

Perth and Kinross Council
Planning and Placemaking Committee – 3 July 2024
Report of Handling by Strategic Lead - Economy, Development & Planning
(Report No. 24/205)

PROPOSAL:	Mixed use development comprising of the erection of a poultry processing facility and demolition of existing poultry processing facility for residential, commercial, industrial uses including parking areas, vehicular access, landscaping and associated works
LOCATION:	2 Sisters Food Group, George Street, Coupar Angus, Blairgowrie, PH13 9LU

Ref. No: [23/02134/IPM](#)
Ward No: P2- Strathmore

Summary

This report recommends approval of Planning Permission in Principle for a mixed-use development comprising: a poultry processing facility and residential, commercial, industrial uses and associated works. The development is considered to largely comply with the relevant provisions of the Development Plan, with the exception of the residential use on allocated employment land and the fact that the site is identified as being at risk of flood, without mitigation. As such the development is contrary to both flood risk and land allocation risk policies. However, although contrary to the Development Plan in those individual respects, in this instance, there are material planning considerations and flood risk mitigations available which are considered to justify a departure from these aspects of the development plan, notably the economic benefits for the Perth and Kinross area of retaining and expanding an existing nationally significant food production facility. As there is an objection from SEPA the application, if approved, would require to be notified to Scottish Ministers.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The site extends to approximately 10ha and lies at the south-west of Coupar Angus, within the Settlement Boundary identified in LDP2. The north-eastern area includes an existing poultry processing facility. Otherwise, the south-western part is undeveloped but is allocated within LDP2 as an Employment Proposal (General).
- 2 The town of Coupar Angus encloses the northern part of the site and the entire north-eastern boundary. Otherwise, the A94/Perth Road and George Street define the south-east boundary. Farmland is beyond the south and a large part of the western boundaries. The Coupar Burn flows alongside the site, some 20

metres from the eastern boundary, prior to flowing beneath the A94 and proceeding along the eastern edge of the A94, adjacent to the site.

- 3 The proposal is for the demolition of the existing poultry processing plant and provide a new facility to the west, with further industrial, commercial and residential uses to the north of that. The new poultry processing plant will extend to approximately 28,000 sq/m and see parking, new vehicular accesses, landscaping and other works undertaken.
- 4 Access to the processing plant will be taken from the southern section of George Street abutting the site and traffic will follow a one-way system to the rear of the building where a dispatch area is proposed, then looping to exit onto the A94 at the southern extent of the site. A separate access will be provided for staff car parking, centrally positioned in front of the building and onto the A94. SUDS will be provided to the south of the building.
- 5 Approximately 2.6 hectares of land will be available for the other uses and is largely where the existing poultry processing plant is located. This will help facilitate the regeneration and reuse of this area, which would become redundant due to the new processing facility.
- 6 The exact quantum of additional development and uses will be defined through the submission of future AMSC applications. However, it has been indicated in the application as follows:
 - 40-49 Residential units;
 - 360 sq/m of class 2 uses over 2 storeys;
 - 480 sq/m of class 4 uses over 2 storeys;
 - 480 sq/m of class 5 uses over 2 storeys; and
 - 540 sq/m of class 6 uses over a single storey.
- 7 The residential element will be located to the north-east area and adjacent the to the existing residential areas. The smaller employment uses would then sit between the proposed residential and the new poultry plant and associated development occupying the southern part further away from the residential area.
- 8 A landscape buffer is also proposed along the southern, west and north boundaries of the site and along the boundary of the proposed poultry processing plant and public road to the east. A larger indicative landscaped area/open space is shown to the north-east of the site.
- 9 A vehicular connection is proposed linking George Street and Strathmore Avenue with upgraded pedestrian connections provided to the core paths along the site frontage and to the north with additional connections through the residential area and open space.

- 10 The Council is currently in discussion with the applicant and the Scottish Government with a view to facilitating the future delivery of the poultry processing facility.

SITE HISTORY

- 11 00/00454/FUL Full Planning Permission was Approved On 25 May 2000 for Extension to existing food processing facility.
- 12 02/00031/FUL Full Planning Permission was Approved On 15 July 2002 for Alterations to existing chicken factory and provision of new chicken processing factory and offices on adjoining site.
- 13 [07/02611/FUL](#) Full Planning Permission was Approved On 7 January 2008 for Proposed extension to factory.
- 14 [17/00147/FLL](#) Full Planning Permission was Approved On 3 March 2017 for Alterations and extension to building.
- 15 [18/00931/FLL](#) Full Planning Permission was Approved On 17 August 2018 for Extension to factory and formation of two additional loading dock bays with associated works.
- 16 [19/02122/FLL](#) Full Planning Permission was Approved On 18 February 2020 for Alterations and extension to factory.
- 17 [20/00797/FLL](#) Full Planning Permission was Approved On 17 November 2020 for S42 application to modify condition 1 (time period) of permission 15/01137/FLL.
- 18 [21/00003/PAN](#) On 16 April 2021 for Alterations and extension to factory, demolition of dwellinghouse and formation of car park
- 19 [21/00004/PAN](#) On 16 April 2021 for Mixed use development comprising of the erection of a poultry processing facility and demolition of existing poultry processing facility for residential, commercial, industrial uses including parking areas, vehicular access, landscaping and associated works.
- 20 [21/02231/SCOP](#) On 2 February 2022 for Demolition and redevelopment of existing poultry processing plant, providing a mix of uses including residential, commercial and industrial including storage and distribution (Classes 2, 4, 5, 6 and 9) along with associated infrastructure including car parking, servicing, access arrangements, amenity space and landscaping.

ENVIRONMENTAL IMPACT ASSESSMENT

- 21 The proposal is EIA development, as it is listed within Schedule 2 of the EIA Regulations and an EIA Report has been submitted. An assessment of the report's

findings and significant environmental effects is provided in the appraisal section below.

PRE-APPLICATION CONSULTATION

- 22 Pre application Reference: [21/00004/PAN](#)
- 23 The proposed development is classed as a Major development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, therefore the applicant was required to undertake a formal pre-application consultation with the local community and a Pre-Application Consultation (PAC) Report has been submitted in support of the application which confirmed the extent of consultation activity undertaken and in this case it complies with the content of the measures agreed through the Proposal of Application Notice.

DEVELOPMENT PLAN

- 24 The Development Plan for the area comprises National Planning Framework 4 and the Perth and Kinross Local Development Plan 2 (2019) along with its associated statutory supplementary guidance.

National Planning Framework 4

- 25 The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people's lives by making sustainable, liveable and productive spaces. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.
- 26 The Council's assessment of this application has considered the following policies of NPF4:
- Policy 1: Tackling the Climate and Nature Crises
 - Policy 2: Climate Mitigation and Adaptation
 - Policy 3: Biodiversity
 - Policy 6: Forestry, Woodland and Trees
 - Policy 7: Historic Assets and Places
 - Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings
 - Policy 12: Zero Waste
 - Policy 13: Sustainable Transport
 - Policy 14: Design, Quality and Place
 - Policy 15: Local Living and 20 Minute Neighbourhoods
 - Policy 16: Quality Homes
 - Policy 18: Infrastructure First
 - Policy 20: Blue and Green Infrastructure
 - Policy 21: Play, Recreation and Sport
 - Policy 22: Flood Risk and Water Management

- Policy 25: Community Wealth Building
- Policy 26: Business and Industry

Perth and Kinross Local Development Plan 2019

- 27 The Local Development Plan 2 (2019) (LDP2) sets out a vision statement for the area and states that, “Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.” It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 28 The principal relevant policies are, in summary;
- Policy 1A: Placemaking
 - Policy 1B: Placemaking
 - Policy 2: Design Statements
 - Policy 5: Infrastructure Contributions
 - Policy 7A: Employment and Mixed Used Areas: Business and Industrial
 - Policy 14B: Open Space Retention and Provision: Open Space within New Developments
 - Policy 15: Public Access
 - Policy 17: Residential Areas
 - Policy 20: Affordable Housing
 - Policy 25: Housing Mix
 - Policy 26B: Scheduled Monuments and Archaeology: Archaeology
 - Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
 - Policy 38A: Environment and Conservation: International Nature Conservation Sites
 - Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy
 - Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
 - Policy 41: Biodiversity
 - Policy 42: Green Infrastructure
 - Policy 47: River Tay Catchment Area
 - Policy 52: New Development and Flooding
 - Policy 53A: Water Environment and Drainage: Water Environment
 - Policy 53B: Water Environment and Drainage: Foul Drainage
 - Policy 53C: Water Environment and Drainage: Surface Water Drainage
 - Policy 55: Nuisance from Artificial Light and Light Pollution
 - Policy 56: Noise Pollution
 - Policy 57: Air Quality
 - Policy 58A: Contaminated and Unstable Land: Contaminated Land
 - Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

PKC Statutory Supplementary Guidance

- [Supplementary Guidance - Air Quality](#) (adopted in 2020)
- [Supplementary Guidance - Developer Contributions & Affordable Housing](#) (adopted in 2023)
- [Supplementary Guidance - Flood Risk and Flood Risk Assessments](#) (adopted in 2021)
- [Supplementary Guidance - Green & Blue Infrastructure](#) (adopted in 2020)
- [Supplementary Guidance - Open Space Provision for New Developments](#) (adopted in 2021)
- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

PKC Non-statutory Guidance

- [Planning Guidance - Loch Leven SPA, the Dunkeld-Blairgowrie Lochs SAC and the River Tay SAC](#)
- [Planning Guidance - Planning & Biodiversity](#)

NATIONAL GUIDANCE

- 29 The Scottish Government expresses its planning policies through Planning Advice Notes, Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars in addition to NPF4.

Planning Advice Notes

- 30 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 40 Development Management
 - PAN 51 Planning, Environmental Protection and Regulation
 - PAN 61 Planning and Sustainable Urban Drainage Systems
 - PAN 68 Design Statements
 - PAN 69 Planning and Building standards Advice on Flooding
 - PAN 75 Planning for Transport

Creating Places 2013

- 31 Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

Designing Streets 2010

- 32 Designing Streets is the policy statement in Scotland for street design and changes the emphasis of guidance on street design towards place-making and

away from a system focused upon the dominance of motor vehicles. It was created to support the Scottish Government's place-making agenda, alongside Creating Places.

National Roads Development Guide 2014

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

CONSULTATIONS

- 34 As part of the planning application process the following bodies were consulted:

External

- 35 **Dundee Airport Ltd** - No objections.
- 36 **Health and Safety Executive** - No requirement to consult.
- 37 **Scottish Water** - No objection. Advise that there is currently sufficient capacity for a foul only connection at the Coupar Angus Waste Water Treatment works. But they are currently unable to confirm the capacity of Lintrathen Water Treatment Works and suggest that the applicant completes a Pre-Development Enquiry (PDE).
- 38 **Scottish Environment Protection Agency** - Object. SEPA object in principle to the proposal as it is not considered to meet the exceptions set out in NPF4 Policy 22(a) for development proposals at risk of flooding or in a flood risk area.
- 39 **Historic Environment Scotland (EIA)** - No comments.
- 40 **NatureScot** - No objections. Advise that they will comment further at the detailed design/planning application stage.
- 41 **Transport Scotland** - No comment.
- 42 **Perth and Kinross Heritage Trust** - No objection. Advise that the site is in an area of archaeological potential and that a condition requiring a programme of archaeological works to be undertaken should be applied.

Internal

- 43 **Enterprise Team** - Advise that the current plant has significant economic and employment benefits which will be enhanced by the proposed development, while retaining employment economic benefits for Coupar Angus and the wider area.
- 44 **Biodiversity/Tree Officer** - No objections, subject to conditions requiring the submission of an update Ecological Impact Assessment, Arboricultural Report, a

plan outlining biodiversity enhancement measures and a detailed landscaping and planting scheme.

- 45 **Environmental Health (Noise Odour)** - No objections, subject to conditions relating to noise, external lighting, requirement for an acoustic fence and a Construction Environmental Management Plan (CEMP).
- 46 **Environmental Health (Contaminated Land)** - No objections, subject to a condition to ensure any site contamination is identified and appropriately addressed.
- 47 **Community Greenspace** - No objections. Advise that the detailed design should ensure that the core path is not obstructed. Several vehicle crossings are shown over the core path and provisions should be made to ensure that path users can cross these safely.
- 48 **Commercial Waste Team** - No objections. Advise that the farm waste is collected in skips and private arrangements are currently in place which is likely to also be the case for any new plant.
- 49 **Development Contributions Officer** - No objections. Advise conditions are required to ensure provision of affordable housing and a primary education contribution.
- 50 **Affordable Housing Enabler** - No objections. Advises that a 25% affordable housing provision for the residential element is required, with specific details to be submitted as part of subsequent applications.
- 51 **Structures and Flooding** - No objection. Advise that the proposal does not comply with NPF4 Policy 22. However, the submitted Flood Risk Assessment (FRA demonstrates that four of the five key criteria outlined in Policy 22 have been met. The remaining key criteria (flood resistant and resilient materials) will be incorporated in the detailed design of the building. Conditions are required for the detailed design of the SUDS and to ensure finished floor levels are set at the level recommended in the FRA.
- 52 **Transportation and Development** - No objections, subject to conditions requiring further information at detailed design stage. This includes updated trip information and Transport Assessment, a Construction Traffic Management Plan (CTMP), updated information on parking facilities and a Green Travel Plan.

Representations

- 53 Three representations were received, one objecting to the proposal and two in support. The main reasons for the objection are:
- Failure to carry out an appropriate Road Safety Audit.
 - Failure to apply the principles of placemaking.

- 54 The reasons for supporting the application are:
- The development will improve the appearance of the town and quality of life for residents.
 - There is an opportunity to connect to the new cycle path leading towards Woodside.
 - Employment provision.
 - Environmental improvements.
- 55 These issues are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

Screening Opinion	EIA required
Environmental Impact Assessment (EIA): Environmental Report	EIA Report Submitted. The following matters were scoped into the assessment: <ul style="list-style-type: none"> • Landscape and Visual Impact Assessment (LVIA) • Transport and Access • Drainage, Hydrology and Hydrogeology • Geology and Soils • Noise and Vibration • Air Quality and Odour • Climate Change and Greenhouse Gases The following matters were scoped out of the assessment: <ul style="list-style-type: none"> • Ecology • Arboriculture • Cultural Heritage • Socio-Economics and Human Health
Appropriate Assessment under Habitats Regulations	Habitats Regulations Appraisal Submitted
Design Statement or Design and Access Statement	Design and Access Statement Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	<ul style="list-style-type: none"> • Ecological Impact Assessment • Arboricultural Report • Geo-environmental Report • Economic Impact Statement • Utilities Report • Transport Assessment • Flood Risk Assessment • Drainage Impact Assessment • Odour Impact Assessment • Air Quality Impact Assessment

APPRAISAL

56 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 Development Plan comprises NPF4, the Perth and Kinross Local Development Plan 2019 and statutory supplementary guidance. The relevant policy considerations are outlined in the policy section above and the assessment set out below takes each relevant detailed consideration in turn and assesses them against the policies of the development plan. Where any conflict arises between NPF4 and LDP2, Scottish Government guidance states that NPF4, as the newer document, shall take primacy. In terms of other material considerations, this involves considerations of the Council's other approved policies and supplementary guidance.

LDP2 Allocation

57 The southern part of the site is allocated within LDP2, as proposal E32, and identified as an Employment Proposal (General). The northern section, where the existing factory is located, is allocated as Employment Safeguarding (General).

58 In terms of the new poultry processing facility and the other industrial and commercial uses, NPF4 Policy 26: Business and Industry and LDP2 Policy 7A: Business and Industrial are broadly supportive of such proposals on allocated sites, subject to compliance with specific criteria to ensure compatibility with surrounding land uses. Thus, these aspects of the proposal are acceptable in principle, with the specific criteria considered in the assessment below.

59 In terms of the residential proposal, the area that the current factory is located on is safeguarded for employment uses. The proposal for a limited area of residential development would therefore conflict with LDP2 Policy 7A which seeks to retain these areas for employment uses. The application seeks to justify this through NPF4 Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings, which supports development proposals that will result in the sustainable reuse of brownfield land. NPF4 defines 'Brownfield' as 'land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused buildings and developed land within the settlement boundary where further intensification of use is considered acceptable.'

60 The wider site is located within the Coupar Angus Settlement Boundary, and the allocation of the existing factory site alongside the E32 site for employment use accepts the principle of intensification of use in this location. However, the sustainable redevelopment of the site does not wholly address the land use conflict within policy 7A.

61 The LDP2 Settlement Summary for Coupar Angus advises that the E32 allocation is to allow for the future expansion of the existing business. The

operators of the business have considered the future operational requirements of the factory in a new facility and the land required for its delivery, which is set out in the application. The new facility will accommodate the majority of the site, with part of the existing factory site adjacent to the residential area not directly required for the new facility, indeed it is likely that it will continue to operate whilst the new building is developed, before becoming surplus. Therefore, alternative uses for this area are now proposed.

- 62 Over the course of its lifespan, the existing plant has grown and been extended in an ad hoc nature to meet its evolving operational needs. This has led to a disjointed layout that sits at times uncomfortably in its surroundings. The redevelopment of the plant and the remainder of the site with residential and other commercial uses presents an opportunity to create a more positively designed edge to the southern approach to Coupar Angus, while also allowing the site to integrate better with the town to the north.
- 63 While the separation of two potentially conflicting land-uses can be appropriate for operational and amenity reasons, in this instance, the provision of limited residential development on a small part of the wider site and located next to an existing residential area provides an opportunity to make use of the proposed mix of uses to locate less impactful operations closer to the residential area.
- 64 For the reasons set out above, in this instance it is acceptable to set aside the conflict with Policy 7A to allow a limited area of residential development on this specific part of the site, subject to an appropriate layout and design, and the adequate protection of residential amenity. These specific matters are considered in detail in the relevant sections below.

Economic Impact

- 65 NPF4 Policy 25: Community Wealth Building seeks to encourage, promote and facilitate local economic development that focuses on community and place benefits as a central and primary consideration to support local employment and supply chains. In addition, Policy 26: Business and Industry seeks to ensure that recovery within the business and industry sector is sustainable and inclusive, and that investment in the business and industrial sector contributes to community wealth building.
- 66 The submitted Planning Statement advises that the existing facility is not fit for modern standards and failure to secure the future of a new facility in Coupar Angus would mean that alternatives elsewhere in the UK would need to be explored.
- 67 Economic impact is a material consideration in the assessment of the proposed development. The applicant has submitted an Economic Impact Statement to support the application and this document has been considered by PKC's Business and Investment Section.

- 68 Based on figures provided, the plant currently supports 910 gross full-time equivalent (FTE) jobs on site and 200 agency roles, of which it is estimated that 890 FTE jobs are held by Perth and Kinross residents with the remainder held by residents from neighbouring authorities and across Scotland. This includes jobs in a range of professions including production, engineering, dispatch and hygiene-based roles. The 890 FTE for Perth and Kinross seems to have been estimated at circa 80% based on the 2011 Census, but no breakdown figures have been provided in relation to the range of jobs. It is the largest employer for Coupar Angus and surrounding area. It is estimated that approximately 160 employees live in the Coupar Angus (PH13) postcode. It represents a sizeable proportion of food and drink employment (excluding Agriculture) in Perth and Kinross (circa 13%) in a rural context and a very significant proportion of employment in the processing and preserving of poultry meat in Perth and Kinross and a significant proportion of employment in Scotland. In addition, and as it is the last operating primary poultry processing site in Scotland reaching the end of its lifespan, there is a single plant dependency for Scotland and therefore the plant should be considered as of national economic interest for Scotland and even for the UK in an international context.
- 69 In addition to direct employment, indirect employment is also supported within the supply chain. Using multiplier effects, it is estimated that 1,950 indirect and induced FTE jobs could be supported of which 220 could be local to Perth and Kinross. In total, the plant currently supports 3,060 direct, indirect and induced FTE jobs across Scotland including 1,110 jobs in Perth and Kinross. The methodology used to assess the number of indirect and induced FTE jobs is based on guidance provided by Scottish Enterprise and Scottish Government and is accepted. The total estimated total of jobs represents circa 2% of employment in Perth and Kinross and circa 0.1% of employment in Scotland.

Productivity and Gross Value Added (GVA)

- 70 Using average GVA per FTE employee, it is estimated that the plant currently generates £171.6m GVA to Scotland of which circa £56.5m to Perth and Kinross. The methodology used to assess the GVA is accepted. The total estimated GVA represents circa 0.1% of Scotland's GVA and circa 1.5% of Perth and Kinross's GVA.

Additional employment benefits

- 71 Additional employment benefits coming from the construction phase of the proposal are estimated at 50 direct net additional temporary FTE construction related jobs over the 7-year construction period for Scotland of which 40 for Perth and Kinross and at 85 total net additional FTE employment for Scotland and 50 for Perth and Kinross. The methodology used is accepted, although no detail is provided on the original baseline of person-years of employment.
- 72 Additional employment benefits coming from the operational phase beyond proposal completion are 55 net FTE on-site jobs for residents in Scotland of

which 45 would be residents in Perth and Kinross. A further 35 indirect and induced jobs have been estimated for Scotland of which 10 in Perth and Kinross. Overall, 90 net additional jobs in Scotland of which 55 in Perth and Kinross. The methodology used is acceptable. This would represent an increase of 5% of on-site jobs from current plant employment benefits baseline. As the proposed development aims to replace the existing facility by a more modern facility with additional technologies, it is anticipated that existing jobs will be upskilled with opportunities for new workers to join via apprenticeship or other schemes and wages be increased. However, a workforce recruitment and upskilling plan has not been provided.

Additional productivity and Gross Value added (GVA)

- 73 Net Additional GVA benefits from the construction phase of the proposal are estimated at £45.2m for Scotland of which £32.6m in Perth and Kinross over the 7-year construction period and £6.5m per annum and £4.7m per annum respectively. The methodology used is acceptable.
- 74 Net additional benefits from the operational phase beyond proposal completion are estimated at £6.8m for Scotland of which £5m for Perth and Kinross. The methodology used is acceptable. This represents an increase of c4% from the current plant GVA benefits baseline for Scotland and c9% for Perth and Kinross.

Other additional benefits

- 75 The impacts of the housing development of 46 new homes have been estimated in terms of population increase (105 additional residents including 80 economically active), income and enhanced local spending power (resident income of £2.7m per annum, additional retail and leisure expenditure maintaining jobs) and council tax revenues (additional £105,000 per annum). The methodologies used are acceptable. The central part of Coupar Angus is in the most deprived 25% of areas in Scotland and 15th most deprived of the 186 data zones in Perth and Kinross. Research carried out by Perth and Kinross Council in 2021, "Lived experience of child poverty in Perth and Kinross", found that children and families can experience intense poverty which may be hidden behind headline deprivation figures such as those seen in Coupar Angus. Perth and Kinross Council subsequently identified Coupar Angus as one of three target areas in tackling child poverty. The proposed development additional benefits could positively impact Coupar Angus and wider Perth and Kinross by providing additional income, housing and regeneration.

Summary

- 76 The current plant has significant economic and employment benefits which will be enhanced by the proposed development even if the scale of increase of the new facility compared to what presently exists is not as significant. It is anticipated that there would be opportunities to increase the skills and wages of the current workforce including in Coupar Angus. The current and enhanced

impact and related benefits on the food and drink sector for Perth and Kinross is significant, and on the processing and preserving of the poultry meat sector is highly significant for Perth and Kinross and Scotland. This is exacerbated by the single plant dependency making the proposed development a development of national economic interest for Scotland and even for the UK in an international context. The risk is that if the proposed development is not realised, the current economic and employment benefits would not be sustained and enhanced for the future and indeed could be lost if the current plant was to cease to operate due to obsolescence as it has reached the end of its lifespan. The possible loss of the plant will also have a significant economic and social impact on Coupar Angus and the surrounding area, including the need to find an alternative use for the existing site.

Flooding

- 77 NPF4 Policy 22: Flood Risk and Water Management criterion (a) provides 4 exceptions where development proposals which are at risk of flooding or in a flood risk area could be supported. These include:
- i. essential infrastructure where the location is required for operational reasons;*
 - ii. water compatible uses;*
 - iii. redevelopment of an existing building or site for an equal or less vulnerable use; or*
 - iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long term safety and resilience can be secured in accordance with relevant SEPA advice.*
- 78 According to the SEPA flood maps, a small area of the site where the existing factory is located is within a flood risk area as is a larger area of the site where the new factory would be located. As a result, the site is considered to be at risk of flooding and NPF4 Policy 22(a) is relevant.
- 79 The applicant has stated that the proposal is 'essential infrastructure' given the nature of the development, and its strategic role in ensuring food security, and therefore complies with criterion (i) of Policy 22(a). A legal opinion has been submitted as part of the application confirming that position.
- 80 The Glossary of Definitions contained within NPF4 defines 'essential infrastructure' as: includes digital communications infrastructure; telecommunications infrastructure; all forms of renewable, low-carbon and zero emission technologies for electricity generation and distribution and transmission electricity grid networks and primary sub stations; water and waste water infrastructure; and transport proposals and travel networks identified in the local development plan.

- 81 While it is accepted that this list is not comprehensive, PKC officers do not agree that the proposal can be classed properly as 'essential infrastructure'. Although the importance of the site and its contribution to food security is not questioned, the fundamental point remains that in order to be 'essential infrastructure' it must be accepted as 'infrastructure'. The term 'infrastructure' is not a statutory one but is generally taken to refer to the services required to support the development of land. The advice from the Council's Legal & Governance Service was that the proposal was not essential infrastructure in terms of policy 22 (a). They, in turn, sought the opinion of Senior Counsel on this matter, who concluded that a food processing plant, even one of great national significance, does not constitute 'infrastructure'. He acknowledged, however, that the economic importance may be sufficient to justify the proposal as a development plan departure.
- 82 SEPA had also sought PKC's view on whether the proposal is considered to meet any of the exceptions set out in Policy 22(a). In light of the above, PKC confirmed that it does not and SEPA has therefore objected to the proposal on flood risk grounds.
- 83 The applicant has submitted a Flood Risk Assessment and a Drainage Impact Assessment that consider the technical aspects of flood risk and drainage and proposes measures to mitigate the risk.
- 84 Policy 22(a) further requires that proposals also need to demonstrate that:
- all risks of flooding are understood and addressed;
 - there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
 - the development remains safe and operational during floods;
 - flood resistant and resilient materials and construction methods are used; and
 - future adaptations can be made to accommodate the effects of climate change
- 85 PKC Flooding and Structures have considered the information submitted by the applicant. They have advised that the FRA and additional submissions demonstrate that they have met four of the five key criteria as outlined in Policy 22. The remaining key criteria (flood resistant and resilient materials) will be incorporated in the detailed design of the building. Policy 22 includes additional criteria that have been satisfied in the determination of the property FFLs and safe access/egress routes to the north-east via Strathmore Avenue. Surface water runoff will be managed appropriately through sustainable urban drainage systems (SUDS).
- 86 Overall, due to its location in a flood risk area and the nature of the proposed development is not one of essential infrastructure, it is contrary to Policy 22(a). However, in this instance the applicant has shown that adequate mitigation can be incorporated into the design to address the risk. The information submitted demonstrates that the proposed built development would be safe from flooding

and would not increase flood risk elsewhere, and actually provides a degree of betterment. The proposed flood risk mitigation strategy has been specifically developed to manage flood risk while also taking into account the potential future impacts of climate change. Therefore, in this instance it is considered that a departure from the terms of NPF4 Policy 22 is appropriate, subject to conditions on SuDS (Condition 4 and 6) and finished floor levels of the built development (Condition 5).

Design, Layout and Placemaking

- 87 NPF4 Policy 14: Design, Quality and Place and LDP2 Policy 1: Placemaking are of particular importance in the assessment of the design and layout of the proposal.
- 88 The strategy for the design of the development layout seeks to take advantage of the site's southerly aspect and its gentle topography which is predominantly flat and as such will allow for a coherent, connected block structure to be created with minimal earthworks.
- 89 The specific layout, design, density and quantum of uses will be agreed through further applications. However, the indicative plans submitted show that the orientation and proposed layout of the development has been guided by the proposed uses and the areas of flood risk to the north-east and south-east of the site.
- 90 The poultry processing plant, commercial and business uses, and residential element, have been arranged in 3 sections which are separated by landscape strips running north-west to south-east. While the separation of potentially conflicting land-uses is appropriate for operational and amenity reasons, the inclusion of buffers of green space, limited residential and smaller scale commercial uses at the northern end of the site presents an opportunity to create a more cohesive edge to this part of Coupar Angus while improving visual and residential amenity.
- 91 The existing relationship between the factory site and the residential edge of Coupar Angus is currently disjointed. During the lifetime of the factory, a number of extensions and temporary structures have been introduced within the site which has further added to this effect. The comprehensive redevelopment of the wider site will allow a more logical layout to be provided for the proposed mix of uses. The submitted Development Framework aims to ensure that the development will sit within an attractive landscape setting and will improve the sense of arrival to Coupar Angus from the south.
- 92 At the detailed design stage, best practice urban design principles should be followed to ensure that a clear hierarchy of streets and spaces is created. The submitted Design and Access Statement advises that the development will have a connected street network with a clear sense of legibility, working with the topography, retained landscape features and using high quality landscape design

to promote a sense of place and a robust green structure offering multiple benefits.

- 93 Condition 2 is required to ensure that the Council retains control over design, layout and location of the future development.
- 94 Although these matters will be addressed through Condition 2, the applicant has incorporated some design considerations in terms of the proposed layout, density and scale of the proposals. The proposed poultry processing plant will be of a functional design with a maximum height in the region of 13m above ground level. It will be set back from George Street to reduce its visual impact with car parking in front of it and landscaping along the boundary.
- 95 The other business and employment uses will be single and two-storeys in height and will be screened from the new and existing residential area by a thick planted buffer.
- 96 The development will reduce in scale and density towards the north-west in response to the transition to the residential area. The density of the residential buildings will reflect the existing properties adjacent to the site in the surrounding area and take cognisance of its setting in close proximity to a large factory. It is proposed that residential storey heights will be up to three storeys around an area of open space which will be located along the edge of the site close to George Street. The remainder of the site will predominantly be two storeys.
- 97 Overall, the design principles referred to in the Design and Access Statement and shown in the Indicative Development Framework have identified the appropriate opportunities and constraints of the site. The proposed development will help to create a sense of arrival when approaching Coupar Angus from the south and will improve integration between the factory and the town. The location of the buildings and the landscaping of the site will help to soften any visual impact. The proposal is considered to adopt good placemaking principles as the design and siting respects the character and setting of the town and thereby accords with the relevant placemaking and design policies.

Residential Amenity

- 98 NPF4 Policy 14: Design, Quality and Place advises that development proposals will be supported where they are consistent with the six qualities of successful places. Those qualities being: healthy, pleasant, connected, distinctive, sustainable and adaptable.

Noise/Odour

- 99 The proposed poultry processing plant will fall under Pollution Prevention Control Regulations under the remit of SEPA and that noise and odours will be controlled through management plans as part of their PPC permit. The new plant, which will be designed and constructed to reflect current standards, will enhance the

opportunities for controlling both noise and odour in comparison to the existing facility.

- 100 In terms of the smaller commercial units, a Noise Impact Assessment (NIA) has been undertaken and submitted with this application. Baseline noise measurements were taken at a location at Strathmore Avenue.
- 101 The NIA gives the predicted day-time sound levels from delivery/despatch activities at the proposed commercial units at receptors 1-6 and includes a 6dB penalty for impulsive noise. It concludes that the background noise level will be exceeded by +2dB at R5 which is of low impact.
- 102 The NIA then gives the predicted night-time sound levels from delivery/despatch activities at the proposed commercial units at receptors 1-6 and again includes a 6dB penalty for impulsive noise. In this instance it concludes that the background noise level will be exceeded by +8dB at R5 which is adverse impact.
- 103 A prediction is calculated for noise breakout sound levels for day-time and night-time respectively, including a +3dB characteristic penalty. It concludes that at all receptors there will be no exceedances.
- 104 Due to the +8dB over background predicted at Receptor 5 due to nighttime delivery/despatch activities at the proposed commercial unit, mitigation in the form of an acoustic fence between the unit and the proposed footpath is proposed. The NIA indicates that this would reduce the noise levels to 5dB below the background level at R5 for day-time and +1dB over the background level during the night-time period, which is acceptable, and the acoustic fence will be required by condition (Condition 19).

Construction Noise

- 105 Construction hours are outlined in Section 4.18 of the EIA and are in line with PKC's construction hour times. These hours will be included within the Construction Environmental Management Plan (CEMP) (Condition 20).

Air Quality/Dust

- 106 Air quality has been assessed for traffic emissions associated with the development once operational and it is concluded that all concentrations will be negligible.
- 107 In terms of construction phase dust, the good-practice mitigation measures and site-specific mitigation measures, such as covering of loose materials, wheel washing etc, as outlined in the EIA will be included in the CEMP. These measures will be applicable to all phases of the development.

Roads and Access

- 108 NPF4 Policy 13: Sustainable Transport and LDP2 Policy 60: Transport Standards and Accessibility Requirements are both relevant to the consideration of roads and access to the development.
- 109 The replacement plant will be accessed via two new vehicle accesses on to the A94 public road, with a separate HGV servicing route and car park access proposed. Vehicles entering and exiting the car park are proposed to do so via the A94. HGVs are proposed to exit on George Street at the current access utilising a one-way route around the north of the new building.
- 110 As the proposed facility will be a replacement for the current poultry facility directly adjacent to the current site, and the redevelopment of the existing site will regenerate a brownfield site, the Transport Assessment (TA) considers that the principle of development in this location, in transport policy terms, has already been established. The TA notes that both staff numbers and HGV movements will remain consistent, i.e. no material increase in vehicle movements over that currently experienced on the road network as a result of the current facility. The TA concludes that the network will operate well within capacity with the introduction of additional traffic associated with the development proposals.
- 111 Transport and Access was scoped into the EIA. Consideration has been given to the potential effects of the proposed development on the surrounding transport network (in terms of traffic flows) and sensitive receptors with respect to transport and access, for both the construction and operational phases. Mitigating measures have been proposed to offset potential adverse effects.
- 112 The EIA found that construction-based vehicles will constitute a 2.8% change in the Annual Average Weekday Traffic (AAWT) flow and would thus have a negligible impact (less than 10%) on the total AAWT flows on the haulage route. Therefore, in line with Scottish Government Guidelines, it is not considered necessary to undertake further assessment.
- 113 For the operational phase, the EIA found that the proposed development traffic does not result in a greater than 10% increase in AAWT flow on any of the routes within the study area. Therefore, the level of change is not significant in EIA terms.
- 114 The TA and junction analysis found that the potential increase in traffic flow associated with the proposed development when operational can be accommodated on the local road network with no detriment to existing road users or requirement for any additional physical mitigation. The impact is deemed negligible and not significant.
- 115 Mitigation measures are proposed, including the preparation and implementation of a Construction Traffic Management Plan (CTMP), the preparation and implementation of a Travel Plan, and formation of footway connections and core

path works. These mitigation measures will be required by condition (Conditions 2(e), 2(f), 13 and 14).

- 116 Two vehicular accesses are proposed along the A94, where the national speed limit applies. A condition will be required for a road safety audit and traffic speed survey to be submitted as part of the application for detailed approval for the factory, to inform an assessment of the need for a revision to the national speed limit on the A94 (Condition 9).
- 117 The proposed vehicle access points are not approved. Further detail on all vehicle access points shall be submitted as part of any application for detailed approvals and shall be in accordance with Perth & Kinross Council's Road Development Guide. The applicant shall detail pedestrian and cyclist priority junctions at the intersection of the cycle path along the A94 and the proposed access (Conditions 2(d), 2(e) and 2(f)).
- 118 Approximately 427 car parking spaces are proposed for the plant. This will include 14 accessible spaces, 84 secure covered cycle parking spaces, 16 spaces for powered two-wheelers and the provision of electric charging facilities. Parking facilities for all uses across the site will have to be justified at the detailed application stage.
- 119 Overall, the principle of the proposal is compliant with the relevant transport policies, subject to the recommended conditions.

Conservation Considerations

- 120 The area in and around Coupar Angus, as well as the town itself, has a rich archaeologically past with evidence of the prehistoric period through to the medieval with the formation of the Coupar Angus Abbey, founded in 1162.
- 121 NPF4 Policy 7: Historic Assets and Places and LDP2 Policy 26B: Archaeology seek to protect historic assets and places. PKHT has been consulted and has recommended that, if permission is granted, then a condition should be imposed requiring a programme of archaeological works to be undertaken (Condition 3).
- 122 HES were also consulted and have advised that they have no comments to make on the proposals.

Natural Heritage and Biodiversity

- 123 In relation to natural heritage and biodiversity, NPF4 Policies 1: Tackling the Climate and Nature Crisis, 2: Climate Mitigation and Adaptation, 3: Biodiversity and 20: Blue and Green Infrastructure, are relevant. In addition, LDP2 Policies 40: Forestry, Woodland and Trees and 41: Biodiversity directly apply.
- 124 As part of the site is already developed and the majority of the remainder in agricultural use, biodiversity baselines were limited and scoped out of the EIA

Report. However, the scoping exercise was carried out prior to the adoption of NPF4, which now requires for major developments to conserve, restore and enhance biodiversity so it is in a demonstrably better state than without intervention.

- 125 In addressing this an Ecological Impact Assessment (EclA) and a Shadow Habitats Regulations Appraisal (HRA) have been submitted in support the application. The EclA recommends mitigation measures throughout the construction and operational phases to limit the potential impact of the proposed development on ecological receptors. Mitigation measures include the requirement for a Construction and Environmental Management Plan (CEMP) (Condition 20) and the appointment of an Ecological Clerk of Works (ECoW) (Condition 25).
- 126 NPF4 requires major developments to ensure significant enhancement to Biodiversity and this should be demonstrated in all projects and needs to be site specific: based on surveys, location, development size, surrounding habitats and landscape character and follow ecologist recommendations.
- 127 Requirements detailed in the LDP2 and PKC Planning for Nature Supplementary Guidance should also be used to create a Site Biodiversity Action Plan. It should contain quantity, locations, techniques, timescales, and monitoring Arrangements (Condition 27).
- 128 A detailed landscape plan will also be required as part of the submission of any AMSC (Condition 2(k)). In general, compensatory tree planting is required on a ratio of 1:3 for every tree lost. This landscaping plan will indicate species, location, tree stock size, type, planting spec, maintenance, and weed control. Species should be predominantly native to Scotland and include fruit-bearing trees.

Low and Zero Carbon Generating Technologies

- 129 LDP2 Policy 32 'Embedding Low and Zero Carbon Generating Technology in New Development' requires all new buildings to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. As this proposal includes the erection of a new building, consideration must be given to this requirement. Further, NPF4 Policy 2 'Climate Mitigation and Adaptation' requires that development should be designed to reduce green gas emissions. While the specific details of the development's design will be considered through subsequent detailed applications, it is proposed to incorporate the following measures to reduce energy demand and emissions:
- Enhanced fabric and energy efficiency measures to reduce the energy demand of the development;

- Use of low carbon heating and on-site renewable energy generation including Solar PV and Air Source Heat Pumps to reduce the operational emissions of development; and
- Creation of an all-electric development which will allow homeowners to live a net zero lifestyle through the purchase of renewable electricity.

130 The proposal therefore complies with the relevant policies.

Developer Contributions

131 NPF4 Policy 18: Infrastructure First and LDP2 Policy 5: Infrastructure Contributions requires consideration of the individual or cumulative impact of new development on infrastructure and facilities and to secure contributions to address this impact where the development exacerbates impacts or generates additional need.

Affordable Housing

132 NPF4 Policy 16: Quality Homes states that proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number. LDP2 Policy 20: Affordable Housing requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing.

133 The application proposes “up to 49” dwellinghouses, a condition is recommended (Condition 23) to ensure future detailed applications comply with NPF4 Policy 16 and LDP2 Policy 20.

Primary Education

134 The Council’s Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity. A condition (Condition 24) is required to ensure future detailed applications comply with Policy 5 of LDP2.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

135 None required at this stage but may be appropriate for future applications (Conditions 23 and 24 relate).

DIRECTION BY SCOTTISH MINISTERS

136 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

- 137 To conclude, this report recommends approval of Planning Permission in Principle for a mixed-use development comprising: a poultry processing facility and residential, commercial, industrial uses and associated works. The development is considered to largely comply with the relevant provisions of the Development Plan, with the exception of the residential use on allocated employment land and the fact that the site is identified as being at risk of flood, without mitigation. As such the development is contrary to both flood risk and land allocation risk policies. However, although contrary to the Development Plan in those individual respects, in this instance, there are material planning considerations and flood risk mitigations available which are considered to justify a departure from these aspects of the development plan, notably the economic benefits for the Perth and Kinross area of retaining and expanding an existing nationally significant food production facility. As there is an objection from SEPA the application, if approved, would require to be notified to Scottish Ministers.

RECOMMENDATION

Approve the application.

Conditions and Reasons for Recommendation

1. Application for the approval required by a condition imposed on this Planning Permission in Principle shall conform with the requirements of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and of Section 59 (2) and (3) of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006 and, in particular, must be made before whichever is the latest of the following:
 - (i) the expiration of 6 months from the date on which an earlier application for the requisite approval was refused, or
 - (ii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed.

Reason: In accordance with the terms of Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.

2. Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the Planning Authority has been given, and the development shall be carried out in

accordance with that approval. For the avoidance of doubt, no approval is hereby given to the layout shown in the illustrative development framework which forms part of the application for planning permission in principle. The specified matters include:

- (a) a site development layout and phasing plan showing a phased implementation programme, including: the location/position of all uses within the site; the proposed built form (including orientation of buildings); movement around and through the site, including pedestrian and cycle links and landscape provision;
- (b) for each phase of the development, a plan detailing the siting, design and height of development, including the design of all external features;
- (c) design and configuration of public and open spaces, all external materials and finishes;
- (d) car and cycle parking, access, road layouts and alignment, classification of streets, and servicing areas;
- (e) footpaths and cycle routes, including proposed multi-use paths, the designs shall detail pedestrian and cyclist priority junctions at the proposed vehicular access points along the shared use cycleway on the A94 and right turn ghost island facilities into the site;
- (f) details of safe pedestrian crossing points at all vehicle entrances over core path COUP/139;
- (g) waste management and recycling facilities;
- (h) surface water and drainage arrangements;
- (i) a detailed levels survey (existing and proposed) and cross sections showing proposed finished ground and floor levels of all buildings forming part of the development phase, relative to existing ground levels and a fixed datum point;
- (j) full details of sustainability measures in accordance with LDP2 Policy 32: Embedding Low and Zero Carbon Generating Technology in New Development;
- (k) hard and soft landscaping details, including:
 - i. the type and location of new trees, shrubs and hedges;
 - ii. a schedule of plants to comprise species, plant size and proposed number/density;
 - iii. programme of completion and subsequent maintenance including a separate maintenance plan for the SuDS areas;
 - iv. existing and proposed services such as cables, pipelines, substations;
 - v. other artefacts and structures including street furniture, lighting columns and fittings; and
 - vi. details of phasing of these works in relation to implementation and phasing of the development.

Reason: To ensure that the matters referred to within this Planning Permission in Principle are given full consideration and to accord with the requirements of Section 59 Town and Country Planning (Scotland) Act 1997 (as amended).

3. Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Archaeological Investigation (WSI) which has been submitted by the developer and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust (PKHT). Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. Should the archaeological works, as required by the WSI, identify a requirement for post-excavation analysis, the development as approved shall not be occupied or brought into use until a Post-Excavation Research Design (PERD) has been submitted to and agreed in writing by the Council as Planning Authority, in consultation with PKHT. The PERD shall be carried out in complete accordance with the approved details. Furthermore, the developer shall afford access at all reasonable times to PKHT or a nominated representative and shall allow them to observe work in progress.

Reason: To ensure archaeological monitoring is carried out to safeguard and record any archaeological remains within the development area.

4. Development shall not commence on site until a detailed sustainable urban drainage system (SUDS) has been submitted for the further written agreement of the Council as Planning Authority, in consultation with SEPA where necessary. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C753) and the Council's Flood Risk and Flood Risk Assessments Developer Guidance, and shall incorporate source control. All works shall be carried out in accordance with the agreed scheme and be operational prior to the bringing into use of the development.

Reason: To reduce flood risk.

5. In pursuance of Condition 2(i), the finished floor level(s) shall be set a minimum of 600mm above the 1 in 200 AEP event including 39% climate change flood level expected adjacent to the built development. The Phase 1 minimum FFL is 52.31mAOD and Phase 2 is 52.87mAOD. In addition, the finished floor levels shall be set a minimum of 150mm above adjacent ground levels.

Reason: In the interests of flood prevention.

6. Prior to the commencement of development of each phase, details of a temporary surface water treatment facility shall be submitted to the Council as Planning Authority for approval. Thereafter, concurrent with the initiation of the development hereby approved and for the duration of construction, the approved temporary surface water treatment facility shall be implemented on site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented unless otherwise agreed in writing by the Council as Planning Authority.

Reason: In the interests of flood prevention.

7. All matters regarding: access, car parking, public transport facilities, walking and cycling facilities, the road layout, design, and specification (including the disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority (as detailed in the National Roads Development Guide) and to the satisfaction of the Planning Authority.

Reason: To ensure the roads and accesses are developed to an acceptable standard.

8. As part of any application for the Approval of Matters Specified by Condition (AMSC), the applicant shall include a updated transport assessment (relating to the different land uses) scoped to include the means of access to the site from the wider public road network to include all modes of transport (walking, cycling, public transport, private car and HGV movements), to the satisfaction of and approved in writing by the Council as Planning Authority.

Reason: In the interests of road safety.

9. As part of any application for the Approval of Matters Specified by Condition (AMSC), a Stage 1 Road Safety Audit shall be submitted to and approved in writing by the Council as Planning Authority. The road safety audit shall also include an assessment of the need for a revision to the national speed limit, informed by a traffic speed survey along the A94.

Reason: In the interests of road safety.

10. As part of any application for the Approval of Matters Specified by Condition (AMSC), the applicant shall provide detailed designs for the pedestrian and cyclist connectivity to the development to the North of the site and to the Co-Op store in George Street.

Reason: In the interests of road safety and in the interest of promoting walking and cycling as sustainable modes of travel.

11. As part of any application for the Approval of Matters Specified by Condition (AMSC), the applicant shall detail adequate parking facilities for each class of use in accordance with the National Roads Development Guide. HGV parking and EV Parking for the factory shall also be included as part of any detailed application.

Reason: To provide a suitable parking provision for the development.

12. As part of any application for the Approval of Matters Specified by Condition (AMSC), the applicant shall provide a detailed design for the upgrading of existing bus stops on George Street , or another location as agreed with the Public Transport Unit. Coupar Angus bound, the applicant shall provide a

detailed design for the supply and installation of a new enclosed bus shelter set back from footpath. Perth bound, the applicant shall provide a detailed design for the supply and installation of a reverse cantilever bus shelter. The applicant shall provide a detailed design for the supply and installation of Real Time Passenger Information (RTPI) mountings, cabling, and displays for Bus Shelters serving both directions. Thereafter, prior to the occupation or bringing into use of the development, the agreed details shall be implemented in full.

Reason: In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

13. Prior to the commencement of the development hereby approved, the applicant shall submit for the further written agreement of the Council as Planning Authority, in consultation with the Roads Authority (Structures), 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) a code of conduct for HGV drivers to allow for queuing traffic to pass;
 - d) arrangements for liaison with the Roads Authority regarding winter maintenance;
 - e) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
 - f) 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;
 - g) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
 - h) 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;
 - i) details of information signs to inform other road users of construction traffic;
 - j) arrangements to ensure that access for emergency service vehicles are not impeded;
 - k) co-ordination with other significant developments known to use roads affected by construction traffic;
 - l) traffic arrangements in the immediate vicinity of temporary construction compounds;
 - m) the provision and installation of traffic counters at the applicant's expense at locations to be agreed prior to the commencement of construction;
 - n) monitoring, reporting and implementation arrangements;
 - o) arrangements for dealing with non-compliance; and
 - p) details of HGV movements to and from the site.

The TMS as approved shall be strictly adhered to during the entire site construction programme.

Reason: In the interests of proper site management.

14. No part of the residential development shall be occupied until a Residential Travel Plan (RTP), aimed to encourage more sustainable means of travel, has been submitted to and agreed in writing by the Council as Planning Authority. The RTP 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.

Reason: To promote sustainable transport options.

15. All plant or equipment associated with the commercial units and residential units 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 the interests of protecting residential amenity.

16. As part of any application for the Approval of Matters Specified by Condition (AMSC) relating to the commercial uses, the applicant shall submit for approval a Noise Impact Assessment demonstrating that the sound insulation and sound transmission properties of the structure and finishes of the commercial units 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.

Reason: In the interests of protecting residential amenity.

17. For each phase of development, a Lighting Plan shall be submitted for approval to the Council as Planning Authority, to ensure that 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 does not adversely affect the amenity of the neighbouring land. Prior to the first occupation or uptake of the use of the relevant development phase, the approved Lighting Plan shall be installed and maintained in perpetuity thereafter.

Reason: In the interests of protecting residential amenity.

18. Noise from operations of the commercial units shall not exceed L A90,1 hour (0700 – 2300) or exceed L A90,15 mins (2300 – 0700) background noise level plus 5dB (A), including any relevant penalties for tonality, impulsivity,

intermittency, or other sound characteristics when measured at any residential property in accordance with BS4142:2014+A1:2019.

Reason: In the interests of protecting residential amenity.

19. At approval of matters stage for the new poultry processing facility or any other phase of development for uses within Use Class 4, 5 or 6, full details of an acoustic fence designed to protect residential amenity shall be submitted for approval of the Council as Planning Authority. Prior to the occupation or uptake of the use of the relevant development phase, the approved acoustic fence shall be installed, and maintained in perpetuity thereafter.

Reason: In the interests of protecting residential amenity.

20. For each phase of development, an updated Ecological Impact Assessment (EclA) shall be undertaken by suitably qualified and experienced persons shall be submitted. The EclA must include the woodland in the north, bats in buildings, bat roost potential of trees to be felled/within 30m of works, Schedule 1 breeding birds and inclusion of pre-commencement walk over surveys in the mitigation measures.

Reason: In the interests of protecting environmental quality.

21. At least two months prior to the commencement of development, a site specific, Construction Environment Management Plan (CEMP), shall be submitted for the further written agreement of the Council Planning Authority. Thereafter the CEMP will be updated to reflect the phasing of the development and strictly adhered to during the entirety of the construction phases. Measures to be included within the CEMP comprise:

- The use of British Standards Best Practice Guidelines to reduce disturbance resulting from noise, surface run-off and vibration during works;
- Scottish Environment Protection Agency (SEPA) Pollution Prevention Guidelines (PPG), incorporating procedures for emergency environmental incidents such as pollution events and encountering protected species. A review plan for the PPGs is currently underway, resulting in a replacement guidance series, with new branding and title "Guidance for Pollution Prevention" (GPPs). It is recommended that the following PPG and GPP are considered:
 - PPG1: Understanding your environmental responsibilities - good environmental practices;
 - GPP5: Works and maintenance in or near water;
 - PPG6: Working at construction and demolition sites;
 - GPP21: Pollution incident response planning; and
 - GPP 22: Dealing with spills.
- Pollution prevention measures including procedures for oils and chemicals to prevent the release of any accidental spillages and effects associated with contaminated surface run-off;

- Supervision of delivery of fuel and oils with pipelines and fuelling points protected from vandalism and unauthorised interference, including being turned off and locked when not in use to prevent effects associated with the encroachment of construction vehicles and plant and contaminated surface run-off;
- Use of drip trays when filling smaller containers from tanks or drums to avoid drips and spills from entering the ground or drainage systems and watercourses to prevent effects associated with contaminated surface run-off;
- Measures to minimise noise, vibration and dust; and
- Limiting construction works to daylight hours only where possible, or having a suitable lighting strategy in place, in order to minimise effects to nocturnal faunal species.

Furthermore, the Construction Environmental Management Plan (CEMP) shall include potential constraints and mitigation with regard to potential or confirmed ecological features identified in the updated Ecological Impact Assessment.

Reason: to control pollution of air, land and water and to mitigate the adverse impact of development traffic on the safe and efficient operation of the trunk road.

22. Development shall not commence until a detailed Construction Environmental Management Plan (CEMP) detailing environmental mitigation measures, including biodiversity and the control of dust and noise, shall be submitted for the further written agreement of the Council as Planning Authority. Thereafter the CEMP will be strictly adhered to during the entirety of the construction phases.

Reason: In the interests of protecting environmental quality.

23. Prior to the commencement of works on each development phase, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken and as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) will be submitted for consideration by the Council as Planning Authority. If after the preliminary risk assessment identifies the need for further assessment, an intrusive investigation should 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 agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

Reason: In order to deal with any potential contamination of the site as a result of its former use.

24. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2023 in line with Policy 20: Affordable Housing of the Perth & Kinross Local Development Plan 2 (2019), or such subsequent Guidance and Policy which may replace these.

Reason: To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2023.

25. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2023 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with particular regard to primary education infrastructure, or such subsequent Guidance and Policy which may replace these.

Reason: To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2023.

26. At least two months prior to the commencement of the development, an independent and suitably qualified ecologist shall be appointed by the developer at their expense as the 'Ecological Clerk of Works' (ECOW) for the site. This appointment shall be subject to the prior written approval of the Planning Authority and detail the extent of inspections to be undertaken by the ECOW and how this relates to the delivery of the development phases. The ECOW shall oversee, on behalf of the Planning Authority, the implementation of all ecology related planning conditions and how this relates to the phase of development being constructed. The ECOW shall undertake a watching brief throughout the construction of the development phase and shall have the authority to stop operations or to alter construction methods should there be any works occurring which are having an adverse impact on natural heritage.

The ECOW shall have responsibility for the following:

- a) Monitoring compliance with the mitigation works related to the development as set out in the Construction Environment Management Plan.
- b) Advising the developer on adequate protection of nature conservation interest on the site, including altering construction practices if existing practices are having an adverse impact on the natural heritage of the site.
- c) If any protected species are found on site, the Ecological Clerk of Works will ensure that work is suspended at that location and that a protected species protection plan is implemented.

The ECOW is required to notify the Planning Authority:

- d) If there has been a requirement to stop or alter works in relation to this condition.
- e) They are required to submit a report on their inspection (frequency to be agreed) for the review of the Planning Authority in consultation with Scottish Environment Protection Agency where necessary, during construction operations.
- f) They will have the power to amend the CEMP, where required, with any amendments and measures to mitigate submitted to the Planning Authority.

Reason: In order to ensure that an ECOW is appointed and is suitably qualified and has a suitable job description and powers to oversee all salient ecological matters affecting the Construction phases of the development.

27. As part of any application for the Approval of Matters Specified by Condition (AMSC) a Site Biodiversity Action Plan including biodiversity enhancement measures shall be submitted for approval of the Council as Planning Authority. Thereafter, the approved Action Plan will be implemented in full prior to the first occupation or uptake of the use of the relevant development phase.

Reason: In the interests of protecting and enhancing biodiversity.

28. As part of any application for the Approval of Matters Specified by Condition (AMSC), a tree protection plan, Arboricultural Impact Assessment and Arboricultural Method Statement shall be submitted for approval of the Council as Planning Authority. Thereafter, the approved Action Plan will be implemented in full prior to the first occupation or uptake of the use of the relevant development phase.

Reason: In the interests of protecting environmental quality and of biodiversity.

29. As part of any application for the Approval of Matters Specified by Condition (AMSC) a detailed landscaping and planting scheme including details of the species, height, size, location, density and maintenance regime of trees and shrubs to be planted, shall be submitted. The scheme must illustrate that adequate compensatory tree planting for lost trees will be achieved with at least 3 trees planted for every tree lost.

Reason: In order to justify the loss of any trees and to ensure that adequate landscaping is provided for the development.

30. As part of each application for the Approval of Matters Specified by Condition (AMSC) details of the specific measures for the installation and operation of low and zero-carbon generating technologies reduce energy to demand and emissions from the development shall be submitted.

Reason: in the interests of reducing carbon emissions.

JUSTIFICATION

The proposal is considered a minor departure from the Development Plan however there are material reasons which justify departing from the Development Plan.

PROCEDURAL NOTES

SEPA has submitted a holding objection to the proposed development, in relation to flood risk. If the Planning & Placemaking Committee agree with the recommendation to approve the application, then the application will have to be referred to the Scottish Ministers for authority to proceed. Thereafter, if agreed by Scottish Ministers, the decision notice shall not be issued until such time that the relevant transport infrastructure contributions have been secured.

INFORMATIVES

1. Additional groundwater monitoring should be carried out over a full calendar year to include both summer and winter periods.
2. If there is any proposal to alter a route of an existing core path or right of way a further legal procedure is required. The granting of planning permission does not stop the continued right of public access along the existing core path or right of way. An order under the Town and Country Planning (Scotland) Act 1997, Section 208 or an amendment of the Core Path Plan under the Land Reform (Scotland) Act 2003 should be sought.
3. 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.
4. Where necessary, no work shall be commenced until an application for building warrant has been submitted and approved.
5. The applicant is advised that any proposed signage will require a further application to be submitted for advertisement consent, unless it benefits from express consent as per the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
6. The applicant is advised that, in terms of Sections 56 of the Roads (Scotland) Act 1984, he/she/they must obtain from the Council, as Roads Authority, consent to open an existing road or footway prior to the commencement of works. Information on junction types, requirements for Vehicular Access consents (VA1) and application forms are available at www.pkc.gov.uk/vehicleaccess.

7. Advice on the disposal of surface water should be sought at the initial stages of design from Scottish Water and SEPA.

Background Papers: 3 letters of representation
Contact Officer: Alex Gudgeon 01738 475337
Date: 21 June 2024

DAVID LITTLEJOHN
STRATEGIC LEAD: ECONOMY, DEVELOPMENT AND PLANNING

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