

Your Details

An asterisk (*) indicates a required field.

Your Name: *	<input type="text" value="Tim Esparon"/>
Organisation Name:	<input type="text"/>
Agent Name:	<input type="text"/>
Address 1: *	<input type="text" value="Takamaka"/>
Address 2	<input type="text" value="Drunzie"/>
Address 3	<input type="text" value="Glenfarg"/>
Postcode: *	<input type="text" value="PH2 9PE"/>
Phone Number:	<input type="text" value=""/>
Email Address: *	<input type="text" value=""/>
Site Name:	<input type="text" value="H54, Scotlandwell"/>
Contact Person:	<input checked="" type="checkbox"/> Me <input type="checkbox"/> My Agent

Your comments will be applied to the following items:

7 Kinross-shire Area Spatial Strategy - 7.17 Scotlandwell/Kilmagadwood - Paragraph 7.17.4

I support H54, Scotlandwell, as a residential site as it has electricity, water on site and drainage outside the Loch Leven catchment area.
The 1.73 hectares site is well bounded and is of optimum size for additional housing for Scotlandwell.

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Your Name: *	<input type="text" value="c gerrard"/>
Organisation Name:	<input type="text" value="sportscotland"/>
Agent Name:	<input type="text"/>
Address 1: *	<input type="text" value="doges"/>
Address 2	<input type="text" value="62 templeton st"/>
Address 3	<input type="text" value="Glasgow"/>
Postcode: *	<input type="text" value="g40 1 da"/>
Phone Number:	<input type="text"/>
Email Address: *	<input type="text" value="REDACTED"/>
Site Name:	<input type="text"/>
Contact Person:	<input checked="" type="checkbox"/> Me <input type="checkbox"/> My Agent

Your comments will be applied to the following items:

3 Policies - 3.9 The Natural Environment - Paragraph 3.9.6

Trees, forests and woodlands can be significantly important locations for outdoor sport and recreation which we would like explicit reference made and policy protection and promotion afforded to. NE2 (a) and (d) could both usefully make reference to sport recreation value as could the last bullet discussing the forthcoming SPG, which should add 'sustainable tourism and recreation asset'

3 Policies - 3.9 The Natural Environment - Paragraph 3.9.8

Not clear what policy NE4 requires. Policy should be amended to state that all proposals will be required to contribute to green infrastructure, as appropriate, against the following criteria.

3 Policies - 3.10 Environmental Resources - Paragraph 3.10.1

ER1A(a) should make reference to impacts on outdoor sport and recreation interests. Paragraph 187 of the SPP advises councils to do this. Perth and Kinross will be aware of the river braan hydro scheme that was refused on the basis of impacts on outdoor sport interests.

3 Policies - 3.10 Environmental Resources - Paragraph 3.10.4

Paragraphs 235 and 247 of the SPP state that operators are encouraged to consider after uses of extraction sites that result in environmental improvement rather than simply restoring land to its previous state. Sport and recreation can form a particularly suitable and positive after use for former mineral extraction and potentially surface coal mining sites. Please consider adding an appropriate reference to ER4B.

3 Policies - 3.10 Environmental Resources - Paragraph 3.10.6

Impact on the scenery is crucial to people's enjoyment of the outdoors, recreation can also be affected by impacts on the physical qualities of the landscape such as gradients vegetation cover rock formations and the existence of water etc. ER6(f) covers this to a degree, but we would appreciate increased emphasis on the physical qualities of landscape and the need to protect them. Need also for policy on local Landscape Areas as advised on by para 140 of the SPP, crucial to protecting outdoorspor

3 Policies - 3.11 Environmental Protection and Public Safety - Paragraph 3.11.8

EP6(b) Reference should not be made to power boating/recreational pursuits unless related to development proposals. The development plan has no locus otherwise. Power boating and recreation should be allowed in the Lunan Valley except where it can be demonstrated, through evidence, that there will be a detrimental impact on nature conservation interests. Existing policies in the plan should adequately safeguard against this.

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Phone Number:	<input type="text"/>
Email Address: *	<input type="text" value=""/>
Site Name:	<input type="text"/>
Contact Person:	<input checked="" type="checkbox"/> Me <input type="checkbox"/> My Agent

Your comments will be applied to the following items:

3 Policies - 3.6 Transport and Accessibility - Paragraph 3.6.5

Cycling and walking - policy is weak, suggesting that proposals that do not take walking and cycling into account wont be penalised. Policy should state that all proposals should demonstrate provision or support for walking and cycling provision.

CLAIRE and IAN NICOL
BROAD OAKS
36 HIGHFIELD ROAD
SCONE
PERTH PH2 6RN

26 MAR 2012

22 March, 2012 .

The Director of Planning

The City of Perth.

Dear Sir

I wish to object to the housing proposals in the new local plan for Scone for the following reasons:

- 1-The issues raised in my previous response to the M I R documentation remain apparently unaddressed and I attach a copy of this submission for reconsideration and to become part of the record as these issues remain live.
- 2-My objection no 2 in my MIR response refers to the Airport Master Plan which appears to have an independent but parallel existence and is reportedly strongly promoted by Council officials. This development needs to be clarified in relation to the Local Plan.
- 3-The proposal to develop hundreds of houses at the North of Scone village ignores the implications for transport infrastructure via Scone/Bridgend and also the additional hundreds of houses already in the pipeline from local areas such as Guildtown, Blairgowrie, Balbeggie, Burrelton, Murrayshall and other places. It would create disastrous social consequences for all the established communities on the road networks leading to Perth The economic costs to the Council of new infrastructure and Health and Safety for these communities would be unaffordable, and certainly not recoverable from developers .
- 4-The Condition that developers may build houses but not release them for occupation until the new Tay Bridge is operational appears to be simply a sham. It is unreasonable and unenforceable and developers would have little difficulty in having it voided on legal appeal. In Scone the Council has recently shown itself to be unwilling/incapable of enforcing reasonable planning conditions imposed or even reimposed for the good of the local community .A Local Plan based upon an unenforceable Condition is against the Public Interest and in its present form it should be reconsidered because it does not withstand rational analysis..

Yours faithfully,



Previously submitted re - M.I.R.

I wish to object to the M I R proposals in general and in detail for the following reasons:

- 1-The consultative requirements in the New Planning Act have not been fully or correctly respected. The Report as presented is impenetrable by the public, possibly deliberately so, because of its physical mass and density of content and because the linguistic style and form of words is difficult to understand. None of this was appropriate or necessary. It appears to be an important document designed to be absolutely inappropriate to its target audience because it seems to have been made as inaccessible as possible, both physically and in terms of presentation. Notice given of the presentation to Scone residents of three days over a week end was also seriously inadequate if public engagement was seriously looked for. None of this is in conformity with the provisions in the New Planning Act for open formative engagement with local people.
- 2-The proposal to extend the Scone Aerodrome runway is unsound and inappropriate because of potential cost to the ratepayer and environmental damage to the community from increased noise, particulate emissions, visual intrusion, health and safety, road traffic implications, and planning blight locally. There is no rational need or market for this proposal which would negate the achievement of green targets and it could never be a profitable venture. It has no economic justification whatsoever and yet the ratepayer is apparently being asked to support it.
- 3-Scone people have previously been led to expect a green belt zone as published by the Council to protect the Historic Garden landscape north of the village to protect the natural boundary of the village for all time, as decreed by the Balgarvie Inquiry Reporter. Housing in this area would unreasonably destroy the village envelope, overwhelm the village amenities and core structure, create traffic gridlock on already congested traffic networks and destroy a precious and unique landscape important to the village. There is no demonstrable need for housing on this site other than to benefit landowners, developers and some others. It would overwhelm the local community completely because of position and scale. It cannot be rationally justified. It is a shameful proposition.
- 4-The proposed new road bridge if it were to be built should connect north to the Coupar Angus bypass. Otherwise, professional opinion has pointed out, without contradiction, that Bridgend, Scone, Balbeggie, and Burrelton will have to be bypassed for their health and safety because of the increased volumes of traffic, including H G V's through the centres of the settlements. No costings for this have been declared publicly. Nevertheless, this is a concealed implication if the proposed line to the head of Scone is adopted as road safety issues around the local area will be made worse, not better, if the proposal goes ahead, apparently to enable housing rather than address local transport problems.
- 5-A "commitment" is a worthless concept in planning terms, no more than an ingenuous device for the purposes of facile reassurance. It cannot be passed on to succeeding generations and the originators of this tactic cannot believe that it has any validity whatsoever. It must be withdrawn as an excuse for anything.
- 6-Particularly as regards Scone, the M I R proposals appear to be based upon superficial opinions, unexamined assumptions, and a remarkable absence of balanced, openly presented, factual information. Professional advice suggests a need for open public access to and discussion of the research evidence behind the MIR. This has always been refused and so it is not credible.



22/5/2012

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

On behalf of our Client, Kinross Estate Company, we object to the failure of the Proposed Plan to allocate the housing site at Perth Road, Milnathort. This site was included as a preferred option in the MIR (Site A) and has significant advantages and benefits over the currently allocated sites. It is not constrained by access, noise, topography, drainage, visual impact, flooding, coalescence or pipeline issues. As set out in the MIR, we would therefore request that this site is allocated for housing development in the LDP with capacity for 120 units. This would address identified shortfalls in the Housing Allocations for the Kinross HMA.

Please include the reason for supporting the Plan/requesting a change.

Full details are set out in the attached Statement of Representation and accompanying Supporting Documents.

We have also completed separate Representation Forms in respect of the Kinross HMA Housing Land Allocations, and other allocated housing sites in Kinross/Milnathort.

This representation was submitted with supporting documents, due to size these are unavailable on the website, but are available to view at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

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Once we have your representation(s) we will acknowledge them and inform you when the Proposed Plan has been submitted to Scottish Ministers for examination. Scottish Government guidance indicates that representations should be a maximum of 2000 words to provide the Examination Reporter with concise representations that can be resolved through written representations, hearings or a public inquiry as part of the examination process.

1. Contact details (only representations that include full contact details are valid)

Name	Scottish Environment Protection Agency
Address and Postcode	Strathearn House, Broxden Business Park, Perth, PH1 1RX
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	ED1 - Employment and Mixed Use Areas	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

We recommend that waste management is specified as an appropriate land use under policy ED1A.

Please include the reason for supporting the Plan/requesting a change.

No reference has been made within this policy to waste management being an appropriate land use on “employment” sites.

The Zero Waste Plan Annex B paragraph 5.6 states that “Subject to detailed site specific considerations, waste management facilities can be considered appropriate for sites allocated in development plans for employment and industrial use...Development plans must safeguard all active and consented waste management sites and identify appropriate locations for all waste management facilities, where possible on specific sites or supported by a policy framework to facilitate development”, and SPP paragraph 216 identifies that “Modern waste management infrastructure is designed and regulated to high standards and is similar to other industrial processes. Locations which are appropriate for industrial or storage and distribution uses are therefore also appropriate for many waste management installations”.

We do not consider it appropriate for land uses to be detailed in supplementary guidance as these should be identified in the text of the policy, with further clarification and guidance contained in the supplementary documentation.

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Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

Proposed Supplementary Guidance on Combined Heat and Power

3. Which part of the document are you making a representation on?

Policy ref.	EP1: Climate change, carbon reduction and sustainable construction	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

We support the commitment that sustainable design and construction will be integral to new development and the requirement for developments to satisfactorily arrange for the storage and collection of refuse and recycling as an integral part of design; we also support the requirement for major developments to include community facilities for waste collection and recycling where appropriate.

We recommend that the supplementary guidance to be developed relating to Combined Heat and Power links with the project currently being undertaken by Perth & Kinross and Fife Councils to map heat demand.

Please include the reason for supporting the Plan/requesting a change.

The commitment to sustainable design and construction will help minimise resources used in new developments and will contribute to mitigation of climate change through minimising of greenhouse gas emissions.

It is important for recycling to be built into the design of new developments as this will help work towards the delivery of the Zero Waste Plan target to recycle 75% of all waste by 2025.

Linking the Supplementary Guidance on CHP to the heat demand map will support delivery of Combined Heat and Power by identifying where potential users of heat and power are located.

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Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	EP2: New Development and Flooding	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

The policy accords with the principles set out the in Risk Framework of the Scottish Planning policy and takes account of the need to adapt to climate change, and we therefore support the policy wording.

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If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	EP3A: Water Quality	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

- 1) We recommend that the title of the policy EP3A is changed to Water Environment.
- 2) We recommend that the policy is changed to "Proposals must accord with the Scotland River Basin Management Plan and any associated Area Management Plans. Specifically, development must accord with the protection and improvement objectives of the RBMP to ensure that there is no deterioration of water body status and where possible secure long term enhancements to water body status."
- 3) The words "unless the activity proposed is of significant specified benefit to society or the wider environment." should be deleted.

Please include the reason for supporting the Plan/requesting a change.

Perth and Kinross Council has duties as a responsible authority under Water Environment and Water Services (Scotland) Act 2003 (WEWS) to exercise their designated functions so as to secure compliance with the requirements of the Water Framework Directive (WFD).

The water environment is defined by WEWS as all surface water, groundwater and wetlands and includes a number of different aspects including physical environment, quantitative issues, species present as well as water quality. Therefore in order to be in keeping with the duties and definition set out in WEWS "Water Environment" is a more appropriate title for the policy and in keeping with the overall title of Policy EP3 which is Water Environment and Drainage.

The production of the RBMP is one of the requirements of the WFD, and the overall aim of RBMP is for 98% of all our waters to be in good condition by 2027. To achieve this water bodies need to be protected from deterioration and action taken to enhance and restore those below good status.

The proposed policy wording aims to clarify that development should be in accordance with the RBMP(s) and specifically with the no deterioration and improvement objectives in order that your authority fulfills the duties set out in WEWS.

It should be noted that activities which would have a potential detrimental impact on the water environment would be considered by SEPA through the licensing process under The Water Environment (Controlled Activities)(Scotland) Regulations 2011. Part of this process is a derogation procedure where the impacts of a development on the water environment is balanced against the socioeconomic benefits of a proposal. We therefore recommend that the wording "unless the activity proposed is of significant specified benefit to society or the wider environment." at the end of the existing policy is deleted as this issue will be covered by the CAR licensing process.

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If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	EP3B: Foul drainage	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

We support this policy as it is in keeping with the duties that your authority has as a responsible authority under Water Environment and Water Services (Scotland) Act 2003 (WEWS) to exercise their designated functions so as to secure compliance with the requirements of the Water Framework Directive (WFD).

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Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	EP3C: Surface Water Drainage	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

We support this policy as it is in keeping with the duties that your authority has as a responsible authority under Water Environment and Water Services (Scotland) Act 2003 (WEWS) to exercise their designated functions so as to secure compliance with the requirements of the Water Framework Directive (WFD).

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Name	Scottish Environment Protection Agency
Address and Postcode	Strathearn House, Broxden Business Park, Perth, PH1 1RX
Telephone no.	[REDACTED]
Email address	[REDACTED]

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Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	EP3D: Reinstatement of Natural watercourses	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

We support this policy as it is in keeping with the duties that your authority has as a responsible authority under Water Environment and Water Services (Scotland) Act 2003 (WEWS) to exercise their designated functions so as to secure compliance with the requirements of the Water Framework Directive (WFD).

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If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	EP6: Lunan Valley Catchment Area	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

- 1) We recommend that the policy wording in part (a) is expanded to:
"...no adverse impact on the environmental assets of the area including, not increasing Phosphorus discharged into the catchment, nor likely to result in"
- 2) We recommend that reference is made in the policy to developing a Code of Practice for Developers in the Lunan Lochs Catchment, with SNH and SEPA

Please include the reason for supporting the Plan/requesting a change.

It is highlighted in paragraph 6.1.4 of the Proposed Local Development Plan that the lochs in the Lunan Valley Lochs Catchment have been degraded over the last century by the addition of Phosphorus through human activities. To protect the lochs it is noted that there is a need to ensure that additional Phosphorus pollution does not enter the catchment area. It is also stated in paragraphs 9.9.2, 9.10.2 and 9.12.2 that further development in specific settlements will be restricted to prevent any increase to the Phosphorus levels in the adjacent loch.

There are five lochs in the Lunan chain. The Loch of Drumellie, Loch of Lowes and Loch of Clunie are baseline water bodies that are classified under WFD (The Loch of Butterston and Craighush are not classified). The current (2010) classification data shows that these lochs are downgraded to ecological poor status due to Phosphorus loading. Sewage disposal is listed as a pressure contributing to the Phosphorus loading, with septic tanks specifically mentioned. Non-urban land management and reduction in diffuse pollution input are identified as measures to address in the Phosphorus pressure in the Tay Area Management Plan. This is being taken forward as part of the diffuse pollution priority catchment work being undertaken in the Tay catchment. Fourteen priority catchments have been identified by SEPA as catchments failing to meet environmental standards, selected for action in the first river basin planning cycle.

The planning system has been identified as having a key role to play in ensuring the protection and improvement of the water environment in accordance with the Water Framework Directive(WFD) and underlying River Basin Management Plans (RBMPs). Planning authorities are "responsible authorities" under the WEWS (Relevant Enactments and Designation of Responsible Authorities and Functions (Scotland) Order 2011 and as such are required to work to ensure compliance with the WFD and river basin planning process in carrying out their statutory functions. The current environmental improvement objective for the Loch of Drumellie, Loch of Lowes and Loch of Clunie is good status by 2021. With the overall aim of RBMP is for 98% of our water bodies to be in good condition by 2027. To achieve this water bodies need to be protected from deterioration and action taken to enhance and restore those below good status.

As there are still limited opportunities for development within the Lunan Valley Lochs Catchment we recommend that the catchment is protected from an increase in Phosphorus through the inclusion of policy wording that avoids the increase of Phosphorus levels into the catchment. Such a commitment would be in keeping with the Councils duties under WEWS to comply with the WFD and work towards improving the status of the water bodies in line with the RBMP by the target date of 2021.

We are available to work with your authority and SNH in devising supplementary guidance in the form of a Code of Practice for Developers similar to the work undertaken for Loch Leven.

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Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	EP7B: Drainage within the Loch Leven Catchment Area	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

In part (b) of EP7B we recommend that the following words are removed:

"where, for a non-residential development, it is not economic to connect to the public system, and"

Please include the reason for supporting the Plan/requesting a change.

The wording that we recommend is removed is contrary to Policy EP3B.

The requirement in Policy EP3B for development to connect to the public system is in keeping with the duties that your authority has as a responsible authority under Water Environment and Water Services (Scotland) Act 2003 (WEWS) to exercise their designated functions so as to secure compliance with the requirements of the Water Framework Directive (WFD), and protect the water environment.

The principle of the Urban Waste Water Treatment Directive (UWWTD) is to provide collecting systems for all agglomerations greater than 2000 population equivalent unless this would produce no environmental benefit or would involve excessive cost.

We oppose development in or close to a settlement served by a public sewerage system which proposes individual / private waste water drainage arrangements as we consider that the fragmentation of the strategic public network of collecting systems is not compatible with the principles of the UWWTD nor does it provide a long term sustainable solution to waste water drainage provision.

We therefore recommend that the wording stated in the box above is removed from the policy.

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Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	EP9 A: Existing Waste Management Infrastructure	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

We recommend that the word "key" is replaced with "existing and consented" waste management sites.

Please include the reason for supporting the Plan/requesting a change.

We welcome the presumption in favour of retention of waste management sites – however, we have concerns about the use of the word “key” as this may discount some waste management facilities. If this refers to all existing waste management facilities, we recommend the removal of the word “key”.

If the reference to “key” waste management facilities relates to those facilities identified specifically on the Perth and Kinross settlement maps, we recommend that again the word “key” is removed, and instead refer to the retention of “existing and consented” waste management sites.

All waste management facilities have a role to play in managing waste in line with the waste hierarchy. All waste management facilities work together in a waste infrastructure network, for example landfill facilities will continue to be required as there will always be waste from which no further value or resource can be recovered and therefore will need to be disposed of. Therefore, all waste management facilities, from landfill facilities right up to neighbourhood recycling points, are required and should be retained as they all have a role to play in delivering the aims of the Zero Waste Plan. We consider that the reference to “key” waste management facilities is not consistent with this approach.

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If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	EP9B: New Waste Management Infrastructure	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

We recommend that the wording of point (i) is expanded to identify that employment land allocated under policy ED1 is appropriate for waste management uses.

Please include the reason for supporting the Plan/requesting a change.

We welcome the reference to supporting the Zero Waste Plan; however the policy is not clear as to where it is considered appropriate for new waste management facilities to be located other than in subsection (i) which refers to "industrial areas" and (j) which refer to proposals being "compatible with surrounding development and the underlying land allocation where this is not employment".

The proposals map key does not include a designation for "industrial areas" and we therefore consider that this is not fully compliant with the Zero Waste Plan Annex B requirements. The ZWP Annex B paragraph 5.6 states that "development plans must safeguard all active and consented waste management sites and identify appropriate locations for all waste management facilities, where possible on specific sites or supported by a policy framework to facilitate development" and paragraph 5.9 provides a clear range of locations where development plans should consider appropriate for waste management uses which includes "Industrial and Employment areas". This would clearly identify that land allocated by policy ED1 is considered appropriate to locate waste management facilities, prior to the position in subsection (j) which relates to waste management facility development in non-employment sites.

We therefore recommend that the policy wording in subsection (i) is expanded to identify employment land (policy ED1 sites) as situations appropriate for waste management facilities.

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If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	EP10: Management of inert and construction waste	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

We support the identification that industrial areas and brownfield land is considered appropriate for inert and construction waste. This is largely in line with guidance contained within the Zero Waste Plan Annex B paragraph 5.9 section 5 "Construction and Demolition Waste".

It should be noted that we consider that this policy should be consistent with policy EP9.

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3. Which part of the document are you making a representation on?

Policy ref.	Policy ER1: Renewable and Low Carbon Energy Generation	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

We recommend that the wording of part f of this policy should be altered to the following:

(f) the need to minimise the impact on carbon rich soils

Please include the reason for supporting the Plan/requesting a change.

We recommend that the policy text in part f is expanded in order that the policy offers protection to the carbon rich soil resource located in areas where renewable or low carbon energy generation are proposed.

Disruption of areas of carbon rich soil by development results in the loss of the stored carbon resulting in a release of greenhouse gases to atmosphere. This is contrary to the target of reducing the emission of greenhouse gases set out in Part 1 of the Climate Change (Scotland) Act 2009 (CC Act) and efforts to mitigate climate change by reducing greenhouse gas emissions at source.

The Scottish Government's policy document Scotland's Land Use Strategy – Principles for Sustainable Land Use Principle 3 states that "Where land is highly suitable for a primary use (for example food production, flood management, water catchment management and carbon storage) this value should be recognised in decision-making." While Principle 6 states that "Land-use decisions should be informed by an understanding of the opportunities and threats brought about by the changing climate. Greenhouse gas emissions associated with land use should be reduced and land should continue to contribute to delivering climate change adaptation and mitigation objectives."

In addition Scottish Planning Policy details in paragraph 42 that "The need to help mitigate the causes of climate change and the need to adapt to its short and long term impacts should be taken into account in all decisions throughout the planning system." and "Development plans should also require the siting design and layout of all new development to limit the likely greenhouse gas emissions". In addition Paragraph 133 states "The disturbance of some soils, particularly peat, may lead to the release of stored carbon, contributing to greenhouse gas emissions. Where peat and other carbon rich soils are present, applicants should assess the likely effects associated with any development work."

Furthermore National Planning Framework 2 paragraph 47 states that "Development plans should include policies designed to promote sustainable development and contribute to the mitigation of, and adaptation to, climate change."

The Strategic Development Plan for the area TAYplan also states in Policy 2: Shaping better quality places that Local Development Plans should ensure that climate change resilience is built into the natural and built environment through: protecting and utilising the water and carbon storage capacity of soils, such as peatlands. Policy 3: Managing TAYplan's Assets also specifies that carbon sinks should be safeguarded.

We therefore recommend that the policy wording is expanded in order that carbon rich soils in locations proposed for renewable and low carbon energy proposals are protected. Such an expansion in policy would be in keeping with your authority's duties under the CC Act to act in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of the act to reduce greenhouse gas emissions by minimising the amount of stored carbon lost through renewable and low carbon energy generation developments.

We would welcome the opportunity to be involved in the production of the proposed supplementary guidance for wind energy developments in due course.

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Policy ref.	EP11:Air Quality Management Areas	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

We support this policy because it identifies the AQMA and will ensure that impacts on air quality from new development in this sensitive area are mitigated. This will help minimise any additional detrimental impact on air quality, and receptors of the air quality in this area, going forward.

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3. Which part of the document are you making a representation on?

Policy ref.	ER4: Minerals and other extractive activities - Supply	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

We recommend that the need for a site Waste Management Plan to be submitted as part of the planning application is included as a requirement in policy ER4A.

Please include the reason for supporting the Plan/requesting a change.

ER4 Part A:

The Management of Extractive Waste (Scotland) Regulations 2010 regulate the natural materials which need to be disturbed and separated at mines and quarries in order to access minerals for commercial purposes. The Regulations transpose the requirements of the Mining Waste Directive through the planning system. To comply with the Regulations, mineral planning applications must include a site Waste Management Plan exclusively for extractive waste. The planning authority must decide whether the requirements of the Regulations are met as part of the planning decision. This will ensure that potential adverse impacts on human health and the environment are limited.

Guidance for the Management of Extractive Waste (Scotland) Regulations 2010 has been prepared by the Scottish Government. Chapter 5, Part 4 of this guidance document recommends that site Waste Management Plans are submitted as part of the planning application. This will help the planning authority ensure that all the requirements are met. In accordance with this guidance, we recommend that the requirement for a site Waste Management Plan is included as part of this policy.

ER4 Part C:

We welcome the requirement under ER4C for extractive activities to minimise the production of waste, and the encouragement to use recycled aggregate/other materials where possible. This is a positive step in the delivery of the Zero Waste Plan aims and targets.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

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Please complete all 4 sections of the Plan, this will allow us to process your representation accurately and quickly. If you have comments on several documents or parts of the Plan please use separate forms for each.

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Name	Scottish Environment Protection Agency
Address and Postcode	Strathearn House, Broxden Business Park, Perth, PH1 1RX
Telephone no.	[REDACTED]
Email address	[REDACTED]

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2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	Policy ER5: Prime Agricultural Land	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

- 1) We recommend that the title of this policy is expanded to include Carbon Rich Soils.
- 2) We recommend that the wording is expanded to include a commitment that development will minimise disturbance and loss of carbon rich soils (such as peat) and clarifies that development would only be permitted on areas of undisturbed carbon rich soils if it has been clearly demonstrated that there is no viable alternative. Furthermore, it is recommended that where no viable alternative exists, development on carbon rich soils must undertake a soil depth survey to demonstrate that the deepest soil has been avoided and a soil management plan must be submitted.

Please include the reason for supporting the Plan/requesting a change.

The proposed policy wording does not recognise the broader functionality of soils and in particular their important role as a carbon store. Disruption of areas of carbon rich soil by development results in the loss of the stored carbon leading to a release of greenhouse gases to atmosphere. This is contrary to the target of reducing the emission of greenhouse gases set out in Part 1 of the Climate Change (Scotland) Act 2009 (CC Act) and efforts to mitigate climate change by reducing greenhouse gas emissions at source.

The Scottish Government's policy document Scotland's Land Use Strategy – Principles for Sustainable Land Use Principle 3 states that "Where land is highly suitable for a primary use (for example food production, flood management, water catchment management and carbon storage) this value should be recognised in decision-making." While Principle 6 states that "Land-use decisions should be informed by an understanding of the opportunities and threats brought about by the changing climate. Greenhouse gas emissions associated with land use should be reduced and land should continue to contribute to delivering climate change adaptation and mitigation objectives."

In addition Scottish Planning Policy details in paragraph 42 that "The need to help mitigate the causes of climate change and the need to adapt to its short and long term impacts should be taken into account in all decisions throughout the planning system." and "Development plans should also require the siting design and layout of all new development to limit the likely greenhouse gas emissions". In addition Paragraph 133 states "The disturbance of some soils, particularly peat, may lead to the release of stored carbon, contributing to greenhouse gas emissions. Where peat and other carbon rich soils are present, applicants should assess the likely effects associated with any development work."

Furthermore National Planning Framework 2 paragraph 47 states that "Development plans should include policies designed to promote sustainable development and contribute to the mitigation of, and adaptation to, climate change."

The Strategic Development Plan for the area TAYplan also states in Policy 2: Shaping better quality places that Local Development Plans should ensure that climate change resilience is built into the natural and built environment through: protecting and utilising the water and carbon storage capacity of soils, such as peatlands. Policy 3: Managing TAYplan's Assets also specifies that carbon sinks should be safeguarded.

We therefore recommend that the policy wording is included in the Proposed Plan in order that carbon rich soils are protected. Such an expansion in policy would be in keeping with your authority's duties under the CC Act to act in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of the act to reduce greenhouse gas emissions by minimising the amount of stored carbon lost through the loss of carbon rich soils.

NOTE: As an alternative to amending policy ER5 this representation could also be resolved by including separate policy provision on carbon rich soils or including it as part of another policy e.g. ER1.

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If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	Policy NE4: Green Infrastructure	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

We recommend that the wording of part f of this policy is altered to

"protection, enhancement and management of surface water, floodplains and wetlands which are important contributors to the network of blue and green corridors for the alleviation of flood risk, wildlife, recreation and the amenity needs of the community."

Please include the reason for supporting the Plan/requesting a change.

We support the commitment in this policy to the creation, protection, enhancement and management of green infrastructure particularly through the protection, enhancement and management of watercourses flood plains and wetlands and the commitment to the preparation of supplementary guidance on this issue.

However we recommend that the policy is amended to refer to surface water as this includes lochs and other water features such as man made ponds or lade structures as well as watercourses in order that all the aspects of the water environment are afforded protection and are considered by developers in terms of opportunities for enhancement.

The expansion of the commitment within the policy to include all aspects of the surface water environment is in keeping with your authority's duties as a responsible authority under the Water Environment and Water Services (Scotland) Act 2003 to protect the water environment. Part 3 of the act clarifies that the water environment means all surface water, groundwater and wetlands.

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If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	Policy PM3: Infrastructure Contributions	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

We support the commitment to develop supplementary guidance on developer contributions relating to green infrastructure during the plan period as this will help deliver the River Basin Management Plan protect and improvement objectives which is in keeping with your authority's duties under Water Environment and Water Services (Scotland) Act 2003.

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If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or			
Site ref.	<input type="text"/>	or			
Chapter	<input type="text" value="1"/>	Page no.	<input type="text" value="17"/>	Paragraph no.	<input type="text" value="2.2"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

We recommend that the following sentence is included in section 2.2.

We want to put a Plan in place that will enable us to live a Zero Waste lifestyle, maximising the value from waste resources.

Please include the reason for supporting the Plan/requesting a change.

The Zero Waste Plan contains aims and objectives for local authorities to work towards in order to achieve a zero waste Scotland. We encourage the inclusion of text within the vision statement reference which promotes the Zero Waste message.

This would demonstrate the Council's positive approach towards planning for sustainable resource use, incorporating the Zero Waste approach into all new development.

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If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or
Site ref.	<input type="text" value="E3"/>	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

A flood risk assessment should be included as a site specific developer requirement. In addition, we recommend that the requirement specifies that no built development should take place on the functional flood plain or within an area of known flood risk.

Please include the reason for supporting the Plan/requesting a change.

This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. Historical records shows that the development site was flooded in 1993. The source of flooding was the small watercourse which is partially culverted that flows along the southern boundary of the site combined with surface water overflow from backed up drains.

The SEA process identified that the site is within the 1:200 year flood extent and a flood risk assessment will be required as a mitigation measure to avoid potential significant environmental effects.

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

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3. Which part of the document are you making a representation on?

Policy ref.	Settlement Maps	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

We welcome the inclusion and identification of waste management sites on the settlement/inset maps contained within the Proposed Plan.

We also support the identification of existing waste management infrastructure on the settlement maps, and the allocation for waste management uses on Binn Farm inset.

This approach is consistent with the Zero Waste Plan Annex B paragraphs 4.3 and 5.6 and SPP paragraph 215.

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Supplementary Guidance	<input checked="" type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

Loch Leven SAC advice to planning applicants for phosphorous and foul drainage

3. Which part of the document are you making a representation on?

Policy ref.				or	
Site ref.				or	
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

We support this Supplementary Guidance document as it is in keeping with the duties that your authority has as a responsible authority under Water Environment and Water Services (Scotland) Act 2003 (WEWS) to exercise their designated functions so as to secure compliance with the requirements of the Water Framework Directive (WFD).

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Policy ref.	<input type="text"/>	or
Site ref.	<input type="text" value="E8"/>	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

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A flood risk assessment should be included as a site specific developer requirement. In addition, we recommend that the requirement specifies that no built development should take place on the functional flood plain or within an area of known flood risk.

Please include the reason for supporting the Plan/requesting a change.

This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development.

According to Table C.8 in the Environmental Report we understand that this site already has planning permission. The site specific developer requirement should be expanded to state that a flood risk assessment will be required to inform the scale, layout and form of development. This is consistent with the other sites and will ensure that flood risk is taken into consideration if an alternative development scheme is proposed that differs from the existing planning permission, or the existing permission lapses. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FMR Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in

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Policy ref.	<input type="text"/>	or			
Site ref.	<input type="text"/>	or			
Chapter	<input type="text" value="7"/>	Page no.	<input type="text" value="202"/>	Paragraph no.	<input type="text" value="7.23"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Kinross and Milnathort Settlement Statement - Infrastructure Constraints:

We recommend that the wording of the first paragraph is amended to reflect fact that more development has been allocated than there is currently drainage capacity for and that upgrading the Kinross and Milnathort Waste Water Treatment Works may not be feasible due to the constraints on discharges to Loch Leven (as covered in policy EP7). This may restrict the number of sites allocated in the plan for Kinross and Milnathort that may be able to be brought forward

Please include the reason for supporting the Plan/requesting a change.

The settlements of Kinross and Milnathort are located within the sensitive Loch Leven catchment. Supplementary planning guidance on the Loch Level Special Protection Area and Ramsar Site addressing Phosphorus and foul drainage in the catchment has been prepared by the Council and will be adopted as part of the proposed plan. This guidance along with Policy EP7 aims to ensure that there is no increase in Phosphorus in the Loch Leven catchment arising from waste water associated with new development.

We are concerned that the number of sites allocated in Kinross and Milnathort is not consistent with Policy EP7 or the principles set out in the supplementary guidance. The level of development allocated in these settlements exceeds the current authorised drainage capacity available in the Kinross and Milnathort Waste Water Treatment Works (WWTW). Upgrading the waste water treatment works may not be feasible due to the constraints on discharges to Loch Leven. This may therefore restrict the number of sites allocated in the plan that will be able to be brought forward, thereby affecting the principle of development.

The existing CAR licences issued by SEPA to Scottish Water allows for a total combined population equivalent of 9,700 to be served by Kinross and Milnathort waste water treatment works. Based on flows and loads surveys undertaken by Scottish Water in 2008 the Kinross WWTW currently serves 5,825 and Milnathort WWTW serves 1,969; giving a combined total of 7,794. As there has been limited growth within the catchment since the survey it is likely to be an accurate reflection of the existing capacity used. Using these figures the capacity available for additional growth that can take place within the current level permitted by the CAR licence is estimated to be a population equivalent of 1,906 (Calculated as 9,700 - 7,794).

As highlighted in Table 7.1.14 a total of 442 residential units are being allocated in the Kinross and Milnathort area. We have estimated the population equivalent (p.e.) of these units in line with guidance contained in British Flows and Loads 3. This guidance recommends 5 p.e. for 1, 2 and 3 bedroom properties, 6 p.e. for 4 bedroom properties and so on. As we do not know the configuration of housing sizes associated with each allocation we have based our calculations on 5 p.e. per unit, giving an estimated total of 2,210 p.e. This is an underestimation as it does not account for larger housing sizes or the additional loading arising from the opportunity sites within the catchment: Op10, Op11, Op12, Op13, Op14, Op15, Op16, Op17, Op18 and Op24. These sites will make a significant contribution to the overall discharge, especially as the majority of them have residential components.

The figures show that there is insufficient capacity at the Kinross and Milnathort waste water treatment works to service the proposed allocations. Upgrading the works to enable development may not be feasible due to the constraints on discharges to Loch Leven. In order to ensure that developers are fully informed of the potential constraint we recommend that wording in the infrastructure considerations in section 7.2.3 is amended to reflect the fact that waste water drainage constraints may restrict the number of sites that can be brought forward. This will ensure that developers are fully informed and prevent delay and frustration later in the planning process.

NOTE: The assessment of contributions to the Loch Leven catchment from Scottish Water assets should be based on loadings of Phosphorus in tonnes per annum. As there is still a need to reduce the amount of Phosphorus entering the loch this is an important consideration for SEPA. Calculations of population equivalent give an indication of loadings only. Population equivalent is used here as a simplest way of assessing/ estimating capacity and communicating the situation.

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Telephone no.	[REDACTED]
Email address	[REDACTED]

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Site ref.	E1	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

A flood risk assessment should be included as a site specific developer requirement. In addition, we recommend that the requirement specifies that no built development should take place on the functional flood plain or within an area of known flood risk.

Please include the reason for supporting the Plan/requesting a change.

This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. Historical records show that the development site was flooded in 1993. The source of flooding was likely to be the small watercourse that flows along the southern boundary combined with surface water overflow from backed up drains.

The SEA process identified that the site is within the 1:200 year flood extent and a flood risk assessment will be required as a mitigation measure to avoid potential significant environmental effects.

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

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Policy ref.	<input type="text"/>	or
Site ref.	E11	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Removal of allocation E11

Please include the reason for supporting the Plan/requesting a change.

Review of the Indicative River and Coastal Flood Map (Scotland) shows that the entire site boundary of E11 lies within the estimated 1 in 200 year functional floodplain. Flood risk could be further exacerbated as there is a small watercourse which flows along the north western boundary. This unnamed watercourse has a catchment area less than 3km² and as a result the potential flood risk from this watercourse has not been incorporated within the Indicative River and Coastal Flood Map (Scotland) due to its catchment size. Further detail is provided in the word document submitted with this consultation response entitled "Detailed SEPA response to E11".

The allocation is contrary to Scottish Planning Policy which states in paragraph 197 that "development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere should not be permitted" and paragraph 202 of the SPP states that "Developers and planning authorities should take a precautionary approach in taking decisions when flood risk is an issue."

The Strategic Development Plan for the area TAYplan also provides guidance for local development plans in Policy 2: Shaping better quality places states that LDPs should ensure that climate change resilience is built into the natural and built environments through: presumption against development in areas vulnerable to flood risk.

Furthermore the National Planning Framework 2 (para.55) states that "development patterns must be robust in relation to long-term climate change, taking account, for example, of changing levels of flood risk and vulnerability to the predicted increase in the frequency of extreme weather".

In addition to the policy commitments referred to above SEPA and your authority have duties under the Flood Risk Management (Scotland) Act 2009 which include to work towards reducing overall flood risk, act in the way best calculated to manage flood risk in a sustainable way and to promote sustainable flood management. The cornerstone of sustainable flood management is avoidance of development in areas at risk of flooding.

This allocation is contrary to the statutory and policy framework for flood risk management and climate change and we therefore recommend that it is removed from the LDP.

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Perth and Kinross Local Development Plan - Proposed Plan

Additional flood risk information to support representation

Site reference: Allocation E11, West of Ballinluig/A9

Summary of Representation:

We recommend that the allocation is removed.

Given the location of the proposed development within the undeveloped/sparsely developed functional floodplain we do not consider that it meets with the requirements of Scottish Planning Policy. We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the first instance.

Detailed Justification:

1. Review of the Indicative River and Coastal Flood Map (Scotland) shows that the entire site boundary of E11 lies within the estimated 1 in 200 year functional floodplain. Flood risk could be further exacerbated as there is a small watercourse which flows along the north western boundary. This unnamed watercourse has a catchment area less than 3km² and as a result the potential flood risk from this watercourse has not been incorporated within the Indicative River and Coastal Flood Map (Scotland) due to its catchment size.
2. A report commissioned by Tayside Regional Council was carried out by Babbie in April 1993 after the great flood of January 1993. The report included detailed post flood event analysis and drawing number W11652/3 entitled "Flooding in the Tay Catchment and Locations of Embankment Breaches January 1993" shows the flood outline associated with the January 1993 flood event. In this drawing the entire site was subjected to flooding. Although there have been changes to the road layout in the vicinity of the development site, these changes would not reduce the risk of flooding to this site. The estimated return period for this flood event on the River Tummel is 1 in 40 years which is based on a single site analysis of our gauging station in Pitlochry. Flows have been recorded on the River Tummel since 1973 and the 1993 flow is the highest on record.
3. We have reviewed the five highest flows recorded at our gauging station in Pitlochry and assigned an estimated return period for these flood events based on a single site analysis and the results are shown in the table overleaf:

Date	Flow (m ³ /s ⁻¹)	Return Period
17/01/1993	1049	1 in 40 years
04/02/1990	970	1 in 30 years
13/12/2006	925	1 in 20 years
26/01/2008	886	1 in 16 years
10/01/2005	878	1 in 15 years

Table 1 – Five highest flows recorded at Pitlochry gauging station since records began in 1973 with estimated return periods (based on a single site analysis of annual maximum data).

4. During the 2005 and 2006 flood event, we commissioned aerial surveys to be carried out on the Tay catchment and below is a photograph taken during the January 2005 flood event. The aerial survey carried out in the 2006 event unfortunately does not clearly cover this site, but images taken within the vicinity of the proposed development shows that the flood extent is larger when compared to the aerial photographs taken in 2005 as expected based on the review of the above table.



Photograph 1 – Aerial photograph taken during the January 2005 flood event with the development site submerged under flood water.

5. Review of the above aerial photograph clearly shows that the whole development site was subjected to flooding during the January 2005 event. Shown in Table 1, this flood event has a return period of 1 in 15 years. Since 1973 (start of flows being recorded on the River Tummel) the site has been subjected to flooding on at least five occasions, all of which have occurred since 1990. The risk framework in paragraph 204 of the SPP states that in undeveloped and sparsely developed areas, such as the location of the allocation, at medium to high risk of flooding are generally not suitable for additional development. Due to this guidance and the well documented history of flooding at this site we are of the opinion that it is unsuitable for development. We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the

first instance. We are of the opinion that due to the extensive flooding experienced on this site, flood risk cannot be mitigated without increasing the risk of flooding to neighbouring areas which is contrary to SPP guidance (para 197).

6. We support 'Policy EP2: New Development and Flooding' which is contained within the proposed plan. With a considerable history of flooding, we are of the opinion that this development is contrary to Policy EP2. It is noted that a flood risk assessment has been set as a developer requirements within the proposed plan. We would highlight that carrying out such a report will only serve to show that the development site is unsuitable for development.

Caveats and Additional Information:

7. The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit www.sepa.org.uk/flooding/flood_map.aspx.
8. The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Perth & Kinross Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx.

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The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

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Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

- 1) A flood risk assessment should be included as a site specific developer requirement. In addition, we recommend that the requirement specifies that no built development should take place on the functional flood plain or within an area of known flood risk.
- 2) Developers should be encouraged to undertake a feasibility study to assess the potential for channel restoration by removing the culvert. We recommend that this is included as a site specific developer requirement.

Please include the reason for supporting the Plan/requesting a change.

- 1) This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. Historical records indicate that pluvial flooding in the vicinity of the site (particularly the southern part) may be a constraint.

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

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- 2) There is a strong possibility that a culverted watercourse runs through the development site. There may be an opportunity in this location to restore the water environment to its natural state by removing the culvert. We recommend that developers are encouraged to consider this as part of the site proposals by including a feasibility study to assess the potential for channel restoration as a site requirement.

The land use planning system has been identified as having a key role to play in ensuring the protection and improvement of the water environment in accordance with the Water Framework Directive (WFD) and underlying River Basin Management Plans (RBMP). Planning authorities are “responsible authorities” under the Water Environment Water Services (Relevant Enactments and Designation of Responsible Authorities and Functions (Scotland) Order 2011 and as such are required to work to ensure compliance with the WFD and River Basin Planning process in carrying out their statutory functions.

The inclusion of a site requirement that encourages developers to undertake a feasibility study to assess the potential for channel restoration is in keeping with the Council’s duties as a responsible authority under The Water Environment and Water Services (Scotland) Act 2003. Measures such as this that are under planning control should be sought where possible as it will help move the water body towards good status in line with the WFD objectives.

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Please include the reason for supporting the Plan/requesting a change.

This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. A number of studies have been undertaken to investigate flood risk in the vicinity of the site. The results of this work indicate that there may be a risk of flooding from overland flow from the East Pow effecting the proposed development site via the Mill Lade. Historical records show that the area was flooded in 1993 and 1999. The 1993 event has documented evidence showing flooding of Almondbank from the Pow Burn. The Black Bridge over the Almond also collapsed during this event (photographs are available if needed).

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

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Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or
Site ref.	<input type="text" value="E26"/>	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

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Please include the reason for supporting the Plan/requesting a change.

This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. A small watercourse flows through the middle of the development site.

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

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Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

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This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. A small watercourse flows along the southern boundary of the development site.

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

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Site ref.	H9	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

- 1) A flood risk assessment should be included as a site specific developer requirement. In addition, we recommend that the requirement specifies that no built development should take place on the functional flood plain or within an area of known flood risk.
- 2) Developers should be encouraged to undertake a feasibility study to assess the potential for channel restoration by removing the culvert. We recommend that this is included as a site specific developer requirement.

Please include the reason for supporting the Plan/requesting a change.

- 1) This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. Historical records show that the Nethy Burn flooded the A973 road in February 1997. This was a significant event that caused road closure and flooded several properties in the vicinity of the development site. The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

- 2) The Nethy Burn is culverted at Main Street and re-appears on the north boundary of the development site, adjacent to Powrie Park. There is a strong possibility that the culverted section runs through the development site. There may be an opportunity in this location to restore the water environment to its natural state by removing the culvert. We recommend that developers are encouraged to consider this as part of the site proposals by including a feasibility study to assess the potential for channel restoration as a site requirement.

The land use planning system has been identified as having a key role to play in ensuring the protection and improvement of the water environment in accordance with the Water Framework Directive (WFD) and underlying River Basin Management Plans (RBMP). Planning authorities are "responsible authorities" under the Water Environment Water Services (Relevant Enactments and Designation of Responsible Authorities and Functions (Scotland) Order 2011 and as such are required to work to ensure compliance with the WFD and River Basin Planning process in carrying out their statutory functions.

The inclusion of a site requirement that encourages developers to undertake a feasibility study to assess the potential for channel restoration is in keeping with the Council's duties as a responsible authority under The Water Environment and Water Services (Scotland) Act 2003. Measures such as this that are under planning control should be sought where possible as it will help move the water body towards good status in line with the WFD objectives.

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Site ref.	H15	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

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Please include the reason for supporting the Plan/requesting a change.

This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. Aerial photographs show that the watercourse that flows along the boundary flooded the northern part of the development site in 2006.

The proposed mitigation and enhancement measures identified through the SEA process refer to the need for a Flood Risk Assessment to be undertaken to define the area at risk and appropriate detailed design layout and levels

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

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Site ref.	H19	or			
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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Expansion of site specific developer requirements to make it explicit that resolution of drainage is likely to result in a considerable land take to treat sewage and therefore a reduction in the number of units that could be developed on the site.

Please include the reason for supporting the Plan/requesting a change.

The drainage at the existing Clathymore development site was designed to have no overflow of effluent with all sewage effluent to be evapotranspired. The reason for this was that ground conditions and the scale of development were unsuitable for a conventional soakaway and there was no suitable watercourse for the discharge of effluent. However visits by SEPA staff have identified that there is in fact an overflow of effluent from the site in to the adjacent field, this has been attributed to the fact that the existing system has been undersized for the volume of sewage that it has to treat.

Additional development at this site would have to employ a similar form of drainage due to the limitations of the receiving environment. However since the existing plant was installed SEPA's policy position (WAT-RM-04 section 7) has changed and now closed systems which do not have an overflow will not be licensed for all year round activities (due to the limitations of evapotranspiration in the winter). Without prejudice to any licence application that SEPA receives it is unlikely that treated effluent from the site could achieve the very tight standards that would be required to discharge an overflow into the very small and sometimes dry watercourse adjacent to the site.

In order to minimise the use of a defined overflow and the environmental impact of the development, the required size of the sewage treatment area on the site would likely be considerable. In light of this potential considerable land take we recommend that there is an expansion of the text in the developer requirements to highlight that resolution of the drainage issues is likely to result in a decrease in the number of units that could be developed on the site.

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Policy ref.	<input type="text"/>	or
Site ref.	H44	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

We recommend that this allocation is removed from the plan until such times as the surface water flooding issues at the site are investigated and resolved.

Please include the reason for supporting the Plan/requesting a change.

Review of the Indicative River and Coastal Flood Map (Scotland) shows the site lies outwith the flood risk envelope. However, subsequent information supplied by the council shows flooding in January 2011 from surface runoff on frozen ground. Further detail is provided in the word document entitled "Detailed SEPA response to H44".

It is highlighted that the SPP in paragraph 202 states that "Developers and planning authorities should take a precautionary approach in taking decisions when flood risk is an issue". and "Flood Risk from other sources such as rising groundwater, surface water and drainage systems should also be considered."

The Strategic Development Plan for the area TAYplan also provides guidance for local development plans in Policy 2: Shaping better quality places where it states that LDPs should ensure that climate change resilience is built into the natural and built environments through: presumption against development in areas vulnerable to flood risk.

Furthermore the National Planning Framework 2 (para.55) states that "development patterns must be robust in relation to long-term climate change, taking account, for example, of changing levels of flood risk and vulnerability to the predicted increase in the frequency of extreme weather".

In addition to the policy commitments referred to above SEPA and your authority have duties under the Flood Risk Management (Scotland) Act 2009 which include to work towards reducing overall flood risk, act in the way best calculated to manage flood risk in a sustainable way and to promote sustainable flood management. The cornerstone of sustainable flood management is avoidance of development in areas at risk of flooding.

This allocation is therefore contrary to the statutory and policy framework for flood risk management and climate change and we recommend that it is removed from the LDP at this time.

The National Flood Risk Assessment identifies that this site lies in an area potentially vulnerable to flood risk (potentially vulnerable areas, PVAs) therefore any development at this location would increase the number of properties at risk. Further details regarding the PVA are included in "Detailed SEPA response to H44".

It is noted however that there is a proposal to mitigate flood risk at the adjacent site which has been approved by your authority. However development at allocation H44 is dependant on the mitigation works being undertaken at this adjacent site and the alleviation of flood risk issues in the general area. If this work is undertaken and flood risk issues in the area are resolved then development of the site may be possible if, at that time, an appropriate flood risk assessment is undertaken and the results demonstrate that development of the site would not exacerbate flood risk.

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Perth and Kinross Local Development Plan - Proposed Plan

Additional flood risk information to support representation

Site reference: Allocation H44, South of Station Road

Summary of Representation:

We recommend that the allocation is removed.

We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the first instance. Due to the extent to which the site is likely to be constrained in order to ensure there is no increase in flood risk to nearby properties, we recommend removal at this time.

Detailed Justification:

1. Review of the Indicative River and Coastal Flood Map (Scotland) shows the site lies outwith the flood risk envelope. Previous consultation regarding this site did not show the area to be at risk. However, subsequent information supplied by the council shows flooding in January 2011 from surface runoff on frozen ground.
2. As supplemental information has been supplied since the previous consultation, we now recommend that the allocation is removed from the proposed plan at this time. We would highlight SPP Paragraph 202 which states that "Flood Risk from other sources such as rising groundwater, surface water and drainage systems should also be considered.
3. The Flood Risk Management (Scotland) Act 2009 places a duty on Scottish Ministers, SEPA, local authorities, Scottish Water and other responsible authorities to exercise their functions to managing and reducing flood risk and to promote sustainable flood risk management". We would highlight that insurance for a residential development in a clear flood risk area may be problematic. And with insurance firms becoming increasingly cautious regarding flood risk, insurance may only become more problematic in the future.
4. A planning application has been agreed for the site in the foreground of Plate 1 overleaf. This requires works to capture water on site, maintain existing flow paths, and improvement works to nearby/ on-site culverts.



Plate 1. Looking towards allocation site from the B9099.



Plate 2. Flooding on Station road near the cross-roads with the B9099, immediately adjacent to the allocation site.

5. The National Flood Risk Assessment identifies that this site lies in an area potentially vulnerable to flood risk (potentially vulnerable areas, PVAs) therefore any development at this location would increase the number of properties at risk. Further details regarding the PVA are included in paragraphs 8 – 10 below.
6. We support 'Policy EP2: New Development and Flooding' which is contained within the

proposed plan. With a history of flooding, we are of the opinion that this development is contrary to Policy EP2. It is noted that a flood risk assessment has not been set as a developer requirement within the proposed plan.

7. Although there has been an agreement reached to mitigate the flood risk to the adjacent site and the proposal has been approved by PKC, the development has not yet been built. As such, there is no guarantee that the flood mitigation proposal will be implemented. The development of the current allocation is dependent on the mitigation proposal being implemented at the adjacent site. Therefore, we recommend removal of the allocation but highlight that future development of the site may be possible once the flood risk issues in the general area have been alleviated and a flood risk assessment is submitted which demonstrates that development would not exacerbate flood risk.

Caveats and Additional Information:

8. SEPA published the National Flood Risk Assessment (NFRA) required by the Flood Risk Management (Scotland) Act 2009. The NFRA identifies areas that are potentially vulnerable to flood risk (Potentially Vulnerable Areas or PVAs). This information does not imply that all sites within a PVA are subject to flood risk.
9. The NFRA datasets will in future help to support Flood Risk Management Planning by 2015. Development Plans in future will require to have regard to Flood Risk Management Plans.
10. We have considered the strategic information in the FRMA and would advise that the location of this allocation is within PVA 08/08. The key information available in the FRMA for these PVAs includes:
 - Summary of main impacts - Assessment of future flood risk and past events shows that River Tay, and related watercourses present: impact to a large number of residential properties; limited impact to low category community facilities; impact to some commercial properties; limited impact to transport links; impact to extensive area of high grade agricultural land; limited impact to less resilient environmental designation and impact to extensive area of sensitive designated sites, with frequent reports of flooding in the area between 1740 and 2011.
 - Main sources of flood risk – Fluvial & pluvial
 - Number of existing properties currently at risk - 441
11. The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit www.sepa.org.uk/flooding/flood_map.aspx.
12. The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of

- 4 -

the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Perth & Kinross Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx.

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Policy ref.	<input type="text"/>	or
Site ref.	H21	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

A flood risk assessment should be included as a site specific developer requirement. In addition, we recommend that the requirement specifies that no built development should take place on the functional flood plain or within an area of known flood risk.

Please include the reason for supporting the Plan/requesting a change.

This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development.

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The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

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Site ref.	H22	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

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This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. A small watercourse flows along the southern boundary of the development site.

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3. Which part of the document are you making a representation on?

Policy ref.	H51	or			
Site ref.		or			
Chapter		Page no.		Paragraph no.	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Removal of allocation H51.

Please include the reason for supporting the Plan/requesting a change.

Site H51 in Balado is located in an area that has no public sewerage infrastructure. Development at this site will therefore depend on the provision of private sewerage provision. We are concerned that the provision of an environmentally acceptable private sewerage system at this site will not be possible. The ability to treat and discharge waste water may affect the principle of development.

Authorisation under the Controlled Activities (Scotland) Regulations 2011 would be required for a private sewerage system at this site. To assist the implementation of the Controlled Activities (Scotland) Regulations 2011, we have produced a regulatory method WAT-RM-03: Regulation of Sewage Discharges to Surface Waters. In accordance with this policy we have assessed the likely consentability of a sewage effluent discharge from this site. The proposed site is for residential development of 35 units, which for foul drainage calculation purposes would have a minimum population equivalent of 175 people. From the results of this assessment we are of the view that insufficient dilution would be available and therefore any application for a discharge consent would be likely to be refused.

The site is located in an area that is under existing pollution pressure from private sewerage discharges. The receiving watercourse (South Queich river) has limited capacity to dilute discharges from private sewerage systems. Using the Low Flows system we have estimated a Q95 of 0.095 m³/s, indicating a low dilution of <30:1. In addition, our local regulatory team suggest that this could be an overestimate, with observations that the river is often restricted to throughflow within the gravel bed (rather than surface water); indicating even less dilution available. There are also downstream users that abstract water for irrigation that need to be considered.

Under the Water Environment Water Services (Relevant Enactments and Designation of Responsible Authorities and Functions (Scotland) Order 2011), planning authorities are responsible authorities and required to work to ensure compliance with the Water Framework Directive when carrying out statutory functions. We are concerned that the allocation of this site could potentially generate a sewage related downgrade in water body status, thereby compromising the objectives of the Water Framework Directive. To ensure that these negative impacts are avoided we recommend that it is removed from the LDP.

The site is also located in the Loch Leven catchment area and therefore subject to the requirements of proposed Policy EP7C. Even if an environmentally acceptable private sewerage solution was possible, it would be unlikely to comply with the phosphorous mitigation requirements. In accordance with this policy the application would therefore be refused planning permission.

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Site ref.	H30	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

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This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. A field drain flows along the southern and western boundary of the site.

The proposed mitigation and enhancement measures identified through the SEA process refer to the need for a Flood Risk Assessment to be undertaken to define the area at risk and appropriate detailed design layout and levels

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

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Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

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This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. Historical records show that Fonab Crescent adjacent to the site flooded in 1993 and 2004. The site may be at risk from the small watercourse that flows along the eastern boundary.

The proposed mitigation and enhancement measures identified through the SEA process refer to the need for a Flood Risk Assessment to be undertaken to define the area at risk and appropriate detailed design layout and levels

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

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- 1) A flood risk assessment should be included as a site specific developer requirement. In addition, we recommend that the requirement specifies that no built development should take place on the functional flood plain or within an area of known flood risk.
- 2) Developers should be encouraged to undertake a feasibility study to assess the potential for channel restoration by removing the culvert. We recommend that this is included as a site specific developer requirement.

Please include the reason for supporting the Plan/requesting a change.

- 1) This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. A small watercourse enters a culvert beneath the development site. The proposed mitigation and enhancement measures identified through the SEA process refer to the need for a flood risk assessment to be undertaken to define the area at risk and appropriate detailed design layout and levels.

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

- 2) A culverted watercourse runs through the development site. There may be an opportunity in this location to restore the water environment to its natural state by removing the culvert. We recommend that developers are encouraged to consider this as part of the site proposals by including a feasibility study to assess the potential for channel restoration as a site requirement.

The land use planning system has been identified as having a key role to play in ensuring the protection and improvement of the water environment in accordance with the Water Framework Directive (WFD) and underlying River Basin Management Plans (RBMP). Planning authorities are "responsible authorities" under the Water Environment Water Services (Relevant Enactments and Designation of Responsible Authorities and Functions (Scotland) Order 2011 and as such are required to work to ensure compliance with the WFD and River Basin Planning process in carrying out their statutory functions.

The inclusion of a site requirement that encourages developers to undertake a feasibility study to assess the potential for channel restoration is in keeping with the Council's duties as a responsible authority under The Water Environment and Water Services (Scotland) Act 2003. Measures such as this that are under planning control should be sought where possible as it will help move the water body towards good status in line with the WFD objectives.

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3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or
Site ref.	MU5	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

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- 2) Developers should be encouraged to undertake a feasibility study to assess the potential for channel restoration by removing the culvert. We recommend that this is included as a site specific developer requirement.

Please include the reason for supporting the Plan/requesting a change.

- 1) This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. Historical records show that Arblair Road, Newton Street and Shaw Street in the vicinity of the site where flooded in 2004. The flooding was caused by drainage and sewer problems. The proposed mitigation and enhancement measures identified through the SEA process refer to the need for a flood risk assessment to be undertaken to define the area at risk and appropriate design and layout levels.

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

- 2) There is a strong possibility that a culverted watercourse runs through the development site. There may be an opportunity in this location to restore the water environment to its natural state by removing the culvert. We recommend that developers are encouraged to consider this as part of the site proposals by including a feasibility study to assess the potential for channel restoration as a site requirement.

The land use planning system has been identified as having a key role to play in ensuring the protection and improvement of the water environment in accordance with the Water Framework Directive (WFD) and underlying River Basin Management Plans (RBMP). Planning authorities are “responsible authorities” under the Water Environment Water Services (Relevant Enactments and Designation of Responsible Authorities and Functions (Scotland) Order 2011 and as such are required to work to ensure compliance with the WFD and River Basin Planning process in carrying out their statutory functions. The inclusion of a site requirement that encourages developers to undertake a feasibility study to assess the potential for channel restoration is in keeping with the Council’s duties as a responsible authority under The Water Environment and Water Services (Scotland) Act 2003. Measures such as this that are under planning control should be sought where possible as it will help move the water body towards good status in line with the WFD objectives.

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Policy ref.	<input type="text"/>	or
Site ref.	Op2	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

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This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. Historical records indicates that this site may be at risk of flooding from the Mill Lade. Flooding of the Ramada Jarvis in July 2010 has been documented.

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

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- 1) This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. A culverted section of the Newtown Burn flows through the middle of the development site.

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

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- 2) A culverted section of the Newtown Burn flows through the middle of the development site. There may be an opportunity in this location to restore the water environment to its natural state by removing the culvert. We recommend that developers are encouraged to consider this as part of the site proposals by including a feasibility study to assess the potential for channel restoration as a site requirement.

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Policy ref.	<input type="text"/>	or
Site ref.	Op13	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Removal of allocation Op13

Please include the reason for supporting the Plan/requesting a change.

Review of the Indicative River and Coastal Flood Map (Scotland) shows that the entire site boundary of Op13 lies within the estimated 1 in 200 year functional floodplain of the South Queich. Additional 2D modelling commissioned by PKC and undertaken by Mouchel shows the majority of the site to be at risk from the 1:200 year flood event. In addition, the 1:200 plus climate change event shows the entire site to be within this flood extent. Further detail is provided in the word document submitted with this consultation response entitled "Detailed SEPA response to Op13".

It is noted that a considerable proportion of this site is currently an undeveloped area of tarmac and therefore any further development of the site would reduce potential flood plain storage and may increase the risk of flooding elsewhere.

The use for the site in the proposed plan is identified as employment and high density residential development. The Flood Risk Management (Scotland) Act 2009 sets in place a statutory framework for delivering a sustainable and risk-based approach to managing flooding. Flood risk is based on the probability of flooding and the impacts of flooding. Taking a risk-based approach for this site, the probability of flooding remains the same yet the impacts would be greater if the commercial building is replaced with permanent residential dwelling, hence the overall flood risk would increase.

The National Flood Risk Assessment identifies that this site lies in an area potentially vulnerable to flood risk therefore any additional development at this location would increase the number of properties at risk. Further details regarding the PVAs are included in the "Detailed SEPA response to Op13" document.

The allocation is contrary to Scottish Planning Policy which states in paragraph 197 that "development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere should not be permitted" and the risk framework (para 204) which highlights that development in high to medium risk areas may be suitable only if there are flood defences to an appropriate standard. However there are no appropriate flood defences on the South Queich. Furthermore SPP states that "Developers and planning authorities should take a precautionary approach in taking decisions when flood risk is an issue."

The Strategic Development Plan for the area TAYplan also provides guidance for LDPs in Policy 2: Shaping better quality places where it states that LDPs should ensure that climate change resilience is built into the natural and built environments through: presumption against development in areas vulnerable to flood risk.

Furthermore the National Planning Framework 2 (para.55) states that "development patterns must be robust in relation to long-term climate change, taking account, for example, of changing levels of flood risk and vulnerability to the predicted increase in the frequency of extreme weather".

In addition to the policy commitments referred to above SEPA and your authority have duties under the Flood Risk Management (Scotland) Act 2009 which include to work towards reducing overall flood risk, act in the way best calculated to manage flood risk in a sustainable way and to promote sustainable flood management. The cornerstone of sustainable flood management is avoidance of development in areas at risk of flooding.

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Perth and Kinross Local Development Plan - Proposed Plan

Additional flood risk information to support representation

Site reference: Allocation Op13, Scottish Motor Auctions

Summary of Representation:

We recommend that the allocation is removed.

We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the first instance. Therefore, we recommend that this site is removed from the proposed plan.

Detailed Justification:

1. Review of the Indicative River and Coastal Flood Map (Scotland) shows that the entire site boundary of Op13 lies within the estimated 1 in 200 year functional floodplain of the South Queich.
2. Additional 2D modelling commissioned by PKC and undertaken by Mouchel shows the majority of the site to be at risk from the 1:200 year flood event. In addition, the 1:200 plus climate change event shows the entire site to be within this flood extent.
3. We maintain a gauging station on the South Queich from 1988-present. We have attached photos of the 2008 event which shows water close to breaching the site. According to our gauging records these photos were not taken at the peak of the event. In the background of Plate Two, water is being pumped from the allocation site. The January 2008 event has been assigned an approximate return period of 1:20-25 years. However, caution should be attached to this figure due to the relatively short gauging record length.
4. The site is relatively flat and not heavily developed, any additional development would impact on flood storage and may increase the risk of flooding elsewhere which is contrary to the SPP (para 197). We would also highlight that the additional modelling undertaken by Mouchel shows that access/egress may be problematic due to the extensive flooding around the site.



Plate 1. Looking downstream from the Scottish Motor Auction site.



Plate 2. Looking downstream from the B996 Bridge. Note the pumping of water from the site in the centre of the photo.

5. The Flood Risk Management (Scotland) Act 2009 sets in place a statutory framework for delivering a sustainable and risk-based approach to managing flooding. Flood risk is based on the probability of flooding and the impacts of flooding. Taking a risk-based approach for this site, the probability of flooding remains the same yet the impacts would be greater as the commercial auction building is replaced with permanent residential dwellings, hence the overall flood risk would increase.
6. In addition, The Flood Risk Management (Scotland) Act 2009 places a duty on Scottish Ministers, SEPA, local authorities, Scottish Water and other responsible authorities to exercise their functions to managing and reducing flood risk and to promote sustainable flood risk management. Residential properties are financially more susceptible to flooding as they only have one level of insurance. The existing business use can benefit from two levels of insurance and can recover from flooding more easily. The flooding of people's homes has far greater impacts associated with it including social impacts related to health and stress issues. We would highlight that insurance for a residential development in a clear flood risk area may be problematic. And with insurance firms becoming increasingly cautious regarding flood risk, insurance may only become more problematic in the future.
7. The National Flood Risk Assessment identifies that this site lies in an area potentially vulnerable to flood risk (potentially vulnerable areas, PVAs) therefore any additional development at this location would increase the number of properties at risk. Further details regarding the PVA are included in paragraphs 9 – 11 below.
8. We support 'Policy EP2: New Development and Flooding' which is contained within the proposed plan. With a clear flood risk to the site, and confirmation through additional modelling, we are of the opinion that this development is contrary to Policy EP2. It is noted that a flood risk assessment has been set as a developer requirement within the proposed plan. We would highlight that carrying out such a report will only serve to show that the development site is unsuitable for development.

Caveats and Additional Information:

9. SEPA published the National Flood Risk Assessment (NFRA) required by the Flood Risk Management (Scotland) Act 2009. The NFRA identifies areas that are potentially vulnerable to flood risk (Potentially Vulnerable Areas or PVAs). This information does not imply that all sites within a PVA are subject to flood risk.
10. The NFRA datasets will in future help to support Flood Risk Management Planning by 2015. Development Plans in future will require to have regard to Flood Risk Management Plans.
11. We have considered the strategic information in the FRMA and would advise that the location of this allocation is within PVA 10/04. The key information available in the FRMA for these PVAs includes:
 - Summary of main impacts - Assessment of future flood risk and past events shows that several rivers and burns present: impact to a large number of residential properties; impact to a large number of commercial properties; impact to major transport links; impact to extensive area of high grade agricultural land; limited impact to less resilient environmental designation and impact to sensitive designated sites, with frequent reports of flooding in the area between 1816 and 2009. Existing defences on Back Burn offer partial protection to some of these impacts.
 - Main sources of flood risk – Fluvial & pluvial

- Number of existing properties currently at risk - 801
12. The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit www.sepa.org.uk/flooding/flood_map.aspx.
 13. The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Perth & Kinross Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

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Once we have your representation(s) we will acknowledge them and inform you when the Proposed Plan has been submitted to Scottish Ministers for examination. Scottish Government guidance indicates that representations should be a maximum of 2000 words to provide the Examination Reporter with concise representations that can be resolved through written representations, hearings or a public inquiry as part of the examination process.

1. Contact details (only representations that include full contact details are valid)

Name	Scottish Environment Protection Agency
Address and Postcode	Strathearn House, Broxden Business Park, Perth, PH1 1RX
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or
Site ref.	Op15	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

A flood risk assessment should be included as a site specific developer requirement. In addition, we recommend that the requirement specifies that no built development should take place on the functional flood plain or within an area of known flood risk.

Please include the reason for supporting the Plan/requesting a change.

This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. Historical records indicate that the development site may be at risk from the North Quiech. Extensive flooding from this watercourse in the vicinity of the site was documented in 1874.

The proposed mitigation and enhancement measures identified through the SEA process refer to the need for a Flood Risk Assessment to be undertaken to define the area at risk and appropriate detailed design layout and levels

The site specific developer requirements should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FRM Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in areas at risk of flooding. In accordance with the National Planning Framework (2009, para 5.5) development plans should also recognise the role of sustainable flood risk management as a climate change adaptation measure. Expansion of the developer requirements to specify the need for a flood risk assessment and ensure that no built development takes place on the functional flood plain (or within an area of known flood risk) will help promote a sustainable approach to managing flood risk in accordance with the Councils duties under the FRM Act.

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Policy ref.	<input type="text"/>	or
Site ref.	Op17	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Removal of allocation Op17

Please include the reason for supporting the Plan/requesting a change.

Review of the Indicative River and Coastal Flood Map (Scotland) shows that the entire site boundary of Op17 lies within the estimated 1 in 200 year functional floodplain of the Fochy/ Back burn. In addition, there is potentially a mill lade which flows beneath the site which could pose an additional flood risk to the site. Further detail is provided in the word document submitted with this consultation response entitled "Detailed SEPA response to Op17".

The use for the site in the proposed plan is identified as employment or high density residential development. The Flood Risk Management (Scotland) Act 2009 sets in place a statutory framework for delivering a sustainable and risk-based approach to managing flooding. Flood risk is based on the probability of flooding and the impacts of flooding. Taking a risk-based approach for this site, the probability of flooding remains the same yet the impacts would be greater if the commercial building is replaced with permanent residential dwellings, hence the overall flood risk would increase.

The allocation is contrary to Scottish Planning Policy which states in paragraph 197 that "development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere should not be permitted" and the risk framework (para 204) which highlights that development in high to medium risk areas may be suitable only if there are flood defences to an appropriate standard. However the flood defences on the Back Burn protect only to a 1:100 year event and are therefore insufficient. Furthermore SPP states that "Developers and planning authorities should take a precautionary approach in taking decisions when flood risk is an issue."

The SDP for the area TAYplan also provides guidance for LDPs in Policy 2: Shaping better quality places where it states that LDPs should ensure that climate change resilience is built into the natural and built environments through: presumption against development in areas vulnerable to flood risk.

Furthermore the National Planning Framework 2 (para.55) states that "development patterns must be robust in relation to long-term climate change, taking account, for example, of changing levels of flood risk and vulnerability to the predicted increase in the frequency of extreme weather".

In addition to the policy commitments referred to above SEPA and your authority have duties under the Flood Risk Management (Scotland) Act 2009 which include to work towards reducing overall flood risk, act in the way best calculated to manage flood risk in a sustainable way and to promote sustainable flood management. The cornerstone of sustainable flood management is avoidance of development in areas at risk of flooding.

This allocation is therefore contrary to the statutory and policy framework for flood risk management and climate change and we recommend that it is removed from the LDP. If the decision is made, contrary to this advice, to retain the allocation in the LDP it should be limited to commercial purposes on the existing footprint only and a detailed FRA would be required to inform the development design. Any business user would operate at this location at their own commercial risk.

It is relevant to note that we retained our objection to the previous planning application for residential use at the site (06/02562/OUT) which was approved at appeal (P\PPA\340\632) but which has now lapsed and have submitted an objection to the current planning application for residential use at the site(11/01938/IPL).

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Perth and Kinross Local Development Plan - Proposed Plan

Additional flood risk information to support representation

Site reference: Allocation Op17, Kay Trailers

Summary of Representation:

We recommend that the allocation is removed.

We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the first instance. Therefore, we recommend that this site is removed from the proposed plan.

Detailed Justification:

1. Review of the Indicative River and Coastal Flood Map (Scotland) shows that the entire site boundary of Op17 lies within the estimated 1 in 200 year functional floodplain of the Fochy/Back Burn. In addition, there is potentially a mill lade which flows beneath the site which could pose an additional flood risk to the site.
2. There is a Flood Protection Scheme along sections of the Back Burn close to the site. In December 2006 the defences were overtopped immediately upstream of Wester Loan Bridge and extensive flooding was witnessed at The Cross. As a result of this flooding, additional works were undertaken and the area is now reported to be protected to a 1:100 year event. However, this does not facilitate additional development behind the defences as they are not built to the appropriate standard as outlined in the Risk Framework within SPP.
3. In addition to fluvial flood risk to the general area, we have records of the area being subject to surface water flooding in July 2009. There are difficulties assigning a return period to this type of intense thundery storm event as the nearest rain gauge is located approximately 4km away and estimated the event to be a 1:3 year return period.
4. We highlight that The Flood Risk Management (Scotland) Act 2009 sets in place a statutory framework for delivering a sustainable and risk-based approach to managing flooding. Flood risk is based on the probability of flooding and the impacts of flooding. Taking a risk-based approach for this site, the probability of flooding remains the same yet the impacts would be greater as the commercial building is replaced with permanent residential dwelling, hence the overall flood risk would increase.
5. In addition, the Flood Risk Management (Scotland) Act 2009 places a duty on Scottish Ministers, SEPA, local authorities, Scottish Water and other responsible authorities to exercise their functions to managing and reducing flood risk and to promote sustainable flood risk management. Residential properties are financially more susceptible to flooding as they only have one level of insurance. The existing business use can benefit from two

levels of insurance and can recover from flooding more easily. The flooding of people's homes has far greater impacts associated with it including social impacts related to health and stress issues. We would highlight that insurance for a residential development in a clear flood risk area may be problematic. And with insurance firms becoming increasingly cautious regarding flood risk, insurance may only become more problematic in the future.

6. The National Flood Risk Assessment identifies that this site lies in an area potentially vulnerable to flood risk (potentially vulnerable areas, PVAs) therefore any increase in density of development at this location would increase the number of properties at risk. Further details regarding the PVA are included in paragraphs 8 – 10 below.
7. We support 'Policy EP2: New Development and Flooding' which is contained within the proposed plan. With a clear history of flooding in the area, we are of the opinion that this development is contrary to Policy EP2. It is noted that a flood risk assessment has been set as a developer requirement within the proposed plan. We would highlight that carrying out such a report may only serve to show that the development site is unsuitable for development.
8. If the decision is made to retain the allocation in the LDP it should be limited to commercial purposes on the existing footprint only and a detailed FRA would be required to inform the development design. Any business user would operate at this location at their own commercial risk.

Caveats and Additional Information:

9. SEPA published the National Flood Risk Assessment (NFRA) required by the Flood Risk Management (Scotland) Act 2009. The NFRA identifies areas that are potentially vulnerable to flood risk (Potentially Vulnerable Areas or PVAs). This information does not imply that all sites within a PVA are subject to flood risk.
10. The NFRA datasets will in future help to support Flood Risk Management Planning by 2015. Development Plans in future will require to have regard to Flood Risk Management Plans.
11. We have considered the strategic information in the FRMA and would advise that the location of this allocation is within PVA 10/04. The key information available in the FRMA for these PVAs includes:
 - Summary of main impacts - Assessment of future flood risk and past events shows that several rivers and burns present: impact to a large number of residential properties; impact to a large number of commercial properties; impact to major transport links; impact to extensive area of high grade agricultural land; limited impact to less resilient environmental designation and impact to sensitive designated sites, with frequent reports of flooding in the area between 1816 and 2009. Existing defences on Back Burn offer partial protection to some of these impacts.
 - Main sources of flood risk – Fluvial & pluvial
 - Number of existing properties currently at risk - 801
12. The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than

3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit www.sepa.org.uk/flooding/flood_map.aspx.

13. The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Perth & Kinross Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx.

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If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or
Site ref.	Op18	or
Chapter	<input type="text"/>	Page no. <input type="text"/> Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Removal of allocation Op18

Please include the reason for supporting the Plan/requesting a change.

Review of the Indicative River and Coastal Flood Map (Scotland) shows that the entire site boundary of Op18 lies within the estimated 1 in 200 year functional floodplain of the Fochy/ Back burn. Further detail is provided in the word document submitted with this consultation response entitled "Detailed SEPA response to Op18".

The use for the site in the proposed plan is identified as employment or high density residential development. The Flood Risk Management (Scotland) Act 2009 sets in place a statutory framework for delivering a sustainable and risk-based approach to managing flooding. Flood risk is based on the probability of flooding and the impacts of flooding. Taking a risk-based approach for this site, the probability of flooding remains the same yet the impacts would be greater if the commercial space is replaced with permanent residential dwellings, hence the overall flood risk would increase.

It is noted that the site is currently an undeveloped area of tarmac so therefore any development of the site would reduce potential flood plain storage and may increase the risk of flooding elsewhere. The National Flood Risk Assessment identifies that this site lies in an area potentially vulnerable to flood risk (potentially vulnerable areas, PVAs) therefore any development at this location would increase the number of properties at risk. Further details regarding the PVAs are included in "Detailed SEPA response to Op18".

The allocation is contrary to Scottish Planning Policy which states in paragraph 197 that "development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere should not be permitted" and the risk framework (para 204) which highlights that development in high to medium risk areas may be suitable only if there are flood defences to an appropriate standard. However the flood defences on the Back Burn protect only to a 1:100 year event and are therefore not built to an appropriate standard as outlined in the risk framework. Furthermore SPP states that "Developers and planning authorities should take a precautionary approach in taking decisions when flood risk is an issue."

The SDP for the area TAYplan also provides guidance for local development plans in Policy 2: Shaping better quality places states that LDPs should ensure that climate change resilience is built into the natural and built environments through: presumption against development in areas vulnerable to flood risk.

Furthermore the National Planning Framework 2 (para.55) states that "development patterns must be robust in relation to long-term climate change, taking account, for example, of changing levels of flood risk and vulnerability to the predicted increase in the frequency of extreme weather".

In addition to the policy commitments referred to above SEPA and your authority have duties under the Flood Risk Management (Scotland) Act 2009 which include to work towards reducing overall flood risk, act in the way best calculated to manage flood risk in a sustainable way and to promote sustainable flood management. The cornerstone of sustainable flood management is avoidance of development in areas at risk of flooding.

It is relevant to note that we retained our objection to the previous planning application for residential use at the site (06/02562/OUT) which was approved at appeal (P/PPA\340\632) but which has now lapsed and we have submitted an objection to the current planning application for residential use at the site(11/01938/IPL).

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Perth and Kinross Local Development Plan - Proposed Plan

Additional flood risk information to support representation

Site reference: Allocation Op18, Kay Trailers

Summary of Representation:

We recommend that the allocation is removed.

We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the first instance. Therefore, we recommend that this site is removed from the development plan.

Detailed Justification:

1. Review of the Indicative River and Coastal Flood Map (Scotland) shows that the entire site boundary of Op18 lies within the estimated 1 in 200 year functional floodplain of the Fochy/Back Burn.
2. There is a Flood Protection Scheme along sections of the Back Burn adjacent to the site. In December 2006 the defences were overtopped immediately upstream of Wester Loan Bridge and extensive flooding was witnessed at The Cross. As a result of this flooding, additional works were undertaken and the area is now protected to a 1:100 year event. However, this does not facilitate additional development behind the defences as they are not built to the appropriate standard as outlined in the Risk Framework within SPP.
3. We do not own the flooding photos of the 2006 event which shows extensive flooding however, we do own photos of the 2008 event. Based on a nearby SEPA maintained gauging station on the North Queich this event has an approximate return period of 1:10 years (based on the 1987-present record).
4. In addition to fluvial flood risk to the general area, we have records of the area being subject to surface water flooding in July 2009. There are difficulties assigning a return period to this type of intense thundery storm event as the nearest rain gauge is located approximately 4km away and estimated the event to be a 1:3 year return period.



Plate 1. Looking upstream with allocation to the left of the flood wall.

5. It is noted that the allocation is currently an undeveloped area of tarmac and therefore any development on the site would reduce potential flood plain storage and may increase the risk of flooding elsewhere.
6. We highlight that Paragraph 199 of SPP states that “The Flood Risk Management (Scotland) Act 2009 sets in place a statutory framework for delivering a sustainable and risk-based approach to managing flooding”. Flood risk is based on the probability of flooding and the impacts of flooding. Taking a risk-based approach for this site, the probability of flooding remains the same yet the impacts would be greater as the commercial building is potentially replaced with permanent residential dwelling, hence the overall flood risk would increase.
7. The National Flood Risk Assessment identifies that this site lies in an area potentially vulnerable to flood risk (potentially vulnerable areas, PVAs) therefore any development at this location would increase the number of properties at risk. Further details regarding the PVA are included in paragraphs 10 – 12 below.
8. In addition, The Flood Risk Management (Scotland) Act 2009 places a duty on Scottish Ministers, SEPA, local authorities, Scottish Water and other responsible authorities to exercise their functions to managing and reducing flood risk and to promote sustainable flood risk management. Residential properties are financially more susceptible to flooding as they only have one level of insurance. The existing business use can benefit from two levels of insurance and can recover from flooding more easily. The flooding of people’s homes has far greater impacts associated with it including social impacts related to health and stress issues. We would highlight that insurance for a residential development in a clear flood risk area may be problematic. And with insurance firms becoming increasingly

9. We support 'Policy EP2: New Development and Flooding' which is contained within the proposed plan. With a clear history of flooding in the general area, we are of the opinion that this development is contrary to Policy EP2. It is noted that a flood risk assessment has been set as a developer requirements within the proposed plan. We would highlight that carrying out such a report may only serve to show that the development site is unsuitable for development.

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14. Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.
15. The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by

SEPA as at the date hereof. It is intended as advice solely to Perth & Kinross Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx.

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Would you like to see a change to the Plan? Please state this change.

A flood risk assessment should be included as a site specific developer requirement. In addition, we recommend that the requirement specifies that no built development should take place on the functional flood plain or within an area of known flood risk.

Please include the reason for supporting the Plan/requesting a change.

This site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. Two watercourses are associated with this site – along the southeastern and southwestern boundaries.

According to Table C.8 in the Environmental Report we understand that this site already has planning permission. The site specific developer requirement should be expanded to state that a flood risk assessment will be required to inform the scale, layout and form of development. This is consistent with the other sites and will ensure that flood risk is taken into consideration if an alternative development scheme is proposed that differs from the existing planning permission, or the existing permission lapses. This will ensure that developers are fully informed of the flood risk issues affecting the site at the earliest opportunity thereby preventing delay and frustration later in the planning process. It will also ensure that flooding issues are taken into account prior to submitting a planning application and potential developers recognise that the developable area of the site may be constrained by flood risk.

The Flood Risk Management (Scotland) Act 2009 places a new duty on local authorities to “exercise their flood risk related functions with a view to reducing overall flood risk”, “promote sustainable flood risk management” and “act in a way best calculated to contribute to the achievement of sustainable development”. To support the principles of the FMR Act the Proposed Plan should take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. The cornerstone of sustainable flood management is the avoidance of development in

Save a copy

Print

Submit

Your Details

An asterisk (*) indicates a required field.

Your Name: *	<input type="text" value="Janet Esparon"/>
Organisation Name:	<input type="text"/>
Agent Name:	<input type="text"/>
Address 1: *	<input type="text" value="Takamaka"/>
Address 2	<input type="text" value="Drunzie"/>
Address 3	<input type="text" value="Glenfarg"/>
Postcode: *	<input type="text" value="PH2 9PE"/>
Phone Number:	<input type="text" value=""/>
Email Address: *	<input type="text" value=""/>
Site Name:	<input type="text" value="H54, Scotlandwell"/>
Contact Person:	<input checked="" type="checkbox"/> Me <input type="checkbox"/> My Agent

Your comments will be applied to the following items:

7 Kinross-shire Area Spatial Strategy - 7.17 Scotlandwell/Kilmagadwood - Paragraph 7.17.4

I support the choice of H54, Scotlandwell, as a housing site. The 1.73 hectares site gives ample opportunity for affordable housing in addition to other lower density housing.

F.O.R.K

7 Bankfoot Park
Scotlandwell
Kinross KY13 9JP

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

Comments on Local Development Plan

In his report on the last Kinross-shire Local Plan, the Reporter recommended that a local strategy group be set up to look into planning and development issues for rural Kinross-shire in preparation for the next Local Plan (with which the Main Issues Report is now concerned). The Fossoway Community Strategy Group was duly set up in terms of this recommendation in June 2006. It consisted of representatives from Fossoway Community Council, Friends of Rural Kinross-shire and Kinross-shire Civic Trust. The group met on frequent occasions and consulted widely with local landowners and residents. Its Report was submitted to the planning authority in due course, and its conclusions have clearly been considered in the preparation and production of the Main issues Report.

As far as Friends of Rural Kinross-shire are concerned, there is a general level of satisfaction that, to a significant degree, the planning authority have carefully considered, and then accepted the recommendations and suggestions of the Strategy Group. However, there remain some areas of concern, and we would like to offer the following comments.

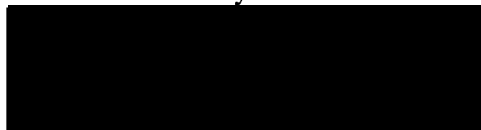
Firstly, we are surprised that there is to be no significant development in Blairingone. We had understood that, eventually, there was a general feeling in the village that a certain amount of development would be desirable. There is plainly scope for an increase in the size of the community, and further homes could provide more pupils for the primary school, and thus safeguard its future, which is in some doubt. We would therefore ask the planning authority to consider a modest number of additional houses – say 20 or so- in Blairingone. This would have the additional benefit of spreading the overall increase in housing stock more evenly over the whole county. Secondly, it seems to us that the number of new houses to be allocated in Powmill is excessive. The effect will be to double the size of the settlement, which we had always understood to be a mark of unsatisfactory planning. There appears to be no corresponding increase in relevant infrastructure, other than a general indication that Fossoway Primary School will have to be extended.. In addition to the 120 houses

that are proposed for Powmill, there is already permission for 23 houses in the same area, and this we feel should also be taken into account in looking at the increased development. However, it does appear that the developer has undertaken extensive consultation in Powmill, and that there is a general feeling of approval for what is proposed. We would therefore ask the planning authority to consider (a) moving some of the houses to Blairingone, and some to the eastern side of the county, (b) taking careful note of what infrastructure local people would like and what the developer is prepared to offer with a view to making significant provision in this regard, and (c) strictly phasing the total number of new houses to be built.

Thirdly, we would like to record our approval of the recommendation of both the Strategy Group and the planning authority that there should be no development in Carnbo and Crook of Devon. These settlements have been in relative terms extensively developed in recent times, not always in happy circumstances, and there would appear to be no immediate demand or reasonable opportunity for more houses in either village. This is in particular the clear view reached by the Strategy Group after extensive and comprehensive consultation and reflection, and this appears to have been accepted by the planning officials. We understand that the owners of the Monarch Deer Farm in Crook of Devon (G.S. Brown) wish to have the zoning changed to allow a large development on their ground. In our view it would be highly regrettable if this application were to prevail. The site is on good agricultural land. It would require a large, very expensive and obtrusive bridge to join the site with the A977 road over a particularly attractive part of the river Devon. The considerable contamination from roofs and driveways, now recognised as a serious source of pollution, so close to the Devon would be environmentally unfortunate. In addition, to reject the carefully considered recommendation of a democratic group set up under the statutory inquiry procedure in favour of the wishes of a private developer would considerably damage the credibility of the planning process in the eyes of the rate paying public.

Finally, we would like to repeat our traditional requests. We would like to see an absolute embargo on development on arable ground. Our ability as a country to produce food in an era of diminishing availability becomes increasingly important, and the loss of any arable ground is therefore significant. Further, we have always been concerned about the unavailability of suitable sites for the development of small rural businesses. We are aware that there are several such businesses that cannot set up or expand because of the lack of suitable sites. We would therefore ask that Perth & Kinross Council henceforth to refuse to allow any more steading developments, as other authorities have done, until it can be demonstrated that there are no local businesses that could use them.

Yours faithfully



Frank Wellman
Chairman

From: John Bullough [REDACTED]
Sent: 10 April 2012 11:49
To: TES Development Plan - Generic Email Account
Subject: Representation from John Bullough regarding LDP
Follow Up Flag: Follow up
Flag Status: Green

Local Development Plan, Perth and Kinross
Representation by John Bullough, Chairman and Managing Director of McEwens of Perth.

Dear Sirs,

As Perth City Centre's largest private employer, I certainly have a vested interest in the success of our City Centre.

There is very little that can be achieved retrospectively to repair the damage that has already been done by the out of town supermarket chains. Shopping habits have, as a result of this viral expansion, changed for ever. What is done, is done and we must now look to the future to protect what we have left.

If our City Centre is going not only to survive, but to thrive and flourish in an inhospitable retail climate, then the LDP must set in stone, not only guidelines and loose intentions to support our City Centre, but clear policy and regulation must back up these intentions to ensure, beyond doubt, that our City Centre is protected.

This policy should be centred around the premise that all retail should be within our City Centre. If tangible reasons are given to our Planning Department that shows beyond doubt that this is not possible, then prospective retailers must utilise one of the empty units in our retail parks. This should also be decided progressively, firstly suggesting the retail parks in our City limits, then if necessary moving to the out of town parks. If it is left to the retailer to decide they would all move out of town, so it is up to the planning department (supported by new LDP policy) to ensure that all existing units are filled prior to any consideration towards green field developments. If none of these are acceptable, or impossible due to planning restrictions; then unless there are exceptional circumstances, we should be satisfied to lose the opportunity rather than destroy our City's heart by further unnecessary out of town development.

The developers are well versed in the manipulation of our planning committee. Out of town projects promise job creation when in fact research shows that every out of town job created will destroy at least one City centre job. Out of town projects often receive permission on the basis of restrictions on the type of retail (Food, non food, tourist related etc...) As long as the developers can get the approval to build they know that in most cases, with suitable lobbying, these restrictions can be relaxed at a later stage.

I would therefore like to propose that the LDP ensures through the implementation of non-ambiguous policy, the requirement that all retail projects are within our City centre. We have a plethora of empty units both within our centre and over our existing retail parks. Empty units within the centre must be filled or redeveloped before consideration is given to additional supply.

I hope that our LDP will set out clear policy to protect our City centre, the future of our whole County very much depends on its success.

John Bullough
Chairman and Managing Director
McEwens of Perth Ltd.

23/04/2012

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****PKC LDP – REPRESENTATIONS BY SCOTTISH NATURAL HERITAGE**

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1. Contact details (only representations that include full contact details are valid)

Name: SCOTTISH NATURAL HERITAGE

Address: Battleby, Redgorton, Perthshire

Postcode PH1 3EW.

Contact Carolyn Deasley

Telephone no. [REDACTED]

Email address [REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box:

2. Which document are you making a representation on?

All the representations below have been made by SNH regarding either policies in the Proposed Plan or Supplementary Guidance.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy ref. PM1: Placemaking****What is your representation?**

Supporting the Plan and also seeking change

a) We are pleased to see the Council's commitment in this policy to delivering a walkable mixed environment (specifically bullet point (bp) (e) PM1B). It is also encouraging to see that climate change mitigation and adaption will be taken into consideration when assessing developments.

We are aware that Supplementary Guidance (SG) is to be developed that will further expand on the requirements of this policy and would like to stress the importance of showing how climate change mitigation and adaption can be addressed in developments through this SG.

We also encourage an integrated approach between this SG and the green infrastructure SG (Policy NE4).

b) PM1 B - Placemaking

We would like to see an additional criteria bullet point (bp) added to Policy PM1B to ensure green networks is addressed and highlighted as a key component of placemaking, we would suggest the following wording:

'Ensure the incorporation of green infrastructure into new developments with connections where possible to green networks'.

c) PM 1B – Placemaking

We recommend bp (b) is amended to state:

'Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area'.

Please include the reason for supporting the Plan/requesting a change.

a) and b) To encourage consideration of climate change mitigation and adaptation and an integrated approach to creating quality places and the green infrastructure which contributes to this. Ensuring that green infrastructure in settlements is connected to wider green networks provides benefits to surrounding biodiversity elements and will help the Council achieve both the climate change mitigation and adaption as referred to in PM1A.

c) Design quality and place making should also relate to the key characteristics and qualities of the surrounding landscape, although this is referred to in policy PM1B (c) the wording does not address landscape character.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

**Policy ref. RD3: Housing in the Countryside and associated Housing in the Countryside
Supplementary Guidance (SG) - December 2011.**

What is your representation?

Request change to the Plan.

a) We recommend that this Policy and associated SG (Dec 2011 version) is assessed as part of the Habitats Regulations Appraisal (HRA) of the Plan in relation to water quality and bird disturbance.

b) We recommend the policy includes the following wording after f): **'Restoration of houses rather than replacement will be strongly preferred where the building is of traditional form and construction.'** This is also consistent with the SG (section 4a) which states that "restoration rather than replacement will be favoured....."

Please include the reason for supporting the Plan/requesting a change.

a) To comply with the requirements of the Habitats Directive.

Please refer to our previous comments in relation to the Appropriate Assessment of the SG review (SNH's response of 25 March 2009) where we disagreed with the conclusion reached that there will be no adverse impacts on site integrity in relation to disturbance of birds.

b) We have stated our concern with the wording of this policy in previous consultations with the Planning Authority and in response to the loss of traditional farm houses/buildings in Perth and Kinross. A comment still outstanding is the need to strengthen the emphasis in the policy on restoration rather than replacement of traditional houses in rural areas.

An assessment of the Policy in the LDP SEA Environmental Report (ER) Addendum no. 2 Appendices (page 9) shows that the policy had previously been assessed and had identified overall positive environmental effects that are specifically related to the re-use of land and buildings and the conservation of important elements of the built heritage. Therefore, the overall positive conclusion is strongly based on restoration rather than replacement. We ask the Council to reconsider the focus of this Policy based on the ER findings. We are aware that the above concept is detailed in supplementary guidance (Housing in the Countryside Guide) but without a clear statement on this position in the main plan policy there is the risk it may be overlooked.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy TA1: Transport Standards and Accessibility Requirements and para 3.6.3****What is your representation?**

Support and requesting a change

- a) We support Policy TA1 and are pleased to see the plan promotes walking and cycling as an alternative to travelling by car. We also support the requirement under TA1B for direct links from new developments to the core paths network in an effort to encouraging more sustainable modes of transport.
- b) We request that SNH be added to the list of participants in the Action Programme (Cross Tay Link Road - TA1) for the construction of the new road and bridge over the River Tay.

Please include the reason for supporting the Plan/requesting a change.

- b) To mitigate the effects of the proposed Cross Tay Link Road and connecting roads required.

We refer to the Cross Tay Link Road (CTLR) band of search (as illustrated in Proposed Plan maps) and the new road (Policy TA1) shown on the Perth settlement map to connect the proposed CTLR to Perth. This dissects areas of woodland including those recorded in the Ancient Woodland Inventory.

We refer to our previous response on the Shaping Perth's Transport Future Transport Strategy consultation and associated Environmental Report and HRA (SNH response 7 February 2011). In our response, we highlighted potential impacts on the natural heritage from the link road option on the River Tay SAC, Ancient Woodland Inventory sites, protected species (such as red squirrels in Muirward Wood and badgers) and landscape, and the mitigation measures which were needed for these impacts. We stated that further early work at the strategy modification stage and beyond is necessary to avoid or mitigate these impacts and we request our input into this process.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

Policy ref. CF1 B: Open Space within New Developments

What is your representation?

Request change to the Plan.

We suggest the following wording is added to Policy CF1B:

‘Opportunities should be pursued through the development process to create, improve and avoid fragmentation of green networks and core path networks’.

Please include the reason for supporting the Plan/requesting a change.

Amending the policy as above would ensure that the benefits of integrating core paths and green networks into new developments is realised, while also ensure their protection and enhancement.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy ref. NE1A: International Nature Conservation Sites****What is your representation?**

Request change to the Plan.

We suggest the policy is amended as follows:

Development which could have a significant effect on a site designated or proposed under the Habitats or Birds Directive (Special areas of Conservation and Special Protection Areas) or Ramsar site, will only be permitted where:

- (a) **an appropriate assessment has demonstrated that** it will not adversely affect the integrity of the site, **or**
- (b) there are no alternative solutions, and
- (c) there are imperative reasons of overriding public interest, **including those of social or economic nature.**

Please include the reason for supporting the Plan/requesting a change.

The wording of this policy as it stands is misinforming and does not comply with paragraph 134 of Scottish Planning Policy (SPP). It is only in cases where an Appropriate Assessment can not demonstrate that there will be no adverse affect on site integrity that bullet points (b) and (c) come into play. The policy as it is currently worded would imply that all three criteria would have to be met in all cases.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy ref. NE1B: Identifying natural heritage designations in the LDP****What is your representation?**

Request change to the Plan including Landward Maps.

- a) Identify the River Tay SAC catchment boundary on the LDP maps.
- b) Policy NEC1; we suggest that the location of both statutory and non-statutory local designations are identified in the LDP, such as the Inner Tay Estuary Local Nature Reserve. We recommend their inclusion on the proposals maps.

Please include the reason for supporting the Plan/requesting a change.

- a) We welcome the identification of the Lunan Valley catchment area and Loch Leven catchment area on the LDP maps. We also recommend the River Tay SAC catchment is shown on these maps. Making potential developers aware of this catchment is an effective way of drawing attention to possible requirements for developments within the River Tay SAC catchment.
 - b) No reference has been made to local designations on the landward maps in the Plan. Local designations, such as Local Nature Reserves, are a statutory designation and should be identified clearly in the Plan. Making potential developers aware of the location of these sites on maps in the plan is an effective way of drawing attention to the policy approach and level of protection.
- Para. 139 of Scottish Planning Policy (SPP) states that *'both statutory and non-statutory local designations should be identified and protected in the development plan and the factors which will be taken into account in development management decision making should be set out'*.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy ref. NE1D: European Protected Species****What is your representation?**

Request change to the Plan.

We have suggested two options to improve the Protected Species policy element in the Plan as outlined below:

Option A suggests changes to the current policy NE1D: European Protected Species.

Option B suggests the removal of policy section NE1D from Policy NE1 and instead its incorporation into Policy NE3: Biodiversity.

Option A

a) We suggest this policy is re-titled '**Policy NE1D: Protected Species**'.

b) We are broadly happy with the policy section covering European Protected Species but suggest the remainder of the policy is reworded and restructured to reflect the other types of legislative protection afforded to protected species as follows:

Policy NE1D: Protected Species (New title)**European Protected Species (New title)**

'Planning permission will not be granted for development that would, either individually..... species at a favourable conservation status in its natural range.

Replace remainder of policy as follows:

Other Protected Species (New title)

Planning Permission will not be granted for development that would be likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation (Wildlife and Countryside Act 1981(as amended) and the Protection of Badgers Act 1992).

Option B

Remove the reference to Protected Species in policy NE1 and include it in **Policy NE3: Biodiversity** to be amended as follows:

Change second paragraph: The Council will apply the principles of the Tayside Biodiversity and will take account of their Tayside Local Biodiversity Action Plan (LBAP) **and relevant National and European legislation relating to protected species** when making decisions about applications for development.

Insert the following text after bullet point (d) of policy NE3: Biodiversity:

Protected Species**European Protected Species**

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

'Planning permission will not be granted favourable conservation status in its natural range. (same wording as originally proposed by council in original NE1D)

Other Protected Species

Planning Permission will not be granted for development that would be likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation (Wildlife and Countryside Act 1981(as amended) and the Protection of Badgers Act 1992).

Please include the reason for supporting the Plan/requesting a change.

Option A

a) This policy covers a wider variety of species than is implied under the current title – 'European Protected Species'. In order to address this we would suggest the main policy title is amended to 'Protected Species' and that the sub sections within the policy then detail the requirements for i) European Protected Species (EPS) and ii) Other Protected Species such as those protected under the Wildlife and Countryside Act (WCA) 1981 and Badgers protected under the Protection of Badgers Act 1992 (as amended).

b) At present the structure of this policy confuses two different categories of protected species. Different levels of protection apply to EPS and other species and the policy should reflect this. It is important in terms of assessing development proposals that a clear policy direction is given on what criteria will have to be met for different species. The current layout of this policy would suggest that the steps required under WCA shown as (c) and (d) are somehow connected to (a) and (b) of the EPS criteria. Also the wording currently presented for WCA species does not reflect the correct legislation i.e. reference to 'imperative reasons of overriding public interest' for WCA species is not correct. Therefore we have suggested rewording the second half of this policy with the title 'Other Protected Species' to demonstrate the clear separation for the different legislation. We have also presented suggested wording covering the requirements for species surveys and also the need to ensure that any development complies with relevant legislation i.e. WCA 1981 (as amended) and the Protection of Badgers Act 1992 (as amended).

Option B

We have suggested this additional option as Policy NE3: Biodiversity currently contains the requirements for species surveys and mitigation measures which may be required in the case of Protected species. Placing the policy information regarding protected species in Policy NE3 may be a more logical approach and would ensure that any potential developers are aware of the requirements when protected species are present.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****PKC LDP – REPRESENTATIONS BY SCOTTISH NATURAL HERITAGE**

Please read the notes below before completing this form. Completed forms should be returned to the Local Development Plans Team: DevelopmentPlan@pkc.gov.uk

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1. Contact details (only representations that include full contact details are valid)

Name: SCOTTISH NATURAL HERITAGE

Address: Battleby, Redgorton, Perthshire

Postcode PH1 3EW.

Contact Carolyn Deasley

Telephone no. [REDACTED]

Email address [REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box:

2. Which document are you making a representation on?

All the representations below have been made by SNH regarding either policies in the Proposed Plan or Supplementary Guidance.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy ER1 Renewable and Low Carbon Energy Generation****What is your representation?**

Request change to the Plan

We request additional bullets point after the first paragraph:

- i) “Their fit within the Council’s spatial framework for onshore wind energy development”**
- j) “their effects on natural river flow regimes and migratory fish”**

Please include the reason for supporting the Plan/requesting a change.

i) This ensures that the spatial framework for wind farms is a fundamental consideration in assessing new proposals. *SPP (para 189) states that “Planning authorities should set out in the development plan a spatial framework for onshore windfarms.”*

j) in recognition of the potential impacts of hydro-electric schemes on river systems and particularly in relation to the extent of freshwater Special Areas of Conservation (SACs) in Perth and Kinross.

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2. Which document are you making a representation on?

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy ref. NE2A: Forestry, Woodland and Trees****What is your representation?**

Request change to the Plan.

a) We recommend the wording of bp NE2A(b) is amended as follows:

(b) protect existing woodland **and trees**, especially **those** with high natural, historic and cultural heritage value.

b) NE2B: Forestry, Woodland and Trees

We suggest the wording of the first para of this policy is amended as follows:

“Tree surveys to be carried out **by a suitably qualified person** should accompany all applications trees on a site. **There will be a presumption in favour of the retention of existing woodland and trees in compliance with paragraphs 146-148 of Scottish Planning Policy and Scottish Government’s Control of Woodland Removal policy¹**. In exceptional cases where the loss..... to be provided”

c) Note Section of Policy in relation to Supplementary Guidance:

We recommend the addition of the following bullet points. These issues should also be addressed in supplementary guidance:

- Identify trees and woodland of high nature conservation value in the Perth and Kinross area.

We would be pleased to work with the Council and the Forestry Commission to progress this.

- We suggest the word ‘trees’ is included in the final bullet point – ‘promote the value of forests, woodlands and trees as a sustainable tourism asset’

Please include the reason for supporting the Plan/requesting a change.

a) Important individual trees should be afforded just as much protection as woodlands.

b) It is important to ensure that any tree surveys are carried out by suitably qualified professionals.

We do not consider the policy as currently presented provides an adequate level of protection as envisaged by SPP. Scottish Government Policy states that *“In cases of permanent removal of woodland for the purposes of conversion to another type of land use it will be necessary to comply with the criteria set out in Scottish Government Policy on Control of Woodland Removal.* We have therefore suggested the changes above.

c) Note Section of Policy and Supplementary Guidance reference:

¹ [http://www.forestry.gov.uk/pdf/fcfc125.pdf/\\$FILE/fcfc125.pdf](http://www.forestry.gov.uk/pdf/fcfc125.pdf/$FILE/fcfc125.pdf)

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

SPP para 146 states that “woodland of high nature conservation value should be identified in development plans along with relevant policies for its protection and enhancement.”

In relation to the final bp, as mentioned previously, individual trees may be just as important as larger wooded areas, in particular in relation to tourism i.e. Birnam Oak listed as one of the Forestry Commission’s Heritage Trees.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****PKC LDP – REPRESENTATIONS BY SCOTTISH NATURAL HERITAGE**

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

Policy ref. NE3: Biodiversity

What is your representation?

Request change to the Plan

a) Please refer to our comments under **Policy NE1D** in relation to this policy.

b) Supplementary Planning Guidance (SG)

Biodiversity A Guide to incorporating Biodiversity into Development, Householders Guide to Biodiversity and Biodiversity: A Developers Guide:

We recommend these are updated. For example, there is reference to the Scottish Executive as the licensable authority for protected species and also reference to NPPG 14. We would be pleased to assist in this process.

Please include the reason for supporting the Plan/requesting a change.

To ensure that SG is up to date.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy ref. NE4: Green Infrastructure and Supplementary Guidance on Green Infrastructure****What is your representation?**

Request change to the Plan.

a) We suggest that the wording at the beginning of this policy is amended as below in order to strengthen the requirements of the policy:

“The Council will require new development to contribute to the creation..... of green infrastructure by the:

- Bullet a) add after “mitigate any negative environmental impacts of the development, **and link green infrastructure to the wider green network.**”

- Bullet d) add after “wider countryside, **and provide new connections where required.**”

b). We would like to see a clear commitment and reference to green networks in the plan and would suggest that under the Note following NE4, the Plan states that the Green Infrastructure supplementary guidance demonstrates the following:

- define the green network and provide a vision for how the network will develop.
- a spatial representation of the green network;
- opportunity areas where the network could be improved/enhanced;
- Further detail on how the Council will seek to ensure that development delivers improvements to the Green Network i.e. green infrastructure, master planning, connections to greenbelt etc.

Please include the reason for supporting the Plan/requesting a change.

We are pleased to see the Council’s commitment to developing and enhancing green infrastructure throughout the Plan area. The commitment to providing supplementary guidance on delivering this infrastructure is also welcomed. However, we are concerned that no overall spatial direction has been given in the plan on how this green infrastructure should form part of a wider green network.

We refer to SPP para 130; *“Development plans should identify and promote green networks where this will add value to the provision, protection, enhancement and connectivity of open space and habitats in the city regions and in and around other towns and cities. ”*

Developing a green network at a plan wide level rather than an individual settlement basis can have significant benefits to not only biodiversity interests but also to those living and working in the area through an enhanced environment, more sustainable travel patterns and opportunities for improved recreational access. The suggested wording provided above would draw on the opportunities and benefits of developing green infrastructure as a part of a wider green network in the Plan.

We note that TAYplan’s Action Programme contains: ‘Prepare a short and focused strategic green network strategy.’ We suggest it may be beneficial for the Council to work collaboratively with the SDPA on this issue to develop a green network for the Perth and Kinross area. We would be very happy to meet with the Council to discuss the development of this topic.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****PKC LDP – REPRESENTATIONS BY SCOTTISH NATURAL HERITAGE**

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2. Which document are you making a representation on?

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy ref: ER5: Agricultural Land****What is your representation?**

Request change to the Plan.

We suggest the Policy is renamed '**Prime Agricultural land and Carbon Rich Soils**' and additional wording is added to this policy to address carbon rich soils as follows:

“The Council will seek to ensure all areas of peatland that retain a high level of natural heritage conservation interest including those that are of value as carbon stores are protected. Development will only be permitted where the unnecessary disturbance of soils, peat and any associated vegetation is avoided. Development on undisturbed areas of peat will not normally be permitted, unless;

- 1. The economic and social benefits of the development outweigh any potential detrimental effect on the environment; and**
- 2. It has been demonstrated that there is no viable alternative.”**

Please include the reason for supporting the Plan/requesting a change.

We are broadly pleased with the general approach of this policy and the protection afforded to agricultural soils. We are however concerned about the lack of protection in the plan afforded to other soil types in particular carbon rich soils. The only mention of carbon rich soils in the plan is in Policy ER1A 'New proposals – Renewable and Low carbon energy generation' as a factor to be consider; '(f) effect on carbon rich soils'. However, regard to carbon rich soils is not limited to activities where an effective carbon budget is to be achieved.

Policy ER1A only considers the protection of carbon rich soil where new proposals need to demonstrate a positive carbon benefit and this will do little to protect existing carbon rich soil from other development. Therefore we have suggested the above wording to ensure that carbon rich soils are taken into account in developments and also that the Plan complies with paragraphs 133 and 230 of SPP in relation to carbon rich soils and peatland protection.

To assist the Council with the future identification of carbon rich soils, SNH has produced a methodology for identifying this soil type (SNH information note 318 <http://www.snh.gov.uk/docs/A602512.pdf>). The soil and land capability for agriculture GIS layers are also now available free of charge for non-commercialised use through an end-users licensing arrangement with Scottish Government.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****PKC LDP – REPRESENTATIONS BY SCOTTISH NATURAL HERITAGE**

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

Policy ref. Policy ER6: Managing future landscape change to conserve and enhance the diversity and quality of the Area's Landscapes.

What is your representation?

Request change to the Plan.

We suggest the wording of bullet point (a) of this policy is amended as follows:

'..... scenic qualities of the landscape, **or the positive qualities** of landscape experience'

Please include the reason for supporting the Plan/requesting a change.

Bullet point (a) of this policy assumes that all landscape experience is positive, but this is sometimes not the case.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy ref. EP1: Climate Change, Carbon reduction and Sustainable Construction****What is your representation?**

Request change to the Plan.

We suggest amendments to the table under Policy EP1 and clarification as to what aspects of Gold standard are different and/or additional to Silver standard.

Please include the reason for supporting the Plan/requesting a change.

The table presented in the policy appears to contradict itself in relation to the requirements for Silver and Gold standards. The aspects listed under the Domestic category for Gold standard on page 51 do not appear to have changed from those listed under Silver standard from the previous page. We suspected that this is a formatting error and we would suggest the table is revised to reflect this and also give detail of which aspects of the Gold standard are different or additional to the Silver standard listed on page 50.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy EP6 Lunan Valley Catchment Area and text paras 6.1.15 and 9.1.12****What is your representation?**

Request change to the Plan.

The Policy as proposed should be assessed within the HRA of the Plan and we await the outcome of the HRA before coming to a final position.

a). Replace Policy EP6 with the following wording:

Drainage within the Lunan Basin Catchment Area

EP6A: Total phosphorus from built development must not exceed the current level permitted by the existing discharge consents and the current contribution from built development within the rural area of the catchment. Where improvements reduce the phosphorus total from the built development, there will be a presumption in favour of retaining such gains to the benefit of the ecological recovery of the Lunan Lochs.

All applicants will be required to submit details of the proposed method of drainage with their application for planning consent and adopt the principles of best available technology, not entailing excessive costs, to the satisfaction of the Planning Authority in conjunction with SEPA.

Policy EP6B: Developments within the Lunan basin catchment area will only be permitted where one of the following criteria can be met:

- (a) where drainage can be diverted outwith the catchment; or
- (b) where the developer is able to implement acceptable mitigation measures consistent with the Council's published Supplementary Guidance.

Applications will be required to provide an assessment of phosphorus input for the development. Evidence of phosphorus impact of the development will be required from a suitably qualified person. In cases of great complexity or uncertainty the Precautionary Principle will be adopted.

Policy EP6C: For proposed developments which are likely to breach policies EP6A and EP6B, unless mitigation measures can be implemented that are capable of removing 125% of the phosphorus likely to be generated by the development from the catchment; and the proposed development is otherwise acceptable in terms of Council policy, then they will be refused. The requirements of this policy may be secured by means of legal agreements to deliver planning obligations concluded between the applicant and the Council, prior to the issue of planning permission. The delivery of agreed phosphorus mitigation will be required before the occupation of any new dwelling.

Mitigation measures should not include measures which are already committed in a spending programme and likely to be implemented by a statutory body within three years of the determination of the application.

Note: Development within the catchment must comply with the general drainage policies as well as policies relating to the catchment area.

Note: Supplementary Planning Guidance will give further guidance on the procedures to be adopted for drainage from development in the Lunan basin (produced by SEPA, SNH & the Council).

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

b) Amend para 6.1.15 and 9.1.12 to include “The settlements that lie within the Lunan Lochs catchment are Butterstone, Concraigie, Craigie, Kinloch and the west of Blairgowrie.”

Please include the reason for supporting the Plan/requesting a change.

a) To meet with the conservation objectives of Dunkeld-Blairgowrie Lochs SAC, there should be no net increase in phosphorus loading to the loch. The policies that support this aim to do so by ensuring that for any discharge from the development with regard to phosphorus (P) the equivalent is reduced from elsewhere within the catchment. The 125% figure is given as, bearing in mind the Precautionary Principle and the fact that the measurement of potential phosphorus output is not an exact science, this will ensure no overall increase in P loadings to the catchment. Any additional gain in reduction P loading is beneficial to achieving the overall aim of the Catchment Management Plan - to reduce the levels of phosphates entering the lochs.

We seek new Supplementary Planning Guidance (SG) on Dunkeld-Blairgowrie Lochs SAC to provide further guidance to developers on the procedures to be adopted for drainage from development in the catchment for the SAC. We envisage that this will be a similar document to the River Tay SAC and Loch Leven SPA Supplementary Guidance, and produced by SNH, SEPA and the Council.

b) To clarify the settlements within the catchment area.

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1. Contact details (only representations that include full contact details are valid)

Name: SCOTTISH NATURAL HERITAGE

Address: Battleby, Redgorton, Perthshire

Postcode PH1 3EW.

Contact Carolyn Deasley

Telephone no. [REDACTED]

Email address [REDACTED]

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2. Which document are you making a representation on?

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Policy EP7, Kinross-shire area text (page 197) and map (page 243).****What is your representation?**

Request change to the Plan.

We support the overall wording of this policy but seek the following specific wording changes to the text and policy.

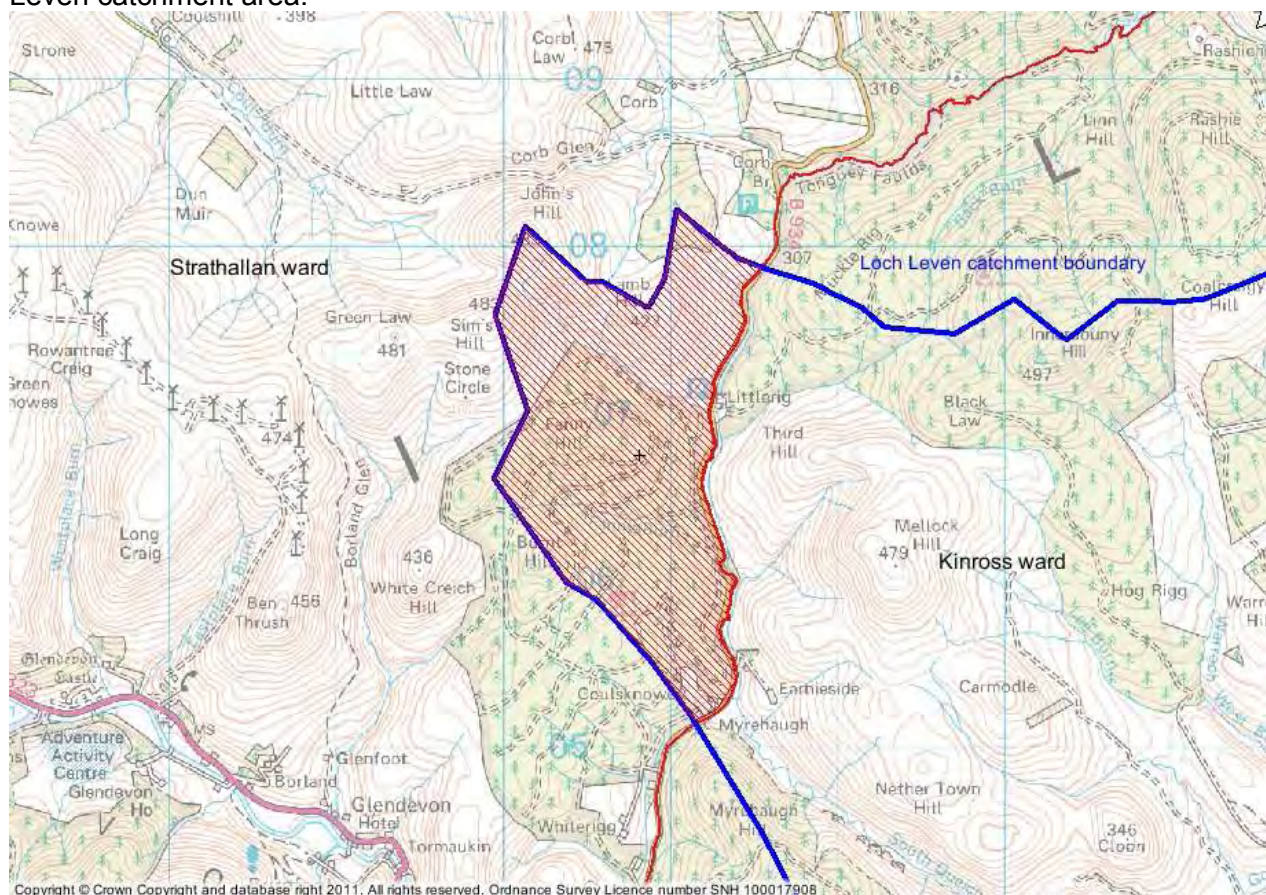
a). Page 197: delete as below (in red):

7.1.2 The predominant..... new development does not add to the amount of phosphorus entering the Loch ~~but contributes to achieving a net reduction~~. The principal aim of the Catchment Management Plan - to reduce the levels of phosphates entering Loch Leven - remains relevant today.

b) Policy EP7B: Delete first section of b) ;“ - ~~where, for a non-residential development, it is not economic to connect to the public system and~~ where the developer is able to implement acceptable mitigation measures consistent with the Council's published Supplementary Guidance.

c) Change:

We seek an amendment to the Strathearn landward map (page 243) to include the Loch Leven catchment area:



Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

Please include the reason for supporting the Plan/requesting a change.

a) The aim of the Catchment Management Plan with respect to development was to ensure there was no net increase in phosphorus loading to the loch. The policies that support this aim to do so by ensuring that for any discharge from the development with regard to phosphorus (P) the equivalent is reduced from elsewhere within the catchment. The 125% figure is given as, bearing in mind the Precautionary Principle and the fact that the measurement of potential phosphorus output is not an exact science, this will ensure no overall increase in P loadings to the catchment. Any additional gain in reduction P loading is beneficial to achieving the overall aim of the Catchment Management Plan - to reduce the levels of phosphates entering Loch Leven.

Alternatively could be changed to;
“...and may contribute to achieving a net reduction.”

b): The aim of the Catchment Management Plan with respect to development was to ensure there was no net increase in phosphorus loading to the loch. In order to achieve this, and comply with the Conservation (Natural Habitats, &c.) Regulations 1994, this would apply to all development.

c): To show the Loch Leven catchment consistently on all maps in the LDP.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****PKC LDP – REPRESENTATIONS BY SCOTTISH NATURAL HERITAGE**

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

Supplementary Planning Guidance

Appendix 1: List of Supplementary Guidance (page 310)

What is your representation?

Support but also request a change

Supplementary Planning Guidance

Appendix 1: List of Supplementary Guidance (page 310)

Supplementary Guidance (SG) to be published later (page 311): We welcome SNH's participation in Supplementary Guidance as shown in the Action Programme 2012-2024. Please note that SG will need to be subject to HRA.

We would also like to be consulted on the SG for the Placemaking guide PM1 (Action Programme)

Please include the reason for supporting the Plan/requesting a change.

To provide SNH's input into integrating natural heritage features such as green space into the Placemaking guide.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

Loch Leven Special Protection Area and Ramsar Site Advice to Planning Applicants

River Tay Special Area of Conservation Advice to Developers

What is your representation?

Support

We welcome and support the incorporation of both the Loch Leven Special Protection Area and Ramsar Site Advice to Planning Applicants and the River Tay Special Area of Conservation Advice to Developers as Supplementary Planning Guidance.

Please include the reason for supporting the Plan/requesting a change.

This guidance provides additional advice to assist applicants submitting proposals which may affect the Natura interests of these sites.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****PKC LDP – REPRESENTATIONS BY SCOTTISH NATURAL HERITAGE**

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Habitats Regulations Appraisal****What is your representation?****Habitats Regulations Appraisal**

In our view, a competent Habitats Regulations Appraisal (HRA) of the LDP has not yet been carried out. At this stage we cannot therefore conclude that the Proposed Plan will have no adverse effects on the integrity of any Natura site, as is required by the Habitats Directive and Habitats Regulations. The policies and proposals in the Proposed Plan need to be assessed for likely significant effects on Natura sites. If such policies and proposals would be likely to have a significant effect on a Natura site then they will need to be subject to an appropriate assessment. Depending on the outcome of that assessment, the Plan may need to be amended to ensure compliance with the Habitats Directive.

Amend para 1.5.1;

We strongly recommend para 1.5.1 of the Proposed Plan is amended to reflect the current position with the HRA. This currently states that the HRA has been prepared at Proposed Plan stage and has helped to inform and influence the Proposed Plan. It also states that it may be necessary to update the HRA. However, we recommend amendment to this paragraph to reflect that the HRA is in early stages of preparation and rather, that the Plan may need to change to ensure compliance with the Habitats Directive.

We are already working with the Council in relation to the following issues in the draft HRA:

- a) Policy amendments**
- b) Proposals affecting Loch Leven SPA**
- c) Proposals affecting the Dunkeld-Blairgowrie Lochs SAC**
- d) Proposals affecting the River Tay SAC**

We have provided detailed comments on these specific issues in relation to the ongoing HRA. We may need to add to these as the HRA progresses.

For all other proposals in the plan and in-combination effects: we will be pleased to provide advice to your team in progressing the HRA in relation to these, and on the Natura sites in addition to those listed above which may be affected by the Plan.

Once the formal HRA record is submitted – including the appropriate assessments where necessary – we will be in a position to review and add to these representations to the plan if required.

We are hopeful that these representations can be resolved and therefore withdrawn before the plan goes to examination, but this depends on the outcome of the Habitats Regulations Appraisal of the Plan. Given the number of Natura sites and complexity of issues involved, we encourage progress on the HRA as soon as possible.

a) Policy amendments

We advise that the following policies should be screened in as part of the HRA of the Plan:

- Policies ED4, RC4, RD3, ED5, NE6, ER4, EP3B, EP6, EP7, EP12, ED1, EP10

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

- Supplementary Planning Guidance including Housing in the Countryside.
- Please note that any policies which have been screened out due to 'de minimis' effects should be screened for the likelihood of combined effects arising from other aspects of the same plan, and any other plans or projects.

We await the outcome of the HRA before coming to a final position on the policy amendments which may be required.

b) Proposals affecting Loch Leven SPA

i) Development which connects to private drainage in the Loch Leven SPA catchment could have a likely significant effect on the qualifying interests of Loch Leven SPA by increasing phosphorus loading to Loch Leven. As part of the Council's HRA in progress, we advise the following is included in the developer requirements for the following sites which we understand have private drainage arrangements:

Sites/settlements: E35, H51, H52, Cambo, Cleish, Greenacres, Ochil Hills hospital, Wester Balgedie.

Add to developer requirements for these sites:

"Drainage from all development should provide appropriate phosphorus mitigation measures so as to ensure no adverse effects on Loch Leven SPA."

For all other developments proposed in the LDP which lie in the catchment, we understand that foul drainage will connect to Public Waste Water Treatment Works on the basis that this meets the required standards.

ii) We also advise the following measures to ensure water quality in the loch is protected:

Sites E17, E36, E18 and Opp 13 (South Quiech) and E19, Opp 15 and 16 (North Quiech):

These sites are adjacent or near to the Rivers North and South Quiech, which flows into Loch Leven.

Add to developer requirements for these sites:

"Construction Method Statement to be provided where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on Loch Leven SPA."

We note that these developments will be required to incorporate SUDS proposals.

c) Proposals affecting the Dunkeld-Blairgowrie Lochs SAC:

Development which connects to private drainage in the Dunkeld-Blairgowrie Lochs SAC catchment could have impacts on the qualifying interests of the Dunkeld-Blairgowrie SAC by increasing phosphorus entering the lochs. As part of the Council's HRA in progress, we advise the following is included in the developer requirements for the following sites which we understand have private drainage arrangements:

Sites/settlements: Butterstone (pg 173), Concraigie (pg 296), Kinloch (pg299), Craigie (pg 297).

Add to developer requirements:

"Drainage from all development should provide appropriate phosphorus mitigation measures so

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

as to ensure no adverse effects on the Dunkeld-Blairgowrie Lochs SAC.”

Construction Method Statement to be provided where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on the Dunkeld-Blairgowrie Lochs SAC.”

Where the development site is within 30m of a watercourse an otter survey should be undertaken and a species protection plan provided, if required so as to ensure no adverse effects on the Dunkeld-Blairgowrie Lochs SAC.”

Spatial Strategy Considerations: (Butterstone, Concraigie, Kinloch, Craigie); the wording in the LDP differs between the 4 settlements. We recommend using the wording of the first para of the Butterstone spatial strategy considerations for all (para 6.8.2). However, this also does refer to EP7, which is the Loch Leven policy and this should be replaced with ‘EP6.’

The LDP also refers to ‘Lunan Valley Lochs Catchment Area’ and ‘Lunan Lochs Catchment Area’, and we suggest it needs to take a consistent approach.

d) Proposals affecting the River Tay SAC:

Bertha Park (Site H7 pg 77), Luncarty (Site H27), Blairgowrie (page 282) Site E31, Kirkmichael (pg 300), Meigle (pg 301).

Add to Developer Requirements:

“Construction Method Statement to be provided for all aspects of the development to protect the watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on the River Tay SAC .

Where the development site is within 30m of a watercourse an otter survey should be undertaken and a species protection plan provided, if required so as to ensure no adverse effects on the River Tay SAC.”

Acharn (pg 169), Ballinluig (Site H40), Balnaguard (pg 171), Camserney (pg 175), Croftinloan/Donavour/East Haugh/Ballyoukan (pg 177), Fortingall (pg 181), Grandtully, Strathtay and Little Ballinluig (pg 182), Logierait (page 191), Tummel Bridge (page 195):

Add to Developer Requirements:

“Drainage from all development should ensure no reduction in water quality so as to ensure no adverse effects on the River Tay SAC.

Construction Method Statement to be provided where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on the River Tay SAC.

Where development site is within 30m of a watercourse an otter survey should be undertaken and a species protection plan provided, if required so as to ensure no adverse effects on the River Tay SAC.”

Ballinluig (pg 170)

Site E11: Impacts from this development on both the River Tay SAC and Shingle Islands SAC are considered for this allocation. We advise that there is likely to be a significant effect and we await the outcome of the HRA before coming to a final position on this allocation.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

We note the developer requirement for flood risk assessment (page 171) and para 6.6.2 which states that "...its position on the floodplain may limit its potential unless appropriate mitigation is undertaken." However we advise that any flood protection work is likely to have a significant effect on the Shingle Islands SAC.

Inver (pg 184), Site E14:**Add to Developer Requirements:**

"Drainage from all development should ensure no reduction in water quality so as to ensure no adverse effects on the River Tay SAC."

Concraigie (page 296), Craigie (Page 297) and Kinloch (pg 299),**Add Developer Requirements:**

"Drainage from all development should provide appropriate phosphorus mitigation measures and ensure no reduction in water quality so as to ensure no adverse effects on the River Tay SAC."

Construction Method Statement to be provided where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on the River Tay SAC."

Where development site is within 30m of a watercourse an otter survey should be undertaken and a species protection plan provided, if required so as to ensure no adverse effects on the River Tay SAC."

Bankfoot (pg 93)**Add Developer Requirements:**

Construction Method Statement to be provided where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on the River Tay SAC."

Where development site is within 30m of a watercourse an otter survey should be undertaken and a species protection plan provided, if required so as to ensure no adverse effects on the River Tay SAC."

Please include the reason for supporting the Plan/requesting a change.

To ensure the HRA of the Proposed Plan complies with the requirements of the Habitats Directive. You will be aware that the Council should agree to the Plan only after having ascertained that its provisions will not adversely affect the integrity of any European site, either alone or in combination with other plans and projects. Consultation is required with us as part of the appropriate assessment, and the Council must have regard to our comments.

Our comments are based on the ongoing HRA draft which has been forwarded to us in the period of representations for the Proposed Plan, and which we are subsequently discussed with the Council. However, the screening for this process is not completed, (i.e. the identification of those elements of the plan that can be screened out of the HRA as having no likely significant effect; and those elements which been identified as having a likely significant effect, and should therefore be taken forward for an appropriate assessment).

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Bertha Park (H7) Page 77****What is your representation?**

Request change to the Plan

Bertha Park:

a) We request that SNH be added to the list of participants in the Action Programme (H7) for the development of the masterplan for Bertha Park (page 17).

b) We recommend the first developer requirement is amended to : “A masterplan will be required for the comprehensive development of this site. **The first stage of this process will be to establish broad landuse and placemaking principles for the site...**”

c) Amend developer requirements to add ecological survey requirements and recreation and access plan. SEA Addendum 2 for the PKC LDP (page 17) includes proposed mitigation of the negative impacts of the development and enhancement measures for Bertha Park. A general comment we have made in our accompanying response to the SEA is that many of the proposed mitigation/enhancement measures identified in the SEA Addendum 2 are not reflected in the developer requirements for sites in the LDP and we would expect these to be included.

For Bertha Park, we particularly seek the ecological survey requirements and preparation of a recreation and access plan for the site to minimise impacts on the woodland. These should be prepared in time to inform the master planning process for the site.

d) The area and extent of indicative landscaping shown for Bertha Park on the Perth Settlement map may need to be changed following ecological surveys, identification of woodland mitigation measures, and a recreation and access plan.

Please include the reason for supporting the Plan/requesting a change.

These requested changes will help to ensure the master planning process takes into account current Scottish Government policy on Designing Places and in relation to Scottish Planning Policy (“location and design of new development.”)

The current allocation is unrefined and does not provide information to ensure the protection and enhancement of the landscape, natural heritage, biodiversity and the wider environment.

Of particular importance are mitigation of potential ecological effects, green space and green links, the proposed treatment at the interface of the development with the countryside and overall sustainability.

We note the ‘indicative’ landscaping areas shown on the plan. However, the areas of landscaping and buffer areas to existing woodland should be informed by the outcomes of the surveys and recreation and access plan for the site which need to be carried out in time to inform the master planning process. This may include establishment of buffer zone for woodland surrounding site or new areas of woodland planting to reinforce any particularly sensitive areas.

We refer to our previous comments (SNH response of 7 February 2011) on the cumulative impacts on both the Cross Tay Link Roads (CTLR) and Bertha Park woodland and the need to

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

mitigate impacts on existing woodland and potential woodland loss. Some mitigation of impacts can be achieved by appropriate new woodland planting within the Bertha Park development site which the CTRLR dissects. The area of indicative landscaping shown in the proposals maps for Bertha Park may not be the most appropriate area/extent. We would be pleased to work with the Council to mitigate impacts and fragmentation of the existing woodland.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****PKC LDP – REPRESENTATIONS BY SCOTTISH NATURAL HERITAGE**

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Perth West (H70)** Page 78**What is your representation?**

Request a change

a) A masterplan will be required for the comprehensive development of this site. **The first stage of this process will be to establish broad landuse and placemaking principles for the site...**

b) Amend developer requirements:

As commented in our representation for Bertha Park, we refer to the SEA Addendum 2 for the PKC LDP (page 17) which includes proposed mitigation of the negative impacts of the development and enhancement measures for Perth West. Some of these measures are not reflected in the developer requirements for the site and we would expect these to be included. These include a framework of new native planting/green network and woodland corridors, and protected species surveys where required.

Please include the reason for supporting the Plan/requesting a change.

This will help to ensure the master-planning process takes into account current Scottish Government policy on Designing Places and in relation to Scottish Planning Policy ("location and design of new development.")

The current allocation is unrefined and does not provide information to ensure the protection and enhancement of the landscape, natural heritage, biodiversity and the wider environment.

Of particular importance are mitigation of potential ecological effects, green space and green links, the proposed treatment at the interface of the development with the countryside and overall sustainability.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

Oudenarde (H15, page 96)

What is your representation?

Request a change

Amend developer requirement:

We recommend the approved masterplan is revisited to ensure it reflects SG policy on Designing Places and incorporation of green infrastructure/connectivity to the wider green network.

Please include the reason for supporting the Plan/requesting a change.

We note the Oudenarde masterplan (Supplementary Guidance) was prepared in May 2001. We recommend the masterplan for this significant area is revisited and revised as required to ensure that it takes into account current Scottish Government policy on Designing Places and in relation to Scottish Planning Policy ("location and design of new development.")

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Your representation will be considered as part of the Local Development Plan preparation process and will be processed by employees of Perth & Kinross Council's Environment Service. Representations and any information you provide (except signatures, email addresses and phone numbers) will be available for public inspection, published online and may be shared with other appropriate professionals and service providers. Under the terms of the Data Protection Act 1998 you are entitled to know what personal information Perth and Kinross Council holds about you, on payment of a fee of £10.

Once we have your representation(s) we will acknowledge them and inform you when the Proposed Plan has been submitted to Scottish Ministers for examination. Scottish Government guidance indicates that representations should be a maximum of 2000 words to provide the Examination Reporter with concise representations that can be resolved through written representations, hearings or a public inquiry as part of the examination process.

1. Contact details (only representations that include full contact details are valid)

Name: SCOTTISH NATURAL HERITAGE

Address: Battleby, Redgorton, Perthshire

Postcode PH1 3EW.

Contact Carolyn Deasley

Telephone no. [REDACTED]

Email address [REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box:

2. Which document are you making a representation on?

All the representations below have been made by SNH regarding either policies in the Proposed Plan or Supplementary Guidance.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Impacts on woodland****What is your representation?**

Request a change

Impacts on woodland

a) The following allocations contain areas of woodland included in the Ancient Woodland Inventory:

- E10 (Aberfeldy, page 157 – ancient of semi natural origin),
- H29 (Scone, page 142 - long established plantation origin),
- H40 (Ballinluig, pg 170 - ancient of semi natural origin),
- H70 (Perth West page 78 - long established plantation origin),
- Ochil hills hospital (page 228 – long established plantation origin)
- H7 (Bertha Park, page 77 – long established plantation origin)

i) We support the developer requirements for sites **H70 and H7** which refer to protection of the existing woodland.

ii) We recommend developer requirements for allocations **E10, H29 and Ochil Hills hospital** refer to the need to “**protect and enhance existing woodland**” or alternatively, amendment of the allocation to exclude these woodland areas.

iii) Site **H40** is substantially wooded and it is unlikely the retention of the area of woodland as specified in the developer requirements will be able to accommodated through the development proposed in the Plan. No justification is given in the Plan that demonstrates how this allocation complies with Scottish Government Policy on the control of woodland removal

[http://www.forestry.gov.uk/pdf/fcfc125.pdf/\\$FILE/fcfc125.pdf](http://www.forestry.gov.uk/pdf/fcfc125.pdf/$FILE/fcfc125.pdf)

or with Policy NE2 in the Proposed Plan. Specific changes we would wish to see in the final plan are either removal of H40 from the plan, or justification for the allocation is given in the plan that relates to the criteria set out in Scottish Government Policy on the control of woodland removal.

b) Where other proposed allocations contain existing woodland or trees, these should be retained and enhanced through developer requirements in accordance with Policy NE2. For example the settlement of Grandtully (pg 182) and Aberfeldy (site H37) contains areas of broadleaf trees/woodland within the proposed expanded settlement map and H37 allocation respectively, but there is no reference to protection and enhancement in the developer requirements, not as an issue in the SEA ER (Appendix C).

Please include the reason for supporting the Plan/requesting a change.

To ensure protection of existing woodland complies with Scottish Government Policy on the control of para 146 of SPP “*Ancient and semi-natural woodland is an important and irreplaceable national resource that should be protected and enhanced*” and the control of woodland removal policy;
[http://www.forestry.gov.uk/pdf/fcfc125.pdf/\\$FILE/fcfc125.pdf](http://www.forestry.gov.uk/pdf/fcfc125.pdf/$FILE/fcfc125.pdf)
 or with Policy NE2 in the Proposed Plan.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****PKC LDP – REPRESENTATIONS BY SCOTTISH NATURAL HERITAGE**

Please read the notes below before completing this form. Completed forms should be returned to the Local Development Plans Team: DevelopmentPlan@pkc.gov.uk

Please complete all 4 sections of the Plan, this will allow us to process your representation accurately and quickly. If you have comments on several documents or parts of the Plan please use separate forms for each.

The period of representation will end at **4pm on Tuesday 10th April 2012** and it is essential that you ensure that representations are with us by then.

Your representation will be considered as part of the Local Development Plan preparation process and will be processed by employees of Perth & Kinross Council's Environment Service. Representations and any information you provide (except signatures, email addresses and phone numbers) will be available for public inspection, published online and may be shared with other appropriate professionals and service providers. Under the terms of the Data Protection Act 1998 you are entitled to know what personal information Perth and Kinross Council holds about you, on payment of a fee of £10.

Once we have your representation(s) we will acknowledge them and inform you when the Proposed Plan has been submitted to Scottish Ministers for examination. Scottish Government guidance indicates that representations should be a maximum of 2000 words to provide the Examination Reporter with concise representations that can be resolved through written representations, hearings or a public inquiry as part of the examination process.

1. Contact details (only representations that include full contact details are valid)

Name: SCOTTISH NATURAL HERITAGE

Address: Battleby, Redgorton, Perthshire

Postcode PH1 3EW.

Contact Carolyn Deasley

Telephone no. [REDACTED]

Email address [REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box:

2. Which document are you making a representation on?

All the representations below have been made by SNH regarding either policies in the Proposed Plan or Supplementary Guidance.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Landscape impacts****What is your representation?**

Request a change

a) Proposed development in National Scenic Areas (NSAs)**Dunkeld and Birnam (page 161), Sites E12 and E13:**

Amend developer requirements to include:

Built form and layout should respond appropriately to **its sensitive location. Production of design statement informed by a Landscape and Visual Impact Assessment (LVIA) to ensure development at both sites is in keeping with the local** landscape and protect the integrity of the adjacent designated Dunkeld House Garden and Designed Landscape.

Fortingall (page 181)

Insert under 6.14.1: spatial strategy considerations:

“Most of the village is within the Loch Rannoch and Glen Lyon NSA. Built form and layout should respond appropriately to the landscape and strengthen the character of Fortingall as a distinctive place.”

Inver (Page 184)

Insert under 6.14.1: spatial strategy considerations:

“Inver is a small settlement located to the south-west of Dunkeld within the River Tay (Dunkeld) NSA.”

E14: insert under developer requirements;

“Built form, layout and landscape framework to respond appropriately to its sensitive location and ensure development is in keeping with local landscape character.”

Kinloch Rannoch (page 188)

Insert under 6.18.2 spatial strategy considerations

“Kinloch Rannoch is located at the east end of Loch Rannoch within the Loch Rannoch and Glen Lyon NSA.”

H43 and E15: insert under developer requirements:

“Built form and layout should respond appropriately to the landscape and strengthen the character of Kinloch Rannoch as a distinctive place.”

Tummel Bridge (page 195)

Insert under 6.23.2 spatial strategy considerations:

“The eastern edge of the village is just within the Loch Tummel NSA. Built form and layout should be in keeping with local landscape character.”

b) Kinross allocations E16, E17, E36, E18, H46, E20

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

Amend developer requirements to include:

Noise attenuation measures adjacent to the motorway **should be well designed and should follow a co-ordinated approach**

We recommend that sufficient space is allowed for smooth-curved earth bunding.

For site H46 (page 205): Amend developer requirement to:

“Provision of woodland screen planting along the west boundary of site **should be appropriate to the site. Dense coniferous planting would not be appropriate.**”

c) H29, Scone (page 142)

Amend first developer requirement to “A masterplan will be required for the comprehensive development of this site. **The first stage of this process will be to establish broad landuse and placemaking principles for the site.**”

d) H38, Pitlochry (page 165)

Recommend amendment to the developer requirements:

H38: “Noise attenuation measures **are required** adjacent to A9. **These should be appropriate to the location but should not obscure views to Pitlochry or Ben Vrackie.**”

H39: “Landscaping framework **to include appropriate new native woodland planting at elevated north and western parts of the site.**”

e) Site E11 Ballinluig (pg 170)

Please refer to our comments on the HRA for this site.

If this site proceeds, we request the following developer requirements in relation to landscape impacts;

“the built form should be single story only and layout should respond appropriately to the landscape.”

Please include the reason for supporting the Plan/requesting a change.

a) Development that affects a NSA should only be permitted *where it will not adversely affect the integrity of the area or the qualities for which it has been designated* (unless outweighed by benefits of national importance) SPP 2010

b) Kinross allocations: A coordinated approach will prevent piecemeal, poor quality noise attenuation measures and ensure that sensitive characteristic views to the Ochils, Loch Leven, the castle and the Lomond Hills are not completely obscured.

The distinctive juxtaposition of Loch Leven and the Lomond Hills provides the setting for Kinross and is unique in the lowland context.

Sites E16, E18, H46: To protect sensitive views to Loch Leven, castle and more distant Lomond

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****Hills**

E20 - To protect sensitive views to distant Lomond Hills

E17, E36: To protect sensitive views to Ochils

c) H29: To ensure the master planning process takes into account current Scottish Government policy on Designing Places and in relation to Scottish Planning Policy ("location and design of new development.")

The current allocation is unrefined and does not give enough information to ensure the protection and enhancement of the landscape, natural heritage, biodiversity and the wider environment.

Of particular importance is the mitigation of potential landscape and ecological effects including protection and enhancement of woodland, green space and green links, the proposed treatment at the interface of the development with the countryside, and overall sustainability.

d) Site H38 and H39: To maintain the visual integrity and landscape setting of Pitlochry. Site H39, to minimise impacts of the development on the skyline.

e) E11: To reduce landscape impacts of the development. This is the first proposed development on this side of the road for the settlement. It should not obscure views from the A9 to the hills to NW (Loch Tummel NSA).

KINROSS-SHIRE CIVIC TRUST

Helping protect, conserve and develop a better built and natural environment

Ashtrees
Wester Balgedie
KINROSS
KY13 9HE

e-mail: [REDACTED]

4 April 2012.

Mr Peter Marshall
Perth and Kinross Council
Development Control
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Dear Mr Marshall

PROPOSED LOCAL DEVELOPMENT PLAN

The Civic Trust encloses its response to the consultation period to the Proposed Development Plan. It has also responded electronically, but the attached report explains in more detail the reasons for the Trust's objections and comments. The Trust expects that the Council will read this report as well as the electronic responses.

Yours sincerely

Alistair Smith, Chairman

For and on behalf of Kinross-shire Civic Trust
Cc PKC Local Members



Perth and Kinross
Council

**PROPOSED LOCAL
DEVELOPMENT PLAN**

Response to the Plan by
Kinross-shire Civic Trust

**KINROSS-SHIRE CIVIC
TRUST**

Perth and Kinross Council

PROPOSED LOCAL DEVELOPMENT PLAN

Response to the Plan by Kinross-shire Civic Trust

'Helping Protect, Conserve and Develop a Better Built and Natural Environment'

April 2012

Ashtrees, Wester Balgedie, KINROSS KY13 9HE

www.kinross-shirecivictrust.org

Job number KCT 01

Job title	PROPOSED LOCAL DEVELOPMENT PLAN	Job number
		KCT 01KCT 01

Document title	Response to the Plan by Kinross-shire Civic Trust	File reference
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Document ref

Revision	Date	Filename	0083Report Response by KCT to DLDP Mar 12.doc		
Draft 1	01/04/12	Description	First draft		
			Prepared by	Checked by	Approved by
		Name	Alistair Smith		
		Signature			
Draft 4	03/04/12	Filename	0086Report KCT Response to PKC PLDP.doc		
		Description			
			Prepared by	Checked by	Approved by
		Name	Alistair Smith		
Issue	04/04/12	Filename	0087Report KCT Response to PKC LDP Apr 12.doc		
		Description			
			Prepared by	Checked by	Approved by
		Name	Alistair Smith	Alistair Smith	
		Signature			

Issue Document Verification with Document



F8.5
QA Rev 1/01 1 November 2001

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1. INTRODUCTION

The Kinross-shire Civic Trust has responded to the Proposed Local Development Plan, (PLDP) submitting objections and comments electronically on the Perth and Kinross Council Web Site. However this report expands and explains these objections and comments in more detail.

Kinross-shire is a beautiful county, situated within easy reach of Edinburgh, Perth, Stirling, Glasgow and Glenrothes. As such it has been a target for development over the recent years, but it is very likely with the economic downturn, the target of sustainability and increased fossil fuel prices that there will be a marked sea change in aspirations to live in the county.

The PLDP has hinted at that in order to achieve the required target of housing land, it has had to resort in some instances to using good agricultural land and significantly increased housing densities. In addition it is using the Housing in the Countryside Policy to provide some 'flexibility' for small additional groups of houses.

Good agricultural land has to be retained for long term aims for return to a state of self-sufficiency in food production for this country. We cannot continue to rely on the import of 40% of our food from abroad.

The target therefore has to be to find land for all purposes, housing employment etc, within the major settlements of Kinross and Milnathort and the other major settlements. The rural areas need to be protected, both from the point of view of valuable agricultural land and of the outstanding landscape.

From a sustainability aspect, there should be less encouragement of housing in the rural areas. This new housing will lead to increased traffic from commuters, from servicing by postal needs, refuse collection and the new additions of couriers now that e-mail ordering is the order of the day. All of this will greatly increase the carbon generation from the rural areas.

2. CHAPTER 3: POLICIES**2.1 Residential Development****2.1.1 RD3: Housing in the Countryside**

This report has specific comments to make about the Housing in the Countryside Policy stated in the Supplementary Guidance and also to the 11 settlements in Kinross-shire which have had their previous Settlement Boundaries removed.

2.2 Community Facilities, Sports and Recreation**2.2.1 CF1: Open Space Retention and Provision**

In the current Kinross Area Local Plan (KALP) 2004, there is a Policy 88 which protects specific areas from development to 'preserve the village setting'. These are usually for Historic and Conservation settings.

Many of the Policy 88 land has been replaced by the Open Space Policy CF1 in the PLDP. The definition of the Policy hardly covers 'preservation of the village setting' for historically or conservation settings. The Policy specifically refers to recreation matters only.

Policy CF1A should therefore be expanded by a sub-clause (e):

(e) Development proposals resulting in the loss of these areas will also not be permitted where the open space land preserves and protects village settings for historic and conservation areas. This will include any proposal to use the land for gardens for new adjacent housing.

2.3 The Historic Environment**2.3.1 Conservation Areas**

Cleish and Scotlandwell are Conservation Areas without the Settlement Boundary of these settlements. The PLDP as proposed would allow that the Housing in the Countryside Policy would take precedence over the Conservation Area Policy.

The Trust would feel very strongly that the Housing in the Countryside Policy should only apply outside the Conservation Areas.

The land between the Conservation Area boundary and the Settlement Boundary should be treated as Green Space as defined by the New Policy CF1, including the amendment above.

2.4 Environmental Resources**2.4.1 ER1: Renewable and Low Carbon Energy Generation**

No specific mention is made of Wind Farm Policy. This is a major omission to the PLDP and must be included as part of it. Perth and Kinross Council had an excellent Wind Farm Policy, but unfortunately this has not been adhered to. A number of existing Wind Farms are now trying to push further for extensions to their sites to add to the enormous profits that they can make both from Government subsidies and the sale of ROCs to energy providers.

There is also a considerable proliferation of smaller single and double Wind Turbines throughout Kinross-shire, despite the fact that PKC admits that it has no Policy for these and has been in the state of preparing a Policy for the last 3 years with no sign of achievement.

The Civic Trust has maintained a consistent Policy against Wind Farms as they have not demonstrated that they are capable of providing the renewable energy that they claim. Indeed, there will always have to be another source of energy when there is insufficient wind for the Wind farms to operate, which makes a complete nonsense of relying on Wind Farms as a dependable source of renewable energy.

2.4.2 ER5: Prime Agricultural Land

This Policy should make it quite clear that there is a long term policy to retain all good agricultural land for the need to return to self sufficiency in food supply and not rely on 40% import for food.

The policy begins by stating that development will not be permitted on prime agricultural land and then proceeds to provide a number of vague reasons as to why it could be permitted. All of these will be open to interpretation by developers who will exploit that situation if they can.

2.4.3 ER6: Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes.

The **Areas of Great Landscape Value**, which are currently established in the **KALP 2004** are a vital element in the conservation of the landscape of Kinross-shire. One of the major and important attractions of Kinross-shire, not only to residents but to visitors as well, is its beautiful landscape.

The PLDP has intimated that protection proposals for the environment will be produced for consultation during 2012.

A properly identified Landscape Policy for Kinross-shire is a major omission from the PLDP at this stage. It is not something that can be rushed through at the last minute. It is a major factor, which will affect all future proposals for development in the countryside and as such must be incorporated properly in the PLDP

The Trust would wish to see at least the current Areas of Great Landscape Value retained under the new proposed landscape protection.

If no new landscape policy is established by the time the PLDP is presented for consideration then the current Area of Great Landscape Value Policy and the areas it refers to in Kinross-shire need to be continued into the new PLDP

In addition there are other considerations. There are established Regional Parks on the outside of Bishophill, Benarty and the Ochil Hills. It would be logical to extend these Regional Parks down to the edge of Loch Leven. Further consideration could be given to making the Cleish Hills a Regional Park as well.

The Lomonds Living Landscape project, which is currently under way, is examining the scope of the landscape from the Lomonds above Falkland right through to Loch Leven. The areas on the Fife side are already Regional Parks and as part of this study it would seem logical to extend the Park to cover the study area.

3. CHAPTER 7: KINROSS-SHIRE SPATIAL STRATEGY

3.1 Employment Land

Para 7.1.4 states that TAYplan considers that an area of 20 ha would provide a generous supply of land for Employment purposes up to 2024. It seems quite without purpose that employment land opportunity E17 (17 ha) be added to the DLDP as this brings the total land available up to 32.3 ha, way beyond the requirement.

Previous Public Inquiries have established that the Motorway establishes a natural boundary to the Western Edge of Kinross and the establishment of E17 would break that cordon and encourage a further expansion west towards Balado.

3.2 Settlement Boundaries

11 Settlements in Kinross-shire have had their previous **Settlement Boundaries** removed. The argument is that this will provide more flexibility in the provision housing, but that in general the Countryside and the settlement will be protected from the new Housing in the Countryside from over development.

There is also a statement by PKC that in order to reduce the size and number of pages in the Final Plan, settlements which had no specific statement to make should be removed from the PLDP, which is hardly a rational argument for any Planning Decision.

In KALP 2004 there is a policy, Policy 48, which defines a Settlement Boundary and explains that no development will be permitted outside this boundary. No such policy exists within PLDP.

It is therefore a major question as to what a Settlement Boundary actually means for any town or village.

The PLDP is supposed to be providing sufficient housing land to satisfy the supposed Growth Figures and it is quite likely that they will provide more than sufficient land. So it seems illogical to provide even more flexibility for more housing around these settlements.

Nearly all of them are surrounded by good quality agricultural land and it is vital that this is preserved for long term self-sufficiency purposes

Expansion in small rural settlements is against the sustainability Policy of the PLDP, which aims to cut down long distance commuting and the servicing of remote communities and the consequent increased carbon omissions that this would generate.

Carnbo, Craigowmill and Easter Balgedie are within the current Area of Great Landscape Value and for that reason should have their Settlement Boundary inserted and **Gairneybridge/Fruix** should have its Settlement Boundary defined to prevent further expansion into the agricultural land surrounding it. **Easter Balgedie** has a natural defined Settlement Boundary from the roads that surround it and this should be adhered to.

In all, these Settlement Boundaries must be reinstated otherwise they will be predated upon by the Housing in the Countryside Policy, which is no guarantee for their protection.

3.3 Kinross-shire Area

3.3.1 Kinross/Milnathort

Employment Land E17. This is situated beyond the western edge of the Motorway, which has been recognised in previous Planning Inquiries, as being the natural boundary of Kinross. Development within this area would establish a precedent for extending development further

west and linking to Balado, which would be very undesirable as well as being totally unnecessary. The Employment Land target for Kinross and Milnathort can be achieved within the Settlement Boundaries as they stand today without going outside them. No consideration to developing E17 should be given until all the Employment Land within Kinross and Milnathort has been used up completely

Employment Land E20. Likewise this designated land is without the current Settlement Boundary of Milnathort. It is in quite an inappropriate position, right up against the residential areas on the approach to the town and would destroy the appearance of the town as seen coming into the town from the east. The site E20 is not on Old Perth Road, but on Perth Road.

Opportunity Op10 Market Park. This is an important Open Green Space in the middle of Kinross and contained within the Conservation Area. The Curling Academy will now no longer happen and it is vital to the Conservation Area that this land be retained as Open Green Space. It certainly should not be an opportunity for a 'prestigious project'.

Opportunity Op13 Scottish Motor Auction.

Op 13 identifies the Scottish Motor Auction site as having opportunity for employment and residential uses. Yet there is no identification of the number of residences on the site, nor its contribution to the total number of sites that would be available in Kinross-shire. Does the definition of 50% refer to the total use of the site, or does it mean 50% for residences and 50% for employment?

Housing Opportunities H46 to H50. Up to 2024 these sites provide for a total number of 442 houses. However there seems to be a wide variety of housing densities.

H48 has 40 houses on 3ha, while H50 has only 7 houses on 1.8 ha. The access to H48 through Manse Road and Curlers Crescent will add considerably to the impact on the houses already on these 2 roads. The density of 13 houses per ha on H48 is a very high one for what is really a semi-rural area and not a suburban town development

3.3.2 B alado

This has had the Settlement Boundary filled by taking in a large field, which will provide additional housing

3.3.3 Blair ingone

This proposal is all in line with what was proposed by the Strategy Group.

3.3.4 C arnbo

This has had its Settlement Boundary extended to the east by development that took place outside the KALP 2004 Boundary. At present the north side of the village is protected by the AGLV and will need to be replaced by the new landscape policy

3.3.5 C leish

There is a Conservation Area appraisal for Cleish carried out in 1980 although it has not been included in the Supplementary Guidance. There are appraisals for almost all the other Conservation Areas in Perthshire and Kinross-shire. The defined boundary of the Conservation Area is without the Settlement Boundary. The Housing in the Countryside Policy should not apply within the Conservation Area as supported by the Conservation Area Appraisal for Cleish. The agricultural land within the Conservation Area surrounding the Settlement Boundary has already been identified as being an important part of the setting of the village and therefore needs to be retained as such.

The Trust supports the statement made by Cleish and Blairadam CC with regard to Cleish. The land between the Conservation Area boundary and the Settlement Boundary should be designated Open Space (Green coloured) as defined by Policy CF1 and its amendments

There is an Open Space defined within Cleish, which replaces an area that was covered by Policy 88 in the KALP 2004. The Open Space Policy CF1A is not adequate to cover the space and needs to have clause (e) added to be effective.

3.3.6 C rook of Devon

This is OK and the Trust is pleased to see that the land in the middle of the village is designated as Open Space and not for development.

3.3.7 G lenlomond

Reference is made to the Public Waste Water Treatment Works. These are not 'Public' but 'Private'. They are probably up to their full capacity and therefore there will be no spare capacity for additional housing. Traffic generation has grown exponentially over the years through Wester Balgedie because of expansion and increased traffic use from Glenlomond and this cannot be sustained.

3.3.8 Gree naces

The Tree belt will be important for protection from the traffic noise from the M90 Motorway.

3.3.9 H attonburn

The Settlement Boundary has been unnecessarily extended on the east side of Hattonburn Road. There is no rationale for the triangle created in the north east corner of the new Boundary. Without that extension, it would not comply with the Housing in the Countryside Policy.

3.3.10 Kinness wood

The important Open Spaces for recreation in Kinnesswood have been identified and retained

3.3.11 Oc hil Hills Hospital

Op 19 Ochil Hills Hospital. This is subject to a current Planning Application for 35 houses.

3.3.12 Po wmill

H53 Gartwhinzean. This was part of Option 1 of the MIR that was supported by the Trust and was part of the strategy group's proposals

3.3.13 Ru mbling Bridge

There would appear to be development opportunities within the Settlement Boundary, which might detract from the housing within the existing Settlement Boundary

3.3.14 Scot landwell

Housing Area, H54. Scotlandwell has a Housing Area, H54 defined within an adjusted Settlement Boundary. The Policy allows for 30 houses, which is a very dense allowance for a rural position. Any houses must be aware of the existing houses and **MUST** be Single storey.

The development at Wellside in Scotlandwell **must not be allowed to be replicated**. 2 Storey suburban villas closely packed together should never have been permitted, shutting out Scotlandwell, forming a Curtain Wall around the Conservation Area.

This development is the worst form of Planning Blight to be perpetrated in Kinross-shire for years

The H54 site sits on deep peat overlying sand and clay, not a good foundation and the site is also on the edge of the 1 in 200 year Flood Plain.

Consideration must also be given for the impact on the infrastructure, particularly the Portmoak Primary School.

The new Conservation Area extends outside the new Settlement Boundary. The Housing in the Countryside Policy should not apply within the Conservation Area as supported by the Conservation Area Appraisal for Scotlandwell. The land between the Conservation Area boundary and the Settlement Boundary should be designated Open Space (Green coloured) as defined by Policy CF1 and its amendments

3.3.15 Wester Balgedie.

The proposals for Wester Balgedie are welcomed including the retention of the Open Spaces within the Conservation Area and the Settlement Boundary. However the Policy CF1A does not deal adequately with Historic and Conservation Areas and the importance for the retention of Open Spaces for the preservation of village settings (see comments on Policy CF1A and an additional clause (e))

4. SU PPLEMENTARY GUIDANCE

4.1 Housing in the Countryside Policy

The Housing in the Countryside Policy is going to have a very important part for controlling any housing development in Kinross-shire. As such it will have to be a robust Policy and the Civic Trust is not convinced that it will have that attribute.

Although the Council feels that the HitC policy will control any new housing opportunities, some of the definitions are not strict enough.

1. **Building Groups.** The Opening paragraph of this section is really going to give opportunity for developers to try and extend settlements into the countryside. What does 'within building groups' mean? How do you constrain into 'definable sites'? These statements are so vague as to leave every opportunity to redefinition and legal battles as Public Inquiries.
2. New Housing should not be allowed to 'bulge' beyond a natural line drawn around the edge of a building group. Otherwise this can create another 'corner' into which a further group of buildings can be added again
3. Thus, new housing has the potential to generate a '*domino*' effect with more extension of settlements on the back of the original extensions. Far from controlling housing development, this could be a recipe for wholesale development of small scale, piecemeal enlargements of 4 – 5 houses at a time.
4. That is surely not what the Housing in the Countryside Policy is intended for.
5. If the whole Policy of the LDP is to constrain housing within defined limits and there are sufficient number of houses to satisfy the demands of the TAYplan, then there should be no need for additional housing as defined by this HitC Policy, which will only be seized upon by developers to build an increasing number of large houses whether they are needed or not
6. One of the major flaws in providing new building groups in the Countryside is whether they are satisfactory sociologically or not. Does the provision of 5, 10 or 20 houses in an isolated group in the middle of the Countryside have any social justification?
7. These groups simply create a cluster of monoculture houses with no other rationale, no infrastructure, shops or anything else to make them worthwhile. Very often the new occupants regret their hasty move into the Countryside, when they realise after a few months what living in the Countryside actually means.
8. A sociological justification for these new houses in the Countryside needs to be considered as well as satisfying the HitC Policy

Your Details

An asterisk (*) indicates a required field.

Your Name: *	<input type="text" value="Joe Cairns"/>
Organisation Name:	<input type="text"/>
Agent Name:	<input type="text"/>
Address 1: *	<input type="text" value="14 Fernhill Road"/>
Address 2	<input type="text"/>
Address 3	<input type="text" value="Perth"/>
Postcode: *	<input type="text" value="PH2 7BE"/>
Phone Number:	<input type="text"/>
Email Address: *	<input type="text" value="REDACTED"/>
Site Name:	<input type="text"/>

Contact Person: ☒ Me ☐ My Agent

Your comments will be applied to the following items:

5 Perth Area Spatial Strategy - 5.2 Perth

I strongly support the concept of a Green Belt for Perth, and especially the proposed area to the east of the city.

From: Peter Lodge [REDACTED]
Sent: 20 March 2012 23:21
To: TES Development Plan - Generic Email Account
Subject: Perth and Kinross Local Development Plan - comments by DCC on the Proposed Plan
Follow Up Flag: Follow up
Flag Status: Green

Please find detailed below Dunning Community Council's (DCC) comments on the Proposed Plan.

General

The plan is well written with good graphics and the Policy section is particularly useful.

Specific

We would like to provide specific comments on the proposals for Dunning.

We do not agree with the proposed Residential Site H20 because of ;

- 1) Concern over access from the proposed development onto the Auchterarder Road and the lack of suitable visibility splays and also any internal road connection with the adjacent Latch Burn Wynd development,
- 2) loss of good quality agricultural land and adverse impacts to biodiversity (Policy NE3),
- 3) adverse impacts on drainage system,
- 4) proposal appears to be contrary to Policy PM1B,
- 5) proposed development would not be compatible with the amenity and environment of the village, and
- 6) potential adverse impacts on European Protected Species.

If the above site does not go ahead is there a need to extend the school site as detailed in Op23 as this has the potential for similar impacts as described above?

Could you please extend the green areas within the village to include all of the the field that separates Dunning and Newton of Pitcairns. As currently only part of this field is coloured green as shown in the Proposed Plan on page 109.

Regards

Peter Lodge

Secretary of Dunning Community Council

Your Details

An asterisk (*) indicates a required field.

Your Name: *	<input type="text" value="Kristin Barrett"/>
Organisation Name:	<input type="text"/>
Agent Name:	<input type="text"/>
Address 1: *	<input type="text" value="10 Balmoral road"/>
Address 2	<input type="text"/>
Address 3	<input type="text"/>
Postcode: *	<input type="text" value="PH10 7AE"/>
Phone Number:	<input type="text"/>
Email Address: *	<input type="text" value="REDACTED"/>
Site Name:	<input type="text"/>
Contact Person:	<input checked="" type="checkbox"/> Me <input type="checkbox"/> My Agent

Your comments will be applied to the following items:

9 Strathmore and the Glens Area Spatial Strategy - 9.3 Blairgowrie/Rattray - Paragraph 9.3.5

I suggest the housing and development area east of the Essendy road should be split into smaller areas, leaving swathes of not-built-on land (low level greenery?) opposite the ends of the two current cul-de-sac roads leading north from the Perth Road, so that people who live and work there can enjoy the wonderful westerly view as they enter this new development area from the Perth Road. The view at the end of all roads is particularly important, and if it is a good view, everyone can enjoy it

Your Details

An asterisk (*) indicates a required field.

Your Name: *	<input type="text" value="Kristin Barrett"/>
Organisation Name:	<input type="text"/>
Agent Name:	<input type="text"/>
Address 1: *	<input type="text" value="10 Balmoral road"/>
Address 2	<input type="text"/>
Address 3	<input type="text"/>
Postcode: *	<input type="text" value="PH10 7AE"/>
Phone Number:	<input type="text"/>
Email Address: *	<input type="text" value="REDACTED"/>
Site Name:	<input type="text"/>
Contact Person:	<input checked="" type="checkbox"/> Me <input type="checkbox"/> My Agent

Your comments will be applied to the following items:

9 Strathmore and the Glens Area Spatial Strategy - 9.3 Blairgowrie/Rattray - Paragraph 9.3.5

I suggest that the area south-west of the Essendy Road in Blairgowrie, designated for housing, should be split into two areas, leaving a ?20-meter? wide swathe on both sides of the current popular footpath from near the Cemetery to the Muirton Wood. This empty swathe should be free of houses, so that the footpath does not become a tunnel between houses or high fences, but is a wide pleasant area with the current sweeping views north up towards the Knockie Hill

From: Maureen Beaumont [REDACTED]
Sent: 10 April 2012 11:34
To: TES Development Plan - Generic Email Account
Subject: Development Plan
Follow Up Flag: Follow up
Flag Status: Green

To whom it may concern:

REF: Policy ER1A.

In the absence of up-to-date Supplementary Planning Policy for Renewable/Wind Energy Development to accompany this Development Plan and in view of the uncertainty as to when such guidance may become available, I would suggest that the following issues be included at Section ER10 - Environmental Resources in Policy ER1A

- (i) Aviation and telecommunications impacts.
- (j) Noise and shadow-flicker.

These two issues are addressed in Scottish Planning Policy - Renewable Energy at Para 187. I would strongly suggest that they be addressed in this development plan at some point in the absence of up-to-date SPG.

Yours faithfully,
Maureen Beaumont. (Sma' Glen Protection Group 2)

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

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1. Contact details (only representations that include full contact details are valid)

Name	CALA Management Ltd
Address and Postcode	Cairnlee House, Callendar Business Park, Falkirk FK1 1XE
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	Settlement boundary amendment- Auchterarder	or			
Site ref.	n/a	or			
Chapter		Page no.		Paragraph no.	8.2.2

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Amend settlement boundary to reflect natural containment of site at Abbey Park.

Please include the reason for supporting the Plan/requesting a change.

See attached supporting document prepared by OPEN.

This representation was submitted with supporting documents, due to size these are unavailable on the website, but are available to view at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

Save a copy**Print****Submit**

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

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1. Contact details (only representations that include full contact details are valid)

Name	The Muir Group
Address and Postcode	Muir House Belleknowes Industrial Estate Inverkeithing, Fife KY11 1HY
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or			
Site ref.	<input type="text"/>	or			
Chapter	<input type="text" value="Chapter 3"/>	Page no.	<input type="text" value="45"/>	Paragraph no.	<input type="text" value="Green Belt Plan"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Desired alteration of the boundary of the proposed Green Belt in the south-west corner of H70 Perth West.

Please include the reason for supporting the Plan/requesting a change.

Please see attached statement and plan.

This representation was submitted with supporting documents, due to size these are unavailable on the website, but are available to view at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

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H70 Perth West Allocation

Proposed Green Belt Boundary Extension

1.0 Introduction

The Muir Group suggest that the potential for a modest extension of the allocation H70 to the west of the currently proposed boundary near West Mid Lamberkine in the south of the site would establish a new and more robust boundary based on advance planting and a strong shelterbelt / woodland framework.

This statement and supporting plan 7834_101 Rev A have been prepared in support of the proposed south western boundary extension.

2.0 Location

The Perth West (H70) allocation site is located in farmland to the west of the A9 Perth bypass, bound by the north by the A85 Crieff road and to the south by the A9 Stirling road. The western edge is defined variously by tree lined field boundaries in the south and electricity transmission lines in the north. The proposed extension comprises four fields in the Lamberkine area to the west of the southern part of the proposed H70 boundary.

3.0 Landscape Character

H70 straddles two landscape character types in SNH's Tayside Landscape Character Assessment (1999).

- To the south and west the Lowland Hills LCT: Gask Ridge
- To the north and east the Lowland River Corridors LCT: Glen Almond

The Lowland Hills are a medium scale lowland agricultural landscape with the following key characteristics:

- low ridges and hills separating lowland straths and adjoining the nearby uplands
- composed of soft, red sandstones
- transitional character with pastures on lower slopes, giving way to rough grazing and even open moorland
- evidence of several phases of historic settlement
- extensive woodland, including forestry plantations
- influence of modern development

The Gask Ridge is the lowest of the Lowland Hills areas. The areas show abundant signs of settlement over past millennia but existing built development is low key: mainly in the form of farms, castles and villages. Influences of more modern infrastructure and development include electricity transmission lines, the A9 Perth bypass and new housing in the western suburbs of Perth.

The Lowland River Corridors are a small-medium scale semi-enclosed lowland landscape with the following key characteristics:

- well-defined river corridors in broader lowland landscapes
- meandering, often incised course through softer sandstones
- semi-natural woodland on steeper slopes
- rapids, weirs and mills where harder rocks cross the valley

The Glen Almond corridor is significantly smaller in scale than the Tay to the northwest. Settlement is mainly in the form of mill villages and country house estates. To the northwest it quickly becomes a narrow glen. However in the vicinity of Perth it more resembles the wider Tay valley. Close to Perth it is crossed by the A9 Perth bypass and by electricity transmission lines. The flat area between the Almond and Tay is developed for industrial and business use and within the bypass lie the football stadium and housing areas.

In both landscape types there are guidelines for development which seek to promote careful expansion of existing settlements. This includes sympathetic scale and pattern of development, use of appropriate vernacular styles and the use of screening, landmark features, views, vistas and gateways.

4.0 Green Belt Boundaries

H70, as predominantly gently rolling agricultural land, is more characteristic of the Lowland Hills landscape type than the Lowland River Corridors. The boundaries are well defined by main transport corridors to the north and south. The western edge is defined by a relatively weak combination of tree and watercourse-lined field boundaries in the south and the route of an electricity transmission line in the north. Developing a strong landscape framework will be an important component of the Development Framework and Masterplan for the H70 land allocation. Details of boundaries should be agreed following full landscape assessment and a landscape and visual impact assessment. Extension of the allocation to the west of the currently proposed boundary near West Mid Lamberkine would establish a new boundary based on advance planting and a strong shelterbelt / woodland framework.

5.0 Extension Area Boundaries

Guidance recommends the establishment of Green Belt boundaries on clear, defensible boundaries such as roads, breaks in slope, watercourses, belts of trees or combinations of these features, or on new landscape elements where this is more appropriate. The proposed extension area boundary is currently marked in its southern corner by small plantation woodland and the A9 Stirling Road. The field boundaries to the north of this would require strengthening to become a robust Green Belt edge. A woodland boundary created as part of the Green Network of paths and landscape elements could be created through extensive native planting reflecting existing landscape character and features.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

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1. Contact details (only representations that include full contact details are valid)

Name	The Muir Group
Address and Postcode	Muir House Belleknowes Industrial Estate Inverkeithing, Fife KY11 1HY
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or			
Site ref.	<input type="text"/>	or			
Chapter	<input type="text"/>	Page no.	<input type="text"/>	Paragraph no.	<input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please see attached statement outlining the development framework for H70 Perth West

Please include the reason for supporting the Plan/requesting a change.

This representation was submitted with supporting documents, due to size these are unavailable on the website, but are available to view at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Culfargie Estates
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☒

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or			
Site ref.	<input type="text"/>	or			
Chapter	Highland Perthshire Spatial	Page no.	151-196	Paragraph no.	<input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

This representation was submitted with supporting

4. What is your representation?

documents, due to size these are unavailable on the website, but are available to view at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

Are you supporting the Plan? ☐

Or

Would you like to see a change to the Plan? Please state this change.

The identification of a settlement boundary for Amulree.

Please include the reason for supporting the Plan/requesting a change.

A planning application was previously submitted to the council (09/01733/IPL) to erect a house on the site located to the north of the existing Amulree settlement boundary as shown in the current Highland Area Local Plan 2000. The application was refused by the council but at the Local Review Body meeting on 31st August 2010 the members suggested that this was a matter that should be considered as part of any amended settlement boundary through the emerging Local Development Plan process. Accordingly we believe that the inclusion of the site as shown on the attached plan within an extended settlement boundary for Amulree would allow for some modest expansion of the settlement over the life of the Local Development Plan.

This site could also help play an important role in helping to meet a proportion of the overall allowance of 280 houses which equates to 25% of the total additional housing requirement (paragraph 6.1.10) that is needed from windfall sites and small housing sites for the Highland Perthshire Housing Market Area. The Proposed Development Plan needs to allow for a wide range of small scale sites within the Highland Perthshire landward area villages to help meet this requirement and also to spread the impact of the development more evenly. Identifying a range of small sites within the landward area settlements will also help to spread the overall windfall housing requirement over the 7 year period thus ensuring allocations are delivered throughout the lifetime of the Plan. This approach will also increase competition and choice for small house builders, self build projects and new home buyers alike and also play a vital role in helping to sustain existing communities.

There is an inconsistent approach to the identification of settlements and their boundaries in the Proposed Plan. The council is promoting the application of the housing in the countryside policy for proposals to extend existing building groups/settlements rather than actually defining boundaries for each of the current settlements. There is no reasoned justification or explanation given for the way in which some settlements have been identified and others such as Amulree have been completely left out of the Proposed Plan (Highland Perthshire Spatial Strategy – pages 151-196). We disagree with the approach proposed by the plan and believe that all clearly recognisable settlements, regardless of their size, should be included and shown by a defined settlement boundary within the Plan. This issue is particularly important within the Highland Housing Market Area where there are so many small settlements and where the proposed windfall and small site housing land requirement is the greatest. Therefore in the interests of good planning and order to create more certainty for communities we believe that all settlements should be shown with defined boundaries including areas where additional small scale infill type development or where (as in this case at Amulree) well defined extensions to existing small settlements may be accepted and allocated as suitable small scale housing sites.

The site identified in this submission is considered to represent a sensible and realistic opportunity for further limited development at Amulree through the emerging development plan process. The recent completion of the new road bridge in Amulree has brought significant access benefits as well as additional opportunities for development. The topography of the land rises up from the rear of the suggested northern settlement boundary and development could be designed to integrate with and enhance the setting of the settlement at this point. Development at this northern edge of the settlement would be read as part of the wider group at Amulree and would also benefit greatly from its south facing aspect so would be able to incorporate energy efficient measures into any designs.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Niki Kinloch
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☒

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or
Site ref.	<input type="text"/>	or
Chapter	<input type="text"/>	Page no. <input type="text"/> 178 Paragraph no. <input type="text"/> 6.1.10 - 6.1.12

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

Representations were previously submitted to the council in June 2009 and again in December 2010 (to the MIR) proposing an amended settlement boundary on the western side of Dull.

In our view the proposed settlement boundary (as shown on page 178 of the Proposed Plan) has taken into account the various recent developments and approvals and also follows long established and defensible boundaries whilst at the same time offers the potential to accommodate some further limited development at Dull.

We therefore welcome the identification of the proposed settlement boundary for Dull as shown on page 178 of the plan as it will offer the potential for some modest expansion and infill development within the settlement over the plan period thus helping to contribute to the significant requirement for new windfall and small housing sites that are needed throughout the Highland Perthshire Housing Market Area (as highlighted in paragraphs 6.1.10 – 6.1.12).

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Dunan Estate
Address and Postcode	Algo Business Centre Glennearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☒

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or			
Site ref.	<input type="text"/>	or			
Chapter	Highland Perthshire Spatial	Page no.	151-196	Paragraph no.	<input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

The identification of a settlement boundary for Rannoch Station.

Please include the reason for supporting the Plan/requesting a change.

A planning application was previously submitted to the council (10/01977/FLL) to erect two houses on the site located to the west of the Old Schoolhouse in Rannoch Station. The application was refused by the council in February 2011 but at the Local Review Body meeting in May 2011 the members suggested that this was a matter that should be considered as part of the identification of any settlement boundary for Rannoch Station through the emerging Local Development Plan process. Accordingly we believe that the inclusion of the site within a defined settlement boundary for Rannoch Station would allow for some modest expansion of the settlement over the life of the Local Development Plan. This site could also help play an important role in helping to meet a proportion of the overall allowance of 280 houses which equates to 25% of the total additional housing requirement (paragraph 6.1.10) that is needed from windfall sites and small housing sites for the Highland Perthshire Housing Market Area. The Proposed Development Plan needs to allow for a wide range of small scale sites within the Highland Perthshire landward area villages to help meet this requirement and also to spread the impact of the development more evenly. Identifying a range of small sites within the landward area settlements will also help to spread the overall windfall housing requirement over the 7 year period thus ensuring allocations are delivered throughout the lifetime of the Plan. This approach will also increase competition and choice for small house builders, self build projects and new home buyers alike and also play a vital role in helping to sustain existing communities. There is an inconsistent approach to the identification of settlements and their boundaries in the Proposed Plan. The council is promoting the application of the housing in the countryside policy for proposals to extend existing building groups/settlements rather than actually defining boundaries for each of the current settlements. There is no reasoned justification or explanation given for the way in which some settlements have been identified and others such as Rannoch Station (which clearly benefits from having access to the rail network) have been completely left out of the Proposed Plan (Highland Perthshire Spatial Strategy – pages 151-196).

We disagree with the approach proposed by the plan and believe that all clearly recognisable settlements, regardless of their size, should be included and shown by a defined settlement boundary within the Plan. This issue is particularly important within the Highland Housing Market Area where there are so many small settlements and where the proposed windfall and small site housing land requirement is the greatest. Therefore in the interests of good planning and order to create more certainty for communities we believe that all settlements should be shown with defined boundaries including areas where additional small scale infill type development or where (as in this case at Rannoch Station) well defined extensions to existing small settlements may be accepted and allocated as suitable small scale housing sites.

The site identified in this submission is considered to represent a sensible and realistic opportunity for further limited development at Rannoch Station through the emerging development plan process. The topography of the land rises up from the rear of the suggested site boundary and development could be designed to integrate with and enhance the setting of the settlement at this point. Development of the site would be read as part of the wider group at Rannoch Station and would also benefit greatly from its south facing aspect so would be able to incorporate energy efficient measures into any designs.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Mr & Mrs I Brooks
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or			
Site ref.	<input type="text" value="Damside/Saucher"/>	or			
Chapter	<input type="text" value="5.15"/>	Page no.	<input type="text" value="106-107"/>	Paragraph no.	<input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

We previously submitted representations to the council in 2005 and again in 2009 on behalf of Mr & Mrs Brooks, in support of an amended settlement boundary for Damside.

In our view the proposed settlement boundary (as shown on page 107 of the Proposed Plan) has taken into account the various recent developments and planning approvals (including our clients property) and also follows long established and defensible boundaries. At the same time the proposed settlement boundary offers the potential to accommodate further infill development and we therefore support the view expressed in paragraph 5.15.2 of the Proposed Plan which confirms that 'there are opportunities for further infill residential development to create a more cohesive settlement.'

The settlement does not lie within the proposed Green Belt around Perth and is not protected or safeguarded by any of the other key landward area landscape or heritage designations. There are also no technical constraints to development within the proposed settlement boundary e.g. flood risk assessments have previously been undertaken and accepted by both the council and SEPA.

It is considered that the quality of the design and external finish of our client's property have set an excellent precedent for other infill plots to follow in terms of standards of design, scale, density and landscaping.

We therefore welcome the identification of the proposed settlement boundary for Damside/Saucher as shown on pages 106-107 of the plan as it will offer the potential for some modest expansion and infill development within the wider settlement over the plan period thus helping to contribute to the requirement for new windfall and small housing sites that will be needed within the Perth Housing Market Area over the coming years.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Mr S Howie
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input checked="" type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

Draft Action Programme & Housing Background Topic Paper

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or
Site ref.	H20 and Dunning Settlement	or
Chapter	5	Page no. 67-73 & 108-109 Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

This representation was submitted with supporting

4. What is your representation?Are you supporting the Plan? ☐

Or

Would you like to see a change to the Plan? Please state this change.

documents, due to size these are unavailable on the website, but are available to view at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

Revised settlement boundary for Dunning to incorporate each of the three sites shown on the attached accompanying plan prepared by James Denholm Partnership including the removal of the area of green space adjacent to Muckhart Road.

Removal of site H20 - Auchterarder Road from the Proposed Plan.

Please include the reason for supporting the Plan/requesting a change.

Representations were previously submitted to PKC in June 2009 and again in November 2010 in response to the MIR supporting the identification of each of these sites within the Proposed Plan. We object to the identification of site H20 which further extends the western limit of the village and does not involve the rounding off of the edge of the settlement. In contrast each of our client's sites (shown on the attached plan) have the potential to provide an appropriate scale of development, deliver a range of direct community benefits and also enhance the landscape setting of the village.

We object to the plan's strategy of relying on a small number of 'major' strategic developments being brought forward within the Perth Housing Market Area. Our concerns with the suggested approach are backed up by the fact that the Plan actually acknowledges that all of the identified sites which are located along the A93/A94 corridors i.e. (H13 - Balbeggie - 100 units), (H16-H17 - Burrelton - 120), (H29 - Scone - 700), (MU3 - Perth Airport - 50) and (H35 - Wolfhill - 12) cannot be developed until such time as the Cross Tay Link Road has been implemented. The MIR had previously suggested that the CTRLR would be implemented within 5 years of the start of the design process i.e. by 2016. However the draft Action Programme suggests the timescale for the CTRLR is now 2020 at the earliest. This also contradicts the council's Housing Background Topic Paper (February 2012) where Appendix 1 shows that the first phase of housing for each of the above sites is to commence in 2015. It is clear that each of the above sites will not be able to commence in 2015 and although each of the above sites may be regarded as 'long term' development options they cannot be delivered within the current Plan period. As such there is a need for the Plan to identify (up to 982 units) on alternative sites that are free from such significant infrastructure constraint and which can be delivered and contribute to the desired 7 year effective land supply. Paragraph 5.16.2 states that Dunning has a good range of local services and the village is capable of supporting a modest expansion. Each of our client's sites at Dunning is free from constraint and can contribute to the overall housing land supply and should be brought forward as suitable alternatives in the Proposed Plan. The proposed site shown on the northern edge of Dunning would enable further potential expansion of the primary school and associated playing grounds (as currently identified under Op23 of the Plan). Development would also meet the requirement of Op23 by providing a landscaped northern edge to the village boundary. There would also be the opportunity to expand the cemetery if required. The site proposed to the east of the village on Bridge of Earn Road, could accommodate further affordable housing to reflect the scale and density of development recently completed to the west. The boundary could also be adjusted to the south to allow for a possible expansion of the Dunning Park amenity space. The majority of the site to the south of the village contains buildings and a yard and redevelopment of this brownfield site (which already benefits from water, drainage and utility connections) as well as the adjacent land would complement the existing settlement which already bounds the site on three sides. The village is already located to the north, west and east and the identification of this site would be further framed by landscaping and the topography of the land to the south. The visual impact, townscape and environmental improvements that redevelopment of this site (which is located on the edge of the Conservation Area) would be hugely significant. There would be also be significant traffic/transport benefits of removing daily HGV movements from the site, as well as removing noise and odour issues that occur from time to time, particularly for those living opposite the site in Newton of Pitcairns. As shown on the attached plan, our client's also object to the inclusion of the land adjacent to Muckhart Road being identified as protected open space because it does not/and has never fulfilled that function and this land should instead be read as forming part of the larger redevelopment opportunity site. However the site located at Bridgend is shown as 'green space' and our client's do not oppose that designation as shown on the attached plan.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Mr S Howie
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input checked="" type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

Draft Action Programme

3. Which part of the document are you making a representation on?

Policy ref.		or
Site ref.	Op2 - Thimblerow Car Park	or
Chapter		Page no. 81 Paragraph no.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Retention of the Thimblelow Car Park site as a surface level car park

Please include the reason for supporting the Plan/requesting a change.

The site operates successfully as the largest surface level car park within the city centre boundary. It's location on the inner ring road means that it is a strategic car park within the city centre and removal of this facility would be detrimental for shoppers, tourists and commuters alike. Given the current level of vacant shop units within the city centre, (particularly within the defined prime retail core area) it is considered that attempts to try and create additional retail units within this defined secondary shopping area would have a further adverse effect on the retail core and other secondary areas which are already struggling.

The draft Action Programme (page 20) confirms that PKC is the lead partner/landowner on the proposed Op2 site. However there are no timescales confirmed, no funding is in place and the site has not been marketed to establish if there would be any interest.

There are also concerns that the scale and massing of development suggested for this site would have an adverse impact on the setting of nearby Listed Buildings and would also be detrimental to the character and appearance of the adjacent Conservation Area.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Mr J Halley
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

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Supplementary Guidance	<input checked="" type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

Draft Action Programme & Housing Background Topic Paper

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or
Site ref.	Methven Settlement Boundary	or
Chapter	5	Page no. 67-73 & 136-137 Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

This representation was submitted with supporting documents, due to size these are unavailable on the website, but are available to view at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

4. What is your representation?Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Revised settlement boundary for Methven to incorporate the inclusion of the site shown on the attached plan as a designated housing site.

Please include the reason for supporting the Plan/requesting a change.

Representations were previously submitted to PKC in June 2009 and again in November 2010 in response to the MIR supporting the identification of this site within the Proposed Plan. We consider that our client's sites (shown on the attached plan) has the potential to provide an appropriate scale of development, deliver a range of direct community benefits, including access improvements and also enhance the landscape setting of the village.

We object to the plan's strategy of relying on a small number of 'major' strategic developments being brought forward within the Perth Housing Market Area. Our concerns with the suggested approach are backed up by the fact that the Plan actually acknowledges that all of the identified sites which are located along the A93/A94 corridors i.e. (H13 - Balbeggie - 100 units), (H16-H17 - Burrelton - 120), (H29 - Scone - 700), (MU3 - Perth Airport - 50) and (H35 - Wolfhill - 12) cannot be developed until such time as the Cross Tay Link Road has been implemented. The MIR had previously suggested that the CTRLR would be implemented within 5 years of the start of the design process i.e. by 2016. However the draft Action Programme suggests the timescale for the CTRLR is now 2020 at the earliest. This also contradicts the council's Housing Background Topic Paper (February 2012) where Appendix 1 shows that the first phase of housing for each of the above sites is to commence in 2015. It is clear that each of the above sites will not be able to commence in 2015 and although each of the above sites may be regarded as 'long term' development options they cannot be delivered within the current Plan period. As such there is a need for the Plan to identify (up to 982 units) on alternative sites that are free from such significant infrastructure constraint and which can be delivered and contribute to the desired 7 year effective land supply.

As acknowledged in paragraphs 5.30.1 - 2 of the Plan, Methven has a good range of community and commercial facilities and it is one of the principal settlements located within the Perth Core Area. Significantly it is also located outwith the proposed Green Belt. The Plan refers to the fact that the existing site on the eastern side of the village is currently being developed and this seems to be the justification for there being no need to identify any additional sites.

Given Methven's principal settlement status within the Core Area and also the fact that it lies outwith the Green Belt, we consider that it is a village where an opportunity exists to identify a further site. We consider that it would be more realistic and reasonable for the Plan to identify sites in all of the villages that are located within the Core Area (including Methven) to help meet the overall housing requirement. We therefore object to the fact Methven is the only principal settlement listed within the Core Area where no housing site allocations are proposed.

Due to the topography of the proposed site, development could take place without any adverse impact on the village and without any wider visual impact as it would not be seen from the A85. Development of the site would offer the potential for road safety improvements at the south east corner of the site adjacent to College Road. The existing built up areas are already located along the south and eastern boundaries and development on this site would be read as forming part of the wider settlement at this point.

The site is free from constraint and can contribute to the overall housing land supply and should be brought forward as a suitable alternative in the Proposed Plan.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Mr D Ironside
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or
Site ref.	<input type="text"/>	or
Chapter	Highland Perthshire Strategic Plan	
Page no.	151-196	
Paragraph no.	<input type="text"/>	

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

This representation was submitted with supporting

4. What is your representation?

documents, due to size these are unavailable on the website, but are available to view at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

Are you supporting the Plan? ☐

Or

Would you like to see a change to the Plan? Please state this change.

The identification of a specific settlement boundary for Lawers

Please include the reason for supporting the Plan/requesting a change.

We previously submitted representations to the MIR in February 2011 and believe that the inclusion of the site (shown on the extract plan taken from the current adopted Highland Area Local Plan) within an extended settlement boundary for Lawers, would allow for some modest expansion and growth in the area. It would also help play an important role in helping to meet a proportion of the overall allowance of 280 houses which equates to 25% of the total additional housing requirement (paragraph 6.1.10) that is needed from windfall sites and small housing sites as set out for the Highland Housing Market Area.

We consider that there needs to be greater scope for the Proposed Plan to actually identify a wide range of small sites (4 units or less) within all of the Highland Housing Market Area settlements to help meet this requirement and also to spread the impact of the development more evenly. Identifying a range of small sites within the landward area settlements will also help to spread the overall windfall housing requirement over the 7 year period thus ensuring sites can be delivered throughout the lifetime of the Plan. This approach will also increase competition and choice for small house builders, self build projects and new home buyers alike and also play a vital role in helping to sustain existing communities.

The Proposed Plan is considered to be inconsistent in the manner in which small settlements are identified and instead promotes the application of the housing in the countryside policy when considering proposals to extend most of the currently identified settlements (as shown in the Highland Area Local Plan 2000). There is no reasoned justification given for the way in which some settlements have been identified and others have been completely left out of the Proposed Plan (Highland Perthshire Spatial Strategy – pages 151 - 196).

We disagree with the approach taken by the plan and believe that all clearly recognisable settlements regardless of size should be included with a defined settlement boundary within the Development Plan. This issue is particularly important within the Highland Housing Market Area where there are so many small settlements and where the proposed windfall and small site housing land requirement is the greatest. Therefore in the interests of good planning and in order to create more certainty for communities we believe that all settlements should be shown with defined boundaries including areas where additional small scale infill type development or where (as in this case at Lawers) well defined extensions to existing settlements may be accepted and allocated as suitable small scale housing sites.

The potential for some modest expansion at Lawers (either as a small scale housing site for 4 units or a potential windfall site within an extended settlement boundary) should therefore be considered as part of the early range of options to be brought forward in the Proposed Plan. The site identified in this submission has been specifically considered and chosen as we believe that it represents a sensible and realistic opportunity for further limited development at Lawers through the emerging plan process. Development already exists to the north, west and south of the site and development on this site would tie in with the existing building pattern, character and boundaries of the existing group. The original Lawers settlement boundary straddled the burn and access to this site can be obtained from the A827. We would therefore encourage these submissions to be taken into account and for this site at Lawers to either be identified as an appropriate small scale development site (4 units) or be located within an extended settlement boundary for Lawers within the Proposed Plan, thus helping to contribute to the significant requirement for new windfall housing that is needed throughout the Highland Housing Market Area.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Mr F Naggiar
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or			
Site ref.	<input type="text" value="Boltachan"/>	or			
Chapter	<input type="text" value="6.24"/>	Page no.	<input type="text" value="196"/>	Paragraph no.	<input type="text" value="6.24.2"/>

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4. What is your representation?

Are you supporting the Plan? ☐

Or

Would you like to see a change to the Plan? Please state this change.

A revised settlement boundary for Boltachan to incorporate this site.

Please include the reason for supporting the Plan/requesting a change.

Representations were previously submitted to the council in June 2009 and again in February 2011 to the MIR in support of the site shown on the attached plan. We object to the proposed settlement boundary for Boltachan as shown on page 196 of the Proposed Plan. We consider that the inclusion of the site on the northern edge of Boltachan should be identified as a small scale housing site within an extended settlement boundary which would allow for some further development of the settlement.

The wording in paragraph 6.24.2 of the plan should also be altered from 'the settlement boundaries have been drawn to offer the potential to accommodate limited further development' to 'the settlement boundaries have been drawn to offer the potential to accommodate some further development.'

This small scale site would also help play an important role in helping to meet a proportion of the overall requirement of 280 houses that is needed from windfall sites and small housing sites as set out for the Highland Perthshire Housing Market Area (paragraph 6.1.10). The potential for some modest expansion at Boltachan either as a small scale housing site for 4 units or as a potential windfall site within an extended settlement boundary should therefore be considered and included in the new Local Development Plan.

The site identified is considered to represent a sensible and realistic opportunity for further limited development at Boltachan through the emerging development plan process. The site formerly had planning consent in the 1990's.

Development already exists to the west, south and east of the site and due to the screening that currently exists along the southern boundary there are no public views into the site. The topography of the land rises from the rear of the defined development site to the north and development could be designed to integrate with and enhance the setting of the settlement. Development on this site would also benefit greatly from its south facing aspect so would be able to incorporate energy efficient measures into any designs.

The accompanying plan shows that two points of access are available to the site and necessary improvements can be made. The site is located only a mile from Aberfeldy and this site was the only potential small scale housing site identified for Boltachan or Weem during the council's initial consultation exercise undertaken in 2009. Furthermore as shown on page 196 of the plan, Weem is largely constrained from any further expansion due to the Garden & Designed Landscape designation which wraps around the north and west of the settlement.

We would therefore encourage further consideration to these representations and for this site at Boltachan to either be identified as;

- an appropriate small scale development site (4 units) or
- be located within an extended settlement boundary for Boltachan within the Proposed Plan, thus helping to contribute to the significant requirement for new windfall housing that is needed throughout the Highland Perthshire Housing Market Area.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Christian & David Stewart
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or			
Site ref.	H57	or			
Chapter	8.3 Crieff	Page no.	249-253	Paragraph no.	<input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

This representation was submitted with supporting documents, due to size these are unavailable on the website, but are available to view at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

4. What is your representation?

Are you supporting the Plan? ☐

Or

Would you like to see a change to the Plan? Please state this change.

The H57 residential site allocation (Wester Tomaknock) amended to incorporate land on both sides of the public road rather than solely to the north as shown on the suggested amended plan.

Please include the reason for supporting the Plan/requesting a change.

Representations were previously submitted to the council in June 2009 and again in January 2011 to the MIR to highlight the development potential of the sites at West Crieffvechter for residential use.

We believe that land identified on the attached plan prepared by James Denholm Partnership should form part of an amended allocated housing site i.e. H57. The current H57 designation produces a long finger of development along one side of the public road which then also brings Tomaknock into the settlement boundary. The Proposed Plan acknowledges that the current H57 site allocation is within a sensitive landscape setting and as such we consider that a better solution would be to reduce the extent of the proposed H57 site and allow development to take place along both sides of the public road thus limiting the outer limit of the settlement boundary, reducing impact on the wider landscape and also ensuring that Tomaknock's status as a building group located in the open countryside and detached from Crieff can be maintained. Our clients site benefits from the fact that it is located immediately adjacent to the existing built up area and the housing site that was identified in the previous Strathearn Area Local Plan, as well as being able to follow the same natural boundary (burn) that would define the extent of the revised site on both sides of the road.

This site represents a further natural extension of the settlement at this point and would complement the existing residential developments that have already taken place along the southern side of the main public road. The existing built up areas within the town are already located along the western boundary and the proposed land already contains a number of trees, hedgerows and burns which would help to frame any development. This could be supplemented by new structure planting as indicated on the attached concept plan thus helping to provide a robust landscape setting for any future development and reinforce the eastern boundary of Crieff at this point. The development of this site along with the land to the north could allow improvements to be made to the existing access road arrangements including service links in this area.

The land benefits from a sustainable location on the edge of the existing town and its general proximity to services and facilities. At the MIR stage the council's own site assessments had confirmed that this land is located within walking distance of the town centre and marked bus stops with frequent services to and from other centres.

As part of any designation in the development plan, a development brief/masterplan could be prepared in conjunction with the neighbouring land owner to highlight the preferred mix and general location of housing, landscaping and planting, road improvements, footpath and cycle path links and areas of open space etc.

In our view the council should support this land as a strategic housing allocation and take this development opportunity forward in the form of an amended H57 proposal for the reasons given above.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Mrs Molly Miller
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

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Supplementary Guidance	<input checked="" type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document: Housing in the Countryside Guide - December 2011

3. Which part of the document are you making a representation on?

Policy ref.	RD3 : Housing in the Countryside and NE5 : Greenbelt	or
Site ref.		or
Chapter		Page no. Paragraph no.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

The wording in Policies RD3, NE5 and also The Housing in the Countryside Guide Supplementary Guidance should all be altered so as to allow the Housing in the Countryside Policy to be applicable within the Green Belt.

Please include the reason for supporting the Plan/requesting a change.

The above policies and supplementary guidance currently state that the housing in the countryside policy does not apply in the Green Belt.

We have no issues with the designation of a Green Belt around Perth. However that policy will in itself provide sufficient control over the types of development that may be accepted within the Green Belt as well as providing clear direction to the future growth and protection of the landscape setting of the city.

However to suggest that the Housing in the Countryside Policy is not applicable in the Green Belt is not in accordance with the advice contained within Scottish Planning Policy which seeks to promote rural housing in all areas. There are many examples of where a proposed house could comply with the Housing in the Countryside Policy in the Green Belt without having any adverse impact on the landscape character of the Green Belt designation at all e.g. part of a small building group, conversion of redundant buildings, development within a walled garden, operational need or redevelopment of a brownfield site.

Indeed following the approval of the Proposed Plan by the Council at their meeting on 12th January 2012, the council's planning department recommended approval of a proposal for 2 houses on a site at Upper Kinfauns (despite being located within the current AGLV and also the proposed Green Belt) as complying with the building groups section of the Housing in the Countryside Policy. The Council's Development Control Committee endorsed that recommendation for approval at their meeting on 19th January 2012.

Therefore in order to ensure consistency of approach on all such proposals we consider that if a proposal does accord with the Housing in the Countryside Policy then there is no reasoned justification or need to prevent what would otherwise being an acceptable form of development from taking place in the Green Belt.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Mrs Molly Miller
Address and Postcode	Algo Business Centre Glenearn Road Perth, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

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Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text" value="Kinfauns"/>	or	
Site ref.	<input type="text" value="Kinfauns Settlement boundary and Site RT1"/>	or	
Chapter	<input type="text" value="5.25"/>	Page no. <input type="text" value="126-127"/>	Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Retention of proposed settlement boundary for Kinfauns but removal of site RT1.

Please include the reason for supporting the Plan/requesting a change.

First of all we support the identification of the proposed settlement boundary for Kinfauns as shown on the map on page 127.

However the Main Issues Report had previously identified the site to the east of our client's property (Lairwell) as being one of the key employment areas to be retained (MIR page 95). This was based on the fact that such development would tie in with the large headquarter office type development that is already located on the immediately adjacent site.

Although the MIR had identified additional park and ride sites as key infrastructure projects (5.2.23 of MIR), no detailed proposals were shown on any maps or potential locations specifically identified at that stage. Given that the Proposed Plan's strategy of identifying key Strategic Development Areas to the North and West of Perth, then the priority for designating new Park & Ride sites must surely be within or adjacent to these SDA's i.e. at Berthapark and/or Perth City West and not to the east of the city as there are no major proposals identified along the Carse of Gowrie corridor between Dundee and Perth.

The location of the proposed Park & Ride site situated so close to existing residential properties is also likely to cause significant amenity issues for residents. The location of the current trunk road network and traffic travelling along the A90 already has a direct impact on the amenity and privacy of residents, particularly at this western end of Kinfauns. However by adding a Park & Ride site so close to existing residential properties will only further exacerbate these amenity issues to what would be regarded as completely unacceptable levels. The increased volume of traffic and movement of vehicles in, around and out of the site (at all times of the day and night), with associated increased emissions, noise and light pollution, will all cause considerable adverse impacts to the amenity of existing residents.

When planning the Park & Ride site at Broxden, it was specifically located within what is a large mixed use commercial area and all well away from housing, specifically to avoid any of these amenity issues from being raised.

We therefore consider that there is no justification for a Park & Ride site at Kinfauns due to the majority of future development being located to the north and west of the city and also on the basis that the proposed RT1 site at Kinfauns would raise significant environmental issues that would result in an unacceptable loss of amenity on existing residential properties that are located adjacent to site RT1.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Drummond Estates
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

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3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or			
Site ref.	<input type="text" value="E26 (north)"/>	or			
Chapter	<input type="text" value="8.1 Strathearn & 8.3 Crieff"/>	Page no.	<input type="text" value="239, 240, 250"/>	Paragraph no.	<input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Modify the land use designation on the E26 (north) site from general employment use to residential use.

Please include the reason for supporting the Plan/requesting a change.

We previously submitted representations to the council in support of residential use being allocated on the site at Alichmore Lane/Pigeon Row in June 2009 and again in January 2011 in response to the MIR.

We believe that there is no need for the northern half of site E26 to be identified as general employment land and that the site should be included as a housing site within the Development Plan. The site benefits from the fact that it is located immediately adjacent to the H54 housing site that was identified in the previous Strathearn Area Local Plan adopted in May 2001.

Paragraphs 8.1.4 - 8.1.8 refer to the requirement to allocate an additional 14.4ha of employment land in the Strathearn area up until 2024. However the table in 8.1.8 shows additional allocations of 25.5ha. We therefore contest the need for E26 (north) to be included as employment land when the evidence has shown through the marketing of the E26 (south) site, that over recent years demand and take up of employment land has been very low. Removal of E26 (north) from the employment land opportunities would still leave an over provision of employment land within the Proposed Plan.

We believe that the inclusion of the E26 (north) site as a housing site within the new development plan would not only allow for a modest expansion of Crieff at this location but could also help play an important role in helping to meet a proportion of the overall housing requirement as set out in table 8.1.10. It would also provide greater competition and choice of housing sites within the town.

This site represents a logical land allocation which would help to square off the existing settlement boundary at this point and complement the existing residential developments that have already taken place along the southern side of the public road. The existing built up areas within the town are already located on the southern, eastern and western boundaries and the site is further framed by fixed defensible boundaries located to the north and west. Development on this site would be read as forming part of the wider settlement at this point. We previously commented that development of this site for a mix of housing could also allow the various properties that are located along Alichmore Lane to be included within the settlement boundary and in turn could also allow improvements to be made to the existing access road arrangements in this area. We note that the settlement boundary has now been amended (from what is currently shown in the Strathearn Area Local Plan 2001) so as to include these properties to the west as per our previous comments. If anything this change now further emphasises the fact that residential properties within the settlement are located to the west and east of the E26 (north) site and that employment related uses on this site would not be appropriate for the site as they would have an adverse impact on the established residential amenity of these immediately adjacent areas of housing.

The council's previous site assessment confirmed that this site is located within walking distance of the town centre and marked bus stops with frequent services to the town centre. The E26 (north) site already benefits from being bound by mature trees to the north and these would be retained and supplementary landscaping to the west would help provide a robust landscape setting for any future development and reinforce this south western boundary of Crieff and the northern fringe of the Drummond Castle Garden and Designed Landscape.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Drummond Estates
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

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Chapter	<input type="text" value="8.1 Strathearn & 8.3 Crieff"/>	Page no.	<input type="text" value="239, 240, 250"/>	Paragraph no.	<input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Modify the land use designation on the E26 (south) site from general employment use to an opportunity site that is suitable for a mix of employment and tourist/retail related uses.

Please include the reason for supporting the Plan/requesting a change.

We previously submitted representations to the council in June 2009 and January 2011 in support of site E26 (south) being allocated as an opportunity site for a mix of employment and tourist/retail related uses.

We believe that there is no need for the southern half of site E26 to be restricted solely as general employment land. The E26 (south) site at Bridgend is currently located within the settlement boundary for Crieff as shown in the 2001 local plan. However the site is allocated for economic development purposes as site ED3 and despite extensive marketing has continued to lay vacant for many years. This has shown that there is little demand for the limited range of uses as set out within the existing development plan policy framework. In our view development on this site should not just be solely restricted to mainstream business uses within Class 4, Class 5 or Class 6 as per the existing local plan.

Paragraphs 8.1.4 - 8.1.8 refer to the requirement to allocate an additional 14.4ha of employment land in the Strathearn area up until 2024. However the table in 8.1.8 shows additional allocations of 25.5ha. We therefore contest the need for E26 (south) to be included solely as employment land when the evidence has shown through the marketing of the site that the demand and take up of employment land has historically been very low.

A more positive stance should be embraced in the Local Development Plan and to this end the site should therefore be identified as a specific opportunity site or alternatively as a site that is considered suitable for mixed use development. This could include a range of uses including business, storage, and tourist/retail related uses as these would all tie in with the nature and wide range of land uses that already currently exist to the south and east of the site.

Providing for mixed use development can help with the delivery of employment land and therefore we consider that allowance for a wider range of uses on this site would be beneficial for the Bridgend area and Crieff as a whole, particularly as the vacant site is located on one of the key routes in and out of the town.

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Scott Wilson & G S Brown Construction
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

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Site ref.	<input type="text"/>	or			
Chapter	5.2 - Perth	Page no.	45, 75-81 & 310	Paragraph no.	<input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****This representation was submitted with supporting****4. What is your representation?****documents, due to size these are unavailable on the website, but are available to view at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

Removal of the site from the proposed green belt and the Perth City settlement boundary Map (on page 310) be amended to incorporate the site as a small scale, low density housing site.

Please include the reason for supporting the Plan/requesting a change.

The site is located at the southern end of Fairmount Terrace and the previous draft Perth Area Local Plan - December 2004 had shown the Perth settlement boundary effectively surrounding the site on 3 of its sides i.e. to the north, west and south. Recent development on Fairmount Terrace is located immediately to the north along with the property known as Fairview. In addition residential properties are also already located along the entire southern boundary (Hilltop) and also the to west (Smythfield) as shown on the attached plan.

In addition existing mature woodland lies on the higher ground located to the east which provides a robust landscaped backdrop to the whole site. In our view this woodland edge also provides a new long term established and defensible boundary to define the edge of the Perth green belt as is required by the emerging TAYPLAN. We therefore believe that the green belt boundary shown on (page 45) and on the Perth settlement Map (page 310) should be drawn to exclude this site and instead follow the boundaries to the south and east.

The proposed site layout plan accompanying these representations shows a low density, high quality development which would be set within a robust landscape framework (both existing and proposed) and which would reflect the character, pattern and density of development already surrounding the site. Part of the site (Plot 1) already lies within the existing settlement boundary for Perth as currently shown in the adopted local plan.

Development on this proposed site would extend the existing edge of Perth into an area that is already contained by its topography, robust landscape features and existing residential properties on all of its boundaries.

In addition development of this site could not be seen to be setting a precedent for further development to take place, due to these well defined and defensible physical boundaries that surround the site. The same principles are being applied in the Proposed Plan on this eastern side of the city with the promotion of site H3 - Gannochy Road for up to 20 houses.

This proposal would provide an additional small scale housing opportunity thus helping to contribute to the shortfall in housing land that currently exists. It can play a small but nevertheless important part in helping to release additional housing land which is required to address the significant shortage of sites that currently exist within the wider Perth Core Area and particularly in and around Perth itself.

The potential for this site to be included (either as a specific small scale housing opportunity site or a potential windfall site within an extended settlement boundary) adjacent to the newly drawn green belt boundary should therefore be taken into account within the new Local Development Plan.

The Submit button will open an email addressed to the LDP team and attach this form, at this point you will have the opportunity to add text to the email and attach any supporting information.

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Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

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1. Contact details (only representations that include full contact details are valid)

Name	MBM Planning & Development on behalf of Drummond Estates
Address and Postcode	Algo Business Centre Glenearn Road PERTH, PH2 0NJ
Telephone no.	[REDACTED]
Email address	[REDACTED]

Note: email is our preferred method for contacting you – if you do not wish to receive correspondence by email, please tick this box: ☐

2. Which document are you making a representation on?

Proposed Plan	<input checked="" type="checkbox"/>	SEA Environmental Report – Addendum 2	<input type="checkbox"/>
Supplementary Guidance	<input type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or			
Site ref.	Muthill	or			
Chapter	8.13	Page no.	270-271	Paragraph no.	<input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form**

This representation was submitted with supporting documents, due to size these are unavailable on the website, but are available to view at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

4. What is your representation?

Are you supporting the Plan? ☐

Or

Would you like to see a change to the Plan? Please state this change.

Alterations to Muthill settlement boundary to allow for some modest development and associated community benefits.

Please include the reason for supporting the Plan/requesting a change.

The potential for some modest expansion in Muthill should be considered within the Local Development Plan.

Site at Wardside - (site 1)

This site to the north east of the village represents a logical expansion of the existing settlement boundary in this location. The site is regular in shape and flat and benefits from a strong and robust mature landscape framework on all sides. Access would be obtained from the public road to the south and the site could be considered suitable for a low density housing development.

The initial PKC site assessment highlighted that if development were to be considered then possible mitigation and enhancement measures would include; suitable and/or improved access from Wardside, conservation of the woodland and mature trees adjacent to the site, conservation or replanting of the hedges on the boundaries of the site and respecting the setting of Dalliotfield House to the west. All of these mitigation measures could be adopted as part of any development on this site.

Site to rear of Station Road - (site 2)

This site located to the east of the village represents a further logical land allocation that would square off the existing settlement boundary at this point. Built up areas within the village are already located on 3 sides of the site and a fixed defensible boundary is located to the east. Development on this site would be read as forming part of the wider settlement and is located close to the core of the existing village. The development of this site for a mix of housing could also allow a number of planning gain measures to be secured which would be of benefit for the wider community.

The first is that allowing access from Station Road through the field to the south of the site would also allow improvements to be made to the width of road as well as the sight lines on the bend of the existing corner of the road to be greatly improved. There may also be an opportunity to provide additional communal parking in this area e.g. for users of the church. We therefore object to the inclusion of this area as green space within the Proposed Plan.

The field to the west of the proposed site and to the north of the church is also identified as protected green space but is not actually used as open space. Identification of this site within the settlement boundary would enable the existing small play pitch that is used by the school to be improved and expanded further into the adjacent field. There may also be residual space that would allow allotment type gardens to be introduced within this field for which there is a demand in the local area.

Golf Course Road - (site 3)

To the west of the village there is an overhead power line that runs close to the existing settlement boundary. When the new Beaulay – Denny power line is implemented the current power line will end up being removed. When that happens there would then be an opportunity to extend the settlement boundary at this point to allow some small scale infill development that is located along the road frontage. This would not be ribbon development as it would tie in with the existing pattern of linear development that is already located along this stretch of Golf Course Road.

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1. Contact details (only representations that include full contact details are valid)

Name	Mark Myles
Address and Postcode	27 Coats Drive Luncarty PH1 3FD
Telephone no.	[REDACTED]
Email address	[REDACTED]

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2. Which document are you making a representation on?

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If making a representation on Supplementary Guidance, please state the name of the document:

3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or			
Site ref.	H7	or			
Chapter	<input type="text"/>	Page no.	310	Paragraph no.	<input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

An alteration to the developable area shown in the H7 site.

Please include the reason for supporting the Plan/requesting a change.

The strategic development area at Berthapark (H7) is shown on page 310 of the Proposed Plan. There is a field shown on the north side of the thick tree belt and which is isolated from main development area which now appears as part of Strategic Housing site. This was not shown at MIR stage and it is considered that all development should be contained within the existing landscape framework to the south.

The Submit button will open an email addressed to the LDP team and attach this form, at this point you will have the opportunity to add text to the email and attach any supporting information.

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Supplementary Guidance	<input checked="" type="checkbox"/>	SEA ER Addendum 2 - Appendices	<input type="checkbox"/>

If making a representation on Supplementary Guidance, please state the name of the document:

Housing Background Paper

3. Which part of the document are you making a representation on?

Policy ref.		or
Site ref.	H27 - Luncarty South	or
Chapter		Page no. 145-147 Paragraph no.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

A reduction in the scale of any development proposed to the south of Luncarty.

Please include the reason for supporting the Plan/requesting a change.

Site H27 extends as far south as the overhead pylons and does not show the 100 m wide landscape buffer around the southern and eastern boundaries as was previously shown at the MIR stage. The Proposed Plan offers no explanation for this but the fact that the land to the south of the pylons is excluded from the green belt perhaps reveals a different agenda. The scale of the proposed housing site is considered excessive in terms of its relative size to the village. Site H27 extends to 64 hectares and indicates the 'potential' for more than (200 houses). A simple comparison of proposed housing sites elsewhere in the Proposed Plan confirms that site H27 clearly has the capacity to accommodate much more than what is being suggested. For example sites H30 – H34 at Stanley amount to 25.7 hectares and show potential for (300 houses) and the H29 site at Scone is stated as being 63 hectares where up to 700 houses could be developed. I am concerned at the manner in which this information is being presented in the Proposed Plan. If the council is seriously proposing 500 houses in Luncarty then the Plan should be up front and state that rather than try and mask the true figure. I note that the Housing background paper Appendix 1, identifies Luncarty South as providing 20 houses each year from 2015 up to 2024 i.e. 200 units. However post 2024 – it states 300 additional units. Table 5.1.11 in the Proposed Plan also identifies 200 units to 2024 and 200+ units beyond 2024. I therefore object to the lack of clarity in the Proposed Plan and the fact that the scale of development on the H27 site is excessive. The total hectares and level of development that is being suggested could eventually equate to an 80-100% increase in the size of the village. I am also concerned about the identification of 5 hectares of 'general employment uses' i.e. an industrial estate within the H27 site. This is also proposed to be located on the highest part of the site and was never shown at the MIR stage. Whilst it is recognised that there may be a desire to include some small scale business units within the village, the proposed employment land designation would be the largest employment designation outwith Perth City. Given the 'proximity' to Perth's major employment areas i.e. Inveralmond & North Muirton Industrial Estates and the amount of land that has still to be developed in both of those locations, it is not considered necessary or appropriate to develop such a large scale industrial estate on the edge of a village. I am also concerned with some of the vague statements in the text (page 147) that accompanies the H27 site. In particular the 'design of new A9 junction and river crossing will have to be approved to allow access and site layout to be designed' and 'a maximum of 75 houses will be permitted to be occupied prior to the site connecting to the new A9 junction.' Other than the proposals that are currently being consulted on by the Scottish Government for changes to the northern A9 Luncarty junction, no one in the village is aware of any other 'new A9 junction'. The council is now clearly promoting ROUTE C for the CTRLR which is to be located some distance to the south of Luncarty. No new access to any 'new' A9 junction is shown within the Proposed Plan. If the H27 site is eventually earmarked for some form of development then it is not clear if access is proposed to be from an enhanced Main Road junction next to the railway bridge and/or a lengthy new road link taken from the CTRLR to south. The scale of development in this location also has the potential to have a significant visual impact on the wider landscape particularly when viewed from the A9 and also have direct impacts on the River Tay. These issues and concerns were also raised at the time of the previous public inquiries and resulted in development on this scale being rejected. If any development is allowed to proceed then in visual impact terms and in terms of its relationship to the existing settlement, it would be more sensible to limit the scale of the H27 site to the road that leads to The Hatton, and exclude any development from the open field that contains the overhead electricity pylons where the 100 m landscape buffer should be reinstated.

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3. Which part of the document are you making a representation on?

Policy ref.	Green belt boundary	or
Site ref.		or
Chapter		Page no. 45 Paragraph no.

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☐**Or**

Would you like to see a change to the Plan? Please state this change.

The green belt boundary amended to include the land to the south of Luncarty.

Please include the reason for supporting the Plan/requesting a change.

The land to the south of Luncarty is currently located within the existing Area of Great Landscape Value as shown in the adopted Perth Local Plan 1995. It was also proposed to be within green belt in the Draft Perth Local Plan in 2004.

Previous proposals for housing to the south of Luncarty had been rejected at public inquiries in the 1990's due largely to their adverse impact on the landscape character of the area. The land to the south of Luncarty is also prime agricultural land.

In landscape terms nothing has changed within this area since the previous public inquiries took place. Furthermore no specific green belt study appears to have been undertaken to assist the council in their assessment of where the boundaries should now be defined.

Looking at the proposed green belt boundary shown on page 45 and comparing this to the green belt boundary that had been shown in the 2004 draft plan, shows that there are 4 differences (3 extensions and 1 deletion). The extensions relate to 1) land adjacent to the River Earn near Bridge of Earn, 2) land to the north of Scone and 3) land to the north of Redgorton that includes Battleby House.

However the only area where there has been a deletion of the green belt is the land to the south of Luncarty. This is despite the fact that there has been no up to date green belt boundary study that supports this position or attempts to justify this change. Given the history of previous public inquiries that have opposed development to the south of the village, the fact that the land is currently located within the AGLV, and that this land was proposed to be included within the green belt in December 2004 all points to a significant change of position by the council without any supporting evidence.

I am also concerned about the area to south of the proposed Housing expansion area H27 i.e. beyond the pylons which is to be left as 'white land' and outwith the green belt (as shown on the maps on pages 146 and 310). This implies that the H27 site could be extended even further in the future.

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3. Which part of the document are you making a representation on?

Policy ref.	<input type="text"/>	or
Site ref.	CTLR	or
Chapter	<input type="text"/>	Page no. 310 Paragraph no. <input type="text"/>

Perth and Kinross Local Development Plan – Proposed Plan **Representation Form****4. What is your representation?**Are you supporting the Plan? ☒**Or**

Would you like to see a change to the Plan? Please state this change.

Please include the reason for supporting the Plan/requesting a change.

I am pleased to see that the council has acknowledged and taken on board the many objections that were received against CTLR route E during the previous MIR and Transportation consultations. I fully support the council's change of position and the support now given for Option C (southern route) as shown in the City of Perth Inset Map (page 310).

That said no further details of how the CTLR is to be funded and no indication is given on how any proposed developer contributions are to be calculated either in the Proposed Plan or as Supplementary Guidance which is surprising given that the council have been working on the proposed CTLR for a number of years.

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