

Issue 24	A Connected Place	
Development plan reference:	Section 3.4: A Connected Place, page 88-91 Policy 57: Digital Infrastructure, page 92-93 Policy 58: Transport Standards and Accessibility Requirements, page 93-95 Policy 59: Airfield Safeguarding, page 95	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<div><div><div>Strathmore Cycle Network Steering Group (0034) Tayside & Central Scotland Transport Partnership (TACTRAN) (0057) Ian Stephens (0090) Alison Bowman (0129) Frances Hobbs (0152) Neil Myles (0153) Braes of the Carse Conservation Group (0161) John Brian Milarvie (0171) Peter and Vanessa Shand (0226) Mr J D McKerracher (0245) Scone Community Council (0265) Stewart Milne Homes (0290/03) Scottish National Heritage (SNH) (0353) Mr and Mrs Stewart Reith (0389) Jeffrey Rowlinson (0485) David F Lewington (0486) Network Rail (0509) The John Dewar Lamberkin Trust (0532) Portmoak Community Council (0541)</div><div>Councillor Mike Barnacle (0584) Lisa Cardno (0599) James Thow (0668) Jennifer Thow (0669) Martin RW Rhodes (0675) Hazel MacKinnon (0705) Gerard Connolly (0712) Stewart McCowan (0714) Angela McCowan (0715) Gladys Ogilvy (0716) Mr Graham Ogilvie (0717) Mrs Tracy Ogilvie (0718) Mrs Shona Cowie (0719) Paul Cowie (0720) David Roy (0730) Greer Crighton (0731) Brian Hood (0732) Gaynor Hood (0733) Philip Crighton (0734) Scottish Environment Protection Agency (SEPA) (0742)</div></div></div>		
Provision of the development plan to which the issue relates:	Policies relating to digital connectivity, transport and accessibility pages 89 -95	
Planning authority's summary of the representation(s):		
<div><div>Section 3.4: A Connected Place</div><div>TACTRAN (0057/01/018) TACTRAN is supportive of the aims and contents of this section of the Proposed LDP, but requests two amendments to the introductory text. Firstly, in the first sentence of the 2nd paragraph on page 89 change "national" to "strategic" to be consistent with paragraph 3, and secondly, in the 3rd paragraph on page 89 — change "For the local and strategic road network..." to "For the local and strategic transport network...", as this covers modes including park & ride, active travel, bus etc</div><div>Portmoak Community Council (0541/01/007) Supports the principles set out in paragraph 1 on page 89. The Community Council has a priority that the people of Portmoak should be able to walk safely within and between the settlements of Portmoak. That is not currently</div></div>		

possible. Both footpaths alongside main roads and off-road paths need development.

Councillor Mike Barnacle (0584/01/005) There is no reference to the lack of a rail service in Kinross-shire, despite administration support.

Policy 57 Digital Infrastructure

The John Dewar Lamberkin Trust (0532/05/003): Support for the objectives underpinning the policy.

Ian Stephens (0090/01/004): Amend the policy to make provision for digital infrastructure in both new and existing developments The policy should not only apply to new developments but its scope should be increased to reflect the existing position and outline plans accordingly. Especially in view of the Scottish Government's guarantee that all properties will have superfast broadband by 2020.

Frances Hobbs (0152/01/13); Neil Myles (0153/01/13); John Brian Milarvie (0171/01/13); Peter and Vanessa Shand (0226/01/13); Mr J D McKerracher (0245/01/014); Scone Community Council (0265/01/015); Mr and Mrs Stewart Reith (0389/01/006); Jeffrey Rowlinson (0485/01/008); David F Lewington (0486/01/008); Lisa Cardno (0599/01/014); James Thow (0668/01/013); Jennifer Thow (0669/01/013); Martin RW Rhodes (0675/01/013); Hazel MacKinnon (0705/01/013); Gerard Connolly (0712/01/013); Stewart McCowan (0714/01/013); Angela McCowan (0715/01/13); Gladys Ogilvy (0176/01/013); Graham Ogilvie (0717/01/013); Tracy Ogilvie (0718/01/013); Shona Cowie (0719/01/013); Paul Cowie (0720/01/013); David Roy (0730/01/013); Greer Crighton (0731/01/014); Brian Hood (0732/01/014); Gaynor Hood (0733/01/014); Philip Crighton (0734/01/014): The policy details requirements for new digital infrastructure but gives little guidance or requirements details for upgrading of existing digital provision. As an example, the respondents draw attention to an example situation, which they all describe as being within four miles of Perth city centre but with significantly lower broadband speed (2Mbps) than Scone village (25Mbps), and they consider there are similar problems throughout rural Perthshire. Consideration must be given to increasing the scope of the policy to reflect the existing position and outline plans accordingly. The respondents ask that the policy be amended to apply retrospectively to existing developments, implicitly seeking to improve broadband speed in their localities and in rural Perthshire.

SEPA (0742/01/022): Support that the policy requires environmental impacts on the natural and built environment to be minimised. Accords with SPP (CD004) paragraph 29, 194 and 195 and the local authority duties as a responsible authority under the Water Environment and Water Services (Scotland) Act 2003 (CD038) to ensure compliance with the WFD and River Basin Planning process in carrying out statutory functions

Policy 58 Transport Standards and Accessibility Requirements

Strathmore Cycle Network Steering Group (0034/01/001 & 002; 0034/02/001): No specific comments on transport policy however representation does contain comments highlighting the provision of a network of active transport paths for cycling, walking and horse riding in the LDP area.

Alison Bowman (0129/01/004): Would like to see a cycle and pedestrian path linking Coupar Angus, Blairgowrie and Alyth. All three communities are working hard to make this a reality.

TACTRAN (0057/01/019): Support for the policy. Wishes to have input to the non-statutory guidance for transport that is noted within the policy. Consideration should be given to widening the requirement for provision for electric vehicles charging and car clubs to apply to residential developments. This is because that provision needs to be made to encourage and accommodate more sustainable lifestyles and emerging technologies by encouraging a move to electric vehicles and to encourage greater personal mobility through initiatives such as car clubs and sustainable transport to promote lower car ownership and use.

Braes of the Carse Conservation Group (0161/01/015): Support for the policy provided the traffic arising from substantial new housing proposals (Balbeggie and Scone are highlighted) is taken into account.

Stewart Milne Homes (0290/03/015): Support for the policy. Wishes the supplementary guidance to be statutory instead of non-statutory so that the development industry may view the detail of the guidance and may be given the opportunity to comment on its content, particularly should it affect development sites and viability.

SNH (0353/01/004): Amend Policy 58B cycling and walking section to offer firmer support for access to off-road walking and cycling provision as part of the green network. Support for the principle of non-statutory guidance for transport. Request SNH contribute to its preparation and recommend it contains an active travel map for the LDP area (similar to the way Policy Map A illustrates this for Perth). The map should show existing routes and those that require upgrading/enhancement; planned active travel routes including their fit with the green network; standards required and linked developer requirements.

Network Rail (0509/01/004): It is important that transport assessments should be required to take into account the impacts of proposed development on the demand for rail services (both in terms of the requirement to upgrade railway infrastructure and facilities at stations). Strengthen Policy 58B or provide supplementary guidance to define the circumstances in which developers will be required to prepare a transport assessment; and set out clearly that the requirement to fully assess the impacts of the development on all modes of transport, including the railway network.

Network Rail (0509/01/008): Support for the policy where it refers to preventing "...detrimental effect on the safe and efficient operation of the ... rail network including level crossings." Highlighting safety and operational efficiency reasons, Network Rail states its position as a statutory consultee in the development management process in respect of proposals that may impact on level crossings.

The John Dewar Lamberkin Trust (0532/01/001): Support for the policy objectives. Highlights the delivery of low and ultra-low emission vehicles as important.

Councillor Mike Barnacle (0584/01/002): No specific comments on transport policy, however queries whether the Plan would support identified parking areas within settlements during its lifetime.

Councillor Mike Barnacle (0584/01/021): This policy allows for surveys/reports to be commissioned by applicants rather than chosen by the Council and the applicant billed. In areas such as transport it often produces a report open to challenge because it is not independent.

SEPA (0742/01/023): Support for the policy. Highlights that this will reduce the use of private cars in new developments, which could be beneficial for air quality, human health and climate change mitigation through reduction in greenhouse gas emissions. Accords with SPP paragraph 46; and the principle of supporting climate change mitigation and adaptation set out in paragraph 29 of the local authority duties under the Climate Change (Scotland) Act 2009 (CD025); and Scottish Government's national strategy for Cleaner Air for Scotland (CAFS) (CD066).

Policy 59 Airfield Safeguarding

Councillor Mike Barnacle (0584/01/017): This policy allows for surveys/reports to be commissioned by applicants rather than chosen by the Council and the applicant billed. In areas such as airfield safeguarding it often produces a report open to challenge because it is not independent.

Modifications sought by those submitting representations:

Section 3.4: A Connected Place

TACTRAN (0057/01/018) seeks two amendments to the introductory text. Firstly, in the first sentence of the 2nd paragraph on page 89 change "national" to "strategic", and secondly, in the 3rd paragraph on page 89 — change "For the local and strategic road network..." to "For the local and strategic transport network..."

Portmoak Community Council (0541/01/007) No specific modification is sought, however, it is inferred that the Community Council would like to see the development of footpaths alongside main roads and off-road paths between the settlements of Portmoak.

Councillor Mike Barnacle (0584/01/005) Seeks a reference within the Plan to the lack of a rail service in Kinross-shire.

Policy 57 Digital Infrastructure

The John Dewar Lamberkin Trust (0532/05/003); SEPA (0742/01/022): No specific modification sought.

Ian Stephens (0090/01/004); Frances Hobbs (0152/01/13); Neil Myles (0153/01/13); John Brian Milarvie (0171/01/13); Peter and Vanessa Shand (0226/01/13); Mr J D McKerracher (0245/01/014); Scone Community Council (0265/01/015); Mr and Mrs Stewart Reith (0389/01/006); Jeffrey Rowlinson (0485/01/008); David F Lewington (0486/01/008); Lisa Cardno (0599/01/014); James Thow (0668/01/013); Jennifer Thow (0669/01/013); Martin RW Rhodes (0675/01/013); Hazel MacKinnon (0705/01/013); Gerard Connolly (0712/01/013); Stewart McCowan (0714/01/013); Angela McCowan (0715/01/013); Gladys Ogilvy (0716/01/013); Graham Ogilvie (0717/01/013); Tracy Ogilvie (0718/01/013); Shona Cowie (0719/01/013); Paul Cowie (0720/01/013); David Roy (0730/01/013); Greer Crighton (0731/01/014); Brian Hood (0732/01/014); Gaynor Hood (0733/01/014); Philip Crighton (0734/01/014): Amend the policy to make provision for digital infrastructure not only in new developments but also in existing developments.

Policy 58 Transport Standards and Accessibility Requirements

Strathmore Cycle Network Steering Group (0034/01/001 & 002; 0034/02/001): The Plan should contain a specific statement on the provision of active transport facilities between the towns of Alyth, Blairgowrie and Coupar Angus.

Alison Bowman (0129/01/004): Amend the Plan to include a proposal for a cycle and pedestrian path that links Coupar Angus, Blairgowrie and Alyth.

TACTRAN (0057/01/019): Amend the policy to specifically refer to residential developments when requiring the provision of infrastructure. It is inferred that the policy criterion be modified to read “(e) support the provision of infrastructure necessary to support positive changes in Low and Ultra Low Emission Vehicle transport technologies, such as charging points for electric vehicles, hydrogen refuelling facilities and car clubs, including at residential developments.”

Braes of the Carse Conservation Group (0161/01/015): No specific modification is sought.

Stewart Milne Homes (0290/03/015): Amend the note at the foot of policy 58B from “Non-statutory guidance...” to “Statutory Supplementary Guidance...”

SNH (0353/01/004): Amend the policy to replace the cycling and walking section of the policy from “Development proposals which take into account and promote cycling and walking will be supported. Particular attention must be paid to access arrangements and cycle parking facilities.” to “New developments should provide access from the development to off-road walking and cycling provision as part of the green network, and contribute to its enhancement and improved connectivity. Existing active travel routes will be safeguarded and incorporated into development. Cycle parking facilities should be provided.”

Network Rail (0509/01/004): Amend the policy or the reference to supplementary guidance to strengthen the definition of when a transport assessment is required; and to state the requirement to fully assess the impacts of the development on all modes of transport, including the railway network.

Network Rail (0509/01/008): No specific modification is sought.

The John Dewar Lamberkin Trust (0532/01/001): No specific modification is sought.

Councillor Mike Barnacle (0584/01/002): No specific modification is sought.

Councillor Mike Barnacle (0584/01/021): No specific modification is sought however it is implied that the policy should be amended to clarify that in the interests of obtaining an independent transport assessment, the Council will be responsible for the commissioning of the report prepared by a suitably qualified person at the applicant's expense.

SEPA (0742/01/023): No specific modification is sought.

Policy 59 Airfield Safeguarding

Councillor Mike Barnacle (0584/01/017): No specific modification is sought however it is implied that the policy should be amended to clarify that in the interests of obtaining an independent report, the Council will be responsible for the commissioning of the report prepared by a suitably qualified person at the applicant's expense.

Summary of responses (including reasons) by planning authority:

Section 3.4: A Connected Place

TACTRAN (0057/01/018) The Council is comfortable with the suggested changes. If the Reporter is minded to accept the suggested modifications the Council would be comfortable with this approach as it would not have any implications for any other aspect of the Plan.

Portmoak Community Council (0541/01/007) The Council is currently liaising with the Community Council to examine potential routes for a footpath connection from Scotlandwell to the village hall. This work is at an early stage however, as the technical feasibility remains to be established and the Council does not have identified resources to provide these, they are not included as proposals within the Plan. The policy framework as set out in the Plan allows for the creation of such paths and the settlement summary for Scotlandwell and Kilmagadwood gives specific encouragement to the introduction or upgrading of safe pathways to connect the villages and wider Portmoak area.

No modification is proposed to the Plan

Councillor Mike Barnacle (0584/01/005) The lack of rail services in Kinross-shire is relevant to many other areas within the council area. With regards to a direct service reinstating a direct link between Edinburgh and Perth as supported by the Council, there are no proposals currently being considered and this will not come forward during the lifetime of the Plan.

No modification is proposed to the Plan

Policy 57 Digital Infrastructure

Ian Stephens (0090/01/004); Frances Hobbs (0152/01/13); Neil Myles (0153/01/13); John Brian Milarvie (0171/01/13); Peter and Vanessa Shand (0226/01/13); Mr J D McKerracher (0245/01/014); Scone Community Council (0265/01/015); Mr and Mrs Stewart Reith (0389/01/006); Jeffrey Rowlinson (0485/01/008); David F Lewington (0486/01/008); The John Dewar Lamberkin Trust (0532/05/003); Lisa Cardno (0599/01/014); James Thow (0668/01/013); Jennifer Thow (0669/01/013); Martin RW Rhodes (0675/01/013); Hazel MacKinnon (0705/01/013); Gerard Connolly (0712/01/013); Stewart McCowan (0714/01/013); Angela McCowan (0715/01/013); Gladys Ogilvy (0716/01/013); Graham Ogilvie (0717/01/013); Tracy Ogilvie (0718/01/013); Shona Cowie (0719/01/013); Paul Cowie (0720/01/013); David Roy (0730/01/013); Greer Crighton (0731/01/014); Brian Hood (0732/01/014); Gaynor Hood (0733/01/014); Philip Crighton (0734/01/014): This policy supports the provision of digital and mobile infrastructure to homes and businesses, and is particularly supportive of the expansion of broadband and mobile communications services in rural areas. When considering development proposals, the policy seeks to ensure that developers make provision for digital infrastructure.

This is in accordance with SPP para 293, which sets out that the planning system should support the '...inclusion of digital infrastructure in new homes and business premises'. It also meets the requirement of SPP para 297, which states that 'Policies should encourage developers to explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.'

There is no intention that the Plan should specify the type of digital infrastructure to be provided (this is a rapidly evolving type of technology); nor to specify that the installed infrastructure must be utilised. The policy remains within the remit of the Local Development Plan by simply requiring that developers should facilitate the provision of digital infrastructure as an integral part of development.

In terms of provision to new properties, developers and service providers will need to work more closely to ensure that timely provision of the different types of digital infrastructure to new homes and businesses is done as an integral part of the development. They will also be guided by the views and requirements of their prospective customers and the customers of the service providers.

In terms of existing properties, an issue raised in many of the representations seeks an improvement to the speed of existing broadband service to the representees' own properties and properties in rural Perthshire more generally.

The Plan does contain measures that support bringing new infrastructure to existing properties. For example where planning permission for digital and mobile communications infrastructure is required (in cases that are not already permitted development), the Plan supports their development – including at locations such as green belt because the Plan identifies this type of development as essential infrastructure.

No modification is proposed to the Plan.

Policy 58 Transport Standards and Accessibility Requirements

Strathmore Cycle Network Steering Group (0034/01/001 & 002; 0034/02/001); Alison Bowman (0129/01/004): In respect of the respondents' suggestion to include a proposal for a multi-user path that links the three towns, it is considered that the wording of the Proposed Plan, particularly policy 58 and the wording of 'A Connected Place' section would be sufficient to offer support for such a proposal.

No modification is proposed to the Plan.

TACTRAN (0057/01/019): It is acknowledged that TACTRAN's suggestion to insert a reference to car clubs would make it consistent with the endnote to the policy. The criteria as set out in policy 58B, including criterion (e), apply to all new development proposals and the Council considers no modification is necessary for it to apply to residential developments.

No modification is proposed to the Plan. However should the reporter believe clarity would be added to the policy by the addition of '...and car clubs' this is a modification the Council would be comfortable with.

Braes of the Carse Conservation Group (0161/01/015): This comment is raised in respect of the large housing allocation at Scone North and in this context, the majority of movements are expected to affect the A93 and Cross Tay Link Road with minimal impact on minor roads.

No modification is proposed to the Plan.

Stewart Milne Homes (0290/03/015): The respondent's concern relates to their ability to view and comment on the guidance (not the content of the guidance itself). The Council's intention is to consult widely ensuring that those who would reasonably wish to comment on its contents are given the opportunity to do so. It is acknowledged that there are prescribed procedures for advertising and consulting on statutory supplementary guidance that do not apply to non-statutory guidance. However the principles of consultation will be the same regardless of whether the status of the guidance is statutory or non-statutory. It is likely this process will cross over with the Roads Development Guide process.

No modification is proposed to the Plan.

SNH (0353/01/004): In respect of the suggestion to replace the cycling and walking section of the policy with more positive text, it is considered that the wording of the Proposed Plan would be sufficient.

No modification is proposed to the Plan. However there may be value in SNH's suggestion to reframe the policy, especially to emphasise what should be required of new developments. Should the reporter be considering a recommendation to amend the policy to include SNH's suggested text, the planning authority would be comfortable with this recommendation. There is also value in SNH's suggestion to incorporate an active travel map into the supplementary guidance and this will be progressed, although since it pertains to supplementary guidance (and not the Proposed Plan) this suggestion need not form part of the LDP examination. The Council's response to this issue is given more consideration in response to representations on Issue 03 Perth City Transport & Active Travel.

Network Rail (0509/01/004): The Council agrees that there is value in Network Rail's suggestion that developers need a definition of the circumstances in which transport assessments are required. It is considered that supplementary guidance would be a more appropriate place to provide this definition instead of writing it into the policy. Since this issue pertains to supplementary guidance (and not the Proposed Plan) this suggestion need not form part of the LDP examination.

No modification is proposed to the Plan.

Network Rail (0509/01/008): The Proposed Plan has been developed with Network Rail's input, and the impact of the Plan's policies and proposals on the safety and operational efficiency of the railway network has been assessed.

No modification is proposed to the Plan.

Councillor Mike Barnacle (0584/01/002): Policy 58A identifies existing key transport infrastructure (including park and ride facilities) and it encourages their conditional retention and improvement. The proposals map identifies those areas of Transport Infrastructure to be protected under the terms of the policy. However it is acknowledged that not all areas in the LDP area that are used for car parking are identified and protected. This is intentional since the general policy on development within settlement boundaries may be applicable where these sites are within settlement boundaries. Sites used for car parking may have no specific proposals for transport-related operations or development, so are not specifically identified as such on the proposals map.

No modification is proposed to the Plan.

Councillor Mike Barnacle (0584/01/021): The contents and conclusions of any report prepared by a suitably qualified person should not be influenced by the identity of the body commissioning or paying for the work. The Council considers that no modification to the plan is required. At planning application stage an independent transport assessment or statement may be required to be taken into account prior to determination of the application. This would include a judgement on how much weight to place on the contents of that report, including whether it actually has been prepared by a suitably qualified person. Report writers need not be independent of the applicant (or of any third party) since those persons may be well-qualified to speak to the specifics of the transport assessment and their comments may be material to the determination of the application.

No modification is proposed to the Plan.

Policy 59 Airfield Safeguarding

Councillor Mike Barnacle (0584/01/017): The contents and conclusions of any report prepared by a suitably qualified person should not be influenced by the identity of the body commissioning or paying for the work. The Council considers that no modification to the plan is required. At planning application stage any independent assessments of impacts on the safe operation of the airfield may be taken into account. This would include a judgement on how much weight to place on the contents of that report, including whether it actually has been prepared by a suitably qualified person. Report writers need not be independent of the applicant (or of any airfield operator or third party) since those persons may be well-qualified to speak to the specifics of the impact on the airfield and their comments may be material to the determination of the application.

No modification is proposed to the Plan.

Reporter's conclusions:
Reporter's recommendations: