

Issue 44	Strathearn Area – Settlements without Proposals	
Development plan reference:	Blackford, page 129 Gleneagles, page 197 gWest, page 206 Muthill, page 245 St David's, page 299	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Tayside & Central Scotland Transport Partnership (TACTRAN) (0057) Mr G Gilbanks (0124) Drummond Estates (0151) Scottish Natural Heritage (SNH) (0353) Mr Gavin Wiseman (0391) Alex and Anna Scougal (0412)		Highland Spring Ltd (0453) Mr & Mrs Sutherland (0500) Network Rail (0509) The Gleneagles Hotel (0522) Mill Developments (Blackford) Ltd (0654)
Provision of the development plan to which the issue relates:	Non-tiered settlements in the Strathearn Area without allocated sites	
Planning authority's summary of the representation(s):		
<u>Blackford</u>  TACTRAN (0057/01/022): Support for the development of rail freight facilities at Blackford. The Regional Transport Strategy Delivery Plan (CD262) identifies this as Project F6.1.  Network Rail (0509/01/009): Support for the proposed plan's identification of land south of the railway, which is protected for transport infrastructure. Planning permission has been granted for a rail freight facility comprising alterations and extension to the existing rail yard (15/01637/FLL), and Network Rail is continuing to consider the potential for the further development of this site for freight use. The respondent states that future development of the site may require the closure of the Panholes level crossing (between Blackford village and Braco Road) for operational reasons. Namely to provide a new south connection and avoid the need for turn back manoeuvres to take place from the north, minimising additional downtime of the level crossing on the B8081 for road users.  Network Rail (0509/01/010): Amend Blackford settlement summary to ensure no future development in the area that would increase the use of the Panholes level crossing, or preclude it being closed, and rail safety and rail freight benefits being realised. This representations also contains more general comments about safety improvements at level crossings and the Council's response to this issue is given in Issue 24 A Connected Place in response to representations on Policy 58 Transport Standards and Accessibility Requirements.  Highland Spring Ltd (0453/01/001): Identify the former Gleneagles Maltings and Brewery and Blackford Hotel on the north side of Moray Street as a 1.78 ha opportunity site for new headquarters offices and community facilities (Site OP377). The respondent states that there is a shortage of space at the existing Highland Spring facility in the village, due to		

continued expansion of the business. The proposal to relocate the headquarters would help allow further growth. The respondent states that the Blackford Hotel would be demolished to create a new public square and the Category B listed Maltings and Brewery would house the relocated headquarters.

Mill Developments (Blackford) Ltd (0654/01/001): Amend Blackford settlement boundary south of the railway and north of the recreation ground to include a 5.36 ha windfall site suitable for housing (Site H378). The respondent states that the land is flat and its boundaries may be strengthened to provide suitable containment; there are housing sites to the south and west; impact from railway noise may be mitigated; and road access may be achieved from the south east and south west. The respondent notes that housing development on parts of the site would require a flood risk assessment and mitigation measures and refers to existing housing areas in Blackford within a 1:200 return period. The respondent states that the provision of suitable windfall sites makes an important contribution to housing land supply.

### Gleneagles

The Gleneagles Hotel (0522/001/003): The landscape character of Gleneagles (and of nearby Auchterarder) is of key importance in retaining the intrinsic rural character and setting of this area of Perthshire. Gleneagles is set within a high quality landscape framework and tourism plays an important role in the settlement. The Council should support only sites that can be completely satisfactorily accommodated in the landscape and pay close attention to the settlement boundaries. New development must also aim to reinforce the special historic qualities of the town in a way that does not adversely impact on the uninterrupted naturalness of views and experiences around the town. The settlements of Auchterarder and Gleneagles should be allowed to retain a degree of separation and avoid coalescence. To direct development to areas outwith the historical centre of Auchterarder to outlying areas north of Orchil Road outwith the settlement envelope and west towards Gleneagles would not take account of the landscape character assessments, nor would it serve to meet other aspirations of the Plan as set out in its Placemaking and Landscape policies. The importance of the landscape of the Plan area for business and in turn tourism cannot be overlooked or compromised by residential development pressures without a full and thorough assessment having taken place into all aspects of the likely impacts.

G Gilbanks (0124/01/001): Amend Gleneagles settlement boundary east of Firhill to include a 0.09 ha site to better reflect the full extent of the garden ground once associated with that property (Site H293). The existing settlement boundary splits the extent of the property's former garden ground into two with part inside and part outside the settlement boundary. The respondent states that this boundary appears to follow a line that was incorrectly positioned at the time of the previous Development Plan. The site is not in the Historic Garden and Designed Landscape, and outwith the Pipeline Consultation Zone.

Gavin Wiseman (0391/01/001): Amend Gleneagles settlement boundary north of Caledonian Crescent to include a 1.3 ha site to create a more logical settlement boundary (Site H384). The respondent seeks inclusion of ground within the ownership of both Glenwood and two plots at Genuyll. The respondent states that the suggested change would match a historic settlement boundary in the Strathearn Area Local Plan (CD164). The respondent states that there is precedent for the suggested change as reference is made to planning permissions at a nearby property at Genuyll that effected a change to the settlement boundary. The respondent states the area is of low nature conservation

importance, referring to the Inventory of Historic Garden and Design Landscape, the Gleneagles Mire SSSI, and locations that are of local scientific or nature conservation interest.

#### gWest

SNH (0353/04/001) Following the completion of the Habitats Regulations Assessment (HRA) SNH have updated their holding representation to now recommend amendments to the Proposed Plan in line with the outcomes of the HRA and Appropriate Assessment. In the interest of good practice the Settlement Summary (page 206) should reflect the outcome of the Habitats Regulations Appraisal (Table 5.22, page 106).

#### Muthill

Drummond Estates (0151/02/001): Amend Muthill settlement boundary at Lintibert Farm to include a 0.23 ha site (Site H382). The respondent states that the proposed boundary adjustment was approved as part of planning permission for mixed housing development, and its location at the south eastern corner of the application site would improve access to the site and provide space to create a gateway feature to the village within the settlement boundary.

Drummond Estates (0151/02/002): Amend Muthill settlement boundary at Golf Course Road to include a 1.03 ha site for small scale infill plot development along the road frontage (Site H246). The site has become available following the removal of a 132 kV overhead pylon line. The respondent states that development of this site would not constitute ribbon development because it would tie in with the existing pattern of roadside development that is already established along this stretch of Golf Course Road, it is not in the Historic Garden and Designed Landscape, it is outwith the Pipeline Consultation Zone and it is identical to the type of roadside plots proposed at Murthly & Gellyburn settlement (page 243 of the Proposed Plan). The respondent states that the site could be developed as individual self-build plots with direct road access. Reference is made to a previous assessment of this suggested amendment including the statement that the site would potentially make a useful contribution to the windfall housing requirement in the Strathearn housing market area and would not be contrary to TAYplan's development strategy, which allows limited small scale windfall opportunities in settlements that are not tiered settlements.

Drummond Estates (0151/02/003): Amend Muthill settlement boundary east of Dalliotfield to include a 0.82 ha site for infill housing development (Site H248). The respondent states that the site represents a sensible and realistic opportunity for infill development within what would constitute a logical rounding off of the existing settlement boundary. The respondent states that the site could be developed as individual self-build plots with direct road access from the south. The site has a mature landscape framework and is not in the Historic Garden and Designed Landscape. The respondent states that the site would potentially make a useful contribution to the windfall housing requirement in the Strathearn housing market area and would not be contrary to TAYplan's development strategy (CD022), which allows limited small scale windfall opportunities in settlements that are not tiered settlements. Site specific enhancement measures are suggested including improved access from Wardside, conservation of the woodland and mature trees, and respecting the setting of Dalliotfield House to the west.

#### St David's

Alex and Anna Scougal (0412/01/001): Amend St David's settlement boundary to the east of the settlement to include a 1.34 ha site for eight houses (Site H416). The respondent states this suggestion could round off the village, help sustain the school, and continue to maintain a gradual increase in the size of the village. The suggested site would be logical and would have a finite point at a barn to the north east of the suggested site.

Mr & Mrs Sutherland (0500/01/001): Amend St David's settlement boundary along the road to the north of the settlement in the area around St David's Farm. The respondent makes three suggestions for housing sites: one larger site; and two smaller sites that are contained within the boundary of the larger site. The first suggested site is a 1.4 ha site (Site H379) that straddles the road and is suggested for eight houses; the second suggestion is a 0.23 ha site (Site H380) on the east side of the road that could be suitable for two houses; and the third suggestion is a 0.90 ha site (Site H381) on the west side of the road that could be suitable for four or five houses. The respondent asserts that the sites are not within identified flood areas; contaminated; within designated environmental or historical protected areas; nor sterilised by utilities.

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

##### Blackford

TACTRAN (0057/01/022): Support only. No modification sought.

Network Rail (0509/01/009): Amend Blackford settlement summary to note Panholes level crossing may be identified for closure for operational reasons should the transport infrastructure site identified in the plan be developed.

Network Rail (0509/01/010): Amend Blackford settlement summary to ensure no future development in the area that would increase the use of the Panholes level crossing, or preclude it being closed, and rail safety and rail freight benefits being realised.

Highland Spring Ltd (0453/01/001): Identify the former Gleneagles Maltings and Brewery and Blackford Hotel as a 1.78 ha opportunity site for new headquarters offices and community facilities.

Mill Developments (Blackford) Ltd (0654/01/001): Amend Blackford settlement boundary to include a 5.36 Ha windfall site south of the railway and north of the recreation ground suitable for housing.

##### Gleneagles

The Gleneagles Hotel (0522/01/003): The Plan should support only sites that can be accommodated in the landscape and pay close attention to settlement boundaries. The plan should maintain a degree of separation and avoid coalescence of Auchterarder and Gleneagles. Placemaking and Landscape policies cannot be overlooked or compromised by residential development pressures. No specific changes to the Plan are requested.

G Gilbanks (0124/01/001): Amend Gleneagles settlement boundary to include a 0.09 Ha site east of Firhill to better reflect the full extent of the garden ground once associated with that property.

Gavin Wiseman (0391/01/001): Amend Gleneagles settlement boundary to include a 1.3 Ha site (land within the ownership of Glenwood and the two plots at Glenuyll) to create a more logical settlement boundary.

#### gWest

SNH (0353/04/001) seeks the inclusion of the following suggested mitigation measure in the Settlement Summary for gWest (page 206) –

‘Proposals should not result in adverse effects, either individually or in combination, on the integrity of the South Tayside Goose Roosts SPA. Applications should be supported by sufficient information to allow the Council to conclude that there would be no such adverse effects.’

#### Muthill

Drummond Estates (0151/02/001): Amend Muthill settlement boundary at Lintibert Farm to include a 0.23 Ha site for improved access to a windfall housing site.

Drummond Estates (0151/02/002): Amend Muthill settlement boundary at Golf Course Road to include a 1.03 Ha site for infill housing.

Drummond Estates (0151/02/003): Amend Muthill settlement boundary east of Dalliotfield to include a 0.82 Ha site for housing.

#### St David's

Alex and Anna Scougal (0412/01/001): Amend St David's settlement boundary to the east of the settlement to include a 1.34 Ha site for eight houses.

Mr & Mrs Sutherland (0500/01/001): Amend St David's settlement boundary along the road to the north of the settlement in the area around St David's Farm to include up to three housing sites for a total of up to eight houses.

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

#### Blackford

Network Rail (0509/01/009): The land south of the railway that is protected for transport infrastructure was previously in operational railway use; however since that use ceased the land has remained unused. The recent planning application for a rail freight facility sought permission for an extension to the former rail yard acknowledging that the proposed reuse of the facility would require a larger site. The yard has an existing connection to the railway at its eastern end close to the B8081 level crossing however the respondent highlights that this is unlikely to be sufficient for operational use, and that a new connection at the western end of the yard would also be required.

The respondent makes general reference to the requirement for enhancement and modernisation of the Dunblane to Perth railway corridor to improve the capacity for passenger and freight services. It would be reasonable to assume that enhancement and modernisation work would be required to bring the former yard at Blackford back into use and to make best use of its potential. The provision of a new connection at the western



end of the yard would improve access to the yard and minimise disruption to road users of the B8081 level crossing (for the reasons sets out by the respondent).

The respondent's suggestion is to add wording to make it clearer that the Panholes public footpath crossing might be closed for operational reasons. The crossing is part of Blackford's core path network and is an asserted Right of Way; it is a valuable route to the countryside around the settlement and is one of only two places in the village where the railway may be crossed by pedestrians (the other being the public highway level crossing at the B8081). The crossing is also protected under Access legislation relating to rights of way.

The Council appreciates that there is no operational need to provide a pedestrian railway crossing at Panholes however it is recognised that it is an important community facility, it is an important link in the core path network, and it is an asserted Right of Way (ref 29/3). The closure or diversion of a right of way or core path will, if proposed, be considered under different legislation and it would not be appropriate for the plan to pre-empt consideration.

Network Rail has recently submitted a planning application to install a footbridge at an alternative location and provide a link to the core path (18/01311/FLL). At the time of writing, the planning application has not yet been determined.

No modification is proposed to the Plan in respect of the suggested closure of the Panholes level crossing (between Blackford village and Braco Road) however there may be value in specifying that the crossing should not close for solely operational reasons until a replacement crossing at a suitable nearby location within walking distance of the settlement is in place and the Right of Way and the core path network have been diverted around the yard.

Network Rail (0509/01/010): The Plan has no proposals that would impinge upon the operational use of the rail facility beyond extant planning consents. Representations by others seeking modifications to Blackford's settlement boundary for housing development are not supported by the Council. The Council's position is that the Panholes crossing should be kept open as long as it remains safe or may be relocated to a convenient alternative location that connects to the existing core path network.

No modification is proposed to the Plan.

Highland Spring Ltd (0453/01/001): The site is inside Blackford settlement boundary, where Policy 6 in the Proposed Plan would support redevelopment and conversion. The surrounding land is housing. The hotel use has ceased and the maltings and brewery building was last used as a production and bottling line by Highland Spring but is not currently in use for the reasons set out in the respondent's representation. The Blackford Hotel and the Gleneagles Maltings and Brewery are both Category C(S) listed buildings. The Proposed Plan therefore offers some support for the respondent's plans for the site, subject to the usual statutory consents, however the Council cannot support the suggested demolition of the recently listed hotel building. The hotel building appears to be in good condition and the street elevation is attractive and adds an interesting feature to the village.

This proposal was not submitted during the earlier LDP2 plan preparation stages at pre MIR or MIR and so has not had the benefit of stakeholder engagement or public

consultation. Notwithstanding the Council's conditional positive comments for this suggestion (not supporting the demolition of any listed buildings), a specific allocation in the Plan is not essential since conditional policy support is available. Alternatives such as the development of a brief for the site as non-statutory supplementary guidance; or enhanced public consultation as part of the planning application process may assist in achieving the best outcome for the site.

No modification is proposed to the Plan.

Mill Developments (Blackford) Ltd (0654/01/001): The site is currently outside Blackford settlement boundary and therefore Policy 6 in the Proposed Plan would not support its development. The settlement boundary was last assessed at Main Issues Report stage and no representation was received at that time from the respondent.

This proposal was not submitted during the earlier LDP2 plan preparation stages at pre MIR or MIR and so has not had the benefit of stakeholder engagement or public consultation. The SEA site assessment shows that the site is at risk of flooding from adjacent watercourses on three sides. In the absence of a shortfall in housing land supply in this area, there is no justification for the allocation of a site with potential for significant flooding and no evidence of the sites viability.

The issue has been previously considered as part of the last LDP examination, where this site had been suggested by the then owner, Keir & Cawdor Estates, to be allocated as open space as part of a greater proposal that also included development of the existing recreation ground immediately to the south for housing (CD015 00785/1/001).

No modification is proposed to the Plan.

### Gleneagles

The Gleneagles Hotel (0522/01/003 & 004); G Gilbanks (0124/01/001); Gavin Wiseman (0391/01/001): The Gleneagles Hotel comments that the setting of Gleneagles and the designations that maintain its high quality landscape setting are important and should not be eroded because that would compromise the other policies in the plan that aim to support business and tourism in the area. It is the Council's position that this is what the Plan sets out to do and the representation makes no specific request for change, but supports the Council's response to the other two representations in respect of Gleneagles.

In respect of the representation by G Gilbanks, this site on the north side the road performs an important function in maintaining physical separation between the two settlements of Gleneagles and Auchterarder. While historic development may have already taken place at other locations along the south side of the road, this site represents the only break along the north side of the road. The tree cover on the site assists in preventing coalescence of the two settlements. The site plan appears to shows the relative position of the former dwellinghouse Firhill, however this property has been demolished and there are no buildings on the north site of the road at that location.

This suggestion has been previously considered as part of the last LDP examination, where a similar suggestion was made (CD015 09313/2/001). The Reporter's conclusions found that 'The site, together with the adjoining field, represents the only break on the north side of the A824 between development in Auchterarder and Gleneagles/Muirton. A housing development on this site, which would constitute ribbon development, could lead

to the complete coalescence of Auchterarder and Gleneagles and it is not considered that this would be appropriate'. There are no changes to circumstances to justify altering this conclusion, and the representations from The Gleneagles Hotel support the Council's position.

In respect of the representation by Gavin Wiseman, the respondent seeks an enlargement of the settlement boundary to include an area of woodland to the rear of properties on Caledonian Crescent. It is noted that there are no proposals, at this time, for its development or to make a change to its use. The respondent states that the land was formerly part of a larger area of managed woodland owned by the Gleneagles Estate but it has been acquired by the respondent and is now the responsibility of a single private home owner.

The respondent refers to planning consents granted in respect of the demolition of the original dwellinghouse at Glenuyll and for the erection of two dwelling houses (08/00702/FUL; 13/00383/FLL; 15/00354/FLL; 15/01630/FLL). The reason they are referred to is because they extend the garden ground of those properties northwards into neighbouring land that is designated as Garden and Designed Landscape. That land to the north remains designated as such and forms part of the gardens of the new houses named The Pines and Silverglen.

Historic Environment Scotland is responsible for the designation and review of the Garden and Designed Landscapes. The designated areas are reviewed from time to time and the reporter will note that since the adoption of the Strathearn Area Local Plan a number of areas have been removed from the Garden and Designed Landscape including land developed for three houses at the east end of Caledonian Crescent (SALP 2001: H38); and land at Windsor Gardens, The Queens Crescent, Dunbar Court and Balmoral Court (SALP 2001: H34). The Garden and Designed Landscape designation area was most recently reviewed and republished in December 2017, which was after the publication of the Proposed Plan.

In determining the above planning applications, comments were sought at that time from Historic Environment Scotland. The report of handling for application 08/00702/FUL states that '...Part of the land for the rear garden areas will envelope an area of open space which forms part of the Gleneagles Designed Landscape. This open space is relatively small and also quite inaccessible. Moreover, after speaking with Historic Scotland they have verbally confirmed they would have no objection to the proposal. The conversion to garden ground would therefore be acceptable...' However there is no record of these comments having been made in writing.

Turning to matters of ownership and maintenance responsibility, the Council suggests that these factors do not determine settlement boundaries. Neither do transactions such as the sale of land. Removal of land from the Gleneagles Estate does not determine settlement boundaries, just as it does not redefine whether an area should continue to be designated as Garden and Designed Landscape.

The Council does not agree with the suggestion to extend the settlement boundary to include the treed area within the Gleneagles Designed Landscape to the north of the property Glenwood. It provides important screening of views from the golf course, and it is an important part of the landscape setting of Gleneagles and contributes to long distance views from the south and east.



There is no evidence that the area is of low nature conservation importance. And the Council would maintain that any loss to the designated area of Garden and Designed Landscape, no matter how small, is detrimental to the setting of Gleneagles settlement. In addition, The Gleneagles Hotel's representation comments that the setting of Gleneagles and the designations that maintain its high quality landscape setting are important and should not be eroded are relevant here because they apply to the settlement as a whole, and not just to The Gleneagles Hotel.

No modification is proposed to the Plan.

#### gWest

SNH (0353/04/001) It is considered that amending the Plan to incorporate the mitigation measure as set out in the Habitats Regulations Appraisal of the Proposed Plan, and detailed in the 'Modifications Sought' section would provide greater clarity and transparency for applicants as to which settlements and in what circumstances the provisions of the Plan's Policy 36A: International Nature Conservation Sites will apply, and would also set out what will be expected of them in making their planning application.

#### Muthill

Drummond Estates (0151/02/001, 0151/02/002, 0151/02/003): Muthill is not one of the areas where the Plan's strategy seeks to concentrate development; instead development is concentrated on the two principal settlements of Crieff and Auchterarder. Muthill is located between these two settlements and the Plan intends only modest expansion, taking into account the Conservation Area designated in the settlement.

With a generous supply of effective housing land in the Auchterarder area, and further housing and mixed use allocations in nearby Crieff, these are more than adequate to meet demand until beyond the Plan period (CD049)

There is scope for infill development within the settlement boundary and therefore no new allocations are required in Muthill.

In respect of the suggestion to amend the settlement boundary at Lintibert Farm to include site H382, the Council considers it unnecessary. The planning history includes a lapsed permission for housing at land around Lintibert Farm however there is no current planning application for this and the respondent has not asked for that land to be allocated as a housing proposal. It is considered it would be inappropriate to identify site H382 in isolation as a housing proposal. The use of an the area of land outside the settlement boundary identified in the representation simply for an improved site access would not present insurmountable difficulties and could be assessed at the planning application stage, therefore the Council sees no need to change the settlement boundary at this stage.

In respect of the respondent's other two suggestions to amend the settlement boundary at Golf Course Road (Site H246) (0151/02/002) and east of Dalliotfield (Site H248) (0151/02/003), the Council considers these would be significant amendments that would create new housing sites, albeit relatively small ones (too small to identify as housing allocations).

All three of these proposals were submitted during pre-MIR call for sites stage but the

Council did not take them forward into either the MIR or the Proposed Plan. The sites have therefore not had the benefit of full public consultation.

No modification is proposed to the Plan.

### St David's

Alex and Anna Scougal (0412/01/001); Mr & Mrs Sutherland (0500/01/001): Following TAYplan's approach, the Plan seeks to concentrate the majority of development in the principal settlements of Crieff and Auchterarder. An extension to the settlement boundary of St David's would not be in accordance with this strategy.

With a generous supply of effective housing land in the Auchterarder and Crieff area, which is more than adequate to meet demand until beyond the plan period (CD049), no new allocations are required in the village.

The urban form of St David's village is unique in the Strathearn area and the settlement boundary has been drawn to limit growth in the village. Neither of the suggested amendments to the plan would conform with the unique character of St David's.

No modification is proposed to the Plan.

### List of planning applications

07/02128/OUT Proposed mixed housing development (in outline) at Lintibert Farm Muthill Crieff PH5 2BP

08/00702/FUL Demolition of existing dwellinghouse and erection of 2 dwellinghouses with attached garages at Glenuyll Caledonian Crescent Auchterarder PH3 1NG

13/00383/FLL Demolition of existing dwellinghouse and erection of 2 dwellinghouses with attached garages (renewal of previous consent) at Glenuyll Caledonian Crescent Gleneagles Auchterarder PH3 1NG

15/00354/FLL Erection of replacement dwellinghouse at Site Of Former Glenuyll Caledonian Crescent Gleneagles

15/01630/FLL Erection of dwellinghouse and garage at 50 Metres North West Of Glenuyll Caledonian Crescent Gleneagles

15/01637/FLL Alterations and extension to the rail yard including associated works at Yard Moray Street Blackford

18/01311/FLL Installation of a footbridge and provision of link to core path at Land 250 Metres North West Of Waste Water Treatment Works Moray Street Blackford

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

### **Reporter's recommendations:**

