

Issue 6	Economic Development	
Development plan reference:	Policy 7: Employment and Mixed Use Areas, pages 25-26 Policy 8: Rural Business and Diversification, page 26 Policy 9: Caravan Sites, Chalets and Timeshare Developments, page 28	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Lynne Palmer (0040) Tayside and Central Scotland Transport Partnership (TACTRAN) (0057) Newbigging Farm Partnership (0164) Scottish Natural Heritage (SNH) (0353) Alistair Godfrey (0410)		The Gleneagles Hotel (0522) Royal Society for the Protection of Birds (RSPB) (0546) Crieff Hydro Ltd (0589) Ken Miles (0592) Scone Estate (0614)
Provision of the development plan to which the issue relates:	Economic Development policies pages 25-28	
Planning authority's summary of the representation(s):		
<p><b>Policy 7: Employment and Mixed Use Areas</b></p> <p>Newbigging Farm Partnership (0164/01/001): Supports the inclusion of this policy.</p> <p>Lynne Palmer (0040/01/006): suggests that the use of employment is not defined and considers that this should be added in the glossary and that the Plan should explain the use of 'core'.</p> <p><b>Policy 7A: Business and Industrial</b></p> <p>TACTRAN (0057/01/006): Supports the criteria used in this policy 7A in particular: (b) The local road network must be suitable for the traffic generated by the proposals (c) There should be good walking, cycling and public transport links to new employment generating areas. This ensures no detrimental traffic impact, and good active travel links.</p> <p>Alistair Godfrey (0410/01/004): seeks amendment of (b) to refer to connections to national network.</p> <p>RSPB (0546/01/003): RSPB Scotland welcomes the inclusion of a criterion regarding European designated sites but seeks modification so wording reflects the Regulation: 48 95) of the Conservation (Natural Habitats &amp;c.) Regulations 1994 ('the Habitats Regulations') (CD026) and paragraph 207 of Scottish Planning Policy (CD004, p48). Although it is the competent authority (the council's) responsibility to undertake appropriate assessment the regulation confirms that the applicant can be required to provide such information as the authority may reasonable require for the purposes of the assessment. The second modification sought above would make this clear in the policy.</p>		

### **Policy 7B: Mixed Use Sites**

SNH (0353/04/001): Following the completion of the Habitats Regulations Assessment (HRA) SNH have updated their holding representation to now recommend amendments to the Proposed Plan in line with the outcomes of the HRA and Appropriate Assessment. Policy 7B should reflect the outcome of Table 8.1, pages 136-137 of the Habitats Regulations Appraisal (CD056).

### **Policy 7C: Motor Mile**

Alistair Godfrey (0410/01/004): Seeks deletion of this single use 7C motor mile policy due to concerns about: this single use allocation; its low carbon credentials; considers it contrary to Policy 53: Nuisance from Artificial Light and Light Pollution; and is concerned that showroom's are highly lit.

### **Policy 8**

TACTRAN (0057/01/007): Supports the criteria to be applied for rural business and diversification, in particular (b), (g) and (i). These criteria ensure that there won't be an unreasonable impact on the operation of the road network and ensure that sustainable travel options are promoted and supported whenever possible.

Scone Estate (0614/01/006): Clause (h) is overly restrictive in that only ancillary development is supported; it does not provide for destination niche retailing in the rural area at any scale. Revised wording is proposed which would allow for retail development that can support Perth and Kinross' visitor economy, whilst also protecting town centres in line with Scottish Planning Policy (SPP) (CD004).

### **Policy 9**

SNH (0353/04/001): Following the completion of the Habitats Regulations Assessment (HRA) SNH have updated their holding representation to now recommend amendments to the Proposed Plan in line with the outcomes of the HRA and Appropriate Assessment. Policy 9 should reflect the outcome of the Habitats Regulations Appraisal (CD056, pages 137-138, Table 8.1).

RSPB (0546/01/004): Policy wording should better reflect the wording in Regulation 48(5) of the Conservation (Natural Habitats, &c.) Regulations 1994 (CD026) and paragraph 207 of SPP (CD004). Although it is the Council's responsibility to undertake appropriate assessments, Regulation 48(2) confirms that the applicant can be required to provide such information as the authority may reasonably require for the purposes of the assessment. A wording change is suggested to clarify this in the policy.

Ken Miles (0592/01/009): Policy 9c should include reference to Loch Leven Special Protection Area.

The Gleneagles Hotel (0522/01/001): Object to the lack of a suitable and robust policy framework for tourism and leisure facilities. Do not accept the Council's argument that SPP and the National Tourism Development Framework provide the requisite level of encouragement and support for tourist facilities and developments in the Plan area. The importance of tourism to the LDP area should not be overlooked or undermined by the lack of explicit policy support. TAYplan directs LDPs to 'further assist in growing the year-

round economy including the role of the tourism and sporting and recreational sectors' (CD022, page 18). The National Tourism Development Framework 2013 reinforces this and specifically references Gleneagles as an example of a long-established resort (RD026, page 20). Policy ED5: Major Tourism Resorts from the adopted LDP (CD014, page 25) should be retained in LDP2 in a shape and form which protects, supports and enhances the existing, expanding and potentially new major tourism providers within the Plan area (specific wording suggested).

Crieff Hydro Ltd (0589/01/002): Intend re-submitting planning application ref: 13/00148/IPM for 'Mixed use development including holiday lodges, leisure facilities, care home, assisted living accommodation, farm shop and cafe and associated landscaping and access routes (in principle) at land 300m West of The Old Manse, Gilmerton'. The Plan should include a site-specific policy to support these proposals to provide certainty in terms of future investment and facilitate the delivery of the Hydro's plan for future sustainable growth.

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

##### **Policy 7: Employment and Mixed Use Areas**

TACTRAN (0057/01/006), Newbigging Farm Partnership (0164/01/001), SEPA (0742/01/003): Supports this policy, no specific change sought.

Lynne Palmer (0040/01/006): Seeks definition of employment in the glossary and explanation of the use of 'core'.

##### **Policy 7A: Business and Industrial**

Alistair Godfrey (410/01/004): Seeks deletion of this single use 7C motor mile allocation and seeks amendment of (b) to 'local road network and connections to national network must be suitable for the traffic generated by the proposal'.

RSPB (0546/01/003): Replace 'adverse impacts' in criterion (g) of Policy 7A with 'adverse effects', and add the following sentence to the end of that criterion "Applications should be supported by sufficient information to allow the Council to conclude that there would be no such adverse effects."

##### **Policy 7B: Mixed Use Sites**

SNH (0353/04/001): Policy 7, part 7A: Business and Industrial (page 25) of the Proposed LDP contains the criteria:

(g) Proposals should not result in adverse effects, either individually or in combination, on the integrity of a European designated site(s).

However, due to the subdivision of Policy 7, this could possibly be misinterpreted as not being applicable to mixed use areas under 7B. As such it is recommended that the text of criterion (g) is moved to the beginning of the overall policy under the title or to the end under a new 'In All Cases' section, or alternatively that the second paragraph of Policy 7B is updated to require that proposals are '...compatible with the amenity of adjoining uses and meet criteria (a)-(g) of 7A above...'

### **Policy 7C: Motor Mile**

Alistair Godfrey (0410/01/004): Seeks deletion of this single use 7C motor mile policy

### **Policy 8**

TACTRAN (0057/01/007): Supports this policy, no specific change sought.

Scone Estate (0614/01/006): Clause (h) should be reworded: 'Outwith settlement centres, retailing will be only be acceptable if it can be demonstrated that it is either, ancillary to the main use of the site or is providing a niche, destination, retailing experience which supports the tourism/visitor offer of Perth and Kinross. In both scenarios retail development will only be acceptable if it can be shown not to prejudice the vitality of existing retail centres in adjacent settlements'.

### **Policy 9**

SNH (0353/04/001): The requirement within Policy 9 (page 28) of the Proposed Plan, should be updated to read that in all cases:

'Development proposals will only be approved where they will not result in adverse effects, either individually or in combination, on the integrity of the River Tay **and Dunkeld-Blairgowrie Lochs** Special Areas of Conservation.'

RSPB (0546/1/004): Replace 'adverse impacts' in the penultimate paragraph of Policy 9 with 'adverse effects'. Add the following sentence to the end of that paragraph: 'Applications should be supported by sufficient information to allow the Council to conclude that there would be no such adverse effects.'

Ken Miles (0592/01/009): Policy 9c – include 'and Loch Leven Special Protection Area'.

The Gleneagles Hotel (0522/01/001): Include the following policy on 'Major Tourism Resorts': 'The Plan area includes a number of significant tourism estates which play a significant role in the local, national and international tourism economy. Their ability to meet tourism demand within the Plan area is considered central to the overall vision of the Plan. Their improvement or expansion will be encouraged. It is acknowledged that the landscapes of the Plan area are integral to their tourism offer and as such these areas will be afforded additional protection from developments which have the potential to adversely impact upon it.'

Crieff Hydro Ltd (0589/01/002): The Plan should include a site-specific policy supporting the Hydro's future proposals for investment in the tourism economy, identifying that the tourism and other uses proposed within a re-submitted planning application (previous ref: 13/00148/IPM) will be supported in principle at Crieff Hydro.

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

### **Policy 7: Employment and Mixed Use Areas**

Newbigging Farm Partnership (0164/01/001): Supportive comments are noted.

Lynne Palmer (0040/01/006): With regard to the use of the term employment and the distinction in the Council's proposed policy approaches for core and general employment sites, these are best explained within the policy. Where it is important that there is precise definition this is provided. This is more appropriate than providing an explanation in the glossary which may or may not be referred to.

No modification is proposed to the Plan.

### **Policy 7A: Business and Industrial**

Alistair Godfrey (0410/01/004): With regard to sought amendment to criteria (b) to refer to connections to the national network this is unnecessary.

No modification is proposed to the Plan. However if the Reporter considered it would make the policy clearer then the Council would not object to the following wording for criteria '(b) The local road network and connections to the national network must be suitable for the traffic generated by the proposal.'

RSPB (0546/01/003): With regard to RSPB's suggested wording no modification is proposed to the Plan. However if the Reporter is minded to accept the modification the Council would be comfortable with making these changes to criteria (g) as follows as it would not have any implications for any other aspect of the plan.

(g) Proposals should not result in adverse ~~impacts~~ effects, either individually or in combination, on the integrity of any European designated sites. Applications should be supported by sufficient information to allow the Council to conclude that there would be no such adverse effects

### **Policy 7B: Mixed Use Sites**

SNH (0353/04/001): It is considered that amending Policy 7 to incorporate the mitigation measures as set out in Table 8.1 of the Appropriate Assessment (CD056), and detailed in the previous section, would provide greater clarity and transparency for applicants as to which settlements and in what circumstances the provisions of the Plan's Policy 36A: International Nature Conservation Sites (CD052, p63) will apply for proposals arising under these policies. It would also set out what will be expected of them in making a planning application.

If the Reporter is so minded the suggested additional text by the respondent should be added to Policy 7 as detailed in the 'Modifications Sought' section.

### **Policy 7C: Motor Mile**

Alistair Godfrey (0410/01/004): A single use zone for the motor mile is appropriate to cluster car sales and associated uses. There is already a significant amount of car sales premises on Dunkeld Road. Its location in relation to the strategic road network, its visibility, and the lack of adjacent residential areas, makes it a suitable location. This sector is changing with the advent of electric vehicles but it is not the planning systems role to restrict opportunities for a sector of the economy. This is a matter to be addressed at national government level. With regard to appropriate lighting this is a detailed matter that should be considered at the planning application stage with regard to Policy 53: Nuisance from Artificial Light and Light pollution, whilst local heat and energy strategies

address energy efficiency matters.

No modification is proposed to the Plan

### **Policy 8**

Scone Estate (0614/01/006): SPP requires plans to set out a spatial strategy for their rural areas (CD004, paragraph 79) but this makes no specific mention of retailing. Out of centre locations are also the least preferred option for retail uses (SPP, CD004, paragraph 68). It is therefore considered that retail development is inappropriate outwith settlement centres unless it is ancillary to an existing attraction or business in order to support and protect existing settlements centres. As a result it would not be appropriate to support its inclusion within Policy 8. The Examination Reporter for the adopted LDP supported this position, concluding that 'There is no policy support at either national or strategic level making a special case for retailing developments outwith settlement centres which are not ancillary to the main use of the site whatever that use may be. Accordingly, there is no need to alter the text of criterion (f) [in the adopted Plan] in that respect' (CD015, page 44, paragraph 13).

No modification is proposed to the Plan.

### **Policy 9**

SNH (0353/04/001): It is considered that amending Policy 9 to incorporate the mitigation measures as set out in Table 8.1 of the Appropriate Assessment (CD056), and detailed in the previous section, would provide greater clarity and transparency for applicants as to which settlements and in what circumstances the provisions of the Plan's Policy 36A: International Nature Conservation Sites will apply for proposals arising under these policies. It would also set out what will be expected of them in making a planning application.

If the Reporter is so minded the suggested additional text by the respondent should be added to Policy 9 as detailed in the 'Modifications Sought' section.

RSPB (0546/01/004); Ken Miles (0592/01/009): The wording of the penultimate paragraph of Policy 9 reflects the mitigation measures set out in the Habitats Regulations Appraisal (CD056) as approved by SNH. The Council can also request further relevant information for any planning application to allow the application to be assessed. Neither the changes suggested by RSPB or Ken Miles are therefore considered necessary.

No modification is proposed to the Plan.

The Gleneagles Hotel (0522/01/001): The Examination Reporter for the adopted LDP concluded that 'Policy ED5 adds nothing to the achievement of the stated aims of the Plan which cannot be achieved by way of its other policies when read as a whole' (CD015, page 55, paragraph 9). However, as no respondent had sought the complete removal of the policy the Reporter at that time was limited to altering the wording of the policy. Consequently the Council did not seek to retain the policy in the Proposed Plan.

Crieff Hydro Ltd (0589/01/002): Crieff Hydro Ltd intends resubmitting their application reference 13/00148/IPM and seeks a site-specific policy to support these proposals. The previous Reporter considered that giving particular support to specific business ventures



effectively created a hierarchy between those businesses which were to be given policy support and which were not. The Reporter concluded that 'it is inappropriate to give particular support to the commercial viability of one business venture rather than another' (CD015, page 55, paragraph 8). The application previously submitted by the respondent was for holiday lodges but also included significant elements of non- tourism uses: leisure facilities, care home, assisted living accommodation, farm shop and cafe. The application was refused as insufficient environmental information had been provided in support of the application to enable assessment against LDP policies (Decision Notice for planning application 13/00148/IPM, CD152). The option of a site specific policy to support the respondents' proposals was not consulted on through the Main Issues Report.

The important role that tourist facilities play in the local and wider economy and the benefits that they bring to Perth & Kinross are acknowledged. The Council, however, remains of the view that additional policy support over and above that in SPP (CD004) and the Tourism Development Framework for Scotland Refresh 2016 (CD166) is not required (MIR Responses Policies, CD142, pages 3-4). By their very nature these significant tourism developments are largely one-off applications which are usually linked to a cultural or natural asset. The Proposed LDP2 overall provides a comprehensive suite of policies against which such applications can be assessed. In light of this, and the previous Reporters findings, it is not considered appropriate to include either a policy for tourism and leisure facilities or a site-specific policy in the Plan.

No modification is proposed to the Plan.

<b>Reporter's conclusions:</b>
<b>Reporter's recommendations:</b>