

Perth and Kinross Council
Development Management Committee – 20 September 2017
Pre-Application Report by Interim Head of Planning

Change of use of agricultural land to game bird farm and associated moveable shelters and infrastructure at land 400 metres north east of West Myreriggs Farm, Myreriggs Road, Bendochy near Blairgowrie

Ref. No: 17/00007/PAN
Ward No: P3 Blairgowrie and Glens

Summary

This report is to inform the Committee of a likely forthcoming planning application in respect of a major development seeking to regulate an unauthorised development through the proposed change of use of agricultural land to game bird farm with associated moveable sheltering and infrastructure.

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 07 June 2017, which was validated on 13 July 2017. The purpose of this report is to inform the Development Management Committee of a likely forthcoming planning application in respect of a proposed change of use of agricultural land to game bird rearing with associated moveable shelters and infrastructure. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed through the submission of a planning application.
- 2 The application site is approximately 15 Ha, reasonably flat in nature with mature trees forming a backdrop beyond the north eastern boundaries, situated midway between the settlements of Coupar Angus and Blairgowrie, immediately east of a grouping of dwellings referred to as Bendochy. The site is the subject of enforcement action with a range of moveable structures on site for the intended purpose of accommodating game birds and associated temporary accommodation, which has led to the applicant following formal planning procedures to seek to regulate the development with this associated planning application notice forming the initial regulatory requirements.
- 3 The site is not allocated for any particular use within the adopted Perth and Kinross Local Development Plan (LDP) 2014 and is outwith any settlement boundary. Vehicular access to the site is achieved via Myreriggs Road, through field gate access means.
- 4 This proposal of application notice (PAN) seeks to formally establish and regulate the change of use of the agricultural land to that of a game bird rearing

enterprise with the associated sheltering and infrastructure. The applicant has not provided final details of the number of shelters and scale of associated infrastructure at this stage, simply drawing a red line around the final site area. The final number of shelters, infrastructure and bird numbers should be clearly identified through the submission of a detailed planning application, but is not required for this pre-application exercise. As identified, it is proposed that the shelters will be moveable within the site, rotated on a seasonal basis as required. Therefore final siting plans would not necessarily be beneficial.

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 2017 regulations. A screening request has not been submitted at this stage.

PRE-APPLICATION PROCESS

- 6 The Proposal of Application Notice (reference 17/00007/PAN) outlined a public exhibition was held at the red house hotel, Coupar Angus on 3 August 2017. The Ward Councillors and Coupar Angus and Bendochy Community Council were also notified. The applicant also offered to present and discuss the proposal with Coupar Angus and Bendochy Community Council, which the case officer recommended to pursue in this instance as a useful exercise as part of the community consultation. The results of the community consultation should be submitted with the detailed 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 Natural Environment : paragraphs 193 – 218
 - Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
 - Managing Flood Risk and Drainage: paragraphs 254 – 268
- 10 The following Scottish Government Planning Advice Notes (PAN) and Guidance are likely to be of relevance to the proposal:
- 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

Perth and Kinross Local Development Plan 2014

- 13 The Local Development Plan 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
- TA1 – Transport Standards and Accessibility Requirements
- 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
- EP8 – Noise Pollution

OTHER GUIDANCE

- 16 The following supplementary guidance and documents are of particular importance in the assessment of this application:
- Flood Risk and Flood Risk Assessments – Developer Guidance June 2014
 - Perth and Kinross Council Corporate Plan 2013-2018
 - Perth and Kinross Community Plan 2013/2023

PLANNING SITE HISTORY

- 17 The site has been the subject of enforcement investigation for a breach of planning control for the uses currently proposed, but otherwise there is no known planning history for the proposed site.

CONSULTATIONS

- 18 As part of the planning application process the following would be consulted:

External

- Scottish Environmental Protection Agency (SEPA)
- Scottish Natural Heritage (SNH)
- Coupar Angus and Bendochy Community Council
- RSPB
- Game Farmers Association

Internal

- Environmental Health (noise and contamination)
- Biodiversity Officer
- Strategic Planning and Policy
- Transport Planning

- Structures and Flooding
- 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 and Noise Impacts
 - b. Scale and Density
 - c. Relationship to nearby land uses
 - d. Natural Heritage and Ecology
 - e. Water Resources and Soils
 - f. Transport Implications
 - g. Flood Risk
 - h. Drainage
 - i. Impact on Agriculture

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
 - Transport Statement
 - Drainage Assessment
 - Landscape and Visual Impact Assessment
 - Habitat Survey
 - Sustainability Statement, including an operational Environmental Management Plan.

CONCLUSION AND RECOMMENDATION

- 21 This report raises key issues, which should be considered as part of the appraisal of any subsequent planning application which is likely to be lodged in respect of this unregulated 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: 24 August 2017

Nick Brian
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