

**Comments on Draft Open Space Provision for New
Developments Supplementary Guidance & Maintenance
Policy
January 2019**

Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
1. General			
1.1. Generally welcomes the guidance.	Bridgend, Gannochy & Kinnoull CC; Stewart Milne Homes	The supporting comments are noted.	No change proposed by the Council.
1.2. Well illustrated guidance, helpful to have standards in writing.	Placemaking Workshop*	The supporting comments are noted.	No change proposed by the Council.
1.3. Happy with the contents that relates to the historic environment.	HES	The supporting comments are noted.	No change proposed by the Council.
1.4. Welcomes the preparation of a consolidated SG that sets out the requirement for the design and delivery of open space within and associated with new developments.	Strutt & Parker	The supporting comments are noted.	No change proposed by the Council.

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1.5. Helpful and practical guidance. It is unfortunate that there is no comparable Guidance for Policy 14a - open space within "Existing Areas".	Portmoak CC	Policy 14 and the spatial designation within LDP2 protect existing open space areas and limit development which can take place on them. As for maintenance, the Council has management plans in place for open spaces under their ownership. Moving forward, the Planning (Scotland) Act 2019 requires all planning authorities to prepare an Open Space Strategy which will provide an opportunity to create a holistic framework for the management of open space areas within Perth and Kinross.	No change proposed by the Council.

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1.6. There is an insufficient emphasis on natural/semi-natural open spaces in the guidance.	NatureScot (previously SNH)	New residential developments are not normally required to create new open spaces which fall under the natural / semi-natural category, unless the site presents a specific opportunity to do so (e.g. opportunity to expand woodland on site) or it is to compensate for a loss of existing habitats. There is an emphasis throughout the guidance on taking a natural approach to the design of public open spaces and policies within LDP2 ensure that existing natural / semi-natural areas are incorporated in the design of development. It is however appreciated that the guidance could provide more clarity on this matter.	<p>The natural / semi-natural category has been added to the table under section 3 (page 7) and the description in section 2 has been expanded (page 5) with the following:</p> <p>“The creation of new natural / semi-natural open spaces may be required where the site presents a specific opportunity to do so (e.g. opportunity to expand woodland on site) or it is to compensate for a loss of existing habitats. “</p> <p>Natural/semi-natural open spaces have also been added to the table under section 5 (page 16) which includes key design considerations and positive & negative examples.</p>

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<p>1.7. The SG should be informed by an audit of open space to set appropriate standards for quantity, quality and accessibility of open space, and to identify where these standards are being met and where they are not.</p>	<p>RP Planning Ltd; NatureScot (previously SNH); Placemaking Workshop*</p>	<p>The standards set out in the guidance are based on national guidelines and existing Council standards and can be applied to new development in any context. Developers may undertake an assessment of the existing open space provision of the surrounding area in order to justify their choice of on-site provision or to show that the right type of open space is already available in the vicinity of the development. There are a number of sources such as open source databases, aerial imagery and site visits which can be used to proof check whether the proposal meets the standards outlined in the guidance.</p> <p>The guidance links to audits and strategies which are currently in place for the management of existing public open spaces maintained by the Council (e.g. play areas, sport pitches, Core Paths). These facilities have been audited and can be viewed on the Council's website.</p> <p>In general, the value of an Open Space Audit is acknowledged, the Council is currently investigating the resource implications of taking this work forward.</p>	<p>No change proposed by the Council.</p>
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1.8. The document should reference the Council's Green Infrastructure Guidance as they are closely related.	SEPA; NatureScot (previously SNH)	The guidance emphasises that new open spaces should be designed to link with the existing green networks. It is agreed that explicitly referring to the Green Infrastructure Supplementary Guidance would strengthen the link between the two documents and respective policies.	Links to the Green and Blue Infrastructure Supplementary Guidance have been added to the text.
1.1. Designated Cycle routes are very poorly maintained, they should be more segregated from roads and better signposted.	Member of the Public	The comment is welcome. This guidance specifically focuses on open spaces and green networks. By nature, paths located within open space areas are off-road. In the supplementary guidance, Appendix 1 states that signage should clearly indicate the destination and distance and simple arrow way makers can indicate continuous routes.	No change proposed by the Council.
2. Defining Open Space			

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2.1. It is not always clear whether open space always lies within settlement boundaries or if it can be found in the open countryside.	Portmoak Community Council	The guidance as well as Policy 14 applies to all public open space areas. For the purpose of this guidance, there is no differentiation, the requirements apply to developments within and outwith settlement boundaries. When accessibility to open spaces is assessed, any public open space with a clear function should be considered, including those in rural areas or on the edge of settlements.	It is not considered necessary to make any changes to the Guidance. As a result of the Proposed Local Development Plan 2 examination, additional text has been added to Policy 14: Open Space Provision to clarify that the policy also applies outwith settlement boundaries.
2.2. Comments have been made on the definition of amenity open spaces, green corridors and natural/semi-natural areas.	NatureScot (previously SNH)	The Council has reviewed the suggestions by SNH and made amendments to the draft where it was considered to add value to the guidance.	Minor text changes have been made where it was considered to increase the clarity of the guidance.
3. Delivering Public Open Space			
3.1. The 3.5ha /1000 people standard is excessive and should be lowered to 2.4ha / 1000 people which is the national standard.	Stewart Milne Homes; Homes for Scotland; Pilkington Trust	2.4 ha is not a statutory national standard, only a recommendation made in the Fields in Trust Guidance. The following pointers helped identifying the minimum quantity requirement for Perth and Kinross:	The quantity standards in the guidance should remain as proposed. The paragraphs following this table provide further background information on how the Council identified the quantity benchmark.

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3.2. The guidance should be explained how the minimum quantity standard was calculated and what types of spaces can contribute to meeting the target (e.g. small areas of open space, purely functional SUDS).	RP Planning Ltd; A&J Stephen; Placemaking Workshop*	<ul style="list-style-type: none">Standards of nearby local authoritiesExisting open space provision within larger (tiered) settlementsTesting the application of the standard on housing allocations <p>Generally, the open spaces described in section 2 of the guidance would count towards the minimum requirement. It is however appreciated that the users of the guidance would benefit from a clearer description.</p>	The text below has been added to section 3 (page 6) in order to clarify what counts towards the minimum standards.	
			What counts towards the minimum requirement?	What does not count towards the minimum requirement?
			<p>Any open space with a clearly defined function which is accessible and can be used for outdoor recreation by members of the public. This also includes the following types of spaces:</p> <ul style="list-style-type: none">High quality SUDS features which are integrated with the wider public open space provisionLarger areas of buffer / screen / street planting where these are integrated with paths and cycleways.	<ul style="list-style-type: none">isolated, grassed areas which have no clear public open space functionisolated SUDS features which are not integrated with the wider public open space provisionsmall areas of street plantingservice strips - unless incorporated with public open spaces

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3.3. In developments where garden grounds are of a generous size, the provision for public open space could be reduced.	Placemaking Workshop*	As stated in Section 3 (page 6), the minimum standard for public open space and private gardens are two separate requirements. Public open spaces serve the wider community and provide a space for social interaction and outdoor activities. They cannot be replaced by private gardens which are for the private use and amenity of the owner.	No change proposed by the Council.
3.4. General agreement on the approach that new provision should reflect the context, requirements depend on what is currently available in the area and proportionate to the scale of development.	Placemaking Workshop*	The feedback is noted; it reflects the approach taken by the Council.	No change proposed by the Council.
3.5. The matrix on page 6 should be amended to clarify which row a development of 10 houses fall into.	RP Planning Ltd	The feedback is noted and the drafting error will be corrected in the adopted document.	The matrix has been amended.

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3.6. The SG claims the thresholds for accessibility are based on the 'Fields in Trust Standards'. On this basis, 'sports areas' should be used in the table in place of 'playing field', and 'amenity green space' in place of 'path/green corridor'.	RP Planning Ltd	<p>The Fields in Trust Guidance indicates 1200m for playing pitches as well as all other sport areas. The Council does not consider it necessary to set a distance threshold for all types of sport facilities as many (e.g. bowling greens, tennis courts) are demand driven.</p> <p>Amenity spaces can have various different sizes and functions therefor setting a distance standard was not considered appropriate. Instead, the guidance sets a standard for green corridors & path in order to improve access to facilities and expand the green network of settlements. This is indeed a different approach however the Fields in Trust Guidance is only advisory; not a statutory document.</p>	The reference has been amended in the guidance to state that thresholds are <u>largely</u> based on the Field in Trust Standards for Scotland.

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3.7. Accessibility standards and excessive and should be removed or distances should be increased to provide more flexibility. The tight distance threshold for play areas combined with the increased commuted sums may impact the viability of proposals.	Stewart Milne Homes	<p>Accessibility thresholds provide a means of determining the type of open space required in new developments based on the existing context and ensuring that communities have easy access to a range of outdoor activities. Play area requirements depend on nearest existing facility and the same distance thresholds have been used for some time by the Council.</p> <p>Where smaller developments require a NEAP/REAP which will largely to serve the existing population, the Council may contribute to its delivery. Where there are several developments within the same area, commuted sums could also be shared between the respective developers.</p> <p>Where the guidance indicates that a new play area or contributions may be required, this should be factored into land value calculations.</p>	<p>The following text has been added to Section 3 (page 9) of the guidance:</p> <p>“Where smaller developments require a NEAP/REAP which will largely serve the existing population, the Council may contribute to its delivery. In areas where several schemes are being delivered at the same time, a new play facility may be delivered through shared off-site contributions and commuted sums between developers.”</p>

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3.8. Asking to use 60% of the threshold if calculating buffer distance is somewhat arbitrary. The focus should be on achieving good Placemaking.	RP Planning Ltd	The use of buffer distances ensures that major obstacles are not disregarded when calculating access to existing facilities. By calculating actual walking distance, the use of buffers can be avoided.	No change proposed by the Council.
3.9. Page 9 (Diagram) – A hybrid solution should also be represented where a developer might contribute to existing off-site provision and also make appropriate on-site provision and maintenance arrangements with the Council.	RP Planning Ltd	Agree with the representation, the Council would promote this approach where it delivers the best outcome.	The chart under Section 3 (page 10) has been amended to reflect the possibility of a hybrid approach.
3.10. SNH made some supporting comments and recommended minor amendments to the text. SNH also highlighted the need to identify open space requirements for site allocations at the LDP stage.	NatureScot (previously SNH)	<p>The supporting comments and the point raised regarding the Local Development Plan are acknowledged and welcome.</p> <p>The recommended text changes have been made where they were considered to add value to the guidance.</p>	The natural / semi-natural category has been added to the table under section 3 (page 7) as explained above under point 1.6.

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4. Design Standards			
4.1. The guidance makes reference to masterplans and design statements. It should be explicit when these are required.	Stewart Milne Homes	Policy 2 in the Proposed Local Development Plan states that design statements are required for residential developments of 5 dwellings or more as well as developments in sensitive areas. The plan normally calls for a masterplan for larger sites however they can be prepared for almost any development. Therefore, a design statement / masterplan will normally be required for proposals which include areas of public open space. It is not considered necessary to reiterate the requirements of the Local Development Plan in the guidance.	No change proposed by the Council.

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4.2. The guidance should refer to the minimum standard required for successful construction of pitches - the Performance Quality Standard (PQS). The PQS is the recognised basic technical standard for a natural grass pitch and ensures that any funding produces pitches of sufficient quality for community and competitive use.	Bridgend, Gannochy & Kinnoull Community Council	The Council has reviewed the PQS and is confident in adopting them as the minimum requirement for new pitches within new developments in order to avoid inconsistency in quality.	A reference and link to the standards has been included in Appendix 1 of the supplementary guidance.
4.3. SEPA supports the guidance promoting connectivity with existing networks and the multifunctional use of open space. This includes incorporating SUDS into areas where they can form part of a green network for biodiversity and enhance the place.	SEPA	The supporting comments are noted.	No change proposed by the Council.

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4.4. Welcomes the emphasis on open space as a key, integrated part of site layout and design, but recommends strengthening consideration of green network links and destinations beyond the site.	NatureScot (previously SNH)	The need to consider the wider green infrastructure in the design of development is the first point made in both the design standards and application sections of the guidance. The added references to the Green Infrastructure Supplementary Guidance further strengthens this point. The two guidance documents together provide a two-tiered approach to designing a well-connected, functional open spaces network.	No change proposed by the Council.

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<p>4.5. For clarity SNH suggests grouping the main SUDS guidance in the Flood risk Supplementary guidance and cross-referencing to this. There should be a stronger emphasis on a requirement for SUDS to achieve multi-functional solutions which make a meaningful contribution to green infrastructure. SNH also suggests modifying the illustrative drawing.</p>	<p>NatureScot (previously SNH)</p>	<p>Grouping advice on SuDS features in the open space guidance helps demonstrate that these are key elements of the green and blue network, not only a technical solution to treating excess water. The Council's Flood Risk Guidance also reinforces this message and refers to the Open Space SG.</p> <p>The suggested updates to the positive SuDS example illustration are welcome. The additional detail emphasises the connectivity between SuDS features and the existing green and blue infrastructure.</p>	<p>The draft Flood Risk Guidance has been amended to reflect the ambition of the Open Space Guidance of creating multi-functional SuDS features which are integrated with the wider green and blue infrastructure.</p> <p>The illustration under Section 4 (page 13) has been modified in line with SNH's suggestions.</p> <p>Detailed guidance on the design of SuDS has been grouped in Appendix 2 of the Supplementary Guidance.</p>

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<p>4.6 Many of the considerations are only provided for one open space 'type' but are applicable to most types of open space. For example the use of native species, seasonal interest or facilitate active travel. Recommend amend this section to reflect this.</p>	<p>NatureScot (previously SNH)</p>	<p>The comment is welcome, the table on pages 14-16 has been revised and generic comments have been moved to Appendix 1 instead.</p>	<p>The design considerations and the Landscaping appendix were revised to avoid repetition and improve the document structure.</p> <p>The species list (pages 24 – 30) was also revised in order to further encourage the use of suitable native species.</p>
<p>4.7 There are barriers to achieving the Council's objective of well-integrated, biodiverse SUDS:</p> <ul style="list-style-type: none"> -location has to be determined by topography -Strict Scottish Water requirements regarding access influences the design -fencing may be requested by Scottish Water and occasionally requested by residents 	<p>Placemaking Workshops*</p>	<p>It is acknowledged that designing multifunctional SUDS is challenging. The Council held a multi-stakeholder workshops in June 2019 in order to better understand the issues and explore potential solutions. The information gathered at the workshop was used to improve the open space guidance and prepare a longer-term action plan to encourage continued partnership working in order to facilitate better SuDS design. A follow-up session in December 2019 allowed stakeholders to review these documents and sign up to their delivery.</p>	<p>The text under section 4 (page 12) and Appendix 2 of the Supplementary Guidance has been updated to reflect the result of the stakeholder workshop.</p>

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4.8 Service strips – the only two options are short grass or nothing, service strips cannot be landscaped because of ongoing maintenance. This makes it difficult to integrate them with public open space.	Placemaking Workshops*	The point raised by participants is acknowledged, it can be challenging to incorporate service strips into public open space areas. Similarly to small areas of amenity planting, service strips serve a different purpose and while not normally regarded public open space, they are a necessary part of developments.	The table under section 3 (page 6) clarifies that service strips only count towards the minimum quantity requirements where they are integrated with public open space areas.
4.9 Developers require consistency of policy from the Council regarding the placement of hedges and/instead of fencing.	Placemaking Workshops*	The guidance is not prescriptive about boundary treatments as the appropriate solution depends on the context (location, type of development, type of frontage). Boundary planting is encouraged where it improves the visual appearance of the site (e.g. by defining the edges) and/or provides biodiversity benefits. What the guidance does state however is that hedges adjacent to properties should be incorporated into private garden grounds and will not be adopted by the Council.	No change proposed by the Council.

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<p>4.10 SHN suggested changes to the wording of this section as well as some additional points to be included in the table. It has been highlighted that some criteria listed in the table are applicable more generally, to a number of open spaces.</p>	<p>NatureScot (previously SNH)</p>	<p>The Council has reviewed the suggestions by SNH and made amendments to the draft where it was considered to add value to the guidance.</p>	<p>Changes have been made to the text dealing with biodiversity and SuDS (page 12) and to the table below (page 14-16). The table has been revised and the criteria that apply generally to open spaces were moved to Appendix 1 of the guidance. The natural/ semi-natural category was added to the table with specifications and a positive and negative example.</p> <p>As stated above (comment 4.5), the positive example illustration has been updated in line with SNH's suggestions and cross references have been added to the Flood Risk Supplementary Guidance and the Open Space guide.</p>
5 Developer Contributions & Maintenance			

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<p>5.1 Developers should be able to choose from a range of options for the adoption of public open spaces, including ones that do not include Council adoption. There is no legal or policy basis for requiring the adoption of public open space by the Council.</p> <p>It should be further explained what are 'Priority Public Open Space', and who decided which of the two maintenance options are suitable in different scenarios.</p>	A&J Stephen Homes for Scotland	<p>The Maintenance Policy is unique to Perth and Kinross Council and as a statutory document, will provide the policy basis for requiring the full or partial Council adoption of new public open spaces. The policy highlights the benefits of Council adoption and the reasons why this approach is promoted.</p> <p>The draft policy only requires the Council adoption of Priority Public Open Spaces; other landscaped areas can be factored via a Development Management Scheme. Priority Public Open Space is defined in the draft document as equipped play areas, sports pitches and large parks (p 17 & 19). To provide further clarification, the definition of large parks has been added to the guidance and it has also been clarified that green corridor path links which are of importance to the wider community may be considered PPOS.</p>	<p>The following clarification has been added to the text:</p> <p>"Large parks will usually incorporate play and/or pitch facilities, further POS areas within the same development if over 1ha and suitable for informal play or ball 'kickabouts' will usually also be considered as large parks. Where play and pitch facilities are not required within a development the same criteria apply. In small settlements areas of public open space smaller than 1ha may be significant and the largest of these will be considered large parks."</p> <p>It was also clarified both in the Open Space Guidance and Maintenance Policy that Priority POS (PPOS) includes equipped play areas, large parks, sports pitches and possibly green corridor path links which are of importance to the wider community, not just the residents on the development.</p>

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<p>5.2 Disagree with extending the time period for charging commuted sums to 20 years. Also disagree with charging developers for the first replacement of play areas which is due after 15 years. In light of the increased contributions and the assumption that public open spaces are for everybody, it would not be appropriate that the long-term maintenance funding and equipment replacement should be solely funded by those who are developing the sites.</p> <p>Applicants would already be providing the land and the cost of installing equipment where necessary and council tax would also be being levied on the new homes which would contribute to the Council’s budget.</p>	<p>A&J Stephen, Pilkington Trust; Placemaking Workshop* Homes for Scotland</p>	<p>The 20 years period is in keeping with other Local Authorities` timeframes which vary from 10 to 40 years. The 10-year period which the Council has been working with so far did not prove to be sustainable and needed revision. It could also be argued that 20 years does not constitute as `long-term` considering that the Council takes on maintenance in perpetuity.</p> <p>The point regarding play area replacement costs is noted. The reason for requiring these to be paid by the developer is that the first replacement of play equipment would fall into the 20-year maintenance period. It is however acknowledged that the developer should not be entirely responsible for the replacement of the play equipment. Play area replacement costs could be shared with the Council and the developers` contribution could be reduced to 1/3 of the total replacement costs, equal to a 5 rather than the full 15-year period. This would ensure that the developer`s responsibility does not extend beyond the 20-year maintenance period. *</p> <p>*15 years (lifespan of new facility) + 5 years (1/3rd of replacement facility) = 20 years</p>	<p>Play area commuted sums have been amended in the Policy and the Supplementary Guidance as follows:</p> <p>LEAP: £63,000 (was £96K in consultation draft) NEAP/REAP: £79,000 (was £126K in consultation draft)</p> <table><tr><th>Type</th><th>Sums *</th><th>Calculation</th></tr><tr><td>LEAP</td><td>£63,000</td><td>£2,300 x 20 = £46,000 for maintenance plus £17,000 for replacement (5 years is a 1/3 of 15 years so 1/3 of £50,000 = £16,667 rounded up to £17,000).</td></tr><tr><td>NEAP/ REAP</td><td>£79,000</td><td>£2,800 x 20 = £56,000 for maintenance plus £23,000 for replacement. (5 years is a 1/3 of 15 years so 1/3 of £70,000 is £23,334 rounded down to £23,000)</td></tr></table> <p>*The above rates were applied at the time of the consultation in 2019</p>	Type	Sums *	Calculation	LEAP	£63,000	£2,300 x 20 = £46,000 for maintenance plus £17,000 for replacement (5 years is a 1/3 of 15 years so 1/3 of £50,000 = £16,667 rounded up to £17,000).	NEAP/ REAP	£79,000	£2,800 x 20 = £56,000 for maintenance plus £23,000 for replacement. (5 years is a 1/3 of 15 years so 1/3 of £70,000 is £23,334 rounded down to £23,000)
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<p>5.3 The calculations are not evidenced properly in the Policy or the guidance and there is no reference to them in the Local Development Plan either.</p> <p>They question whether the proposed approach is reasonable or proportionate having regard to the tests in Circular 3/2012. We consider that there is a lack of information to explain and justify the changes to the financial obligations sought.</p>	A&J Stephen, Homes for Scotland	<p>The general maintenance costs were calculated per house for the currently adopted Maintenance Policy and have been uplifted in line with inflation, providing a valid basis for commuted sums.</p> <p>The cost of public open space maintenance for existing houses in PKC is £49 /house/ year. In comparison, £770 flat rate commuted sums per house for 20 years is equivalent to £38.50 per house / year. This demonstrated that the required commuted sums are proportionate, even less than the actual cost of maintenance per house.</p> <p>In response to the reference to Circular 3/2012, the maintenance charge is not a planning obligation. Instead, it is based on Council policy.</p>	<p>Additional background information has been added to the Maintenance Policy draft to further evidence the new requirements:</p> <p>“The CS of £770* per dwelling is applied for a 20-year period by doubling the previous (current 2001 policy) CS of £385 per dwelling calculated for a 10 year period. The CS in the 2001 policy was calculated by averaging the maintenance cost per house across a range of developments to provide a ‘flat rate’ which has been uplifted in line with inflation since. The use of a flat rate CS in the 2001 policy is continued on the basis that clarity on costs at an early stage in the development process is an advantage to developers and increases efficiency for all concerned.</p> <p>The £770 CS equates to £38.50 per house (770/20) which compares favourably to the estimated maintenance cost of £49 per house for existing houses throughout Perth and Kinross (Council annual maintenance budget/ number of houses in 2019). “</p> <p>*The above rates were applied at the time of the consultation in 2019</p>

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<p>5.4 The SG should state that the planning authority will only promote planning obligations in compliance with the tests set out in Circular 3/2012. It should also state that consideration will be given to the economic viability of proposals and that alternative solutions will be considered alongside options of phasing or staging of payments.</p>	<p>RP Planning Ltd</p>	<p>The planning obligations covered in this guidance are the provision of new facilities and financial contributions to improve existing provision.</p> <p>Reference is made to Circular 3/2012 in TAYplan Policy 6. As the Local Development Plan must accord with TAYplan and in turn the Supplementary Guidance accord with the Local Development Plan, there is no need to include reference to Circular 3/2012 in this Supplementary Guidance.</p> <p>The impact of the guidance on the economic viability of proposals has been considered throughout its development. For instance, it is acknowledged that the requirements would be more onerous for smaller developments in areas which are outwith the catchment of existing facilities. As stated above in section 3.7, alternative arrangements could be considered where small proposals would be required to provide new play provision. Regardless of this, all proposals will be required to demonstrate that they achieve the requirements of the guidance.</p> <p>Where a Planning Obligation is entered into, applicants have the option to phase</p>	<p>The following text has been added to Section 3 (page 9) of the guidance:</p> <p>“Where smaller developments require a NEAP/REAP which will largely serve the existing population, the Council may contribute to its delivery. In areas where several schemes are being delivered at the same time, a new play facility may be delivered through shared off-site contributions and commuted sums between developers.”</p> <p>On page 17, a reference has been added to the Council’s Developer Contributions SG which includes detailed advice on Planning Obligations and the phasing of payments.</p>
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*The Council held a Placemaking Workshop in February 2019 and invited comments on the draft from members of the development industry
SG = Supplementary Guidance; LDP2 = Local Development Plan 2; POS = Public Open Space

**Comments on
draft Flood Risk supplementary guidance
January 2019**

Comment	Received from	PKC Officer response	Change to be made to Guidance
General comment			
Historic Environmental Scotland welcomes its preparation and are content with those aspect of the guidance that relate to the historic environment	Historic Environmental Scotland	Noted	None
SEPA consider that in general, the document is comprehensive and well written with inclusion of reference to appropriate guidance.	SEPA	Noted	None
Scottish Land & Estates (SLE) members request a pragmatic approach where design (such as SuDs etc) can significantly mitigate and even contribute to eliminating flood risk in any development. SLE members are of the view that a landscape scale approach should be taken. For example, additional tree planting and a small hydro scheme which can slow run-off rates should be viewed as flood risk mitigation and enable appropriately designed new development within the same water catchment area. SLE seeks a flexible approach working with applicants and enabling Scotland's rural communities to thrive.	Scottish Land & Estates	Whilst a catchment wide approach is always encouraged it is not generally possible in development sites as they are confined to areas within their ownership. However, within their site they are encouraged to provide SUDS that replicate natural habitats and encourage local species etc.	None
Notes importance for planning applications where flooding of the site or flooding caused by the proposed development are potential issues.	Portmoak Community Council	Noted	None
Relevant section/paragraph of Guidance			
1. Introduction			None

Comment	Received from	PKC Officer response	Change to be made to Guidance
No comments received			None
2. Aim			
SEPA suggest amendment to advise, that in advance of an application: relevant guidance listed in section 4 of the guidance, and the current flood map should be reviewed, and that contact made in the first instance with the Council flood staff for local information. The SG could also state that once an applicant has considered their proposal in the context of the relevant guidance and information, SEPA should, when relevant, be contacted for any further information held.	SEPA	Yes, an initial first step for the developer will be added to help guide them to the correct information	Include additional information to make developers aware of the process and steps to be taken.
3. Background to Flooding			
Paragraph 3.3 could be amended to clarify that the planning authority are decision makers for the planning application.	SEPA	This document is aimed at informing developers of the steps to be taken to submit an application. Planning guidance will advise them on the planning process and is not necessary for this document.	None. Not relevant for flooding guidance.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>3.3 SNH suggest an integrated catchment scale approach is emphasised, including the Council's role and leadership. 3.3.3 Planning Authority: SNH emphasise the role of planning in setting ambitious standards to ensure new development is climate change resilient and contributes to flood management on a catchment basis.</p>	<p>NatureScot (previously SNH)</p>	<p>The guidance is mainly aimed towards developers to aid them in preparation of their planning application. Catchment based flood risk management is encouraged but is not likely to be possible in these circumstances. New development will be resilient to climate change - no development will be permitted within the functional floodplain and development will be located above the 0.5% annual probability (200 year) flood event, plus an allowance for climate change (using the most up to date science) plus an additional freeboard allowance.</p>	<p>Reference to integrated catchment wide flood risk management to be added to Section 3.2.1.1 and 3.6. 'Climate Change' added to Section 3.3.3.</p>

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>In 3.6.4 SNH welcome this section on climate change which should be an underlying theme of the guidance. SNH note the statement that: “developers must aim to reduce and account for the effects of climate change.” While developers have a part to play, SNH suggest the guidance should better recognise the local authority’s key role in leading and enabling integrated and ambitious flood prevention and climate change vision and measures. This section could also make clear the benefits of more sustainable approaches to flood management (such as sustainable drainage techniques and natural flood management) and the benefits that this would have in the context of climate change resilience, including humidity and temperature regulation, water retention and flood prevention.</p> <p>SNH encourage the guidance to set out the Council’s role in leading an integrated catchment scale approach and set targets to ensure new development is climate change resilient.</p>	NatureScot (previously SNH)	The guidance is mainly aimed towards developers to aid them in preparation of their planning application. However, the document will be reviewed to try and add additional information on the Council’s responsibilities etc	Add comment on Council’s commitment to tackle climate change. Added reference to SUDS and natural flood management.
4. Design Guidance			
SEPA suggest updating 4.2 as Planning Advice Note 69 has now been superseded by the online planning advice on flood risk.	SEPA	Agreed	Remove reference to PAN 69 and replace with reference to “Online Planning Advice on Flood Risk.”

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>SNH suggest references should include:</p> <p>SEPA's natural flood management handbook; https://www.sepa.org.uk/media/163560/sepanatural-flood-management-handbook1.pdf</p> <p>Dynamic coast – Scotland's Coastal Change Assessment http://www.dynamiccoast.com/</p> <p>Scottish Governments Green Infrastructure document https://www.gov.scot/publications/green-infrastructure-design-placemaking/ which includes a relevant section about the role of flood prevention and drainage in bluegreen infrastructure that this document could further draw on.</p> <p>the Council's other supplementary guidance (e.g. placemaking) highlighting the cross-over with SUDS.</p>	NatureScot (previously SNH)	Agreed.	Add references including the Council's supplementary guidance
5. Drainage Impact Assessment			

Comment	Received from	PKC Officer response	Change to be made to Guidance
SEPA suggest amendment to 5.3.2 – Reference to SEPA in point 8 needs to be removed as it is inaccurate. The quantitative aspects of SUDS are for LA flood prevention staff to consider if discharge is to be made to a watercourse and for Scottish Water if the discharge is to be made to the public sewer. SEPA's role with regards SUDS relates to qualitative aspects and compliance of an applicant with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended).	SEPA	agreed.	Amend point 8 to state that where applicable (on large developments) the developer should liaise with SEPA to obtain a CAR License for a discharge consent for surface water discharge to a burn.
6. Flood Risk Assessment			
6.2.2 SEPA supports statement to allow for revision to the climate change requirements following updated guidance. SEPA are due to publish guidance by the end of March, which will include separate flow, rainfall and sea level climate change uplift figures. The flow figures are based on UKCP09 values as further work is required to determine the values based on UKCP18 data and this will be provided in due course. The current recommendations for the Tay Catchment are: 35% flow uplift; 45% rainfall uplift and 0.67m sea level uplift. SEPA advise that the rainfall uplift may be more appropriate for estimating design flows on small catchments than the flow uplift values.	SEPA	The guidance will adopt the 35% flow uplift, 35% rainfall uplift and 0.85m tidal allowance as set out in SEPA's guidance 'Climate change allowances for flood risk assessment in land use planning' which was published on 26/4/19 with a caveat for developments behind FPS at 6.2.11.	Incorporate correct values from published guidance and not those from comment.
6.2.3 – Reference is made here to Freeboard allowance with set heights above FFL/garden levels. Para 8.5 recognises that there may need to be some flexibility in instances where small bridges pass over small watercourses. Para 6.2.3 should make reference to some potential exceptions/flexibility to make this point more explicit.	Network Rail	Noted	Add footnote with reference to bridge soffit level freeboard allowance.

Comment	Received from	PKC Officer response	Change to be made to Guidance
6.2.4 – SPP states that the 1 in 1000-year flood extent is generally unsuitable for civil infrastructure and indicates that further consideration of flood risk at this return period is required for essential infrastructure and most vulnerable land uses. Further details of these types of development can be found in SEPA's Land Use Vulnerability Guidance	SEPA	Noted	Add footnote to make reference to SEPA's Land Use Vulnerability Guidance.
6.2.4 – Critical infrastructure – reference is made to 'critical infrastructure' (back to SPP). However no reference is made to 'critical infrastructure' in SPP, but instead this refers to 'essential' infrastructure. It is suggested that this terminology be re-considered/clarified.	Network Rail	Noted	Amend references to 'critical infrastructure' to 'essential infrastructure'.
<p>The John Muir Trust (JMT) seek explicit reference to nature-based solutions to help manage run-off and flood risk, especially given the potential for increased flooding due to climate change. Wider, landscape-scale management of land, including the protection and restoration of wild land is important in this context (Perth & Kinross has a significant amount of wild land). Drainage or felling operations that could exacerbate flood conditions downstream should be avoided, whilst sensitive planting of trees would enhance biodiversity at the same time as helping to mitigate flooding.</p> <p>JMT welcome the inclusion in section 6.1 of the intention to prevent <i>“development which would increase the probability of flooding”</i> and <i>“piecemeal reduction of the functional floodplain shall also be avoided given the cumulative effects of reducing storage capacity.”</i></p> <p>and reference to nature-based solutions would be welcomed.</p>	John Muir Trust	A good deal of the design guidance in Section 4 refers to nature-based solutions. The guidance note also refers to the latest SUDS guidance to encourage the use of the latest advancements. The developers are limited to the use of land within their ownership and catchment wide solutions are generally not relevant but would be encouraged where and if possible.	Additional reference to be made to catchment wide approach in 3.2.1.1.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>SNH recommend the guidance includes natural flood management, coastal flooding and managed realignment, and the role of blue/green infrastructure in respect of flooding and drainage (referring to Scottish Planning Policy paras 255 and 262: LDPS should protect land with the potential to contribute to managing flood risk such as through natural flood management, managed coastal realignment, washland or green infrastructure creation).</p>	<p>NatureScot (previously SNH)</p>	<p>These areas are encouraged in the guidance but it is mainly aimed at developers that are confined to provide SUDS within the extent of their site. Catchment wide solutions are usually not possible.</p>	<p>Natural flood management to be noted at 3.6.4; reference to Natural Flood Management Handbook to be included at 4.3 (also covers coastal flooding and managed realignment). Reference to the Scottish Government's Green Infrastructure document to be added to 4.2; reference to the Council's Supplementary Guidance on Green & Blue Infrastructures to be added to 4.8.</p>
<p>7. Surface Water Drainage Design</p>			

<p>SuDS are included in both the Placemaking and Open space supplementary guidance. SNH recommend grouping detailed guidance for SuDS in this Flood risk Supplementary guidance and cross referencing. SNH suggest inclusion of the SuDS good practice illustration they inserted in their response to the Open Space guidance.</p> <p>SNH seek a change of emphasis from engineering to an integrated approach to SuDS in achieving multi-functional landscapes. An engineering focus can result in unattractive fenced SuDS with insufficient consideration of the open space design. These struggle to deliver multiple benefits for biodiversity and amenity that they potentially could even result in negative impacts on amenity, such as new housing developments along Glasgow Road.</p> <p>SNH therefore recommend the addition of: “7.1.2. SuDS are a soft-engineering solution that manages rainwater and potential flooding within the landscaping and greenspaces of a development, contrary to traditional hard engineering approaches. It aims to create multi-functional landscapes that deliver multiple benefits for water management, amenity and biodiversity. The Council is committed to this approach and to maximising the multiple benefits of SuDS.</p> <p>SuDS should:</p> <ul style="list-style-type: none"> • Be considered from the outset of the design/masterplanning stage • Be conceived as an integral part and an attractive contribution of a development’s greenspaces and blue-green infrastructure • Be designed to be multi-functional by a multi-disciplinary team composed of appropriate professionals (landscape architect or similar) • Achieve multiple benefits including amenity and biodiversity” 	<p>NatureScot (previously SNH)</p>	<p>A good deal of the design guidance in Section 4 refers to nature-based solutions. However it is agreed that the Flood Risk Supplementary Guidance needs to be stronger in referring to amenity and biodiversity considerations. These 7.1.2 SNH amendments are therefore supported along with a cross reference to the Open Space Guidance where we have to provided the main SuDS design guidance.</p>	<p>Include SNH recommendation at section 7.1.2, and the SNH amended illustration, whilst a cross reference to and more detailed design SuDs guidance has been grouped in Appendix 2 of the Open Space Supplementary Guidance.</p>
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Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>7.3.1: SNH suggest adding that SuDS design should be done by a multi-disciplinary team including a hydraulic specialist, ecologist and landscape professional and should be in accordance with the latest Ciria SuDS manual. Maintenance responsibilities and regimes should be known at the outset and designed into the proposal. For example if the maintenance for the 1:30 area is a different party than the 1:200 good design can ensure separate maintenance regimes for one continuous green space.</p>	<p>NatureScot (previously SNH)</p>	<p>Yes, a multi-disciplinary design team is to be encouraged. The Council has signed up to the principles of Section 7 of the Sewerage (Scotland) Act. These are intended to improve the maintenance/adoption arrangements for SUDS.</p>	<p>Add reference to multi-disciplinary team for the design of SUDS and reference to Section 7 principles.</p>

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>Ownership and maintenance of SuDS are often not well resolved. The Council could outline the main options for ownership and maintenance of SuDS, and preferred arrangements e.g. ownership and maintenance by private factor, adoption of SuDS by Scottish Water.</p> <p>If the Council intends a Section 7 arrangement where the Council takes on the above ground maintenance this guidance should set out the maintenance criteria for its SuDS design. These should ideally be in accordance with its vision for amenity and biodiversity (Edinburgh Council clarified that they do not mow embankments and favour sedges that are robust enough to withstand the occasional desilting). SNH agree Ciria SuDS Manual is the principle reference document; however it is a large and a very technical document, and leaves significant design freedom. SNH recommend this PKC guidance sets out some fundamental priorities to consider when designing SuDS such as: SuDS to be considered from the outset, shallow embankment, biodiversity friendly planting, attractive permanent water or attractive accessible space (no empty grass-pits) positive contribution to amenity spaces, integral to green infrastructure of a site, avoidance of fencing, designed with maintenance in mind.</p>	NatureScot (previously SNH)	Yes, agreed. The existing guidance required developers to set out their proposals for adoption and maintenance of SUDS. The guidance will be strengthened, making reference to the adopted principles of Section 7 of the Sewerage (Scotland) Act.	Add further information on proposed Section 7 arrangements at 7.3.8. Add text at 7.3.1 regarding multidisciplinary teams and make reference to the Council's Supplementary Guidance on Open Space where detailed guidance on the design of SuDS has been grouped in Appendix 2 of the Open Space Supplementary Guidance.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>7.3.1. Amend to “Where SuDS are being designed on the basis that they are to be vested by Scottish Water, the developer shall ensure that the design has been agreed with Scottish Water – the latest Ciria SuDS Manual and Sewers for Scotland 4 (SfS4) are the current guides for this but SfS4 is under frequent revision and standards which contradict design ambitions can be subject to a waiver with Scottish Waters agreement.”</p> <p>Add “To ensure the SuDS proposal has been designed to deliver multiple benefits it is important that this is checked with the planner/landscape and green space expertise, and for Section 7 the council’s maintenance department prior to the developer seeking scheme approval by Scottish Water or self-certified by other engineers.” Technical enquiries for waiver should be referred to Scottish Water Technical Standards Team, Buchanan Gate Business Park, Cumbernauld Road, Stepps, G33 6FB. Email – standardsinfo@scottishwater.co.uk</p>	NatureScot (previously SNH)	The requirement for 3rd party design checks is aimed at complex engineering works that require complex structural engineering calculations. It does not apply to alternative layouts of SuDS ponds that do not require specialist complex engineering calculations.	Add further information on proposed Section 7 arrangements at 7.3.8 and make reference to the Council’s Supplementary Guidance on Open Space. Appendix 2 of the Open Space Supplementary Guidance includes a reference to the waiver process.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>7.3.2 Embankment Gradients: Amend to “SuDS embankment gradients shall be a maximum of 1:6 in residential (and ideally also in other areas) to avoid a need for safety fencing, ensure the amenity of the SuDS and enable the creation of biodiversity friendly habitats. 1:4 slopes in residential areas will only be accepted in exceptional circumstances. SuDS which require fencing due to steep slopes represent a poor design solution.</p> <p>If the SUDS is a detention basin that does not hold any permanent water, especially detention for rarer events it should be either designed as an accessible greenspace with accessible slopes or a planted amenity and biodiversity feature.”</p> <p>Due to Scottish Water’s risk assessment process 1:4 SuDS generally require a safety fence and prominent warning signs, and this often only becomes clear post-planning when signs are implemented under permitted development. Generally SuDS with 1:4 side-slopes do not result in a successful design which delivers multiple benefits and often they even result in adverse impacts on their surroundings. Steep, deep and very large detention basins are sought as the most cost-effective solution for developers, but they are highly undesirable from an amenity and biodiversity perspective, and the steep slopes make them difficult to manage.</p> <p>By contrast, shallow embankments can be easily planted and maintained, appear more naturalistic and less engineered and provide better wildlife benefits. They can be planted with grass-like sedges that do not require cutting. Embankments of permanent water bodies can be planted with species (to be specified by qualified professional) which create a safety barrier to prevent small children from accessing the water.</p>	NatureScot (previously SNH)	<p>It is acknowledged that designing multifunctional SUDS is challenging. The Council held a multi-stakeholder workshops in June 2019 in order to better understand the issues and explore potential solutions. The information gathered at the workshop was used to improve the open space guidance and prepare a longer-term action plan to encourage continued partnership working in order to facilitate better SuDS design. A follow-up session in December 2019 allowed stakeholders to review these documents and sign up to their delivery.</p> <p>With regard to basins, the encouragement of multi-functional, integrated SuDs is promoted in 7.1.2 and also more extensively in the Open Space Supplementary Guidance.</p>	Suggested that embankment gradients should preferably be 1:6 rather than 1:4 and reference that safety fencing should be avoided where possible is to be added at 7.3.2, whilst further guidance on the design of SuDS has been grouped in Appendix 2 of the Open Space Supplementary Guidance.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>7.3.3 Flood Flow Routes Insert at the beginning: “Areas for flood-detention should be designed as accessible multi-functional green spaces. Well-designed multifunctional green spaces should consider how water moves around the site in the case of the various flood events.”</p>	<p>NatureScot (previously SNH)</p>	<p>Agreed</p>	<p>Add first sentence to 7.3.4 (as not relevant to 7.3.3 as this refers to overland flood flow routes and not storage).</p>
<p>7.3.4 Pond Layout & Location insert at beginning: “SuDS holding permanent water such as wetlands and ponds should be a part of any larger SuDS scheme to maximise the benefits for biodiversity and amenity. Embankments should be shallow and planted with preferably native species, but specified by an appropriate professional and suitable within its context. Ponds should be located to form an integral part of the amenity space and a site’s green infrastructure, where they can make a positive contribution to these.”</p> <p>We suggest replacing: “Where possible a SuDS pond should be located adjacent to non-intensively managed landscapes” with: “Biodiversity-rich native planting around the SuDS and where appropriate within the surrounding greenspaces and the location of the SuDS should both aim for ecological connectivity with surrounding habitats.”</p> <p>P.27 “Fencing of a SuDS pond should only be considered as a last resort or where required by Scottish Water in order to agree vesting of the asset” We suggest fencing is included under 7.3.2 embankment gradients.</p>	<p>NatureScot (previously SNH)</p>	<p>It is acknowledged that designing multifunctional SUDS is challenging. The Council held a multi-stakeholder workshops in June 2019 in order to better understand the issues and explore potential solutions. The information gathered at the workshop was used to improve the open space guidance and prepare a longer-term action plan to encourage continued partnership working in order to facilitate better SuDS design. A follow-up session in December 2019 allowed stakeholders to review these documents and sign up to their delivery.</p>	<p>Detailed guidance on the design of SuDS has been grouped in Appendix 2 of the Open Space Supplementary Guidance. Additional text will be added within the Flood Risk SG at 7.3.2 regarding the embankment gradient and treatments.</p>

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>7.3.5 Surface Water Systems to be Adopted by Scottish Water “Where surface water drainage systems are to be adopted by Scottish Water they must be designed to Sewers for Scotland, 4th Edition.” We suggest adding: “However in certain circumstances Scottish Water can make exemptions to certain standards by agreement. This potential possibility should be considered where it would help enabling a higher quality, more integrated and more ambitious SuDS design or better place making.”</p> <p>In our experience various pieces of SuDS guidance for best practice can be contradictory. We understand ‘Sewers for Scotland’ is to undergo further revision in 2020 – in our view many of the standards are currently not compatible with the maximisation of the benefits of SuDS and their positive integrated green infrastructure. Scottish Water has clarified that certain standards can potentially be waved under certain circumstances.</p>	NatureScot (previously SNH)	Agreed	Add SNH suggestion to 7.3.5.
7.3.7 Trash Screens We suggest adding: “All SuDS inlet headwalls, pipes and trash screens shall be designed and located with consideration so that they can form an acceptable and inconspicuous part of the amenity spaces.”	NatureScot (previously SNH)	Agreed.	Add SNH suggestion but to Section 7.3.4.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>7.4 Soakaway Design</p> <p>7.4.1 We suggest adding some indication of what is needed to demonstrate conditions are suitable.</p> <p>Swales Add section: "Swales for infiltration and conveyance are one of the key SuDS components and have great potential to contribute to green infrastructure. Although they are not currently part of the SuDS systems that Sewers for Scotland 4 suggests for adoption, they can be discussed with Scottish Water and potentially be subject to a waiver if Scottish Water is in agreement. The possible future adoption of swales is dependent on requests to Scottish Water so wherever swales are desirable this should be discussed with Scottish Water at an early stage."</p> <p>Add Infiltration and permeable surfaces: suggest adding "In addition to the standard SuDS features we discourage the excessive sealing of surfaces or compaction of ground to promote additional infiltration.</p>	NatureScot (previously SNH)	At present there are some differences between the Council and Scottish Water and this will be considered through future Section 7 agreements.	None. Some detailed guidance on the design of SuDS has been grouped in Appendix 2 of the Open Space Supplementary Guidance
<p>Para 6.2.2: 'Climate Change' page 22, refers to 1:200 +20% as being the figure for climate change in accordance with the Climate Change (Scotland) Act 2009. However, para 5.3.2.3 (page 18), para 7.2.1 (page 25) and para 7.4.2 (page 29) all refer to +30%. This is not consistent with para 8.5 (page 35) and we query as to whether this might be an error? Furthermore, within para 8.5, it states that bridge soffits are to be 600mm above 1:200+20%? This doesn't make sense and again, we suggest could be an error?</p>	A and J Stephens	Noted	All climate change references to be amended to 35% to meet latest SEPA guidance with a caveat for developments behind FPS at 6.2.11

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>Para 7.4.2: Refers to soakaway design and states that soakaways should be designed to BRE 365 but accommodate 1:200 + 30%. Does the soakaway have to be large enough to hold all the water from this event from the area being drained? Currently, BRE 365 requires that a soakaway has to hold a 1:10 year storm (inflow minus outflow). The size of soakaways and filter trenches would have to be significantly larger than at present if this is taken literally. It could have a significant affect on house densities if a minimum of two levels of treatment are required for surface water. They challenge this and query the evidence that soakaways are currently failing.</p>	A and J Stephens	Yes, all SuDS should be designed to the same standard as all other surface water infrastructure	Amend climate change value to 35%.
<p>7.6.2 - In Table 3 the growth factor for the 200 year flood should be 2.89 and not 2.82. The other growth factors are correct.</p>	SEPA	Noted, but the growth factor is 2.84.	Amend value to 2.84.
<p>Para 7.6.4: The guidance is ambiguous as there is no definition of 'small sites' and 'steeply sloping sites'. We request that these be clarified through definition.</p>	A and J Stephens	Small sites are as defined in 5.2.2 (1). Steeply sloping sites can vary greatly and for this reason we prefer that the developer consult with the Flooding Team at an early stage to ensure all relevant cases are considered and thoroughly assessed.	Amend 7.6.4 to make reference to definition at 5.2.2(1)

Comment	Received from	PKC Officer response	Change to be made to Guidance
Paras 7.5.4 and 8.6: Both refer to drainage pipes having a minimum flow velocity of 1 m/s. The guidance should state that the pipe conditions should be full. This would be similar to Scottish Water and makes a difference in surface water sewer design. Alternatively the Guidance should be silent on this level of detail as it is covered by other sewer design standards.	A and J Stephens	This was specifically highlighted as there are many occasions where pipes are laid at very shallow gradients resulting in long term maintenance problems due to siltation. A minimum velocity of 1m/s will ensure the pipe is self-cleansing.	None.
8. Frequently Asked Questions			
8.5 – Dependent on the council position it may be appropriate to include the same caveat that climate change allowances may change in the future rather than note the 20% uplift specifically.	SEPA	Noted.	Climate Change value to be updated to reflect latest SEPA guidance. (35%). Add text at 8.5.
9. Certification and Insurance			
In certain circumstances (such as unique designs) the Flooding Team may require a third party Engineer check.” Unique designs are currently the only solution to create quality multifunctional SuDS which deliver multiple benefits – there is a risk that unique designs will be discouraged by any extra cost, therefore third-party-certification could be a way of solving this without penalising good design.	NatureScot (previously SNH)	The requirement for 3 rd party checks is aimed at designs that require complex structural engineering calculations. It does not apply to alternative layouts of SuDS ponds that do not require complex engineering calculations.	Add reference to complex structural engineering calculations.

Comment	Received from	PKC Officer response	Change to be made to Guidance
10. Contact Details			
11. Glossary/Abbreviations			
<p>SEPA suggest the following additions to the Glossary Abbreviations –</p> <ul style="list-style-type: none"> • FEH13: Update to the depth duration frequency figures for rainfall. These figures should be used in calculation of design flows using ReFH2 and the design of SuDS. • FEH Rainfall Runoff Method: A method for estimating design flood flows and flood hydrographs for rural and urbanised ungauged catchments across the UK. Note that depth duration frequency FEH99 data should be used with this method and not FEH13 data. • ReFH2: The Revitalised Flood Hydrograph model. A method for estimating design flood flows and flood hydrographs for rural and urbanised ungauged catchments across the UK. • SEPA Flood Map: Description needs to be updated to include surface water flood risk and high medium and low likelihood of flooding. 	SEPA	Agreed	Add SEPA suggestions.
Appendix A: FRA Check Sheet			
Appendix B: Assessment Compliance Certification and Insurance			

Comment	Received from	PKC Officer response	Change to be made to Guidance
Miscellaneous			
Considers that Planning Authority should have different position for development which has been ongoing (such as their development at Hosh Farm Steadings, Crieff, where onerous requirements to supply enhanced FRA make ongoing development unviable) as opposed to new development sites.	Member of the Public	Unfortunately, if a site is at risk of flooding as identified on the SEPA flood maps or historic records, then it is a requirement that a suitable assessment is undertaken. However, the assessment should be appropriate to development being considered and not be overly onerous without justification.	None.
Seeks consistency of approach when within a 1 in 200 year risk area citing recent applications at The Hosh, where some applicants within this area have been required to provide no FRA, some a Level 1 FRA, and others an enhanced FRA. Inconsistency must be eradicated and all applications must be required to provide the same level of FRA.	Member of the Public	The requirement for an FRA should only be considered where appropriate and justifiable. The FRA should be commensurate with the circumstances being considered.	None
Seeks planning officer to consider SEPA and Flood Team advice and site circumstances together before determining developer requirements for planning application.	Member of the Public	Agreed this is the current Local Development Plan process for considering allocations and identifying the site-specific developer requirements.	None

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>Scone Community Council supports the amendments to the existing guidance. Considers any application must be presented with full details, sufficient to allow a full and fair assessment to be made. During this consultation period, full details should be made available for public comment, and the details should not be treated behind closed doors by the Planning Authority. An application must be fully considered and checked by competent and independent Council staff prior to any consent being issued.</p>	<p>Scone Community Council</p>	<p>Noted. The Supplementary Guidance has been created so that it is clear to developers what they need to provide in support of a planning application. The Council's staff provide competent and independent advice to Planning with regard to flood risk. Planning application documents are made available and after viewing the planning application, there is opportunity to make a comment or object to it within 21 days of the formal notification date.</p>	<p>None</p>

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>Concerned that Scottish government guidance, the SEPA comments, the Flooding team's concerns and those of the residents are overridden. For years, Scone has been well documented as a flood risk area, significantly in the High Field. The flooding team placed it as high risk and said it should not be built on, using the 'precautionary principle'. When the H29 application was presented PKC planning agreed that no building could take place until the developer submitted a drainage plan for the whole H29 area. This was agreed in public at a Planning and Development meeting. This requirement has now been removed.</p> <p>SEPA has raised concerns. The Community Council has objected. PKC have been able to flout all flooding requirements.</p>	<p>Member of the Public</p>	<p>A Flood Risk Assessment and Drainage Impact Assessment was submitted to the Council for review and consideration. After lengthy discussions and correspondence, the FRA and DIA was deemed acceptable. This process was similar to other relevant planning applications.</p>	<p>None</p>