

## PERTH AND KINROSS COUNCIL

23 January 2013

**Proposed Local Development Plan Representation and Proposed Responses****Report by Executive Director (Environment)**

This report outlines the representations received in response to the publication of the Proposed Local Development Plan. The report outlines the procedures towards the adoption of the Plan and proposes responses to unresolved representation i.e. objections. The report recommends that the Council proceeds to submit the Plan and the unresolved issues, without notifiable modifications, to the Scottish Ministers to hold an Examination.

**1. RECOMMENDATION(S)**

## 1.1 The Committee is asked to

- i) note the representations received to the Proposed Local Development Plan
- ii) note the findings of the Strategic Environmental Assessment and its subsequent Addendum
- iii) note the findings of the Habitats Regulations Appraisal and Appropriate Assessment
- iv) approve the responses to the representations received as set out in the series of Schedule 4 documents contained in Appendix 3
- v) approve the topic paper on Housing Land Supply as set out in Appendix 4, to be submitted as evidence to the Scottish Ministers in support of the Plan
- vi) delegate to the Executive Director (Environment) the making of consequential changes to the series of Schedule 4s as a result of any decisions of the Council
- vii) delegate to the Executive Director (Environment) the making of minor correction or formatting changes to the series of Schedule 4s together with the provision of additional evidence to support the Council's response, which may be available prior to submission to the Scottish Ministers
- viii) approve the submission of the Plan and associated documents together with the unresolved issues to the Scottish Ministers for examination
- ix) instructed the Executive Director (Environment) to update and publish the Development Plans Scheme
- x) delegate to the Executive Director (Environment) to report back on the findings of the Examination in due course

## 2. BACKGROUND

2.1 At the Special Council Meeting of 10 January 2012. (Article No 3/12) the Council approved the Proposed Local Development Plan and agreed to its publication on 30 January 2012 allowing a 10 week period for representations. The Council also instructed the Executive Director (Environment) to report the representations received on the Proposed Plan back to a future meeting of the Council.

### 2.1.1 The Status of the Proposed Local Development Plan

2.1.2 At the Council meeting of 10 January 2012 the Depute Chief Executive made it clear (as did the Report in paragraph 1) that the Proposed Plan is an expression of the Council's "**settled view in relation to the appropriate use of land within the Council area**" and that its production represents a major stage in the Development Plan process setting out the Council's view as to the content of the final adopted Local Development Plan, and that this was Members opportunity to amend the content of the Proposed Plan. The Depute Chief Executive comments are consistent with guidance from Scottish Government in Planning Circular 1/09: Development Planning, this states "Scottish Ministers expect the proposed plan to represent the planning authority's settled view as to what the final adopted content of the plan should be. This stage should not be used to 'test the water': new or controversial elements of plan content should already have been aired at the main issues report stage (at least as options)".

2.1.3 This is given further weight by Sections 18(3) to 18(9) of the Town and Country Planning (Scotland) Act 1997 as amended and section 15 of The Town and Country Planning (Development Planning) (Scotland) Regulations 2008 then deal with pre-examination modifications and advise that following the close of the period for representations on the proposed plan, planning authorities may make modifications, but only so far as to take account of representations, consultation responses or minor drafting and technical matters. This clearly rules out the opportunity to reconsider areas of the Plan which have not attracted any representations seeking change. In line with this, the report and the associated appendices deal only with those aspects of the Plan which were the subject of representation seeking a change to the Plan.

### 2.2 Overview of Publicity and Representations

2.2.1 To raise awareness of the publication of the Proposed Plan and the opportunity to make representations a number of methods were employed, these included: statutory advert in local press and on internet; letter/email to all interested parties; articles in Community Newsletters; neighbour notification and public information events and workshops with Community Councils. The public information events were a significant success and gave the public an opportunity to view exhibition material relevant to their area as well as an opportunity to discuss the Proposed Plan with Officers. These were not only concerns and issues, but opportunities for clarification and guidance on how to make an effective representation to the Proposed Plan. These events were very well received and attended by 1374 members of the

community. Further details of the publicity and general public awareness measures are contained in the “Statement of Conformity” approved by the Enterprise and Infrastructure Committee of 7 November 2012. (Article No 560). This is a statutory document which the Council is obliged to submit to the Scottish Ministers along with the Plan. A copy of the Statement of Conformity is available in the Members’ lounge.

- 2.2.2 A total of 1526 representations, making in excess of 2750 comments, were received evidencing the success of the overall awareness raising exercise. It is also worth noting that 550 (20%) of these comments were in support of the Plan. Recommendation i) of this report asks Members to note the representations received to the Proposed Local Development Plan. The representations are available on the Council website at this link and a full set is also available for inspection in the Members’ Lounge <http://www.pkc.gov.uk/Planning+and+the+environment/Planning/Development+plan/Local+development+plan/Proposed+Local+Development+Plan+-+Representations.htm>
- 2.2.3 The use of the online Local Development Plan system was a great success with over 10,500 users to the web pages and at times was the most used section of the PKC website. In addition, over 75% of representations were submitted in an electronic format providing a large saving in resources.

### **3. THE NEXT STEPS**

- 3.1 Having received representations the Council has three options to progress the Plan towards Adoption. These are outlined below:-
- i) Where there are unresolved representations (objections), but the Council as planning authority decides to make no notifiable modifications, they are to publish the Plan and submit it to Scottish Ministers. Non notifiable modifications are minor drafting and technical matters e.g. amending the Strathearn map to show the Loch Leven catchment area.
  - ii) Where the authority decides to make notifiable modifications, they are to publish the modified Plan and specify a date (at least 6 weeks ahead) by which time further representations may be made. The authority may then further modify the plan or submit it to Ministers. (Notifiable modifications are modifications which (a) remove or significantly alter any policies or any proposals set out in the proposed local development plan; or (b) introduce new policies or proposals into the Proposed Local Development Plan.)
  - iii) Where the authority makes modifications that change the underlying aims or strategy of the proposed Plan, they are required to prepare and publish a new proposed LDP.
- 3.2 This report recommends that the Council proceeds with option i) and does not make any notifiable modification. This recommendation echoes the government’s expectations as set out in Circular 1/09: Development Planning Paragraph 58 indicates:-

*“From the proposed plan stage, Scottish Ministers expect the authority's priority to be to progress to adoption as quickly as possible. Pre-examination negotiations and notifiable modifications can cause significant delay and so should not be undertaken as a matter of course, but only where the authority is minded to make significant changes to the plan. The examination also provides an opportunity to change the plan, so if authorities see merit in a representation they may say so in their response to the reporter, and leave them to make appropriate recommendations. However, if authorities wish to support a significant change to the plan, especially one that would entail further neighbour notification, this should be done by means of a pre-examination modification.”*

3.3 It should be noted that in the event of notifiable modifications the target date for the adoption of the Local Development Plan will slip from late 2013 to September 2014 at the earliest. This revised date would only be achieved if the DPEA can deliver within its 6 month target. Indications are that there is a high risk this may not be possible if the Council does not submit in February 2013 due to the number of other plans being submitted for examination around the same time. This could lead to a further 6 month delay to final adoption in March 2015. Appendix 1 identifies the timeline for the adoption of the Plan under both scenarios.

3.4 The ability to indicate to the Reporter areas where the Council sees merit in the submitted representations clearly gives the Council the ability to influence the Reporter's final recommendation and the final content of the Plan. This avoids the time delay in contrast\*\* with a notified Plan, which at the end of the day is unlikely to result in an issue being resolved without an examination and the consideration of the issue by the reporter.

### 3.5 Procedures for Submission to Ministers

3.5.1 The submission of the Plan to Ministers is the trigger for the Plan to be passed to DEPEA (Directorate of Planning & Environmental Appeals) to hold an Examination into any unresolved issues (objections). The DPEA Reporters appointed to carry out the Examination will decide which issues they want further information on and whether they wish to hold any Hearing Sessions or a formal Inquiry into specific issues. It is likely that the vast majority of issues will be decided on the basis of written representation i.e. the representation and the Council's responses, which are the subject of this report.

3.5.2 The Council is required to submit to the DEPA the following:-

- The Proposed Local Development Plan together with the associated environmental reports
- All representation submitted prior to the close of the period of representations (Copies available in the Members' Lounge)
- The Council's response to unresolved issues, in a prescribed format known as a Schedule 4 (A list of Schedule 4s is contained in Appendix 2 attached and full copies are contained in Appendix 3 supplied in electronic format).

- The Council's Participation Statement and The Statement of Conformity (Copies available in the Members Lounge)
- The Proposed Action Programme (Subject of a separate report to Council)
- Core Productions i.e. any evidence backing up either the representations or the Council's responses

### 3.6 Schedule 4s

3.6.1 Following discussion with the DPEA, the unresolved issues arising from the consultation have been grouped into 46 topic groups, however, as some have sub-divisions the total number of topics is 69. The list of topics is contained at Appendix 2.

Each Schedule 4 provides:-

- A List of those submitting representations
- A summary of the relevant points
- Changes sought to the Plan
- The Council's response to the representations

3.6.2 It must be acknowledged that the format of each Schedule 4 is set up to assist the Reporter and does not make it a particularly readable document. It is not within the Council's discretion to amend this format. As the full set of Schedule 4s amounts to approximately 1000 pages this is provided as Appendix 3 in electronic format with a hard copy available in the Members' Lounge.

3.6.3 Following the Council's consideration of this report, it will be necessary to update any Schedule 4 where an amendment has been agreed and to make any consequential changes. Recommendation vi) seeks to delegate this to the Executive Director (Environment).

3.6.4 The complex nature of the Schedule 4s, with cross referencing to other documents, (either Schedule 4s or Core Documents) needs further work. It is also essential that a further round of checks is carried out to ensure that all representations are correctly referenced. Recommendation vii) seeks to delegate this to the Executive Director Environment. It must be emphasised that this delegation seeks to ensure the accuracy of the document and the presentation of the Council's case but does not extend to the individual recommendation on each issue raised.

## 4. **ENVIRONMENTAL ASSESSMENTS**

### 4.1 Strategic Environmental Assessment

4.1.1 The findings of the Environmental Report will be of use to Members during their consideration of the comments received on the Proposed Local Development Plan will help explain why a particular course of action was preferred over another. Should Members wish to modify the Proposed Local Development Plan then it will be necessary to determine whether these

changes will have a significant environmental effect. If they are likely to have a significant environmental effect beyond that already assessed then it will be necessary to undertake an environmental assessment of those changes. This in itself will add to the delay in submitting the Proposed Local Development Plan to Scottish Ministers for their consideration. Recommendation ii) asks Members to note the findings of the SEA and its subsequent Addendum in their deliberations on the content of this report.

## 4.2 Habitats Regulations Appraisal

4.2.1 Article 6(3) of the Habitats Directive<sup>1</sup> requires that any plan or project, which is not directly connected with, or necessary to the management of a Natura 2000 site<sup>2</sup>, but would be likely to have a significant effect, either alone or in combination with other plans or projects, should be subject to an appropriate assessment. It should be noted that the legislation requires that the Plan can only be adopted in its final form once it has been determined, following an assessment, that it will not adversely affect the integrity of a Natura 2000 site. The Perth and Kinross Proposed Local Development Plan (LDP) was subject to such an assessment.

4.2.2 The Habitats Regulations Appraisal (HRA) has been a major project taking several months and undergoing several stages of review with the help of Scottish Natural Heritage. The time taken to complete the process was due to the range of Natura 2000 sites covering the area.

4.2.3 The Perth and Kinross area contains either wholly or partially 22 SACs and 8 SPAs, these equate to 13% of the Council's entire land area being covered by European site designations. The Proposed Local Development Plan contains:

- A vision statement
- 6 key objectives
- 59 policies
- 28 pieces of supplementary guidance
- 131 site proposals, and
- 54 settlements with no specific allocations but where future infill opportunities exist within the settlement boundary.

4.2.4 All of which had to be considered individually for potential likely significant effects on a designated European site.

## 4.3 The Appropriate Assessment and Mitigation Measures

4.3.1 Following a multi-part screening stage to identify likely significant effects, the final part of the HRA process is the undertaking of the Appropriate Assessment, this is the test to determine whether the Proposed Plan will not adversely affect the integrity of Natura 2000 sites. The assessment identifies the potential impacts of a Plan, and provides the information to allow the

<sup>1</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

<sup>2</sup> Special Areas of Conservation (SAC) and Special Protection Areas (SPA) which are also referred to as European sites

Council, as the competent authority, to put in place sufficient mitigation measures in order to avoid any adverse impacts.

- 4.3.2 There were 29 elements of the Proposed Plan taken forward to the Appropriate Assessment stage: 12 policies, 1 piece of supplementary guidance and 16 site proposals. The mitigation measures developed in response will provide greater clarity and transparency for applicants as to which settlements and in what circumstances the provisions of the Plan's policy *NE1*: will apply, and also set out what will be expected of them in making a planning application.
- 4.3.3 One specific site raised a more fundamental issue. In relation to Proposal *E11: West of Ballinluig/A9*, the Assessment concluded that the development of the site could result in likely significant effects on the qualifying interests of the River Tay and Shingle Islands SACs due to the loss of part of the natural floodplain for the River Tummel. Scottish Natural Heritage (SNH) and Scottish Environment Protection Agency (SEPA) also raised significant concerns regarding potential flood risk. Therefore, in light of the above, the relevant Schedule 4 (Topic 29a) notes that it is considered that this site is highly unlikely to be effective. Consequently if the Reporter saw fit to remove the site from the Plan, the Council would be content.

#### 4.4 Further Actions

- 4.4.1 No further actions are required in relation to the Habitats Regulations Appraisal (HRA); however, under recommendation iii) Council is asked to note the HRA as a supporting document to the Plan. (A copy of the HRA is available in the Members' Lounge and provided in an electronic format to each Member).

### 5 UNRESOLVED ISSUES AND RESPONSES

- 5.1 This report does not set out to cover all the issues raised in the 1526 representations as these are covered in detail within the Schedule 4s in Appendix 3. Rather, this section of the report focuses on some of the key strategic cross cutting areas which pull together issues and responses from a number of the Schedule 4s. Reference will be made to two topic papers on Housing and Infrastructure Delivery. The Housing topic paper is contained in Appendix 4 and background topic paper. The topic paper of I i) is appended to the Draft Plan report. Recommendation V asks the Council to approve the Housing B paper and for it to be submitted to the Scottish Ministers as part of the evidence base supporting the Plan.
- 5.2 The report seeks to give Members an overview of some of the key policy or local issues raised by the representations. This is presented in the following order:-
- Vision and Objectives
  - Policies
  - General Spatial Strategy (Includes the key strategic issues)
  - Perth Area

- Highland Area
- Kinross-shire Area
- Strathearn Area
- Strathmore & the Glens

5.3 It should be noted that, where representations indicated support, or made only a comment on an issue then these are not defined as unresolved issues and are not referred to in a Schedule 4.

#### 5.4 **Vision and Objectives (Schedule 1 & 2)**

5.4.1 Comments on the LDP Vision and Objectives are largely supportive. In the most part comments on the Vision centre on the need to achieve the correct balance between meeting the need / demand for growth, and the protection of the environment and environmental quality. One representation raises the concern that the Vision Statement does not adequately explain why such a large proportion of growth is focused on Perth with no consideration given to the benefits of creating a new growth point in the Carse of Gowrie. As a strategic issue this was considered and rejected within the context of the Strategic Development Plan (TAYplan). As a result there is no need for the LDP to address this issue. There were no objections made to the Plan's Objectives.

#### 5.5 **Policies (Schedule 3-13 & 15-19)**

5.5.1 **Placemaking (Schedule 3)** There is general support for the principle of the policy. Homes for Scotland support the ethos of the policy but raise concern over whether it can be implemented. Their response cites the practical issues of land ownership and access rights over third parties land as an impediment to improving links beyond site boundaries. The policy as it stands acknowledges that this can only be done where practical. SNH suggest minor changes to the policy to ensure green networks, climate change mitigation and adaptation, and landscape character are addressed as key components of placemaking. The proposed response suggest the Council would not be opposed to this should the Reporter wish to suggest modifying the Plan.

5.5.2 **Economic Development (Schedule 5)** .The main objections to Policy ED1 relate to the stated appropriate employment uses within mixed use areas. Sainsbury's would like to see this extended to include retail as they consider it to be a significant employment generator which attracts investment. Whilst this is acknowledged it is excluded from the employment category because the Use Classes Order Scotland 1997 gives retail a use class of its own. Retail developments have a very different impact on an area in comparison to general employment development. In addition both Social Planning Policy (SPP) and TAYplan support and promote retail development in city centres, town centres and commercial centres. Most employment development and most employment sites contained within the.LDP are out of centre. Therefore any retail development, unless ancillary, is not compatible with current retail planning policy and require specific assessment.

5.5.3 Crieff Hydro would like to see Policy ED3 Rural Business and Diversification strengthened in terms of supporting existing tourism related developments. However, it is not considered necessary to change the plan because as the policy already specifically mentions, improving existing visitor facilities and existing tourism facilities are also supported by the policy and by the policy ED4 and policy ED5. Scone Palace and Estate would like to see support for visitor destination niche retailing that supports the tourism offer. They argue that such retail does not affect existing retail centres as it is a different type of retail offer. It is not proposed to change the Plan as retailing within rural areas and outwith settlements is generally considered to be inappropriate as it is not supported by SPP or TAYplan. It is however acknowledged that ancillary uses are acceptable, including retail associated with a visitor attraction or a farm shop.

**5.6 Tourism Policies (Schedule 6)** Policy ED5 is a new policy which seeks to recognise the importance of the key resort developments and there is general support for the principle of this policy. There have been various requests to add to the list of specified resorts i.e. Perth itself, Dall Estate, Scone Palace. Whilst Perth & Scone Palace are important tourism assets they are not “resorts” in their own right and it would not be appropriate to apply this policy to them. Dall Estate was the subject of an unsuccessful planning application to create a new resort and there is no evidence this project is acceptable in environmental and sustainability grounds. It is not proposed to change the Plan in response to these representations.

5.6.1 Both the Gleneagles Hotel and Crieff Hydro Estate are seeking a policy or supporting text to protect Gleneagles and Crieff Hydro against inappropriate nearby development. However it is considered that adequate and robust policies are already in place to protect such resorts and support their improvement and expansion.

**5.7 Retail and Commercial Centres (Schedule 7)** Policies RC1 to RC4 support both National Planning Policy (SPP) and TAYplan Policy 7 to continue to protect, promote and enhance town, commercial and neighbourhood centres within Perth and Kinross as the priority location for retail and commercial leisure developments.

5.7.1 Policy RC1 focuses on protecting and enhancing town and neighbourhood centres, while RC2 promotes the secondary retail and commercial areas surrounding the primary retail area of Perth City Centre. The owners of St John’s Shopping Centre (Universities Superannuation Scheme Ltd) consider Policies RC1 and RC2 should make specific mention of the role the St John’s Shopping Centre can have to remedy any undersupply issues. It is not the role of the Council to directly promote a retail venue and the sequential approach promoted by SPP, TAYplan and the LDP shows support for retail development within the city centre and this includes the St John’s Shopping Centre. The proposed response does not recommend any change to the Plan.

5.7.2 Policy RC3 promotes retail development, improvement and expansion of existing commercial centres ,provided parking and landscaping are not compromised.

- 5.7.3 King Group request that the Highland Gateway Retail Park at Inveralmond roundabout be designated as a commercial centre following a variety of planning approvals. St Catherine's Perth Limited, Universities Superannuation Scheme Ltd and Manse LLP all consider that the role and function of each commercial centre should be clearly defined to reflect the aspiration of SPP paragraphs 53 and 54. The proposed response indicate the Council would be comfortable for the Reporter to make these modifications because it would not have any adverse implications on Policies RC1, RC2, RC3 and RC4 or the other policies within the proposed LDP.
- 5.7.4 Policy RC4 highlights the criteria that must be met for any retail or commercial leisure planning application. St Catherine's Perth Limited considers the threshold for a retail assessment for new proposals is too low at 1,500sqm and contrary to the SPP threshold of 2,500sqm. It is considered that the lower threshold is appropriate because a retail floorspace proposal between 1,500sqm and 2,500sqm could have a potentially greater adverse impact on Perth City Centre in comparison to other larger Scottish cities and towns.
- 5.7.5 Universities Superannuation Scheme Ltd requested that the sequential approach for retail developments promoted by SPP paragraph 62 should be referred to in Policy RC4. The sequential approach is promoted both within SPP and TAYplan Policy 7, It is not considered necessary to repeat policy guidance already mentioned at national and regional level.
- 5.7.6 In addition Sainsbury's Supermarkets Ltd requested that the boundary of Crieff Road Commercial Centre be revised to include land west of the A9 including the former auction mart, Dobbies Garden Centre, hotel and restaurant. It is considered that the former auction mart should not be identified as a commercial centre or a site for retail use. It has the benefit of planning permission for such a use and therefore there is no need to allocate it for an already permitted use.
- 5.8 Affordable and Particular Needs Housing (Schedule 8)** A significant volume of comments were received in relation to Policy RD4 Affordable Housing and the associated supplementary guidance. The main issues raised relate to requests for the quota to be increased and the policy wording altered to take account of development viability. In relation to the quota, the 25 % is in line with the benchmark figure. A higher percentage is supported in some areas of Perth and Kinross, as demonstrated by the Housing Need and Demand Assessment, the current economic climate and its effects on development viability coupled with the reduction in Scottish Government funding suggests that 25% across the whole of Perth & Kinross is a realistic and deliverable quota. In relation to viability, there is already flexibility in the policy to reduce the affordable housing requirement if there is supporting evidence of the development's viability being undermined. There is also scope for the Council to waive the requirement to support specific projects such as the empty properties initiative. It is not proposed to alter the Plan.
- 5.9 Transport and Accessibility (Schedule 10)** The most significant comment in relation to Policy TA1 Transport Standards and Accessibility Requirements comes from Network Rail and relates to safety issues at level crossings.

5.9.1 They would like the Plan amended to either include a new policy on this matter or Policy TA1 amended to take account of it. Public safety at level crossings is obviously supported. The Council would not object if the Reporter recommended modifying the Plan to take account of this objection

- 5.10 Community Facilities, Sports and Recreation (Schedule 11)** The comments received in relation to this suite of policies are minor.
- 5.11 The Historic Environment (Schedule 12)** The main issues raised in relation to the Historic Environment relate to Policies HE2 Listed Buildings and HE3 Conservation Areas. In relation to Policy HE2 several requests seek amendment to include enabling development of new build properties to ensure retention and protection of listed buildings. It is not considered appropriate to include this within the policy as it is a matter to be treated as a material consideration during the determination of a planning application. In relation to HE3, several respondents object to the presumption in favour of development and consider that it is not in keeping with the purpose, intention and spirit of a Conservation Area. However, the policy is in line with the Government policy which requires development to preserve or enhance the character or appearance of the Conservation Area. It is therefore not considered necessary to amend the policy.
- 5.12 The Natural Environment (Schedule 13)** There is significant support for the natural environment policies, with respondents especially looking for it to be strengthened in relation to their particular area of interest. SNH, SportScotland and the Forestry Commission have suggested some changes to the suite of nature conservation and forestry, woodlands and trees policies which will add clarity to the Plan. The proposed response in Schedule 4 No 13 indicate a number of minor changes which the Council would not be opposed to should the Reporter wish to suggest modifying the Plan.
- 5.13 Environmental Resources (Schedules 15a)** The energy companies are seeking the addition/removal of specific criteria within the Policy ER1 Renewable and Low Carbon Generation to suit their particular interest.
- 5.13.1 There is also a concern that the policy focuses on large scale wind proposals and that other types of renewables need more coverage. It is not considered necessary to make any significant changes to the Plan in response as the detailed Supplementary Guidance which will be produced will cover many of the points raised.
- 5.14 Minerals (Schedule 15b)** There is an objection from the Coal Authority to Policy ER4 as they consider that it imposes unduly restrictive criteria in relation to determining whether or not mining proposals are acceptable.
- 5.14.1 In particular it is suggested that criteria (a), which requires proposals to demonstrate that there are local, regional and/or national market requirements for the mineral that cannot be satisfied by greater efficiency at existing workings or other alternative sources, is considered to be more onerous than SPP. This is not accepted as the criteria applies to all minerals and recognises that there can be reasons of national importance why a particular mineral (including coal) can be extracted at a particular location.
- 5.15 Prime Agricultural Land (Schedule 15c)** Whilst there are few representations relating to this issue those received are seeking the policy to be strengthened to state that prime agricultural land should be kept for food production and not be compromised by development. This would not be in line with SPP.

5.15.1 Both SNH and SEPA would also like the policy strengthened to cover carbon rich soils. It is considered that this would have a negative effect on the policy reducing its precision and clarity. These issues are dealt with through other policies in the Plan. If a more general statement were required it would be better incorporated in the policy on climate change. However the Council does not currently, and is unlikely to, have access to the necessary data to implement such a policy within the life of the Plan.

**5.16 Managing Future Landscape Change (Schedule 15d)** The bulk of comments received on this relates to the loss of Areas of Great Landscape Value (AGLV) from the Kinross-shire Area and a request to see the Ochils identified as a Regional Park. It is accepted that when the Kinross Area Local Plan is suspended on adoption of the LDP the AGLVs will no longer exist. However it is the intention of the Council to make Local Landscape Designations in line with SPP through Supplementary Guidance to be produced and consulted upon during 2013/14. Ideally the Supplementary Guidance would have been prepared in advance of publication of the Proposed Plan, however there were insufficient resources available to do so. Whilst it is not proposed to modify the Plan, it will be made clear to the Reporter that if he/she were so minded, an option would be to retain the existing AGLVs in the short interim period. Following production of the Guidance the council will consult with SNH as to the appropriateness and necessity for designating a regional park in the Ochils. However, given the current financial climate this is unlikely to progress within the life of the Plan. Therefore, it is considered that if it were to be included as a proposal within the Plan, the Council would not meet the test set under Regulation 10(1)(a) of The Town and Country Planning (Development Planning) (Scotland) Regulations 2008. This requires planning authorities in preparing a LDP ‘to have regard to – the resources available or likely to be available for the carrying out of the policies and proposals set out in the local development plan’, or the Council’s obligation under Regulation 26(c) to set out the timescale for the conclusion of the list of actions required to deliver each of the policies and proposals contained within the Plan.

**5.17 Climate Change (Schedule 16)** Scottish Government advises that Policy EP1 should be amended to require low and zero-carbon generating technology to be applied to all new buildings. It is considered that a more pragmatic approach is required as, in the current economic climate, the development industry cannot be expected to meet the full standards straight away. The first review of the LDP is a more appropriate time to seek full compliance with the requirements of the Act.

**5.18 New Development and Flooding (Schedule 17a)** The majority of comments are in support of Policy EP2 New Development and Flooding to include one from SEPA confirming (contrary to a few of the objections) that the policy accords with the principles set out in the Risk Framework of SPP and that it takes account of the need to adapt to climate change.

**5.19 Water Environment and Drainage (Schedule 17b)** Whilst SEPA have indicated support in the main for Policy EP3 Water Environment and Drainage, they are seeking a minor change to clarify that development should be in accordance with the River Basin Management Plan. The proposed response indicates the Council would not be opposed to this should the Reporter wish to suggest modifying the Plan.

**5.20 Lunan Valley and Loch Leven Catchment Area (Schedule 17c)** In relation to Policy EP6 (Lunan Valley), SNH and others seek amendments to reflect the potential benefits in phosphorous reduction that can be achieved by allowing development to take place. It is considered that there is merit in the suggested change and the Council would not be opposed to the change should the Reporter wish to suggest modifying the Plan.

5.20.1 In relation to Policy EP7 (Loch Leven), the issue of what is an appropriate level of phosphorous mitigation to be achieved through new development is raised with some respondents seeking a reduction from 125% to 100%, and others calling for a more scientifically based rationale to be used. Unfortunately calculating appropriate phosphorous mitigation is not an exact science which is why the policy takes a precautionary approach to ensure that no additional phosphorous is added to the Loch. It is therefore not considered appropriate to change the policy.

**5.21 Environmental Protection and Public Safety (Schedule 18)** The policies are fairly varied however they received only minimal comments the most notable of which relate to Policy EP9 Waste Management Infrastructure and EP12 Contaminated Land. In relation to EP9 SITA UK and SEPA have suggested some minor policy amendments to clarify that existing waste management sites are safeguarded and to cover changes to existing sites to accommodate new recycling initiatives in the future. The proposed response in Schedule 4 No 18 indicates a number of minor changes which the Council would not be opposed to should the Reporter wish to suggest modifying the Plan.

5.21.1 In relation to Policy EP12 Contaminated Land, Homes for Scotland would like to see sites in the established supply that are on contaminated land and are constrained by clean up costs identified in this policy, along with a requirement for action plans to encourage and support their remediation.

5.21.2 This could have wide-reaching implications for further work gathering information on each contaminated site and then preparing action plans to support remediation. It is not proposed to amend the Plan.

**5.22 Airfield Safeguarding (Schedule 19)** Most of the representations made were in relation to Portmoak Airfield with many respondents objecting to the policy as they consider it to be biased towards the airfield operators and unfair to existing businesses in the area which wish to expand.

5.22.1 They consider that the policy does not provide clarity on how independent decisions are formed where the airfield operator and applicants have opposing views. The policy is incorporated in the Plan to highlight the potential incompatible developments which may raise issues of concern to the safe operation of airfields. The policy seeks to ensure that the relevant information, prepared by suitable qualified experts is made available to the planning authority. Thereafter each case will be required to be assessed on its merits. No change is proposed to the Plan.

**5.23 General Spatial Strategy (Schedule 20 a-f) - Housing Land Strategy** The key strategic issue which faces every Local Development Plan is ensuring that the Plan can deliver a generous supply of effective housing land. Whilst representations relating to housing land probably account for in excess of 75 % of all representations, many are on site specific issues and these are discussed in the relevant Schedule 4s relating to individual settlements or settlement groupings. The cross cutting strategic housing land strategy issues are contained in Schedule 4 No 20 a-f.

5.23.1 The majority of the objections relating to this topic area have been submitted by Homes for Scotland and a number of the major house builders. Experience in recent years of the examination of Local Plans and Local Development Plans clearly emphasises that this issue, above all others, will dominate a significant part of the examination process.

5.23.2 Furthermore, the results of the examination show the Reporter's determination to ensure that each Local Development Plan clearly meets the requirement to identify sufficient effective housing land supply. This entails not only demonstrating to the Reporter that a generous housing land supply is identified in each housing market area but also providing the evidence to show that the identified supply is effective i.e. deliverable. This latter issue centres round the Council's commitment to delivering, with developer assistance, the key infrastructure projects required to ensure sites are effective. The critical infrastructure projects are those contained in the Perth Transport Futures package, including the A9/A85 Junction and the Cross Tay Link Road, and the provision of capacity within the educational estate.

5.23.2 The total housing land requirement for the planned period 2012 – 2024, is set out in the approved Tayplan and shown in table 1 below with the split by Housing Market Area.

Table 1

HMA	Annual HLR	Total HLR 2012-2024
Highland	80	960
Kinross	70	840
Perth	510	6,120
Strathearn	130	1,560
Strathmore	120	1,440
TOTALS	910	10,920

*(HLR – Housing Land Requirements)*

5.23.3 The requirement is not open for debate during the examination of this Plan as this was set in TAYplan and approved by the Scottish Ministers. The examination will focus on how that requirement is met by the Local Development Plan. A number of factors linked to the effective housing land requirement particularly challenging within Perth and Kinross and some of the keys issues are highlighted below: -

- The 2011 census confirmed that the area is one of the parts of Scotland experiencing most rapid growth, resulting in a high demand for housing land over the Plan period.
- Due to the high demand for housing land over the last 20 years there is very little brownfield land available and the majority of the easily developable sites have been developed already
- In many areas the developable land in the vicinity of the main settlements is limited due to the potential for flooding or adverse topography
- The effectiveness of many of the identified housing opportunities is constrained by the requirement for major infrastructure improvements

5.23.4 With these key challenges in mind, the Plan sets out a strategy to deliver a range of key sites in the major settlements. In some cases this meant grouping key strategic allocations around the delivery of major infrastructure projects to ensure the economies of scale would make the developments viable. The Plan also seeks to identify the key infrastructure constraints which could render the sites non effective. This was backed up by the mechanisms for developer contributions to assist in the provision of key infrastructure projects delivered by the Council. These key projects include the A9, the A85 junction, the Cross Tay Link Road and the associated transport infrastructure. In addition, the Plan identifies several areas where investment in the school estate will be required ranging from school extensions to potential for the development of a new campus potentially within one of the west or north west Perth strategic development sites.

5.23.5 The two key challenges for the Council during Examination, are (i) to satisfy the Reporter that there is a mechanism to deliver the required infrastructure to ensure that the key development sites become effective during the life of the plan; and (ii) to demonstrate that these effective sites can deliver sufficient housing numbers to ensure the continuous effective 5 year housing land supply.

5.24 **Infrastructure Delivery** (Schedule 20d) From the first stages of the plan process, i.e. The Main Issues Report, the Council identified that the delivery of infrastructure to ensure that development was both deliverable and sustainable was a key challenge for the Plan. As a result, a significant amount of work has been done by the Council over the intervening period to identify the key infrastructure constraints. The principal constraints relate to drainage, transport infrastructure and educational capacity. The more proactive approach of Scottish Water in ensuring the provision of adequate drainage capacity to meet development plan allocations, has gone a considerable way to relieving this development constraint. This has allowed the Council to address the major constraints surrounding transport infrastructure and educational capacity.

- 5.24.1 Members will be aware that there are major constraints in the transport infrastructure in and around Perth causing congestion and poor air quality. This led to an in-depth analysis of both current and projected traffic growth in the Perth area and resulted in the proposals identified in the Perth Transport Future's report approved by the Council on 10 January 2012 Article No. 3/12. Identifying the problems and the potential solutions is only part of the challenge, it is recognised that the burden of delivering these infrastructure improvements could not rest solely on the development industry. Such an approach would in effect leave the vast majority of the new housing sites unviable. A joint approach is required with the Council, or Transport Scotland, in the case of Trunk Roads, taking the lead on the delivery of the key proposals. A fair and proportionate amount of the total investment would be recovered from the development industry through a developer contributions policy. The policy is presented in the Plan and, whilst it has attracted some objections, it is clear that there is also support for the principle of developer contributions. There are however concerns that the level of contribution may affect the viability of sites. Members will also be aware that the Enterprise and Infrastructure Committee of 7 November 2012 approved for consultation supplementary guidance on developer contributions for transport infrastructure (Article No 565/12). This guidance sets out in greater detail the level of contributions required for differing types of development and the procedures associated with implementing the policy. The results of this consultation exercise will be reported back to a future meeting of the Enterprise and Infrastructure Committee..
- 5.24.2 Ensuring that planned growth can be supported by capacity within the school estate is essential to the viability of developments and the delivery of sustainable development. A significant amount of work has been undertaken with colleagues in Education and Children's Services to analyse the potential impact of new development within individual school catchments. As a result, the planned investment in the school estate, both through the capital programme and through the recent successful bid for funding through Scottish Futures Trust, demonstrates the Council's commitment. As with transport infrastructure, the Council also recognises that the cost of providing this infrastructure should be borne by recovering a reasonable proportion of the total investment from the development industry. Members will recall that a policy is in place to collect developer contributions towards Primary School infrastructure. This is already assisting in the delivery of planned improvements to the school estate.
- 5.24.3 As noted above, it is vital that the submissions to the DPEA demonstrate the Council's commitment to resolving infrastructure constraints and working with the development industry to deliver effective housing land. To support the Council's case, a background paper has been prepared entitled 'Delivering Infrastructure' and it is proposed that this be submitted to the Scottish Ministers in support of the Council's responses. (This paper is appended to the Council report in the Draft Action Programme)

5.24.4 The paper outlines the key infrastructure projects required to be delivered to assist the delivery of an effective housing land supply. It also outlines the key milestones and where appropriate identifies where money has been allocated in the Council's capital programme. At this stage the paper can demonstrate firstly, that the Council has fully analysed the infrastructure requirements required to make sites effective; and secondly, the Council has demonstrated a commitment to the delivery of these projects by (i) developing developer contribution policies to support the capital investment and (ii) investing in the feasibility and design of many of the key projects. It cannot at this stage provide an absolute guarantee to the Reporter that all the potential challenges to the delivery of the key projects can be resolved however, when combined with the provisions of the action programme, it is hoped that the current commitment from the Council demonstrates a willingness to deliver the outlined improvements, within a timescale, which will enable the key strategic development sites to deliver the required housing numbers. The paper does acknowledge that the delivery of the key transport infrastructure projects will require the financial support of the Scottish Government (Transport Scotland) and discussions are already underway seeking to align planned investment in both the local and Trunk Road network.

5.24.5 Table 2 indicates the key strategic sites and the main elements of the required infrastructure for which the Council and/or other public sector agencies will take the delivery lead.

Table 2

Site	Primary Education	Secondary Education	Transport Infrastructure
Perth West	School required and contributions to be negotiated through S75 agreement but initial capacity can be accommodated in new all through campus	New Perth all through campus funding secured	A9/A85 Junction is an approved capital and project will release up to 500 houses. New A9 Junction required to release further capacity
Berthapark	New Perth all through campus funding secured and this site being considered as a potential location	As above	A9/A85 Junction is an approved capital and project will release up to 500 houses. Cross Tay Link Road required to release further capacity
Oudenarde	School required and project in capital budget and developer contributions agreed in draft S75	As above	Rail crossing developer funding agreed

Site	Primary Education	Secondary Education	Transport Infrastructure
Scone North	Some initial capacity available	As above	Cross Tay Link Road
Luncarty	Some initial capacity available	As above	Initially capacity for phase 1. Cross Tay Link Road required for further releases
Auchterarder	Requires monitoring	As above	New Auchterarder junction required
Kinross/ Milnathort Sites	Requires monitoring, site identified	In Place	No
Crieff Sites	School required and project in capital budget	In Place	No but traffic management issues to be investigated in central Crieff
Blairgowrie	Requires monitoring	Requires monitoring	Link road from Welton Road to Coupar Angus Road required, phase 1 in place

**5.25 Delivering the Effective Housing Land Supply** The Council is required to demonstrate that it can maintain an effective housing land supply in all housing market areas. Key to the Council's strategy is an assumption that 10% of the requirement will be met from windfall sites. In addition an assumption has been made that 15% of the housing land requirement (HLR) in the Highland area will be met from small sites. Whilst historic completions data demonstrate that these are reasonable assumptions both have attracted objections from the house building industry. The topic paper at Appendix 4 provides the evidence to support the Council's position.

5.25.1 Taking the above adjustments into account, the revised requirement is shown in Table 3 which also subtracts the existing housing land supply from the adjusted requirement. The housing land supply is the total effective supply (2012-2024) taken from the 2012 Housing Land Audit. This takes into account those sites identified in the Proposed LDP although it should be noted that not all sites in the Audit are currently effective.

HMA	HLR 2012-2024 with adjustments	Effective Housing Land Supply 2012-24	Shortfall / surplus
Highland	720	535	<b>-185</b>
Kinross	680	1,040	+360
Perth	5,585	3,625	<b>-1,960</b>
Strathearn	1,405	1,555	+150
Strathmore	1,295	1,395	+100
<b>TOTALS</b>	<b>9,685</b>	<b>8,150</b>	<b>-1,535</b>

5.25.2 As shown in Table 3, the total additional allocations required to meet the TAYplan requirement across Perth & Kinross is 1,535 units. However looking at individual HMAs there are in fact surpluses in the Kinross, Strathearn and Strathmore HMAs with the vast majority of the shortfall in the Perth HMA. The sections below consider how the shortfalls in the Highland and Perth HMAs can be addressed.

5.26 **Additional Housing Allocations in the Highland HMA** Table 4 indicates how it is proposed to address the shortfall in the Highland HMA. Please note that further details on the updated position can be found in the relevant Schedule 4 which is listed in the final column. As discussed in Schedule 4 Nos 28-30, much of the Highland area is constrained for environmental reasons. The number of available additional sites which can be brought forward is therefore limited.

<b>Site</b>	<b>2012 Audit position</b>	<b>Updated position</b>	<b>Additional supply to 2024</b>
Borlick Audit ref: HIA014 / LDP ref:	Site is non-effective	Site is now considered effective and can be programmed in the period 2014-2024	200
<b>TOTAL</b>			<b>200</b>

5.26.1 As demonstrated in Table 4 the shortfall indicated in Table 3 can be addressed. There may also be some additional sources of supply which would assist in the provision of a generous supply of effective housing land:

## 5.27 Additional Housing Allocations in the Perth HMA

5.27.1 Table 5 indicates how it is proposed to address the shortfall in the Perth HMA. These sites have the potential to deliver additional houses to meet the housing land requirement if improvements in the economy are forthcoming.

<b>Site</b>	<b>2012 Audit position</b>	<b>Updated position</b>	<b>Additional supply to 2024</b>
Bertha Park Audit ref: PEP254 / LDP ref: H7	Site is non-effective	Part of the site is now considered effective in the period 2016-2024	750
Oudenarde Audit ref: PEL164 / LDP ref: H15	340 of the total 1300 units are programmed 2014-2024	It is now considered that an additional 410 units could come forward in the period to 2024	410
Burrelton Audit ref: PEL170 & 172 / LDP ref: H16-17	Sites are non-effective	Constraints are resolvable and some of the sites can now be programmed in the 2016-2024 period	80
Errol Airfield Audit ref: PEL251	160 of the total 240 units are programmed 2015-2024	The entire site is now considered effective in the period to 2024	80
Perth Airport Audit ref: PEL272 / LDP ref: MU3	Site is non-effective	Site is now considered effective in the period 2019-2024	50

<b>Site</b>	<b>2012 Audit position</b>	<b>Updated position</b>	<b>Additional supply to 2024</b>
Tulloch Audit ref: PEP258 / LDP ref: H4	140 of the total 300 units are programmed 2015-24	The entire site is now considered effective in the period to 2024	160
Broxden Audit ref: PEP259 / LDP ref: MU1	160 of the total 200 units are programmed 2014-24	The entire site is now considered effective in the period to 2024	40
Perth West Audit ref: PEP225 / LDP ref: H70	Site is non- effective	Part of the site is now considered effective in the period 2016-2024	500
<b>TOTAL</b>			<b>2,070</b>

5.27.2 As demonstrated in Table 5 the shortfall indicated in table 3 can be addressed.

## 5.28 Final Housing Land Requirement / Supply Comparison

5.28.1 Table 6 gives the final housing land requirement and supply comparison and demonstrates that over the entire period 2012 to 2024 the TAYplan requirements can be met on the presumption that the economy improves.

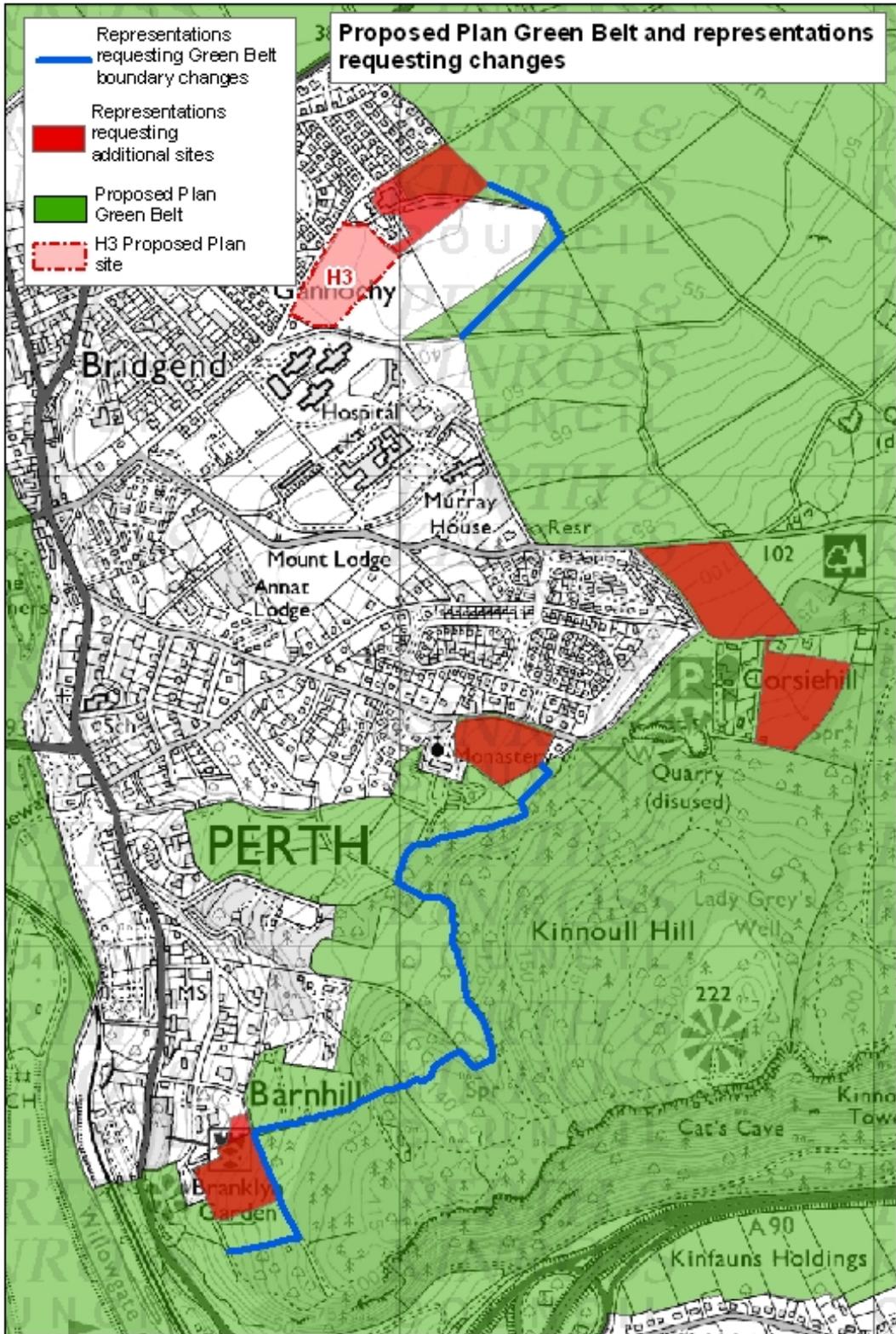
<b>HMA</b>	<b>HLR 2012-2024 with adjustments</b>	<b>Effective Housing Land Supply 2012-24</b>	<b>Additional allocations</b>	<b>Final land supply position</b>
Highland	720	535	200	15 surplus
Kinross	680	1,040		360 surplus
Perth	5,585	3,625	2,070	110 surplus
Strathearn	1,405	1,555		150 surplus
Strathmore	1,295	1,395		100 surplus
<b>TOTALS</b>	<b>9,685</b>	<b>8,150</b>	<b>2,270</b>	<b>735 surplus</b>

## **Perth Area**

**5.29 General** – The Perth Area and in particular the Core Area round the City, contains over 50% of the housing and a higher proportion of the employment land for Perth & Kinross. Whilst it is inevitable that the majority of proposed sites will attract some objections it is pleasing to note a significant amount of support for many of the proposals. The effectiveness of the key strategic sites in and around Perth is dealt with above. This section will address other representation for the key sites. Excluding housing sites, the Green Belt and transport infrastructure attracted the most representations.

5.29.1 **Green Belt** (Schedule 4 No. 14 & 22) – Whilst the Green Belt attracted much support there were a large number of representations seeking alterations to the boundary either to add further land to the designation or exclude areas of land to allow for further housing sites. Some sought changes which would have gone beyond the scope of the guidance set in TAYplan. These are not considered further as the LDP must be consistent with TAYplan.

5.29.2 The most controversial area was the east bank of the Tay from Kinnoull Hill to Scone. As can be seen from the plan below, a range of sites were put forward in the Green Belt. The proposed responses reject the majority of the proposals as being contrary to the principles of Green Belt. The exception is the Gannochy Trust's request to extend site H3. The proposed response recognises that this well contained area could be excluded allowing the extension of this site but suggests a more appropriate boundary for the Green Belt using clearly identifiable physical features. The conclusion is that the Council would not object should the Reporter wish to recommend this modification. Members will be aware that a housing consent has been granted for the field adjacent to the Monastery, as enabling development for the restoration of the listed building. No change is proposed to the Green Belt as should the enabling development not go ahead the preference would be to retain this site within the Green Belt. A further proposal suggested removing all of the land to the west of the Kinnoull Hill woodland taking out a large area of Barnhill and Corsiehill and opening it up for development. Such a proposal would fundamentally undermine the Green Belt function which is about directing future growth while protecting the landscape setting of Perth.



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5.29.4 A number of representations sought changes to the boundary in the gap between Perth & Luncarty. For many this was linked to opposition to housing Site H27. For others it was concern that the separation may be further eroded in subsequent plans. TAYplan acknowledges the importance of the separation of the settlements but also requires that the boundary leaves scope for the long term growth of the Perth core. The proposed response recommends no change to the Green Belt boundary, however acknowledges that following the construction of the Cross Tay Link Road and the completion of a master plan for H27, the boundary could be reviewed by the next LDP with a view to extending the designation.

5.29.5 Scone Palace and Estate have concerns regarding the Green Belt policy (Schedule 4 No.14) being too restrictive and being a barrier to their plans to improve and expand the visitor attractions at the Palace and the racecourse. They also have concerns that the restriction on housing in the countryside will inhibit the redevelopment of redundant farm steadings. They consider such redevelopment opportunities as essential to enable development for the visitor attraction improvements. The proposed response is supportive of the ambitious plans of the Palace to improve their facilities and suggests that the policy framework is already sufficiently flexible to accommodate the majority of their proposals. The response notes that the policy seeks to support the re-use and conversion of redundant buildings and supports recreational outdoor sports development including modest buildings appropriate to the greenbelt location. It also seeks to create a sustainable rural economy. The Plan indicates that detailed supplementary guidance, will be prepared in the form of a Green Belt management plan. This is the appropriate stage to consider in more detail the Palace development proposals.

5.29.6 Schedule 4 No. 22 covers the full range of representation seeking changes to the Green Belt boundary.

**5.30 Transport Infrastructure** - There was a reasonable level of support for the southern route (Option C) across the river. Most support was from residents of Redgorton and Luncarty who were most affected by the northern route (Option E) proposed in the Main Issues Report.

5.30.1 There has been some concern expressed in relation to the environmental impact the Cross Tay Link Road (CTRL) will have on the proposed green belt, prime agricultural land, woodland and habitats plus concern about the visual impact the bridge will have. Transport Scotland requested that the junction with the A9 is at least 1km north of the Inverlamond roundabout and Historic Scotland wished to make sure there will be appropriate mitigation to the impact it will have on the designed landscape of Scone Palace and on prehistoric and Roman archaeological remains. Both of these concerns can be addressed through the detailed design process.

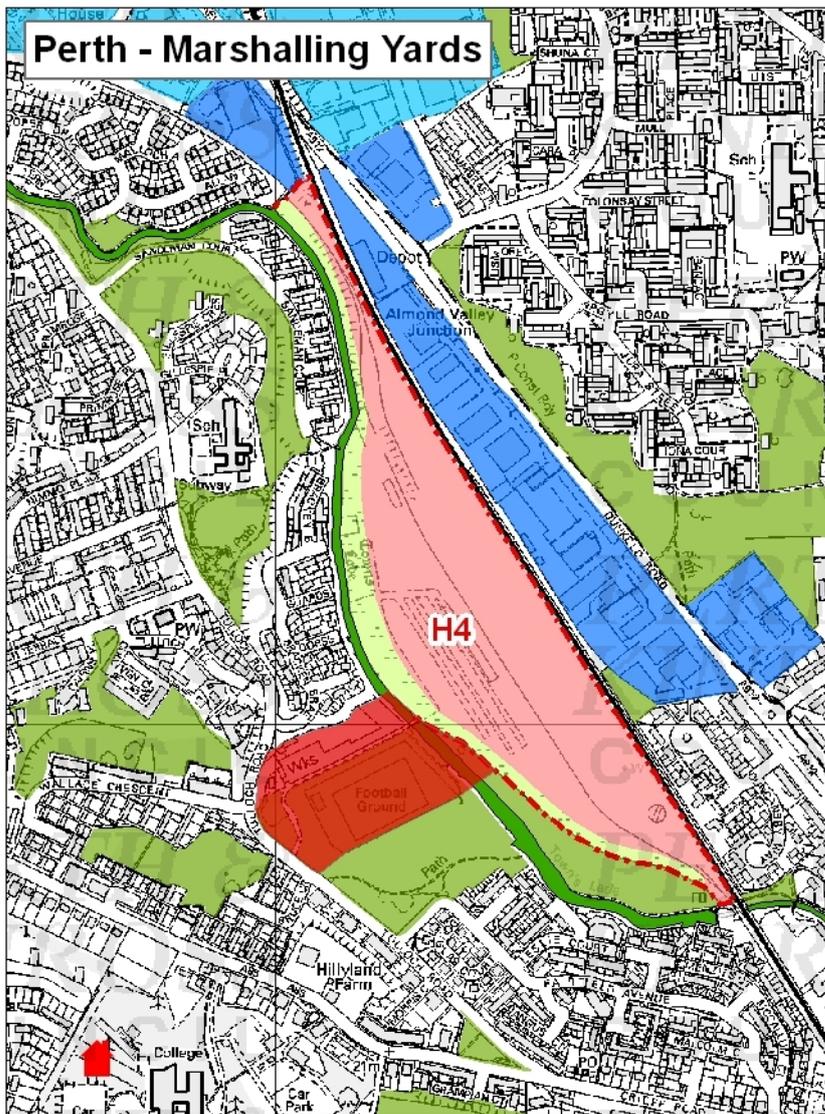
5.30.2 Scone Palace and Estate objected to the southern route preferring a more northerly route which would have the least impact on the Palace and the Designed landscape. The Council has already resolved that the southerly route is preferred. The potential objection from Scone Palace is of concern as this would increase the potential for compulsory purchase procedures, with a

consequential delay to the project. The consequential effect of any delay is to reduce or delay the effectiveness of several housing sites. A subsequent meeting with their representatives has been productive and it is hoped that a revised position may be forthcoming prior to the Plan being submitted to Ministers. It is hoped that this will be available prior to the Council meeting and that this will acknowledge a degree of support for the Council's preferred route subject to reserving their position on much of the detail.

5.30.3 There are a range of representations suggesting that the CTRLR should be given the highest priority but there are also a number of questions over its economic viability and in particular how it is to be funded. There were a number of objections to the CTRLR because it was considered that it would have a negative impact on Scone as it would release the proposed Site H29 for development of 700 houses. A reasonable number of representations requested that the proposed A93/A94 development embargo was kept in place until the CTRLR is constructed and not just a committed project. There were also some objections to the proposed development embargo from certain volume house builders and their representative body Homes for Scotland. The proposed response notes that many of the issues raised can be addressed either through the supplementary guidance on developer contributions for transport infrastructure or at the detailed design stage. The proposed response recommends that the Plan is not modified.

**5.31 Sites within Perth** – The majority of sites within Perth have attracted some comment, in most cases seeking minor changes to the Plan, the details of these are contained in Schedule 4 No. 23a. In addition a number of new sites have been put forward in Schedule 4 No. 23b. Two new sites within Perth are discussed below.

5.31.1 The owners and developers of the Marshalling Yard site H4 have requested that the site is extended to include the football ground off Tulloch Road (Shown red on the plan below). Their aim is to develop this site and relocate the football club to improved facilities elsewhere on the site. They also seek an element of retailing on the site. There are no objections to the extension of the site to allow a new access to be obtained to Tulloch Road. However using part of the extended site for retailing is not considered to be desirable or likely to be viable unless it is small scale serving the local neighbourhood. The area is owned by the Council and Kinnoull Juniors would have to be receptive to any relocation. The proposed response suggests the issues raised by the representations can be dealt with through the master plan and placemaking processes, therefore there should be no modification to the plan.



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5.31.2 Tayside Health Board has proposed that the surplus ground at Murray Royal Hospital is identified as a housing site suggesting 250 houses. The Community Council and individuals have also suggested alternative uses for the site including community facilities and a primary school. There are no proposals to develop a primary school nor community facilities on this site. However the provision of community facilities would be compatible with the current policy framework. The representation from NHS Tayside suggests that the site measures 10ha however this area includes the listed buildings and their settings and any potential new build will be significantly less than this. While the site has the potential to make a useful contribution to the immediately available effective housing land supply it is not likely to be as much as 250 units. A clear idea of total numbers cannot be achieved until detailed design on the reuse of the listed buildings is undertaken. Not enough is known about the capacity nor finer details of what will be a complex design process. Consequently the site should not be identified as a development opportunity or housing site. There are also traffic issues affecting the local road network and Perth's bridges. Any development is likely to require a traffic assessment which may also influence the capacity of the site. In view of the above there should be no modification to the Plan.

**5.32 Strategic Development Sites** – (Schedule 4 No. 21) The Plan contains 3 strategic development sites which not only provide the largest proportion of the housing land supply for the Plan period but also will provide the mainstay of the housing land supply to 2040 and beyond. Despite the scale of these proposals they attracted very few responses from the public, largely seeking minor modifications rather than objecting to the principle. The majority of the representations came from landowners or developers and many of the issues raised can best be dealt with at the master plan stage. This is particularly the case with both Oudenarde H15 and Berthapark H7. In both cases, the proposed response recommends no change to the Plan.

5.32.1 Perth West H70 attracted the widest range of representation and like the two other strategic sites many of the issues are best resolved through a master plan. The key issue with Perth West is ensuring that the site can be accessed from the strategic road network. This issue is the subject of an objection from the Scottish Government who to-date have not been satisfied that the site can be accessed from the A85 and A9 without causing congestion on the trunk road network.

5.32.2 Whilst further investigations with Transport Scotland and the developers are underway to identify an acceptable access strategy, outcomes from this study which will identify junction strategy options only and not definite proposals will not be available until June 2013. By this time the LDP Examination should be well underway.

5.32.3 Separately, Transport Scotland has commissioned a study of the A9 from Keir (Dunblane) to Luncarty this is likely to contribute to resolving an access strategy for the site

5.32.3 It is already established that an initial phase (500 houses) of Perth West can be supported by the planned A9/A85 junction upgrade. As this first phase can only be progressed within the context of an overall master plan, informed by the outcome of Transport Scotland's study and the eventual junction solution proposed, this will push a first phase of development to the latter stages of the Plan period.

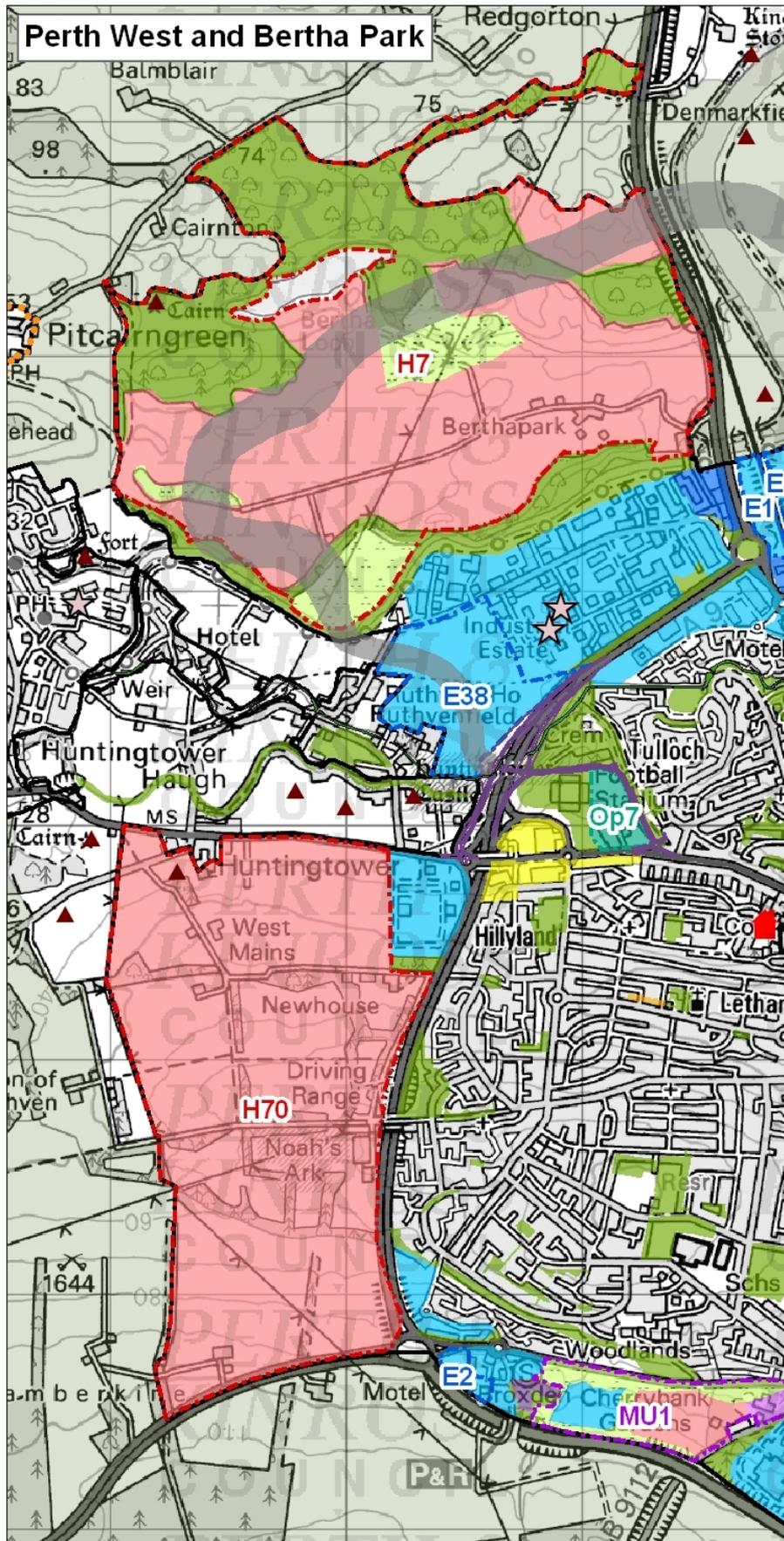
5.32.4 The indication that this site may only deliver housing in the later part of the Plan period does not require any modification to the Plan. However the Reporter will take this into account in assessing the adequacy of the effective housing land supply. The proposed response recommends no modification to the Plan.

5.32.5 Almond Valley attracted 51 responses supporting the exclusion of the new settlement proposal. It also attracted 6 objections seeking the reinstatement of the strategic development site. The proposed response indicates that Council acknowledges the significant support for the removal of this site from the Plan through both the Main Issues Report stage and in response to the Proposed Plan. The case presented by a number of established house builders for its inclusion is based on the assumption that the site is effective and the only one capable of immediate development to meet short term housing needs. The second reason given for inclusion is that the required roads infrastructure

improvements at the A9/A85 junction cannot be funded without the identification of this site for residential use.

5.32.6 This site has an extensive history and was identified for residential use in the Perth Area Local Plan 1995. A planning application for the site was refused by the Council in December 2011 and a subsequent appeal of this decision refused. The applicants have sought a judicial review of the appeal decision and the timescale for the completion of this process is not yet set. Considering the justification for the inclusion of the site, with regards to it being effective and the ability to deliver in the short term, the Council has no grounds to disagree with this statement. The Council would argue that it is not the only effective site and it is not required during the lifetime of the Plan. Schedule 4 Topic 20c Housing Land Strategy. In addition, Table 5 in the Housing Background Paper demonstrates that the Local Development Plan has an effective land supply in place to meet the future housing land requirements subject to improvements in the economy

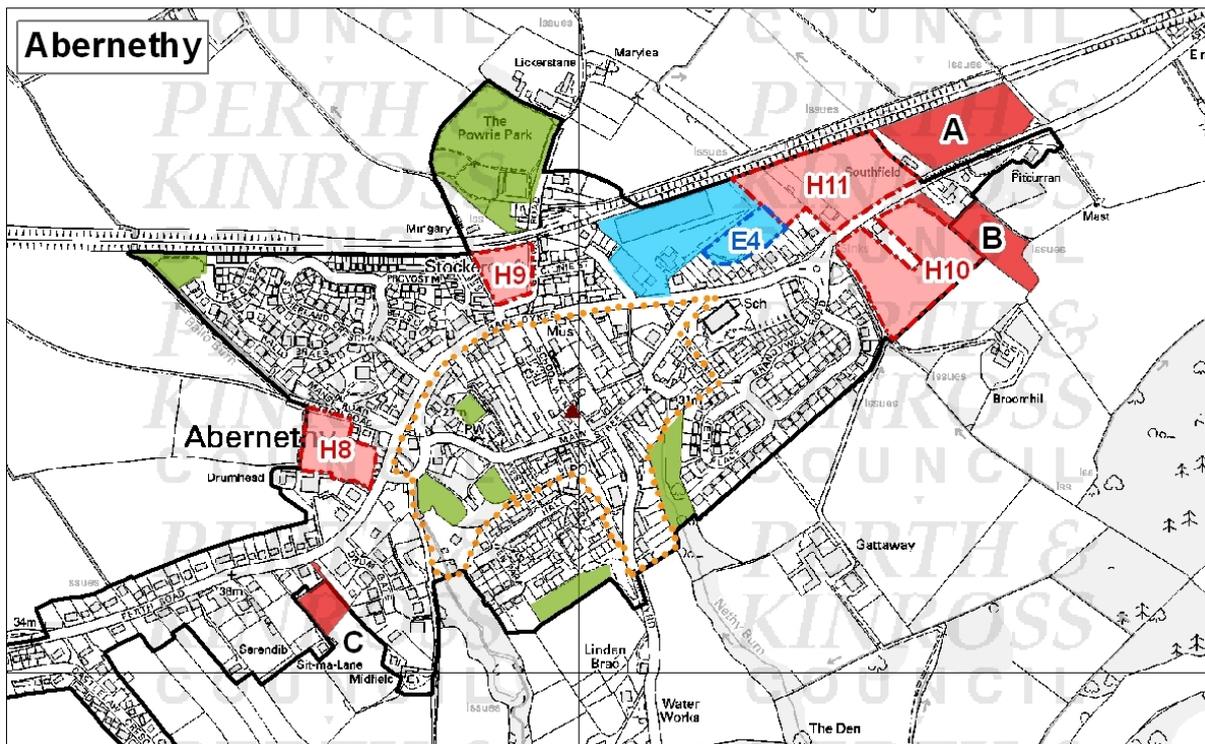
5.32.7 The Council disagrees that development at Almond Valley is required to fund the A9/A85 Junction upgrade. The Council have committed to funding this project and have commissioned consultants to look at extending this link through to Bertha Park.



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5.32.7 Abernethy – The Plan identified four housing sites H8-H11 for approximately 130 houses. All attracted objections with some concern about the overall level of growth for the settlement and the ability of services to cope. With the primary school currently being expanded and Scottish Water raising no objections, the proposed response recommends the retention of the four sites although it recognises some minor changes may be acceptable to resolve some specific objections.

5.32.8 Three new sites have been put forward, Sites A & B are not considered to be required within the life of the Plan and would put strain on the capacity of the primary school. Site C has a very narrow private access and is not supported.



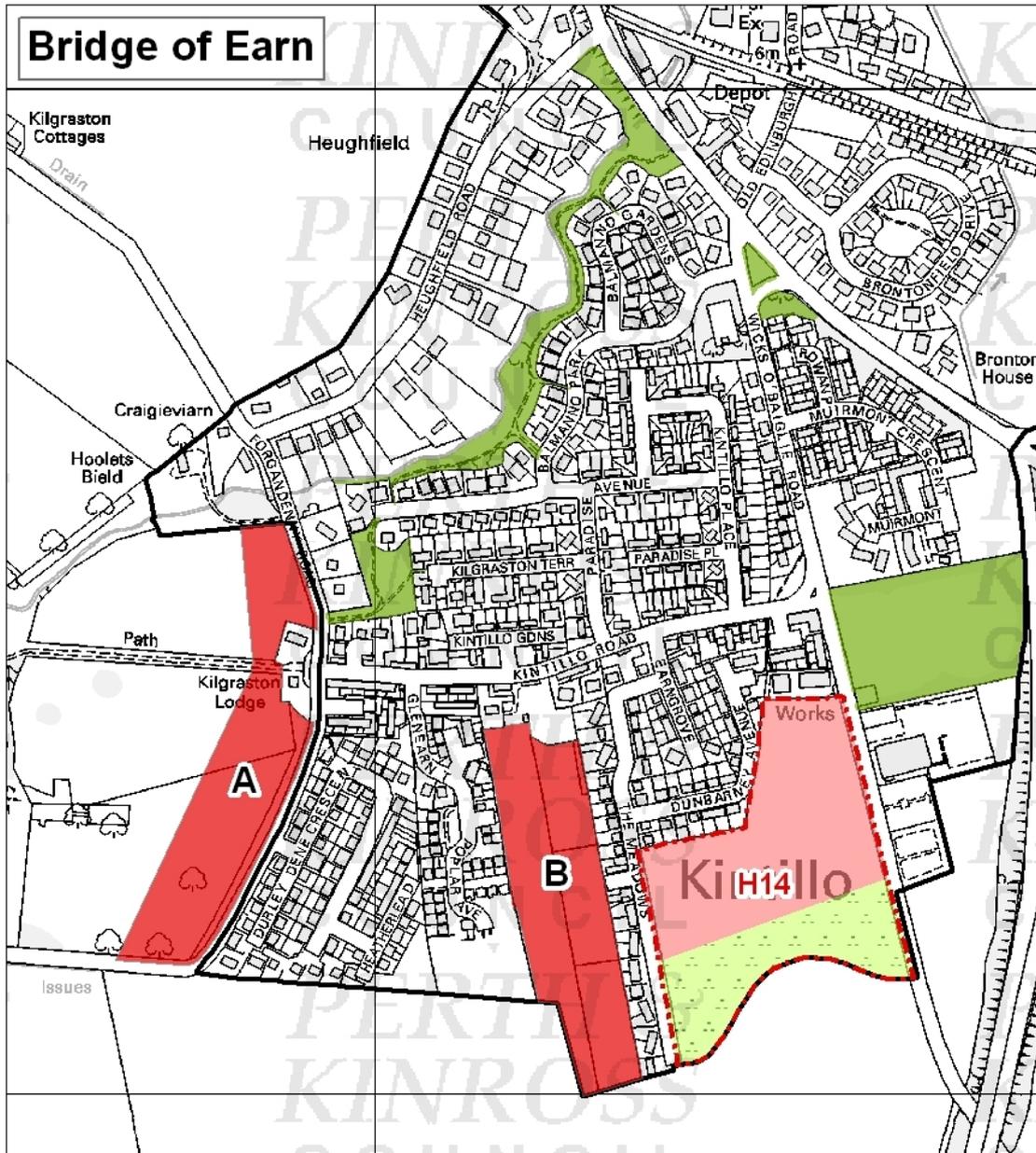
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5.32.9 Bridge of Earn – The Plan sought to identify only one site (H14) in the village recognising that there was also a large scale strategic site close by at Oudenarde. This site attracted only two objections and the proposed response recommends no change to the Plan.

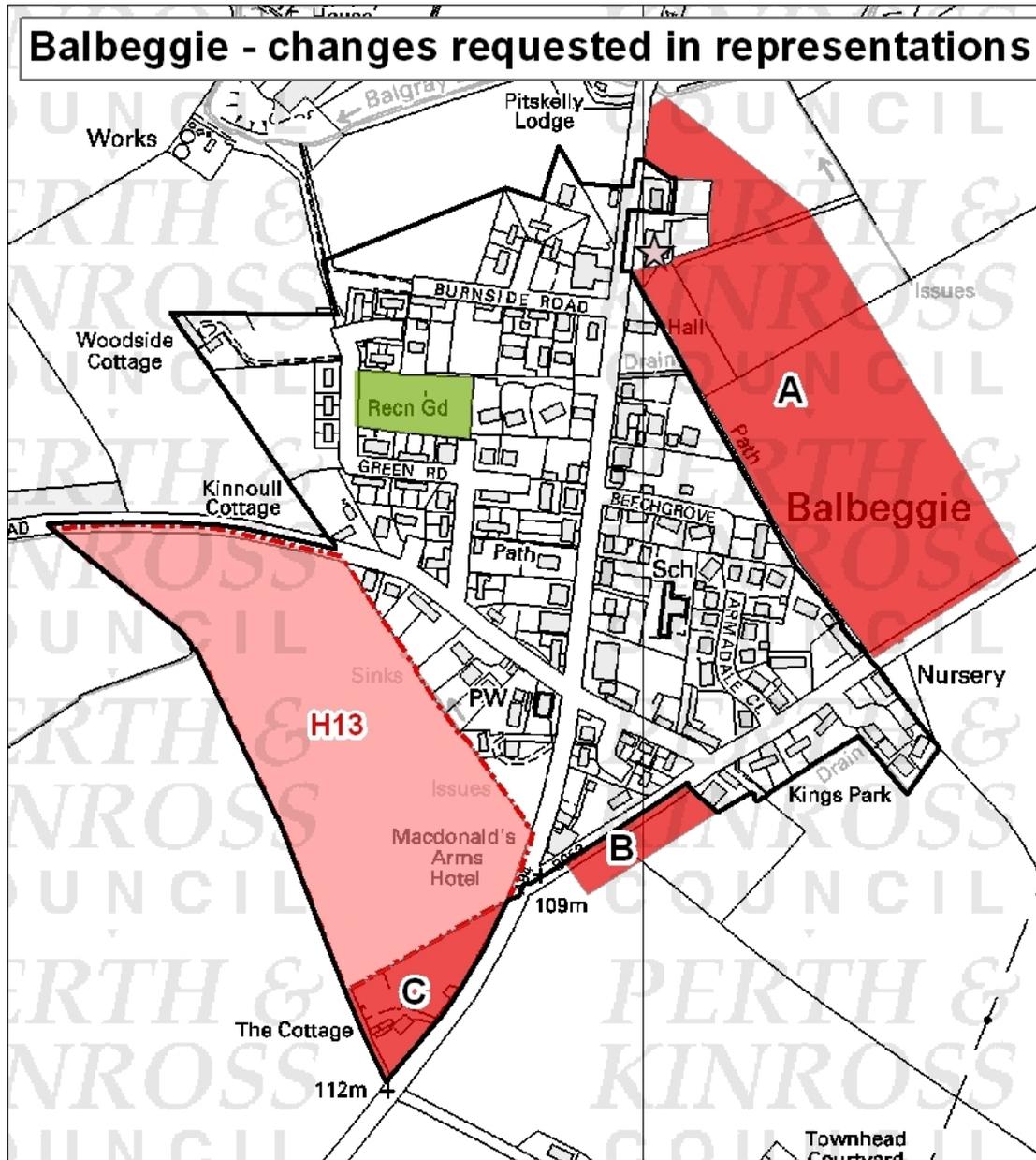
5.32.10 Two new sites were put forward. The first site A at Kilgraston School would extend the village into the school grounds but with no suitable physical feature which could provide a western village boundary. The school buildings are A listed and the entrance gate and associated structure are B listed. High walls protect the school on the north and south sides of the entrance gate running along this length of Forgandenny Road. Overall the combination of walls, gateway and grounds create an impressive entrance to the school and it is clear that is not part of the surrounding village. To introduce village housing into this area would detract significantly from the general area and also from the setting of the listed buildings and gateway. The proposed response recommends no change to the Plan.

5.32.11 For the second site B the general terms of the representation are accepted and the site is identified as lying within the settlement boundary and represents an area which would be appropriate for infill development to extend the redeveloped former chicken sheds site. The development of the site will help to consolidate further the southern boundary of the village together with the development of H14. At the Main Issues stage there was concern over ownership issues but these appear to have been resolved. However it is felt that the Plan contains sufficient flexibility to allow the site to be developed during the life of the plan as a windfall site. The proposed response recommends no modification to the Plan.



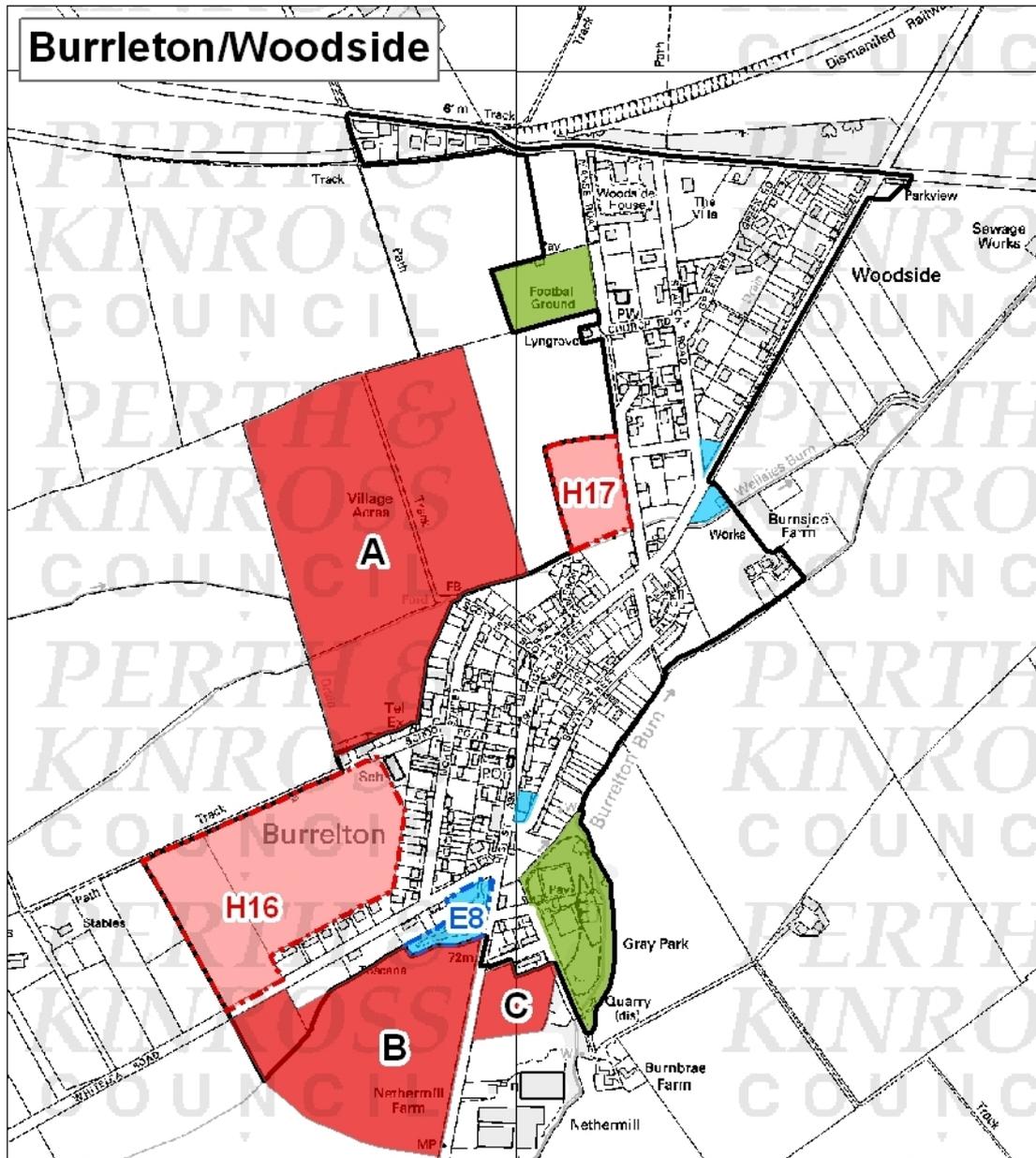
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5.32.12 Balbeggie – The only proposed housing site H13 in the village attracted only 6 representations, 3 of which were objections, one sought an extension and the other two minor changes. The proposed response recommends no change to the Plan. Three new sites were suggested A & B to the east of the village are considered more prominent and are offered no support in the proposed response. Site C is already in the settlement boundary and whilst the proposed response recommends no change to the Plan it acknowledges that the Council would not object to this area being incorporated as an extension to H13.



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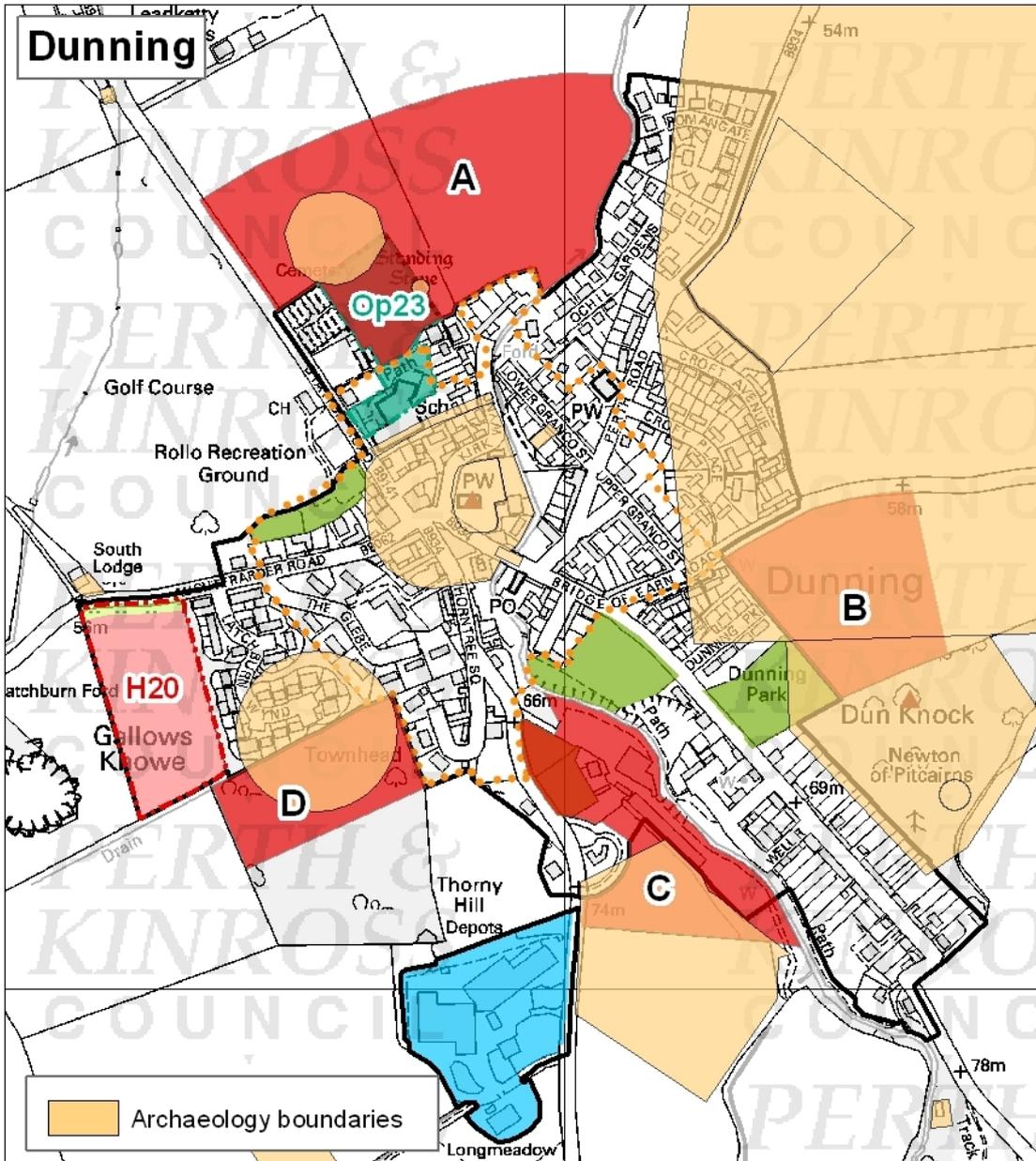
5.32.13 Burrelton / Woodside Both of the sites H16 & H17 attracted some objection, however a number of the issues raised can be addressed at the planning application stage. These sites remain the most appropriate areas for the expansion of the village. The scale of expansion is also considered to be the maximum which can be supported during the life of the Plan. Accordingly the new sites put forward, A-C on the plan below, are not considered for inclusion in this Plan. The proposed response does not recommend any change to the Plan.



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5.32.14 Dunning – The proposed housing site in Dunning H20 attracted 10 objections, nine opposing the site citing landscape, traffic and road safety issues and the remaining representations questioning the developer requirements. Careful design and a safe access for the site can be dealt with at the planning application stage accordingly the proposed response

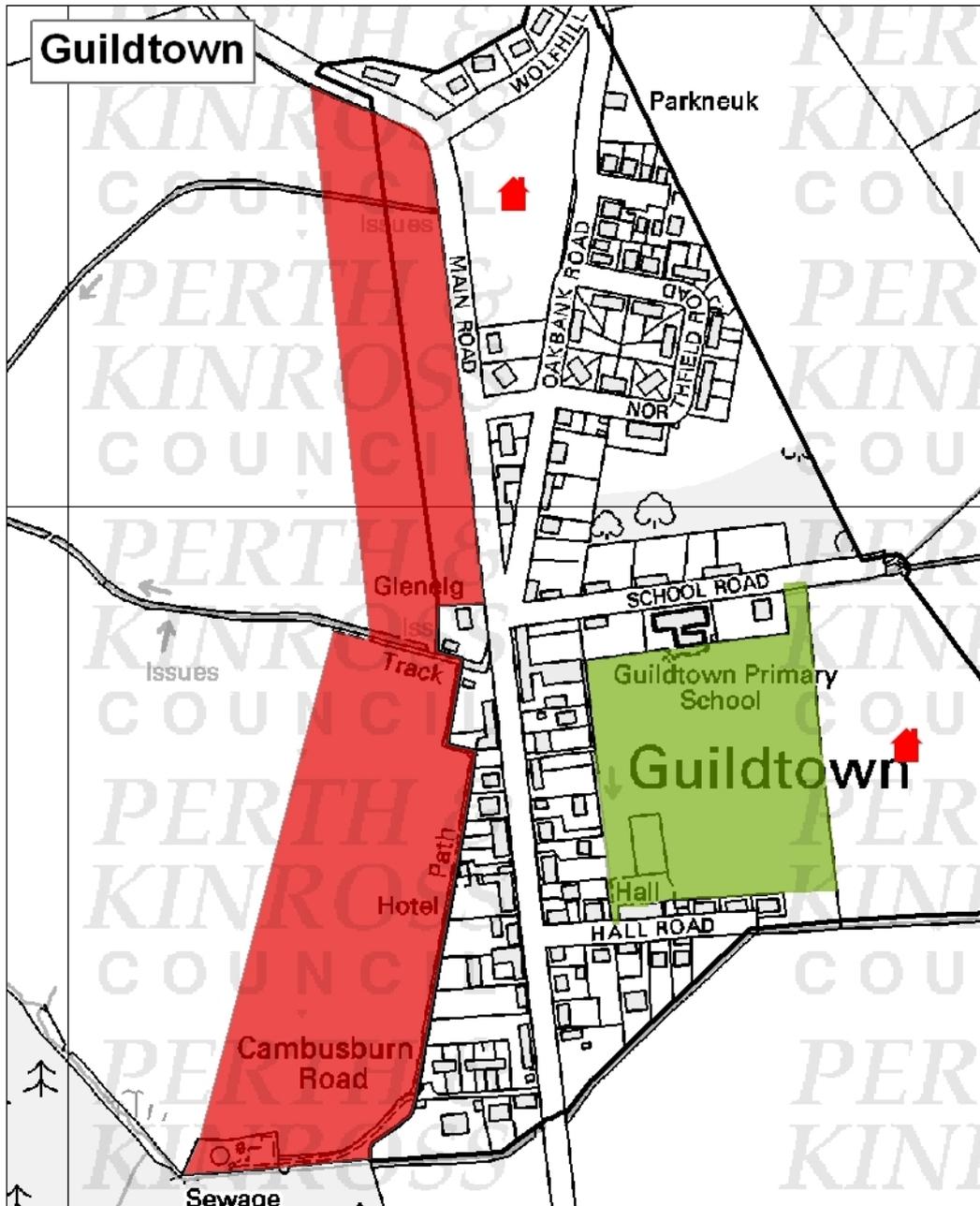
recommends no change to the Plan. Four new sites have been put forward, site C is largely within the current settlement boundary and the proposed response indicates no change to the Plan. Sites A, B and D all are considered to be more prominent than the allocated site and to a greater or lesser degree have archaeological constraints. The proposed response recommends no change to the Plan.



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5.32.15 Errol & Grange – With a healthy undeveloped supply of housing land the Plan only identified modest opportunities for further development in the Errol / Grange area. A number of further sites were put forward by developers ranging from a small scale site at Grange to a 5000 house development between Grange and the A90. This new settlement option would not be in conformity with TAYplan. All of the proposals are opposed in the proposed response.



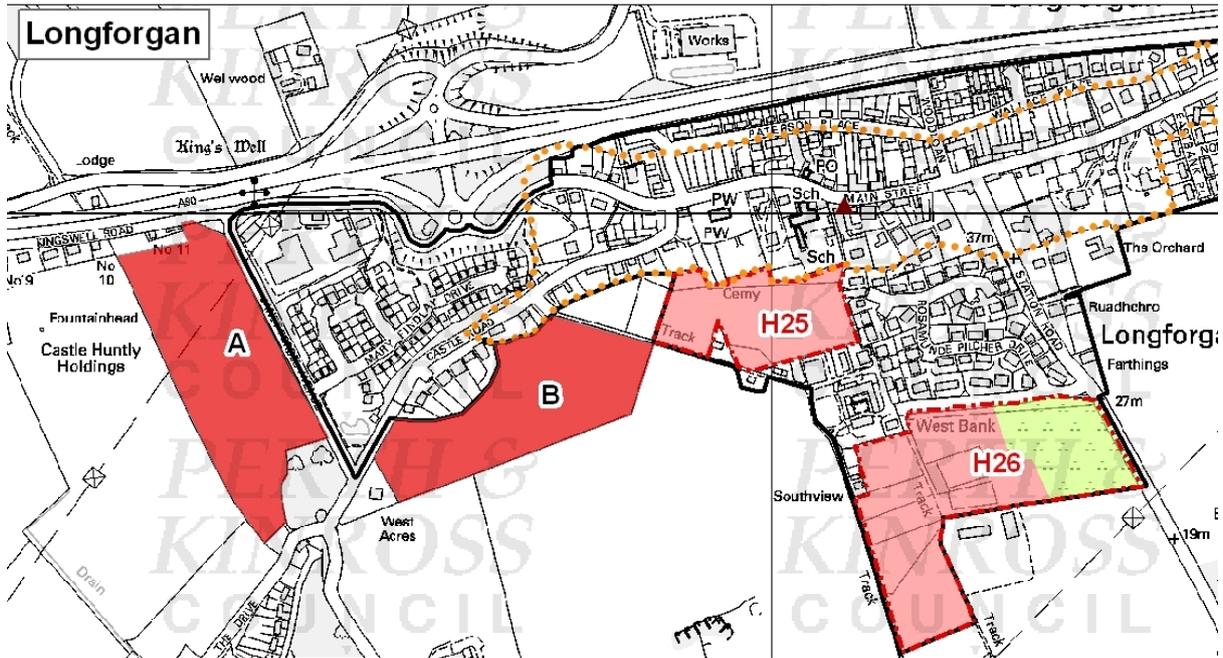


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- 5.32.17 Forgardenny – The Plan identified a site for 30 houses (H22) along the west boundary of Forgardenny. This attracted over 30 objections citing a variety of reasons including, the adverse impact on the character of the village, too dense, would affect setting of a conservation area, is subject to flooding, loss of prime agricultural land, local infrastructure at capacity, poor local public transport and that the access is too narrow.
- 5.32.18 The density proposed for the site is very similar to that of the surrounding housing and is within the range for medium density housing development. Whilst it is acknowledged that the site is class 2 prime land it is the best site for the expansion of the village and an essential component of the settlement strategy.

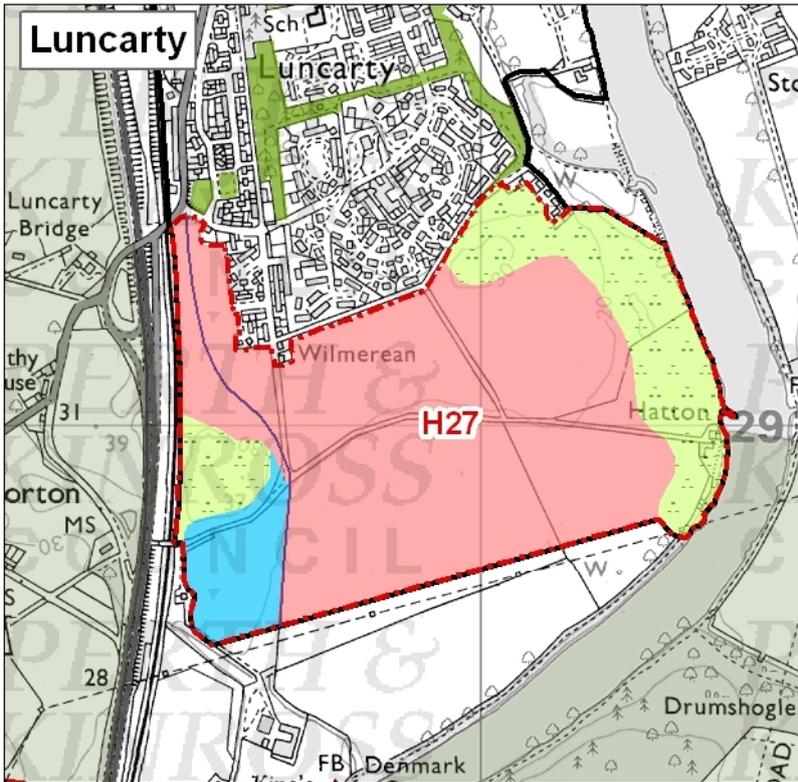
- 5.32.19 Whilst there is a small watercourse on the southern boundary of the site flooding concerns are not supported by SEPA's flood risk maps. Satisfactory access can be achieved from the B935. The site is part of a large flat field on the west boundary of the village and apart from the village hall development adjoining the site is relatively recent. The site itself contains no features which are worthy of retention and it forms a logical extension to the village.
- 5.32.20 Forgandenny does not lie within the Perth primary school, Core Area. Consequently, the allocation is in line with the LDP's strategy of identifying small scale development sites in villages out with the core. The village does have a post office shop and bus service. Any lack of capacity in the school provision at the time of the submission of a planning application will be dealt with by the education contributions policy. Scottish Water have not made any representations on the proposal.
- 5.32.21 Two new sites were also put forward. Site A is a large site which is very prominent for the north it will also change the form of the village pulling it further from the linkages with the existing village and consists mainly of property associated with Strathallan School. The site cannot be considered as brownfield and is not a suitable site for development during this Plan. Site C is partly shown within the settlement boundary indicating that it does have some development potential. However extending further south would require development on the more prominent steep slopes that would then dominate and be out of keeping with the character of the rest of the village. Site B is suggested as an area for car parking for the village hall, this is suggested as an alternative to providing parking adjacent to the village hall within site H22. The alternative location is considered to affect the setting of the conservation area and is not supported. The proposed response recommends no change to the Plan.





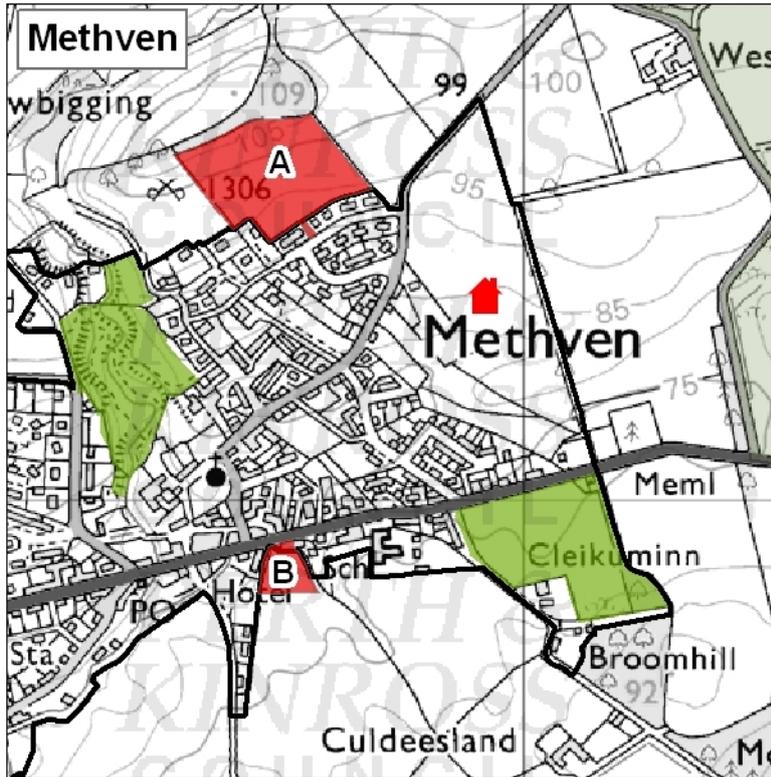
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5.32.23 Luncarty – The Plan identified a large site to the south of the village with potential for up to 200 houses to 2024. This site does have the potential to accommodate further housing in the longer term. The proposal attracted over 20 objections with the greatest concerns over the scale of the development and the lack of local services. Several also had concerns over the landscape impact. It is accepted that Luncarty lacks a central village core but does have a range of services and facilities. There is also capacity within the local school for early phases of this development. It is hoped that the development of this site can act as a catalyst to improved local facilities. The proposed response recommends no change to the Plan.



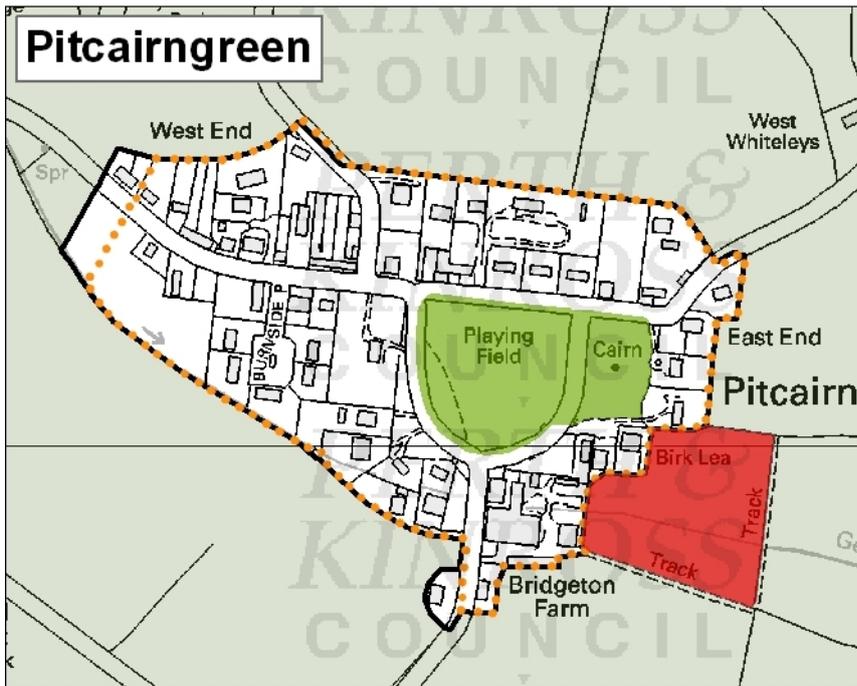
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- 5.32.24 Methven – With a large site to the east of Methven already in the effective housing land supply no new housing sites were identified for the village. Two new sites were put forward. Site A is in an elevated and prominent position, served by poor road access and is not supported. Site B is a more natural infill site with direct access onto Main Street and it is felt that it could provide an immediately available effective housing site.
- 5.32.25 Consequently the proposed response indicates that the Council would not object if the Reporter is so minded to recommend that the representation is accepted and the plan modified.



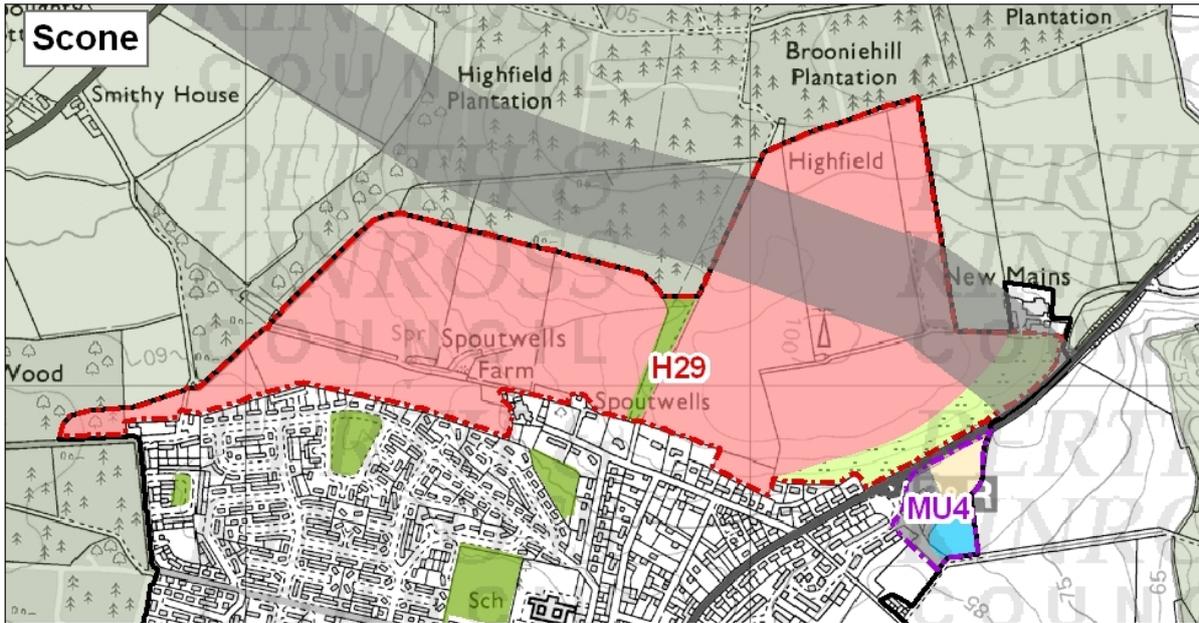
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5.32.26 Pitcairngreen – The Plan contained no housing proposals for the village and one new site has been put forward. The site is considered to be well contained and could provide potential for a limited number of houses. A flood risk assessment will be required due to the proximity of a nearby burn and until this is completed the capacity of the site will not be known. The proposed response indicated the Council would be comfortable with the settlement boundary being amended to include this site.



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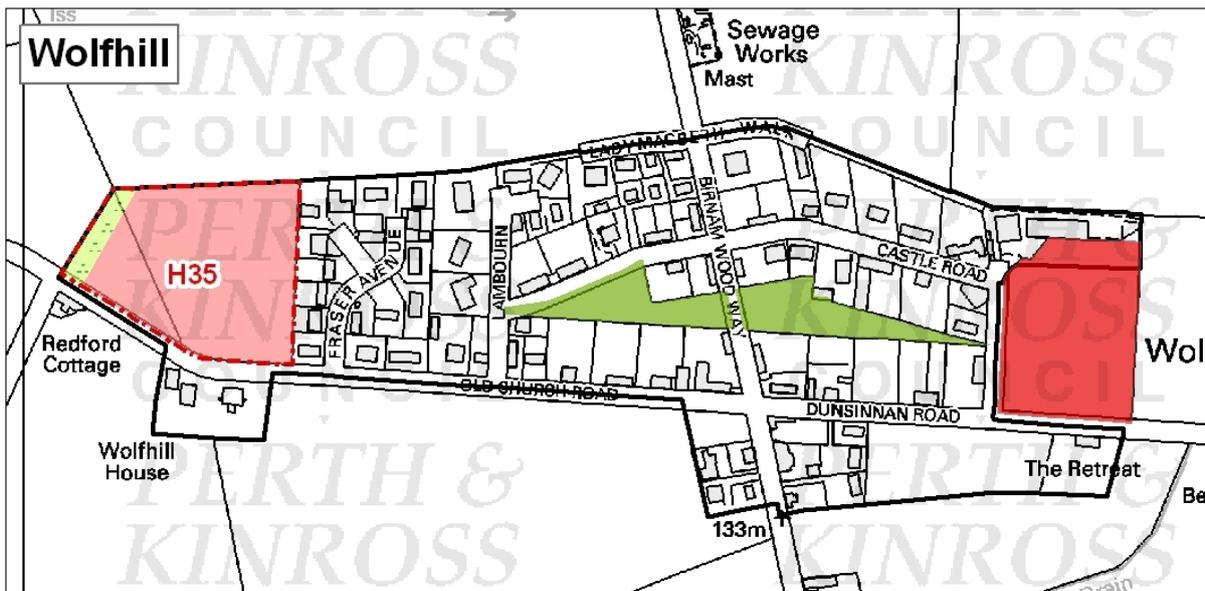
- 5.32.27 Scone – The plan identifies two housing sites Op22, the former Glebe School and H29 a major expansion to the north of Scone. Both attracted a considerable number of objections with the main concerns being the scale and impact of potentially 800 houses on local facilities. The impact of additional traffic on both Scone and on Bridgend also was of particular concern.
- 5.32.28 Tayplan identifies Scone 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. The village is an appropriate location for further expansion as it has excellent public transport links to Perth and good access to services. The understandable fear that residents have is that Scone will be overwhelmed by a large number of new houses. Whilst the two sites have potential for 800 houses only a proportion will be built during the plan period to 2024. It is accepted that traffic from the site could have an impact on the traffic congestion on Perth's bridges and air quality issues in the city centre. The majority of the site cannot come forward until the CTRL is constructed. However once the CTRL is constructed traffic modelling work commissioned by the Council demonstrates that the network can accommodate the traffic generated by the development.
- 5.32.29 Being the largest core area settlement outwith Perth with a good range of services and excellent public transport links the sites in Scone are a vital element of the housing land strategy. The proposed response indicates that both sites should be retained in the Plan.



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5.32.30 Wolfhill - The Plan already identifies site H35 for 24 houses, this attracted limited opposition and is considered a reasonable scale of expansion for this scale of settlement over the life of the Plan. Furthermore planning consent has been granted for a small development of four houses on the site of the former poultry sheds to the north which will offer further choice to house purchasers.

5.32.31 However the proposed response suggests that the new site identified in red on the plan below could, if the Reporter was minded, offer an opportunity for a small scale residential development.



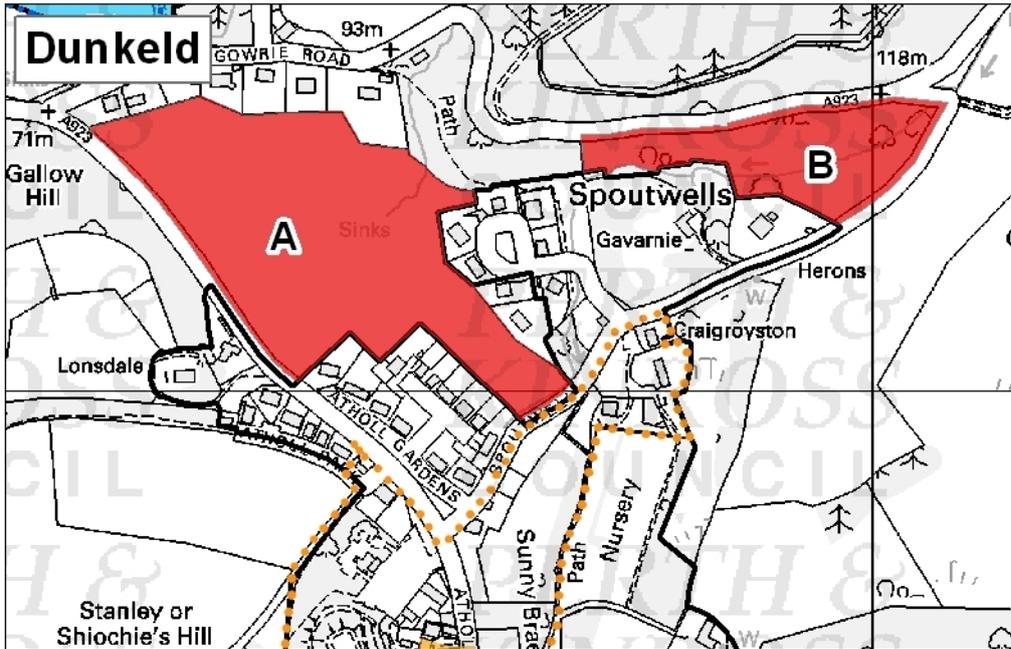
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### **5.33 Highland Area**

5.33.1 General - The Proposed Plan concentrates new housing and employment land allocation in both Aberfeldy and Pitlochry with a range of smaller allocations in a number of villages. The severe physical constraints in the area did however limit the options available. The Plan also recognised that the pattern of development in this area was different from the majority of Perth & Kinross with a high percentage of housing completions coming from small scale and windfall sites. The assumption that 15% of the housing land requirement will come from small sites and 10% from windfall is challenged by the house building industry. Although challenging the position few representations identify any effective alternative strategy i.e. identifying new acceptable sites free from constraints.

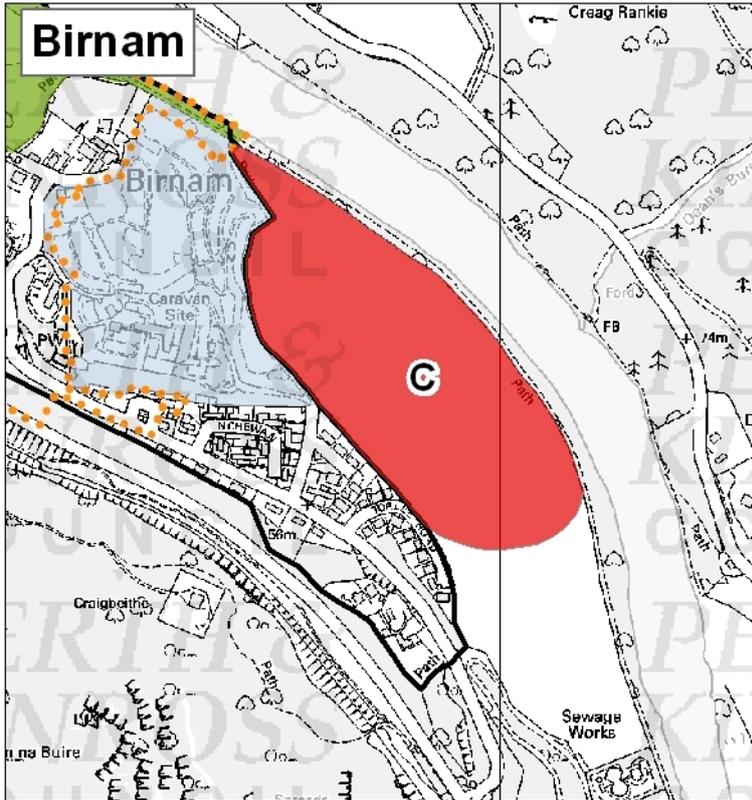
**5.34 Aberfeldy** – The Proposed Plan identified 2 main areas for development in Aberfeldy at the east and west entrances to the town. The proposals also included the identification of employment land at the eastern approach to the town. The Plan gained support from the Community Council and some individuals with very few objections, the majority of the objections were about detail rather than the principle of the site. There was one objection to the identification of open space at Moness. This area has an unimplemented consent for staff accommodation. The suggestion is that by removing the open space designation, it may allow additional affordable housing to be provided. The proposed response notes that the current consent recognises the importance of the tree cover in this area, requiring a management plan to be implemented. Accordingly it is considered appropriate to retain the open space designation at this stage.





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5.35.2 Site C in the plan below is put forward as a site for approximately 40 houses. The eastern section of the site is within a 1:200 years flood risk area. In the south west section of the site is the gas network. The whole of the site is part of Murthly Castle designed garden and landscape designation. This designation seeks to protect the character of the Garden and Designed Landscape. The combination of these constraints indicates that the site is unsuitable for development. The proposed response does not propose an amendment to the plan.

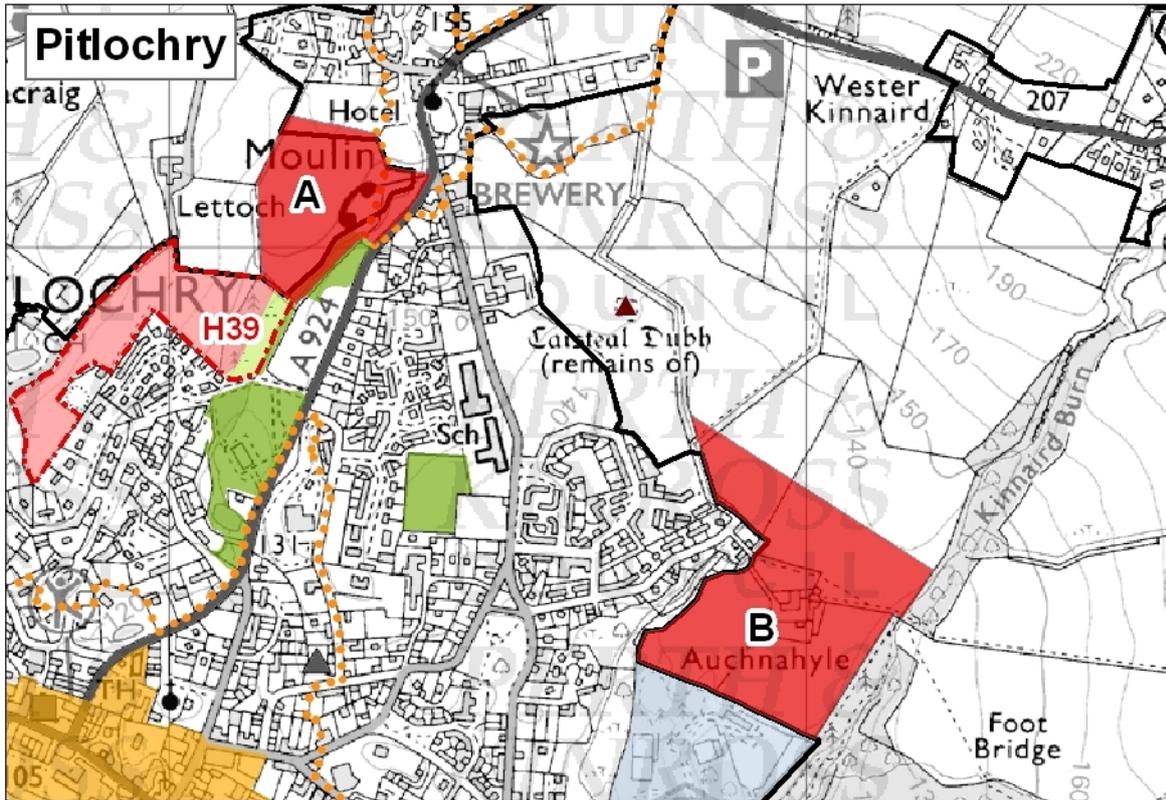


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**5.36 Pitlochry** – The two housing sites in Pitlochry attracted most comments the majority of which were supportive or only sought assurances about detailed matters. The proposed response recognises that the reporter may want to make a few amendments to the developer requirements which will add clarity.

5.36.1 Two new sites are put forward for inclusion. Site A in the plan below would effectively close the separation between Pitlochry and the Moulin Conservation Area. This separation proposed in the plan attracted local support and the proposed response offers no support to this objection.

5.36.2 Site B was considered at the MIR stage and was not carried forward due to concerns over accessibility and ground conditions. These concerns remain however the proposed response indicates the Council would not be opposed to the site, which is well contained in landscape term, from being included within the settlement boundary. This may allow an application to come forward should the technical difficulties be overcome. As there are doubts over the effectiveness of this site it is not proposed that the site is formally identified as a housing proposal.

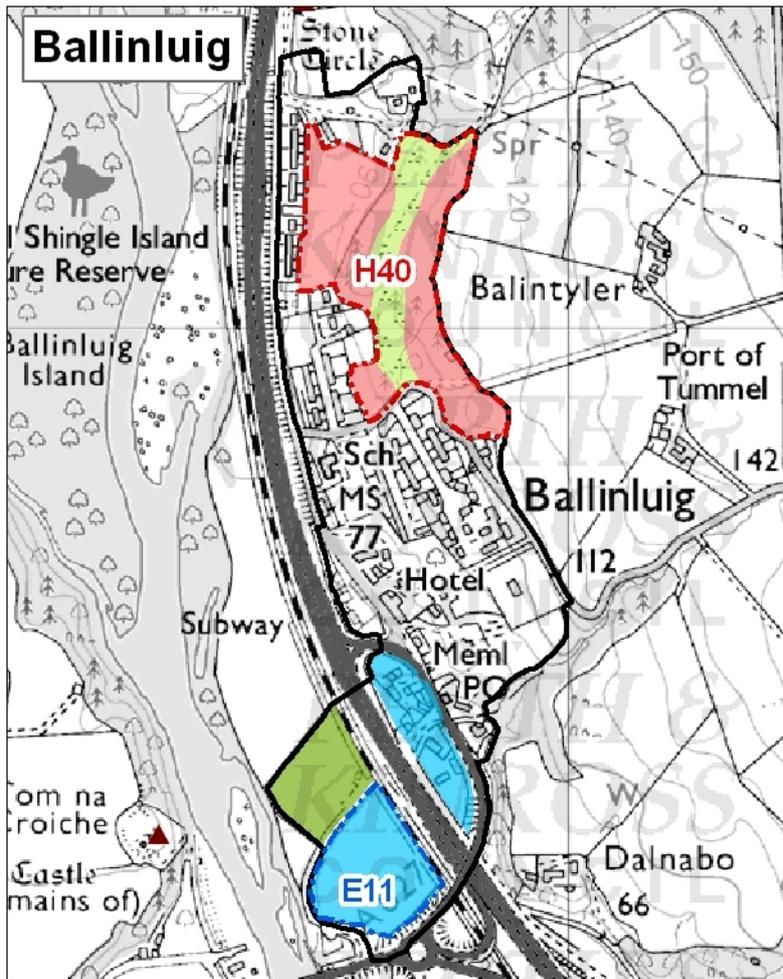


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- 5.37 Ballinluig** - The Habitats Regulation Appraisal has identified the potential for E11 (an employment site at Ballinluig) having an adverse impact on the Tay SAC. This has attracted objections from SEPA & SNH who would both like the Plan modified to remove this site. There is a severe shortage of employment land in Highland Perthshire and whilst it was always appreciated that this site had limited potential the site was included. It has become evident that this site is unlikely to be effective and as a result the proposed response indicates the Council would not be opposed to its removal.



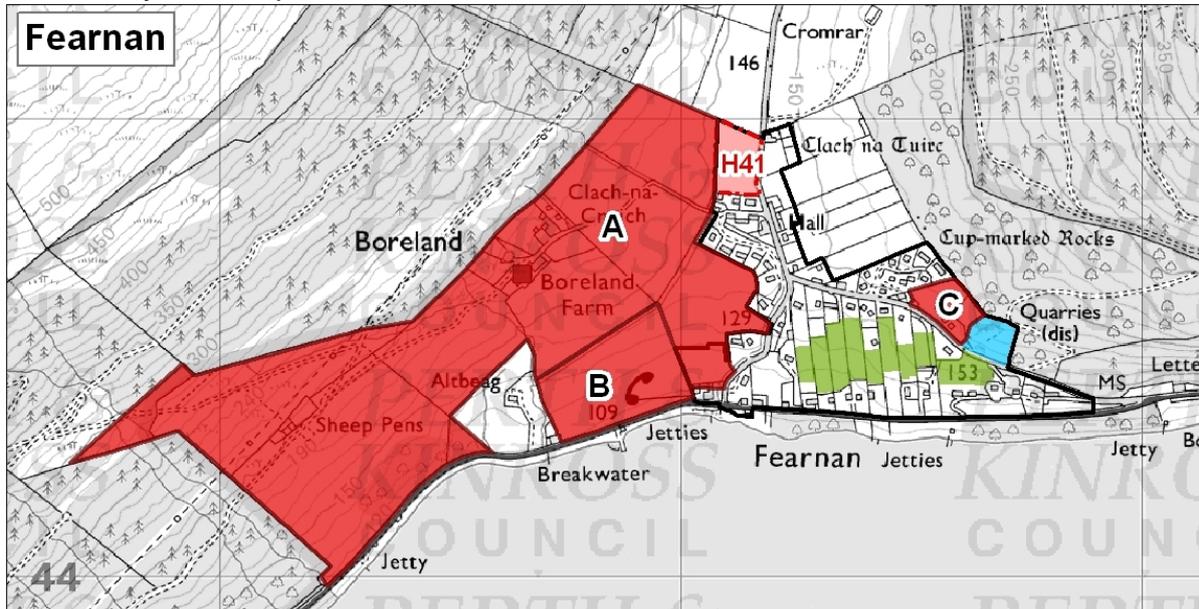
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**5.38 Fearnan** - The Plan identified one site in Fearnan and this site attracted both objections and support. The owner has indicated a wish to develop a much larger eco village identified A on the plan below. There is insufficient information available to assess the impact of this proposal in such a sensitive area. Such developments are unique and probably outwith the scope of Plan to consider but can only be assessed as planning applications against the wider development plan strategy. Accordingly the proposed response does not propose any change to the Plan.

5.38.1 Site C has been proposed for housing, but it is already within the settlement boundary and acceptable in principle. The proposed response does not suggest change due to doubts over its effectiveness and concerns over the narrow road and substandard junction.

5.38.2 Site B is outwith the boundary and is considered to be a major extension to this settlement in a prominent loch side position. This proposal is not supported in the proposed response.

5.38.3 The employment land identified in blue is considered by many to be untidy and some have suggested it would be better as a housing site. There are however relatively few employment land sites in the Highland Area and the response suggests that this is retained, although like site C the access road may limit its potential.

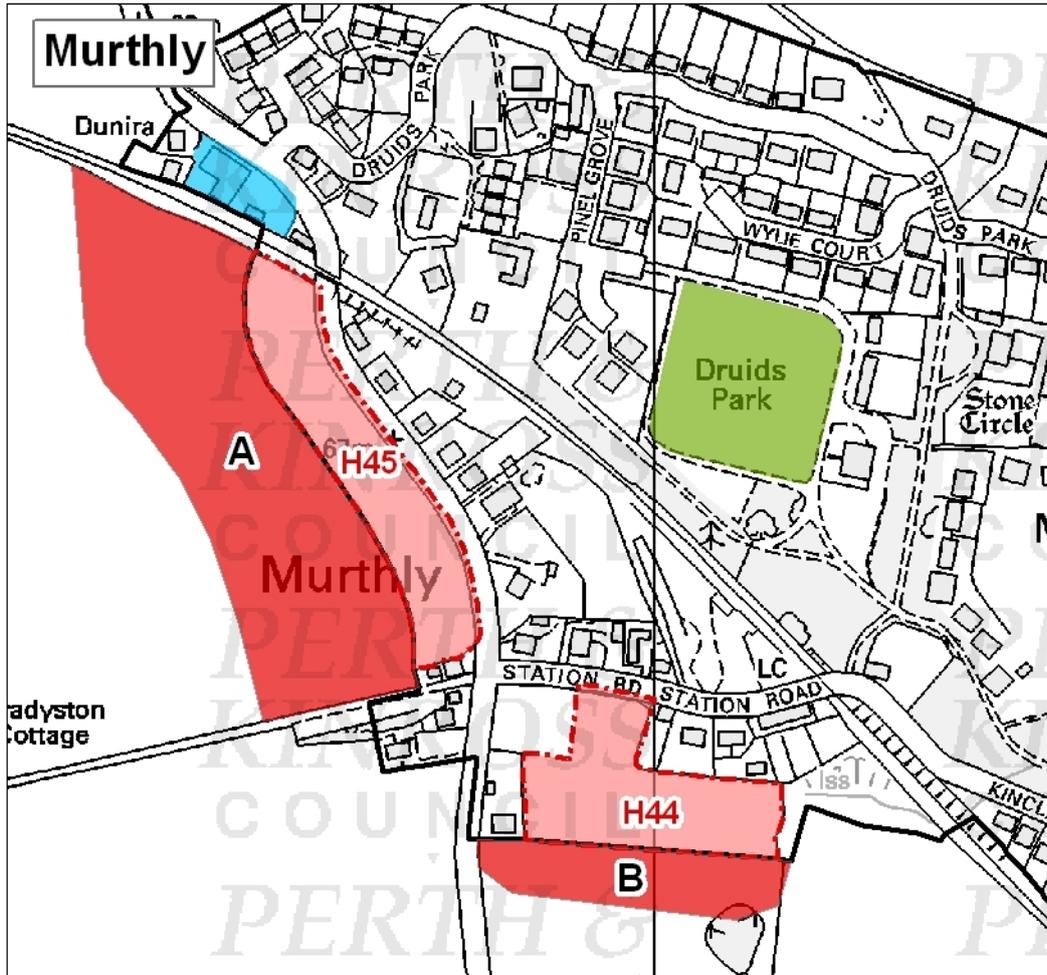


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**5.39 Kenmore** - The Taymouth Castle Estate has proposed that additional housing sites are identified. These areas are identified in red on the plan below. Site A has consent for staff accommodation for the Castle development and the proposed response does not oppose the report recommending that it is reflected in the Plan. Area B is in an area of known flooding and the proposed response opposes this site being identified.





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**5.41 Highland small settlements** – a range of small settlements have attracted objection largely from landowners seeking extensions to the boundaries to allow development of housing. A number of the proposals have some merit and the proposed responses indicate the Council would not object to minor amendments, further details can be found in Schedule 4 Nos. 29 & 30.

#### **5.42 Kinross-shire Area (Schedule 4 Nos. 31 – 36)**

**5.42.1 Kinross & Milnathort** – The employment land allocations are largely supported with the exception of E17 & 36 to the west of the M90. Although the Community Council supported this allocation there is concern from various parties about development beyond the M90. The objections cite the visual intrusion and impact on the setting of both the Grouse and Claret restaurant at Heathyford and Turfhill House, which is a Listed Building. In addition a number of representations consider employment land east of the M90 should be developed first. It is important that the Kinross area has a range of sites available for employment uses throughout the life of the Plan. The most accessible high profile site E18 has a limited developable area remaining and it is hoped that this will quickly be developed. As a result it is vital to the Kinross-shire economy that an alternative high profile site with good motorway

access is available. The issues over the setting of the Listed Building and restaurant which are both some distance from the site can be dealt with by careful design at the planning application stage. The proposed responses indicate no significant changes to the Plan.

5.42.2 The Plan identifies three housing sites in Milnathort (H48, H49 and H50), all carried forward from the current Local Plan. Whilst all attracted some objections, no new issues are raised and the proposed response recommends no change to the Plan.

5.42.3 The Proposed Plan allocates the largest proportion of the housing land requirement to Kinross sites H46 & H47.

5.42.4 The development of H46 is a natural extension to Kinross westwards toward the motorway. The Main Issues Report identified this site as a preferred development option under reference E as one of five development sites within Kinross and Milnathort. Of the five sites it received the least number of comments with a higher proportion in favour of it being identified.

5.42.5 Site H46 has attracted the largest number of representations. Opposition to developing this site has been raised on some or all of the following grounds:

- impact on the visual appeal of Kinross
- use of greenfield land
- road safety
- increased traffic
- no suitable site access, impact on railway line footpath
- impact on Davis Park
- lack of suitable drainage
- health and education infrastructure
- more development should be directed to Perth
- Flooding
- Noise
- proximity to motorway
- would restrict extension of motorway hard shoulder
- the site forms a buffer between Kinross and the motorway/oil and gas pipeline
- not deliverable as the site capacity will be reduced by noise attenuation measures
- impact on biodiversity
- no house builder is involved

5.42.6 The majority of the concerns highlighted in the objections can be addressed at the Masterplan stage, however it is agreed that in terms of noise the site's position adjacent to the M90 could sterilise part of the site being developed. A number of representations raised concern over the impact on Davis Park. The park was not included within the site boundary of H46; access to the site may require some reconfiguration of the park but it is within Council ownership and appropriate mitigation could be achieved.

5.42.7 The Council acknowledges the volume of support for the removal of this site from the Plan and agrees there are some unresolved issues in relation to noise and access. It is important to note that since the publication of the Proposed LDP the former Kinross High School (Op12) has been disposed of for a residential development. The land adjacent to the New Primary School (Op15) may also be considered acceptable for residential development and subject to the masterplan process H47 may support an increased level of development. This wide range of additional sites as well as the existing designations provides a more than sufficient effective housing land supply.

5.42.8 If the Reporter considers that H46 is not an appropriate site for residential development the Council considers that its removal would not leave a shortfall in the effective land supply. If the designation is removed the land should remain in the settlement boundary and identified as Open Space Policy CF1.

5.42.9 In comparison with paragraph 7.1.14 in the Plan the following table shows how the proposed modifications would increase the overall land supply.

Site Ref	Location	No of Units
H47	Lathro Farm	260 (140 up to 2024)
H48	Pitdownie	40
H49	Pace Hill	50
H50	Old Perth Road	7
Op12	Former High School	70
Op15	Lethangie	40
<b>Total</b>		<b>467</b>

5.42.10 Site H47 attracted approximately 20 objections with about half supporting the removal of this site and the remainder seeking amendments. The objections focused on the following: coalescence of Kinross and Milnathort, increased traffic, road safety, impact on the amenity of existing housing at Lathro Park, lack of suitable drainage, noise, loss of amenity, level of proposed development, flooding, impact on biodiversity, loss of greenfield land, lack of local employment, impact on health and education infrastructure. The developer has proposed an increase in the number of houses identified for this site.

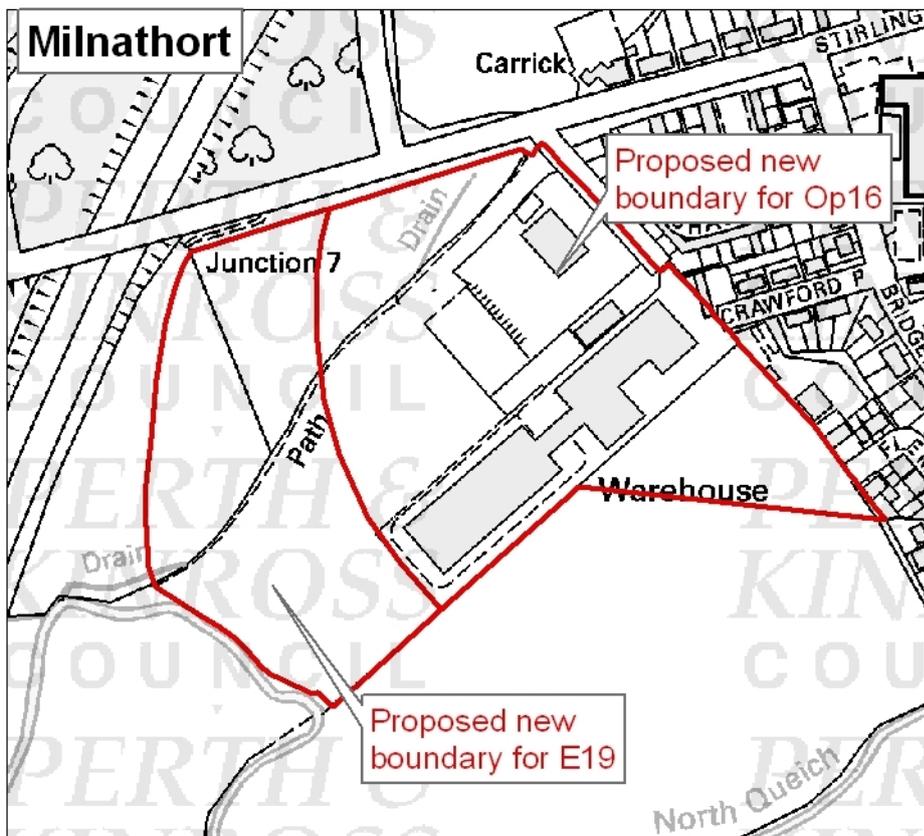
5.42.11 The development of H47 is a natural extension to the north of Kinross. It forms the backbone of the Kinross Housing Land Strategy and will provide development land for the period of the Local Development Plan and beyond. The Main Issues Report identified this site as a preferred development option under reference D as one of five development sites within Kinross and Milnathort. Of the five sites this was the second preferred option. The site is well located between Kinross and Milnathort town centres and adjacent to local community facilities such as the Loch Leven Community Campus.

- 5.42.12 The majority of the detailed issues raised can be addressed at the master plan stage. With regard to the coalescence of settlements, the area which separates the two settlements outwith the identified site is a natural flood plain for the North Queich and its close proximity to Loch Leven means it supports a wide range of biodiversity which should be protected. The Loch Leven Catchment Management Plan recommends a reduction in erosion of river banks and the management of natural flood plains as an effective method of reducing the level of phosphorus entering the water system. In order to support these recommendations development will only be acceptable where improvements to the landscape, green networks and riparian habitat have been implemented. These improvements will strengthen the visual separation between Milnathort and Kinross, prevent coalescence of the settlements and have wider benefits through the management of flooding downstream and reducing impact on Loch Leven.
- 5.42.13 The Representation from Persimmon Homes seeks to have the area of development extended westwards towards the M90. The Council considers that the site as proposed is sufficient to meet current needs and there is no requirement for additional housing land at this point in time. The proposed response recommendations to the Reporter is that if they are minded to support this it should be amended through the Masterplan following a detailed analysis of a range of issues including noise, flood risk, landscape and biodiversity.
- 5.42.14 The developer has proposed an increase in the number of houses identified for this site. The proposed density of the site is at the lower level of the medium density range due to uncertainty over the final developable area. The density ranges are indicative and are considered flexible giving scope for higher density to be introduced within the defined range, as long as this does not compromise good design. The proposal to increase the identified number of units to *'320 – 350, with 220 for construction during that period within the lifetime of the Plan'* is considered excessive. The housing strategy does not require this level of development and the proposed density increases into the high density range which does not reflect the neighbouring land uses.
- 5.42.15 It is acknowledged that increasing the density would be logical economically however the increased level of development within the Plan period could be reconsidered in the first Local Development Plan review. The proposed Council response indicates no objection to the application of the indicative number of 20 units per ha for the medium range which will increase flexibility to 2024 but considers that, due to further analysis of the developable area being required, the final number of dwellings should be determined through the Masterplan process.
- 5.42.16 New sites have been suggested for inclusion in the Plan. Site B is within the floodplain of the Back Burn and close to the M90 and is not supported in the proposed responses. Site A, which was considered at the Main Issues Report stage has been suggested for inclusion in the Plan. The Main Issues Report identified this site as a preferred development option as one of three development sites within Milnathort. Of the three sites this was the preferred

option although it still received a greater proportion of negative comments with issues raised including increased traffic through the village, impact on the village setting and Burleigh Castle which is a Scheduled Ancient Monument, loss of agricultural land and the impact of flooding on the eastern part of the site. It is considered that the Plan identifies more than sufficient land to meet the housing land requirements during the Plan period although if further land or alternative sites were required this site may be considered as an acceptable option. The proposed response concludes that if the Reporter considers there is a deficiency in the effective land supply and that additional development sites require to be identified the Council would raise no objection to the identification of this land for residential development subject to various developer requirements.



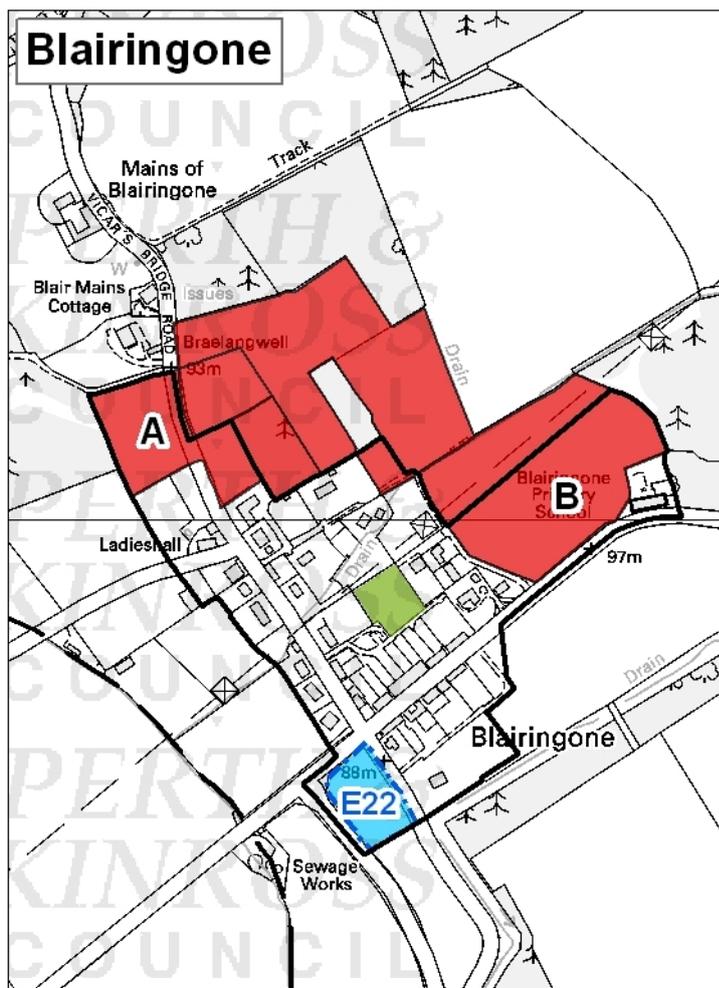
5.42.17 Opportunity site Op16 and employment site E19 in Milnathort attracted an objection from Forth Wines, the owner of part of the site. They sought to extend the boundaries of Op16 to include their entire landholding. The proposed allocation seeks to facilitate a comprehensive regeneration of the entire site while not prejudicing the adjacent site (E19). The Council is keen to support Forth Wines and the wider regeneration of this part of Milnathort. It is recognised that the development of Forth Wines' land holding in isolation from neighbouring areas will not maximise the potential of the site as some of the current operations may not be compatible with residential amenity. Although a brownfield site, the layout of the existing Forth Wines buildings would lead to their development for residential in isolation having a negative impact on the edge of Milnathort and it is not considered that a suitable design can be achieved. The nature of residential development in comparison to existing warehouse buildings is likely to be a highly visible strip in comparison to the existing settlement edge. In order to make the re-development of the Forth Wines land holding suitable in design terms, the site boundary would require to be modified including a larger area of E19 a more effectively rounding off the settlement. This would result in the loss of employment land and could have the potential to sterilise a greater part of E19 for employment uses. The Council's preferred position is for no modification to the Plan but the proposed response concludes that if the Reporter was so minded the Council would have no objection to the site boundary of Op16 being modified to reflect the attached map.



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**5.43 Blairingone** – The Plan sought to identify a generous boundary around the settlement to allow for some development. The Plan did not however identify specific housing sites as there is uncertainty over the viability of the development sites due to ground stability as a result of old mine workings. Several representations have suggested the allocation of housing sites noting that there is capacity in the local primary school. The proposed response notes that both sites A & B are already contained in the settlement boundary and the principle of housing is acceptable but does not suggest identifying these as proposals due to the uncertainty over their effectiveness. The additional areas outwith the settlement are considered excessive for this small rural community and intrusive in landscape terms.

5.43.1 A further representation sought the safeguarding of a by-pass line for Blairingone. At present the Council has no proposal to construct a by-pass, it would not therefore be appropriate to identify a line. If the proposed for by-pass is identified this is likely to be located to the south of the village out-with the developable area, so unlikely to be compromised by the existing development proposals.

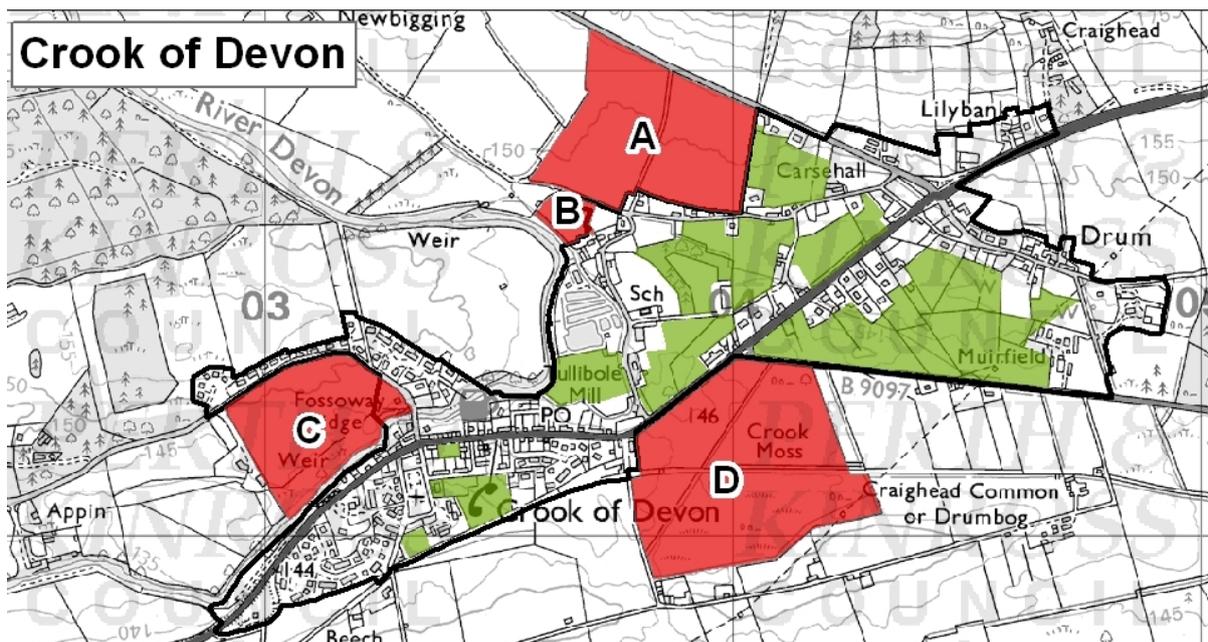


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**5.44 Crook of Devon** – The Proposed Plan did not identify any sites for housing development in Crook of Devon although the MIR considered Site C on the plan below. This site attracted considerable adverse comment but was primarily excluded from the Plan as the high infrastructure costs. These were associated with the requirement for a new bridge across the Devon and made the sites effectiveness doubtful. No evidence has been provided to suggest the site could become effective and as a result the proposed response suggests no change to the Plan.

5.44.1 Site B may be capable of supporting small scale infill development. The eastern edge of the site is within the SEPA 1:200 year indicative flood area (SEPA Map) and it may be in conflict due to noise with the Scout Camp to the north. The proposed response concludes that if the Reporter was so minded the Council would not consider it appropriate to designate this land as a new site due to the unresolved issues relating to flooding and noise but would raise no objection to the land being included within the settlement boundary.

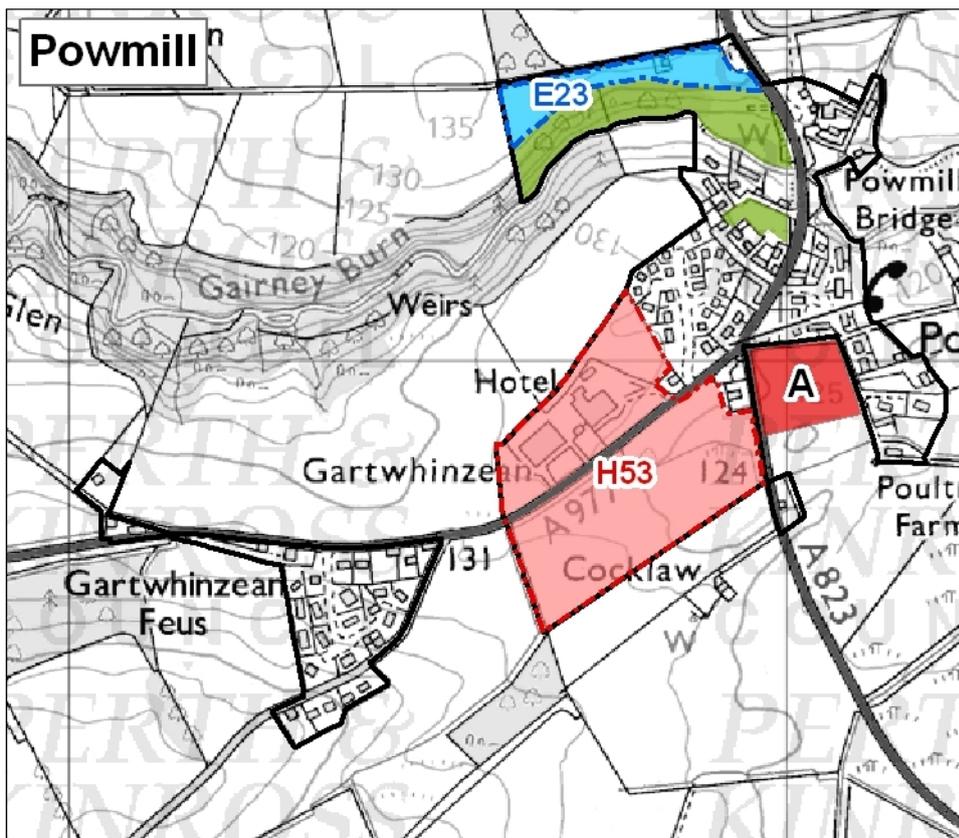
5.44.2 Sites A & D would both have an adverse impact on the setting of Crook of Devon, Back Crook and Drum and as there is no evidence these sites would be effective the proposed response suggests no change to the Plan.



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**5.45 Powmill** – Housing site H53 is the largest proposal in landward Kinross-shire (120) houses. There is a level of community support for development on Powmill and this site only attracted three representations, including the Community Council, all seeking a reduction in numbers ranging from 60 to 100 houses. The proposed response notes that the Main Issues Report put forward two options for future development in Powmill. Option 1 for 30 units and Option 2 for a larger development of 90 units. Option 1 received the most positive responses and a number of issues raised in relation to need for

improved drainage infrastructure and road improvements. In order to ensure the viability of the development and allow for the provision of a new Waste Water Treatment Works and junction improvements at the A977/A823, the Council opted to identify development in line with MIR Option 2. The identification of the site for 120 units is at a medium density reflecting existing development in Powmill and is only slightly higher than that proposed in the MIR due to the existing permissions for 23 houses on site. Reducing the number of dwellings on site and allocating to other new sites which the Council do not consider to be effective may not allow the Council to retain an effective housing land supply. The proposed response recommends no change to the Plan.

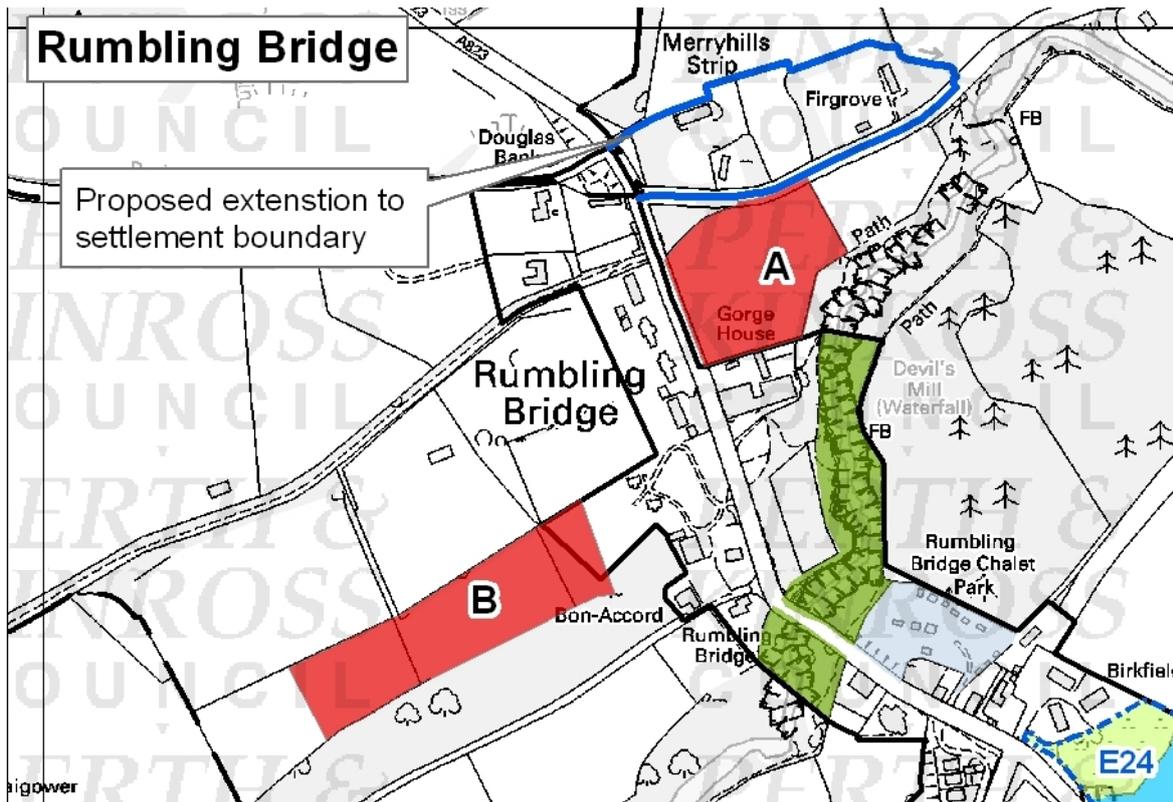


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**5.46 Rumbling Bridge** – The Proposed Plan did not propose the allocation of any housing sites in this small settlement with no public drainage system. Two representations sought the identification of housing sites, Site A for 7 houses and Site B for 13 houses. A further representation sought an extension to the settlement boundary to enable an unspecified number of houses. All three proposals were considered to adversely affect the village setting and as the strategy of the Plan seeks to identify most development to the larger settlements with services the proposed response suggests that no change is made to the Plan.

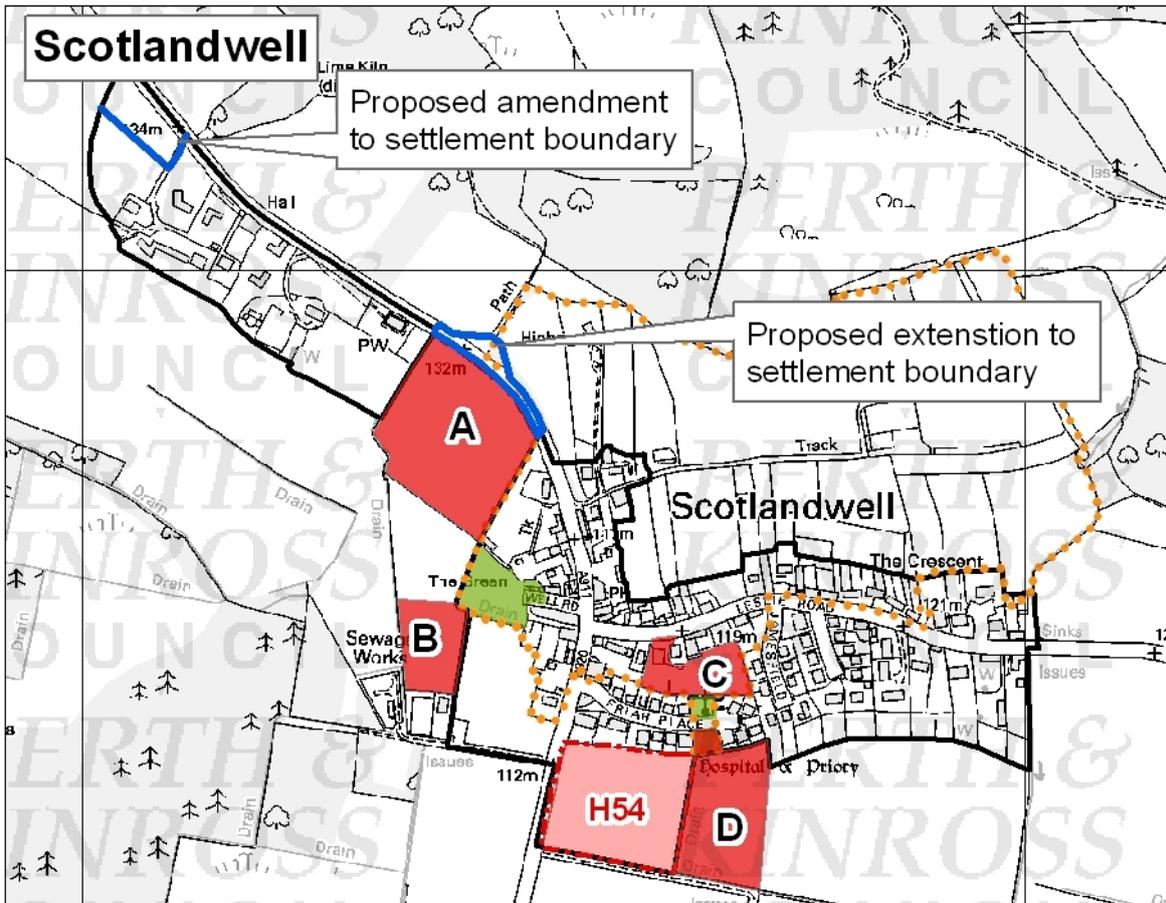


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**5.47 Scotlandwell –** The Proposed Plan identifies a site for 30 houses to the south of Scotlandwell. During the MIR consultation there was significant support for this site, however it has attracted 12 objections seeking its removal and a number seeking some changes to the proposal. Scotlandwell is outwith the Loch Leven Catchment Area and does not have identified infrastructure restrictions. This site is considered to be a natural extension of the settlement while reflecting the linear development form in which it has expanded. It provides a choice of development sites across the Kinross HMA, and a well designed development will improve the entrance to the village from the south. The proposed response suggests that there is no change to the Plan.

5.47.1 Several additional sites were put forward and are shown as Sites A –D on the plan below. The proposed response suggests none of these sites are taken forward for the following reasons:-

- A would lead to the coalescing of Scotlandwell and Kilmagadwood and affect the setting of the Conservation area.
- B would affect the setting of the Conservation area.
- C is already within the settlement boundary but has not been shown to be an effective site over the past 20 years.
- D is proposed as an extension to H54 and would offer the opportunity for a larger number of houses than considered appropriate for Scotlandwell during the Plan period.



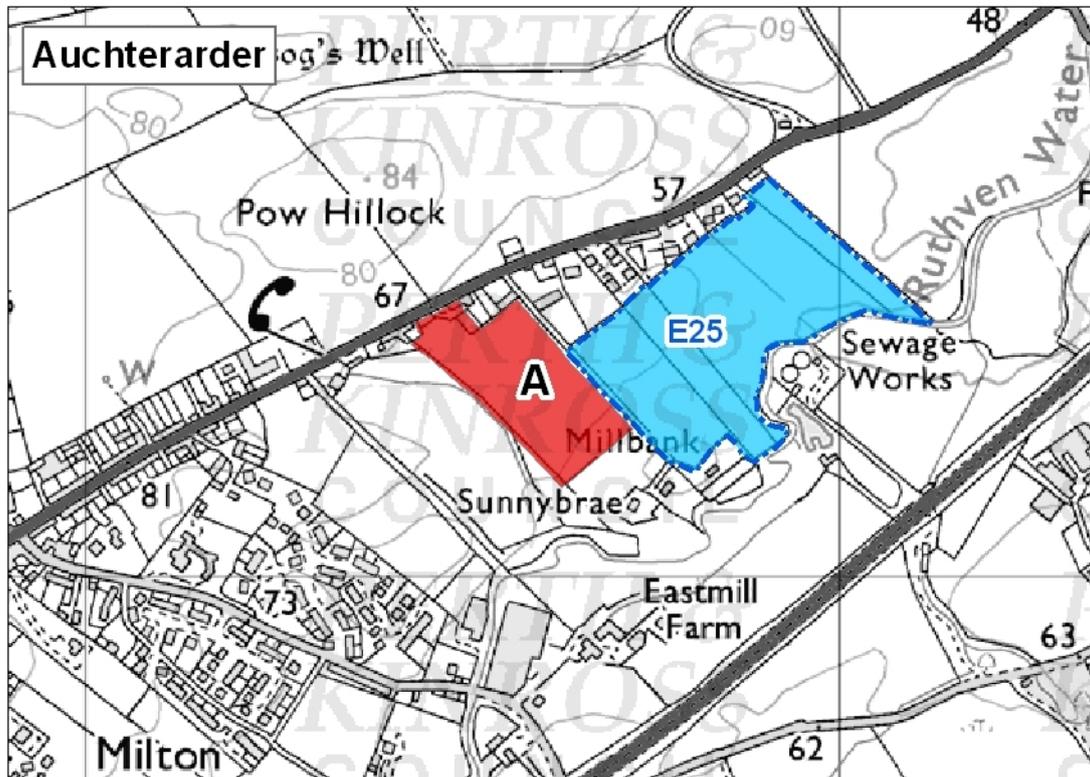
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#### 5.48 **Strathearn Area** (Schedule 4s Nos. 37-40)

**5.49 Auchterarder** - With the major housing allocations (800 houses) from the current Local Plan only beginning to come forward now, this is a significant effective housing land supply. The Proposed Plan did not put forward any new housing land and as a result there are relatively few representations raised in this area. Two issues are worthy of highlighting.

1. Employment Land - Site E25 is identified for employment uses in the Proposed Plan as an alternative to the Auchterarder Development Framework allocation at Kirkton Farm. Whilst there are a small number of objections to this proposal there is also some support. It is considered that the topography of this site is better suited to the needs of employment land, with better access and the potential to deliver effective land earlier than the Kirkton site and therefore no change to the Plan is recommended.
2. Supermarket site - Site A on the plan below has been proposed as a site for a mixed use development including a supermarket. At present there is no known capacity for a larger format supermarket within Auchterarder. However, with a significant expansion planned there may be capacity for such a development beyond this Plan period. A retail

study of Auchterarder has been commissioned to investigate the longer term need and examine alternative site options, including town centre sites. This study will inform a future review of this Plan and at present the allocation of this, or any other, site for a supermarket is considered premature and as such the proposed response recommends no change to the Plan.

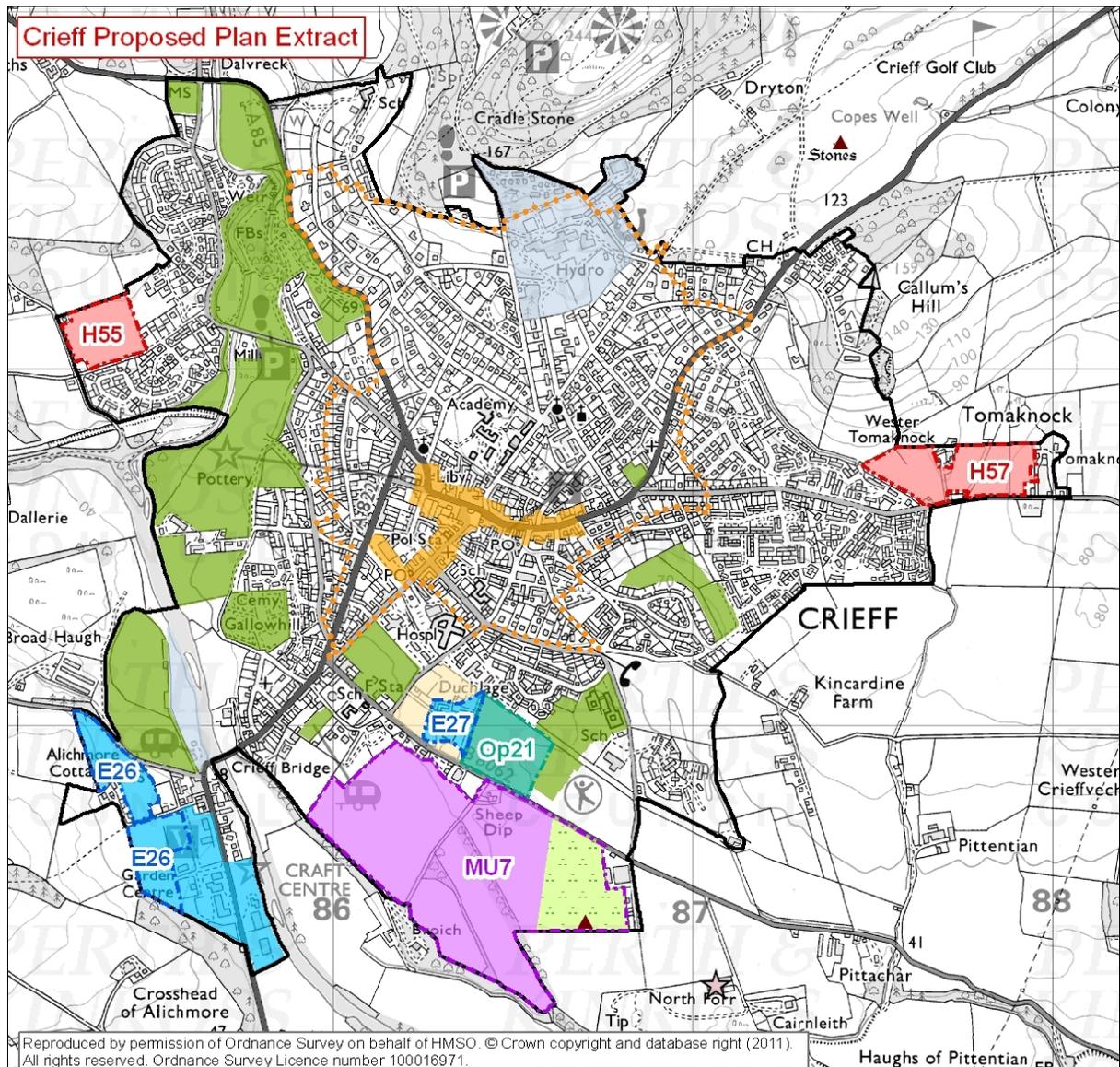


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**5.50 Crieff** - Two main issues have been raised in Crieff. These relate to 1) the scale of housing proposed and 2) concern over the future of town centre retailing.

1. **Scale of Housing** - With a significant housing land supply in Auchterarder the focus for new allocations is Crieff. Both housing allocations (H55 & H57) and the major mixed use site (MU7) have attracted representations citing a variety of issues, including access, loss of agricultural land, biodiversity and the need for community infrastructure to be in place. Many of the detailed issues raised can be addressed through the planning application process or in the master plan for south Crieff. In addition with the construction of the new Community Campus and a planned new primary school much of the community infrastructure is already in place. There are no other significant viable options to meet the housing land supply in the Crieff area and accordingly the proposed response recommends to the reporter that all the proposed sites are retained in the Plan.

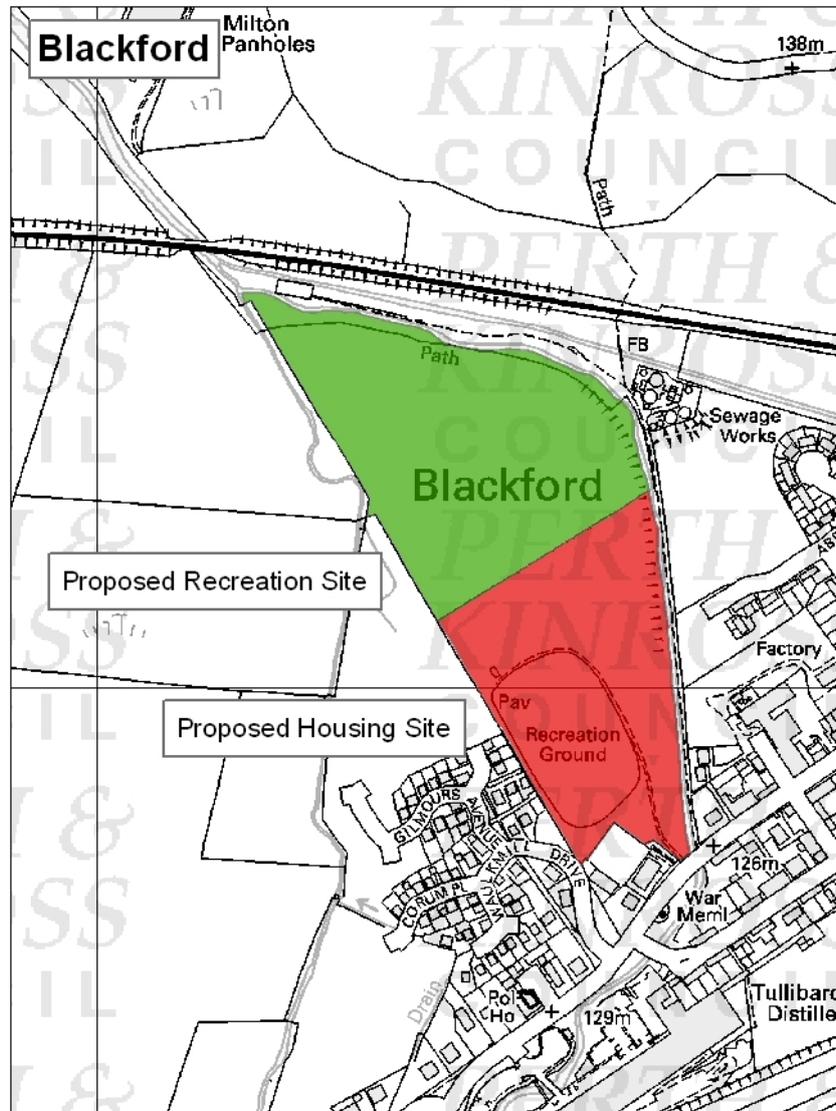
2. **Town Centre Retailing** - A number of representations express concern for the future of the town centre retailing. Some seek a commitment to the development of brownfield sites and disused buildings in central Crieff however whilst the Plan supports such development, its implementation requires private sector investment. In the current economic climate this cannot be guaranteed. It is anticipated, that the significant growth planned for the south of the town will generate additional spend within the town assisting with the regeneration sought in the representations.



**5.51 Aberuthven** - There was general support for the additional employment land adjacent to Aberuthven. No change to the Plan is recommended.

**5.52 Blackford** -The main issue raised here was in relation to the Highland Games Field. A local landowner, objected requesting that the area known as the Highland Games Field be identified for housing with the proviso that an alternative area is provided for recreational purposes (See plan below). This site was identified as a potential option at the Main Issues Report stage and,

although the Games Field is not in public control, the loss of this recreation facility attracted a lot of local opposition. The key issue is that there is an already generous supply of housing land in the village awaiting development, the allocation of this site is unlikely to improve the effective housing land supply. The proposed response recommends no change to the Plan.



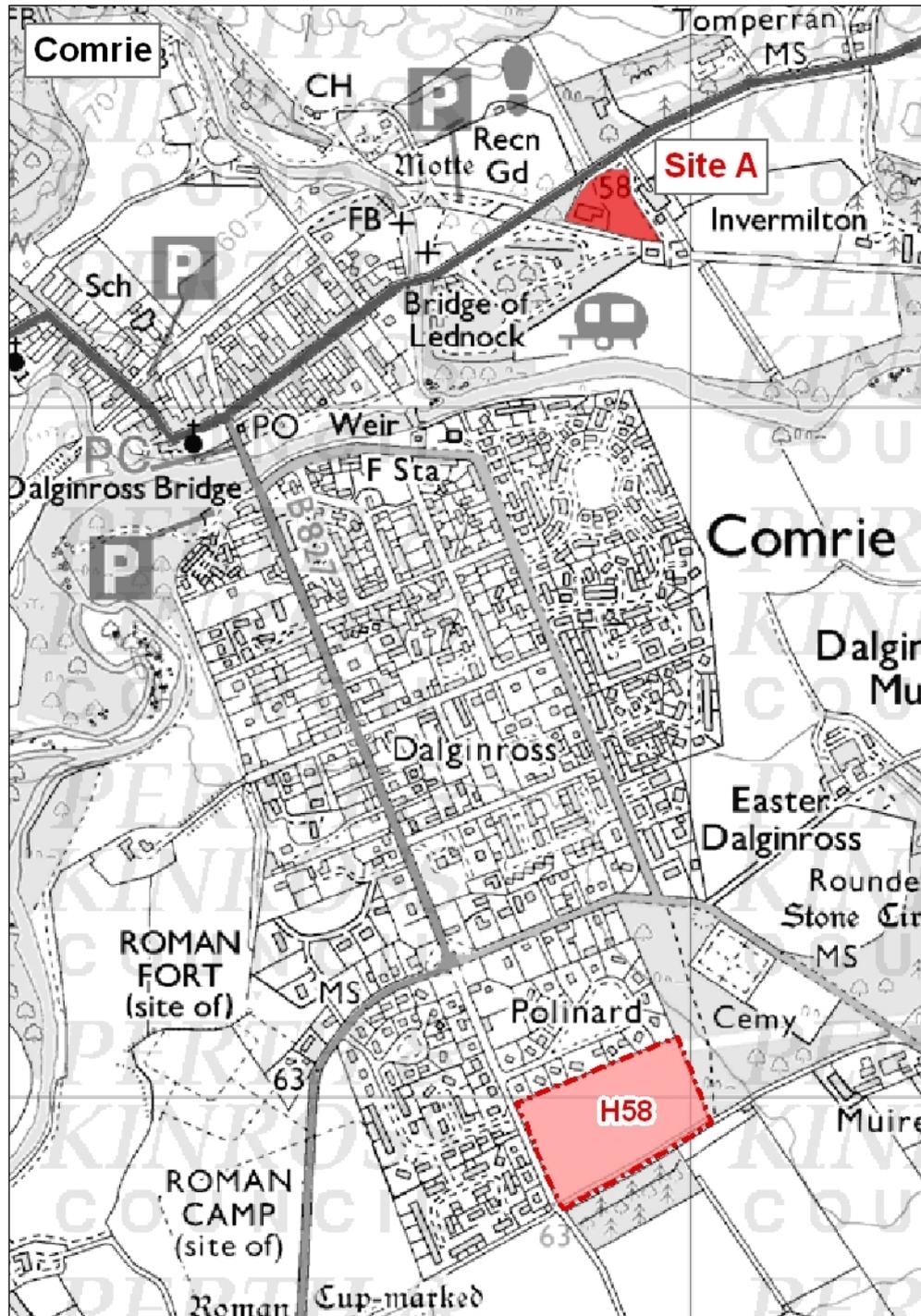
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### 5.53 Comrie - The two issues raised here relate to housing and employment land:

Two sites attracted representations, housing site H58 and the employment land at the east entrance to the village (Site A on plan below).

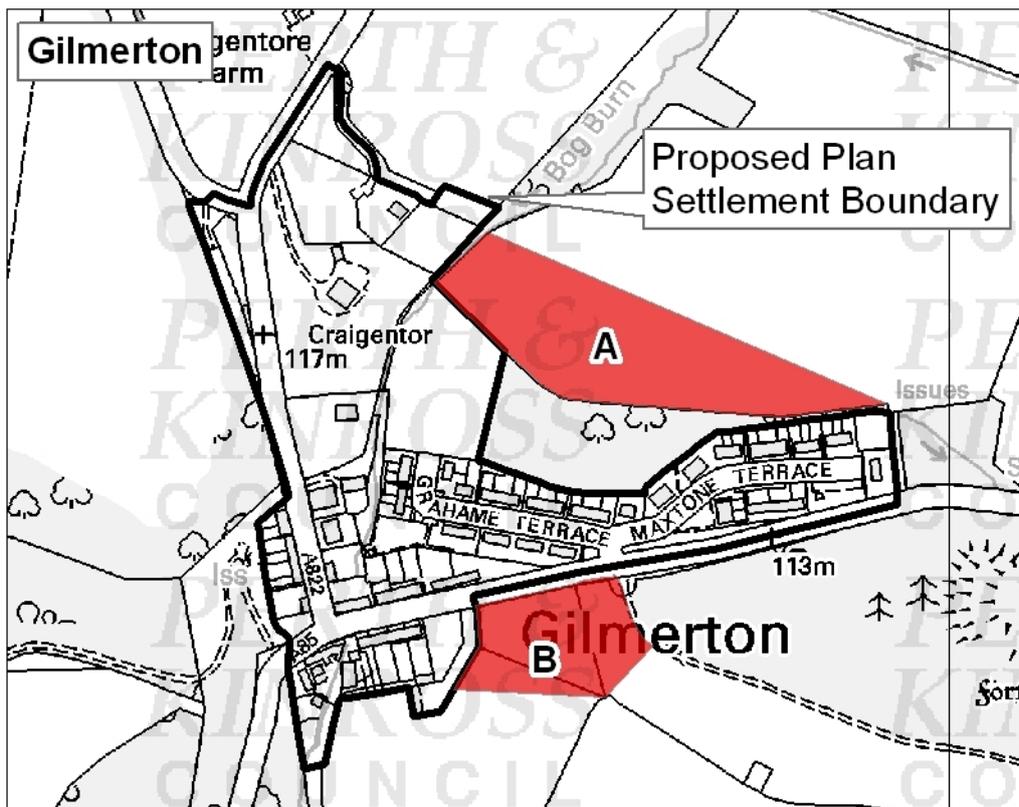
1. Housing site H58 for a maximum of 30 houses attracted a number of objections largely from near neighbours. One of the key areas for objection was the unadopted access road. The development of this site would require the road to be brought up to adoptable standard in addition this is probably the only viable site for a modest expansion of Comrie at this point in time. Accordingly the proposed response recommends no change to the Plan.

2. Employment land - It is claimed that the employment land at Site A has failed to attract a user for some years and as there is now sufficient employment land located at Cultybraggan this site should be identified as a housing site. The proposed response acknowledges there are alternative and perhaps better employment opportunities and indicates that the Council would not be opposed to dropping the employment land zoning should the reporter be so minded. The response however does not recommend that this site is identified for housing as it is unclear whether it would be an effective housing opportunity.



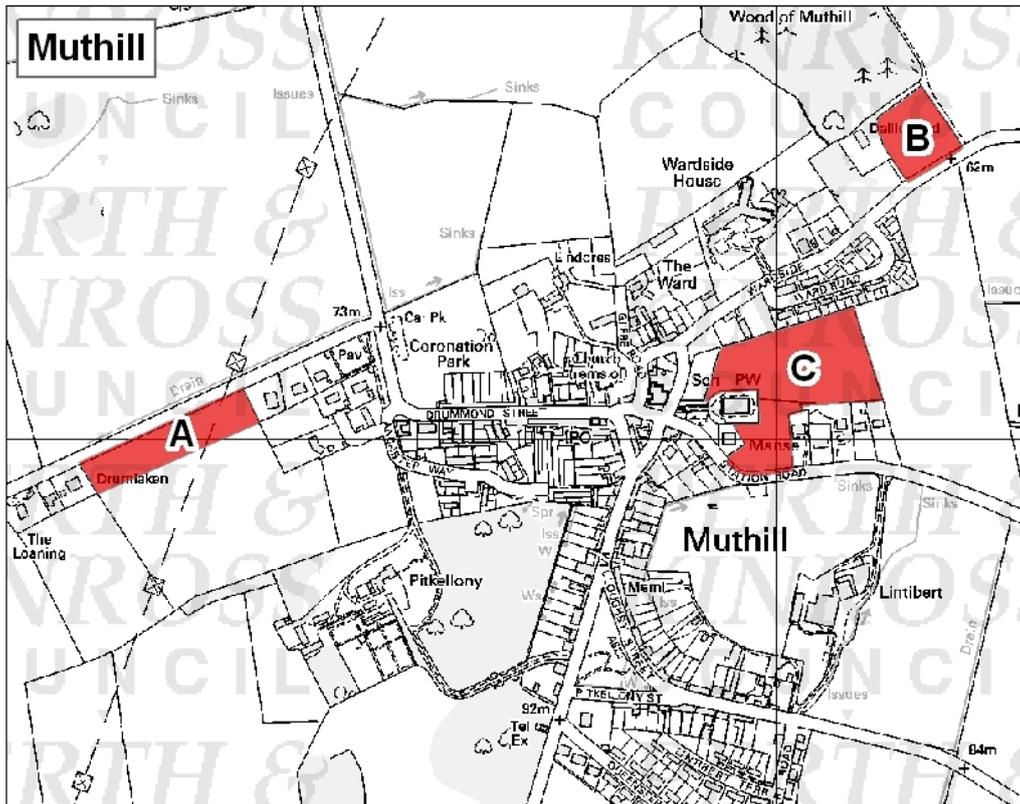
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**5.54 Gilmerton** - Several sites in and around the village have been proposed (See Plan below). As it stands the settlement boundary contains scope for development within the settlements boundary. This was an identified site in the current Local Plan but has proved not to be effective. As a result it was not considered appropriate to identify it as a housing site but rather to treat it as a windfall opportunity should a developer emerge. With the lack of market interest in the settlement, and the severe topographical and access difficulties associated with the proposed additional sites, (A and B) they are not considered to be viable effective sites. Accordingly the proposed response recommends no change to the Plan.



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**5.55 Muthill** - A variety of new sites have been put forward to allow for the expansion of the village (See plan below). As there is already scope for infill development within the settlement boundary there is no pressing need to allocate further sites. The proposed responses does however suggest that the Council would not be opposed to sites A & B being incorporated within an extended settlement boundary. It is not however suggested that these be allocated as housing sites as both are small scale and there may be some doubt about their effectiveness. Site C is opposed due to its potential impact on the setting of the listed church.



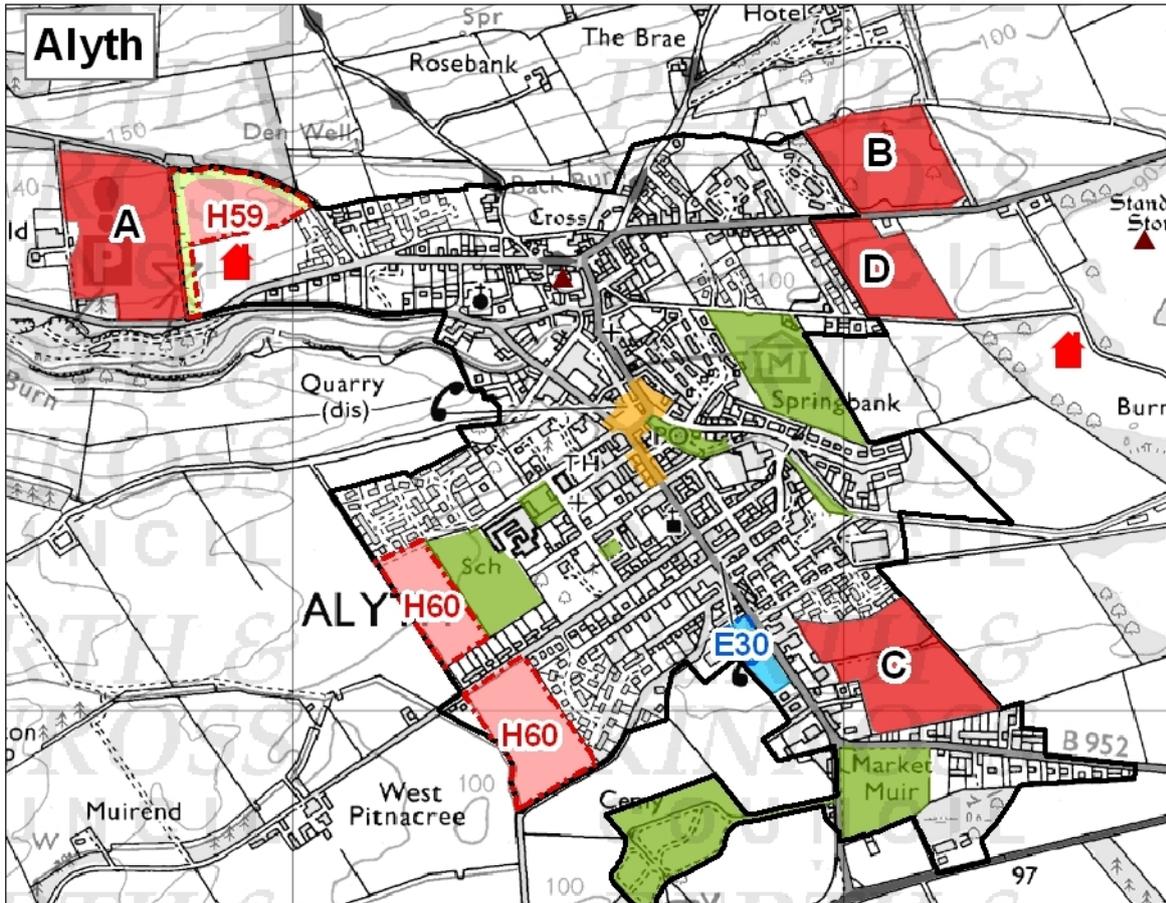
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**5.56 Craigend New Settlement** - Two representations have been submitted advocating a new settlement of up to 2000 houses to the west of Methven. This proposal would be contrary to the TAYplan strategy which does not identify this proposal as a strategic site, indeed TAYplan clearly indicates no further new settlements are supported. Accordingly this proposal is not supported.

**5.57 Strathmore & the Glens (Schedule 4 Nos. 41-45)**

**5.58 Alyth** – With a healthy housing land supply in Alyth the Plan added only one small site extension at H59. (H60 having been granted consent) Only seven representations were submitted in relation to Alyth with three of these largely in support. The remainder sought the identification of additional sites. The proposed housing site A & B on the map below are both served by the narrow roads in the north of Alyth. The proposed response indicates that the Council does not considered either to be acceptable or required during the Plan period. Site C is already within the settlement boundary but parts are potentially susceptible to flooding. As the effectiveness of this area is uncertain no change to the Plan is proposed.

**5.58.1** The owner of the employment land at E30 has requested that housing is permitted on this site citing a lack of demand for employment uses. As this is the only available employment land and it is well located near to the entrance of the town no change to the Plan is proposed.



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**5.59 Blairgowrie & Rattray** – Being the largest settlement in the area, the largest housing and economic development land allocations are in Blairgowrie and Rattray. The majority of the new allocations attracted a handful of representations with a mix of support and opposition. Only MU5 the large mixed use opportunity to the west of Blairgowrie attracted any significant opposition with 11 representations. Five representations including the Community Council sought the deletion of the site, with the remainder indicating concerns over specific issues including the protection of biodiversity, views and flooding. This is a key site for the longer term expansion of Blairgowrie and the proposed response recommends that the site is retained but acknowledges that the majority of the detailed concerns can be addressed at the masterplanning stage.



5.59.1 Several representations seek the allocation of additional housing land with the largest concentrations being in the Rosemount area to the south of Blairgowrie or to the north of Rattray. (See plans below.) With the Plan already identifying an adequate effective housing land supply no change to the Plan is proposed. The notes below highlight some of the principal reasons why the sites put forward in the representations were considered unsuitable.

- Site A -This area attracted several requests for additional housing land to be identified and the plan shows the combined effect. With the current likely effective supply and the addition of H63 for a further 160 houses it is not considered that the market could sustain further sites in the Rattray area. In addition the caravan site which sits between Site A and H63 would become almost surrounded by housing, effectively changing the character of the area upon which it depends. One of the sites put forward is a former piggery on the north boundary of Site A and housing in this area may be acceptable under the housing in the countryside policy.#
- Sites B -In addition to the housing land supply issues highlighted above this site has poor accessibility through narrow lanes.
- Site C – This area is divorced from the settlement siting in open countryside with poor accessibility through narrow lanes.
- Rosemount - This area attracted several requests for additional housing land to be identified and the plan shows the combined effect. This option was explored during the MIR stage and received significant opposition as it was considered that this would fundamentally undermine the character of the Rosemount Area. As a result this option was not carried forward to the Proposed Plan. The proposed responses advocate no change to the Plan except in the south west corner where it is acknowledged that there may be merit in allowing an extension to H64 and a connection to Golf Course Road.

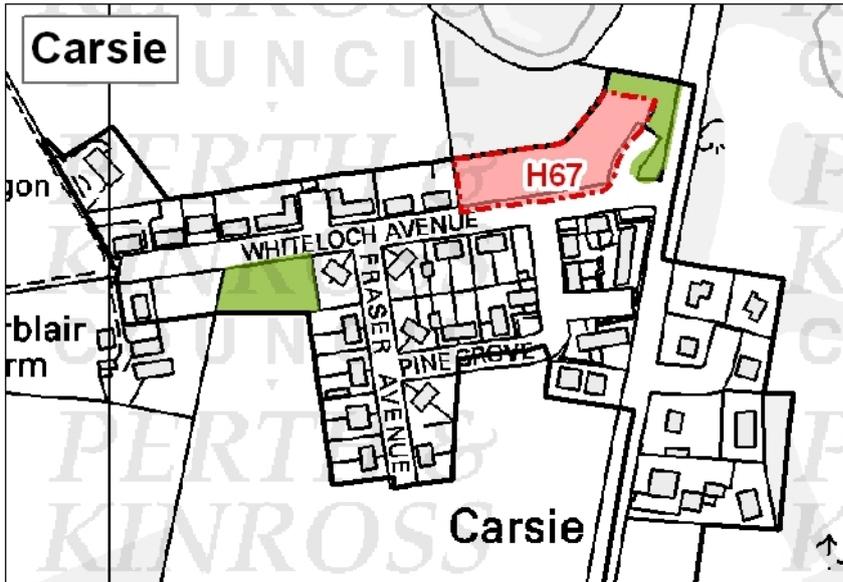


5.59.2 Coupar Angus – The proposed sites put forward in the Plans E33 and H65, attracted 1 and 4 objections respectively. With regard to H65 the Community Council felt the site was too distant from the centre to benefit services within the town. The remaining objections all sought to identify their sites in preference to H65. These proposed new sites are discussed below and are not considered to provide alternatives to the designated sites. The proposed responses to the new sites recommends no change to the Plan with the principle reasons highlighted below:-

- Site A – This site is more visually intrusive on the ridgeline from the north and has poor access along the narrow road serving the primary school.
- Site B – Is located adjacent to employment site E33 which is identified for the expansion of East of Scotland Farmers operation. Residential development adjacent to this site may curtail the ability of this locally important business to expand.
- Site C – The principle of residential development is acceptable here as it is within the settlement boundary. It should not however be identified as a proposal as there are significant doubts over its effectiveness due to ground conditions.
- Site D – Is an isolated intrusion into the countryside and in addition the majority of the site is potentially at risk of flooding
- Site E – This area has been excluded from the boundary as there are severe doubts over its ability to accept development due to the need to safeguard the significant archaeological interest in the site.
- Sites F & G both are potentially at risk of flooding and although G does not appear on the SEPA flood maps photographic evidence of flooding was submitted during the consultation on the Eastern Area Local Plan.

5.59.3 A number of representation sought the reinstatement of a protected line for a by-pass from the Dundee Road to the A94 The Council has no funding to implement such a proposal at this time, nor is it anticipated that there will be funding available within the lifetime of the Plan. The Council acknowledges the comments made, and accepts that the resultant congestion in Queen Street is not acceptable to the local Community. Whilst it would not be appropriate to identify a proposal the Council would not wish to see any development take place which would prejudice the possibility of construction of a by-pass at a future date. For this reason, the proposed response indicates that, if the Reporter is so minded to include reference to this the Council would be comfortable this.

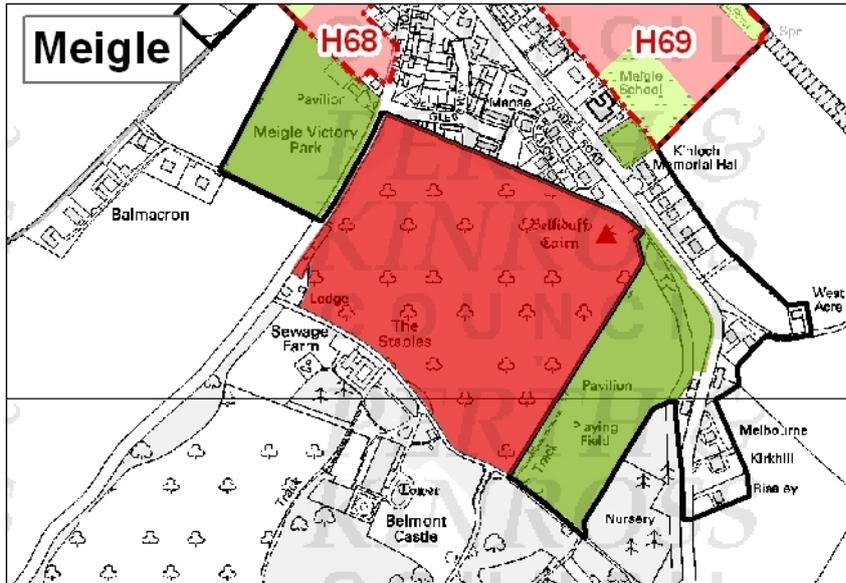




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**5.61 Meigle** – The two housing sites H68 & H69 are carried forward from the Local Plan although H69 is extended. They have attracted three representations each requesting the sites are deleted, in addition a number have sought minor amendments which are more appropriately dealt with at the planning application stage. The proposed response indicated the Plan should not be modified.

5.61.1 A new site (A on the plan below) has been put forward as potentially better than the identified sites. The site is less well related to the village centre than either of the two housing sites H68 and H69 identified in the Plan, and is less sustainable in terms of access to village facilities. Although the site is an agricultural field, because of its enclosure it has a park land feeling. Part of the site includes a Scheduled monument, and the site also shares boundaries with B listed Belmont castle stables, and A listed Belmont Castle; its development would be likely to affect the settings of these historical structures. Access to the site would be from Ardler road which at this point is very narrow, with no public footpaths. For all these reasons, and because better located sites are available, the site is not included in the Plan. The proposed response recommends no change to the Plan.



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## 5.62 DEVELOPMENT PLAN SCHEME

5.62.1 The Development Plan Scheme (DPS) sets out the programme for preparing and reviewing the LDP and requires to be updated annually.

5.62.2 It is proposed to publish a revised version in January 2013 reflecting the timetable for submission to the Scottish Ministers outlined in paragraph ?? above. Recommendation xi) asks the Council to delegate to the Executive Director Environment the updating and publication of the Development Plan Scheme.

## 6. CONSULTATION

6.1 The Head of Legal Services, the Head of Democratic Services and the Head of Finance have been consulted in the preparation of this report.

## 7. RESOURCE IMPLICATIONS

7.1 All costs associated with the printing, publishing and the submission of the Plan to the Scottish Ministers can be contained within the Environment Service revenue budget allocation for Development Planning. The examination process conducted by the DPEA will be charged to the Council. This cost is non negotiable and outwith the control of the Council it is also impossible to provide an estimate of the total cost however experience from other authorities would suggest that it will range from £100k to £200k. This is currently identified as a budget pressure.

## **8. COUNCIL CORPORATE PLAN OBJECTIVES 2009-2012**

8.1 The Council's Corporate Plan 2009-2012 lays out five Objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:-

- (i) A Safe, Secure and Welcoming Environment
- (ii) Healthy, Caring Communities
- (iii) A Prosperous, Sustainable and Inclusive Economy

## **9. EQUALITIES IMPACT ASSESSMENT (EqIA)**

9.1 An equality impact assessment needs to be carried out for functions, policies, procedures or strategies in relation to race, gender and disability and other relevant protected characteristics. This has been carried out at each stage in the Plan process and supports the Council's legal requirement to comply with the duty to assess and consult on relevant new and existing policies.

9.2 With no notifiable modifications proposed to the Plan the EqIA for the Proposed Plan remains relevant. This assessment concluded that the function, policy, procedure or strategy presented in this report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- i) Assessed as relevant and the following positive outcomes expected following implementation:
  - Policy RD4 Affordable Housing and corresponding Supplementary Guidance seeks to ensure that there is adequate provision of affordable housing throughout the Council area to meet the housing needs of the local population.
  - Policy RD5 Gypsies/Travellers' Sites - recognises the need for provision of sites and facilities for this community and seeks to ensure this is implemented within the Council area.
  - Policy RD6 Particular Needs Housing & Accommodation – recognises that there are varying needs within the population in terms of accommodation type.

9.3 The LDPs primary function is a land use document to guide development in the right places and protect areas from inappropriate development. The implementation of the Plan is not determined by a person's race, gender, disability or any other protected characteristic and therefore the impact of the Plan should have a positive (as indicated in the promotion of the above policies) or neutral impact on the population in terms of equality.

## **10. CONCLUSION**

- 10.1 The period of representation on the Proposed Plan received a great response, with a significant number of supporting comments as well as the expected level of objections being received. As the Local Development Plan is for the whole of Perth and Kinross and as it includes significant land allocations and a wide range of policies, it would be impossible to resolve all objections. The purpose of the period of representations was to ensure that the public had the opportunity to lodge representations that will be dealt with by independent Reporters through the Examination of the Proposed Plan.
- 10.2 In moving forward Scottish Ministers expect local authorities to progress new Local Development Plans to adoption as quickly as possible from Proposed Plan, which is in the interests of maintaining an up-to-date Development Plan for Perth and Kinross and facilitating the future sustainable growth of the area. The Proposed Plan is the Council's settled view and has been based on a significant amount of consultation and technical assessment, and as such the responses presented in the Schedule 4 forms largely defend the current position of the Plan and provide justification as to why the decisions in the Proposed Plan have been taken. No modifications have therefore been recommended however, there are a number of instances where there is some merit in the representations and in the Schedule 4 responses a clear indication to the Reporter of potential modifications which the Council would not be opposed to.
- 10.3 If the recommendations of this report are approved, the Proposed Local Development Plan and supporting documentation will be submitted to Scottish Ministers in early February and all indications are that the Plan could be adopted by late 2013.

**JIM VALENTINE  
EXECUTIVE DIRECTOR (ENVIRONMENT)**

### **Note:**

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above report.

#### Supporting Documents

Environmental Assessment (Scotland) Act 2005  
 Local Development Plan Environmental Report  
 Local Development Plan Environmental Report – Addendum 2  
 Habitats Directive  
 Habitats Regulations Appraisal and Appropriate Assessment  
 Letters of Representation to the Proposed Plan  
 Housing Land supply Topic Paper  
 Infrastructure Delivery Topic Paper  
 Schedule 4s  
 Report to council on the Proposed Plan 10 January 2012

Planning Circular 1/09: Development Planning  
Town and Country Planning (Scotland) Act 1997 as amended  
The Town and Country Planning (Development Planning) (Scotland) Regulations 2008  
Scottish Planning Policy February 2010  
Main Issues Report  
Statement of Conformity  
TAYplan  
Housing Need and Demand Assessment  
Use Classes Order Scotland 1997  
Perth Transport Future's report approved by the Council on **Insert Date & Article**  
Housing Land Audit 2012  
EQIA for the Proposed Plan

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Date: 06 December 2012

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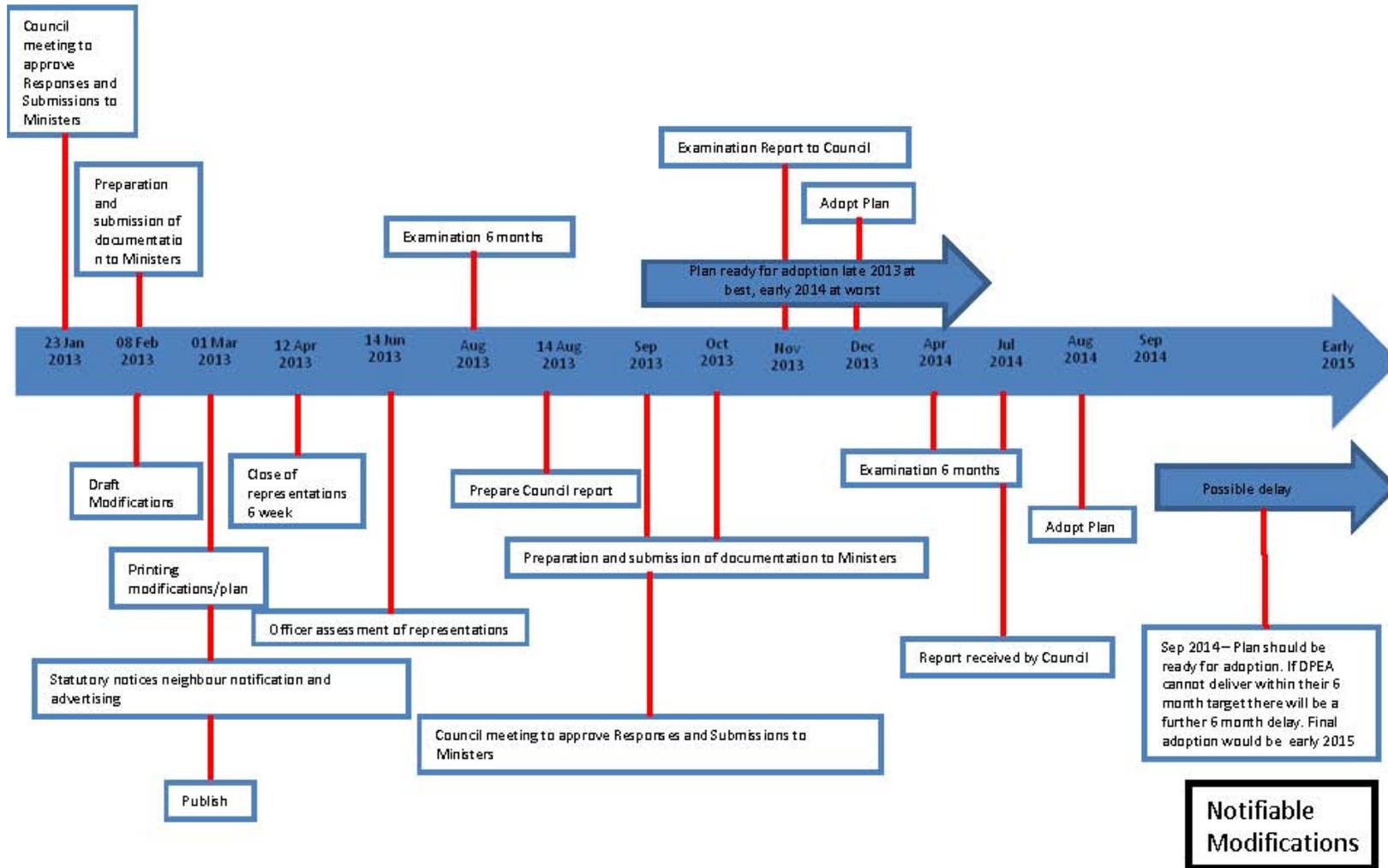


Council Text Phone Number 01738 442573

# Appendix 1

## LDP Timeline Towards Adoption

No Notifiable Modification



Notifiable Modifications

## **Appendix 2**

### **Schedule 4 titles**

The Schedule 4s follow the template provided by the DPEA. They cover the unresolved issues raised in the Proposed Plan period of representations; this list of issues has been agreed with the DPEA.

- 01 Vision and Objectives
- 02 Strategy
- 03 Placemaking
- 04 Infrastructure Contributions
- 05 Economic Development
- 06 Tourism
- 07 Retail and Commercial Development
- 08a Housing in the Countryside
- 08b Settlement Boundaries
- 09 Affordable and Particular Needs Housing
- 10 Transport and Accessibility
- 11 Community Facilities, Sports and Recreation
- 12 The Historic Environment
- 13 The Natural Environment
- 14 Green Belt
- 15a Renewable Energy and Low Carbon Energy Generation and Electricity  
Transmission Infrastructure
- 15b Minerals and Other Extractive Activities
- 15c Prime Agricultural Land
- 15d Managing Future Landscape Change
- 16 Climate Change
- 17a New Development and Flooding
- 17b Water Environment and Drainage
- 17c Lunan Valley and Loch Leven Catchment Areas
- 18 Environmental Protection and Public Safety
- 19 Airfield Safeguarding
- 20a TAYplan Spatial Strategy
- 20b Employment Land Strategy
- 20c Housing Land Strategy
- 20d Effectiveness of Strategic Sites
- 20e HMA Specific Housing Strategy Issues
- 20f Greenfield Land and Housing Density
- 21 Perth Strategic Development Area – West/North West Perth
- 22 Perth Area (within Core) Green Belt
- 23a Perth Area (within Core) Perth City Proposals
- 23b Perth Area (within Core) Perth City New Sites
- 24 Perth Area (within Core) Transport Infrastructure
- 25a Perth Area (within Core) North Settlements
- 25b Perth Area (within Core) East Settlements
- 25c Perth Area (within Core) South Settlements
- 25d Perth Area (within Core) West Settlements
- 26a Perth Area (out with Core) North Settlements
- 26b Perth Area (out with Core) East Settlements and Landward Sites
- 26c Perth Area (out with Core) South Settlements Landward Sites
- 26d Perth Area (out with Core) West Settlements

- 27 Dundee Housing Market Area Settlements
- 28a Highland Perthshire Area – Aberfeldy
- 28b Highland Perthshire Area – Birnam and Dunkeld
- 28c Highland Perthshire Area – Pitlochry
- 29a Highland Perthshire Area - East Settlements with Proposals
- 29b Highland Perthshire Area - West Settlements with Proposals
- 30 Highland Perthshire Area - Small Settlements and Landward Sites
- 31 Kinross-shire Area - Kinross/Milnathort Settlement
- 32 Kinross-shire Area - Kinross/Milnathort Employment Sites
- 33a Kinross-shire Area - Kinross/Milnathort Large Housing Sites
- 33b Kinross-shire Area - Milnathort Small Housing Sites
- 34 Kinross-shire Area - Kinross/Milnathort Opportunity Sites
- 35a Kinross-shire Area – North and East Settlements with Proposals
- 35b Kinross-shire Area - West Settlements with Proposals
- 36 Kinross-shire Area - Small Settlements and Landward Sites
- 37 Strathearn Area – Auchterarder
- 38 Strathearn Area – Crieff
- 39 Strathearn Area – Settlements with Proposals
- 40 Strathearn Area – Small Settlements and Landward Sites
- 41 Strathmore and the Glens Area - Alyth and New Alyth
- 42 Strathmore and the Glens Area - Blairgowrie/Rattray
- 43 Strathmore and the Glens Area - Coupar Angus
- 44 Strathmore and the Glens Area - Settlements with Proposals
- 45 Strathmore and the Glens Area - Small Settlements
- 46 Whole Plan Issues

**Appendix 3  
SCHEDULE 4s**

**The documents will be issued in electronic format, and will be available on line from Friday 11<sup>th</sup> January 2013**

## Appendix 4 HOUSING BACKGROUND PAPER UPDATE DECEMBER 2012

This paper provides a factual update to the Housing Background Paper which was produced at Proposed LDP stage. The explanation and justification is provided in Schedule 4 no. 20c – Housing Land Supply. Where appropriate the references to other Schedule 4s dealing with specific sites are also provided.

### Housing Land Requirement

TAYplan Policy 5 requires the LDP to allocate effective land (or land capable of becoming effective) to meet the housing land requirement (HLR) up to year 10 from the predicted date of adoption (2014) and to ensure a minimum of 5 years effective land supply at all times. Land is to be allocated within each housing market area (HMA) to assist in the delivery of 910 units per year in Perth & Kinross up to 2024.

The total HLR for Perth & Kinross for the period 2012 to 2024 is therefore 10,920 units. Table 1 shows the HLR split by HMA.

<b>HMA</b>	<b>Annual HLR</b>	<b>Total HLR 2012-2024</b>
Highland	80	960
Kinross	70	840
Perth	510	6,120
Strathearn	130	1,560
Strathmore	120	1,440
<b>TOTALS</b>	<b>910</b>	<b>10,920</b>

A number of adjustments have been made to the HLR in the LDP:

- The reallocation of 10% of the HLR for Kinross HMA to Perth HMA for environmental reasons (in accordance with TAYplan Policy 5)
- An assumption that 10% of the HLR will be met from windfall sites
- An assumption that 15% of the HLR in Highland HMA will be met from small sites

The explanation and justification for these adjustments is detailed in Schedule 4 no. 20c – Housing Land Supply.

Table 2 gives the revised HLR for each HMA taking into account these adjustments. Please note all figures are rounded to the nearest 5.

<b>HMA</b>	<b>TAYplan HLR 2012-2024</b>	<b>HLR with Kinross reallocation</b>	<b>Windfall (-)</b>	<b>Small sites (-)</b>	<b>HLR 2012-2024 with adjustments</b>
Highland	960	960	95	145	720
Kinross	840	755	75		680
Perth	6,120	6,205	620		5,585
Strathearn	1,560	1,560	155		1,405
Strathmore	1,440	1,440	145		1,295
<b>TOTALS</b>	<b>10,920</b>	<b>10,920</b>	<b>1,090</b>	<b>145</b>	<b>9,685</b>

### Comparison with Housing Land Supply

Table 3 subtracts the existing housing land supply from the adjusted HLR. The housing land supply is the total effective supply (2012-2024) as per the 2012 Housing Land Audit page v. The Audit takes into account those sites identified in the Proposed LDP although it should be noted that not all sites in the Audit are currently effective.

<b>HMA</b>	<b>HLR 2012-2024 with adjustments</b>	<b>Effective Housing Land Supply 2012-24</b>	<b>Shortfall / surplus</b>
Highland	720	535	<b>-185</b>
Kinross	680	1,040	+360
Perth	5,585	3,625	<b>-1,960</b>
Strathearn	1,405	1,555	+150
Strathmore	1,295	1,395	+100
<b>TOTALS</b>	<b>9,685</b>	<b>8,150</b>	<b>-1,535</b>

As shown in table 3 the total additional allocations required to meet the TAYplan HLR across Perth & Kinross is 1,535 units. However looking at individual HMAs there are in fact surpluses in the Kinross, Strathearn and Strathmore HMAs with the vast majority of the shortfall in the Perth HMA. The sections below consider how the shortfalls in the Highland and Perth HMAs can be addressed.

### Additional Housing Allocations in the Highland HMA

Table 4 indicates how it is proposed to address the shortfall in the Highland HMA. Please note that further details can be found in Schedule 4 no. 28a.

As discussed in Schedule 4 number 20c the number of available additional sites which can be brought forward in the Highland Area is limited.

<b>Site</b>	<b>2012 Audit position</b>	<b>Updated position</b>	<b>Additional supply to 2024</b>
Borlick Audit ref: HIA014 / LDP ref:	Site is non-effective	Site is now considered effective and can be programmed in the period 2014-2024	200
<b>TOTAL</b>			<b>200</b>

As demonstrated in table 4 the shortfall indicated in table 3 can be addressed. There may also be some additional sources of supply which would assist in the provision of a generous supply:

- Further small contributions to the supply may come from the removal of occupancy restrictions for holiday homes
- The small sites allowance of 15% was conservative – over the period 2002-2012 the contribution in Highland from small sites ranged from 18% to 78% of all completions averaging approximately 30% over the 10 year period so there may be additional supply from these small sites which are not identified in the LDP

#### Additional Housing Allocations in the Perth HMA

Table 5 indicates how it is proposed to address the shortfall in the Perth HMA. Please note that further details on the Strategic Development Sites at Bertha Park and Perth West can be found in Schedule 4 no. 21. The sites in table 5 have the potential to deliver additional houses to meet the housing land requirement if improvements in the economy are forthcoming.

<b>Site</b>	<b>2012 Audit position</b>	<b>Updated position</b>	<b>Additional supply to 2024</b>
Bertha Park Audit ref: PEP254 / LDP ref: H7	Site is non-effective	Part of the site is now considered effective in the period 2016-2024	750
Oudenarde Audit ref: PEL164 / LDP ref: H15	340 of the total 1300 units are programmed 2014-2024	It is now considered that an additional 410 units could come forward in the period to 2024	410
Burrelton Audit ref: PEL170 & 172 / LDP ref: H16-17	Sites are non-effective	Constraints are resolvable and some of the sites can now be programmed in the 2016-2024 period	80
Errol Airfield Audit ref: PEL251	160 of the total 240 units are programmed 2015-2024	The entire site is now considered effective in the period to 2024	80

<b>Site</b>	<b>2012 Audit position</b>	<b>Updated position</b>	<b>Additional supply to 2024</b>
Perth Airport Audit ref: PEL272 / LDP ref: MU3	Site is non-effective	Site is now considered effective in the period 2019-2024	50
Tulloch Audit ref: PEP258 / LDP ref: H4	140 of the total 300 units are programmed 2015-24	The entire site is now considered effective in the period to 2024	160
Broxden Audit ref: PEP259 / LDP ref: MU1	160 of the total 200 units are programmed 2014-24	The entire site is now considered effective in the period to 2024	40
Perth West Audit ref: PEP225 / LDP ref: H70	Site is non-effective	Part of the site is now considered effective in the period 2016-2024	500
<b>TOTAL</b>			<b>2,070</b>

As demonstrated in table 5 the shortfall indicated in table 3 can be addressed.

#### Final Housing Land Requirement / Supply Comparison

Table 6 gives the final housing land requirement and supply comparison and demonstrates that over the entire period 2012 to 2024 the TAYplan requirements can be met on the presumption that the economy improves.

<b>HMA</b>	<b>HLR 2012-2024 with adjustments</b>	<b>Effective Housing Land Supply 2012-24</b>	<b>Additional allocations</b>	<b>Final land supply position</b>
Highland	720	535	200	15 surplus
Kinross	680	1,040		360 surplus
Perth	5,585	3,625	2,070	110 surplus
Strathearn	1,405	1,555		150 surplus
Strathmore	1,295	1,395		100 surplus
<b>TOTALS</b>	<b>9,685</b>	<b>8,150</b>	<b>2,270</b>	<b>735 surplus</b>

### Maintaining a 5 Year Effective Supply

SPP and TAYplan Policy 5 requires LDPs to allocate effective land to meet the HLR up to year 10 from the predicted year of adoption, ensuring a minimum 5 year effective supply at all times. Whilst the first part of this paper has considered the position from 2012, in terms of ensuring a 5 year effective supply the relevant period is 2014 onwards being the predicted adoption date of the LDP. It is acknowledged that there are currently difficulties in the maintenance of a 5 year effective supply because of the present state of the housing market and this is discussed further in Schedule 4 no. 20c – Housing Land Supply.

Table 7 summarises the position for each HMA for the 5 year period 2014-2019. A spreadsheet of the full details by site will be prepared for submission to the Reporter for the LDP Inquiry.

<b>HMA</b>	<b>5 Year Effective Housing Land Supply 2014-2019</b>	<b>5 year Housing Land Requirement with adjustments</b>
Highland	375	300
Kinross	610	285
Perth	2,420	2,330
Strathearn	860	585
Strathmore	685	540
P&K	4,950	4,040

As shown in table 7 there will be a 5 year supply of effective housing land from the predicted date of LDP adoption in line with SPP. It is acknowledged that there is also a requirement to have a continuing 5 year effective supply but as table 5 demonstrates there are a range of sites with the potential to meet the requirement throughout the Plan period. Provision of a 5 year supply of effective land will be monitored on an annual basis through the housing land audit and bi-annually through the LDP Action Programme. Planning Advice Note 2/2010 recognises that annual housing land audits are the established means for monitoring housing land (paragraph 45).