

Perth and Kinross Council  
Development Management Committee – 12 April 2017  
Pre-Application Report by Interim Head of Planning

Erection of holiday park, visitor centre (ancillary cafe/restaurant with commercial space), with supporting recreational infrastructure at land 400 metres West of Tarnhill, Milnathort.

Ref. No: 17/00002/PAN  
Ward No: N8 – Kinross-shire

**Summary**

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for a mixed use development comprising holiday units, a visitor centre and associated recreational facilities at land adjacent to and north of Burleigh sands, near Milnathort. The report also aims to highlight the key planning policies, 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 on 9 February 2016. The purpose of this report is to inform the Development Management Committee of a forthcoming planning application in respect of a major development for a mixed use development comprising holiday lodges, a visitor centre with ancillary café/restaurant and ancillary commercial space along with organised recreation and associated supporting infrastructure and landscaping at land at Burleigh sands, Burleigh Road, Milnathort. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 The site extends to approximately 36 ha of undulating agricultural grassland situated directly south east of Milnathort and adjacent to Loch Leven. The land naturally slopes from south to north. The proposed development is bounded by Burleigh Golf Course and Kinross Golf Course to the west, with Loch Leven shores forming the southern boundary and a mature woodland belt along the eastern perimeter. The A911 Burleigh Road forms the northern boundary and has also been identified as providing the principal vehicular access into the site.
- 3 The site is not allocated for any particular use within the adopted Perth and Kinross Local Development Plan 2014 and is outwith any settlement boundary.

- 4 This proposal of application notice (PAN) seeks to formally establish a major tourism related development comprising holiday accommodation (lodges), visitor centre with ancillary café/restaurant/commercial space, organised recreational open space and associated supporting and recreational infrastructure. The exact range of uses, scale and design of the development will be arrived at through pre-application discussions and the submission of a detailed planning application.

## **ENVIRONMENTAL IMPACT ASSESSMENT**

- 5 Due to the scale of the proposal it will require to be screened as to whether the proposal is an Environmental Impact Assessment (EIA) development under the EIA 2011 regulations. A formal screening exercise has been completed for the site, with a screening opinion confirming that an EIA is required to be submitted by the applicant, with non-relevant chapter areas potentially scoped out.

## **PRE-APPLICATION PROCESS**

- 6 The Proposal of Application Notice (reference 17/00002/PAN) outlined two public exhibitions would be held on 29 March and 1 April 2017 at Loch Leven Community Campus. The Ward Councillors were notified, as were Kinross Community Council, Milnathort Community Council, Portmoak Community Council and The Rural Access Committee of Kinross-shire (TRACKS). The results of the community consultation should be submitted with the application as part of the required Pre-Application Consultation (PAC) Report.

## **NATIONAL POLICY AND GUIDANCE**

- 7 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**

- 8 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 material consideration in any planning application. The document provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

### **The Scottish Planning Policy 2014**

- 9 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
- Promoting Rural Development: paragraphs 74 – 91
- Supporting Business and Employment: paragraphs 92 – 108
- Valuing the Historic Environment: paragraphs 135 - 151
- 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

10 The following Scottish Government Planning Advice Notes (PAN) 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 73 Rural Diversification
- PAN 75 Planning for Transport

## **LOCAL POLICY AND GUIDANCE**

### **TAYPlan Strategic Development Plan 2012-2032**

11 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”*

12 The following sections of the TAYplan 2012 are of particular importance in the assessment of this application.

- Policy 2 – Shaping better quality places
- Policy 3 – Managing TAYPlans Assets

### **Perth and Kinross Local Development Plan 2014**

13 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

14 The LDP 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.”*

- 15 Under the LDP, the following policies are of particular importance in the assessment of this application.

- PM1 – Placemaking
- PM2 – Design Statements
- PM3 – Infrastructure Contributions
- ED3 – Rural Business and Diversification
- ED4 – Caravan Sites, Chalets, and Timeshare Developments
- RC4 – Retail and Commercial Leisure Proposals
- TA1 – Transport Standards and Accessibility Requirements
- CF1 – Open Space Retention and Provision
- CF2 – Public Access
- CF3 – Social and Community Facilities
- HE1 – Scheduled Monuments and Non-Designated Archaeology
- HE2 – Listed Buildings
- NE2 – Forestry, Woodland and Trees
- NE3 – Biodiversity
- NE4 – Green Infrastructure
- ER5 – Prime Agricultural Land
- ER6 – Managing Future Landscape Change
- EP1 – Climate Change, Carbon Reduction and Sustainable Construction
- EP2 – New Development and Flooding
- EP3 – Water Environment and Drainage
- EP5 – Nuisance from Artificial Light and Light Pollution
- EP7 – Drainage within the Loch Leven Catchment Area
- EP8 – Noise Pollution

## **OTHER POLICIES**

- 16 The following supplementary guidance and documents are of particular importance in the assessment of this application

- Developer Contributions Supplementary Guidance April 2016
- Flood Risk and Flood Risk Assessments – Developer Guidance June 2014
- Perth and Kinross Community Plan 2013/2023

## **PLANNING SITE HISTORY**

- 17 There is no known planning history for the proposed site.

## **CONSULTATIONS**

- 18 As part of the planning application process the following should be consulted;

### **External**

- Scottish Environmental Protection Agency
- Scottish Natural Heritage
- Scottish Water
- Transport Scotland
- Historic Environment Scotland
- Forestry Commission Scotland
- Perth and Kinross Heritage Trust
- Kinross Community Council
- Milnathort Community Council
- Portmoak Community Council

### **Internal**

- Environmental Health
- Biodiversity Officer
- Strategic Planning and Policy
- Developer Negotiations Officer
- Community Greenspace including Access
- Transport Planning
- Structures and Flooding
- Economic Development
- Waste Services

## **KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED**

- 19 The key considerations against which the eventual application will be assessed includes:
- a. Visual Impact
  - b. Scale, Design and Layout
  - c. Relationship to nearby land uses
  - d. Natural Heritage and Ecology
  - e. Landscape
  - f. Water resources and soils
  - g. Transport Implications
  - h. Tourism and Economy
  - i. Impact on Agriculture
  - j. Archaeology and Cultural Heritage

## **ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED**

- 20 In order to support the planning application, the following supporting documents and addressed topic headings should be submitted for consideration:
- Planning Statement
  - Design and Access Statement
  - Pre-Application Consultation (PAC) Report
  - Leisure/Economic Impact Assessment
  - Transport Assessment
  - Flood Risk and Drainage Assessment
  - Landscape and Visual Impact Assessment
  - Tree and Woodland Survey
  - Habitat Survey
  - Archaeological and Cultural Assessment
  - Sustainability Assessment
  - Construction and Environmental Management Plan (CEMP) including Construction Method Statement (CMS)

## **CONCLUSION AND RECOMMENDATION**

- 21 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: Callum Petrie– Ext 75353

Date: 23 March 2017

**Nick Brian**  
**Interim Head of Planning**

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