

PERTH AND KINROSS COUNCIL**Enterprise and Infrastructure Committee****11 January 2017****West/North West Perth Strategic Development Framework
Non-statutory Supplementary Guidance****Report by the Depute Chief Executive, Environment
(Sustainability, Strategic and Entrepreneurial Development)**

This report seeks approval of the West / North West Perth Strategic Development Framework as non-statutory supplementary guidance. This is to help inform the preparation of the Proposed Local Development Plan 2.

1. BACKGROUND / MAIN ISSUES

- 1.1 The proposed programme of Supplementary Guidance was approved by the Enterprise and Infrastructure Committee on 20 January 2016 (Report No. 16/2 refers). This included the preparation of a Strategic Development Framework for the West / North West Perth area. The purpose of the Strategic Development Framework (SDF) is to help inform the preparation of the Proposed LDP during 2016. The Committee is being asked to adopt the SDF as non-statutory supplementary guidance.
- 1.2 Three Long Term Strategic Development Areas are identified in the adopted Local Development Plan (LDP) for Perth at Bertha Park (H7), Perth West (H70), and Almond Valley Village (H73). Together these form the West / North West Perth Strategic Development Area, as identified in the Strategic Development Plan (TAYplan).
- 1.3 The adopted LDP identifies a series of Developer Requirements and these provide a framework to guide the preparation of a comprehensive masterplan for each site. However, the LDP also requires that the masterplans for these long term strategic development areas, together with that for the employment site E38 Ruthvenfield Road, are integrated to provide for economies of scale and linked service provision.
- 1.4 The SDF pulls together existing information from a variety of sources including: work to date on masterplans, the existing site specific developer requirements in the adopted LDP, and work undertaken by, or on behalf of, the Council on specific projects, such as the Cross Tay Link Road, and the Perth West Charrette.
- 1.5 The allocated site at Perth West (H70) is part of a potentially much larger development site. The land to the south of site H70 was not allocated in the LDP as, at that time, it was not considered to be accessible without the construction of a grade-separated junction on the A9 to the west. However, this area of white land is excluded from the Green Belt and included within the settlement boundary to preserve its development potential.

- 1.6 This wider Perth West site could, in theory, come forward through a planning application independent of the preparation of LDP2. The Council, therefore, facilitated joint working between the various landowners / potential developers and held a charrette to inform the preparation of a Masterplan Framework for the wider Perth West site. The Main Issues Report for LDP2 also consulted on the potential for the wider Perth West site to include the former Auction Mart site to facilitate a joined up approach to the master planning of the entire Perth West area.
- 1.7 The SDF is split into sections each relating to a particular aspect of development. A key component of the document is to identify those issues which will need to be taken into account in the Proposed LDP2, particularly for a wider Perth West site should this come forward. The SDF considers:
- Strategic road linkages
 - Public transport linkages
 - Water management
 - Renewables
 - Strategic green infrastructure, active travel routes, and open spaces
 - School provision
 - Design and Placemaking
 - Neighbourhood centres
 - NHS requirements
 - Employment land
 - Other key infrastructure

2. KEY CONCERNS, RESPONSES AND PROPOSED CHANGES

- 2.1 Public consultation has already been carried out through the planning application processes for Bertha Park and Almond Valley, and through the charrette process for Perth West. In light of this, and the fact that the SDF is to become non-statutory supplementary guidance, a further full public consultation on it was not considered to be necessary. Given the more technical nature of the document, it was felt to be more appropriate to target the consultation to key agencies, along with those developers and landowners who have an involvement or interest in the West / North West Perth Strategic Development Area. The SDF was sent to interested parties and comments invited over a 3 week period. A summary of the key comments received are provided below.
- 2.2 Historic Environment Scotland and Scottish Water raised no significant concerns.
- 2.3 Scottish Environment Protection Agency (SEPA) sought a number of amendments and additions to the developer requirements in the adopted LDP for allocated sites relating to flood risk, district heating and water environment requirements. Bertha Park and Almond Valley already have planning consent. As such, SEPA's comments on the developer requirements for these sites are superseded. In relation to Ruthvenfield Road, this is an identified site in the adopted Plan and the policies of that Plan already require a Flood Risk Assessment, where this is appropriate. There is, therefore, no need to add further detail to the existing developer requirement for this site.

- 2.4 SEPA also suggest a number of changes and additions to the considerations for the wider Perth West site relating to flood risk, district heating and water environment requirements. For example, this included the retention of open watercourses, connection to the public drainage system, and the minimising of soil sealing. A number of changes have been incorporated into the redrafted SDF.
- 2.5 Scottish Natural Heritage (SNH) suggests that specific actions which will require a joint solution between the different sites are identified in the SDF. They also consider that the SDF should provide landscape context and requirements.
- 2.6 As noted above, Bertha Park and Almond Valley already have planning consent and there is an existing developer requirement for Ruthvenfield Road and the allocated H70 Perth West site to integrate the existing landscape framework into the development. This will also be added as a requirement should the wider Perth West site come forward. No further change to the SDF is, therefore, proposed.
- 2.7 SNH considers that the A9 access junction into Perth West should avoid loss of ancient woodland at Lamberkine, which falls within the Inventory. However, Transport Scotland's standards for junction spacing requirements necessitates this junction to be a certain distance from the Broxden roundabout and this means the junction needs to be in the vicinity of this woodland. For landscape, visual and economic reasons, it would be appropriate to locate a new A9 junction further out to the west of Lamberkine woodland (uncontained within the landscape). The proposed junction location is primarily outwith, and to the east of, the existing Lamberkine woodland. However, junction design requirements mean that some felling within Lamberkine wood is required. Ancient Woodland located to the south of the A9 could therefore be affected, although the exact location of ancient woodland requires detailed surveys (consistent with SNH's guidance on the Ancient Woodland Inventory). It is the case that the approved strategic forestry plan for the estate entails felling and replanting at Lamberkine. The requirement should be to avoid such loss but, where inevitable for road infrastructure, for this to be limited. This will be achieved through an integrated approach to detailed woodland surveys and design, in consultation with SNH and the Forestry Commission. Any loss should be compensated through a combination of measures, including extending native planting to the north and south and by facilitating wider public amenity use of the woodland. This will ensure it achieves the significant net public benefit required by Scottish Government's Policy on Control of Woodland Removal.
- 2.8 The proposed LDP2 considerations for the wider Perth West site relating to green infrastructure, active travel routes and open spaces have been expanded. This is to incorporate a number of specific comments from SNH and a number of other minor changes have also been included.

- 2.9 Springfield (the developers of site H7, Bertha Park) have raised concern at the amount of consideration given in the SDF to the wider Perth West site in comparison to other sites currently allocated in the existing LDP. They have commented that the wider Perth West site still has to go through the full LDP process.
- 2.10 All the strategic sites, except the wider Perth West site, have already been through the LDP process and, on some of them, significant progress has now been made. It was, therefore, considered that the main benefit of the SDF would be to identify those sites which have not already been through the LDP process. This is to identify the issues which would need to be addressed should they come forward in the Proposed Plan. Furthermore, given that the wider Perth West site is identified as white land lying within the settlement boundary, it could come forward as a planning application independent of LDP2. If this were to occur, having the SDF in place as non-statutory supplementary guidance would help ensure that any such application could be assessed in the context of the whole Strategic Development Area, rather than in isolation.
- 2.11 The Pilkington Trust, (H73 Almond Valley) is concerned that the current allocated sites are maintained within the SDF to provide the required housing land supply to 2028. They consider that the SDF must emphasise that the sites allocated in the adopted LDP already provide the required 5 year housing land supply and that a wider Perth West site is not required and there is no detailed infrastructure strategy in place for it. Allocating the wider Perth West site in LDP2, in addition to the existing sites, would create a significant surplus in housing land supply. A wider Perth West site should only be identified as a longer term opportunity and not part of the 5 year effective housing land supply. It should only be considered in the SDF as an alternative housing allocation if the current adopted Plan sites do not come forward.
- 2.12 The Main Issues Report considers the risk of relying heavily on the delivery of the strategic development sites (including Oudenarde) to maintain a 5 year effective housing land supply. If progress on two or more of these sites slows significantly or even stalls, then there may not be sufficient alternatives within the current housing land supply to compensate for this. The potential inclusion of a wider Perth West site in LDP2 is to build greater resilience in the supply of housing land, rather than considering it as a replacement for any of the existing allocated sites. Significant work has been done to date on a wider Perth West site through the Charrette and master planning process and this is ongoing. This area is white land and is within the settlement boundary. In light of all this, it is reasonable to anticipate that a planning application will be forthcoming, even if the site is not allocated in LDP2. As such, it is, therefore, prudent to have this SDF in place in this eventuality.

- 2.13 The landowners of H70 Perth West allocated site have also submitted that the SDF gives undue priority to unallocated development (a wider Perth West site), which, they suggest, will complicate the delivery of the adopted LDP allocations. There are already requirements in the adopted LDP for access to a wider Perth west site to the south should this come forward. It is their submission that there is sufficient housing land supply and the introduction of a wider Perth West site will detract attention away from delivering the adopted LDP, be of a scale that will be hard to integrate with Perth, and will significantly change the character of the area. The Auction Mart site should remain allocated for employment uses. They raise concern at the suggestion in the SDF that there will be a requirement to provide employment land on H70 irrespective of whether a new primary school is required; this is contrary to the adopted LDP. They also raise concerns as to the types of use, which will not be accepted as counting towards employment land provision.
- 2.14 Some of the reasons for clarifying the extent of the wider Perth West, and developer requirements to guide this proposal, are already addressed in the response to The Pilkington Trust above. Also, the current H70 allocation at Perth West does not have the critical mass to create a sustainable community. The work to prepare a Masterplan Framework for Perth West supported consideration of a larger, more sustainable site. There is also a need to consider this expanded Perth West site to create better long term certainty to support the significant investment in infrastructure, both public and private. However, these are issues which are more appropriate for LDP2, the decision over whether to allocate the wider Perth West site will be taken by the Council in relation to the Proposed Plan. The SDF can signal the Council's intentions for LDP2, but it will be non-statutory guidance. In addition, it will only be a material consideration to any planning applications that come forward in the meantime.
- 2.15 To clarify the existing LDP position, the Auction Mart site is identified as white land, not employment land and therefore may be suitable for residential development. Furthermore, the requirement for H70 is for employment space and/or primary school. This means employment land can be required in addition to a new primary, but the size of the employment land is not specified in the adopted Plan. The Perth West Masterplan Framework identified that a 25 hectare employment land requirement would be a suitable provision. The proportion of this overall requirement to be allocated to the H70 part would be 4.2 hectares. With regard to the types of uses identified as suitable for contribution towards the employment land, some of those will be suitable for integrating within, or adjacent to, residential areas (office, finance, light industry etc). Others (such as general industrial uses) could be provided more discreetly within wider employment areas. Contribution to employment land is about ensuring an appropriate mix of uses to create sustainable communities. It is acknowledged that other uses, such as hotels and retail, also generate employment.

- 2.16 There are, however, likely to be more sequentially preferable sites for these uses. Therefore, whilst they are not ruled out as potential land uses on the strategic development sites, it is not considered appropriate to include them as counting towards the employment land allocation. It is not, therefore, proposed to change the employment uses which would be accepted as contributing towards the employment land allocation in the SDF. The uses which will contribute towards the allocation are: Class 2 (financial, professional and other services expected in shopping areas), Class 4 (business uses including offices and light industry), Class 5 (general industrial uses), and Class 6 (storage or distribution).
- 2.17 John Dewar Lamberkin Trust (Perth West wider site) supports the preparation of an SDF covering the wider Perth West area. Key work streams are underway and a costed delivery strategy is due to be submitted to the Council in the near future. This work involves joint engagement with key landowners across the wider Perth West site. Proposed LDP2 considerations relating to the wider Perth West site set out in the SDF are noted and supported. The SDF should emphasise the low carbon agenda and how this, along with other initiatives, should shape the Perth West project.
- 2.18 We welcome the landowners'/developers' work streams for wider Perth West, which will principally address areas the Council asked for more detail on in the Main Issues Report – on viability and the access strategy. This will support further assessment of the wider Perth West proposal through the preparation of LDP2. The importance of low carbon principles for the Perth West project is explored in more detail in the Perth West Masterplan Framework. However, important provisions in relation to district heating, the mix of uses supported, and the role of the neighbourhood centres are reflected in the SDF.
- 2.19 Perth City West LLP in Administration (Former Auction Mart site) comment that the Auction Mart site does not lie within the Strategic Development Area. It is a brownfield site with a history of planning applications and permissions. A planning application for residential development will be submitted shortly. The Auction Mart site is materially different in nature to the SDF sites and delivery of development on this site is running ahead of the others. The development of this site could take account of any future development to the west. Reference to the Auction Mart site should, therefore, be deleted from the SDF.
- 2.20 It is considered that there are benefits to the Auction Mart site forming part of the future detailed wider Perth West Masterplan. Integration of this site within the wider Perth West site will help meet placemaking objectives. It would also be beneficial to developers, being a more equitable and cost effective way of integrating and providing for open space, active travel, education and other infrastructure costs. It is accepted that the site could come forward independently of the wider Perth West Masterplan exercise, if key issues relating to connectivity between development here and within adjoining areas are addressed. It is understood that there is an intention that a residential proposal will come forward in advance of the LDP2 adoption and it is noted that a pre application notice for residential development was submitted in June this year. However, if a planning application is not progressed, then there is merit in the Auction Mart site being part of the wider Perth West area. As such, it is considered appropriate to include it within the SDF.

3. CONCLUSION AND RECOMMENDATIONS

3.1 As noted above, several changes have been proposed in response to comments on the draft Strategic Development Framework by key agencies and those within the development industry that have an interest or involvement. The revised document is attached as Appendix 1. The implementation of this non-statutory supplementary guidance will help inform the preparation of Proposed LDP2. In the event that a planning application for the wider Perth West Area is submitted in advance of LDP2, the Framework will provide a strategic context for assessment. Alternatively, the supplementary guidance will provide a strategic context to consider the wider Perth West proposal should the Council decide to incorporate it into LDP2.

3.2 It is recommended that the Committee:

- (i) Notes the response to the consultation; and
- (ii) Approves the Strategic Development Framework as non-statutory supplementary guidance to the Perth & Kinross Local Development Plan, as shown in Appendix 1.

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	None
Risk	None
Consultation	
Internal	Yes
External	Yes
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan / Single Outcome Agreement

1.1 The proposals relate to the delivery of the Perth and Kinross Community Plan / Single Outcome Agreement in terms of the following priorities:

- (i) Promoting a prosperous, inclusive and sustainable economy
- (ii) Creating a safe and sustainable place for future generations

Corporate Plan

1.2 The proposals relate to the achievement of the Council's Corporate Plan Priorities:

- (i) Promoting a prosperous, inclusive and sustainable economy;
- (ii) Creating a safe and sustainable place for future generations.

2. Resource Implications

Financial

2.1 None.

Workforce

2.2 None.

Asset Management (land, property, IT)

2.3 None.

3. Assessments

3.1 An Integrated Appraisal of the Strategic Development Framework has been undertaken using the Integrated Appraisal Toolkit which combines the functions and requirements of Equality Impact Assessment (EqIA), Sustainability Assessment and pre-screening/screening for Strategic Environmental Assessment (SEA).

Equality Impact Assessment

3.2 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

3.3 The Strategic Development Framework was considered under the provisions of the Equality Act 2010 using the Integrated Appraisal Toolkit with the following outcome:

(i) Assessed as **not relevant** for the purposes of EqIA.

Strategic Environmental Assessment

3.4 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

3.5 The proposals have been considered under the Act. Screening has determined that there is unlikely to be significant environmental effects and is therefore exempt. The Consultation Authorities have been notified. The reason for concluding that the PPS is unlikely to have significant environmental effects is that significant environmental issues have already been assessed through the SEA of higher level plans.

Sustainability

3.6 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:

- In the way best calculated to delivery of the Act's emissions reduction targets;
- In the way best calculated to deliver any statutory adaptation programmes; and
- In a way that it considers most sustainable.

3.7 The proposals have been considered under the provisions of the Local Government in Scotland Act 2003 and the Climate Change Act using the Integrated Appraisal Toolkit. The Local Development Plan seeks to achieve sustainable development and reduce the impact of climate change through its emerging vision, strategies, policies and proposals. The Supplementary Guidance supports the policy framework set out in the Local Development Plan and as such will have a further positive impact on sustainable development and climate change.

Legal and Governance

3.8 None.

Risk

3.9 None.

4. Consultation

Internal

4.1 The following Council services were consulted on the draft SDF: Education & Children's Services, and the Community Greenspace, and Public Transport Teams within The Environment Service. Perth & Kinross Heritage Trust were also consulted. No issues were raised.

External

4.2 As outlined in the report, consultation was targeted at key agencies plus those developers and landowners who have an involvement or interest in the West / North West Perth SDA area. A summary of the key comments received are provided within the report.

5. Communication

5.1 None.

2. BACKGROUND PAPERS

- 2.1 TAYplan Strategic Development Plan 2012
- 2.2 Local Development Plan February 2014
- 2.3 LDP2 Main Issues Report
- 2.4 LDP2 Strategic Environmental Assessment Environmental Report
- 2.5 Comments from key agencies and developers / stakeholders
- 2.6 The Perth West Masterplan Framework

3. APPENDICES

- 3.1 Appendix 1: West / North West Perth Strategic Development Framework
November 2016.