

Perth and Kinross Council
Planning and Placemaking Committee – 14 September 2022
Pre-Application Report by Head of Planning and Development
(Report No. 22/221)

PROPOSAL:	Residential-led development with associated open space, play area and potential associated community facilities, landscaping, access and associated works
LOCATION:	Land 350 metres North-West of Davis Park, Springfield Road, Kinross

Ref. No: [22/00018/PAN](#)

Ward No: P8 – Kinross-shire

Summary

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for residential-led development with associated open space, play area and potential associated community facilities, landscaping, access and associated works at land 350 metres North-West of Davis Park, Springfield Road, Kinross. The report also aims to highlight the key planning policies and the likely stakeholders who would be involved in the decision making process, and to offer a brief overview of the key planning issues which are likely to be relevant to the proposal.

BACKGROUND AND DESCRIPTION

1. In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 (as amended), the applicants submitted a Proposal of Application Notice (PoAN) on 15 July 2022. The purpose of this report is to inform the Planning and Placemaking Committee of a forthcoming planning application in respect of a major development for land 350 metres North-West of Davis Park, Springfield Road, Kinross. This pre-application report gives the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
2. This PoAN seeks to formally establish a major development comprising residential-led development with associated open space, play area and potential associated community facilities, landscaping, access and associated works. The exact range of uses, scale and design of the development will be arrived at during pre-application discussions.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

3. Due to the scale of the proposal, it will require to be screened as to whether the proposal is an EIA development under the EIA 2017 Regulations. A screening request (22/01300/SCRN) has been submitted and is currently under consideration.

PRE-APPLICATION PROCESS

4. The PoAN (reference 22/00018/PAN) confirmed that two online public consultation events will take place and a dedicated website will also provide relevant information and opportunity for comments. In addition, Kinross Community Council and the Ward Councillors have been notified. The results of the community consultation will be submitted with the planning application as part of the required Pre-Application Consultation (PAC) Report.

NATIONAL POLICY AND GUIDANCE

5. The Scottish Government expresses its planning policies through the National Planning Framework (NPF) 3, the National Roads Development Guide 2014, Scottish Planning Policy (SPP) 2014 and Planning Advice Notes (PAN).

National Planning Framework

6. The NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc. (Scotland) Act 2006, this is now a statutory document and a material consideration in any planning application. The document provides a national context for development plans and planning decisions as well as informing the ongoing programmes of the Scottish Government, public agencies and local authorities.

The Scottish Planning Policy 2014 (SPP)

7. The SPP is a statement of Scottish Government policy on land use planning. The following sections of the SPP will be of particular importance in the assessment of this proposal:
 - Sustainability: paragraphs 24 – 35
 - Placemaking: paragraphs 36 – 57
 - Enabling Delivery of New Homes: paragraphs 109 – 134
 - Valuing the Natural Environment: paragraphs 193 – 218
 - Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
 - Managing Flood Risk and Drainage: paragraphs 254 – 268
 - Promoting Sustainable Transport and Active Travel: paragraphs 269 – 291
8. The following Scottish Government Planning Advice Notes are likely to be of relevance to the proposal:

- PAN 2/2011 Planning and Archaeology
- PAN 3/2010 Community Engagement
- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 75 Planning for Transport
- PAN 79 Water and Drainage

LOCAL POLICY AND GUIDANCE

TAYplan Strategic Development Plan 2016-2036

9. TAYplan sets out a vision for how the region will be in 2032 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs”

10. The following sections of the TAYplan 2016 are of particular importance in the assessment of this application:
 - Policy 1 – Location Priorities
 - Policy 2 – Shaping better quality places
 - Policy 4 – Homes
 - Policy 6 – Developer Contributions

Perth and Kinross Local Development Plan 2019

11. The Local Development Plan 2 (LDP2) was adopted by Perth and Kinross Council on 29 November 2019. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

12. The LDP2 sets out a vision statement for the area and states that:

“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”

13. Under the LDP2, the following policies are of particular importance in the assessment of this application:
 - Policy 1A: Placemaking
 - Policy 1B: Placemaking
 - Policy 1C: Placemaking
 - Policy 2: Design Statements
 - Policy 5: Infrastructure Contributions
 - Policy 6: Settlement Boundaries

- Policy 14A: Open Space Retention and Provision: Existing Areas
- Policy 14B: Open Space Retention and Provision: Open Space within New Developments
- Policy 15: Public Access
- Policy 20: Affordable Housing
- Policy 24: Maintaining an Effective Housing Land Supply
- Policy 25: Housing Mix
- Policy 26B: Scheduled Monuments and Archaeology: Archaeology
- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 39: Landscape
- Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
- Policy 41: Biodiversity
- Policy 42: Green Infrastructure
- Policy 46A: Loch Leven Catchment Area
- Policy 46B: Loch Leven Catchment Area
- Policy 52: New Development and Flooding
- Policy 53B: Water Environment and Drainage: Foul Drainage
- Policy 53C: Water Environment and Drainage: Surface Water Drainage
- Policy 53E: Water Environment and Drainage: Water Supply
- Policy 56: Noise Pollution
- Policy 57: Air Quality
- Policy 58A: Contaminated and Unstable Land: Contaminated Land
- Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals
- Policy 61: Airfield Safeguarding

OTHER POLICIES

14. The following supplementary guidance and documents are of particular importance in the assessment of this application:

- [Placemaking Supplementary Guidance \(March 2020\)](#)
- [Developer Contributions and Affordable Housing Supplementary Guidance \(July 2020\)](#)
- [Flood Risk and Flood Risk Assessment Supplementary Guidance \(March 2021\)](#)

PLANNING SITE HISTORY

15. In terms of the LDP history, the site was promoted in LDP1 for residential development and included within the proposed plan. The Council in its submission to the Examination acknowledged the volume of community support for the removal of H46 from the Plan and acknowledged some unresolved issues in relation to noise and access. The reporter concluded that it should be removed from the plan and allocated as open space instead.

16. The site was promoted again for inclusion within LDP2 for residential development but was rejected at the Main Issues Report stage as there were better options for housing land allocations available elsewhere and because of access and open space issues. It was not included within the proposed plan for LDP2 but was considered by the reporter during the Examination as the landowner objected to its non-inclusion. The reporter concluded that the site should not be allocated for residential development and that it should not be included in the settlement boundary.

CONSULTATIONS

17. As part of the planning application process the following would be consulted:

External

- Scottish Environmental Protection Agency (SEPA)
- Scottish Water
- Transport Scotland
- Historic Environment Scotland
- Perth and Kinross Heritage Trust (PKHT)
- Kinross Community Council

Internal

- Environmental Health
- Planning and Housing Strategy
- Developer Contributions Officer
- Community Greenspace
- Transport Planning
- Structures and Flooding
- Waste Services
- Biodiversity/Tree Officer

KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED

18. The key considerations against which the eventual application will be assessed include:
- a. Principle
 - b. Visual Impact
 - c. Scale, Design and Layout
 - d. Relationship to Nearby Land Uses
 - e. Natural Heritage and Ecology
 - f. Landscape and Open Space
 - g. Flooding and Drainage
 - h. Air Quality
 - i. Transport
 - j. Archaeology and Cultural Heritage

ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED

19. Should an EIA Report not be required the following supporting documents will need to be submitted with any planning application:

- Planning Statement
- Design and Access Statement
- Pre-Application Consultation (PAC) Report
- Transport Assessment
- Flood Risk and Drainage Assessment
- Landscape and Visual Impact Assessment
- Tree and Woodland Survey
- Habitat Survey
- Archaeological Assessment
- Sustainability Assessment
- Noise and Vibration Impact Assessment
- Air Quality Impact Assessment

CONCLUSION AND RECOMMENDATION

20. This report summarises the key issues which should be considered as part of the appraisal of any subsequent planning application which may be lodged in respect of this development and members are recommended to note these key issues and advise officers of any other issues which they consider should be included as part of the application and assessment.

Background Papers: None
Contact Officer: Alex Gudgeon
Date: 2 September 2022

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.