was found at the time of the survey. It is understood that the trees will remain as part of the proposed development and won't be disturbed. As such, no further bat surveys are required.



## 4. Conclusions

### 4.1 Conclusion

The site comprises a former agricultural building and associated paddocks, dominated by poor semi-improved grassland that is grazed.

The grassland within the site is heavily grazed and had a low sward height at the time of the survey and therefore does not provide suitable habitat for common reptile and amphibian species. No refugia were found during the survey that were suitable to support reptile species. There are no waterbodies within or close to the site that would provide suitable habitat for amphibians.

Evidence of nesting birds, namely swallows, was found within the building at the time of the survey. In addition, passerine bird species, including blue tits, robins and sparrows, were observed going in and out of the brash piles located throughout the site. No evidence of barn owl activity was identified within the site.

No evidence of badger was found within the site or around the boundaries of the site and the species is not considered to be present.

The building present on site is constructed from traditional stone walls with a timber frame roof covered with slate tiles. The building is approximately 16m long by 6m wide and is single-storey. Externally, the walls of the building were noted to be in a reasonable condition but with some gaps and crevices present due to loose or missing mortar; however, no evidence of bat activity was found during the survey.

The roof of the building was noted to be in poor condition with some loose and missing tiles noted and a large gap located at the south-eastern corner of the building. In addition, it was noted that the ridge of the roof was missing all the way along the building. This gap allows wind and rain to enter the roof structure of the building reducing the suitability of the roof to support bat species.

Internally, there was no evidence of roosting bats. Windows and doors were open or broken and holes were noted to be present in the roof, creating a cold internal space. It was noted that the walls and roof were wet with algae present. Rotten timbers and mould was noted throughout the structure indicating that it is wet.



The target building is therefore assessed as providing Negligible Roost Potential and no evidence of bat activity or roosting bats was found during the survey. No further surveys for bats are recommended.

Trees present on the site were found to have cracks and crevices that may provide suitable habitat for roosting bats; however, no evidence was found and the trees are assessed as providing Low Roost Potential. It is understood that the trees will remain as part of the proposed development and won't be disturbed. As such, no further bat surveys are required.

Overall, the site is assessed as providing low suitability to support protected species and no evidence of protected species were identified during the survey.

#### 4.2 Mitigation

Site personnel should be made aware of protected species and if any are recorded on site, all works should stop, and a suitably qualified ecologist contacted.

##### *Nesting Birds*

It is recommended that any vegetation clearance within the site, including the removal of the brush piles, is undertaken outside of the bird breeding season, i.e., March to July, as all nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). If nesting birds are found, these areas of the site will need to be protected from disturbance until the young have fledged naturally.

#### 4.3 Suggested Biodiversity Enhancements

The following recommendations are made for modest post-construction ecological enhancements at the site which are proportionate with the low level of environmental impact from the proposed development:

- 1] Bird nesting boxes (both small-hole and open-fronted) should be placed within the site if possible. This will create nesting opportunities for small bird species as part of the overall design.
  
- 2] An owl box should be placed within the site if possible. This will create nesting and perching opportunities for barn owl as part of the overall design.



3] Bat boxes should be placed on or around the site boundaries if possible. This could create roosting opportunities for bat species as part of the overall design.

4] Planting of native shrubs in appropriate areas of the site such as the eastern boundary will bolster the existing habitat and provide connectivity between existing habitats. Species beneficial to wildlife include hawthorn *Crataegus monogyna*, hazel *Corylus avellana*, holly *Ilex aquifolium* and cherry *Prunus avium*.

5] Lighting at the site will be in accordance with *Bats and Artificial Lighting* (Institute of Lighting Professionals, 2018) and the lighting layout will be advised and agreed by an ecologist prior to installation.

In order to lessen the effects of external lighting, the following will also be applied to lighting used within the site:

- Hoods or baffles will be used to direct the light downwards to reduce light pollution of the night sky; and
- Low-intensity lighting and warmer hues (i.e., warm white, yellow, or amber) will be used where practicable as they emit a dull glow.

Measures to reduce negative impacts of lighting on wildlife are also likely to be beneficial in reducing adverse impacts on people.





## 5. Target Notes

### 5.1 Botanical Target Notes (TN)

TN1 - An area of bare ground used for access and plant storage.

TN2 - The target building is an old byre.

TN3 - An area of poor semi-improved grassland with evidence of previous grazing pressure.

TN4 - An area of poor semi-improved grassland with heavy grazing pressure.

### 5.2 Animal Target Notes (AN)

AN1 - Small passerine birds have been observed going in and out of the branch pile.

AN2 - The target building is unsuitable for roosting bats due to wet and unstable conditions. No evidence of bats was recorded during the survey externally and internally.

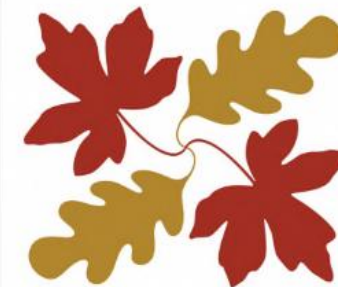
AN3 - Small passerine birds have been observed going in and out of the branch pile.

AN4 - Small passerine birds have been observed going in and out of the branch pile.

AN5 - Mature ash tree with low potential for roosting bats and nesting birds.



## 6. Extended Phase 1 Habitat Map



**ELLENDALE**  
ENVIRONMENTAL

**Drawing Title;**  
Boreland Farm, Glendevon  
Extended Phase 1 Map

**Client;**  
Mr Hugo Lewis

**Date;**  
28/02/23

**Drawn By;**  
SP

**Project Number;**  
EEL581

**Version Number;**  
v1.0

**Target Note**

● TN

**Animal Note**

● AN

**Woodland and Scrub**

× Scattered Scrub

● Broadleaved Tree

**Built-up Area**

— Wall

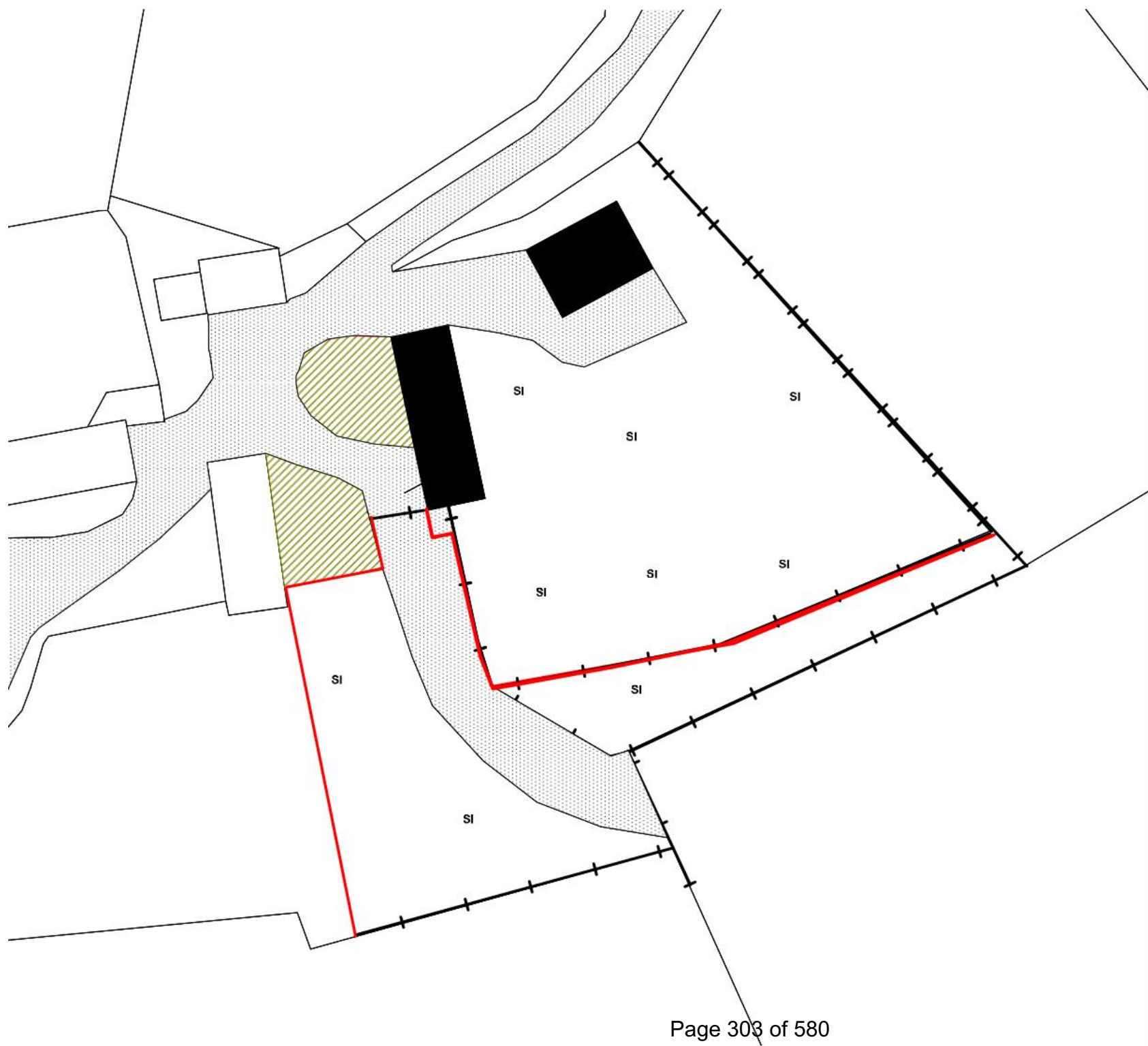
+ Fence

■ Building

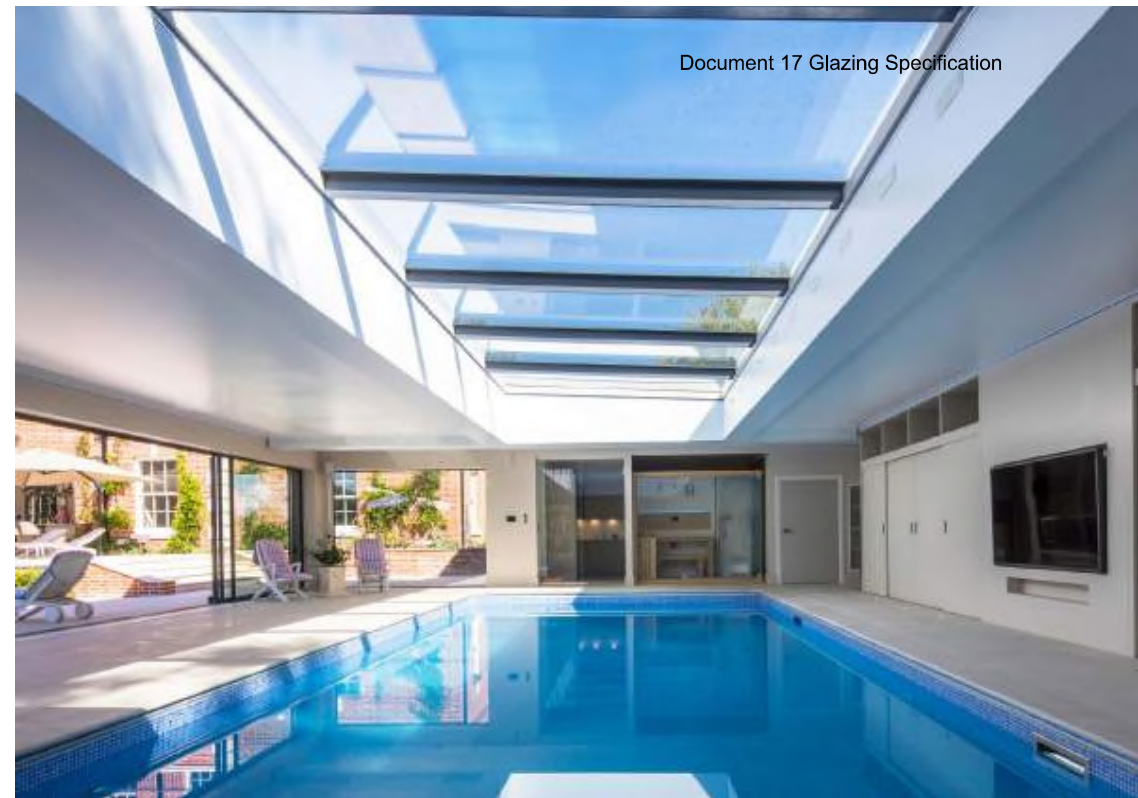
▨ Hard Standing/Bare Earth

**Tall Herb and Fern**

▨ Tall Ruderal



**GLAZING  
VISION**  
visionary rooflights



flushglaze® the original flat glass rooflight





## simplicity

The Flushglaze is simplicity itself, a minimalist fixed rooflight with 'frameless' internal views designed to allow as much natural daylight into a room as possible.

The Flushglaze can be manufactured using a variety of custom glass specifications to suit your chosen application. Typical variations include double glazed units utilising toughened, heat soak tested, and heat strengthened laminated glass, triple glazed, walk on specification glass suited to your required loadings, and even fire rated glazing.

Other options include acoustic glass for locations with high noise pollution, solar control, and different types of privacy glass.

The entire Flushglaze range of rooflights has been independently performance tested and approved by the British Board of Agrément, and is also classified by official Police security initiative, Secured by Design. Tested to LPS2081/1 and certified by the Loss Prevention Certification Board.

flushglaze® multipart rooflight systems



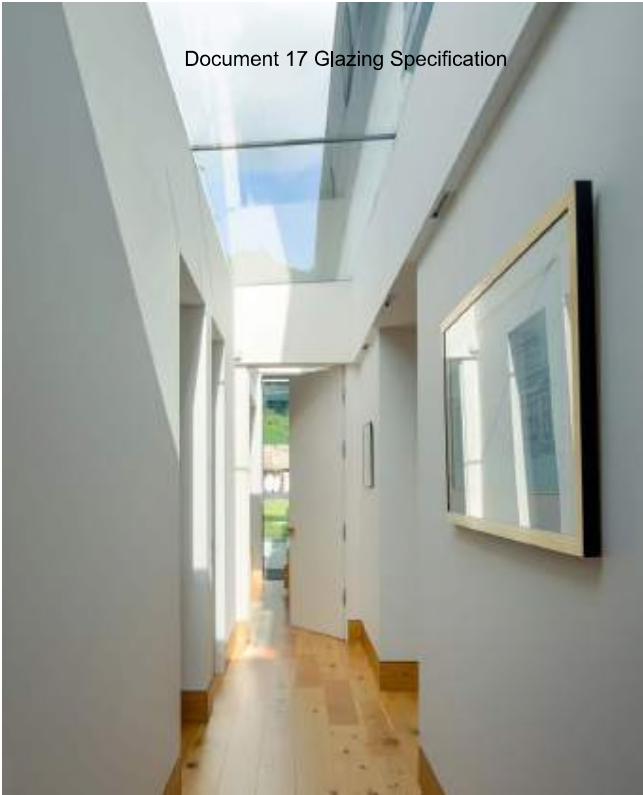
multipart system **silicone seals**



The beauty of the Flushglaze system is its flexibility. For larger areas of glazing, the glass panels can be linked together using a variety of different methods.

For example, if you are working to a span of just over a metre then a simple silicone seal is the only requirement to secure the panels together.

This is a great solution if you are looking to maintain the 'frameless' internal appearance of your rooflight.



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multipart system aluminium angles



For larger spans you will need something stronger to safely support the joint between the glazed panels.

A Flushglaze multipart rooflight can also be specified with back to back aluminium angles that form a tee shape for structural support.

This option tends to fit in very well with modern interiors, particularly when paired with bi-fold or sliding door systems, the internal angles can be powder coated to any RAL colour of your choice.

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Document 17 Glazing Specification

RAL9010 Pure White (above) special order.

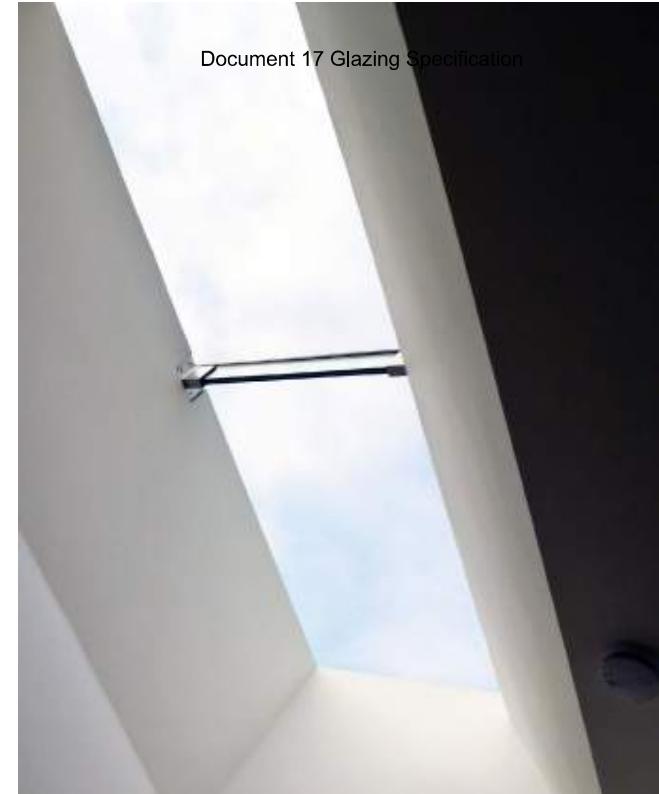
multipart system **glass fins**

If you're looking to maintain an all glass finish, a Flushglaze multipart system can be specified using glass fins as structural support instead of aluminium angles.

These are a real architectural feature and offer a slightly more elegant finish.

The fins are heat soak tested, toughened laminated for maximum strength and are supported at each end by stainless steel shoes.

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## eaves system

The eaves system takes the Flushglaze concept one step further by allowing vertically glazed sections to be connected to overhead glazing.

In most cases, a silicone seal is all that's needed to bond these sections together.

The results are stunning.



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## Document 17 Glazing Specification



### ridgeglaze system

Flushglaze is not just limited to flat roofs or a single pitch.

Glazing Vision have developed a 'ridgeglaze' system that is designed to be installed over the apex of your roof, increasing daylight and sky only views on either side.

This system can be specified as a solo version or a full modular arrangement (image left)



walk on flushglaze



## Document 17 Glazing Specification

The versatility of the Flushglaze system is demonstrated perfectly in our walk on specification range of rooflights.

These products can unlock the potential of a terrace or dark basement without sacrificing usable space.

Our standard glass specification is designed to withstand regular foot traffic in domestic applications with uniform loadings of  $1.5\text{kN/m}^2$  and concentrated loadings of  $2.0\text{kN}$  in accordance with BS EN 1991-1-1-1:2002.

Glazing Vision can also design and manufacture walk on products for other applications such as public areas, commercial or heavy duty applications.



### walk on specification **bespoke options**

As part of the Flushglaze range, our walk on rooflights are available as stand-alone or modular systems which allow sections of glass to be fixed together, complete with their own structural support using aluminium back to back angles.

We can also provide a variety of glass finishes such as anti-slip designs for wet weather use, and custom screen printed borders designed to mask the visible part of your kerb beneath. These units can also be specified with opaque privacy glass in a variety of designs.

## security rooflight range

Security isn't something you leave to chance, you should ensure any easily accessible rooflights are secure by specifying the right product for the job.

The majority of our standard rooflight range has been exhaustively tested against LPS2081 Issue 1:2015 standards to comply with Building Regulations Approved Document Q - Security in Dwellings.

LPS2081 Issue 1:2015 is specifically designed to replicate the types of 'stealth' attack common to domestic properties.

These rooflights are also supported by official Police security initiative 'Secured by Design' which encourages manufacturers to consider the security performance of their products at the design stage.

Testing must be carried out to a relevant security standard before it can be awarded the Secured by Design mark.

The majority of Glazing Vision's complete rooflight range has been exhaustively tested against LPS2081 Issue 1:2015 standards to comply with Building Regulations



LPS 2081: Issue 2  
Cert/LPCB ref: 1347a







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roof windows for pitched roofs



## pitchglaze roof window

The Pitchglaze is a UKCA marked roof window designed to be installed in pitched tiled roof applications flush with the tiling line.

We have adopted our pioneering 'frameless' design ethos with this product so that when installed the building occupants can enjoy sky only views through the aperture, something not usually found with traditional roof window products.

The Pitchglaze is designed to be used at roof pitches between 15° and 60° and comprises of Qualicoat approved polyester powder coated aluminium framework combined with either double or triple glazing options.

When compared to more traditional roof windows, the Pitchglaze is available in much larger sizes, allowing increased amounts of natural daylight to penetrate the building whilst maintaining a low-profile external aesthetic.

Pitchglaze roof windows can be manufactured in much larger sizes than traditional roof windows.



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## pitchridge roof window

The Pitchridge is a UKCA and CE marked fixed product comprising two panes joined at the ridge using back-to-back angles and silicone seal.

The Pitchridge is designed to provide maximum daylight with minimum visible internal structure. Supplied in either portrait or landscape formats, it is designed to be installed in-plane on pitched roof applications.

The product is robust and long-lasting, boasting excellent thermal performance and air tightness, with a variety of optional extras such as special colour and easy clean coating.



## pitchvent roof window

The Pitchvent is a UKCA and CE marked ventilation roof window designed to be installed in pitched tiled roof applications.

The Pitchvent can be used at roof pitches between 15° and 60° and comprises of a Qualicoat approved, powder coated dual colour aluminium frame, combined with either double or triple glazing options.

This unit is available as either a manually operated unit, using a screw jack and pole mechanism or as a chain actuated variant, supplied with one or two actuators, depending on specification.

When compared to traditional roof windows, the Pitchvent is available in much larger sizes, thus increasing the amount of natural ventilation in your building.

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Pitchvent roof window in closed position.



Pitchvent roof windows are ideally suited to attic conversions where natural daylight and ventilation are harder to achieve.

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feature rooflights



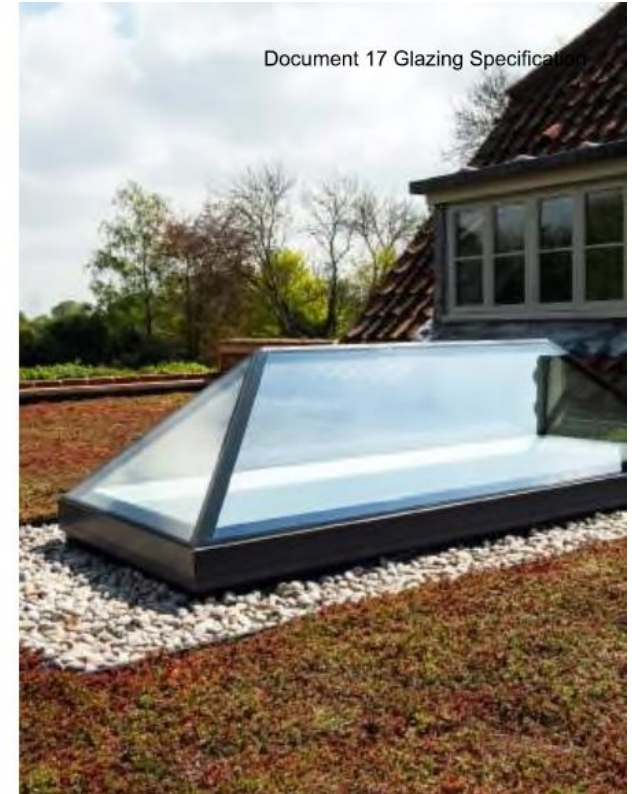
## pyramid & lantern

Considered an architectural feature as well as a rooflight, our pyramid and lantern products are a contemporary evolution of the traditional roof lantern.

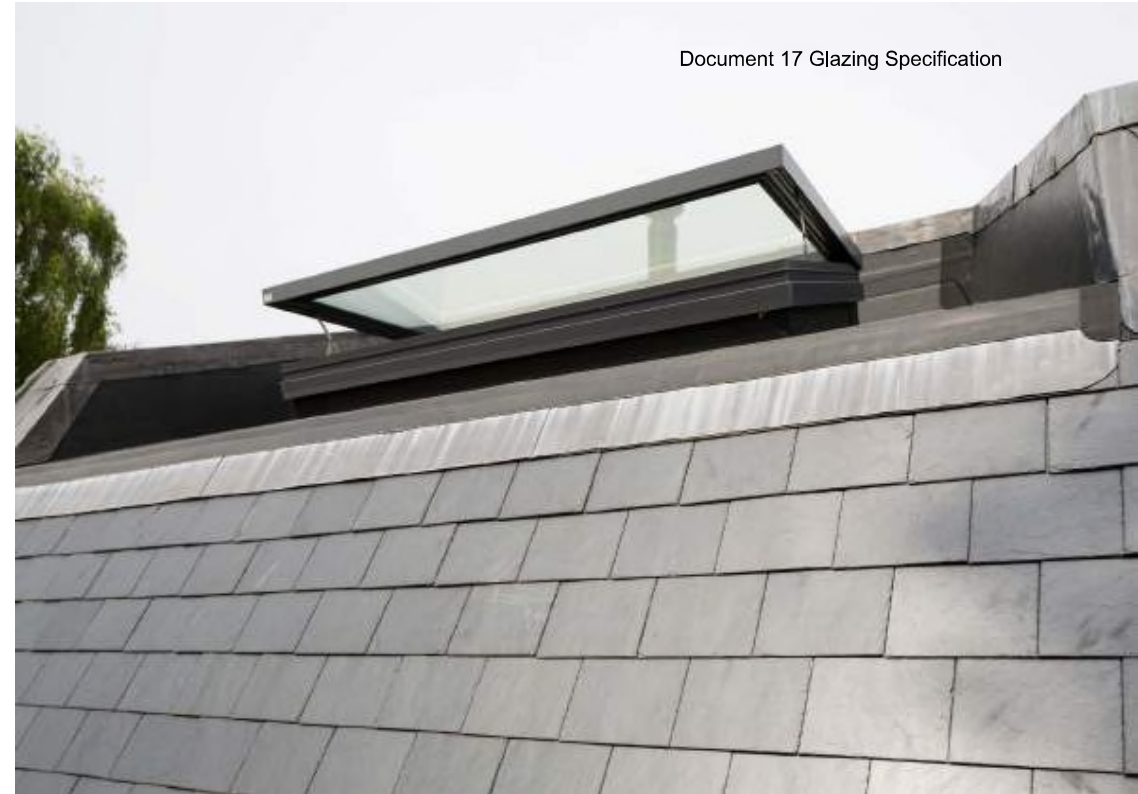
Glass to glass joints feature extensively on these rooflights minimising visible framework and maximising the amount of natural daylight that will flood into your building.

Our pyramid rooflight also has the optional extra of a built in downlighter in the apex cap, providing a visual focal point in the evening. The lantern rooflight is available as a standard 45° pitch with glass to glass joints.

All framework is thermally broken and low emissivity glass used throughout for fantastic thermal performance.



hinged ventilation **rooftlights**







### visionvent® manual

Our VisionVent rooflight range continues the design ethos of minimum framework, maximum daylight, whilst offering a means of harnessing natural ventilation.

The VisionVent range benefits from dual colour, thermally broken framework with external profiles designed to complement the Flushglaze aesthetic.

The entry level rooflight is a manually operated unit which is opened using a screw jack and telescopic pole mechanism. Opening size will vary depending on the size of rooflight but is roughly 30°.



### visionvent® chain drive

The VisionVent chain drive replaces the manual winding mechanism with a motorised chain driven unit.

This means that the rooflight can be opened at the touch of a button without the need for a telescopic pole and hook.

In addition to this, the VisionVent chain drive can be connected to an integrated thermostat and rain sensor unit which will open or close the unit based on user settings.





visionvent® electric

The electrically operated VisionVent is our top of the range ventilation rooflight.

Twin motors and mechanisms are hidden within the framework which keeps visual clutter to a minimum as well as making the mechanisms secure from attack when the unit is closed.

Security is further enhanced by the hinge design which runs along the entire width of the rooflight. The hinge is part of the actual framework extrusion itself, not a separate mechanical fixing.

The opening lid section is supported on each side providing an extremely secure platform ensuring it remains completely stable when open. This also means that the electric VisionVent can be manufactured in larger sizes than the manual or chain actuated versions.

This rooflight can be supplied with remote control and connected to accessories such as rain sensors, thermostats or Building Management Systems.



sliding **rooftlights**



## sliding over fixed

If space on the roof is tight, the Glazing Vision 'sliding over fixed' rooflight could be the best option.

This rooflight is usually split into two sections, with one sliding pane of glass moving over a fixed section.

This configuration allows the maximum amount of light to be transmitted whilst opening up 50% of the overall footprint for ventilation.

Power is transmitted through a twin drive rack and pinion system with large diameter carriage wheels and hard anodised tracks to provide smooth travel when in motion.

The Sliding Over Fixed features a one way solenoid clutch and built in anti-lifting mechanism so the sliding section cannot be forcibly back driven.

Our Qualicoat approved polyester powder coated frame is supplied dual colour as standard and is thermally broken using 39mm polyamide thermal breaks and closed cell PIR insulation.

Improved thermal performance can be achieved by specifying triple glazing which is now a standard option with the latest frame design.

Flat sliding rooflights can only be used for access if suitable balustrades are installed, Glazing Vision strongly recommends seeking guidance from building control before commencing works on site.





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### sliding over roof

For larger areas with sufficient unobstructed roof space for the sliding section, you should consider a 'sliding over roof' rooflight.

With this rooflight, the glazed section slides as a single leaf and is supported by tracks on the roof itself in the open position. These form part of the framework and allow more scope in size and specification whilst maintaining the 100% clear opening.

The Sliding Over Roof includes all of the main security features of the Sliding Over Fixed and is operated using the same rack and pinion drive mechanism with one way clutch system.

All sliding rooflights can be supplied with remote control and connected to a rain sensor, thermostat and Building Management System.

Flat sliding rooflights can only be used for access if suitable balustrades are installed, Glazing Vision strongly recommends seeking guidance from building control before commencing works on site.



open engineering

Bespoke sliding over roof unit provides a connection with the outdoors in this minimalist scheme featured in C4's 'George Clarke's Amazing Spaces', and BBC 1's 'Luther'



hinged [access rooflights](#)





## skyhatch manual

The Skyhatch manual is our entry level access rooflight and does not require any power. This version of the Skyhatch is used where access to the roof space is less frequent and is commonly installed for maintenance access.

The manual version opens to a maximum 75° at full travel and it cannot be partially opened so is not designed to act as a ventilation rooflight.

The latest version features completely new gas strut opening mechanisms which now feature calibrated spring assisted openings, we have also added an extra grab handle and repositioned them so that they are mechanically fixed to the frame itself for added strength and durability.

For extra security and improved weather performance an all new multi point locking system has been developed so that the lid section is locked at either end of the rooflight.

The extruded aluminium framework is thermally broken and supplied as standard in dual colour Qualicoat approved powder coat.





## skyhatch electric

Skyhatch electric is a maintenance access unit primarily, opening to a maximum 80° at full travel and can be stopped at any point to serve as a natural ventilation rooflight.

The extruded aluminium framework is thermally broken and supplied as standard in dual colour Qualicoat approved powder coat.

Power is supplied by an external 24V 300W supply as standard and the rooflight is operated by the intelligent LED wall switch supplied. Dual lift twin mechanisms provide reliable and stable support for the lid section when fully open.

As with all of our electronically controlled rooflights, the Skyhatch offers full connectivity to rain sensor, thermostat and Building Management Systems and is available with remote control.



## skydoor®

Skydoor is our most popular hinged access rooflight and is designed for day to day access to your roof space, ideal for terrace areas on flat roofs.

Operated by our intelligent LED control switch, the unit will respond to both one touch and press and hold requests.

The Skydoor opens out to an impressive 87° at full travel by means of synchronised dual actuators, but you can also stop the unit at any point mid travel which means it can be used as a natural ventilation rooflight.

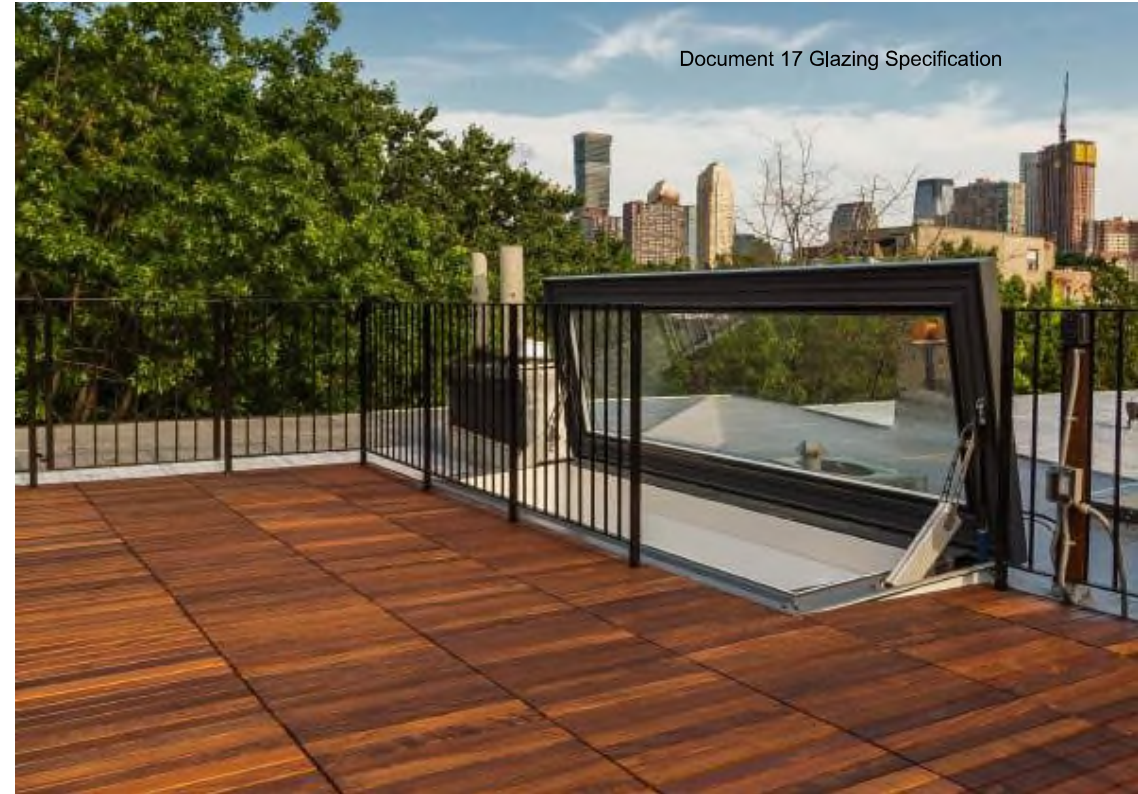
Safety features include current override sensors, anti-slip threshold tread plate, and a three point thru beam proximity detector system which will sense any movement beneath the opening section when in motion and prevent the lid from closing until the switch is engaged again.

The Qualicoat approved polyester powder coated framework is supplied dual colour as standard and is thermally broken using a combination of 39mm polyamide breaks and closed cell PIR insulation.





Thermally broken aluminium frame with 39mm polyamide thermal breaks and closed cell PIR insulation.



Document 17 Glazing Specification



box access **rooftlights**



Document 17 Glazing Specification



## free standing skybox

Box rooflights are the perfect solution if you're looking for easy access to your roof terrace. Operated at the touch of a button, the user simply climbs the stairs whilst the rooflight is retracting into its open position and then walks straight out onto the terrace.

The freestanding Skybox rooflight has been created with an improved framework design, leading to larger sizes without compromising on performance. Box rooflights can be manufactured in a variety of configurations but will generally consist of one sliding section of glass moving over a fixed section.

The specification of glazing used and physical structure of the design means that there is no additional requirement for balustrades around the rooflight. Weather tested by Vinci to ensure the highest level of security, the Skybox has undergone air permeability testing, water tightness and resistance to wind load testing.

We manufacture two standard configurations, a free standing skybox which features glazing on all sides and a three wall box which is designed to be shrouded by the walls of the building itself on three sides.





### three wall box

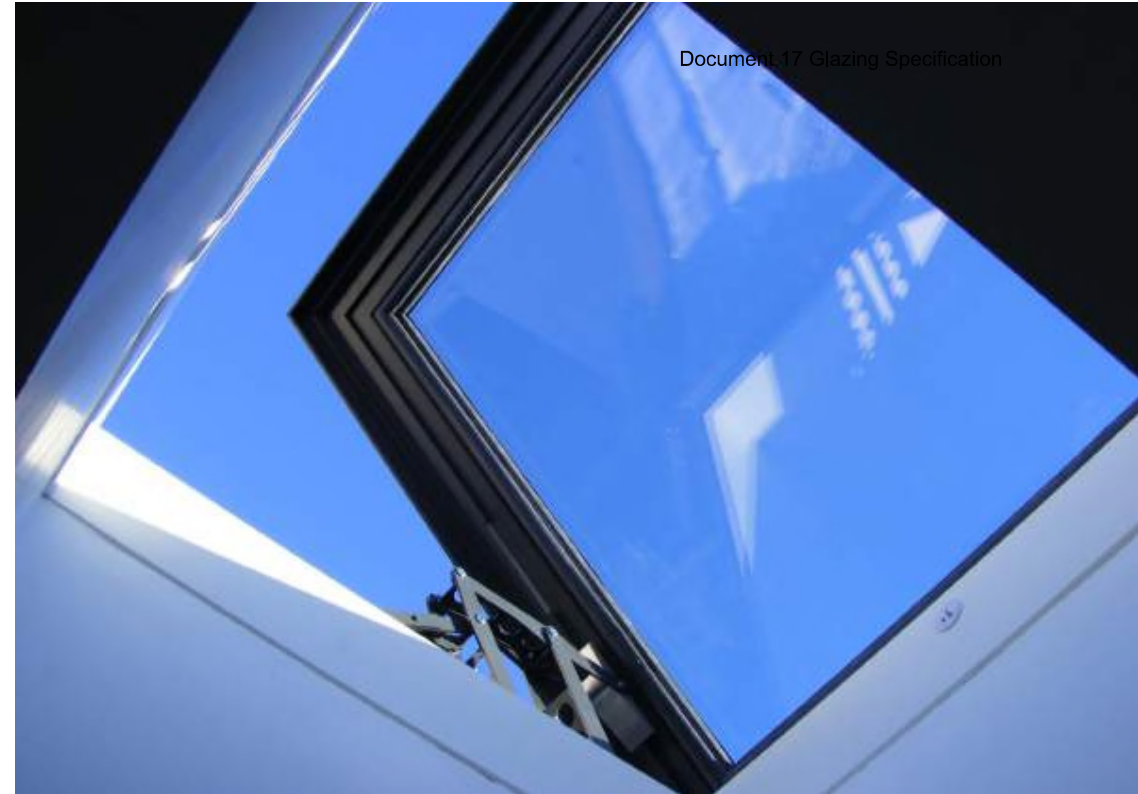
Our three wall box configuration is one of the most popular and can offer an almost seamless integration into the fabric of your building.

The rooflight is fixed to three walls, leaving you with a glass opening which provides you access to your roof terrace.

We have manufactured and installed countless numbers of these units, predominantly in urban city environments where space is limited and home owners turn to maximising their roof space.



aov safety rooflight





## xvent

Traditional Automatic Opening Vent (AOV) systems are usually manufactured featuring large industrial looking mechanisms required to open the unit during the event of a fire.

As the primary function is one of safety, little consideration is ever given to aesthetics, but Glazing Vision wanted to change that and prove that it is possible to manufacture a fully certified safety product that remains visually sleek and elegant.

The Glazing Vision xvent (AOV) rooflight has been tested and certified to BS EN 12101-2:2003 and cycled many thousands of times in order to meet European standards.

On installation it is connected to the fire alarm system which if triggered will automatically open the unit to 140° for effective smoke ventilation.

If connection to the fire alarm panel is lost it will automatically open and should the fire alarm system fail completely, the integrated thermostat will trigger the unit to fire position should the internal temperature reach 72°.

When running off the battery, the xvent will emit an audible signal and the LED control switch will flash Red.

The xvent has dual functionality and can also be used day to day as a vent unit opening up to 45°.

Glazing Vision's xvent is available in two standard sizes providing internal clear openings of either 1m<sup>2</sup> or 1.5m<sup>2</sup> and can even be integrated into the Flushglaze system for larger roof glazing requirements.



# 140° <60 sec

'The Glazing Vision xVent rooflight has been tested and certified to BS EN 12101-2:2003 and cycled many thousands of times in order to meet European standards.'

**UK  
CA** tested and certified to  
BS EN 12101-2:2003

## Document 17 Glazing Specification



synchronised parallel linkage mechanisms



internal battery back up as standard in case of mains failure



Sathish Nammi PhD from Anglia Ruskin University collaborated with Glazing Vision developing a methodology for accurately calculating thermal performance in rooflights.

## Document 17 Glazing Specification

### technical experts

Research and development is relentless, and Glazing Vision are proud to have been the first UK company to introduce and develop simple, clean rooflight designs for flat roofs.

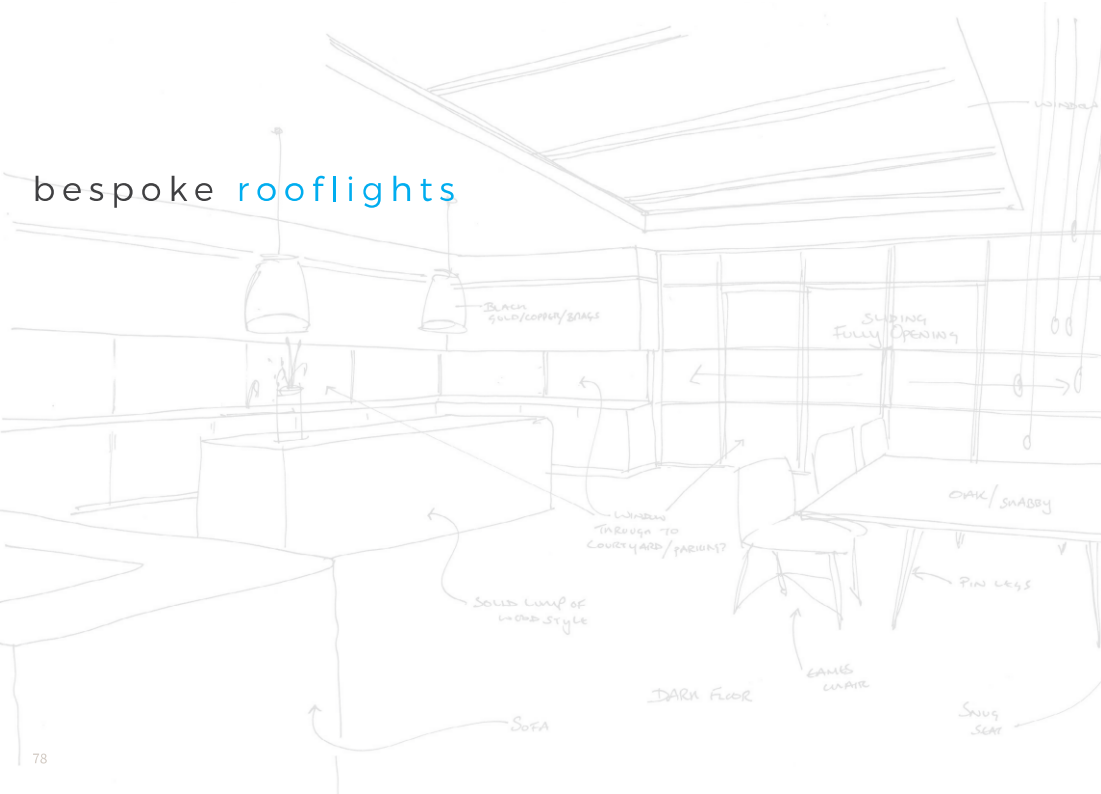
Our success has led to many other companies manufacturing their own versions of these products which ensures healthy competition.

We never stop innovating, and since those initial products were launched almost 30 years ago we have continued to bring exciting new ideas to market such as our hinged ventilation rooflights, sliding rooflights that provide 100% opening in your roof structure, access rooflights such as our box rooflight products, and our incredibly popular Skydoor rooflight.

The first fully glazed CE approved AOV smoke ventilation rooflight now allows designers of communal spaces to comply with safety regulations whilst providing a product that fits in with its surroundings and even offers dual functionality as a ventilation unit.

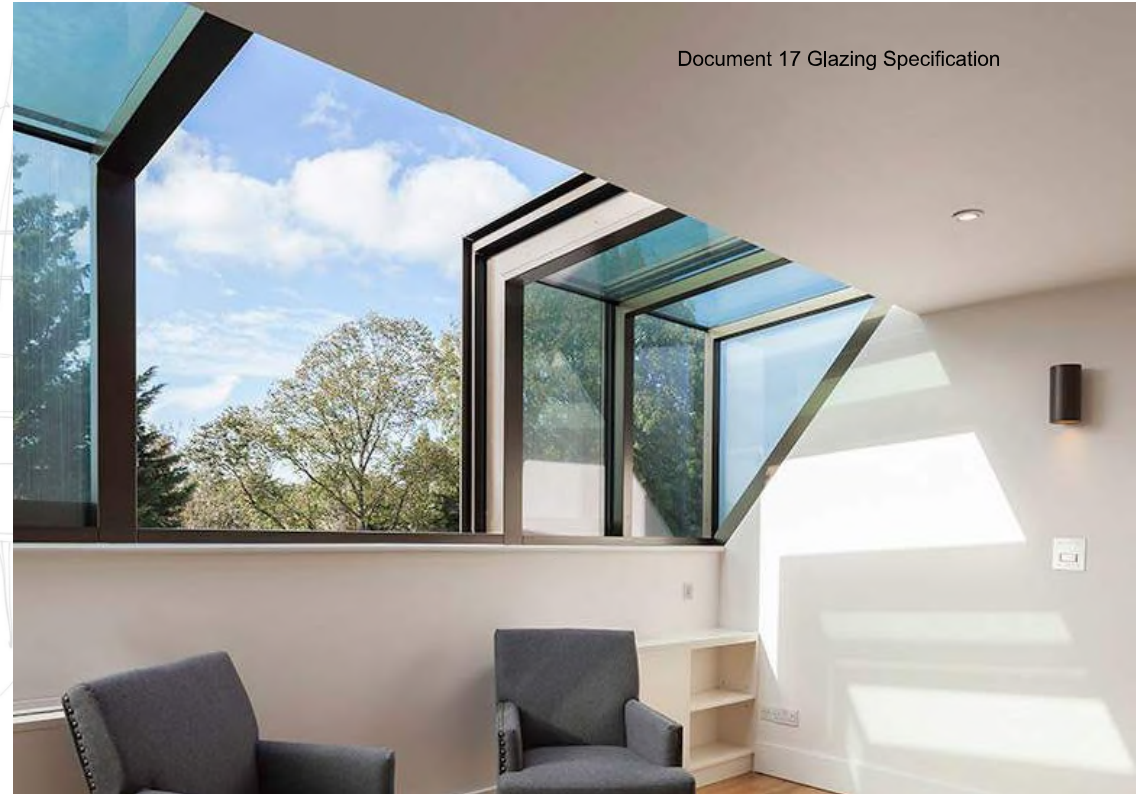
Our relationship with the architectural community pushes us to do better and be more creative with what can be achieved, and we believe that Glazing Vision provides the most diverse range of rooflight products anywhere in the world.

bespoke rooflights



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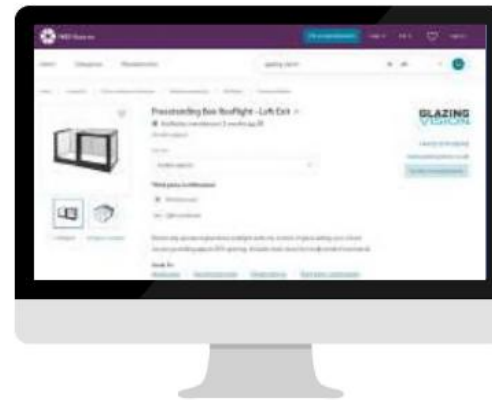
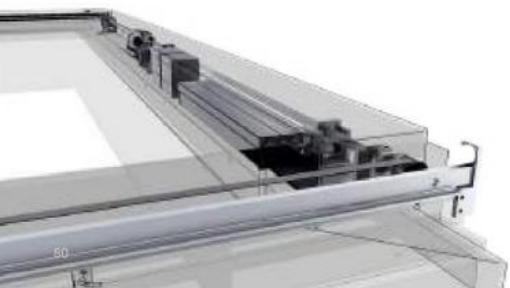
## design

Designing our products completely in house offers real advantages to our clients.

We don't import our rooflights from other suppliers, and the technology is all developed by us, so if you need to talk to the person that actually designed the product, it's not a problem.

Our team are responsible for designing all of the mechanical aspects of our rooflights and we also have experienced professionals on site who develop our internal electronics and software.

If you're looking for something unique to your building, Glazing Vision can provide you the opportunity to sit with a Design Engineer and Technical Specification Manager to find a solution that makes your scheme a reality.



## Document 17 Glazing Specification

To allow architects to get the most out of our products, as part of our products, all of Glazing Vision's standard rooflights are available to add to your project specifications via NBS Source.

You can also download a range of BIM objects from the NBS National BIM Library in both IFC and Revit format.





## manufacture

Every Glazing Vision rooflight is manufactured at our 65,000 sq ft facility in the heart of rural Norfolk.

From initial enquiry to completed rooflight, it all happens under one roof and a visit to our site will find us designing, fabricating, machining, testing, bonding, filing, soldering, powder coating, assembling, cleaning, picking, wrapping, packing and dispatching rooflights to locations across the globe.

## installation

Many of our products are designed to be fitted by tradespeople and DIY enthusiasts, all of the information required to install the products can be downloaded online from the Glazing Vision resource centre.

Some of our more advanced rooflights require detailed set up to ensure optimum performance.

Our experienced project managers will work with your architect, builder or contractor to arrange a suitable time to get the rooflight on site, fitted and commissioned with the minimum of disruption.

Having your rooflight fitted by an approved Glazing Vision installer means you benefit from an extended guarantee, whatever the product.



## flawless finish

We are very proud of the fact that we have our own environmentally friendly Powder Coating Plant using a Chrome Free conversion coating pre-treatment process.

All in-house painted profiles undergo a vigorous series of tests in our own paint lab which has enabled us to achieve Qualicoat standards for our painting process.

We are an approved Qualicoat Applicator, licence no. 1017, and can thus pass on the full paint warranty from the manufacturers of the powder coat we use which is the Akzo Nobel Interpon D1036 or D2525 range. We are also approved to use Syntha Pulvin coatings, the premier architectural powder coatings brand in Europe.

syntha pulvin |



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make your space work for you



### independent testing

Glazing Vision rooflights have been tested for air permeability, water ingress, impact and fire resistance, thermal performance, life cycle and reliability to name but a few in order to ensure that your rooflight performs and functions as expected.

Our box rooflight range has recently undergone testing to BS EN 1027 for water penetration and hose testing to CWCT standards ensuring that the units can stand up to the worst the weather can throw at it.

We were the first glass rooflight manufacturer to be certificated by the British Board of Agrément and also the first UK rooflight manufacturer to successfully attack test its products to security standard LPS2081, meaning that we are one of the few manufacturers that can supply secure rooflights that are compliant with part Q of the Building Regulations.

These products proved so resistant to attack that they have been awarded the UK Police flagship Secured by Design mark.



'The Flushglaze is the first glass rooflight designed for flat roof applications to be awarded a BBA certificate'



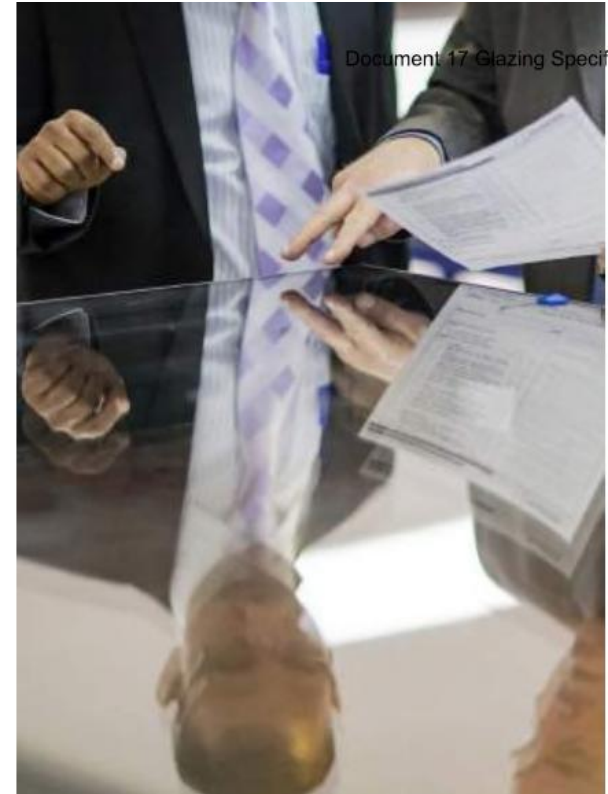
## quality assurance

### ISO 9001 and ISO 14001

Glazing Vision are ISO 9001 and ISO 14001 certified by BSI under certificate numbers FM 596998 and EMS 613885, so you can be sure we have robust Quality and Environment Management systems and procedures in place which are regularly audited by an external body.

Sustainable manufacturing is incredibly important to our company and the materials we use reflect that, we recycle our waste material and have pioneered the use of non chromate pre treatment of our aluminium extrusions.

Our design ethos is to strive for an elegant product whilst maintaining maximum thermal efficiency with the use of thermal breaks, insulated framework and high performance glass technologies.



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## environmental, social, and governance (esg)

We know that our work has an impact on the environment, and we have a duty to manage that impact in a responsible and ethical manner. At Glazing Vision, we integrate environmental considerations into everything we do, from product design and manufacturing resources, to disposal at end of life.

Our vision is simple. We want to become carbon neutral, and then carbon negative. To help this, we are committed to enhancing the sustainability of all our products and their manufacture; from design and development and materials purchased for the production process, to the way that we wrap and pack our products.

We also seek to help our customers meet their sustainability goals. Our products help the wellbeing of our customers by allowing them to embrace light, air and space within their environments, using our expertise to help transform everyday spaces whilst providing the comfort of thermal efficiency and energy saving opportunities for home-owners from installation of our contemporary and certificated rooflights.

Read our full ESG statement and learn more about our sustainability goals on our website - [glazingvision.co.uk/esg](https://glazingvision.co.uk/esg)

## approved CPD

Glazing Vision regularly deliver RIBA approved Continuing Professional Development (CPD) to architectural practices across the UK keeping them informed about constantly changing rooflight and glass technologies.

These seminars provide industry professionals the opportunity to learn about new concepts and understand how they might be implemented into their designs.

We also cover how regulatory requirements may affect the specification process and provide advice helping specifiers avoid problems on site and select the right rooflight for their scheme.

Our CPD's can be presented both in-person or virtually. For further information about our CPD content and how to book visit our website - [glazingvision.co.uk/cpd](http://glazingvision.co.uk/cpd)



connect with us



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23/00418/FLL | Change of use, alterations and extension to steading to form dwellinghouse | 50 Metres East Of Borland Farm Glendevon Dollar FK14 7JY

Total Consulted: 7   Comments Received: 5   Objections: 0   Supporting: 5

 View all comments

## Michael Aillsop (Supports)

Comment submitted date: Fri 09 Jun 2023

This representation was received within the consultation period and has been submitted by email or letter. The comment submitted date indicates the date it was recorded in our system not the date of receipt of the communication. The comment will be available to view in the documents tab as soon as possible, provided that the content is suitable for publication.

## Hazel Cowan (Supports)

Comment submitted date: Fri 09 Jun 2023

This representation was received within the consultation period and has been submitted by email or letter. The comment submitted date indicates the date it was recorded in our system not the date of receipt of the communication. The comment will be available to view in the documents tab as soon as possible, provided that the content is suitable for publication.

## Mrs Kirsten Morrison (Supports)

Comment submitted date: Wed 07 Jun 2023

I fully support this application. The positive impact of planning being granted would offer significant opportunities for the future sustainability of Boreland Farm.  
Enabling a family to create a new home on land that has been farmed by generations of their family and bringing their love for the farm itself, Glendevon, its community and environment can only be positive for the local area.

### Mrs Eleanor Baxter (Supports)

Comment submitted date: Wed 07 Jun 2023

Good use of a derelict building.

### Mrs Rhona McNee (Supports)

Comment submitted date: Wed 07 Jun 2023

We support this application to give families the opportunity to move back to the area they grew up in and develop the land in which their family own, so older family members can rely on children and grandchildren to continue the running of family farm. This promotes younger generations to support and enhance the rural community.



## A to Z of services

A B C D E F G H I J K L M N O P Q R S T U V  
W X Y Z

Join the conversation



**LRB-2023-34**

**23/00418/FLL – Change of use, alterations and extension to steading to form dwellinghouse, 50 metres east of Boreland Farm, Glendevon, Dollar**

**PLANNING DECISION NOTICE** *(included in applicant's submission, pages 121-122)*

**REPORT OF HANDLING** *(included in applicant's submission, pages 123-136)*

**REFERENCE DOCUMENTS** *(part included in applicant's submission, pages 204-354)*





Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto:onlineapps@pkc.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100622058-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Conversion and extension of existing steading building to create a new dwelling.

Is this a temporary permission? \*

Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*

Yes  No

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Staran Architects Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Staran	Building Name:	
Last Name: *	Architects	Building Number:	49
Telephone Number: *	0131 556 9830	Address 1 (Street): *	Cumberland Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH3 6RA
Email Address: *	info@staranarchitects.com		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr and Mrs	Building Name:	
First Name: *		Building Number:	
Last Name: *	MacDonald	Address 1 (Street): *	
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
Fax Number:			
Email Address: *	info@staranarchitects.com		

## Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

BORELAND FARM

Address 2:

GLENDDEVON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

DOLLAR

Post Code:

FK14 7JY

Please identify/describe the location of the site or sites

Northing

704897

Easting

298615

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

We submitted a pre-application planning enquiry on the 7th October 2022. We received feedback that the proposals appeared to be supported by a number of policies, however, there was a concern regarding the extension size.

Title:

Mr

Other title:

First Name:

John

Last Name:

Williamson

Correspondence Reference Number:

22/00094/PREAPL

Date (dd/mm/yyyy):

29/11/2022

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

1292.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Dilapidated barn

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

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

1

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

1

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

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

- Yes – connecting to public drainage network  
 No – proposing to make private drainage arrangements  
 Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? \*

- New/Altered septic tank.  
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).  
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? \*

- Discharge to land via soakaway.  
 Discharge to watercourse(s) (including partial soakaway).  
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: \*

New septic tank and soakaway.

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Refer to planning statement.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No

How many units do you propose in total? \*

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate ~~A~~ B - revised land ownership certificate to follow



# Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Staran Architects

On behalf of: Mr and Mrs MacDonald

Date: 20/03/2023

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: \* (Max 500 characters)

Planning Statement Preliminary Ecological Assessment (PEA)

Provide copies of the following documents if applicable:

- |  |   |   |
|--|---|---|
| A copy of an Environmental Statement. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| A Processing Agreement. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: - Staran Architects

Declaration Date: 20/03/2023

## Payment Details

Online payment: 092073

Payment date: 20/03/2023 15:13:04

Created: 20/03/2023 15:13

# LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997  
 Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland)  
 Regulations 2013

## CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

### CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

**I hereby certify that -**

- (1) No person other than the applicant \_\_\_\_\_ was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

On behalf of:

Date:

### CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

**I hereby certify that -**

- (1) The applicant has \_\_\_\_\_ served notice on every person other than the applicant \_\_\_\_\_ who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice
James Paterson	Boreland Farm, Glendevon, Glendevon, Scotland, FK14 7JY	19.04.23.

- (2) None of the land to which the application relates constitutes or forms part of agricultural land

**or**

- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and the applicant has \_\_\_\_\_ served notice on every person other than the applicant \_\_\_\_\_ who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name	Address	Date of Service of Notice

Signed:



ON BEHALF OF STARAN ARCHITECTS

On behalf of:

Mr and Mrs MacDonald

Date:

02.05.23.

### CERTIFICATE C

Certificate C is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where it has not been possible to identify ALL or ANY owners/agricultural tenants.

(1) I have been unable to serve notice on **every** person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates.

or

(2) I have been unable to serve notice on **any** person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner of any part of the land to which the application relates.

(3) None of the land to which the application relates constitutes or forms part of an agricultural holding.

or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have been unable to serve notice on any person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant.

or

(5) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding I have served notice on each of the following persons other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name	Address	Date of Service of Notice

**LRB-2023-34**

**23/00418/FLL – Change of use, alterations and extension to  
steading to form dwellinghouse, 50 metres east of  
Boreland Farm, Glendevon, Dollar**

## **REPRESENTATIONS**

*(included in applicant's submission, pages 183-199 and 355-366)*



**LRB-2023-35  
23/00784/FLL – Alterations and extension to  
dwellinghouse, Ardbeag, North Street, Burrelton,  
Blairgowrie, PH13 9NZ**

**INDEX**

- (a) Papers submitted by the Applicant (***Pages 373-390***)
  
- (b) Decision Notice (***Pages 393-394***)
  - Report of Handling (***Pages 395-400***)
  
  - Reference Documents (***Pages 355-366 and 401-406***)





**LRB-2023-35**

**23/00784/FLL – Alterations and extension to  
dwellinghouse, Ardbeag, North Street, Burrelton,  
Blairgowrie, PH13 9NZ**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN  
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)  
(SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

**IMPORTANT: Please read and follow the guidance notes provided when completing this form.  
Failure to supply all the relevant information could invalidate your notice of review.**

Use **BLOCK CAPITALS** if completing in manuscript

## Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

## Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

Mark this box to confirm all contact should be  
through this representative: X

Yes No

\* Do you agree to correspondence regarding your review being sent by e-mail?

Planning authority

Planning authority's application reference number

Site address

Description of proposed  
development

Date of application

Date of decision (if any)

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

**Nature of application**

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

**Reasons for seeking review**

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

**Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

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

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

**Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- |  | Yes                                 | No                                  |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

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

**Statement**

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

PLEASE SEE ATTACHED SEPARATE DOCUMENTS -

1. NOTICE OF REVIEW WRITTEN SUBMISSION.
2. NOTICE OF REVIEW SUBMISSION APPENDIX.

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

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

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

**List of documents and evidence**

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

NOTICE OF REVIEW WRITTEN SUBMISSIONS.  
NOTICE OF REVIEW SUBMISSION APPENDIX.  
PLANNING APPLICATION DRAWINGS AND SUPPORTING STATEMENT.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

**Checklist**

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

**Declaration**

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

Date 19/09/2023

# NOTICE OF REVIEW WRITTEN STATEMENT FOR PLANNING

## REFERENCE 23/00784/FLL

Alterations and extension to dwellinghouse at  
Ardbeag North Street Burrelton Blairgowrie PH13 9NZ

### Introduction

The Planning application was submitted to undertake alterations, demolition of a previous extension and provide a new extension to the property.

In the Planning Officer's Report of Handling there are **two preliminary issues of concern** which indicates that the Planning application has not been given proper consideration.

1. No evidence of the Planning Officer visiting the site; and,
2. There is mention of the Perth & Kinross Placemaking Guide 2020, which states - *"A single storey rear extension of 4m depth, from the original building's rear wall, would in many circumstances be acceptable; even if directly on a property boundary. Thereafter the extension would have to step back from the boundary at an angle of 45 degrees from a point 4m from the original back wall of the property"*.

**However, the following is additional guidance** – 'Some relaxation of these standards may be considered where the extension is to the north of an affected neighbour or not impacting on a neighbouring habitable room window.'

The applicant's property is to the north of the affected neighbour and although there is a neighbouring window the proposed extension is no more onerous in relation to 'overshadowing' than the existing extension.

If a site visit had been undertaken, it would have identified the neighbour's cumulative extensions extend well beyond the applicant's proposed extension.

The only other part that I would like to contest relates to **'Visual and Residential Amenity'**

The first point raised relates to the depth of the extension – as mentioned above this is no more onerous than neighbouring extensions.

The second point relates to the appearance of the 'awkward roof junction' – it's a proposed flat roof designed to minimise impact and adjoins the existing pitched roof. The roof junction is a standard design and is a typical roof junction.

The final point relates to footprint areas and percentage increases. Older stone cottages generally have an external wall thickness of 750mm compared to modern extensions of 350mm. A better way to evaluate floor area is by understanding the current accommodation provision and whether the proposals are reasonable or extending beyond what is reasonable.

The one good point I would suggest is that the Report of Handling confirmed that the proposed extension would not lead to over-development of the garden ground.

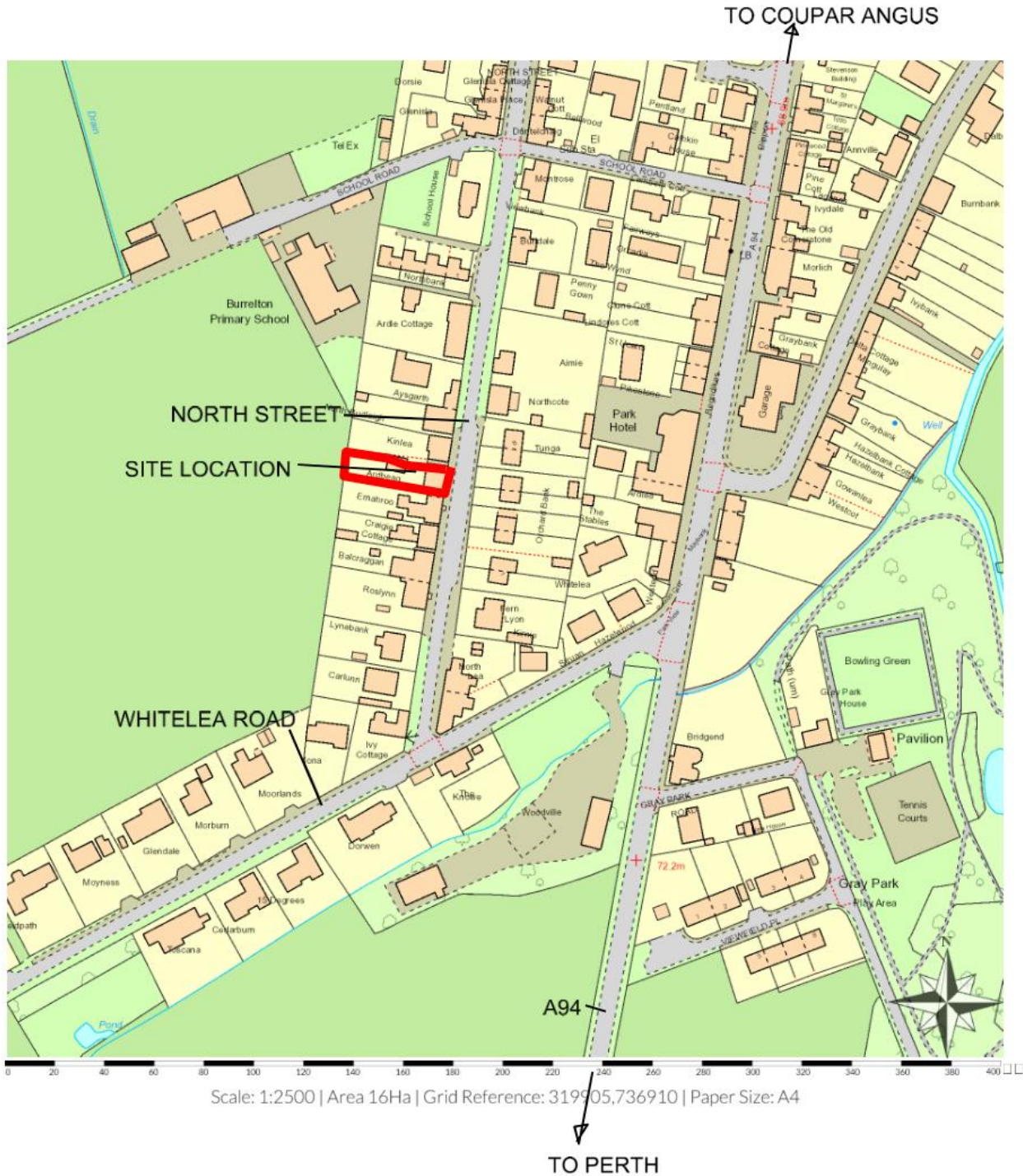
# NOTICE OF REVIEW SUBMISSION APPENDIX FOR ARDBEAG, NORTH STREET, BURRELTON PH13 9NZ

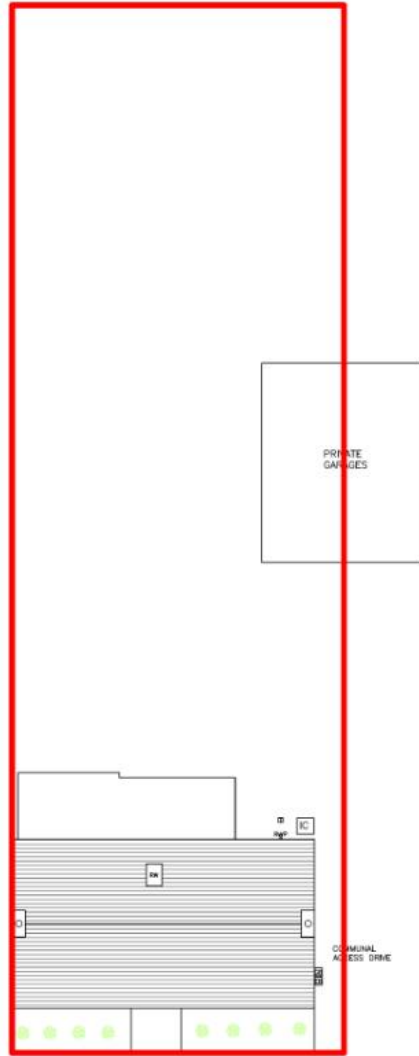
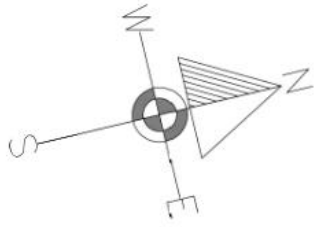
## List of documents

1. NOTICE OF REVIEW FORM
2. NOTICE OF REVIEW APPEAL STATEMENT
3. GOOGLE MAP OF SITE
4. LOCATION PLAN A4 1:2500
5. EXISTING AND PROPOSED ROOF AND SITE PLANS A1 1:100
6. EXISTING AND PROPOSED FLOOR PLANS A1 1:50
7. EXISTING ELEVATIONS A1 1:50
8. PROPOSED ELEVATIONS A1 1:50
9. SUPPORTING STATEMENT

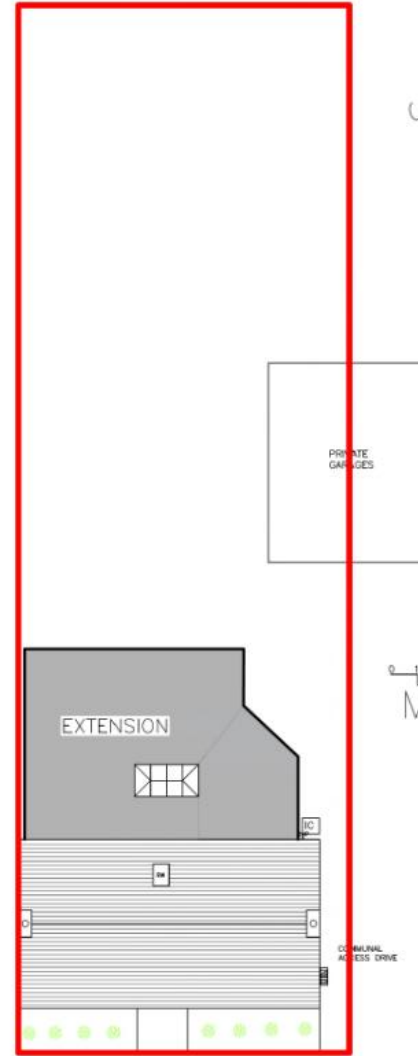
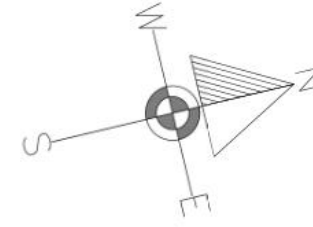








EXISTING ROOF & SITE PLAN



PROPOSED ROOF & SITE PLAN

PROJECT: ALTERATIONS & EXTENSION AT ARDBEAG, NORTH STREET, BURRELTON PH13 9NZ

DRAWING REF: EXISTING & PROPOSED ROOF & SITE PLANS

PAPER SIZE: A1

NORMAN A MACLEOD

[namacleod@aol.com](mailto:namacleod@aol.com)

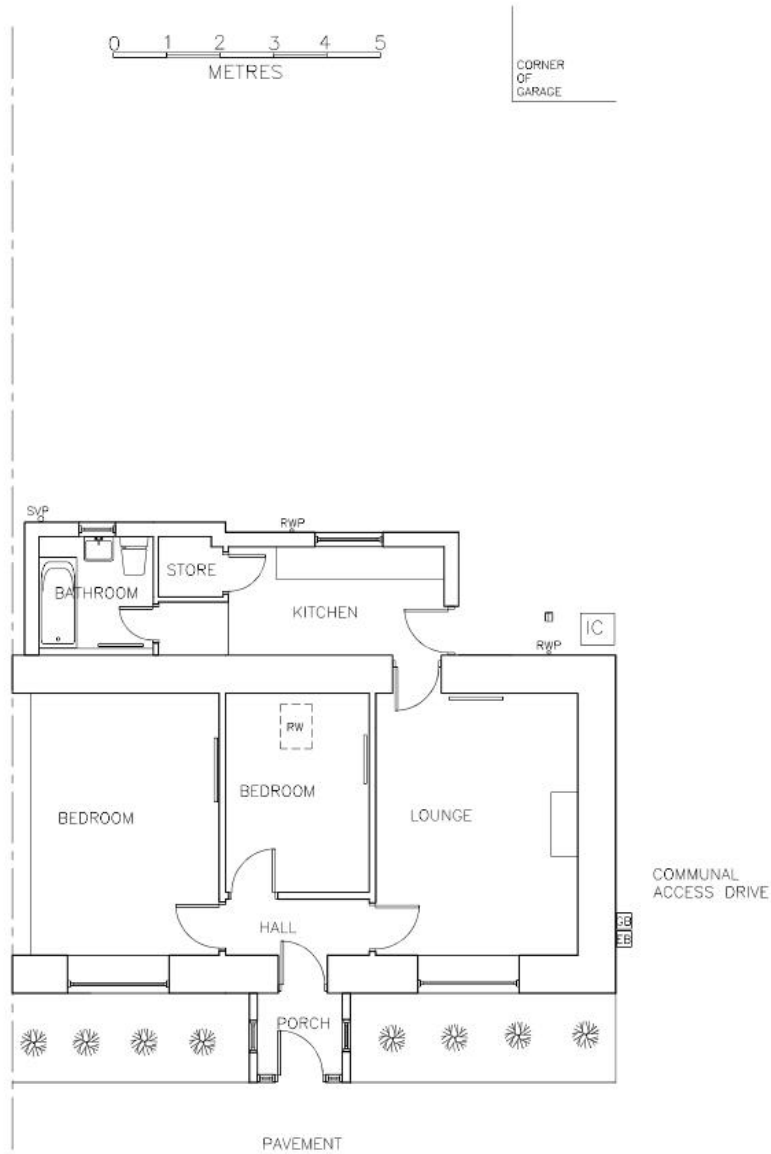
Tel: 07884177328

DATE: APRIL 23

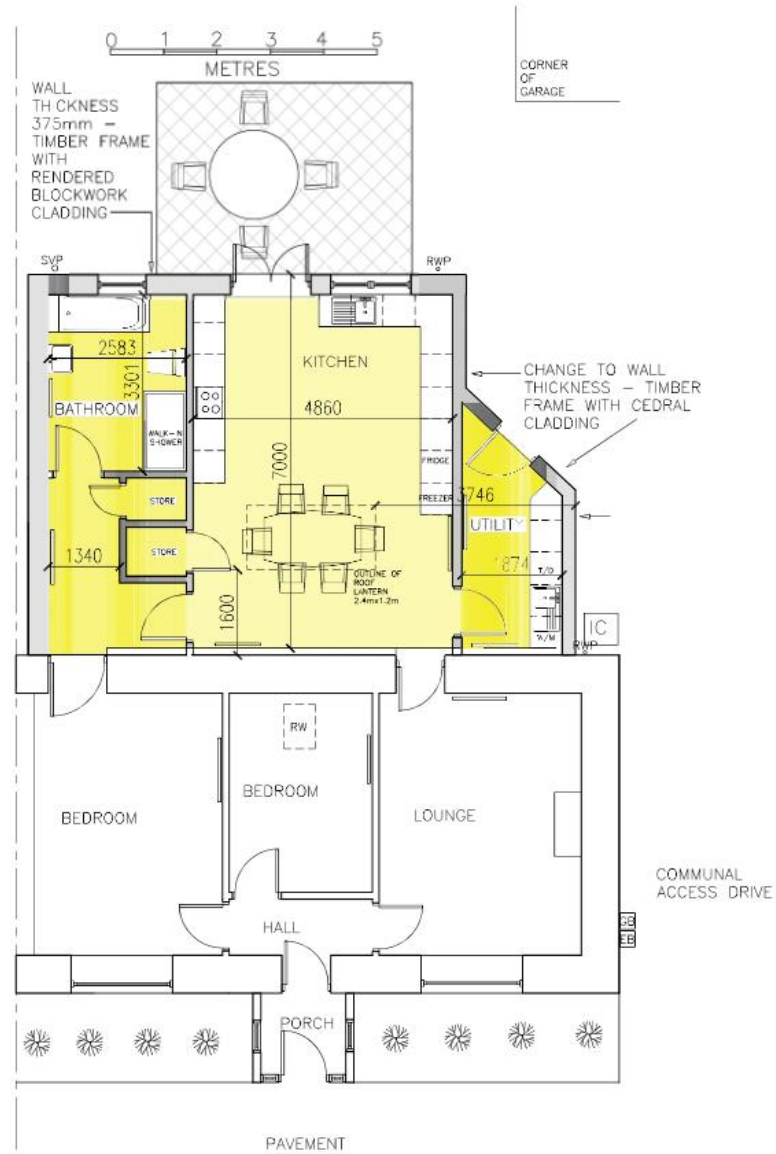
SCALE: 1 TO 100

DRAWING NO: 4

REVISION:



EXISTING FLOOR PLAN



PROPOSED FLOOR PLAN

PROJECT: ALTERATIONS & EXTENSION AT ARDBEAG, NORTH STREET, BURRELTON PH13 9NZ

DRAWING REF: EXISTING AND PROPOSED FLOOR PLANS

PAPER SIZE: A1

NORMAN A MACLEOD

[namacleod@aol.com](mailto:namacleod@aol.com)

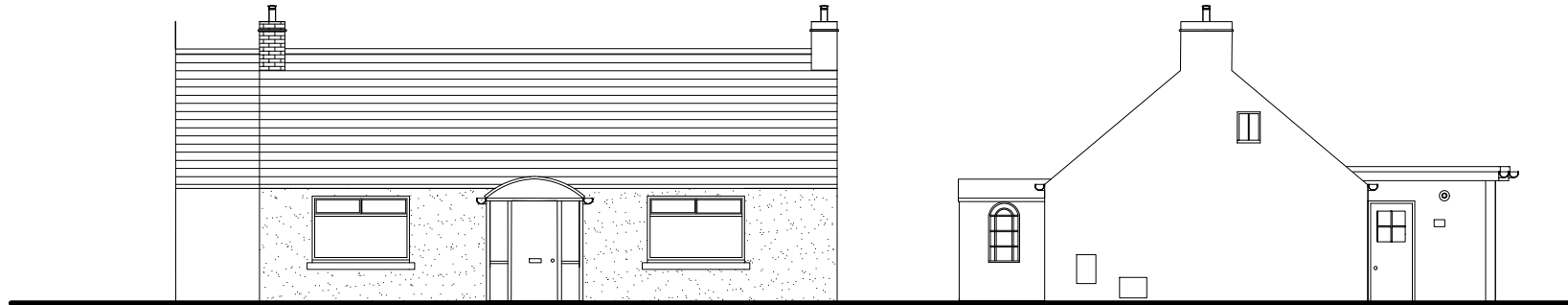
Tel: 07884177328

DATE: APRIL 23

SCALE: 1 TO 50

DRAWING NO: 2

REVISION:



EXISTING EAST ELEVATION

EXISTING NORTH ELEVATION



EXISTING SOUTH ELEVATION

EXISTING WEST ELEVATION

PROJECT: ALTERATIONS & EXTENSION AT ARDBEAG, NORTH STREET,  
BURRELTON PH13 9NZ

DRAWING REF: EXISTING AND PROPOSED FLOOR PLANS

PAPER SIZE: A1

NORMAN A MACLEOD

[namacleod@aol.com](mailto:namacleod@aol.com)

Tel: 07884177328

DATE: MARCH 23

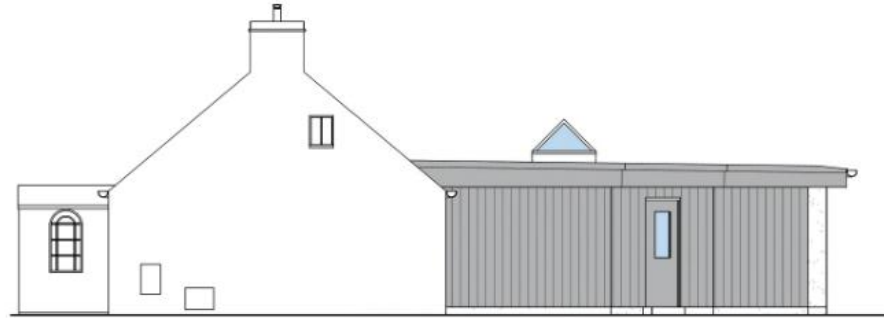
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DRAWING NO: 1

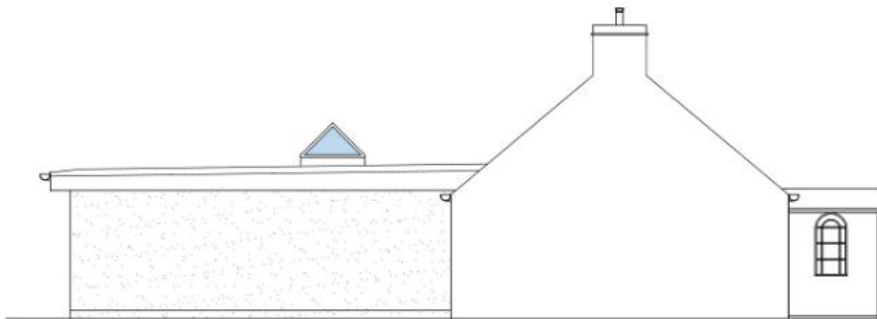
REVISION:



PROPOSED EAST ELEVATION (NO CHANGE)



PROPOSED NORTH ELEVATION



PROPOSED SOUTH ELEVATION



PROPOSED WEST ELEVATION

EXTERNAL FINISHES

External walls – White wet dash render.  
 –Marley Cedral grey cladding.  
 Base course – White wet dash render.  
 Flat Roof – Grey Sarnafil Single-ply roof membrane.  
 Roof lantern – White PVCu frame  
 Windows and doors – Grey  
 Double-glazed with grey PVCu frames.  
 Rainwater gutters and downpipes – Black PVCu.

PROJECT: ALTERATIONS & EXTENSION AT ARDBEAG, NORTH STREET,  
 BURRELTON PH13 9NZ

DRAWING REF: PROPOSED ELEVATIONS

PAPER SIZE: A1

NORMAN A MACLEOD

[namacleod@aol.com](mailto:namacleod@aol.com)

Tel: 07884177328

DATE: MAY 23

SCALE: 1 TO 50

DRAWING NO: 4

REVISION:

## SUPPORTING STATEMENT & PHOTOS FOR PLANNING APPLICATION FOR EXTENSION AT ARDBEAG, NORTH STREET, BURRELTON

Please find the enclosed drawings in relation to the proposed extension at the above address.

The existing floor plan layout requires the householder to leave the bedroom, pass through the hall, then the lounge and kitchen before getting to the bathroom.

Additionally, the extension previously built in the 1950's incorporates a small kitchen and modest bathroom. It is also poorly insulated with the result that there is condensation and dampness.

To both the south and north sides of the property are examples of significant ground floor and roof extensions as well as a more modern house in the rear garden area.

The proposed layout provides an enhanced standard of accommodation without being detrimental to the amenity of the applicant and neighbouring properties.

PHOTOS









**LRB-2023-35**

**23/00784/FLL – Alterations and extension to dwellinghouse, Ardbeag, North Street, Burrelton, Blairgowrie, PH13 9NZ**

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS** *(part included in applicant's submission, pages 355-366)*





Ms S Al-Gayaar  
c/o Norman MacLeod  
18 Walnut Grove  
Blairgowrie  
PH10 6TH

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **28th June 2023**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **23/00784/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 11th May 2023 for Planning Permission for **Alterations and extension to dwellinghouse Ardbeg North Street Burrelton Blairgowrie PH13 9NZ**

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

- 1 The proposed extension, by combination of its height, excessive projection and proximity to the adjoining semi-detached dwellinghouse, would result in an imposing and oppressive impact, to the detriment of the visual and residential amenity of the area.

Refusal would therefore be in line with Policy 14(c) of National Planning Framework 4, which states that development proposals that are poorly designed and detrimental to the amenity of the surrounding area will not be supported. Furthermore, approval would be contrary to Policies 14(a)+(b) of National Planning Framework 4, Policies 1A, 1B(c) and 17(c) of Perth & Kinross Local Development Plan 2 2019 and the Perth & Kinross Placemaking Guide 2020, which seek to ensure that developments contribute positively to the quality of the surrounding built environment in terms of design, position, proportions, and appearance in order to respect the character and amenity of the place, and to protect and where possible improve existing visual and residential amenity.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page.**

Plan Reference

01

02

03

04

05

# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	23/00784/FLL	
Ward No	P2- Strathmore	
Due Determination Date	10th July 2023	
Draft Report Date	27th June 2023	
Report Issued by	KS	Date 27th June 2023

**PROPOSAL:** Alterations and extension to dwellinghouse

**LOCATION:** Ardbeag North Street Burrelton Blairgowrie PH13 9NZ

### SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

### BACKGROUND AND DESCRIPTION OF PROPOSAL

Ardbeg is a semi-detached bungalow which is located on North Street in Burrelton. This application seeks detailed planning permission for the extension of the house to the rear (west).

### SITE HISTORY

None

### PRE-APPLICATION CONSULTATION

Pre application Reference: Not Applicable.

### DEVELOPMENT PLAN

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

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 people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan. The Council's assessment of this application has considered the following policies of NPF4:

Policy 14: Design, quality and place

Policy 16: Quality homes

## **Perth and Kinross Local Development Plan 2 – Adopted November 2019**

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance. The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 17: Residential Areas

### **Statutory Supplementary Guidance**

- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

### **NATIONAL GUIDANCE**

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

### **Planning Advice Notes**

The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management

### **Creating Places 2013**

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**

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.

### **CONSULTATION RESPONSES**

None



## REPRESENTATIONS

No letters of representation have been received in relation to this proposal.

### Additional Statements Received:

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

## APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with 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, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

### Policy Appraisal

In general terms, alterations and extensions to an existing domestic dwellinghouse are considered to be acceptable in principle. Nevertheless, consideration must be given to the specific details of the proposed development, within the context of the application site, and whether it would have an adverse impact upon visual or residential amenity or the character and appearance of the place.

### Design and Layout

Ardbeag is a semi-detached bungalow which is located on North Street in Burrelton. The property has previously had a flat-roofed kitchen/bathroom/store extension added to the rear.

This application seeks detailed planning permission for the erection of a larger extension to the rear (west).

## **Visual and Residential Amenity**

The proposed extension projects 7.1 metres from the house (by comparison the existing extension projects by 2.5 metres). As the depth of the house is 6.3 metres, the proposed extension has the appearance of being disproportionately large, compared to the host building. This is contrary to Perth & Kinross Placemaking Guide 2020, which states that *“an extension should be a subordinate addition in all respects”*. The appearance of the excessive projection is exacerbated by the awkward roof junction, with the lean-to attaching to the bungalow above the eaves level.

The extension would also be located just 250mm from the boundary with the adjoining semi-detached bungalow. Given the excessive projection and close proximity, the extension would have an imposing and oppressive appearance, which would adversely impact the residential amenity of the adjoining property. This is contrary to the Perth & Kinross Placemaking Guide 2020, which states that; *“A single storey rear extension of 4m depth, from the original building’s rear wall, would in many circumstances be acceptable; even if directly on a property boundary. Thereafter the extension would have to step back from the boundary at an angle of 45 degrees from a point 4m from the original back wall of the property”*.

Furthermore, the proposed extension has a footprint of 66.66sqm, compared to 71.5sqm for the original dwellinghouse. This equates to a footprint extension of 93 percent of the original footprint. Although this would not result in overdevelopment of the garden ground, it is again a reflection of the excessive proportions when compared to the host building.

Account has been taken of the varied extensions in the surrounding built environment. However, refusal would be in line with Policy 14(c) of National Planning Framework 4, which states that development proposals that are poorly designed and detrimental to the amenity of the surrounding area will not be supported.

Furthermore, approval would be contrary to Policies 14(a)+(b) of National Planning Framework 4, Policies 1A, 1B(c) and 17(c) of Perth & Kinross Local Development Plan 2 2019 and the Perth & Kinross Placemaking Guide 2020, which seek to ensure that developments contribute positively to the quality of the surrounding built environment in terms of design, position, proportions, and appearance in order to respect the character and amenity of the place, and to protect and where possible improve existing visual and residential amenity.

## **Developer Contributions**

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

## **Economic Impact**

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

## **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **CONCLUSION AND REASONS FOR DECISION**

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 be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the Development Plan. Accordingly, the proposal is refused on the grounds identified below.

### **Conditions and Reasons**

- 1 The proposed extension, by combination of its height, excessive projection and proximity to the adjoining semi-detached dwellinghouse, would result in an imposing and oppressive impact, to the detriment of the visual and residential amenity of the area.

Refusal would therefore be in line with Policy 14(c) of National Planning Framework 4, which states that development proposals that are poorly designed and detrimental to the amenity of the surrounding area will not be supported. Furthermore, approval would be contrary to Policies 14(a)+(b) of National Planning Framework 4, Policies 1A, 1B(c) and 17(c) of Perth & Kinross Local Development Plan 2 2019 and the Perth & Kinross Placemaking Guide 2020, which seek to ensure that developments contribute positively to the quality of the surrounding built environment in terms of design, position, proportions, and appearance in order to respect the character and amenity of the place, and to protect and where possible improve existing visual and residential amenity.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

### **Informative Notes**

Not Applicable.

### **Procedural Notes**

Not Applicable.

**PLANS AND DOCUMENTS RELATING TO THIS DECISION**

01

02

03

04

05



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto:onlineapps@pkc.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100628205-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Demolition, alterations and extension to form a kitchen and bathroom

Has the work already been started and/ or completed? \*

No  Yes - Started  Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

You must enter a Building Name or Number, or both: \*

First Name: \*

Building Name:

Last Name: \*

Building Number:

Telephone Number: \*

Address 1 (Street): \*

Extension Number:

Address 2:

Mobile Number:

Town/City: \*

Fax Number:

Country: \*

Postcode: \*

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:

You must enter a Building Name or Number, or both: \*

Other Title:

Building Name:

First Name: \*

Building Number:

Last Name: \*

Address 1 (Street): \*

Company/Organisation

Address 2:

Telephone Number: \*

Town/City: \*

Extension Number:

Country: \*

Mobile Number:

Postcode: \*

Fax Number:

Email Address: \*

## Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

ARDBEAG

Address 2:

NORTH STREET

Address 3:

BURRELTON

Address 4:

Address 5:

Town/City/Settlement:

BLAIRGOWRIE

Post Code:

PH13 9NZ

Please identify/describe the location of the site or sites

Northing

736942

Easting

319878

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

Yes  No

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

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Norman MacLeod

On behalf of: Ms S Al-Gayaar

Date: 11/05/2023

Please tick here to certify this Certificate. \*



## Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.  Yes  No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Norman MacLeod

Declaration Date: 11/05/2023

## Payment Details

Pay Direct

Created: 11/05/2023 10:29

**LRB-2023-36****23/00962/FLL - Change of use of flat to form short-term let accommodation unit (in principle), 21 Raeburn Park, Perth, PH2 0ER****INDEX**

- (a) Papers submitted by the Applicant (***Pages 409-430***)
  
- (b) Decision Notice (***Pages 433-434***)
  - Report of Handling (***Pages 435-442***)
  - Reference Documents (***Pages 427-429 and 443-446***)
  
- (c) Representations (***Pages 447-450***)



**LRB-2023-36**

**23/00962/FLL - Change of use of flat to form short-term let accommodation unit (in principle), 21 Raeburn Park, Perth, PH2 0ER**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**





Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100630136-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation: richard hall architects

Ref. Number:

You must enter a Building Name or Number, or both: \*

First Name: \*

Building Name:

Last Name: \*

Building Number:

Telephone Number: \*

Address 1 (Street): \*

Extension Number:

Address 2:

Mobile Number:

Town/City: \*

Fax Number:

Country: \*

Postcode: \*

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text" value="MR &amp; MRS"/>	Building Name:
First Name: *	<input type="text" value="KATIE"/>	Building Number:
Last Name: *	<input type="text" value="HALL"/>	Address 1 (Street): *
Company/Organisation	<input type="text"/>	Address 2:
Telephone Number: *	<input type="text"/>	Town/City: *
Extension Number:	<input type="text"/>	Country: *
Mobile Number:	<input type="text"/>	Postcode: *
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text"/>	

## Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="21 RAEBURN PARK"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PERTH"/>
Post Code:	<input type="text" value="PH2 0ER"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="723070"/>	Easting	<input type="text" value="311056"/>
----------	-------------------------------------	---------	-------------------------------------



## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

CHANGE OF USE OF FLAT TO FORM SHORT-TERM LET ACCOMMODATION UNIT (IN RETROSPECT)

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

PLEASE SEE ATTACHED SUPPORTING STATEMENT

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

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

A SUPPORTING STATEMENT SETTING OUT OUR APPEAL

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

23/00962/FLL

What date was the application submitted to the planning authority? \*

09/06/2023

What date was the decision issued by the planning authority? \*

29/09/2023

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr richard hall

Declaration Date: 05/10/2023

NOTICE OF REVIEW  
FOR  
**CHANGE OF USE OF FLAT  
TO FORM SHORT-TERM LET  
ACCOMMODATION UNIT  
(IN RETROSPECT)**

AT

**21 RAEBURN PARK  
PERTH 0ER**

# **SUPPORTING STATEMENT**

**richard hall architects**  
Version 1  
4 October 2023

## CONTENTS

- 1.0 INTRODUCTION
- 2.0 EXISTING SITE & SETTING
- 3.0 RESPONSE TO REFUSAL
- 4.0 SUMMARY POINTS

## 1.0 INTRODUCTION

- 1.01 This Supporting Statement outlines our appeal against the Refusal of Planning Permission for the change of use of a flat to a short-term let accommodation unit (in retrospect) at 21 Raeburn Park, Perth PH2 0ER.
- 1.02 The reasons for Refusal in the Decision Notice are as follows:
1. The proposed retrospective change of use is contrary to Policy 30, Tourism e) of National Planning Framework 4 (2023) as the proposal will result in:
    - i) An unacceptable impact on local amenity and character of the area; and
    - ii) The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.
  2. Due to the shared entry arrangements and the flatted nature of the property, the proposal would result in an increased potential for noise nuisance and general disturbance to occur that would impact adversely on the character and amenity of the local area, particularly the residential amenity of those living permanently in the residential block. The proposal is therefore contrary to National Planning Framework 4 (2023) Policy 14c): Design, Quality and Place and Perth and Kinross Local Development Plan 2 (2019), policies 1A and 1B: Placemaking and policy 17 d) Residential Areas which all seek to safeguard residential amenity and ensure that proposals contribute positively to the surrounding environment.
- 1.03 No objections were received from the public, and particularly no objections were received from the immediate neighbours within the building.
- 1.04 The flat has been operating as a short-term let since September 2022, and has received, and continues to receive, numerous glowing reports from guests. No objections have ever been raised during this time from any of the neighbours, with whom, the operator continues to have a positive working relationship.

## 2.0 EXISTING SITE AND SETTING

- 2.01 The application flat is situated on the ground floor of a flatted building, which contains a total of 9 flats, with 3 on each floor. The flat has its own designated parking space.
- 2.02 Raeburn Park is conveniently placed within easy walking distance of the Railway Station and the Bus Station. It is conveniently placed within easy walking distance of the centre of Perth, giving easy walking access to Perth's shopping streets, restaurants and bars, theatres and cinema, parks and walkways, and indoor and outdoor sporting facilities.

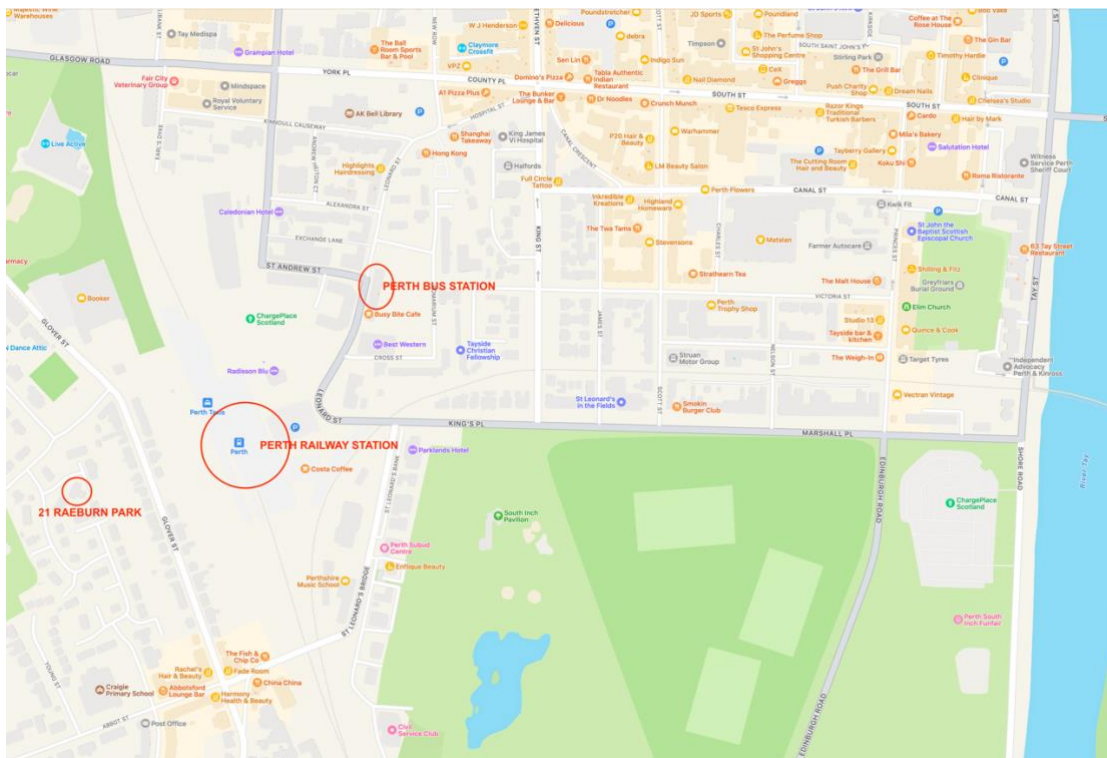


Figure 1. map showing close proximity of 21 Raeburn Park to Perth city centre, Perth Railway Station and Perth Bus Station.

- 2.03 The flat is part of a modern development and as such benefits from contemporary Building regulations regarding insulation and noise separation. There have been no issues during the time the flat has been let out where noise has ever been raised as an issue, either from the guests, or from neighbours.
- 2.04 The flat has been running successfully as a short-term let since September 2022. An application has also been lodged for a License, under the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, so all necessary permissions would be in place, within the required time scales.

- 2.05 The apartment is advertised on booking.com and Airbnb as a “cheery ground floor flat”, and a themed interior design attracts guests. These International websites attract visitors and guests from all over the world, from the USA and Canada to Australia and the Far East, and Europe in between. These international guests expect high standards of cleanliness and set a benchmark for how the property is presented. Guests from nearer are more regular customers, but the same high standards of presentation are maintained for all visitors.
- 2.06 It is essential to note that all visitors accommodated in the application flat, are here to explore Perth and require to stock up on provisions. International visitors are more attracted to the boutique and specialist food shops of Perth, rather than the large supermarkets, and Perth’s small businesses benefit from their custom.
- 2.07 To maintain the property to the high standards required for international guests, requires the service of 2 professional cleaners, who provide full housekeeping and cleaning services, including bed changing, washing and ironing of bedding etc. and provision of seasonal dressing for Easter, Christmas, etc.

**The application flat therefore provides direct employment for 2 cleaners, as well as the extensive management time required for the professional host.**



### 3.0 RESPONSE TO REFUSAL

3.01 There were 2 Consultation responses to the application.

1. **Environmental Health** declared **NO** objection to the application but asked for an Informative to be added to any Permission requiring a License to operate the short-term let. This has already been applied for and therefore the property already complies with this requirement.

2. **Housing Strategy** did not declare an objection to the proposals. The response simply stated the wording of NPF4 Policy 30, which says: *Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:*

- i. *An unacceptable impact on local amenity or the character of a neighbourhood or area; or*
- ii. *The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.*

Housing Strategy also added that the *Local Housing Strategy 2022-27 includes an action to develop planning policy through the Local Development Plan 3 where appropriate for STL Control Areas. The postcode district level of saturation of potential short-term lets for PH2 is 1.1% and below the level at which it may be considered appropriate to introduce a control area in order to help manage high concentrations of STLs where it affects the availability of residential housing or the character of a neighbourhood.*

3.02 NPF4 Policy 30 *i.* states that support will not be given to short-term lets **IF** it brings an unacceptable impact on local amenity. It is clear from the time-period the application flat has been running, that it has had absolutely no impact on local amenity as there have been NO objections raised by the immediate neighbours, or by anyone in the area. Contrary to this, the application flat has attracted very high ratings in reviews left by guests.

3.03 NPF4 Policy 30 *ii.* balances the loss of residential accommodation to short-term let (STL) accommodation against a demonstrable benefit to the local economy. The application flat is in high demand, and is mostly full, throughout the calendar year. There are always events in the area that attract short term visitors. These include sports people coming for events (curling, cycling, fishing for example), weekenders attending concerts in the Perth Festival Theatre, families coming for weddings and family visits, holiday makers, guests staying for work commitments, etc. etc. All of these guests use the local shops, bars and restaurants – it is more likely that a guest will eat out, rather than cook – and recommendations are left in the application flat for places to visit. With such a full booking list, the application flat provides proportionally, a significantly higher usage of local bars and restaurants. This is something Perth's bars and restaurants desperately need, in these restricted times of the "cost of living crises". Perth desperately needs all the customers it can get, into its shops, pubs, bars and restaurants, entertainment, and sporting venues.

It is also more likely that visitors have more time to visit the local corner shop, or the boutiques and specialist food shops of Perth, rather than using big supermarkets, helping to support these small businesses.

**It is clear then, that the loss of the application flat as residential accommodation, is totally “outweighed by the demonstrable local economic benefit” it brings.**

- 3.04 The Local Housing Strategy 2022-27 includes an action to develop policy to limit the numbers of short-term let properties in residential areas. The Consultation response states clearly that the saturation of short-term lets (STL) for the PH2 area is only 1.1%, and therefore below the level at which it may be considered appropriate to introduce a control area.

**The application flat therefore is outwith any restriction under this strategy.**

- 3.05 The application flat is within a 5 minute walk from the Railway Station and the Bus Station, making it ideal for visitors coming on public transport. It also has a dedicated parking space, making it ideal for visitors coming by car from further afield. As the application flat is only a five minute walk to the centre of Perth, it is unlikely guests would take a car into town, the parking space being the easiest option. The parking space actually encourages guests to leave their car, rather than taking up a valuable parking space in the Perth City Centre. The parking space is also ideal for those guests who want to hire a car, for day trips further north (which is popular) and this also helps to feed into the Perth Tourist economy further afield.
- 3.06 The application flat has a high occupancy rate and is therefore cleaned top to bottom, on a very regular basis i.e 2-3 times a week. The public access space is also cleaned to maintain the high presentation level promised in the advertising.

**The requirement for very regular cleaning at turnover, means the property is being maintained at the highest level, making a significant contribution to local amenity.**

- 3.07 The application flat benefits from the requirements of contemporary Building Regulations with regards to thermal and sound insulation. The plan layout of each floor of the property is divided into 3 flats, each the point of a tee, which means the party walls are limited, and therefore reduces the possibility of sound transmission between adjoining properties. Also, the plan has been arranged so the lounge and kitchen areas of each flat is furthest from its neighbour, again limiting transmission of any noise. The plan layout of the public area means that guests do not pass any other flat entrance door – the application flat door is the first door after the entrance door, so no disturbance to the other flats on the ground floor is caused.

**The application flat therefore meets the requirements for protecting personal amenity with respect to any noise nuisance.**

- 3.08 The Refusal also stated *Due to the shared entry arrangements and the flatted nature of the property, the proposal would result in an increased potential for noise nuisance and general disturbance to occur that would impact adversely on the character and amenity of the local area, particularly the residential amenity of those living permanently in the residential block. The proposal is therefore contrary to National Planning Framework 4 (2023) Policy 14c): Design, Quality and Place and Perth and Kinross Local Development Plan 2 (2019), policies 1A and 1B: Placemaking and policy 17 d) Residential Areas which all seek to safeguard residential amenity and ensure that proposals contribute positively to the surrounding environment.*

**It has been demonstrated since the opening of the short-term let in September 2022, that there have been no issues of disturbance, general or otherwise. The opening of the short term let unit has increased the cleaning and maintenance of the property and has therefore significantly increased the general amenity for those living permanently in the residential block.**

Policy 1A of the Perth & Kinross LDP 2 (2019) states *Development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.*

*The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.*

**The application flat is contributing significantly and positively to the quality of the surrounding built environment through the high level of cleaning and maintenance.**

Policy 1B of the Perth & Kinross LDP 2 (2019) states *All proposals should meet all the following placemaking criteria:*

- (a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*
- (b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.*
- (c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
- (d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.*
- (e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.*
- (f) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.*
- (g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*
- (h) Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks.*
- (i) Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).*
- (j) Sustainable design and construction.*

**There is nothing within this policy that places any restriction on the compatibility of the short-term let accommodation unit within the residential block at Raeburn Park.**

- 3.09 Policy 17D of the Perth & Kinross LDP 2 (2019) states *The Plan identifies areas of residential and compatible uses inside settlement boundaries where existing residential amenity will be protected and, where possible, improved. Changes away from ancillary uses such as employment land, local shops and community facilities, for example pubs and restaurants will be resisted unless there is demonstrable market evidence that the existing use is no longer viable as a commercial venture or community-run enterprise.*

*Generally, encouragement will be given to proposals which fall into one or more of the following categories of development and which are compatible with the amenity and character of the area:*

*(a) Infill residential development at a density which represents the most efficient use of the site while respecting its environs.*

*(b) Improvements to shopping facilities where it can be shown that they would serve local needs of the area.*

*(c) Proposals which will improve the character and environment of the area or village.*

*(d) **Business, homeworking, tourism or leisure activities.***

*(e) Proposals for improvements to community and educational facilities.*

**This Policy actually encourages proposals which will increase tourism, as long as it is compatible with the amenity and character of the area, which has been demonstrated in this Supporting Statement.**

- 3.10 National Planning Framework 4, Policy 14c) states *Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.*

The Intent of Policy 14 is to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principles.

The Outcomes of Policy 14, are quality places, spaces and environments, and places that consistently deliver healthy, pleasant, distinctive, connected, sustainable and adaptable qualities.

**The application flat is not detrimental to the amenity of the residential block within which it sits, as demonstrated above, and therefore meets the requirements of this Policy.**

#### **4.0 SUMMARY POINTS**

- 4.01 This application was refused on the grounds that the loss of residential property at this location outweighed the economic benefit. It is clear from the level of occupancy, the high number of visitors it brings to Perth and Perthshire, using the local shops, clubs, pubs, restaurants, cinema and theatres, parks and walks, sporting venues, rivers for fishing, cycling and walking, brings huge economic benefit that clearly outweighs the loss of one residential unit.
- 4.02 This application was also refused on the grounds that the short-term let flat could potentially impact the residential amenity of those living permanently in the residential block. To the contrary, the construction and layout of the plan, passively reduces the likelihood of any noise transmission, and the very regular cleaning and maintenance of the application flat, brings significant benefit to the amenity of the residential block.
- 4.03 The application flat, not only generates considerable contributions to the local economy, but also generates employment for 2 housekeepers.
- 4.04 The high level rating, given in reviews by guests, attracts further visitors to Perth, self-perpetuating further contributions to the local economy and maintains the employment of the 2 housekeepers. This property contributes positively to the tourist attraction of Perth and should be supported.
- 4.04 For the reasons given in this Supporting Statement we therefore ask that this application be approved.

# 21 RAEBURN PARK, PERTH



## LOCATION PLAN



OS MasterMap 1250/2500/10000 scale  
 Friday, June 9, 2023, ID: M4P-01108331  
[www.nicolsondigital.com](http://www.nicolsondigital.com)

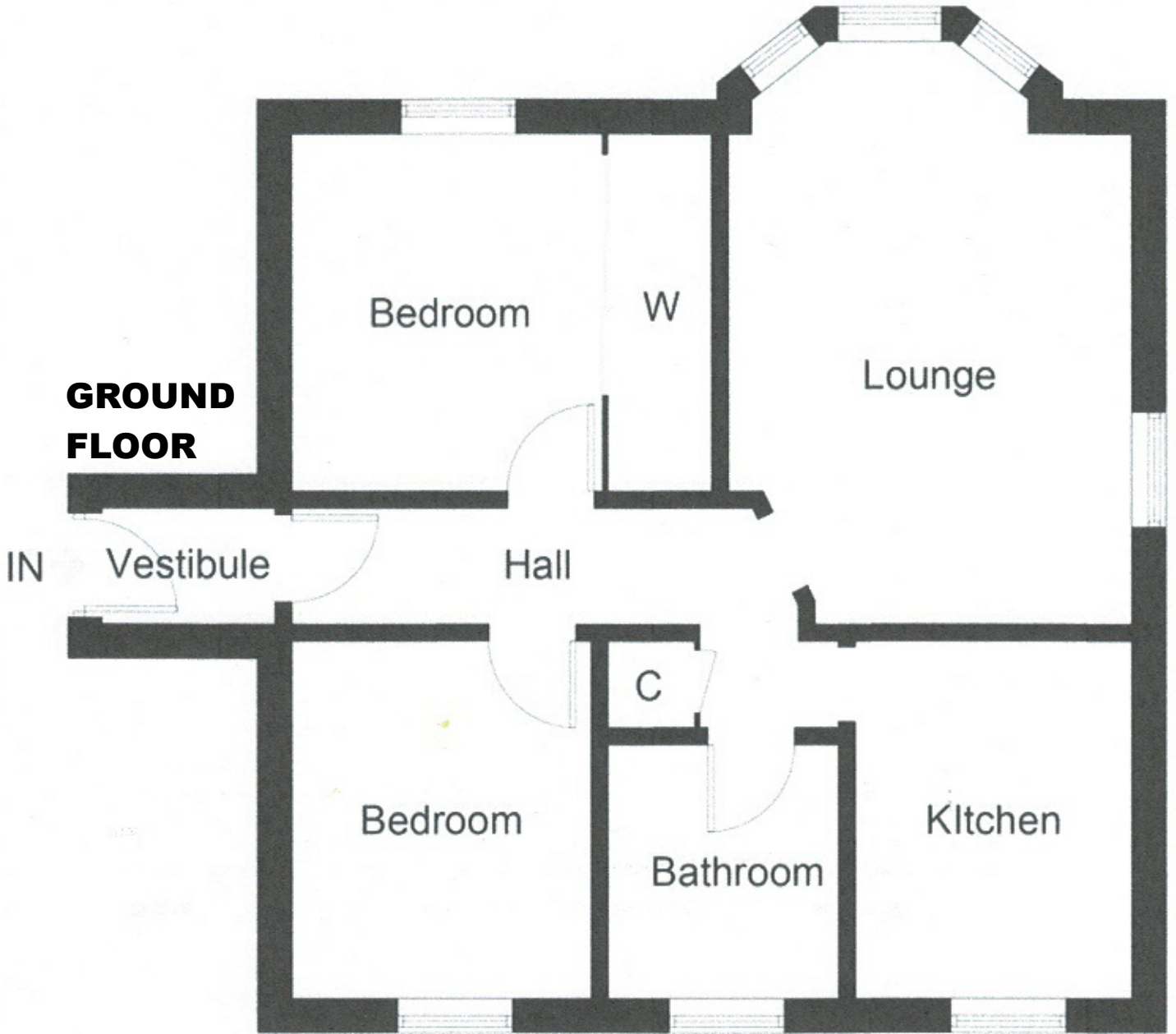
1:1250 scale print at A4, Centre: 311060 E, 723068 N

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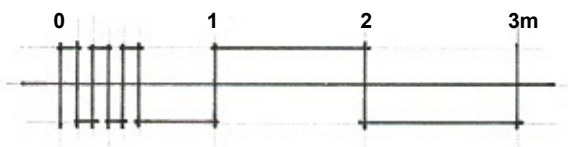
**richard hall architects**  
 the studio, broomybank  
 heughfield road  
 bridge of earn PH2 9BH  
 T. 07973 701025  
 E. rick@hallarchitects.co.uk





**GROUND FLOOR**

**floor plan 1:50 @ A4**



change of use  
 21 raeburn park  
 perth PH2 0ER  
**FLOOR PLAN**

**richard hall architects**

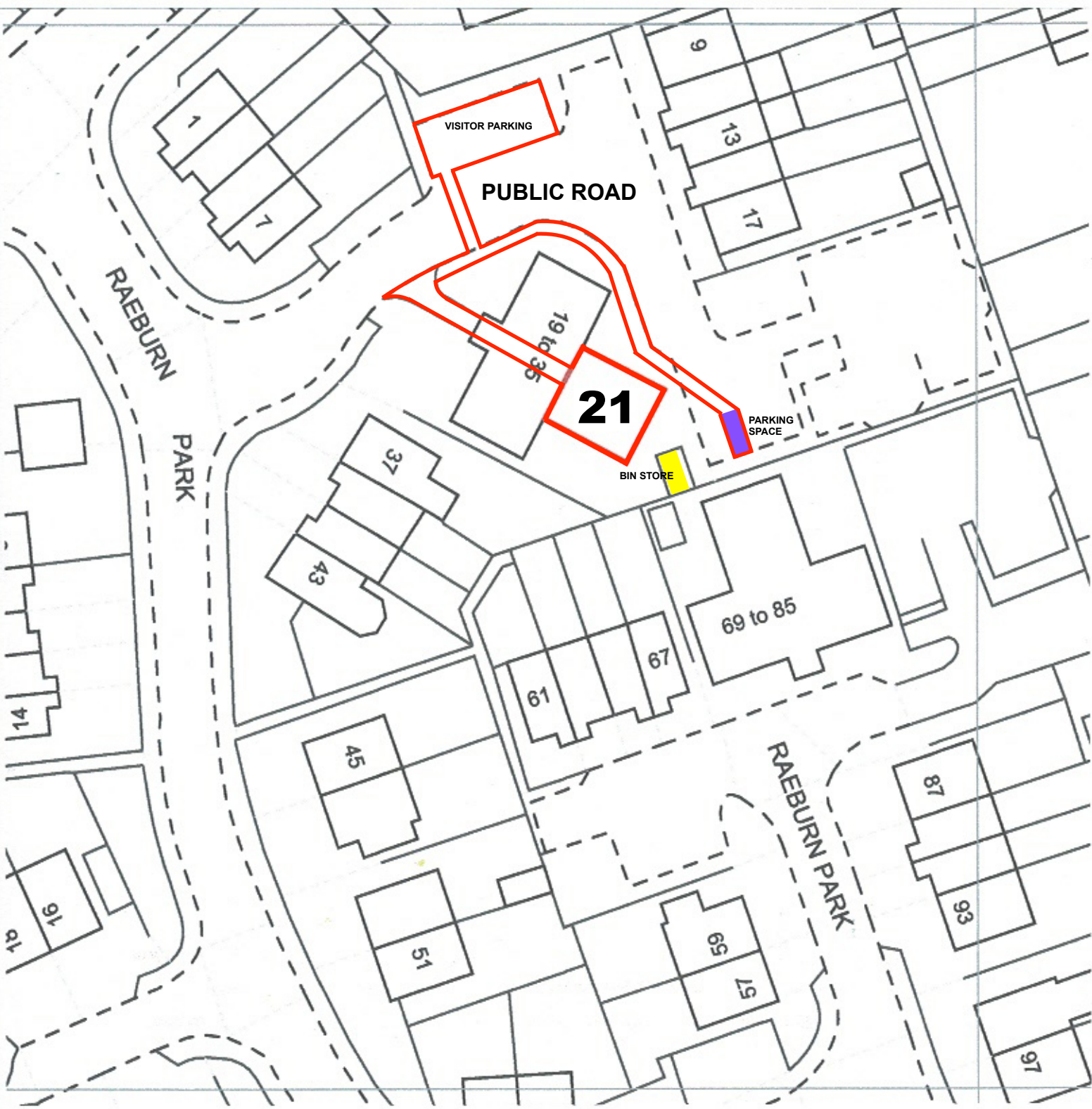
the studio, broomybank  
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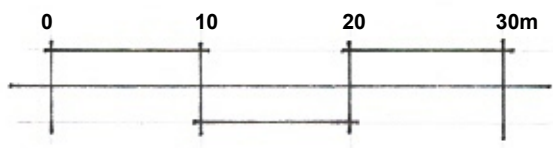
**PL01**





**block plan 1:500 @ A4**

**north**



change of use  
 21 raeburn park  
 perth PH2 0ER  
**BLOCK PLAN**

**richard hall architects**

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**PL02**

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**LRB-2023-36**

**23/00962/FLL - Change of use of flat to form short-term let accommodation unit (in principle), 21 Raeburn Park, Perth, PH2 0ER**

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS** *(part included in applicant's submission, pages 427-429)*





Mr And Mrs Katie Hall  
c/o Richard Hall Architects  
Richard Hall  
The Studio  
Broomybank  
Heughfield Road  
Bridge Of Earn  
PH2 9BH

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **29th September 2023**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **23/00962/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 1st August 2023 for Planning Permission for **Change of use of flat to form short-term let accommodation unit (in retrospect)** at **21 Raeburn Park Perth PH2 0ER**

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

- 1 The proposed retrospective change of use is contrary to Policy 30, Tourism e) of National Planning Framework 4 (2023) as the proposal will result in:
  - i) An unacceptable impact on local amenity and character of the area; and
  - ii) The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.
- 2 Due to the shared entry arrangements and the flatted nature of the property, the proposal would result in an increased potential for noise nuisance and general disturbance to occur that would impact adversely on the character and amenity of the local area, particularly the residential amenity of those living permanently in the residential block. The proposal is therefore contrary to National Planning Framework 4 (2023) Policy 14c): Design, Quality and Place and Perth and Kinross Local Development Plan 2 (2019), policies 1A and 1B: Placemaking and policy 17 d) Residential Areas which all seek to safeguard residential amenity and ensure that proposals contribute positively to the surrounding environment.

## **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

## **Notes**

- 1 The applicant is advised that the use of the property as a short term let should cease immediately to avoid formal enforcement being considered.

**The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page.**

Plan Reference

01

02

03

# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	23/00962/FLL	
Ward No	P10- Perth City South	
Due Determination Date	30th September 2023	
Draft Report Date	28th September 2023	
Report Issued by	PB	Date 28th September 2023

**PROPOSAL:** Change of use of flat to form short-term let accommodation unit (in retrospect)

**LOCATION:** 21 Raeburn Park Perth PH2 0ER

### SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

### BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission is sought for a change of use of a flat to form a short-term let accommodation unit. The application is within an existing residential block of nine flats located at Raeburn Park, Perth. The property has been operating as a short term let since September 2022 so this application is in retrospect.

The flat is a 2 bedroomed, ground floor unit with access off a shared hallway that also serves two other flats. There are six other flats in the three storey block.

### SITE HISTORY

23/01209/FLL CHANGE OF USE TO A SHORT TERM LET 25 July 2023 – application returned.

### PRE-APPLICATION CONSULTATION

Pre application Reference: None.

### DEVELOPMENT PLAN

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

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 people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the following policies of NPF4:

Policy 14: Design, Quality and Place

Policy 30: Tourism

### **Perth and Kinross Local Development Plan 2 – Adopted November 2019**

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 17: Residential Areas

Policy 56: Noise Pollution

Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

### **Statutory Supplementary Guidance**

- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

### **OTHER POLICIES**

#### **Non Statutory Guidance**

[Draft Planning Guidance Proposed Short-Term Let Control Area \(Consultation ended 18th August 2023\)](#)

### **NATIONAL GUIDANCE**

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

#### **Planning Advice Notes**

The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:



- PAN 40 Development Management

### **Creating Places 2013**

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**

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**

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.

### **CONSULTATION RESPONSES**

Environmental Health (Noise Odour)

No objection. Property will be subject to licensing conditions. Informative note requested to highlight the requirement for a Short-term Lets licence.

Communities Housing Strategy

The Local Housing Strategy 2022-27 includes an action to develop planning policy through the Local Development Plan 3 where appropriate for STL Control Areas.

The postcode district level of saturation of potential short-term lets for PH2 is 1.1% and below the level at which it may be considered appropriate to introduce a control area in order to help manage high concentrations of STLs where it affects the availability of residential housing or the character of a neighbourhood.

### **REPRESENTATIONS**

0 representations were received.

### **Additional Statements Received:**

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment under Habitats Regulations	Habitats Regulations AA Not Required

Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

## APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with 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, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

### Policy Appraisal

The proposal seeks a retrospective change of use of a ground floor residential flat to a short term let. The primary policy in this instance is NPF4 Policy 30(e): Tourism, as there is no specific LDP2 policies relating to Short-Term Let accommodation, particularly where changes of use of existing properties are concerned.

LDP2 Placemaking Policies 1A and 1B have relevance for the proposal and Policy 17 Residential Areas. These policies seek to ensure that development respects the character and amenity of a place. Policy 17 Residential Areas supports proposals that are compatible with a predominantly residential area and to create safe, accessible, inclusive places for people.

Specifically, NPF4 Policy 30(e): Tourism states that Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

Consultees have advised that the postcode district level of saturation of potential short-term lets (STLs) for PH2 is 1.1% and below the level at which it may be considered appropriate to introduce a control area in order to help manage high concentrations of STLs where it affects the availability of residential housing or the character of a neighbourhood.

In respect of criterion (i) of NPF4 Policy 30(e), the proposed use of the property as a short term let would not be significantly different from a flat in terms of its physical appearance and potentially may not increase footfall in the block. However, the

proposal is located in a primarily residential area, where high turnover of guests accessing the shared entrance and hallway could cause disturbance to neighbouring residents with an associated adverse impact on the safety and perceived safety of those residents that could erode the residential character and amenity of the residential block and surrounding area. The Council's recently published consultation on its draft STL guidance recognised this as a potential issue. It is therefore concluded that the use of this property for a short-term let is inappropriate due to the adverse impact on local amenity and the character of the area.

In respect of criterion (ii) of NPF4 Policy 30(e), the proposal has resulted in the loss of a flat to short term let accommodation in an urban location. As well as NPF4, Policy 30 seeking to protect the character and amenity of areas it also requires any loss of residential accommodation to a short-term let to be outweighed by demonstrative evidence of economic benefit. This property is a 2 bed property which would be of the scale which the Council is concerned about losing from the permanent housing stock. This is emphasised within the consultation on draft STL guidance which raises concerns over the loss of properties with 1-3 bedrooms.

This proposal would result in a loss of residential accommodation where other than anecdotal evidence of users spending in the city centre there is little demonstrable evidence provided to demonstrate the economic benefit. As such, the proposed loss of an existing dedicated residence is in this instance not outweighed by the expected economic benefits.

The proposal therefore conflicts with NPF4 Policy 30(e)(i) and (ii) Tourism, and the intent of LDP2 Policies 1A and 1B: Placemaking and 17: Residential Areas. The principle in this instance is therefore unacceptable.

### **Design and Layout**

In terms of the physical appearance of the property, the proposed change of use will have no impact, and there are no additional issues in terms of design or layout to consider.

### **Residential Amenity**

Environmental Health have commented on the proposal and have raised no objections to the proposal.

NPF4 Policy 14: Design, Quality and Place and LDP2 Policies 1A: Placemaking, and 17: Residential Areas supports proposals, including business and tourism, which are compatible with the amenity and character of the surrounding area, and consistent with the six qualities of successful places. It is however acknowledged that short term lets can result in additional levels of disturbance and noise concerns to affect neighbouring residential properties, and that the primary avenue to regulate such matters is via the separate licensing regime.

The introduction of Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 requires short-term lets to licensed and noise conditions will form part of the licence.

However, whilst the required STL licence will have set conditions over noise nuisance, and how the property is operated, the planning system does have a remit to ensure that new uses are compatible with existing uses, especially when those existing uses are residential ones.

In this location, in a primarily residential area, there would be the potential for some extra noise disruption to occur when the flat is in use as an STL and during access and exiting of the property within the shared areas. The transient nature of the users of a short-term let and high turnover of different people could cause a degree of anxiety and disturbance to permanent residents. The resulting change in character of the property, in terms of the lack of permanent residents and potential for disturbance to neighbouring residents within communal access spaces, decreases safety and in particular the perception of safety which can impact adversely on local amenity.

Whilst guidelines for guests could be put in place to mitigate potential disturbance these cannot be controlled by planning conditions. As set out in a recent appeal decision to the DPEA (ref: PPA-340-2155) it was stated that management guidelines cannot be relied upon as a means to restrict or control the adverse impacts on neighbouring properties and harm to amenity. Furthermore, harm to amenity could arise even if there was effective control, due to the frequent turnover of guests.

The use of the property for a short-term let is therefore incompatible with the character of the residential block. The proposal conflicts with NPF4 Policy 14(c) Design, quality and place, and LDP2 Policies 1A: Placemaking and 17: Residential Areas in respect of residential amenity.

### **Roads and Access**

The unit has its own dedicated parking space. There is also access to a shared visitor parking area. There are no concerns with roads or access matters.

### **Drainage and Flooding**

The proposal raises no issues in terms of drainage or flooding matters.

### **Conservation Considerations**

The proposal does not impact on any Conservation Area, listed building or local archaeology.

### **Natural Heritage and Biodiversity**

The proposal raises no issues in terms of biodiversity.

### **Developer Contributions**

The proposed use would not significantly increase the level of traffic on local roads and as such Transport related Developer Contributions are not required. There is no

requirement for developer contributions in terms of Affordable Housing or Primary Education.

### **Economic Impact**

The economic impact of the proposal is likely to be limited to guest and operator expenditure in the local economy.

### **VARIATION OF APPLICATION UNDER SECTION 32A**

This application was not varied prior to determination.

### **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

None required.

### **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

### **CONCLUSION AND REASONS FOR DECISION**

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 be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the Development Plan.

Accordingly the proposal is refused on the grounds identified below.

### **Reasons**

- 1 The proposed retrospective change of use is contrary to Policy 30, Tourism e) of National Planning Framework 4 (2023) as the proposal will result in:
  - i) An unacceptable impact on local amenity and character of the area; and
  - ii) The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.
  
- 2 Due to the shared entry arrangements and the flatted nature of the property, the proposal would result in an increased potential for noise nuisance and general disturbance to occur that would impact adversely on the character and amenity of the local area, particularly the residential amenity of those living permanently in the residential block. The proposal is therefore contrary to National Planning Framework 4 (2023) Policy 14c): Design, Quality and Place and Perth and Kinross Local Development Plan 2 (2019), policies 1A and 1B: Placemaking and policy 17 d) Residential Areas which all seek to safeguard residential amenity and ensure that proposals contribute positively to the surrounding environment.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**Informatives**

The applicant is advised that the use of the property as a short term let should cease immediately to avoid formal enforcement being considered.

**Procedural Notes**

Not Applicable.

**PLANS AND DOCUMENTS RELATING TO THIS DECISION**

01  
02  
03



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100630136-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

CHANGE OF USE TO A SHORT TERM LET

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): \*

16/09/2022

Please explain why work has taken place in advance of making this application: \* (Max 500 characters)

PLANNING PERMISSION WAS NOT REQUIRED

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

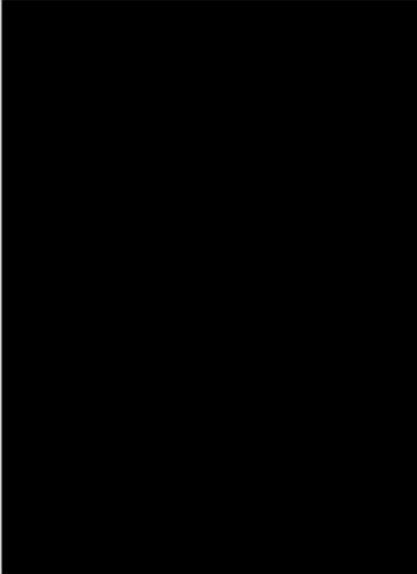
Company/Organisation:	<input type="text" value="richard hall architects"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="richard"/>	Building Name:	<input type="text" value="THE STUDIO"/>
Last Name: *	<input type="text" value="hall"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="07973701025"/>	Address 1 (Street): *	<input type="text" value="BROOMYBANK"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="HEUGHFIELD ROAD"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="BRIDGE OF EARN"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="PH2 9BH"/>
Email Address: *	<input type="text" value="rick@hallarchitects.co.uk"/>		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="MR &amp; MRS"/>	Building Name:	
First Name: *	<input type="text" value="KATIE"/>	Building Number:	
Last Name: *	<input type="text" value="HALL"/>	Address 1 (Street): *	
Company/Organisation	<input type="text"/>	Address 2:	
Telephone Number: *	<input type="text"/>	Town/City: *	
Extension Number:	<input type="text"/>	Country: *	
Mobile Number:	<input type="text"/>	Postcode: *	
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		



## Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

21 RAEBURN PARK

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PERTH

Post Code:

PH2 0ER

Please identify/describe the location of the site or sites

Northing

723070

Easting

311056

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

63.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

DWELLING

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*  Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

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

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

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

### Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*  Yes  No

Do your proposals make provision for sustainable drainage of surface water?? \*  Yes  No  
(e.g. SUDS arrangements) \*

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

### Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*  Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*  Yes  No  Don't Know

### Trees

Are there any trees on or adjacent to the application site? \*  Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

### Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*  Yes  No

**LRB-2023-36**

**23/00962/FLL - Change of use of flat to form short-term let accommodation unit (in principle), 21 Raeburn Park, Perth, PH2 0ER**

## **REPRESENTATIONS**



## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	23/00962/FLL	<b>Comments provided by</b>	Stephanie Durning
<b>Service/Section</b>	Housing Strategy	<b>Contact Details</b>	Planning and Policy Officer [REDACTED]
<b>Description of Proposal</b>	Change of use of flat to form short-term let accommodation unit (in retrospect)		
<b>Address of site</b>	21 Raeburn Park, Perth, PH2 0ER		
<b>Comments on the proposal</b>	<p>The proposal is for a ground floor flatted dwelling for a change of use from a residential use to a short-term let in a residential area of Perth city.</p> <p>NPF4 Policy 30: states that <i>Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:</i></p> <ul style="list-style-type: none"> <li><i>i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or</i></li> <li><i>ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits</i></li> </ul> <p>The Local Housing Strategy 2022-27 includes an action to develop planning policy through the Local Development Plan 3 where appropriate for STL Control Areas. The postcode district level of saturation of potential short-term lets for PH2 is 1.1% and below the level at which it may be considered appropriate to introduce a control area in order to help manage high concentrations of STLs where it affects the availability of residential housing or the character of a neighbourhood.</p>		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	09.08.2023		

# Memorandum

To Development Management & Building  
Standards Service Manager

From Regulatory Services Manager

Your ref 23/00962/FLL

Our ref DAT

Date 11 August 2023

Tel No 01738 476481

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **Consultation on an Application for Planning Permission**

**23/00962/FLL RE: Change of use of flat to form short term let accommodation unit (in retrospect) 21 Raeburn Park Perth PH2 0ER**

I refer to your letter dated 08 August 2023 in connection with the above application and have the following comments to make.

### **Environmental Health Recommendation**

**I have no objections to the application but recommend the undernoted informative be included in any given consent.**

### **Comments**

This application is for the change of use (in-retrospect) of a ground-floor flatted dwelling at 21 Raeburn Park, Perth, into a short term let accommodation unit.

### **Holiday Accommodation**

As the development is for a holiday accommodation unit, there is the potential for noise from the users of the properties to affect neighbouring residential properties, however due to the introduction of Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, these will be required to be licensed and noise conditions will form part of the licence.

Therefore, whilst I have no objections to the application, I would recommend the following informative be attached to any given consent.

### **Informative**

#### **Short Term Let**

The applicant is advised that under The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, a licence is required to operate a short-term let. More information can be found at <https://www.pkc.gov.uk/shorttermlets>



**LRB-2023-37**  
**23/00581/FLL - Change of use of flat to form short-term let accommodation unit, Flat 4, 38 Bonnethill Road, Pitlochry, PH16 5BS**

## **INDEX**

- (a) Papers submitted by the Applicant (***Pages 453-462***)
  
- (b) Decision Notice (***Pages 465***)
  - Report of Handling (***Pages 466-474***)
  - Reference Documents (***Pages 461 and 475-486***)
  
- (c) Representations (***Pages 487-490***)





**LRB-2023-37**

**23/00581/FLL - Change of use of flat to form short-term let accommodation unit, Flat 4, 38 Bonnethill Road, Pitlochry, PH16 5BS**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT  
1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW  
PROCEDURE) (SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

Use **BLOCK CAPITALS** if completing in manuscript

---

## Applicant(s)

Name Lorraine Currie  
Address Flat 4 38 Bonnethill Road  
Pitlochery

Postcode PH16 5BS

Contact Telephone 1 [REDACTED]  
Contact Telephone 2

E-mail\* [REDACTED]

## Agent

Name  
Address

Postcode

Contact Telephone 1  
Contact Telephone 2

E-mail\*

Mark this box to confirm all contact should be  
through this representative:

\*Do you agree to correspondence regarding your review being sent by e-mail? Yes

---

Planning Authority

**Perth and Kinross**

Planning authority's application reference number 23/00581/FLL

Site address Flat 4 38 Bonnetthill Road, Pitlochery PH16 5BS

Description of proposed development

To allow for short term rental part of the year

Date of application 30/05/2023

Date of decision (if any) 29/07/2023

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

## Nature of application

1. Application for planning permission (including householder application)
2. Application for planning permission in principle
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
4. Application for approval of matters specified in conditions

## Reasons for seeking review

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

## Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may mark more than one box if you wish the review to be conducted by a combination of procedures.

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

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

1. The notice of review provides additional information that was not contained within the documentation in the initial application.

2. An independent review by more than one individual would be overall fairer. Hopefully the reviewer(s) will take into consideration this additional information and realise this would not be a permanent loss of a residential home in the area. In addition to this, the review team will recognise I am a valuable member of the local community. I ensure that my property and communal areas are maintained to a very high standard. The decision states "An unacceptable impact on local amenity or the character of a neighbourhood or area". The regular maintenance and improvement I have carried out to my property and the external/communal areas; ensures that it fits in to the character of the surrounding environment.

3. A site inspection will not only show the reviewer(s) that the communal areas are regularly maintained by myself, but will highlight the close proximity of flat 2 to my property. Flat 2 has been granted planning permission, which is within the same block of flats (there are just 4 flats in total). Refusing me planning permission makes no sense, as my neighbour in flat 2 has been granted

permission within very close proximity. The applications for both flats was during the same period of time. This is an inequality and discriminatory towards myself

## Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

1. Can the site be viewed entirely from public land? No
2. Is it possible for the site to be accessed safely, and without barriers to entry? Yes

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

Can access the communal area's and car park, but need prior arrangements to be accompanied to gain entry to inside the flat.

## Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review.

Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

The reason I am requesting a review is as follows:

1. The report states that this will a permanent loss of a residential home. My plan is that the flat is rented out for part of the year. I have had a caravan in Pitlochery for 10-15 years. The plan was to rent the flat out part of the year, whilst the caravan park is open and the flat would remain my residence over the winter period. The caravan allows my family to visit me; as I am alone in Pitlochery and the flat would not be large enough to accommodate them. I did not put this in the initial request, as I did not think this was relevant and was not advised to do so.
2. The plan would be that the flat would be rented out for short term rentals, during peak times from the middle of March to end of October. This would capture the busy times for tourist. The flat will offer a more affordable and flexible accommodation for couples or a family with a child. The rental of this flat will contribute greatly to tourism and the economy with in the area. Particularly over the busy periods when tourist visit; such as the Enchanted Forest. The flat would provide an alternative to a hotel for individuals to rent for short term period; for example trademen/professional person who are coming to the area for short term work. Frequently there are local request on Pitlochery social media groups, by individuals for example who are performing at the theatre. Who are seeking temporary short term rental accomadation. This flat would be a more affordable option than a hotel and less restrictive than a bed and breakfast.

3. Since purchasing the flat in July 22. I have taken the responsibility to facilitate the maintenance of the communal area(s), such as cleaning the shared entrance a few times per week and when required. I ensure that all bins are collected and properly recycling every week. I arranged for the roof to be repaired and collected the money from owners of the three other flats. I maintained and repaired fencing and bin area to improve the environment. Painted the entrance door and removed weeds as well trim the hedges to the front of the flat. This all contributes to ensuring that the "character of the area is maintained". I have already supported local businesses by hiring tradesmen to make repairs to my flat and communal areas.

4. I planned during the rental period to hire a local cleaner. Therefore creating employment. I had someone identified who is currently not working. As part of their recovery from long term physical and mental illness, they are seeking part time employment. This opportunity would be ideal to phase her back into full time employment and build her confidence.

5. There are only four flats in my building. Flat 2 in the same building had their application approved on 14th March 2023. I was in the process of applying for short term licence before this period and was in regular contact with Perth and Kinross Council seeking advice. I was not advised I required planning permission at that time and had been ensuring that all the correct checks are in place such as electric checks, fire and gas ( as advised by Perth and Kinross Council). When I had these checks all in place and attempted to submit the short term licence form, I was asked if I had planning permission. I telephoned again to Perth and Kinross Council and staff were unaware I would require planning permission. The council staff then checked with the Planning Department and they eventually confirmed I required this. This lack of accurate information and the incorrect advice caused an initial delay in my planning application form. I then completed the planning permission application in which I was regularly requested to get more information, photos and detailed drawings. The planning permission office provided a good example of the application form and drawings of the flat 2 downstairs. Advising the standard I should submit. I then payed £425 for the same Architect to draw up the plans (also £600 for the planning application). I was asked to re-measure and further submit architect drawings following my initial drawing being submitted, that was completed by the Architect. As requested I submitted further pictures of the flat also.

I have completed everything asked of me to support my application, to be told my planning permission was refused. It appears to be a 'postcode lottery'. It is extremely unfair that someone in the same building, at same period time has been approved but I haven't. If I had been advised by the staff at Perth and Kinross Council in the first place, when applying for a short term licence that I required planning permission. I would have applied for planning permission first place and would be ahead of the owner's application in Flat 2. I am confused of the reason that I had been requested to provide more pictures, architect drawings and information on many occasions. If the reason I was refused was " loss residential accomadation such loss is not outweighed by demonstrating local economic benefits". If this was the reason for the decision for refusal of my application. Then this should have been decided without the stress, all the additional information and cost to me. This decision has been inconsistent and discriminatory, as the owner in the same block flats has been granted licence and planning permission. Particularly, since purchasing the flat I have been the only owner who actively facilitates repairs, maitanance and proper disposal of the refuse every week. The owner in flat 2 is not a resident in the local area.

6. The flat has its own designated parking area, so will not impact on public parking around the town which is limited and restricted.

7. I was told that the reason that many short term lets have been refused to create long term rental or encourage people to sell their flat/houses. This will not happen in my case. I am a professional person, I work in the Health Service and commute to work. The plan is that I will seek employment within the NHS in Perthshire within the near future, so I do not have as far to travel. The flat will continue to be my residential home and will not be a permanent loss of tenacy. Therefore, on the grounds that the flat will be a 'loss of residential home' is inaccurate. I am seeking authority to rent the flat for short periods throughout the year, over the busy tourist periods and not on a permanent basis.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? Yes  No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

1. I was seeking permission/licence for short term rentals for only part of the year but did not realise it may be important in the initial application to highlight this. I did not emphasise that this would not be a permanent loss of residential accommodation. I was not advised to add this in and as process is new to me and was unaware of the importance  
2. I wasn't aware when completing form that Flat 2 would have been granted planning permission/ short term rental licence and I would not have. I did not object to Flat 2 being a short term rental when receiving notification and opportunity to disagree. As I expected that the decision would be consistent and (if authorised) that both of us would have had the same positive outcome. Therefore I feel this decision is a discriminatory towards myself

### List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

I am unable to attach architect drawings so please see additional documents sent with the email

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

---

### Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

---

### Declaration

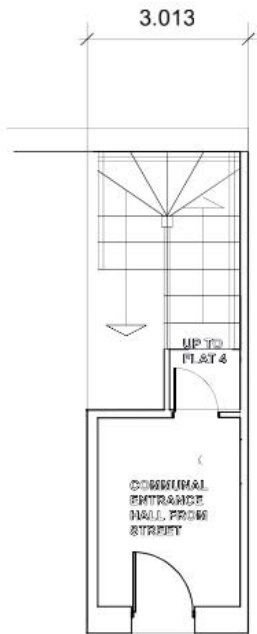
**I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.**

Signed: Lorraine Currie

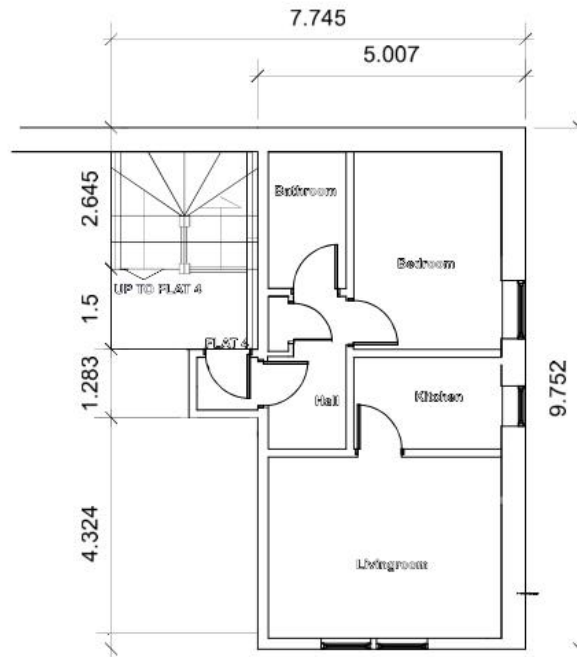
Date: 9<sup>th</sup> October 2023

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EXISTING GROUND FLOOR PLAN @ 1:100




EXISTING FIRST FLOOR PLAN @ 1:100



EXISTING NORTH WEST ELEVATION SHOWING FIRST FLOOR LEVEL @1:100



	w: www.vu-3.co.uk e: interiorarchitects@vu-3.co.uk t: 0131 516 1807		DRAWING TITLE	A3	PROJECT	ADDRESS:	JOB NUMBER:	DESIGNER:	NOTES:	REV	DETAILS	DATE	DRAWING NUMBER
	EXISTING FLOOR PLAN AND ELEVATION		Change of use Planning Application from (class 9) to (class 7)	Flat 4, 38 Bonnethill Road Pitlochry PH16 5BS	004036	A.G	arrow showing Flat 4, 38 Bonnethill Road	1		21/6/23			2
							DATE:	SCALE(S)					
							12/5/2023	1:100					



**LRB-2023-37**

**23/00581/FLL - Change of use of flat to form short-term let accommodation unit, Flat 4, 38 Bonnethill Road, Pitlochry, PH16 5BS**

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS** *(part included in applicant's submission, pages 461)*





Ms Lorraine Currie  
4 38 Bonneathill Road  
Pitlochry  
PH16 5BS

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **28th July 2023**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **23/00581/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 30th May 2023 for Planning Permission for **Change of use of flat to form short-term let accommodation unit Flat 4 38 Bonneathill Road Pitlochry PH16 5BS**

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

- 1 The proposed change of use is contrary to Policy 30: Tourism (part e) of National Planning Framework 4 (2022) and Policy 1A: Placemaking of the Perth & Kinross Local Development Plan 2 (2019) as the proposal involves the loss of a residential unit to short term let accommodation within an area which is subject to a high saturation of holiday accommodation, relative to the potential total housing stock. The loss of such a mainstream housing unit will have a negative impact on the amenity of the area and the loss of the accommodation has not been outweighed by any demonstrable local economic benefit.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page.**

Plan Reference

01  
02  
04

# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	23/00581/FLL	
Ward No	P4- Highland	
Due Determination Date	29th July 2023	
Draft Report Date	27th July 2023	
Report Issued by	JC	Date 27th July 2023

**PROPOSAL:** Change of use of flat to form short-term let accommodation unit

**LOCATION:** Flat 4 38 Bonnethill Road Pitlochry PH16 5BS

### SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

### BACKGROUND AND DESCRIPTION OF PROPOSAL

This application is for the proposed change of use of a first floor flatted dwelling to a short term let accommodation unit in Pitlochry Town Centre and Conservation Area. The flat is accessed via a communal entrance and stairwell, and the property is within an area subject to medium river flooding risk.

### SITE HISTORY

87/00954/FUL Change of use from Hotel Annex to 4 Flats at Struan House  
24 August 1987 Application Approved

*Adjacent property at Flat 2, 38 Bonnethill Road*

22/02116/FLL Change of use of flat to form short term let accommodation unit  
(in retrospect)  
14 March 2023 Application Approved

### PRE-APPLICATION CONSULTATION

Pre application Reference: None

### DEVELOPMENT PLAN

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

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 people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the following policies of NPF4:

Policy 7: Historic Assets and Places

Policy 13: Sustainable Transport

Policy 14: Design, Quality and Place

Policy 22: Flood Risk and Water Management

Policy 27: City, Town, Local and Commercial Centres

Policy 30: Tourism

### **Perth and Kinross Local Development Plan 2 – Adopted November 2019**

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 10: City, Town and Neighbourhood Centres

Policy 28A: Conservation Areas: New Development

Policy 52: New Development and Flooding

Policy 56: Noise Pollution

Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

### **Statutory Supplementary Guidance**

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

### **OTHER POLICIES**

#### **Non Statutory Guidance**

- [Conservation areas](#)
- [Planning Guidance – Short Term Lets](#) (draft – public consultation under way)

### **NATIONAL GUIDANCE**

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

## **Planning Advice Notes**

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 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 69 Planning and Building standards Advice on Flooding
- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places

## **Creating Places 2013**

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**

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**

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.

## **CONSULTATION RESPONSES**

### Internal Consultees

*Communities Housing Strategy* - NPF4 Policy 30: states that Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits

The Local Housing Strategy 2022-27 includes an action to develop planning policy through the Local Development Plan 3 where appropriate for STL Control Areas.



The postcode district level of saturation of potential short-term lets for PH16 is 12.0% and above the level at which it may be considered appropriate to introduce a control area in order to help manage high concentrations of Short-Term Lets where it affects the availability of residential housing or the character of a neighbourhood.

*Environmental Health (Noise Odour)* – No objection, subject to informative regarding short term let licensing.

## REPRESENTATIONS

0 representations were received.

### Additional Statements Received:

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

## APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with 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, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

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.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

### Policy Appraisal

The proposal seeks to change the use of an existing first floor flat in Pitlochry Town Centre and Conservation Area to a short term let. The primary policy in this instance is NPF4 Policy 30(e): Tourism, as there is no specific LDP2 policies relating to Short-

Term Let accommodation, particularly where changes of use of existing properties are concerned.

As such, LDP2 Placemaking Policies 1A and 1B have relevance for a proposal of this nature, as does Policy 10: City, Town and Neighbourhood Centres which promotes the retention and development of housing and other uses which are compatible with the existing city or town centre uses.

NPF4 Policy 27: City, Town, Local and Commercial Centres also promotes proposals which improve the vitality and viability of such centres.

Specifically, NPF4 Policy 30(e): Tourism states that Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

The postcode district level of saturation of potential short-term lets (STLs) for PH16 is 12.0% and above the level at which it may be considered appropriate to introduce a control area in order to help manage high concentrations of STLs where it affects the availability of residential housing or the character of a neighbourhood.

In respect of criterion (i) of NPF4 Policy 30(e), the proposed use of the property as a short term let would not be significantly different from a flat in terms of its physical appearance, the extent of guest footfall or noise emanating from the property, so long as good management practices are in place.

However, a high turnover of guests at properties served by communal stairwells has the potential to increase disturbance to neighbouring residents within the same building. In addition, the cumulative impact of such short term let accommodation proposals can adversely impact the mixed-use character of town centres such as Pitlochry by further eroding the residential component of that mix of uses which is crucial for the viability and vitality of the centre.

In respect of criterion (ii) of NPF4 Policy 30(e), the proposal would result in the loss of a flat to short term let accommodation in the PH16 postcode area which is already subject to a proliferation of holiday accommodation, as evidenced in the Housing Strategy Team consultation response. This in turn would adversely impact the availability of residential accommodation locally. There are undoubtedly economic benefits associated with the proposal, not least to the applicants themselves and to local businesses who benefit from the custom of guests, but these do not necessarily outweigh the loss of residential accommodation in this instance.

The proposal therefore conflicts with NPF4 Policy 30(e) Tourism, and the intent of LDP2 Policy 1A: Placemaking. The principle is therefore unacceptable.

## **Residential Amenity**

NPF4 Policy 14: Design, Quality and Place and LDP2 Policies 1A: Placemaking, and 10: City, Town & neighbourhood Centres support proposals and the retention of housing or other uses on upper floors which contribute positively to the quality of their surroundings and which are compatible with the amenity and character of the surrounding area. It is acknowledged that short term lets can result in additional levels of disturbance and noise concerns. Environmental Health officers note however that the main avenue to regulate such matters is via the separate licensing regime.

In this instance, the modest one bedroom size of the property is such that the levels of comings and goings from a proposed short-term let accommodation is unlikely to be significantly different from its existing lawful residential use.

It could be argued that the potential for disturbance to neighbouring residents within communal access spaces from cumulative short term let accommodation would be incompatible with the intent of the above policies. Officers are however mindful that a recent planning decision ref: 22/02116/FLL for a retrospective short term let within Flat 2 of the same building did not find issue in terms of residential amenity. In the interests of taking a reasonable and consistent approach across both planning applications, concerns of residential amenity shall not form part of the refusal reasons for this application.

## **Roads and Access**

The proposals raise no access or parking concerns in light of the town centre location and associated access to public transport options in the form of bus stops and the railway station. Car parking is also available nearby. In these respects the proposal accords with NPF4 Policy 13 and LDP2 Policy 60B.

## **Drainage and Flooding**

The proposal site is subject to a medium probability of flooding. However, the proposed change of use of an existing first floor flat would not increase vulnerability to flood risk on this site. As such, the proposal is acceptable in terms of NPF4 Policy 22 and LDP2 Policy 52.

## **Conservation Considerations and Visual Amenity**

As no external works are proposed, the change of use will have no direct impact on the physical appearance of the property. However, it could be argued that the cumulative impact of short term let accommodation, as evidenced in the Housing Strategy Team's consultation response, has an adverse impact on the established character of the Conservation Area.

## **Other Material Considerations**

There are two key material matters to be considered in this instance. The first of these is the recently published Draft Planning Guidance on Short Term Lets which is currently subject to consultation. The second matter is the recent planning decision

which granted approval for a short term let accommodation at Flat 2 at 38 Bonnethill Road, which is downstairs from the current application property.

### ***Draft Planning Guidance on Short Term Lets***

Draft planning guidance on short term lets (STLs) has recently been produced due to concerns expressed over the impact of STLs on services, local business staffing and expansion, as well as housing affordability. The consultative draft acknowledges that while short-term lets can bring economic benefits to the host and local areas, this must be balanced against the impact the loss of that residential property has on the availability of housing for local people, and in particular access to affordable housing.

The draft guidance further states that planning permission will **not be** granted unless the following criteria are met:

1. The proposal is for the extensive refurbishment of a long-term empty residential property which will bring the building back into active use;
2. The proposal relates to a residential property with four or more bedrooms as this stock is considered less significant in terms of housing needs assessments;
3. It can be demonstrated that the residential property has been operating as a short-term let for more than 10 years and is therefore exempt from planning enforcement action;
4. It can be demonstrated that the proposal for the change of use to short-term let is part of a diversification scheme to support an existing Perth and Kinross business within the same landholding.

Additionally, that – ***in all cases***, properties **must have their own door to the street** to reduce the risk of adverse impact on the amenity of neighbouring residents. Proposals must also comply with all relevant LDP2 policies, in particular Policy 1A: Placemaking, which requires that Development must contribute positively to the quality of the surrounding built and natural environment.

While this non-statutory guidance is currently open to comment and not yet adopted (anticipated by September 2023), it forms the most up-to-date indication of Council policy intent on the matter, and as such, is a material consideration in addition to other policy factors and supplementary guidance in the assessment of the proposals.

It is evident in this instance that the proposed change of use does not accord with the draft guidance specifically in terms of the key criteria or in having its own access direct to the street. This conflict with draft guidance aligns with the officer assessment of the proposal against adopted policy including NPF4 Policy 30 and LDP2 Policy 1A as discussed earlier in this report.

### ***Planning History within the same building***

It is further noted that ground floor Flat 2 within 38 Bonnethill Road was granted retrospective planning permission for short-term let accommodation on 14 March 2023, having been in such use since 2018. However, two recent matters have arisen since that planning decision which must be considered in addition to the planning history. The first of these was the emergence of new evidence in the form of the

Council's Housing Strategy Team's data on postcode district level of saturation of potential short-term lets across Perth and Kinross. This has shown a high proportion of the potential housing stock in the PH16 postcode as being in holiday accommodation use. The second matter which has arisen is the publication of the draft planning guidance which is currently subject to public consultation as discussed earlier in this report.

### **Planning Balance**

Officers consider that in isolation, the recent planning history of a site and neighbouring properties will usually attract significant weight where such proposals are similar to the planning application being assessed. However, in this instance, the evidence compiled by the Housing Strategy Team in respect of the proliferation of short term let accommodation in the PH16 postcode has emerged since the planning decision at Flat 2. This in turn attracts significant weight within the assessment of NPF4 Policy 30(e), and therefore outweighs the planning history whose weight is reduced to moderate within the planning balance. Furthermore, the recent publication of Council draft planning guidance in respect of Short Term Lets is also notable and indicates the Council's intent in exercising greater control over Short Term Let accommodation going forward. As that draft guidance is not yet adopted and subject to ongoing consultation, it attracts less than moderate weight within the overall planning balance.

As such, officers consider that in this instance, the overall planning balance is tilted towards a refusal recommendation, specifically that the proposal fails to accord with both NPF4 Policy 30(e): Tourism and LDP2 Policy 1A: Placemaking.

### **Developer Contributions**

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

### **Economic Impact**

The economic impact of the proposal is likely to be limited to guest expenditure in the local economy.

### **VARIATION OF APPLICATION UNDER SECTION 32A**

This application was not varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended.

### **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

None required.

### **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **CONCLUSION AND REASONS FOR DECISION**

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 be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the Development Plan.

Accordingly the proposal is refused on the grounds identified below.

### **Conditions and Reasons**

- 1 The change of use is contrary to Policy 30: Tourism (part e) of National Planning Framework 4 (2022) and Policy 1A: Placemaking of the Perth & Kinross Local Development Plan 2 (2019) as the proposal involves the loss of a residential unit to short term let accommodation within an area which is subject to a high saturation of holiday accommodation, relative to the potential total housing stock. The loss of such a mainstream housing unit will have a negative impact on the amenity of the area and the loss of the accommodation has not been outweighed by any demonstrable local economic benefit.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

### **Informatives**

None relevant.

### **Procedural Notes**

Not Applicable.

## **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

01  
02  
04



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto:onlineapps@pkc.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100624525-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Change from own dwelling house to short term let accommodation

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Lorraine"/>	Building Number: <input type="text" value="4"/>
Last Name: *	<input type="text" value="Currie"/>	Address 1 (Street): * <input type="text" value="38 Bonnethill Road"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text" value="07765402944"/>	Town/City: * <input type="text" value="Pitlochry"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="PH16 5BS"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="lorrainecurrie0@gmail.com"/>	

## Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="FLAT 4"/>
Address 2:	<input type="text" value="38 BONNETHILL ROAD"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PITLOCHRY"/>
Post Code:	<input type="text" value="PH16 5BS"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="758170"/>	Easting	<input type="text" value="294041"/>
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## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

60.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Private dwelling used and owned by myself

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

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

1

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

1

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

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Do your proposals make provision for sustainable drainage of surface water?? \* (e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

- Yes  
 No, using a private water supply  
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Currently use recycling and general waste bins as currently staying in the property.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate ~~A~~ B - revised certificate to follow

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Ms Lorraine Currie

On behalf of:

Date: 08/04/2023

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

- |  |  |
|--|--|
| A copy of an Environmental Statement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Ms Lorraine Currie

Declaration Date: 09/04/2023

## Payment Details

Online payment: 013881

Payment date: 13/04/2023 19:03:29

Created: 13/04/2023 19:03

# LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997  
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland)  
Regulations 2013

## CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

### CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

#### I hereby certify that -

- (1) No person other than **myself/the applicant\*** was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

On behalf of:

Date:

### CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

#### I hereby certify that -

- (1) ~~The applicant has\*~~ served notice on every person other than ~~the applicant\*~~ who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice
Sandra McLaren Stewart	Flat 1 38 Bonnethill Road Pitlochry	28th May 23
Anja Lumsden	Flat 2 38 Bonnethill Road Pitlochry	28th May 23
Ronald Ballard	Flat 3 38 Bonnethill Road Pitlochry	28th May 23

- (2) None of the land to which the application relates constitutes or forms part of agricultural land

or

- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and ~~I have/~~ **the applicant has\*** served notice on every person other than **myself/the applicant\*** who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name	Address	Date of Service of Notice

Signed:

On behalf of:

Date:

### CERTIFICATE C

Certificate C is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where it has not been possible to identify ALL or ANY owners/agricultural tenants.

(1) ~~I have~~**The applicant has**\* been unable to serve notice on **every** person other than ~~myself~~**the applicant**\* who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates.

or

(2) ~~Il hhave~~**the avppliceant has**\* been unable to serve notice on **any** person other than ~~myself~~**the applicant**\* who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner of any part of the land to which the application relates.

(3) None of the land to which the application relates constitutes or forms part of an agricultural holding.

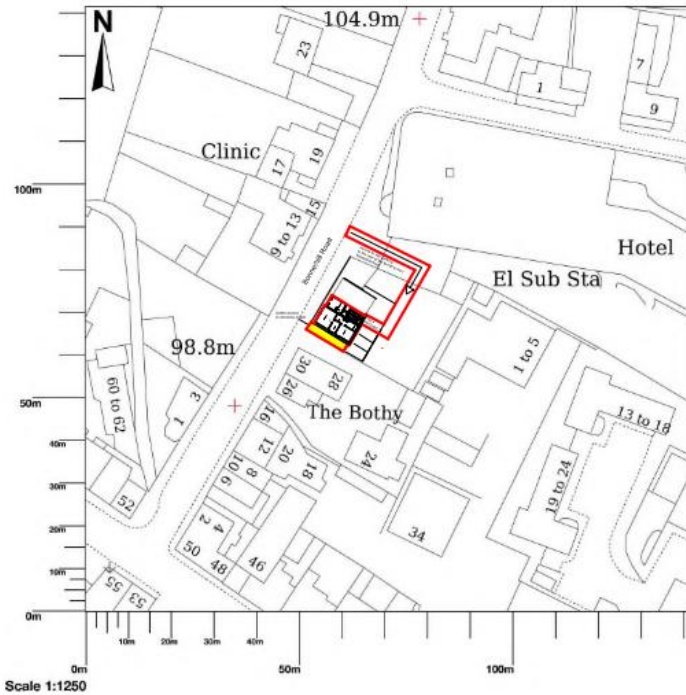
or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and ~~I have~~**the applicant has**\* been unable to serve notice on any person other than ~~myself~~**the applicant**\* who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant.

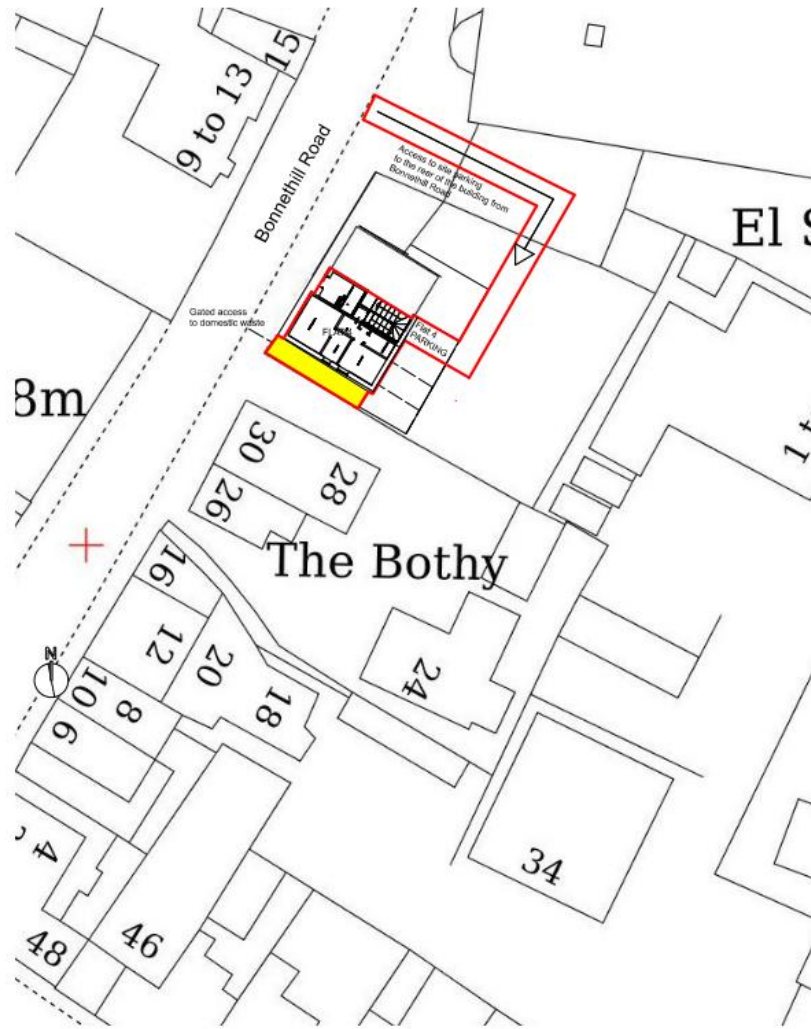
or

(5) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding ~~I have~~**the applicant has**\* served notice on each of the following persons other than ~~myself~~**the applicant**\* who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name	Address	Date of Service of Notice



LOCATION PLAN SCALE 1:1250




BLOCK PLAN SCALE 1:500

PLEASE NOTE:  
THE PROPOSED  
RED SITE  
BOUNDRY  
INCLUDES  
COMMUNAL/  
ACCESS AREAS



Unique plan reference: p4b/uk/869931/1175067

	w: www.vu-3.co.uk e: interiorarchitects@vu-3.co.uk t: 0131 516 1807		DRAWING TITLE	A3	PROJECT	ADDRESS:	JOB NUMBER:	DESIGNER:	NOTES:	REV	DETAILS	DATE	DRAWING NUMBER
	LOCATION AND BLOCK PLAN		Change of use Planning Application from (class 9) to (class 7)		Flat 4, 38 Bonnethill Road Pitlochry PH16 5BS		004036  DATE: 20/5/2023	A.G  SCALE(S) 1:1250/500	PLEASE NOTE: THE PROPOSED RED SITE BOUNDRY INCLUDES COMMUNAL/ACCESS AREAS				1



Hello, I would like to add the following to my planning application:

1. Property is maintained to an extremely high standards (some photographs are attached).
2. Double glazing installed in the whole property.
3. Stairs and landings brushed and hoovered at least once a week.
4. The businesses immediately surrounding the property consist largely of restaurants, bars, which would all benefit from the activities of guests and positively support the local community.
5. No check-in allowed after 10pm or before midday.
6. We offer accommodation to relatives of locals if they have no means to put them up (new baby etc.).
7. There are hardly any apartments doing short term lets in the area.
8. It has private parking.
9. Guests have no access to the rear back garden.
10. We are on the first floor with guests passing 2 properties on the ground floor and therefore no impact to other properties.
11. The property is a 1 bedroomed house (double bed) and the maximum we take is 2 persons.
12. Currently have smoke, heat and carbon monoxide detectors installed.
13. I would require to employ a cleaner.



**LRB-2023-37**

**23/00581/FLL - Change of use of flat to form short-term let accommodation unit, Flat 4, 38 Bonnethill Road, Pitlochry, PH16 5BS**

## **REPRESENTATIONS**



## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	23/00581/FLL	<b>Comments provided by</b>	Stephanie Durning
<b>Service/Section</b>	Housing Strategy	<b>Contact Details</b>	Planning and Policy Officer <a href="mailto:SDurning@pkc.gov.uk">SDurning@pkc.gov.uk</a>
<b>Description of Proposal</b>	Change of use of flat to form short-term let accommodation unit.		
<b>Address of site</b>	Flat 4, 38 Bonnethill Road, Pitlochry, PH16 5BS		
<b>Comments on the proposal</b>	<p>The proposal is for the change of use from residential to short-term let accommodation in the town of Pitlochry.</p> <p>Relevant NPF4 Policy 30: states that <i>Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:</i></p> <ul style="list-style-type: none"> <li><i>i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or</i></li> <li><i>ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits</i></li> </ul> <p>The Local Housing Strategy 2022-27 includes an action to develop planning policy through the Local Development Plan 3 where appropriate for STL Control Areas. The postcode district level of saturation of potential short-term lets for PH16 is 12.0% and above the level at which it may be considered appropriate to introduce a control area in order to help manage high concentrations of Short-Term Lets where it affects the availability of residential housing or the character of a neighbourhood.</p>		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	09.06.2023		

# Memorandum

To Development Management & Building  
Standards Service Manager

From Regulatory Services Manager

Your ref 23/00581/FLL

Our ref DAT

Date 13 June 2023

Tel No 01738 476481

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **Consultation on an Application for Planning Permission**

**23/00581/FLL RE: Change of use of flat to form short term let accommodation unit Flat 4 38  
Bonneathill Road Pitlochry PH16 5BS**

I refer to your letter dated 7 June 2023 in connection with the above application and have the following comments to make.

### **Environmental Health Recommendation**

**I have no objections to the application but recommend the undernoted informative be included in any given consent.**

### **Comments**

This application is for the change of use of a first-floor flatted dwelling at 38 Bonneathill Road, Pitlochry into a short term let accommodation unit. I note that there is another property within the building that has short term let planning permission.

### **Holiday Accommodation**

As the development is for a holiday accommodation unit, there is the potential for noise from the users of the properties to affect neighbouring residential properties, however due to the introduction of Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, these will be required to be licensed and noise conditions will form part of the licence.

Therefore, whilst I have no objections to the application, I would recommend the following informative be attached to any given consent.

### **Informative**

#### **Short Term Let**

The applicant is advised that under The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, a licence is required to operate a short-term let. More information can be found at <https://www.pkc.gov.uk/shorttermlets>



**LRB-2023-25  
23/00186/FLL – Part demolition, alterations and extension  
to dwellinghouse, Forest Lodge, Ladywall, Birnam,  
Dunkeld, PH8 0DU**

**INDEX**

- (a) Papers submitted by the Applicant (***Pages 493-554***)
  
- (b) Decision Notice (***Pages 557-558***)
  - Report of Handling (***Pages 559-566***)
  - Reference Documents (***Pages 529-554***)
  
- (c) Representations (***Pages 567-574***)
  
- (d) Further Information (***Pages 575-580***)





**LRB-2023-25**

**23/00186/FLL – Part demolition, alterations and extension to dwellinghouse, Forest Lodge, Ladywall, Birnam, Dunkeld, PH8 0DU**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

**Use BLOCK CAPITALS if completing in manuscript**

## Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

## Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

Mark this box to confirm all contact should be through this representative:

\* Do you agree to correspondence regarding your review being sent by e-mail?

Yes  No

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application  Date of decision (if any)

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

**Nature of application**

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

**Reasons for seeking review**

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

**Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

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

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

**Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- |  | Yes                                 | No                                  |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

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

**Statement**

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

The appeal case is set out in full in the separate appeal statement.

The application was refused on two grounds: inappropriate design and lack of a bat and nesting bird survey. The appeal statement provides detailed information to counter the two reasons for refusal and to demonstrate that the proposal is wholly in accordance with the development plan.

In summary the statement demonstrates that the design is a high quality contemporary addition that complies with relevant policies, and confirms that there are no bats or birds nesting within the affected built structures or which are likely to be affected by the development.

The appeal statement is illustrated with images from the submitted planning application. Some additional images are included: these are not 'new information', but are photos of the site and surrounding area (which the Case Officer will have seen on their site visit); images that are freely available online of high quality built examples of extensions that utilise the same design approach or proposed materials, and two views of the existing CAD model.

Additional documentation is provided in the form of a bat and nesting bird survey carried out by Aquila Ecology. This information is necessary for determination of the appeal and the applicants were not told that it was necessary either before or during the application process.

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

Yes  No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

The case officer did not let the applicants know that a bat and nesting bird survey was required, or that the application could not be determined without it (ie that without the survey the proposal would be automatically refused). This was contrary to Planning Guidance which advises that if it becomes apparent a survey is required then the Council will let the applicant know.

At pre application the advice received indicated that no bat survey would be required, and the lack of survey was in good faith based on an understanding that it was not needed. Had the applicants been given the correct information either at pre-application or during the assessment process, they would have commissioned and submitted the relevant documentation. The survey is enclosed as part of the appeal because without it the appeal could not be fully considered or the application determined.

**List of documents and evidence**

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

1) Appeal Statement

2) Phase 1 and Phase 2 Bat Roost Assessment

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

**Checklist**

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

**Declaration**

I the ~~applicant~~/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

Date 27/06/2023

# APPEAL STATEMENT

## 1. Introduction

- 1.1 This appeal statement relates to application 23/00186/FUL for the demolition of non-original extensions, and of alterations and a replacement extension to the dwellinghouse at Forest Lodge, Ladywell, Birnham, Dunkeld, PH8 0DU. The statement seeks to demonstrate that with appropriate conditions the proposal is wholly in accordance with the development plan and consent should be granted.

## 2. Site Description

- 2.1 The site is a rural property on the outskirts of Birnham, surrounded by mature woodlands and within the River Tay National Scenic Area. It is close to the A822 but is separated from the road by a steep cutting which hides it from all public views. It is accessed by a long private driveway.
- 2.2 The site itself comprises a detached 1950s forestry lodge set centrally within large garden grounds. It is unlisted and not in a conservation area, but has an architectural character and charm that it is desirable to protect. This character is defined by the following features:
- Cuboid shape with pyramidal roof, designed 'in the round' so that all four elevations read as equally important.
  - Arched dormer windows set into two sides of the roof
  - Harled walls, four-over-four sash and case windows and slate roof giving it a vernacular appearance.
- 2.3 There is no Planning history on the site, however there is an original detached garage with asbestos roof and there have been a number of piecemeal extensions and garden buildings over time, comprising a porch, utility extension, summer house/shed, and wood store. These existing additions serve to dilute the architectural character of the building.



Aerial view of site, showing forest setting and the sloped bank on the north boundary.



View from A822, showing the steep bank that hides the property from public views.



View from private entrance drive, showing woodland setting.



West (entrance) elevation, showing existing unsympathetic extensions and outbuilding.





### 3. Proposals

- 3.1 The starting point and core principle that carries through all design aspects of the proposal was the protection of the key features identified above and to ensure that the visual language of the extension would clearly distinguish between the original building and new extension.
- 3.2 The first step achieving this was to remove all existing extensions and outbuildings, in order to reveal the simple architectural form that characterises the original building. These features are enhanced through a new lime render in a traditional ochre and timber window frames painted a traditional dark green.
- 3.3 The next step was to design an extension that provides additional living accommodation, replacement storage, and housing for a biomass boiler, as well as enhancing the garden spaces. The logical place to extend the house is to the north, on the least handsome of the four elevations where there have been previous uninspired alterations. This is the area of the curtilage that has least value as garden grounds and where the detached garage is currently sited, so does not build on previously undeveloped parts of the site.
- 3.4 The proposed extension is set apart from the original building, sited at an angle in alignment with the northern site boundary. It mirrors the form of the original building, but at a reduced scale. A new recessed front entrance is created at the link between the two, with a lightweight glazed corridor on the upper level.
- 3.5 Around the front and side of the extension is wrapped a single storey lean-to, housing a biomass boiler and bike storage, and accessible both externally and from inside the house.

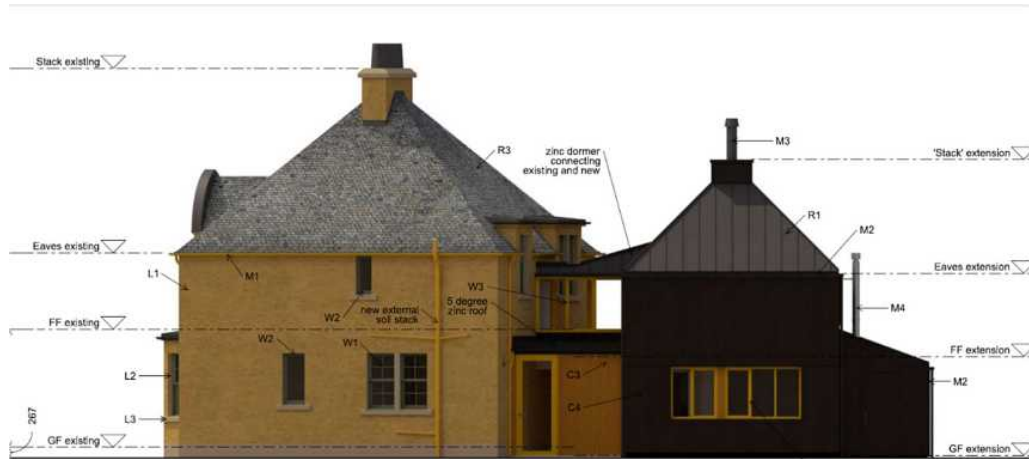
- 3.6 The extension is clad in dark timber boards, with a zinc roof. The muted colours are deferential to the ochre yellow of the main building and fade into the forest background, while the yellow timber window frames and entrance column provide a visual link that connects the two.
- 3.7 The extension has a compact footprint, resulting in an increase of built footprint on the site of just 10.1m<sup>2</sup>.
- 3.8 Through careful consideration of geometry, form, materials and colour, the new is differentiated from the original in a way that preserves and enhances the distinctive character of the house, improving both visual amenity and functionality.



Massing and form of proposed extension



View of west (entrance) elevation as proposed.



East and north elevations as proposed.

## 4. Application History

### Pre-Application Enquiry

- 4.1 A pre-application enquiry was made in 2021 (ref 21/00650/PREAPP). The Case Officer confirmed that *“the site is undoubtedly large enough to accommodate an extension of reasonable proportions”*. The response regarding the design of the proposal was significantly less positive, advising of *“a number of concerns regarding their design, orientation, cumulative massing and poor integration with the host dwelling”*.
- 4.2 While it was useful to understand the Case Officer’s’ concerns, we felt that they stemmed from a lack of confidence that a contemporary contrasting design approach could be subservient to an original building. As such we felt these concerns would be addressed through submission of a design statement which would demonstrate the detailed consideration that had been given to both the site context and to respectful interaction of the extension in relation to the original building.
- 4.3 The pre-application also stated that *“a bat survey would be required for any intervention into the roof, in line with Policy 41 of PKC LDP2 and our Bat Survey Supplementary Guidance.”*
- 4.4 The finalised design was careful to avoid any intervention into the roof of the original building and it was therefore understood that no bat survey would be required at application stage.

### Planning Application

- 4.5 The application – with minor design amendments – was submitted in February 2023. It contained a comprehensive design statement justifying the approach and demonstrating that it complies with Planning policy and guidance. The application did not contain a bat survey.
- 4.6 No neighbour objections were received. A number of comments in support of the application were gathered by the applicant but were unfortunately received too late to be submitted as formal letters of support.

- 4.7 Internal comments from the Biodiversity/Tree Officer to the Case Officer advised that a bat and nesting bird survey was required. The response concluded that "*the application cannot be assessed until more information is provided*".
- 4.8 During the assessment period the Case Officer did not pass on these comments to the applicant, nor advise that a bat and nesting bird survey was required or that its lack would be considered a reason for refusal. In fact, no communication was received from the Case Officer at any time between submission of application and receipt of refusal.
- 4.9 On 5 April a report and decision were issued, refusing the application on two grounds:
- That the design and materials were not in keeping
  - The lack of an ecological survey
- 4.10 It is our view that the proposal was pre-judged at pre-application and did not receive an objective assessment or fair consideration of the detailed design statement. This pre-judgement led to the Case Officer not sharing necessary information regarding the bat and nesting bird survey and to an automatic refusal of the application. We set out below our case for allowing the appeal and granting planning permission for the proposals, categorised under the two reasons for refusal.

## 5. Demonstration of Policy Compliance

### Reason 1: Design

#### Wording of refusal

- 5.1 *"The proposal, by combination of its **unsympathetic design and inappropriate materials**, would be an incongruous addition which would be **out of keeping** with the host building and would result in a **detrimental impact upon the character, appearance and visual amenity** of the dwellinghouse.*
- 5.2 *Refusal is therefore in line with Policy 14(c) of NPF4 and approval would be contrary to Policies 14(a) and 16(g) of NPF4, Policies 1A and 1B(c) of Perth & Kinross Local Development Plan 2 2019 and Perth & Kinross Placemaking Guide 2020, which seek to ensure that developments contribute positively to the quality of the built and natural environment in terms of proportions, appearance and materials, in order to harmonise with the existing building and respect the character and appearance of the place."*
- 5.3 In our view this opinion was reached because the design is contemporary and the materials contrasting, rather than as a result of a reasoned assessment of the proposals. The reason for refusal (and associated report) do not recognise the detailed site assessment and sensitivity towards the main house that underpinned these proposals and which was clearly laid out in the Design Statement.

#### Relevant Policies

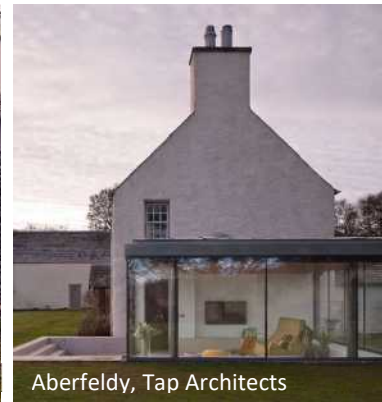
- 5.4 The policies referenced in Reason 1 span national policy (NPF4), local policy (LDP 2019) and local guidance (Placemaking Guide). The policies all share the guiding principle that high quality places are achieved through careful consideration of and sensitive response to a site's built and natural context.

- 5.5 The supplementary guidance expands on those policies, setting out criteria by which proposals can be assessed. It provides objective principles and general rules which should be followed, while also recognising that an alternative approach may also be appropriate if suitably justified. As with all design assessment there is also an element of subjective opinion. Those assessing design proposals should be careful to not be led by subjective opinion or to forget that there is much more to successful design than following a set of tick box exercises.
- 5.6 The following paragraphs extract the relevant criteria and demonstrates that the proposals for Forest Lodge comply with both guidance and policy and are a sensitive and high-quality design intervention.

### Contemporary Design Approach

5.7 *“An extension to a building can be conceived to either appear as an integral part of the original architecture or, alternatively, it may be of a contemporary or contrasting design...In the latter case the extension would purposefully be different yet aim to be equally compatible and complementary. It is not often appreciated that the best extensions are architecturally attractive in their own right.”*

- 5.8 The guidance on Householder Applications starts with the above statement, which describes exactly the approach taken at Forest Lodge. The statement is unambiguous in recognising that a contemporary design and purposeful contrast with the main building is a valid approach that can be extremely successful. Furthermore, it recognises that extensions that are architecturally attractive in their own right are often far better than those that try to hide their bulk by blending in.
- 5.9 The images below are just a few Perth & Kinross-based examples of this principle.



- 5.10 At Forest Lodge, the form of the proposed extension reflects that of the original building, and uses various contemporary design techniques – the offset, the non-orthogonal alignment, and the contrasting materials in muted colours – to provide a contemporary interpretation and legible form that both contrasts with and preserves that of the original house. It is both wholly respectful of the main building and architecturally attractive in its own right.



- 5.11 In Development Management each application should be determined on its own merits. Nonetheless, an awareness of the skillset and expertise of a particular architect can be useful supplementary information that provides reassurance when considering proposals which are not cookie cutter designs. The Guidance recognises this in recommending that applicants “seek professional advice from someone trained and experienced”. Tim Bayman has a track record of designing high quality interventions and sound design judgement honed over years of study, practice and teaching architecture. He has worked on award-winning projects across Scotland and on many sensitive alterations to historic and listed buildings.

### Scale, shape, form

5.12 *“Extensions should respect the shape, scale and proportions of the existing building and relate to the roof pitch and original building depth.”*

- 5.13 The proposed extension reflects the form of the existing building, mirroring its proportions and roof pitch but at a reduced scale. The additional single storey lean-to which wraps around the front and side does not detract from this very clear visual reference to and deference of the form and style of the original.

5.14 *“New roof ridges should not normally exceed the height of the original. A new ridge line which is set lower than that of the original will generally be more acceptable.”*

- 5.15 The eaves of the linked extension are 0.57m below those of the main house, and its chimney stack is 2.22m lower, creating an unambiguous visual statement that the new building is ancillary and subservient to the original.



- avoiding significant changes to the form of the roof with large box dormers or hip to gable extensions,
- avoiding 'extruded' extensions that continue the building line and subsume the original building into a larger single form with different proportions and massing.

5.21 The siting, form and scale of the proposed extension achieves these aims, albeit using a bespoke rather than an off-the-peg design solution. Due to this unusual geometry of the original building a standard side or rear extension would not be the right approach, as these would significantly alter the cubed form and the shape of the roof.

5.22 Instead, the extension is set separately to the original building, with a part glazed corridor to link them together. As noted above it mirrors exactly the proportions and form of the original, but at a significantly smaller scale.



Proposed entrance view from West



Existing entrance view from West



- 5.23 Instead of locating the extension 'behind' the original building, it is set at an angle that aligns with the northern boundary of the site. This design approach would not work in a street where there is a clear building line which the offset would breach, but here, where there is an isolated form in a woodland setting, it is wholly appropriate. The angled line of the new extension forms the dual purpose of creating a visual distinction between old and new and making more efficient use of the site curtilage. Siting it as proposed serves to reduce the size of and provide better enclosure for the parking and service area of the curtilage, and to increase the size of the kitchen garden.



5.24 While linked offset extensions are not the norm they are entirely compliant with the guidance and are a well-established design approach, as is evidenced by the many built examples throughout Perthshire and further afield.



1. Strone Cottage, Cairngorms, Loader Monteith, 2. The Coach House, Falkirk, Thatstudio Architects, 3. Fernaig, nr Strome Ferry, Scampton & Barnett Architects, 4. Shepherd's Cottage, Cairngorms, Helen Lucas Architects, 5. Dunkeld, architect unknown, 6. Cloich Mhile, Stanley, Parthshire, Elizabeth Roxburgh Architects, 7. Studio Bothy, Fair Isle, Marie Bruhat, 8. Tigh Eoin, Argyll, Darren Baird Architects

## Detailing

5.25 *“Detailing is key to the successful integration of designs for extensions.”*

- 5.26 The linked extension has high quality contemporary detailing: simple timber window and door surrounds match the colour of the main building elevations. All other details are deliberately muted so that the extension reads as a muted simple form that lets the original building dominate.

## Materials

5.27 *“Choose materials characteristic of the existing building”*

- 5.28 Characteristic does not mean ‘identical to’: it means ‘typically used in this context’. Rural Perthshire has a long tradition of utilising timber cladding and metal roofing on ancillary structures. As these materials translate extremely well onto contemporary forms they can be seen in contemporary extensions and interpretations of vernacular buildings throughout the region, often used as a complementary contrast with a historic building, as indicated in the photos above.
- 5.29 The dark timber cladding on the elevations, standing seam zinc roofing and timber window frames all make clear reference to this tradition, indicating that this is an ancillary structure rather than the main event. The glazing on the upper level of the link corridor retains a sense of separation between the two structures.
- 5.30 These are high quality materials of the standard that would be expected in a listed building or conservation area. They are beautiful, tactile, vernacular, and entirely appropriate in this context.



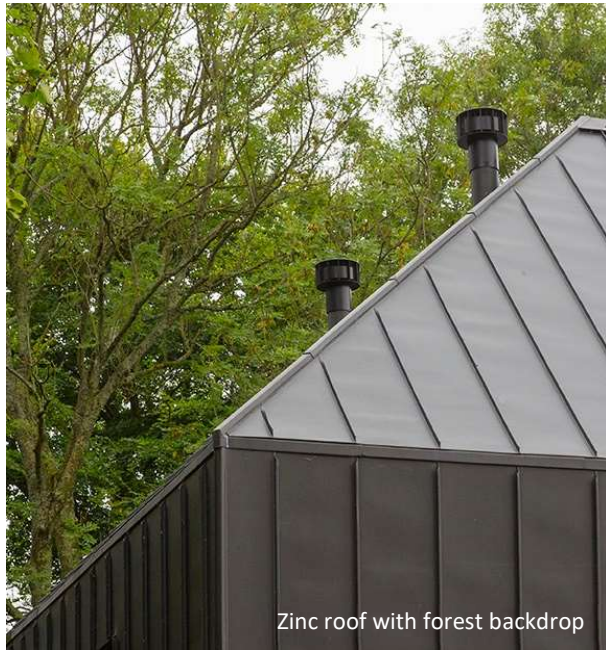
Traditional ochre render: 1. Sundial House, Dunkeld, 2. Riddles Court, Edinburgh, 3. Culross, Fife

5.31 *“Ensure that the colour of the materials is harmonious with the existing building.”*

- 5.32 The design principle of seeking to create a subservient extension through carefully considered contemporary contrast with the original building continues through to the colour choices.
- 5.33 While the original house is not historically significant, its vernacular character reflects many traditional features of the wider area, and so the proposals seek to enhance this character in harmony with its forest context. The main house will be re-rendered in a traditional bright iron oxide finish that allows its simple, pleasing architectural features to stand out.
- 5.34 In contrast, the colours of the extension are deliberately dark and muted so that they don’t detract from the appearance of the original house, and so that they blend into the dark

green of the trees behind. forest background. This will allow the house to stand out both from its forest setting and its linked extension as the dominant built form.

- 5.35 The materials chosen are beautiful, tactile, traditional, and entirely appropriate for the site.



5.36 *“Choose high quality materials that are sustainable and longlasting.”*

- 5.37 The breathable lime render on the main house is a traditional, high quality and long-lasting finish that will protect the building fabric.
- 5.38 The timber cladding, zinc roofing and timber framed windows are of a quality and longevity that would be required in a listed building or conservation area (of which this is neither). A zinc roof can have a lifespan of 100 years, while the Thermopine treated Scots Pine cladding is class 2 durability of up to 40 years.

5.39 *“Recycle materials wherever possible and avoid unsustainable materials wherever possible.”*

5.40 All the cladding and insulation materials are long-lasting, high-quality and sustainable. Zinc and timber can be recycled at the end of their useful life.

### Roof extensions and alterations

5.41 *“It is important that roof extensions and alterations fit with the local street character. Think carefully about the context before converting an existing hipped roof into a gabled roof”*

5.42 The guidance here expressly guards against extensions that dominate or dramatically alter the form of a hipped roof. Forest Lodge is hipped on all four sides, forming a pyramid shape. This form is a core feature of the original building and the linked extension was designed to avoid damaging the line of the roof, in compliance with the guidance.

5.43 Note that the Pre-Application advice contradicted the guidance, recommending “integrating the extension and its roof on the north elevation of the house (designing out the link and relocating the existing north elevation dormers to the east/west).” Revision of the design to follow this suggestion would not only have resulted in the loss of the characteristic pyramidal form of the roof, it would also have impacted its historic and visual integrity through the loss or relocation of two dormer windows. This would have been particularly detrimental to the front elevation.

5.44 As is set out in the Design Statement, we are of the view that the best way to preserve the original lodge building – particularly the form of the roof – is to respect its original form and siting within the gardens. The proposals preserve the original form of the roof and protect the character of the freestanding building in its rural context.

### Summary/Assessment

5.45 We are concerned that during the assessment process insufficient consideration was given to the Design Statement, which clearly demonstrated the appropriateness of the proposals. The report noted that the Design Statement was submitted but did not recognise that the document was a direct response to the queries raised during the Pre-Application enquiry or accept the validity of submitting a design justification as an alternative to making amendments which both architect and client felt to be harmful to the character of the original building.

5.46 As a result, the key design characteristics that have been used to create subservience to the original building (the separation of the extension, the offset angle, and the complementary contrasting materials) have been perceived as ‘competing’, ‘fragmented’ and ‘incongruous’. We dispute this conclusion and consider that this appeal statement ably demonstrates that the proposals comply with the relevant policy and guidance.

5.47 In summary, the proposed extension complies with all design-related aspects of the development plan:

- The building is not listed, not in a conservation area, has no nearby neighbours and is not visible from the road or nearest settlement. In short, there are no site characteristics which would make it a sensitive site or restrict opportunities for a creative response.

- The removal of piecemeal additions, re-rendering in a historically appropriate finish, and refurbishing/upgrading of the windows is enhancing every aspect of the architectural character of the original building.
- The extension follows the widely-accepted approach of utilising high quality contemporary architecture to enhance a traditional setting. The design allows the viewer to understand the narrative of the building and its evolution, allowing it to be ‘read’ as original and addition, and the addition is architecturally attractive in its own right.

## Reason 2: Bats and Birds

### Wording of refusal

5.48 *“No ecological survey has been submitted. Therefore, the ecological impact of the development cannot be ascertained, and it cannot be shown that any impact can be avoided, or satisfactorily mitigated, to ensure the safeguarding of protected species and wildlife habitats.*

5.49 *Accordingly, the proposal is contrary to Policy 4(f) of NPF4, Policy 41 of Perth and Kinross Local Development Plan 2 2019, Perth & Kinross Council's Development Management and Wildlife Guide: Planning for Nature 2022 and Perth & Kinross Council's Bat Surveys guidance: "What are bat surveys and when do I need one?", which seek to safeguard wildlife, habitats and protected species from detrimental impacts.”*

5.50 While this statement is factually accurate, the applicants were not made aware of the requirement for an ecological statement, nor given the opportunity to provide one during the application process, in contravention of the Council’s own guidance. Had this information been requested prior to or during the application process it would have been commissioned and submitted. A bat survey has now been carried out and is included as additional information with this appeal statement.

### Relevant Policies

5.51 A range of national and local policies seek to protect wildlife species. In essence, they seek to ensure that both European protected and locally important wildlife species are not harmed by the loss of buildings that provided nesting or roosting spaces, or from the carrying out of development. In situations where it is reasonably likely that particular species will be present, the policies require that surveys be carried out by suitably qualified experts, and that recommendations within the surveys be followed.

### Submission of surveys

5.52 *“When it is reasonably likely that bats will be present at or affected by a scheme, we will insist that a bat survey (which is up to date and undertaken at the correct time of year) is submitted in order to assess the potential presence of bats”. (Bat Surveys)*

5.53 The guidance given at pre-application stage incorrectly stated that a bat survey would only be required if the proposals were to impact on the roof of the original building. This was understood in good faith by the architect to mean that there was no need to investigate further into the bat or wildlife guidance and no need to commission or submit any related surveys.

- 5.54 The Case Officer did not 'insist' that a bat survey was submitted, the applicants were not told at validation; after submission of the Biodiversity Officer's comments; or at any point during the assessment that a bat survey was required or that its absence was a barrier to assessment of the proposal. They were not given the opportunity to remedy this during the assessment process.
- 5.55 Had this information been shared with the applicant, a survey would have been commissioned which would have identified whether bats or nesting birds were present on the site, alongside suitable mitigation measures.
- 5.56 *If it is determined during the assessment of an application that a bat survey is required it is possible that you may need to withdraw the application and resubmit with the required survey otherwise it may be refused."*
- 5.57 As above, the applicants were not given the opportunity to withdraw and resubmit with the necessary survey. This should have happened during the application process.
- 5.58 *All wild birds and active nests are protected by law. Work carried out during the breeding season risks damaging nests or eggs, or disturbing nesting birds. From 1 March to 31 August, birds may nest in trees, on and in buildings, or in rough grassland or scrub. As no licence is available to remove birds or nests for development, the best way to avoid delay is to schedule works outwith the breeding season. To inform mitigation and design, surveys in the season prior to work are needed where significant vegetation is being removed, for wind farms, and demolition of, or work to the roofline of, agricultural or pre-1960s buildings.*
- 5.59 *Nest sites on/in structures should be retained where-ever possible including during pointing. Where unavoidably lost, species specific artificial nests can help mitigate this.*
- 5.60 *Declining species such as Barn Owls, Swifts, Sparrows, Swallows and House Martins are particularly vulnerable to loss of nest sites. Replacement nests should be provided as close as possible to the original location. Submissions must include a location plan of nest installations.*
- 5.61 As soon as the applicants were made aware that a bat and nesting bird survey was required (i.e. upon receipt of the refusal of Planning Permission), they commissioned a Bat and Nesting Bird survey. A copy of this is attached as additional information to this appeal.

### Outcome of Survey

- 5.62 The survey found no evidence of bats or nesting birds on the areas of the site affected by the proposed development (i.e. the garage that is proposed for demolition) and accordingly no mitigation measures are required.
- 5.63 The survey identified a 'steady stream' of both common and soprano pipistrelles flying across the site between areas of woodland. These are assumed to be foraging and roosting in the woodland, and not affected by the proposed development in any way.
- 5.64 The survey advised that consideration could be given to providing bats with roosting opportunities within the new extension. This could be in the form of built in or external boxes for bats and/or birds.

## Summary

- 5.65 The proposals will have no impact on European Protected Species or nesting birds, as evidenced by the Bat and Nesting Bird survey. The proposals are therefore fully in accordance with the development plan and should be approved.
- 5.66 We would welcome a condition attached to the consent for provision of nest boxes for bats and/or birds to enhance the biodiversity on the site.

## 6. Conclusion

- 6.1 The proposed development at Forest Lodge, Birnham, is fully in accordance with the development plan and there are no material considerations which outweigh this conclusion. The refusal of Planning Permission should be overturned and consent granted.



Contextual view of re-rendered original house and proposed extension. The extension fades into the background allowing the original house to take centre stage.





# Aquila Ecology

TOURS | TRAINING | SURVEYS

## Phase 1 & Phase 2 Bat Roost Assessment

### Forest Lodge garage, Birnam



June 2023

# Quality Assurance

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Prepared by:	Name	Andrea Hudspeth	Title	Principal Ecologist
Checked by:	Name	Terry Williams	Title	Ecologist
Current Status:	FINALT			
Issue Date:	23.06.2023	Revision number:	1	
		Revision notes:	Addition of other wildlife in section 2.5	

Quality Assurance: This report has been prepared according to Aquila Ecology Quality Management System. Aquila Ecology comprises consultant ecologists who are members of appropriate professional institutions and adhere to professional codes of conduct.

Disclaimer: This report is presented to Ms Claire Norfolk in respect of a Phase 1 and Phase 2 Roost Assessment Survey and may not be used or relied on by any other person or by the client in relation to other matters not covered specifically by the scope of this report.

Notwithstanding anything to the contrary contained in the report, Aquila Ecology is obliged to exercise reasonable skill, care and diligence in the performance of the services required by Ms Claire Norfolk and shall not be liable except to the extent that it has failed to exercise reasonable skill, care and diligence, and this report shall be read and construed accordingly.

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# 1. Introduction

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## 1.1. Building Description

The garage at Forest Lodge is a one storey, 1.5 sized brick-built garage with outside toilet and storage cupboard. The exterior walls are harled and the roof consists of corrugated asbestos panels. There is a double door to the front aspect and single doors at the side providing access to the toilet and storage cupboard. Inside the three spaces there are internal supporting timbers.

## 1.2. Proposed Works

It is planned to demolish the garage to make way for an extension to main house.

## 1.3. Legislation

### EUROPEAN PROTECTED SPECIES

All bat species found in the UK are European Protected Species (EPS). EPS are those which are protected by the EC Habitats and Species Directive 92/43/EEC. The Conservation (Natural Habitats, &c.) Regulations 1994 translates this European legislation into UK law. This has been amended in Scotland by The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2004 and 2007 and the Conservation (Natural Habitats, &c.) Amendment (No. 2) (Scotland) Regulations 2008. In addition to all bat species, EPS includes; otter, wildcat and great crested newt. The regulations make it an offence to deliberately or recklessly:

- capture, injure or kill an EPS
- harass a wild animal or group of wild animals of EPS
- to disturb such an EPS while it is occupying a structure or place it uses for shelter or protection
- to disturb an EPS while it is rearing or otherwise caring for its young
- to obstruct access to a breeding site or resting place of an EPS or to otherwise deny an EPS use of a breeding site or resting place
- to disturb an EPS in a manner that is, or in circumstances which are, likely to significantly affect the local distribution or abundance of the species to which it belongs to disturb an EPS in a manner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young
- to disturb such an animal while it is migrating or hibernating It is also an offence to:
  - damage or destroy a breeding site or resting place of such an animal
  - keep transport, sell or exchange or offer for sale or exchange any wild animal or plant EPS or any part or derivative of one (from 1st May 2007).

In relation to protected species of animal, licences can be issued under Regulation 44 that will permit, only for specific purposes, certain actions that would otherwise be a criminal offence. Scottish Natural Heritage (SNH) is the body responsible for all EPS licensing under the Habitats Regulations (with the exception of some areas of licensing for whales and dolphins).

There is no provision for licences for development, however, under Regulation 44 (2e) of the

Conservation (Natural Habitats, &c.) Regulations 1994 licences may be granted for:

- Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.

However, a licence will not be granted unless, importantly under 44 (3), the appropriate licensing authority is satisfied:

- That there is no satisfactory alternative; and
- That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

## 2. Surveys: Methods & Results

### 2.1. Survey Personnel

Aquila Ecology was contracted to complete a Phase 1 & Phase 2 Bat Roost Assessment at Forest Lodge by Mr. Tim Bayman on behalf of his client Ms Claire Norfolk in June 2023. The survey was carried out on 12.06.2023.

All survey and reporting were overseen by Andrea Hudspeth. Andrea is an NatureScot licensed bat worker (licence numbers 92518 and 219365 (BLIMP)), and an Associate Member of the Chartered Institute of Ecology and Environmental Management (ACIEM). She was assisted by Terry Williams, an experienced ecologist.

### 2.2. Site Location

The building is located at OS NO 02556 41826 near Dunkeld and Birnam within the unitary authority of Perth and Kinross.

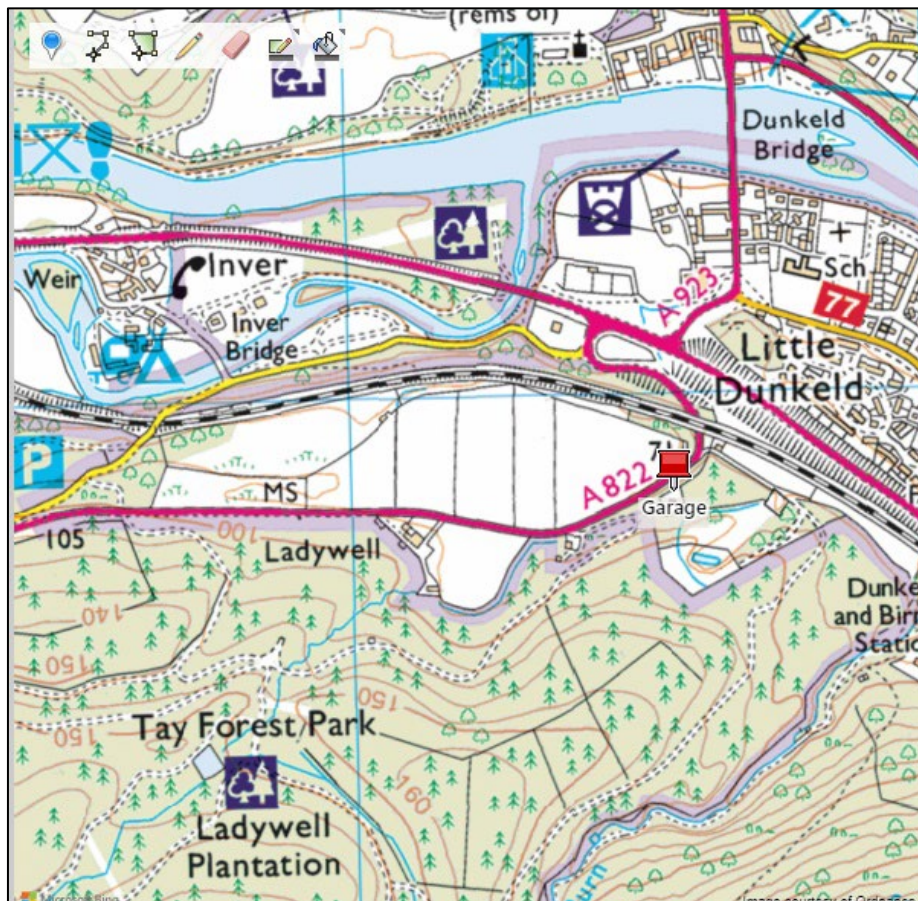


Figure 1: Location Map

## 2.3. Desk Top Study

The National Biodiversity Network (NBN) Scotland Atlas was interrogated for records of bats within 1km of Forest Lodge. Only those records within the last 10 years were considered relevant.

A maternity roost of soprano pipistrelle bats *Pipistrellus pygmaeus* was recorded on 22.07.2004 within the 1km square where Forest Lodge is located. The exact location has not been provided, so it is possible the bats were observed at Forest Lodge itself, or a neighbouring property. The record comes from the SNH Casework Records 1970-2007.

A single brown long-eared bat *Plecotus auratus* was recorded on 16.06.2022 somewhere within 1km of Forest Lodge. The record comes from the Mammal Society's National Mammal Atlas Project dataset.

## 2.4. Phase 1 Bat Roost Assessment

### 2.4.1. Phase 1 Bat Roost Assessment Method

Both an internal and external inspection of the building was undertaken for building features conducive to roosting bats along with field signs to suggest bat presence. For example:

- roof eaves, verges, gables, ridges, roof joints which have gaps that bats can utilise or through which they can gain entry to other parts of the building
- roof voids and wall cavities that have the desired dark, stable and protected conditions
- mortar gaps in stone or brickwork or around windows or doors which provide small crevices
- bat droppings
- feeding remains
- staining
- alive or dead animals

Survey equipment and safety equipment utilised included:

- a high-powered torch
- an endoscope
- camera
- binoculars

### 2.4.2. Bat Roost Inspection Survey Results

#### External

The harled walls are in good condition with no cracks or peeling plaster. The doors and windows are well-fitting with no gaps around the frames or sills. The ridges at both ends are sealed with mortar so there is no chance of entry at those points. The only possible features of interest are where there are gaps at each corner of the building which could provide an opportunity for bats to get inside the building or roost within the gap between the wall-head and the roof panels (see photos 1 & 2 below). Although these features were deemed suitable, there were no external signs to suggest that bats had been using them, such as droppings or urine staining.



Photo 1: Gap at one of the corners of the garage



Photo 2: Gap at another corner

### **Internal**

There is an internal brick wall separating the main garage space from the toilet and storage cupboard and another brick wall separating those two rooms. In all three spaces, the underside of the corrugated roof is visible and there were no signs of bats. The ridge is also completely open inside providing no suitable roosting space for bats.

There are some supporting timbers inside the spaces, but no bats were found roosting between them and there were no signs of any bat droppings within any of the three spaces.





Photo 3: Inside the storage space



Photo 4: Inside the garage space

### **2.4.3. Habitat Assessment**

The surrounding habitat is a large garden with lawn, shrubs, plants and trees. There are many trees within the wider area which are likely to provide roosting and foraging opportunities for bats.

## **2.5. Phase 2 Bat Roost Assessment**

### **2.5.1. Phase 2 Bat Roost Assessment Method – Activity Survey**

One activity survey was completed straight after the Phase 1 survey. The survey was conducted in the evening by Andrea Hudspeth and Terry Williams who were positioned at either end of the building to cover two aspects each. The survey was conducted during suitable weather conditions (see Table 1 below).

The survey started at 21.30 and continued until 23.30. Sunset was at 22.05. Both surveyors used an

Anabat SD2 to record the bat calls and used handheld heterodyne bat detectors to alert them to the presence of bats and the likely species. An infrared camera was also utilised. Notes were made and these were compared to the data recorded on the Anabats following the survey. Target notes were made for any notable activity such as bats emerging from the building or commuting routes.

**Table 1: Weather details**

Temp Start	Temp End	Cloud cover start	Cloud cover end	Wind start*	Wind end	Rain start	Rain end
17°C	16°C	5/8	5/8	2	2	0	0

\* Beaufort scale

### 2.5.2. Activity Survey Results

The first bat recorded by the surveyor at the front of the garage (Andrea) was at 22.16 and it was a common pipistrelle *Pipistrellus pipistrellus*; the bat was also seen by the surveyor (Terry) at the rear of the garage. The bat came from the north and flew over the garage. After this time there was a steady stream of both common and soprano pipistrelles coming from the north and the west mainly towards the conifer woodland adjacent to the house to the east.

No bats were observed emerging from the building during the survey.

### 2.5.3. Bat Roost Assessment

#### Summer Roost

There were no signs of bats found during the survey. No evidence was found to suggest bats were gaining access anywhere in the building. Only the gaps at the corners of the building were considered to have some suitability for roosting bats, although not for a maternity roost.

#### Winter Roost

More research is needed before any structure can be discounted as suitable for hibernating bats. Hibernating bats have been discovered under sheets of insulation in the loft spaces of houses which are lived in and heated (personal communication, R. Osborn and J. Haddow); therefore, it is very difficult to judge what constitutes an ideal hibernation site. As the brick walls of the garage are solid with no discernible gaps, the garage is not considered suitable for hibernating bats.

### 2.5.4. Other Wildlife

During the building inspection and subsequent activity survey, no evidence of any other wildlife, such as nesting birds, was discovered either inside or outside of the garage building.

## 2.6. Survey Limitations

There were no physical limitations to the survey.

An absence of biological data records does not determine that species are absent; the absence of records can mean there is an absence of people recording species in any given area.

## 2.7. Evaluation of Results

The building is assessed to have low suitability for bats and there are no roosting bats present.

## 3. Recommendations

---

### 3.1. Emergency Procedure

If any bats are found during the demolition of the garage, all works must stop until a bat licensed ecologist has been consulted. Depending on the number and species of bats found, works may continue, but only with a NatureScot licence in place and an agreed Species Protection Plan.

### 3.2. Planning Demolition

The results of this survey show there are no bats using the building at the current time. Although the building has low suitability for bats, it is recommended that the demolition works take place as soon as possible. If the building remains in situ 18 months after this survey, it will be necessary to resurvey the building if demolition is still planned.

### 3.3. Habitat Enhancement

Any new build should consider the possibility of making space for wildlife and improving biodiversity. Forest Lodge is situated within suitable foraging habitat for bats so consideration could be given to providing bats with roosting opportunities within the new extension. This could be in the form of built-in boxes for bats and/or birds, or external boxes. See here [https://www.wildcare.co.uk/wildlife-nest-boxes/bat-boxes/wall-](https://www.wildcare.co.uk/wildlife-nest-boxes/bat-boxes/wall-integrated.html?gclid=EA1aIQobChMIzLil2NzH_wIVCNHtCh3BLQLdEAAYBiAAEgJOOPD_BwE)

[integrated.html?gclid=EA1aIQobChMIzLil2NzH\\_wIVCNHtCh3BLQLdEAAYBiAAEgJOOPD\\_BwE](https://www.wildcare.co.uk/wildlife-nest-boxes/bat-boxes/wall-integrated.html?gclid=EA1aIQobChMIzLil2NzH_wIVCNHtCh3BLQLdEAAYBiAAEgJOOPD_BwE) and here

[https://www.nhbs.com/4/bat-boxes-for-external-walls?q=&fR\[hide\]\[0\]=false&fR\[live\]\[0\]=true&fR\[shops.id\]\[0\]=4&fR\[subidiaries\]\[0\]=1&hFR\[subjects\\_eqipment.lv1\]\[0\]=Bat%20Boxes%20%3E%20Bat%20Boxes%20for%20External%20Walls](https://www.nhbs.com/4/bat-boxes-for-external-walls?q=&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=4&fR[subidiaries][0]=1&hFR[subjects_eqipment.lv1][0]=Bat%20Boxes%20%3E%20Bat%20Boxes%20for%20External%20Walls)

## 4. References

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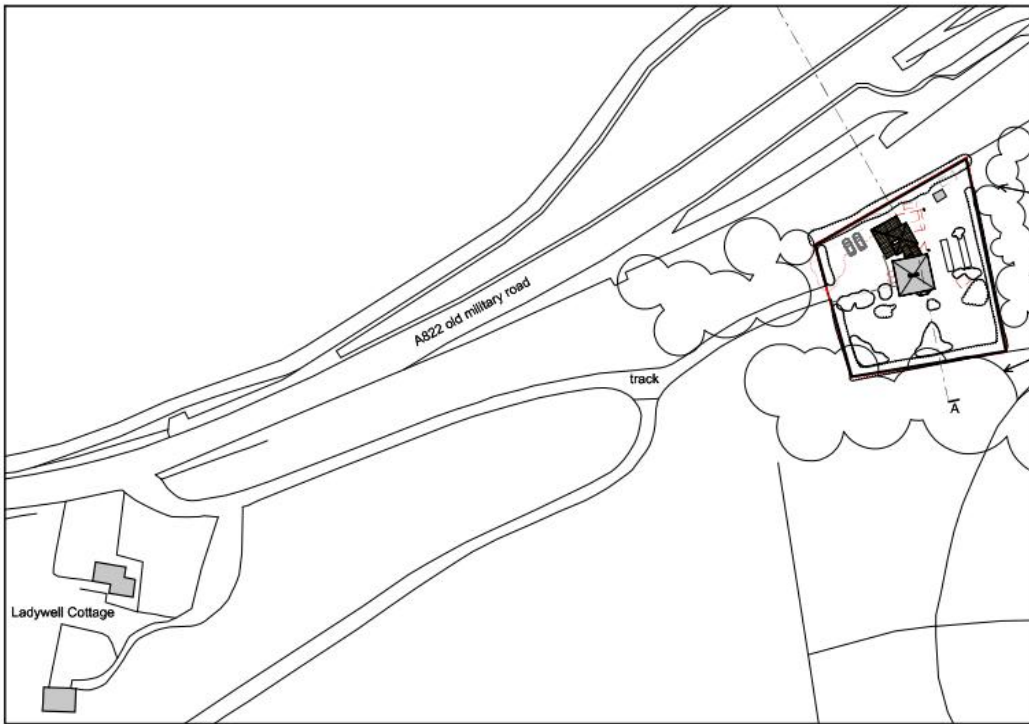
Bat Conservation Trust (2016) *Roost* [Online] Available from: <http://roost.bats.org.uk/> [Accessed 2<sup>nd</sup> November 2016]

Bat Conservation Trust (2010a) Brown long-eared bat *Plecotus auritus* Species information leaflet [online] Available at: [http://www.bats.org.uk/data/files/Species\\_Info\\_sheets/brownlongeared\\_11.02.13.pdf](http://www.bats.org.uk/data/files/Species_Info_sheets/brownlongeared_11.02.13.pdf) <Accessed September 2015>

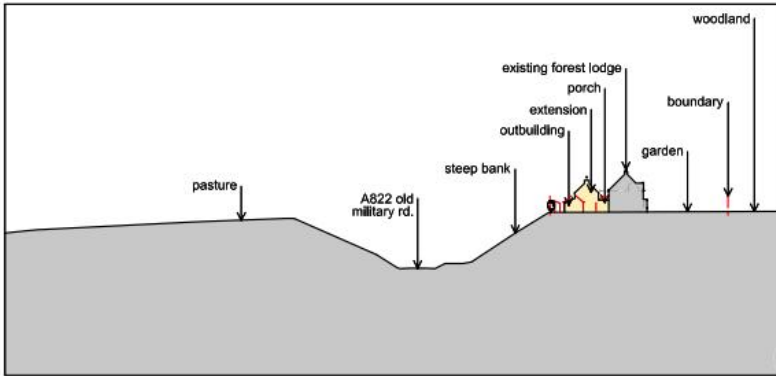
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Harris, S., Morris, P., Wray, S., and Yalden, D (1995) *A review of British mammals: population estimates and conservation status of British mammals other than cetaceans*. JNCC, Peterborough.

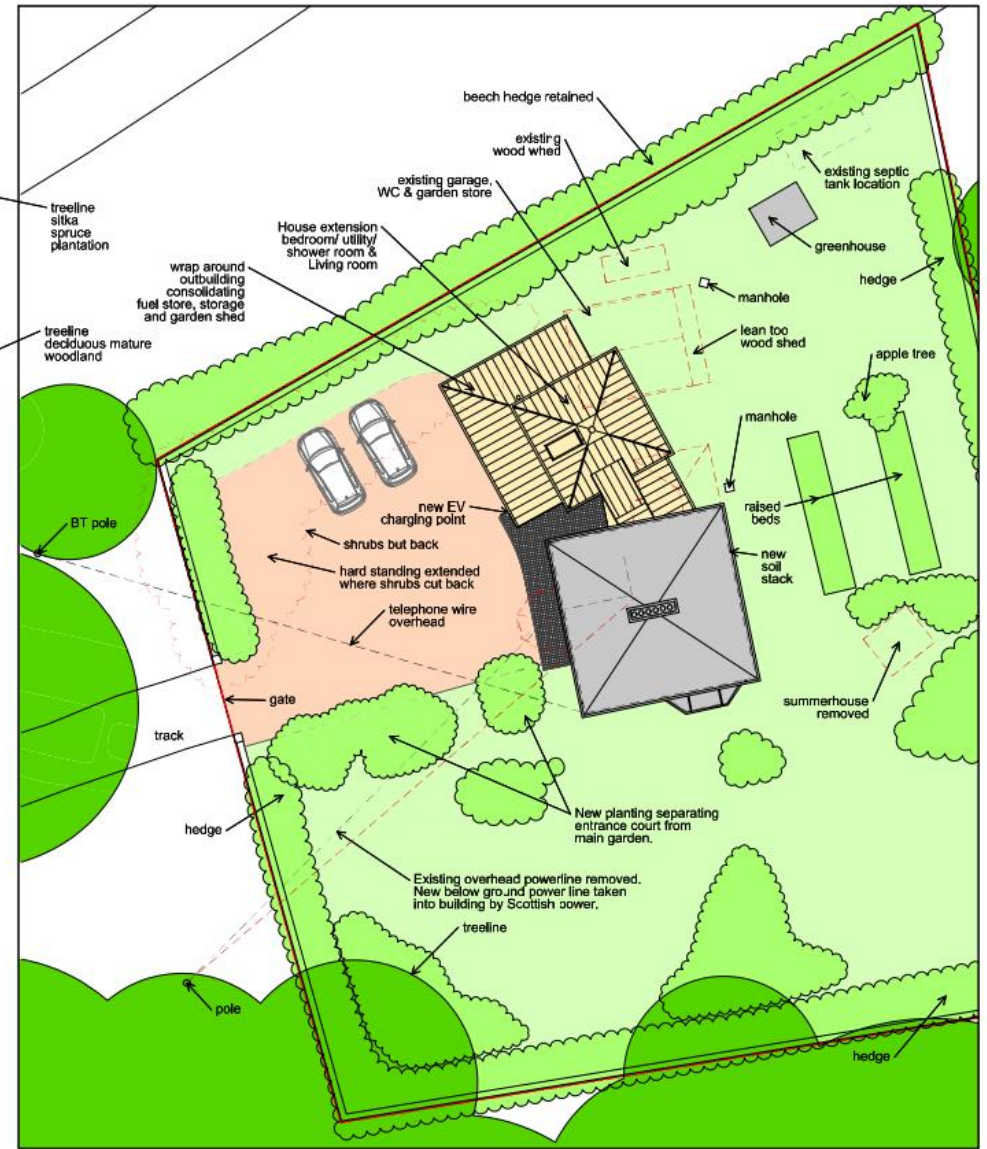




1 SITE ACCESS AND IMMEDIATE CONTEXT 1:1250 @ A3



2 SITE SECTION A-A 1:1250 @ A3



2 DETAILED SITE PLAN 1:250 @ A3

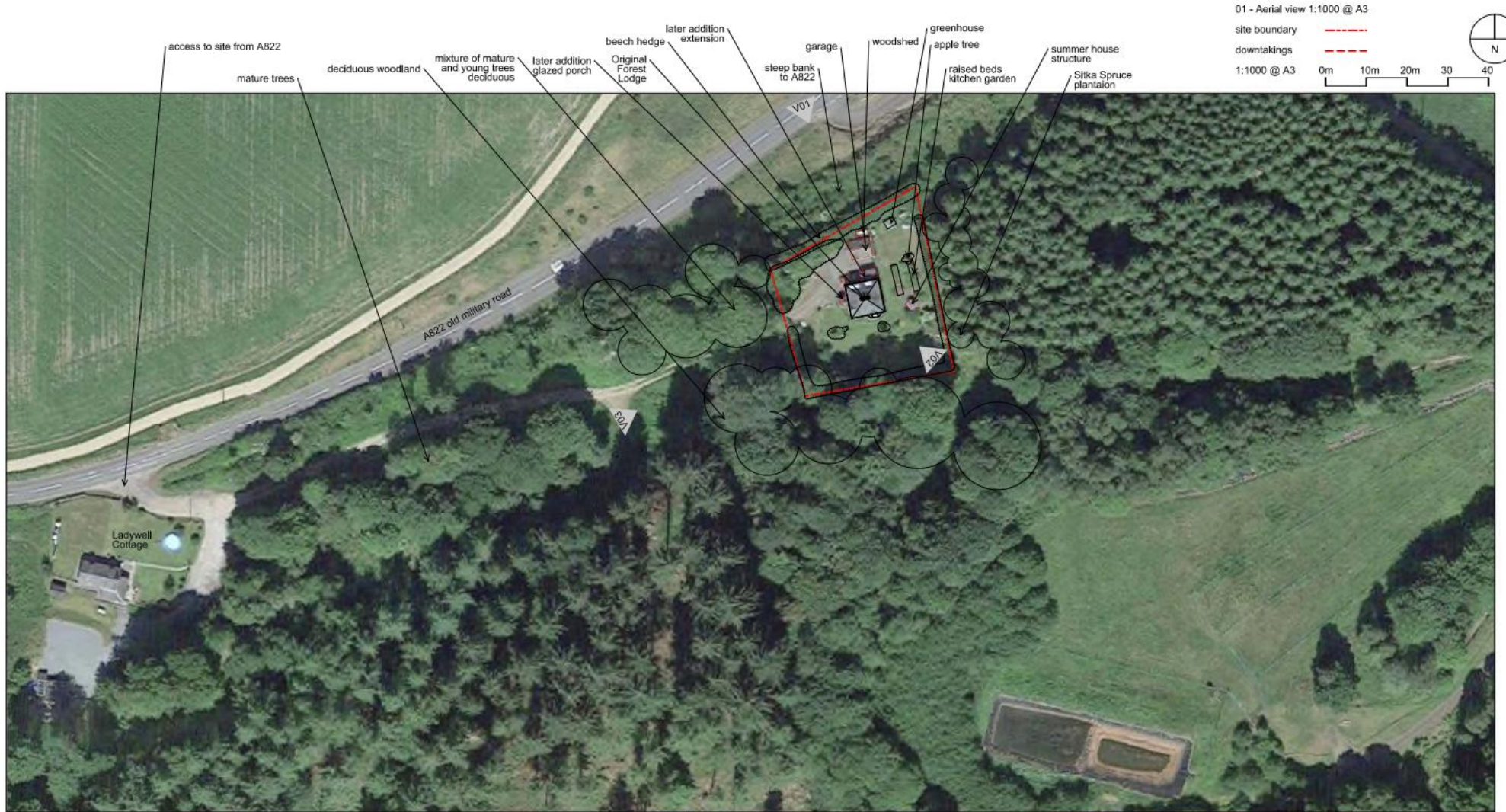
<p>site boundary</p> <p>downtakings</p> <p>Existing buildings / site cut</p> <p>New structures</p>	<p>— — — — —</p> <p>— — — — —</p> <p>— — — — —</p> <p>— — — — —</p>	<p>lawn</p> <p>treeline</p> <p>shrubs hedges</p> <p>gravel</p> <p>granite setts</p>	<p>— — — — —</p> <p>— — — — —</p> <p>— — — — —</p> <p>— — — — —</p>
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1:1250 @ A3

0m 10m 20m 30m 40m 50m

1:250 @ A3

0m 2m 4m 6m 8m 10m



V01 - View up steep bank towards site from A822



V02 - View of house from SE corner of garden

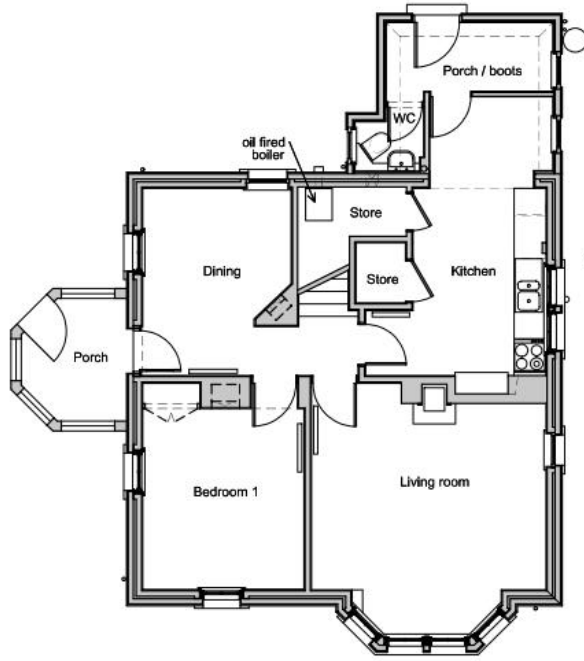
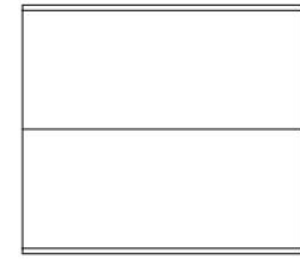
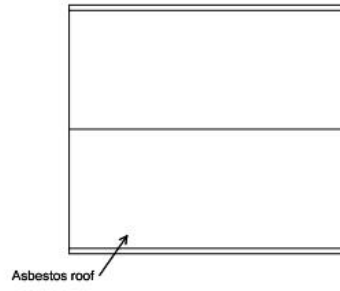
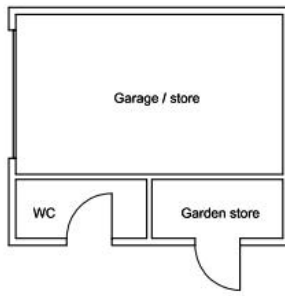


V03 - View of house from position adjacent to access track

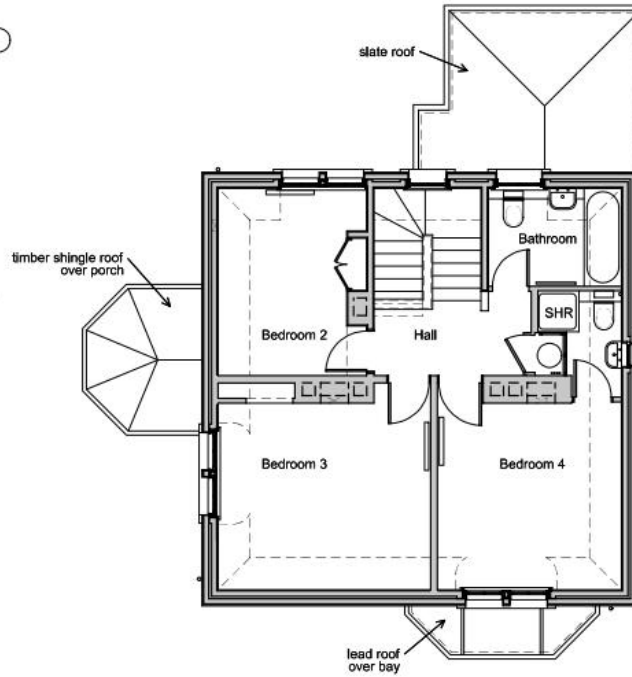
01 - Aerial view 1:1000 @ A3	
site boundary	---
downtakings	---
1:1000 @ A3	0m 10m 20m 30 40
N	
client	Clare Walker Forest Lodge, Ladywell, Dunkeld, PH4 0DU
design	Tim Bayman Architecture LLP, The Breachless Millstone, Edinburgh, EH1 1RW
scale	1:1000
date	25.08.2022
revision	Planning
project no	2102
Site plan aerial view showing context	
drawing number	00-04 - Forest Lodge, Dunkeld
revision	
project	

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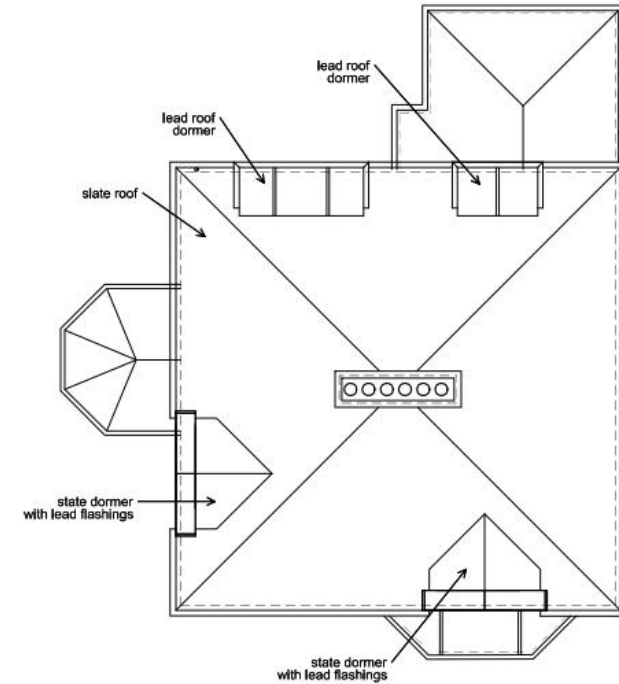
tim bayman architecture



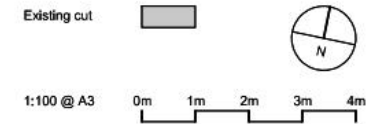
1 GROUND FLOOR PLAN EXISTING 1:100 @ A3



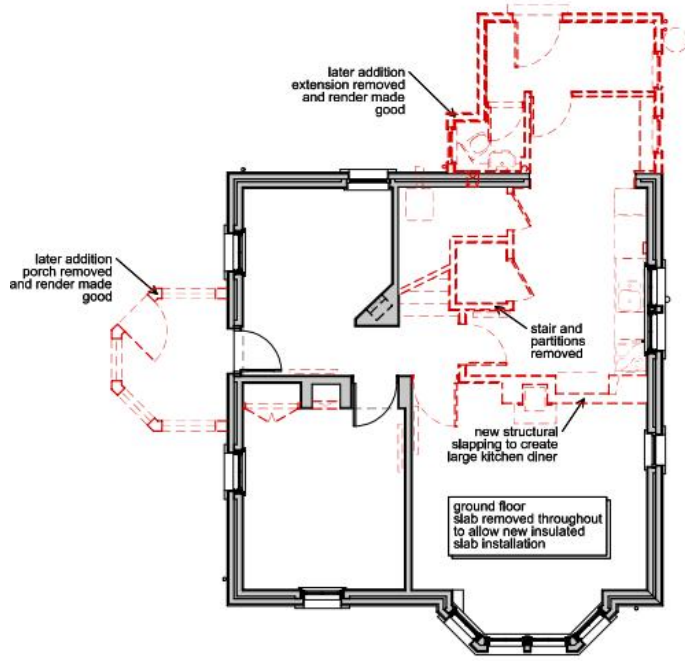
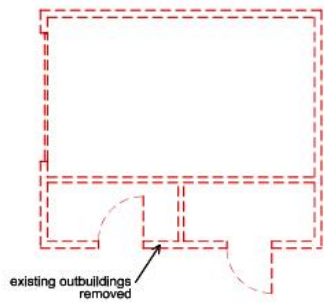
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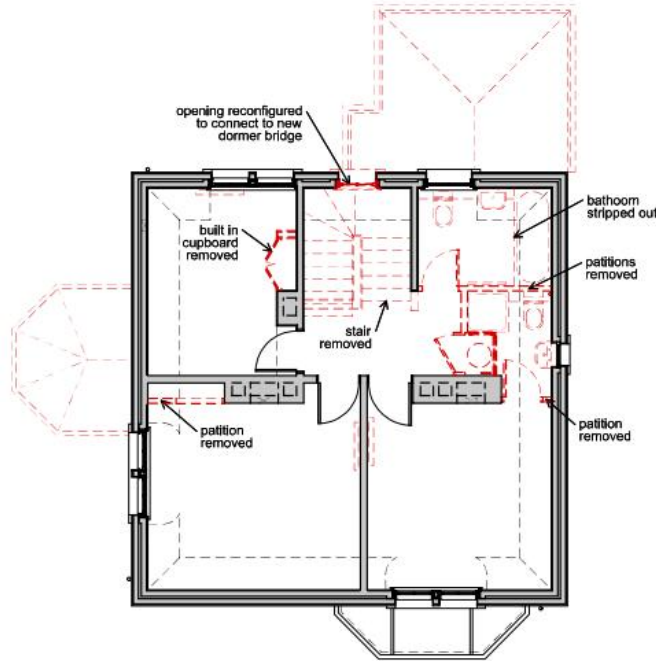
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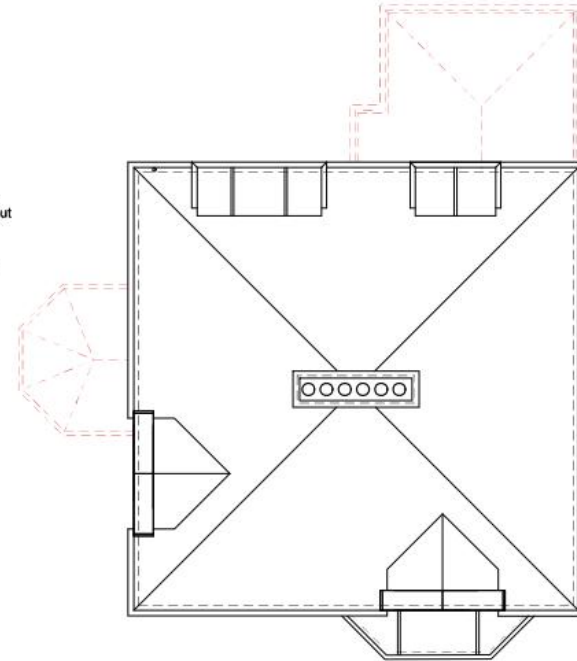




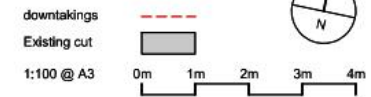
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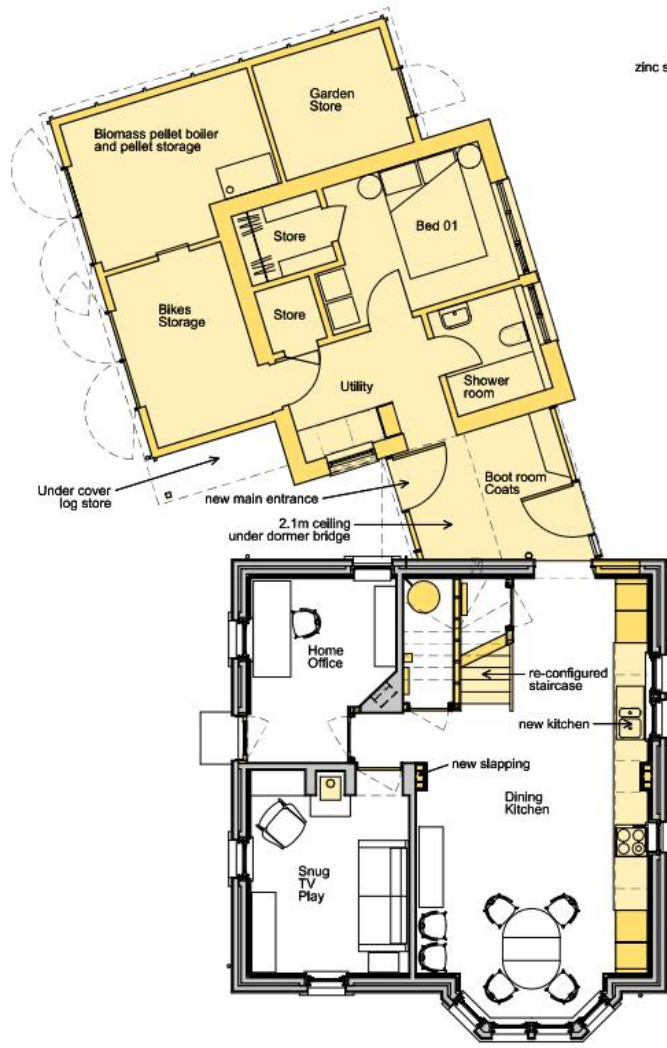


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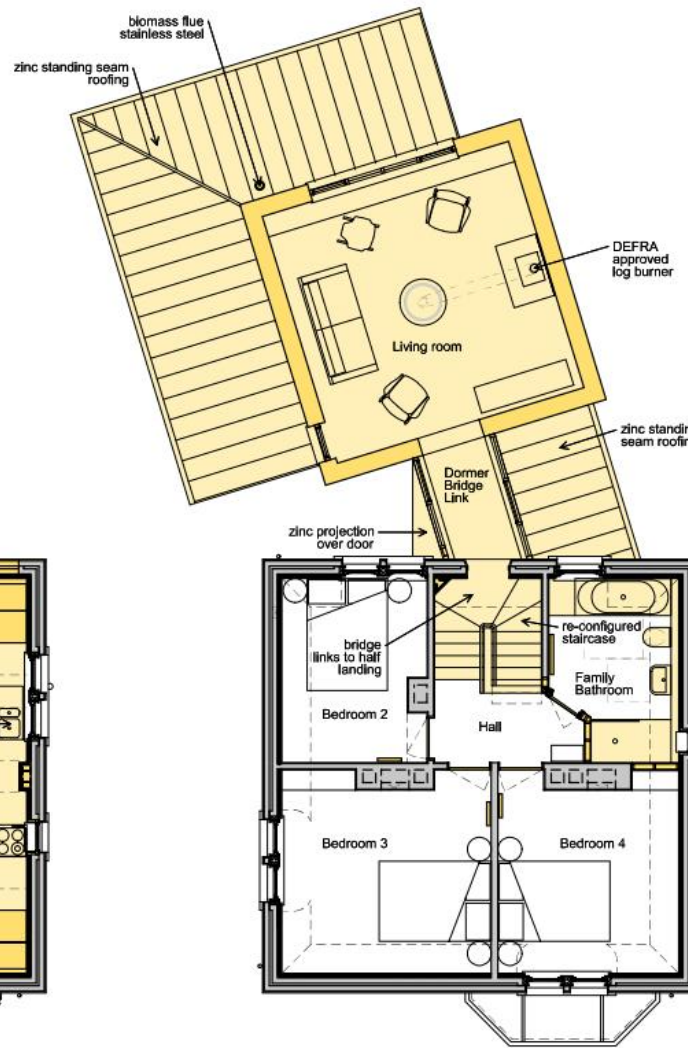


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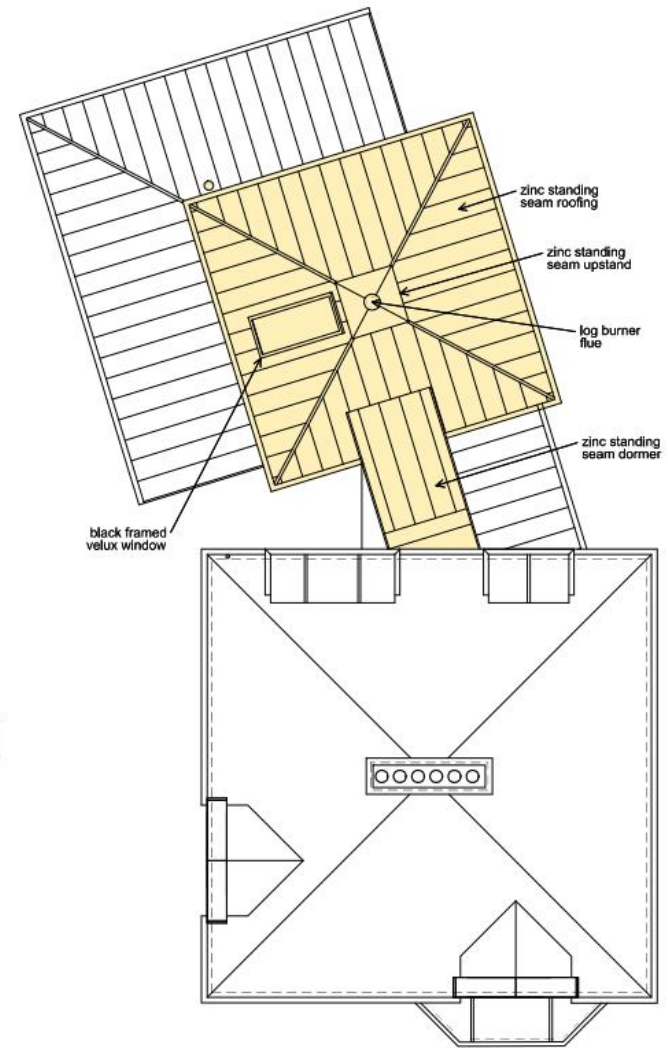




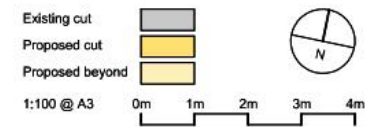
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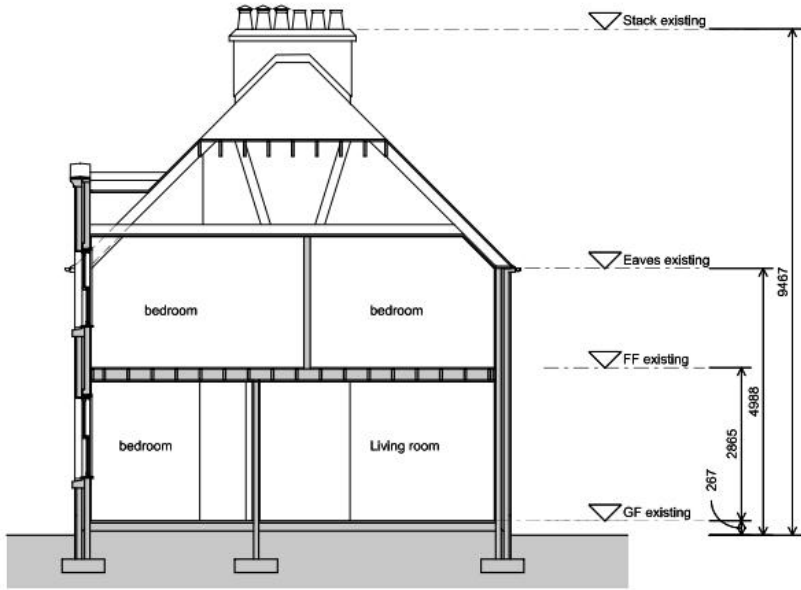


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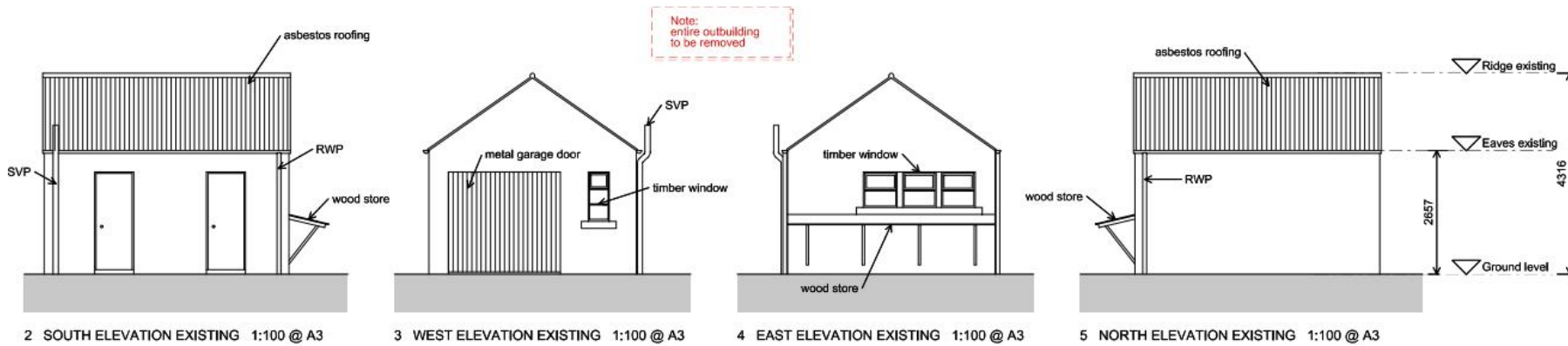


3 ROOF PLAN PROPOSED 1:100 @ A3





1 EXISTING SECTION 1:100 @ A3

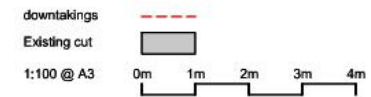


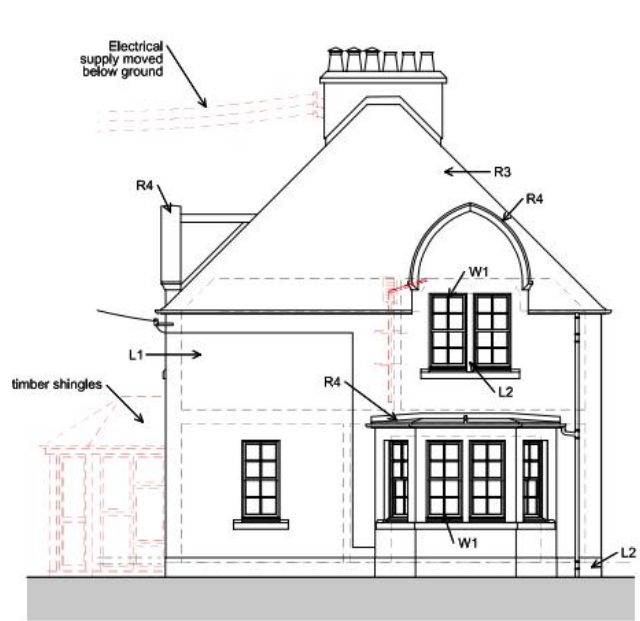
2 SOUTH ELEVATION EXISTING 1:100 @ A3

3 WEST ELEVATION EXISTING 1:100 @ A3

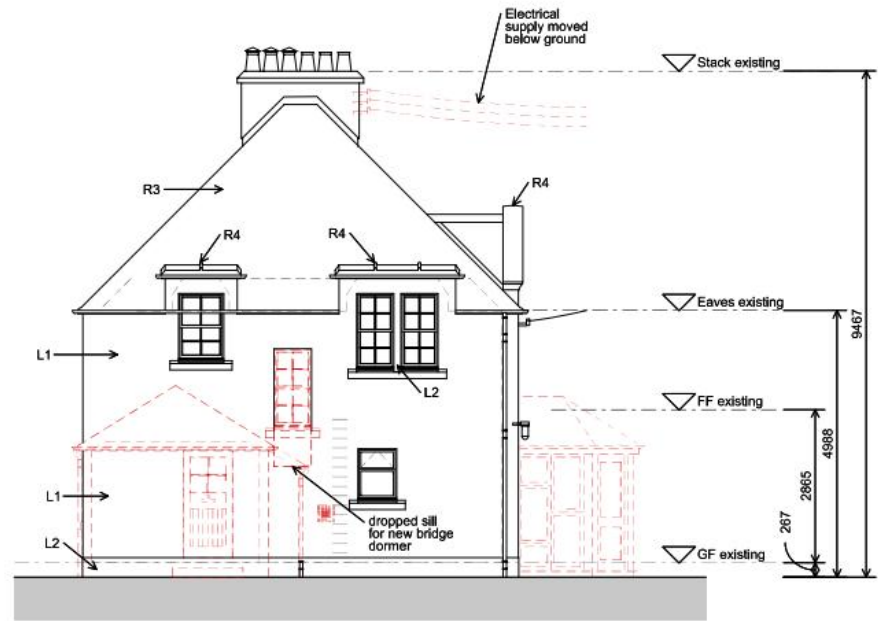
4 EAST ELEVATION EXISTING 1:100 @ A3

5 NORTH ELEVATION EXISTING 1:100 @ A3

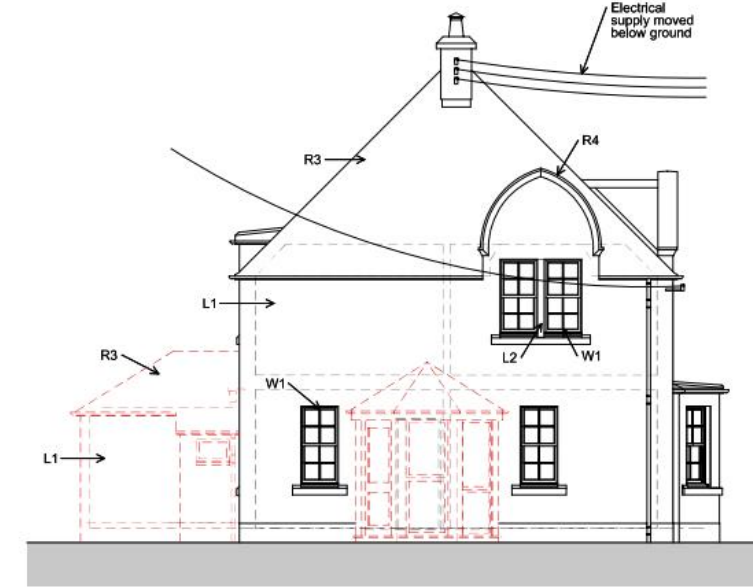




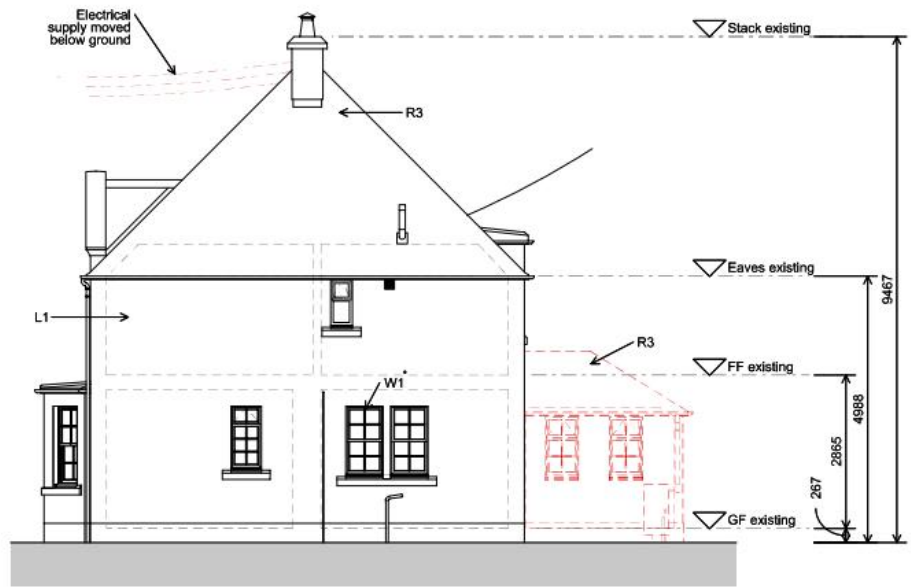
1 SOUTH ELEVATION EXISTING 1:100 @ A3



2 NORTH ELEVATION EXISTING 1:100 @ A3



3 WEST ELEVATION EXISTING 1:100 @ A3

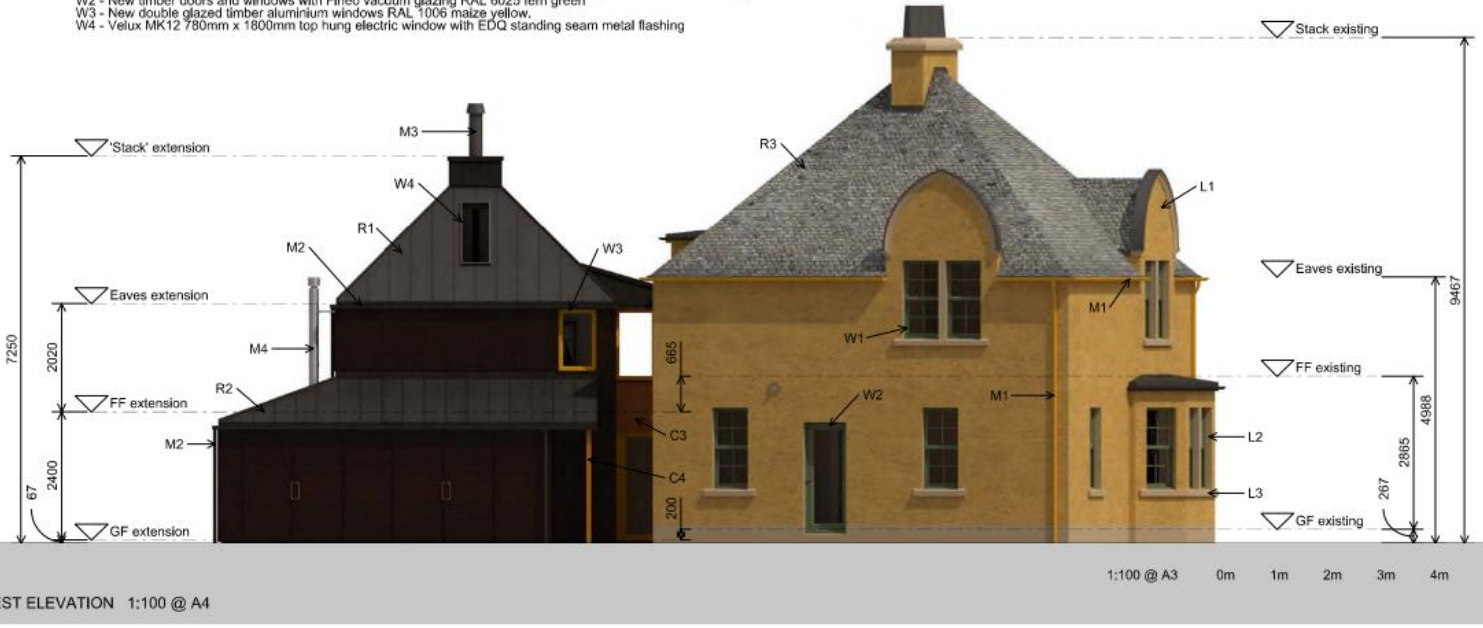


4 EAST ELEVATION EXISTING 1:100 @ A3

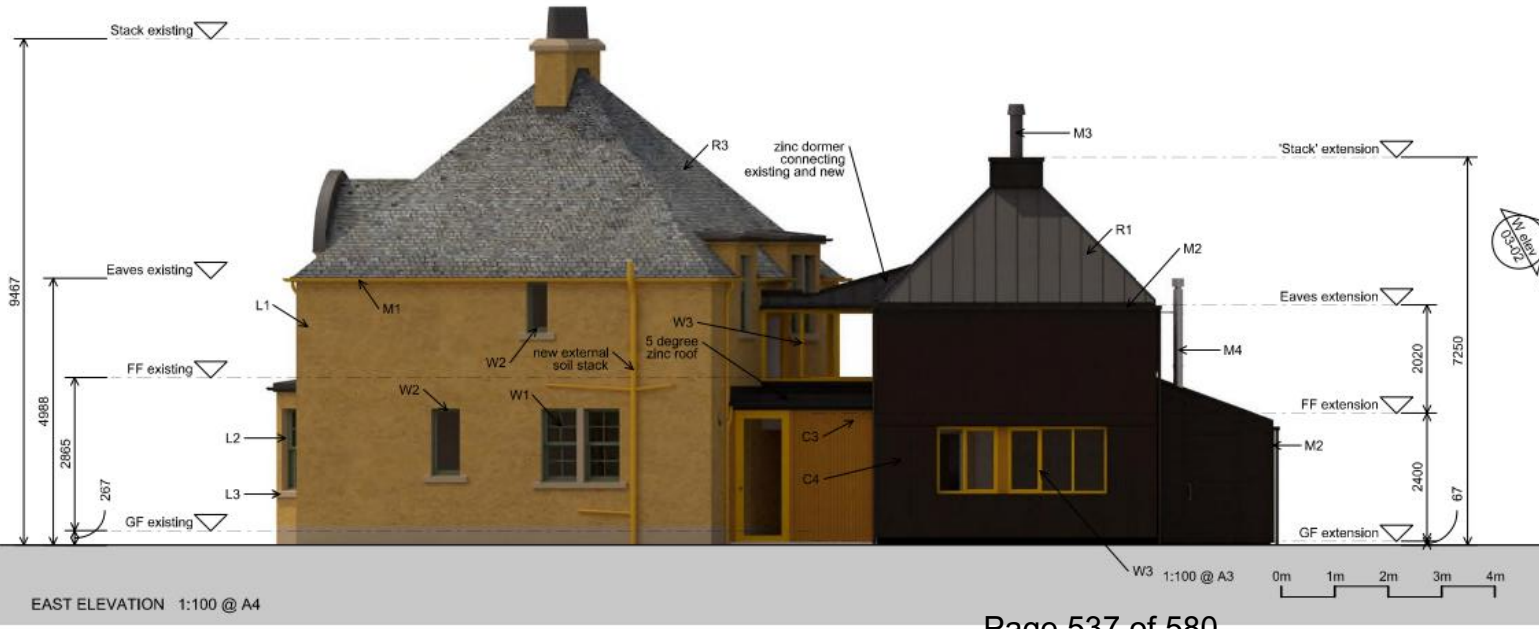
- L1 - Existing cement rough harl (to be replaced with lime rough harl)
- L2 - Existing and cement render (to be replaced with lime render)
- L3 - Masonry paint to sills replaced with limewash
- M1 - Cast iron rainwater goods
- R3 - Existing slate roofing overhauled
- R4 - Existing roof lead and zinc flashings overhauled
- W1 - Existing sash windows single glazed (glazing to be replaced with fineo vacuum units)

downtakings  
 Existing cut  
 1:100 @ A3

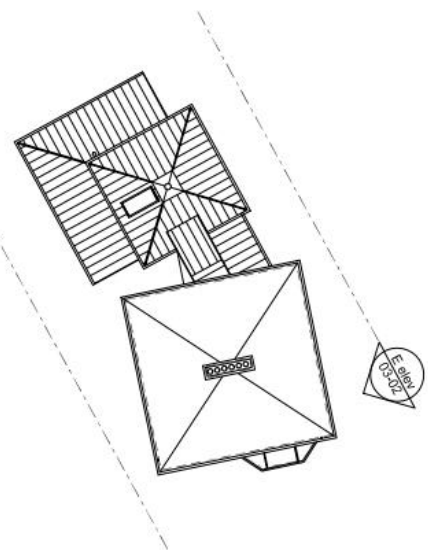
- C1 - Russwood thermopine cladding F1046 Ebony translucent horizontal in vertical panels incorporating doors (RW119 secret fix)
- C2 - Russwood thermopine cladding F1046 Ebony translucent, vertical RW119 secret fix profile 92mm board
- C3 - Russwood thermopine cladding factory coated in RAL 1006 maize yellow, vertical RW119 secret fix profile 92mm board
- C4 - 90 x 90 timber column painted RAL 1006 maize yellow
- L1 - Traditional yellow iron oxide lime rough hart finish (part of breathable construction)
- L2 - Smooth yellow iron oxide lime render finish to window ingoes, mullions, & chimney stack
- L3 - Yellow iron oxide lime wash to sills
- M1 - Cast iron rainwater goods painted RAL 1006 maize yellow to complement render
- M2 - VM zinc rainwater goods, pigmented quartz finish
- M3 - Black stainless steel twin wall flue 125 intenal diameter#
- M4 - Stainless steel twin wall flue for biomass pellet boiler
- R1 - VM zinc standing seam roofing pre patinated quartz finish, Pitch 45 degrees
- R2 - VM zinc standing seam roofing pre patinated quartz finish, Pitch 20 degrees
- R3 - Existing slate roofing overhauled
- R4 - Existing roof lead and zinc flashings ovehauled
- W1 - Existing sash windows reglazed & reweighted with low energy Fineo vacuum units painted RAL 6025 fern green
- W2 - New timber doors and windows with Fineo vacuum glazing RAL 6025 fern green
- W3 - New double glazed timber aluminium windows RAL 1006 maize yellow.
- W4 - Velux MK12 780mm x 1800mm top hung electric window with EDQ standing seam metal flashing



WEST ELEVATION 1:100 @ A4

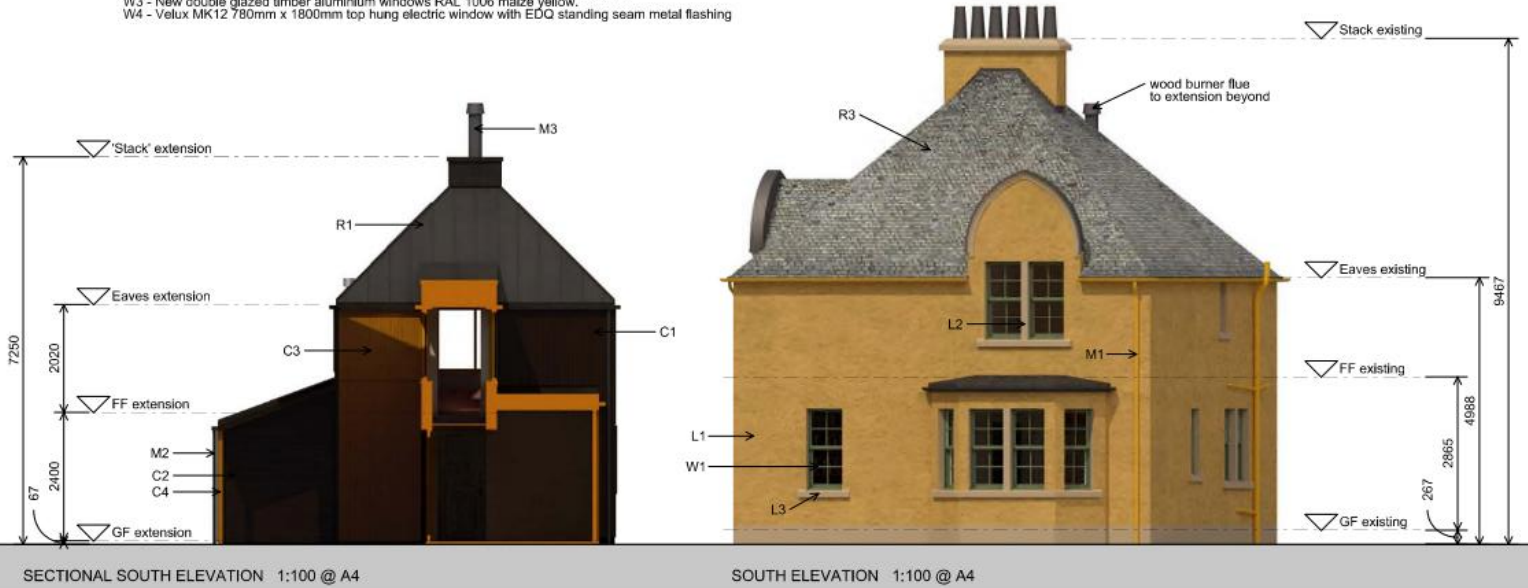


EAST ELEVATION 1:100 @ A4



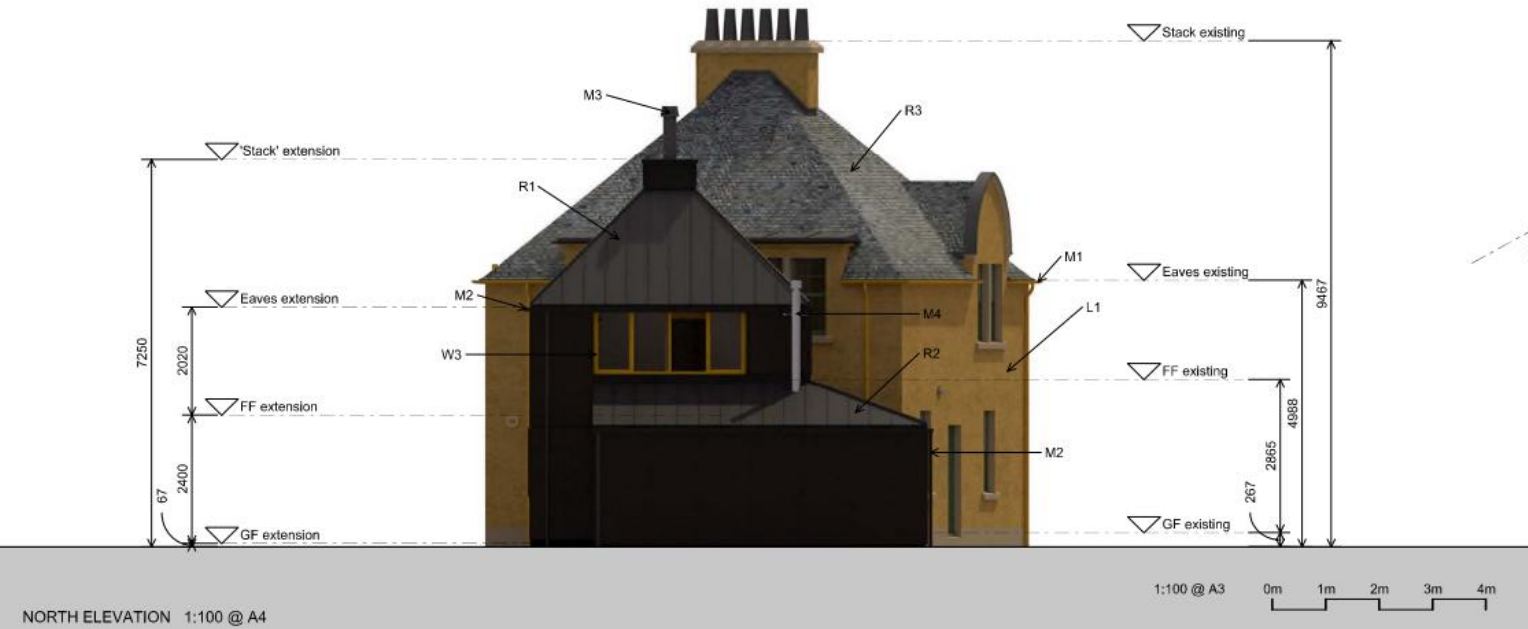
client	Chairs Walker Forest Lodge, Lathwald, Dunkeld, PH11 0DU
design	tim bayman architecture
date	25.08.2022
issue	Planning
scale	1:100
project no	2102
drawing number	03-02
revision	
project	Forest Lodge, Dunkeld
tim bayman architecture	
77 Granton Road, Edinburgh, EH5 3QT - tel: 07773 710 498 - email: contact@timbayman.com	

- C1 - Russwood thermopline cladding F1046 Ebony translucent horizontal in vertical panels incorporating doors (RW119 secret fix)
- C2 - Russwood thermopline cladding F1046 Ebony translucent, vertical RW119 secret fix profile 92mm board
- C3 - Russwood thermopline cladding factory coated in RAL 1006 maize yellow, vertical RW119 secret fix profile 92mm board
- C4 - 90 x 90 timber column painted RAL 1006 maize yellow
- L1 - Traditional yellow iron oxide lime rough hart finish (part of breathable construction)
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- L3 - Yellow iron oxide lime wash to sills
- M1 - Cast iron rainwater goods painted RAL 1006 maize yellow to complement render
- M2 - VM zinc rainwater goods, prepigmented quartz finish
- M3 - Black stainless steel twin wall flue 125 internal diameter#
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- R1 - VM zinc standing seam roofing pre patinated quartz finish, Pitch 45 degrees
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- W4 - Velux MK12 780mm x 1800mm top hung electric window with EDQ standing seam metal flashing



SECTIONAL SOUTH ELEVATION 1:100 @ A4

SOUTH ELEVATION 1:100 @ A4



NORTH ELEVATION 1:100 @ A4

1:100 @ A3 0m 1m 2m 3m 4m

client	Chairs Walker Forest Lodge, Lathwell, Dunkeld, PH11 0DU
design	tim bayman architecture LLP, The Breadfruit Mill, Edinburgh, EH1 1RW
CS	185
scale	1:100
date	25.08.2022
issue	Planning
project no	2102
revision	
drawing number	03-03 - Forest Lodge, Dunkeld
project	Proposed North & South Elevations



**Design Statement.  
Forest Lodge, Ladywell, Dunkeld  
Prepared for Claire Norfolk**

**By Tim Bayman Architecture  
06.03.2023**

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Craig A  
Barns

River Tay

Forest  
Lodge

Birnam

## WIDER SITE CONTEXT 1:12500 @ A4

Forest lodge is sited on the south side of a steep cutting allowing the A822 Old Military road to pass under the railway line making the site invisible from the road. The lodge itself first appears on the OS map in 1970 and we suspect was built sometime between 1930 - 1950 based on the style and construction. It was built as a forestry lodge administering the Ladywell Plantation. The building itself is bounded by mature trees to east south and west. There is a view out over the cutting towards Craig A Barns to the north west. An almost identical but handed design can be found in Ferness Forest near Forres ref image below. We therefore believe that the design was a typology used to create residential / administrative accommodation in the context of a plantation and thus separate from urban ideas of street and garden with the square plan and pyramid roof form lending itself to a rural context with no clearly defined front.



Fig - 02



### SITE CONTEXT 1:5000 @ A4

From the aerial view the deep cutting of the old military road is visible passing under the railway. It is also clear that the site is surrounded on three sides by mature trees: Older deciduous coniferous mixed planting to the south and west, and a relatively new plantation of sitka spruce to the east. The north boundary to the site is open to views over the landscape above a boundary beech hedge.



River Tay

A9

Railway

Mature  
Trees

Deep  
cutting

Mature  
Trees



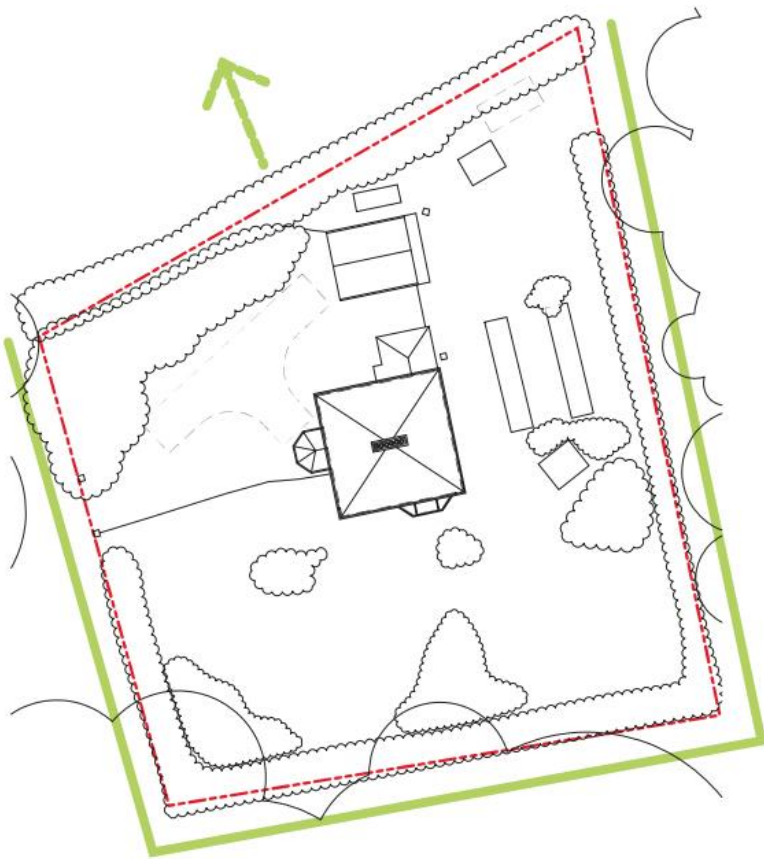
## SITE CHARACTER

This photograph showing the Forest Lodge at Ladywell in its immediate context shows a building with a cubic volume under a pyramid roof form, punctuated by two arched dormer windows and a central chimney stack. To the north beyond the garden are mature sitka spruce of considerable height and to the south and west mixed mature woodlands. The house has a slate roof, rough cast walls, and four over four sash and case windows. The roughcast has been painted cream to the north, west, and south facades and pink to the east. There is an original outbuilding with asbestos roofing to the north and later addition extensions have been added to the west (entry porch) and north east (utility extension).

We believe the building has a number of qualities that we would like to retain and enhance.

1. Its quality as a set of pure forms, cube and pyramid, sitting within a garden in the forest.
2. Its brightness set against the dark backdrop of the forest beyond.
3. The four over four sash and case windows which add refinement to an otherwise unadorned building.

The site diagrams on the following page illustrate the site enclosure, the effective division of amenity in the garden, and the original and new addition structures that have begun to erode the strength of the original building.

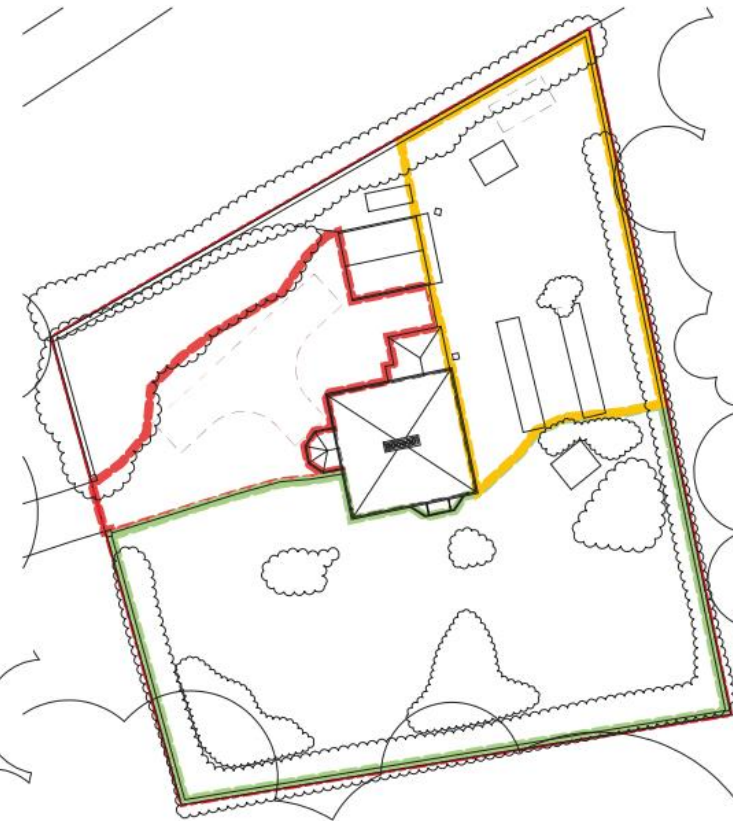


**ENCLOSURE:**

The site is surrounded on three sides by mature trees. Trees to the west and south a mixture of deciduous and coniferous species from the original Ladywell Plantation. Trees to the east are a later plantation of closely packed sitka spruce. To the north above the steep bank dropping down to the A822 old military road the site opens up to views beyond a beech hedge.

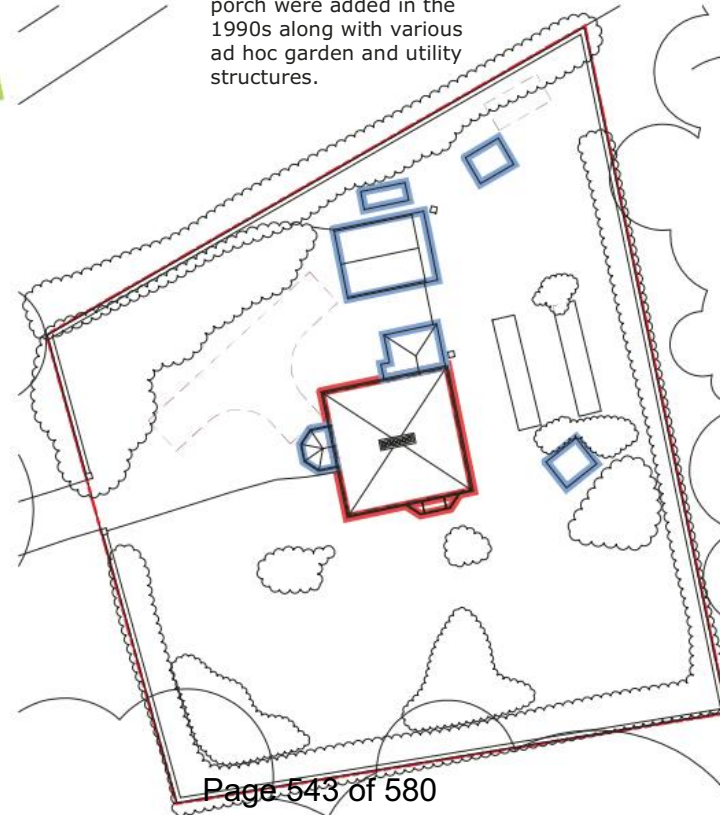
**SITE STRUCTURES:**

The principal structure, the original lodge is located centrally within the tree lined enclosure. The garage to the north is part of the original build a rear extension and porch were added in the 1990s along with various ad hoc garden and utility structures.



**GARDEN:**

The garden is roughly divided into 3 parts. A gravel entry area to the north west, a kitchen and utility garden to the north east and a garden for general amenity and enjoyment to the south. There is little enclosure or division between the three which allows the house to be the focus of the garden with a backdrop of trees from anywhere on the site. The overgrowth of the bushes and shrubs in the NW corner have meant that the lawn to the SW has been used for additional parking and turning. There is also an awkward transition from the kitchen garden to gravel where one blends into the other



## Preapplication Advice

The following text is from Pre-application advice sought from Perth and Kinross Council and prepared by Keith Stirton under application reference 21/00650/PREAPP

### Planning Principle

Alterations, extensions and developments which are ancillary to the enjoyment of an existing domestic dwellinghouse are generally considered to be acceptable in principle. Nevertheless, consideration must be given to the specific details of the proposed development, within the context of the application site, and whether it would have an adverse impact upon visual amenity or the character and appearance of the place.

### Design and Layout

The two storey, hipped roof property has wall-head dormer windows which serve the upper-level accommodation. A detached garage/garden store/w.c. is located to the north of the dwellinghouse, which is situated in an isolated rural location off the A822. The proposals seek to remove the porch and utility room from the house, to demolish the detached garage structure and to extend from the north elevation of the house. The two-storey hipped roof extension would sit at an angle to the existing house, would be connected to the house by a two-storey flat-roofed glazed link and would have a single-storey, lean-to extension which wraps around the west and north elevations.

The suggested proposals raise a number of concerns regarding their design, orientation,

cumulative massing and poor integration with the host dwelling. The main body of the extension has a similar design to the host building; however, it is set off at a different angle, with an incongruous wrap-around element and a glazed link. The proposal is therefore likely to be considered contrary to the Perth and Kinross Placemaking Guide 2020 and Policies 1A and 1B(c) of the Perth and Kinross Local Development Plan 2 2019, which seek to ensure that developments contribute positively to the quality of the built environment in terms of design and appearance, in order to respect the character and amenity of the place.

The site is undoubtedly large enough to accommodate an extension of reasonable proportions. However, substantial revisions would be required before support is likely to be offered. Key revisions would include improving the integration of the proposed extension with the host dwelling. It may be possible to achieve this by fully integrating the extension and its roof on the north elevation of the house (designing out the link and re-locating the existing north elevation dormers to the east/west) and following the axis of the existing house footprint. Ideally, the extension should be set in from the east and west elevations and down from the ridge, to secure a subordinate effect. You would also be best advised to delete the wrap-around extension and create a free-standing detached structure for these ancillary facilities. This would reduce the overall massing and improve the design and proportions of the extension and its relationship to the house.

### Other relevant considerations

A bat survey would be required for any intervention into the roof, in line with Policy 41 of PKC LDP2 and our Bat Survey Supplementary Guidance <https://www.pkc.gov.uk/ldp2biodiversity>.

### Conclusion

The extension of an existing domestic dwellinghouse is considered to be acceptable in principle. However, the detailed design, cumulative massing and poor integration of the proposals would result in an adverse impact on the house, to the detriment of its character and visual amenity. Nevertheless, there may be scope for an alternative proposal which reduces the proportions and better integrates the proposals into the house in terms of design, form, appearance and orientation.

## Response to Pre Application Advice

While the scheme has evolved since we received this advice we believe that the design principals set out in the following pages comply with the spirit of Perth and Kinross Placemaking Guide 2020 and with policies 1A and 1B(c) of the local development plan.

With specific reference to Mr Stirton's conclusion where he states that *"the detailed design, cumulative massing and poor integration of the proposals would result in an adverse impact on the house, to the detriment of its character and visual amenity"*. We would say the following before taking you through the design process in the following pages.

1. We think that the best way to preserve the house (the original forest lodge without the poor later addition extensions) is to respect and enhance its original form and siting within the garden. We therefore think that greater integration of an extension would be detrimental to achieve this. Our proposals have always sought to touch lightly onto the north of the house in order to enhance the original house's form.

2. The obvious place to extend the house is to the North. It is the least handsome of the four elevations and is the current location of a fairly unsympathetic outbuilding with an asbestos roof. We have worked very hard to fulfil our client's brief with an absolute minimum of volume, mass and site area. The built footprint of the site has increased by only 10.1m<sup>2</sup> and the entire extension has only increased the gross internal area of house and outbuildings combined by 17% whilst still fulfilling our client's brief.

3. Through careful consideration of materials, selective demolition and geometry we have sought to differentiate the new from the original in a way that retains the original characteristics of the house and site, improving both the amenity and the visual amenity. This has been done by separating the new from the old not only through material choices but by aligning the new with the non orthogonal north boundary.

On the following pages we will go through our design process to further highlight our decision making process and back up our thinking with regard to, brief, site development, environmental impact, geometry and siting, and material considerations.

## Brief

### Building form in the landscape.

Both our client and ourselves were initially very struck with the lodge as a highly legible geometric form in the landscape. Effectively a cube with a pyramid roof that can be read from every part of the site. It was a concern for us both that this geometry should remain legible and protected when considering extending the property.

### Phased approach.

Given the cost of property, building work, and energy, it was important to my client from the outset that the project be realised in two phases. Firstly to refurbish the existing house, allowing our client to move her family in as soon as possible. Then to add additional living space, a spare bedroom and utility accommodation in an extension at a later date when she could afford it.

### Energy and climate impact.

In advising our client we took the position that the greatest gains in terms of overall heat-loss and reduction of her carbon footprint would be in upgrading the existing house fabric during phase 1. The house already has a compact form, the cube, which has a very good ratio of surface area to volume. So if works were being carried out to spatially alter the building and redecorate, it would be a really good time to upgrade the fabric. This will include internal insulation of the external walls and coombs, additional mineral wool insulation in the attic, replacement of the existing ground bearing slab with an insulated system and under floor heating, and finally existing windows re-glazed with Fineo vacuum glazing which has U-values equivalent to triple glazing without the need to replace the existing sash and case windows. We demonstrated to our client that whilst it was not a statutory obligation to upgrade the fabric it was worth the extra money and resources in phase 1. We have subsequently carried out heat-loss calculations based on our designs over both phases that will provide our client with a home, including the extension which more than halves the heat loss of the original house; from 415W/k to 203W/k.

Ref heat loss calculation adjacent.

Fabric improvement			
Elements	Exposed Area	U-value	Rate of heat loss
<b>Existing Building Fabric</b>			
Floor	59.4 m2	1.09 W/m2k	64.75
Walls	115.9 m2	1.62 W/m2k	187.76
Area of removed extension	6.8 m2	1.62 W/m2k	11.02
Attic Ceiling	43.4 m2	0.41 W/m2k	17.79
Bay roof	2.1 m2	1.95 W/m2k	4.10
Combes	17.7 m2	1.95 W/m2k	34.52
Single glazed timber windows	17.4 m2	5 W/m2k	87.00
Stair window	1 m2	5 W/m2k	5.00
Existing double glazed front door	1.7 m2	1.8 W/m2k	3.06
<b>Existing heat loss condition</b>			<b>414.98</b>
<b>Improved Building Fabric</b>			
Floor	59.4 m2	0.15 W/m2k	8.91
Walls	115.9 m2	0.45 W/m2k	52.16
Area of removed extension	6.8 m2	0.2 W/m2k	1.36
Attic Ceiling	43.4 m2	0.16 W/m2k	6.94
Bay roof	2.1 m2	0.47 W/m2k	0.99
Combes	17.7 m2	0.47 W/m2k	8.32
Double glazed Alutherm windows	17.4 m2	1.4 W/m2k	24.36
Stair window temp infill	1 m2	0.2 W/m2k	0.20
New aluminium door	1.7 m2	1.4 W/m2k	2.38
<b>Upgraded heat loss condition</b>			<b>105.62</b>
<b>Improvement in heat loss</b>			<b>309.37</b>
<b>Extension Notional</b>			
Ground floor area	33 m2	0.15	4.95
First floor Area	31 m2		0.00
Glazing 25% of 64m2	16 m2	1.4	22.40
Roof	31 m2	0.11	3.41
Walls (118-16=102)	102 m2	0.17	17.34
<b>Notional heat loss</b>			<b>48.10</b>
<b>With existing house as is 48.1 + 414.98</b>			<b>463.08</b>
<b>Actual Extension Minimum</b>			
Exposed floor	33 m2	0.7	23.10
Walls	89 m2	0.7	62.30
Roof	29 m2	0.35	10.15
Windows	29 m2	3.3	95.70
Rooflight	2 m2	3.3	6.60
<b>Actual heat loss</b>			<b>197.85</b>
<b>With existing upgraded 197.85 + 107.53</b>			<b>303.47</b>
<b>Actual Extension Proposed</b>			
Exposed floor	33 m2	0.15	4.95
Walls	89 m2	0.45	40.05
Roof	29 m2	0.2	5.80
Windows	29 m2	1.5	43.50
Rooflight	2 m2	1.5	3.00
<b>Actual heat loss</b>			<b>97.30</b>
<b>With existing upgraded 97.30 + 107.53</b>			<b>202.92</b>

## **Design approach.**

### **Guiding principals**

#### **1. Retaining and making legible the original form on the site.**

Our clients and ourselves really liked the existing building form within a garden and enclosed on three sides by mature trees. We were also interested in the building as a typology, replicated at Ferness Forest near Forres (fig - 02 page 2) and potentially at other locations on other plantations. Our initial priority therefore was retaining and making legible the original form on the site and to make sure that this idea wasn't lost when thinking about developing ideas for extending and consolidating the property. In our opinion the integrated extension at Ferness Forest erodes this idea.

#### **2. Not overdeveloping the site.**

The original parts of the building are the cube of the lodge and the outbuilding containing a store WC and garden shed. Since the original construction a number of ancillary structures have been built most notably a side extension to the north aligned with the east wall and a chamfered porch made up of ad hoc windows with a timber shingle roof. Less notably but present on the site are a summer house cum shed and a wood-store built behind the outbuilding. When considering the first principal of legibility our idea was to remove the later additions and the outbuilding and replace them with a building which would have its own geometry in the garden (related to the northern boundary). It was important to make sure that the new forms didn't take up much space on the site and were subservient to the main building in height and massing. In developing these ideas our plans replaced 53.6m<sup>2</sup> of site coverage with 63.5m<sup>2</sup> of site coverage an increase of only 10.1m<sup>2</sup>. When considering the extent of the new floor area, the additional 10.1m<sup>2</sup> site footprint along with the 26.3m<sup>2</sup> upper floor. The extension is modest relative to the existing house. Put into figures the existing house extensions and outbuildings have a GIA of 162m<sup>2</sup> The proposals have a GIA of 189m<sup>2</sup>, an increase of 27m<sup>2</sup> or 17% of the original. We therefore think that the massing and extension design should be viewed in the context of the whole site when considering the impact of our proposals. We have achieved this efficiency, accommodating our clients brief, by replicating the efficient form of the house with an outbuilding skirt and sharing circulation space, primarily a reconfigured staircase within the existing house. (Ref diagrams page 11)

#### **3. Minimising environmental impact and usefulness of existing building.**

Because our client chose to move forward with a whole building approach rather than concentrating just on extending we can be confident in more than halving the houses energy needs even with the extension in place (an extension usually means additional heat loss). There are elements such as the glazed bridge that seem extravagant to the building envelope but because these can be glazed with Fineo vacuum glazing and because the rest of the new insulated envelope is an efficient form the heat loss is minimised. The minimal extension also allows a truly phased approach where works to the newly refurbished building are minimised. This allows the building to be inhabited during phase 2 works.

#### **4. Geometry and siting.**

The siting of the building to the north of the existing building has a number of advantages. (ref Site Proposals - page 12)

#### **Access.**

A new entrance allowing the utility, kitchen and outbuildings, which also need direct access to the drive, to be entered from the new porch / boot room. This efficiently fulfils internal and external circulation requirements.

#### **Landscape to Site Connection.**

The new vertical north south axis of the living and kitchen dining spaces connects the garden through a half landing on the reconfigured stair to the wider landscape northward.

The orientation of the new building aligned with the northern boundary leaves a clear path connecting the kitchen garden with the entry courtyard.

#### **Legibility.**

Aligning the extension with the boundary rather than then house achieves three things. Firstly and most importantly, the new geometry separates and makes legible the existing house. Secondly it allows a clear path to externally connect the kitchen garden with the entry court, and finally it widens the boot room into a usable space without unnecessarily increasing the envelope of the bridging element.

#### **Enclosure and separation.**

The main existing building is surrounded by garden on three sides with the drive and outbuildings to the north and north west. The garden in turn is enclosed by mature trees on three sides with the north open to views across the landscape. The proposals attempt to achieve three goals with regard to the enclosure on site. Firstly to maintain the existing characteristics of the man made objects sited in a garden and enclosed on three sides by trees.

Secondly to separate the more private kitchen garden from the entry area. The massing and geometry of the new building help to maintain the legibility of the original house while still achieving this separation. This separation of the entry area will be further enhanced by mid level planting to the south of the entry courtyard. The overgrown area to the north of the entry court will be cut back to improve the utility and efficiency of the courtyard space.

And lastly to improve the amenity of the garden. The two ideas of moving the access around the back of the new building rather than the existing situation where you move between the buildings, and creating a low level planted screen improves the privacy in the garden to the south and the kitchen garden to the north east without compromising access or the existing characteristics of the site.

#### **Retention of amenity.**

In building the new extension in the location of the existing outbuildings and driveway we are able to retain all of the exiting usable garden space, increase the sunniest part of the garden (the kitchen garden) and create a more usable shape for the entry court making turning parking and deliveries easier.

## 5. Materials

As the client and ourselves both really enjoy the existing building, the materials and colours considered for the project are about enhancing the original building in its forest context. The overall strategy is to have the original building in lighter colours with darker features and the new building in very dark colours receding into the darkness of the trees beyond, with some highlights which complement and balance the existing.

Due to the requirement of using breathable wood fibre internal insulation a breathable lime render will be required on the existing building. Both a traditional oxblood and traditional iron oxide finish were considered.



The iron oxide felt more appropriate in the forest context. We looked at Sundial House, on Burgess Brae as a precedent for this render within a context of mature trees. The windows and joinery of the existing house are then proposed in a traditional green, common before white became ubiquitous, and shown in the restoration of Merchant house, Castle Street in Inverness. Rainwater goods will be picked out in yellow as a common element with the highlights on the new building. The new building by contrast will be of dark opaque Thermopine cladding from Russwood, quartz zinc roofing with only the window elements picked out in bright yellow to complement the iron oxide render and yellow rainwater goods of the existing house. The recessed entry between the buildings will likewise be bright yellow to create a feeling of warmth in the winter months when the entry will be artificially lit both from lighting within, and exterior lighting in the recess.



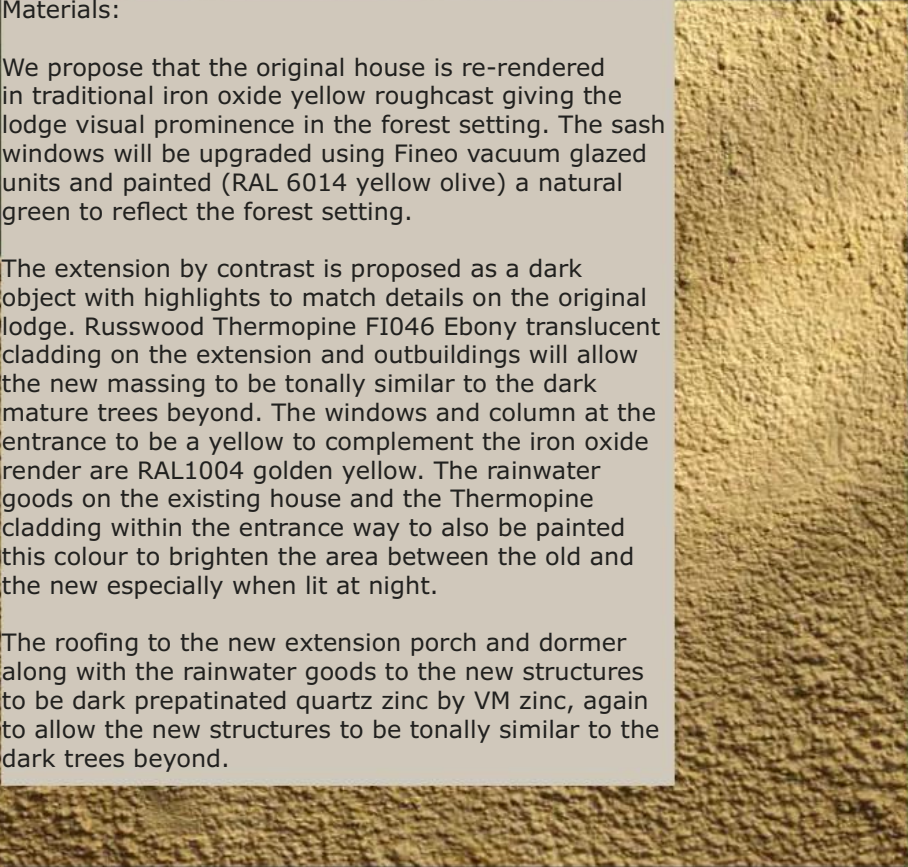


Materials:

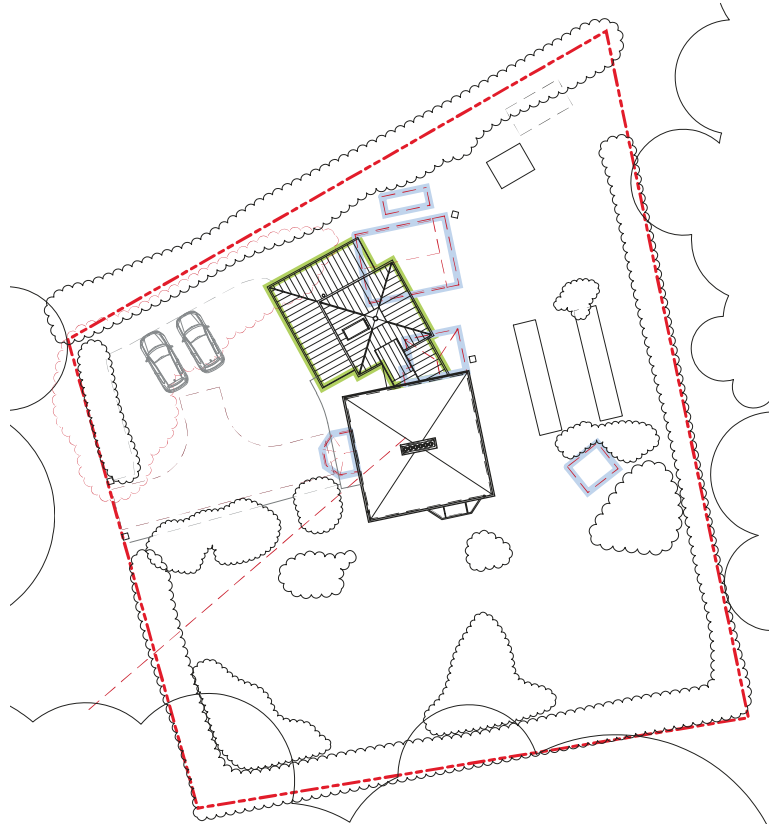
We propose that the original house is re-rendered in traditional iron oxide yellow roughcast giving the lodge visual prominence in the forest setting. The sash windows will be upgraded using Fineo vacuum glazed units and painted (RAL 6014 yellow olive) a natural green to reflect the forest setting.

The extension by contrast is proposed as a dark object with highlights to match details on the original lodge. Russwood Thermopine FI046 Ebony translucent cladding on the extension and outbuildings will allow the new massing to be tonally similar to the dark mature trees beyond. The windows and column at the entrance to be a yellow to complement the iron oxide render are RAL1004 golden yellow. The rainwater goods on the existing house and the Thermopine cladding within the entrance way to also be painted this colour to brighten the area between the old and the new especially when lit at night.

The roofing to the new extension porch and dormer along with the rainwater goods to the new structures to be dark prepatinated quartz zinc by VM zinc, again to allow the new structures to be tonally similar to the dark trees beyond.







**SITE COVERAGE AND CONSOLIDATION**

In order to focus on enhancing the original house as a piece of man made geometry in a garden within the landscape it was important to not overdevelop the site.

The original house had been extended twice since its construction firstly with a DIY porch covering the original front door and secondly with a hipped kitchen utility extension. The garage building has also attracted a lean too extension to the east as a wood store and a separate tall wood store to the rear of the garage. Along with a garden shed cum summerhouse structure which has no obvious logic to its positioning or orientation.

Our proposals seek to achieve two main goals when considering the distribution of structures on the site.

01  
To enhance and celebrate the original geometry and character of the house, which both ourselves and our clients think is worth enhancing, by removing all the later addition extensions and other garden structures.

02  
To consolidate the proposed building on the site into a coherent form that fulfils the brief while organising the site and clients brief and clearly delineates itself from the original form.

In exploring this it was important to accommodate the brief without taking up unnecessary area on the site. The proposals manage to achieve this by increasing the built footprint by only 10.1m2

SITE STRUCTURES:

It's proposed that all site structures are consolidated into a new complementary building to the north of the existing. This building is separated from the main house by porch and glazed bridge and takes it's orientation from the edge of the North boundary. The positioning allows three things to happen.

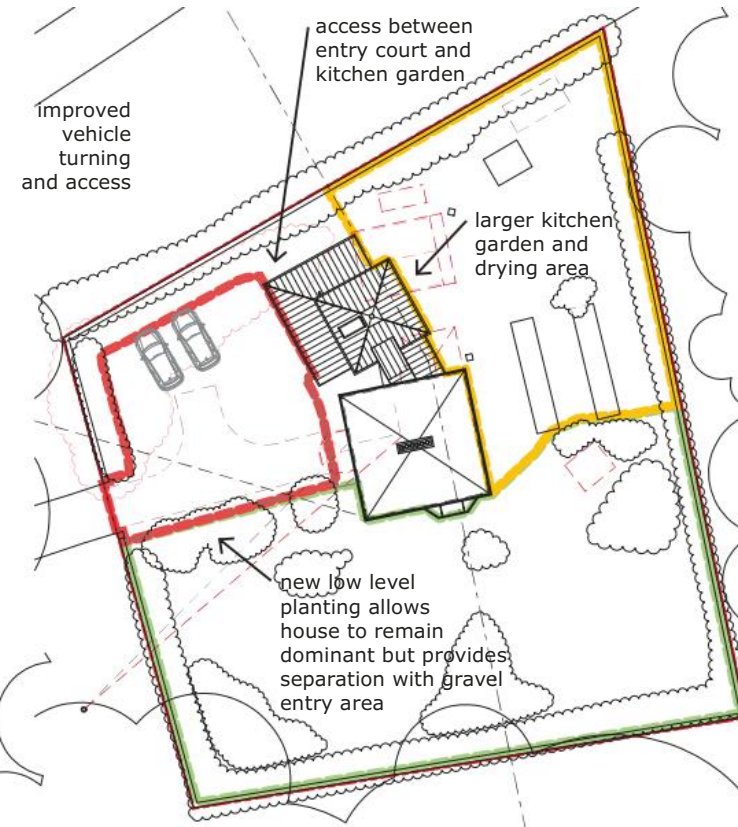
1 Entry between the buildings.

directly connecting kitchen and utility spaces with both the entry court and kitchen garden and providing covered access to the unheated storage areas of the house.

2 Orientation to boundary rather than house provides a sense of enclosure to the entry court while the separation and angle from the house allows the lodge to be seen in it's original form. The swing towards the entry court also enlarges the kitchen garden and provides exterior access from front court to kitchen garden. This new angle with its orientation to the bank and road opens the new upper living space a view to the open side of the site to the north

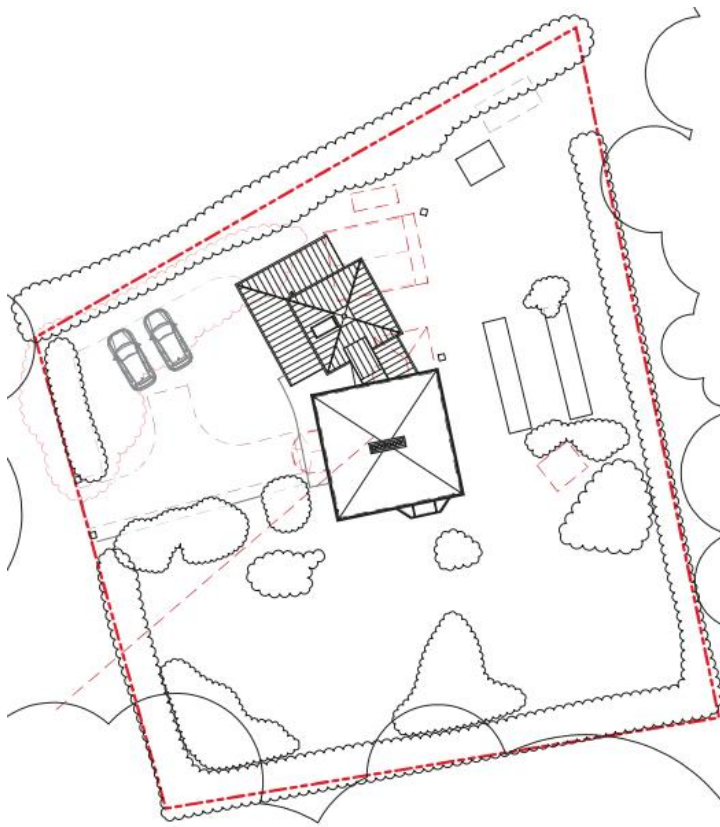
3 Access to outbuildings:

The outbuildings wrapping the west and north of the extension allow good access to the entry court for bikes and storage along with pellet delivery for the biomass boiler. The north east part allows a generous garden store access to the kitchen garden.



GARDEN:

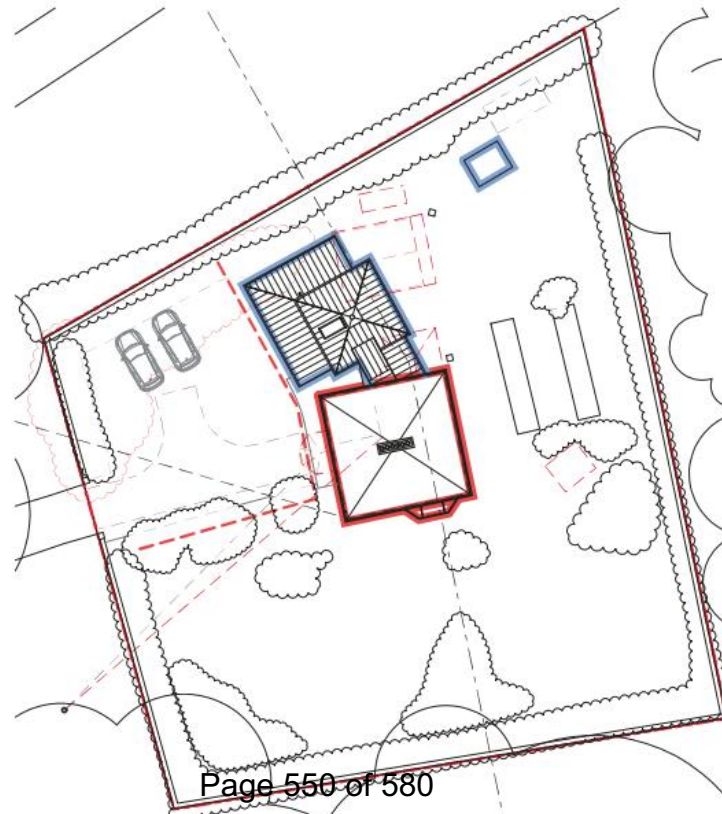
The garden is still arranged in three parts but the reshaping of the entry court allows easier turning and parking facilitating low to medium height planting between the amenity part of the garden and the service / entry part of the garden. The position of the extension separates this service / entry court from the kitchen garden beyond. Because the extension is parallel to the boundary an external connection between these spaces is still possible.

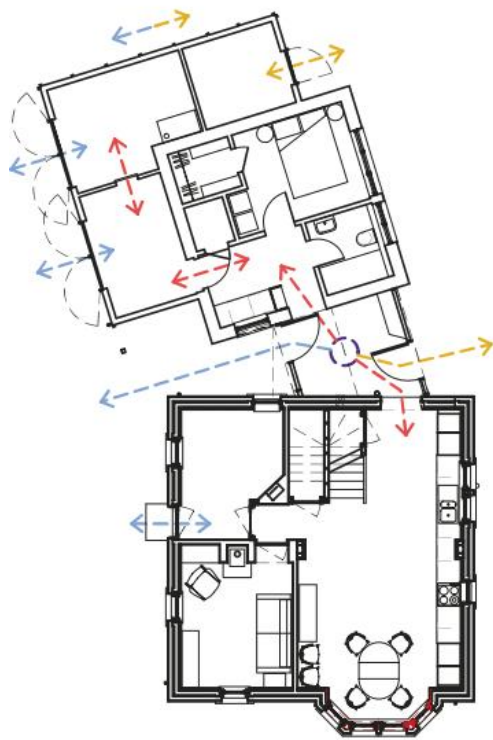


ENCLOSURE:

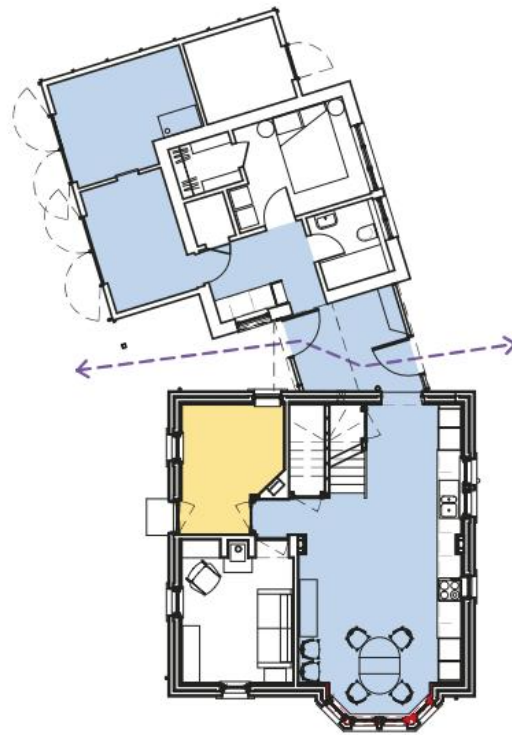
The site remains enclosed on three sides by trees with the house remaining the central focus.

The new extension and low / medium level planting provide a secondary enclosure devoted to entry / service. The angle separation and height of these have been considered to retain the original lodge as the central focus.

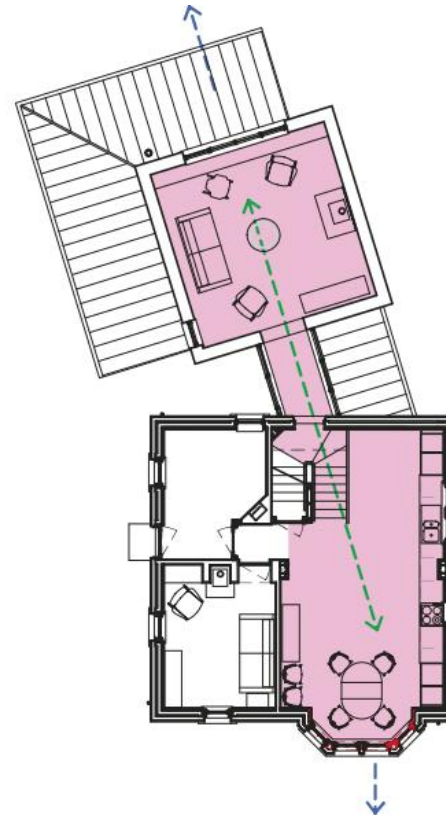




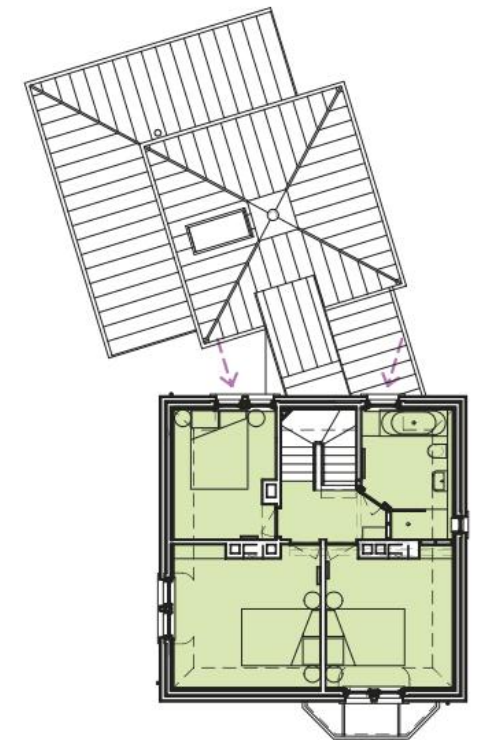
01 Ground Floor Plan 1:200 @ A4



02 Ground Floor Plan 1:200 @ A4



03 Plan above stair half landing 1:200 @ A4



04 Original First Floor Level 1:200 @ A4

- Access to building from entry court
- Interior connections from entry hall
- Access to building from kitchen garden

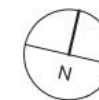
- East west route, access to buildings and gardens
- Improved access between service areas of the building
- Home work space allows separate access from entry courtyard

- North south connection through stair half landing between principal living spaces
- visual connection from principal living spaces to landscape and garden
- Kitchen dining space and living space areas

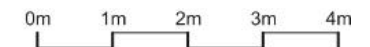
- Upper level with private family sleeping and bathing spaces
- Separation and roof form of new building allows daylight into existing dormer windows

**The key principals of the layout are.**

- 1 Access (external and internal) revolving around the new boot room.
- 2 Connection on inside and outside utility/service spaces.
- 3 Creation of home working space (with separate entry).
- 4 North south connection of dining (garden) and living (view) through the half landing of the stair.
- 5 Private family spaces on the first floor.



1:200 @ A4



Diagrammatic section showing design idea of connecting the principal living spaces, the kitchen dining room, with the living room through the stair half landing. This arrangement also connects the immediate site and garden through the ground floor bay window to the landscape beyond through the horizontal bay of windows in the extension to the north.



- - - -> North south connection through stair half landing between principal living spaces
- - - -> Visual connection from principal living spaces to landscape and garden

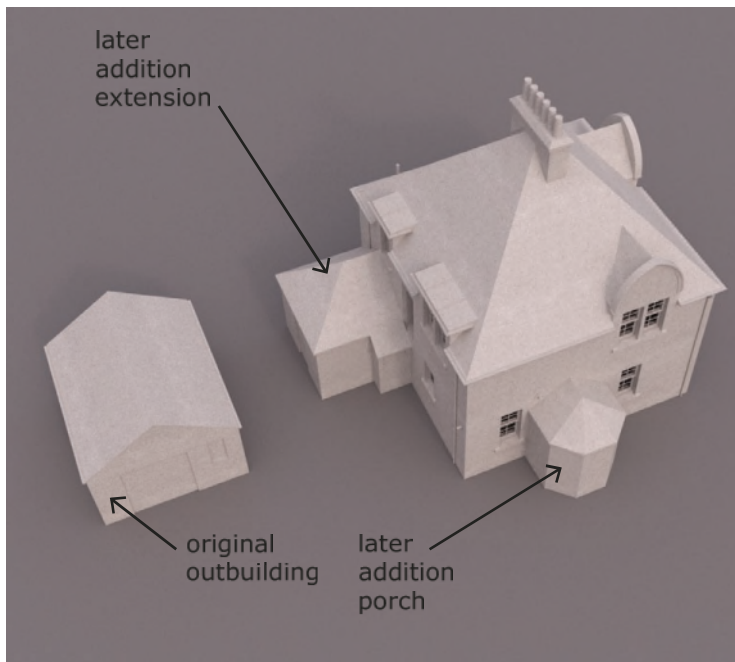


fig 04 - Existing massing

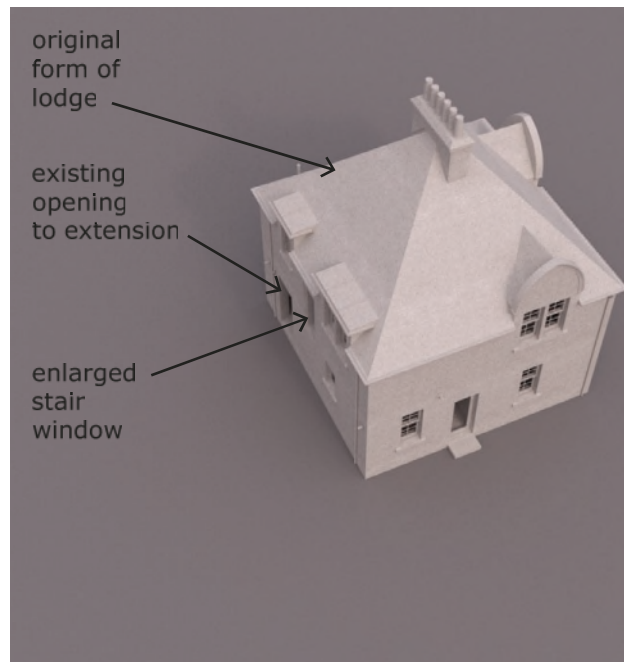


fig 05 - Form of original lodge

### Existing and proposed massing

The proposals aim to remove the existing outbuilding and later addition extensions (fig 01) and return the lodge to its original form (fig 02) minimal intervention to the exterior of the original building will be required to connect the new and old parts of the brief.

The new accommodation is proposed as a smaller form similar in its form to the original but separated from the original and aligned to the site boundary (fig 03).

A new porch and connecting bridge at the stair landing level connect the two pieces. The bridge taking the form of a glazed dormer connecting to the original under the existing eaves line (fig 04).

The single storey outbuilding with a low eaves is then partially wrapped around the new form to create an entry space and to allow access to these spaces from the house (fig 05).



fig 06 - New smaller form containing bedroom, utility, shower room, and living room (compact form)



fig 07 - New connecting porch and bridge dormer



fig 08 - New outbuildings



**Design and massing in site context:**

This image shows the key site ideas. The original building geometry restored and highlighted. The new subservient massing canted, recessive and designed to blend with the forest beyond. Two compact complementary forms connected through a minimal bridge building. A photomontage of the project in the wider site can be found in fig - 01 on page 1

**LRB-2023-25**

**23/00186/FLL – Part demolition, alterations and extension to dwellinghouse, Forest Lodge, Ladywall, Birnam, Dunkeld, PH8 0DU**

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS** *(included in applicant's submission, pages 529-554)*







Ms Claire Norfolk  
c/o Tim Bayman Architecture  
Tim Bayman  
77 Granton Road  
Edinburgh  
EH5 3QT

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **31st March 2023**

Town and country planning (Scotland) Acts

Application Reference: **23/00186/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 11th February 2023 for Planning Permission for **Part demolition, alterations, and extension to dwellinghouse Forest Lodge Ladywell Birnam Dunkeld PH8 0DU.**

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

1. The proposal, by combination of its unsympathetic design and inappropriate materials, would be an incongruous addition which would be out of keeping with the host building and would result in a detrimental impact upon the character, appearance and visual amenity of the dwellinghouse.

Refusal is therefore in line with Policy 14(c) of NPF4 and approval would be contrary to Policies 14(a) and 16(g) of NPF4, Policies 1A and 1B(c) of Perth & Kinross Local Development Plan 2 2019 and Perth & Kinross Placemaking Guide 2020, which seek to ensure that developments contribute positively to the quality of the built and natural environment in terms of proportions, appearance and materials, in order to harmonise with the existing building and respect the character and appearance of the place.

2. No ecological survey has been submitted. Therefore, the ecological impact of the development cannot be ascertained, and it cannot be shown that any impact can be avoided, or satisfactorily mitigated, to ensure the safeguarding of protected species and wildlife habitats.

Accordingly, the proposal is contrary to Policy 4(f) of NPF4, Policy 41 of Perth and Kinross Local Development Plan 2 2019, Perth & Kinross Council's Development Management and Wildlife Guide: Planning for Nature 2022 and Perth & Kinross Council's Bat Surveys guidance: "What are bat surveys and when do I need one?", which seek to safeguard wildlife, habitats and protected species from detrimental impacts.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

### **Notes**

**The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page.**

Plan Reference

01

02

03

04

05

06

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## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	23/00186/FLL	
Ward No	P5- Strathtay	
Due Determination Date	10th April 2023	
Draft Report Date	22nd March 2023	
Report Issued by	KS	Date 22nd March 2023

**PROPOSAL:** Part demolition, alterations and extension to dwellinghouse

**LOCATION:** Forest Lodge Ladywell Birnam Dunkeld PH8 0DU

#### SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

#### BACKGROUND AND DESCRIPTION OF PROPOSAL

Forest Lodge is a detached dwellinghouse which is located within the River Tay National Scenic Area, to the southwest of Birnam. This application seeks detailed planning permission for various alterations and extensions to the north of the property, including a two-storey pyramid roofed extension which is linked to the house by a two-storey partially glazed bridging corridor, and a single storey wrap-around lean-to extension. A log-burning stove would be located centrally within the two-storey extension, with its flue penetrating through the centre of the pyramid roof.

#### SITE HISTORY

None

#### PRE-APPLICATION CONSULTATION

Pre application Reference: 21/00650/PREAPP

Various concerns were raised with respect to the incongruous design, off-set orientation, cumulative massing and poor integration of the proposals. No significant design revisions have been implemented since the issuing of pre-application advice. Conversely, the proposal is now accompanied by a design statement.

#### DEVELOPMENT PLAN

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**

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 people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan. The Council's assessment of this application has considered the following policies of NPF4:

- Policy 4(f): Natural Places
- Policy 14(a)+(c): Design, quality and place
- Policy 16(g): Quality homes

## **Perth and Kinross Local Development Plan 2 – Adopted November 2019**

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance. The principal policies are:

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 38B: Environment and Conservation: National Designations
- Policy 41: Biodiversity

### **Statutory Supplementary Guidance**

- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

### **Non Statutory Guidance**

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

## **NATIONAL GUIDANCE**

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

### **Planning Advice Notes**

The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management
- PAN 68 Design Statements

## Creating Places 2013

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

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.

## CONSULTATION RESPONSES

Scottish Water

*No objections – informative note recommended on any approval.*

## INTERNAL COMMENTS

Environmental Health (Noise Odour)

*No objections – informative note recommended on any approval.*

Biodiversity/Tree Officer

*No assessment of the ecological impacts of the proposal can be carried out as no ecological survey has been submitted.*

## REPRESENTATIONS

No letters of representation have been received in relation to this proposal.

## ADDITIONAL STATEMENTS

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

## APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan

unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan and the adopted LDP2.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

### **Policy Appraisal**

Alterations, extensions and developments which are ancillary to the enjoyment of an existing domestic dwellinghouse are generally considered to be acceptable in principle. Nevertheless, consideration must be given to the specific details of the proposed development, within the context of the application site, and whether it would have an adverse impact upon visual amenity or the character and appearance of the place.

### **Design, Layout and Visual Amenity**

Forest Lodge is a detached dwellinghouse which is located within the River Tay National Scenic Area, to the southwest of Birnam. This application seeks detailed planning permission for various alterations and extensions to the north of the property.

The two storey, hipped roof property has wall-head dormer windows which serve the upper-level accommodation. A detached garage/garden store/w.c. is located to the north of the dwellinghouse.

The proposals seek to demolish the porch and utility room on the house, to demolish the detached garage structure and to extend the house from the north elevation. The two-storey pyramid roofed extension would sit at an angle to the existing house and would be linked to the house by a two-storey partially glazed bridging corridor. A single-storey lean-to extension would also wrap around the west and north elevations of the proposed two-storey extension. A log-burning stove would be located centrally within the two-storey extension, with its flue penetrating through the centre of its pyramid roof and a biomass pellet boiler would be located within the wrap-around extension.

The proposed development has purposefully been designed to be read deferentially from the host building. This is emphasised though its physical separation from the house, its off-set axis, skewed footprint, lack of integration with the host building and contrasting palette of external finishing materials.

However, the resulting development would visually compete with the host dwellinghouse, rather than complement it. Although its scale is subordinate to the house, its poorly integrated design results in a fragmented appearance with a piecemeal wrap-around addition. Its visually incongruous appearance would be exacerbated by the sharply contrasting finishing materials.

Accordingly, refusal of the proposed development is in line with Policy 14(c) of NPF4 and approval would be contrary to Policies 14(a) and 16(g) of NPF4, Policies 1A and

1B(c) of Perth & Kinross Local Development Plan 2 2019 and Perth & Kinross Placemaking Guide 2020, which seek to ensure that developments contribute positively to the quality of the built and natural environment in terms of proportions, appearance and materials in order to respect the character and appearance of the place.

### **Landscape**

The application site is located within the River Tay National Scenic Area. However, the domestic scale and nature of the proposal does not raise any significant landscape impact issues.

### **Residential Amenity**

The Council's Environmental Health Officer has requested that an informative note be included on any planning approval, to provide advice on the installation, operation and maintenance of the stove and boiler, in the interests of residential amenity.

### **Roads and Access**

There are no significant road, access or parking implications associated with this proposed development.

### **Drainage and Flooding**

There are no significant drainage or flooding implications associated with this proposed development. However, Scottish Water has requested that an informative note be included on any approval.

### **Natural Heritage and Biodiversity**

The proposal involves demolition of various existing features, which have the potential for bats/bat roosts (see Annex B of Perth & Kinross Council's "Bat Surveys" guidance document, 2018). As bats are protected species, it is necessary to secure an ecological survey prior to any planning permission being granted. This would identify the presence of any bats, bat roosts or bird nests, so that an assessment can be made over the impact of the development, whether any impact can be avoided and whether any mitigation measures are necessary.

Consequently, in the absence of an ecological survey, no assessment can be carried out as to the potential impact of the proposed development on bats and/or bat roosts. Therefore, the proposal is not in accordance with Policy 4(f) of NPF4, Policy 41 of Perth and Kinross Local Development Plan 2 2019, Perth & Kinross Council's Development Management and Wildlife Guide: Planning for Nature 2022 or Perth & Kinross Council's Bat Surveys guidance: "What are bat surveys and when do I need one?", which seek to safeguard wildlife, habitats and protected species from detrimental impacts.

## **Developer Contributions**

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

## **Economic Impact**

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

## **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **CONCLUSION AND REASONS FOR DECISION**

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 be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the Development Plan. Accordingly, the proposal is refused on the grounds identified below.

### **Conditions and Reasons**

- 1 The proposal, by combination of its unsympathetic design and inappropriate materials, would be an incongruous addition which would be out of keeping with the host building and would result in a detrimental impact upon the character, appearance and visual amenity of the dwellinghouse.

Refusal is therefore in line with Policy 14(c) of NPF4 and approval would be contrary to Policies 14(a) and 16(g) of NPF4, Policies 1A and 1B(c) of Perth & Kinross Local Development Plan 2 2019 and Perth & Kinross Placemaking Guide 2020, which seek to ensure that developments contribute positively to the quality of the built and natural environment in terms of proportions, appearance and materials, in order to harmonise with the existing building and respect the character and appearance of the place.

- 2 No ecological survey has been submitted. Therefore, the ecological impact of the development cannot be ascertained, and it cannot be shown that any impact can be avoided, or satisfactorily mitigated, to ensure the safeguarding of protected species and wildlife habitats.

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Perth & Kinross Council's Bat Surveys guidance: "What are bat surveys and when do I need one?", which seek to safeguard wildlife, habitats and protected species from detrimental impacts.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**Informative Notes**

Not Applicable.

**Procedural Notes**

Not Applicable.

**PLANS AND DOCUMENTS RELATING TO THIS DECISION**

01

02

03

04

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**LRB-2023-25**

**23/00186/FLL – Part demolition, alterations and extension to dwellinghouse, Forest Lodge, Ladywall, Birnam, Dunkeld, PH8 0DU**

## **REPRESENTATIONS**



**From:** Planning Consultations <PlanningConsultations@scottishwater.co.uk>  
**Sent:** 28 February 2023 10:24  
**To:** Development Management <DevelopmentManagement@pkc.gov.uk>  
**Subject:** RE: Planning Application Consultation for Application No 23/00186/FLL

**CAUTION: This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.**

Good Afternoon,

Thank you for your submission.

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

For all extensions that increase the hard-standing area within the property boundary, you must look to limit an increase to your existing discharge rate and volume. Where possible we recommend that you consider alternative rainwater options. All reasonable attempts should be made to limit the flow.

No new connections will be permitted to the public infrastructure. The additional surface water will discharge to the existing private pipework within the site boundary.

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Kind Regards,

Kerry

*Kerry Lochrie*

Technical Analyst  
West Regional Team

Strategic Development  
Development Services  
Dedicated Freephone Helpline: 0800 389 0379

Direct Email: [developmentoperations@scottishwater.co.uk](mailto:developmentoperations@scottishwater.co.uk)  
Managed email service: [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)

Business Weblink: <https://www.scottishwater.co.uk/business/our-services/new-connections/getting-connected>

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**NEW**

## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	<b>23/00186/FLL</b>	<b>Comments provided by</b>	Joanna Dick Tree and Biodiversity Officer
<b>Service/Section</b>	Strategy and Policy	<b>Contact Details</b>	██████████ Email <a href="mailto:biodiversity@pkc.gov.uk">biodiversity@pkc.gov.uk</a>
<b>Description of Proposal</b>	Part demolition, alteration and extensions to dwelling house.		
<b>Address of site</b>	Forest Lodge Ladywell Birnam Dunkeld PH8 0DU		
<b>Comments on the proposal</b>	<p><b>Policy 41: Biodiversity</b> The Council will seek to protect and enhance all wildlife and habitats, whether formally designated or not, considering natural processes in the area. Planning permission will not be granted for development likely to have an adverse effect on protected species unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated.</p> <p><b>European Protected Species</b> Planning permission will not be granted for development that would be likely to have an adverse effect upon European protected species (listed in Annex IV of the Habitats Directive (Directive 92/43/EEC)).</p> <p>All bat species found in Scotland are classed as European protected species. They receive full protection under the Conservation (Natural Habitats, &amp;c.) Regulations 1994 (as amended) making it an offence to disturb a bat in a roost, obstruct access to a roost and damage or destroy a breeding or resting place of such an animal.</p> <p>Development is to partly demolish, alter and extend the dwelling house. Three species of bats have been recorded within 1km of the property, as per NBN Atlas. There is favourable habitat including trees, woodland, and water within close proximity to the site and the building is of a suitable age and style to have bat roost potential - it will require a bat survey. This is as per our <a href="#">PKC Bat Survey Guidance</a>.</p> <p>A bat survey should be undertaken by a suitably experienced and qualified ecologist to determine the actual or potential presence of bats. During the winter months a preliminary bat roost and hibernation assessment can be undertaken. If a winter survey finds the potential for bats to be present, activity surveys must be carried out before the application can be validated. Winter surveys alone will only be acceptable if they find negligible potential for bats to be present.</p> <p>Further survey cannot be conditioned as advised by the Scottish Government. The full impact of a development on protected species or habitats must be known prior to planning consent being issued. More information is available in the PKC Planning for Nature Guidance <a href="#">Planning Guidance - Planning &amp; Biodiversity - Perth &amp; Kinross Council (pkc.gov.uk)</a></p>		

	<p><b>Breeding Birds</b> For all wild bird species in Great Britain, it is an offence to intentionally or recklessly kill, injure or take a bird; take, damage, destroy or interfere with a nest of any bird while it is in use or being built; or obstruct or prevent any bird from using its nest. Evidence of use of the dwelling by breeding birds should be reported as part of the bat survey as well as compensation measures for any lost nest sites.</p> <p><b>Biodiversity Enhancement</b> Enhancement of biodiversity should be demonstrated in all projects and needs to be site specific based on surveys, location, development size, surrounding habitats and landscape character, and follow ecologist recommendations.</p> <p>Tree, house sparrows and swifts are red listed as birds of conservation concern and providing nest boxes for these species would enhance the biodiversity value of the site. This would contribute towards the Sparrows on the Edge and Tayside Swift Projects in the Tayside Local Biodiversity Action Plan. Guidance is available in the PKC Planning for Nature Guidance <a href="https://www.pkc.gov.uk/planning-guidance-planning-biodiversity">Planning Guidance - Planning &amp; Biodiversity - Perth &amp; Kinross Council (pkc.gov.uk)</a></p> <p>I object due to a lack of ecological information.</p> <p>A checklist of information required to inform a planning application regarding biodiversity is provided in Annex 4 of the PKC Planning for Nature Supplementary Guidance. Applicants are encouraged to ensure information is submitted in accordance with the checklist to reduce future information requests and delays <a href="https://www.pkc.gov.uk/planning-guidance-planning-biodiversity">Planning Guidance - Planning &amp; Biodiversity - Perth &amp; Kinross Council (pkc.gov.uk)</a></p>
<b>Recommended planning condition(s)</b>	The application cannot be assessed until more information is provided.
<b>Recommended informative(s) for applicant</b>	
<b>Date comments returned</b>	9 March 2023

# Memorandum

To Development Management & Building  
Standards Service Manager

From Regulatory Services Manager

Your ref 23/00186/FLL

Our ref OLW

Date 13 March 2023

Tel No

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Communities

## **Consultation on an Application for Planning Permission PKC 23/00186/FLL RE: Part demolition alterations and extension to Dwellinghouse, Forest Lodge, Ladywell, Birnam, Dunkeld, PH8 0DU for Ms Claire Norfolk**

I refer to your letter dated 23 February 2023 in connection with the above application and have the following comments to make.

### **Environmental Health**

#### **Recommendation**

I have no objections to the application but recommend the undernoted informative be included on any given consent.

#### **Comments**

This application is for part demolition, alterations and extension to a dwellinghouse which will include the provision of a single woodburning stove, biomass pellet boiler and associated flues.

#### **Air Quality**

Perth and Kinross Council have a duty to assess biomass boilers for capacity within the range of 50kW to 20MW in terms of nitrogen dioxide and particulate matter based on their effect on air quality in the area. Though the application does not include any information on the stove or biomass boiler, they are likely to be domestic sized and therefore I have no adverse comments to make with regards to air quality.

#### **Odour**

Another matter pertaining to the stove/boiler which could cause an issue has the potential for smoke or odour disamenity. This Service has seen an increase in complaints with regards to smoke and odour due to the installation of biomass appliances. This can be caused due to poor installation and maintenance of the biomass appliances and also inadequate dispersion of emissions due to the inappropriate location and height of a flue with regards to surrounding buildings.

I note from the submitted plans that the flue for the stove will terminate above roof ridge height, which will aid in dispersion of emissions. The applicant may experience smoke odour



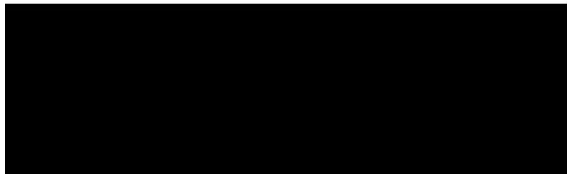
nuisance from the biomass pellet boiler due to its flue terminating at the same height as the second storey windows, but no nearby neighbouring dwellinghouses will be affected. I would advise that smoke/odour could be further minimised through the use of fuel recommended by the stove manufacturer.

In light of the above, the residential amenity at neighbouring dwellinghouses should not be adversely affected by smoke/odour.

I would therefore have no objections to this development provided that the following informative is attached to the consent.

**Informative**

The approved stove system shall be installed and thereafter operated and maintained in accordance with the manufacturer's recommendations, such that smoke odours are not exhausted into or escape into any neighbouring dwellings. Failure to do so may result in an investigation and possible action by Environmental Health under the Environmental Protection Act 1990.





**LRB-2023-25**

**23/00186/FLL – Part demolition, alterations and extension to dwellinghouse, Forest Lodge, Ladywall, Birnam, Dunkeld, PH8 0DU**

## **FURTHER INFORMATION**



## CDS Planning Local Review Body

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**From:** Tim Bayman [REDACTED]  
**Sent:** 27 September 2023 09:15  
**To:** CDS Planning Local Review Body  
**Subject:** Re: LRB-2023-25  
**Attachments:** image001.jpg

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Audrey, Lisa and the Planning Local Review Body Team

The current ecology report is a full survey of the garage and surrounding area looking at bats and nesting birds, The existing house renovation, phase 1, of the project did not require planning permission and has already been carried out.

This had to be done quickly to get our client into the house as soon as possible due to family and budgetary constraints.

As we have noted in our appeal statement we feel we were given advice that a bat survey was only a requirement if our design intervened in the existing roof of the house. We took this to be the main roof of the house as the other parts of the development including the demolition of the garage did not require planning permission. Extract from our report below.

**4.3 The pre-application also stated that “a bat survey would be required for any intervention into the roof, in line with Policy 41 of PKC LDP2 and our Bat Survey Supplementary Guidance.”**

We also find ourselves in this position because our case officer, contrary to guidance, didn't give us the opportunity to withdraw our application and resubmit it along with an ecological survey as requested by the Tree and Biodiversity Officer.

Below is the relevant extract from our Appeal Statement.

**5.48 “No ecological survey has been submitted. Therefore, the ecological impact of the development cannot be ascertained, and it cannot be shown that any impact can be avoided, or satisfactorily mitigated, to ensure the safeguarding of protected species and wildlife habitats.**

**5.49 Accordingly, the proposal is contrary to Policy 4(f) of NPF4, Policy 41 of Perth and Kinross Local Development Plan 2 2019, Perth & Kinross Council's Development Management and Wildlife Guide: Planning for Nature 2022 and Perth & Kinross Council's Bat Surveys guidance: "What are bat surveys and when do I need one?", which seek to safeguard wildlife, habitats and protected species from detrimental impacts.”**

**5.50 While this statement is factually accurate, the applicants were not made aware of the requirement for an ecological statement, nor given the opportunity to provide one during the application process, in contravention of the Council's own guidance. Had this information been requested prior to or during the application process it would have been commissioned and submitted. A bat survey has now been carried out and is included as additional information with this appeal statement.**

I have spoken to our Ecology consultant, Andrea Hudspeth of Aquila Ecology. She has subsequently spoken to the original planning case officer Keith Stirton regarding your request for a Full Ecological Survey. Both Andrea and Keith believe that the current ecology report, which remains unseen by the Tree and Biodiversity Officer, covers the necessary ground in this case.

It is our understanding that the request for the full ecology survey by the Biodiversity Officer mentioned at the Local Review Body Meeting and on page 330 & 331 of the agenda item for LRB-2023-25 was made prior to the officer seeing the report provided to the LRB.

We would therefore request that the current report is reviewed by the Perth and Kinross Council Tree and Biodiversity officer before we commission a further ecology survey.

It may be that the officer would like further information to be provided in determining this case, which we would be happy to provide, but at present our ecology consultant does not know what information this might be beyond what is already in the current report.

We would be grateful if this request could be reviewed at the next meeting of the Planning local Review Body.

Yours Sincerely

Tim Bayman  
(Agent)

## **CDS Planning Local Review Body**

---

**From:** Keith Stirton  
**Sent:** 12 October 2023 10:39  
**To:** CDS Planning Local Review Body  
**Cc:** Audrey Brown  
**Subject:** FW: LRB-2023-25 and 23/00186/FLL  
**Attachments:** 20230928 Planning (25).pdf; Phase 1 & 2 Bat Roost Assessment.pdf; 20230927 Email from Agent (25) redacted.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

In response to your request for comments on the submitted Bat Survey Report, please see the following:

The attached Bat Survey is in accordance with best practice and its conclusions are agreed. Should planning permission be granted for the proposed development, all recommendations listed in section 3 of the report should be implemented in full. Provision of bat boxes would lead to this development providing biodiversity enhancement which would be in line with our policy and guidance documents.

Accordingly, if planning permission is granted for the proposed development, the following condition would be required:

“The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved (\*INSERT document reference number) 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”.

Kind regards,

*Keith Stirton  
Planning Officer  
Development Management  
Planning & Development  
Perth & Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD*

