

Perth and Kinross Council  
Planning & Development Management Committee – 18 November 2020  
Pre-Application Report by Head of Planning and Development (Report No. 20/220)

Residential development, land east of Middleton of Fonab Cottages, Foss Road,  
Pitlochry

Ref. No: [20/00008/PAN](#)  
Ward No: P4 - Highland

### **Summary**

This report is to inform the Committee of a potential forthcoming planning application in respect of a major residential development. 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 1 September 2020. The purpose of this report is to inform the Planning and Development Management Committee of a forthcoming major planning application. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 This proposal of application notice (PoAN) seeks to formally establish a major residential development of up to 85 dwellings. The exact scale, design and layout of the development will be arrived at during pre-application discussions. The majority of the proposed site is allocated in LDP2 (H38) for residential development. The PoAN site boundary extends to the north west, including land that is not included within the LDP2 allocation but is within the Pitlochry settlement boundary.

### **ENVIRONMENTAL IMPACT ASSESSMENT**

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

### **PRE-APPLICATION PROCESS**

- 4 The PoAN confirmed that an online public exhibition was held on 20 October 2020. The MP, MSPs, Ward Councillors, and Pitlochry and Moulin Community

Council have been notified. 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**

- 5 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**

- 6 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**

- 7 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
  - Enabling Delivery of New Homes: paragraphs 109 – 134
  - Valuing the Historic Environment: paragraphs 135 – 151
  - Delivering Heat and Electricity: paragraphs 152 -173
  - Valuing the Natural Environment: paragraphs 193 – 218
  - Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
  - Managing Flood Risk and Drainage: paragraphs 254 – 268
  - Promoting Sustainable Transport and Active Travel: paragraphs 269 – 291
- 8 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 60 Planning for Natural Heritage
  - PAN 61 Planning and Sustainable Urban Drainage Systems
  - PAN 68 Design Statements
  - PAN 75 Planning for Transport
  - PAN 79 Water and Drainage

## **LOCAL POLICY AND GUIDANCE**

### **TAYPlan Strategic Development Plan 2016-2036**

- 9 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”*

- 10 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 4 – Homes
- Policy 6 – Developer Contributions
- Policy 8 – Green Networks
- Policy 9 – Managing TAYplans Assets

### **Perth and Kinross Local Development Plan 2019**

- 11 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.

- 12 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.”*

- 13 Under the LDP, the following policies are of particular importance in the assessment of this application:

- Policy 1: Placemaking
- Policy 2: Design Statements
- Policy 5: Infrastructure Contributions
- Policy 6: Settlement Boundaries
- Policy 14: Open Space Retention and Provision
- Policy 15: Public Access
- Policy 16: Social, Cultural and Communities Facilities
- Policy 17: Residential Areas
- Policy 20: Affordable Housing
- Policy 23: Delivery of Development Sites
- Policy 24: Maintaining an Effective Housing Land Supply
- Policy 25: Housing Mix
- Policy 26: Scheduled Monuments and Archaeology:

- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 34: Sustainable Heating & Cooling
- Policy 38: Environment and Conservation
- Policy 39: Landscape
- Policy 40: Forestry, Woodland and Trees
- Policy 41: Biodiversity
- Policy 42: Green Infrastructure
- Policy 47: River Tay Catchment Area
- Policy 52: New Development and Flooding
- Policy 53: Water Environment and Drainage
- Policy 56: Noise Pollution
- Policy 57: Air Quality
- Policy 58: Contaminated and Unstable Land
- Policy 59: Digital Infrastructure
- Policy 60: Transport Standards and Accessibility Requirements

## **LDP2 Allocation**

### H38 - 5.2ha with Indicative Capacity 54-85 dwellings Site-Specific Developer Requirements

- Flood Risk Assessment.
- Drainage Impact Assessment.
- Open watercourses to be retained and protected with a minimum 6m buffer strip and presumption against culverting.
- Access from the local road network with pedestrian and cycle connections onto Logierait Road and enhanced walking and cycling opportunities to town centre.
- Paths within the site to link to the core path network to the west.
- Green infrastructure on the site to link to the wider network along the northern boundary.
- Noise attenuation measures adjacent to A9.
- Landscape Framework.
- Enhancement of biodiversity.
- Compensatory planting for any felled trees will be required.
- An area of land to be reserved for the future expansion of Fonab Cemetery.

## **OTHER POLICIES**

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

- Developer Contributions Supplementary Guidance July 2020
- Placemaking Supplementary Guidance March 2020
- Flood Risk and Flood Risk Assessments – Developer Guidance June 2014

## **PLANNING SITE HISTORY**

- 15 [15/00011/PAN](#) Proposal of Application Notice (PoAN) for residential development. Approved June 2015.

## **CONSULTATIONS**

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

### **External**

- Scottish Environmental Protection Agency (SEPA)
- Nature Scot (formerly SNH)
- Scottish Water
- Transport Scotland
- Historic Environment Scotland (HES)
- Scottish Forestry
- Perth & Kinross Heritage Trust (PKHT)
- Pitlochry & Moulin Community Council

### **Internal**

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

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

- 17 The key considerations against which the eventual application will be assessed include:
- a. Principle and Need
  - b. Visual Impact
  - c. Scale, Design and Layout
  - d. Relationship to Nearby Land Uses
  - e. Natural Heritage and Ecology
  - f. Landscape
  - g. Water Resources and Soils
  - h. Flooding and Drainage
  - i. Air Quality
  - j. Noise
  - k. Transport Implications
  - l. Archaeology and Cultural Heritage
  - m. Economic impact

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

18 Should an EIA Report not be required the following supporting documents will need to be submitted with any planning application:

- Planning Statement
- Design and Access Statement
- Pre-Application Consultation (PAC) Report
- Transport Assessment
- Flood Risk and Drainage Assessment
- Noise Impact Assessment
- Air Quality Assessment
- Landscape and Visual Impact Assessment
- Tree and Woodland Survey
- Habitat including Protected Species Survey
- Archaeological Assessment
- Sustainability Assessment

## **CONCLUSION AND RECOMMENDATION**

19 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. 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: Steve Callan – Ext 01738 475337

Date: 5 November 2020

**DAVID LITTLEJOHN**  
**HEAD OF PLANNING & DEVELOPMENT**

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