

Issue 14	Green Belt	
Development plan reference:	Policy NE5 - Green Belt	Reporter: David Buylla
Body or person(s) submitting a representation raising the issue (including reference number):		
<div><div>Moira Brock (00229) Dorothy Cyster (00273) The Braes of the Carse Conservation Group (00391) Mr &amp; Mrs B Newton (00399) Ruth Gray (00422) Sam Morshead (00433) Esme MacDonald (00484) Alastair Cruickshank (00509) Bridgend, Gannochy &amp; Kinnoull Community Council (00667) Annelie Carmichael (00731) Elisabeth Burke (00734) Deirdre A Beaton (00741) George Beaton (00742) John Ashworth (00789) Ewan Scott (00805) Kirsten Ryan (00876) Duncan Ryan (00877) Gregor Ryan (00878) Rose Ryan (00879)</div><div>Iris Ryan (00880) Joe Cairns (07045) Molly Miller (07693) Kinnoull Hill Woodland Park Group (07712) Robert Burke (07758) Charles Woodhead (07762) A Ritchie &amp; Son/M &amp; S Bullough (08651) Forestry Commission Scotland (08988) Scone Palace &amp; Estate (09163) Ristol Ltd (09166) Methven &amp; District Community Council (09221) SSE plc (09311) Perth Civic Trust (09393) James Watt (09435) Malcolm Younger (09667) Maurice Gray (09693) Sophie Younger (09748) Homes for Scotland (10214) John Munro (10277)</div></div>		
Provision of the development plan to which the issue relates:	Details and general issues relating to the designation and boundaries of the Green Belt	
Planning authority's summary of the representation(s):		
<p><u>Whole Green Belt</u></p> <p>Homes for Scotland (10214/1/020 &amp; 10214/1/032): The policy does not reflect SPP paragraph 159 (S4_Doc_078) which states that the Green Belt boundary should direct planned growth to the most appropriate suitable locations not to prevent development from happening. The boundaries around Perth and the settlements do not allow sufficient room for growth contrary to the advice contained in the SPP. The boundaries do not follow clearly identifiable features as required by the SPP. The LDP seeks to reduce need to travel (refer paragraph 4.3.17 (S4_Doc_505) but it currently conflicts with the Green Belt policy which pushes development out beyond the urban area exacerbating the requirement to travel greater distances. The Green Belt also conflicts with the spatial strategy to ensure that most growth takes place in or close to existing settlements. The maps in the Plan are not sufficiently clear to show where the Green Belt boundaries are and the larger scale maps which show other designations are also not sufficiently clear and are cluttered with other designations. The policy does not take account of the ramifications of the CTRLR to the north and south of the route.</p>		

John Munro (10277/1/002): The Plan uses a Green Belt to encircle the City which is an outdated idea from the 1950's. Green Belts are about containing cities by allowing orderly expansion rather than preserving landscapes. Planning must address the issues of managing land as well as using it and the strategy does not adequately do so.

Methven & District Community Council (09221/1/015): The Green Belt designation should apply to all settlements in the Perth Core and be extended to include Methven, Stanley and Bridge of Earn. The management plan should be extended to include these areas. This is in the interests of sound planning and to give confidence to residents and defend against speculators.

#### Housing in the Countryside

Molly Miller (07693/11/002): Scottish Planning Policy (Core\_Doc\_048) seeks to promote rural housing in all areas and the application of the Housing in the Countryside Policy would not have an adverse impact on the landscape character of the Green Belt. The Council have already approved two houses in the Green Belt at Kinfauns which were recommended for approval by the planning department.

Ristol Ltd (09166/14/001): Scottish Planning Policy (Core\_Doc\_048) seeks to encourage a vibrant and dynamic rural economy and this is at odds with the restrictions on housing development imposed by the Green Belt policy. The development of housing in the Green Belt is not at odds with its objectives or strategy.

#### New Criteria

Sam Morshead (00433/1/001): Concerned that the Green Belt policy will restrict future development at Perth Racecourse and this could have serious implications for the future of this popular leisure facility.

Forestry Commission Scotland (08988/1/008): The policy would better meet forestry needs if there was a wording change to include woodland creation and management.

SSE plc (09311/1/005): The Green Belt can accommodate renewable energy development including micro, community or of a commercial scale without compromising the objectives set out in SPP paragraph 159 (S4\_Doc\_078).

#### Scone Estate

Scone Palace & Estate (09163/4/012): The case for the Green Belt has not been proven and the policy does not reflect national guidance contained in SPP (Core\_Doc\_048). The designation will act as an unnecessary planning barrier to the sustainable management of Scone Palace grounds and the estate and this is at odds with the wider growth agenda set by the LDP vision and National Planning policy. The importance of the estate to the local and national economy is not recognised by the Green Belt designation. The extent of the Green Belt is out of proportion with the size of Perth and no scenic values have been attached to any of the land around Perth which in any event may be better protected by the use of landscape designations. The Green Belt designation does not offer protection against significant and adverse impact of the route chosen for the new river Tay crossing. The methodology used in choosing the Green Belt boundary is out of date and does not follow current guidance it merely replaces the existing Area of Great Landscape Value designation with a blanket Green Belt designation. The policy wording is hugely restrictive and does not apply in the local Perthshire context. The Green Belt policy will not allow the regeneration of derelict and redundant buildings such as at Balboughty and the removal of the Housing in the Countryside policy will stifle development opportunities. The stifling nature of the Green Belt policy contradicts the

stated aim of the Supplementary Guidance to develop a sustainable rural economy. The Green Belt designation makes a carefully considered management plan difficult to promote. The Green Belt boundaries are too tightly drawn to allow appropriate expansion. The designation will restrict development at Perth Racecourse which is a significant visitor attraction. The policy will also restrict development opportunities at Scone Palace in the walled garden and old sawmill and stables which are required to allow the sustainable development of the palace and to stop the decline in visitor numbers.

James Watt (09435/1/001); Kinnoull Hill Woodland Park Group (07712/1/001); Moira Brock (00229/1/001); Dorothy Cyster (00273/1/001); The Braes of the Carse Conservation Group (00391/1/002); Mr & Mrs B Newton (00399/1/001); Charles Woodhead (07762/1/001); Alastair Cruickshank (00509/1/001); Sophie Younger (09748/1/001); Maurice Gray (09693/1/001); Ruth Gray (00422/2/001 & 00422/2/002); Esme MacDonald (00484/1/001); Malcolm Younger (09667/1/001 & 09667/1/002); Gannochy & Kinnoull Community Council (00667/1/001); John Ashworth (00789/1/001); Rob Burke (07758/1/001); George Beaton (00742/1/001); Deirdre A Beaton (00741/1/001); Elisabeth Burke (00734/1/001); Ewan Scott (00805/1/001); Joe Cairns (07045/1/001); Perth Civic Trust (09393/1/003); A Ritchie & Son/M & S Bullough (08651/10/001); Iris Ryan (00880/1/001); Rose Ryan (00879/1/001); Gregor Ryan (00878/1/001); Duncan Ryan (00877/1/001); Kirsten Ryan (00876/1/001); Annelie Carmichael (00731/6/001): Support for the Green Belt Policy.

#### **Modifications sought by those submitting representations:**

##### Whole Green Belt

Homes for Scotland (10214/1/020 & 10214/1/032): A full review of the Green Belt taking into account strategy, policy, boundaries and presentation and to ensure that policies do not conflict with the need to reduce travel identified in paragraph 4.3.17 (S4\_Doc\_505).

John Munro (10277/1/002): The Green Belt should be re-designated and take the form of wedges or corridors to follow current advice and relate to natural features.

Methven & District Community Council (09221/1/015): Extend the Green Belt to include the whole core area.

##### Housing in the Countryside

Molly Miller (07693/11/002): Policy wording altered so that the Housing in the Countryside Policy applies in the Green Belt.

Ristol Ltd (09166/14/001) Policy wording altered so that the Housing in the Countryside Policy applies in the Green Belt or as an alternative the LDP amended to include settlement boundaries within the Green Belt where the Housing in the Countryside Policy would apply and included in these would be Kingswell.

##### New Criteria

Sam Morshead (00433/1/001): The policy framework should allow new built development or extensions at Perth Racecourse to deal with any increased attendance or change of public requirements in the future.

Forestry Commission Scotland (08988/1/008): In paragraph (b) delete '*woodlands or forestry*' and replace with '*woodland creation and management*'.

SSE plc (09311/1/005): An additional criterion be added to the policy supporting renewable energy development in the Green Belt.

#### Scone Estate

Scone Palace & Estate (09163/4/012): Give 4 alternative suggestions:

Option 1: The complete removal of the proposed Green Belt designation.

Option 2: If option 1 is not accepted then the Green Belt boundaries be altered as follows:

2.1 Completely withdrawn from the Scone Palace Designed Landscape

2.2 Withdrawn from the site to the west of North Scone (S4\_Doc\_370) (cross reference to schedule 4 No22 )

2.3 Withdrawn from the site Pickstonhill to the south of Scone (S4\_Doc\_370) (cross ref to schedule 4 No 22 )

2.4 Withdrawn from the area to the east of Pitcairngreen (S4\_Doc\_004) (cross ref schedule 4 No 25d)

Option 3: If 1 and 2 are not accepted the policy wording should be altered to state that development will only be permitted where:

- It provides a new business opportunity or supports an existing one or
- It utilises and regenerates a rural brownfield site
- It fits within the landscape in a way which does not detrimentally affect the setting of Perth
- It fits within the following selected Housing in the Countryside Policy criteria
- Building groups
- Infill sites
- New Houses; in existing walled gardens; relocated from an area of flood risk; or needed in relation to an economic activity
- Renovation or replacement of houses
- Conversion or replacement of redundant non domestic buildings
- Rural Brownfield

Option 4: A further and preferred option is for the LDP to create a special designation for Scone Palace which explicitly supports the Masterplan as a management tool for the long term protection and financial and environmental sustainability of the national resource.

#### **Summary of responses (including reasons) by planning authority:**

##### Whole Green Belt

Homes for Scotland (10214/1/020 & 10214/1/032); John Munro (10277/1/002); Methven & District Community Council (09221/1/015): The Green Belt designation and boundaries follow the Scottish Government's policies as set out in SPP paragraphs 159 (S4\_Doc\_078), paragraphs 161-162 (S4\_Doc\_075), and paragraph 164 (S4\_Doc\_102). In particular paragraph 161 states that it is for the Strategic Development Plan to establish to the need for a Green Belt and identify its broad area. The Green Belt area is shown in Policy 3 of TAYplan (S4\_Doc\_064), and identifies a belt around Perth rather than other shapes such as wedges it does not extend to the whole core area and the diagram shows clearly that settlements such as Stanley, Bridge of Earn and Balbeggie do not lie in the Green Belt. Policy 1 of TAYplan (S4\_Doc\_067) sets out the location priorities for development, and the strategy is to direct most development to the named settlements in the Perth Core. One of the purposes of the Green Belt set out in paragraph 159 of SPP (S4\_Doc\_078) is to direct planned growth to the most appropriate locations

and support regeneration. The Green Belt boundaries identified in the LDP conform to TAYplan and meet these aims. In particular the Green Belt does not include the strategic development area to the north and west of Perth, land to the east and north of Scone and land to the south of Luncarty. These areas are identified as the major sources of development land providing in excess of 7000 houses and 55 hectares of employment land during the life of the plan and beyond over the next thirty years (See schedule 4 No 2 on strategy and schedule 4 No 21 on Perth strategic development area ). The development framework around Perth is supported by the Green Belt and as the development areas identified in the Plan have good transport links the Green Belt will not increase travel distances but rather be a component of a development framework where there are a variety of good travel links.

The detailed boundaries set out in the LDP generally follow the suggested inner boundary and suggested closer outer boundary identified in the Perth Green Belt Study (plans 1 and 2 Green Belt study S4\_Doc\_664). The suggested boundaries have been adjusted to take account of the need to identify additional development land and use specific geographical features such the River Earn rather than less well defined landscape features such as contour lines. The Green Belt boundaries follow the guidance set out in paragraph 162 of the SPP (S4\_Doc\_075), with the outer boundary following roads, tracks and the River Earn while the inner boundary is a more complex mix of property boundaries and other physical features. The Green Belt map on page 45 of the LDP clearly shows the outer boundaries while the more complex inner boundaries are shown in more detail on the settlement maps. The online version of the Plan has a zoom function which provides more detail. The Perth settlement map shows the band of search for the CTLR which runs through the Green Belt and is compatible with the policy framework of Policy NE5 which allows for essential infrastructure such as roads. The Green Belt management plan will be published at a later date as supplementary guidance

No modification is proposed to the Plan

#### Housing in the Countryside

Molly Miller (07693/11/002); Ristol Ltd (09166/14/001): Paragraph 163 of SPP (S4\_Doc\_124), indicates types of development that may be acceptable in the Green Belt, housing is not included amongst appropriate development types. If the Housing in the Countryside Policy were to apply it would seriously undermine the policy framework and mean that there was little difference with areas that were outside the Green Belt. The reason for this is that the major development pressure in the area is for housing and applying the policy would mean the Green Belt would be like all other rural areas in Perth and Kinross. Similarly there should be no small settlements excluded from the Green Belt. The policy framework does, however, allow the appropriate re-use, conversion and extension of existing Green Belt buildings. Policy 3 of TAYplan (S4\_Doc\_064), specifically indicates that one of the Green Belt objectives is to safeguard the countryside from encroachment. Applying the Housing in the Countryside Policy to the Green Belt would mean that the policy would not conform to TAYplan.

No modification is proposed to the Plan.

#### New Criteria

Sam Morshead (00433/1/001); It is considered that new development at Scone racecourse would not necessarily conflict with Policy NE5; part (c) would apply which allows recreational, outdoor sports development including modest buildings appropriate to the Green Belt location. In line with the overall objectives to create a sustainable rural economy which is contained in the Plan and further defined in the schedule 4 on

economic development. (Note see also response to Scone Estates)

No modification is proposed to the Plan.

SSE plc (09311/1/005): Major renewable energy development is not generally appropriate to a Green Belt location. It is not listed as an appropriate form of development in paragraph 163 of SPP (S4\_Doc\_124), and its inclusion would undermine the whole policy framework. The Green Belt area measures 10,250 ha which is less than 2% of the total land area of Perth and Kinross and there are other more appropriate locations in the area for this type of development. Micro renewable may be compatible with the objectives of Green Belt policy and will be dealt with in more detail in the supplementary guidance (Green Belt management plan).

No modification is proposed to the Plan.

Forestry Commission for Scotland (08988/1/008) The Council has no particular issues with the wording changes reflected in the representation. Consequently if the Reporter is so minded to recommend that the representation is accepted and the Plan modified, the Council would be comfortable with this modification because it would not have any implications on the wider Green Belt or other policies within the LDP.

#### Scone Estates

Scone Palace & Estate (09163/4/012): The Palace and grounds are shown as within the Green Belt in Policy 3 of TAYplan (S4\_Doc\_064) and important to the setting of Perth. Scone Palace is also shown in the Green Belt study (Core\_Doc\_049) as part of the Green Belt. The specific locations are dealt with in the schedule 4 No 22 on the Perth area Green Belt. Many of the Estates' aspirations are acceptable in the Green Belt policy framework but further detail will be provided in Supplementary Guidance (Green Belt management plan). The Green Belt uses the smaller of the options shown in the Green Belt study and though this is 12 years old it is still current in terms of the geography and development issues affecting the City. The Green Belt takes up only 2% of the land area of Perth and Kinross. TAYplan sets out the specific issues important to the Green Belt designation including the preservation of the setting of the City views and special character including historic cores. The Area of Great Landscape Value shown in the Adopted Perth Area Local Plan and the Green Belt follow different boundaries (for example Scone Palace and grounds were not in the AGLV (Core Doc 003). Housing is not included amongst appropriate development types for the Green Belt. If the Housing in the Countryside Policy were to apply it would seriously undermine the policy framework and mean that there was little difference with areas that were outside the Green Belt. The policy is designed to be restrictive to guide development to appropriate locations in line with the guidance set out in SPP paragraphs 159 (S4\_Doc\_078), paragraphs 161-162 (S4\_Doc\_075), and paragraph 164 (S4\_Doc\_102).

#### **Reporter's conclusions:**

##### Whole Green Belt

1. The proposed green belt boundary allows for very significant strategic land releases to the west and north west of Perth, which are intended to satisfy most of the city's requirements for housing land, and make a significant contribution towards other development needs, not just for the plan period, but over the next 30 years. In addition to specific development site allocations, significant areas of land are proposed to be excluded from the green belt, where smaller scale development might be permitted or

where the need for further development allocations could be considered in a subsequent plan. See also the conclusions in respect of Issues 21 and 22. In other settlements, such as Scone and Luncarty, the proposed green belt boundary is drawn so as to offer potential for quite significant settlement expansion during the plan period and the potential for further growth beyond that. There is no evidence to support the claim that the proposed inner green belt boundary is drawn too tightly or that it will encourage development that should take place in Perth to do so in inappropriate locations beyond the outer green belt boundary.

2. It is for local development plans (LDPs) to define the boundaries of a green belt, but where there is a strategic development plan (SDP) in place, these must be consistent with the principles established in the SDP. In this case, TAYplan has established the requirement for a green belt encircling Perth and has identified its broad area. The green belt boundaries that are proposed in the LDP are consistent with TAYplan and accord with the purposes of green designation that are set out in Scottish Planning Policy (SPP). There would be no benefit in extending the green belt to take in more distant settlements such as Bridge of Earn, Methven and Stanley as there is no risk that development there could offend the purposes of green belt designation that are set out in SPP. And such an enlargement of the green belt would be inconsistent with TAYplan.

3. Generally, the proposed green belt boundaries follow clearly identifiable features that are likely to endure in the long term. The boundary is less distinct along the western edge of site H70. However, there are other, more fundamental issues to address with site H70, which are considered under Issue 21. And any minor benefit in terms of aligning with a more easily identifiable existing landscape feature, that might be secured by moving the boundary of H70 to the west would be outweighed by the loss to development of an important element of the city's landscape setting and by the inappropriate location of that development in terms of its landscape impact and its poor connectivity with the city. This is discussed in more detail under Issue 21. There are also significant concerns over the lack of any publicity for, or any consideration under the Proposed Plan's Strategic Environmental Assessment (SEA) or Habitats Regulations Appraisal (HRA) of, such a modification. There are no grounds therefore to move the green belt boundary at this point further west.

4. There is no inconsistency in the fact that the indicated route of the Cross Tay Link Road (CTLR) crosses the proposed green belt, as SPP confirms that infrastructure projects that have a particular locational justification may still be permitted within the green belt. Proposals for essential infrastructure would be considered under Policy NE5(e).

5. The map on page 45 of the plan adequately defines the extent of the proposed green belt and this is enhanced by more detailed proposals maps of the affected settlements. There is no need for any further drawings to define its location or extent.

#### Housing in the Countryside

6. It has been concluded in the examination of Issue 8a that there is no justification for permitting houses within the green belt under the proposed housing in the countryside policy, as the objectives of green belt designation justify a significantly greater degree of control over such forms of development and any economic or social benefits of permitting additional development would be outweighed by the harm to the integrity and effectiveness of the green belt that such development would cause.

New Criteria

7. Perth racecourse and surrounding land is of great significance to the landscape setting of Perth and to achieving the purposes of green belt designation. Policy NE5 (c) supports proposals for modest buildings which are related to outdoor sports facilities and which are appropriately located and designed. There is therefore no reason why development at Perth Racecourse should be unreasonably restricted by green belt designation and no need to modify Policy NE5.

8. The wording of Policy NE5(b) reflects the wording in SPP and there would be no benefit in modifying it to refer to woodland creation and management. And the assessment of renewable energy proposals is adequately dealt with in Policy NE5(e), which deals with essential infrastructure.

Scone Estate

9. The case for the green belt and its general form and extent have been established in TAYplan and are not matters for the Proposed Plan to reconsider. The restrictions on inappropriate development that are conferred by green belt designation are set out in national planning policy and are also not matters that are before this examination. In the context of the Scone Estate, the issues that may be considered are: whether it is appropriate for the green belt to include the estate; and if so, whether the plan should make a policy exception that would permit development to take place there.

10. The boundaries for the green belt have been informed by the Perth Green Belt Study (PGBS) of June 2000. While this document is of some age, there is no evidence that the landscape around Perth has changed to such an extent that its findings are no longer valid. The purpose of this study was to evaluate the case for a green belt around Perth and, while this study pre-dates SPP, the national planning policy that applied at that time was not materially different in terms of the role it set out for green belt land and the issues that required to be considered prior to designation. The PGBS considered the purposes of green belt designation and assessed where the boundaries should be drawn in the light of those purposes. It considered whether the land that was proposed for green belt designation was large enough to secure the desired purposes but not so large that it would unreasonably restrict development that would be far enough away not to harm the setting of the city or any of the other attributes that the designation was designed to protect. It is concluded that there is no conflict between the PGBS and subsequent national policy and that, contrary to suggestions that have been made, it did not simply substitute green belt for the previous Area of Great Landscape (AGLV) designation.

11. Green belt purposes extend to more than merely landscape protection. Of equal importance is preservation of the character of individual settlements by, among other things, avoiding coalescence and directing growth to the most appropriate locations by resisting proposals for unplanned growth in areas of high demand. Scone Estate forms an essential part of the landscape setting of the city and provides an essentially undeveloped area between the settlements of Perth and Scone. If development of significant scale were proposed within the estate it would be likely to undermine these important objectives.

12. The need for sustainable management of Scone Palace grounds and the estate is not in doubt. Neither are the benefits the estate brings to the local and national economy. However, such benefits do not justify the exclusion of the estate, or any part of it, from the green belt. And for the same reason, it would also be inappropriate for Policy NE5 to



be modified so that many additional forms of development, including new-build housing, became acceptable in principle within the green belt. Such an approach would be contrary to SPP. The council points out that some of the estate's proposal's would, in any event, be likely to find support from Policy NE5.

13. See Issues 21 and 22 for the consideration of site-specific green belt boundary issues.

**Reporter's recommendations:**

No modifications.