

**Perth & Kinross Council**

**Planning and Transportation**

**Pitdownie, Milnathort  
Development Guidance**

**April 2004**

**This document has been prepared by officers to provide additional guidance for potential developers of land at Pitdownie, by expanding on the requirements of the Local Plan. It has not been subject to consultation, and has not been approved by the Council. It is not a formal Development Brief.**

## **Introduction**

The purpose of this development guidance is to identify the relevant issues applicable to the development of this site and to establish a framework within which detailed design options can be prepared and considered as required by the Local Plan. This guidance is based on the emerging Kinross Area Local Plan 2004, and on initial consultation with various Council Services and the Scottish Environment Protection Agency (SEPA). **It has not been the subject of formal consultation and has not been approved by the Council.**

## **Background**

As stated above this Guidance is based on the emerging Kinross Area Local Plan 2004 and on the presumption that it will be the adopted Plan when an application for development of this site is submitted.

The Kinross Area Local Plan 2004 identifies the site for housing development and community woodland.

## **Planning Status**

The site itself comprises an area of 2.9ha which is identified as housing site H8 Pitdownie in the Kinross Area Local Plan 2004, and a further area of 2.3ha to the north west adjacent the motorway which is identified for community woodland. Although the housing site measures 2.9ha the Local Plan restricts the developable area to 1.9ha with an indicative capacity figure of 28 units, in accordance with Policy 68 of the Local Plan. The release of the remaining 1 hectare of land for housing will be considered as part of a future review of the Kinross Area Local Plan. Whilst an application for the development of the 2.9ha for medium density housing would be contrary to the development plan, the Council would welcome indicative proposals which illustrate the proposed development strategy for the entire site including the adjoining area of Community Woodland.

## **Kinross Area Local Plan 2004**

The Plan contains the following statement with regard to housing site H8 Pitdownie.

<b>Ref</b>	<b>Location</b>	<b>Density</b>	<b>Size</b>	<b>Number</b>	<b>Developer</b>
H8	Milnathort, Pitdownie	Med	1.9ha	28*	Private
<b>DEVELOPER REQUIREMENTS</b> <ul style="list-style-type: none"><li>• A mix of housing types and sizes including low cost housing.</li><li>• Provision of woodland screen planting along the western edge of Milnathort.**</li><li>• Provision of multi user path through woodland planting.</li><li>• Water margin enhancement along Back Burn.</li><li>• Noise attenuation measures.</li><li>• Contribution to off-site play facilities.</li></ul>					

\* This is an indicative figure based on a medium density development. Proposals which fall within the medium density band width i.e. 11-19 units per hectare will be in accordance with the Plan.

\*\* The requirement for woodland screening links with Policy 75 which covers the land to the northwest and states "Inset Map 2 identifies indicative areas of Community Woodland which will be particularly encouraged in the area between Kinross and Milnathort, on the northern boundary of Milnathort and along water margins.

## **Development Issues**

### **The Site**

The site comprises 5.2ha of agricultural land and is located on the west side of Milnathort. It is bound to the south west by the Back Burn, to the North west by the M90 and to the east by the built up area of the village. The proximity of the site to the M90 and the Back Burn raises issues relating to noise, flooding and management of the River corridor.

### **Noise**

Noise from the adjacent motorway.

A Noise Assessment carried out on behalf of the landowner concluded that the site falls into Noise Exposure Category (NEC) C as defined in the Scottish Executive Planning Advice Note (PAN) 56 Planning and Noise. This guidance suggests that for sites falling into Category C planning permission should not normally be granted. However based on evidence from a Noise Impact Assessment it may be possible to grant permission subject to measures that ensure an adequate level of protection against noise. PAN 56 recommends that this should normally be interpreted to mean levels which are commensurate with Category A levels. Further information regarding mitigation measures will be required once a detailed site layout has been established. At detailed application stage it will require to be demonstrated that the proposed mitigation measures deliver an acceptable level of amenity in gardens and internal noise levels with windows open.

Noise from a nearby electricity sub station.

This has not been investigated and may require consideration depending on the proposed site layout.

### **Possible contamination**

There is no evidence of any previous contaminative use of the site but it may have been used to deposit materials during construction of the adjacent motorway. Further investigation is required.

### **River Corridor Management**

No development should encroach on the river corridor, and an appropriate stand-off will be required to allow for access for maintenance purposes

### **Drainage and Water Supply**

There is capacity in the public drainage and water supply systems serving the village to accommodate a residential development of up to 1.9ha in this location. All infrastructure requirements in this regard shall be designed and constructed to the standards required by Scottish Water and in accordance with the Scottish Environment Protection Agency's (SEPA) sustainable urban drainage systems (SUDs).

SEPA have advised that SUDs will require to be implemented and land-take confirmed for whatever SUD structures are required, both “at source” and “end-of-pipe”. They have also advised that it is likely that the scale of development will not sustain a permanently wet treatment system, and that no increase in surface water run-off rate is allowable. The SUDs design must be informed by topography and site conditions.

A flood risk assessment will be required prior to the submission of a planning application in order to satisfy the Council and SEPA that no significant risk exists to the site, when considering the “200 year” return period event. For further information see SEPA guidance on the web site at [www.sepa.org.uk/policies/pdf/41.pdf](http://www.sepa.org.uk/policies/pdf/41.pdf).

A Drainage and Flood Impact assessment will be a requirement of any planning application. For further information contact Malcolm MacConnachie of SEPA.

### **House Types**

A range of housing types and sizes should be incorporated within any proposal including low cost housing. Consideration should be given to a choice of house types which complement neighbouring properties and which utilise the natural contours of the site to maximum effect.

### **Low Cost/Affordable Housing**

There is a significant need for affordable housing provision within the Kinross Local Plan area and whilst the Plan seeks the inclusion of some low cost housing within the site, the preference would be for an element of affordable housing to be provided instead. This should be in the region of 25%, with the demand being for houses rather than flats.

### **Layout and Design**

The requirement for woodland planting along the western edge of the site adjacent to the motorway will assist in screening views of the development from the motorway. The visual fit of the development into the overall character of Milnathort is critical to the successful development of this site. Issues that will have to be addressed include the layout and design of the buildings and open spaces as seen from both within and outwith the site, the range of house types, building heights and densities, use of appropriate materials and colours, and the presence of the Listed Buildings and trees to the east of the site. Proposals will be examined in detail through the design process and consideration will be given to those options that achieve the most satisfactory balance between the design and development issues outlined in this guidance. The Council is committed to promoting the principles of sustainable development within all new developments and would encourage developers to investigate fully and report on the opportunities available for achieving energy efficiency and passive solar gain through the design and layout of the development. Proposals should also consider security issues and advice on ‘Secured by Design’ can be obtained from the Architectural Liaison Officer.

Proposals for development should be accompanied by a Design Statement in accordance with the Scottish Executives Policy Statement - Designing Places, and should take cognisance of the advice given in Planning Advice Notes (PANs) 44, 46 and 67.

## **Numbers and Density**

The quality of layout and appearance of the development will be the determining criterion as regards numbers and density in this instance. The Local Plan identifies the site for medium density development and proposals which fall within the medium density band width i.e. 11-19 units per hectare will be in accordance with the Plan.

## **Landscaping and Open Space**

### **FORMAL OPEN SPACE PROVISION**

On site sports pitches will not be required but a financial contribution to off site provision of £12,624 (£188 per new resident) based on 28 houses will be required.

Play provision within Milnathort is adequate at present so no contribution or on site provision is required.

### **INFORMAL OPEN SPACE PROVISION**

Informal public open space should seek to be multifunctional providing:

- structural landscaping,
- surfaced multi-user paths preferably circular,
- open space for kickabout,
- SUDs
- enhanced biodiversity
- Noise attenuation

The spaces provided should be adequate for the purpose intended. Structural landscaping should include a range of species from lower shrubs to higher woodland species. The widths of these will vary depending on species, function e.g. screening and location e.g. large trees should be no closer than 15m to garden boundaries and 20m from a building elevation. Species choice should also reflect the indigenous species to the area and enhance wildlife value. Further advice should be sought from the Council's Tree and Woodland Officer. Opportunities to increase bio-diversity will be encouraged and further advice should be sought from the Tayside Local Bio Diversity Action Plan Co-ordinator.

Path links should ideally be surfaced but through more natural areas should be unedged and flow more naturally rather than being suburban in character. The Council's Access Officers can provide advice on layout, surfacing, path widths etc. Dog bins, litter bins and seating should be provided and the relationship to the houses should meet the secure by design criteria.

SUDs design should be subtle not over engineered again to create appropriate attractive features within areas of open space. Where open water is accessible to the public safety measures will be needed such as shallow banks, signage or fencing. Guidance can be obtained from the Royal Society for the Prevention of Accidents (RoSPA).

Noise attenuation requires solid barriers such as fences or bunds. These again can be integrated into areas of open space but design should respect the location. Inappropriate urban fencing or engineered bunds in a rural semi-natural open space would do little to visually enhance the space.

### **MAINTENANCE**

There are currently three options for the maintenance arrangements for public open space on new residential developments within Perth and Kinross. These are:

1. Perth and Kinross Council take title to the land and maintain the ground in perpetuity for a commuted sum.
2. The Scottish Greenbelt Company (SGC) take title to the land and maintain it in perpetuity for a charge to the developer with the Council getting sight of the agreement.
3. An approved alternative company maintains the open space in perpetuity for a charge to the developer and a permanent bond is lodged with the Council against default.

The third option is not usually taken up as neither developers or maintenance companies want to be tied into a perpetual bond which is needed in case the company defaults on the maintenance. The Council's policy of not allowing developers to pass the cost or responsibility of maintaining public open space to the residents continues.

In terms of Option 1, to give developers a degree of certainty about their costs at an early stage in the development process without the need to progress detailed design of open space, the commuted sum has been converted into a cost per house, excluding play areas. The new charge is currently £220 per house, irrespective of the amount of open space on a new residential development. In all cases a section 75 agreement and bond is required at the initial stage to cover the initial implementation and maintenance of landscaping.

### **Community woodland**

The creation of a community woodland to the north and west of the site is encouraged through Policy 75 of the Finalised Local Plan. Support for community woodland creation is given by The Forestry Commission and they should be contacted in this regard. Maintenance of the Community Woodland would be undertaken by utilising one of the above three options for the maintenance of Public Open Space. It is strongly recommended that the developer obtains independent professional advice regarding the design and implementation of any Woodland Planting.

### **Multi-user Paths**

Informal paths should be created through the community woodland linking with footway provision through the development site and with the wider path network. The routes should maximise use of the open spaces, link different housing areas, respect existing desire lines where possible and connect with existing routes, and future routes(e.g. south through woodland to Stirling Road). As far as is practicable the paths should be designed as multi-user routes.

The Council is currently engaged in the development of the Perth and Kinross Core Path Plan (in line with Part One of the Land Reform Act). It is important that paths created as part of this development link with and contribute to the Core Path Network as it develops. The Council's Access Officers will provide support and advice on this.

### **Road Access**

Careful consideration of road layout and design details will be required to ensure a safe and efficient solution for access and circulation within the site. The focus should be on

reducing vehicle speed throughout the development. The proposed layout should also encourage non-car movements by suitable provision for pedestrian, cycling and public transport modes.

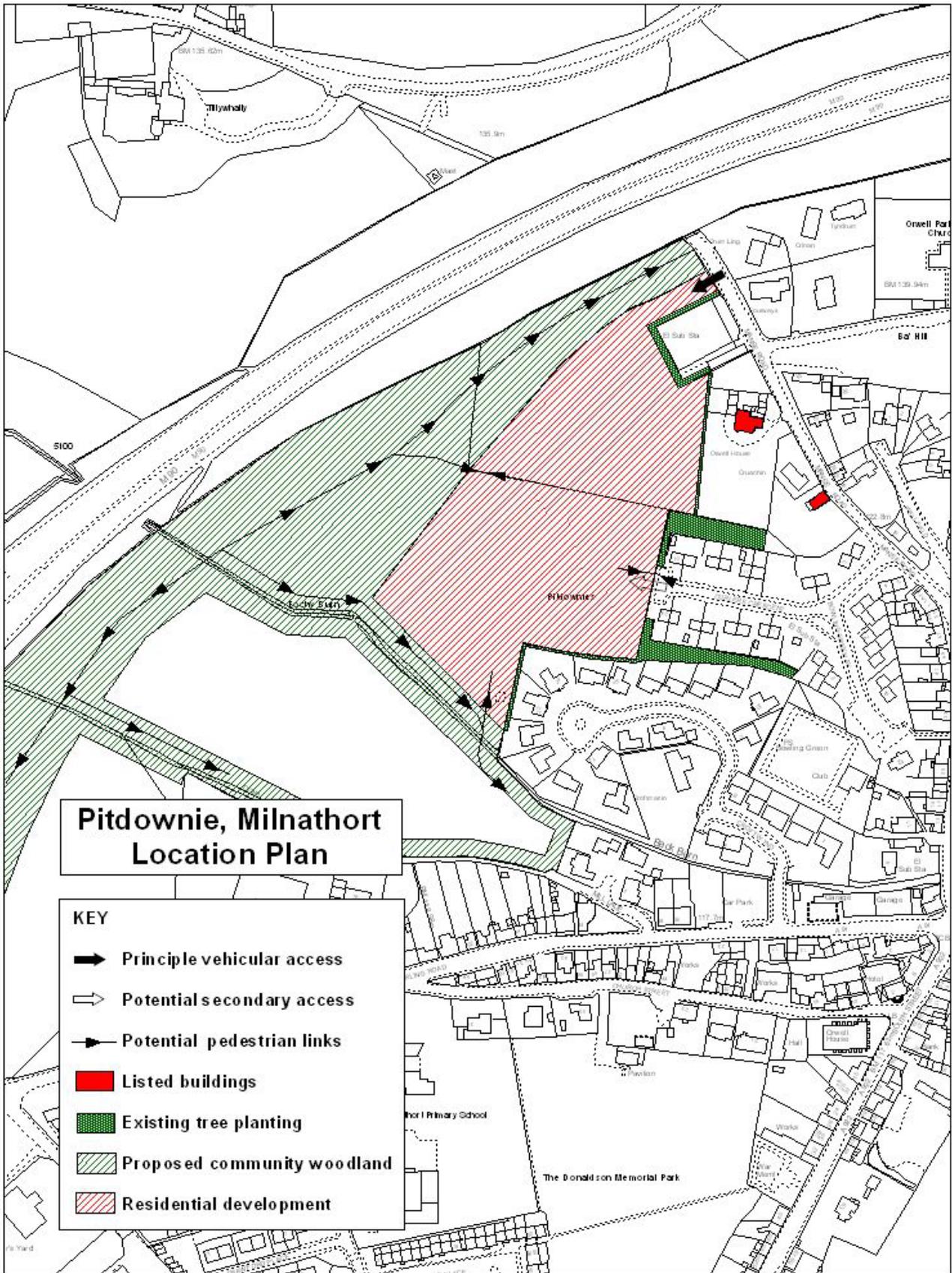
Principle access to the site will be taken from Manse Road. Improvements may be required to the junction of Manse Road/North Street, the detail of which should be agreed with the Council's Roads Officials at the design stage. There is also the opportunity to take a second access from Curlers Crescent.

Internal access roads should be designed to reduce vehicle speed to 20mph. Consideration should be given to the use of shared surfaces wherever appropriate, but where this is not possible, roads will be 5.5m wide plus associated footways. Cycle provision should connect with all available existing facilities.

All new roads, junctions and footways etc will require to be agreed by the Head of Roads Services and designed and constructed to meet the requirements of the Council's Roads Development Guide.

### **Utilities**

Developers should satisfy themselves as to the availability of the major utilities such as gas, electricity and telecommunications etc.



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