

Perth and Kinross Council  
Planning & Development Management Committee – 9 March 2021  
Report of Handling by Head of Planning & Development (Report No. 21/27)

**PROPOSAL:** Part change of use from dwellinghouse to dwellinghouse and events venue

**LOCATION:** Auchterarder House, Auchterarder, PH3 1DZ

Ref. No: 20/00297/FLL  
Ward No: P7- Strathallan

### **Summary**

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

### **BACKGROUND AND DESCRIPTION OF PROPOSAL**

- 1 The proposal is for a part change of use of Auchterarder House from a dwellinghouse to incorporate an events venue. Auchterarder House is Category B listed and set in extensive grounds some 2 km north-east of Auchterarder. It was formerly a hotel but has more recently been in residential use. Access is via a private gated driveway off the B8062.
- 2 There are two related applications under consideration at the associated stables building, some 180m to the north-east, seeking both planning permission and listed building consent (20/00805/FLL and 20/00806/LBC). These relate to the conversion/alteration of the stables to form an events venue and are not yet in a position to be determined, with information awaited in relation to proposed works within a woodland area. However, whilst it was intended that the three applications would be brought to the same meeting of this Committee, given that they could operate independently of each other, it is not considered appropriate to further delay determination of this application solely for Auchterarder House. If recommended for approval, the proposals at the stables will be presented to a future Committee.

### **Pre-Application Consultation**

- 4 Pre-Application advice was sought in February 2020 (20/00031/PREAPP) and comment given on options for: use of the existing house, conversion of stables and the possibility of erecting a free-standing events venue in the grounds.
- 5 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**

- 6 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**

- 7 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**

- 8 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.
- 9 The following sections of the SPP will be of particular importance in the assessment of this proposal:
- Placemaking paragraphs 36 – 57
  - Promoting rural development paragraphs 74 – 83
  - Valuing the historic environment paragraphs 135 - 142

### **Planning Advice Notes**

- 10 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 40 Development Management
  - PAN 1/2011 Planning and Noise

### **National Roads Development Guide 2014**

- 11 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**

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

### **TAYPlan Strategic Development Plan 2016-2036**

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

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

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

- Policy 3 – A First Choice for Investment
- Policy 9 – Managing TAYplan’s Assets

### **Perth and Kinross Local Development Plan 2**

- 15 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.

- 16 The principal relevant policies are;

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 5: Infrastructure Contributions
- Policy 8: Rural Business and Diversification
- Policy 27A: Listed Buildings
- Policy 56: Noise Pollution
- Policy 60B: Transport Standards and Accessibility Requirements

### **Other Policies**

#### **Developer Contributions and Affordable Housing Supplementary Guidance April 2020**

- 17 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.

## Site History

**89/00237/FUL** - Planning Permission was granted on 23 May 1989 for an extension to Auchterarder House.

**89/01256/FUL** - Planning Permission was granted on 4 January 1990 for alterations to Auchterarder House.

**90/00970/FUL** - Planning Permission was refused on 16 July 1990 for extension of Auchterarder House.

**90/02004/FUL** - Planning Permission was granted on 21 January 1991 for a conservatory at Auchterarder House.

**97/01119/FUL** - Planning Permission was granted on 20 October 1997 for an extension to Auchterarder House.

**02/01132/PPLB** - Planning permission was granted on 3 October 2002 to alter and change the use of Auchterarder House from a hotel to a dwellinghouse.

**02/01874/LBC** - Listed Building Consent was also granted on 18 February 2003 for the removal of existing lead gutters/installation of new profiled cast iron gutters and additional hoppers and down Pipes, as well as the replacement of eight stone pediment features, all at Auchterarder House.

**04/02121/FUL** - Planning Permission was granted on 4 February 2005 for a dwellinghouse with garages, ancillary to Auchterarder House.

**20/00805/FLL** - An application for Planning Permission is under consideration for the: Change of use, alterations and extension of stable buildings to form function venue (class 11), formation of car park and associated works.

**20/00806/LBC** - An associated Listed Building Consent application is also under consideration for alterations and extension of stable buildings.

## CONSULTATIONS

- 18 The following parties have been consulted on the application:

### External

- 19 None.

### Internal

- 20 **Environmental Health (Noise/Odour):** No objection, subject to conditions. Initially required a noise impact assessment, which after submission and review, sees a request that conditions be applied with regard to: noise, servicing and deliveries, number of events, a noise management plan, ventilation systems, fireworks and external lighting.

- 21 **Structures and Flooding:** No objection, as the proposed development is out with the functional floodplain as shown on the SEPA Flood Map.
- 22 **Transport Planning:** No objection. Following discussions with Transport colleagues, clarification was provided by the applicant on access arrangements and the scale of the proposed activity. Based on these clarifications, it is considered that the existing access is adequate.
- 23 **Development Contributions Officer:** Advise that no contributions are required, as per section 5.5 of the Guidance.

## REPRESENTATIONS

- 24 7 representations have been received, two from the same household. The main issues raised are:
- Residential amenity;
  - Noise;
  - Traffic and road safety;
  - Use out of character with the area;
  - Impact on farmland, livestock, wildlife and woodlands;
  - Light pollution; and
  - Lack of detail of type of events.
- 25 These issues are addressed in the Appraisal section of the report.

## ADDITIONAL STATEMENTS

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	Not Required
Report on Impact or Potential Impact	Not Required

## APPRAISAL

- 26 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 2 (2019). The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, this involves considerations of the Council's other approved policies and supplementary guidance, namely the Council's Placemaking Supplementary Guidance 2020.
- 27 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**

- 28 The site is not located within a settlement boundary as defined in the Local Development Plan. The principal policies of relevance are: Policies 1A and 1B, placemaking; and Policy 8, rural business and diversification. Placemaking policies seek to ensure that developments should contribute positively to the built and natural environment and respect the character and amenity of the place. Policy 8 seeks to support proposals that involve the expansion of existing businesses and the creation of new ones in rural areas, subject to a number of criteria. In general, sites within settlement boundaries are preferred. However, locations out with settlements may be acceptable where they offer opportunities to diversify an existing business or are related to a site-specific resource or opportunity. In this case Auchterarder House, a former hotel, is considered a site-specific resource, as required by the policy. The principle of the change of use can therefore be supported. Beyond this, the detail of the proposal requires to be assessed, with regard to its impact on the character and amenity of the area and compliance with policies related to safeguarding listed buildings, noise and transport impacts.

### **Design and Layout**

- 29 The proposed change of use sees no internal or external alterations promoted.

### **Landscape**

- 30 No physical works are proposed; therefore, the proposals would not result in changes to the existing building or landscape and there are no visual implications associated to the proposed development.

### **Residential Amenity**

- 31 Policy 8 (c) requires proposals to be compatible with surrounding land uses and not to detrimentally impact the amenity of residential properties within or adjacent to the site. In this regard, there have been objections related to the potential impact on residential amenity from events. The closest residential property to Auchterarder House is 'Braehead', approximately 170 metres to the west. 'North Lodge' is approximately 210 metres to the north-west and owned by the applicant. There are also a group of four properties to the west of the B8062, 300 metres or more away. 'Plus Trees' (The Garden Cottage) is approximately 300 metres to the north-east and closer to the stable buildings, being some 70 metres therefrom.
- 32 In assessing the likely impacts, consideration must be given to the types of activities likely to use Auchterarder House, these may include: weddings, birthday celebrations and small conferences. In this context, it is indicated in the submitted information on anticipated transport impacts that groups will have

the exclusive use of the house and rental would typically be for two nights, most likely at a weekend and with around 20-30 events per year.

- 33 It is accepted that, if uncontrolled, there is potential that residential amenity could be adversely affected, particularly from amplified music if used. Review of this issue has been aided by the preparation of a Noise Impact Assessment (NIA), which considers potential impact on surrounding residential property. Notably the NIA assesses the combined impacts anticipated from both the proposed use of Auchterarder House and the related, if separate, proposals at the stables.
- 34 The NIA determined baseline noise levels at the two nearest residential properties: 'Plus Trees' (Garden Cottage) being closest (c.70 metres) from the stables; and 'Braehead' approximately 170 metres to the west and closest to Auchterarder House. North Lodge, some 210m to the north-west of Auchterarder House, was discounted from assessment, as it is owned by the applicant/owner.
- 35 Three scenarios were then modelled; two looking at predicted noise levels at noise sensitive properties from amplified music associated to both proposed venue areas. Scenario 1 looked at impacts with 'no mitigation' measures at the stable venue; and Scenario 2 was 'with mitigation' measures at the stables, including a glazed roof, installation of doors on in the west elevation, and windows all having acoustic properties (32dBRw). The likely noise impact from amplified music related to scenario 1 (no mitigation) was predicted not to achieve the Licencing Board noise policy requirements, due to lack of mitigation at the Stable Venue. However, Scenario 2 (with mitigation) was predicted to satisfy the Licencing Board's noise policy.
- 36 On this basis it is considered that the proposals at Auchterarder House would not impact on residential amenity, and that the Stables development impacts could be mitigated via conditional requirements. As such, no conditions are considered necessary in relation to this application.
- 37 The NIA states that deliveries and collection of waste are to be made within normal working business hours and there will be no external storage of waste or glass recycling bins.
- 38 Noise from patrons arriving, moving about the venue areas and leaving the venue has the potential to affect neighbouring residential properties however, this can be controlled through a noise management condition, requiring design standards and appropriate management practices. To this end a Noise Management Plan will be required by condition (Condition 2). This will set out measures to minimise and control sources of noise, including equipment, music, noise limiter settings, vehicle movements, times of any deliveries to and from the site and activities associated with events including fireworks.
- 39 The NIA was prepared on the basis of there being up to 30 events in a calendar year. Environmental Health has requested that the number of events be controlled to this number by condition. In the light of local objection, it is considered appropriate to limit the number of days on which events can be held

to 30. This will also provide an opportunity to demonstrate the operational impact of the proposal. Should the applicant wish to vary this condition in future and potentially hold events on more than 30 days an application to consider this could be submitted. A condition to limit the number of days to 30 will be added to the planning permission (Condition 3).

### **Visual Amenity**

- 40 The proposal does not involve any external changes to Auchterarder house and as such there will be no adverse impact on visual amenity.

### **Roads and Access**

- 41 The site is accessed from the B8062 public road, via a gated driveway. However, there is potential that other routes could be used, and some objectors are concerned that this would cause disturbance to residents. However, the applicant has confirmed that there is no intention to use any access other than the gated driveway from the B8062.
- 42 It is noted that the house is proposed to be operated as an exclusive rental property for small groups or by people hiring for events. Auchterarder House itself has 10 bedrooms, which will also limit the potential for guest numbers. Transport Planning colleagues have been consulted and consider the existing access suitable for the use proposed, and as a result, raise no objection.

### **Drainage and Flooding**

- 43 The site is not located within the functional floodplain as shown on the SEPA Flood Map. Flooding and Structures colleagues were consulted and do not object to the application. Otherwise the proposal does not indicate any alteration to existing drainage arrangements.

### **Waste Collection**

- 44 It is indicated that the existing waste arrangements for the house will remain. An informative is recommended to ensure compliance with the Council's waste collection requirements (Informative 5).

### **Conservation Considerations**

- 45 Auchterarder House is a Category B listed building. The proposed change of use does not include any alterations to the building and as such, Listed Building Consent is not required. However, an application for Listed Building Consent would be required if internal or external alterations to the buildings are required. An informative note will be added to highlight that permission is for a change of use only and does not include any external or internal alterations (Informative 6).



## **Natural Heritage and Biodiversity**

- 46 There have been objections expressing concern over the potential impact on woodlands and wildlife. However, these proposals related to Auchterarder House do not involve any external or internal alterations to the building or surroundings and as such, will not have any impact on natural heritage and biodiversity within or close to the building. Whilst attendees at events may have access to the garden and grounds this is considered unlikely to have any significant detrimental impact on wildlife and wildlife habitats.

## **Developer Contributions**

### **Auchterarder A9 Junction**

- 47 The Council Developer Contributions Supplementary Guidance requires contributions from developments within the Auchterarder and wider Strathearn housing market area towards meeting the cost of delivering A9 junction improvements.
- 48 However, although the application site is within the area identified where contributions will be sought, section 5.5 of the Guidance exempts non-residential development where a Transport Assessment (TA) is not required. In this case a TA was not considered to be required, thus no contributions are required.

## **Economic Impact**

- 49 The proposal is for a business use for a building currently used as a dwelling house so would introduce commercial activity. This would lead to some positive economic impact, through the running of events and activities as well as from increased tourism.

## **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

- 50 None required.

## **DIRECTION BY SCOTTISH MINISTERS**

- 51 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**

- 52 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.

- 53 Accordingly, the proposal is recommended for approval subject to the following conditions.

## **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. Prior to the commencement of the development a Noise Management Plan shall be submitted for the written approval of the Planning Authority. The plan shall include all sources of noise from the site i.e. equipment, music, noise limiter settings, vehicle movements, times of any deliveries to and from the site, event activities such as fireworks, etc. Once all sources of noise have been identified the plan shall include measures on how noise will be minimised and controlled and incorporate a complaint investigation procedure. The Plan shall be reviewed on a regular basis, following receipt of a justified complaint or at the request of the planning authority. Once the Noise Management Plan has been approved, it shall be fully implemented for the lifetime of the development.

Reason: In order to safeguard the residential amenity of the area.

3. The number of days on which events can be held shall be restricted to a maximum of 30 within a calendar year.

Reason: In order to reflect the position assessed in the Noise Impact Assessment and in order to safeguard the residential 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**

None.

## **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. An application for Building Warrant may be required.
5. 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.
6. This is approval of your application Ref no 20/00297/FLL for change of use only. It does not include any approval for any external or internal alterations.
7. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:
  - Displayed in a prominent place at or in the vicinity of the site of the development
  - Readily visible to the public
  - Printed on durable material.

Background Papers: 7 letters of representation  
Contact Officer: Persephone Beer  
Date: 25 February 2021

**DAVID LITTLEJOHN**  
**HEAD OF PLANNING & DEVELOPMENT**

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