

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

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS



Mr David Peebles
c/o Jon Law Architectural Technician Ltd
Jon Law
68 Cooper Drive
Perth
PH1 3GN

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **30th January 2024**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **23/01127/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 July 2023 for Planning Permission for **Part change of use, alterations and extension to dwellinghouse to form short-term let accommodation unit Lawmuirden Methven Perth PH1 3SZ.**

David Littlejohn
Strategic Lead (Economy, Development and Planning)

Reasons for Refusal

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.

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 "Online Planning Applications" page.

Plan Reference

01

02

03

04

05

REPORT OF HANDLING

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



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 100631805-001

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)

Rear Extension and Internal Alterations to Existing Dwellinghouse along with a Change of Use of part of the house 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

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

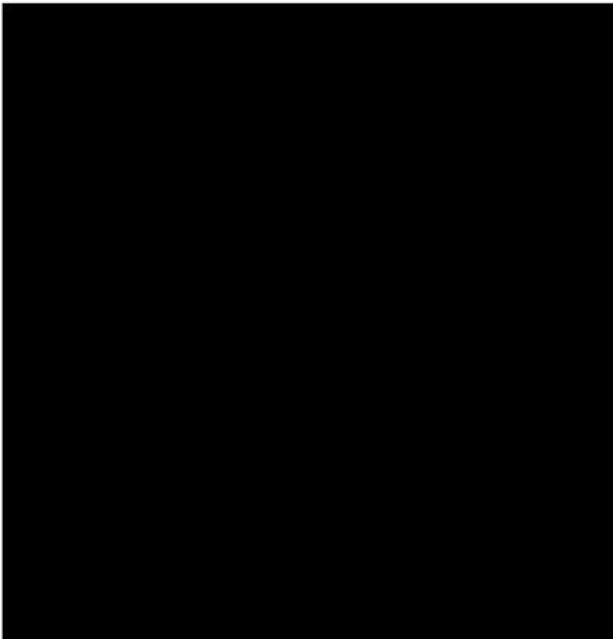
Company/Organisation:	Jon Law Architectural Technician Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Jon	Building Name:	<input type="text"/>
Last Name: *	Law	Building Number:	68
Telephone Number: *	<input type="text"/>	Address 1 (Street): *	Cooper Drive
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Perth
Fax Number:	<input type="text"/>	Country: *	United Kingdom
		Postcode: *	PH1 3GN
Email Address: *	<input type="text"/>		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	
Other Title:	<input type="text"/>	
First Name: *	David	
Last Name: *	Peebles	
Company/Organisation	<input type="text"/>	
Telephone Number: *	<input type="text"/>	
Extension Number:	<input type="text"/>	
Mobile Number:	<input type="text"/>	
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:

LAWMUIRDEN

Address 2:

METHVEN

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PERTH

Post Code:

PH1 3SZ

Please identify/describe the location of the site or sites

Northing

726792

Easting

302891

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

3355.00

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 dwellinghouse

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 **T** 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 **T** No

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * **T** 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

T 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 **T** 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 **T** No ≤ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ≤ Yes **T** 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 **T** No

If Yes or No, please provide further details: * (Max 500 characters)

Bin storage is in place for the dwelling already

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

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: Jon Law

On behalf of: Mr David Peebles

Date: 30/06/2023

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 type="checkbox"/> T | <input type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes | <input type="checkbox"/> T | <input type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input type="checkbox"/> T | <input type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input type="checkbox"/> T | <input type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes | <input type="checkbox"/> T | <input type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input type="checkbox"/> T | <input type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input type="checkbox"/> T | <input type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input type="checkbox"/> T | <input type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input type="checkbox"/> T | <input type="checkbox"/> N/A |

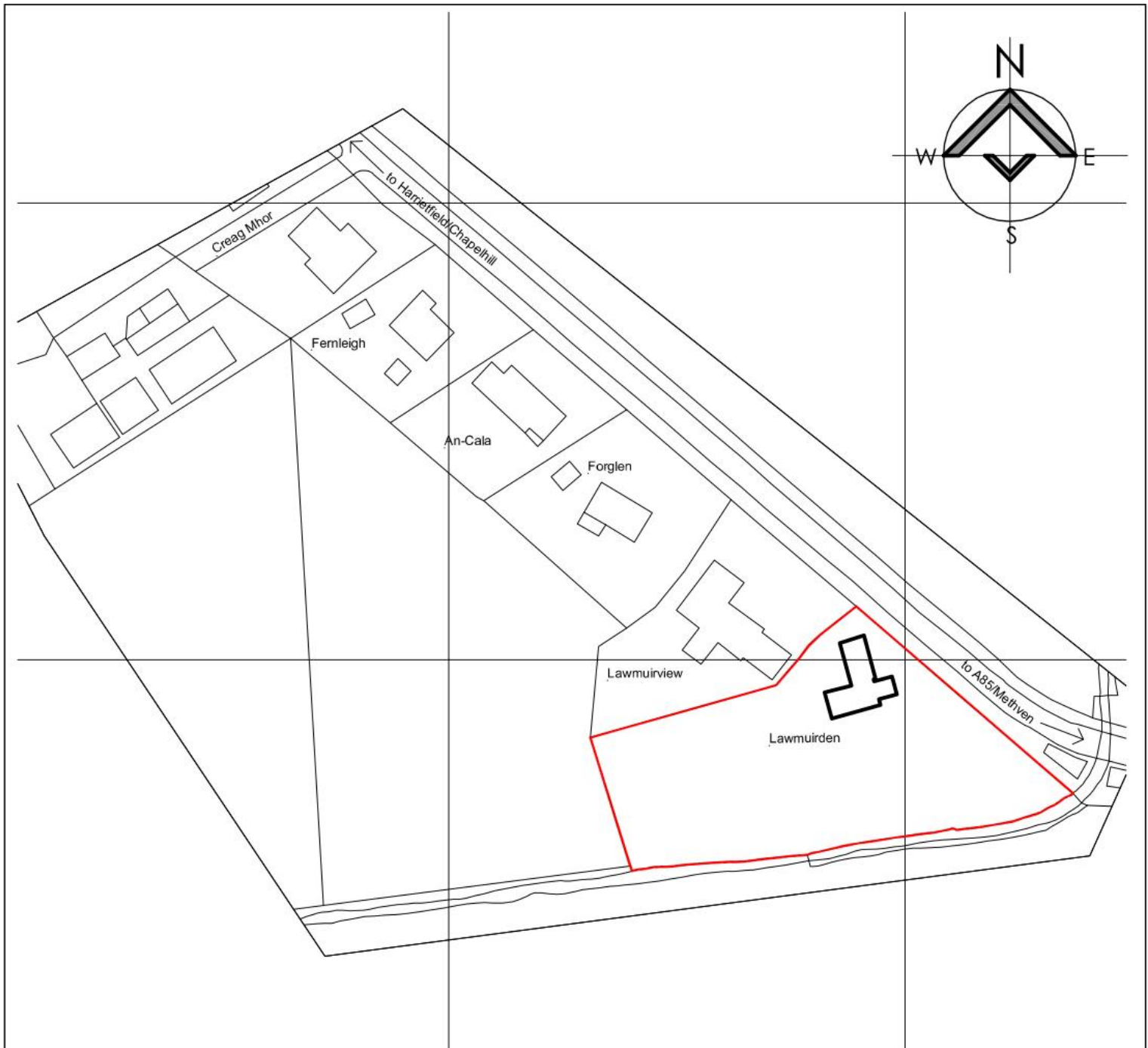
Other Statements (please specify). (Max 500 characters)


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: Mr Jon Law

Declaration Date: 30/06/2023




site location plan 1:1250
 0m 20m 40m 60m 80m 100m
 10m 30m 50m 70m 90m
 1:1250 Scale Bar (100m)

rev	drn	date	description

Jon Law Architectural Technician
 ———— Architectural Design Services

jon law architectural technician ltd
 68 cooper drive : perth : ph1 3gn
 t: 01738 248655
 m: 07880952485
 e: jon@jonlawarchitecturaltechnician.co.uk
 web: www.jonlawarchitecturaltechnician.co.uk

WE CERTIFY THAT THIS IS A TRUE COPY OF THE PLAN(S) REFERRED TO IN THE PLANNING/WARRANT APPLICATION

SIGNED *Jon Law*
 DATED *30/06/23*

NOTE: All proprietary goods and materials are to be fitted in accordance with manufacturers instructions, relevant Codes of Practice and British Standards. All dimensions to be verified by the Contractor on site.

© This drawing remains the Copyright of Jon Law Architectural Technician and may not be reproduced in whole or any part without prior written permission.

client: Mr and Mrs Peebles

project: Proposed Extension & Alterations at Lawmuirden, Methven, PH1 3SZ

drawing name: Planning Drawings - Site Location Plan

scale: as noted date: 12/06/23 drawn: jl

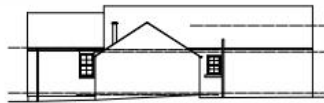
drawing no: 2319/PL/003 rev:



site identification plan n.t.s.



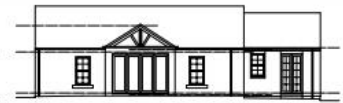
west elevation
existing elevations 1:100



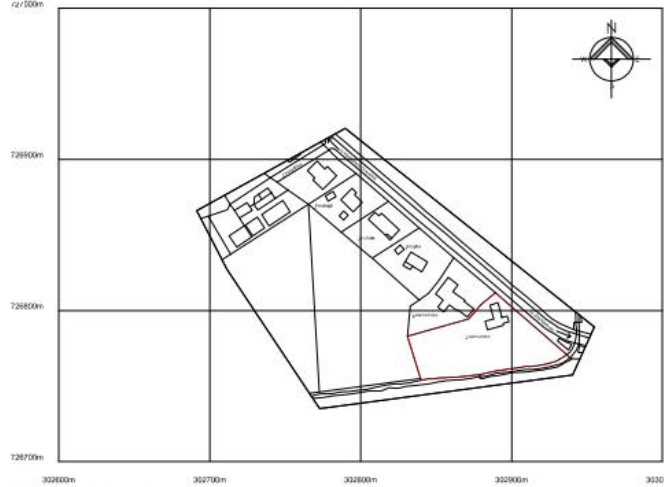
north elevation



east elevation



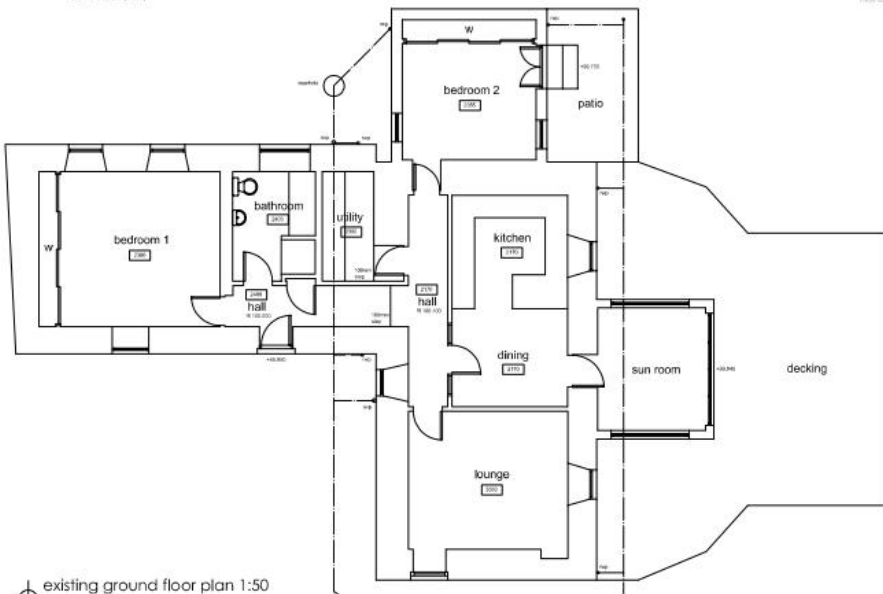
south elevation



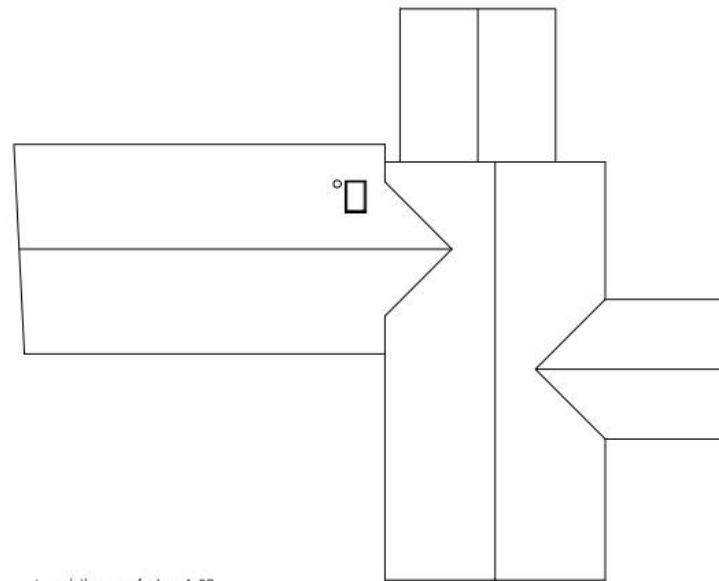
site location plan 1:1250



existing site plan 1:200



existing ground floor plan 1:50



existing roof plan 1:50

BY CHECKING THESE DRAWINGS YOU ARE PLACING BEYOND YOUR CONTROL THE INFORMATION CONTAINED HEREIN. YOU AGREE TO HOLD US HARMLESS FROM AND AGAINST ALL SUCH CLAIMS, DAMAGES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST US BY ANY THIRD PARTY AS A RESULT OF YOUR USE OF THESE DRAWINGS.

© Crown Copyright. All rights reserved. Licence no. 100017780

<p>client: John Law Architectural Technicians</p> <p>project: Proposed Extension & Alteration of Lawmuirview</p> <p>drawing name: Existing Elevations, Existing Ground Floor Plan, Roof Plans, Decking and Site Plans</p> <p>scale: 03X</p> <p>drawing no: 2319/EX/001</p>	<p>date: 02/07/2024</p> <p>drawn by: John Law</p> <p>checked by: John Law</p> <p>approved by: John Law</p>
---	--

for planning - lawmuirden, methven

Our Ref: 2319/PL001

30th June 2023

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

Dear Sir/Madam

PROPOSED REAR EXTENSION AND INTERNAL ALTERATIONS TO HOUSE ALONG WITH A PARTIAL CHANGE OF USE OF ACCOMMODATION TO A SHORT TERM LET AT LAWMURDEN, METHVEN, PH1 3SZ

Please find enclosed a planning application for the above project, comprising the following in support of the application:-

- All forms duly completed and signed online through e-planning website (including land ownership certificate)
- PDF of the required drawings (coloured), proposal drawings, existing drawings and separate location plan
- £600.00 Lodging fee, to be paid by the applicant over the phone or online.

I trust the above reaches you in good order and look forward to receiving your confirmation of registration, if there are any queries please do not hesitate to contact me.

Yours faithfully



Jon Law
Director
Jon Law Architectural Technician Ltd

