

<b>Issue 17</b>	<b>Policy 41 Green Belt</b>	
<b>Development plan reference:</b>	Policy 41, pp70-71	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<div> <div> Janet and Stephen Carratt (0027)  Tayside &amp; Central Scotland Transport Partnership (TACTRAN) (0057)  David Dykes (0086)  Ian Stephens (0090)  David Gordon (0130)  The Bield at Blackruthven (0148)  Mr &amp; Mrs Fleming (0150)  Frances Hobbs (0152)  Neil Myles (0153)  John Brian Milarvie (0171)  EG Lamont (0207)  J Lamont (0208)  Linda Simpson (0222)  Peter &amp; Vanessa Shand (0226)  Mrs Morag Craig (0233)  Mr JD McKerracher (0245)  Rachel Moir (0264)  Scone Community Council (0265)  Stewart Milne Homes (0290/03)  John W Rodgers (0304)  Ramblers Scotland (0322)  Alastair Bews (0366)  Brenda Elizabeth Bews (0367)  Mr &amp; Mrs Short (0382)  Mr &amp; Mrs Stewart Reith (0389)  Alastair Godfrey (0410)  Moira Andrew &amp; William Hadden (0432)  Elgin Energy (0459)  Mr CM Evans (0474)  Jeffrey Rowlingson (0485)  David E Lewington (0486)  Mrs Freda Robb (0520)  The John Dewar Lamberkin Trust (0532/02)  Gloag Investments (0590)  Lisa Cardno (0599)  Scone Estate (0614)  Louise Moir (0615)  Euan Bremner (0616)  Mrs Fiona Black (0617)  Laura Simpson (0631)  Mr and Mrs M Lewin (657) </div> <div> Bruce Burns (0663)  James Thow (0668)  Jennifer Thow (0669)  Martin RW Rhodes (0675)  M Moir (0677)  Helen Moir (0678)  William JM Craig (0682)  S Goodacre (0688)  H Goodacre (0689)  Luncarty, Redgorton and Moneydie Community Council (0703)  Hazel MacKinnon (0705)  Mr John Armstrong (0710)  Mrs Catherine Armstrong (0711)  Gerald Connolly (0712)  Mr Eric Ogilvy (0713)  Stewart McCowan (0714)  Angela McCowan (0715)  Gladys Ogilvy (0716)  Mr Graham Ogilvie (0717)  Mrs Tracy Ogilvie (0718)  Mrs Shona Cowie (0719)  Paul Cowie (0720)  S Coyle (0721)  Fiona Coyle (0722)  Douglas Marshall (0723)  Susan Patterson (0724)  Alexander Haggart (0725)  Lucy Haggart (0726)  Richard Hamilton (0727)  Michelle Hamilton (0728)  Mrs Ray Bell (0729)  David Roy (0730)  Greer Crighton (0731)  Brian Hood (0732)  Gaynor Hood (0733)  Philip Crighton (0734)  K A Bisset (0735)  M Cross (0736)  Gillian Halawi (0737)  Lynn &amp; Matt Brand (0738) </div> </div>		
<b>Provision of the development plan to which the issue</b>	Policy 41 Green Belt, and Green Belt boundary issues	

<b>relates:</b>	
<b>Planning authority's summary of the representation(s):</b>	
<p><u>Scope of development allowed in the Green Belt</u></p> <p>Stewart Milne Homes (0290/03/014); The John Dewar Lamberkin Trust (0532/02/001 &amp; 0532/02/003); Scone Estate (0614/01/010): Object to the scope of development which is allowed within the Green Belt.</p> <p>Stewart Milne Homes (0290/03/014): The policy should have the flexibility to allow development if there is a shortfall in the housing land supply, in order to release land to meet housing need, without the requirement for a Development Plan Review.</p> <p>The John Dewar Lamberkin Trust (0532/02/001 &amp; 0532/02/003); Scone Estate (0614/01/010): More of the categories from the Housing in the Countryside Supplementary Guidance (CD167) should be allowed within the green belt for some or all of the following reasons:</p> <ul style="list-style-type: none"> <li>• Category 1 – If a site meets the building group criteria under policy 19 then it would not adversely impact on the function of the Green Belt; rather it would facilitate the wider principles of policy 41.</li> <li>• Category 2 – Infill development is already strictly controlled and so additional restrictions in terms of the Green Belt are unnecessary. Allowing infill in the Green Belt would facilitate the wider principles of policy 41.</li> <li>• Category 3 – New houses in the open countryside already have restrictions which protect the integrity of sites. The wider criteria under 'For all proposals' and the 'siting' criteria should be sufficient to protect the setting of Perth.</li> <li>• Category 3.1 – Walled garden development will be self-contained and have no impact on the wider landscape.</li> <li>• Category 3.2 – Illogical not to allow households to move away from areas of flood risk just because they are in the Green Belt.</li> <li>• Category 3.3 – Contrary to the need for sustainable development to prevent housing associated with businesses in the Perth hinterland.</li> <li>• Category 3.5 – Unfortunate to lose the opportunity for eco-friendly houses from the Green Belt.</li> <li>• Category 6 – Removal of the opportunity to improve the local environment though allowance for small scale housing on rural brownfield land is detrimental to the setting of Perth.</li> </ul> <p>Category 6 rural brownfield land is the most important to assist in protecting and enhancing the attractiveness of the Green Belt. The respondent has a number of unattractive brownfield areas which are uneconomic to remediate without the ability to promote a higher value land use.</p> <p><u>Criterion (f) – Essential Infrastructure</u></p> <p>TACTRAN (0057/01/016): Support Policy 41, particularly criterion (f) as this will provide for all modes of transport, including Park &amp; Ride / Choose and other sustainable and active transport infrastructure requirements.</p> <p>Alistair Godfrey (0410/01/013): Policy (f) is contradictory: 'infrastructure such as roads and</p>	

other transport infrastructure' will not meet 'overall objectives'; they can only 'detract from the character and landscape setting of the Green Belt', contrary to Scottish Planning Policy (SPP) on infrastructure type (CD004, page 15-16, paragraph 52).

Elgin Energy (0459/01/001); Scone Estate (0614/01/019): The existing criterion (f) does not adequately encompass ground mounted solar developments or provide sufficient clarity regarding the scope and extent of the required site search area out with the Green Belt.

The respondents consider that as currently worded the same qualifying criteria will be used to assess renewable energy proposals as to consider transport and telecommunications developments. Further, the same criteria will be used for all forms of renewable energy indiscriminately. The Policy should offer clarity on appropriate locational criteria for a range of renewable energy particularly large scale ground mounted solar PV. Ground mounted solar PV is low-lying and so can typically be easily integrated into the landscape. Unlike wind turbines, new roads, telecoms masts and other telecoms equipment, the visual impact of many solar PV sites are therefore not contentious when sensitively located and / or appropriately screened. Solar sites are also easily removed at the end of their life and are therefore only a temporary use. For renewable energy opportunities in the Green Belt such as these an appropriate planning policy assessment criterion would be to require that they demonstrate how they can enhance the character and quality of the Green Belt, rather than insisting that they show there are no alternative sites elsewhere.

SPP defines the purpose of Green Belts (CD004, page 15, paragraph 49). Where a form of development is unlikely to have any adverse impact on any of the key characteristics of the Green Belt, imposing restrictions on the siting of such developments simply to ensure consistency with other development types which have greater impacts is unlikely to achieve good planning decisions. Solar PV has the potential to enhance biodiversity, improve soil quality and allow the continuation of farming activities on urban fringe areas. A different set of criteria should therefore be used that reflects the technology's capacity for positive rural renewal.

Renewable Energy developments are required to meet both Government targets and the Council's own commitments to promote a "Low carbon place". The respondents therefore consider it unreasonable to ask the promoters of renewable energy proposals, such as large scale Solar PV, to demonstrate that their developments are both 'essential' and cannot be located on an alternative site.

The respondents are concerned that the requirement for alternative sites to be identified could lead to a potential developer having to undertake an almost infinite search for sites beyond the boundary of the Green Belt. There are no compulsory purchase powers for a private solar energy developer to secure sites. Developers therefore typically engage a single landowner with larger land-holdings, examine the different potential sites within the land-holding, and identify the optimal site. A practical connection distance to a sub-station with the necessary capacity is a key determinant of a viable site.

The respondents consider that it is unreasonable to assume that sites outside the Green Belt have always been considered as part of this sieving exercise as those landowners with best access to grid connections may not own land outside the Green Belt. Applicants could readily demonstrate why the final sites are chosen in comparison to other sites within the landowners' landholding. If the 'search area' in criterion (f) meant consideration

of all land in a particular part of the Council area this would be unworkable in a practical and commercial sense as there may be areas where land ownership boundaries would make agreement to lease a site impossible, or where the landowner may not be willing to engage with developers.

The Council responded to a query regarding criterion (f) as follows: 'The first point to note is that under criterion (f) of the Green Belt policy the infrastructure must be essential. In the case of renewable energy developments we would therefore usually expect the proposal to be directly connected to a specific development. Alternatively, where a renewable energy scheme is part of a larger package of development and is required to cross-subsidise other proposals within the same land ownership, we would only expect the search area to extend to that landholding and not to the whole of Perth and Kinross. However, we may require evidence that all appropriate sites within the landholding have been considered and reasons provided as to why the Green Belt location is essential'.

This suggests that renewable energy developments can only go ahead in the Green Belt if it is related to a specific development or is almost an "enabling" development cross-subsidising another activity. It does not specify whether the associated development has to be "existing" or if it can be "proposed". This is unduly restrictive particularly in relation to solar schemes which can have obvious benefits.

The Main Issues Report shows the Council's intention that the justification for energy proposals could 'include information on network efficiency, and a cost-benefit analysis taking into account the distance from energy source to customer base' (CD046, page 23, paragraph 3.5.9). The respondents consider that this makes it clear that the Council is primarily considering wind turbines under the renewable energy category rather than other forms of energy generation. Solar farms have a particular role to play in Green Belts and their level of impact is significantly less than that of wind turbines. This is reflected in the very low level of objections typically received for sensitively located Solar PV sites. The exclusion of solar farms from Green Belt locations could be an unintended effect of both the existing Adopted LDP policy and the revised policy.

The John Dewar Lamberkin Trust (0532/02/005): Land within the greenbelt may be required to accommodate uses such as solar farms as a fuel source. Operational requirements are likely to deem this essential but policy provision should be made for renewable energy developments ancillary to delivery of strategic allocations.

#### Other comments on the Policy

Euan Bremner (0616/01/006): The Green Belt policy restriction contravenes the principles "sustainable development" and will lead to under-use of services and loss of local tax revenues by preventing building on land south of Scone.

#### **Green Belt Policy Map**

David Dykes (0086/01/001&004); Ian Stephens (0090/01/001); David Gordon (0130/01/006); Mr & Mrs Fleming (0150/01/003); Frances Hobbs (0152/01/004); Neil Myles (0153/01/004); John Brian Milarvie (0171/01/004); EG Lamont (0207/01/003); J Lamont (0208/01/003); Linda Simpson (0222/01/004); Peter & Vanessa Shand (0226/01/004); Morag Craig (0233/01/004); JD McKerracher (0245/01/004); Rachel Moir (0264/01/004); Scone Community Council (0265/01/004); John W Rodgers (0304/01/005); Alastair Bews (0366/01/004); Brenda Elizabeth Bews (0367/01/004); Mr & Mrs Short (0382/01/ 002); Mr & Mrs Stewart Reith (0389/01/001); Moira Andrew & William Hadden

(0432/01/009); CM Evans (0474/01/001); Jeffrey Rowlingson (0485/01/002); David E Lewington (0486/01/001); Lisa Cardno (0599/01/004); Louise Moir (0615/01/004); Fiona Black (0617/01/004); Laura Simpson (0631/01/004); James Thow (0668/01/004); Jennifer Thow (0669/01/004); Martin RW Rhodes (0675/01/002); M Moir, (0677/01/003); Helen Moir (0678/01/003); William JM Craig (0682/01/004); Hazel MacKinnon (0705/01/001); John Armstrong (0710/01/003); Catherine Armstrong (0711/01/003); Gerald Connolly (0712/01/001); Eric Ogilvy (0713/01/001); Stewart McCowan (0714/01/001); Angela McCowan (0715/01/001); Gladys Ogilvy (0716/01/001); Graham Ogilvie (0717/01/001); Tracy Ogilvie (0718/01/001); Shona Cowie (0719/01/001); Paul Cowie (0720/01/001); S Coyle (0721/01/003); Fiona Coyle (0722/01/003); Douglas Marshall (0723/01/003); Susan Patterson (0724/01/003); Alexander Haggart (0725/01/003); Lucy Haggart (0726/01/003); Richard Hamilton (0727/01/003); Michelle Hamilton (0728/01/003); Ray Bell (0729/01/003); David Roy (0730/01/001); Greer Crichton (0731/01/001); Brian Hood (0732/01/001); Gaynor Hood (0733/01/001); Philip Crichton (0734/01/001): Object to the change of the Green Belt boundary at Scone North H29 site.

David Dykes (0086/01/002, 003 & 005); Ian Stephens (0090/01/002); Mr & Mrs Fleming (0150/01/002 & 005); Frances Hobbs (0152/01/002, 003 & 005); Neil Myles (0153/01/002, 003 & 005); John Brian Milarvie (0171/01/002, 003 & 005); EG Lamont (0207/01/002); J Lamont (0208/01/002); Linda Simpson (0222/01/002+003); Peter & Vanessa Shand (0226/01/002, 003 & 005); Morag Craig (0233/01/002 & 003); JD McKerracher (0245/01/002, 003 & 005); Rachel Moir (0264/01/002 & 003); Scone Community Council (0265/01/002, 003 & 005); John W Rodgers (0304/01/003, 004 & 006); Alastair Bews (0366/01/002 & 003); Brenda Elizabeth Bews (0367/002 & 003); Mr & Mrs Short (0382/01/001); Mr & Mrs Stewart Reith (0389/01/007); Moira Andrew & William Hadden (0432/01/008); Jeffrey Rowlingson (0485/01/009); David E Lewington (0486/01/009); Lisa Cardno (0599/01/002, 003 & 005); Louise Moir (0615/01/002 & 003); Fiona Black (0617/01/002 & 003); Laura Simpson (0631/01/002 & 003); James Thow (0668/01/002, 003 & 005); Jennifer Thow (0669/01/002, 003 & 005); Martin RW Rhodes (0675/01/001 & 003); M Moir (0677/01/002); Helen Moir (0678/01/002); William JM Craig (0682/01/002 & 003); S Goodacre (0688/02/001); H Goodacre (0689/02/001); Hazel MacKinnon (0705/01/002, 003 & 004); John Armstrong (0710/01/002); Catherine Armstrong (0711/01/002); Gerald Connolly (0712/01/002, 003 & 004); Eric Ogilvy (0713/01/002, 003 & 004); Stewart McCowan (0714/01/002, 003 & 004); Angela McCowan (0715/01/002, 003 & 004); Gladys Ogilvy (0716/01/002, 003 & 004); Graham Ogilvie (0717/01/002, 003 & 004); Tracy Ogilvie (0718/01/002, 003 & 004); Shona Cowie (0719/01/002, 003 & 004); Paul Cowie (0720/01/002, 003 & 004); S Coyle (0721/01/002); Fiona Coyle (0722/01/002); Douglas Marshall (0723/01/002); Susan Patterson (0724/01/002); Alexander Haggart (0725/01/002); Lucy Haggart (0726/01/002); Richard Hamilton (0727/01/002); Michelle Hamilton (0728/01/002); Ray Bell (0729/01/002); David Roy (0730/01/002, 003 & 004); Greer Crichton (0731/01/002, 003 & 004); Brian Hood (0732/01/002, 003 & 004); Gaynor Hood (0733/01/002, 003 & 004); Philip Crichton (0734/01/002, 003 & 004); K A Bisset (0735/01/001); M Cross (0736/01/001); Gillian Halawi (0737/01/001); Lynn & Matt Brand (0738/01/001): Support the Green Belt boundary to the north of Scone, to the southwest of Scone, and to the east of the A94.

Ramblers Scotland (0322/01/003); Alastair Godfrey (0410/01/020); Luncarty, Redgorton and Moneydie Community Council (0703/01/005): Object to the Green Belt boundary to the north of Perth and consider that it should meet the Luncarty South MU27 boundary.

Euan Bremner (0616/01/003): Considers the area south of Scone to be appropriate for housing as it is on a bus corridor, walkable to the centre of Perth and has local facilities.



The location, westerly aspect and landscape would make it a good location for housing. The respondent suggests flats with large areas of open space around them. Elgin Energy (0459/01/002); Scone Estate (0614/01/020): Object to the northern Green Belt boundary extending beyond the CTRL line and wish to see the boundary proposed in the MIR as the adopted boundary. They consider the Muirward wood area to be vulnerable as it is commercial woodland and therefore not likely to be a permanent boundary. In contrast, they consider the CTRL to be a much more robust boundary.

Janet and Stephen Carratt (0027/01/002); Freda Robb (0520/01/001&002); The Bield at Blackruthven (0148/01/001): Object to moving the green belt boundary at MU70 Perth West.

Gloag Investments (0590/01/001): Object to the green belt boundary at Tarsappie, Perth (Site ref: H320).

Mr and Mrs M Lewin (657/02/001&002): Object to the green belt boundary in the Sparrow Road area of Perth (Site ref: H356).

Ramblers Scotland (0322/01/002); Alistair Godfrey (0410/01/019); Bruce Burns (0663/01/002&006); Luncarty, Redgorton and Moneydie Community Council (0703/01/004): Object to the change of green belt at MU168 at the area north of Berth Park.

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

##### Scope of development allowed in the Green Belt

Stewart Milne Homes (0290/03/014): The Policy should be amended to include an option g) there is a shortfall in the housing land supply, in order to release land to meet housing need.

Scone Estate (0614/01/010): The Policy should be amended to allow categories 2,3,3.1,3.2,3.3,3.5 and 6 from the Housing in the Countryside Supplementary Guidance within the green belt.

The John Dewar Lamberkin Trust (0532/02/001 & 0532/02/003): The Policy should be amended to allow categories 1 and 2 from the Housing in the Countryside Supplementary Guidance within the green belt.

##### Criterion (f) – Essential Infrastructure

Alistair Godfrey (0410/01/013): No specific change sought but it is assumed the respondent wishes criterion (f) to be reworded.

Elgin Energy (0459/01/001); Scone Estate (0614/01/019): Criterion (f) should be amended as follows: (f) It constitutes essential infrastructure such as roads, other transport infrastructure, other communications masts and telecoms equipment. The primary consideration will be whether the infrastructure could instead be located on an alternative site which is out with the Green Belt and a statement may be required identifying the search area and the site options assessed, and the reasons as to why a Green Belt location is essential.

Elgin Energy (0459/01/001); Scone Estate (0614/01/019): A new criterion should be added to the policy: (g) It constitutes non-permanent renewable energy development such as ground mounted solar PV schemes, where it can be designed in such a way that biodiversity will be enhanced, and the landscape impact is minimal or can be mitigated. A statement may be required setting out the reasons why a Green Belt location is optimal for the project. Any such proposal will also need to demonstrate that it accords with the overriding objectives of the Green Belt.

The John Dewar Lamberkin Trust (0532/02/005): Criterion (f) should be expanded to provide for renewable energy developments to include heat and power networks which support allocated strategic developments.

#### Other comments on the Policy

Euan Bremner (0616/01/006): No specific change sought.

#### **Green Belt Policy Map**

David Dykes (0086/01/001&004); Ian Stephens (0090/01/001); David Gordon (0130/01/006); Mr & Mrs Fleming (0150/01/003); Frances Hobbs (0152/01/004); Neil Myles (0153/01/004); John Brian Milarvie (0171/01/004); EG Lamont (0207/01/002); J Lamont (0208/01/002); Linda Simpson (0222/01/004); Peter & Vanessa Shand (0226/01/002, 003 & 005); Morag Craig (0233/01/004); JD McKerracher (0245/01/004); Rachel Moir (0264/01/004); Scone Community Council (0265/01/004); John W Rodgers (0304/01/005); Alastair Bews (0366/01/004); Brenda Elizabeth Bews (0367/01/004); Mr & Mrs Short (0382/01/001 & 002); Mr & Mrs Stewart Reith (0389/01/001); Moira Andrew & William Hadden (0432/01/009); CM Evans (0474/01/001); Jeffrey Rowlingson (0485/01/002); David E Lewington (0486/01/001); Lisa Cardno (0599/01/004); Louise Moir (0615/01/004); Fiona Black (0617/01/004); Laura Simpson (0631/01/004); Martin RW Rhodes (0675/01/002); M Moir, (0677/01/003); Helen Moir (0678/01/003); James Thow (0668/01/004); Jennifer Thow (0669/01/004); William JM Craig (0682/01/004); Hazel MacKinnon (0705/01/001); John Armstrong (0710/01/003); Catherine Armstrong (0711/01/003); Gerald Connolly (0712/01/001); Eric Ogilvy (0713/01/001); Stewart McCowan (0714/01/001); Angela McCowan (0715/01/001); Gladys Ogilvy (0716/01/001); Graham Ogilvie (0717/01/001); Tracy Ogilvie (0718/01/001); Shona Cowie (0719/01/001); Paul Cowie (0720/01/001); S Coyle (0721/01/003); Fiona Coyle (0722/01/003); Douglas Marshall (0723/01/003); Susan Patterson (0724/01/003); Alexander Haggart (0725/01/003); Lucy Haggart (0726/01/003); Richard Hamilton (0727/01/003); Michelle Hamilton (0728/01/003); Ray Bell (0729/01/003); David Roy (0730/01/001); Greer Crichton (0731/01/001); Brian Hood (0732/01/001); Gaynor Hood (0733/01/001); Philip Crichton (0734/01/001): Wish to see the green belt boundary changed back to the boundary in the adopted LDP at Harper Way in Scone North.

Ramblers Scotland (0322/01/003); Alastair Godfrey (0410/01/020); Luncarty, Redgorton and Moneydie Community Council (0703/01/005): Would all like to see the green belt boundary changed to meet the MU27 Luncarty South boundary.

Euan Bremner (0616/01/003): Would like land south of Scone to be removed from the green belt boundary.

Elgin Energy (0459/01/002); Scone Estate (0614/01/020): Wish to see the green belt boundary proposed in the MIR as the adopted boundary instead of extending beyond the CTRL line.

Freda Robb (0520/01/001&002); Janet and Stephen Carratt (0027/01/002) and The Bield at Blackruthven (0148/01/001): Wish to see the green belt boundary changed back to the LDP1 boundary at MU70 Perth West.

Gloag Investments (0590/01/001): Would like the green belt boundary to be changed at Tarsappie, Perth (Site ref: H320).

Mr and Mrs M Lewin (657/02/001&002): Wish to change the green belt boundary in the Sparrow Road area of Perth (Site ref: H356).

Ramblers Scotland (0322/01/002); Alistair Godfrey (0410/01/019); Bruce Burns (0663/01/002&006); Luncarty, Redgorton and Moneydie Community Council (0703/01/004): Would like to see a change to the green belt boundary at MU168 at the area north of Berth Park.

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

#### Scope of development allowed in the Green Belt

Stewart Milne Homes (0290/03/014); The John Dewar Lamberkin Trust (0532/02/001 & 0532/02/003); Scone Estate (0614/01/010): SPP (CD004, pages 15-16, paragraph 52) defines the types of development which are appropriate within a Green Belt. These do not include housing. TAYplan Policy 1D requires the LDP to continue the implementation of the Green Belt boundary at Perth to, amongst other things, preserve the setting of Perth, help safeguard the countryside from encroachment, and define the types and scales of development that are appropriate within the Green belt based on SPP (CD022, page 8). In line with TAYplan, LDP Policy 41: Green Belt is therefore a restrictive policy and sets out the specific and limited circumstances under which development within the Green Belt will be permitted in line with the provisions of the SPP.

One of the major development pressures within the Green Belt in Perth & Kinross is for housing. In recognition that the Green Belt is an area in which many people work, and in which some people need to live, Policy 41 allows for development which is essential for agriculture, horticulture or forestry operations (category (b)). This could, in some circumstances, constitute a house for someone working in one of these industries and who require to live on-site. In a change from the adopted LDP (Policy NE5, CD14, page 43), Policy 41 now also allows for the renovation or replacement of existing houses and the conversion or replacement of redundant non-domestic buildings for housing (category (e)) as there can be a benefit in allowing the re-development of buildings which are already there. Any proposals under category (e) would also require to meet the 'For all proposals' section of the policy. Extending this further by allowing nearly all of the Housing in the Countryside categories to apply within the Green Belt (Policy 19) would mean that this area could become almost indistinguishable in housing policy terms from all other rural areas in Perth & Kinross. This would bring into question the value of having a Green Belt at all and as such the LDP could be considered inconsistent with TAYplan (CD022, page 8).

The previous Examination Reporter confirmed that it was not appropriate to allow more opportunities for housing development within the Green Belt concluding that 'Green Belt designation is intended to impose a significant restriction of development. Green Belts do not prevent all types of development and SPP identified certain types and scale of



development which may be appropriate in such areas. However, housing development is not identified within that list....Any economic or other benefits that could be expected to be delivered by permitting green belt sites to develop under Policy RD3 [of the adopted LDP] are of insufficient value to justify the undermining effect to the green belt that its application would have' (CD015, pages 85-86, paragraph 8).

Policy 24: Maintaining an Effective Housing Land Supply sets out how any shortfall in housing land supply will be addressed. Loosening Policy 41 to allow more opportunities for housing development would be contrary to SPP (CD004, page 15, paragraph 49) and TAYplan Policy 1D (CD022, page 8), and undermine what the Council is trying to achieve by having a Green Belt. It is not therefore considered necessary or appropriate to allow additional flexibility within Policy 41 to permit additional housing development in the Green Belt if there is a shortfall in housing land supply.

No modification is proposed to the Plan.

#### Criterion (f) – Essential Infrastructure

Alistair Godfrey (0410/01/013): The purpose of a Green Belt is not to prevent all development. Rather they are a tool to manage development in a way that it does not harm the special qualities of the area which the designation seeks to protect. Criteria (a) to (f) list the developments which will be permitted within the Green Belt where proposals will either enhance the area, or where the benefits of the proposal will outweigh the dis-benefits as it likely to be the case for essential infrastructure. Whilst it is acknowledged that it certain essential infrastructure proposals, such as roads, may not actively protect or enhance the character, landscape setting and integrity of settlements, removing criterion (f) from this requirement under 'For all proposals' could suggest that such developments could proceed without even having to consider the impact on these aspects of the Green Belt.

The requirement for proposals to not 'detract from the character and landscape setting of the Green Belt' relates to proposals for new buildings or extensions rather than to essential infrastructure.

No modification is proposed to the Plan. However if the Reporter considered it would make the Policy clearer the Council would not object to separating out the first sentence beginning 'For all proposals' from the rest of that paragraph.

Elgin Energy (0459/01/001); Scone Estate (0614/01/019): The issues raised by the respondents are firstly, that the existing criterion (f) does not adequately encompass ground mounted solar developments, and secondly that insufficient clarity is provided regarding the scope and extent of the required search area outwith the Green Belt.

Looking at the first of these points, TAYplan Policy 1 requires LDPs to define the types and scales of development that are appropriate within the Green Belt based on SPP (CD022, page 8). SPP allows for 'essential infrastructure such as digital communications infrastructure and electricity grid connections' (CD004, pages 15-16, paragraph 52). It does not include renewable energy developments within the list of essential infrastructure which may be acceptable in a Green Belt location. Policy 41 therefore already allows more flexibility than that suggested in SPP.

The first consideration for proposals under criterion (f) is that the infrastructure is essential.

Proposals for renewable energy developments in particular would therefore normally be expected to relate directly to a specific development or package of developments, or to serve an existing community or facility. It is considered likely that this is the only way in which such a proposal in a Green Belt location could be considered essential. It is acknowledged that this is not specifically spelt out in the policy wording.

The respondents seek to separate out renewable energy proposals from other forms of essential infrastructure. It is suggested in the representations that rather than an applicant having to demonstrate why a Green Belt location is essential, as per the current wording of criterion (f), they would simply have to demonstrate why a Green Belt location is 'optimal' for the project.

As noted above, the Green Belt is an area where people do live and work and as such it is neither appropriate nor desirable to prevent all development. Categories (a) to (e) set out which types of development will be allowed, in line with SPP (CD004, pages 15-16, paragraph 52). Category (f) acknowledges that in some cases additional infrastructure will also be required. The intention of Policy 41, however, is to only allow those developments which have to be located in the Green Belt because they directly relate to an existing or proposed resource and so cannot instead be located outwith the Green Belt area. As such Policy 41 requires applicants to demonstrate why a proposal should be permitted within the Green Belt. The criterion (g) suggested by the respondents changes this emphasis to why a proposal should not be allowed.

The potential benefits of solar energy schemes are acknowledged as are the Council's obligations in relation to meeting its own and Government's targets in promoting a low carbon agenda. It is not considered, however, that these issues override the fact that the Green Belt designation exists to restrict development in order to, amongst other things, direct development to the most appropriate locations; and protect the character, landscape setting and identity of settlements (SPP, CD004, page 15, paragraph 49). It is acknowledged that solar energy schemes will often have less adverse impact, and be less controversial, than some other forms of renewable energy such as wind turbines. The fact remains, however, that SPP offers no specific support for any form of renewable energy within the Green Belt (CD004, pages 15-16, paragraph 52).

The Council considers that there is no justification as to why proposals for renewable energy developments should not continue to be treated in the same way as any other essential infrastructure; in all cases applicants must be able to demonstrate that the infrastructure itself is essential, and that a Green Belt location is also essential. The criterion (g) suggested by the respondents has a completely different emphasis and would potentially allow any renewable energy proposals – not just ground mounted solar PV schemes – to find support in the policy regardless of any need for a Green Belt location.

The Green Belt covers a very small part of the Perth & Kinross Council area (10,244 ha which is less than 2% of the total land area). It is acknowledged that there are other strategic constraints in the Council area which would also limit or prevent renewable energy developments, but even taking these into account there are large areas of Perth & Kinross which are not constrained. It is the Council's view that opportunistic developments, not directly relating to an existing resource, should continue to be located in those unconstrained parts of Perth & Kinross which are not covered by the Green Belt designation.

Turning to the second issue raised in the representations. Policy 41 does not, as the

respondents claim, require an applicant to undertake an almost infinite search for sites beyond the boundary of the Green Belt. The policy states that 'a statement may be required identifying the search area and the site options assessed'. The extent of the search area will be a matter for agreement between the applicant and the Council taking a proportionate approach; there is no suggestion that the search area has to be all the land in a particular part of the Council area, or that it cannot be that land which is within a single landowner's landholding.

No modification is proposed to the Plan. However if the Reporter considered it would make the Policy clearer the Council would not object to making the following changes to take account of the issues raised in the representations:

Under criterion (f) amending the last sentence to read: '...a statement may be required identifying the search area and the site options assessed, the details of the existing or proposed activity to which the infrastructure relates, and the reasons as to why a Green Belt location is essential.'

A policy note which states that: 'Where a statement is required under criterion (f), the extent of the search area will be a matter for agreement between the applicant and the Council. Where the search area only includes land under a single ownership then the search area should include all of the land within that ownership. The site options assessed should include evidence that all appropriate sites within that ownership have been considered.'

The John Dewar Lamberkin Trust (0532/02/005): The respondent acknowledges that, in relation to the strategic allocations, operational requirements may determine that certain infrastructure may have to be located within the Green Belt. Criterion (f) already allows for essential infrastructure within the green belt providing that it can be demonstrated that the infrastructure cannot instead be located outwith the Green Belt.

No modification is proposed to the Plan.

#### Other comments on the Policy

Euan Bremner (0616/01/006): SPP allows planning authorities to designate a green belt around a city or town (CD004, page 15, paragraph 49). One of the reasons why an authority may wish to designate a Green Belt is to direct development to the most appropriate locations. In this respect, far from contravening the principles of sustainable development, Policy 41 is considered entirely in line with the concept that achieving economic growth has to be done in such a way that does not harm the environment or squander the natural resources we depend on (LDP definition of Sustainable Development, page 319).

TAYplan Policy 1 requires the LDP to continue the implementation of a green belt boundary at Perth (CD022, page 8). The Green Belt boundary between Perth and Scone was established through the adopted LDP (CD014, pages 43-44). Green Belt boundaries are long term. Some adjustments to the boundary are proposed in the LDP. The removal of the Green Belt in the area between Perth and Scone to allow development to take place would, however, be a very significant shift in terms of what the Green Belt is seeking to achieve in this area, particularly in preserving the setting, views and special character of Perth, and safeguarding the countryside around the city from encroachment (TAYplan Policy 1D, CD022, page 8).

No modification is proposed to the Plan.

### **Green Belt Policy Map**

David Dykes (0086/01/001&004); Ian Stephens (0090/01/001); David Gordon (0130/01/006); Mr & Mrs Fleming (0150/01/003); Frances Hobbs (0152/01/004); Neil Myles (0153/01/004); John Brian Milarvie (0171/01/004); EG Lamont (0207/01/002); J Lamont (0208/01/002); Linda Simpson (0222/01/004); Peter & Vanessa Shand (0226/01/002, 003 & 005); Morag Craig (0233/01/004); JD McKerracher (0245/01/004); Rachel Moir (0264/01/004); Scone Community Council (0265/01/004); John W Rodgers (0304/01/005); Alastair Bews (0366/01/004); Brenda Elizabeth Bews (0367/01/004); Mr & Mrs Short (0382/01/001 & 002); Mr & Mrs Stewart Reith (0389/01/001); Moira Andrew & William Hadden (0432/01/009); CM Evans (0474/01/001); Jeffrey Rowlingson (0485/01/002); David E Lewington (0486/01/001); Lisa Cardno (0599/01/004); Louise Moir (0615/01/004); Fiona Black (0617/01/004); Laura Simpson (0631/01/004); Martin RW Rhodes (0675/01/002); M Moir, (0677/01/003); Helen Moir (0678/01/003); James Thow (0668/01/004); Jennifer Thow (0669/01/004); William JM Craig (0682/01/004); Hazel MacKinnon (0705/01/001); John Armstrong (0710/01/003); Catherine Armstrong (0711/01/003); Gerald Connolly (0712/01/001); Eric Ogilvy (0713/01/001); Stewart McCowan (0714/01/001); Angela McCowan (0715/01/001); Gladys Ogilvy (0716/01/001); Graham Ogilvie (0717/01/001); Tracy Ogilvie (0718/01/001); Shona Cowie (0719/01/001); Paul Cowie (0720/01/001); S Coyle (0721/01/003); Fiona Coyle (0722/01/003); Douglas Marshall (0723/01/003); Susan Patterson (0724/01/003); Alexander Haggart (0725/01/003); Lucy Haggart (0726/01/003); Richard Hamilton (0727/01/003); Michelle Hamilton (0728/01/003); Ray Bell (0729/01/003); David Roy (0730/01/001); Greer Crichton (0731/01/001); Brian Hood (0732/01/001); Gaynor Hood (0733/01/001); Philip Crichton (0734/01/001): A considerable number of representations have objected to the green belt boundary change at the H29 Scone North site to the west of the site. This change has been made as a direct result of planning approval being granted at committee for the planning application for Scone North H29 site (reference: 16/02127/IPM). The change in the site boundary was approved to allow for better access to the site and provide the residents of Harper Way with greater breathing space from the new development. As a result, the site boundary, settlement boundary and green belt boundary have all required to be adjusted to reflect this committee decision. These changes are therefore reflecting a committee decision that legally cannot be challenged at this point. It would not be logical to have an area of land approved for as part of a large development to remain within the green belt. Further discussion on this change is discussed in Schedule 4: 07A Perth Core Settlements.

No modification is proposed to the Plan.

Ramblers Scotland (0322/01/003); Alastair Godfrey (0410/01/020); Luncarty, Redgorton and Moneydie Community Council (0703/01/005): The green belt boundary is drawn using robust landscape features such as water courses, roads and tree belts. The Proposed Plan northern boundary for the Green Belt is the same as the boundary in the adopted LDP. The boundary has been drawn close to the Luncarty settlement boundary but excludes an area of land that encompasses a derelict farmstead. Under the current policy, this farmstead would not be permitted to be redeveloped and therefore it was excluded from the boundary and the tree belt that shelters this site was used as the boundary. However, with the relaxation of the Green Belt policy in the Proposed Plan to allow for the redevelopment of derelict buildings, this would no longer be an issue.

No modification is proposed to the Plan. However, if the Reporter is minded to accept the modification of redrawing the boundary to the Luncarty settlement boundary, the Council would be comfortable with making this change as it would not have any implications for any other aspect of the plan.

Euan Bremner (0616/01/003): One representation suggests the removal of the green belt to the south of Scone to allow for residential development in this area. This is a significant area, particularly in terms of the visual setting of Scone and in terms of coalescence with Perth. Development in this area was proposed during the MIR consultation but through the site assessment process, the area was considered to have a negative impact on the landscape. The Council are of the view that this area is important to retain within the green belt boundary as it provides a breathing space between Scone and Perth as well as retaining the countryside that establishes Scone's village setting.

No modification is proposed to the Plan.

Elgin Energy (0459/01/002); Scone Estate (0614/01/020): The boundary proposed in the MIR which followed the CTRL line was not taken forward at full Council, who, following a considerable number of representations, decided to retain the existing boundary in the adopted LDP in this section of the green belt. The Council considered it was important to retain the existing boundary to provide assurance to the public that the green belt is a fixed approach to land management around Perth and that changes to it are only made to reflect long term strategies within the LDP. The Council acknowledges the CTRL, once built, would be a permanent boundary in comparison to commercial woodland. Nonetheless, drawing the boundary back to the CTRL does remove an area that the public perceive to be under threat from piecemeal development.

No modification is proposed to the Plan.

Freda Robb (0520/01/001&002); Janet and Stephen Carratt (0027/01/002) and The Bield at Blackruthven (0148/01/001): The green belt boundary at MU70 Perth West has been modified to reflect the settlement boundary change. Further detail of this decision is detailed in the Schedule 4: 05 Perth Strategic Development Areas.

No modification is proposed to the Plan.

Ramblers Scotland (0322/01/002); Alistair Godfrey (0410/01/019); Bruce Burns (0663/01/002&006); Luncarty, Redgorton and Moneydie Community Council (0703/01/004): The green belt boundary at MU168 at the area north of Berth Park has been modified to reflect the settlement boundary change. Further detail of this decision is detailed in the Schedule 4: 05 Perth Strategic Development Areas.

No modification is proposed to the Plan.

Gloag Investments (0590/01/001); Mr and Mrs M Lewin (657/02/001&002): See 28: Perth City New Sites Schedule 4 for responses to these new site proposals.

No modification is proposed to the Plan.

#### **Reporter's conclusions:**



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