

Perth and Kinross Council
Planning and Placemaking Committee – 11 October 2023
Report of Handling by Head of Planning & Development
(Report No. 23/272)

PROPOSAL:	Change of use of storage shed to form a shop, siting of a workshop unit for furniture recycling/restoration, formation of parking area and associated works
LOCATION:	Land north east of Causeway Cottage, Scotlandwell, Kinross, KY13 9JQ

Ref. No: 23/01044/FLL
Ward No: P8- Kinross-shire

Summary

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

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The application is for change of use of storage shed to form a shop, siting of a workshop unit for furniture recycling/restoration, formation of parking area and associated works at land northeast of Causeway Cottage.
- 2 The site forms part of the wider curtilage of Causeway Cottage and is accessed directly from the public road. The larger site within the applicant's ownership is bounded by the Portmoak Airfield (also known as the Scottish Gliding Centre) to the west and south, by the B920 to the east, and by farmland to the north. The site contains an operational cattery, stables, furniture restoration and visitor accommodation use. The applicant's house is also within the building grouping.
- 3 The planning application is to provide additional accommodation to consolidate and expand the existing rural business allowing for growth of the furniture recycling restoration upcycling operation and some related diversification in the sale of restored furniture and related products.
- 4 The proposal is for a portacabin style structure directly adjacent to the existing building grouping with this building being utilised as a workshop for the restoration of furniture and related products. This in turn will free up space within the existing adjacent storage workshop building in order to allow both furniture

restoration to be carried out in part of this area the rear section and also to facilitate the display of restored furniture and related products for sale, including products used in the restoration upcycling process the display sales area. The application is in part retrospect as works have commenced on site.

Pre-Application Consultation

- 5 Pre application Reference: No pre-application enquiry.
- 6 The proposed development is not classed as a Major development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, therefore the applicant was not required to undertake not any formal pre-application consultation with the local community.

DEVELOPMENT PLAN

- 7 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

- 8 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.
- 9 NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.
- 10 The Council's assessment of this application has considered the following policies of NPF4:
 - Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings
 - Policy 13: Sustainable Transport
 - Policy 14: Design, Quality and Place
 - Policy 28: Retail
 - Policy 29: Rural Development

Perth and Kinross Local Development Plan 2

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

12 The principal relevant policies are, in summary:

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 5: Infrastructure Contributions
- Policy 8: Rural Business and Diversification
- Policy 13: Retail and Commercial Leisure Proposals
- Policy 46A: Loch Leven Catchment Area
- Policy 46B: Loch Leven Catchment Area
- 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

13 Non-Statutory Guidance.

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

NATIONAL GUIDANCE

14 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

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

- PAN 40 Development Management
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 75 Planning for Transport

Creating Places 2013

16 Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

National Roads Development Guide 2014

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

Site History

- 18 [09/00936/FLL](#) Full Planning Permission was Approved On 18 July 2014 for Erection of a dwellinghouse.
- 19 [11/00588/FLL](#) Full Planning Permission application was Withdrawn On 10 February 2014 for Site temporary static caravan (in retrospect).
- 20 [12/01935/FLL](#) Full Planning Permission was Approved On 18 July 2014 for Alterations to stable block.
- 21 [13/01312/FLL](#) Full Planning Permission was Approved On 18 July 2014 for Extension to cattery and office.
- 22 [15/00464/FLL](#) Modification of permission 09/00936/FLL (erection of dwellinghouse) change of house type | Former Causeway Cottage Scotlandwell.
- 23 [18/01125/FLL](#) Full Planning Permission was Approved On 16 August 2018 for Erection of a workshop, a garage and extension to stable (in part retrospect).
- 24 [21/01531/FLL](#) Full Planning Permission was Approved On 22 December 2021 for Change of use of workshop to holiday accommodation unit.
- 25 [23/00867/ADV](#) Advertisement Consent was Approved On 18 July 2023 for Display of sign (in retrospect).

CONSULTATIONS

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

External

Portmoak Community Council

- 27 Objection to proposal on the following grounds; style, materials, roof pitch and overall appearance inappropriate, not quality design, not in keeping with surroundings and inappropriate structure which appears permanent.
- 28 Overall the CC wishes to state that they support and endorse rural business diversification and enterprise but for the reasons noted cannot support this development.

(Portmoak) Scottish Gliding Centre

29 No response within time.

Internal

Structures And Flooding

30 No drainage or flood risks.

Transportation And Development

31 No objection existing arrangements acceptable.

Environmental Health (Contaminated Land)

32 A search of the historic records did not raise any concerns regarding ground contamination.

Environmental Health (Noise Odour)

33 No objection, standard conditions recommended in relation to noise and hours of operation.

Commercial Waste Team

34 No objection existing waste arrangements acceptable.

Development Contributions Officer

35 No contributions required.

Representations

36 1 representation was received from the community council issues summarised above in consultee section.

ADDITIONAL STATEMENTS

37

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	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

38 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) require the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The Development Plan comprises NPF4 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, this involves considerations of the Council's other approved policies and supplementary guidance.

39 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

40 The proposal is to supplement an existing business therefore Policy 8 Rural Business and Diversification of LDP2 and Policy 29 Rural Development of NPF4 are directly applicable. These policies seek to support the expansion of existing businesses in rural areas.

41 There are a number of applicable criteria within both of these policies which include that proposals shall contribute to the local economy, shall not suburbanise a rural area or encourage unsustainable travel patterns, shall not detrimentally impact residential amenity, can be accommodated within the landscape capacity, meets a specific need by virtue of its location in relation to existing business, is of high quality design and that the road network can accommodate the development.

42 The applicant has been operating a cattery business at this location since 2006 with expansion approved in 2013, has been resident on site since 1997, and has also diversified her rural enterprise in the last 10 years to include the recycling restoration upcycling of furniture for reuse sale, additional stables, and the provision of visitor accommodation. This proposal will expand the second-hand furniture business.

43 The proposal expands an existing building so the development is acceptable in principle and for further reasons detailed in subsequent sections the proposal is considered to comply with policy.

44 In terms of retail element of the proposal the small scale of this development is not considered to generate any significant footfall therefore the proposal does not raise any conflict in relation to Policy 13 Retail and Commercial Leisure Proposals. NPF4 Policy 28 Retail seeks to encourage retail investment and supports this through town centre first principles. There are some exceptions for small scale and rural retail, and this proposal would be deemed to accord with those in respect if it relating to shops ancillary to other uses, where the proposal

serve local needs, whilst avoiding impacts on nearby town and commercial centres. The proposal is for an ancillary retail element covering 90sqm for the sale of upcycled furniture which will take place in the workshop and could be restricted by condition to limit the retail space and the sale of upcycled furniture only, hence the support given in this instance

- 45 The proposal therefore complies with the rural business policies of both LDP2 and NPF4 as a compatible and appropriately scaled diversification of the existing onsite business, and incorporates retail of a scale which would be appropriate in the rural area.

Design and Layout

- 46 The proposal is to change of use of an existing storage shed to form a retail shop and part workshop at rear for the renovation restoration upcycling, display and sales of furniture. A further building which is portacabin style has been sited to the east of the storage shed to accommodate the main restoration workshop. The workshop unit is currently under construction and this application is in part retrospect.
- 47 The unit is not complete with exposed timber frame and no cladding; therefore it may be difficult to perceive the compatibility with the existing form of development. The building has a simple rectangular floor plan with a low sloping mono pitch roof and deep overhang. The building is no longer or higher than the large storage shed which it sits in front of. The finishes will be timber cladding and profiled sheet roof.
- 48 In terms of the compatibility of the design, form and finish it is noted that the existing building group does not contain historic or traditional buildings and is set back a distance of 90m from the public road. The siting of the proposed building sits in front of a larger scale corrugated agricultural shed. The finish materials are a material palette which matches/complements existing buildings in the group the material finish also allows the building to blend into the background.
- 49 The building is more functional in design but it is not considered to be incompatible with the existing development on site and is not considered to have a wider detrimental impact on the visual amenity of the area as the site is low lying and well contained.
- 50 As such, the proposal accords with NPF4 Policy 14 Design, quality and place, and LDP2 Policies 1A and 1B Placemaking and the supplementary placemaking guidance.

Residential Amenity

- 51 The closest residential property out with the applicant's ownership is Red House which is approximately 95 metres to the east of the of proposed new workshop building.

- 52 Environmental Health confirm that they have not had any complaints with regards to noise from the existing Causeway Creations, furniture restoration business, which is being undertaken within the existing storage building at present, or from the cattery and the holiday accommodation adjacent to this site and are also within the applicant's ownership.
- 53 The hours of operations for Causeway Creations at present are Monday to Sunday 10.00 to 17.00hours. It is therefore considered that the expansion of the business, if managed as it is as existing and with the addition of conditions to control noise and operating would not detrimentally impact residential amenity.
- 54 The proposal is therefore considered to accord with the relevant policies of the LDP2 and NPF4 where they relate to respecting residential amenity.

Roads and Access

- 55 The vehicle access to the public road network for the site will be via the existing vehicle access to the cottage off the B920.
- 56 Parking will be provided on site for an additional five vehicles to support the planned furniture restoration business.
- 57 As such, the current proposal is acceptable in terms of roads and access, and accords with NPF4 Policy 13 Sustainable Transport and LDP2 Policy 60B Transport Standards and Accessibility Requirements: New Development Proposals.

Drainage and Flooding

- 58 The development sits out with river and surface water flooding risk areas as shown on SEPA flood maps.
- 59 There are no new drainage proposals, and no new drainage infrastructure is required.

Waste Collection

- 60 The waste collection is a road end service. The existing collection point and bins on site will be sufficient for this proposal.

Developer Contributions

- 61 The proposal does not require any developer contributions.

Economic Impact

- 62 The expansion of the existing business will contribute positively to the local economy.

VARIATION OF APPLICATION UNDER SECTION 32A

- 63 This application was not varied prior to determination.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

- 64 Not required.

DIRECTION BY SCOTTISH MINISTERS

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

CONCLUSION AND REASONS FOR RECOMMENDATION

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

RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

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

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

2. All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Reason - In order to safeguard the neighbouring residential amenity in the area.

3. The hours of operations shall be restricted to 0700 hours to 1900 hours daily.

Reason - In order to safeguard the neighbouring residential amenity in the area.

4. The retail floor space shall be restricted to the sale of furniture and associated home furnishing/décor goods in the area as annotated as retail on plan ref 07.

Reason - In order to control and limit the retail element of the proposal.

B JUSTIFICATION

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

C PROCEDURAL NOTES

None required.

D INFORMATIVES

1. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position. Please use the form attached herewith.
2. An application for Building Warrant may be required.

Background Papers: 1 letter of representation

Date: 29th September 2023

DAVID LITTLEJOHN HEAD OF PLANNING & DEVELOPMENT

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