



Securing the future... • *Improving services*
• *Enhancing quality of life* • *Making the best use of public resources*

Council Building
2 High Street
Perth
PH1 5PH

Tuesday, 04 April 2017

A Meeting of the **Development Management Committee** will be held in **the Council Chambers, 2 High Street, Perth, PH1 5PH** on **Wednesday, 12 April 2017** at **10:00**.

If you have any queries please contact Committee Services on (01738) 475000 or email Committee@pkc.gov.uk.

BERNADETTE MALONE
Chief Executive

Those attending the meeting are requested to ensure that all mobile phones and other communication devices are in silent mode.

Members:

Councillor Tom Gray (Convener)
Councillor Bob Band (Vice-Convener)
Councillor Henry Anderson
Councillor Michael Barnacle
Councillor Ian Campbell
Councillor Dave Cuthbert
Councillor Ann Gaunt
Councillor Joe Giacobazzi
Councillor Callum Gillies
Councillor John Kellas
Councillor Alan Livingstone
Councillor Murray Lyle
Councillor Gordon Walker

Development Management Committee

Wednesday, 12 April 2017

AGENDA

MEMBERS ARE REMINDED OF THEIR OBLIGATION TO DECLARE ANY FINANCIAL OR NON-FINANCIAL INTEREST WHICH THEY MAY HAVE IN ANY ITEM ON THIS AGENDA IN ACCORDANCE WITH THE COUNCILLORS' CODE OF CONDUCT.

- 1 WELCOME AND APOLOGIES/SUBSTITUTES**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTES**
- (i) MINUTE OF MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE OF 15 MARCH 2017 FOR APPROVAL AND SIGNATURE 5 - 18**
- (ii) 15/01512/FLM - KINROSS - ERECTION OF 300 DWELLINGHOUSES, FORMATION OF OPEN SPACE, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE WORKS ON LAND NORTH WEST OF LATHRO FARM, KINROSS - PERSIMMON HOMES LTD (ART.16/629(2)(I) REFERS)**
The Committee is asked to note that with regards to an updated informative 1 agreed for planning application 15/01512/FLM, the 10 year period was introduced in error and should be 3 years. This will be amended and the correct period of time will be reflected in the decision notice.
- 4 DEPUTATIONS**
- 5 APPLICATIONS FOR DETERMINATION**
- (1) MAJOR APPLICATIONS**
- (i) 15/01484/FLM - BRACO - ERECTION OF 9 TURBINES, ACCESS AND ASSOCIATED WORKS AT STRATHALLAN WIND FARM, LAND NORTH EAST OF GREENACRES, BRACO 19 - 66**
Report of Handling by Interim Head of Planning (recommendation - refuse) (copy herewith 17/137)

(2) LOCAL APPLICATIONS

- (i) 17/00243/FLL - LUNCARTY - ALTERATIONS AND EXTENSION TO BALHOUSIE LUNCARTY CARE HOME, SANDEMAN PLACE, LUNCARTY 67 - 84**

Report of Handling by Interim Head of Planning (recommendation - approve) (copy herewith 17/138)

- (ii) 17/00244/LBC - LUNCARTY - ALTERATIONS AND EXTENSION TO BALHOUSIE LUNCARTY CARE HOME, SANDEMAN PLACE, LUNCARTY 85 - 96**

Report of Handling by Interim Head of Planning (recommendation - approve) (copy herewith 17/139)

(3) PROPOSAL OF APPLICATION NOTICE (PAN)

- (i) 17/00002/PAN - MILNATHORT - ERECTION OF HOLIDAY PARK, VISITOR CENTRE (ANCILLARY CAFE/RESTAURANT WITH COMMERCIAL SPACE), WITH SUPPORTING RECREATIONAL INFRASTRUCTURE AT LAND WEST OF TARNHILL, MILNATHORT 97 - 108**

Pre-Application Report by Interim Head of Planning (copy herewith 17/140)

- (ii) 17/00003/PAN - INCHTURE - RESIDENTIAL DEVELOPMENT AT LDP SITE H24, LAND SOUTH WEST OF MONCUR FARM, MONCUR ROAD, INCHTURE 109 - 118**

Pre-Application Report by Interim Head of Planning (copy herewith 17/141)

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

DEVELOPMENT MANAGEMENT COMMITTEE

Minute of meeting of the Development Management Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth, PH1 5PH on Wednesday 15 March 2017 at 10.00am.

Present: Councillors T Gray (Convener), B Band (Vice-Convener), H Anderson, M Barnacle, I Campbell, D Doogan, D Cuthbert (up to and including Art.**(2)(i)), A Gaunt, J Giacomazzi (excepting Art.**(2)(ii)), C Gillies, J Kellas and A Livingstone.

In Attendance: Councillor C Shiers; M Barr, N Brian, S Callan, A Condliffe, N Moran, M Petrie and J Scott (all The Environment Service); G Fogg and H Rheinallt (both Corporate and Democratic Services).

Apologies: Councillors M Lyle and G Walker.

Councillor T Gray, Convener, Presiding.

. WELCOME AND APOLOGIES

The Convener welcomed everyone to the meeting and apologies were noted as above.

. DECLARATIONS OF INTEREST

Councillors Cuthbert and Giacomazzi declared non-financial interests in Art.**(2)(ii) in terms of the Councillors' Code of Conduct, as Trustees of Donaldson Memorial Park Trust.

. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Development Management Committee of 15 February 2017 (Arts. *-*) was submitted, approved as a correct record and authorised for signature.

. DEPUTATIONS

In terms of Standing Order 59, the Committee agreed to hear deputations in relation to the following planning applications:

Planning Application No.	Art. No.
15/01691/FLM	** (1)(i)
16/02175/FLL	** (2)(i)
17/00077/FLL	** (2)(ii)

APPLICATIONS FOR DETERMINATION

(1) Major Applications

- (i) 15/01691/FLM – BRIDGE OF CALLY – Erection of 11 wind turbines, control building and ancillary works, Green Burn Wind Farm, land West of Drumderg Wind Farm, Bridge of Cally – Report 17/108 – Green Burn Wind Farm Ltd**

Ms A Petrie and Mr J Scuse, objectors to the application, Councillor B Ellis, supporter of the application, and Mr C Crosby, agent for the applicant, addressed the Committee and, following their respective representations, withdrew to the public benches.

Motion (Councillors Livingstone and Gillies) – Refuse the application, due to the following reasons:

- 1 The proposal by virtue of the location, dominance, scale and layout of the proposed wind farm would result in unacceptable adverse landscape impacts, having regard to landscape character and setting within the immediate landscape and wider landscape character types. Accordingly the proposal is contrary to Policy 3 and Policy 6 of TAYplan and Policies ER1A and ER6 of the Perth and Kinross Local Development Plan 2014.**
- 2 The proposal by virtue of the location, dominance, scale and layout of the proposed wind farm would result in unacceptable visual impacts, including cumulative visual impacts having regard on residential, recreational and tourist receptors. Accordingly the proposal is contrary to Policy 6 of TAYplan and Policies ER1A and ER6 of the Perth and Kinross Local Development Plan 2014.**
- 3 The development does not contribute positively, to the quality of the surrounding built and natural environment as the design, density and siting of the development does not respect the character and amenity of Eastern Perthshire, contrary to policy PM1A of the Perth and Kinross Development Local Development Plan 2014.**

Justification

The proposal is not considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

Amendment (Councillors J Kellas and H Anderson) – Grant the application, due to the following reasons:

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
15 MARCH 2017

1. The proposal accords with the Perth and Kinross Development Plan 2014 Policy ER1A, as the proposal would not have an adverse impact on tourism in the area, evidenced by the report commissioned by the Moffatt Centre.
2. The proposal accords with Policies ER6 and PM1A of the Perth and Kinross Local Development 2014, as it would not conflict with the aim of maintaining and enhancing the landscape qualities of the landscape character area, including the Cairngorm National Park, by respecting the character and amenity of the place.

In accordance with Standing Order 44, a roll call vote was taken.

4 members voted for the Amendment as follows:

Councillors H Anderson, D Doogan, J Giacomazzi and J Kellas.

8 members for the Motion as follows:

Councillors T Gray, B Band, M Barnacle, I Campbell, D Cuthbert, A Gaunt, C Gillies and A Livingstone.

Amendment – 4 votes

Motion – 8 votes

Resolved:

In accordance with the Motion.

- (ii) **16/01761/AMM – ABERFELDY – Erection of 20 dwellinghouses and 4 flats (approval of matters specified in conditions 16/00478/IPM – phase 1) at land 25 metres South West of 8 The Beeches, Aberfeldy, Perthshire – Mr D Maxwell**

Resolved:

Grant, subject to the following terms, conditions and informatives, including an additional informative 15 as follows:

- 1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
- 2 Prior to the occupation of any residential plot, details of the specification including materials of all footpaths and cycleways shall be submitted to the Planning Authority for further approval. The agreed detail shall thereafter be implemented prior to the completion of the development.
- 3 Duntaylor Avenue shall not be used at any time by construction traffic associated with the development.
- 4 All matters regarding access, pedestrian and cycling facilities, public transport infrastructure, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
15 MARCH 2017

required by the Council as Roads Authority and to the satisfaction of the Planning Authority.

- 5 No part of the development shall be occupied until a Green Travel Plan (GTP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The GTP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan.
- 6 Prior to the commencement of works on any part of the development, the applicant shall submit for the written approval of the Planning Authority a Construction Traffic Management Scheme (TMS) which shall include the following:
 - a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
 - b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
 - c) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
 - d) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
 - e) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
 - f) details of information signs to inform other road users of construction traffic;
 - g) arrangements to ensure that access for emergency service vehicles are not impeded;
 - h) co-ordination with other major commercial users known to use roads affected by construction traffic;
 - i) traffic arrangements in the immediate vicinity of temporary construction compounds;
 - j) monitoring, reporting and implementation arrangements; and
 - k) arrangements for dealing with non-compliance.The TMS as approved shall be strictly adhered to during the entire site construction programme all to the satisfaction of the Council as Planning Authority.

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
15 MARCH 2017

- 7 Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction unless otherwise agreed in writing by the Council as Planning Authority.
- 8 No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
- 9 Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.
- 10 All road gullies within 500m of the SUDS pond shall have a Wildlife Kerb installed adjacent to it to allow amphibians to pass safely.
- 11 Prior to occupation of the development a minimum of 1 Swift bricks and 1 bat brick shall be incorporated into each building at eaves height.
- 12 Where it is intended to create semi-natural habitats, e.g. meadow or woodland, all species used in the planting proposals shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.
- 13 Prior to the commencement of development, a site specific plan, detailing bin storage areas, kerbside collection locations and recycling facilities shall be submitted to and approved in writing by the Planning Authority and thereafter undertaken in accordance with the approved details.

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
15 MARCH 2017

- 14 The dwellings shall be in accordance with the Council's Developer Contributions and Affordable Housing Policy.

Informatives

- 1 The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be:
 - Displayed in a prominent place at or in the vicinity of the site of the development
 - Readily visible to the public
 - Printed on durable material.
- 5 The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
- 6 The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
15 MARCH 2017

- 7 The applicants are advised that they must apply to the Roads Authority for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
- 8 The applicant is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
- 9 The applicant is advised that the works may need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on site comply with the best practice guidelines laid out in SEPA's published Pollution Prevention Guidance, found at www.sepa.org.uk
- 10 The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage requirements for the development.
- 11 The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
- 12 Because of a disused tip approximately south of the site, the applicant should satisfy themselves that there is no risk to the proposed development. A watching brief during redevelopment is therefore recommended.
- 13 No work shall be commenced until an application for building warrant has been submitted and approved.
- 14 Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD
- 15 The applicant is advised that, in compliance with the Council's Play Area Strategy, play equipment will require to be provided at the play area upon as part of the development of the site in its entirety.

(2) Local Applications

- (i) **16/02175/FLL - PERTH - Erection of a dwellinghouse with ancillary accommodation on land 90 metres South West of 1 Mansfield Place, Isla Road, Perth, PH2 7GZ – Mr G Bayne**

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
15 MARCH 2017

Mr D Roche, objector to the application, and Mr G Caudrey, agent for the applicant, addressed the Committee and, following their respective representations, withdrew to the public benches.

Resolved:

Grant, subject to the following terms, conditions and informatives:

Conditions

- 1 The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.
- 2 Prior to the commencement of any works on site, precise details of the proposed means of surface water disposal associated with all hard surfaces shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full, to the satisfaction of the Council as Planning Authority.
- 3 Development shall not commence on site until an evaluation for the potential of the site to be affected by contamination by a previous use has been undertaken and, as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) has been submitted for consideration and accepted by the Council as Planning Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation shall be undertaken to identify;
 - I. the nature, extent and type(s) of contamination on the site
 - II. measures to treat/remove contamination to ensure the site is fit for the use proposed
 - III. measures to deal with contamination during construction works
 - IV. condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the measures to decontaminate the site shall be fully implemented in accordance with the scheme subsequently agreed by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.
- 4 Prior to the commencement of any works on site, all existing trees on site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
15 MARCH 2017

Construction. Protection measures, once in place, shall remain in place for the duration of construction unless otherwise agreed in writing by the Council as Planning Authority.

- 5 Prior to the commencement of the development hereby approved, a 1:200 site plan which identifies the Construction Exclusion Zone (CEZ) shall be submitted for the further written approval of the Council as Planning Authority. This plan shall ensure all fencing adheres to BS 5837 2012: Trees in Relation to Design, Demolition and Construction. The CEZ as subsequently agreed shall be strictly adhered to during construction of the development unless otherwise agreed in writing by the Council as Planning Authority.
- 6 Full details of any proposed tree works shall be submitted to and approved in writing by the Council as Planning Authority.
- 7 Prior to any engineering works adjacent to the river bank, repairs or otherwise, precise details of the nature of the works shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall thereafter be implemented in full.
- 8 Prior to the commencement of any works on site, precise details of the ground levels within the site shall be submitted, which must provide suitable compensatory flood storage, for the approval in writing by the Council as Planning Authority. The approved details shall thereafter be implemented in full as the development progresses and completed prior to the occupation of the dwelling.
- 9 The ancillary accommodation shall only be occupied by a person(s) directly connected to the main dwelling, and shall not be used as a separate unit either for holiday use or as a separate dwelling from that of main dwelling.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure there from.

Procedural Notes

The formal planning consent shall not be issued until such time as the required Developer Contributions have been secured. In the event that the applicant does not:

- a) Make the required payment upfront within 14 days of the date of the committee decision, or
- b) Complete a new legal agreement for its delayed payment / or submit an application to amend the extant agreement within a 4 month period, then the application may be refused under delegated powers.

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
15 MARCH 2017

Informatives

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See *section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)*).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 An application for Building Warrant will be required.
- 5 The existing trees are likely to contain nesting birds between 1st March and 31st August inclusive. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
- 6 The applicant is advised to make contact with both SEPA and the Council's Flooding and Structures team in relation to the requirements of condition 8 relating to compensatory flood storage measures.

COUNCILLOR CUTHBERT, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM, WITHDREW FROM THE MEETING AT THIS POINT AND TOOK NO PART IN THE DISCUSSION OR DELIBERATION THEREFROM.

(ii) 17/00077/FLL - MILNATHORT - Erection of a football pavilion at Donaldson Memorial Park, Church Street, Milnathort – Kinross Colts FC

Ms A Campbell, objector to the application, Councillor J Giacomazzi, supporter of the application, and Mr E Bailie, applicant, addressed the Committee and, following their respective representations, withdrew to the public benches.

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
15 MARCH 2017

COUNCILLOR GIACOPAZZI, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM, WITHDREW FROM THE MEETING AT THIS POINT AND TOOK NO PART IN THE DISCUSSION OR DELIBERATION THEREFROM.

Resolved:

Grant, subject to the following terms, conditions and informatives:

Conditions

- 1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
- 2 Prior to the commencement of any works on site, all trees on site and those which have Root Protection Areas which fall within the site shall be retained and protected. The measures outlined within the submitted Tree Report (approved document 17/00077/10) shall be implemented as part of the development programme. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.
- 3 Development shall not commence until a detailed Construction Method Statement (CMS) has been submitted and agreed in writing with the Council as Planning Authority. The CMS shall include details on the access route for construction, transportation of building materials and machinery into the park, construction compounds and reinstatement of any damage. The CMS as agreed shall be implemented and maintained throughout the development programme.
- 4 The sound insulation and sound transmission properties of the structure and finishes shall be such that any airborne noise from the operations within the premises does not constitute a statutory noise nuisance as determined by the Local Planning Authority.
- 5 All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.
- 6 All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
15 MARCH 2017

does not adversely affect the amenity of the neighbouring land.

- 7 Prior to the development hereby approved being completed or brought into use, an effective ventilation system commensurate with the nature and scale of cooking to be undertaken shall be installed and operated such that cooking odours are not exhausted into or escape into any neighbouring buildings. Thereafter the system shall be maintained.
- 8 Servicing of and deliveries to the premises shall be carried out between 0700 and 1900 Monday to Saturday only, with no servicing or deliveries permitted on Sundays.
- 9 Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure there from.

Informatives

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
15 MARCH 2017

notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:

- Displayed in a prominent place at or in the vicinity of the site of the development
 - Readily visible to the public
 - Printed on durable material.
- 5 No work shall be commenced until an application for building warrant has been submitted and approved.
- 6 The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.

COUNCILLOR GIACOPAZZI RETURNED TO THE MEETING AT THIS POINT.

(3) Proposal of Application Notice (PAN)

- (i) 17/00001/PAN – AUCHTERARDER – Mixed use development comprised of holiday accommodation, spa, restaurants, retail, public house, events space, residential dwellings, storage, landscaping and associated infrastructure at Easterton Farm, Near Gleneagles, Auchterarder – Report 17/112**

Members requested that, in addition to the issues identified by the Development Quality Manager's report, the following be addressed in the planning application: (1) controlling the routes taken by vehicles to the site, due to the differing standards of the east and west roads; (2) controls to ensure that the holiday accommodation is retained as holiday accommodation; (3) emphasis be put onto the potential archaeological importance of the site, given the unearthed dense Bronze Age settlement at the site of the gWest International Golf Resort.

~~~~~



Perth and Kinross Council  
Development Management Committee – 12 April 2017  
Report of Handling by Development Quality Manager

Erection of a 9 turbine windfarm, access and associated works at Greenscares Plantation, Strathallan Windfarm by Braco.

Ref. No: 15/01484/FLM  
Ward No: N7 - Strathallan

**Summary**

This report recommends refusal of the application for the erection of nine turbines and associated infrastructure, land 900 metres north east of Greenacres by Braco, as the location, prominence, scale and layout of the proposed windfarm would have unacceptable adverse landscape impacts, including cumulative landscape impacts on the immediate landscape character as well as the wider landscape setting.

Additionally the windfarm has significant and unacceptable visual impacts, including cumulative landscape impacts on settlements, residential, recreational and tourist receptors.

Although the policy position in the Perth and Kinross Council Local Development Plan 2014 is generally supportive of renewable energy schemes, the magnitude of the adverse effects associated with the development are significant and environmentally unacceptable. Accordingly, the proposal is not considered to comply with the Development Plan and there are no material considerations of sufficient weight which would justify departing from the Development Plan. The application should be refused.

**BACKGROUND AND DESCRIPTION**

- 1 The site is located to the north of the B827 public road to the north west of Braco and to the west of the A822. The site which is predominantly forested is on the south facing flank of Meall a'Choire Odhair which forms part of the transitional landscape between the Highlands and Lowlands which is commonly referred to as the Highland Boundary Fault. A segment of the forest which makes up the site has been partially felled to accommodate the Beaulieu to Denny Overhead Power Line.
- 2 The proposed development is for the erection of a nine turbine windfarm each turbine with a capacity of 2.3MW providing for an installed capacity of 20.7MW as well as ancillary infrastructure. The turbines would be on hubs of 57m with a 71m diameter rotor giving a maximum blade tip height of 93m, each turbine would have a crane hardstanding adjacent to the turbine base. It is understood that the transformer is integrated into the turbine thus avoiding the need for this to be located adjacent to the turbine base. To facilitate the development the agent confirms that 72 hectares of woodland requires to be felled.

- 3 Access to the site will be gained from the B827 at a point 500m west of Beannie Farm. The existing field access at this point would be upgraded and widened to facilitate access. To accommodate windfarm traffic approximately 3.8km of access track would be formed to access the turbine bases. This would comprise 700m of cut track and 3.1km of floating track where peat depths are greater than 1.0m in depth. One borrow pit would be formed to win material 200m to the north of the site access point. A control building and sub-station would be erected between turbines 8 and 9; a network of underground cables would collect the output from individual turbines and feed that output to the windfarm substation.
- 4 The applicant has confirmed that an application for a grid connection offer has been accepted. The connection point is at the sub-station in Braco 300m from the A822 and B827, it is expected that the connection between the windfarm substation and the grid substation would be buried underground.
- 5 The development is expected to have an operational life span of twenty-five years. Construction would take approximately twelve months with decommissioning taking a further two to four months.

### **ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

- 6 Directive 2011/92/EU requires the 'competent authority' (and in this case Perth and Kinross Council) when giving a planning consent 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.
- 7 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.
- 8 The Environmental Statement supports the planning application and is a key part of the submission.
- 9 Supplementary Environmental Information (SEI) was also submitted to bolster the initial submission. This provided further information on Flood Risk, Landscape, Forestry, Hydrology and Hydrogeology.

### **FURTHER SUPPORTING MATERIAL PROVIDED BY THE APPLICANT**

- 10 In addition to the Environmental Statement the applicant has also submitted the following documents in support of the application.
  - Design Statement
  - Pre-application Consultation Report

### **Design Statement**

- 11 The Design Statement highlights that the developer identified a number of sensitivities through the design process and they have been avoided as far as possible, with mitigation or enhancement proposed in the ES.

### **Pre-application Consultation Report**

- 12 Under the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009 this proposal is defined as a Major application due to the electricity generating capacity of the thirteen turbine proposal exceeding 20 MW. This means there is a statutory requirement imposed on the applicant to undertake pre-application consultation activity with the local community.
- 13 The pre-application consultation report submitted by the agent confirms the extent of consultation activity undertaken and in this case it complies with the measures agreed through the Proposal of Application Notice.

### **NATIONAL POLICY AND GUIDANCE**

- 14 The Scottish Government expresses its planning policies through The National Planning Framework, 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**

- 15 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 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**

- 16 The SPP is a statement of Scottish Government policy on land use planning. The following sections of the SPP are of particular importance in the assessment of this application:-
- 17 Principal Policies:
- Sustainability, paragraphs 24 - 35
  - Placemaking, paragraphs 36 – 57

18 Subject Policies:

- Valuing the Historic Environment, paragraphs 135 – 151
- Delivering Heat and Electricity, paragraphs 152 – 174
- Valuing the Natural Environment, paragraphs 193 – 218
- Maximising the Benefits of Green Infrastructure, paragraphs 219 – 233
- Managing Flood Risk and Drainage, paragraphs 254 – 268

**Planning Advice Notes**

19 The following Scottish Government Planning Advice Notes (PAN) are also of interest:

- PAN 3/2010 Community Engagement
- PAN 1/2011 Planning and Noise
- PAN 2/2011 Planning and Archaeology
- PAN 1/2013 Environmental Impact Assessment
- 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 69 Planning & Building Standards Advice on Flooding
- PAN 75 Planning for Transport
- PAN 79 Water and Drainage

**Onshore wind turbines – Online Renewables Advice December 2013**

20 Provides specific topic guidance to Planning Authorities from Scottish Government.

21 The topic guidance includes encouragement to planning authorities to:

- Development spatial strategies for wind farms.
- Ensure that Development Plan Policy provides clear guidance for design, location, impacts on scale and character of landscape; and the assessment of cumulative effects.

- The involvement of key consultees including SNH in the application determination process.
- Direct the decision maker to published best practice guidance from SNH in relation to visual assessment, siting and design and cumulative impacts.

22 In relation to any assessment of cumulative impacts it is advised that:

*In areas approaching their carrying capacity the assessment of cumulative effects is likely to become more pertinent in considering new wind turbines, either as stand-alone groups or extensions to existing wind farms. In other cases, where proposals are being considered in more remote places, the threshold of cumulative impacts is likely to be lower, although there may be other planning considerations.*

*In assessing cumulative landscape and visual impacts, the scale and pattern of the turbines plus the tracks, power lines and ancillary development will be relevant considerations. It will also be necessary to consider the significance of the landscape and the views, proximity and inter-visibility and the sensitivity of visual receptors.*

## **DEVELOPMENT PLAN**

23 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

### **TAYplan Strategic Development Plan 2012**

24 The vision set out in the TAYplan 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 and visit and where businesses choose to invest and create jobs.”*

The principle relevant policies are:-

### **Policy 2: Shaping Better Quality Places**

25 Seeks to ensure that climate change resilience is built into the natural and built environment, integrate new development with existing community infrastructure, ensure the integration of transport and land uses, ensure that waste management solutions are incorporated into development and ensure that high resource efficiency and low/zero carbon energy generation technologies are incorporated with development to reduce carbon emissions and energy consumption.

### **Policy 3: Managing TAYplan’s Assets**

26 Seeks to respect the regional distinctiveness and scenic value of the TAYplan area and presumes against development which would adversely affect environmental assets.

### **Policy 6: Energy and Waste/Resource Management Infrastructure**

- 27 Relates to delivering a low/zero carbon future for the city region to contribute to meeting Scottish Government energy targets and indicates that, in determining proposals for energy development, consideration should be given to the effect on off-site properties, the sensitivity of landscapes and cumulative impacts

#### **Perth and Kinross Local Development Plan 2014**

- 28 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 29 The principle relevant policies are, in summary:

#### **Policy PM1A - Placemaking**

- 30 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**

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

#### **Policy PM2 - Design Statements**

- 32 Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Garden and Designed Landscape or the setting of a Listed Building or Scheduled Monument.

#### **Policy TA1B - Transport Standards and Accessibility Requirements**

- 33 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 CF2 - Public Access**

- 34 Developments will not be allowed if they have an adverse impact on any core path, disused railway line, asserted right of way or other well used route, unless impacts are addressed and suitable alternative provision is made.



### **Policy HE1A - Scheduled Monuments and Non Designated Archaeology**

- 35 There is a presumption against development which would have an adverse effect on the integrity of a Scheduled Monument and its setting, unless there are exceptional circumstances.

### **Policy HE1B - Scheduled Monuments and Non Designated Archaeology**

- 36 Areas or sites of known archaeological interest and their settings will be protected and there will be a strong presumption in favour of preservation in situ. If not possible provision will be required for survey, excavation, recording and analysis.

### **Policy HE2 - Listed Buildings**

- 37 There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

### **Policy HE4 - Gardens and Designed Landscapes**

- 38 The integrity of sites included on the Inventory of Gardens and Designated Landscapes will be protected and enhanced.

### **Policy NE1A - International Nature Conservation Sites**

- 39 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 NE1B - National Designations**

- 40 Development which would affect a National Park, National Scenic Area, Site of Special Scientific Interest or National Nature Reserve will only be permitted where the integrity of the area or the qualities for which it has been designated are not adversely affected or any adverse impacts are clearly outweighed by benefits of national importance.

### **Policy NE1C - Local Designations**

- 41 Development which would affect an area designated as being of local nature conservation or geological interest will only be permitted where the integrity of the area or the qualities for which it has been designated are not adversely affected or any adverse impacts are clearly outweighed by benefits of local importance.

### **Policy NE2A - Forestry, Woodland and Trees**

- 42 Support will be given to proposals which meet the six criteria in particular where forests, woodland and trees are protected, where woodland areas are expanded and where new areas of woodland are delivered, securing establishment in advance of major development where practicable.

### **Policy NE2B - Forestry, Woodland and Trees**

- 43 Where there are existing trees on a development site, any application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required.

### **Policy NE3 - Biodiversity**

- 44 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 NE4 - Green Infrastructure**

- 45 Development should contribute to the creation, protection, enhancement and management of green infrastructure, in accordance with the criteria set out.

### **Policy ER1A - Renewable and Low Carbon Energy Generation**

- 46 Proposals for the utilisation, distribution and development of renewable and low carbon sources of energy will be supported where they are in accordance with the 8 criteria set out. Proposals made for such schemes by a community may be supported, provided it has been demonstrated that there will not be significant environmental effects and the only community significantly affected by the proposal is the community proposing and developing it.

### **Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes**

- 47 Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

## **Policy EP2 - New Development and Flooding**

- 48 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.

## **Policy EP5 - Nuisance from Artificial Light and Light**

- 49 Consent will not be granted for proposals where the lighting would result in obtrusive and / or intrusive effects.

## **Policy EP8 - Noise Pollution**

- 50 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**

### **Perth and Kinross Council's Guidance for the Preparation and Submission of Photographs and Photomontages.**

- 51 Perth and Kinross Council's Guidance for the Preparation and Submission of Photographs and Photomontages to illustrate the impacts of Wind Energy Development, for inclusion in Planning Applications and Environmental Statements. This provides advice on the selection and identification of viewpoints, photography standards and photomontage standards.

### **Tayside Landscape Character Assessment (TLCA)**

- 52 The Tayside Landscape Character Assessment (TLCA), 1999, is published by Scottish Natural Heritage and remains a valid baseline resource. Whilst some of its guidance on wind energy is dated, owing to the much smaller size of turbines considered in the TLCA, other aspects of the study remain a useful resource.

### **The David Tyldesley and Associates (DTA) – Landscape Study to Inform Planning for Wind Energy (2010)**

- 53 This document's purpose is to inform the development of the 'spatial strategy for Wind' which will be subject to consultation and ultimately approval by the Council as supplementary guidance. The need for the preparation of this Supplementary Guidance is detailed in the Local Development Plan under the heading 'Guidance to be published later' in Appendix 1: List of Supplementary Guidance.

- 54 At the outset, the author of the Study, states that the document should not be used in the determination of individual planning applications. i.e. this study will provide only one 'layer' of information to inform that work. Although this document will form part of a strategic planning framework and the report should not be used in isolation, or to 'test' proposed wind farm developments, there are elements of the study which are useful in the consideration of the application but the weighting that can be attached to this technical report is limited.
- 55 The process of determining the methodology in this document was agreed through a steering group and consultation with landscape consultants. The results of that consultation can be found in Appendix A of Appendix C of the document.

### **Perth and Kinross Local Landscape Areas**

- 56 This supplementary guidance has been prepared to support LDP Policy ER6 *"Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes"*. Publication on the documentation ran for a period of 8 weeks from 28 November until 19 January 2015. Comments received through the consultation process were analysed and the Council's response and amended draft guidance document was reported on 25 March 2015 at the Enterprise and Infrastructure Committee. The Supplementary Guidance was submitted to the Scottish Ministers and approved on the 17<sup>th</sup> of June 2015.
- 57 For clarification the application site is not within a Special Landscape Areas (SLA). However the Upper Strathearn SLA is located 3km to the north of the windfarm site.

### **The Economic Impacts of Wind Farms on Scottish Tourism (2008)**

- 58 Glasgow Caledonian University was commissioned in June 2007 to assess whether Government priorities for wind farms in Scotland are likely to have an economic impact – either positive or negative – on Scottish tourism. The objectives of the study were to:
- Discuss the experiences of other countries with similar characteristics.
  - Quantify the size of any local or national impacts in terms of jobs and income.
  - Inform tourism, renewables and planning policy.
- 59 The overall conclusion of this research is that the Scottish Government should be able to meet commitments to generate at least 50 per cent of Scotland's electricity from renewable sources by 2020 with minimal impact on the tourism industry's ambition to grow revenues by over £2 billion in real terms in the 10 years to 2015.

- 60 Four parts of Scotland were chosen as case-study areas and the local effects were also found to be small compared to the growth in tourism revenues required to meet the Government's target. The largest local effect was estimated for 'Stirling, Perth and Kinross', where the forecasted impact on tourism would mean that Gross Value Added in these two economies would be £6.3 million lower in 2015 than it would have been in the absence of any wind farms (at 2007 prices). The majority of this activity is expected to be displaced to other areas of Scotland, and the local effect on tourism should be considered alongside other local impacts of the developments – such as any jobs created in the wind power industry itself. This is equivalent to saying that tourism revenues will support between 30 and 339 jobs fewer in these economies in 2015 than they would have in the absence of all the wind farms required to meet the current renewables obligation. Part of this adjustment will already have taken place.
- 61 The research concluded that the evidence is overwhelming that wind farms reduce the value of the scenery (although not as significantly as pylons). The evidence from the Internet Survey suggests that a few very large farms concentrated in an area might have less impact on the tourist industry than a large number of small farms scattered throughout Scotland. However, the evidence, not only in this research but also in research by Moran, commissioned by the Scottish Government, is that landscape has a measurable value that is reduced by the introduction of a wind farm.
- 62 Based on survey responses and research findings, the research in this report suggests that from a tourism perspective:
- Having a number of wind farms in sight at any point in time is undesirable from the point of view of the tourism industry.
  - The loss of value when moving from medium to large developments is not as great as the initial loss. It is the basic intrusion into the landscape that generates the loss.
- 63 These suggest that to minimise negative tourist impact, very large single developments are preferable to a number of smaller developments, particularly when they occur in the same general area.

#### **Scottish Natural Heritage – Siting and Designing Windfarms in the Landscape 2014**

- 64 Guides windfarms towards those landscapes best able to accommodate them and advises on how windfarms can be designed to best relate to their setting and minimise landscape and visual impacts.

#### **Scottish Natural Heritage – Assessing the Cumulative Impact of Onshore Wind Energy Developments 2012**

- 65 This document sets out methods to be used to assess cumulative impacts on landscapes and birds.

#### **Scottish Natural Heritage – Visual Representation of Windfarms December 2014.**

- 66 This document sets out guidance in producing visual representations of windfarms. It builds on experience gained since the first publication of the document in 2006 on how to represent proposed windfarm developments in a more accessible and realistic way.

## **SITE HISTORY**

- 67 07/00794/FUL Erection of 4 wind turbines and associated infrastructure at Greenscares Plantation Braco, Refused under delegated powers on 29 March 2009.
- 68 P/PPA/340/2009 Appealed 07/00794/FUL for Erection of 4 wind turbines and associated infrastructure at Greenscares Plantation Braco, Appeal dismissed by the DPEA, 13 January 2010.
- 69 12/00820/SCOP Screening opinion for proposed wind farm 29 June 2012.
- 70 14/00006/PAN Wind turbines and ancillary elements, response to PAN issued on the 11 September 2014.

## **CONSULTATIONS**

### **EXTERNAL**

#### **Scottish Natural Heritage (SNH)**

- 71 Comment on landscape and visual impacts, designated sites and peat:

#### Landscape and visual impacts

- *The proposal would not affect the integrity of the River Earn (Comrie to St Fillans) National Scenic Area (NSA) but it would have significant adverse impacts on the southward views from Melville monument, a key viewpoint in the NSA.*
- *The proposal would add to cumulative impacts in the area. It would not be in keeping with the prevailing pattern seen from Strathearn in which wind farms are generally on the surrounding hill ranges. In some contrast, Strathallan would be on a lower ridge between the valley floor and the higher hills.*
- *Since the previous PLI in 2007 we have the benefit of the Perth and Kinross landscape study which identifies the area in which the proposal sits as suitable for medium scale wind farms. We consider this proposal to have an appropriate design and that the site can accommodate wind farm development of this scale. We note that the proposal would be prominent over a large area of Strathearn and Strathallan and would often be viewed on the skyline. We defer to Perth & Kinross Council to comment on the impacts on local settlements, roads and recreational destinations in Strathearn and Strathallan.*

#### Designated sites

- *It is unlikely that the proposal will have a significant effect on the qualifying interests of any Natura site, either directly or indirectly. An appropriate assessment is therefore not required.*

### Peat

- *Concerns with the treatment of peat was initially raised. However following a joint SEPA meeting with the developer welcome changes in regard to peat disturbance and management. Issues now are less relevant to peatland habitat and more associated with the treatment of peat itself as a product of the development and we consider this therefore to be within the remit of SEPA.*

### **Scottish Environment Protection Agency (SEPA).**

- 72 Initially objected to the application on a number of grounds; Groundwater Dependent Terrestrial Ecosystems (GWTDE), Surface Water, Water Crossings, Peat, Borrow Pits, Decommissioning and Forestry Removal.
- 73 However, following the submission of Supplementary Environmental Information SEPA's objection is withdrawn subject to conditional control.

### **Forestry Commission Scotland (FCS)**

- 74 After initial concerns the FCS believe the applicant has provided further information as requested and is content that in general this demonstrates that they have considered the previous concerns. No objection.

### **Transport Scotland (TS)**

- 75 No objection subject to conditions relating to transport routing on the trunk road network.

### **Historic Environment Scotland (HES)**

- 76 Do not object to the application but raise concerns with the potential impacts of the proposed development on the setting of *Ardoch, military complex 900m NNE of Ardoch Bridge (Scheduled Monument, Index no. 1601)*. HES recommends that mitigation should be sought to minimise this impact. This would involve either the removal or relocation of Turbine 9 so it appears to be less isolated than at present, and a subsequent reduction in height would also assist with reducing the prominence of the scheme as a whole.

### **Ministry Of Defence - Windfarms**

- 77 No objection is offered subject to conditional control relating to aviation lighting and the provision of co-ordinates associated with above ground infrastructure

### **Civil Aviation Authority**

- 78 No comments received.

### **Forth District Salmon Fishery Board and River Forth Fisheries Trust**

- 79 Raised concerns with the potential impact on the River Forth Fishery Catchment.

### **Loch Lomond and Trossachs National Park**

- 80 Consider that the proposal will not have a detrimental impact on the Special Qualities or Setting of the National Park given the distance between the site and the Park.

### **Clackmannanshire Council**

- 81 No comments received.

### **Stirling Council**

- 82 No comments received.

### **R S P B**

- 83 No comments received.

### **Scottish Water**

- 84 No comments received.

### **Auchterarder and District Community Council**

- 85 Object to the application. The Community Council does not believe that an application for 9 turbines can be considered to be any more acceptable than an application for 4 that were refused for reasons that are well known and documented. The increased economic benefits still do not outweigh the increased adverse impacts on landscape and visual amenity.

### **Braco and Greenloaning Community Council**

- 86 Object to the application. They conclude that this application does not meet any of its design objectives, the visual and cumulative impact would be enormously damaging to the local economy and the environment and the application is not in accordance with Local Planning Policies ER1A Renewable and Low Carbon Emission Generation or ER6 Managing Future Landscape Change.



### **East Strathearn Community Council**

- 87 Object to the application. This is merely a re-jig of a previously submitted application known as Greenscares, which was comprehensively refused at all levels. The receiving landscape was considered inappropriate for turbine development at that time and the receiving landscape has not changed – except for the introduction of the Beaully-Denny Overhead Line. This latest construction merely adds to the cumulative impact of the proposed project. Concerns also expressed regarding the impact on the Highland Boundary Fault transitional landscape, impacts on fish spawning areas and the proposal being contrary to local development plan policies.

### **Muthill and Tullibardine Community Council**

- 88 Object to the application. The number and height of the turbines will have a significant adverse impact on landscape character as well as the visual amenity of residents near to the site, road users and recreational users of the countryside. There would be significant adverse cumulative impact with the Beaully Denny Power Line and the nearby Braes of Doune, Greenknowes and Burnfoot windfarms.

### **Crieff Community Council**

- 89 Object to the application. Reference the previous refusal of windfarm development on this site. Note that the proposed 9 turbines will have an even greater and more intrusive impact when seen in conjunction with the Beaully Denny Power Line and the constructed and consented turbines in the Ochils.

### **Perth and Kinross Area Archaeologist (PKHT)**

- 90 Do not object on heritage ground which falls within their remit. Note that in line with Scottish Planning Policy historic environment section (paragraphs 135-137 and 150) and the LDP (policy HE1), it is recommended that conditional control is employed to secure a programme of archaeological works, if granted.

### **INTERNAL**

#### **Mr Dick Bowdler (Noise Consultant)**

- 91 Perth and Kinross Council's wind turbine noise consultant Dick Bowdler has provided advice on this application. In his opinion all receptors other than Greenacres can comply with the simplified ETSU-R-97 condition, therefore background levels away from Greenacres becomes less important. Conditional control can be applied.

#### **Bio-diversity Officer**

- 92 A number of protected species have been identified as being found in the vicinity of the site of the proposals. Provided certain conditions are included in the approval then it should be possible to minimise the impact on these species.

## **Local Flood Prevention Authority**

- 93 No objection

## **Transport Planning**

- 94 The applicant has provided a route assessment report, describing the intended route that they wish to use to transport the blades and turbines. This shows that some minor works may be required at the A822/B827 junction. A Section 96 Agreement will be required from the A9 to the site and a Traffic Management Plan will also be required. I also note that Transport Scotland have suggested similar conditions with respect to the Trunk Road network.
- 95 No objection to this proposal provided conditional control is applied.

## **Environmental Health**

- 96 Recommend conditions to control operational noise from the proposed Windfarm. No concerns are raised with regards to contaminated land. With regards to private water supplies they advise that conditional control is required to ensure the two potable water supplies within the study boundary are protected.

## **REPRESENTATIONS**

- 97 A total of 418 letters of representation were received during the advertisement periods for the application and the Supplementary Environmental Information advertisement periods. 416 object, 1 supports and 1 neither objects nor supports.
- 98 The representations have raised the following relevant issues: -
- Adverse effect on visual amenity and landscape and special landscape areas.
  - Inappropriate landuse
  - Out of character with area, overintensive development
  - Contrary to development plan policy, Scottish Planning Policy and Supplementary Planning Guidance.
  - Excessive height and out of scale
  - Loss of trees
  - Impact on tourism and tourist route gateway, the Ochils, Gleneagles and other transport corridor routes.
  - Concerns regarding ecology section of Environmental Statement. Impact on wildlife, ornithology and European protected species.
  - Concerns with the Cumulative ZTVs incorporated into the Environmental Statement
  - Previous smaller windfarm application refused
  - Impact on residents, road users and recreational users
  - Cumulative impact with other electricity infrastructure
  - Impact on Sherriffmuir Battlefield

99 The above matters are addressed in the Appraisal section of this report. However the following elements are more appropriately addressed at this stage under the following headings:-

- **Viability/subsidies are born by tax payers** - the impact this proposal may have on tax payers falls out with the remit of this planning assessment.
- **Property values** - it should be noted that the potential loss in property value falls outwith the remit of this assessment
- **Efficiency of turbines questioned and no site specific wind data** - a number of representations express concern at the support given through planning policy and Government Planning Guidance to the use of wind technology contending that it offers broad support to an inefficient technology which relies on the extensive use of natural resources through the production and construction process and relies on extensive public subsidy whilst delivering minimal climate change benefits.

100 Whilst these concerns are noted it must be acknowledged that Planning Policy does provide support for appropriately sited and designed wind farm development. In those locations where landscape and visual concerns are raised it will be appropriate for any decision maker to have regard to the amount of energy contribution to be delivered by a proposal and the extent to which that will contribute to Scottish Government commitment to generating an equivalent of 100% of electricity demand from renewable sources by 2020.

#### 101 **ADDITIONAL STATEMENTS**

|                                                |                                                                  |
|------------------------------------------------|------------------------------------------------------------------|
| Environment Statement                          | Submitted                                                        |
| Screening Opinion                              | Undertaken, Environmental Statement submitted                    |
| Environmental Impact Assessment                | Yes                                                              |
| Appropriate Assessment                         | Not undertaken following guidance from Scottish Natural Heritage |
| Design Statement / Design and Access Statement | Submitted                                                        |
| Reports on Impact or Potential Impact          | Incorporated into Environmental Statement                        |

### **APPRAISAL**

#### **Policy Appraisal**

- 102 Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended by section 2 of the Planning etc (Scotland) Act 2006, decrees that planning decisions are required to be made in accordance with the Development Plan unless material considerations indicate otherwise. Thus it is necessary to establish whether the proposal accords with the Development Plan and whether any material consideration indicates that the decision should not accord with the plan. The development plan for the area within which the application site lies consists of TAYplan 2012 and the LDP.
- 103 Tayplan provides the general strategic planning context for the area in order to inform the preparation of individual local development plans. This includes providing the

vision and general planning objectives. In relation to renewable energy proposals, the general objective is that provision should be made in an environmentally acceptable manner. However, Tayplan does not include detailed guidance that is directly relevant for the assessment of an individual wind farm proposal.

- 104 With regards to the LDP, Policy ER1 is of particular importance as it relates to renewable energy generation. The criterion contained within this policy forms the main basis for the determination of the application. Policy ER 1A addresses new proposals.
- 105 Policy ER 1A supports renewable energy proposals subject to considering a range of factors including biodiversity, landscape character, visual integrity, wildness qualities, transport implications and the impact upon tourism which is in line with Scottish Government planning policy and the planning objectives of Tayplan.
- 106 There are numerous other individual plan policies that are applicable in the determination of the application as detailed in the policy section. It should be noted that a degree of overlap and duplication occurs, however Policy NE1 - Environment and conservation, Policy NE 3 - Biodiversity and Policy ER 6 - Managing future landscape are of particular relevance in the determination of this application.
- 107 Although the policy position is generally supportive of renewable energy schemes this is subject to a number of criteria being satisfied, renewable energy schemes may meet some environmental requirements and not others therefore an overall judgement has to be made on the weight to be given to the 'positives' and 'negatives' which will determine whether it is environmentally acceptable. Any significant adverse effects on local environmental quality must be outweighed by the proposals energy contribution. These factors are considered in the assessment that follows.

### **Natural Heritage**

- 108 The LDP contains a number of policies that seek to protect important species and sites designated for their natural heritage interest and to ensure that proposals that may affect them are properly assessed. NE1A relates to International Nature Conservation Sites, NE1B relates to National Designations, NE1C covers Local Designations while NE3 Bio-diversity confirms that protection should apply to all wildlife and wildlife habitats, whether formally designated or not.

### **International Nature Conservation Sites and National Designations**

- 109 Development which could have a significant effect on an international nature conservation designated site (or proposed site) will only be permitted where an Appropriate Assessment shows that the integrity of the site will not be adversely affected, that there are no alternative solutions and there are imperative reasons of overriding public interest.

### South Tayside Goose Roosts Special Protection Area (SPA) and Ramsar

- 110 The proposed development site lies approximately 6km to South Tayside Goose Roosts SPA, classified for internationally important wintering populations of pink-footed geese and greylag geese. South Tayside Goose Roost Ramsar site may also be affected but the interests of this designation are fully addressed as part of the consideration of the European site (SPA), see below.
- 111 SNH was consulted on the application and they have confirmed that it is unlikely this proposal will have a significant effect on the qualifying interests of the site and an Appropriate Assessment is therefore not required. SNH came to this conclusion because the proposed windfarm site is not on any regularly used flight line into the roost or within an area regularly used by foraging geese. They also note that only a few flights of geese were recorded passing over the site and they were above collision risk height in the ES. SNH also note that the habitat at the proposed windfarm site is unsuitable for geese to forage.

### Shelforkie Moss Special Area of Conservation (SAC)

- 112 Shelforkie Moss SAC is designated for its lowland raised bogs. SNH has concluded that it is unlikely that this proposal will have a significant effect on the site due to the distance between the SAC and the proposal site. An Appropriate Assessment is therefore not required.

### The River Teith SAC

- 113 The ES identifies that burns from the proposal site drain into the River Knaik. The River Knaik flows into the Allan Water and ultimately the River Teith which is designated as an SAC for its Atlantic salmon and three species of lamprey.
- 114 SNH note that there is no consideration of this site in the ES but advise that if the measures and procedures are adhered to as set out in Appendix 5.2 (Hydrology Supporting Information), any potential for significant sediment run-off can be avoided and it is unlikely to have a significant effect on the SAC.
- 115 River Forth Fisheries Trust and Forth District Salmon Fishery Board raised concerns in their joint response dated the 09 November 2015, however significant weight is placed on SNH comments on the potential impacts on the SAC as well as SEPA's consultation response on the water environment. In this case I am satisfied that with the implementation of mitigation measures there will be no adverse impact on the River Teith SAC.

### Carsebreck and Rhynd Lochs Site of Special Scientific Interest (SSSI)

- 116 Carsebreck and Rhynd Lochs SSSI incorporate Shelforkie Moss SAC and South Tayside Goose Roosts SPA. The SSSI is designated for its fens and raised bog, its wintering pink-footed and greylag geese and its breeding and wintering wildfowl. However, for the same reasons as for the SPA and Shelforkie SAC, see above, it is unlikely that there would be an impact on the SSSI from the development.
- 117 Overall the proposed development is not considered to conflict with the natural heritage interests associated with Policy NE1A or NE1B if made subject to

conditional control. The schemes relationship to the National Scenic Area (NSA) is assessed under the Landscape and Visual Impact heading.

#### Local Designations and Biodiversity

- 118 Policy NE1C confirms that development which would affect an area designated as being of local nature conservation interest will only be permitted where the integrity of the area or the qualities for which it has been designated are not adversely affected. There are no adverse impacts on local nature conservation interest designations. Therefore policy NE1C is not contravened.
- 119 Policy NE3 stipulates that all wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the set out criterion. To enable assessment against this policy survey work has been undertaken to inform the ES.
- 120 The Council's Bio-diversity Officer has confirmed that provided conditional control is attached then it will be possible to minimise the impacts on the protected species identified in or in the vicinity of the site.
- 121 SNH has confirmed that they accept the findings of the mammal surveys. With regards to ornithology they make specific reference to Red Kite as this was the only species recorded within the collision risk zone at collision risk height. They note and accept the conclusions of the collision risk model which shows that the proposed development will have a negligible impact upon the local Red Kite population.

#### **Water resources and Carbon Rich Soils**

##### Private Water Supplies

- 122 Environmental Health notes that the site is in a rural area with private water supplies believed to serve properties in the general vicinity. They recommended that the Environmental Protection Plan should include a Water Management Plan which should include full details of the sources, infrastructure including treatment and properties served by private water supplies arising within, or likely to be affected by the development. As well as details of the proposed nature and frequency of baseline water supply monitoring, details of proposed methods of alerting affected individuals as a result of a contamination issue arising from the development along with alternative water supply arrangements.
- 123 While contamination of water supplies is a private legal issue, I consider it only reasonable to safeguard water quality and water supplies by condition to ensure the amenity of residential properties and/or other enterprises which use that supply are protected. Accordingly conditional control can be applied.

## Groundwater Dependant Terrestrial Ecosystems and Management of Peat

- 124 Scottish Planning Policy 2014 identifies “carbon rich soils, deep peat and priority peatland habitat” as nationally important interests for which Planning Authorities should develop spatial frameworks. Also that “Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.”
- 125 The initial consultation with SNH and SEPA confirmed that they required clarification on Groundwater Dependant Terrestrial Ecosystems, deep peat, priority peatland habitat and carbon rich soils. After a number of Supplementary Environmental Information submissions both SNH and SEPA were able to remove their objections subject to conditional control which relates to track construction, water course crossings, maintaining water quality and quantity to key habitat, the provision of a construction environmental management plan as well as the provision of a site waste management plan.

## **Forestry**

- 126 FCS has highlighted that in support of proposals for the removal of woodland the applicant should provide strong evidence that doing so will achieve significant and clearly defined additional public benefit, as is outlined in the Control of Woodland Removal policy. The FCS also expect the detail in any submitted ES to include all woodland issues associated with the proposed planning site including: a clear tie to the evidence relating to the policy as stated above, the proposed management of the remaining woodland area, any proposed further felling that may be required, and any new planting within the development area or mitigation planting proposed out with the site including specifications. FCS objected to the scheme at the outset noting that there was a lack of details associated with the proposed forestry works.
- 127 In response, the applicant submitted supplementary environmental information (SEI). The FCS has noted that the SEI submission has generally overcome their initial concerns. However they do note that while classifying the section of compartment 6 to the north of the Beaully-Denny wayleave as Integral Open Ground is acceptable, when the area of peat land restoration is removed from the Forest Plan area this gives a total of 24% open ground at year 20: the UKFS requirement is for no more than 20%. The extension of the proposed broadleaf planting in the north of compartment 5 utilising low growing broadleaf trees should be considered to help bring the area of integral open ground into line with the UKFS.
- 128 Accordingly the FCS would like to see a commitment to reduce the proportion of open ground in the Forest Plan from 24% to 20% as per the UKFS with details of how this will be achieved included in the additional supporting information currently being prepared. Taking this into account the woodland resource on the site can be protected and supplemented through restocking by conditional control to achieve compliance with this local plan Policy NE2B as well as the principles of the Scottish Government’s Policy on Woodland Removal.

## **The Historic Environment, Cultural Heritage**

### Scheduled Ancient Monuments

- 129 *Ardoch, military complex 900m NNE of Ardoch Bridge, (Scheduled Monument, Index no. 1601)*

The monument is located approximately 2.9km south east of the nearest proposed turbine. The monument comprises the remains of a complex Roman military site that includes a series of superimposed forts, a substantial annexe and a series of temporary camps, as well as some prehistoric remains. These survive as a series of earthworks and cropmarks visible on oblique aerial photographs. The fort is the best-preserved example of a Roman fort in Scotland. Three phases of occupation are reflected in the earthworks of the fort and camps, representing the major incursions by the Roman army into Scotland in the late 1st century to early 3rd century AD. The combination of these remains is unique in their ability to show the mass movement of troops through the countryside during this time.

- 130 HES confirm that the setting of the monument includes both its physical positioning within the landscape at the crossing point of the River Knaik and at the junction of routes through the landscape towards Dalginross, back towards Doune, and onwards towards Strageath and the Gask Ridge, and its positioning as a component in the wider network of Roman expansion.
- 131 HES's site visit confirmed that the hills to the north west of Ardoch (the development site) contribute to the frame of reference that places Ardoch within the landscape; hills are visible in other directions, but are less obvious, as the lack of trees to the north west of the fort in the general direction of the camps means that the development site is more readily visible than other ridges. As demonstrated by the visualisations from Viewpoint 3, the turbines would skyline in key views of most well preserved ramparts of the fort from the east (they survive best on east and north sides). Whilst the turbines, therefore, don't necessarily impact upon the understanding of the monument and its setting, they do somewhat alter the baseline and impact upon an appreciation of the monument in its landscape setting. Other than two small turbines at House Braco, no other large scale wind developments were visible from the monument at the time of the site visit. The existing 132kv Overhead Line (OHL) infrastructure is being dismantled, and the new Beaully-Denny powerline has been re-routed so as to be much further from Ardoch, and it now runs through the development site.
- 132 The visibility of the development site is more pronounced when viewed from Blackhills, which is where the only upstanding remains of the Roman temporary camps survive.
- 133 Whilst HES agree with the outcome of the ES that the turbines will have an adverse impact on the setting of the monument, they consider that the severity of this impact on the setting of Ardoch does not raise issues of national significance. The introduction of turbines will present a strong visual intrusion to the surrounding area. The turbines do not, however, dominate or adversely affect the understanding and appreciation of the location of the complex.



134 Nevertheless, in all views from Ardoch, turbine T9 is likely to be more prominent than the others as it is not only nearer, but also in this view appears separate to the others, and thus catches the eye. HES recommend mitigation to minimise this impact by either deleting this turbine from the scheme, or to relocate it so that it sits closer to the other turbines if the scheme is taken forward.

135 *Kaims Castle Roman Fortlet (Scheduled Monument, Index no. 1607)*

The monument is located atop a ridge on the Roman road linking Ardoch to Strageath. The setting is characterised by its elevated location which gives it a commanding presence over this stretch of Roman road. The proposed turbines will be clearly visible from the monument along the ridge, but they will be peripheral to the relationship of the fort and the direction of the road. The turbines, therefore, do not have such an adverse impact on the setting of the monument to raise issues of national significance.

136 *Dalchirla Farm, two standing stones 240m E of, (Scheduled Monument, Index no.1531) Dalchirla Farm, standing stone 270m N of, (Scheduled Monument, Index no. 1530)*

Both monuments are located on the floor of the valley of the Machany Water. Whilst they sit in an open landscape and will have some visibility of the turbines, and indeed will be viewed (for instance from the north) with the turbines fully visible as their backdrop, their setting is more likely to be focused on their relationship to the valley of the Machany Water, and also to *Shillinghill, standing stone 410m S of, Aodann Mhor (Scheduled Monument, Index no. 1583)* which appears on the western skyline at the head of the valley. The latter monument is situated at a col with fine views south east and north west, and as with the Dalchirla standing stones its setting is more likely to be focused on its relationship to the valleys either side; it sits on a watershed alongside other similar ritual/funerary monuments.

137 Overall HES consider that the proposal in its current form will have an impact on a number of heritage assets within their remit. However they do not consider that these impacts are so significant as to raise issues of national significance. They have particular concerns with the developments impact on the setting of *Ardoch, military complex 900m NNE of Ardoch Bridge, (Scheduled Monument, Index no. 1601)* and suggest that mitigation should be sought that would involve either the removal or relocation of T9 so that it appears to be less isolated than at present, and a reduction in height would also assist with reducing prominence of the scheme as a whole.

138 HES also note that upgrading the road junction of the B827 and the A822 to allow access to the site could impact on the scheduled area at *Ardoch, military complex 900m NNE of Ardoch Bridge, (Scheduled Monument, Index no. 1601)*. This could be dealt with by conditional control resulting in further engagement with HES.

139 Taking the above into account it can be concluded that the development will impact on the setting of Scheduled Ancient Monuments and while HES does not object the proposal does offend Policy HE1A – Scheduled Monuments and Non Designated Archaeology.

Listed Buildings and Conservation Areas.

- 140 Policy HE2 or HE3 of the LDP requires the setting of listed buildings and conservation areas to be taken into account. In this case the proposed wind farm would not have a significant effect on conservation areas or the majority of the listed buildings. However my Conservation colleagues have reservations regarding the potential impact on Braco Castle.

Gardens and Designed Landscapes

- 141 *Braco (Inventory Designed Landscape, Index no. GDL00067)*

The proposed development is located approx. 2 km north of Braco designed landscape, which is included in the Inventory of Gardens and Designed Landscapes in recognition of its national importance. Viewpoint 2 shows the view north west from the entrance drive of the designed landscape. The turbines will be clearly visible in this view, breaking the horizon and dominating the surrounding conifer plantations. However, although the turbines will be visible in this view, this is not a principal view out of the designed landscape, and other, more important views are orientated away from the development site. HES therefore agree with the assessment in the ES that there will be an impact on the Inventory site but they do not consider that the level of impact will be significant enough to object to the proposed development.

- 142 *Drummond Castle (Inventory Designed Landscape, Index no. GDL00144)*

The proposed development is located approx. 4 km south west of Drummond Castle designed landscape, which is included in the *Inventory of Gardens and Designed Landscapes* in recognition of its national importance. Viewpoint 9 shows the view from Drummond Castle over the formal gardens in the direction of the wind farm. The turbines will be screened from view by both topography and mature vegetation. The submitted ES concludes that intervisibility with the proposed turbines would be restricted to the north east and south east of the Inventory site but that any impact would be mitigated by distance. HES also agree with the assessment in the ES that there will be an impact on the Inventory site. However, they do not consider that the level of impact will be significant enough to object to the proposed development.

- 143 Taking account of the above HES of the view the impact is not significant for them to object to the application. Further assessment of the Gardens and Designed Landscapes is undertaken in the Landscape and Visual Impact section of this report by the Planning Authority's appointed landscape advisor.

### Local Archaeological Sites

- 144 Consultation has been undertaken with the Perth and Kinross Heritage Trust's archaeologist. They note that the desk based assessment and walkover survey conducted to inform the wind farm development indicates the site has some archaeological potential. Four non-designated heritage assets associated with post-medieval land use may be impacted upon by the construction of the access track. There is also the possibility for prehistoric remains to survive, associated with the site of Cairn Lee, a large cairn that was removed in the 19th century. The mitigation proposed – fencing-off of sites and monitoring of ground breaking works in sensitive areas - is appropriate.
- 145 AOC Archaeology the developer's consultant also suggests that sub-surface deposits may be concealed beneath the peat, particularly in areas undisturbed by the forestry plantation. They recommend trial trenching rather than carry out periodic watching briefs.
- 146 PKHT does not consider the impact on the historic environment to be of a sufficient magnitude to warrant an objection to the proposal. They recommend conditional control to secure a programme of archaeological works to ensure the development complies with the non-designated archaeology policy HE1B.

### **Electricity Transmission/Grid Connection.**

- 147 Policy ER1 requires the transmission system to be taken into account in the assessment of the windfarm application. The ES advises that the wind farm will connect into the existing grid infrastructure to the North of Braco 300m to the west of the junction between the A822 and B82. However the anticipated underground cable route falls out with the application site and therefore this will need to be assessed either via another planning application or under the separate consenting process (i.e. The Electricity Act).
- 148 Taking account of the above the application falls short as the grid connection is not included as part of this application. However, if the application is granted, a negative suspensive condition should to be attached so the grid connection point and method of connection is submitted as an application and assessed prior to the commencement of construction.

### **Aviation and Telecommunications**

- 149 A specialist aviation study has assessed the potential impacts upon civil and military Radar and this is incorporated into the ES. The only expected impact is upon the civil radar at Lowther Hill, which is part of the National Air Traffic Systems (NATS) 'En-Route' radar network.

150 The aviation study confirms there are two potential mitigation options are being investigated:

- A radar 'blank' which would cover the location of the wind farm; and
- A multi-radar infill solution, using patching from radar at Edinburgh Airport and Kincardine.

151 The MOD has been consulted on this application and has no objection subject to conditional control relating to aviation lighting being installed on the turbines and the exact 'as-built' position of the turbines being confirmed to them in writing.

152 Consultation requests have been sent to the CAA however no response has been received. Given the development is likely to affect aviation interest I consider it prudent to ensure that a negative suspensive condition is attached to ensure an appropriate form of mitigation is achieved to the satisfaction of the aviation authorities.

153 The ES has taken account of the potential conflict with telecommunication interests and none are predicted to be affected. It is also noted that no objection has been received from telecommunication operators.

154 The ES has referenced a 2009 Ofcom survey which notes;

155 *"Digital television signals are much better at coping with signal reflection (than analogue signals), and digital television pictures do not suffer from ghosting. However a digital receiver that has to deal with reflections needs a somewhat higher signal level than one that has to deal with the direct path only. This can mean that viewers in areas where digital signals are fairly weak can experience interruptions to their reception should new reflections appear.*

156 *Over time, this problem is expected to diminish as the power of transmitters is increased as digital switchover continues across the UK. However, higher transmitter powers will not be a solution in all situations which means that reflections may still affect digital television reception in some areas, although the extent of the problem should be far less than for analogue television.'*

157 The agent recognises that even with the digital switch over television reception could be affected but there are a number of technical solutions. I consider it prudent to control this by condition, this would deal with the situation should any television reception complaints come forward.

## **Shadow Flicker**

- 158 Shadow flicker is caused by a low sun behind the rotating blades of a turbine. The shadow created by the rotating blades can cause alternating light and dark shadows to be cast on roads or nearby premises, including the windows of residences, resulting in distraction and annoyance to the residents. In this case all turbines are located well in excess of 10 rotor diameter (710m) from the nearest residences, the closest (Greenacres) of which is 1.1km from the nearest proposed turbine. Shadow flicker is therefore not considered to be a significant issue in this instance taking account of the Scottish Government Advice Note.
- 159 The developer has also take account of PKC guidance which results in a larger study area. Notwithstanding this larger study area the findings of the ES consider the impact on residential properties is negligible and I agree with these findings.

## **Noise**

- 160 The planning system has an important role to play in preventing and limiting noise pollution. Although the planning system cannot tackle existing noise problems directly, it has the task of guiding development to the most suitable locations and regulating the layout and design of new development. The noise implications of development can be a material consideration in determining applications for planning permission. Sound levels in gardens and amenity areas also need to be considered in terms of enabling a reasonable degree of peaceful enjoyment of these spaces for residents and this is an issue that has been raised in letters of representation.
- 161 Consultation with the Council's noise consultant Dick Bowdler confirms that there is only one property with a turbine noise level in excess of 35dB and the ETSU-R-97 limits are comfortably met using a day time lower limit of 35dB and night time lower limit of 38dB. He suggests that the noise limits for the wind farm should be as proposed for Greenacres and a flat 35dB (night and day) for all other properties.
- 162 Consultation with the Council's Environmental Health Section has taken on board the response from the external noise consultant and they recommend conditional control.
- 163 Taking this into account noise can be controlled within recognised noise limits to comply with Policy EP8.

## **Transport Implications**

- 164 The construction of Greenscares windfarm would result in the local community served by the A822 and B827 between the trunk road and the site being subject to disruption. The impact of construction traffic is a significant concern expressed in letters of representation.

- 165 I acknowledge the impact construction traffic can have on the road network and sympathise with the concerns of local residents. However part of the function of the public road is to facilitate approved developments on sites which are served by it. In this case consultation with the Roads Authorities (Transport Scotland and the Council's Transport Planning Section) has been undertaken and neither has objected. Conditional control has been recommended and this will assist in minimising the adverse impact on road users.
- 166 In light of this the development would not conflict with LDP policy TA1B.

### **Landscape and Visual Impact**

- 167 TAYplan Policy 3 seeks amongst other things to safeguard landscapes and geodiversity, while TAYplan Policy 6 indicates that in determining proposals for energy development, consideration should be given to landscape sensitivity. Local Development Plan Policy ER1A (1) confirms the need to take account of landscape character with Policy ER6 specifying that development and land use change should be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes. Accordingly, development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross.
- 168 There is also a requirement through LDP Policy ER1A to take account of visual integrity. Accordingly the potential visual impact in relation to residential properties, designated locations, roads, recreation and sporting activities has to be considered.
- 169 An independent landscape consultant was appointed by the Council to assess the Landscape and Visual Impact Assessment (LVIA) and Cumulative Landscape and Visual Impact Assessment (CLVIA) of the ES and SEI. Advice has been provided in terms of the LVIA methodology, the likely landscape and visual effects, including cumulative effects, of the proposed development. Site visits were undertaken in September and November 2016 to view the site and its surroundings from the local road network, lanes, tracks and public rights of way. A selection of photomontage viewpoint locations and other key visual receptors were visited.

### **The Council's Independent Landscape Consultant Advice:-**

#### **Scoping and Consultation**

- 170 The scope and content of the ES was informed by responses to consultations with a range of statutory and non-statutory bodies including PKC, HES, SNH, and community consultation. Issues considered included the scope of the LVIA, choice of assessment viewpoints, design options and mitigation

- 171 Whilst the 30 representative viewpoints in the ES enable consideration of the likely effects of the development, there are other locations within the ZTV where significant effects are likely but from where there are no visualisations. In particular views from the A9 and from the area up to 5km north of the site, where there are several properties along the Muthill to Glen Artney road and the southern boundary of Drummond Castle.
- 172 A study area of 30km radius from the proposed turbines was established following SNH guidelines. In addition a 60km study area was agreed for the cumulative assessment, with appropriate detailed assessment focusing on combined impacts of Strathallan with the operational Braes O'Doune, Burnfoot Hill and Greenknowes wind farms, and the nearby consented Rhodders wind farm and Burnfoot Hill Extension.

## **Site Design Process**

### Previous Wind Farm Application

- 173 The starting point for the landscape design process for Strathallan Wind Farm was to address concerns raised by consultees and the Reporter to a previous application for 4 turbines of 100m to tip height that was refused by PKC in March 2009 and subsequently dismissed at appeal in January 2010.
- 174 Key considerations are listed in the ES as:
- Unacceptable cumulative impact upon the Knaik Hills when considered alongside the Earlsburn, Braes O' Doune, Greenknowes and Burnfoot Hill wind schemes;
  - Contrast in siting and layout of the proposal compared with Braes O' Doune;
  - Creation of visual clutter with the Beaully-Denny power line;
  - Highly visible location with the scale of the electricity contribution of the scheme deemed inadequate to the scale of the landscape and visual impacts.
- 175 The ES lists the following landscape design objectives taking into account the above considerations:
- Promote the best cumulative fit with the nearest operational wind farm at Braes O'Doune;
  - Address potential issues of clutter with the Beaully-Denny power line;
  - Balance the landscape impacts of the scheme with the generation capacity of the site;
  - Complement the local landform to provide the best 'landscape fit';
  - Promote a well-balanced composition from all viewpoints where possible;
  - Minimise impact on the nearest residential properties and settlements;
  - Limit the potential for significant effects on the National Scenic Areas (NSA) – namely:
    - River Earn NSA (Comrie to St Fillans); and
    - The Trossachs NSA

- Limit the potential for significant effects on the Loch Lomond and Trossachs National Park;
- Minimise the landscape and visual impact upon the nearest candidate Local Landscape Areas (LLA) within Perth and Kinross, namely:
  - Upper Strathearn LLA
  - Ochil Hills LLA
- Limit the potential landscape and visual effects on the A9, A85 and A822 routes; and
- Limit the potential for significant effects on the Gleneagles Estate.

176 A series of design changes were made as the scheme evolved from a wind farm with 12 turbines 87m to tip height, to 10 No. x 87m to tip, to several iterations of the final 9 No. x 93m to tip height. Scheme evolution has seen the wind farm design change from positioning the turbines within concentric arcs following site contours to a more linear layout with the turbines located closer to the top of the ridge and forestry edge. The description of the 'arc' layout is not apparent in the visualisations and is unlikely to be evident on the ground.

177 The developer has identified the site as being environmentally acceptable for a wind farm following an initial screening process. This is despite the previous application for a much smaller scheme having been refused and dismissed at appeal. The 7m reduction in height of the Strathallan turbines compared to the previously proposed Greenscares turbines is not sufficient to address and remove the Reporter's key considerations and reasons for dismissing Greenscares. The addition of five turbines of similar height to Greenscares will intensify landscape and visual impacts, including cumulative effects.

#### DTA 2010 Landscape Study to Inform Planning for Wind Energy

178 The ES assesses the final wind farm design against the DTA 2010 *Landscape Study to Inform Planning for Wind Energy*. This is seen in the ES as a key document providing wind energy design guidance, published after the previous application for 4 turbines of 100m to tip height was dismissed at appeal. The 2010 DTA study uses the *Tayside Landscape Character Assessment* (1999) as the basis for establishing the sensitivity and capacity of the landscapes of Perth and Kinross to wind energy development. Some of the more extensive landscape character types and units within the Tayside LCA have been refined and sub-divided into smaller types and units, including the Knaik Hills landscape unit within the Lowland Hills type; the DTA study divides the Knaik Hills into three sub-units of differing character, with the Strathallan application site lying within the lower lying, more rounded and well wooded landscape unit 6(ii) Drummond Hills. Unit 6(i) Knaik Hills is identified as the higher, more exposed hills to the west of the River Knaik and the B827. Unit 6(iii) Strathallan Plateau is identified as the gently undulating farmland north of Strathallan and east of the A822.



- 179 The ES correctly repeats the findings of the 2010 DTA study that identifies landscape unit 6(ii) Drummond Hills within which the Strathallan application site lies as having medium sensitivity to wind energy development with the potential to accommodate a 'small wind farm' defined in the study as 8 to 12 turbines up to approximately 100m high. Strathallan Wind Farm falls within this typology. The ES also suggests that other specific wind energy development guidance referred to in the DTA study has been met, namely that Strathallan Wind Farm would:
- Avoid the Igneous Hills;
  - Avoid the Pow Water Valley;
  - Limit visual impact from the A822 and not add significantly to cumulative effects, including sequential cumulative effects on the A822;
  - Demonstrate an acceptable degree of separation between the proposal and other installed and permitted wind farms
- 180 The 2010 DTA study identifies other sensitive landscape and visual receptors that Strathallan Wind Farm would avoid, as described in the ES. However, it is considered that the ES gives too much weight to the DTA study, the purpose of which is clearly described as being part of a strategic planning framework to assist PKC in the preparation of policy guidance on wind energy development. The study does not take account of landscape designations (such as National Scenic Areas and Gardens & Designed Landscapes) and it should not be used in isolation or to 'test' proposed wind farm development.
- 181 SNH Guidance '*Siting and Designing Windfarms in the Landscape*'
- The ES refers to two versions of SNHs guidance document '*Siting and Designing Windfarms in the Landscape*'; Version 1, December 2009 and Version 2, May 2014. Three main areas of consideration set out in the 2009 version have apparently been taken into account in the design of the Strathallan Wind Farm, referring to turbine scale, skylines and aesthetics, even though this version was superseded in 2014.
- 182 The 2010 DTA study appears to have been a key consideration in deciding on the scale of the wind farm in terms of turbine numbers and height (as well as scheme viability in terms of electricity generated). Whilst strategically the site has the potential to accommodate a wind farm of this scale in terms of impact on landscape character of the lowland hills, detailed visual assessment shows that the line of turbines on the skyline will be a highly dominant feature in the landscape.
- 183 There appears to be no justification for locating the turbines within the plantation. The screening effect of the trees is not referred to, and in any case felling of the trees and replanting over many years would significantly reduce any screening effects. Whilst the trees remain they provide a scale indicator and accentuate the scale of the turbines. Version 2 of SNHs guidance advises that in landscapes characterised by the relatively 'human scale' of buildings and features, in general large turbines will appear out of scale and visually dominant (as shown in VP2 for example).

- 184 Version 2 of SNHs guidance advises that skylines are of crucial importance. The proposed Strathallan turbines repeat the simple, horizontal skyline of the plateau edge and the commercial plantation in this part of the lowland hills, and in most of the representative views in the ES the linear arrangement of turbines reflects the appearance of Braes O'Doune. However, they provide a contrasting image where Braes O'Doune is often back-dropped by the more complex, vertical components of the skyline formed by the higher, exposed moorland hills where it appears to be more logically located. Strathallan, on the other hand, would dominate the skyline often with little or no back-dropping, and would appear to be located within a very different landscape that is relatively lower lying, well wooded, smooth, gently rounded or plateau-like, more in keeping with the lowlands (see, for example, VP6).
- 185 Areas of transition between different landscape character types, and especially the change from lowland to highland, are especially sensitive. The skyline becomes especially valued where it forms a backdrop to settlement (as shown in VPs 8, 10 and 11 for example). The aim should be to reduce visual intrusion on the more settled lowlands by avoiding siting the turbines on a visually prominent ridge.
- 186 It is noted that the ES incorrectly refers to the latest SNH guidance document 'Siting and Designing Windfarms in the Landscape' as Version 2.1, December 2014; this should be Version 2, May 2014.

### **Methodology**

- 187 The LVIA follows methodology within the latest *Guidelines for Landscape and Visual Impact Assessment* (GLVIA), Third Edition, 2013 (Landscape Institute and IEMA). With regard to landscape effects, criteria are used to assess landscape sensitivity and magnitude of change. Whilst these are simplistic they are generally appropriate. A matrix allows an assessment of overall level of effect and significance, where major and major/moderate effects are considered significant in terms of EIA Regulations. This allows for a medium magnitude of change on a highly sensitive receptor to be regarded as significant, which many LVIA's do not do.
- 188 Visual effects are assessed by establishing the visual baseline by means of ZTVs and identifying groups of people likely to be affected, views and viewpoints. The assessment considers views from settlements, residential properties, main transport routes, National Cycle Routes, long distance routes and other footpaths. However there are no National Cycle Routes or long distance footpaths affected by the scheme.
- 189 The assessment considers cumulative landscape effects and cumulative visual effects, the latter including simultaneous, successive and sequential visual effects, in accordance with SNH guidance: *Assessing the Cumulative Impact of Onshore Wind Energy Developments*, 2012. A number of cumulative ZTVs have been prepared to assist in the assessment of cumulative effects of Strathallan Wind Farm with other operational and consented wind farms.

- 190 Visualisations have been prepared following the latest SNH guidance in Visual Representation of Windfarms Good Practice Guidance, Version 2.1, December 2014. For each of the 30 representative viewpoints a baseline photograph and matching wireline shows the overall landscape and visual context covering a 90 degree angle (which is the minimum extent under SNH guidelines). Wireline and photomontage projections with a 53.5 degree horizontal field of view are also provided in accordance with the guidelines. A separate viewpoint pack of A3 single frame images is also provided, for use at each viewpoint, apparently in accordance with SNH guidance to show a 75mm equivalent printed image to relatively accurately represent the likely view of the proposed development that would be experienced or observed from each viewpoint. However, the sheets record both the horizontal and vertical field of view as 27 degrees whereas in accordance with the guidance the vertical field of view should be 18.2 degrees. This is likely to under-represent the scale of the turbines in relation to what the human eye will perceive at each viewpoint.

### **Landscape and Visual Effects**

- 191 The ES acknowledges that the landscape and visual impact of the proposed 9 turbine Scheme (each to 93m blade tip height) is broadly similar to the previously proposed (and subsequently refused and dismissed at appeal) 4 turbine scheme known as Greenscares (each turbine to 100m blade tip height). The main justification for the bigger proposed scheme appears to be the increase in potential electrical generation capacity thus striking a better balance between the benefits and impacts of the scheme.
- 192 The Reporter in the appeal of the previous 4 turbine scheme at Greenscares considered a determining issue to be whether that proposal would result in an unacceptable cumulative impact on the existing landscape character and visual amenity of the area. A larger scheme such as the one now proposed is likely to have a greater cumulative impact, and potentially more significant adverse landscape and visual effects when considered on its own.

### **Landscape Effects**

- 193 The Reporter in the Greenscares scheme noted the difference with Braes O'Doune located on open moorland slopes with some back-dropping where the 36 turbines are arranged in several rows which overlap in some views, compared with the appeal scheme where the 4 turbines would be located in a line on a ridge on the northern edge of a commercial forestry plantation that forms the skyline in views from the north, south and east. His view was that the 4 turbine proposal would comprise a major new feature in the landscape and result in two contrasting wind farm developments relatively close to one another. In the landscape consultant's opinion whilst Strathallan will have a similar effect in some views, in most views both Strathallan and Braes O'Doune have a linear appearance where the turbines are relatively evenly spaced. However, Braes O'Doune appears to be more logically located on open moorland within relatively high, exposed hills more in keeping with the highlands to the north. Similarly, Greenknowes and Burnfoot Hill are logically located within the Ochil Hills. Strathallan, on the other hand, appears within a very different landscape that is relatively lower lying, well wooded, smooth, gently rounded or plateau-like, more in keeping with the lowlands. In this respect Strathallan would

appear as a major new feature within a landscape currently unaffected by wind energy development.

- 194 The Reporter in the Greenscares scheme also noted that the Beaully-Denny power line cutting through the Greenscares Plantation would present a cluttered image of energy developments. The Strathallan ES unsurprisingly does not agree, suggesting that the pylons appear as clearly distinguishable to the turbines in terms of scale, form and layout. However the Councils landscape consultant's view is the difference in scale and prominence of the Beaully-Denny pylons and the Strathallan turbines will together create visual clutter and a confusing image. Furthermore, the pylons tend to emphasise the greater size of the turbines, with the pylons more in scale with the landscape across the site and more spread out. In close views from the east e.g. VP23 at Garrick the pylons appear as larger structures than the turbines, further adding to visual clutter and a confusing image. This image would be exacerbated with forestry removal.
- 195 The Tayside LCA describes the transitional nature of the lowland hills, lying between the highlands to the north and west and the lowlands to the south and east. The lowland hills character type occupies a relatively large part of central Perthshire such that the turbines would not significantly affect its wider character. The 2010 DTA study recognises that in terms of landscape scale, openness/enclosure, landform and land cover, the Drummond Hills landscape unit within the lowland hills type has medium sensitivity to a wind farm such as Strathallan in terms of effects on landscape character. It is likely that the lowland hills landscape within around 5-7km radius of the wind farm would become a 'landscape with wind energy development' where the turbines would become a feature of the landscape without significantly affecting or altering its key characteristics (as opposed to a 'wind farm landscape' where turbines would become the dominant characteristic). The lowland hills would retain its regional distinctiveness and 'sense of place'.

#### Effects on Designated Landscapes: River Earn (Comrie to St Fillans) NSA

- 196 Strathallan Wind Farm would be located approximately 8km from the River Earn (Comrie to St Fillans) NSA which lies where the lowlands meets the highlands. It would be visible from south-facing slopes and the Highland Boundary Fault at the eastern end of the NSA, including the Melville Monument on the summit of Dunmore Hill. This is part of a popular circular walk from Comrie along the route to the De'il's Cauldron, a spectacular narrow gorge.
- 197 'The spectacular De'il's Cauldron and Dunmore Hill' is recorded as one of the special qualities of the NSA, referring in particular to the magnificent panorama from the monument that includes views south to the Ochils. VP 11 indicates the view from the monument from where the ES records a major/moderate and significant effect from a distance of approximately 10km from the nearest turbine. Burnfoot Hill Wind Farm is visible but not prominent in the Ochil Hills in the distance, but Strathallan Wind farm would be prominent and conspicuous within the Knaik Hills along the ridgeline above Comrie. Consequently this special quality of the NSA will be significantly affected.
- 198 Strathallan Wind Farm will significantly affect the setting of Comrie and the intimate Strathearn valley. The NSA is a landscape of great harmony combining highland, transitional and lowland landscapes. The lowland features including fertile fields and

ordered designed landscapes of hedges, policy woodlands and big houses soften the harsher highland elements, resulting in a harmonious and aesthetically pleasing landscape of great charm, as viewed from VP 11. Consequently the special quality of the NSA, 'A harmonious combination of highland and lowland' will also be significantly affected by Strathallan Wind Farm.

Effects on Designated Landscapes: Upper Strathearn Special Landscape Area (SLA)

199 The ES refers to Local Landscape Areas; these are now referred to as Special Landscape Areas in the Council's Landscape Supplementary Guidance (SG) produced in 2015. The SLA includes areas on both sides of the Highland Boundary Fault. The lowland southern boundary of the SLA follows the minor road west from Muthill to Glen Artney approximately 3km from the nearest proposed turbine. The Highland Boundary Fault forms a dramatic backdrop to Comrie and Crieff, contrasting strongly with the well-kept farmland of upper Strathearn. The meandering River Earn, low rolling hills rising to Torlum (393m), the designed landscape of Drummond Castle and the gently rolling arable farmland south of Crieff are significant characteristics of the lowland part of the SLA. To the north of Crieff is The Knock, a popular steep wooded hill which provides an accessible and popular lookout point over the Strathearn landscape. Special qualities of the SLA referred to in the SG include:

- Strong variety of landform and land cover: open mountains, glens, moorland, wooded slopes and river valley farmland;
- Setting of Crieff and Comrie within the valley, backed by steep rugged hills;
- A highly scenic conjunction of landscape elements, with many opportunities to enjoy the view; and
- A well-managed landscape with important parkland, policy woodlands and field boundary trees.

200 An objective for the Upper Strathearn SLA in the Landscape Supplementary Guidance is to ensure particular care in siting and design of potentially intrusive structures such as masts and wind turbines. Viewpoints 11 and 15 provide examples of good opportunities to enjoy the view across the SLA, where in the Council's landscape consultant's opinion the wind turbines would significantly affect the setting of Crieff and Comrie within the valley and the highly scenic conjunction of landscape elements recognised as special qualities of the SLA.

Effects on Designated Landscapes: Gardens and Designed Landscapes

201 SPP (June 2014) includes sites identified in the inventory of Gardens and Designed Landscapes (GDL) as areas where significant protection from wind farms is needed. Wind farms may be appropriate in some circumstances if further consideration demonstrates that any significant effects on the special qualities of these areas can be substantially overcome by siting, design or other mitigation.

202 Braco Castle is situated approximately 2km to the south of Strathallan Wind Farm. The ES predicts a significant effect on the GDL as shown in VP2 where the turbines are seen to occupy a significant proportion of the view on the skyline.

203 Drummond Castle GDL lies approximately 4km to the north of the proposed Strathallan Wind Farm. It provides the best example of formal terraced gardens in Scotland of outstanding artistic and architectural value, and high scenic value. The

minor road between Muthill and Ochtermuthill borders the designed landscape to the south. Viewpoint 9 in the ES is at the castle but views are screened by woodland. However, the Historic Environment Scotland citation describes the extensive views south to the southern Grampians and Ochil Hills as being part of the experience of the designed landscape, the view being particularly significant from the park and the castle. There will almost certainly be views from parts of the designed landscape and the castle tower southwards to the Strathallan Wind Farm in which views of the turbines would have a significant effect on the setting of the GDL.

- 204 Abercairney GDL is situated approximately 11km to the northeast of the proposed Strathallan Wind Farm. Viewpoint 12 in the ES illustrates a view from the grounds where the turbines will be seen on the horizon, the impact assessed in the ES as a moderate and not significant effect. However, the Historic Environment Scotland citation describes the extensive views south to the Ochil Hills as being part of the experience of the designed landscape. Where successive views of the turbines southwards from the GDL occur there is likely to be a significant effect on the setting of the GDL.
- 205 There are other GDLs within the ZTV, including Aberuchill Castle, Dunira, Ochtertyre, Monzie Castle and the Gleneagles Hotel and Golf Course Estate, from where there may be views of the turbines with the potential to affect the scenic qualities of the GDLs, subject to further field work.

#### Visual Effects

- 206 Where the wind farm is seen there will almost always be a view of all nine turbines on the skyline. Only from very limited locations will topography screen some of the turbines (e.g. VP1).
- 207 The visual analysis in the ES shows significant visual effects at only four of the thirty representative viewpoints: VP2 Braco Castle, VP3 Ardoch Roman Fort, VP5 Greenloaning and VP11 Melville Monument. Significant cumulative effects with operational, consented and planned wind farms are predicted at Greenloaning and along the B827. Only one settlement, Greenloaning is predicted to experience significant visual effects. The residential assessment predicts significant visual effects at only five properties out of the sixty nine residential properties assessed. It is considered that there is inadequate analysis of the landscape and visual effects of tree felling, and generally the assessment of visual effects underplays likely significance.

- 208 The ES acknowledges views from the Stirling to Perth railway that passes closest to Strathallan Wind Farm at Greenloaning approximately 6km from the nearest turbine. There would be consistent visibility for approximately 19km between Ashfield and Gleneagles, with significant effects for approximately 5km for the section north of Naggyfauld. There would also be visibility from the section between Auchterader and Perth.
- 209 The Reporter into the Greenscares scheme noted that Braes O' Doune is a prominent feature in the landscape, experienced over a wide area. It is visible from much of Strathallan and from the areas around Braco, Greenloaning, Blackford and the Knock of Crieff. The Reporter considered that the Greenscares scheme (comprising 4 turbines of 100m to blade tip height) would also be visible from these locations as well as from sections of the A9, B827, A822 (Perthshire Tourist Route), A833 and the A85, from individual properties less than 3km from the site (Greenscares, Dundruff, Braco Castle Farm, Craggan, Mill of Drummond and Victoria) and from the Melville Monument at Comrie, where it would be one of 3 wind farms appearing in views southwards. He was satisfied that the proposal would constitute a highly dominant feature in the landscape from these viewpoints. This is likely to be the case with Strathallan Wind Farm also comprising 9 turbines of similar height to the Greenscares turbines. The Strathallan ES acknowledges significant visual effects on the A822 and at other properties up to 4km distance (Glenlichorn, Dunruchan, Wester Ochtermuthill and Easter Ochtermuthill).
- 210 The Reporter was satisfied that the Greenscares proposal would also constitute a highly dominant feature in views from the nearby A822 and B827. When travelling along the B827 from Comrie to Braco, the Braes O' Doune and Greenknowes wind farms would also be visible. On the A9 the proposed development would add a second wind farm to views northwards between the junction with the B9141 and Greenloaning. Greenknowes and Burnfoot Hill would also be seen to the south-east. The Reporter considered that Greenscares would add a second wind farm to views southwards from Crieff, particularly the Knock of Crieff, and parts of Strathearn, being seen to the left of the Braes O' Doune site. This is likely to be the case with Strathallan Wind Farm also comprising nine turbines of similar height to the Greenscares turbines. Indeed, it was noted on site visits that clear views of the wind farm would be obtained from the Knock of Crieff car park below the hill and from a number of the roads, hotel, self-catering lodges and other buildings within Crieff Hydro resort.
- 211 The Reporter was satisfied that due to its prominent position the Greenscares scheme would have an unacceptable cumulative visual impact upon the Knaik Hills taking into account the existence of the Braes O' Doune, Greenknowes and Burnfoot Hill wind farms. In his opinion this would have consequent adverse effects on the visual amenity of parts of Crieff, Braco, Greenloaning and Blackford and the properties listed above where the proposal would be in view. The proposed Beaulieu-Denny power line would exacerbate this adverse visual impact. The Reporter was satisfied that the Greenscares proposal would result in an unacceptable cumulative impact on the visual amenity of the area and in the Landscape Consultant's opinion this will also be the case with the Strathallan Wind Farm proposal.

### **Scottish Natural Heritages Landscape Advice**

212 SNH also reinforce the concerns expressed by the Council's landscape consultant.

#### River Earn Comrie to St Fillans NSA

213 The windfarm is at around 8km from the southern edge of the River Earn Comrie to St Fillans NSA. It would be visible in eastern parts of the NSA from south-facing slopes along the Highland Boundary Fault, including the popular destination of Melville Monument on Dunmore Hill (VP11), from where a panoramic view over the NSA and the Ochils can be gained.

214 SNH confirm this viewpoint is part of the Special Quality described as: *"The spectacular De'il's Cauldron and Dunmore Hill": "the Melville Monument on the summit of Dunmore Hill. Here a magnificent panorama of the NSA to the west unfolds, with Loch Earn beyond. Views to the south extend to the Ochils, and northwards can be seen Glen Lednock, with its Munro of Ben Chonzie towering above."*

215 The view from Melville Monument is at around 10km distance from the windfarm. The windfarm would be prominent on the skyline and detract from the view. It would be visible in combination with Burnfoot and Braes of Doune windfarms in the distance but it would be more prominent and in the centre of the view and the immediate landscape backdrop, interrupting the view that is noted as a special quality of the NSA.

#### Cumulative

216 Strathallan windfarm would be visually prominent and would be seen in combination with nearby development at Braes of Doune by residents, and travellers on the A9, A822 and A85. It would also be seen with Burnfoot Hill and sometimes with Green Knowes. Strathallan would be a change from the existing pattern of wind farm development in the area, as it would be on a lower ridge in an area between the valley floor and the neighbouring hills, whereas current wind farms are more associated with those hill ranges.

#### Cumulative adverse impact with Beaully Denny

217 The combination of the proposal, Braes of Doune and the pylons of the Beaully Denny Powerline would result in adverse cumulative impacts on the Knaik Hills Landscape Character Unit and the visual amenity in the vicinity by creating an image of a cluttered landscape. This impact would be mainly experienced in the closer vicinity of the development (e.g. Garrick VP23).



218 Taking account of the advice provided by SNH and the Council's landscape consultant. I conclude that the proposal by virtue of the location, dominance, scale and layout of the proposed wind farm would result in unacceptable adverse landscape impacts having regard to landscape character and setting within the immediate landscape and wider landscape character types. Furthermore, the scheme will have unacceptable visual impacts and unacceptable cumulative landscape and visual impact on residential, recreational and tourist receptors. Accordingly the proposal is contrary to Policy 3 and Policy 6 of TAYplan as well as Policy ER1A and Policy ER6 of the Perth and Kinross Local Development Plan 2014.

### **Carbon Reduction and Renewable Energy Targets**

219 Wind developments impact upon CO2 emissions at two stages of their lifecycle:

- During wind turbine manufacture, construction and decommissioning; and
- During wind turbine operation.

220 The wind farm manufacture, construction and decommissioning phases will lead to the emission of greenhouse gases. During operation, the turbines will lead to a reduction in CO2 levels when compared to the production of electricity by conventional sources such as coal-powered power stations.

221 In order to establish the overall impact of the proposed wind farm upon CO2 emissions on site factors such as partial felling of the existing forestry plantation and the underlying peat have been considered. The ES predicts that over its 25 year span the project is expected to result in a saving of 473,300 tonnes of CO2. The calculated payback time in terms of CO2 is 2.2 years against the grid mix of electricity generation. Based upon an average UK electricity consumption of 4,401 kWh per household, the wind farm is expected to annually provide enough electricity to power 11,000 households.

222 I acknowledge the scheme would make a contribution to the Scottish Governments target of 100% electricity generation from renewable energy resources by 2020 as well as contributing to the reduction of greenhouse gas emissions in line with the commitment to reduce emissions by 42% by 2020 and 80% by 2050 targets as set out by the Scottish Government.

223 With regards to the Development Plan it would assist with one of the aims of TAYplan Policy 6 which seeks to deliver a low/zero carbon future for the region through a reduction in fossil fuels and LDP Policy ER1A (b) which seeks proposals to contribute to meet carbon reduction targets.

## Outdoor Access

- 224 Outdoor Access has now been given a new context in Scotland, since the Land Reform (Scotland) Act 2003. This establishes a duty on local authorities to uphold the outdoor access rights as specified in Section 13(1) of the Act. This duty on local authorities does not stop them from carrying on with the authority's other functions, an example of this is when they are considering planning applications for development on land over which access rights are exercisable, they will still be able to give consent for developments. Although, where appropriate, local authorities should consider attaching a suitable planning condition to enable them to ensure reasonable continuing public access.
- 225 There are no Rights of Way or Core Paths within or through the site. However there are a number of forestry tracks within the site that could be used for public access purposes. Good practice would respect and manage public access rights during construction and this could be achieved through signage or providing appropriate contact details so advice on safe public access provision could be provided. The provision of new access tracks associated with the windfarm will likely increase the potential recreational use of the site. It is recommended that detailed scheme regarding facilitating public access both during and after construction can be controlled by condition.

## Economic benefits

- 226 In terms of the wider economy, the economic benefits associated with the windfarms are detailed in the applicant's submission. This highlights that jobs will be created during the construction, operation and decommissioning of the windfarm.
- 227 It is accepted that a development or construction project of this scale is likely to represent an economic opportunity to the local and regional economy as it will offer potential business opportunities for contractors through construction, delivery and maintenance, together with indirect expenditure through local shops, services etc.
- 228 Securing such benefits can be recognised as consistent with key Government and Development Plan objectives for the Scottish economy. However, those same objectives indicate that achieving *sustainable economic growth* in Scotland requires a planning system that can deliver growth enhancing activities in a manner which protects and enhances the quality of the natural and built environment as an asset for that growth. Environmental protection can therefore be seen as a key measure of *sustainable economic growth*.
- 229 Taking this into account the green energy contribution, pollution reductions and economic benefits of the development have to be balanced against the potential significant adverse effects on local environmental quality.

- 230 Based on the findings earlier in this assessment the adverse effects on environmental quality and landscape are of such weight to tip this balance sufficiently towards refusal of the application. I also place weight on the impact from key tourism sites that would be affected by the landscape and visual impacts from this windfarm scheme.

## **LEGAL AGREEMENTS**

- 231 None Required.

## **DIRECTION BY SCOTTISH MINISTERS**

- 232 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

## **CONCLUSION AND REASONS FOR RECOMMENDATION**

- 233 The assessment above has taken account of the Development Plan and where necessary provided weight to material considerations. This includes information provided in the ES, comments received from consultees, relevant appeal decisions in western Perthshire including the previous appeal refusal on the site, along with representations made both in support and in opposition to the proposal.
- 234 There are no overriding problems in relation to bio-diversity interests for the area if conditioned. It is acknowledged that the proposal would make a contribution to the provision of energy from renewable resources, with a consequential reduction in CO2 emissions. An element of economic benefit during construction, operation and decommissioning would occur but these have to be offset against the presence of the windfarm. In this case, there are adverse impacts on the setting of Scheduled Ancient Monuments, Gardens and Designed Landscape and tourism sites. There are also significant and unacceptable adverse landscape and visual impacts from the scheme on its own and cumulatively.
- 235 To conclude, Section 25 of the Town and Country Planning (Scotland) Act 1997, as modified, states that determination should be in accordance with the development plan unless other material considerations indicate otherwise. In respect of the above the proposal is considered to be contrary to the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.
- 236 While there is considerable support in the Scottish Planning Policy for this form of development this support is not unconditional, paragraph 187 makes it clear that environmental and cumulative impacts must be addressed. Taking account of the other applicable material considerations I find none of significant weight that would lead to a different conclusion. Accordingly the application is recommended for refusal.

## **RECOMMENDATION**

## **A REFUSE THE APPLICATION FOR THE FOLLOWING REASONS:**

- 1 The proposal by virtue of the location, dominance, scale and layout of the proposed wind farm would result in unacceptable adverse landscape impacts, including cumulative landscape impacts having regard to landscape character and setting within the immediate landscape and wider landscape character types contrary to Policy 3 and Policy 6 of TAYplan and Policies ER1A, and ER6 of the Perth and Kinross Local Development Plan 2014.
- 2 The proposal by virtue of the location, dominance, scale and layout of the proposed wind farm would result in unacceptable visual impacts, including cumulative visual impacts having regard on residential, recreational and tourist receptors contrary to Policy 6 of TAYplan and Policies ER1A and ER6 of the Perth and Kinross Local Development Plan 2014.
- 3 The proposal by virtue of the location, dominance, scale and layout of the proposed wind farm would result in unacceptable visual impacts, including cumulative visual impacts on The River Earn Comrie to St Fillans National Scenic Area, contrary to policy NE1B of the Perth and Kinross Development Local Development Plan 2014.
- 4 The development does not contribute positively, to the quality of the surrounding built and natural environment as the design, density and siting of the development does not respect the character and amenity of Western Perthshire, contrary to policy PM1A of the Perth and Kinross Development Local Development Plan 2014.
- 5 The development compromises the setting of scheduled ancient monument, *Ardoch, military complex 900m NNE of Ardoch Bridge, (Scheduled Monument, Index no. 1601)* contrary to policy HE1A of Perth and Kinross Local Development Plan 2014.
- 6 The development compromises the setting of Gardens and Designed Landscapes, Braco Castle, Drummond Castle and Abercairney contrary to policy HE4 of Perth and Kinross Local Development Plan 2014.

## **B JUSTIFICATION**

The proposal is not considered to comply with the Development Plan and there are no other material considerations that would justify a departure there from.

## **C PROCEDURAL NOTES**

None.

## **D INFORMATIVES**

None.

Background Papers: 418 letters of representation

Contact Officer: John Russell – Ext 75346

Date: 22 March 2017

**NICK BRIAN**  
**INTERIM HEAD OF PLANNING**

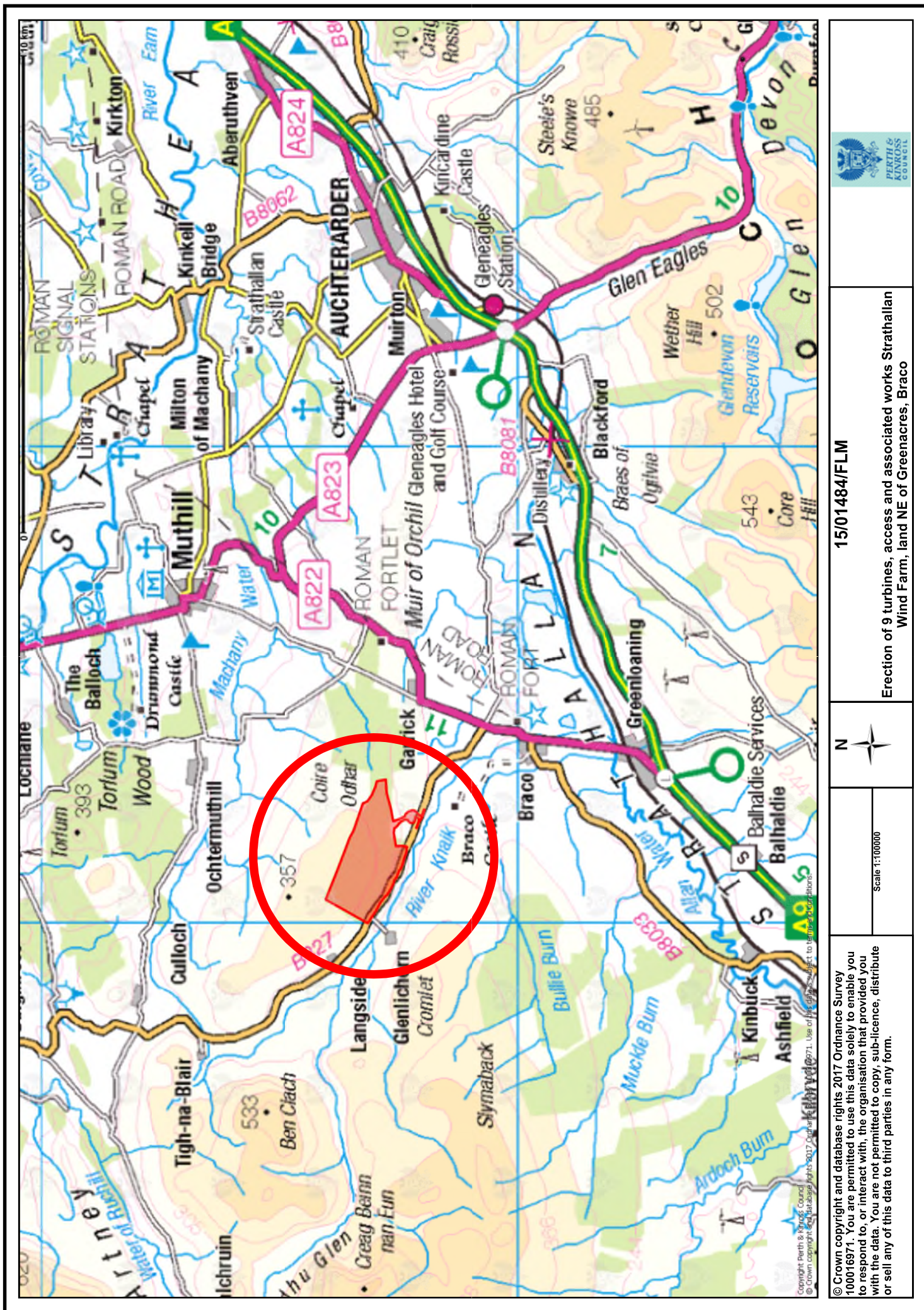
If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.



You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.



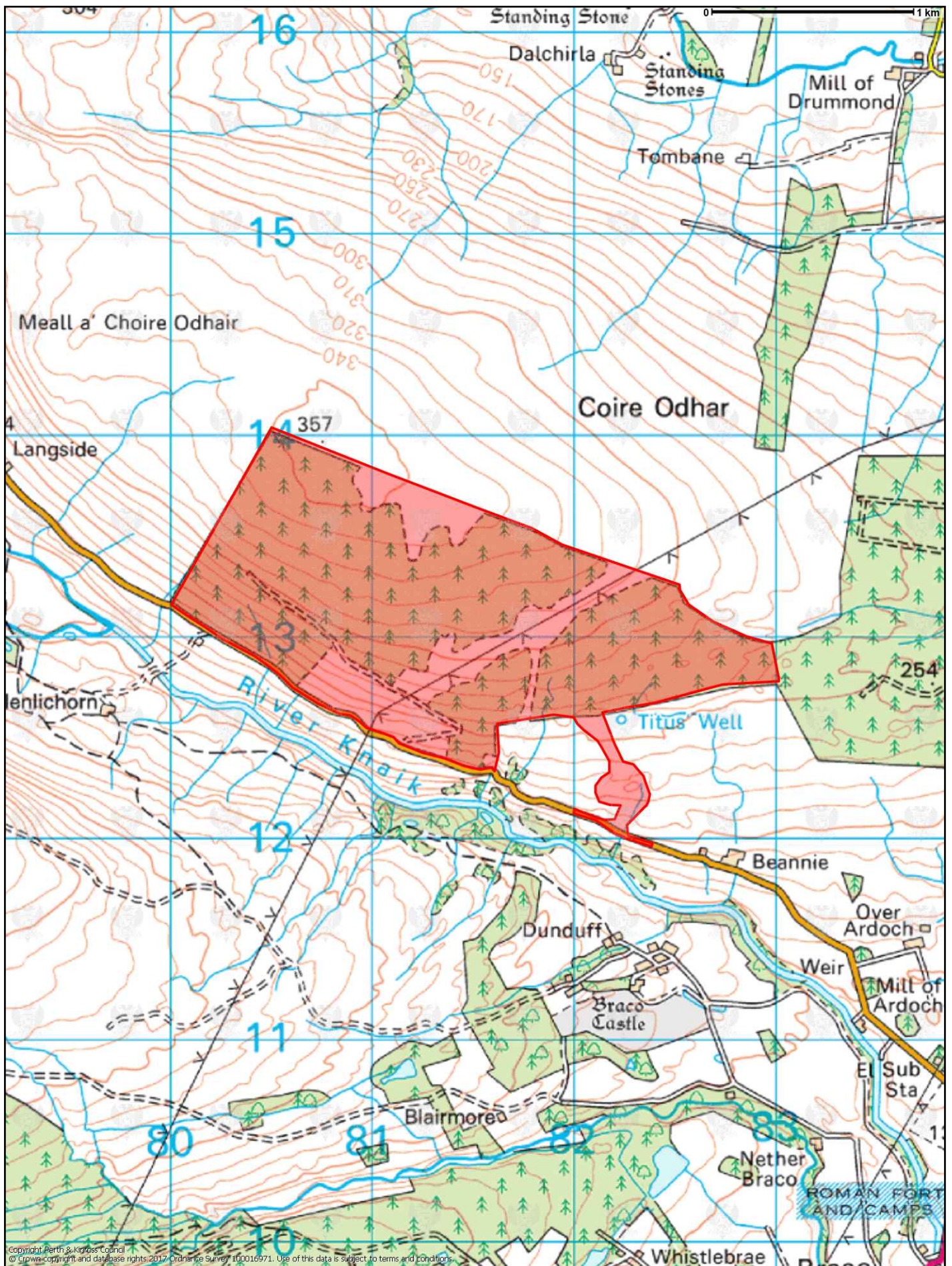




|                                                                                                                |  |                     |                                                                                                |                       |                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------|--|---------------------|------------------------------------------------------------------------------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                             |  | <p>15/01484/FLM</p> | <p>N</p>  | <p>Scale 1:100000</p> | <p>© Crown copyright and database rights 2017 Ordnance Survey 100016971. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.</p> |
| <p>Erection of 9 turbines, access and associated works Strathallan Wind Farm, land NE of Greenacres, Braco</p> |  |                     |                                                                                                |                       |                                                                                                                                                                                                                                                                                                                                       |







Copyright Perth & Kinross Council  
© Crown copyright and database rights 2017 Ordnance Survey 100016971. Use of this data is subject to terms and conditions.

© Crown copyright and database rights 2017 Ordnance Survey 100016971. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Scale 1:25000

15/01484/FLM

Erection of 9 turbines, access and associated works Strathallan Wind Farm, land NE of Greenacres, Braco





Perth and Kinross Council  
Development Management Committee – 12 April 2017  
Report of Handling by Interim Head of Planning

Alterations and extension to Balhousie Luncarty Care Home  
 Sandeman Place  
 Luncarty

Ref. No: 17/00243/FLL  
 Ward No: N5 - Strathtay

### Summary

This report recommends approval of the application for the alterations and extension to the Care Home at Luncarty House, Sandeman Place, Luncarty as the development is considered to comply with the Development Plan.

### BACKGROUND AND DESCRIPTION

- 1 Luncarty House is run as a residential care home which falls under Class 8 of the Town and Country Planning (Use Classes) (Scotland) Order 1997. The proposal under consideration is for internal alterations and the erection of an extension to the west of the Category C(s) Listed Building.
- 2 The existing layout provides a total of 29 bedrooms within the property. The proposal involves internal alterations and the removal of mainly modern partitions to improve the space standards in the existing house and this reduces the numbers of bedrooms to 19 (thus losing 10 bedrooms). This loss of bedrooms is offset by the inclusion of a wing to the west of the building which would provide 17 additional bedrooms with a lounge area to the lower ground floor. This results in the provision of a further 7 bedrooms on the site overall.

### NATIONAL POLICY AND GUIDANCE

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

### DEVELOPMENT PLAN

- 4 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.



## **TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012**

- 5 Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“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 and visit and where businesses choose to invest and create jobs.”*

## **Perth and Kinross Local Development Plan 2014**

- 6 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 7 The principle relevant policies are, in summary:

### **Policy PM1A - Placemaking**

- 8 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**

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

### **Policy RD6 - Particular Needs Housing Accommodation**

- 10 Support will be given to proposals for particular needs housing and accommodation for the frail, elderly or those with special needs where they are appropriately located and where they have minimum impact on the environment. Proposals for Houses of Multiple Occupation will be supported provided a need can be demonstrated and the residential amenity of an area is not affected.

### **Policy TA1B - Transport Standards and Accessibility Requirements**

- 11 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 NE2B - Forestry, Woodland and Trees**

- 12 Where there are existing trees on a development site, any application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required.

### **Policy HE2 - Listed Buildings**

- 13 There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

### **Policy CF2 - Public Access**

- 14 Developments will not be allowed if they have an adverse impact on any core path, disused railway line, asserted right of way or other well used route, unless impacts are addressed and suitable alternative provision is made.

### **OTHER POLICIES**

- 15 Scottish Historic Environment Policy (SHEP):- sets out Scottish Ministers' policies, providing direction for Historic Scotland and a policy framework that informs the work of a wide range of public sector organisations.

### **SITE HISTORY**

- 16 92/01878/FUL Installation of a lift 13 January 1993 Application Approved under delegated powers.
- 17 93/00277/FUL Installation of a lift and provision of wc compartments 12 May 1993 Application Permitted under delegated powers.
- 18 93/01558/FUL Alterations 12 January 1994 Application Approved under delegated powers.
- 19 94/01184/FUL Alteration to residential home for the elderly 7 October 1994 Application Approved under delegated powers.
- 20 00/00141/PPLB Alterations to form additional fire exit and rooms in basement at 17 March 2000 Application Refused under delegated powers.
- 21 00/00142/PPLB Formation of a link corridor at 17 March 2000 Application Approved under delegated powers.
- 22 09/00434/FUL Alterations and extension to nursing home 28 April 2009 Application Withdrawn.
- 23 09/00435/LBC Alterations and extension to nursing home, formation of car parking space and ancillary site works 28 April 2009 Application Withdrawn.
- 24 Planning Application 09/01004/FUL and Listed Building Application 09/01005/LBC were refused by Development Control Committee on the 26 August 2009. The Appeals to the Directorate for Planning and Environmental Appeals were unsuccessful P/PPA/340/2008 and P/LBA/340/35 refers.
- 25 10/00685/LBC Alterations and extension 26 July 2010 Application Approved by Development Control Committee.

- 26 10/00688/FLL Alterations and extension 26 July 2010 Application Approved by Development Control Committee.
- 27 13/01109/FLL Variation of condition 1 (10/00688/FLL) to allow a further three years for development to commence 12 July 2013 Application Approved under delegated powers.
- 28 13/01117/LBC Variation of condition 1 (10/00685/LBC) to allow a further three years for development to commence 12 July 2013 Application Approved under delegated powers.
- 29 15/01764/FLL Formation of access ramp and erection of fencing 8 December 2015 Application Approved under delegated powers.
- 30 15/01765/LBC Alterations and formation of access ramp 8 December 2015 Application Approved under delegated powers.
- 31 16/02092/FLL Alterations and extension 31 January 2017 Application Withdrawn.
- 32 16/02093/LBC Alterations and extension 31 January 2017 Application Withdrawn.
- 33 17/00244/LBC Alterations and extension, application being considered as part of this committee agenda.

## **CONSULTATIONS**

### **EXTERNAL**

- 34 Luncarty, Redgorton and Moneydie Community Council – Object. Proposed extension would have a significant adverse impact on visual amenity contrary to RD1, PM1A and PM1B. The foot print is similar in size to the refused 2009 application. There will be an impact on the public footpath now part of the 'Marshall Trail' which is a safer route to school. There is a lack of detail on access for refuse collection and fuel delivery.

### **INTERNAL**

- 35 Environmental Health – No objection subject to conditional control.
- 36 Developer Contributions - The site falls within the Perth Core Area for Transport Infrastructure contributions. The proposal will create an additional 7 bedrooms. The scheme is being proposed to bring the present care home facilities up to current standards which will improve the living conditions of residents. The building is listed and the proposals will help to secure its long term future. I understand that planning consent was granted previously but this has since expired. Paragraph 6.8 of the Developer Contributions and Affordable Housing Supplementary Guidance allows the contribution to be varied where a proposal supports specific Council objectives. In this case the number of additional bedrooms being proposed is relatively small. When this is weighed against the benefits of securing the future of a category B listed building and improving the living environment for existing and future residents

of the facility, I consider that it would be appropriate not to seek a contribution towards transport infrastructure in this instance.

## **REPRESENTATIONS**

- 37 A total of eleven letters of objection were received during the advertisement period for the application including Luncarty, Redgorton and Moneydie Community Council.
- 38 The representations have raised the following relevant issues: -
- Adverse effect on visual amenity
  - Inappropriate landuse
  - Light pollution
  - Loss of open space
  - Loss of sunlight and daylight
  - Loss of trees
  - Noise pollution
  - Out of character with the area
  - Over intensive development
  - Traffic congestion and road safety concerns
  - Issues with drains and flooding
  - Excessive height
  - Overlooking
  - Concerns with bin access arrangements
  - Concerns with access to services (fuel storage)
- 39 The above matters are addressed in the Appraisal section of this report. However the following elements are best addressed at this stage under the following headings:
- Workers smoke in close proximity to the boundary of the site. – This is an issue that already occurs on site. While the proposed extension will likely increase staff levels at the facility and increase this practice it is not a planning issue and is something for residents to resolve with the operator.
  - Inaccuracies in the plans and supporting statement. – There are minor omissions in the plans and planning statement referencing the earlier withdrawn scheme. They do not affect my assessment of the application as the plans satisfactorily deliberate the applicant's proposals and the number of bedrooms associated with the scheme. Notwithstanding this the agent has provided clarity and updated the minor referencing issues.
  - Precedent, smaller extensions on bungalows have been refused in the surrounding area – This concern is noted but is not directly comparable to this application as it is a completely different site and has different characteristics to neighbouring bungalows. In addition, every proposal has to be considered on its individual merits.

## 40 ADDITIONAL STATEMENTS

|                                                |              |
|------------------------------------------------|--------------|
| Environment Statement                          | Not required |
| Screening Opinion                              | Not required |
| Environmental Impact Assessment                | Not required |
| Appropriate Assessment                         | Not required |
| Design Statement / Design and Access Statement | Submitted    |
| Reports on Impact or Potential Impact          | Submitted    |

## APPRAISAL

### Policy Appraisal

- 41 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 as amended by the 2006 Act require that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.
- 42 Additionally Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is applicable, due to the potential impact the development may have on Luncarty House, a category C(s) Listed Building. This legislation requires the Council to have special regard to the desirability of preserving the building or its setting or any features of special architectural historic interest which it possesses.
- 43 The determining issues in this case are whether: - the proposed extension adversely affects the setting of the listed building; the proposal complies with Development Plan policy; the proposal complies with supplementary planning guidance; or if there are any other material considerations which justify a departure from policy. It should be noted that the alterations which require listed building consent are assessed separately under listed building application 17/00244/LBC.

### Principle

- 44 Policies PM4 and RD6 of the adopted LDP are the main factors in the determination of the application. These policies recognise that scope for development may exist within settlement boundaries but acknowledges that new development can have potential conflicts within the existing built environment. It is therefore important that the assessment of this application is on its merits taking cognisance of scale, form and density of the surroundings to ensure development does not lead to over development. The character and amenity of the area concerned also has to be taken into account and particular care is required to certify that open space and green networks are not eroded.
- 45 These issues are discussed in further detail under the headings below.



## **Residential Amenity**

- 46 The proposal has the potential to result in overlooking and overshadowing to neighbouring dwellings and garden ground. There is a need to secure privacy for all the parties to the development, those who would live in the new development and those that live in adjoining dwellings. Planning control has a duty to future occupiers not to create situations of potential conflict between neighbours.

### **Overlooking**

- 47 The fact that new development would overlook existing residential property and affect privacy is a common planning issue, and has been held by the courts to be a proper planning consideration even if neighbours do not object. The impact of overlooking can vary due to site layout and the types of rooms involved, it is therefore necessary to assess each application on a case by case basis.
- 48 Concerns have been raised regarding the possible loss of privacy to neighbouring properties. Having considered the proposed details in relation to neighbouring properties, I am content that an appropriate distance between habitable bedroom windows in the proposed extension and neighbouring dwellings to the north and west would be achieved in excess of the 18 metres rule of thumb. While there will be stairwell and corridor windows in the west elevation that will have intervisibility at 16 metres given these are not associated with habitable rooms but transient space within the building I am of the opinion that an acceptable level of privacy will be maintained to surrounding residential properties.

### **Overshadowing**

- 49 Although not a matter specifically referred to in ministerial guidance, the protection of neighbouring developments from unreasonable loss of light is a well-established proper planning consideration. The Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight-a guide to good practice 1991' sets out guidelines on how to assess the potential impact, however it should be noted that the standards are not mandatory and should be interpreted flexibly.
- 50 Following full consideration of the submitted plans (including the agents sun path analysis) and cognisance of the BRE document I consider that a reasonable level of daylight and sunlight would be maintained to neighbouring properties throughout the majority of the day and the extent of overshadowing would not be excessive and as a consequence does not warrant refusal of the application.

### **Noise**

- 51 The planning system has an important role to play in preventing and limiting noise pollution. Although the planning system cannot tackle existing noise problems directly, it has the task of guiding development to the most suitable locations and regulating the layout and design of new development. The noise implications of development can be a material consideration in determining applications for planning permission.

- 52 The application is for the extension to an existing residential care home. I do not consider the development would result in such an increase in noise to a level which would conflict with surrounding land use. Environmental health have advised that noise could be an issue from plant but have advised that this can be controlled by condition. Taking this into account the proposal is considered to comply with Policy EP8 of the LDP.

### **Light Pollution**

- 53 Concerns have been raised regarding light pollution from the development. In certain cases illumination can have serious amenity implications on neighbouring uses. However, light emanating from living and bedrooms of this proposal will not be unduly intrusive. Environmental Health note they have controls under their legislation if there is severe light spillage to neighbouring properties.

### **Design/Layout**

- 54 Through Designing Places (November 2001) Scottish Ministers have signalled the importance they attach to achieving improvements in the design and quality of new development, and bringing long-term benefits to the urban and rural environment. It should be noted that good design should be the aim of everyone in the planning and development process, it is important at all scales of development. Ill-conceived and poorly designed development is not in the public interest, as mistakes cannot be easily or cheaply rectified. An important outcome of the planning process is the quality of development on the ground.
- 55 There is a considerable amount of history associated with this site relating to the proposed extension. Application 09/01004/FUL was refused by Committee and this decision was upheld on appeal by the DPEA, reference P/PPA/340/2008. Following these decisions the scheme was redesigned. The footprint and height of the scheme was reduced which resulted in the Committee approving the extensions designed under application 10/00688/FLL in July 2010.
- 56 It should be noted that a further and more recent application reverted back to a similar styled scheme to the 2009 scheme that was refused by Committee and the DPEA, (reference 16/02092/FLL). The agent was advised to revert back to the design principles associated with the approved application (2010) which resulted in the withdrawal of the 2016 application.
- 57 The proposal as submitted now takes cognisance of the foot print, scale and massing of the earlier 2010 approved scheme with the extension pulled away from the adjoining footpath which is a safer route to school. Further accommodation has been incorporated into a lower level of this scheme by working with and cutting into the site topography next to the existing care home. Overall I am content with the proposed design of the new addition to this building and it does not adversely affect the character of this area.

- 58 The applicant has provided details on the proposed palette of finishing materials for the façade of the extension. This includes natural slate to the roof and a natural stone and buff render to the elevations. Generally this selection of materials is acceptable; however, a detailed specification should be submitted for written approval.

### **Openspace**

- 59 While the site is not a designated area of open space it does make a significant contribution to the streetscene in this locality as well as the setting of the listed building. The proposed extension due to the set back from the public road still provides an area of open space and consequently I consider its contribution to the streetscene is maintained.

### **Access/Traffic/Transport**

- 60 Concerns have been expressed regarding traffic congestion and road safety concerns as well as the potential impact the proposed access arrangements could have on the footpath to the west of the site which is a Safer Routes to School.
- 61 Transport Planning has previously been consulted on the development proposals for this site and the access and parking arrangements were considered to be acceptable. This proposal includes the same access driveway and car parking improvements therefore I remain of the view that there is no conflict with road safety.
- 62 I note the concerns regarding the potential impact the proposal could have on the safer routes to school. Once the build is complete there will not be an impact on this route. However it is important to ensure that it remains unimpeded during construction works to comply with Policy CF2 of the LDP. In this case conditional control can be utilised if the application is approved.

### **Potential impact on trees**

- 63 Scottish Planning Policy specifies that trees which have a significant biodiversity value and make a significant contribution to landscape character and quality should be protected from adverse impacts resulting from development.
- 64 In support of this application a tree survey had been undertaken in accordance with BS:5837 Trees in relation to construction – recommendations to comply with Policy NE2B. The tree survey updates earlier reports and highlights the extent of tree cover at Luncarty House. The report documents that root protection area are required to ensure compliance with BS:5837 Trees in relation to construction – recommendations. In this case conditional control can be applied to protect trees that are to be retained.

## **Waste Collection**

- 65 Letters of representation have highlighted concerns regarding waste collection as the proposal removes the existing internal loop arrangement to the current waste storage area (as well as fuel stores). The agent has advised that on bin days, existing bins will be presented to Marshall Way for collection. The agent also notes that a gas point will be located at the front of the new extension. Precise details on waste storage and the fuel location point can be secured by a negative suspensive condition.

## **Drainage**

- 66 The foul drainage will be connected to the public network and the proposal incorporates a sustainable urban drainage system to deal with surface water.

## **Impact on the setting of the Listed Building:**

- 67 While the word setting is not defined in planning legislation, Historic Scotland's Technical Guidance Notes (formerly part of the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998) specifies that Planning Authorities are firmly encouraged not to interpret the word narrowly. It highlights at all times the listed building should remain the focus of its setting. Attention must never be distracted by the presence of any new development whether it be within or out with the curtilage. In this instance I consider the appropriate factor to take into account is the principal view either of or from Luncarty House as well as the potential effect on the main approach to the building.
- 68 Luncarty House has been developed in phases. The earliest element which includes the principal two storey elevations and entrance are situated to the south with a later one and half storey wing attached to the north. The proposed extension is set behind the principal elevations and entrance.
- 69 Taking account of this factor and the history associated with the Appeal decisions I am content that this revised scheme does not detract from the character or setting of the listed building and complies with policy HE2 of the LDP.

## **Developer Contributions**

- 70 The site falls within the Perth Core Area for Transport Infrastructure contributions. Planning consent was granted previously but this has since expired. Paragraph 6.8 of the Developer Contributions and Affordable Housing Supplementary Guidance allows the contribution to be varied where a proposal supports specific Council objectives.

- 71 The scheme is being proposed to bring the present care home facilities up to current standards which will improve the living conditions of residents. The proposal will create an additional 7 bedrooms. The building is listed and the proposals will help to secure its long term future. In this case the additional bedrooms being proposed is relatively small. When this is weighed against the benefits of securing the future of a category B listed building and improving the living environment for existing and future residents of the facility, I consider that it would not be appropriate to seek a contribution towards transport infrastructure in this instance.

### **Economic Impact**

- 72 The construction of the development would provide opportunities for local trades and tradesmen to become involved in the construction phase. Additionally there would likely be a positive economic impact on the local area associated with the increase in accommodation for specialist housing needs.

### **LEGAL AGREEMENTS**

- 73 None required.

### **DIRECTION BY SCOTTISH MINISTERS**

- 74 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

### **CONCLUSION AND REASONS FOR RECOMMENDATION**

- 75 In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, it is considered the proposal complies with the relevant provisions of the adopted plan. There are no material considerations that would justify refusing the application. On that basis the application is recommend for approval subject to conditions.

### **RECOMMENDATION**

#### **A Approve the application subject to the following conditions:**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

- 2 Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

- 3 Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.

Reason - To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

- 4 The safer routes to school footpath located to the west of the site shall not be obstructed during site construction works or on completion of the development all to the satisfaction of the Planning Authority.

Reason - To ensure that the proposed development does not prejudice the safer routes to school footpath.

- 5 Prior to the commencement of works on site, detailed drawings showing waste and recycling facility enclosures or waste and recycling facility storage areas and associated locations for bin presentation shall be submitted for the further written agreement of the Council as Planning Authority. None of the new residential rooms in the extension hereby approved shall be occupied until the agreed scheme has been provided in full.

Reason - In order to ensure adequate servicing facilities are provided.

- 6 Prior to the commencement of the development hereby approved, details of the location and measures proposed for the safeguarding and continued operation of the fuel tanks shall be submitted to and approved in writing by the Council as Planning Authority. The subsequently agreed protective or replacement measures shall be put in place prior to the development being brought into use and shall thereafter be so maintained insofar as it relates to the development hereby approved.

Reason - In order to ensure adequate servicing facilities are provided.

- 7 All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Reason - In order to protect residential amenity.

### **Justification**

- 1 The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

### **Informatives**

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.
- 5 This is approval of your application Ref no (17/00243/FLL) for planning permission only. It does not include any approval for your related Listed Building Consent Ref no (17/00244/LBC) You should therefore not commence work until you have received Listed Building Consent. Carrying out alterations without Listed Building Consent is an offence.
- 6 The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.

Background Papers: Eleven letters of representation.

Contact Officer: John Russell – Ext 75346

Date: 29 March 2017

**NICK BRIAN**  
**Interim Head of Planning**

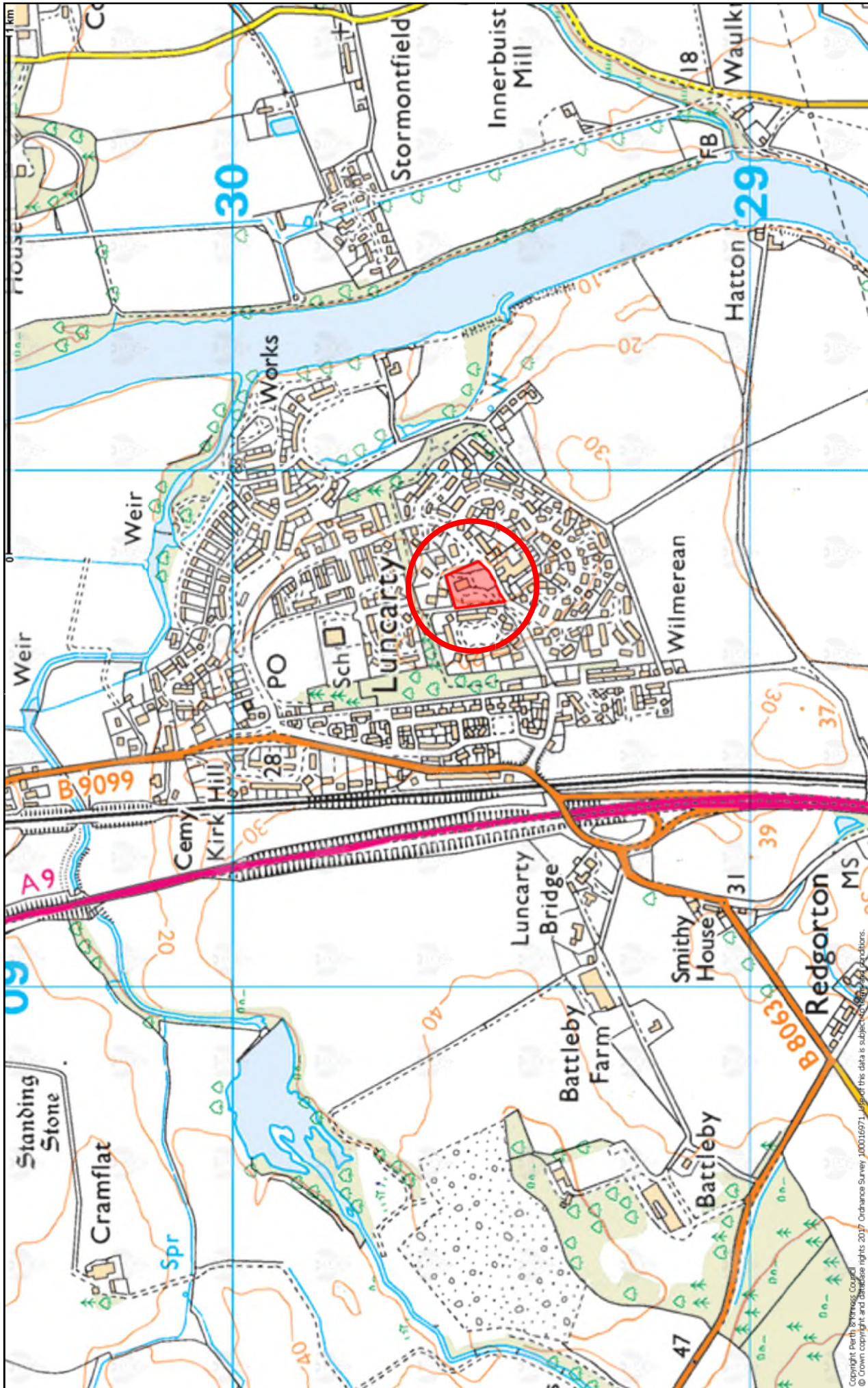
If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.







17/00243/FLL

Alterations and extension Balhousie Luncarty Care Home,  
Sandeman Place, Luncarty

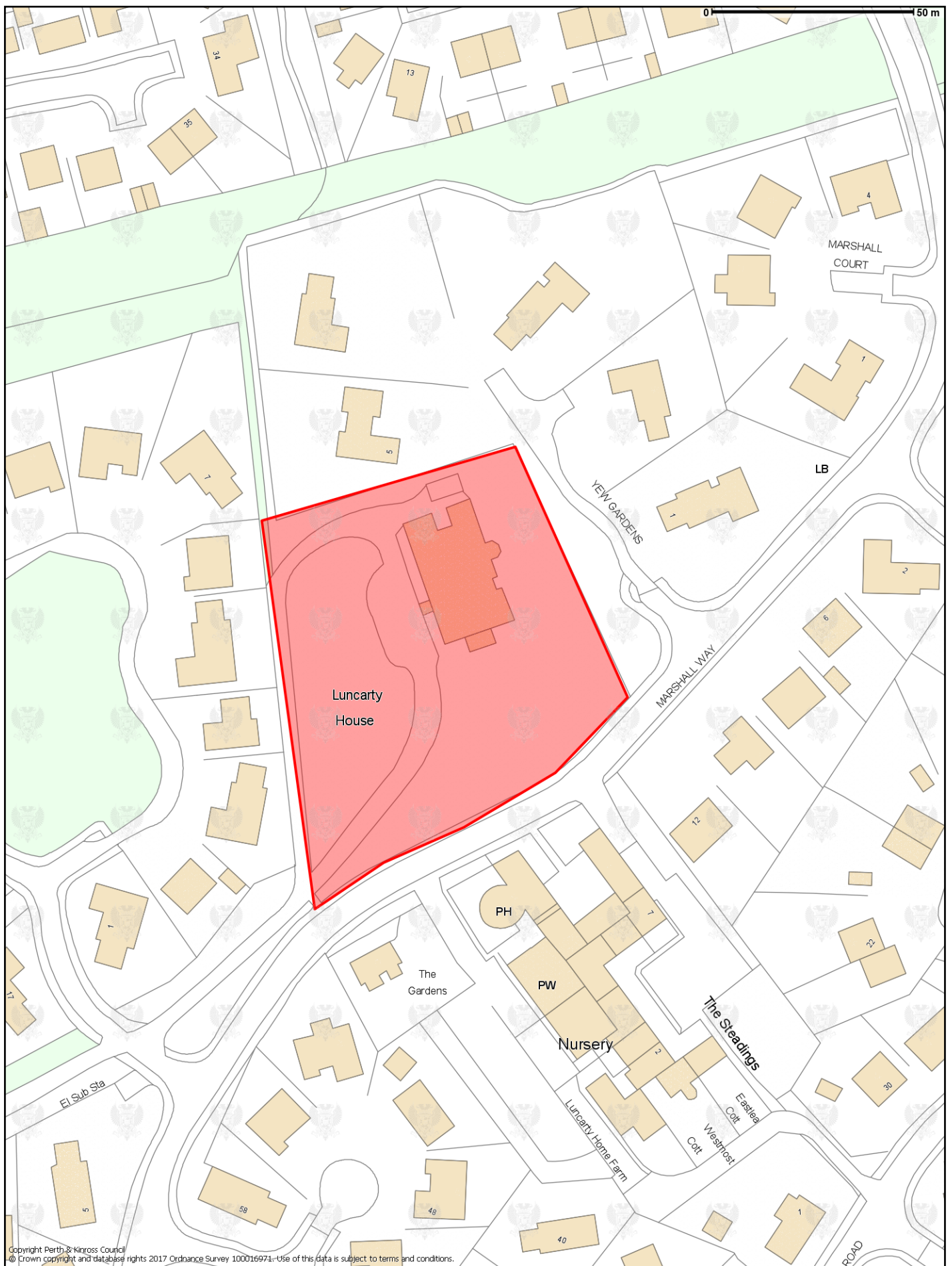


Scale 1:10000

© Crown copyright and database rights 2017 Ordnance Survey 100016971. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.







© Crown copyright and database rights 2017 Ordnance Survey 100016971. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Scale 1:1250

17/00243/FLL

Alterations and extension Balhousie Luncarty  
Care Home, Sandeman Place, Luncarty





Perth and Kinross Council  
Development Management Committee – 12 April 2017  
Report of Handling by Development Quality Manager

Alterations and extension to Balhousie Luncarty Care Home  
Sandeman Place  
Luncarty

Ref. No: 17/00244/LBC  
Ward No: N5 - Strathtay

**Summary**

This report recommends approval of the application for the alterations and extension to the Care Home at Luncarty House, Sandeman Place, Luncarty as the development is considered to comply with the Development Plan.

**BACKGROUND AND DESCRIPTION**

- 1 Luncarty House is run as a residential care home which falls under Class 8 of the Town and Country Planning (Use Classes) (Scotland) Order 1997. The proposal under consideration is for internal alterations and the erection of an extension to the west of the Category C(s) Listed Building.
- 2 The existing layout provides a total of 29 bedrooms within the property. The proposal involves internal alterations and the removal of mainly modern partitions to improve the space standards in the existing house and this reduces the numbers of bedrooms to 19 (thus losing 10 bedrooms). This loss of bedrooms is offset by the inclusion of a wing to the west of the building which would provide 17 additional bedrooms with a lounge area to the lower ground floor. This result in the provision of a further 7 bedrooms on the site overall.

**NATIONAL POLICY AND GUIDANCE**

- 3 **Scottish Historic Environment Policy (SHEP):-** sets out Scottish Ministers' policies, providing direction for Historic Scotland and a policy framework that informs the work of a wide range of public sector organisations.

**DEVELOPMENT PLAN**

- 4 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

**TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012**

- 5 Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *"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 and visit and where businesses choose to invest and create jobs."*

## **Perth and Kinross Local Development Plan 2014**

- 6 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 7 The principle relevant policy is, in summary:

### **Policy HE2 - Listed Buildings**

- 8 There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

### **OTHER POLICIES**

- 9 Historic Scotland's Technical Guidance Notes.

### **SITE HISTORY**

- 10 92/01878/FUL Installation of a lift 13 January 1993 Application Permitted under delegated powers.
- 11 93/00277/FUL Installation of a lift and provision of wc compartments 12 May 1993 Application Permitted under delegated powers.
- 12 93/01558/FUL Alterarions 12 January 1994 Application Permitted under delegated powers.
- 13 94/01184/FUL Alteration to residential home for the elderly 7 October 1994 Application Permitted.
- 14 00/00141/PPLB Alterations to form additional fire exit and rooms in basement at 17 March 2000 Application Refused under delegated powers.
- 15 00/00142/PPLB Formation of a link corridor at 17 March 2000 Application Permitted under delegated powers.
- 16 09/00434/FUL Alterations and extension to nursing home 28 April 2009 Application Withdrawn.
- 17 09/00435/LBC Alterations and extension to nursing home, formation of car parking space and ancillary site works 28 April 2009 Application Withdrawn.
- 18 Planning Application 09/01004/FUL and Listed Building Application 09/01005/LBC were submitted and refused by Development Control Committee on the 26 August 2009. The Appeals to the Directorate for Planning and Environmental Appeals were unsuccessful P/PPA/340/2008 and P/LBA/340/35 refers.

- 19 10/00685/LBC Alterations and extension 26 July 2010 Application Permitted by Development Control Committee.
- 20 10/00688/FLL Alterations and extension 26 July 2010 Application Permitted by Development Control Committee.
- 21 13/01109/FLL Variation of condition 1 (10/00688/FLL) to allow a further three years for development to commence 12 July 2013 Application Permitted under delegated powers.
- 22 13/01117/LBC Variation of condition 1 (10/00685/LBC) to allow a further three years for development to commence 12 July 2013 Application Permitted under delegated powers.
- 23 15/01764/FLL Formation of access ramp and erection of fencing 8 December 2015 Application Permitted under delegated powers.
- 24 15/01765/LBC Alterations and formation of access ramp 8 December 2015 Application Permitted under delegated powers.
- 25 16/02092/FLL Alterations and extension 31 January 2017 Application Withdrawn.
- 26 16/02093/LBC Alterations and extension 31 January 2017 Application Withdrawn.
- 27 17/00243/FLL Alterations and extension, relates to the same proposals as the listed building application subject to this report being considered at part of this agenda.

## **CONSULTATIONS**

### **EXTERNAL**

- 28 Scottish Water – No objection.

### **INTERNAL**

- 29 None.

## **REPRESENTATIONS**

- 30 One letter of representation was received during the advertisement period for this application raising the following issues: -
  - Adverse effect on visual amenity
  - Inappropriate landuse
  - Light pollution

- Loss of open space
- Loss of sunlight and daylight
- Loss of trees
- Noise pollution
- Traffic congestion and road safety concerns
- Issues with drains and flooding
- Overlooking
- Concerns with bin access arrangements
- Concerns with access to services (fuel storage)
- Workers smoke in close proximity to the boundary of the site
- Precedent, smaller extensions on bungalows have been refused in the surrounding area

31 The above matters are addressed in the Appraisal section of the associated planning application as they are not matters that are applicable to the assessment of this listed building application.

32 The issues detailed below are applicable to the assessment of the listed building application and these are addressed under the appraisal section of this report:-

- Out of character with the area
- Over intensive development
- Contrary to development plan
- Excessive height

33 The following matter is best addressed at this stage:-

- Inaccuracies in the plans and supporting statement. – There are minor omissions in the plans and planning statement referencing the earlier withdrawn scheme. They do not affect my assessment of the application as the plans satisfactorily delineate the applicant's proposals and the number of bedrooms associated with the scheme. Notwithstanding this the agent has provided clarity and updated the minor referencing issues.

#### 34 **ADDITIONAL STATEMENTS**

|                                                |              |
|------------------------------------------------|--------------|
| Environment Statement                          | Not required |
| Screening Opinion                              | Not required |
| Environmental Impact Assessment                | Not required |
| Appropriate Assessment                         | Not required |
| Design Statement / Design and Access Statement | Submitted    |
| Reports on Impact or Potential Impact          | Submitted    |

### **APPRAISAL**

#### **Policy Appraisal**



- 35 This report deals with the assessment of proposed alterations and extension to Luncarty House a Category C(s) Listed Building. A separate planning application has been submitted which is assessed under application 17/0243/FLL.
- 36 The determining issues in this case are:- the statutory requirement under Section 14 and 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 which requires the planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural historic interest which it possesses; how the proposal sits with National Policy; how the proposal relates to the adopted development plan and where other considerations outweigh the desirability of retaining these listed buildings.
- 37 In accordance with Regulation 5 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987 the listed building application has been advertised in the Local Press, Edinburgh Gazette and a site notice was posted

#### **Impact on Internal Alterations:**

- 38 The internal alterations remove partition walls that were not original to the Listed Building. This is considered to be a significant improvement and returns the building closer to the original form which is supported in supplementary planning guidance. It is necessary to condition internal works to ensure the retention of architectural mouldings and detailing.

#### **Impact on the setting of the Listed Building:**

- 39 While the word setting is not defined in planning legislation Historic Scotland's Technical Guidance Notes (formerly part of the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998) specifies that authorities are firmly encouraged not to interpret the word narrowly. It highlights at all times the listed building should remain the focus of its setting. Attention must never be distracted by the presence of any new development whether it be within or out with the curtilage. In this instance I consider the appropriate factors to take into account is the principal view either of or from Luncarty House as well as the potential effect on the main approach to the building.
- 40 Luncarty House has been developed in phases. The earliest element which includes the principal two storey elevations and entrance are situated to the south with a later one and half storey wing attached to the north. The proposed extension is set behind the principal elevations and entrance.
- 41 It should be noted that this proposed scheme has been reduced in scale and massing since the refusal at appeal. Taking account of this factor and the history associated with the Appeal decisions I am content that this revised scheme does not detract from the character or setting of the listed building and complies with policy HE2 of the LDP.

- 42 Having considered the supporting statement lodged with the application I am content that the extension is an acceptable in terms of layout, massing and design and would not have a detrimental impact on the character and appearance or setting of this listed building.
- 43 This stance is also supported by my conservation colleagues who note that the current application follows a withdrawal of a more recent application (16/02093/LBC) and includes changes to the footprint of the extension and fenestration. The proposed revisions have no additional adverse impact on the listed building they note that the relevant conditions attached to the original consent (10/00685/LBC) should also be applied to this application.

### **Economic Impact**

- 44 The construction of the development would provide opportunities for local trades and tradesmen to become involved in the construction phase. Additionally there would likely be a positive economic impact on the local area associated with the increase in accommodation for specialist housing needs.

### **LEGAL AGREEMENTS**

- 45 None required

### **DIRECTION BY SCOTTISH MINISTERS**

- 46 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

### **CONCLUSION AND REASONS FOR RECOMMENDATION**

- 47 Taking the above into account I consider that the proposed alterations and extension to Luncarty house comply with the requirements set out in legislation to preserve the special architectural historic interest which the building possesses. Additionally I consider it to comply with Policy HE2 of the LDP which has a presumption in favour of consent for development involving the sympathetic restoration of Listed Buildings. I have taken account of advice contained within Historic Scotland's Technical Guidance Notes (formerly part of the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998) and Scottish Government's Scottish Planning Policy and consider the proposal is acceptable and it is therefore recommended for approval subject to conditions.

### **RECOMMENDATION**

- A Approve the application subject to the following conditions:**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

2. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

3. Precautions shall be taken to secure and protect the interior features of Luncarty House against accidental loss or damage, or theft during the building work. No such features shall be disturbed or removed temporarily or permanently except as indicated on the approved drawings or with prior approval in writing of the Council. Particular regard should be given to the existing chimneypieces, door sets and ornamental mouldings.

Reason - In order to safeguard the special architectural or historic character of the building.

4. All new partitions shall be scribed around the existing ornamental mouldings all to the reasonable satisfaction of the Planning Authority.

Reason - In order to safeguard the special architectural or historic character of the building.

5. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason -In order to safeguard the special architectural or historic character of the building.

### **Justification**

1. The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

### **Informatives**

- 1 This listed building consent will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 No work shall be commenced until an application for building warrant has been submitted and approved.
- 3 This is approval of your application Ref no (17/00244/LBC) for Listed Building Consent only. It does not include any approval for your related planning permission Ref no (17/00243/FLL). No work should commence until planning permission is granted.

Background Papers: One letter of representation.  
Contact Officer: John Russell – Ext 475346  
Date: 29 March 2017

**NICK BRIAN**  
**Interim Head of Planning**

|                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000. |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

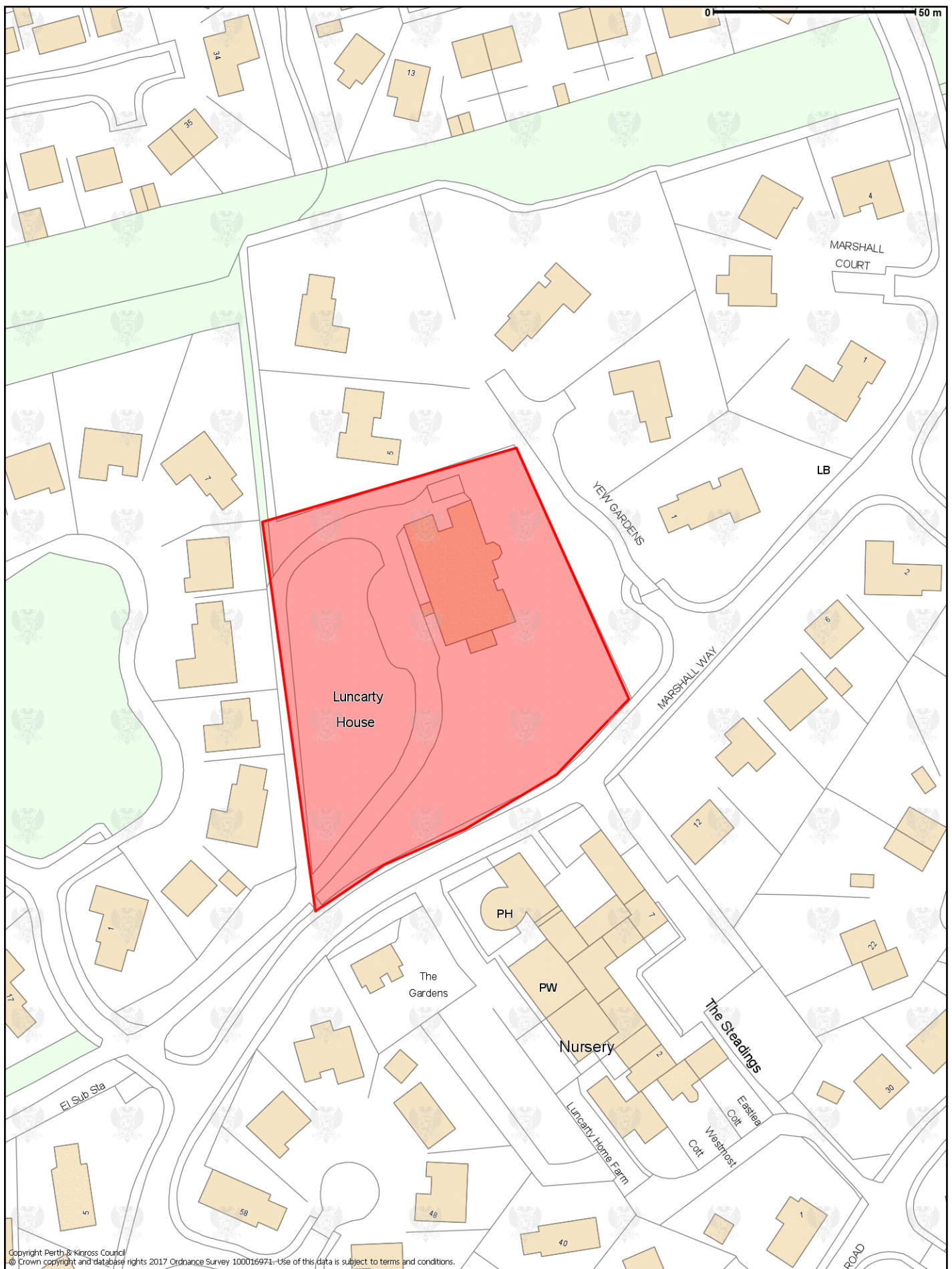
|                                                      |
|------------------------------------------------------|
| You can also send us a text message on 07824 498145. |
|------------------------------------------------------|

|                                                                  |
|------------------------------------------------------------------|
| All Council Services can offer a telephone translation facility. |
|------------------------------------------------------------------|









© Crown copyright and database rights 2017 Ordnance Survey 100016971. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Scale 1:1250

**17/00244/LBC**

**Alterations and extension Balhousie Luncarty  
Care Home, Sandeman Place, Luncarty  
(associated with 17/00243/FLL)**







Perth and Kinross Council  
Development Management Committee – 12 April 2017  
Pre-Application Report by Interim Head of Planning

Erection of holiday park, visitor centre (ancillary cafe/restaurant with commercial space), with supporting recreational infrastructure at land 400 metres West of Tarnhill, Milnathort.

Ref. No: 17/00002/PAN  
Ward No: N8 – Kinross-shire

**Summary**

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for a mixed use development comprising holiday units, a visitor centre and associated recreational facilities at land adjacent to and north of Burleigh sands, near Milnathort. 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 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 on 9 February 2016. The purpose of this report is to inform the Development Management Committee of a forthcoming planning application in respect of a major development for a mixed use development comprising holiday lodges, a visitor centre with ancillary café/restaurant and ancillary commercial space along with organised recreation and associated supporting infrastructure and landscaping at land at Burleigh sands, Burleigh Road, Milnathort. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 The site extends to approximately 36 ha of undulating agricultural grassland situated directly south east of Milnathort and adjacent to Loch Leven. The land naturally slopes from south to north. The proposed development is bounded by Burleigh Golf Course and Kinross Golf Course to the west, with Loch Leven shores forming the southern boundary and a mature woodland belt along the eastern perimeter. The A911 Burleigh Road forms the northern boundary and has also been identified as providing the principal vehicular access into the site.
- 3 The site is not allocated for any particular use within the adopted Perth and Kinross Local Development Plan 2014 and is outwith any settlement boundary.

- 4 This proposal of application notice (PAN) seeks to formally establish a major tourism related development comprising holiday accommodation (lodges), visitor centre with ancillary café/restaurant/commercial space, organised recreational open space and associated supporting and recreational infrastructure. The exact range of uses, scale and design of the development will be arrived at through pre-application discussions and the submission of a detailed planning application.

## **ENVIRONMENTAL IMPACT ASSESSMENT**

- 5 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 2011 regulations. A formal screening exercise has been completed for the site, with a screening opinion confirming that an EIA is required to be submitted by the applicant, with non-relevant chapter areas potentially scoped out.

## **PRE-APPLICATION PROCESS**

- 6 The Proposal of Application Notice (reference 17/00002/PAN) outlined two public exhibitions would be held on 29 March and 1 April 2017 at Loch Leven Community Campus. The Ward Councillors were notified, as were Kinross Community Council, Milnathort Community Council, Portmoak Community Council and The Rural Access Committee of Kinross-shire (TRACKS). The results of the community consultation should be submitted with the 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 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**

- 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
- Promoting Rural Development: paragraphs 74 – 91
- 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
- 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 (PAN) 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 73 Rural Diversification
- PAN 75 Planning for Transport

## **LOCAL POLICY AND GUIDANCE**

### **TAYPlan Strategic Development Plan 2012-2032**

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 2012 are of particular importance in the assessment of this application.

- Policy 2 – Shaping better quality places
- Policy 3 – Managing TAYPlans Assets

### **Perth and Kinross Local Development Plan 2014**

13 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

14 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.”*

- 15 Under the LDP, the following policies are of particular importance in the assessment of this application.

- PM1 – Placemaking
- PM2 – Design Statements
- PM3 – Infrastructure Contributions
- ED3 – Rural Business and Diversification
- ED4 – Caravan Sites, Chalets, and Timeshare Developments
- RC4 – Retail and Commercial Leisure Proposals
- TA1 – Transport Standards and Accessibility Requirements
- CF1 – Open Space Retention and Provision
- CF2 – Public Access
- CF3 – Social and Community Facilities
- HE1 – Scheduled Monuments and Non-Designated Archaeology
- HE2 – Listed Buildings
- NE2 – Forestry, Woodland and Trees
- NE3 – Biodiversity
- NE4 – Green Infrastructure
- ER5 – Prime Agricultural Land
- ER6 – Managing Future Landscape Change
- EP1 – Climate Change, Carbon Reduction and Sustainable Construction
- EP2 – New Development and Flooding
- EP3 – Water Environment and Drainage
- EP5 – Nuisance from Artificial Light and Light Pollution
- EP7 – Drainage within the Loch Leven Catchment Area
- EP8 – Noise Pollution

## **OTHER POLICIES**

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

- Developer Contributions Supplementary Guidance April 2016
- Flood Risk and Flood Risk Assessments – Developer Guidance June 2014
- Perth and Kinross Community Plan 2013/2023

## **PLANNING SITE HISTORY**

- 17 There is no known planning history for the proposed site.

## **CONSULTATIONS**

- 18 As part of the planning application process the following should be consulted;

### **External**

- Scottish Environmental Protection Agency
- Scottish Natural Heritage
- Scottish Water
- Transport Scotland
- Historic Environment Scotland
- Forestry Commission Scotland
- Perth and Kinross Heritage Trust
- Kinross Community Council
- Milnathort Community Council
- Portmoak Community Council

### **Internal**

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

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

- 19 The key considerations against which the eventual application will be assessed includes:
- a. Visual Impact
  - b. Scale, Design and Layout
  - c. Relationship to nearby land uses
  - d. Natural Heritage and Ecology
  - e. Landscape
  - f. Water resources and soils
  - g. Transport Implications
  - h. Tourism and Economy
  - i. Impact on Agriculture
  - j. Archaeology and Cultural Heritage

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

- 20 In order to support the planning application, the following supporting documents and addressed topic headings should be submitted for consideration:
- 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 and Cultural Assessment
  - Sustainability Assessment
  - Construction and Environmental Management Plan (CEMP) including Construction Method Statement (CMS)

## **CONCLUSION AND RECOMMENDATION**

- 21 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: Callum Petrie– Ext 75353

Date: 23 March 2017

**Nick Brian**  
**Interim Head of Planning**

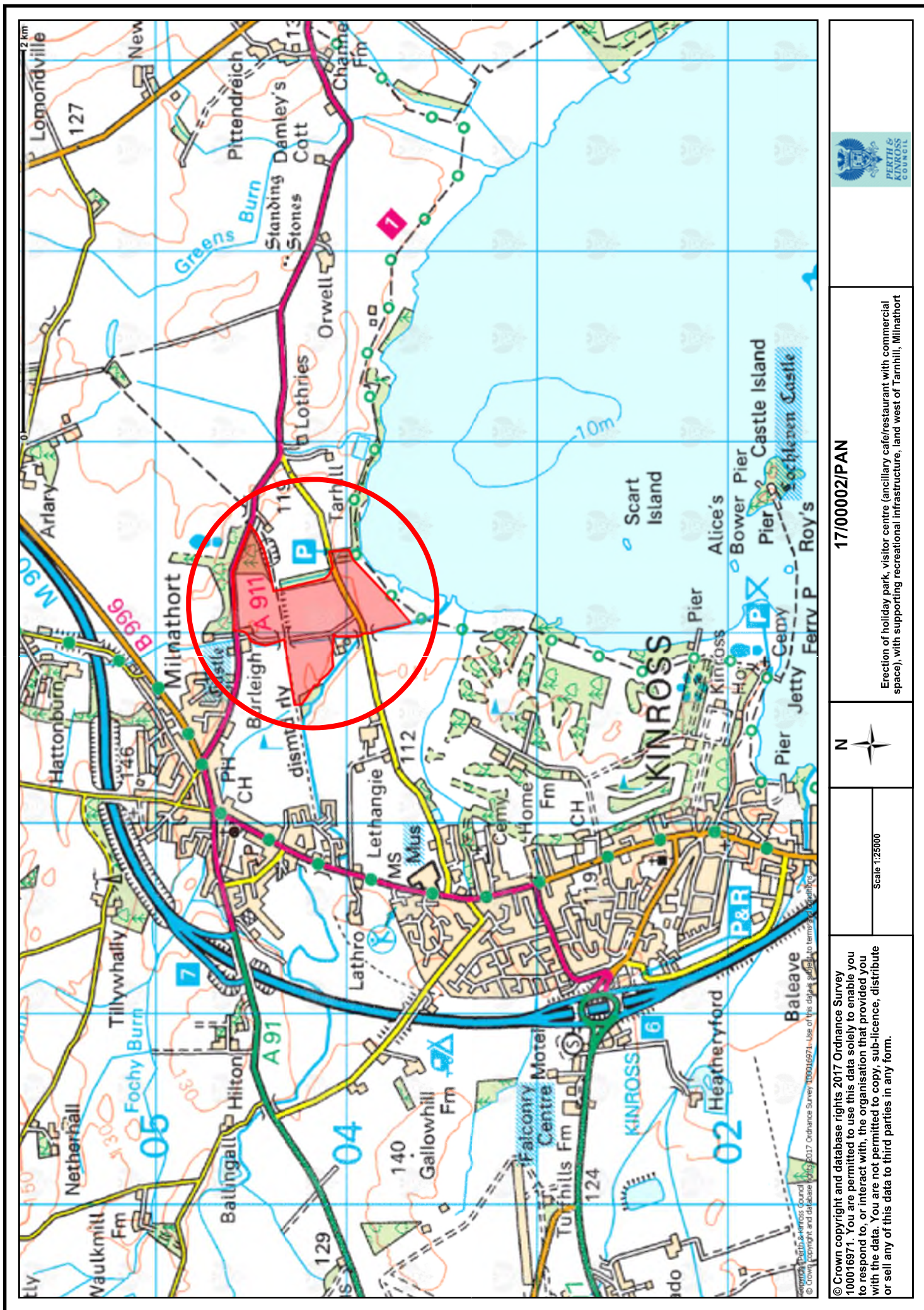
If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.







17/00002/PAN



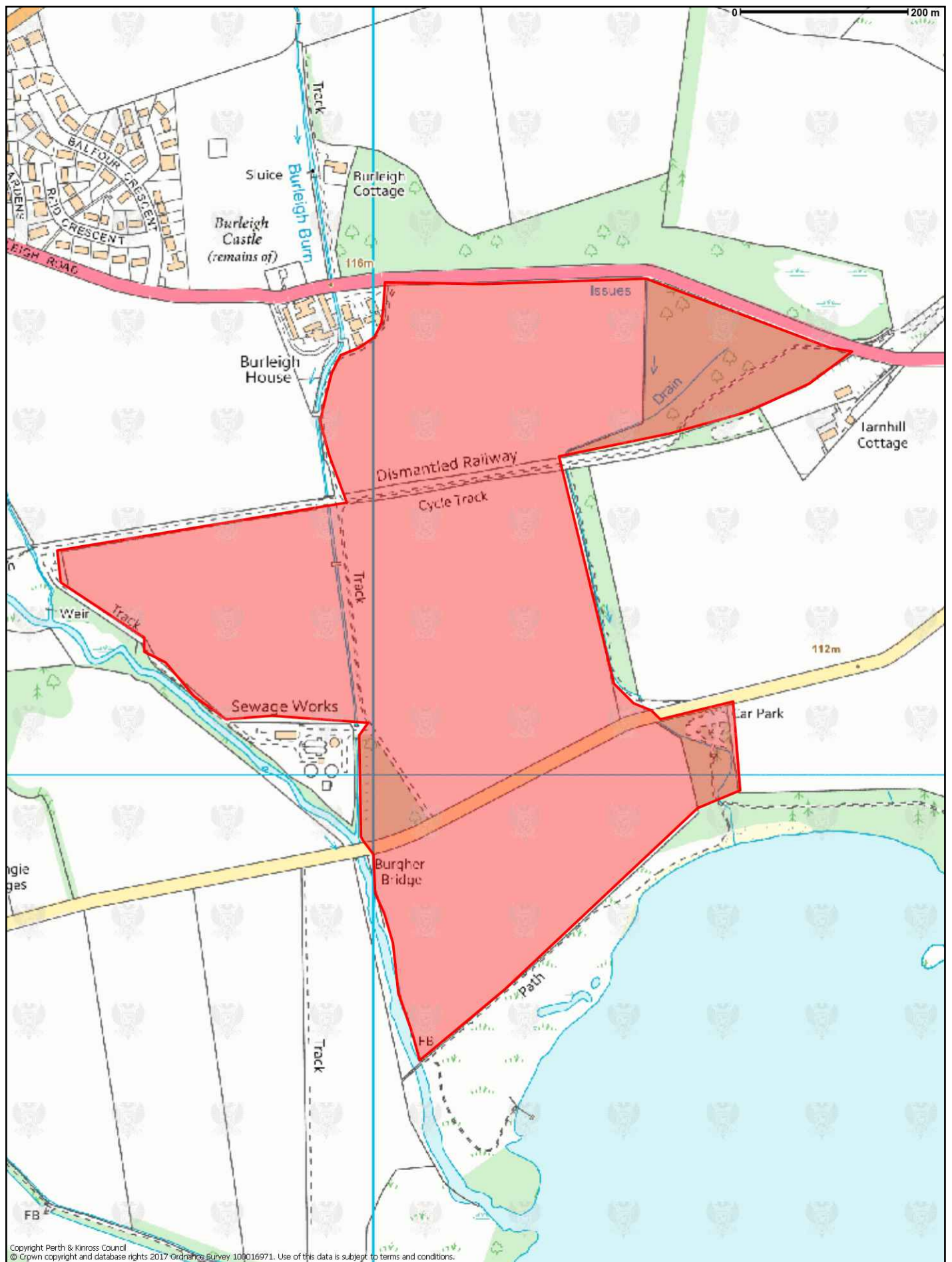
Scale 1:25000

© Crown copyright and database rights 2017 Ordnance Survey 100016971. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Erection of holiday park, visitor centre (ancillary cafe/restaurant with commercial space), with supporting recreational infrastructure, land west of Tarnhill, Milnathort







© Crown copyright and database rights 2017 Ordnance Survey 100016971. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



17/00002/PAN

Erection of holiday park, visitor centre (ancillary cafe/restaurant with commercial space), with supporting recreational infrastructure, land west of Tarnhill, Milnathort





Perth and Kinross Council  
Development Management Committee – 12 April 2017  
Pre-Application Report by Interim Head of Planning

|                                                                                                        |
|--------------------------------------------------------------------------------------------------------|
| Residential development at LDP site H24 Land 150 Metres South West of Moncur Farm Moncur Road Inchtute |
|--------------------------------------------------------------------------------------------------------|

Ref. No: 17/00003/PAN  
Ward No: N1 – Carse of Gowrie

### **Summary**

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for residential development at a site south west of Moncur Farm, Inchtute, within a site designated as H24 in the Perth and Kinross Local Development Plan 2014. 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 the key planning issues which may 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 valid Proposal of Application Notice on 6 March 2017. The purpose of this report is to inform the Development Management Committee of a forthcoming planning application in respect of a major residential development. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 The site extends to 3.6 ha, with 2.0 Ha identified for residential development, as set out by site criteria of the H24 Local Development Plan (LDP) designation, and along with associated developer requirements. The site is triangular in shape, bounded and sandwiched on its two main sides by Moncur road and the A90. The shortest western boundary is bounded by designated open space and is on the edge of Inchtute Conservation Area. The site is currently unmanaged and relatively flat.
- 3 This proposal of application notice (PAN) relates to the development of residential use with associated infrastructure, access, landscaping, SUDs and open space. The exact layout, scale and mix of the dwelling types, core path integration, landscape framework provision and noise attenuation measures would be arrived at through pre-application discussions and the submission of a detailed planning application.

### **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4 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 2011 regulations. A screening request has not been submitted to date

## **PRE-APPLICATION PROCESS**

- 5 The Proposal of Application Notice (reference 17/00003/PAN) outlines that a public drop in session is intended to take place on 26 April 2017 at Inchtute Hotel. The ward Councillors (Douglas Pover, Gordon Walker and Mac Roberts) have all been notified. It will also be recommended in the PAN decision notice that Inchtute Area Community Council is notified. The results of the community consultation should be submitted with the application as part of the required Pre-Application Consultation (PAC) Report.

## **NATIONAL POLICY AND GUIDANCE**

- 6 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**

- 7 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 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**

- 8 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 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
  - Annex B – Parking Policies and Standards
- 9 The following Scottish Government Planning Advice Notes (PAN) are likely to be of relevance to the proposal,
  - PAN 3/2010 Community Engagement
  - PAN 1/2011 Planning and Noise
  - PAN 2/2011 Planning and Archaeology
  - PAN 40 Development Management
  - PAN 51 Planning, Environmental Protection and Regulation

- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 67 Housing Quality
- PAN 68 Design Statements
- PAN 69 Planning and Building Standards Advice on Flooding
- PAN 75 Planning for Transport
- PAN 77 Designing Safer places

**Designing Places (2001), Designing Streets (2010), Creating Places (2013) and National Roads Development Guide (2014)**

- 10 National policy statements setting out the Scottish Government's determination to raise standards of urban and rural development.

**LOCAL POLICY AND GUIDANCE**

**TAYPlan Strategic Development Plan 2012-2032**

- 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 2012 are of particular importance in the assessment of this application.

- Policy 1 - Location Priorities
- Policy 2 – Shaping better quality places
- Policy 3 – Managing TAYPlans Assets
- Policy 5 – Housing

**Perth and Kinross Local Development Plan 2014**

- 13 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

- 14 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."*

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

- PM1 – Placemaking
- PM2 – Design Statements
- PM3 – Infrastructure Contributions
- RD1 – Residential Areas
- RD4 – Affordable Housing
- TA1 – Transport Standards and Accessibility Requirements
- CF1 – Open Space Retention and Provision
- CF2 – Public Access
- CF3 – Social and Community Facilities
- NE2 – Forestry, Woodland and Trees
- NE3 – Biodiversity
- NE4 – Green Infrastructure
- ER6 – Managing Future Landscape Change
- EP1 – Climate Change, Carbon Reduction and Sustainable Construction
- EP2 – New Development and Flooding
- EP3 – Water Environment and Drainage
- EP5 – Nuisance from Artificial Light and Light Pollution
- EP8 – Noise Pollution
- EP11- Contaminated Land

#### **OTHER POLICIES**

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

- Developer Contributions Supplementary Guidance April 2016
- Flood Risk and Flood Risk Assessments – Developer Guidance June 2014
- Sustainable Design and Zero Carbon Development Supplementary Guidance May 2014
- Perth and Kinross Community Plan 2013/2023

#### **PLANNING SITE HISTORY**

17 There is no known planning history for the proposed site.



## **CONSULTATIONS**

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

### **External**

- Scottish Environmental Protection Agency
- Scottish Natural Heritage
- Scottish Water
- Royal Society for the Protection of Birds
- Perth and Kinross Heritage Trust
- Inchtute Area Community Council

### **Internal**

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

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

- 19 The key considerations against which the eventual application will be assessed includes:
- a. Visual Impact
  - b. Scale, Design and Layout
  - c. Relationship with surrounding land uses
  - d. Natural heritage and ecology
  - e. Landscaping
  - f. Water resources and soils
  - g. Dust
  - h. Transport implications
  - i. Water resources and soil
  - j. Open space provision
  - k. Access provision
  - l. Waste
  - m. Noise
  - n. Affordable housing
  - o. Education provision

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

20 Should an EIA not be required the following supporting documents will need to be submitted with any planning application.

- Planning Statement
- Design and Access Statement
- Noise Assessment
- Pre-Application Consultation (PAC) Report
- Transport Assessment
- Flood Risk and Drainage Assessment
- Landscape and Visual Impact Assessment
- Tree and Woodland Survey
- Habitat Survey
- Archaeological Assessment
- Sustainability Assessment
- Waste Management and Minimisation Plan
- Construction and Environmental Management Plan (CEMP) including Construction Method Statement (CMS)

## **CONCLUSION AND RECOMMENDATION**

21 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: Callum Petrie– Ext 75353

Date: 23 March 2017

**Nick Brian**  
**Interim Head of Planning**

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

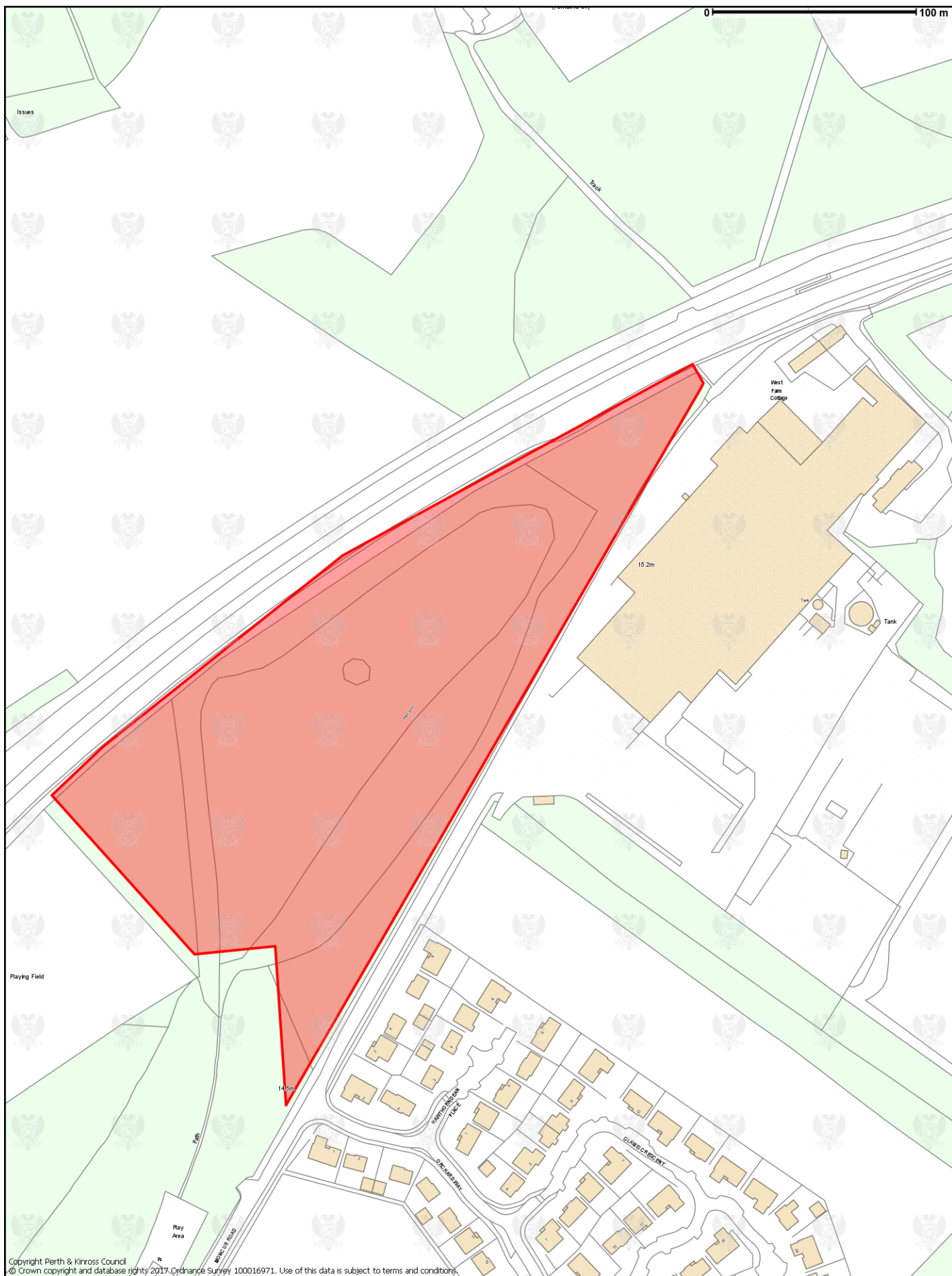
You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.









Copyright Perth & Kinross Council  
 © Crown copyright and database rights 2017 Ordnance Survey 100016971. Use of this data is subject to terms and conditions.

© Crown copyright and database rights 2017 Ordnance Survey 100016971. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Scale 1:2500

17/00003/PAN

Residential development at LDP site H24, land SW of Moncur Farm, Moncur Road, Inchture



