

## PERTH AND KINROSS COUNCIL

## Enterprise and Infrastructure Committee

20 November 2013

**UPDATE ON PROGRESS WITH THE PREPARATION OF SUPPLEMENTARY GUIDANCE TO SUPPORT THE LDP****Report by Executive Director (Environment)**

This report provides an update on progress made and an opportunity to reconsider the priorities in relation to the preparation of the various pieces of Supplementary Guidance required to support the Local Development Plan.

**1. BACKGROUND / MAIN ISSUES**

- 1.1. The Enterprise & Infrastructure Committee on 7 November 2012 (Art 12/502(revised)) agreed a programme for preparing the Local Development Plan Supplementary Guidance. A total of 35 pieces of guidance were identified covering policy guidance, design guidance and Development Briefs/Masterplans. Significant progress has been made with work starting on 12 of the 15 pieces programmed to commence between January and August 2013. Specific details of the progress made are highlighted in Appendix 1. Two of the pieces of work which have not commenced are the Development Briefs for Ruthvenfield Road, Perth and Welton Road, Blairgowrie which to a large extent were reliant on outcomes of the Local Development Plan examination and on the landowners demonstrating a desire to progress. Meetings are now scheduled with both sets of landowners to discuss taking forward these sites. The third is the review of the Guidance on the Siting and Design of Houses in Rural Areas (identified as being at risk of slipping in last year's report) and which is now to become part of the Placemaking Guide, a document upon which work is ongoing.
- 1.2. To date formal consultation has been undertaken in relation to 4 pieces of draft Guidance:
  - Flood Risk and Flood Risk Assessments;
  - Mixed Use Sites;
  - Sustainable design and zero carbon development; and
  - Loch Leven Special Protection Area and Ramsar Site.
- 1.3. The consultation ran for a 6 week period from 30 August to 11 October 2013. Officers are currently in the process of considering the comments received and redrafting the guidance which will be brought to the E&I Committee for approval in the first quarter of next year.

- 1.4. Of the medium priority Guidance programmed to commence between September 2013 and April 2014, work is underway on 3 of the 8 pieces. The pieces yet to be started are all Development Briefs and Masterplans, which as advised above are dependant to a large extent on the actions of developers however, if all were to be interested in taking these forward there would be limited capacity within the team to progress them simultaneously .
- 1.5. As Members are aware the Reporters published the LDP Examination Report on 11 October 2013, and the implications of this on the existing programme of SG have been built into Appendix 1. It should be noted however that subject to the Council's agreement of the Reporters' Recommendations, there will be 5 further pieces of Guidance to be added to the programme as follows:  
Masterplans for Almond Valley Village, Binn Farm and E25 Auchterarder;  
Guidance covering the Lunan Lochs and also Cleish Conservation Area.
- 1.6. Appendix 1 and the above demonstrate that the team is roughly on track with the workload identified in the SG programme approved in November 2012 but that there is no capacity to add to this or bring forward any of the later work. Nevertheless in approving the programme as set out in Appendix 1 there is the opportunity to reconsider the priorities and also if there are any matters which require the review of existing guidance.

## **2. CONCLUSION AND RECOMMENDATION(S)**

- 2.1 This report provides an update on the work that has and will be undertaken on Supplementary Guidance between January 2013 and the end of 2014. Implementation of the priorities set out in the programme will ensure that the planning policy framework is in place to support the Local Development Plan.

- 2.2 The Committee is therefore asked to agree:

- (i) The priorities for preparing the Local Development Plan Supplementary Guidance.

### **Author(s)**

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### **Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
Jim Valentine	Executive Director	7 November 2013

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# 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>None</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>None</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>None</b>
External	<b>None</b>
<b>Communication</b>	
Communications Plan	<b>None</b>

## 1. Strategic Implications

### Community Plan / Single Outcome Agreement

- 1.1 This report supports the Community Plan/Single Outcome Agreement strategic objectives of creating promoting a prosperous inclusive and sustainable economy and creating a safe and sustainable place for future generations.

### Corporate Plan

- 1.2 The Council's Corporate Plan 2013 – 2018 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:
- i) Giving every child the best start in life;
  - ii) Developing educated, responsible and informed citizens;
  - iii) Promoting a prosperous, inclusive and sustainable economy;
  - iv) Supporting people to lead independent, healthy and active lives; and
  - v) Creating a safe and sustainable place for future generations.

- 1.3 This report relates to all above.

## 2. Resource Implications

### Financial

2.1 None.

### Workforce

2.2 None.

### Asset Management (land, property, IT)

2.3 None.

## 3. Assessments

### Equality Impact Assessment

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

3.2 This report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- (i) Assessed as **not relevant** for the purposes of EqIA as it relates to agreeing a programme for the preparation of Supplementary Guidance.

### Strategic Environmental Assessment

3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

3.4 The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt. It should however be noted that the preparation of the Supplementary Guidance will be subject to the Act.

### Sustainability

3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.

- 3.6 The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

#### Legal and Governance

- 3.7 None.

#### Risk

- 3.8 There are no specific risks associated with the proposals outlined within the report.

### **4. Consultation**

#### Internal

- 4.1 None.

#### External

- 4.2 None.

### **5. Communication**

- 5.1 None.

## **2. BACKGROUND PAPERS**

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above report:

- Perth & Kinross Council Proposed Local Development Plan 2012
- Proposed Local Development Plan Examination Report
- Letter from Chief Planner to Heads of Planning dated 4/11/11
- Circular 3/2012: Planning Obligations and Good Neighbour Agreements
- Housing in the Countryside Guide November 2012

## **3. APPENDIX**

Appendix 1 – Updated Supplementary Guidance Programme – Nov 2013



UPDATED SUPPLEMENTARY GUIDANCE PROGRAMME – NOVEMBER 2013							
TYPE	NAME (LDP link)	HIGH PRIORITY Jan 2013 – Aug 2013	MEDIUM PRIORITY Sept 2013 – April 2014	LOW PRIORITY May 2014 – Dec 2014	Position at November 2012	Update	Estimated Completion
Policy guidance	Employment & Mixed Use Areas (ED1 pg 25)		✓			Progressed early, consultation completed. Report to E & I Committee March 2014	Submit to Ministers April 2014
	Open Space Provision & Developer Contributions (CF1 pg 36)			✓ At risk of slipping	Other Developer contributions policies to be progressed first	No change at present but danger this slips to first half of 2015	Submit to Ministers by Mid 2015
	Forestry and Woodland Strategy (NE2B pg 42)	✓			At an advanced stage - being progressed jointly with Forestry Commission	Work on Strategy and SEA have been delayed due to other work commitments primarily linked to TAYplan. A mid-November launch date for consultation now likely.	Submit to Ministers April 2014
	Green Infrastructure (NE4 pg 43)	✓			Required to meet Scottish planning Policy	Research / analysis stages are complete. In process of drafting guidance for consultation early 2014.	Submit to Ministers Sep 2014
	Green Belt Management Plan (NE5 pg 44)	✓			Major area of work with extensive stakeholder involvement which cannot be supported in early years	Research /analysis are complete. Awaiting LDP Examination Report findings before commencing Draft Guidance. Draft guidance for consultation Mid 2014.	Submit to Ministers Nov 2014
	Renewable and Low Carbon Energy Generation, Climate Change, Carbon Reduction and Sustainable Construction (EP1 pg 50)	✓ At risk of slipping			Could be progressed in the short term by bringing in temporary staff	Draft Guidance consulted on from 30 August to 11 October. Currently in the process of considering the comments received and redrafting the guidance which will be brought to the E&I Committee for approval in March 2014.	Submit to Ministers April 2014

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TYPE	NAME (LDP link)	HIGH PRIORITY Jan 2013 – Aug 2013	MEDIUM PRIORITY Sept 2013 – April 2014	LOW PRIORITY May 2014 – Dec 2014	Position at November 2012	Update	Estimated Completion
Policy guidance	Spatial Strategy for Wind (ER1 pg 47)	✓			At an advanced stage	Draft Guidance to be consulted on in Mid 2014. Have been working jointly with SNH and TAYplan partners on this complex and controversial guidance. Full SEA Environmental Report required.	Submit to Ministers Nov 2014
	Flood Risk and Flood Risk Assessments (EP2 pg 51)	✓			At an advanced stage - being progressed by Structure and Flooding Team and going out for consultation	Draft Guidance consulted on from 30 August to 11 October. Currently in the process of considering the comments received and redrafting the guidance which will be brought to the E&I Committee for approval in the first quarter of next year.	Submit to Ministers April 2014
	Landscape Guidance (ER6 pg 49)	✓			Required to replace AGLV's which fall when LDP adopted	Priority increased following Council decision on S4s Jan 2013. SNH have contracted Land Use Consultants to undertake a review of the Tayside Landscape Character Areas and to identify the key viewpoints etc. across Perth and Kinross. This work will feed into the Landscape Guidance therefore important to wait for it to be completed. Consultation likely early 2014 with report to E&I June 2014	Submit to Ministers June 2014
	Developer Contributions Transport Infrastructure (PM3 pg 24)	✓			Underway	Revised Guidance published 10 May 2013 for 6 weeks consultation ended on 24 June 2013. Currently in the process of considering the comments received and redrafting the guidance which will be brought to the E&I March 2014.	Submit to Ministers April 2014



## Appendix 1

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Policy guidance	Education Developer contributions Review (PM3 pg 24)			✓	Requires reviewed in relation to secondary education	Minor update to improve clarity and robustness. Could be brought forward for submission with Transport Infrastructure contributions	Submit to Ministers April 2014
	Delivering Zero Waste in Perth and Kinross (EP9 pg 57)	✓ At risk of slipping			Could be progressed in the short term by bringing in temporary staff	Resources were not available however research and analysis currently being undertaken with consultation late 2014.	Submit to Ministers Early 2015
Design Guidance	Placemaking Guide (PM1C pg 24)	Ongoing			Collection of various pieces of Guidance continually added to and updated by Teams across the Service	Working group established to co-ordinate development of the Guide and determine detailed timescales for the various pieces of guidance.	First phase submitted to Ministers Nov 2014
	Guidance on the Siting and Design of Houses in Rural Areas (RD3 pg 32)	✓ At risk of slipping			Could be progressed in the short term by bringing in temporary staff	Resources were not available temporary staff however now to be included within the Placemaking Guide.	First phase submitted to Ministers Nov 2014
	Transport Standards Guide (TA1 pg 35)		✓		Required to reflect new guidance on designing streets	Local Guidance is to be based on the National Roads Development Guide. The Council will consult on local variations following the release of the National Guide in Jan / Feb 2014	First phase submitted to Ministers Sep 2014
	Abernethy Conservation Area Appraisal - (HE3 pg 39)				Completed June 2012	Completed June 2012	

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Design Guidance	Rait Conservation Area Appraisal - 2012/13 (HE3 pg 39)				Completed Aug 2012	Completed Aug 2012	
	Longforgan Conservation Area Appraisal - 2012/13 (HE3 pg 39)	✓			Currently out to consultation	The final draft appraisal, boundary and proposed Article 4 Direction were approved at the <a href="#">Enterprise and Infrastructure Committee</a> on 20 March 2013.	
Development Briefs / Masterplans/ Development Frameworks	Bertha Park (H7 pg 77)	✓			Needs early investigation as potential location for Perth new secondary school	Masterplan work underway – discussions on-going with developers - consultation workshop held by developers on 17 June 2013.	Likely to be submitted for approval along with planning application 2014
	Tulloch Marshalling Yards (H4 pg 78)	✓			Could come forward early	Discussions on-going with developers	Under discussion with developers and landowners
	Newton Farm, Perth (Op7 pg 80) now housing allocation		✓		Could come forward early	Discussions to be held with developers to establish timings and process for preparation of Masterplan and SEA	Under discussion with developers and landowners
	Broxden, Perth (MU1 pg 79)	✓			Could come forward early	Masterplan submitted but not detailed enough. Developer led and application accompanied by EIA. Need to set up meeting with developers to discuss further work.	

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Development Briefs / Masterplans/ Development Frameworks	James Hutton Institute, (E37 pg 124)			✓	Limited pressure to progress	No change	
	Luncarty (H27 pg 235)		✓		Could come forward early	Initial discussions held with developers.	Under discussion with developers and landowners
	Ruthvenfield Road, Perth (E38 pg 80)	✓			Required early to facilitate business land	Discussion to be held to establish developer commitment and timescales for taking forward.	Under discussion with developers and landowners
	Stanley (H30-34 pg 146)		✓		Could come forward early	Discussions to be held with developers to establish timings and process for preparation of Masterplan and SEA	Under discussion with developers and landowners
	Scone North (H29 pg 142)			✓	Development expected to be later in Plan Period	No change	Under discussion with developers and landowners
	Borlick, Aberfeldy (H36 pg 159)		✓		Likely to be pressure to bring forward early but work cannot be supported in year 1	Discussions to be held with developers to establish timings and process for preparation of Masterplan and SEA	Under discussion with developers and landowners
	Turfhills, Kinross (E36&17 pg 203)			✓	Likely to be pressure to bring forward early but work cannot be supported in year 1	No change	Deleted from LDP to be removed from work programme
	Lathro Farm, Kinross (H47 pg 205)		✓		Likely to be pressure to bring forward early but work cannot be supported in year 1	Discussions to be held with developers to establish timings and process for preparation of Masterplan and SEA	Under discussion with developers and landowners

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Development Briefs / Masterplans/ Development Frameworks	Gartwhinzean, Powmill (H53 pg 230)			✓	Likely to be pressure to bring forward early but work cannot be supported in year 1	Reporters recommendations significantly reduce site area and review of requirement for a masterplan is required	Under review
	Broich Road, Crieff (E27 pg 250)			✓	Likely to be pressure to bring forward early but work cannot be supported in year 1	No change	Under discussion with developers and landowners
	Welton Road, Blairgowrie (H62 & E31 pg 284)	✓			Required early to facilitate business land	Discussion to be held to establish developer commitment and timescales for taking forward.	Under discussion with developers and landowners
	West Blairgowrie (MU5 pg 283)			✓	Likely to be pressure to bring forward early but work cannot be supported in year 1 or 2	No change	
	Forfar Road, Meigle (H34 pg 301)			✓	Likely to be pressure to bring forward early but work cannot be supported in year 1 or 2	No change	
	Perth West (H70 pg 78)			✓	Longer term development proposal	Reporters recommendations significantly reduce site area to the northern portion of the site. Consideration needs to be given to integrating the masterplan for the reduced site with the longer term potential of Perth West and the Almondvalley and Berthapark areas.	Under discussion with developers and landowners