

Perth and Kinross Council
Planning & Placemaking Committee – 10 August 2022
Pre-Application Report by Head of Planning and Development
(Report No. 22/182)

Mixed use development comprising erection of 3 café/restaurant units (Class 3) with drive thru facilities, business units (Class 4), electric vehicle charging hub and formation of vehicular access, parking areas, landscaping and associated works (allocated site E2) on land 90 metres south of 5 Broxden Avenue, Perth.

Ref. No: [22/00015/PAN](#)

Ward No: P10- Perth City South

Summary

This report is to inform the Committee of a potential forthcoming planning application in respect of a major mixed-use development comprising the erection of 3 café/restaurant units (Class 3) with drive thru facilities, business units (Class 4), electric vehicle charging hub and formation of vehicular access, parking areas, landscaping and associated works (allocated site E2) on land 90 metres south of 5 Broxden Avenue, Perth. The report also aims to highlight the key planning policies and the likely stakeholders who would be involved in the decision-making process, and to offer a brief overview of the key planning issues which are likely to be relevant to the proposal.

BACKGROUND AND DESCRIPTION

- 1 In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 (as amended), the applicants submitted a Proposal of Application Notice (PoAN) on 24 May 2022. The purpose of this report is to inform the Planning and Placemaking Committee of a forthcoming planning application in respect of a major development for land 90 metres south of 5 Broxden Avenue (E2), Perth. This pre-application report gives the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 This PoAN seeks to formally establish a major development comprising the erection of 3 café/restaurant units (Class 3) with drive thru facilities, business units (Class 4), electric vehicle charging hub and formation of vehicular access, parking areas, landscaping and associated works. The exact range of uses, scale and design of the development will be arrived at during pre-application discussions.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 3 Due to the scale of the proposal, it will require to be screened as to whether it is an EIA development under the EIA 2017 Regulations. A screening request is required to be submitted by the applicant. A screening request

(22/00956/SCRN) was submitted by the applicant in May 2022, and it was confirmed that an EIA would not be required to accompany any planning application.

PRE-APPLICATION PROCESS

- 4 The PoAN (22/00015/PAN) confirmed that two public events will be held at the Lovat Hotel, 90 Glasgow Road, Perth, PH2 0LT. The time and dates for the events is to be confirmed. The first event will be a consultation exhibition and the second will be a feedback event and will take place a minimum of 14 days after the first event. Information boards will be displayed at the events along with feedback forms and a dedicated email address where attendees can respond with comments before/after the event. Members of the project team will be in attendance to answer any questions the public may have and to explain the details of the development.
- 5 The Ward Councillors, local MSP, local MP and Earn Community Council have been notified.
- 6 The results of the community consultation will be submitted with the planning application as part of the required Pre-Application Consultation (PAC) Report.

NATIONAL POLICY AND GUIDANCE

- 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 a 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 (SPP)

- 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
 - Supporting Business and Employment: paragraphs 92 – 108
 - Managing Flood Risk and Drainage: paragraphs 254 – 268
 - Promoting Sustainable Transport and Active Travel: paragraphs 269 – 291

- 10 The following Scottish Government Planning Advice Notes are likely to be of relevance to the proposal:-

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

LOCAL POLICY AND GUIDANCE

TAYplan Strategic Development Plan 2016-2036

- 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 2016 are of particular importance in the assessment of this application:

- Policy 1 – Locational Priorities
- Policy 2 – Shaping Better Quality Places
- Policy 3 – A First Choice for Investment
- Policy 5 – Town Centres First
- Policy 6 – Developer Contributions

Perth and Kinross Local Development Plan 2019

- 13 The Local Development Plan 2 (LDP2) was adopted by Perth and Kinross Council on 29 November 2019. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 14 The LDP2 sets out a vision statement for the area and states that:
“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”
- 15 Under the LDP2, the following policies are of particular importance in the assessment of this application:
- Policy 1A: Placemaking
 - Policy 2: Design Statements
 - Policy 3: Perth City
 - Policy 7A: Employment and Mixed Used Areas: Business and Industrial
 - Policy 10: City, Town and Neighbourhood Centres

- Policy 12: Commercial Centres and Retail Controls
- Policy 13: Retail and Commercial Leisure Proposals
- Policy 14: Open Space
- Policy 15: Public Access
- Policy 23: Delivery of Development Sites
- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 34A: Sustainable Heating & Cooling: Heat Networks, Major Development and LDP Site Allocations
- Policy 41: Biodiversity
- Policy 42: Green Infrastructure
- Policy 52: New Development and Flooding
- Policy 53: Water Environment and Drainage
- Policy 55: Nuisance from Artificial Light and Light Pollution
- Policy 56: Noise Pollution
- Policy 57: Air Quality
- Policy 60: Transport Standards and Accessibility Requirements

OTHER POLICIES

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

- Placemaking Supplementary Guidance (2020)
- Developer Contributions Supplementary Guidance (2016)
- Flood Risk and Flood Risk Assessments – Developer Guidance (2014)
- Perth and Kinross Local Transport Strategy (2010)

PLANNING SITE HISTORY

- 17 **17/0052/LDP2** On 3 March 2022 for development of a 4.0 ha site for employment use. The site has previously been allocated for a mixed-use development.
- 18 [20/00856/FLL](#) Full Planning Permission was approved on 22 October 2020 for Land engineering operations (in part retrospect).
- 19 [20/01148/FLL](#) Full Planning Permission was approved on 18 October 2020 for Formation of access road and associated works (in part retrospect).
- 20 [21/01121/FLL](#) Full Planning Permission was approved on 4 August 2021 for Land engineering works (in part retrospect).
- 21 **22/00956/SCRN** EIA Screening opinion sought for a development comprising the erection of three café/restaurant units (Class 3) with drive thru facilities, business units (Class 4), electric vehicle charging hub, with parking, landscaping, new access, and other associated works. An opinion advising that EIA was not required was issued on 15 June 2022.

CONSULTATIONS

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

External

- Scottish Environment Protection Agency
- NatureScot
- Scottish Water
- Transport Scotland
- Historic Environment Scotland
- Earn Community Council

Internal

- Environmental Health
- Strategic Planning and Policy
- Developer Contributions Officer
- Community Greenspace
- Transport Planning
- Structures and Flooding
- Economic Development
- Biodiversity/Tree Officer
- Perth and Kinross Heritage Trust

KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED

23 The key considerations against which the eventual application will be assessed include:

- Principle
- Visual Impact
- Scale, Design and Layout
- Relationship to Nearby Land Uses
- Natural Heritage and Ecology
- Air Quality
- Transport Implications

ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED

24 The following supporting documents will need to be submitted with any planning application:

- Planning Statement
- Design and Access Statement
- Pre-Application Consultation (PAC) Report
- Leisure/Economic Impact Assessment
- Transport Assessment

- Flood Risk and Drainage Assessment
- Landscape and Visual Impact Assessment
- Tree and Woodland Survey
- Habitat Survey
- Archaeological Assessment
- Sustainability Assessment

CONCLUSION AND RECOMMENDATION

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

Background Papers: None

Contact Officer: Alex Gudgeon

Date: 29 July 2022

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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