

Perth and Kinross Council
Planning & Development Management Committee – 14 February 2018
Pre-Application Report by Interim Development Quality Manager

PROPOSAL: Proposed employment/business park (use classes 4, 5 and 6) and associated works

LOCATION: Land north of Thomson Landscapes, Inchcape Place, Perth

Ref. No: 17/00010/PAN

Ward No: P12- Perth City Centre

Summary

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for proposed increased employment use flexibility of the food and drink park to include employment uses to extend into use classes 4, 5 and 6. The report also aims to highlight the key planning policies, the likely stakeholders who would be involved in the decision making process and to offer a brief overview of key planning issues which are likely to be relevant to the proposal.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 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 21 November 2017. The purpose of this report is to inform the Planning and Development Management Committee of forthcoming planning applications in respect of proposed increased use class flexibility to the adjacent Perth Food and Drink Park to allow for Use Classes 4, 5 and 6 in future detailed planning application submissions. Pre-application report's give the Committee an opportunity to raise issues, which it would like to see addressed in any future planning application.
- 2 The site area extends to approximately 4 hectares and is identified in the current adopted Local Development Plan (LDP) forming part of the E3 zoning in the Local Development Plan for employment uses where Policy ED1A applies. This states that areas identified for employment uses should be retained for those uses. It also requires new development to relate to be compatible with surrounding uses.
- 3 The exact design, scale and details of any development proposals will be arrived at during further discussions and subsequent planning applications.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 4 Directive 2011/92/EU requires the 'competent authority' (in this case Perth and Kinross Council) when giving a planning permission for particular large scale projects to do so in the knowledge of any likely significant effects on the environment. The Directive therefore sets out a procedure that must be followed for certain types of project before 'development consent' can be given.

- 5 This procedure, known as Environmental Impact Assessment (EIA), is a means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects. This helps to ensure that the importance of the predicted effects, and the scope for reducing any adverse effects, are properly understood by the public and the relevant competent authority before it makes its decision.
- 6 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 current EIA regulations. No screening request has been submitted to date and there is no evidence of the site being screened historically.

PRE-APPLICATION PROCESS

- 7 The Proposal of Application Notice (reference 17/000010/PAN) outlined a public exhibition held at the North Inch Community Campus on the 27th January 2018. Local Councillors (Ahern, Coates, Doogan, Rebbeck, Barrett, Drysdale and Parrot), North Muirton Community Council and Tulloch Community Group were all notified. The results of the community consultation will be submitted with any application as part of the required Pre-Application Consultation (PAC) Report.

NATIONAL POLICY AND GUIDANCE

- 8 The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework

- 9 NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc. (Scotland) Act 2006 this is now a statutory document and material consideration in any planning application. The document provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

Scottish Planning Policy 2014

- 10 The Scottish Planning Policy (SPP) was published in June 2014 and sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:
 - The preparation of development plans;
 - The design of development, from initial concept through to delivery; and
 - The determination of planning applications and appeals.

- 11 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
- Valuing the Historic Environment: paragraphs 135 – 151
- Valuing the Natural Environment : paragraphs 193 – 218
- Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
- Promoting Responsible Extraction of Resources: paragraphs 234 – 248
- Managing Flood Risk and Drainage: paragraphs 254 – 268
- Promoting Sustainable Transport and Active Travel : paragraphs 269 – 291

Planning Advice Notes

- 12 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 69 Planning and Building standards Advice on Flooding
- PAN 75 Planning for Transport

National Roads Development Guide 2014

- 13 This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

DEVELOPMENT PLAN

- 14 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016-2036

- 15 TAYplan sets out a vision for how the region will be in 2036 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:
- 16 *“By 2036 the TAYplan area 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.”*

Perth and Kinross Local Development Plan 2014

- 17 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. The LDP sets out a vision statement for the area and states that, *“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”* It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 18 Under the LDP, the following policies are of particular importance in the assessment of any future planning applications:

Policy PM1A - Placemaking

- 19 Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

Policy PM1B - Placemaking

- 20 All proposals should meet all eight of the placemaking criteria.

Policy PM3 -Infrastructure Contributions

- 21 Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

Policy ED1A - Employment and Mixed Use Areas

- 22 Areas identified for employment uses should be retained for such uses and any proposed development must be compatible with surrounding land uses and all six of the policy criteria, in particular retailing is not generally acceptable unless ancillary to the main use.

Policy TA1B - Transport Standards and Accessibility Requirements

- 23 Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

Policy NE1A - International Nature Conservation Sites

- 24 Development which could have a significant effect on a site designated or proposed as a Special Area of Conservation, Special Protection Area or Ramsar site will only be permitted where an Appropriate Assessment shows that the integrity of the site will not be adversely affected, there are no alternative solutions and there are imperative reasons of overriding public interest.

Policy NE3 - Biodiversity

- 25 All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.

Policy EP1: Climate Change, Carbon Reduction and Sustainable Construction

- 26 Sustainable design and construction will be integral to new development within Perth & Kinross.

Policy EP2 - New Development and Flooding

- 27 There is a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere. Built development should avoid areas at significant risk from landslip, coastal erosion and storm surges. Development should comply with the criteria set out in the policy.

EP3: Water Environment and Drainage

- 28 EP3A: Proposals, which do not accord with the Scotland River Basin Management Plan and any relevant associated Area Management Plans, will be refused unless they are considered to be of significant specified benefit to society and / or the wider environment.
- 29 EP3B: Foul drainage from all developments within and close to settlement envelopes that have public sewerage systems will require connection to the public sewer. A private system will only be considered as a temporary measure or where there is little or no public sewerage system and it does not have an adverse effect on the natural and built environment, surrounding uses and the amenity of the area.
- 30 EP3C: All new development will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.

Policy EP8 - Noise Pollution

- 31 There is a presumption against the siting of proposals which will generate high levels of noise in the locality of noise sensitive uses, and the location of noise sensitive uses near to sources of noise generation.

OTHER POLICIES

- 32 The following supplementary guidance and documents are of particular importance in the assessment of this application:
- Developer Contributions Supplementary Guidance including Affordable Housing (April 2016)
 - Flood Risk and Flood Risk Assessments – Developer Guidance (June 2014)
 - Sustainable Design and Zero Carbon Development Supplementary Guidance (May 2014)
 - Green Infrastructure Supplementary Guidance (Draft) (July 2014)

Perth & Kinross Corporate Plan 2013-2018

- 33 The Corporate Plan Vision includes – Promoting a prosperous, inclusive and sustainable economy. Creating safe and sustainable places for future generations.

The Perth City Plan 2015 – 2035

- 34 This plan produced by the City Development Board sets out the long-term vision for Perth as one of Europe's great small cities. It sets out a framework for investment in strategic infrastructure, along with a 5 year delivery plan for economic development and placemaking.

SITE HISTORY

- 35 There is no current site planning history.

CONSULTATIONS

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

External

- Scottish Environmental Protection Agency (SEPA)
- Scottish Water
- Perth and Kinross Heritage Trust (PKHT)
- Community Council

Internal

- Environmental Health
- Biodiversity Officer
- Strategic Planning and Policy
- Community Greenspace
- Transport Planning
- Structures and Flooding
- Waste Services
- Contribution Officer

KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED

- 37 The key considerations against which the eventual application will be assessed includes;
- a. Landscape and Visual Impact
 - b. Scale, Design and Layout
 - c. Relationship to nearby land uses
 - d. Site Planning History
 - e. Natural Heritage and Ecology
 - f. Cultural Heritage including Archaeology
 - g. Water Resources and Soils
 - h. Air Quality
 - i. Noise
 - j. Transport Implications
 - k. Sustainability

ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED

- 38 It is anticipated that the following assessments will be required to cover the following subject matters;
- Habitat Survey
 - Air quality Assessment
 - Noise Assessment/Management Plan
 - Ground Conditions Survey
 - Transport Statement/Assessment
 - Landscape and Visual Impact Assessment
 - Flood Risk and Drainage Assessment including Surface Water Management Plan
 - Cultural Heritage including Archaeology Assessment
 - Design and Access Statement
 - Pre-Application Consultation (PAC) Report
 - Sustainability Assessment
 - Planning Statement
 - Design and Access Statement

CONCLUSION AND RECOMMENDATION

- 39 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

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Date: 1st February 2018

ANNE CONDLIFFE
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