

LRB-2024-17

23/01127FLL - Part change of use, alterations and extension to dwellinghouse to form short-term let accommodation unit, Lawnmuirden, Methven, Perth, PH1 3SZ

REPORT OF HANDLING (replacement for pages 535-539)

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DELEGATED REPORT

Ref No	23/01127/FLL	
Ward No	P9- Almond And Earn	
Due Determination Date	2nd September 2023	
Draft Report Date	30th January 2024	
Report Issued by	AMB	Date 30 January 2024

PROPOSAL: Part change of use, alterations and extension to dwellinghouse to form short-term let accommodation unit

LOCATION: Lawmuirden, Methven, Perth, PH1 3SZ

SUMMARY:

This report recommends **refusal** of a detailed planning application for an extension to an existing dwelling for the purposes of a short term let (STL) on a site outside of Methven, 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 planning application seeks to obtain a detailed planning permission for an extension to an existing dwelling to be used as a STL.

The existing property is a single storey cottage, which located within a small hamlet just outside Methven.

The proposed extension will offer two levels of accommodation, with the upper level within the roofspace via the use of rooflights and a gable window – which will lead to a balcony.

SITE HISTORY

The cottage has been extended previously via formal planning permissions, however these do not necessarily have any bearing on this current proposal.

PRE-APPLICATION CONSULTATION

None undertaken.

DEVELOPMENT PLAN

The Development Plan for the area comprises National Planning Framework 4 (NPF4), the Perth and Kinross Local Development Plan 2 (2019) (LDP2) and statutory supplementary planning guidance (SPG).

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 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 site is located within the landward area of the LDP2, where the following policies are applicable,

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 41: Biodiversity

Statutory Supplementary Planning Guidance

The following statutory SPG are applicable to this proposal,

- Developer Contributions & Affordable Housing 2020
- Developer Contributions & Affordable Housing 2023
- Placemaking 2020

OTHER PKC POLICIES

Non-Statutory Planning Guidance

The following non-statutory PG are applicable to this proposal,

- Planning & Nature

- Ancillary & Annex Accommodation

NATIONAL PLANNING GUIDANCE

The Scottish Government expresses its planning policies through 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

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.

EXTERNAL CONSULTATION RESPONSES

Scottish Water have commented on the proposal and have no objections in terms of capacity issues.

INTERNAL COUNCIL COMMENTS

Communities Housing Strategy have commented on the proposal and indicated that the level of STLs in the area is not high.

Transportation And Development have commented on the proposal and raised no objection in terms of access or parking related matters.

Development Contributions Officer has confirmed that there is no requirement for any developer contributions in relation to Primary Education or Transport Infrastructure.

Structures And Flooding were consulted on the proposal, but have not made any specific comment in relation to flood risk.

Environmental Health has commented on the proposal, and subject to a standard informative note being attached in relation to STL licencing.

REPRESENTATIONS

None received.

ADDITIONAL STATEMENTS RECEIVED

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment under Habitats Regulations	AA Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact	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, the LDP2 and statutory SPGs. The relevant policy considerations are outlined in the policy section above and are considered in more detail below.

In terms of other material considerations, the Council has published non-statutory planning guidance on STLs, and whilst this document does not have the same weighting as the Development Plan, its content and intent should be noted. The Council's non-statutory policies on Annex and ancillary developments is also applicable.

Policy Appraisal

There are relevant policies contained in all parts of the Development Plan.

In terms of the NPP4, *Policy 14 (Design, Quality and Place)* looks to promote good quality design for all new proposals and places bio-diversity front and centre of all planning decisions (*Policy 3*). *Policy 30 (Tourism)* offers support for new STLs in appropriate locations.

In terms of LDP2, *Policies 1 (Placemaking)* and *Policy 41 (bio-diversity)* are applicable to this proposal. *Policy 1* seeks to ensure that all new developments do not have an adverse impact on the character and amenity of the area concerned, whilst *Policy 41* looks to ensure that both local and protected wildlife is both protected and fully considered.

In terms of statutory SPG, the Council's SPG on Placemaking and Developer Contributions are applicable.

Land Use Acceptability

In terms of land use, neither the principle of an extension to the cottage nor the use of part of the building for a STL are unacceptable. Both these elements broadly align with the relevant policies within the Development Plan, as well as the non-statutory planning guidance.

The principal issue for this proposal is the design which has been brought forward, how the extension is being delivered and this is discussed below.

Visual Amenity Design and Layout

The proposed extension offers living accommodation over two levels, via the use of rooflights which will create a distinctly awkward roof pattern - with the cottage being single storey. The property does have some screening along the frontage, however the awkward resultant roof shape will nevertheless still be visible to some degree from both the frontage, and from the south (albeit further afield) and ultimately it will introduce an incongruous element into the local street scene.

It is noted that there are some larger dwellings within the small run of properties, and a property which has an extension which adds two levels of accommodation to the existing host building but neither, even in combination with the existing landscaping and screening are considered suitable mitigation, and what is proposed would ultimately be to the visual detriment of the area.

Accordingly, the proposal is contrary to the various placemaking, and design policies contained across all parts of the Development Plan.

Residential Amenity

In terms of the impact on existing residential amenity, there are two issues to consider. The first is the impact on the residents of the principal house (adjoined to the proposed STL), and the second the impact on other neighbouring residents.

In terms of the relationship with the host dwelling, as the ownership will remain the same (which can be controlled via condition) it would be very unlikely that there would be an adverse impact on the residential amenity enjoyed by the host dwelling, and amenity space can be shared.

In relation to the impact on the neighbouring property, it is noted that there is a balcony feature proposed on the rear elevation which could result in some overlooking to the neighbour to the north.

However, a slight redesign, and perhaps the swapping of the balcony to either a regular window or even a Juliette balcony would go some way to negating this issue and this could be delivered and secured by suitable conditions – in

the event of an approval being forthcoming. It is also noted that the affected neighbour has raised no concerns over the proposal.

Roads and Access

The proposal raises no issues in terms of access and parking related matters. Transport Planning have no concerns in relation to parking or access related matters.

Drainage and Flooding

The proposal raises no issues in terms of either drainage or flooding matters.

Conservation Considerations

The proposal will have no impact on any listed building, conservation area or local archaeology.

Natural Heritage and Biodiversity

The proposal will have limited impact on any existing biodiversity.

In order to deliver a net bio-diversity enhancement, it is recommended that in the event of an approval being forthcoming then 1 bat box and 1 bird box are secured and delivered within the curtilage of the dwelling.

Developer Contributions

There is no requirement for any developer contributions in relation to either Primary Education or Transport Infrastructure.

Economic Impact

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

The application has not been varied.

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.

- 1 The design and appearance of the extension would introduce an incongruous feature into the surrounding area which would not respect either the character or appearance of the existing cottage, or the surrounding area. The proposal is therefore contrary to both the adopted Perth and Kinross Local Development Plan 2 (2019) Policies 1A and 1B (Placemaking) and the Council's Statutory Supplementary Guidance on Placemaking (2020), as the resultant extended building would not respect the existing building, and would adversely impact on the character and (visual) amenity of the surrounding areas by introducing a visually incongruous extension.
- 2 The design and appearance of the extension would introduce an incongruous feature into the surrounding area which would not respect either the character or appearance of the existing cottage, or the surrounding area. The proposal is therefore contrary to the overarching principles of Policy 14 (Design, Quality and Place) of the National Planning Framework 4 which promotes good design for all new developments, as the resultant extended building would not respect the existing building and would adversely impact on the character and (visual) amenity of the surrounding areas by introducing a visually incongruous extension.

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, refusal.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01-05 (*inclusive*)

