

**TCP/11/16(487) – 17/00896/FLL - Part change of use from offices to form 3 holiday accommodation units, Units H, J, F, G and 3 Glenruthven Mill, Abbey Road, Auchterarder, PH3 1DP**

## **INDEX**

- (a) Papers submitted by the Applicant (***Pages 667-696***)
- (b) Decision Notice (***Pages 699-700***)
  - Report of Handling (***Pages 701-709***)
  - Reference Documents (***Pages 711-716***)
- (c) Representations (***Pages 717-730***)



**TCP/11/16(487) – 17/00896/FLL - Part change of use from offices to form 3 holiday accommodation units, Units H, J, F, G and 3 Glenruthven Mill, Abbey Road, Auchterarder, PH3 1DP**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**





Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto: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 100062158-001

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.

## 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

### Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Glenruthven Mill"/>
First Name: *	<input type="text" value="Darren"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Ross"/>	Address 1 (Street): *	<input type="text" value="Glenruthven Mill"/>
Company/Organisation	<input type="text" value="Glendevon Construction Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Auchterarder"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PH3 1DP"/>
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:

Unit F

Address 2:

Glenruthven Mill

Address 3:

Abbey Road

Address 4:

Address 5:

Town/City/Settlement:

Auchterarder

Post Code:

PH3 1DP

Please identify/describe the location of the site or sites

Northing

712929

Easting

295518

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Part change of use from offices to form 3no. holiday accommodation units

## Type of Application

What type of application did you submit to the planning authority? \*



Application for planning permission (including householder application but excluding application to work minerals).



Application for planning permission in principle.



Further application.



Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

The statement is set out in attached documents

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Supporting Documents attached

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

17/00896/FLL

What date was the application submitted to the planning authority? \*

24/06/2017

What date was the decision issued by the planning authority? \*

25/07/2017

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Darren Ross

Declaration Date: 29/08/2017



## Appeal Planning Application 17/00896/FLL

### Conditions and Reasons for Recommendation

- 1 *The proposal for holiday accommodation is contrary to policy ED1A of the Perth and Kinross Local Development Plan 2014 which seeks to retain the site for employment uses. The development, as proposed, would not safeguard the site for employment uses. Insufficient justification has been provided to demonstrate that other commercial uses of the site are not viable.*
- 2 *The proposal is contrary to policy PM1A as the proposed use is not compatible with the character and amenity of the site. The use of part of the building for holiday accommodation would detract from the attractiveness of the remainder of the site for the existing businesses and future occupiers of the business units.*

### Justification

*The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.*

### SUMMARY :

1. The proposed self-catering holiday units application safeguards the site for employment use. The property will inevitably be demolished if other income is not establish due to lack of demand for existing facilities.
2. The property is compatible. There were no objections from current tenants and Environmental Health department supports the proposal due to seperate access and parking etc.

### FURTHER DETAILS AND EVIDENCE :

Quotes from Council refusal reasons and justification in blue

*“The development, as proposed, would not safeguard the site for employment uses.”*

The application relates to small part of the site which is in disrepair and unusable. The rest *is* reserved for employment use. The proposed holiday let business would still creating employment as it will employ general trades, cleaners and the usual administration for any business.

The part of the building proposed is unusable for offices or light industry due to its construction type and age. The area suffers from leaks, damp and poor insulation making it unusable as offices. Due to lack of demand there is no logic in investing in improving dilapidated area for office use. Demolition is the most likely prospect in order to avoid rates, water and increased insurance premium.

Please note: The planning officer did not enter the building to see the issues.  
SEE SUPPORTING PHOTO EVIDENCE FOR CONDITION OF BUILDING

*“Insufficient justification has been provided to demonstrate that other commercial uses of the site are not viable.”*

Email from JE Shepherd Surveyors

**From:** Jonathan Reid [REDACTED]  
**Sent:** 07 August 2017 15:54  
**To:** [REDACTED]  
**Subject:** GLENRUTHVEN MILL

Darren,

I refer to your request in connection with the above to provide a summary on marketing activity to date.

We were instructed to actively market the accommodation during April 2014. Property details were prepared and have been circulated as well as details of the property being included on our own website and various other commercial property websites.

During that period I have counted 17 enquiries . Most have been tentative enquiries with the premises in most cases being unsuitable for the particular occupiers needs. In general terms occupier demand for this type of space is relatively weak and tenants of a local nature who are only willing to enter into flexible short term lease agreements.

Regards  
Jonathan

The property is advertised locally with sign boards and van advertisement.



## Surrounding Land



The adjacent land (photo above), which contained a Victorian mill, was previously employment land until 2014. In 2014 Stewart Milne house builders requested it no longer be protected as employment land. *“A combination of access and other constraints question its marketability”*

Excerpt from local development plan consultation reporting.

### New sites

Stewart Milne Homes (00659/2/001): A housing allocation at Ruthvenvale Mill (S4\_Doc\_040) would reuse a brownfield site and would be compatible with the residential nature of neighbouring land. Intensification of Ruthvenvale Mill for employment uses as suggested by the proposed Plan would lead to conflict with the adjoining residential area and is considered no longer suitable as a location for employment use. A combination of access and other constraints question its marketability. The benefits of a housing allocation outweigh employment; and with alternative appropriate employment land allocations proposed in the area, there is no need for the site's retention for employment. Reference is made to SPP paragraph 40 (S4\_Doc\_324)

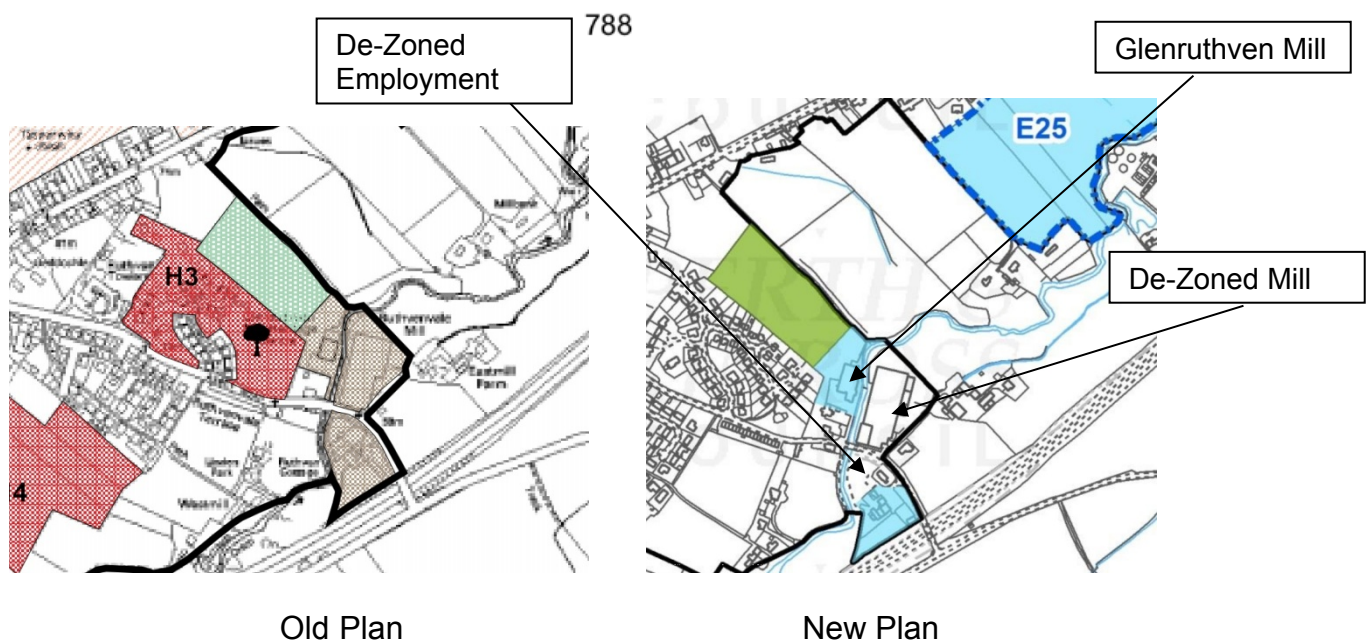
Stewart Milne Homes (00659/4/001): Settlement boundary should be amended to include land to the east of Ruthvenvale Mill (S4\_Doc\_040) and its allocation for a residential development of approximately 50 units. This would be sympathetic to the adjacent proposal for housing allocation at Ruthvenvale Mill (separate representation) and in

The result was the council supported the idea that the existing building was “*largely unused and it was inappropriate to continue reserving it for employment land.*” The council goes on to agree.. “*The existing building cannot be readily adapted to modern standards and redevelopment for employment use would be inappropriate in this mainly residential area.*”

Excerpt from Scottish Government Planning and Environmental Appeals Division

2014

11. In relation to the request that Ruthvenvale Mill, designated as employment land in the Proposed Plan, and land to the east of the mill be allocated as housing land, there is a generous supply of housing land in Auchterarder and there is no justification for allocating further housing land within this Plan. The council supports in principle the re-allocation of the former mill site for housing but not within the Plan period. However, the existing building is largely unused and derelict and it is considered that its continued designation as employment land is inappropriate. As stated by the respondent, the existing building cannot be readily adapted to modern standards and redevelopment for employment use would be inappropriate in this mainly residential area. It is considered, therefore, that the employment land designation should be removed from Ruthvenvale



During the consultation period for the new local plan Glenruthven did not contest the existing employment zoning. At the time there were two tenants who rented most of the building who are now gone. Due to general lack of demand and a building with “*questionable marketability*” , these tenants were never replaced.



The continuing zoning of this land as “Employment” together with strict criteria of what defines “Employment” is unsustainable and unreasonable as the adjacent property shows.

The land to the South has also been de-zoned from employment land to allow housing. This is directly adjacent to a builder’s yard (see photo).



Why can it be acceptable to have new build residential next to a builder’s yard here but not allow self catering business on the proposed site?

If the owner of this residential building wished to use it for self-catering would it be contested by the council?

It is of course perfectly acceptable to have mixed use combining commercial and residential so why not commercial and self-catering?

- 2 *The proposal is contrary to policy PM1A as the proposed use is not compatible with the character and amenity of the site. The use of part of the building for holiday accommodation would detract from the attractiveness of the remainder of the site for the existing businesses and future occupiers of the business units.*

## Financial

At the time of proposal the annual income from the building was

Unit A&E	£5000
Unit B	Vacant
Unit C	Vacant
Unit D	£3000
Unit X	£4000
Unit W	£6500
Unit 3	£4000
Unit F	£0
Unit J	Vacant
Unit G	Vacant
Unit H	Vacant
Upstairs	£9000

Total annual income (June 2017) £31,500

Overheads such as Building Insurance, Repairs, Utilities, Property management fees, Finder Fees, Accountants and Energy Efficiency Loans annually exceed £30,000.

To make matters worse if the building incurred had vacant rates exceeding £15,000 rates would now be payable at %25 (around £4000). Therefore it is *essential* to the sustainability of the rental business that the building avoids large amounts of vacant units.

Permission to use the derelict part of the building for self-catering would be an opportunity to have long term sustainability of the rental business.

The self-catering business has high demand in the summer months and the income could balance the lack of income from vacant business units.

JE Shepard

*“In general terms occupier demand for this type of space is relatively weak and tenants of a local nature who are only willing to enter into flexible short term lease agreements.”*

- 2     *The proposal is contrary to policy PM1A as the proposed use is not compatible with the character and amenity of the site. The use of part of the building for holiday accommodation would detract from the attractiveness of the remainder of the site for the existing businesses and future occupiers of the business units.***

### ***Economic Impact***

*The applicant is proposing to set up self-catering units to try to improve the economic return of the site as it is stated that there is no demand for office accommodation. However whilst the issue of compatibility with neighbouring uses is mentioned by the applicant there is no consideration of the adverse impact the proposed use could have on the existing businesses and future occupiers of vacant business units. The Supporting Statement limits the operating hours of existing businesses at the site to only 8am-5pm during the week, and limits the range of uses that may be carried out. It could be argued that these restrictions are limiting the attractiveness of the Mill as a business location and that the establishment of self-catering accommodation could have an adverse economic impact on the viability of business uses on the wider site.*

*“these restrictions are limiting the attractiveness of the Mill as a business location “*

The applicant agrees that this is an issue but the restriction were put in place by the Council *not* by the applicant. The proximity to residential areas does restrict operations and that is why the applicant proposed self-catering as it is a more appropriate business type next to residential.

Here are the conditions for Application Number 14/01601/FLL

- 3     The idling of delivery vehicle engines is prohibited.**
- Reason - In order to safeguard the residential amenity of the area.**
- 4     Hours of operation at the premises shall be limited to Monday to Friday 7.00 to 19.00 and 09.00 to 17.00 on Saturday and Sunday.**
- Reason - In order to safeguard the residential amenity of the area.**

*limiting the attractiveness of the Mill as a business location and that the establishment of self-catering accommodation could have an adverse economic impact on the viability of business uses on the wider site.*

There were no objections from current tenants regarding the proposed self-catering units

With regards to “attractiveness to future tenants”, the extra income will allow improvements to existing business units. The proposed layout separates the self-catering units from the existing business units.

Below the Environmental Health department has no objections.

**Environmental Health** (assessment date –15/06/17)

**Recommendation**

**I have no adverse comments to make in relation to the application**

**Comments**

The applicant proposes to change of use existing office units into three self-catering holiday accommodation units. The remainder of the eleven units will still be used for business purposes.

The applicant states, in the supporting statement submitted with this application, that due to the close proximity of other existing residential properties to the Mill the existing businesses have restricted hour of operations from 08:00 to 17:00 hours week days.

The proposed self-catering accommodation will have separate access, parking and amenity areas from the business units.

The applicant also states that there should be sufficient sound insulation between the holiday accommodation and the adjacent business units due the construction of the building having thick stone walls.

The proposed residential part of the building is for holiday accommodation and therefore future clients are only residing within the units for short periods, therefore I have no adverse comments to make with regards to loss of amenity due to noise from the existing business units on the holiday accommodation.



## History and Local Heritage

The building has been attempted to be used for many different business's over the years as can be seen by applications below.

- **Part change of use from offices to form 3no. holiday accommodation units**

Units H,J,F,G And 3 Glenruthven Mill Abbey Road Auchterarder PH3 1DP  
Ref. No: 17/00896/FLL | Received: Mon 22 May 2017 | Validated: Fri 26 May 2017 | Status: Decided

- **Sub-division of industrial storage warehouse/office into two units and partial change of use to builders workshop**

Unit W Glenruthven Mill Abbey Road Auchterarder PH3 1DP  
Ref. No: 14/01601/FLL | Received: Fri 12 Sep 2014 | Validated: Mon 15 Sep 2014 | Status: Decided

- **Change of use of workshop to offices**

Glenruthven Mill Auchterarder Perthshire PH3 1DP  
Ref. No: 05/01747/FUL | Received: Wed 07 Sep 2005 | Validated: Mon 19 Sep 2005 | Status: Decided

- **Change of use from gymnasium to offices, design studios and film editing suites**

Glenruthven Mill Auchterarder Perthshire PH3 1DP  
Ref. No: 04/02286/FUL | Received: Thu 11 Nov 2004 | Validated: Wed 17 Nov 2004 | Status: Decided

- **CHANGE OF USE OF EXHIBITION CENTRE TO GYMNASIUM AT UNITS 3&4**

Glenruthven Mill Abbey Road Auchterarder  
Ref. No: 93/00280/FUL | Received: Fri 05 Mar 1993 | Validated: Mon 08 Mar 1993 | Status: Decided

- **GLENRUTHVEN MILL (UNIT 2)AUCHTERARDER CHANGE OF USE FROM VISITOR CENTRE TO INDUSTRY (CLASS 5) AT**

Not Available

Ref. No: 92/01837/FUL | Received: Mon 23 Nov 1992 | Validated: Fri 27 Nov 1992 | Status: Decided

- [C/USE OF COFFEE SHOP TO POTTERY OFFICE & INSTALL LPG TANK AT](#)



**Scotland last working textile steam engine is still housed in the building.**

The engine room is currently unused presently as it has no relation to the office let market. However if approval for holiday-lets is granted the applicant would renovate this room and create a display of the Victorian steam engine. This would be a great attraction to the guests and also local residents.

In the mid 1990's the building was used as a visitor centre, exhibition centre, woollen shop and coffee shop. These were located adjacent to the builder's workshop which had no adverse effects. This is documented in the above planning records.

## SUMMARY :

1. The proposed self-catering holiday units application safeguards the site for employment use. The property will inevitably be demolished if other income is not establish due to lack of demand for existing facilities.
2. The property is compatible. There were no objections from current tenants and Environmental Health department supports the proposal due to seperate access and parking etc.



## ***REPORT OF HANDLING***

### ***DELEGATED REPORT***

Ref No	17/00896/FLL	
Ward No	P7- Strathallan	
Due Determination Date	25.07.2017	
Case Officer	Persephone Beer	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Part change of use from offices to form 3no. holiday accommodation units

**LOCATION:** Units H,J,F,G and 3 Glenruthven Mill Abbey Road  
Auchterarder PH3 1DP

#### ***SUMMARY:***

This report recommends **refusal** of the application 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.

**DATE OF SITE VISIT:** 15 June 2017

#### **SITE PHOTOGRAPHS**



**\*No internal inspection. No inspection of land to the rear which is ½ of entire site.**

## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

Planning permission is sought for a part change of use from offices to form 3no. holiday accommodation units at Units H, J, F, G and 3, Glenruthven Mill, Auchterarder.

The application site forms part of Glenruthven Mill Business Centre which is located at the bottom of and to the north of Abbey Road and to the west of Ruthven Water in Auchterarder. There are residential areas to the west of the Glenruthven Mill site.

## **SITE HISTORY**

04/02286/FUL Change of use from gymnasium to offices, design studios and film editing suites 31 March 2005 Application Permitted

05/01747/FUL Change of use of workshop to offices 21 October 2005 Application Permitted

14/01601/FLL Sub-division of industrial storage warehouse/office into two units and partial change of use to builder's workshop 21 May 2015 Unit W Glenruthven Mill Abbey Road Auchterarder PH3 1DP Application Permitted

- **Going further back to 1990s was a local heritage museum, visitor centre and shop. i.e Tourism**

### **Policy ED1A - Employment and Mixed Use Areas**

Areas identified for **employment** uses should be retained for such uses and any proposed development must be compatible with surrounding land uses and all six of the policy criteria, in particular retailing is not generally acceptable unless ancillary to the main use.

- **A self catering business creates employment."Business" being the operative word where is created through Cleaners, tradesmen, accountants, property management, advertising, marketing, etc. The surrounding land uses are residential and an existing self-catering house.**

### **Policy RD1 - Residential Areas**

In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

## CONSULTATION RESPONSES

### Development Planning

Proposal is contrary to the Local Development Plan and it is recommended that the application is refused.

### Transport Planning

No objection.

### Environmental Health

**No adverse comments.**

**Environmental Health** (assessment date –15/06/17)

#### **Recommendation**

**I have no adverse comments to make in relation to the application**

#### **Comments**

The applicant proposes to change of use existing office units into three self-catering holiday accommodation units. The remainder of the eleven units will still be used for business purposes.

The applicant states, in the supporting statement submitted with this application, that due to the close proximity of other existing residential properties to the Mill the existing businesses have restricted hour of operations from 08:00 to 17:00 hours week days.

The proposed self-catering accommodation will have separate access, parking and amenity areas from the business units.

The applicant also states that there should be sufficient sound insulation between the holiday accommodation and the adjacent business units due the construction of the building having thick stone walls.

The proposed residential part of the building is for holiday accommodation and therefore future clients are only residing within the units for short periods, therefore I have no adverse comments to make with regards to loss of amenity due to noise from the existing business units on the holiday accommodation.

### Scottish Water

No objection.

### Local Flood Prevention Authority

Further information with regard to possible flood risk required.

## REPRESENTATIONS

There have not been any representations received in relation to this application:

## ADDITIONAL STATEMENTS RECEIVED:



Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not submitted

## 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 for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; **or if there are any other material considerations which justify a departure from policy**.

### Policy Appraisal

The whole of the application site is in Auchterarder's settlement boundary so the planning application is consistent with TAYplan Policy 1 which seeks to focus the majority of new development in the principal settlements such as Auchterarder.

The Perth and Kinross Local Development Plan (2014) acknowledges that the businesses in its area are the key driver of sustainable economic growth in the area. The Plan recognises that it needs to create an environment where existing businesses can grow, or new ones can be established.

The application site forms part of a larger site identified as an employment area under the terms of Policy ED1A. The policy requires sites identified as employment areas to be retained for such uses. It also requires that within these areas any proposed development must be compatible with surrounding land uses, and a list of criteria is provided (although none of these are directly applicable).

Policy ED3 supports rural businesses and diversification. Although the application is not for a rural business, the policy does **offer general support to tourism-related development where it demonstrably improves the quality of new or existing visitor facilities**, allows a new market to be exploited, or extends the tourist season.

- *Preservation of local historical building along with Scotland last working textile steam engine. (no internal inspection).*



Policy RD1 also applies, because the application site is inside the settlement boundary. This policy resists changes of use away from employment land unless there is **demonstrable market evidence that the existing use is no longer viable**. The proposed use would not benefit from the general support extended to tourism activities under criterion (d) of the policy because it would be a change of use away from employment land.

Policy ED1A seeks to retain this site for employment use. The proposed change of use to holiday accommodation units would be a departure from LDP policy and would require strong justification. Particularly when it appears that the site and buildings could remain in employment use.

*JE Shepard Mon 07/08/2017 We were instructed to actively market the accommodation during April 2014. Property details were prepared and have been circulated as well as details of the property being included on our own website and various other commercial property websites.*

*During that period I have counted 17 enquiries . Most have been tentative enquiries with the premises in most cases being unsuitable for the particular occupiers needs. In general terms occupier demand for this type of space is relatively weak and tenants of a local nature who are only willing to enter into flexible short term lease agreements.*

*There are 13 units. 6 are Vacant which is a typical situation at the property. Some vacant areas need renovation but there is "weak demand" for such business units anyway so not feasible to invest. See PKC Rates Assessor Info for vacancy evidence. 100% Vacant relief only extends to total of £15,000 . Current vacant property is £14,200 . So the outcome for a failing business is as well as not earning rental income the owner is now charged %90 of total rates. I would be forced to demolish the building as the neighbouring mill owner did .*

*The neighbouring owners were supported by the council to demolish the mill and turn the "employment land" into development land due to its derelict nature and being inappropriately surrounded by residential. I want to keep the derelict buildings but change them to non-residential business in order to sustain the overall business.*

*See separate document for income / expenditure*

Policy PM1, placemaking, would also apply. This seeks to ensure that any development is compatible with its surroundings and respects the character and amenity of a place.

- In particular the statement submitted in support of the application does not justify a departure from Policy ED1A. **It does not provide demonstrable market evidence that the existing use is no longer viable as required under Policy RD1, nor does it address the need to show improvement to the quality of new or existing visitor facilities as required to secure the support of Policy ED3.** *Preservation of local historical building along with Scotland last working textile steam engine. (no internal inspection). The last working textile steam*

\*engine could be a tourist visitor attraction. The planning dept did not ask to see it despite it being mentioned my supporting document.

## Design and Layout

The proposal is for a change of use of offices to form 3 holiday self-catering units. The site is part of the Glenruthven Mill Business Centre which contains a range of office and business uses. The unit at the end of the Business Centre is used as a builder's yard (planning permission 14/01601/FLL).

The applicant has submitted a supporting statement stating that there is limited demand for office use and that self-catering units are in high demand. It is stated that the area lends itself to tourist uses being adjacent to a public path with easy access to the town centre. \* **An historic steam engine is preserved within the development which it is suggested will become an asset in terms of providing character and historical interest rather than be a hindrance in developing the site for office units.** It is suggested that the proposed uses are compatible as the business uses only operate from 8am-5pm during the week and that separate entrances will be used for the self-catering and business uses.

## Landscape

The site is adjacent to the Ruthven Water which is well treed. There is an area of public open space above the site to the northwest. The proposal would have no adverse landscape impact.

## Residential Amenity

The applicant proposes a change of use of existing office units into three self-catering holiday accommodation units. The remainder of the eleven units will still be used for business purposes.

The applicant states, in the supporting statement submitted with this application, that due to the proximity of existing residential properties to the Mill the existing businesses operate from 08:00 to 17:00 hours week days.

The proposed self-catering accommodation will have separate access, parking and amenity areas from the business units.

The applicant also states that there should be sufficient sound insulation between the holiday accommodation and the adjacent business units due the construction of the building having thick stone walls.

Environmental Health notes that the proposal is for holiday accommodation and as such future clients are only residing within the units for short periods. Environmental Health therefore have no adverse comments to make with regards to any loss of amenity due to noise from the existing business units on the holiday accommodation.

## Visual Amenity

There will be limited external changes to building. The main change is the erection of a timber fence to enclose the car parking area and also to the east and south of the building to separate the self-catering unit from the through access road. Details of the fence have not been submitted but this may detract somewhat from the visual appearance of the building. **Small wall and hedge could be used for softer boundary.**

## Roads and Access

The site is accessed off Abbey Road. This is a steep and narrow road that to the west leads to Auchterarder town centre. The Flood Officer has commented that there are flooding concerns with regard to the access road and if approved would require further details of potential flood levels on the access road and submission of a Flood Action Plan.

The Transport Planner does not object. The proposals indicate that car parking for the holiday units will be provided within a fenced area that is currently used as a yard. No cycle parking is indicated although this may be beneficial.

## Drainage and Flooding

The site of the proposed holiday units is close to but out with the SEPA indicative 1 in 200 year flood envelope for the Ruthven Water. However the flood map shows that access to the site could become inundated with flood water during such an event.

In terms of flood risk, holiday accommodation is classed by SEPA as one of the most vulnerable land uses. In addition the PKC Developers Guidance Note on Flooding & Drainage states that vehicular access and egress must be maintained at all times during a 1 in 200 year + 20% climate change event.

Should the application be approved the Flood Officer requires the applicant to demonstrate that any flood water on the access road to the site during a 1 in 200 year + 20% climate change flood event is no deeper than 300mm. In addition the holiday units should be designed and built using flood resilient construction methods and material. A flood action plan will also be required due to the planned use of the units as temporary holiday accommodation.

The Flood Officer has confirmed that ideally flood information with regard to depth of water would be required prior to determination however it is appreciated that it would be costly for the applicant to commission this information and that a condition could be added for a Flood Risk Assessment to be submitted for approval prior to the start of development.

## Developer Contributions

The Developer Contributions Guidance applies for this application as it is within the A9 Auchterarder junction improvements boundary. No contributions are required as the proposal is not of sufficient scale to require a transport assessment which would trigger the requirement for contributions.

### **Economic Impact**

The applicant is proposing to set up self-catering units to try to improve the economic return of the site as it is stated that there is no demand for office accommodation. However whilst the issue of compatibility with neighbouring uses is mentioned by the applicant there is no consideration of the adverse impact the proposed use could have on the existing businesses and future occupiers of vacant business units. The Supporting Statement limits the operating hours of existing businesses at the site to only 8am-5pm during the week, and limits the range of uses that may be carried out. It could be argued that these restrictions are limiting the attractiveness of the Mill as a business location and that the establishment of self-catering accommodation could have an adverse economic impact on the viability of business uses on the wider site.

The operating hours of the existing businesses was set by the council.

### **3 The idling of delivery vehicle engines is prohibited.**

**Reason - In order to safeguard the residential amenity of the area.**

### **4 Hours of operation at the premises shall be limited to Monday to Friday 7.00 to 19.00 and 09.00 to 17.00 on Saturday and Sunday.**

**Reason - In order to safeguard the residential amenity of the area.**

**Application Number 14/01601/FLL**

### **Conclusion**

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

### **APPLICATION PROCESSING TIME**

The recommendation for this application has been made one day after the statutory determination period.

### **LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **RECOMMENDATION**

### **Refuse the application**

### **Conditions and Reasons for Recommendation**

- 1 The proposal for holiday accommodation is contrary to policy ED1A of the Perth and Kinross Local Development Plan 2014 which seeks to retain the site for employment uses. The development, as proposed, would not safeguard the site for employment uses. Insufficient justification has been provided to demonstrate that other commercial uses of the site are not viable.
- 2 The proposal is contrary to policy PM1A as the proposed use is not compatible with the character and amenity of the site. The use of part of the building for holiday accommodation would detract from the attractiveness of the remainder of the site for the existing businesses and future occupiers of the business units.

### **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.

### **Procedural Notes**

Not Applicable.

## **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

17/00896/1

17/00896/2

17/00896/3

**Date of Report**

26 July 2017









**TCP/11/16(487) – 17/00896/FLL - Part change of use from offices to form 3 holiday accommodation units, Units H, J, F, G and 3 Glenruthven Mill, Abbey Road, Auchterarder, PH3 1DP**

**PLANNING DECISION NOTICE**

**REPORT OF HANDLING**

**REFERENCE DOCUMENTS**



# PERTH AND KINROSS COUNCIL

Glendevon Construction Ltd  
Mr Darren Ross  
Glenruthven Mill  
Glenruthven Mill  
Auchterarder  
Scotland  
PH3 1DP

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 27th July 2017

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/00896/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 26th May 2017 for permission for **Part change of use from offices to form 3no. holiday accommodation units Units H,J,F,G And 3 Glenruthven Mill Abbey Road Auchterarder PH3 1DP** for the reasons undernoted.

Interim Head of Planning

### Reasons for Refusal

1. The proposal for holiday accommodation is contrary to policy ED1A of the Perth and Kinross Local Development Plan 2014 which seeks to retain the site for employment uses. The development, as proposed, would not safeguard the site for employment uses. Insufficient justification has been provided to demonstrate that the existing use is no longer viable.
2. The proposal is contrary to policy PM1A as the proposed use is not compatible with the character and amenity of the site. The use of part of the building for holiday accommodation would detract from the attractiveness of the remainder of the site for the existing businesses and future occupiers of the business units.

## **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 relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page**

Plan Reference

17/00896/1

17/00896/2

17/00896/3

# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	17/00896/FLL	
Ward No	P7- Strathallan	
Due Determination Date	25.07.2017	
Case Officer	Persephone Beer	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Part change of use from offices to form 3no. holiday accommodation units

**LOCATION:** Units H,J,F,G and 3 Glenruthven Mill Abbey Road  
Auchterarder PH3 1DP

### SUMMARY:

This report recommends **refusal** of the application 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.

**DATE OF SITE VISIT:** 15 June 2017  
**SITE PHOTOGRAPHS**



## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

Planning permission is sought for a part change of use from offices to form 3no. holiday accommodation units at Units H, J, F, G and 3, Glenruthven Mill, Auchterarder.

The application site forms part of Glenruthven Mill Business Centre which is located at the bottom of and to the north of Abbey Road and to the west of Ruthven Water in Auchterarder. There are residential areas to the west of the Glenruthven Mill site.

## **SITE HISTORY**

04/02286/FUL Change of use from gymnasium to offices, design studios and film editing suites 31 March 2005 Application Permitted

05/01747/FUL Change of use of workshop to offices 21 October 2005 Application Permitted

14/01601/FLL Sub-division of industrial storage warehouse/office into two units and partial change of use to builder's workshop 21 May 2015 Unit W Glenruthven Mill Abbey Road Auchterarder PH3 1DP Application Permitted

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: None.

## **NATIONAL POLICY AND GUIDANCE**

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

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

### **TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012**

The overall vision of the Tay Plan should be noted. The vision states *“By 2032 the TAYplan region 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 and visit and where businesses choose to invest and create jobs.”*

TAYplan Policy 1: Location Priorities sets out the spatial strategy as to where development should and should not go. It focuses the majority of new development in the principal settlements such as Auchterarder and emphasises that land within the settlement should be developed before land on the settlement edge, or land that would require an expansion to the settlement.

## **Perth and Kinross Local Development Plan 2014 – Adopted February 2014**

The Local Development Plan is the most recent statement of Council policy and is augmented by Supplementary Guidance.  
The principal policies are, in summary:

### **Policy PM1A - Placemaking**

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

### **Policy PM1B - Placemaking**

All proposals should meet all eight of the placemaking criteria.

### **Policy PM3 - Infrastructure Contributions**

Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

### **Policy ED1A - Employment and Mixed Use Areas**

Areas identified for employment uses should be retained for such uses and any proposed development must be compatible with surrounding land uses and all six of the policy criteria, in particular retailing is not generally acceptable unless ancillary to the main use.

### **Policy EP2 - New Development and Flooding**

There is a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere. Built development should avoid areas at significant risk from landslip, coastal erosion and storm surges. Development should comply with the criteria set out in the policy.

### **Policy EP8 - Noise Pollution**

There is a presumption against the siting of proposals which will generate high levels of noise in the locality of noise sensitive uses, and the location of noise sensitive uses near to sources of noise generation.

#### Policy RD1 - Residential Areas

In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

#### OTHER POLICIES

PKC Developers Guidance Note on Flooding & Drainage  
TAYplan Strategic Development Plan approved 2012

#### CONSULTATION RESPONSES

##### Development Planning

Proposal is contrary to the Local Development Plan and it is recommended that the application is refused.

##### Transport Planning

No objection.

##### Environmental Health

No adverse comments.

##### Scottish Water

No objection.

##### Local Flood Prevention Authority

Further information with regard to possible flood risk required.

#### REPRESENTATIONS

There have not been any representations received in relation to this application:

#### ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not submitted



## **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 for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

### **Policy Appraisal**

The whole of the application site is in Auchterarder's settlement boundary so the planning application is consistent with TAYplan Policy 1 which seeks to focus the majority of new development in the principal settlements such as Auchterarder.

The Perth and Kinross Local Development Plan (2014) acknowledges that the businesses in its area are the key driver of sustainable economic growth in the area. The Plan recognises that it needs to create an environment where existing businesses can grow, or new ones can be established.

The application site forms part of a larger site identified as an employment area under the terms of Policy ED1A. The policy requires sites identified as employment areas to be retained for such uses. It also requires that within these areas any proposed development must be compatible with surrounding land uses, and a list of criteria is provided (although none of these are directly applicable).

Policy ED3 supports rural businesses and diversification. Although the application is not for a rural business, the policy does offer general support to tourism-related development where it demonstrably improves the quality of new or existing visitor facilities, allows a new market to be exploited, or extends the tourist season.

Policy RD1 also applies, because the application site is inside the settlement boundary. This policy resists changes of use away from employment land unless there is demonstrable market evidence that the existing use is no longer viable. The proposed use would not benefit from the general support extended to tourism activities under criterion (d) of the policy because it would be a change of use away from employment land.

Policy ED1A seeks to retain this site for employment use. The proposed change of use to holiday accommodation units would be a departure from LDP policy and would require strong justification. Particularly when it appears that the site and buildings could remain in employment use.

Policy PM1, placemaking, would also apply. This seeks to ensure that any development is compatible with its surroundings and respects the character and amenity of a place.

In particular the statement submitted in support of the application does not justify a departure from Policy ED1A. It does not provide demonstrable market evidence that the existing use is no longer viable as required under Policy RD1, nor does it address the need to show improvement to the quality of new or existing visitor facilities as required to secure the support of Policy ED3.

### **Design and Layout**

The proposal is for a change of use of offices to form 3 holiday self-catering units. The site is part of the Glenruthven Mill Business Centre which contains a range of office and business uses. The unit at the end of the Business Centre is used as a builder's yard (planning permission 14/01601/FLL).

The applicant has submitted a supporting statement stating that there is limited demand for office use and that self-catering units are in high demand. It is stated that the area lends itself to tourist uses being adjacent to a public path with easy access to the town centre. An historic steam engine is preserved within the development which it is suggested will become an asset in terms of providing character and historical interest rather than be a hindrance in developing the site for office units. It is suggested that the proposed uses are compatible as the business uses only operate from 8am-5pm during the week and that separate entrances will be used for the self-catering and business uses.

### **Landscape**

The site is adjacent to the Ruthven Water which is well treed. There is an area of public open space above the site to the northwest. The proposal would have no adverse landscape impact.

### **Residential Amenity**

The applicant proposes a change of use of existing office units into three self-catering holiday accommodation units. The remainder of the eleven units will still be used for business purposes.

The applicant states, in the supporting statement submitted with this application, that due to the proximity of existing residential properties to the Mill the existing businesses operate from 08:00 to 17:00 hours week days.

The proposed self-catering accommodation will have separate access, parking and amenity areas from the business units.

The applicant also states that there should be sufficient sound insulation between the holiday accommodation and the adjacent business units due the construction of the building having thick stone walls.

Environmental Health notes that the proposal is for holiday accommodation and as such future clients are only residing within the units for short periods. Environmental Health therefore have no adverse comments to make with regards to any loss of amenity due to noise from the existing business units on the holiday accommodation.

### **Visual Amenity**

There will be limited external changes to building. The main change is the erection of a timber fence to enclose the car parking area and also to the east and south of the building to separate the self-catering unit from the through access road. Details of the fence have not been submitted but this may detract somewhat from the visual appearance of the building.

### **Roads and Access**

The site is accessed off Abbey Road. This is a steep and narrow road that to the west leads to Auchterarder town centre. The Flood Officer has commented that there are flooding concerns with regard to the access road and if approved would require further details of potential flood levels on the access road and submission of a Flood Action Plan.

The Transport Planner does not object. The proposals indicate that car parking for the holiday units will be provided within a fenced area that is currently used as a yard. No cycle parking is indicated although this may be beneficial.

### **Drainage and Flooding**

The site of the proposed holiday units is close to but out with the SEPA indicative 1 in 200 year flood envelope for the Ruthven Water. However the flood map shows that access to the site could become inundated with flood water during such an event.

In terms of flood risk, holiday accommodation is classed by SEPA as one of the most vulnerable land uses. In addition the PKC Developers Guidance Note on Flooding & Drainage states that vehicular access and egress must be maintained at all times during a 1 in 200 year + 20% climate change event.

Should the application be approved the Flood Officer requires the applicant to demonstrate that any flood water on the access road to the site during a 1 in 200 year + 20% climate change flood event is no deeper than 300mm. In addition the holiday units should be designed and built using flood resilient construction methods and material. A flood action plan will also be required due to the planned use of the units as temporary holiday accommodation.

The Flood Officer has confirmed that ideally flood information with regard to depth of water would be required prior to determination however it is appreciated that it would be costly for the applicant to commission this

information and that a condition could be added for a Flood Risk Assessment to be submitted for approval prior to the start of development.

### **Developer Contributions**

The Developer Contributions Guidance applies for this application as it is within the A9 Auchterarder junction improvements boundary. No contributions are required as the proposal is not of sufficient scale to require a transport assessment which would trigger the requirement for contributions.

### **Economic Impact**

The applicant is proposing to set up self-catering units to try to improve the economic return of the site as it is stated that there is no demand for office accommodation. However whilst the issue of compatibility with neighbouring uses is mentioned by the applicant there is no consideration of the adverse impact the proposed use could have on the existing businesses and future occupiers of vacant business units. The Supporting Statement limits the operating hours of existing businesses at the site to only 8am-5pm during the week, and limits the range of uses that may be carried out. It could be argued that these restrictions are limiting the attractiveness of the Mill as a business location and that the establishment of self-catering accommodation could have an adverse economic impact on the viability of business uses on the wider site.

### **Conclusion**

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

### **APPLICATION PROCESSING TIME**

The recommendation for this application has been made one day after the statutory determination period.

### **LEGAL AGREEMENTS**

None required.

### **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **RECOMMENDATION**

### **Refuse the application**

#### **Conditions and Reasons for Recommendation**

- 1 The proposal for holiday accommodation is contrary to policy ED1A of the Perth and Kinross Local Development Plan 2014 which seeks to retain the site for employment uses. The development, as proposed, would not safeguard the site for employment uses. Insufficient justification has been provided to demonstrate that other commercial uses of the site are not viable.
- 2 The proposal is contrary to policy PM1A as the proposed use is not compatible with the character and amenity of the site. The use of part of the building for holiday accommodation would detract from the attractiveness of the remainder of the site for the existing businesses and future occupiers of the business units.

#### **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.

#### **Procedural Notes**

Not Applicable.

## **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

17/00896/1

17/00896/2

17/00896/3

#### **Date of Report**

26 July 2017









## Glenruthven Mill

### Intoduction and History of site



Glenruthven Mill was built in late 1800s as part of the flourishing textile industry that emerged in the area called "Milton" of Auchterarder. Although all the other mills have been demolished the Glenruthven Mill has been used for non-textile purposes since the 1980's. The mill has housed a woollen shop, visitor centre, museum, gymnasium and offices over the years.

### Construction

80 percent of the building is of local sandstone of approx 600mm thick. The roof is a mixture of original slate and steel sheeting. The roof is supported by iron pillars and the floor is a suspended timber construction.

### Current use

The mill is currently subdivided into 11 business units which are mainly used as offices.

### Planning Zoning



"Blue" employment land. Adjacent sites to West, South and East are residential. To the North West is "open Space" and the North and North East grazing land. Further to the South is a builder's yard which sits adjacent to residential.

### Existing business activity

Due to the construction type of the 19<sup>th</sup> century building, the locality to adjacent residential areas and the sloping site there is limited scope for business on the site. Various experimental business ideas have been attempted but the only one which has produced reasonable success is the office letting business. However, there is a small demand in the area and the building has never in its history been fully utilised since the days of a working mill. On average the building is half tenanted.

Having vacant units causes potential problems and even potential business failure due to the limits to vacant rates relief and the elimination of vacant property water charges relief. The loss of a profitable tenant can have the effect of a double blow in the form of losing income and the possibility of rates and water sewage charges. The vacant relief only lasts 3 months but since there is such low demand for offices in the area the property could be empty for years.

### Proposed change of use

Part of the building into Self Catering Holiday Units.

### Supporting Information

#### Demand

- There is high demand for such self-catering units in the area. Having income from a different market sector namely tourism also creates more resilience to changing economical climates
- There is little demand for office units or business units at Glenruthven Mill. Furthermore, there is no evidence that office units are in demand in other areas of the town.
- There may be demand for industrial units however Glenruthven Mill site is surrounded by residential areas and building construction, topography and access do not allow this business type at this location.

#### Locality

- The Mill is surrounded by tranquil natural beauty such as the Ruthven Water, mature woods and views to the Ochil Hills. "The Milton" is an existing holiday self-catering business located at the entrance to the mill.
- The surrounding buildings are all residential
- The Mill is a secluded site with privacy on the edge of town but it is easy to walk into the town. The provost walk passes through the site which connects to the network of footpaths surrounding the town.
- The old mill building together with the preserved steam engine will now become an asset in terms of providing character, historical interest and architecture. The age of the building and existence of the steam engine is currently a hindrance to developing it as office units.



Surrounding mature trees



Adjacent residential and self-catering property.



Path network



Views to Ochil Hills from the rear of the property



Ruthven Water and old building

#### Separation of the existing office units and proposed self-catering units.

- Due to the proximity of the neighbouring residential areas Glenruthven Mill has always been subject to noise restrictions. Therefore, all business types have no noise pollution issues and only operate 8am-5pm during the week. The site is quieter in comparison to the high street or many other existing self-catering units located in residential areas.
- The proposed change of use relates to a specific section of the building which has separate access and amenity to the area which remain as office units. The two areas will not conflict as no access will be allowed into the self-catering area by business users. Parking and gardens will be self-contained.
- The thick stone walls provided excellent sound insulation.

Other employment zones consist of buildings either built for purpose or built for versatility. Only the creative thinking, work and investment of the owners allows Glenruthven Mill to exist as feasible business property since its construction and location restricts types use.

The applicant would be interested in any suggestion from the Council how to make the site work as “Employment Zone”. The neighbouring Ruthven Mill was recently demolished and rezoned for housing.

Currently the building requires heavy investment to refurbish and repair various sections. The financial returns are simply not achievable due to lack of demand for business units.

The planning permission to allow self-catering units will allow the owner to confidently invest in the building in the knowledge that the high demand for self-catering units will provide financial return.

#### SUMMARY

- Lack of demand for business units of the type Glenruthven Mill can provide
- Proposal will justify large investment in building
- The employment zoning is adhered to as existing business units remain and the self-catering units provides employment to business such as property management, maintenance trades, laundry services, cleaners and provides local hospitality and tourist attractions with customers.
- Building suitable for self-catering and there is a demand for the supply of self-catering units.
- Building unsuitable for many employment uses due to surrounding residential area, topography and building construction.
- No conflict with other users of property as it is separated physically and acoustically.
- Preservation of local historical building along with Scotland last working textile steam engine.



**TCP/11/16(487) – 17/00896/FLL - Part change of use from offices to form 3 holiday accommodation units, Units H, J, F, G and 3 Glenruthven Mill, Abbey Road, Auchterarder, PH3 1DP**

## **REPRESENTATIONS**



## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	17/00896/FLL	<b>Comments provided by</b>	E McMillan
<b>Service/Section</b>	TES - Flooding	<b>Contact Details</b>	floodingdevelopmentcontrol@pkc.gov.uk
<b>Description of Proposal</b>	Part change of use from offices to form 3 holiday accommodation units		
<b>Address of site</b>	Units H,J,F,G Glenruthven Mill Abbey Road Auchterarder PH3 1DP for Glendevon Construction Ltd		
<b>Comments on the proposal</b>	<p>The site of the proposed holiday units sits close to but out with the SEPA indicative 1 in 200 year flood envelope for the Ruthven Water. However the flood map shows that access to the site could become inundated with flood water during such an event.</p> <p>In terms of flood risk, holiday accommodation is classed by SEPA as one of the most vulnerable land uses. In addition the PKC Developers Guidance Note on Flooding &amp; Drainage states that vehicular access and egress must be maintained at all times during a 1 in 200 year + 20% climate change event.</p> <p>The applicant should demonstrate that any flood water on the access road to the site during a 1 in 200 year + 20% climate change food event is no deeper than 300mm. The holiday units should be designed and built using flood resilient construction methods and material. A flood action plan will also be required due to the planned use of the units as temporary holiday accommodation.</p>		
<b>Recommended planning condition(s)</b>	<p><b>FL00</b> The development hereby approved shall be constructed so as to be flood resilient in order to reduce the extent of potential flood damage and thereby reduce repair costs and speed up building restoration should a flood event occur</p> <p><b>RFL01</b> Reason - In order to take account of the flood risk from the adjacent watercourse.</p> <p><b>FL01</b> Prior to the commencement of development a Flood Action Plan shall be prepared for the site and submitted for the further agreement in writing of the Planning Authority in consultation with the Council's Structures and Flooding Section. This should detail access and egress arrangements during a flooding event</p> <p><b>RFL01</b> Reason - In order to take account of the flood risk from the adjacent watercourse</p>		

<b>Recommended informative(s) for applicant</b>	SEPA indicative 1 in 200 year flood map  PKC Developers Guidance Note on Flooding & Drainage
<b>Date comments returned</b>	9/6/17



14<sup>th</sup> June 2017

Perth & Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD



Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Stepps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - DevelopmentOperations@scottishwater.co.uk  
www.scottishwater.co.uk

Dear Sir/Madam

**SITE: PH3 Auchterarder Abbey Road Glenruthven Mill**

**PLANNING REF: 17/00896/FLL**

**OUR REF: 746162**

**PROPOSAL: Part change of use from offices to form 3no. holiday accommodation units**

**Please quote our reference in all future correspondence**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

- There is currently sufficient capacity in the Turret Water Treatment Works to service your development. Please note that further investigations may be required to be carried out once a formal application has been submitted.
- There is currently sufficient capacity in the Auchterarder Waste Water Treatment works to service your development. Please note that further investigations may be required to be carried out once a formal application has been submitted.

**The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.**

## **Surface Water**

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

## **General notes:**

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

**Site Investigation Services (UK) Ltd**

**Tel: 0333 123 1223**

**Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)**

**[www.sisplan.co.uk](http://www.sisplan.co.uk)**

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

### **Next Steps:**

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website using the following link.  
[www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms/pre-development-application](http://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms/pre-development-application)

- **Non Domestic/Commercial Property:**

**Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)**

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely

**Carole McLaughlin**

Development Operations Analyst

[Carole.mclaughlin@scottishwater.co.uk](mailto:Carole.mclaughlin@scottishwater.co.uk)

# Memorandum

To Development Quality Manager

From Regulatory Services Manager

Your ref 17/00896/FLL

Our ref LRE

Date 15 June 2017

Tel No 01738 476462

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **Consultation on an Application for Planning Permission**

**PK17/00896/FLL RE: Part change of use from offices to form 3 holiday accommodation Units H,J,F,G Glenruthven Mill Abbey Road Auchterarder PH3 1DP for Glendevon Construction Ltd.**

I refer to your letter dated 31 May 2017 in connection with the above application and have the following comments to make.

**Environmental Health** (assessment date –15/06/17)

### **Recommendation**

**I have no adverse comments to make in relation to the application**

### **Comments**

The applicant proposes to change of use existing office units into three self-catering holiday accommodation units. The remainder of the eleven units will still be used for business purposes.

The applicant states, in the supporting statement submitted with this application, that due to the close proximity of other existing residential properties to the Mill the existing businesses have restricted hour of operations from 08:00 to 17:00 hours week days.

The proposed self-catering accommodation will have separate access, parking and amenity areas from the business units.

The applicant also states that there should be sufficient sound insulation between the holiday accommodation and the adjacent business units due the construction of the building having thick stone walls.

The proposed residential part of the building is for holiday accommodation and therefore future clients are only residing within the units for short periods, therefore I have no adverse comments to make with regards to loss of amenity due to noise from the existing business units on the holiday accommodation.





### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	17/00896/FLL	<b>Comments provided by</b>	Niall Moran
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	x76512
<b>Description of Proposal</b>	Part change of use from offices to form 3no. holiday accommodation units		
<b>Address of site</b>	Units H,J,F,G Glenruthven Mill Abbey Road Auchterarder PH3 1DP		
<b>Comments on the proposal</b>	Insofar as the Roads matters are concerned I do not object to the proposed development.		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	21 June 2016		





## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	17/00896/FLL	<b>Comments provided by</b>	Alasdair Finlayson
<b>Service/Section</b>	TES / Forward Planning	<b>Contact Details</b>	Ext. 75315 <a href="mailto:AFinlayson@pkc.gov.uk">AFinlayson@pkc.gov.uk</a>
<b>Description of Proposal</b>	Part change of use from offices to form 3no. holiday accommodation units		
<b>Address of site</b>	Units H,J,F,G Glenruthven Mill Abbey Road Auchterarder PH3 1DP		
<b>Comments on the proposal</b>	<p><b>TAYplan Strategic Development Plan approved 2012</b></p> <p>TAYplan <i>Policy 1: Location Priorities</i> sets out the spatial strategy of where development should and should not go. It focuses the majority of new development in the principal settlements such as Auchterarder and emphasises that land within the settlement should be developed before land on the settlement edge, or land that would require an expansion to the settlement.</p> <p>The whole of the application site is in Auchterarder's settlement boundary so the planning application is consistent with TAYplan Policy 1.</p> <p><b>Perth and Kinross Local Development Plan adopted 2014</b></p> <p>The Local Development Plan acknowledges that the businesses in its area are the key driver of sustainable economic growth in the area. The Plan recognises that it needs to create an environment where existing businesses can grow, or new ones can be established.</p> <p>The application site forms part of a larger site identified as an employment area under the terms of Policy ED1A. The policy requires sites identified as employment areas to be retained for such uses. It also requires that within these areas any proposed development must be compatible with surrounding land uses, and a list of criteria is provided (although none of these are directly applicable).</p> <p>Policy ED3 supports rural businesses and diversification. Although the application is not for a rural business, the policy does offer general support to tourism-related development where it demonstrably improves the quality of new or existing visitor facilities, allows a new market to be exploited, or extends the tourist season.</p> <p>Policy RD1 also applies, because the application site is inside the settlement boundary. This policy resists changes of use away from employment land unless there is demonstrable market evidence that the existing use is no longer viable. The proposed use would not benefit from the general support extended to tourism activities under criterion (d) of the policy because it would be a change of use away from employment land.</p>		

	<p><b>Comments</b></p> <p>Policy ED1A seeks to retain this site for employment use. The proposed change of use to holiday accommodation units would be a departure from LDP policy and would require strong justification. Particularly when it appears that the site and buildings could remain in employment use.</p> <p>The statement submitted in support of the application does not justify a departure from Policy ED1A. In addition it does not provide demonstrable market evidence that the existing use is no longer viable as required under Policy RD1, nor does it address the need to show improvement to the quality of new or existing visitor facilities as required to secure the support of Policy ED3. It is therefore recommended that the application is refused.</p> <p>Turning to other matters, the issue of compatibility with neighbouring uses is mentioned however there is no consideration of the adverse impact the proposed use could have on the existing businesses and future occupiers of vacant business units. The Supporting Statement limits the operating hours of existing businesses at the site to only 8am-5pm during the week, and limits the range of uses that may be carried out. It could be argued that these restrictions are limiting the attractiveness of the Mill as a business location.</p> <p>Additionally, the location of the burn next to the application site raises questions as to flood risk. While the application site itself is not formally identified as being at risk of flooding from the Ruthven Water, the access track is. Consultation carried out in 2010 as part of the preparation for the adopted LDP indicated that SEPA hold records of flooding in the Glenruthven Mill area occurring in 1993.</p>
<b>Recommended planning condition(s)</b>	
<b>Recommended informative(s) for applicant</b>	
<b>Date comments returned</b>	24 July 2017