

Issue 28c	Highland Perthshire Area - Tiered Settlements	
Development plan reference:	Pitlochry, page 165-167 H38 - Middleton of Fonab, Pitlochry, page 166 H39 - Robertson Crescent, Pitlochry, page 166	Reporter: Douglas Hope
Body or person(s) submitting a representation raising the issue (including reference number):		
Barry Simpson (00179) Mr & Mrs Ian Rawson (00222) Dr Margaret Crombie (00287) Alan Crombie (00288) A M Crombie (00289) Mr & Mrs W Bright (00502) Philip Forsyth (00524) Robert Williamson (00583) Jennifer Stark (00623) Charles Hodge (00752) Ross Gardiner (00757) Pitlochry & Moulin Community Council (00838)		Scottish Environment Protection Agency (00947) A & J Stephen (Builders) Ltd (03068) Scottish Environment Protection Agency (03194) Scottish Natural Heritage (05211) Forestry Commission Scotland (08988) Helen & Xander McDade (09502) Mr & Mrs John Michie (09732) Lynda Gardiner (10280) Pitlochry Civic Trust (10318)
Provision of the development plan to which the issue relates:	Pitlochry settlement	
Planning authority's summary of the representation(s):		
<u>General</u> Dr Margaret Crombie (00287/1/002): Agree that development at Manse Road should also be left out of the Plan. Mr & Mrs Ian Rawson (00222/1/001): Object to the proposed expansion of the settlement boundary within Moulin Conservation Area to include open fields to the north of Manse Road. These fields were described by the Reporter at the Public Inquiry in 2000 as ' <i>relevant important open space</i> ' and development would be detrimental to the rural character and landscape setting of Moulin Village (Highland Area Local Plan Examination Report (S4_Doc_650)). The settlement boundary should reflect the adopted Plan (Highland Area Local Plan 2000 (S4_Doc_649)). A M Crombie (00289/1/002): Concur with proposal not to develop land around Moulin particularly open space between Manse Road and A924. Mr & Mrs W Bright (00502/1/001): Settlement boundary for Moulin has been changed to include open space/agricultural land between Manse Road and the road between Moulin and Kinnaird (S4_Doc_649). Was deemed unsuitable for development in preparation of previous Local Plan. Mr & Mrs John Michie (09732/1/001): Objection to the proposed expansion of the settlement boundary at Moulin to include the open fields to the north of Manse Road (S4_Doc_649). The area is within the Conservation Area therefore any development would be detrimental to the character of Moulin.		

Pitlochry & Moulin Community Council (00838/1/003): Settlement boundary at Moulin has been altered to follow the line of the Conservation Area bringing land to the north of Manse Road (S4_Doc_649) into the settlement boundary. The land could be subject to residential development in the future which may affect visual amenity and integrity unless strict development standards are applied.

A M Crombie (00289/1/001): Settlement boundary does not coincide with the southern boundaries of numbers 17 and 18 Duff Avenue. The open space between Moulin and Pitlochry needs to be maintained.

Pitlochry Civic Trust (10318/1/001): Open space designation to be included in the Plan for the primary school play area, Delta Park, The Cuilc and around the hospital on Ferry Road.

Pitlochry Civic Trust (10318/1/006): Supports proposed boundary with the inclusion of site to the north of Manse Road and exclusion of a site to the south of Duff Avenue (S4_Doc_649).

Dr Margaret Crombie (00287/1/001): Support for the Plan with the retention of green space between Pitlochry and Moulin as it acts as a positive element in retaining the character and separate identity of the village of Moulin.

Pitlochry H38

Philip Forsyth (00524/1/001): Adequate visual and sound reduction screening is required as the site is adjacent to the A9.

Jennifer Stark (00623/1/001): Support housing development at Middleton of Fonab. Concern over access to the site. To facilitate growth suggest changes on Bridge Road including the existing junction connecting to A924 to be widened and form a mini roundabout and traffic lights. The point of entry to H38 should be taken on the corner of Bridge Road/Foss Road at the entrances to Middleton of Fonab Caravan Park and road leading to Fonab Cemetery.

Charles Hodge (00752/1/001): Revise housing allocation within Pitlochry to protect iconic views towards the settlement and Atholl Palace from key vantage points. Does not consider the site to be capable of accommodating proposed 100 units. The development of the site would represent significant southward expansion and is likely to require careful consideration of implications in terms of traffic, transportation, access and connection to utility services.

Pitlochry & Moulin Community Council (00838/1/001): Concerns regarding access and duelling of A9 as required road widening could reduce the site and increase noise and pollution impacting on the site viability.

A & J Stephen (Builders) Ltd (03068/7/001): The Local Development Plan must comply with Circular 1/2010 (Core_Doc_097). Any requirements must be fairly and reasonably related to the development. It is acceptable to require links within the site. Thereafter the Council cannot require connections on land out with the control of the site landowner all the way to the town centre.

Scottish Natural Heritage (05211/24/014): To maintain the visual integrity and landscape setting of Pitlochry the Site Specific Developer Requirements should include *'Noise attenuation measures are required adjacent to the A9. These should be appropriate to*

the location and should not obscure views to Pitlochry or Ben Vrackie’.

Scottish Environment Protection Agency (03194/38/001): Site is located in or adjacent to the functional flood plain or an area of known flood risk, as a result part of the site may not be suitable for development. Site may be at risk from a small watercourse that flows along the eastern boundary. Site specific 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. Ensures that developers are fully informed of flood risk and that flooding issues are taken into account prior to submitting an application and that the developable area of the site may be constrained.

Barry Simpson (00179/1/002): Support but concern regarding flood issues.

A & J Stephen (Builders) Ltd (03068/3/001): Support for the Plan. Site can be readily serviced and a Noise Attenuation Survey has been undertaken which can be made available.

Pitlochry Civic Trust (10318/1/003): Support for the Plan

Pitlochry H39

Dr Margaret Crombie (00287/1/003): Object to site H39 as it would be detrimental to the character of the area. The housing density is too high and out of character with the town. The requirements for road access and drainage would require terraced housing which would not fit with the other buildings in the area. Brownfield land should be used instead.

Alan Crombie (00288/2/001): Object to H39 as the development too dense and would detract from character of the area.

Mr & Mrs R Gardiner (10280/1/002): Development for 90 houses, intensive development of this site would reduce its important contribution to Pitlochry’s landscape and character greatly. Concern about adequacy to cope safely with extra traffic. Object to the identification of the site.

Charles Hodge (00752/1/002): Revised housing allocations within Pitlochry to protect iconic views towards this settlement and Atholl Palace from key vantage-points and to contribute logically towards housing land supply. The site does not represent a sustainable location in landscape terms as it is located on an elevated ridge, which would be highly prominent from surrounding urban and rural areas.

Would consider that only 1/3 of the total 5ha is within an acceptable location, which does not have significantly adverse landscape implications and 1/3 of this is very steep which would lead to land consumptive and costly infrastructure. Does not see how 70 units could be accommodated unless high density is proposed on the lower section of the site, which would be uncharacteristic of the fringe of an urban area. Suggests number of houses proposed on the site is revisited.

Ross Gardiner (00757/1/002): Does not accept need or desirability of the amount of houses to be built in Pitlochry. The site is an area of agricultural ground which rises above the road connecting Pitlochry and Moulin and is important to the landscape and character of Pitlochry. The development of the site for housing, particularly any sort of dense, unsympathetic development, covering most of the site, would impact unacceptably on Pitlochry’s landscape and character. Object to the number of units proposed. Concern regarding likely route access can cope safely with the additional

traffic that would result.

Pitlochry Civic Trust (10318/1/004): H39 is an acceptable site for housing development. The proposal for 90 houses is too high. 60 homes, as proposed in the Main Issues Report, should remain the maximum. The site is considered to be conspicuous as it is seen from a distance as visitors approach Pitlochry from the south east, along A9, is close to West Moulin Road (A924) and views from north west, the golf course and Craigower Walk. Care has to be taken regarding house styles, heights of buildings and roof lines especially on the crest of the hill. Modest terraced housing might provide the required density but not high density flatted dwellings.

A & J Stephen (Builders) Ltd (03068/6/001): The Local Development Plan must comply with the terms of Circular 1/2010 (Core_Doc_097). Any requirements must be fairly and reasonably related to the development. It is acceptable to require links within the site. Thereafter the Council cannot require connections out with the control of the landowner to the existing core path network and the High School.

Forestry Commission Scotland (08988/1/014): The area of woodland identified on the east side of the site has been felled under a conditional felling licence approved under the Forestry Act 1967 (Core_Doc_196). This places a burden on landowner to replant this site or an alternative area of land of at least the same size, suitable for trees within the estate boundary. It would be good to see an increase in woodland infrastructure and networks as part of the overall landscape plan for the site. Close liaison with the Forestry Commission should be maintained with regards to the conditional felling licence. Tree planting on site should not be seen as a condition of planning until confirmation from the Forestry Commission for Scotland that the condition of the Felling Licence has been met.

Philip Forsyth (00524/1/002): Range of house sizes (2, 3 and 4 bedrooms) and mixed tenure (social and private) should be provided. The steep gradient and narrow roads may cause difficulties. Adequate pedestrian and cycle routes to the school needed. Concerns regarding ability of water supply and sewage treatment plant to cope.

Pitlochry & Moulin Community Council (00838/1/002): The site requirements should include reference to screening within the site, particularly with adjacent neighbours and indicate that no development on the ridgeline will take place at the north west of the site. This is needed to minimise impact on wider views across the site.

Scottish Environment Protection Agency (00947/1/025): The mitigation measures in Appendix C of SEA Addendum No.2 (Core_Doc_089) refer to the need for a Flood Risk Assessment (FRA) to be undertaken to inform the development of this site but it has not been included in the developer requirements in the Proposed Plan for site H38: Middleton of Fonab.

Robert Williamson (00583/1/001): The area shown as green on the Plan only occupies half of the width of the recently-felled commercial woodland. Would provide a reasonably wide open green space connecting the present recreational park to the south and the open field to the north which remains outwith the settlement boundary which is supported. The number of houses should be less than the 90 houses currently proposed; it is felt this is too many.

A & J Stephen (Builders) Ltd (03068/14/001): Welcome identification of H39 however technical work undertaken makes it apparent that given the topography of the site it is necessary to extend the northern boundary to accommodate the Councils Road

Standards regarding maximum gradients. Physically impossible to meet standards within current boundary due to existing topography. Small extension would accommodate access road with no increase in housing numbers.

Barry Simpson (00179/1/001): Support for the Plan.

Pitlochry New Sites

Charles Hodge (00752/1/003): Land around Auchnahyle Farm (Site B in the Main Issues Report Map 23 (S4_Doc_022)) would accommodate a maximum of 50 units, would be well screened land in sustainable area, could resolve access constraints through land to the south east of Balnadrum Farm (693 MIR site assessments (S4_Doc_022)) and would still offer generous allowance for open space, conservation and infrastructure.

Pitlochry Civic Trust (10318/1/005): Land around Auchnahyle Farm (Site B in the Main Issues Report Map 23 (S4_Doc_022)) would accommodate the additional 30 units required if H39 was reduced from 90 to 30 units. The site is ideal as it is largely hidden from view.

Pitlochry Civic Trust (10318/1/002): To find more employment land in Highland Perthshire Pitlochry Civic Trust suggests business use at Auchnahyle steading which would provide mixed use development (houses with workshops). The site is secluded and would propose access to commercial/industrial development along southern boundary might be off Atholl Palace Drive. The allotments on the north end of site may not be suitable for building on (S4_Doc_022).

Charles Hodge (00752/1/004): Land to south west of Duff Avenue (694 MIR site assessments (S4_Doc_022)) with the originally proposed site boundary amended to address scale and coalescence concerns, is immediately deliverable with no significant infrastructure or engineering concerns, would deliver a housing requirement in the short term, access has been specifically reserved via Duff Avenue and there are service connections available.

Helen & Xander McDade (09502/1/001): Proposed Plan for Pitlochry only identifies existing employment land and provides no new areas. Further employment use close to the town centre should be identified and propose the re-allocation of some of the area currently proposed for housing to light business e.g. office use and the introduction of mixed use where appropriate. Residential sites should provide a range of housing types to encourage a more mixed population. Tourism is the major economic driver due to an attractive town centre which is considered one of the best preserved, coherent Victorian town centres in Scotland therefore Conservation Area status should be completely retained. The Plan makes no reference in paragraph 6.4 to non-tourism business. Increased resilience in local economy cannot be gained through over dependence on one particular sector. Whilst tourism is critical other business should be prioritised in the town. Current public transport is inadequate and expensive which increases reliance on cars; therefore better parking facilities are required. Improved public transport and local employment will help achieve a reduction in gas emissions. Without these improvements the number of new households envisaged will be excessive.

Modifications sought by those submitting representations:

General

Dr Margaret Crombie (00287/1/002); Mr & Mrs Ian Rawson (00222/1/001); A M Crombie (00289/1/002); Mr & Mrs W Bright (00502/1/001); Mr & Mrs John Michie (09732/1/001):

Modify the settlement boundary to exclude land to the north of Manse Road, Moulin (S4_Doc_649).

Pitlochry & Moulin Community Council (00838/1/003): Strict development standards to be applied to the site to the north of Manse Road to protect visual amenity and integrity of Moulin village.

A M Crombie (00289/1/001): Modify the settlement boundary to coincide with the southern boundaries of numbers 17 and 18 Duff Avenue (S4_Doc_022).

Pitlochry Civic Trust (10318/1/001): Proposals map should be amended to show open space at: primary school play area, Delta Park, The Cuilc and Bobbin Mill Wood/Hospital area (S4_Doc_022).

Pitlochry H38

Philip Forsyth (00524/1/001): Modify Site Specific Developer Requirements to include the provision of adequate visual and sound reduction screening.

Jennifer Stark (00623/1/001): Modify Site Specific Developer Requirements to identify the widening of the junction at Bridge Road/A924 with the provision of a mini roundabout and traffic lights. Identify the access to site be taken on the corner of Bridge Road/Foss Road.

Charles Hodge (00752/1/001): Reduce the identified number of dwellings.

Pitlochry & Moulin Community Council (00838/1/001): Modify the site boundary to make provision for the duelling of the A9. Identify a clear requirement for improved site access and junction improvements on the wider road network.

A & J Stephen (Builders) Ltd (03068/7/001): Modify the Site Specific Developer Requirements in the first bullet point delete 'to town centre'.

Scottish Natural Heritage (05211/24/014): Modify the Site Specific Developer Requirements to include: *'Noise attenuation measures are required adjacent to the A9. These should be appropriate to the location and should not obscure views to Pitlochry or Ben Vrackie.'*

Scottish Environment Protection Agency (03194/38/001): Modify the Site Specific Developer Requirements to include the need for a Flood Risk Assessment. Recommend that the requirement should specify that no built development should take place on the functional flood plain or within an area of known flood risk.

Barry Simpson (00179/1/002): Modify the Site Specific Developer Requirements to include the need for a Flood Risk Assessment.

Pitlochry H39

Dr Margaret Crombie (00287/1/003); Alan Crombie (00288/2/001); Mr & Mrs R Gardiner (10280/1/002): Remove site from plan.

Charles Hodge (00752/1/002): Remove the site from the Plan or reduce the identified number of dwellings.

Ross Gardiner (00757/1/002): Remove the site from the Plan or reduce the identified number of dwellings. Modify the Site Specific Developer Requirements to include the

need to address the problem of Japanese Knotweed near the Moulin Burn.

Pitlochry Civic Trust (10318/1/004): Reduce number of identified dwellings from 90 to 60. The depth of biodiversity shown to the east should be increased to cover the area of recently felled trees.

A & J Stephen (Builders) Ltd (03068/6/001): Modify the Site Specific Developer Requirements in the fifth bullet point delete *'Paths within the site linking to core path network and provide a largely off-road route to the High School.'*

Forestry Commission Scotland (08988/1/014): Modify the Site Specific Developer Requirements to identify that the developer of this site must confirm in writing that the burden of the Felling Licence has been removed. The proposed landscaping of the site and green networks must take into account and incorporate existing features on and off site and provide for habitat and access links. Advance planting of the site to establish the networks should be considered.

Philip Forsyth (00524/1/002): Modify the Site Specific Developer Requirements to require a range of houses size and tenure and pedestrian and cycle routes to connect to school.

Pitlochry & Moulin Community Council (00838/1/002): Modify the Site Specific Developer Requirements to include reference to screening within the site and particularly with adjacent neighbours and indicate that no development on ridgeline will take place at the north west of the site

Scottish Environment Protection Agency (00947/1/025): Modify the Site Specific Developer Requirements to include the need for a Flood Risk Assessment.

A & J Stephen (Builders) Ltd (03068/14/001): Modify the northern boundary of the site to reflect the submitted plan.

Robert Williamson (00583/1/001): Reduce the number of identified dwellings and increase the width of the landscaping adjacent to the Moulin Burn.

Pitlochry New Sites

Charles Hodge (00752/1/003); Pitlochry Civic Trust (10318/1/005): Designate site at Auchnahyle (S4_Doc_022) for residential development.

Pitlochry Civic Trust (10318/1/002): Designate Auchnahyle (S4_Doc_022) steading for employment use.

Charles Hodge (00752/1/004): Designate land south west of Duff Avenue, Moulin (S4_Doc_022) for residential development.

Helen & Xander McDade (09502/1/001): Identify adequate supply of employment land in Pitlochry through re-allocation of some the area of housing to light business to create mixed use areas. Conservation Area to be retained.

Identify varied housing needs for new housing sites. Encourage improved public transport. Improve parking facilities.

Summary of responses (including reasons) by planning authority:General Issues

Dr Margaret Crombie (00287/1/002); Mr & Mrs Ian Rawson (00222/1/001); A M Crombie (00289/1/002); Mr & Mrs W Bright (00502/1/001); Mr & Mrs John Michie (09732/1/001): The inclusion of this land within the settlement boundary provides an opportunity for development which would be subject to Conservation Area Policy HE3A (S4_Doc_508) to protect the area against undesirable development. This opportunity seeks to contribute to small scale development within Highland Perthshire in line with the TAYplan Spatial Strategy (Core_Doc_099).

No modification is proposed to the Plan.

Pitlochry & Moulin Community Council (00838/1/003): The standards requested are covered in Conservation Areas Policy HE3A (S4_Doc_508) which indicates that there is a presumption in favour of development if it preserves or enhances the character or appearance of the designation. The design, materials, scale and siting of new development within a conservation area and development out with an area that will impact upon its special qualities should be appropriate to its appearance, character or setting.

No modification is proposed to the Plan.

A M Crombie (00289/1/001): The settlement boundary as drawn to the south of Duff Avenue is the result of a drafting error.

If the Reporter is minded the Council would agree to a technical amendment to the settlement boundary to follow the southern boundaries of numbers 17 and 18 Duff Avenue.

Pitlochry Civic Trust (10318/1/001): Policy CF1A: Existing Areas (S4_Doc_414) seeks to retain existing areas of open space including sports pitches and parks. The proposals map shows some of those areas which are covered by this Policy. Policy RD1: Residential Areas (S4_Doc_405) identifies that residential amenity will be protected and, where possible, improved.

If the Reporter was so minded the Council would not oppose the identification of the various areas of open space as indicated within the representation and their inclusion in the Plan.

Pitlochry H38

Philip Forsyth (00524/1/001): The Site Specific Developer Requirements indicate that there should be '*Noise attenuation measures adjacent to the A9*' and that a '*Landscape Framework*' would be required for the development. It is considered that these existing requirements adequately respond to the suggested modification.

No modification is proposed to the Plan.

Jennifer Stark (00623/1/001): Policy TA1A Transport Standards and Accessibility Requirements (S4_Doc_387) makes provision for new development proposals. The access to the site and associated improvements would be detailed within a planning application. The Council would only require improvements to the wider road network if it was considered that the development would have a significant impact.

No modification is proposed to the Plan.

Charles Hodge (00752/1/001): The designation of this site is considered to meet the Spatial Strategy of the TAYplan (Core_Doc_099) which requires development to be concentrated within tiered settlements. Pitlochry is identified as a tier 3 settlement and provides an opportunity to provide a significant contribution to housing provision within the overall Local Development Plan area. The density indicated within the Plan should be considered as the maximum amount of units that could be accommodated within the site based on a medium density range of 20 units per hectare as set out in the Main Issues Report (Figure 14 page 39) (S4_Doc_224). Policy PM1 Placemaking (S4_Doc_396) seeks to ensure that development contributes positively to the quality of the surrounding built and natural environment and sets out a number of criteria that proposals should meet including creating a sense of identity, site topography and surrounding landmarks, views or skylines, design of proposals and respect and consideration of existing development. It is recognised that there are iconic views towards Pitlochry from the south. The Developer Requirements have identified the need for a '*Landscape Framework*' to help inform how the views within and towards the site can be protected and enhanced as part of an application.

No modification is proposed to the Plan.

Pitlochry & Moulin Community Council (00838/1/001): Transport Scotland has been consulted on the Plan and raised no comments or objections indicating that the site would be affected by the works proposed for the A9. Policy TA1A Transport Standards and Accessibility Requirements (S4_Doc_387) provides provision for new development proposals. The access to the site and associated improvements would be detailed within a planning application.

No modification is proposed to the Plan.

A & J Stephen (Builders) Ltd (03068/7/001): The Site Specific Developer Requirements is not identifying the provision of a new path network but is identifying that enhanced links to the town centre should be made. These enhancements could be identified through Perth & Kinross Council Core Paths Plan (Core_Doc_023) or on other Council maintained networks and, where appropriate, new development may be required to support their provision to create improved connections with the town centre.

No modification is proposed to the Plan.

Scottish Natural Heritage (05211/24/014): The Council does not agree with the proposed modification although the provision of noise attenuation measures at this site may have an impact on the views from the A9. The site sits at a lower level than the road edge and any mitigation measures would only occupy a short length of the road edge having little impact to the overall views of Pitlochry or Ben Vrackie when travelling on the A9.

No modification is proposed to the Plan.

Scottish Environment Protection Agency (03194/38/001); Barry Simpson (00179/1/002): This site is not within the identified flood risk area but due to the topography and proximity to an identified area of flood risk the proposed modification is considered acceptable. This ensures no new development is at risk of flooding or would increase flooding to existing areas.

If the Reporter was so minded the Council would have no objection to the proposed modification to the Site Specific Developer Requirements requiring a Flood Risk Assessment.

Pitlochry H39

Dr Margaret Crombie (00287/1/003); Alan Crombie (00288/2/001); Mr & Mrs R Gardiner (10280/1/002); Charles Hodge (00752/1/002); Ross Gardiner (00757/1/002); Pitlochry Civic Trust (10318/1/004): The designation of this site is considered to meet the Spatial Strategy of the TAYplan Policy 1 (S4_Doc_067) which requires development to be concentrated within tiered settlements within the area. Pitlochry is identified as a tier 3 settlement and provides an opportunity to offer a significant contribution to housing provision within the overall Local Development Plan area. There is little brownfield land available within the settlement to support this further growth. The density indicated within the Plan should be considered as the maximum amount of units that could be accommodated within the site based on a medium density range of 20 units per hectare as set out in the Main Issues Report (Figure 14 page 39) (S4_Doc_224). The original figure in the Main Issues Report was 70 units. In order to allow flexibility on the number of units coming forward and subject to a suitable layout and consideration of topographic and nature conservation constraints this has been increased to 90 units. Policy PM1: Placemaking (S4_Doc_396) seeks to ensure that development contributes positively to the quality of the surrounding built and natural environment. It sets out a number of criteria that proposals should meet including creating a sense of identity, site topography and surrounding landmarks, views or skylines, design of proposals and respect and consideration of existing development. Policy NE3: Biodiversity (S4_Doc_406) will be considered through any planning application and will allow for mitigation to be required in relation to Japanese Knotweed. The Developer Requirements indicate the developer must provide a '*Landscaping Framework*' as part of their proposal and enhance the biodiversity of the site. Both these provisions presume to cover issues such as existing habitats, green networks and advance planting to provide a framework as well as establishing new networks within the site.

No modification is proposed to the Plan.

A & J Stephen (Builders) Ltd (03068/6/001): The Council accepts the issues that have been raised. The Developer Requirement indicated has been mis-read indicating that the developer would be required to make a contribution to the core path network. The developer requirement seeks to link the path network within the site to the path network outwith the site to enable linkages to an off road route, in particular to the school. This requirement is not considered unreasonable to ensure that the pedestrian network makes linkages to the existing surrounding path network.

If the Reporter was so minded to provide further clarification the following change to the wording is proposed to provide clarity from '*Paths within the site linking to the core path network and provide a largely off-road route to the High School*' to '*Paths within the site should link to the existing core path network to further enable a largely off-road route to the High School*'.

Forestry Commission Scotland (08988/1/014): The Developer Requirements indicate the developer must provide a '*Landscaping Framework*' as part of their proposal and enhance the biodiversity of the site. Both these provisions presume to cover issues such as existing habitats, green networks and advance planting to provide a framework as well as establishing new networks within the site. The issue raised with regards to the Felling Licence would be more appropriate as a condition within a planning application rather

than a provision of the Local Development Plan.

No modification is proposed to the Plan

Philip Forsyth (00524/1/002): Policy PM1 Placemaking (S4_Doc_396) defines the criteria which should be followed through any proposed development. The provision of a range of house types, sizes and tenure as well as the provision of improved linkages is a core principle of place making.

No modification is proposed to the Plan.

Pitlochry & Moulin Community Council (00838/1/002): The Developer Requirements indicate that a '*Landscape Framework*' should be provided as part of the proposal which would consider screening within the site and adjacent properties. Policy PM1B Placemaking (S4_Doc_396) indicates in provision (b) that proposals should consider and respect site topography and any surrounding important landmarks, views or skylines which would address concerns regarding development on the ridgeline of the site.

No modification is proposed to the Plan.

Scottish Environment Protection Agency (00947/1/025): This site is not within the identified flood risk area but due to the topography and proximity to an identified area of flood risk the proposed modification is considered acceptable. This ensures no new development is at risk of flooding or would increase flooding to existing areas.

If the Reporter was so minded the Council would have no objection to the proposed modification to the Site Specific Developer Requirements requiring a Flood Risk Assessment.

A &J Stephen (Builders) Ltd (03068/14/001): The Council wishes to retain the physical separation of Moulin and Pitlochry in order to respect their individual identities and characteristics and is therefore reluctant to see any further encroachment by development on the land between them. The proposed modification is not considered justified on the grounds of facilitating a new road and would hold no safeguards that it would not be promoted for further development. The planning application process will consider if additional land is required for the road if this is demonstrated as a necessary requirement.

No modification is proposed to the Plan.

Robert Williamson (00583/1/001): The green wedge identified indicates a requirement to retain an area of open space along the Moulin Burn. The Developer Requirements indicate the need for '*Landscape Framework*' and '*Enhancement of Biodiversity*' therefore the size of this green wedge would be as a result of the provision of a Landscape Framework and assessment to ensure the protection and enhancement of the local biodiversity within this site.

No modification is proposed to the Plan.

Pitlochry New Sites

Charles Hodge (00752/1/003); Pitlochry Civic Trust (10318/1/005 & 10318/1/002): The site has infrastructure constraints in terms of access into the site. Mr Charles Hodge (00752/1/003) has suggested that access could be provided from the north through land

at Balnadrum (S4_Doc_022). At the Main Issues Report stage SEPA had objected on the grounds that further investigation would be required to show how much of the site is available for development and that a Flood Risk Assessment would be required (MIR response (S4_Doc_656). The site is adjacent to an Ancient Woodland designation and therefore protection and enhancement measures would be needed such as a buffer strip and access management. The Council recognises that the site would have to overcome various constraints before being identified as effective land supply. The site however could be identified as appropriate for some development subject to overcoming the access constraints and any issues of viability in the long term but is unlikely to be delivered in the lifetime of this Local Development Plan.

The Council's preferred position is that no modification is made to the Plan but if the Reporter was minded to include the site the Council would suggest that further investigation would be required in terms of access constraints and the issues as mentioned by SEPA and Scottish Natural Heritage.

Charles Hodge (00752/1/004): The Council wishes to retain the physical separation of Moulin and Pitlochry in order to respect their individual identities and characteristics and is therefore reluctant to see any further encroachment by development on the land between them. Development on this site would further reduce this separation. In addition to the request by A&J Stephen (Builders) Ltd (03068/14/001) to extend site H39 within this area further raises these concerns.

No modification is proposed to the Plan.

Helen & Xander McDade (09502/1/001): The Spatial Strategy of the TAYplan (Core_Doc_099) requires development to be concentrated within tiered settlements within the area. Pitlochry is identified as a tier 3 settlement and whilst it would be desirable to be able to designate employment land the settlement is constrained in terms of topography, flooding, and national protective designations. The TAYplan (Core_Doc_099) sets requirements for a house build of 80 units per year therefore it was considered that the housing allocation should be concentrated within Pitlochry and Aberfeldy. In terms of employment land the tiered settlements of Aberfeldy and Birnam/Dunkeld provided sites that would meet employment land requirements. As set out on Page 151 of the Plan, the 5 year land supply for Highland Perthshire is a minimum of 5 hectares. Collectively the employment sites in Aberfeldy and Dunkeld provide 8.9 hectares which far exceeds this requirement (it also doesn't include employment opportunities which are identified in smaller settlements within the area). The Plan designates the existing employment areas within the town and therefore under Policy ED1: Employment and Mixed Use Areas, these areas are to be retained as such. The designation of the Pitlochry town centre as identified under Policy RC1: Town and Neighbourhood Centres encourages uses within Class 1 (retail) and Class 2&3 (building societies, estate agents, restaurants and cafes etc) of the Town and Country Planning (Use Classes)(Scotland) Order 1997 (Core_Doc_018) therefore helping to retain these uses within the town centre.

No modification is proposed to the Plan.

Reporter's conclusions:

Settlement boundary at Manse Road, Moulin

1. Land between Manse Road and the A924 at Moulin has been included within the

settlement boundary to provide an opportunity for housing development, which would contribute to small-scale development within Highland Perthshire in accordance with the TAYplan Spatial Strategy. The land comprises open fields within the Moulin Conservation Area boundary and any development would be subject to policy HE3A, which (in the modified form that is recommended under Issue 12) requires development to preserve or enhance the character or appearance of conservation areas.

2. In relation to the objections received to the inclusion of this area within the settlement boundary, the fields to the north of Manse Road form an important component of the setting of Moulin, particularly when viewed from the A924 approaching from the north-east. The inclusion of this area within the conservation area suggests it has a value as open space for the setting of the conservation area. Any development on this land would be unduly prominent and, notwithstanding the additional controls imposed by its location within the conservation area, it is considered that any development would be detrimental to the landscape setting and character of the conservation area. Inclusion of the land within the settlement boundary, which would provide a presumption in favour of development, would not, therefore, be desirable. Although a housing development on this land could make a small contribution to the housing requirement, any such contribution would not outweigh the adverse impact of the development on the Moulin Conservation Area.

Settlement boundary at Duff Avenue, Moulin

3. The settlement boundary shown on the Pitlochry Settlement Map does not properly reflect the southern boundary of 17 and 18 Duff Avenue. This is a drafting error and requires a technical amendment. In relation to the request that consideration be given to the allocation of land to the south-west of Duff Avenue for housing development, development on this site would reduce the physical and visual separation of Moulin and Pitlochry. This open area acts as a positive element in retaining the character and separate identity of Moulin and it is considered that any encroachment into this area should be resisted.

Open space designations

4. In relation to the request that open space at the primary school, Delta Park, The Cuilc and in the Bobbin Mill Wood/Hospital area be identified on the Pitlochry Settlement Map, the council confirms that policy CF1A seeks to retain existing areas of open space, including sports pitches and parks, identified in the Proposed Plan. A number of areas of open space are shown on the Pitlochry Settlement Map and the council does not oppose the addition of the areas of open space suggested by the respondent.

Housing sites - general

5. In relation to the principle of identifying sites H38 and H39 for housing, additional allocations for 550 housing units are required in Highland Perthshire. In accordance with the TAYplan hierarchical settlement approach, the Proposed Plan concentrates the majority of the housing development in Pitlochry and Aberfeldy, two of the three principal settlements in Highland Perthshire. No housing designations have been made in Dunkeld/Birnam because of potential flooding, topographical and natural heritage constraints (see Issue 28b). Two sites with a maximum capacity of 300 houses are identified in Aberfeldy (see Issue 28a). There is a need, therefore, to designate substantial housing land in Pitlochry in order for the Proposed Plan to comply with the TAYplan Spatial Strategy. As will be seen below, the owner of the only other site

considered in the Main Issues Report, at Auchnahyle Farm, does not wish to pursue its development for housing at this time. The scope for housing in Pitlochry is therefore limited to two sites with a maximum capacity of 160 houses.

Housing site H38

6. Respondents refer to a number of issues relating to the development of this site: the provision of adequate visual and noise reduction screening between the site and the A9; the access to the site; the effect of any dualling of the A9 on the site; the provision of footpath links to Pitlochry; and the potential flood risk from a watercourse along the eastern boundary of the site. In response, the council draws attention to the site-specific developer requirements, which include noise attenuation measures adjacent to the A9 and the requirement for a landscape framework. These requirements should ensure the implementation of appropriate noise attenuation measures and visual screening along the boundary with the A9. Although these measures may have an impact on views over the site from the A9, any mitigation measures would only occupy a short length of the road edge and would have little impact on the overall views of Pitlochry or Ben Vrackie from the A9.

7. In relation to the concerns about access to the site, policy TA1B requires development proposals to make provision for improvements to the wider road network should it be found to be necessary. Transport Scotland has raised no concerns regarding the effect of the works proposed for the A9 on the site. In relation to the provision of footpath links to Pitlochry, policy TA1B provides for on-site and/or off site works, through developer contributions where appropriate, towards improvements and enhancements to the walking/cycling network. In relation to flood risk, the site is not within a flood risk area but, in view of the representation from the Scottish Environment Protection Agency (SEPA), it would be prudent to require a flood risk assessment to be undertaken prior to the submission of any planning application.

Housing site H39

8. A number of respondents voice concern about the impact of the development of this site on the character of the surrounding area. Concerns are also expressed regarding the adequacy of the road access to the site and the number of dwellings proposed.

9. There is no doubt that any development on this sloping and elevated site would be highly prominent. The site is conspicuous in views from a number of locations. The layout, siting, design and materials used in any development is therefore of paramount importance and Policy PM1 places great stress on development contributing positively to the quality of the surrounding built and natural environment. Policy PM1B sets out a number of criteria which, if met, should ensure that the development of the site respects the character of the surrounding area.

10. The number of dwellings proposed for the site (90 units) has been increased from that set out in the Main Issues Report (70 units). The number of dwellings is based on a medium density range of 20 units per hectare, which should be considered as the maximum amount of units that can be accommodated. The actual figure will depend on the production of a suitable layout for the site that takes account of topographical and nature conservation constraints. In this respect, the developer requirements require the provision of a landscape framework and enhancement of the biodiversity of the site, which would include the conservation of existing habitats, the provision of green networks and advance planting. The landscape framework would consider the provision of open

space along the Moulin Burn and screening within the site and of adjacent properties. The site is not within an identified flood risk area.

11. In relation to the requirement for footpath links, the council has clarified that the site-specific developer requirement refers to the linking of paths within the site to the path network outwith the site to enable linkages to an off-road route, in particular to the High School. The council is not seeking a contribution to the core path network.

12. In relation to the request that the site be extended along the northern boundary in order to accommodate the access to the site, the planning authority is reluctant to see any further encroachment into the area between Pitlochry and Moulin. The respondent indicates that it is physically impossible to provide an access which meets the council's roads standards on maximum gradients within the boundary shown on the Pitlochry Settlement Map due to the topography of the site. A small extension is therefore requested, with no increase in house numbers. The council suggests that the need for any additional land outwith the site boundary for the provision of access would be considered at the planning application stage.

13. The respondent refers to the additional land required as a small extension but the area of additional land shown on the plan attached to representation 03068/14/1 appears more extensive and would constitute a significant encroachment into the open area between Pitlochry and Moulin. As indicated above, this open area acts as a positive element in retaining the character and separate identity of Moulin and any significant encroachment into this area should be resisted. It is considered, therefore, that it would not be appropriate to extend site H39 as shown on the plan attached to representation 03068/14/1. The detailed layout of the site, including the provision of the main access road, are matters for consideration at the planning application stage and it would be for the council at that stage to determine whether a minor alteration to the allocated site to accommodate the road access was justified.

Pitlochry - New Site at Auchnahyle Farm (Site B in the MIR)

14. In relation to the request that consideration be given to the designation of land at Auchnahyle Farm (MIR site B) for a maximum of 50 housing units, whilst there is support for this site as an alternative to site H39, there are severe access constraints which could only be overcome by the inclusion of additional land at Balnadrum to the north-west. In any event, the current landowner of the site does not wish to pursue its development for housing at this time. Consequently, it is unlikely that any housing could be delivered on this site during the lifetime of the Proposed Plan and, therefore, it would not be appropriate to consider its inclusion in the Proposed Plan as a housing site.

Pitlochry – overall strategy for development

15. The representation received on the spatial strategy as it relates to Pitlochry and the approach in the Proposed Plan to housing and economic development, sustainable development, infrastructure, travel and transport, comprises general comments to be considered. It provides support for mixed business uses, the retention of the conservation area, the improvement of car parking facilities and improved public transport.

16. In response, the council explains that Pitlochry, together with Aberfeldy and Dunkeld/Birnam, is a Tier 3 settlement in TAYplan. Tier 3 settlements have the potential to play an important but modest role in the regional economy and accommodate a small

share of the region's additional development. Housing allocations in Highland Perthshire are concentrated in Pitlochry and Aberfeldy. In terms of employment land, the employment sites in Aberfeldy and Dunkeld provide 8.9 hectares of land, which far exceeds the requirement. There are no additional areas of employment land in Pitlochry but Policy RC1 allows a mix of business uses in Pitlochry town centre. The conservation area based on the centre of Pitlochry is retained. A variety of policies in the Proposed Plan, such as Policies PM1 and TA1, are aimed at creating and maintaining sustainable communities and encouraging sustainable modes of transport. It is not considered that any specific changes are required to the Proposed Plan in response to the comments on the spatial strategy as it relates to Pitlochry.

Reporter's recommendations:

Settlement boundary at Manse Road, Moulin

1. Modify the settlement boundary on the Pitlochry Settlement Map to exclude the fields between Manse Road and the A924 and revert to the settlement boundary shown in adopted Highland Area Local Plan and Schedule 4 document 649.

Settlement boundary at Duff Avenue, Moulin

2. Modify the settlement boundary on the Pitlochry Settlement Map to properly reflect the southern boundary of 17 and 18 Duff Avenue.

Open space designations

3. On the Pitlochry Settlement Map, identify open spaces at the primary school, Delta Park, The Cuilc and in the Bobbin Mill Wood / Hospital area to which policy CF1 applies.

Housing site H38

4. Add "*Flood Risk Assessment*" to list of site-specific developer requirements.

Housing site H39

5. Replace site-specific developer requirement "*Paths within the site linking to core path network and provide a largely off-road route to the High School*" with "*Paths within the site should link to the existing core path network to further enable a largely off-road route to the High School*".