

Perth and Kinross Council
Planning and Placemaking Committee – 10 January 2024
Report of Handling by Strategic Lead – Economy, Development and Planning
(Report No. 24/14)

PROPOSAL: Change of use, alterations and extension to agricultural steading to form 7 dwellinghouses, erection of a dwellinghouse and associated ancillary outbuildings, formation of access road, parking areas and associated works

LOCATION: Kinvaid Farm, Moneydie, Perth, PH1 3HZ

Ref. No: [23/01094/FLL](#)

Ward No: P5- Strathtay

Summary

This report recommends approval of the application subject to the settlement of necessary developer obligations relating to affordable housing and transport infrastructure 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 site is a disused agricultural steading and farmhouse located 500m north of Moneydie and approximately 2 miles west of Luncarty. The site extends to approximately 2 hectares and undeveloped parts comprise rough grassland with trees and hedging around the boundaries. The buildings sit on a flat area, whilst the site generally slopes sharply downwards from north-east to south-west.
- 2 The agricultural buildings and a farmhouse are arranged around a central courtyard. The north range building is spread over one-and-a-half storeys; the south range comprises a three-storey farmhouse and attached single-storey agricultural building and the east range is made up of one-and-a-half storey buildings of stone, brick, and slate construction, with chimney stacks. There is a lean-to extension, with timber supports and a corrugated metal roof, running along the north-east elevation.
- 3 The steading buildings date from the early 19th century. The steading and attached horse mill are listed at Category C (LB52511) and a separate application for listed building consent (23/01093/LBC) has been submitted for the physical works connected with the development proposed in this application.

- 4 The proposal is for the change of use, alterations and extension to the agricultural steading to form 7 dwellinghouses. For the listed steading building, two one-and-a-half storey dwellinghouses are proposed - The Horsemill with 5 bedrooms and The Stables with 4 bedrooms. Finishing materials include stone, slate and zinc roofs (Pigmento Green) and aluminium clad timber windows and doors (Chartwell Green).
- 5 A further five dwellinghouses are proposed through taking down and reconstructing the remaining steading buildings and farmhouse, on the same footprint but with extensions. The finishing materials will be the same as the listed steading.
- 6 One new dwellinghouse is proposed on land to the east of the steading buildings. The new build house will be one-and-a-half storey with natural stone walls and Slate roof, with a standing seam clad extension.
- 7 The central courtyard will be accessible to all properties and each property will have an area of private external garden ground, as well as individual spaces for car parking and storage.
- 8 The proposal also includes associated ancillary outbuildings and boundary treatments include post and wire fencing, stone retaining walls and low level hedging.
- 9 The site is served by a private access which extends to the north and links with the C408 public road from Moneydie to Bankfoot. It is proposed to upgrade and widen the existing track within the site and to form visibility splays at the junction with the public road.
- 10 A drainage strategy has been submitted and it is proposed to dispose of foul water via a private drainage system to a shared private treatment plant, before discharging into a foul water soakaway. Surface water would be dispersed within the site to a SUDS pond to be located in the south-east part of the site.
- 11 A Tree Survey Report notes one tree is to be felled to enable the development. Compensatory planting of three trees is proposed together with further hedgerow and tree planting.

Pre-Application Consultation

- 12 23/00020/PREAPL - Redevelopment of existing farmhouse steading and conversion of existing Category C Listed Building to form 7 no. Residential dwellings and the construction of 1 no. new build dwelling, with associated outbuildings and services – response sent 28 March 2023.
- 13 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

- 14 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

- 15 The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve peoples lives by making sustainable, liveable and productive spaces.
- 16 NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.
- 17 The Council's assessment of this application has considered the following policies of NPF4:
- Policy 2: Climate mitigation and adaptation
 - Policy 3: Biodiversity
 - Policy 6: Forestry, woodland and trees
 - 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 18: Infrastructure First
 - Policy 20: Blue and green infrastructure
 - Policy 22: Flood risk and water management
 - Policy 23: Health and Safety

Perth and Kinross Local Development Plan 2019

- 18 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.
- 19 The principal relevant policies are, in summary:
- Policy 1A: Placemaking
 - Policy 1B: Placemaking

- Policy 2: Design Statements
- Policy 5: Infrastructure Contributions
- Policy 19: Housing in the Countryside
- Policy 20: Affordable Housing
- Policy 26B: Archaeology
- Policy 27A: Listed Buildings
- Policy 39: Landscape
- Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
- Policy 41: Biodiversity
- Policy 42: Green Infrastructure
- Policy 47: River Tay Catchment Area
- Policy 53B: Water Environment and Drainage: Foul Drainage
- Policy 53C: Water Environment and Drainage: Surface Water Drainage
- Policy 53E: Water Environment and Drainage: Water Supply
- Policy 57: Air Quality
- Policy 58A: Contaminated Land
- Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

Statutory Supplementary Guidance

- Supplementary Guidance - Green & Blue Infrastructure (adopted in 2020)
- Supplementary Guidance - Housing in the Countryside (adopted in 2020)
- Supplementary Guidance - Placemaking (adopted in 2020)
- Supplementary Guidance - Developer Contributions & Affordable Housing (adopted in 2023)

OTHER POLICIES

Non-Statutory Guidance

- Planning Guidance - Planning & Biodiversity

NATIONAL GUIDANCE

20 The Scottish Government expresses its planning policies and guidance through The National Planning Framework 4, Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

Planning Advice Notes

21 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

- 22 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

- 23 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

- 24 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

- 03/01216/PN was Refused On 20 August 2003 for Erection of a storage barn
- 03/02131/FUL Full Planning Permission was Approved On 28 September 2004 for Erection of an agricultural shed
- 11/00658/FLL Full Planning Permission was Approved On 20 June 2011 for Erection of an anemometer mast for a period of one year
- 17/00281/FLL Full Planning Permission application was Withdrawn On 31 May 2017 for Formation of campsite to site 60no. tent pitches, 33no. accommodation units, 2no. toilet blocks and 1no. toilet/catering block, reception building, community hub, maintenance store, car parking, landscaping and associated works
- 17/00653/PN On 19 April 2017 for Erection of an agricultural storage building
- 17/00776/FLL Full Planning Permission was Approved On 3 July 2017 for Erection of agricultural shed
- 17/01694/FLL Full Planning Permission was Refused On 6 February 2018 for Formation of holiday park and siting of 20no. accommodation units, erection

- of a reception/maintenance building, formation of car parking, landscaping and associated works
- 18/01715/FLL Full Planning Permission was Refused On 1 November 2018 for Erection of a hut
- 18/02184/PAA was Refused On 7 January 2019 for Erection of an agricultural building
- 21/00138/LBC Listed Building Consent application was Withdrawn On 22 December 2021 for Demolition of steading buildings
- 21/00139/FLL Full Planning Permission application was Withdrawn On 22 December 2021 for Demolition of steading buildings/farmhouse, erection of 8 dwellinghouses, associated communal and ancillary outbuildings, installation of solar arrays, formation of access road, car parking, drainage and associated works
- 21/02279/FLL Full Planning Permission was Refused on 30 August 2022 for Change of use, alterations and extension to agricultural steading to form 6 dwellinghouses, erection of 2 dwellinghouses and associated communal and ancillary outbuildings, installation of solar arrays, formation of access road, parking area and associated works - Planning appeal reference: PPA-340-2148 dismissed 26 January 2023
- 21/02280/LBC Listed Building Consent was Approved On 11 July 2022 for Alterations and extension to buildings to form 6 dwellinghouses
- 23/00585/PAA On 21 June 2023 for Erection of agricultural storage building
- 23/01093/LBC Listed Building Consent for alterations and extension to buildings to form dwellinghouses – Pending Consideration

CONSULTATIONS

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

External

26 **Scottish Water** - No objection.

27 **Perth And Kinross Heritage Trust** - No objection subject to an archaeological condition to ensure a detailed survey is undertaken of the whole farm complex including the farmhouse and steading to be demolished in consultation with the LPA and PKHT.

Internal

28 **Affordable Housing Enabler** - Commuted sum accepted in this instance in line with Supplementary Guidance.

29 **Conservation Team** - No objection subject to conditions. The proposed works will have a significant impact on the fabric and character of the listed north range but it is accepted that significant alterations and additional development are required to enable the repair and active reuse of a building group which has been disused for a sustained period. During the application process, discussion has

taken place regarding the extent of downtakings required to facilitate the proposed conversion to residential use. While the extent of the downtakings in relation to the horse mill are regrettable sufficient justification has been submitted to evidence that alternatives have been fully considered and the works are the minimum necessary to ensure safe conversion of the north range. The recommendation of PKHT for a condition for a detailed archaeological building recording exercise prior to commencement of works is supported.

- 30 **Transportation And Development** - No objection subject to conditions following submission of further information.
- 31 **Environmental Health (Contaminated Land)** - No objection and condition recommended to ensure Phase 1 Desk Study is submitted for written approval prior to commencement of works.
- 32 **Environmental Health (Noise Odour)** - No objection.
- 33 **Development Contributions Officer** - In line with Supplementary Guidance a contribution towards affordable housing, and transport is required - £75,192. During the course of the application, the revised Supplementary Guidance on Developer Contributions was adopted which no longer required an education contribution for this site.
- 34 **Biodiversity/Tree Officer** - No objection, subject to conditions.
- 35 **Structures And Flooding** - No objection. Condition to ensure SUDS design submitted for written approval of the Planning Authority.

REPRESENTATIONS

36 12 representations were received including 11 in support of the application. The main issues raised within the representation, neither objecting or supporting the application, related to the following:

- Loss of trees
- Overlooking

These issues are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

37

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment under Habitats Regulations	Habitats Regulations Appraisal / AA Not Required

Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Submitted – Drainage Strategy, Transport Statement, Ecology Report, Structural Inspection Report, Restoration Works Statement, Tree Survey, Planning and Listed Building Statement and a Development Viability Statement.

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, as identified elsewhere in this report.
- 39 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.

Principle

- 40 The site comprises a disused agricultural steading and farmhouse which have been vacant for a considerable number of years (circa August 1987) and have fallen into a state of disrepair. The Category C listed steading building and horse mill (HS Ref 52511) are on the Buildings at Risk Register for Scotland (Ref 6427).
- 41 The principle policies for consideration are NPF4 Policy 9: Brownfield, vacant and derelict land and empty buildings which supports development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary (Policy 9a and 9d). Also, NPF4 Policy 17: Rural homes supports new homes in rural areas where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development meets specific criteria. The proposal aligns with the following criterion listed in paragraph (a) of NPF4 Policy 17:

- (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; and
- (viii) reinstates a former dwellinghouse through the redevelopment of the farmhouse.

42 LDP2 Policy 19: Housing in the Countryside and the associated Supplementary Guidance are relevant, and this policy acknowledges that opportunities 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. The development of single houses or groups of houses which fall within one of the six identified categories below will be supported:

- 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 SG
- 4) Renovation or replacement of houses
- 5) Conversion or replacement of redundant non-domestic buildings
- 6) Development on rural brownfield land

43 Category 4 is applicable which allows for the renovation or replacement of houses. The Supplementary Guidance states that where a house under this section is proposed for substantial rebuilding or complete replacement, the applicant may be required to submit a Development Viability Statement, prepared by an independent expert, demonstrating that the house either:

- Cannot readily be extended or improved to allow it to be brought up to modern standards, or
- Is not capable of renovation at an economic cost.

44 Category 5 is also applicable which allows for the conversion or replacement of redundant non-traditional buildings to form houses providing the buildings are of traditional form and construction. The Supplementary Guidance states that 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 SG also allows for some limited new build accommodation associated with the conversion of traditional building complexes. 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.

45 The Supplementary Guidance highlights that harnessing the potential of traditional rural buildings which have become redundant is particularly important to achieving the aims of Policy 19. These buildings not only make a significant contribution to the character and quality of the rural landscape but are an important resource which should be reused wherever possible in the interest of sustainability and to help meet rural housing needs.

46 The proposal can be divided into three elements. The first is the section of the listed steading and horsemill which is proposed for conversion (2 dwellinghouses), the second is the replacement of the farmhouse and remaining steading buildings with new build (5 dwellinghouses) and the third is the one proposed new build dwellinghouse.

47 Conversion – This element of the proposal would be a conversion of a traditional building which is considered to contribute positively to the landscape character of the area. The existing northwestern lean to, which does not form part of the listing, is to be replicated to form a lean-to extension and finished in a contemporary roof material to differentiate between this element and the main form. It will also complement the other lean-to extensions throughout the development. The round mill is to be rebuilt, with the existing structural detailing and stonework utilised as far as is reasonably practicable. The roof of the proposed mill will have a traditional lead cap, with high-level glazing flooding the space below with light before natural slate continues down the roof. An authentic rebuild strategy for the stonework is proposed to achieve a high-quality finish and includes careful detailing of door and window jambs, stone quoins, re-exposing archways, frameless glazing and interior stone and exposed timber. The

proposed alterations and extensions are sympathetic and in harmony with the historic building. The proposed new build elements are considered to be of a scale and design in keeping with the character of the buildings, offering a sympathetic blend of old and new.

- 48 New build replacement sections – It is proposed to replicate closely the overall layout, scale and design of the existing farmhouse, traditional steading buildings and the existing courtyard configuration. In addition, the materials of the existing buildings would be re-used as far as possible and replicated where reuse is not possible. The scale, massing and design of the proposed extensions are sympathetic to the original and remaining buildings whilst incorporating contemporary elements. A development viability statement has been submitted which demonstrates that the buildings require to be reconstructed because of structural deficiencies which cannot be remedied at an economic cost.
- 49 New build dwellinghouse – The development viability statement demonstrates that the proposed new build dwellinghouse is required in order to achieve a viable scheme for redevelopment of the steading buildings and the conversion of the listed building. The proposed location to the east of the existing steading buildings and the design scale, and massing of the dwellinghouse is considered to be in keeping with the character and appearance of the surrounding area. Furthermore, in comparison to the siting of the enabling aspects of the previous application, the tabled solution is considered to be more sympathetic being set off to the side on the main approach to the listed building, and against the backdrop of existing trees.
- 50 A development viability statement, structural inspection report and a restoration works statement have been submitted to support the proposed development. The supporting documents highlight the structural deficiencies which cannot be remedied at an economic cost and the construction costs of the development. In this instance, it is considered that the submitted information adequately justifies the development proposal and the need for a new dwellinghouse in order to bridge the financial gap of viability, and also to allow for the payment of the identified developer contributions.
- 51 In respect of addressing the requirements set out in the Supplementary Guidance, the proposal is in an accessible location close to Moneydie and Luncarty with public transport links, schools and shops. The proposed layout primarily follows the existing courtyard and footprint and a high design quality is proposed at a scale appropriate to its location. Planning conditions are recommended to ensure that prior to the commencement of development samples of all finishing materials and details of boundary treatments together with a high-quality landscaping plan are submitted for the written approval of the Planning Authority (Conditions 3, 4 and 13).
- 52 The proposed development is considered to satisfy the relevant criteria of LDP2 Policy 19 Housing in the Countryside and related Supplementary Guidance.

Design, Layout and Landscape

- 53 NPF4 Policy 14 Design, quality and place requires development proposals to improve the quality of an area and be consistent with the six qualities of successful places. This aligns with LDP2 Policy 1 Placemaking which states 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. Further guidance is also provided within the associated Placemaking Supplementary Guidance.
- 54 The overall layout, scale and massing of the existing steading buildings would be largely replicated, and the proposals are generally respectful of the agricultural character of the site and its surroundings. The proposed palette of materials is also considered appropriate and sensitive to the traditional character and appearance of the buildings and their rural setting. The proposed site plan shows new tree planting, low level hedging and trough style planters. A condition is recommended to ensure a detailed and high-quality landscape plan is submitted for written approval of the Planning Authority prior to the commencement of development (Condition 13). The new build dwellinghouse has been sited and designed in keeping with the existing group of buildings and would sit comfortably alongside the listed building without compromising its setting.
- 55 The surrounding landscape is characterised by undulating topography with large areas of mature woodland and small groups of buildings. The steading itself sits on an elevated site however extensive areas of woodland around the site mean that only the southern elevation comprising the former farmhouse and adjoining barn have any prominence in views of the site. The development would therefore have no unacceptable adverse impact on surrounding local landmarks, views or skylines. The proposal is therefore considered to relate positively to the established landscape character of the area.
- 56 The proposal proposed development is of an appropriate scale and design and sympathetic to the rural character and visual amenity of the area and satisfies NPF4 Policy 14 Design, quality and place and LDP2 Policy 1 Placemaking and Policy 39 Landscape.

Residential Amenity

- 57 A representation highlighted the proximity to a neighbouring dwellinghouse and potential for overlooking. The existing steading buildings sit on an elevated site and there is existing tree planting which offers screening including on the west boundary of the site. This obscures views of a neighbouring property over 60m south-west of the site. The existing boundary screening (west) is not impacted by the development. The proposal is not considered to give rise to any concerns regarding overlooking of neighbouring dwellinghouses. Further, the Tree Survey

Report shows proposed compensatory planting on the south-west boundary of the site which will offer further screening.

- 58 The proposal will include the provision of eight woodburning stoves. Environmental Health was consulted due to potential smoke and odour issues arising from their use impacting on residential amenity. Environmental Health consider there will be no impact to air quality due to their domestic size. It is noted from the submitted plans that all stove flues will terminate at a suitable height to aid in the dispersion of emissions. As such it is considered the residential amenity of neighbouring dwellinghouses should not be adversely affected by smoke/odour. The proposal satisfies NPF4 Policy 23 Health and Safety and LDP2 Policy 57 Air Quality.

Roads and Access

- 59 The vehicle access to the site will be from the C408 and is to be upgraded as part of the development. The applicant has shown that there is sufficient car parking on site for each of the plots. Transportation and Development was consulted and recommend conditions to ensure an appropriate visibility splay is implemented; the requirement for waste collection vehicles is satisfied; install rural bus boarders on either side of the public road and road construction design standards are met (Conditions 5, 6 and 7).
- 60 The application site is accessible by a choice of sustainable travel modes and is located close to Moneydie, Redgorton and Luncarty where options for public transport are available. The proposal satisfies NPF4 Policy 13 Sustainable Transport and LDP2 Policy 60B New Development Proposals, subject to conditions.

Drainage and Flooding

- 61 LDP2 Policy 53B relates to foul drainage and states that 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.
- 62 As there are no foul sewers in the vicinity of the development it is proposed to dispose of foul water via a private drainage system. Foul water would be collected and conveyed via drains to a shared private packaged treatment plant before discharging into a foul water soakaway within the site boundary.
- 63 LDP2 Policy 53C relates to surface water drainage and requires all new development to employ SUDS measures. It is proposed to collect and convey surface water runoff from building roofs and hardstanding areas to a SUDS pond located in the south-eastern part of the site.
- 64 Policy 53E requires that 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.

- 65 It is proposed to connect to a private water supply and an informative is recommended regarding the requirement to submit detailed information regarding the private water supply to Perth and Kinross Council Environmental Health.
- 66 The Flooding Team was consulted and note from a review of the SEPA map and site/access topography, flood risk should be negligible. A condition is recommended to ensure full details of a sustainable urban drainage system is submitted for written approval of the Planning Authority prior to the commencement of development (Condition 9).
- 67 The proposal satisfies NPF4 Policy 22 Flood risk and water management and LDP2 Policy 53 Water Environment and Drainage, subject to conditions.

Conservation Considerations

- 68 The north range of the steading is listed at Category 'C' as a relatively rare and early example of this type of agricultural building, which includes an attached horse mill. The supporting information demonstrates the building is not suitable for modern agricultural use and has been marketed for a reasonable period for alternative uses and as such the principle of conversion to residential use is considered acceptable. Given the condition of the building, as outlined in the supporting information, extensive repair will be required to convert/bring the building back to a usable condition. Whilst the overall approach to the proposed works and design of the conversion scheme, including the proposed extension, would be in keeping with the character and appearance of the listed building, a condition is recommended to ensure comprehensive details of the methods and materials of the work is submitted for written approval (Condition 11).
- 69 The remaining buildings, which sit within the curtilage of the listed building, make a significant contribution to its context and setting. As such the design approach of locating the proposed extensions on the outer facades of the buildings and retaining most of the courtyard as communal space would preserve the important physical and visual relationship between the buildings.
- 70 Any new development within the site could impact on the relationship between the listed building and its wider rural landscape setting which is important in understanding its original purpose and function. Given the location and scale of the proposed new build house it is considered that the wider landscape setting of the listed building would be preserved to an acceptable level. Review of the Development Viability Statement, which has not been made publicly available due to the sensitive nature of the content, sees it accepted that the additional new dwellinghouse is required to generate funds to bridge the viability deficit and secure the proposed redevelopment of the remaining steading buildings. Notwithstanding the viability issues, developer contributions are still to be

secured. The alternative being that it would not be financially viable to undertake the project and the outcome instead being that the listed building remains without a long-term ongoing use and deteriorates in condition. As noted previously in the report the listed building is on the Buildings at Risk Register for Scotland.

- 71 The proposed development satisfies NPF4 Policy 7 Historic assets and places and LDP2 Policy 27A Listed Buildings, subject to condition.

Archaeology

- 72 LDP2 Policy 26B Archaeology seeks to protect areas or sites of known archaeological interest and their settings. Perth and Kinross Heritage Trust (PKHT) have been consulted as the proposed development site is archaeologically sensitive.
- 73 PKHT recommend a planning condition to ensure that development does 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 (Condition 8).
- 74 The proposal satisfies LDP2 Policy 26B Archaeology, subject to condition.

Natural Heritage and Biodiversity

- 75 NPF4 Policy 3 Biodiversity and LDP2 Policy 41 seeks to protect and enhance all wildlife and wildlife habitats whether or not formally designated. NPF4 Policy 6 Forestry, woodland and trees and LDP2 Policy 40B Trees, Woodland and Development seek to protect and expand forests, woodland and trees. Also, relevant is national and local policy which seeks to protect and enhance blue and green infrastructure including nature restoration, biodiversity enhancement and flood prevention and water management and ensure this is an integral part of development proposals. Development proposals which result in the fragmentation or net loss of existing blue and green infrastructure will not be supported as outlined in NPF4 Policy 20 Blue and green infrastructure and LDP2 Policy 42 Green Infrastructure.
- 76 An Ecological Survey including a Bat Survey was submitted. Multiple bat roosts have been identified for a range of bat species and a bat species protection plan was submitted.
- 77 The Ecological Survey identified the presence of barn owls and a barn owl species protection plan was submitted. A compensatory stand-alone building with provision for bats and owls is proposed (Condition 16).
- 78 As a result of the site's history, multiple Ecological Survey Reports were submitted, and the Biodiversity Officer noted that these were carried out and

prepared in accordance with best practice. The site plan shows indicative biodiversity enhancement measures including planting native trees, fruit trees and hedgerow planting. Provision should be made for barn swallows, house martins, swifts, and house sparrows. The Biodiversity Officer considers that, subject to the implementation of the mitigation measures contained in the reports and the measures to enhance biodiversity, the development would have no detrimental impact on biodiversity (Conditions 13, 14 and 16).

- 79 An updated Tree Survey Report was submitted during the application process and one tree is proposed for removal to enable the development. Compensatory planting of three trees on the south-west boundary is proposed. Tree protection measures will be put in place to safeguard the retained trees and a condition is recommended to ensure this (Condition 19). A condition is recommended to ensure a detailed landscaping plan and biodiversity enhancement plan is submitted for written approval prior to the commencement of work (Condition 13).
- 80 In respect of blue infrastructure, a SUDS pond is to be located in the south-eastern part of the site as highlighted previously in the report.
- 81 The proposal satisfies NPF4 Policy 3 Biodiversity and LDP2 Policy 41 Biodiversity; NPF4 Policy 6 Forestry, woodland and trees and LDP2 Policy 40B Trees, Woodland and Development; and NPF4 Policy 20 Blue and green infrastructure and LDP2 Policy 42 Green Infrastructure, subject to conditions.

Contaminated Land

- 82 National and local planning policy states that where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is or can be made safe and suitable for the proposed use.
- 83 A Phase 2 Site Investigation report produced by Millard dated October 2020 was submitted with the application. The report has identified constraints to the development which will require remediation and verification before the site can be deemed suitable for the proposed use. A condition is therefore recommended to submit a further study for written approval by the Planning Authority prior to the commencement of development (Condition 17).
- 84 The proposal satisfies NPF4 Policy 9 c) and LDP2 Policy 58A Contaminated Land, subject to condition.

Developer Contributions

- 85 The Council's Affordable Housing Policy requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing. The proposal is for the creation of 8no. units. The Affordable Housing requirement would therefore be 2no. units. Alternatively, the site is located in the Perth Housing Market Area where a

Commuted Sum of £28,000 per unit applies. The calculated contribution would be £56,000.

- 86 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, including for extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity. This proposal is within the catchment of Luncarty Primary School where there is no constraint.
- 87 The Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth. The site is located within the Reduced area of Transport Infrastructure contributions zone (Appendix 3 of the Supplementary Guidance), where the rate is £2,742 per open market unit and £1,370 per Affordable Housing unit (which would be applied to 2x units given the Affordable Housing contribution). The calculated contribution would be £19,192 ((6x £2,742) + (2x £1,370)).
- 88 The total developer contributions payable would therefore be £75,192 (£56,000 + £19,192). This would be required to be secured via legal agreement or other suitable mechanism before any positive Decision Notice was issued.

Economic Impact

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

VARIATION OF APPLICATION UNDER SECTION 32A

- 90 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

- 91 A Section 75 legal agreement or other suitable mechanism will be required to secure the developer contributions relating to Affordable Housing, and Transport Infrastructure.

DIRECTION BY SCOTTISH MINISTERS

- 92 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

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

RECOMMENDATION

Delegated Approval, subject to the settlement of Developer Obligations, and the following conditions:

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

Reason: This is a Planning Permission in terms of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of the Planning (Scotland) Act 2019.
2. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason: To ensure the development is carried out in accordance with the approved drawings and documents.
3. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. For the avoidance of doubt, this shall include details of any retaining structures and screening between dwellinghouses. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
4. Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site shall be submitted to and agreed by the Council as Planning Authority. The scheme as subsequently agreed shall

be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

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

5. Prior to occupation of the first unit, bus boarders will be constructed on both sides of the C408 public road network as shown in Drawing Number 18, for the proposed development in accordance with Perth & Kinross Council's Road Development Guide, Rural Bus Boarder. Dropped kerbs will be provided on both sides of the road. The work shall be supervised by the Area Roads Engineer and in accordance with standards of the Roads Authority.

Reason: In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

6. Prior to the commencement of the development hereby approved, full visibility splays of 120 metres shall be provided to the left and right of the access, at a set-back of 2.4 metres measured 1.05m above the road level as shown in Drawing Number 19. The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated outwith the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: In the interests of road safety; to enable drivers of vehicles using the access to have a clear view of other road users.

7. No development in connection with the permission hereby granted shall commence unless the vehicular access has been provided and surfaced in accordance with Perth & Kinross Council's Road Development Guide Type B Figure 5.6 access detail with 3 metre radii, of Type B Road construction detail. The Type B Road construction detail shall continue to the entrance of the development for a minimum distance of 5 metres.

Reason: In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

8. 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.

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

9. Development shall not commence on site until a detailed sustainable urban drainage system (SUDS) has been submitted for the written agreement of the Council as Planning Authority, in consultation with SEPA where necessary. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C753) and the Council's Flood Risk and Flood Risk Assessments Developer Guidance, and shall incorporate source control. All works shall be carried out in accordance with the agreed scheme and be operational prior to the bringing into use of the development.

Reason: To ensure the provision of effective drainage for the site.

10. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable a Sustainable Urban Drainage System to meet the requirements of best management practices.

Reason: To ensure the provision of effective drainage for the site.

11. Prior to the commencement of the development hereby approved, full details of the works to the listed building hereby approved shall be submitted to and agreed in writing by the Council as Planning Authority. The works as agreed shall be implemented as part of the development.

Reason: In the interests of protecting the special character of the Listed Building.

12. Prior to the commencement of the development hereby approved, details of the foul water drainage system, including packaged treatment plant and foul water soakaway shall be submitted to and agreed in writing by the Council as Planning Authority. The details as agreed shall be implemented as part of the development.

Reason: To ensure the provision of effective drainage for the site.

13. Prior to the commencement of the development hereby approved, a detailed landscaping, planting and biodiversity enhancement scheme for the site shall be submitted for the written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The planting scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme

shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

14. The conclusions and recommended action points within the supporting ecological survey reports submitted and hereby approved (document 26, 42 and 69 relates) shall be fully adhered to, respected and undertaken as part of the construction phase of development, to the satisfaction of the Council as Planning Authority.

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

15. An updated bat survey will be required prior to the commencement of works, if works have not commenced within 24 months of the date of the bat survey approved as part of this permission. The updated survey shall be submitted to the Council as Planning Authority for written agreement and works shall not commence until after such written agreement has been issued by the Council.

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

16. Prior to the completion or occupation of the building(s) hereby approved, whichever is the earlier, a replacement nest site for barn owl shall be provided in accordance with published guidance. Thereafter, the agreed scheme shall be maintained in a reasonable condition for the life of the development, to the satisfaction of the Council as Planning Authority.

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

17. 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.

Reason: In order to deal with any potential contamination of the site as a result of its former use.

18. That no development shall be undertaken unless a detailed phasing programme outlining the delivery of buildings (including for the conversion of the retained listed building in early phases), and associated infrastructure across the entire application site has been submitted to and approved in writing by the Planning Authority. No development shall subsequently occur other than in full accordance with any phasing programme thereby approved.

Reason: In order to ensure that development is progressively accompanied by the conversion of the listed building at the earliest opportunity to ensure its preservation, to provide appropriate associated infrastructure, and in the interests of the visual amenity of the area.

19. Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.

Reason: To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

20. All trees on site, other than those marked for felling on the approved plans, shall be retained.

Reason: To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

21. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number to the satisfaction of the Council as Planning Authority.

Reason: In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.

Justification

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

Procedural Notes

Permission shall not to be issued until the Section 75 Agreement has been signed and registered to take account of this application. The legal agreement should be concluded and completed within 4 months of the date of any Committee approval. Failure to conclude a legal agreement within 4 months will result in the planning application being re-assessed through failing to comply with the associated developer contributions policy and may be ultimately recommended for refusal under delegated powers.

Informatives

1. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
2. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
3. This is approval of your application Ref no 23/01094/FLL for planning permission only. It does not include any approval for your related Listed Building Consent Ref no 23/01093/LBC. You should therefore not commence work until you have received Listed Building Consent. Carrying out alterations without Listed Building Consent is an offence.
4. 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.
5. The applicant shall ensure the private water supply for the dwellinghouse/ development complies with the Water Scotland Act 1980 (Section 63), The Private Water Supplies (Scotland) Regulations 2006 and The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above Act and Regulations.
6. This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before

works can start on site or at a certain time. The required information must be submitted via the ePlanning portal if your original application was lodged that way, otherwise send it to us at developmentmanagement@pkc.gov.uk.

Please be aware that a fee is payable in respect of each request made, though there is no limit to the number of conditions that can be discharged in a single request. The Fees Charter is available on our website www.pkc.gov.uk. The Council has two months to consider the information. You should therefore submit the required information more than two months before your permission expires. We cannot guarantee that submissions made within two months of the expiry date of your permission will be able to be dealt with before your permission lapses.

7. There is a Section 75 legal obligation associated with this planning permission, which relates to the provision of developer contributions, and the timeous delivery of the conversion of the retained listed building. A copy is available to view on the Council's Public Access portal.
8. The applicant is advised that, in terms of Sections 56 of the Roads (Scotland) Act 1984, he/she/they must obtain from the Council, as Roads Authority, consent to open an existing road or footway prior to the commencement of works. Information on junction types, requirements for Vehicular Access consents (VA1) and application forms are available at www.pkc.gov.uk/vehicleaccess. Advice on the disposal of surface water should be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
9. The applicant is advised to refer to Perth & Kinross Council's Supplementary guidance on Flood Risk and Flood Risk Assessments 2021 as it contains advice relevant to your development.

Background Papers: 12 Letters of representation
Date: 22 December 2023

DAVID LITTLEJOHN
STRATEGIC LEAD - ECONOMY, DEVELOPMENT AND PLANNING

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