

Issue 25a		Perth Area (within Core) North Settlements		
Development plan reference:	H27 - Luncarty South, page 135 5.35 – Stanley, page 146-147 H30 – Stanley, page 146 H31 – Stanley, page 146 H32 – Stanley, page 146 H33 – Stanley, page 146 H34 – Stanley, page 146		Reporter: David Buylla	
	Body or person(s) submitting a representation raising the issue (including reference number):			
	Graham Travers (00102) James Brown (00204) Stanley Development Trust (00232) Anna Douglas (00234) Alastair & Moira Bulcraig (00237) Stanley Development Trust (00341) Fergie Mitchell (00361) Elizabeth Robertson (00366) John Andrews (00398) Martin Campbell (00488) David Robertson (00504) Mr & Mrs T Drummond (00580) Mr & Mrs R Morton (00588) Kevin & Ashley Blundell (00709) Ian & Pauline Smith (00747) Prof & Mrs Robert Smith (00780) Michael Cairns (00781) Heather Duncan (00909) Luncarty, Redgorton and Moneydie Community Council (00924) A & J Stephen (Builders) Ltd (03068)			Scottish Environment Protection Agency (03194) MBM Planning & Development (07693) Zurich Assurance Ltd (08816) Stanley & District Community Council (09050) David J Jeffrey (09228) J P Carroll (09642) Jane Crawford (09712) Sue Kilby (09761) Ian Heywood (09875) Dr Charles Turner (09934) Jackie Turner (09935) Alistair Godfrey (09941) Pete Rawcliffe (09990) Lynne Graham (10186) Rachel Burns (10283) David Burns (10284) Mandy Burns (10285) Bruce Burns (10286) Scottish Natural Heritage (05211/025)
	Provision of the development plan to which the issue relates:	Designated (H27,H30-34) and new sites within Luncarty and Stanley		
	Planning authority’s summary of the representation(s):			
	H27: Luncarty South Note see also to the Schedule 4 no. 22 (Perth Area Core (Green Belt) Graham Travers (00102/1/001); J P Carroll (09642/1/001); Jane Crawford (09712/1/001); Alastair & Moira Bulcraig (00237/1/001); John Andrews (00398/1/003); Elizabeth Robertson (00366/2/001); Anna Douglas (00234/1/001); Fergie Mitchell (00361/1/001); David Robertson (00504/1/001); Dr Charles Turner (09934/1/003); Martin Campbell (00488/1/001); Ian Heywood (09875/1/001); Alistair Godfrey (09941/1/003); Rachel Burns (10283/1/001); Bruce Burns (10286/1/001); Mandy Burns (10285/1/001); David Burns (10284/1/001); Ian & Pauline Smith (00747/1/001); Kevin & Ashley Blundell (00709/1/001); Lynne Graham (10186/2/002); Michael Cairns (00781/1/001); Jackie Turner (09935/1/003); Sue Kilby (09761/1/002); Heather Duncan (00909/1/001); Luncarty, Redgorton & Moneydie Community Council (00924/1/004); MBM Planning &			

Development (07693/18/001): Local residents and Luncarty, Redgorton and Moneydie Community Council make a number of points in opposing the development of the site. These have common themes and are grouped together under the following headings.

The site

The scale of development is out of keeping with the character of the village. The site is able to accommodate more development than is identified in the Plan 500 is suggested as a possible capacity of the site. The plan is misleading in suggesting 75 before CTRL and a total of 200 by end of plan period. Developing the site will result in the loss of agricultural land and have an adverse effect on wildlife. Development of the site will result in the loss of recreation areas, footpaths and walks. Development of the site will increase Perth's Urban sprawl. There have been previous appeals for housing on the site dismissed and the site should be part of the green belt or AGLV

Access

There should be greater clarity in the Plan concerning the access to the site. The existing access is not suitable and a new access to the A9 is required. The development of the site will increase congestion at the Dunkeld Road and Inveralmond roundabout.

Infrastructure

Infrastructure and Community facilities will need to be expanded to accommodate the development.

Employment land

The required 5ha of employment land is too large for this village location

Battlefield

The site lies in the vicinity of a Viking battlefield which should be investigated as part of the development.

Zurich Assurance Ltd (08816/10/001): Question the effectiveness of the site and feel that it cannot be delivered in advance of the CTRL. However this is in support of their representation supporting further releases at Stanley and links to the representations relating to the effectiveness of the strategic sites.

A & J Stephen (Builders) Ltd (03068/22/001, 03068/22/002, 03068/22/003, 03068/24/001, 03068/25/001 & 03068/23/001): Make comments in support of the site but ask that changes be made to the developer requirements. The site is to be shown for 625 houses but the numbers to be finalised by masterplan. The 5th requirement deleted as the site can be developed in advance of the CTRL. The 8th requirement is not required and confusing as it seems to repeat the 7th. The 9th requirement is unreasonable and contrary to Circular 1/2010 (Core_Doc_097).

Scottish Natural Heritage (05211/25/029): The site is immediately adjacent to the River Tay (SAC) at its eastern boundary. The developer requirements should reflect the outcomes of the Habitats Regulations Appraisal (S4_Doc_139).

Stanley settlement

Stanley & District Community Council (09050/1/009, 09990/1/001, 09990/1/002, 09050/1/001 & 09050/1/007); Pete Rawcliffe (09050/1/008); Stanley Development Trust (00232/1/001); Mr & Mrs Robert Smith (00780/1/001): Local residents the Stanley Development Trust the landowners and Stanley and District Community Council make a number of points relating to the development of the village. These have common themes

and are grouped together under the following headings.

Access to the A9

Junction improvements are required to the A9 junction at Tullybelton before the village expansion can go ahead.

Masterplanning and phasing of development

There should be more detail on the phasing of the development and work should not start until building ceases on the sites with planning permission.

The process for preparation of the master plan needs to be spelt out in the LDP. The Community Council should be involved in the masterplanning exercise. The Stanely Development Trust would be an appropriate body to administer the developer contributions from the development.

Perth Core

Stanley should not be in the Perth Core as it is a unique and historic village.

Employment land

The size and location of the employment land should be clarified it should not become a sprawling industrial estate. The reuse of the existing remaining unused buildings at the mill for businesses, artists etc should be encouraged.

Infrastructure improvements

Infrastructure improvements particularly to the water supply are required before development goes ahead

Numbers

The Plan should be clear if it is 180 houses occupied by 2024 or built before 2024. The sites are capable of becoming part of the effective land supply and do not require the upfront infrastructure costs of the other large allocations. The numbers should be increased so that 280 are provided prior to 2024 and up to 170 post 2024.

Stanley H30

Stanley & District Community Council (09050/1/002): It is not clear who should lead or be involved in the preparation of the masterplan.

Zurich Assurance Ltd (08816/11/001): The identification of the site is welcomed but Stanley is one of the few places within the Perth Core which is not dependant on upfront infrastructure costs and is capable of delivering sites in the short to medium term. The numbers should be increased to 280 houses prior to 2024 with a secondary phase of up to 170 post 2024. The sites meet the test of effectiveness set out in PAN 2/2010 (Core_Doc_019) and will help the plan comply with Scottish Government policy. Contact has been made with the Development Trust and the Community Council and ZAL is aware of the aspirations of both groups.

Scottish Environment Protection Agency (03194/37/001): A field drain flows along the southern and western part of the site and developers should be made aware of a potential flood risk from this. The developable area may be constrained by flood risk and a flood risk assessment needs to be carried out prior to submitting a planning application to inform the scale layout and form of development. This guidance follows from national planning policy and the duties placed on local authorities to reduce the overall risk of flooding.

Stanley Development Trust (00341/1/001): Stanley Development Trust is in a strong position to manage planning gain having consulted locally to find out needs and aspirations of the local community. Any planning gain sought from developers should be agreed up front and be directly allocated to the community.

Stanley H31

Stanley & District Community Council (09050/1/003): The site should be limited to the amount of development shown in the current planning application.

Zurich Assurance Ltd (08816/11/002): The identification of the site is welcomed but Stanley is one of the few places within the Perth Core which is not dependant on upfront infrastructure costs and is capable of delivering sites in the short to medium term. The numbers should be increased to 280 houses prior to 2024 with a secondary phase of up to 170 post 2024. The sites meet the test of effectiveness set out in PAN 2/2010 (Core_Doc_019) and will help the plan comply with Scottish Government policy. Contact has been made with the Development Trust and the Community Council and ZAL is aware of the aspirations of both groups.

Stanley Development Trust (00341/1/002): Stanley Development Trust is in a strong position to manage planning gain having consulted locally to find out needs and aspirations of the local community. Any planning gain sought from developers should be agreed up front and be directly allocated to the community.

Stanley H32

David Jeffrey (09228/1/001): The existing junctions and access and roads leading to the site are inadequate an access leading to Duchess Street and the road leading to the A9 would solve the problem but the site boundaries do not allow this to be achieved. There are already problems with flooding affecting the existing properties in Manse crescent with both foul and storm water and any further connections will increase the frequency of this. These problems need to be solved before the development is included in the Plan.

Stanley & District Community Council (09050/1/004): It is not clear who should lead or be involved in the preparation of the masterplan.

Zurich Assurance Ltd (08816/11/003): The identification of the site is welcomed but Stanley is one of the few places within the Perth Core which is not dependant on upfront infrastructure costs and is capable of delivering sites in the short to medium term. The numbers should be increased to 280 houses prior to 2024 with a secondary phase of up to 170 post 2024. The sites meet the test of effectiveness set out in PAN 2/2010 (Core_Doc_019) and will help the plan comply with Scottish Government policy. Contact has been made with the Development Trust and the Community Council and ZAL is aware of the aspirations of both groups.

Stanley Development Trust (00341/1/003): Stanley Development Trust is in a strong position to manage planning gain having consulted locally to find out needs and aspirations of the local community. Any planning gain sought from developers should be agreed up front and be directly allocated to the community.

Stanley H33

Stanley & District Community Council (09050/1/005): To minimise the impact of development sites should be phased.

Zurich Assurance Ltd (08816/11/004): The identification of the site is welcomed but Stanley is one of the few places within the Perth Core which is not dependant on upfront infrastructure costs and is capable of delivering sites in the short to medium term. The numbers should be increased to 280 houses prior to 2024 with a secondary phase of up to 170 post 2024. The sites meet the test of effectiveness set out in PAN 2/2010 (Core_Doc_019) and will help the plan comply with Scottish Government policy. Contact has been made with the Development Trust and the Community Council and Zurich Assurance Ltd is aware of the aspirations of both groups.

Stanley Development Trust (00341/1/004): Stanley Development Trust is in a strong position to manage planning gain having consulted locally to find out needs and aspirations of the local community. Any planning gain sought from developers should be agreed up front and be directly allocated to the community.

Stanley H34

James Brown (00204/1/001): New housing would be higher than ours. This could cause potential privacy problems and new houses would dominate the skyline with significant visual impact. The field also has drainage problems and heavy rain and snow fall into our back garden. The field is used by wildlife and this habitat would be lost if developed.

Mr & Mrs T Drummond (00580/1/001): New housing would be 2-3 m higher than ours. This could cause potential privacy problems and new houses would dominate the skyline with significant visual impact. The field also has drainage problems and heavy rain and snow fall into our back garden. The field is used by wildlife and this habitat would be lost if developed.

Stanley & District Community Council (09050/1/006): It is not clear who should lead or be involved in the preparation of the masterplan.

Mr & Mrs R Morton (00588/1/001): New housing would be 2-3 m higher than ours. This could cause potential privacy problems and new houses would dominate the skyline with significant visual impact. The field also has drainage problems and heavy rain and snow fall into our back garden. The field is used by wildlife and this habitat would be lost if developed.

Zurich Assurance Ltd (08816/11/005): The identification of the site is welcomed but Stanley is one of the few places within the Perth Core which is not dependant on upfront infrastructure costs and is capable of delivering sites in the short to medium term. The numbers should be increased to 280 houses prior to 2024 with a secondary phase of up to 170 post 2024. The sites meet the test of effectiveness set out in PAN 2/2010 (Core_Doc_019) and will help the plan comply with Scottish Government policy. Contact has been made with the Development Trust and the Community Council and Zurich Assurance Ltd is aware of the aspirations of both groups.

Stanley Development Trust (00341/1/005): Stanley Development Trust is in a strong position to manage planning gain having consulted locally to find out needs and aspirations of the local community. Any planning gain sought from developers should be agreed up front and be directly allocated to the community.

Modifications sought by those submitting representations:

Luncarty H27

Graham Travers (00102/1/001); J P Carroll (09642/1/001); Jane Crawford (09712/1/001);

Alastair & Moira Bulcraig (00237/1/001); John Andrews (00398/1/003); Elizabeth Robertson (00366/2/001); Anna Douglas (00234/1/001); Fergie Mitchell (00361/1/001); David Robertson (00504/1/001); Dr Charles Turner (09934/1/003); Martin Campbell (00488/1/001); Ian Heywood (09875/1/001); Alistair Godfrey (09941/1/003); Rachel Burns (10283/1/001); Bruce Burns (10286/1/001); Mandy Burns (10285/1/001); David Burns (10284/1/001); Kevin & Ashley Blundell (00709/1/001); Ian & Pauline Smith (00747/1/001); Lynne Graham (10186/2/002); Michael Cairns (00781/1/001); Jackie Turner (09935/1/003); Sue Kilby (09761/1/002); Heather Duncan (00909/1/001): Delete the site.

Luncarty, Redgorton & Moneydie Community Council (00924/1/004): Delete site (assumed)

MBM Planning & Development (07693/18/001): A reduction in the scale of development proposed for the south of Luncarty.

A & J Stephen (Builders) Ltd (03068/25/001): The indicative capacity of the site should be set at 625 and the maximum of 200 by 2024 should be deleted. The total number of houses and amount of employment land along with phasing will be identified through the preparation of a masterplan.

A & J Stephen (Builders) Ltd (03068/22/001): Amend 4th bullet point Design of the new A9 junction and river crossing will have to be approved to allow the later phases of access and site layout to be designed.

A & J Stephen (Builders) Ltd (03068/22/002): Delete 7th bullet point

A & J Stephen (Builders) Ltd (03068/22/003): Delete 9th bullet point

A & J Stephen (Builders) Ltd (03068/24/001): Delete 5th bullet point

Zurich Assurance Ltd (08816/10/001): House numbers for the site re-allocated to the period beyond 2024 with the numbers relocated to other settlements such as Stanley where there are effective sites

Scottish Natural Heritage (05211/25/029): Add the following criteria to the developer requirements section on Page 135:

- *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 of the 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.*

Stanley development general

Stanley & District Community Council (09050/1/009): Infrastructure improvements particularly to water supply enabled by the development.

Stanley & District Community Council (09050/1/001): Remove Stanley from Perth Core and clarify that 180 represents the maximum number of houses to be built before 2024. Identify more than 1ha of employment land.

Stanley & District Community Council (09050/1/007): Developer contributions allocated in accordance with the priorities identified in the Stanley Community Action Plan and administered by the local Stanley Development Trust.

Stanley & District Community Council (09050/1/008): Junction improvements on the A9 at the Tullybelton junction.

Stanley Development Trust (00232/1/001): The changes we would like to see include clarity on the development and sign off of the masterplan, commitment to a community led input into development of the masterplan, inclusion of employment land and the need for improvements to transport infrastructure and community facilities before the scale of development envisaged can be progressed.

Pete Rawcliffe (09990/1/001 & 09990/1/002): The finalised Plan needs to provide more detail on the phasing of the proposed development. It should indicate that 150 houses can be built before 2024 is a maximum and includes the circa 75 houses that already have planning permission in the village. It should also state that site preparation and building works should not start on any of the sites until building has stopped on the sites currently with permission for housing development. The Finalised Plan should also provide greater clarity on 1) the topics to be covered in the masterplan, 2) the process for its preparation including timing, who should be involved in developing the plan and signing it off and on the need for proper and effective community consultation on it and, 3) the responsibility for implementation and funding of it.

Mr & Mrs Robert Smith (00780/1/001): Clarity over the identification and location of the proposed site for employment uses.

Stanley H30

Stanley & District Community Council (09050/1/002): Stanley Community Council should be involved in the preparation of the masterplan.

Zurich Assurance Ltd (08816/11/001): Support for the identification of the sites but wish the numbers increased to 280 prior to 2024 with 170 post 2024.

Scottish Environment Protection Agency (03194/37/001): 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.

Stanley H31:

Stanley & District Community Council (09050/1/003): A statement indicating that the site should only be developed for 34 houses and planted tree screening used to protect the setting of Stanley Mills. Stanley Community Council wish to be involved in the development of the master plan for the site. The site should be completed before any other sites are developed.

Zurich Assurance Ltd (08816/11/002): Support for the identification of the sites but wish the numbers increased to 280 prior to 2024 with 170 post 2024.

Stanley Development Trust (00341/1/002): The Stanley Development Trust manage any planning gain from the developments.

Stanley H32

David Jeffrey (09228/1/001): Site should be deleted unless the access and storm and foul surcharging issues affecting the properties in Manse Crescent are resolved.

Stanley & District Community Council (09050/1/004): Stanley community council should be involved in the preparation of the masterplan.

Zurich Assurance Ltd (08816/11/003): Support for the identification of the sites but wish the numbers increased to 280 prior to 2024 with 170 post 2024.

Stanley Development Trust (00341/1/003): The Stanley Development Trust manage any planning gain from the developments

Stanley H33

Stanley & District Community Council (09050/1/005): A statement indicating that the site be completed before other development takes place. Stanley Community Council to be involved in the masterplan for all sites.

Zurich Assurance Ltd (08816/11/004) Support for the identification of the sites but wish the numbers increased to 280 prior to 2024 with 170 post 2024.

Stanley Development Trust (00341/1/004): The Stanley Development Trust manage any planning gain from the developments.

Stanley H34

James Brown (00204/1/001): New housing kept to the lower rear slopes of the site with a buffer zone around the edge to retain wildlife.

Mr & Mrs T Drummond (00580/1/001); Mr & Mrs R Morton (00588/1/001): Delete the site

Stanley & District Community Council (09050/1/006): Stanley Community Council should be involved in the preparation of the masterplan.

Zurich Assurance Ltd (08816/11/005): Support for the identification of the sites but wish the numbers increased to 280 prior to 2024 with 170 post 2024.

Stanley Development Trust (00341/1/005) The Stanley Development Trust manage any planning gain from the developments.

Summary of responses (including reasons) by planning authority:

The following responses are supported by the Council's Delivering Infrastructure Background Paper (S4_Doc_440) which outlines the key infrastructure requirements and proposed timescales to deliver the strategic development areas.

Luncarty H27

Graham Travers (00102/1/001); J P Carroll (09642/1/001); Jane Crawford (09712/1/001); Alastair & Moira Bulcraig (00237/1/001); John Andrews (00398/1/003); Elizabeth Robertson (00366/2/001); Anna Douglas (00234/1/001); Fergie Mitchell (00361/1/001); David Robertson (00504/1/001); Dr Charles Turner (09934/1/003); Martin Campbell (00488/1/001); Ian Heywood (09875/1/001); Alistair Godfrey (09941/1/003); Rachel Burns (10283/1/001); Bruce Burns (10286/1/001); Mandy Burns (10285/1/001); David Burns (10284/1/001); Kevin & Ashley Blundell (00709/1/001); Ian & Pauline Smith

(00747/1/001); Lynne Graham (10186/2/002); Michael Cairns (00781/1/001); Jackie Turner (09935/1/003); Sue Kirby (09761/1/002); Heather Duncan (00909/1/001); Luncarty, Redgorton & Moneydie Community Council (00924/1/004); MBM Planning & Development (07693/18/001); A & J Stephen (Builders) Ltd (03068/25/001 & 03068/24/001); Zurich Assurance Ltd (08816/10/001):

The site

Policy 1 of Tayplan identifies Luncarty as one of the tier 1 settlements in the Perth Core which have the potential to accommodate the majority of development over the plan period. It is accepted that the site is large enough to accommodate more than 200 houses but the numbers need to be designed as part of the masterplanning process. This is stated in the text but may benefit from being emphasised using bold text. The village is an appropriate location for further expansion as it has good active and public transport links to Perth and good access to services. In particular the site complies with the factors set out in paragraph 80 of SPP (S4_Doc_099). Though the site is large it is setting the framework for the expansion of the village during the plan period and beyond into the next plan period. Expansion to the south is the only option as areas to the north are subject to flooding and the east and west are constrained by the river and the railway/A9. The development of the area will result in the loss of agricultural land but it is mostly not prime and complies with national guidance as it is part of a settlement strategy paragraph 97 SPP (S4_Doc_107). The popular walks and routes through the area are core paths or rights of way and will be retained and potentially improved as a result of the development. The masterplan will be required to provide links and increase the connectivity of these routes. The master plan will also be required to design an open space framework for the area taking account of the way that the existing village has evolved through the expansions of the 70's and 80's. It is hoped that the development will achieve a better more useable area of recreational walks and open space than exists at present. The Green Belt is designed to stop Luncarty coalescing with Perth one of the uses for Green Belt policy set out in paragraph 160 of SPP (S4_Doc_075). See also schedule 4 on Green Belt and sites around Perth. There are no AGLV designations in the LDP, SPP paragraph 139 (S4_Doc_292) indicates that only local landscapes designations should be used. The Council has resisted development in this area in the past in line with its development strategy at the time reference is made to a planning application for this site which was refused in 1997 (S4_Doc_659). In relation to the reasons the Structure Plan has been replaced by TAYplan which identifies Luncarty as suitable location for further development, the AGLV no longer exists (in the LDP) and was identified in this location primarily to protect the setting of the river Tay north of Perth something that can be achieved in a different way through the master plan for the site. The Green Belt now protects the setting of the city as required by TAYplan policy 3 (S4_Doc_064) However the Council now considers that it is appropriate that the area be developed for housing to meet the requirements to identify further housing land and in particular to conform to TAYplan policy 1 (S4_Doc_067). The site is believed to be effective and will make a useful contribution to the effective housing supply. The issues are dealt with in detail in the schedule 4 No 20c Housing land

No modification is proposed to the plan.

Access

It will be possible to access the site from the CTRLR once the design and route are finalised. There is also potential to provide the main access to the site from Scarth Road but this will require extensive remodelling of the embankment and redesign main Inverness railway bridge butts to achieve the necessary sightlines. It is accepted that 4th and 5th developer requirements are unnecessarily rigid and a more flexible approach

would be to allow the master plan to deal with the access issues. The provision of the CTRLR is intended to reduce traffic on Dunkeld Road. and Inveralmond roundabout.

No modification is proposed to the Plan.

Infrastructure

It is accepted that the development will require infrastructure improvements and these will be designed through the masterplan process.

No modification is proposed to the plan.

Employment land

An indicative area is identified for employment land which is reasonably self contained and due to the topography will have limited visual impact. The final design will emerge from the masterplanning process. The provision of 5ha of employment land will meet the Scottish Government's objectives of creating successful places by providing a mix of land uses paragraph 78 of SPP (S4_Doc_106). It will also meet Placemaking objectives set out in the LDP by allowing people to live close to where they work. The employment land is only around 7% of the site and this is not felt to be an unreasonable allocation in view of the overall scale of the site.

No Modification is proposed to the plan.

Battlefield

There is no evidence that the site was a battlefield and the area is not an area that Historic Scotland have indicated should be protected. There are some local archaeological sites within the site boundary but they are related to old farming practices rather than a battlefield. A scheduled ancient monument the kings stone is located to the south of the site near Denmarkfield and the name does suggest a Scandinavian connection. The old OS map from 1896 does have a legend across the southern section of the site which reads. Site of the Battlefield of Luncarty AD990 (S4_Doc_660) this should be investigated further through the masterplan.

No modification is proposed to the plan.

A & J Stephen (Builders) Ltd (03068/22/001, 03068/22/002 & 03068/22/003): The issue of paths and active travel links will be dealt with through the masterplan for the site it is unnecessary to delete the specific developer requirements.

Scottish Natural Heritage (05211/25/029): It is considered that amending the developer requirements to incorporate mitigation measures as set out in the Habitats Regulations Appraisal (Including Appropriate Assessment) would provide greater clarity and transparency for applicants in terms of how the provisions of the Plan's Policy NE1: International Nature Conservation Sites apply to this site.

If the Reporter is so minded the suggested additional text by the respondent, as detailed in the 'Modifications Sought' section, should be added to the Site Specific Developer Requirements.

Stanley development general

Stanley & District Community Council (09050/1/009); Pete Rawcliffe (09990/1/001 & 09990/1/002); Stanley & District Community Council (09050/1/001, 09050/1/002, 09050/1/004, 09050/1/005, 09050/1/006, 09050/1/007 & 09050/1/008); Stanley Development Trust (00232/1/001 & 00341/1/004); Mr & Mrs Robert Smith (00780/1/001):

Zurich Assurance Ltd (08816/11/001, 08816/11/002, 08816/11/003, 08816/11/004, 08816/11/005):

Note

The expansion of the village by way of a masterplan was included as part of the preferred option in the MIR. The expansion of the village was also subject of a mediation event which has reduced the concerns over the development of the village.

A9 Access

Transport Scotland propose to grade separate the junction at Tullybelton as part of the A9 upgrade. The entire programme of improvements is due to completed by 2025 though this proposal is thought to be in an early phase. The development of the housing land at Stanley is not determinate on the provision of this junction upgrade.

No modification is proposed to the plan.

Masterplanning

It is intended that the masterplanning process will involve the local community the details of this still have to be decided. It is also intended that bodies such as the Stanley Development Trust will be involved. The mechanism for this entire process still has to be detailed. The masterplan for Stanley is listed amongst the supplementary guidance to be published later. There have been some preliminary discussions with the owner and the community over this but formal arrangements still have to be agreed. Until there are more details of the masterplan it is unnecessary to place any restrictions on the development and phasing of the village expansion.

No modification is proposed to the plan.

Perth Core

Policy 1 of Tayplan identifies Stanley as one of the tier 1 settlements in the Perth Core which have the potential to accommodate the majority of development over the plan period TAYplan Policy 1 (S4_Doc_067). The Plan must be consistent with TAYplan.

No modification is proposed to the plan.

Employment Land

The location and the final design for the employment land will emerge from the masterplanning process. The provision of 1ha of employment land will meet the Scottish Government's objectives of creating successful places by providing a mix of land uses paragraph 78 of SPP (S4_Doc_106). It will also meet Placemaking objectives set out in the LDP by allowing people to live close to where they work. The reuse of the mill building for employment purposes is to be encouraged and is in line with the Plan.

No Modification is proposed to the plan.

Infrastructure

The infrastructure will require improvements before the development can go ahead. These are technical issues which will be resolved through the development of the masterplan.

No modification is proposed to the plan.

Numbers

There is a contradiction in the Plan between the site heading and the developer requirements the LDP should indicate that 180 houses could be built before 2024. It is not considered likely that the site will deliver more housing by this date due to market conditions and likely build rates. However the phasing and final design will be achieved through the masterplan

No modification is proposed to the plan.

Specific sitesH30

Scottish Environment Protection Agency (03194/37/001): The requirement for a flood risk assessment is accepted. Consequently in view of the above if the Reporter is so minded to recommend that the representation is accepted and the plan modified, the local authority would be comfortable with this modification because it would not have any implications for other policies within the LDP.

H31

Stanley & District Community Council (09050/1/003); A planning application for the erection of 34 houses has been recommended for approval but is awaiting the completion of a section75 agreement. The application will be considered as part of the masterplanning processes.

No modification is proposed to the plan.

H32

David Jeffrey (09228/1/001): The development of the site will resolve storm and surcharging issues through the use of suds schemes to deal with surface water.

No modification is proposed to the plan.

H34

James Brown (00204/1/001); Mr & Mrs T Drummond (00580/1/001); Mr & Mrs R Morton (00588/1/001): The design of the site boundaries will be a matter for the masterplan but it is not unreasonable that there should be a buffer between the site and existing properties and issues of privacy and design will also be matters for the masterplan

No modification is proposed to the plan.

Reporter's conclusions:H27: Luncarty South

1. As a Tier 1 settlement in TAYplan, it is to be expected that Luncarty will be a focal point for development. The settlement has a range of services and has good public transport and active travel links with Perth. No evidence has been provided to challenge the council's conclusion that development to the north of the settlement is ruled out by flood risk concerns, and it is self-evident that there is no capacity to expand to the east or west due to the proximity of the railway and the river. Expansion to the south in the form of proposed site H27 therefore appears to be the only option. Although this would involve the loss of agricultural land, this is inevitable if the settlement is to expand in the manner that is expected of a Tier 1 settlement, due to the limited supply of previously developed

land within the settlement.

2. Luncarty is sufficiently far from Perth for this development site to cause no objectionable loss of separation between the two settlements. Land to the south of the site is proposed to be designated green belt, which will provide very strong and long lasting protection from any subsequent infilling of the gap between Luncarty and Perth, thereby avoiding coalescence.

3 This extensive site could accommodate significantly more than the 200 houses that are permitted by the Proposed Plan to be built within the plan period, while leaving space for 5 hectares of employment land, an appropriate landscaped set back from the river and provision for high quality walking and cycling routes. However, not all of the site could be expected to come forward within the plan period, particularly as there is predicted to be some delay to the delivery of one of the site accesses, as discussed below.

4. Access to the site would be from two directions: from a link to the proposed Cross Tay Link Road (CTLR) to the south and from Main Road / Scarth Road to the north. It has been concluded under Issue 24 that the proposed CTLR is unlikely to be delivered within the plan period. Therefore, this could not be relied upon to provide an access in the short to medium term. The council's response above states that the access route to the north via Main Road / Scarth Road would require extensive remodelling of the embankment which supports Scarth Road and works to the railway bridge over the mainline to Inverness. Such works could potentially affect the effectiveness of the site.

5. The council and prospective developer were asked to provide further information on this issue, particularly in regard to any discussions that might have taken place with Network Rail and the likely cost and timing of these works. The developer's response confirms that no third party land would be required to implement the embankment alterations, as most of the land affected is within the site and the remainder is within the road boundary. With regard to the railway bridge, a report from the developer's transport consultant confirms that no works would be required to the bridge itself and that the proposed junction was designed specifically to avoid Network Rail land and assets. The report states that the northern access junction design could accommodate 650 dwellings but recognises that, in compliance with the council's current standards, the maximum capacity would be 300. The council's response confirms that it is confident that this access can be provided and confirms that Network Rail has raised no concerns. Although the response maintains the view that some, relatively minor, works would be required to the bridge, this view does not appear to have been informed by any engineering study into how the access might be formed.

6. Taking this additional information into account, it is reasonable to conclude that the site could deliver 300 units within the plan period. The current restriction of 200 units should be modified accordingly. However, there would be no benefit in defining at this stage, the total output from the site, as there is no likelihood of more than 300 units being delivered within the plan period and an estimate of the total output from the site would be more accurately assessed once further work has been done on designing the CTLR and the layout of the site itself. The final figure for the site as a whole would be a matter for the next review of the Plan.

7. The possibility of there being previously unknown archaeological interest should be addressed in the required site masterplan and it would be helpful to highlight this issue in the site-specific developer requirements. The same would apply to the avoidance of any adverse effect upon the River Tay Special Area of Conservation.

8. The council has accepted that it would not be appropriate to restrict development pending the new A9 junction on the CTRL. Given that it has been concluded that the CTRL is unlikely to be delivered within the plan period but that an alternative access to the site from the north should be deliverable well within this time frame, it is no longer necessary to retain the requirement for the A9 junction and river crossing to be designed or for the site to connect to the new A9 junction prior to construction of more than 75 houses. However, it is necessary that development proposals for more than 300 houses (which will require the access to the south) are not finalised until the A9 junction and river crossing are approved. The remaining site-specific developer requirements are all reasonable and necessary if the site is to have an acceptable environmental impact.

Stanley settlement

9. Stanley is also identified as a Tier 1 settlement in TAYplan and is therefore expected to contribute significantly to future development needs. TAYplan identifies the settlement as lying within the Perth Core Area in recognition of its relatively close proximity to Perth. The fact that it is a unique and historic village does not alter that fact. And in any event, the proposed plan must be consistent with TAYplan so it would not have been possible for the proposed plan to reclassify the settlement as one lying outside the Perth Core Area, even if that had been justified.

10. No evidence has been provided to challenge the council's conclusion that the proposed development sites in Stanley can proceed without Transport Scotland's proposed A9 junction upgrade at Tullybelton. Therefore, there are no grounds to require the development of these sites to await the junction upgrade or to question their effectiveness as a result of the uncertainty around the timing of its delivery.

11. As a key contributor to forecast growth in the Perth area, additional opportunities need to be provided within Stanley to satisfy demand for housing and employment land, as and when it arises. Restricting development until all existing permitted housing or employment sites in the settlement had been completed would be likely to constrain the settlement's expansion, contrary to TAYplan and to the Proposed Plan's housing and employment land strategies. And, given the level of forecast demand, there is no reason to conclude that permitting new development sites would threaten the delivery prospects of sites that already have planning permission.

12. The level of developer contributions and the matters for which they may be sought are for negotiation between the prospective developer of the sites and the council at the planning application stage, guided by any site-specific developer requirements that are set out in the plan and the provisions of any relevant supplementary guidance. Any such contributions would need to satisfy the requirements of Circular 3/2012. Details of who would administer such contributions are not matters for the proposed plan but could be an issue for discussion at the planning application stage.

13. The impact of construction work on existing residents might be lessened if development of the five proposed sites were staggered so that only one site was active at any one time. However, there is a limit to the rate at which the developer of a relatively small housing site can bring new homes to the market. Consequently, such an approach would be likely to constrain the rate of development to such an extent that the settlement could not deliver the rate of housing completions that is forecast to be required over the plan period. The plan requires a comprehensive masterplan to be prepared that will ensure a coordinated and appropriate outcome for the village as a whole even if sites are developing in parallel. The council could involve the community in the masterplan in

order to build upon past community engagement work.

Numbers within the plan period

14. In the absence of any concerns raised by infrastructure providers, there is insufficient evidence to justify restricting development to a specified level pending the improvement of infrastructure such as the water supply. It would however be appropriate to specify that the delivery of development should be phased to ensure that there is adequate infrastructure available.

15. The Proposed Plan identifies that the total output from site H30 to H34 would be a maximum of 300 units, but with no more than 180 units either built or occupied (the site-specific developer requirement uses both terms) within the plan period. As the planning system can more easily regulate the rate at which houses are built, this would be the figure to use in the event that it is necessary to regulate the output from these sites over the plan period. However, it is also necessary to consider whether in fact such a restriction would be justified.

16. The council and land owner were asked to provide further information on this issue. The council did not identify any specific infrastructure or other restriction that would militate against delivering more than 180 units within the plan period. However, it questioned whether the market could deliver in excess of this number, when compared with low rates of house building within the settlement in the past. And it stressed that discussions with the local community had indicated strong opposition to what it regarded as an excessive rate of development. In contrast there was general support for a more steady rate of delivery. The landowner addressed the effectiveness criteria in PAN 2/2010 and concluded that all of the proposed land would be effective within a five year period and, given the likely delivery problems with sites elsewhere which depend upon the delivery of the CTLR, it would be counterproductive to seek to restrict the rate of building in one of the relatively few locations that could contribute to the five year housing supply. The land owner seeks 280 houses within the plan period and 170 beyond that.

17. In the absence of any identified infrastructure constraints and bearing in mind the conclusions that have been reached regarding the likely delay in the delivery of any sites that are reliant upon the CTLR, there is a strong case for not restricting housing delivery in Stanley during the plan period. The fact that historically the settlement may have delivered low levels of housing does not provide a sound basis for concluding that this would continue to be the case, particularly when the Proposed Plan identifies sites that could enable the market to deliver at a higher rate. The council's successful engagement with the community is commendable, and the views of the local community are an important material consideration. However taking all matters into account there are considered to be insufficient grounds to restrict the delivery of housing from the five identified sites within the settlement in the period to 2024. It is impossible at this stage to define the total output from these sites so it would be inappropriate to impose an upper limit. However, for the purposes of estimating the likely delivery of housing within the settlement by 2024, a figure of 280 would be appropriate.

Stanley H30

18. It would be appropriate to specify in the site-specific developer requirements that part of this site may potentially be at risk from flooding and that this is likely to constrain the developable area.

Stanley H31

19. The capacity of this site should be determined at the masterplan stage and there would be no benefit in defining it in the proposed plan. The fact that a previous planning application specified a development of 34 units does not indicate that this is necessarily the optimal number.

Stanley H32

20. The Scottish Environment Protection Agency (SEPA) has raised no concerns with flood risk either on this site itself or in terms of any flooding issues that development here might cause elsewhere. Against that background, it would be inappropriate to require a flood risk assessment in the site-specific developer requirements. However, this would not prevent the matter being taken into account at planning application stage should there in fact be an issue to address. There is no reason to conclude from the available evidence that a safe and appropriate access could not be provided. The details of this would be a matter for the development management stage.

Stanley H34

21. This site is quite prominent at the northern entrance to the settlement, as it rises above the level of the adjacent road. It is also elevated slightly above the bungalows in Mill Street. Care will need to be taken over the design and layout of the development in order to avoid unreasonable diminution of the residential amenity of existing adjacent residents. However, there is no reason to conclude that this could not be adequately addressed at the development management stage. The development of any land will result in some loss of existing habitat but there is no objection to this proposal from Scottish Natural Heritage or any other conservation body and no evidence that the site has any greater ecological importance than any other farmland. There are no grounds therefore to resist development on grounds of habitat loss.

Reporter's recommendation:Luncarty South H27

1. Modify the table on page 135 to replace *"200 houses and 5 ha of employment land"* with *"in excess of 300 houses and 5 ha of employment land."*

2. Modify the next sentence to read *"The maximum permitted to 2024 will be 300 houses."*

3. Modify the following sentence to read *"The site is capable of accommodating more than 300 houses but the total numbers and phasing require to be identified through a masterplan."*

4. Modify the site-specific developer requirement by adding three additional requirements as follows:

"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 of the site is within 30 metres 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.”

“A desk based archaeological assessment of the site with a subsequent more detailed investigation if justified.”

5. Modify the fourth site-specific developer requirement to read as follows: *“Design of the new A9 junction and river crossing will require to have been approved prior to finalisation of the layout for more than the first 300 houses.”*

6. Delete the fifth site-specific developer requirement (restricting development to 75 units in advance of the new A9 junction).

7. Make consequential modifications to the table under paragraph 5.1.11.

Stanley

8. Modify the site-specific developer requirements for sites H30-H34 by deleting *“300 maximum (180 occupied by 2024)”* and replacing with *“280 built by 2024”*

9. Modify the second site-specific developer requirement to read as follows: *“Development phased to ensure that there is adequate infrastructure to accommodate it.”*

10. Make consequential modifications to the table under paragraph 5.1.11.

Stanley H30

11. Modify the site-specific developer requirements for sites H30-H34 by adding an additional requirement as follows:

“Flood risk assessment required for site H30, as the developable area of the site may be constrained by flood risk from a field drain along the southern and western part of the site.”