

Issue 39	Strathearn Area - Settlements with Proposals	
Development plan reference:	8.7 Comrie and Cultybraggan, page 260-262 H58 - Cowden Road, Comrie, page 260	Reporter: Douglas Hope
Body or person(s) submitting a representation raising the issue (including reference number):		
<div><div><div>William Dewar (00134) Crawford Wilson (00203) Caledonian Trust plc (00336) David Wilson (00340) Kathleen Wilson (00356) Francis H Hamilton (00359) David Liddell (00476) Iain Young (00491) Jenny Adams (00514) Kenneth & Janet Heiser (00581) David & Marion Scott-Angell (00589) June MacPhee (00593) Graham MacPhee (00596) John Cook (00617) David Pettigrew (00629) David Thomson (00630) Penelope Reith (00764) Ann Turner (00765) Christopher Reith (00766) Catriona Cleghorn (00767) Mr & Mrs David Thomson (00768)</div><div><div>Edith McIntyre (00769) Ian McIntyre (00770) Jean Davidson (00771) Joyce Moore (00772) Mary Paterson (00773) Robert Arnott (00774) Felicity Martin (00775) Donald & Mary McGillivray (00793) Christian Campbell (00827) Dr William MacIndoe (00932) Morag Aitken (00933) Neill Aitken (00934) A & J Stephen (Builders) Ltd (03068) David Adams (09420) Peter Bonham Carter (09421) John Turner (09644) Colin & Vanessa Davidson (09698) Mr & Mrs Derek Redfern (10053) Andrew Thompson (10278) Comrie Community Council (10361)</div></div></div></div>		
Provision of the development plan to which the issue relates:	Strathearn HMA, Comrie and Cultybraggan	
Planning authority's summary of the representation(s):		
<div>H58 William Dewar (00134/1/001); Crawford Wilson (00203/1/001); David Wilson (00340/1/001); Kathleen Wilson (00356/1/001); David Liddell (00476/1/001); Jenny Adams (00514/1/001); David Adams (09420/1/001); Kenneth & Janet Heiser (00581/1/001); David & Marion Scott-Angell (00589/1/001); June MacPhee (00593/1/001); Graham MacPhee (00596/1/001); Andrew Thompson (10278/1/001); John Cook (00617/1/001); David Pettigrew (00629/1/001); David Thomson (00630/1/001); John Turner (09644/1/001); Donald & Mary McGillivray (00793/1/001); Felicity Martin (00775/1/001); Robert Arnott (00774/1/001); Joyce Moore (00772/1/001); Jean Davidson (00771/1/001); Ian McIntyre (00770/1/001); Edith McIntyre (00769/1/001); Mr & Mrs David Thomson (00768/1/001); Catriona Cleghorn (00767/1/001); Christopher Reith (00766/1/001); Ann Turner (00765/1/001); Penelope Reith (00764/1/001); Christian Campbell (00827/1/001); Colin & Vanessa Davidson (09698/1/001); Mary Paterson (00773/1/001); Derek Redfern (10053/1/001 & 10053/1/003); Dr William MacIndoe (00932/1/001); Morag Aitken (00933/1/001); Neill Aitken (00934/1/001); Respondents raised the following concerns: proposal would be contrary to TAYplan spatial strategy (as</div>		

set out in LDP paragraph 4.2.2 (S4_Doc_734)); there would be no local need for the additional houses and the proposal would be an unnecessary over allocation beyond TAYplan's requirement for the Strathearn HMA; contrary to LDP Policy RD1 (S4_Doc_504) because it does not meet the policy's criteria; opposition to loss of productive agricultural land (LDP paragraph 4.3.12 (S4_Doc_492)); do not wish to see development outside the adopted settlement boundary (S4_Doc_725); site is reported to be inadequately drained, liable to flooding and would increase flood risk to other properties (LDP Policy EP3 (S4_Doc_428)); site is not well served by public transport (LDP Policy TA1B (S4_Doc_387)) and infrastructure such as gas and sewerage is reported to be unavailable; school and medical centre lack capacity for new development; adverse impact on open views from village and recreational use of the site (LDP Policies CF1A (S4_Doc_414) and NE4 (S4_Doc_415)); inadequate access to site along Cowden Road; adverse impact on capacity of A85 trunk road; Langside Drive and Cowden Road are reported to be unsuitable for access; lack of parking capacity in village; alternative sites reported to be available at Aberuthven and Abernethy (not identified); and adverse impact on Dalginross Conservation Area, highlighting that improved vehicular access infrastructure could compromise the conservation area characteristics especially at Top Square.

Peter Bonham-Carter (09421/1/001): Ownership issues at Cowden Road and Cowden Lane require to be addressed should Cowden Road be required for access. It is reported that Stephen Builders do not own Cowden Lane, which is the single track road extending south of the Cowden Road junction with Langside Drive

Francis Haig Hamilton (00359/1/001): Concerns that the contractor will damage a section of Cowden Road, which is privately maintained, during construction of the proposal.

Comrie Community Council (10361/1/001): The principal access to the site is via the unadopted Cowden Road, which could reasonably be expected to bear the additional traffic arising from the proposed site.

Iain Young (00491/1/001): If H58 is developed then Cowden Road should be adopted and raised to public road standard. In addition to tree protection on the east and south side, the existing tree/bush/fence screening and the west side should be improved to ensure South Cottage is screened.

A & J Stephen (Builders) Ltd (03068/10/001): Support for the proposal, logical extension to the village.

Tomperran Farm employment site

Caledonian Trust plc (00336/2/001 & 00336/2/002): Seek reallocation of employment site at East Tomperran Farm to housing with home working, Historic lack of demand for employment land at East Tomperran. Alternative supply of employment land is being developed at Cultybraggan Camp. The farm steading at East Tomperran already has planning permission for 12 dwellings (S4_Doc_727).

Modifications sought by those submitting representations:

H58

William Dewar (00134/1/001); Crawford Wilson (00203/1/001); David Wilson (00340/1/001); Kathleen Wilson (00356/1/001); David Liddell (00476/1/001); Jenny Adams (00514/1/001); David Adams (09420/1/001); Kenneth & Janet Heiser (00581/1/001); David & Marion Scott-Angell (00589/1/001); June MacPhee

(00593/1/001); Graham MacPhee (00596/1/001); Andrew Thompson (10278/1/001); John Cook (00617/1/001); David Pettigrew (00629/1/001); David Thomson (00630/1/001); John Turner (09644/1/001); Donald & Mary McGillivray (00793/1/001); Felicity Martin (00775/1/001); Robert Arnott (00774/1/001); Joyce Moore (00772/1/001); Jean Davidson (00771/1/001); Ian McIntyre (00770/1/001); Edith McIntyre (00769/1/001); Mr & Mrs David & Thomson (00768/1/001); Catriona Cleghorn (00767/1/001); Christopher Reith (00766/1/001); Ann Turner (00765/1/001); Penelope Reith (00764/1/001); Christian Campbell (00827/1/001); Colin & Vanessa Davidson (09698/1/001); Mary Paterson (00773/1/001); Derek Redfern (10053/1/001 & 10053/1/003); Dr William MacIndoe (00932/1/001); Morag Aitken (00933/1/001); Neill Aitken (00934/1/001): Amend plan to remove site H58.

Peter Bonham-Carter (09421/1/001); Francis Haig Hamilton (00359/1/001); Comrie Community Council (10361/1/001): Amend plan to include a site specific developer requirement that Cowden Road be brought up to adoptable standard; an assessment of road safety be carried out at the complex junction with the main road; and the junction of Cowden Road and Dalginross/South Crieff Road be improved.

Iain Young (00491/1/001): Amend plan to include a site specific developer requirement that the local road network be brought up to adoptable standard; and a tree belt provided/improved for screening on east, south and west sides.

Tomperran Farm employment site

Caledonian Trust plc (00336/2/001 & 00336/2/002): Removal of employment allocation from site and instead allocate as housing with home working.

Summary of responses (including reasons) by planning authority:

H58

William Dewar (00134/1/001); Crawford Wilson (00203/1/001); David Wilson (00340/1/001); Kathleen Wilson (00356/1/001); David Liddell (00476/1/001); Jenny Adams (00514/1/001); David Adams (09420/1/001); Kenneth & Janet Heiser (00581/1/001); David & Marion Scott-Angell (00589/1/001); June MacPhee (00593/1/001); Graham MacPhee (00596/1/001); Andrew Thompson (10278/1/001); John Cook (00617/1/001); David Pettigrew (00629/1/001); David Thomson (00630/1/001); John Turner (09644/1/001); Donald & Mary McGillivray (00793/1/001); Felicity Martin (00775/1/001); Robert Arnott (00774/1/001); Joyce Moore (00772/1/001); Jean Davidson (00771/1/001); Ian McIntyre (00770/1/001); Edith McIntyre (00769/1/001); Mr & Mrs David Thomson (00768/1/001); Catriona Cleghorn (00767/1/001); Christopher Reith (00766/1/001); Ann Turner (00765/1/001); Penelope Reith (00764/1/001); Christian Campbell (00827/1/001); Colin & Vanessa Davidson (09698/1/001); Mary Paterson (00773/1/001); Derek Redfern (10053/1/001 & 10053/1/003); Dr William MacIndoe (00932/1/001); Morag Aitken (00933/1/001); Neill Aitken (00934/1/001); Peter Bonham Carter (09421/1/001); Francis Haig Hamilton (00359/1/001); Comrie Community Council (10361/1/001); Iain Young (00491/1/001): The MIR (S4_Doc_735) suggested that for the Strathearn HMA, the majority of housing development should take place in the two largest settlements of Crieff and Auchterarder, with a smaller percentage of the additional allocation (over and above the effective supply and windfall sites) directed towards the landward area. An area east of Cowden Road, Comrie, was suggested as one of five landward site options for development (S4_Doc_736). Respondents to the MIR expressed some support for development in settlements in the landward area, while expressing concern that development in the landward area around Auchterarder area would place strain on that town's infrastructure. There is a limited supply of housing in the

Comrie area and the proposal, for up to 30 units over the Plan period, is relatively modest. The requirement in respect of the criteria of Policy RD1 (S4_Doc_405) should be addressed by the applicant at planning application stage. Although reported to be poorly drained, the site is not at risk of flooding. The village is linked by public transport to Crieff and Perth. The primary school in Comrie is not constrained by capacity, and neither is the relatively new secondary school at Crieff Community Campus. In terms of medical centre capacity, the NHS was represented as a Key Agency and raised no concerns. A well developed path network exists around the village. In response to questions raised over access rights via Langside Drive and/or Cowden Road, A&J Stephen (Builders) Ltd asserted ownership of Cowden Road in its pre-MIR submission (S4_Doc_737) and the LDP includes a site specific developer requirement that the site be accessed from the public road. In respect of concerns raised at the impact of the proposal on the capacity of the A85 trunk road, Transport Scotland was represented as a Key Agency and raised no concerns. The proposal is outside the conservation area and it is considered that matters of design and other potential impacts on the conservation area should be addressed at any planning application stage.

No modification is proposed to the Plan.

Tomperran Farm employment site

Caledonian Trust plc (00336/2/001 & 00336/2/002): With the availability of alternative employment land at nearby Cultybraggan Camp, and a history of poor demand for employment land at Tomperran, it is suggested that if the Reporter is so minded to recommend that the proposed modification to replace the employment allocation with a 'white land' allocation at the site is adopted, the local authority would be comfortable with this modification because it would not have any implications on the employment land supply in the LDP. Turning to the second change sought, namely allocation of the site for housing, there is already a site identified in Comrie with sufficient capacity for the Plan period and it is considered that there is no need to allocate another site. With insufficient evidence that the site is effective it would be inappropriate to identify it as a proposal.

No modification is therefore proposed to the Plan in respect of a housing allocation.

Reporter's conclusions:

H58 Cowden Road

1. There is overwhelming opposition to this site from residents of the surrounding area on a number of grounds. Many respondents suggest that the designation of further housing land in Comrie is inconsistent with the TAYplan spatial strategy. In relation to the principle of designating further land for housing in Comrie, the Proposed Plan identifies a requirement for 1,820 houses in the Strathearn Housing Market Area during the period 2010-2024, in order to accommodate the population increase projected by TAYplan. In accordance with the TAYplan hierarchical settlement approach, the Proposed Plan seeks to concentrate the majority of the housing development in Auchterarder and Crieff, the principal settlements in the Strathearn Area. Auchterarder has a significant supply of effective housing land and the vast majority of housing development during the Proposed Plan period will be concentrated in Auchterarder. Taking account of expected windfall sites, land for only some 265 additional housing units is required to meet the 2010-2024 housing requirement and the majority of the additional housing land allocations are located in Crieff.

2. Whilst land with a capacity in excess of 400 houses is designated for housing development in Crieff, the site for 300 houses at Broich Road (MU7) is a long-term phased development. In accordance with the TAYplan spatial strategy, the vast majority of the additional housing requirement of 1,820 houses, apart from the site for 30 houses in Comrie, is located within the two principal settlements. It is also the case that the TAYplan housing land requirement figure is not a maximum to be provided but a minimum to be achieved. It is difficult to argue, therefore, that the designation of site H58 for 30 houses is contrary to the TAYplan spatial strategy. Furthermore, Policy 1 of TAYplan indicates that local development plans may provide for some development in settlements that are not defined as principal settlements where this can be accommodated and supported by the settlement. Paragraph 4.22 of the Proposed Plan confirms that below the tiered settlements the local development plan strategy seeks to allocate limited growth to those settlements with a range of facilities capable of serving local needs. The proposal for an additional 30 houses in Comrie over the period 2010-2024 is relatively modest.

3. More specific objections relate to the impact of additional housing development on community facilities and infrastructure, the impact on the amenity of neighbouring residential properties, the loss of agricultural land, the effect on wildlife and biodiversity, increased flood risk to other properties and the provision of access to the site. Comrie is a local centre with a range of community facilities and a primary school that is not constrained by capacity. Secondary education and community health facilities are available in Crieff, which is linked to Comrie by public transport. All development must comply with Policy PM1 of the Proposed Plan, which requires development to contribute positively to the quality of the surrounding built and natural environment. Policy PM1B sets out a number of criteria that must be met to ensure that any development complements its surroundings. Other policies in the Proposed Plan seek to ensure the provision of appropriate areas of informal and formal open space in new development (Policy CF1B); the protection and enhancement of wildlife habitats (Policy NE3); and the provision of foul and surface water drainage systems (Policy EP3). Although reported to be poorly drained, the Scottish Environment Protection Agency (SEPA) has not identified the site as being at risk of flooding. Nevertheless, the site-specific developer requirements require a flood risk assessment as well as the protection and enhancement of the adjoining woodland and the enhancement of biodiversity and protection of habitats.

4. In relation to the provision of access, the prospective developer asserts ownership of Cowden Road. The neighbouring landowner has indicated that the prospective developer does not own Cowden Lane beyond the junction of Cowden Road and Langside Drive. The site-specific developer requirement requires access to be taken from the public road. Nevertheless, the uncertainty over the nature of the access to be provided is clearly a matter of concern to local residents and clarification will be required as to whether access is to be obtained from an up-graded and adopted Cowden Road or from the adopted Langside Drive. These are matters that will require to be resolved during the planning application process but are not sufficient to warrant removal of the site from the Proposed Plan. However, should development of the site be held up due to an inability to resolve this issue, the designation can be reconsidered in the subsequent review of the local development plan.

Tomperran Farm employment site

5. This site comprises waste land and lies between Comrie Holiday Caravan Park and Tomperran farmhouse and steading. Planning permission has been granted for the erection of 10 dwellinghouses on the site of the farmhouse and steading and it is

requested that the area of land between the caravan site and the farm steading be allocated for housing development rather than employment use. The respondent asserts that when originally identified for employment use there was a dearth of employment land in Comrie but the position has changed with the acquisition of Cultybraggan Camp by the Comrie Development Trust. The respondent indicates that the land has been marketed for employment use for 6 years without any interest.

6. The planning authority would be comfortable with the removal of the employment land designation but considers that there is sufficient housing land in Comrie and there is insufficient evidence that the site is effective to justify a housing designation. Retention of the site within the settlement boundary would allow future small-scale housing development to be considered subject to compliance with Policies PM1 and RD1 of the Proposed Plan. It would also allow other non-contentious uses to be considered and therefore provide more flexibility in this mixed use area. It is considered that this would be the more appropriate course to take in this instance.

Reporter's recommendations:

Tomperran Farm employment site

1. Remove the employment land designation on the Comrie Settlement Map.