

Perth and Kinross Council  
Planning & Development Management Committee – 13 April 2022  
Pre-Application Report by Head of Planning and Development  
(Report No. 22/82)

Formation of leisure development comprising erection of holiday accommodation units, community hub with reception/leisure/retail areas with other associated uses, formation of vehicular access, motorhome pitches, SUDS ponds, treatment plant, parking, landscaping and associated works at Whinstone Quarry, Devonshaw, Powmill.

Ref. No: [22/00008/PAN](#)

Ward No: P8- Kinross-shire

### **Summary**

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for formation of leisure development comprising erection of holiday accommodation units, community hub with reception/leisure/retail areas with other associated uses, formation of vehicular access, motorhome pitches, SUDS ponds, treatment plant, parking, landscaping and associated works at Whinstone Quarry Devonshaw Powmill. The report also aims to highlight the key planning policies and the likely stakeholders who would be involved in the decision making process, and to offer a brief overview of the key planning issues which are likely to be relevant to the proposal.

### **BACKGROUND AND DESCRIPTION**

1. In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 (as amended), the applicants submitted a Proposal of Application Notice (PoAN) on 11 February 2022. The purpose of this report is to inform the Planning and Development Management Committee of a forthcoming planning application in respect of a major development for the formation of leisure development comprising erection of holiday accommodation units, community hub with reception/leisure/retail areas with other associated uses, formation of vehicular access, motorhome pitches, SUDS ponds, treatment plant, parking, landscaping and associated works. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
2. This PoAN seeks to formally establish a major development. The exact range of uses, scale and design of the development will be arrived at during pre-application discussions.

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

3. A screening request for this proposed development has already been obtained from the Planning Authority, reference: 21/01562/SCRN, which confirms that the development is not EIA development under the EIA 2017 Regulations.

## **PRE-APPLICATION PROCESS**

4. The PoAN (reference 22/00008/PAN) confirmed that a public exhibition via a live and interactive online event will be held on 3<sup>rd</sup> March 2022 and 28<sup>th</sup> April 2022. The Ward Councillors, Fossoway and District Community Council have all been notified. Subsequent notifications have also been provided to the Local MP and MSP. The results of the community consultation will be submitted with the planning application as part of the required Pre-Application Consultation (PAC) Report.

## **NATIONAL POLICY AND GUIDANCE**

5. The Scottish Government expresses its planning policies through the National Planning Framework (NPF) 3, the National Roads Development Guide 2014, Scottish Planning Policy (SPP) 2014 and Planning Advice Notes (PAN).

### **National Planning Framework**

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

### **The Scottish Planning Policy 2014 (SPP)**

7. The SPP is a statement of Scottish Government policy on land use planning. The following sections of the SPP will be of particular importance in the assessment of this proposal:-
  - Sustainability: paragraphs 24 – 35
  - Placemaking: paragraphs 36 – 57
  - Promoting Rural Development: paragraphs 74 – 91
  - Supporting Business and Employment: paragraphs 92 – 108
  - Enabling Delivery of New Homes: paragraphs 109 – 134
  - Valuing the Historic Environment: paragraphs 135 – 151
  - Valuing the Natural Environment : paragraphs 193 – 218
  - Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
  - Managing Flood Risk and Drainage: paragraphs 254 – 268
  - Promoting Sustainable Transport and Active Travel: paragraphs 269 – 291
8. The following Scottish Government Planning Advice Notes are likely to be of relevance to the proposal:-
  - PAN1/2011 Planning and Noise
  - PAN 2/2011 Planning and Archaeology
  - PAN 3/2010 Community Engagement
  - PAN 40 Development Management

- PAN 51 Planning, Environmental Protection and Regulation
- PAN 60 Planning for Natural Heritage
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 69 Planning & Building Standards Advice on Flooding
- PAN 73 Rural Diversification
- PAN 75 Planning for Transport
- PAN 79 Water and Drainage

## **LOCAL POLICY AND GUIDANCE**

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

9. TAYplan sets out a vision for how the region will be in 2032 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

*“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs”*

10. The following sections of the TAYplan 2016 are of particular importance in the assessment of this application:

- Policy 1: Locational Priorities
- Policy 2: Shaping Better Quality Places
- Policy 3: A First Choice for Investment
- Policy 4: Homes
- Policy 6: Developer Contributions
- Policy 7: Energy, Waste and Resources
- Policy 8: Green Networks
- Policy 9: Managing TAYplan’s Assets

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

11. The Local Development Plan 2 (LDP2) was adopted by Perth and Kinross Council on 29 November 2019. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
12. The LDP2 sets out a vision statement for the area and states that:  
*“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”*
13. Under the LDP2, the following policies are of particular importance in the assessment of this application:

Policy 1: Placemaking

Policy 2: Design Statements

Policy 5: Infrastructure Contributions

Policy 6: Settlement Boundaries

Policy 7A: Employment and Mixed Used Areas: Business and Industrial

Policy 7B: Employment and Mixed Used Areas: Mixed Use Sites  
Policy 8: Rural Business and Diversification  
Policy 9: Caravan Sites, Chalets and Timeshare Developments,  
Policy 13: Retail and Commercial Leisure Proposals  
Policy 14B: Open Space Retention and Provision: Open Space within New Developments  
Policy 15: Public Access  
Policy 16: Social, Cultural and Communities Facilities using Accommodation  
Policy 23: Delivery of Development Sites  
Policy 26: Scheduled Monuments and Archaeology  
Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development  
Policy 33A: Renewable and Low Carbon Energy: New Proposals for Renewable and Low-Carbon Energy  
Policy 36B: Waste Management Infrastructure: New Waste Management Infrastructure  
Policy 38B: Environment and Conservation: National Designations  
Policy 39: Landscape  
Policy 40: Forestry, Woodland and Trees  
Policy 41: Biodiversity  
Policy 42: Green Infrastructure  
Policy 52: New Development and Flooding  
Policy 53: Water Environment and 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

## **OTHER POLICIES**

- 14 The following supplementary guidance and documents are of particular importance in the assessment of this application:-
- Developer Contributions Supplementary Guidance 2020
  - Flood Risk and Flood Risk Assessments – Developer Guidance March 2021
  - Placemaking Supplementary Guidance 2020

## **PLANNING SITE HISTORY**

- 15 [09/01221/IPM](#) application was withdrawn on 11 March 2010 for change of use of brownfield site to mixed use containing care facility, heritage centre, dwellings, staff accommodation, orchid nursery, manufacturing and retail outlets, anaerobic digester and woodland walks (in principle).
- 16 [10/01178/FLM](#) a major application was withdrawn on 6 July 2010 for change of use of brownfield site to mixed use containing care facility, heritage centre, dwellings, staff accommodation, orchid nursery, manufacturing and retail outlets, anaerobic digester and woodland walks (in principle).

- 17 [10/00017/PAN](#) On 22 December 2010 for formation of mixed use development comprising of alpine nursery, micro-brewery, heritage centre, dwellinghouses, staff accommodation, orchid nursery, manufacturing and retail outlets, anaerobic digester and woodland walk.
- 18 [11/00111/FLL](#) Full Planning Permission was approved on 5 March 2013 for erection of 4 dwellinghouses and change of use of part of former quarry to leisure.
- 19 [21/01562/SCRN](#) an EIA screening request was sought on 27 September 2021 for tourist and leisure related development. (Opinion provided)

## **CONSULTATIONS**

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

### **External**

- 21.

- Scottish Environmental Protection Agency
- NatureScot
- Scottish Water
- Perth and Kinross Heritage Trust
- Local Community Council

### **Internal**

- 22.

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

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

23. The key considerations against which the eventual application will be assessed include:
  - a. Visual Impact
  - b. Scale, Design and Layout
  - c. Relationship to Nearby Land Uses
  - d. Natural Heritage and Ecology
  - e. Landscape
  - f. Water Resources and Soils
  - g. Air Quality
  - h. Transport Implications
  - i. Tourism and Economy

- j. Impact on Agriculture
- k. Archaeology and Cultural Heritage

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

24. Should an EIA Report not be required the following supporting documents will need to be submitted with any planning application:
- a. Planning Statement
  - b. Design and Access Statement
  - c. Pre-Application Consultation (PAC) Report
  - d. Leisure/Economic Impact Assessment
  - e. Transport Assessment
  - f. Flood Risk and Drainage Assessment
  - g. Landscape and Visual Impact Assessment
  - h. Tree and Woodland Survey
  - i. Habitat Survey
  - j. Archaeological Assessment
  - k. Sustainability Assessment

### **CONCLUSION AND RECOMMENDATION**

25. This report summarises the key issues which should be considered as part of the appraisal of any subsequent planning application which may be lodged in respect of this development and members are recommended to note these key issues and advise officers of any other issues which they consider should be included as part of the application and assessment.

Background Papers: None  
Contact Officer: Gillian Peebles  
Date: 31 March 2022

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

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

<p>You can also send us a text message on 07824 498145.</p>
---

<p>All Council Services can offer a telephone translation facility.</p>
---