

Issue 35	Highland Area – Pitlochry	
Development plan reference:	Pitlochry, page 284-285 H38 – Middleton of Fonab, Pitlochry, page 286 H39 – Robertson Crescent, Pitlochry, page 287	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Julie & Stephen Harfield (0054) Ormungandr Melchizedek (0139) Woodland Trust Scotland (0462) Pitlochry Estates (0470)		A&J Stephen Limited (0622) Scottish Environment Protection Agency (SEPA) (0742)
Provision of the development plan to which the issue relates:	Development sites in Pitlochry	
Planning authority's summary of the representation(s):		
<p><u>Pitlochry Settlement Statement</u></p> <p>Woodland Trust Scotland (0462/01/010): Woodlands around Pitlochry pose a development constraint but these are not specifically mentioned in the settlement summary. Development on ancient woodland is completely inappropriate and the extensive areas of ancient woodland around Pitlochry should be mentioned as areas which need protection from development, and would pose constraints in terms of development boundaries extending into these areas.</p> <p><u>H38: Middleton of Fonab</u></p> <p>Woodland Trust Scotland (0462/01/011): Welcome the requirement for compensatory planting but this should specifically require native tree planting.</p> <p>SEPA (0742/01/081): Cemeteries can have a detrimental impact on groundwater. Their acceptability, including the potential location and scale of development at a site, can be assessed only following intrusive ground investigation. In the absence of such information, SEPA reserves their position on the acceptability of these proposals. The protection of groundwater accords with the objectives of the Water Framework Directive and the Council's associated duties under the Water and Environment and Water Services (Scotland) Act 2003. The findings of the investigation may indicate that the site is not suitable for a cemetery due to an unavoidable impact on groundwater.</p> <p>Pitlochry Estates (0470/01/004); A&J Stephen Limited (0622/01/014): Object to the requirement for a vehicular link to the Logierait Road for some or all of the following reasons. This access is not deliverable due to levels and the significant associated costs. Discussions are ongoing with Perth & Kinross Council (PKC), as owners of the Fonab Business Park lying to the west of the site, regarding the proposed access following the A9 dualling. These discussions have confirmed that the proposed A9 dualling will not restrict access to the site. A secondary vehicular access is not required for a site of this</p>		

size. A pedestrian link could still be provided on the southern boundary allowing for pedestrian and cycle access.

Pitlochry Estates (0470/01/004): The site should be extended to the north to meet the Perth & Kinross Business Park. The area between the H38 allocation and the existing development already contains a number of houses and the extension of the site would lead to better overall site design.

H39: Robertson Crescent

Pitlochry Estates (0470/01/005); A&J Stephen Limited (0622/01/015): Support the allocation and extension of site H39 Robertson Crescent. A&J Stephen Limited (0622/01/015): Support the capacity range of 67 - 105 as stated in the Proposed Plan.

Julie & Stephen Harfield (0054/01/001); Ormungandr Melchizedek (0139/01/001): Object to site H39 for some or all of the following reasons:

- Pitlochry does not have the necessary infrastructure in place for the scale of development, for example, employment opportunities, public transport links, capacity of doctors surgery and other facilities, water pressure, capacity of the water treatment plant, overall lack of facilities for leisure and recreation
- Potential scale of development
- Impact on easily accessible viewpoints and effect on the tourism industry

Ormungandr Melchizedek (0139/01/001): The small area of regenerating woodland at the edge of H39 adjacent to Robertson Loan should be extended up the slope to the north-east and be protected and pro-actively managed to maximise its biodiversity potential. It should not be reduced in size other than to allow for the new access road. This area alongside the Moulin Burn is ideal as a wildlife corridor that connects the hills behind Pitlochry to the centre of town. This is an opportunity to maximise the biodiversity potential of a local asset and would be more efficiently designated as a wildlife area.

Gardens can increase biodiversity (as opposed to fields used for grazing) but it is important to maximize the available area of multilevel wildlife habitat between developments (before the developments are implemented) so as to ensure that habitat fragmentation is not perpetuated. The potential for local biodiversity should be maximised, for example, through larger gardens, and species diverse hedges should be installed on the boundaries of the new properties.

Any houses built should be affordable, preferably bungalows, and not become holiday homes.

New Sites

Pitlochry Estates (0470/01/001, 0470/01/002, 0470/01/003, 0470/01/006): Sites at H128 (Armoury Woods) and H129 (Former Amusement Carpark) should be re-allocated for housing, site H131 (Land at Burnbane) should be re-allocated for affordable housing, and site E130 (Land at Bobbin Mill) should be re-allocated for employment land, for the following reasons:

- Pitlochry is a tier 3 principal settlement in TAYplan and is one of the largest settlements in Highland Perthshire yet Pitlochry's housing allocation is only around

190 units. This is low compared to other tier 3 settlements like Aberfeldy and Alyth & New Alyth.

- Development opportunities for growth outwith the settlement boundary are restricted; these sites are located within the settlement boundary.
- Change of use of sites H128, H129, and H131 to housing would contribute to achieving Scotland's affordable housing target.

Armoury Woods (site H128)

Pitlochry Estates (0470/01/001): Historically site H128 was identified as part of the area made available for Pitlochry Cottage Hospital. As part of that arrangement the site was to form development to provide housing link to the hospital and therefore should be allocated as housing land. Engagement with housing associations to help facilitate the site coming forward for residential development will continue.

The Council's reasons from their site assessment (CD072, pages 296-307) for not including the site in the Proposed Plan are overly restrictive or can be easily mitigated as follows:

- Impact on the River Tay SAC and loss / fragmentation of woodland – A Habitat Regulations Appraisal would be used. None of the trees have Tree Preservation Orders. Relevant biodiversity studies can be carried out prior to development. Aspects of the woodland would be retained in line with the Scottish Government's Control of Woodland Removal policy and a Landscape Framework would accompany a future planning application. The removal of trees would be minimised and there may be an opportunity for active management of the area.
- Greenfield Site – Many of the allocations in the Plan are on greenfield sites. This site is a mix and the redevelopment of the brownfield element would compensate for partial development of a greenfield site. It is suitable for affordable housing as it is free from significant constraints.
- Employment Land/Open Space – The site is mainly brownfield and contains several redundant stable buildings. It does not have an active use and is in a neglected state. Development would positively enhance the built and natural environment. Housing would be compatible with neighbouring land uses and could provide easily accessible accommodation for hospital workers.
- Climatic Issues – Siting of houses would take account of solar orientation. Exclusion of the site on grounds of climatic issues could be overcome through sustainable design and the light felling of trees.
- Old Stable Buildings – Re-use or restoration of the ruinous stable buildings would not be a viable option.
- Topography – The siting and layout of the development proposal will be considered at the application stage to ensure it integrates well with the topography.

Former amusements car park (site H129)

Pitlochry Estates (0470/01/002): The Council's reasons from their site assessment (CD072, pages 308-318) for not including the site H129 (Former Amusement Carpark) in the Proposed Plan are overly restrictive or can be easily mitigated as follows:

- Employment Land/Open Space – The site is partially brownfield and contains an area of hardstanding and a small area of grassland. Reallocation of the site would return it to an active use which would positively enhance the built and natural

environment. Housing would be compatible with neighbouring land uses and could provide easily accessible accommodation for hospital workers.

- Topography – The site is primarily flat. Siting and layout of the development proposal will be considered at the application stage to ensure it integrates well with the topography.

Land at Bobbin Mill (site E130)

Pitlochry Estates (0470/01/003): The Council's reasons from their site assessment (CD072, pages 319-329) for not including site E130 (Land at Bobbin Mill) in the Proposed Plan are overly restrictive or can be easily mitigated. Justification for including site E130 for employment land rather than housing (as was proposed at previous Plan stages) is set out below:

- Open Space – Site E130 was historically classed as employment land, indicating that it was suitable for development at one time. This site was historically made up with rock and hardcore and is therefore brownfield. If the site is re-allocated for employment land it would be designed with respect to the character and the amenity of the surrounding area, and in line with policies on Community Facilities, Sport and Recreation. A planting framework would also be provided.
- Greenfield Site – The assumption that this site is greenfield has since been acknowledged by the Council's Strategy and Policy Manager as incorrect.

Land at Burnbane (site H131)

Pitlochry Estates (0470/01/006): Site H131 is used in part for car parking (the lease to PKC has expired). The remainder of the site is scrub land with a northern fringe of woodland making it suitable for residential development. The western part of the site is identified as existing employment land.

The Council's reasons from their site assessment (CD072, pages 330-340) for not including the site in the Proposed Plan are overly restrictive or can be easily mitigated as follows:

- Affordable housing on site H131 could offset the affordable requirement on the allocated sites at H38 and H39.
- Employment land – Part of the site is currently identified as existing employment land, change of use of the remainder to affordable housing could include home working facilities.
- River Tay SAC and Environmental Concerns – A Habitat Regulations Appraisal would be used and a Flood Risk Assessment carried out as necessary. None of the trees have Tree Preservation Orders. Relevant biodiversity studies can be carried out prior to development. Aspects of the woodland would be retained in line with the Scottish Government's Control of Woodland Removal policy and a Landscape Framework would accompany a future planning application. The removal of trees would be minimised and there may be an opportunity for active management of the area.
- Brownfield / greenfield site – Many of the allocations in the Plan are on greenfield sites. This site is a mix and the redevelopment of the brownfield element would compensate for partial development of a greenfield site. It is suitable for affordable housing as it is free from significant constraints and well located.
- Cultural heritage – Assessment of the impact would be integral to the design

process for a future layout of a residential development proposal.

- Climatic issues – Siting would take account of solar orientation.
- Topography – The siting and layout of the development proposal will be considered at the application stage to ensure it integrates well with the topography.
- Service infrastructure – The core path would be protected and a realignment route could be agreed with PKC advance of a future planning application.
- Constraints – The layout of the proposed would be designed to mitigate noise impact from the railway.

Modifications sought by those submitting representations:

Pitlochry Settlement Statement

Woodland Trust Scotland (0462/01/010): The woodlands around Pitlochry should be specifically mentioned in the settlement summary as a development constraint.

H38: Middleton of Fonab

Woodland Trust Scotland (0462/01/011): The site specific requirement for compensatory tree planting on site H38 should specify that this should be native tree planting.

SEPA (0742/01/081): A development requirement should be attached to H38 requiring intrusive ground investigation is undertaken in line with SEPA's Guidance on assessing the impacts of cemeteries on groundwater before any development occurs at the site (RD023).

Pitlochry Estates (0470/01/004); A&J Stephen Limited (0622/01/014): Delete reference in 4th developer requirement to the requirement for a road connection to Logierait Road.

Pitlochry Estates (0470/01/004): Extend site to the north to meet the Perth & Kinross Business Park.

H39: Robertson Crescent

Julie & Stephen Harfield (0054/01/001): No specific change sought but assumed that the site should be deleted from the Plan.

Ormungandr Melchizedek (0139/01/001): The woodland at the edge of H39 adjacent to Robertson Loan should extend up the slope to the north-east and designated as a wildlife area. It should be protected and pro-actively managed to maximise its biodiversity potential. The potential for local biodiversity should be maximised and species diverse hedges should be installed on the boundaries of the new properties.

New Sites

Pitlochry Estates (0470/01/001): Re-allocate site H128 (Armoury Woods) for housing.

Pitlochry Estates (0470/01/002): Re-allocate site H129 (Former Amusement Carpark) for housing.

Pitlochry Estates (0470/01/003): Re-allocate site E130 (Land at Bobbin Mill) for employment land.

Pitlochry Estates (0470/01/006): Re-allocate site H131 (Land at Burnbane) for affordable housing.

Summary of responses (including reasons) by planning authority:

Pitlochry Settlement Statement

Woodland Trust Scotland (0462/01/010): There are areas of ancient woodland adjoining or close to the settlement boundary to the south, south-east and north-west of Pitlochry. LDP Policy map E identifies the High Nature Conservation Woodland in Perth & Kinross Council area (page 67). Policy 38B: Trees, Woodland and Development presumes against the removal of ancient semi-natural woodland. Any potential impact on the ancient woodland around Pitlochry would be assessed at planning application stage. It is not therefore considered necessary to make specific reference to the woodlands around Pitlochry in the settlement summary.

No modification is proposed to the Plan. However if the Reporter is minded to accept the modification the Council would not object to adding the following to the second sentence of paragraph 2 on page 284 '....flood plain around the town, the ancient woodlands adjoining or close to the settlement boundary, and the A9....'

H38: Middleton of Fonab

Woodland Trust Scotland (0462/01/011): The details of any compensatory planting would require to be submitted at planning application stage. The Council does not, however, consider it necessary to require all new trees to be native species as there are cases where non-native trees, such as fruit trees, may be appropriate as part of a mix which could benefit biodiversity and community interests.

No modification is proposed to the Plan.

SEPA (0742/01/081): The existing site specific developer requirement only requires that the developer of site H38 reserves an area of land for the possible future expansion of Fonab cemetery. The expansion of the cemetery would be undertaken by the Council rather than the developer, once all the necessary investigative works had been carried out and independent of the housing development. It is not therefore considered appropriate to require the housing developer to carry out intrusive ground investigation to establish the acceptability of the ground for a cemetery extension by means of a site specific developer requirement.

No modification is proposed to the Plan.

Pitlochry Estates (0470/01/004); A&J Stephen Limited (0622/01/014): The site specific developer requirement for connections onto Logierait Road has been carried forward from the adopted LDP (CD014, page 166). The site drawing for H38 (Proposed LDP2, page 286) does, however, also suggest a potential route into the site via the Fonab Business Park to the north west. As the respondent indicates, discussions on taking access to the site via the Business Park have not been concluded but are still ongoing with the landowner (Perth & Kinross Council). It is therefore considered appropriate to retain the existing adopted LDP requirement for connections to Logierait Road to the south east of the site.

No modification is proposed to the Plan. However if the Reporter is minded to accept the modification the Council would wish that, as a minimum, the requirement for pedestrian and cycle access onto Logierait Road is retained.

Pitlochry Estates (0470/01/004): The map of site H38 submitted in the representation is the same as that in the Proposed LDP; the small extension to the north west has already been included within the site boundary. No further change is therefore necessary.

No modification is proposed to the Plan.

H39: Robertson Crescent

Julie & Stephen Harfield (0054/01/001): Ormungandr Melchizedek (0139/01/001): The allocation of site H39 for housing was considered during the Examination of the adopted LDP. The Examination Reporter recognised that there was a need 'to designate substantial housing land in Pitlochry in order for the Proposed Plan to comply with the TAYplan Spatial Strategy' and that the scope for housing in Pitlochry was limited to sites H38 and H39 (CD015, pages 600-601, paragraph 5). There is still a need to identify housing land in Pitlochry (as discussed in Issue 1: A Successful Sustainable Place) and the sites at H38 and H39 are still considered the best available options.

A series of Infrastructure Reports have been produced to ensure that infrastructure capacity within tiered settlements is adequate to support the level of growth envisaged within the LDP. In response to the specific concerns raised in the representations, no issues are identified in the Pitlochry Infrastructure Report (CD358) relating to public transport links, the capacity of the doctor's surgery or other community facilities, or the capacity of the water and waste water networks. The Report does not consider water pressure. Scottish Water has, however, been involved throughout the Plan preparation process and has not identified water pressure as an issue in this area. In relation to facilities for leisure and recreation, a small deficiency in playground provision is identified. For employment opportunities, the amount of seasonal / tourism-related employment in Pitlochry is acknowledged but the LDP does seek to protect existing employment land. Based on the findings of the Pitlochry Infrastructure Report the Council does not agree with the contention that Pitlochry does not have the necessary infrastructure in place for the scale of development proposed on site H39.

Using the new approach to site capacities in the Proposed LDP Policy 1D, site H39 was assessed as being capable of accommodating a medium level of development (16-25 units per hectare) and, taking account of constraints and open space requirements, it was assumed that 85% of the site is developable. This gives a capacity range of 67-105 houses (Housing Background Paper, CD018, pages 19-20). The detailed site layout and design for the site will have to accord with Policy 1: Placemaking which requires development to contribute positively to the quality of the surrounding built and natural environment. It sets out a number of criteria that proposals should meet including creating a sense of identity, respect site topography and surrounding landmarks, the design and density to complement surroundings, and the integration of existing features. It is therefore considered that existing LDP policies, Policy 1 in particular, will ensure that the scale and form of development on the site will not have an adverse impact on the surrounding area and as such it is not considered that the development of site H39 will have an adverse effect on the tourism industry.

No modification is proposed to the Plan.

Ormungandr Melchizedek (0139/01/001): The existing woodland along the eastern boundary is identified on the site drawing for site H39 (Proposed LDP2, page 287) and there is a site specific developer requirement which requires a minimum 6m buffer strip along the Moulin Burn. Only wildlife areas of national or international importance are specifically designated in the LDP but Policy 39: Biodiversity seeks the protection and enhancement of all wildlife and wildlife habitats whether formally designated /protected or not. Policy 40: Green Infrastructure requires all new development to contribute to green infrastructure and protects against the fragmentation of existing green and blue networks. The detailed layout and site design will be assessed at planning application stage but the enhancement of biodiversity, the provision of a landscape framework, and the linkage of green infrastructure on the site to the wider network are all site specific developer requirements. It is considered that existing LDP policies together with the developer requirements specified give adequate protection to biodiversity on the site. No changes or additional developer requirements are considered necessary in response to the comments made in the representation.

No modification is proposed to the Plan.

Ormungandr Melchizedek (0139/01/001): Policy 20: Affordable Housing requires 25% of houses on sites of 5 or more to be affordable. This is the maximum percentage of affordable housing that the Council can require in line with SPP (CD004, page 31 paragraph 129). Policy 25: Housing Mix requires an appropriate mix of house types and sizes on sites of 20 houses or more. The Council cannot specify the type of house built on a site but Policy 1: Placemaking requires that development contributes positively to the quality of the surrounding building and natural environment. The purchase of mainstream houses as holiday homes is acknowledged as an issue across the Highland Perthshire area. Unfortunately the Council is unable through the planning system to prevent houses becoming second or holiday homes.

No modification is proposed to the Plan.

New Sites

Pitlochry Estates (0470/01/001, 0470/01/002, 0470/01/003, 0470/01/006): It is not appropriate to compare the housing land allocation in Pitlochry to that of Alyth and New Alyth. Alyth and New Alyth fall within a different housing market area (Strathmore & the Glens) and the allocations in these settlements have been made to meet a different housing land requirement as set by TAYplan (CD022, page 23). Whilst the housing land allocation in Aberfeldy is slightly higher than that in Pitlochry (in the region of 205 units in Aberfeldy to 156 units in Pitlochry) this reflects the fact that the expansion of Pitlochry is more physically and environmentally constrained than Aberfeldy. It is also relevant to note that all of the abovementioned allocations have been carried forward from the adopted Plan so it is not the case that further allocations have been made in Aberfeldy in the Proposed LDP at the expense of allocations in Pitlochry.

It is not disputed that if sites H128 (MD052), H129 (MD053) and H131 (MD054) were designated for housing they could potentially deliver affordable houses. There is already land allocated for 121-190 houses in Pitlochry which will deliver 30-48 affordable houses. These new sites are not therefore critical to delivering Pitlochry's share of the 50,000 affordable housing target by 2021. As such it is not considered that this justifies the

allocation of these sites for housing.

In the superseded Highland Area Local Plan 2000 all four sites were included within a larger 'Opportunity site' for leisure, tourist, business and open space. That Plan noted that 'some small scale residential development may also be appropriate as part of a comprehensive plan for the development of the site.' (CD169, pages 51 & 67). A substantial part of the Opportunity site was subsequently developed for the Pitlochry Community Hospital and in the adopted LDP the designation of the hospital site was changed to 'Employment – existing' (CD014, page 167). The Armoury Woods site (site H128), the former amusements car park (Site H129), and part of the Burnbane site (site H131) were included within that same Employment – existing designation. The Bobbin Mill site (site E130) was re-designated as open space. None of these re-designations were challenged through the Examination of the adopted LDP.

All four sites were originally put forward at pre-Main Issues Report (MIR) stage. The preferred option in the MIR was to review the existing land use allocations with a view to potentially re-designating some parts to more fully reflect their current land use and potential (CD046, page 61, paragraph 4.3.33). This review was carried out and resulted in changes being made to the land use designations in the Proposed LDP and these changes are discussed under consideration of the individual sites below. It was also acknowledged at MIR stage, however, that although this review of existing designations may allow some scope for additional housing, any potential for development was likely to be small scale and could be assessed against the existing policy framework (CD046, pages 54 & 61, paragraphs 4.3.11 & 4.3.33).

In addition to their main representation the respondent raises several detailed concerns relating to the Strategic Environmental Assessment (SEA) for each of the sites. The current assessments – as part of the Environmental Report Addendum (2017) – reflect the Council's views. Any technical corrections and/or clarifications to the assessments will be included in the Post Adoption Statement once the Local Development Plan has been formally adopted. This will be made available for public viewing online and in hard copy, in accordance with Environmental Assessment (Scotland) Act 2005. It is, however, considered appropriate to make reference within the responses on individual sites, to those SEA issues which are relevant to the consideration of whether these sites should be included in the LDP.

Armoury Woods (site H128)

Pitlochry Estates (0470/01/001): This is an area of woodland which forms part of the setting of the hospital, and the south of Pitlochry more widely (MD052). The woodland here is considered to perform the same role as the designated open space to the south of the hospital. The open space designation was therefore extended to include the Armoury Woods site, with the exception of the brownfield area (the former stables buildings) which is left undesignated.

Other than the reference in the superseded Highland Area Local Plan (CD169, page 51) to some small scale residential possibly being appropriate as part of a comprehensive plan for the whole site, at no time since that Plan was prepared have the Armoury Woods been designated for housing, and the Council is not aware of any formal proposal for this site 'to form development to provide housing link to the hospital'. The development potential of the site is likely to be limited due to the proximity of the site to the railway line. The topography and access issues may also question the viability of this as a site.

Policy 38B: Trees, Woodland and Development presumes against woodland removal unless significant and clearly defined additional public benefits can be demonstrated. The representation notes that this site was previously put forward as an affordable housing site which could perhaps constitute significant public benefit. It is not clear, however, whether the site is still proposed solely for affordable housing, or if any affordable provision on this site would simply offset an affordable requirement on another site in which case the extent of the public benefit would not outweigh the loss of woodland.

The Armoury Woods site proposed for inclusion in the LDP as a housing site is considered to be primarily greenfield – the only brownfield element is the former stable buildings which are excluded from the open space designation in the LDP and so could come forward for redevelopment regardless. It is acknowledged that some of the LDP allocations are on greenfield sites but this is not in itself justification for allowing this greenfield site to be developed for housing, particularly when this area of woodland is considered to perform a valuable open space function.

The site was not excluded from the Proposed Plan on climatic issues.

No modification is proposed to the Plan.

Former amusements car park (site H129)

Pitlochry Estates (0470/01/002): The site is identified in the adopted LDP as 'Employment – existing' but it is actually a vacant site (CD014, page 167 & MD053). The former amusements site itself (which lies adjacent to the car park site) is operating as business / office area and the owners of that site have not indicated any intention to relinquish it.

Interest has been expressed by the landowner in developing the car park site at various stages in the plan-making process but to date they have not come forward with proposals as to how they would intend to develop the site or what scale of development may be possible. The site is in part on made up ground and no evidence has been produced to demonstrate that it is a viable and effective housing site. The LDP generally does not specifically allocate sites of less than 15 houses. The site is 0.49ha and at a medium density of development is likely to only accommodate 8-12 houses, although this could be higher if it is developed for flats.

It is not considered appropriate to identify this site as a specific proposal in LDP2. It is, however, acknowledged that the site may have some development potential although this is as yet unproven. The 'Employment – existing' zoning was therefore removed in Proposed LDP2 and the area left undesignated. This would allow development proposals for the site to come forward which could be considered through the existing policy framework. As the site is within the settlement boundary the lack of a specific allocation does not preclude the site coming forward for development.

No modification is proposed to the Plan.

Land at Bobbin Mill (site E130)

Pitlochry Estates (0470/01/003): At previous plan stages the Bobbin Mill site was put forward for housing but is now proposed for employment use (MD051). As abovementioned the site was originally included within a much larger 'Opportunity site'

designation in the superseded Highland Area Local Plan which did include business use (CD169, page 167). It was then re-designated in the adopted LDP as forming part of the extensive open space designation in the south of Pitlochry (CD014, page 167). This site is only 0.27ha. The LDP generally does not specifically allocate sites for employment use of less than 0.5ha.

Brownfield land is defined in the LDP2 as 'land which has previously been developed' (Glossary, page 315). Of the further criteria listed in the LDP2 Glossary the only one applicable to this site is that it is vacant land. The Council has no evidence to dispute the respondent's assertion that the site was historically made up with rock and hardcore. As can be seen in the site photo in the Site Assessment (CD072, page 320), however, the site has naturalised to a large extent. Arguments can be advanced as to whether the site does or does not fall within the technical definition of brownfield. What the Council considers to be of more relevance in this particular case, however, is the fact that the site as it currently stands makes a contribution to the wider open space designation in this part of the town. The Council is therefore of the view that the open designation in this part of the town should be retained in its entirety.

At MIR stage Pitlochry and Moulin Community Council submitted comments which add some weight to the Council's position in relation to the sites put forward by Pitlochry Estates, particularly in relation to the Bobbin Mill site. Although the Community Council did not submit a formal representation to the Proposed Plan it is considered appropriate to make some reference to their MIR comments as these helped inform the preparation of the Proposed LDP2.

At MIR stage the Community Council considered there to be adequate land zoned for housing in Pitlochry and that additional windfall housing should be resisted. Of relevance to the Bobbin Mill site in particular, the Community Council stated that they would not support the release of any of the land currently zoned as open space noting that 'this is essential green space and heavily used by both residents and the large numbers of tourists' (CD359).

No modification is proposed to the Plan.

Land at Burnbane (site H131)

Pitlochry Estates (0470/01/006): Although site H131 (MD054) has been put forward for affordable housing, it is indicated in the representation that the affordable housing on this site would offset the affordable housing requirement on the existing allocations at sites H38 and H39. It would not, therefore, result in the provision of additional affordable housing in Pitlochry but rather would simply redistribute what is already required by Policy 20 to a different site.

Site H131 is identified in the adopted LDP as 'Employment – existing' (CD014, page 167) but this designation has been removed in the Proposed Plan. The whole of site H131 in the Proposed Plan is undesignated land. The site is 0.45ha. As a very rough estimate, even a high density development (assuming an upper limit of 40 units per hectare) on a developable area of 0.36ha (80% of the total site) would only result in a development of up to 14 houses. The LDP generally does not specifically allocate sites of less than 15 houses. It is not therefore considered necessary or appropriate to allocate this site for housing as it is a small area of undesignated land within the settlement boundary which could come forward for development and be assessed under the existing policy

framework. The lack of a specific allocation does not preclude the site coming forward for development.

No modification is proposed to the Plan.

Reporter's conclusions:

Reporter's recommendations: