

Perth and Kinross Council
Planning & Placemaking Committee – 22 February 2023
Report of Handling by Head of Planning & Development
(Report No 23/64)

PROPOSAL: Erection of retail unit (Class 1), formation of access, car parking, engineering works, landscaping and associated works

LOCATION: Land west of 4 Pickembere, Pitheavlis, Perth

Ref. No: [21/00248/FLL](#)

Ward No: P10- Perth City South

Summary

This report provides an update on the previously considered planning application for the erection of a Class 1 Retail Unit, ref 21/00248/FLL, in relation to National Planning Framework 4 (NPF4). The Scottish Government published a revised draft NPF4 in November 2022, this was approved by the Scottish Parliament on 11 January 2023 and subsequently adopted on 13 February 2023. As a consequence, its role in decision-making has increased because it has been incorporated as part of the development plan. This report updates the committee in relation to the implication and consideration for the application which was considered at the 1 June 2022 meeting when the Committee was minded to approve the application subject to the signing of a Section 75 Legal Agreement, to secure developer contributions (transport infrastructure) and the restriction of class 1 operations from the applicant's existing 'Glasgow Road' store.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 A decision was taken at the 1 June 2022 meeting of the Planning and Development Committee to approve the application in line with the recommendation. The application was therefore minded to grant subject to the signing of a legal agreement to secure developer contributions and the restriction of Class 1 operations from the applicants existing store off Glasgow Road.
- 2 This report is to provide and update to position in relation to the adoption of NPF4.

APPRAISAL

- 3 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) require the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The adopted Development Plan now

comprises the National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2019 (LDP2). The relevant policy considerations update covered below focuses on NPF4 and how this impacts on the recommendation, with the remaining considerations as per the previous report to this Committee (Appendix 1).

NPF4

- 4 The spatial framework in Part 1 focusses on addressing climate change, nature recovery, inclusive growth, the wellbeing economy, and child poverty. These aspirations are detailed across three main national planning policy areas in Part 2, namely: Sustainable, Liveable and Productive Places.
 - Sustainable Places focuses on the transition to net zero through the creation of nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change whilst protecting the environment.
 - Liveable Places applies the principles of local living to development proposals for example homes should be better served by local facilities and services.
 - Productive Places reaffirms the commitment to the Town Centre First Principle and encouraging investment in the right places.
- 5 The proposal has considerations across the three main policy areas covered in more detail in subsequent sections.
- 6 Sustainable Places seeks to tackle the climate and nature crisis. The applicable policies are Policy 1 Tackling the climate and nature crisis which supports local living and compact urban growth. Policy 2 Climate Mitigation and Adaptation encourages development in sustainable locations. Policy 13 Sustainable Transport promotes development that prioritise walking, wheeling, cycling and public transport.
- 7 It is considered as the development serves a local and expanding retail need in the west side of Perth it would meet these policies by reducing travel distances and has been located and designed to encourage sustainable travel options (i.e. walking, bus and EV).
- 8 Liveable Places applies the principle of local living. The applicable policies are Policy 14 Design, Quality and Place which supports places that consistently deliver healthy, pleasant, distinctive, connected, sustainable and adaptable qualities. And in addition Policy 15 Local Living and 20 Minute Neighbourhoods which seeks to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.
- 9 In these regards the development will improve local living by addressing the unmet demand/capacity for retail in the area, when there are no suitable zoned sites. The proposal therefore provides a supermarket offering meeting

the local need and in turn providing opportunity for sustainable transport modes.

- 10 Productive Places supports development which attracts new investment, builds business confidence, and stimulates GDP, export growth and entrepreneurship, as well as facilitating future ways of working. The applicable policy within this section is Policy 28: Retail, which seeks to encourage, promote and facilitate retail investment in the most sustainable locations accessible by a range of sustainable transport modes. The policy states that there may be a need for further retail provision, and this should be first in existing city centres, within edge of centre areas or in commercial centres – if they are allocated as sites suitable for new retail development. It further states that new retail proposals will not be supported in out-of-centre locations, with some exceptions as stated in part c (i). This allows for proposals for new small scale neighbourhood retail development that contribute to local living (including where relevant 20-minute neighbourhoods), and/or, c (ii) contribute to the health and wellbeing of the local community.
- 11 In this case, as fully assessed previously, there are no suitable city centre sites and the LDP has no allocated retail sites which are available or would be suitable for supermarket development. LDP3 will consider this issue through the development plan process. In relation to the application before us it is considered that a supermarket of this scale, which would not result in a significant increase in overall floor area (711m²) out-of-centre, with the existing use to be extinguished – as discussed in the Planning and Retail Statement. Its location within an underserved part of the city would contribute to local living. Particularly the local community would be able to access the premises by a range of sustainable transport modes, supporting the concept of 20-minute neighbourhoods. It is however appreciated that there will be an element of wider draw to the facility.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

- 12 The applicant will still be required to enter into a legal agreement in order to secure the necessary contributions towards transport infrastructure and ceasing of retail use at the Glasgow Road store. This process is currently ongoing, although with the adoption of NPF4 into the development plan, it was considered necessary to provide an update in this regard and to explain why it is considered that the application complies with the terms of NPF4 in light of the likelihood of the decision being issued the adoption of NPF4.

CONCLUSION

- 13 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered contrary to LDP2 Policy 7 in that it would lead to a loss of employment land, but a justification has been provided for the retail need in the area in accordance with Policy 13. In addition, the recommendation is considered to comply with NPF4 Policies 1, 2, 13, 14, 15 and 28.

Background Papers: Previous Planning and Placemaking Committee Report dated
1 June 2022 (Appendix 1)
Contact Officer: Joanne Ferguson
Date: 10 February 2023

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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