

Perth and Kinross Council
Planning & Placemaking Committee – 6 July 2022
Report of Handling by Head of Planning & Development
(Report No. 22/166)

PROPOSAL:	Alterations and extension to buildings to form 6 dwellinghouses
LOCATION:	Kinvaid Farm Moneydie Perth PH1 3HZ

Ref. No: [21/02280/LBC](#)
Ward No: P5- Strathtay

Summary

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

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 Listed Building Consent is required for physical works to the listed steading buildings. The steading buildings date from the early 19th century and are mainly of stone with some brickwork and slate roofs. The north range and attached horse mill are listed at Category C and the remaining steading buildings sit within the curtilage.
- 2 An associated application for full planning permission (Ref: 21/02279/FLL) for the 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 is also being considered at this Committee.
- 3 The north range is the principal listed building and is one and a half storeys retaining its internal stairs and timber floor at first floor level. The attached horse engine is a particularly rare survival of this type of structure. It is proposed to convert this building to form two dwellings with an extension on the north elevation in the location of a single storey timber extension which was previously removed.
- 4 The south range comprises the two storey farmhouse and attached single storey agricultural building. Externally the farmhouse has been much altered over time with the addition of a single storey porch extension and enlarged windows. This facade of the steading is the most prominent within the wider landscape due to its elevated position at the edge of the range of buildings. It is proposed to take down and reconstruct the existing buildings.
- 5 The east range consists of one and a half storey buildings of stone, brick and slate with chimneys. There is a lean-to extension with timber supports and a corrugated

metal roof running along the north east elevation which would be removed. Single storey extensions to the east of this range are proposed to provide additional storage and garage space.

- 6 The west range is single storey and repeats the stone, brick and slate materials of the rest of the steading buildings. There is a considerable level change to the southwest and a large lean-to extension with timber supports and a corrugated metal roof occupies this part of the site. It is proposed to utilise this change in level to provide an additional level of accommodation within one dwelling whilst retaining the single storey courtyard elevation.

Pre-Application Consultation

- 7 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 any formal pre-application consultation with the local community.

National Policy and Guidance

- 8 The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework 2014

- 9 NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. This is a statutory document and material consideration in any planning application. It provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

The Scottish Planning Policy 2014 (SPP)

- 10 The Scottish Planning Policy (SPP) sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:
 - The preparation of development plans;
 - The design of development, from initial concept through to delivery; and
 - The determination of planning applications and appeals.
- 11 The following section of the SPP will be of particular importance in the assessment of this proposal:
 - Listed buildings: paragraph 141

Development Plan

- 12 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

TAYplan Strategic Development Plan 2016-2036

- 13 TAYplan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”

- 14 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application.
- 15 Policy 9 – Managing Tayplan’s Assets

Perth and Kinross Local Development Plan 2

- 16 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.
- 17 The principal relevant policy is, in summary;
- 18 Policy 27A: Listed Buildings

Other Policies

Historic Environment Scotland Policy Statement 2019

- 19 This document replaces the 2016 Scottish Historic Environment Policy and provides guidance to Planning Authorities on how to deal with planning applications which affect Listed Buildings and their settings.

Site History

- 20 [99/01874/FUL](#) Full Planning Permission was Approved On 16 March 2000 for Conversion of farm steading to 4 residential units at
- 21 **03/01216/PN** was Refused On 20 August 2003 for Erection of a storage barn

- 22 [03/02131/FUL](#) Full Planning Permission was Approved On 28 September 2004 for Erection of an agricultural shed.
- 23 [04/00967/FUL](#) Full Planning Permission was Approved On 5 August 2004 for Proposed refurbishment of existing farmhouse and conversion of steading buildings into 5 new residential units.
- 24 [07/00658/FLL](#) Full Planning Permission was Refused On 21 August 2014 for Refurbishment of existing farmhouse, conversion of existing steading buildings into 5 no. new dwellings and construction of 4 no. new dwellings attached to existing steading buildings.
- 25 [11/00658/FLL](#) Full Planning Permission was Approved On 20 June 2011 for Erection of an anemometer mast for a period of one year.
- 26 [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.
- 27 **17/00653/PN** an application for the erection of an agricultural storage building was submitted in April 2017, however it exceeded the size limitation to be considered as permitted development, and therefore necessitated an application for planning permission.
- 28 [17/00776/FLL](#) Full Planning Permission was Approved On 3 July 2017 for Erection of agricultural shed
- 29 [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
- 30 [18/01715/FLL](#) Full Planning Permission was Refused On 1 November 2018 for Erection of a hut
- 31 [18/02184/PAA](#) was Refused On 7 January 2019 for Erection of an agricultural building
- 32 [21/00138/LBC](#) Listed Building Consent application was Withdrawn On 22 December 2021 for Demolition of steading buildings
- 33 [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
- 34 [21/02279/FLL](#) Full Planning Permission pending consideration 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

CONSULTATIONS

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

External

Perth And Kinross Heritage Trust

- 36 No objection, request condition requiring archaeological standing building survey to be carried out prior to commencement of development.

Internal

Conservation Team

- 37 Case officer is conservation officer so no formal response issued

Representations

- 38 A total of 15 letters of representation have been received in respect of the current application. 6 of the representations have objected to the application and 9 have supported the application.

- 39 The main relevant issues raised in the letters of objection may be summarised as follows:

- Overdevelopment of site
- Contrary to Development Plan

- 40 It should be noted that this application seeks only Listed Building Consent, which relates to the physical works to the listed building. The following matters raised within the objections are therefore not relevant to this application but are covered in the report on the associated planning application:

- Out of character with area
- Impact on road safety
- Traffic congestion
- Inappropriate housing density
- Inappropriate land use
- Light pollution
- Overlooking
- Adverse impact on visual amenity

- 41 The issues raised in the letters of support may be summarised as follows:

- Employment provision
- Environmental improvements

- Supports economic development
- Proposed PV panels would be well screened and have no adverse visual impact
- Enhances character of area
- High quality design
- Sustainable living
- Avoids loss of listed building
- Regeneration of redundant steading
- Increased council tax revenues and developer contributions

ADDITIONAL STATEMENTS

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

APPRAISAL

- 43 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 adopted Development Plan comprises the TAYplan Strategic Development Plan 2016–2036 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, namely the Placemaking Guide 2020.
- 44 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.

Principle

- 45 The listed building policy states that there is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

- 46 It is considered that the alterations proposed comply with the above policy as they would provide the buildings with a viable use and protect the historic interest of the listed building and its setting.

Conservation Considerations

- 47 The north range of the steading is listed at Category C as a relatively rare and early example of this type of agricultural building including the attached horse mill. As the building is not suitable for modern agricultural use and has been marketed for a reasonable period for alternative uses the principle of conversion to residential use is considered acceptable. It is accepted that the condition of the building means that extensive repair and reconstruction will be required to 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 more detailed assessment of the extent of taking down and rebuilding can only be carried out once works commence and condition 3 has been included requiring this information to be submitted and agreed. This would include details of the methods and materials of works to individual window and door openings as well as internal features.
- 48 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.
- 49 It is accepted that the proposed redevelopment of the remaining steading buildings is financially necessary to enable the retention and conversion of the listed building and on balance the proposed development is considered to comply with Policy 27A.

Developer Contributions

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

Economic Impact

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

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

- 52 None required.

DIRECTION BY SCOTTISH MINISTERS

- 53 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

- 54 The application must be determined having regard to Section 14 (2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2016 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 adopted Development Plan.
- 55 Accordingly the proposal is recommended for approval subject to the following conditions.

A RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

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

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

2. Development shall not commence until the developer has secured an archaeological standing building survey, to be carried out by an independent and suitable qualified archaeological organisation. The scope of the archaeological standing building survey will be set by Perth and Kinross Heritage Trust on behalf of the Council as Planning Authority. The name of archaeological organisation retained by the developer shall be given to the Planning Authority and Perth and Kinross Heritage Trust 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 Monuments Records for Scotland 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.

3. Prior to the commencement of the development hereby approved, full details of the method and extent of downtaking and reinstatement of stonework and brickwork required in connection with 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.

4. Prior to the commencement of the development hereby approved, elevation and section details of the proposed new windows/doors at 1:20 scale shall be

submitted to and agreed in writing by the Council as Planning Authority. The windows/doors 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 protecting the special character of the Listed Building.

5. 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. 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 protecting the special character of the Listed Building.

B JUSTIFICATION

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

C PROCEDURAL NOTES

None.

D INFORMATIVES

1. This listed building consent will last only for 3 years from the date of this decision notice, unless the development has been started within that period (see section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as amended by Section 20 of the Planning etc (Scotland) Act 2006).
2. This is approval of your application Ref no 21/02280/LBC for listed building consent only. It does not include any approval for your related planning application Ref no 21/02279/FLL. No work should commence until planning permission is granted.
3. This listed building consent 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. The Council has two months to consider the information. You should therefore submit the required information more than two months before your consent expires. We cannot guarantee that submissions made within two months of the expiry date of your consent will be able to be dealt with before your consent lapses.
4. No work shall be commenced until an application for building warrant has been submitted and approved.

Background Papers: 15 letters of representation
Contact Officer: Marianna Porter
Date: 23 June 2022

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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