

Perth and Kinross Council
Planning & Placemaking Committee – 6 July 2022
Report of Handling by Head of Planning & Development
(Report No. 22/165)

PROPOSAL:	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
LOCATION:	Kinvaid Farm Moneydie Perth PH1 3HZ

Ref. No: [21/02279/FLL](#)
Ward No: P5- Strathtay

Summary

This report recommends approval of the application, subject to conditions, 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. Any positive Decision Notice shall be withheld such time as a Section 75 Legal Agreement or other suitable mechanism has been concluded to secure the required developer obligations.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The application site is a disused agricultural steading and farmhouse located within Moneydie approximately 2 miles west of Luncarty. The site extends to approximately 2 hectares and undeveloped parts comprise rough grassland with trees and hedging around the boundaries. In a central position are four ranges of agricultural buildings and a farmhouse, all arranged around a central courtyard. The buildings sit on a flat area, whilst the site generally slopes sharply downwards from north-east to south-west.
- 2 The steading buildings date from the early 19th century and are mainly of stone walls, with some brickwork, and slate roofs. The north range and attached 'horse mill' are listed at Category C, and a separate application for listed building consent (21/02280/LBC) has been submitted for the physical works connected with the development proposed in this application. That application is also contained on this Committee Agenda.
- 3 In total the proposed development would see eight dwellings created, via: converting the listed building to two dwellings; and taking down and reconstructing the remaining steading buildings and farmhouse, on the same footprint but with extensions, to form a further four dwellings. In addition, two new build dwellings would be constructed in the northern part of the site, both single storey with natural stone walls and aluminium clad timber windows. 'House one' would have a

sedum roof, whilst 'house two' would see the roof clad in green zinc. In addition, two garage buildings and a communal storage building are proposed, all of which would be single storey stone-built buildings with green zinc roofs.

- 4 The site is served by a private access which extends to the north and links with the C408 public road from Moneydie to Bankfoot. It is proposed to upgrade and widen the existing track within the site and to form visibility splays at the junction with the public road.
- 5 A 'drainage strategy' has been submitted and it is proposed to dispose of foul water via a private drainage system to a shared private treatment plant, before discharging into a foul water soakaway. Surface water would be dispersed within the site to a SUDS pond to be located in the south-east part of the site.
- 6 There are four trees within the site, and these would be retained. Boundary treatments would see post and wire fences. The submission indicates that the courtyard space would be shared between the dwellings, with a large communal vegetable patch and open landscaped areas. In addition, each dwelling would be provided with an area of private garden ground. A ground mounted solar array is proposed on a strip of land projecting at the north-western corner of the site. Bat and barn owl boxes would be provided.
- 7 The north range contains one and a half storeys and retains its internal stairs and timber floor at first floor level. The attached horse engine is a particularly rare surviving example of its type. It is proposed to convert this building to form two dwellings with an extension on the north elevation where a single storey timber extension was previously removed.
- 8 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 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.
- 9 The east range consists of one and a half storey buildings of stone, brick and slate construction, with chimneys. There is a lean-to extension with timber supports and a corrugated metal roof running along the north-east elevation, this would be removed. Single storey extensions to the east of this range are proposed to provide additional storage and garage space.
- 10 The west range is single storey and repeats the stone, brick and slate materials. There is a considerable level change to the south-west and a large lean-to extension with timber supports and a corrugated metal roof occupies this adjacent area. 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

- 11 Pre-Application advice was sought in 2019 (Refs:19/00303/PREAPP and 19/00461/PREAPP) and comment was given on the proposals presented:

redevelopment of the steading buildings and conversion of the listed building. Demolition of the listed building was initially proposed but was revised to conversion.

- 12 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

- 13 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

- 14 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.

Scottish Planning Policy 2014 (SPP)

- 15 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.
- 16 The following sections of the SPP will be of particular importance in the assessment of this proposal:
- Sustainability: paragraphs 24 – 35
 - Placemaking: paragraphs 36 – 57
 - Listed buildings: Paragraph 141

Planning Advice Notes

- 17 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 40 Development Management
 - PAN 51 Planning, Environmental Protection and Regulation

- PAN 60 Natural Heritage
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 67 Housing Quality
- PAN 68 Design Statements
- PAN 72 Housing in the Countryside
- PAN 75 Planning for Transport
- PAN 79 Water and Drainage
- PAN 2/2011 Planning and Archaeology

Creating Places 2013

- 18 Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

National Roads Development Guide 2014

- 19 This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

Development Plan

- 20 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

- 21 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."

- 22 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application.

- Policy 1: Locational Priorities
- Policy 2: Shaping Better Quality Places
- Policy 3: A First Choice For Investment
- Policy 4: Homes
- Policy 9: Managing TAYplans Assets

Perth and Kinross Local Development Plan 2

- 23 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.
- 24 The principal relevant policies are, in summary;
- Policy 1A: Placemaking
 - Policy 1B: Placemaking
 - Policy 2: Design Statements
 - Policy 5: Infrastructure Contributions
 - Policy 19: Housing in the Countryside
 - Policy 27A: Listed Buildings
 - Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
 - Policy 39: Landscape
 - Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
 - Policy 41: Biodiversity
 - Policy 53B: Foul Drainage
 - Policy 53C: Water Environment and Drainage: Surface Water Drainage
 - Policy 53E: Water Environment and Drainage: Water Supply
 - Policy 58A: Contaminated and Unstable Land: Contaminated Land
 - Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

Other Policies

Developer Contributions and Affordable Housing Supplementary Guidance April 2020

Housing in the Countryside Supplementary Guidance March 2020

- 25 This document sets out the Council’s policies on Developer Contributions in relation to Primary Education and Transport Infrastructure/A9 junction upgrades, as well as setting out what Affordable Housing provision is required for new developments.

Placemaking Supplementary Guidance 2020

- 26 The Council has prepared Placemaking Supplementary Guidance (2020) to support Policy 1 (Placemaking) of the Perth and Kinross Local Development Plan 2 (2019). It is to be used in the assessment of planning applications and to assist in the placemaking process.

Historic Environment Scotland (HES) Policy Statement 2019

- 27 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. In addition, other HES documents are also relevant.

Site History

- 28 [99/01874/FUL](#) Detailed planning permission was approved on 16 March 2000 for the conversion of the farm steading to 4 residential units.
- 29 [04/00967/FUL](#) Detailed planning permission was approved on 5 August 2004 for the refurbishment of the existing farmhouse and conversion of the steading buildings into 5 new residential units.
- 30 [07/00658/FLL](#) Detailed planning permission was refused on 21 August 2014 for a revised proposal for the refurbishment of existing farmhouse, conversion of existing steading buildings into 5 new dwellings and construction of 4 new dwellings attached to existing steading buildings.
- 31 [11/00658/FLL](#) Detailed planning permission was approved on 20 June 2011 for the erection of an anemometer mast for a period of one year.
- 32 [17/00281/FLL](#) An application for detailed planning permission was withdrawn on 31 May 2017. This proposed the formation of campsite containing 60 tent pitches, 33 accommodation units, 2 toilet blocks and 1 toilet/catering block, reception building, community hub, maintenance store, car parking, landscaping and associated works.
- 33 **17/00653/PN** In April 2017 a Prior Notification for the erection of an agricultural storage building was returned, as the development required planning permission.
- 34 [17/00776/FLL](#) Detailed planning permission was approved on 3 July 2017 for the erection of an agricultural shed.
- 35 [17/01694/FLL](#) Detailed planning permission was refused on 6 February 2018 for the formation of holiday park and siting of 20 accommodation units, erection of a reception/maintenance building, formation of car parking, landscaping and associated works.
- 36 [18/01715/FLL](#) Detailed planning permission was refused on 1 November 2018 for the erection of a 'hut'.
- 37 [18/02184/PAA](#) A prior approval was refused on 7 January 2019 for the erection of an agricultural building.
- 38 [21/00138/LBC](#) A Listed Building Consent application was withdrawn on 22 December 2021, this had proposed demolition of the listed steading buildings.

- 39 [21/00139/FLL](#) A detailed planning permission application was withdrawn on 22 December 2021, this had proposed the demolition of the 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.
- 40 [21/02280/LBC](#) A related application for Listed Building Consent proposing alterations and extension to the steading buildings to form 6 dwellinghouses is pending consideration and is subject to a report elsewhere on this Committee Agenda.

CONSULTATIONS

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

External

Perth And Kinross Heritage Trust

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

Luncarty, Redgorton And Moneydie Community Council

- 43 Objection due to overdevelopment of site, road safety concerns, light reflection from solar array and negative impact on listed buildings.

Internal

Environmental Health (Private Water)

- 44 No objection, note that intention is to connect to private supply.

Environmental Health (Contaminated Land)

- 45 No objection, request condition requiring evaluation for potential of site to affected by contamination from previous use.

Development Contributions Officer

- 46 Advise that contributions are required by the relevant Policy/Supplementary Guidance totalling £106,176 are required (Affordable Housing £56,000, Education £30,984, Transport Infrastructure £16,452)

Conservation Team

- 47 Case officer is the 'conservation officer', so no consultation required.

Community Waste Advisor - Environment Service

- 48 No objection, subject to conditions.

Transport Planning

- 49 No objection, subject to conditions.

Biodiversity/Tree Officer

- 50 No objection, subject to conditions. Advise the updated bat survey is acceptable.

Planning And Housing Strategy

- 51 No objection. Comment that whilst the two new build units do not strictly meet the requirements of Category 5 of the Housing in the Countryside Supplementary Guidance, in this particular case this issue can be outweighed by the retention of the listed buildings, sensitive redevelopment of the steading buildings and evidence that these units are necessary to secure the financial viability of the overall scheme.

Representations

- 52 A total of 22 letters of representation have been received, 14 objecting and 8 in support.

- 53 The issues raised in the letters of objection are summarised as follows:

- Overdevelopment of site
- Out of character with rural environment
- Impact on road safety
- Glare from solar array
- Alternative buyer available for site
- Excessive car parking provision
- Traffic generation
- Noise and light pollution
- Overlooking
- Inadequate road system
- Insufficient electricity supply
- Landscape impact
- Construction noise
- Inadequate drainage

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

- Employment provision
- Environmental improvements
- High quality design
- Sustainable living
- Avoids loss of listed building
- Regeneration of redundant steading
- Increased council tax revenues and developer contributions

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

ADDITIONAL STATEMENTS

56

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 e.g. Flood Risk Assessment	<ul style="list-style-type: none">• Tree Survey/Report• Bat Survey• Transport Statement• Structural Report• Drainage Strategy• Planning and Listed Building Statement• Ecological Constraints Report• Geoenvironmental Risk Assessment• Development Viability Statement (sensitive)

APPRAISAL

57 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 Placemaking Guide 2020 and the Affordable Housing and Developer Contributions 2020.

58 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

Change of Use, Alterations and extension

59 Through Policy 19 - Housing in the Countryside and the associated Supplementary Guidance (SG) it is acknowledged that opportunities do exist for

housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved. Thus, the development of single houses or groups of houses which fall within one of the six identified categories below will be supported.

- 1) Building Groups
- 2) Infill site
- 3) New houses in the countryside on defined categories of sites as set out in section 3 of the SG
- 4) Renovation or replacement of houses
- 5) Conversion or replacement of redundant non-domestic buildings
- 6) Development on rural brownfield land

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

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

61 It is proposed to replicate closely the overall layout, scale and design of the existing farmhouse. In addition, the materials of the existing building would be re-used as far as possible and replicated where reuse is not possible. The scale, massing and design of the proposed extensions and alterations are sympathetic to the original building and its surroundings whilst incorporating contemporary elements. A development viability statement has been submitted which demonstrates that some of the unlisted buildings require to be reconstructed because of structural deficiencies which cannot be remedied at an economic cost.

62 Category 5 is also applicable which allows for the conversion or replacement of redundant non-traditional buildings to form houses providing the buildings are of traditional form and construction. The SG states that replacement of traditional buildings will only be permitted in cases where there is objective evidence that the existing building(s) require to be reconstructed because of structural deficiencies which cannot be remedied at an economic cost. Evidence should be in the form of a Development Viability Statement, prepared by an independent expert, which sets out the detailed costs of converting the building(s). The SG also allows for some limited new build accommodation associated with the conversion of traditional building complexes. In this instance, the applicant has submitted a Development Viability Statement which explicitly outlines the costs associated with both the wider development and the specifics of the listed building conversion. It is considered that the submitted information adequately justifies the need for the additional two dwellings in order to bridge the financial gap of viability, and also to allow for the payment of the identified developer contributions.

63 In this instance, for ease of reference, the proposal can be divided into three elements. The first element is the section of the steading which is proposed for

conversion, the second is the replacement of the remaining steading buildings with housing and the third is the two proposed new build dwellings.

- Conversion – This element of the proposal would be a conversion of a traditional building which is considered to contribute positively to the landscape character of the area. The proposed alterations and extensions would be in harmony with the existing building and materials and the proposed new build elements within the site are considered to be of a scale and appearance in keeping with these buildings.
- New build replacement sections – It is proposed to replicate closely the overall layout, scale and design of the existing traditional steading buildings. In addition, the materials of the existing buildings would be re-used as far as possible and replicated where reuse is not possible. The scale, massing and design of the proposed extensions are sympathetic to the original and remaining buildings whilst incorporating contemporary elements. A development viability statement has been submitted which demonstrates that the buildings require to be reconstructed because of structural deficiencies which cannot be remedied at an economic cost.
- New build dwellings – The development viability statement demonstrates that the proposed new build dwellings are required in order to achieve a viable scheme for redevelopment of the steading buildings and the conversion of the listed building. The proposed location, design scale, and massing of the dwellings is considered to be in keeping with the character and appearance of the existing steading and farmhouse buildings.

- 64 On this basis the proposed development is considered to satisfy the relevant criteria and would therefore comply with Policy 19.

Design and Layout

- 65 Generally, the design and scale of development should respect its surroundings and adhere to Policies 1A and B of LDP2, which relate to placemaking. Further guidance is also provided within the associated Placemaking Supplementary Guidance.
- 66 The overall layout, scale and massing of the existing steading buildings would be largely replicated, and the proposals are generally respectful of the agricultural character of the site and its surroundings. The proposed palette of materials is also considered appropriate and sensitive to the traditional character and appearance of the buildings and their rural setting. It is considered that the two new dwellings have been sited and designed in keeping with the existing group of buildings and would sit comfortably alongside the listed building without compromising its setting.
- 67 As such the proposal considered of an appropriate scale and design and conducive to the rural character and visual amenity of the area, as required by Policies 1A and 1B of LDP2.

Landscape and Visual Amenity

- 68 Policy 39 requires proposals to be compatible with the landscape character of the area. Any proposal should be a good fit with the landscape and amongst other things, not erode local distinctiveness. Development and land use change should be compatible with the distinctive characteristics and features of Perth & Kinross's

landscape. Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross.

- 69 The criteria contained within this policy seeks to safeguard the tranquil qualities of an area's landscape and safeguard local distinctiveness and the visual and scenic qualities of the landscape. Policy 39 also mentions the requirement to consider the Tayside Landscape Character Assessment prepared by Scottish Natural Heritage.
- 70 The Tayside Landscape Character Assessment (TLCA) identifies this area as part of the Lowland Hills – Tayside area and states that modern settlement limited to scattered farmsteads and hamlets, with some main roads and pylons.
- 71 The immediate landscape surroundings of the site are characterised by undulating topography with large areas of mature woodland and small groups of buildings. The steading itself sits on an elevated site however extensive areas of woodland around the site mean that only the southern elevation comprising the former farmhouse and adjoining barn have any prominence in views of the site.
- 72 There is some potential for the proposed solar array to be visible in limited views of the site however it is considered that this could be satisfactorily mitigated through the precise location of the array and planting to screen the site and condition has been included to secure this.
- 73 The development would therefore have no unacceptable adverse impact on surrounding local landmarks, views or skylines. The proposal is therefore considered to relate successfully to the established landscape character of the area and therefore comply with Policy 39 of LDP2.

Residential Amenity

- 74 While representations consider the development would cause light and noise pollution issues the proposed residential use, layout of the site and its proximity to neighbouring dwellings are not considered to give rise to any concerns regarding its impact on the amenity of neighbouring dwellings.
- 75 Due to the potential for contamination arising from the previous agricultural use of the site the Contaminated Land Officer was consulted on the application. Their response confirms that their service has received and reviewed the reports submitted with the application. Due to further works being necessary and verification of the works required they recommend that conditional control is reapplied to ensure that any ground contamination is dealt with accordingly. This is covered by Condition 16.

Roads and Access

- 76 The vehicle access to the site would be from the C408. The applicant has demonstrated that the vehicle access could be afforded the full visibility splay of 215 metres for national speed limits, however, vegetation management would be required for the splay to the north. The applicant has undertaken a speed survey

which shows that 85th%ile vehicle speeds are below 40mph on the C408 to both the north and south of the vehicle access, this would allow a relaxation to 120 metres. Vegetation management would be required to provide and maintain the visibility splay and a condition is included for the provision of the visibility splay. The vehicle access onto the public road network would be upgraded as part of the works. The level of car parking within the site meets the standards within the National Roads Development Guide. The internal layout for the site has been amended and a number of turning areas have been provided, adjacent to Plot 5 and opposite Plot 1 and 6. This will reduce the distances delivery vans and visitors will need to reverse. On the updated site layout plan, information has been provided to show the collection location for the foul sewage waste and a suitable location for the desludging lorry to operate from. The Public Transport Unit have requested rural bus boarders on either side of the C408 for any school ages children to have a place to board and alight the school transport provision. Condition 13 has been included to secure their installation prior to occupation of any dwellinghouse. The current Farmhouse is served by a private vehicle access, it is proposed that this development will continue to be served by the private vehicle access. It is therefore considered that the development raises no concerns in terms of roads or access.

Drainage and Private Water Supply

- 77 Policy 53B relates to foul drainage and states that in settlements where there is little or no public sewerage system, a private system may be permitted provided it does not have an adverse effect on the natural and built environment, surrounding uses and amenity of the area.
- 78 As there are no foul sewers in the vicinity of the development it is proposed to dispose of foul water via a private drainage system. Foul water would be collected and conveyed via drains to a shared private packaged treatment plant before discharging into a foul water soakaway within the site boundary.
- 79 Policy 53C relates to surface water drainage and requires all new development to employ SUDS measures.
- 80 It is proposed to collect and convey surface water runoff from building roofs and hardstanding areas to a SUDS pond located in the south-eastern part of the site.
- 81 Policy 53E requires that all new development must be served either by a satisfactory mains or private water supply complying with the Water (Scotland) Act 1980 and associated Private Water Regulations, without prejudicing existing users.
- 82 It is proposed to connect to a private water supply and the Private Water team have confirmed that the proposed development raises no concerns subject to an informative regarding the requirement to submit detailed information regarding the private water supply to Perth and Kinross Council Environmental Health.
- 83 As such the proposed drainage and water strategy is considered to comply with the relevant policies subject to the detailed design of the water treatment plant and SUDS pond being agreed. Conditions 6 and 7 require submission of the detailed

location and design of the treatment plant and SUDS pond have therefore been included.

Flooding

- 84 SEPA's indicative flood maps do not identify the site as being at risk to flooding and there are no known issues or concerns in respect to flooding at the site.

Waste Collection

- 85 It is proposed to provide storage for bins within the site to be collected from a collection point within the site. The Waste Services team have stated that this approach is acceptable subject to the provision of suitable access and collection points and condition 17 has been included to secure this.

Conservation Considerations

- 86 The north range of the steading is listed at Category 'C' as a relatively rare and early example of this type of agricultural building, which includes an attached horse mill. 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 convert/bring the building back to a usable condition. Whilst the overall approach to the proposed works and design of the conversion scheme, including the proposed extension, would be in keeping with the character and appearance of the listed building, a 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.
- 87 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.
- 88 The introduction of two new dwellings within the site would impact on the relationship between the listed building and its wider rural landscape setting which is important in understanding its original purpose and function. However, given the location and scale of those dwellings' views to and from the listed building and its wider landscape setting would be preserved to an acceptable level. Review of the Development Viability Statement (DVS), which has not been made publicly available due to the sensitive nature of the content, sees it accepted that the additional two new dwellings are required to generate funds to bridge the viability deficit and secure the proposed redevelopment of the remaining steading buildings. Notwithstanding the viability issues, developer contributions are still to be secured. The alternative being that it would not be financially viable to undertake the project and the outcome instead being that the listed building remains without a long-term

ongoing use and deteriorates in condition. As such and on balance the proposed development is considered to comply with Policy 27A.

Natural Heritage and Biodiversity

- 89 Policy 41 of LDP2 relates to biodiversity and seeks to protect and enhance all wildlife and wildlife habitats whether or not formally designated.
- 90 Ecology surveys originally submitted with the previous application required updating during the course of the determination period. The updated surveys and report were carried out and prepared in accordance with best practice and it is considered that, subject to implementation of the mitigation measures contained in the reports, the development would have no detrimental impact on biodiversity. Conditions 10, 11 and 12 have been included to secure implementation of the mitigation measures.
- 91 A tree report was submitted as part of the application and confirms that all trees within the development site would be retained and protected. Condition 8 which requires the submission of a detailed landscaping plan is recommended to be included to ensure an appropriate planting scheme is implemented as part of the development.

Developer Contributions

- 92 The Council's Affordable Housing Policy requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing. The proposal is for the creation of 8no. units. The Affordable Housing requirement would therefore be 2no. units. Alternatively, the site is located in the Perth Housing Market Area where a Commuted Sum of £28,000 per unit applies. The calculated contribution would be £56,000.
- 93 The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, including for extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity. This proposal is within the catchment of Luncarty Primary School where there is such a constraint. The rate is £5,164 per open market unit (thus a multiple of 6, with the Affordable Housing contributions not seeing a further requirement for 2x units), giving a calculated contribution of £30,984 (6x £5,164).
- 94 The Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth. The site is located within the Reduced area of Transport Infrastructure contributions zone (Appendix 3 of the Supplementary Guidance), where the rate is £2,742 per open market unit and £1,370 per Affordable Housing unit (which would be applied to 2x units given the

Affordable Housing contribution). The calculated contribution would be £19,192 ((6x £2,742) + (2x £1,370)).

- 95 The total developer contributions payable would therefore be £106,176 (£56,000 + £30,984 + £19,192), and this would be required to be secured via legal agreement or other suitable mechanism before any positive Decision Notice was issued.

Economic Impact

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

VARIATION OF APPLICATION UNDER SECTION 32A

- 97 This application was varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended. The variations incorporate changes to the proposed layout of the access road within the site.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

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

DIRECTION BY SCOTTISH MINISTERS

- 99 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

- 100 To conclude, the application must be determined 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.
- 101 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 duntaking 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.

6. Development shall not commence on site until a detailed sustainable urban drainage system (SUDS) has been submitted for the written agreement of the Council as Planning Authority, in consultation with SEPA where necessary. The

scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C753) and the Council's Flood Risk and Flood Risk Assessments Developer Guidance and shall incorporate source control. All works shall be carried out in accordance with the agreed scheme and be operational prior to the bringing into use of the development.

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

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

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

8. Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

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

9. Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site shall be submitted for the written agreement of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

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

10. The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved (document 55 relates) shall be fully adhered to, respected and undertaken as part of the construction phase of development, to the satisfaction of the Council as Planning Authority.

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

11. An updated bat survey will be required prior to the commencement of works, if works have not commenced within 24 months of the date of the bat survey approved as part of this permission. The updated survey shall be submitted to the

Council as Planning Authority for written agreement and works shall not commence until after such written agreement has been issued by the Council.

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

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

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

13. Prior to occupation of the first unit, bus boarders will be constructed on both sides of the C408 public road network as shown in drawing "16132A_SK_001_D", for the proposed development in accordance with Perth & Kinross Council's Road Development Guide, Rural Bus Boarder. Dropped kerbs will be provided on both sides of the road. The work shall be supervised by the Area Roads Engineer and in accordance with standards of the Roads Authority.

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

14. Prior to the commencement of the development hereby approved, full visibility splays of 120 metres shall be provided to the left and right of the access, at a set-back of 2.4 metres measured 1.05m above the road level as shown in drawing "16132A_00_002_D". The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated outwith the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason - In the interests of road safety; to ensure the provision of adequate visibility of the vehicular access.

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

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

16. Prior to the commencement of works on site, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken and as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) will be submitted for consideration by the Council as Planning Authority. If after the

preliminary risk assessment identifies the need for further assessment, an intrusive investigation should be undertaken to identify;

- i) the nature, extent and type(s) of contamination on the site
- ii) measures to treat/remove contamination to ensure the site is fit for the use proposed
- iii) measures to deal with contamination during construction works
- iv) condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

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

17. Prior to the commencement of works on site, detailed drawings in accordance with the requirements of the Waste Services Memo dated 25 May 2022 showing waste and recycling facility enclosures or waste and recycling facility storage areas and associated locations for bin presentation, shall be submitted for the written agreement of the Council as Planning Authority. None of the residential units hereby approved shall be occupied until the agreed scheme has been provided in full.

Reason - In order to ensure adequate servicing facilities are provided.

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

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

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

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

developer contributions policy and may be ultimately recommended for refusal under delegated powers

D INFORMATIVES

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
4. This is approval of your application Ref no 21/02279/FLL for planning permission only. It does not include any approval for your related Listed Building Consent Ref no 21/02280/LBC. You should therefore not commence work until you have received Listed Building Consent. Carrying out alterations without Listed Building Consent is an offence.
5. The applicant shall ensure the private water supply for the dwellinghouse/ development complies with the Water Scotland Act 1980 (Section 63), The Private Water Supplies (Scotland) Regulations 2006 and The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above Act and Regulations.
6. This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. The required information must be submitted via the ePlanning portal if your original application was lodged that way, otherwise send it to us at developmentmanagement@pkc.gov.uk. Please be aware that a fee is payable in respect of each request made, though there is no limit to the number of conditions that can be discharged in a single request. The Fees Charter is available on our website www.pkc.gov.uk.

The Council has two months to consider the information. You should therefore submit the required information more than two months before your permission expires. We cannot guarantee that submissions made within two months of the

expiry date of your permission will be able to be dealt with before your permission lapses.

7. The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
8. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council, as Roads Authority, consent to open an existing road or footway prior to the commencement of works. Information on junction types, requirements for Vehicular Access consents (VA1) and application forms are available at www.pkc.gov.uk/vehicleaccess. Advice on the disposal of surface water should be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
9. No work shall be commenced until an application for building warrant has been submitted and approved.
10. There is a Section 75 legal obligation associated with this planning permission, which relates to the provision of developer contributions, and the timeous delivery of the conversion of the retained listed building.

A copy is available to view on the Council's Public Access portal.

Background Papers: 22 letters of representation

Contact Officer: Marianna Porter

Date: 23 June 2022

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

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