

Appendix A19.1: Planning Policy Context for Environmental Assessment

1 Policy Context to ES Chapters

1.1.1 The following sections provide a summary of the key planning policies that are relevant to Chapters 8 - 18 in Part 3 of this DMRB Stage 3 Environmental Statement.

1.1.2 Where policies relevant to a chapter have been identified by a previous chapter, the “Summary of Policy” will direct readers to the first reference in order to avoid repetition.

Policy Context for Chapter 8: People and Communities - Community and Private Assets

1.1.3 Key principles of Scottish Planning Policy (SPP) (Scottish Government, 2014) on community and private assets are:

- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting delivery of accessible housing, business, retailing and leisure development;
- promoting regeneration and the full and appropriate use of land, buildings and infrastructure;
- having regard to the principles for sustainable land use set out in the Land Use Strategy; and
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation.

1.1.4 SPP sets out subject policy guidance on Community and Private Assets in “Supporting Business and Employment” (paragraphs 92 to 108). SPP indicates that the fundamental principle of sustainable development is that it integrates economic, social and environmental objectives. The aim is to achieve the right development in the right place. SPP provides that the planning system should promote development that supports the move towards a more economically, socially and environmentally sustainable society.

1.1.5 Table 1 below provides a summary of the key development plan policies for Cairngorms National Park Authority (CNPA) that are of relevance to Community and Private Assets, while Table 2 provides a summary of key development plan policies for Perth & Kinross Council (PKC). An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans).

Table 1: CNPA Local Policy for People and Communities - Community and Private Assets

Title	Policy Objectives
Cairngorms National Park Authority Local Development Plan (CNP LDP) (2015)	
Policy 2 - Supporting Economic Growth	<p>Developments should have no adverse impact on neighbouring properties and should have no detrimental impact on the vitality and viability of that settlement/centre. Exceptions to this should demonstrate social or community need for the proposal. The potential cumulative impact of similar proposals will also be taken into account.</p> <p><u>2 Tourism and leisure development :</u></p> <p>Development which enhances formal and informal recreation and leisure facilities; tourism and leisure based business activities and attractions; tourism and leisure related infrastructure including accommodation; improved opportunities for responsible outdoor access and through improved levels of open space; will be supported where:</p> <p>a) it has no adverse environmental impacts on the site or neighbouring areas; and</p> <p>b) it makes a positive contribution to the experience of visitors; and</p> <p>c) it adds to or extends the core tourist season.</p> <p><u>3 Other economic development:</u></p> <p>Proposals which support or extend the economy or which enhance the range and quality of</p>

Title	Policy Objectives
	<p>economic opportunities or facilities, will be considered favourably where:</p> <p>a) it is compatible/complementary with existing business activity in the area; and</p> <p>b) it supports the vitality and viability the local economy and the broader economy of the Park.</p> <p><u>4 Protecting existing sustainable economic activity:</u></p> <p>Proposals for the alternative use of sites or buildings currently in, or last used for, economic and employment purposes will only be supported where this promotes the sustainable use of land in accordance with SPP, the NPPP and other LDP policies, and where:</p> <p>a) it is satisfactorily demonstrated that it is not practical for financial or other reasons to continue with the existing or last economic development or employment use; or</p> <p>b) the site or buildings are unsuitably located and impact adversely on the built or natural environment, local character or neighbouring properties; and/or</p> <p>c) the existing use can be appropriately re-located to another suitable site.</p>
<p>Policy 3 - Sustainable Design</p>	<p><u>1 Design statement</u></p> <p>A design statement must accompany all development proposals to demonstrate how the proposal has been designed to:</p> <p>a) minimise the effect of the development on climate change in terms of siting, construction and once complete – to achieve at least the minimum standard in compliance with those set out in the Building Standards Technical Handbook; and</p> <p>b) be sympathetic to the traditional pattern and character of the surrounding area, local vernacular and local distinctiveness, whilst encouraging innovation in design and use of materials; and</p> <p>c) use materials and landscaping that will complement the setting of the development; and</p> <p>d) make sustainable use of resources, (including the minimisation of energy, waste, and water usage), within the future maintenance arrangements, and for any decommissioning which may be necessary - to achieve at least the minimum standard in compliance with those set out in the Building Standards Technical Handbook; and</p> <p>e) enable the storage, segregation and collection of recyclable materials and make provision for composting; and</p> <p>f) promote sustainable transport methods including making provision for the storage of bicycles, and reducing the overall need to travel; and</p> <p>g) improve or add to existing public and amenity open space; and</p> <p>h) maintain and maximise all opportunities for responsible outdoor access, including links into the existing path network. All developments will be consistent with the Core Paths Plan; and</p> <p>i) protect the amenity enjoyed by neighbours including minimisation of disturbance caused by access to the development site; and</p> <p>j) include an appropriate means of access, egress, levels of private amenity ground, and space for off-street parking; and</p> <p>k) create opportunities to further biodiversity and promote ecological interest.</p>
<p>Policy 8 - Sport and Recreation</p>	<p><u>3 Reduction of facilities</u></p> <p>Developments which would result in a reduction of sport and recreation facilities or opportunity will only be supported where:</p> <p>a) the development is ancillary to the principal use of the site as sport and recreation facilities; and</p> <p>b) the development would not affect the use of the site as a sport and recreation facility; and</p> <p>c) in the reduction of public access rights, or loss of the existing path network including loss of access to inland water, an appropriate or improved alternative access solution can be secured; and</p> <p>d) a compensatory site of at least equal size and quality is created which is convenient to users, or an existing facility is upgraded to maintain and improve the overall capacity in the area; or</p> <p>e) an audit demonstrates the development will not result in the loss of provision of services used by the affected community, and that no alternative site is available.</p>
<p>Cairngorms National Park Partnership Plan (CNP PP) (2017)</p>	
<p>Policy 3.2</p>	<p>Enable sustainable patterns of settlement growth, infrastructure and communications by:</p> <p>c) supporting sensitively designed improvements to the A9 and other trunk roads and main railway line as an integral part of enhancing the connectivity of the Highlands;</p>

Title	Policy Objectives
	d) planning and improving integrated and sustainable local transport networks that allow for safe travel off-road and link with public transport;
Policy 3.4	Support and build the capacity of communities to deliver their aspirations, with a particular focus on: <ul style="list-style-type: none"> a) supporting communities to plan for their own futures, develop and implement projects, engage the support of partners and share good practice; b) supporting innovative approaches to providing affordable housing to meet local needs; c) aligning community planning processes to simplify support to communities; d) engaging communities effectively in the long-term management of the National Park and in projects or programmes that affect them.

Table 2: Perth & Kinross Development Plan Policy for People and Communities - Community and Private Assets

Policy Ref.	Title	Summary of Policy
TAYplan Strategic Development Plan (2017)		
Policy 9	Managing TAYplan's Assets	<p>Seeks to protect finite resources, including prime agricultural land where the advantages of development do not outweigh the loss of this land. The policy additionally seeks to protect Natura 2000 sites and safeguard the integrity of natural and historical assets.</p> <p>The policy is divided into four categories in order to manage assets within the TAYplan region, these are as follows:</p> <p>A. Finite Resources – using the location priorities set out in Policy 1 of this Plan to: <ul style="list-style-type: none"> i. identify and protect known deposits of solid, liquid and gas minerals of economic importance; ii. maintain a minimum of 10 years supply of construction aggregates at all times in all market areas; iii. identify and protect deposits of nationally important minerals identified on the British Geological Survey's Critical List; and, iv. protect prime agricultural land or land of lesser quality that is locally important, new and existing forestry areas, and carbon rich soils where the advantages of development do not outweigh the loss of this land. </p> <p>B. Protecting Natura 2000 sites - ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site(s) (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation must be identified, where necessary, to ensure there will be no adverse effect on the integrity of Natura 2000 sites in accordance with Scottish Planning Policy.</p> <p>C. Safeguarding the integrity of natural and historic assets <ul style="list-style-type: none"> i. Understanding and respecting the regional distinctiveness and scenic value of the TAYplan area through safeguarding the integrity of natural and historic assets; including habitats, wild land, sensitive green spaces, forestry, water environment, wetlands, floodplains (in-line with the Water Framework Directive), carbon sinks, species and wildlife corridors, and also geo-diversity, landscapes, parks, townscapes, archaeology, historic battlefields, historic buildings and monuments; and by allowing development where it does not adversely impact upon or preferably enhances these assets. Local Development Plans should set out the factors which will be taken into account in development management. The level of protection given to local designations should not be as high as that given to international or national designations. International, national and locally designated areas and sites should be identified and afforded the appropriate level of protection, and the reasons for local designations should be clearly explained and their function and continuing relevance considered, when preparing plans. ii. Protecting and improving the water environment (including groundwater) in accordance with the legal requirements in the <i>Water Framework Directive 2000/60/ EC</i> and the <i>Water Environment and Water Services (Scotland) Act 2003</i> which require greater integration between planning and water management through River Basin Management Plans. </p> <p>D. Safeguarding the qualities of unspoiled coast identifying and safeguarding parts of the unspoiled coastline along the River Tay Estuary and in Angus and North Fife, that are unsuitable for development. Local</p>

Policy Ref.	Title	Summary of Policy
		Development Plans should also set out policies for their management; identifying areas at risk from flooding and sea level rise and develop policies to manage retreat and realignment, as appropriate. Local Development Plans should have regard to the National Marine Plan, and Regional Marine Plans, where appropriate.
Perth & Kinross Council Local Development Plan (PKC LDP) (2014)		
Policy ED1	Employment and Mixed Use Areas	<p><u>Policy ED1A</u></p> <p>Areas identified for employment uses should be retained for such uses. Within these areas any proposed development must be compatible with surrounding land uses. In addition all the following criteria will be applied to development proposals in these areas (individual sites may also have specific requirements):</p> <p>(a) Proposals should not detract from the amenity of adjoining, especially residential, areas.</p> <p>(b) The local road network should be suitable for the traffic generated by the proposals.</p> <p>(c) There should be good walking, cycling and public transport links to new employment generating uses.</p> <p>(d) Proposals for retail uses in employment areas will not generally be acceptable unless they are ancillary to an acceptable use on the site.</p> <p>(e) Proposals for waste management facilities can be considered to be acceptable subject to detailed site specific considerations.</p> <p>(f) Proposals should not result in adverse impacts, either individually or in combination, on the integrity of any European designated site.</p> <p><u>Policy ED1B</u></p> <p>Areas identified for mixed use are intended to promote the integration of employment-generating opportunities with housing, thereby reducing the potential need to commute between home and employment.</p> <p>Within these areas a range of uses such as housing, offices, light industry, surgeries and leisure uses would be acceptable providing they are compatible with the amenity of adjoining uses and meet the criteria (a)-(d) above. Proposals for a mixed use opportunity site that comprises predominantly one use will not be acceptable.</p> <p>Note: Supplementary Guidance will expand on the type of employment uses most suited to the relevant areas.</p> <p><u>Policy ED1C</u></p> <p>In Perth, within the area of Dunkeld Road identified as motor mile, encouragement will be given to motor vehicle sales/servicing and associated uses. There will be a presumption against any change of use to Class 1 retailing. The Council will encourage improvements to make motor mile more attractive for motor vehicle sales. The trees and verges along the road frontage will be retained.</p>
Policy ED3	Rural Business and Diversification	<p>The Council will give favourable consideration to the expansion of existing businesses and the creation of new ones in rural areas. There is a preference that this will generally be within or adjacent to existing settlements. Sites out with settlements may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that they will contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings.</p> <p>New and existing tourism-related development will be supported where it can be demonstrated that it improves the quality of new or existing visitor facilities, allows a new market to be exploited or extends the tourism season.</p> <p>Proposals whose viability requires some mainstream residential development will only be supported where this fits with the Plan's housing policies.</p> <p>All proposals will be expected to meet all the following criteria:</p> <p>a) The proposed use is compatible with the surrounding land uses and will not detrimentally impact on the amenity of residential properties within or adjacent to the site.</p> <p>b) The proposal can be satisfactorily accommodated within the landscape capacity of any particular location.</p> <p>c) The proposal meets a specific need by virtue of its quality or location in relation to existing business or tourist facilities.</p>

Policy Ref.	Title	Summary of Policy
		<p>d) Where any new building or extensions are proposed they should achieve a high quality of design to reflect the rural nature of the site and be in keeping with the scale of the existing buildings.</p> <p>e) The local road network must be able to accommodate the nature and volume of the traffic generated by the proposed development in terms of road capacity, safety and environmental impact.</p> <p>f) Out with settlement centres retailing will only be acceptable if it can be demonstrated that it is ancillary to the main use of the site and would not be deemed to prejudice the vitality of existing retail centres in adjacent settlements.</p> <p>g) Developments employing more than 25 people in rural locations will be required to implement a staff travel plan or provide on-site staff accommodation.</p>
Policy ED5	Major Tourism Resorts	The Plan area includes a number of significant resort complexes which play a significant role in the local, national and international tourism economy. The improvement or expansion of these facilities will be encouraged and the landscape setting which is integral to their tourism offer will be protected from developments with the potential to adversely impact upon it.
Policy RD1	Residential Areas	The Plan identifies areas of residential and compatible uses where existing residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes away from ancillary uses such as employment land, local shops and community facilities will be resisted unless there is demonstrable market evidence that the existing use is no longer viable.
Policy CF1	Open Space Retention and Provision	<p><u>Policy CF1A: Existing areas</u></p> <p>The Plan identifies Sports Pitches, Parks and Open Space. These are areas of land which have value to the community for either recreational or amenity purposes. Development proposals resulting in the loss of these areas will not be permitted, except in circumstances where one or more of the following apply:</p> <p>(a) Where the site is principally used as a recreation resource, the proposed development is ancillary to the principal use of the site as a recreational resource.</p> <p>(b) The proposed development involves a minor part of the site which would not affect its continued use as a recreational or amenity resource.</p> <p>(c) In the case of proposals involving the loss of a recreational facility, the facility which would be lost would be replaced by provision of one of comparable or greater benefit and in a location which is convenient for its users, or by the upgrading of an existing provision to provide a better quality facility, either within the same site, or at another location which is convenient for its users.</p> <p>(d) Where a proposal would involve the loss of a sports pitch, a playing field strategy prepared in consultation with Sportscotland has demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision.</p> <p><u>Policy CF1B: Open Space within New Developments</u></p> <p>The Council will seek the provision of appropriate areas of informal and formal open space that is accessible to all users as an integral part of any new development where existing provision is not adequate.</p> <p>Where it is physically impossible or inappropriate to meet the open space provision onsite, consideration may be given to the provision of a suitable alternative.</p> <p>In areas where there is an adequate supply of accessible open space of an appropriate quality in a locality, a financial contribution towards improvement or management of existing open space may be considered an acceptable alternative.</p> <p>Opportunities should be pursued through the development process to create, improve and avoid fragmentation of green networks and core path networks.</p>
Policy CF3	Social and Community Facilities	<p>Development involving the loss or change of use of land or buildings presently used or last used for community purposes will only be permitted where:</p> <p>a) it would not seriously affect the availability of community facilities in the locality; and</p> <p>b) no suitable alternative community uses can be found for the land or buildings in question; or</p> <p>c) the proposal would result in the provision of alternative facilities of equivalent community benefit.</p>

Policy Ref.	Title	Summary of Policy
Policy ER5	Prime Agricultural Land	<p>Outside the identified settlements development on prime agricultural land will not be permitted unless it is necessary to meet a specific established need such as a major infrastructure proposal and there is no other suitable site available on non-prime land. Small scale development directly linked to rural business, including housing, may also be acceptable on prime agricultural land, providing it is compatible with all other aspects of the policy framework of the Plan and there are no other suitable non-prime land sites available, and it does not adversely affect the viability of the agricultural unit.</p> <p>Renewable energy generation or mineral extraction may also be permitted on prime agricultural land provided appropriate restoration proposals are implemented when the use ceases.</p>
Policy NE2	Forestry, Woodland and Trees	<p>Policy NE2A</p> <p>The Council will support proposals which:</p> <ul style="list-style-type: none"> a) deliver woodlands that meet local priorities as well as maximising benefits for the local economy, communities, sport and recreation and environment; b) protect existing trees, woodland, especially those with high natural, historic and cultural heritage value; c) seek to expand woodland cover in line with the guidance contained in the Perth and Kinross Forestry and Woodland Strategy; d) encourage the protection and good management of amenity trees, or groups of trees, important for amenity sport and recreation or because of their cultural or heritage interest; e) ensure the protection and good management of amenity trees, safeguard trees in Conservation Areas and trees on development sites in accordance with BS5837 "Trees in Relation to Construction"; f) seek to secure establishment of new woodland in advance of major developments where practicable and secure new tree planting in line with the guidance contained in the Perth and Kinross Forestry and Woodland Strategy. <p>Policy NE2B</p> <p>Tree surveys, undertaken by a competent person, should accompany all applications for planning permission where there are existing trees on a site. The scope and nature of such surveys will reflect the known or potential amenity, nature conservation and/or recreational value of the trees in question and should be agreed in advance with the council.</p> <p>The Council will follow the principles of the Scottish Government Policy on Woodland Removal. In accordance with that document, there will be a presumption in favour of protecting woodland resources except where the works proposed involve the temporary removal of tree cover in a plantation, which is associated with clear felling and restocking. In exceptional cases where the loss of individual trees or woodland cover is unavoidable, the Council will require mitigation measures to be provided.</p>
Policy NE5	Green Belt	<p>Within the area designated as Green Belt, development will only be permitted where:</p> <ul style="list-style-type: none"> a) It can be demonstrated that the development is essential for agriculture, horticulture (including allotments) or forestry operations that are appropriate to the Green Belt; or b) It constitutes woodlands or forestry, including community woodlands; or c) It constitutes uses which advance the Council's aims of improving public access to the countryside around Perth and are appropriate to the character of the Green Belt, including recreational, educational and outdoor sports development including modest related buildings which are located and designed in such a way as not to detract from the character of the Green Belt; or d) For buildings, where it involves alterations, extensions and changes of use to existing buildings these must not detract from the character of the Green Belt, (in the case of changes of use to residential property, these will only be permitted where the building is of suitable architectural quality); or e) For essential infrastructure such as roads and other transport infrastructure, masts and telecom equipment it must be demonstrated that they require a Green Belt location and f) For all development within the Green Belt appropriate measures may require to mitigate any adverse impact on the character of the Green Belt

Policy Context for Chapter 9: People and Communities - All Travellers

1.1.6 Key principles of SPP (Scottish Government, 2014) relevant to assessing effects on all travellers including effects on vehicle travellers (e.g. view from the road, driver stress) and effects on pedestrians, cyclists and equestrians are:

- supporting good design and the six qualities of successful places;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment; and
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies.

1.1.7 Planning Advice Notes (PAN) published by the Scottish Government provide further guidance on specific topics. Details of relevant PANS are summarised in Table 3 below.

Table 3: National Planning Guidance and Advice

Reference	Title	Summary of Document
PANs		
PAN 75	Planning for Transport (2005)	Aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions in the process and points to other sources of information on the overlap of the two sectors.
PAN 78	Inclusive Design (2006)	Supports the government's aim of promoting more equality in the areas where we live and work. The PAN aims to explain the importance of inclusive design, identify the nature of the problems experienced in designing inclusive environments and describe the legislative context. It also outlines the roles of the different stakeholders in delivering inclusive design.

1.1.8 Table 4 below provides a summary of the key development plan policies for CNPA that are of relevance to Effects on All Travellers, while Table 5 provides a summary of key development plan policies for PKC. An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans).

Table 4: CNPA Local Policy for People and Communities - Effects on All Travellers

Title	Policy Objectives
CNP LDP (2015)	
Policy 3 - Sustainable Design	See Table 1 for full policy details
Policy 8 - Sport and Recreation	See Table 1 for full policy details
Reference	Summary of Policy
CNP PP (2017)	
Policy 2.3	Provide high quality opportunities for access and recreation, with a particular focus on: <ul style="list-style-type: none"> a) ensuring a high quality functional network of core paths and long distance routes; b) promoting the health benefits of outdoor recreation; c) identifying areas where particular management measures are needed in relation to delivering a high quality visitor experience, safeguarding sensitive environments and maintaining the integrity of designated sites; d) promoting responsible behaviour in enjoying and managing access.

Table 5: Perth & Kinross Development Plan Policy for People and Communities – All Travellers

Policy Ref.	Title	Summary of Policy
TAYplan (2017)		
Policy 2	Shaping better quality places	<p>Policy seeks to ensure the integration of transport and land use in order to: reduce the need to travel and improve accessibility by foot, cycle and public transport and related facilities; make the best use of existing infrastructure to achieve an active travel environment combining different land uses with green space; and support land use and transport integration by transport assessments/appraisals and travel plans where appropriate, including necessary on and off-site infrastructure.</p> <p>The policy is split into four criteria which seek to deliver better quality development and places which respond to climate change. These are as follows:</p> <p>A. Place-led to deliver distinctive places by ensuring that the arrangement, layout, design, density and mix of development are shaped through incorporating and enhancing natural and historic assets, natural processes, the multiple roles of infrastructure and networks and local design context.</p> <p>B. Active and healthy by design by ensuring that:</p> <ul style="list-style-type: none"> i. The principles of lifetime communities are designed-in; ii. New development is integrated with existing community infrastructure and provides new community infrastructure/facilities where appropriate; iii. Collaborative working with other delivery bodies concentrates and co-locates new buildings, facilities and infrastructure; and iv. Transport and land use are integrated to: <ul style="list-style-type: none"> a) Reduce the need to travel and improve accessibility by foot, cycle and public transport and related facilities; b) Make the best use of existing infrastructure to achieve an active travel environment combining different land uses with green space; and c) Support land use and transport integration by transport assessments/appraisals and travel plans where appropriate, including necessary on and off-site infrastructure. <p>C. Resilient and future-ready by ensuring that adaptability and resilience to a changing climate are built into the natural and built environments through:</p> <ul style="list-style-type: none"> i. A presumption against development in areas vulnerable to coastal erosion, flood risk and rising sea levels; ii. Assessing the probability of risk from all sources of flooding; iii. The implementation of mitigation and management measures, where appropriate, to reduce flood risk, such as those envisaged by Scottish Planning Policy, Flood Risk Management Strategies and Local Flood Risk Management Plans when published iv. Managing and enhancing the water systems within a development site to reduce surface water runoff including through use of sustainable drainage systems and storage; v. Protecting and utilising the natural water and carbon storage capacity of soils, such as peat lands, and woodland/other vegetation; vi. Identifying, retaining and enhancing existing green networks and providing additional networks of green infrastructure (including planting in advance of development), whilst making the best use of their multiple roles; and, vii. Design-in and utilise natural and manmade ventilation and shading, green spaces/networks, and green roofs and walls. <p>D. Efficient resource consumption by ensuring that:</p> <ul style="list-style-type: none"> i. Waste management solutions are incorporated into development; ii. High resource efficiency is incorporated within development through: <ul style="list-style-type: none"> a) The orientation and design of buildings and the choice of materials to support passive standards; and, b) The use of or designing in the capability for low/zero carbon heat and power generating technologies and storage to reduce carbon emissions and energy consumption; and,

		c) The connection to heat networks or designing-in of heat network capability.
PKC LDP (2014)		
Policy PM1	Placemaking	<p><u>Policy PM1A</u></p> <p>Development must contribute positively, to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.</p> <p>The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.</p> <p><u>Policy PM1B</u></p> <p>All proposals should meet all the following placemaking criteria:</p> <p>a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.</p> <p>b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.</p> <p>c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.</p> <p>d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.</p> <p>e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.</p> <p>f) Buildings and spaces should be designed with future adaptability in mind wherever possible.</p> <p>g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.</p> <p>h) Incorporate green infrastructure into new developments and make connections where possible to green networks.</p> <p><u>Policy PM1C</u></p> <p>For larger developments (more than 200 houses or 10 ha) the main aim is to create a sustainable neighbourhood with its own sense of identity. Neighbourhoods should seek to meet the key needs of the residents or businesses within or adjacent to the neighbourhood, i.e. local shopping, recreation, recycling etc. In most cases this will best be achieved by the development of a masterplan.</p>
Policy TA1	Transport Standards and Accessibility Requirements	<p><u>Policy TA1A: Existing Infrastructure</u></p> <p>The Plan identifies existing transport infrastructure; encouragement will be given to the retention and improvement of these facilities provided the improvements are compatible with adjoining land uses.</p> <p><u>Policy TA1B: New Development Proposals</u></p> <p>All development proposals that involve significant travel generation should be well served by, and easily accessible to all modes of transport. In particular the sustainable modes of walking, cycling and public transport should be considered, in addition to cars. The aim of all development should be to reduce travel demand by car, and ensure a realistic choice of access and travel modes is available.</p> <p>Development proposals should:</p> <p>a) be designed for the safety and convenience of all potential users;</p> <p>b) incorporate appropriate mitigation on site and/or off site, provided through developer contributions where appropriate, which might include improvements and enhancements to the walking/cycling network and public transport services including railway and level crossings, road improvements and new roads;</p> <p>c) incorporate appropriate levels of parking provision to the maximum parking standards laid out in SPP;</p> <p>d) fit with the strategic aims and objectives of the Regional Transport Strategy;</p>

		<p>e) apply maximum on-site parking standards to help encourage and promote a shift to the more sustainable modes of travel of walking, cycling and public transport.</p> <p>In certain circumstances developers may be required to:</p> <p>a) prepare and implement travel plans to support all significant travel generating developments;</p> <p>b) prepare a Transport Assessment and implement appropriate mitigation measures where required.</p> <p>Development for significant travel generating uses in locations which would encourage reliance on the private car will only be supported where:</p> <p>a) direct links to the core paths networks are or can be made available;</p> <p>b) access to local bus routes with an appropriate frequency of service which involve walking no more than 400m are available;</p> <p>c) it would not have a detrimental effect on the capacity or safety of the strategic road and/or rail network including level crossings;</p> <p>d) the transport assessment identifies satisfactory mechanisms for meeting sustainable transport requirements.</p> <p>Where site masterplans are prepared, they should include consideration of the impact of proposals on the core paths network and local and strategic transport network.</p> <p>Cycling and Walking</p> <p>Development proposals which take into account and promote cycling and walking will be supported. Particular attention must be paid to access arrangements and cycle parking facilities.</p> <p>Car Parking</p> <p>Development proposals should apply maximum on-site parking standards, including disabled parking, to help encourage and promote a shift to the more sustainable modes of travel of walking, cycling and public transport.</p> <p>Where an area is well served by sustainable transport modes, more restrictive standards may be considered appropriate. In rural areas where public transport is infrequent, less restrictive standards may be applied.</p> <p>Developers of town centre sites will be required to contribute to the overall parking requirement for the centre in lieu of individual parking provision</p>
Policy CF2	Public Access	<p>Development proposals that would have an adverse impact upon the integrity of any (proposed) core path, disused railway line, asserted right of way or other well used route will be refused. Development proposals that would affect unreasonably public access rights to these features will be refused unless these adverse impacts are adequately addressed in the plans and suitable alternative provision is made.</p>

Policy Context for Chapter 10: Geology, Soils, Contaminated Land and Groundwater

- 1.1.9 Key principles of SPP (Scottish Government, 2014) on geology, soils, contaminated land and groundwater are:
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.
 - having regard to the principles for sustainable land use set out in the Land Use Strategy;
 - protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment; and
 - making efficient use of existing capacities of land, buildings and infrastructure.
- 1.1.10 Planning Advice Notes (PAN) published by the Scottish Government provide further guidance on specific topics. PAN 33 is applicable to contaminated land and the details of this guidance are summarised in Table 6 below.

Table 6: National Planning Guidance and Advice

Reference	Title	Summary of Document
PANs		
PAN 33	Development of Contaminated Land (2000)	Provides advice on the implications of the contaminated land regime for the planning system; and the development of, and approach to, contaminated land in development plans. It also contains guidance on the determination of planning applications when the site is, or may be, contaminated.

1.1.11 Table 7 below provides a summary of the key development plan policies for CNPA that are of relevance to Geology, Soils, Contaminated Land and Groundwater, while Table 8 provides a summary of key development plan policies for PKC. An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans).

Table 7: Cairngorms National Park Authority Local Policy for Geology, Soils, Contaminated Land and Groundwater

Title	Policy Objectives
CNP LDP (2015)	
Policy 4 - Natural Heritage	<p><u>1 International and national designations:</u> Development likely to have a significant effect on a Natura 2000 site must demonstrate no adverse effect on the integrity of the site. Where this is not possible, development will be considered favourably only where:</p> <ul style="list-style-type: none"> a) there are no alternative solutions; and b) there are imperative reasons of overriding public interest including those of a social or economic nature. <p>Where the site has been designated for a European priority habitat or species, development will only be permitted where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers).</p> <p><u>2 National designations:</u> Development that would adversely affect the Cairngorms National Park, a Site of Special Scientific Interest, National Nature Reserve or National Scenic Area will only be permitted where:</p> <ul style="list-style-type: none"> a) it will not adversely affect the integrity of the area or the qualities for which it has been designated; or b) any such adverse effects are clearly outweighed by social, economic or environmental benefits of national importance, and compensated by the provision of features of commensurate or greater importance than those that are adversely affected. <p><u>3 Other important natural and earth heritage sites and interests:</u> Development that would adversely affect an ancient woodland site, semi-natural ancient woodland site, Geological Conservation Review site, or other nationally, regionally or locally important site recognised by the planning authority will only be permitted where it has been demonstrated that:</p> <ul style="list-style-type: none"> a) the objectives of the identified site and overall integrity of the identified area would not be compromised; or b) any significant adverse effects on the qualities for which the area or site has been identified are mitigated by the provision of features of commensurate or greater importance to those that are lost. <p><u>4 Protected species:</u> Development that would have an adverse effect on any European Protected Species will not be permitted unless:</p> <ul style="list-style-type: none"> a) there are public health, public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment; and b) there is no satisfactory alternative solution, and c) the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Title	Policy Objectives
	<p>Development that would have an adverse effect on species protected under Schedule 5(animals) or 8 (plants) of the Wildlife & Countryside Act 1981, as amended, will not be permitted unless:</p> <ul style="list-style-type: none"> a) undertaking the development will give rise to, or contribute towards the achievement of, a significant social, economic or environmental benefit; and b) there is no other satisfactory solution; and c) the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. <p>Development that would have adverse effect on species protected under Schedule 1, 1A or A1 (birds) of the Wildlife and Conservation Act 1981 as amended will not be permitted unless:</p> <ul style="list-style-type: none"> a) the development is required for preserving public health and safety; and b) there is no other satisfactory solutions; and c) the development will not be detrimental to the species concerned at a favourable conservation status in their natural range. <p>Development that would have an adverse effect on badgers or their setts will not be permitted unless the development fully complies with the requirements of the Protection of Badgers Act 1992 as amended.</p> <p><u>5 Other biodiversity:</u></p> <p>Development that would have an adverse effect on species listed in Annexes 11 or V of the EC Habitats Directive or Annex 1 of the EC Birds Directive will not be permitted unless:</p> <ul style="list-style-type: none"> a) there is no other satisfactory solution; and b) the development will not be detrimental to the maintenance of the species concerned at a favourable conservation status in the natural range. <p>Development that would have an adverse effect on habitats or species identified in the Cairngorms Nature Action Plan, UK Biodiversity Action Plan, Birds of Conservation Concerns (red and amber) or by Scottish Ministers through the Scottish Biodiversity List, including any cumulative impact will only be permitted where:</p> <ul style="list-style-type: none"> a) the developer can demonstrate that the need and justification for the development outweighs the local, national or international contribution of the area of habitat or populations of species; and b) significant harm or disturbance to the ecological functions, continuity and integrity of the habitats or species populations is avoided, or minimized where harm is unavoidable; and appropriate compensatory and/or management measures are provided; and new habitats of commensurate or greater nature conservation value are <p><u>6 All development:</u></p> <p>Where there is evidence to indicate that a habitat or species may be present on, or adjacent to, a site, or could be adversely affected by the development, the developer will be required to undertake a comprehensive survey of the area's natural environment to assess the effect of the development on it and to submit a species/habitat protection plan where necessary to set out measures to avoid, reduce or mitigate such effects.</p>
Policy 10 - Resources	<p><u>1 Water resources</u></p> <p>All development should:</p> <ul style="list-style-type: none"> a) minimise the use of treated and abstracted water; and b) treat surface water and foul water discharge separately and in accordance with SuDS manual circa C697; and c) have no significant adverse impact on existing or private water supplies or wastewater treatment services; and d) not result in the deterioration of the current or potential ecological status or prejudice the ability to restore water bodies to good ecological status; and e) not result in the deterioration of water resources used for amenity or recreation. f) avoid unacceptable detrimental impacts on the water environment. Development should demonstrate any impacts (including cumulative) can be adequately mitigated. Existing and potential impacts up and downstream of the development, particularly in respect of potential flooding, should be addressed. There is a presumption against the culverting of watercourses and any unnecessary engineering works in the water environment. An appropriately sized buffer strip will require to be retained around all water features. <p><u>2 Flooding:</u></p>

Title	Policy Objectives
	<p>All development should:</p> <ul style="list-style-type: none"> a) be free from significant risk of flooding; and b) not increase the risk of flooding elsewhere; and c) not add to the area of land that requires flood prevention measures; and d) not affect the ability of the functional floodplain to store or move flood waters. <p><u>3 Connection to sewerage:</u></p> <p>All development should be connected to the public sewerage network unless:</p> <ul style="list-style-type: none"> a) it is in a small settlement where there is no, or a limited collection system, in which case a private system may be permitted where it does not pose or add to a risk of detrimental effect, including cumulative, to the natural and built environment, surrounding uses or the amenity of the area; or b) it is in a larger settlement where connection is currently constrained but is within the Scottish Water investment programme. In such cases systems must be designed and built: <ul style="list-style-type: none"> • to a standard to allow adoption by Scottish Water; and • to allow easy future connection to the public sewer. <p><u>4 Waste management and minimisation:</u></p> <p>All development should:</p> <ul style="list-style-type: none"> a) safeguard existing strategic waste management facilities and all sites required to fulfil the requirements of the Zero Waste Plan; b) ensure the minimisation of waste from the construction of the development and throughout the life of the development as defined in a site waste management plan or statement. <p>New waste management facilities must contribute towards the delivery of the Zero Waste Plan and should be located on existing waste management sites, or land identified for general industrial development, employment land or storage and distribution development.</p> <p><u>5 Minerals:</u></p> <p>All development affecting mineral reserves should protect future viable extraction of a workable mineral reserve unless:</p> <ul style="list-style-type: none"> a) there is no alternative site; and b) the development is considered to deliver the aims of the Park in a way which outweighs its value as a mineral resource; and c) the opportunity has been provided for extraction of the mineral resource prior to development commencing. <p><u>7 Contaminated land:</u></p> <p>Development affecting contaminated land will be considered favourably where:</p> <ul style="list-style-type: none"> a) assessments are undertaken to identify actual and potential impacts, on-site and off-site, of all stages of development proposals on the risks to human health and also to the Park's biodiversity, geodiversity, hydrology and other special qualities; and b) in the event of significant risk, investigations and assessments including site specific risk assessments are submitted with planning applications to identify actual or potential significant risks to human health and safety associated with the current condition of the site, and how contaminants currently interact with the surrounding ecosystem and the Park's special qualities; and c) effective remedial action, including control and limitations of the release of contaminant to the surrounding environment, is taken to ensure that the site is made suitable for the development proposal use and potential reuse by other development, and that there are no significant detrimental effects on the Park's special qualities on or off-site. <p><u>8 Landfill:</u></p> <p>There will be a presumption against the development of new landfill sites and for amendments to or extensions of existing landfill sites unless the development:</p> <ul style="list-style-type: none"> a) includes appropriate measures for site restoration; and b) has fully considered site selection to ensure reinstatement of derelict or despoiled land; and c) includes the principles of self-sufficiency in terms of capacity and location; and d) provides on-site facilities to allow recycling/waste treatment.

Title	Policy Objectives
CNP PP (2017)	
Policy 1.2	Enhance the resilience of habitats, species and land use to climate change with a particular focus on: <ul style="list-style-type: none"> a) collaborating on land use and flood management through river catchment management plans; b) enhancing the health and connectivity of habitats; c) securing effective management of peat and carbon-rich soils.

Table 8: Perth & Kinross Development Plan Policy for Geology, Soils, Contaminated Land and Groundwater

Policy Ref.	Title	Policy Objectives
PKC LDP (2014)		
Policy EP1	Climate Change, Carbon Reduction and Sustainable Construction	<p>Sustainable design and construction will be integral to new development in Perth and Kinross. Applications for development may require a Sustainability Statement to demonstrate how developments will uphold sustainable construction principles and contribute to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions. New buildings should also include low and zero-carbon generating technologies (LZCGT) to off-set a proportion of emissions arising from the use of the buildings, as specified in the table below. Some relevant buildings must be accompanied by a sustainability statement and all buildings must receive an appropriate sustainability label as per the Building Standards Technical Handbook Section 7 – Sustainability.</p> <p>The Council is committed to ensuring that development minimises disturbance to, and the loss of, carbon rich soils, including peatland, which are of value as carbon stores. Development will only be permitted on areas of undisturbed carbon rich soils, including peatland, where it has been clearly demonstrated that there is no viable alternative, or where the economic and social benefits of the development outweigh any potential detrimental effect on the environment.</p>
Policy EP12	Contaminated Land	<p>The Council's first priority will be to prevent the creation of new contamination.</p> <p>Consideration will be given to proposals for the development of contaminated land, as defined under Part IIA, Section 78A(2) of the Environmental Protection Act 1990, where it can be demonstrated to the satisfaction of the Council that appropriate remediation measures can be incorporated in order to ensure the site/land is suitable for the proposed use and in order to ensure that contamination does not adversely affect the integrity of a European designated site(s).</p> <p>Informal pre-application discussions should take place at the earliest opportunity between the Council, the developer and any other interested parties in order to help identify the nature, extent and type(s) of contamination on the site (including any source, pathways, receptor links) and the most appropriate means of remediation. The Council may attach conditions to the granting of planning consent to ensure that these remediation measures have been completed prior to the commencement of any works on site and/or the occupation of any new units. The Council will adopt the "suitable for use" approach as advocated by Scottish Government Statutory Guidance when dealing with proposals for the development of contaminated land.</p>

Policy Context for Chapter 11: Road Drainage and the Water Environment

- 1.1.12 Key principles of SPP (Scottish Government, 2014) on road drainage and the water environment are:
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
 - avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.
 - supporting climate change mitigation and adaptation including taking account of flood risk;
 - making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities; and
 - having regard to the principles for sustainable land use set out in the Land Use Strategy.
- 1.1.13 SPP sets out subject policy guidance on Road Drainage and the Water Environment in "Flood Risk and Drainage" (paragraphs 254 to 268). SPP encourages planning authorities to take the probability of flooding from all sources – (coastal, fluvial (water course), pluvial (surface water), groundwater,

sewers and blocked culverts) and the risks involved with such flooding into account when preparing development plans and determining planning applications.

- 1.1.14 The following Planning Advice Notes (PANs) published by the Scottish Government provide further guidance on specific topics. Documents of relevance to road drainage and the water environment are summarised in Table 9 below.

Table 9: National Planning Guidance and Advice

Reference	Title	Summary of Document
PANs		
PAN 61	Planning and Sustainable Urban Drainage Systems (2001)	Provides good practice advice for planners and the development industry on the implementation of Sustainable Urban Drainage Systems (SuDS) (now referred to as Sustainable Drainage Systems in latest guidance) to aid the introduction of more sustainable developments.
PAN 69	Planning and Building Standards Advice on Flooding (2004)	Provides background information and best practice advice in support of the former SPP7 (Planning and Flooding) which has now been consolidated into SPP, and the Technical Handbooks published by the Scottish Building Standards Agency that provide guidance for the Building (Scotland) Regulations 2004. This Advice Note focuses on the responsibilities of local authorities and developers in ensuring that future built development is not located in areas with a significant risk of flooding, including functional flood plains.
PAN 79	Water and Drainage (2006)	Clarifies the role of the planning authority in setting the direction of development to inform the planning and delivery of new water infrastructure in a coordinated way. It explains the roles of Scottish Water and SEPA and encourages joint working in order to ensure a common understanding of capacity constraints and agreement on the means of their removal. It advises on the appropriateness of private schemes and the handling of Scottish Water developments.

- 1.1.15 Table 10 below provides a summary of the key development plan policies for CNPA that are of relevance to Road Drainage and Water Environment, while Table 11 provides a summary of key development plan policies for PKC. An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans) having regard to the overall compliance of the proposed scheme in relation to national, regional and local policy.

Table 10: CNPA Local Policy for Road Drainage and the Water Environment

Title	Policy Objectives
CNP LDP (2015)	
Policy 10 – Resources	See Table 7 for full policy details
CNP PP (2017)	
Policy 1.2	See Table 7 for full policy details
Policy 1.4	Conserve and enhance habitat quality and connectivity, with a particular focus on: a) woodland enhancement and expansion, especially montane, farm and riparian woodlands; b) wetland enhancement; c) delivering a combination of ecosystem services including flood management, carbon sequestration and storage, timber and food production.

Table 11: Perth & Kinross Development Plan Policy for Road Drainage and the Water Environment

Policy Ref.	Title	Summary of Policy
TAYplan (2017)		
Policy 2	Shaping better quality places	See Table 5 for full policy details

Policy Ref.	Title	Summary of Policy
PKC LDP (2014)		
Policy EP2	New Development and Flooding	<p>There will be a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere. In addition, built development should avoid areas at significant risk from landslip, coastal erosion and storm surges.</p> <p>Where a risk of flooding is known or suspected the Council will use the flood risk framework considers that areas of:</p> <ul style="list-style-type: none"> (i) medium to high flood risk are not suitable for essential civil infrastructure; (ii) low to medium flood risk are suitable for most forms of development; and (iii) little or no flood risk shown present no flood related constraints on development. <p>All development within areas of medium to high flood risk must incorporate a 'freeboard' allowance and the use of water resistant materials and forms of construction appropriate to its function, location, and planned lifetime relative to the anticipated changes in flood risk arising from climate change.</p> <p>To allow for adaption to increased flood risk associated with climate change, development should not:</p> <ul style="list-style-type: none"> a) Increase the rate of surface water run-off from any site; b) Reduce the naturalness of the river; c) Add to the area of land requiring flood protection measures; d) Affect the flood attenuation capability of the functional flood plain; nor e) Compromise major options for future shoreline or river management.
Policy EP3	Water Environment and Drainage	<p>Policy EP3A: Water Environment</p> <p>The Scottish River Basin Management Plan has protection and improvement objectives which aim to ensure that there is no deterioration of water body status and where possible secure long term enhancements to water body status. Proposals for development which do not accord with the Scotland River Basin Management Plan and any relevant associated Area Management Plans will be refused planning permission unless the development is judged by the Council to be of significant specified benefit to society and/or the wider environment.</p> <p>Policy EP3B: Foul Drainage</p> <p>Foul drainage from all developments within and close to settlement envelopes that have public sewerage systems will require connection to the public sewer.</p> <p>In settlements where there is little or no public sewerage system, a private system may be permitted provided it does not have an adverse effect on the natural and built environment, surrounding uses and amenity of the area. For a private system to be acceptable it must comply with the Scottish Building Standards Agency Technical Handbooks.</p> <p>Policy EP3C: Surface Water Drainage</p> <p>All new development will be required to employ Sustainable Urban Drainage Systems (SuDS) measures.</p> <p>Policy EP3D: Reinstatement of Natural Watercourses</p> <p>The Council will not support development over an existing culvert or the culverting of watercourses as part of a new development unless there is no practical alternative. Where deemed necessary it will be essential to provide adequate access for maintenance. Existing culverts should be opened and redundant water engineering structures removed whenever possible to benefit wildlife and improve amenity.</p>
PolicyEP6	Lunan Valley Catchment Area	<p>The Council will protect and seek to enhance the nature conservation and landscape interests of the Lunan Valley Catchment Area. Within the area:</p> <ul style="list-style-type: none"> a) there will be a presumption against built development except: within settlements; for renovations or alterations to existing buildings; and developments necessary for economic need which the developer can demonstrate will have no adverse impact on the environmental assets of the area nor are likely to result in an unacceptable increase in traffic volumes; b) recreational pursuits like power water sports, likely to cause disturbance in and around sites of nature conservation interest, will be discouraged;

Policy Ref.	Title	Summary of Policy
		<p>c) tree planting should be predominantly native species, including Scots Pine, except in cases where it can be proved that the landscape diversity will be improved by the use of a more varied range of species. All planting should be designed to complement the landscape.</p> <p>Total phosphorus from built development must not exceed the current level permitted by the existing discharge consents and the current contribution from built development within the rural area of the catchment. Where improvements reduce the phosphorus total from the built development, there will be a presumption in favour of retaining such gains to the benefit of the ecological recovery of the Lunan Lochs.</p> <p>All applicants will be required to submit details of the proposed method of drainage with their application for planning consent and adopt the principles of best available technology, not entailing excessive costs, to the satisfaction of the Planning Authority in conjunction with SEPA.</p> <p>The following criteria will also apply to development proposals at Butterstone, Concraigie, Craigie and Kinloch so as to ensure no adverse effects on the Dunkeld-Blairgowrie Special Area of Conservation:</p> <p>d) Drainage from all development should ensure no reduction in water quality.</p> <p>e) Construction Method Statement to be provided where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment.</p> <p>f) Where the development site is within 30m of a watercourse an Otter survey should be undertaken and a species protection plan provided, if required.</p>
Policy EP7	Drainage within the Loch Leven	Development within the catchment must comply with the general drainage policies as well as policies relating to the catchment area. To ensure there are no adverse impacts, either individually or in combination, on water quality in Loch Leven SPA.

Policy Context for Chapter 12: Ecology and Nature Conservation

- 1.1.16 Key principles of SPP (Scottish Government, 2014) on ecology and nature conservation are:
 - protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.
- 1.1.17 SPP sets out subject policy guidance on natural heritage in “Valuing the Natural Environment” (paragraphs 193 to 218). SPP indicates that planning authorities should adopt a broad approach to natural heritage rather than just conserving designated or protected sites and species through taking into account ecosystems and natural processes in their area. SPP also states that planning authorities should support opportunities for enjoyment and understanding of natural heritage.
- 1.1.18 Circulars and Planning Advice Notes (PANs) published by the Scottish Government provide further guidance on specific topics. Documents of relevance to ecology and nature conservation are summarised in Table 12 below.

Table 12: National Planning Guidance and Advice

Reference	Title	Summary of Document
PANs		
PAN 60	Planning for Natural Heritage (2000)	<p>Provides advice on how development and the planning system can contribute to the conservation, enhancement, enjoyment and understanding of Scotland’s natural environment and encourages developers and planning authorities to be positive and creative in addressing natural heritage issues.</p> <p>PAN 60 provides examples of good planning practice in relation to natural heritage drawn from across Scotland highlighted in a number of case studies.</p>

- 1.1.19 Table 13 below provides a summary of the key development plan policies for CNPA that are of relevance to Ecology and Nature Conservation, while Table 14 provides a summary of key

development plan policies for PKC. An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans).

Table 13: CNPA Local Policy for Ecology and Nature Conservation

Title	Policy Objectives
CNP LDP (2015)	
Policy 3 - Sustainable Design	See Table 1 above for full policy details
Policy 4 - Natural Heritage	See Table 7 above for full policy details
CNP PP (2017)	
Policy 1.1	<p>The management and use of land should deliver multiple benefits – delivering the best possible combination of the National Park Partnership Plan's long-term outcomes, always ensuring that the integrity of designated sites is maintained; and that the special qualities are conserved and, where possible, enhanced.</p> <p>This will be supported by:</p> <ul style="list-style-type: none"> a) a long-term planned approach by land based businesses to delivering environmental, economic and social benefits; b) support for land managers to plan and deliver environmental and social benefits underpinned by sound economic businesses; c) research to support an ecosystems approach to management.
Policy 1.2	See Table 7 above for full policy details
Policy 1.3	<p>Conserve and enhance the special landscape qualities with a particular focus on:</p> <ul style="list-style-type: none"> a) conserving and enhancing wildness qualities; b) maintaining and promoting dark skies; c) enhancements that also deliver habitat improvements; d) enhancing opportunities to enjoy and experience the landscapes of the Park.
Policy 1.4	See Table 10 above for full policy details
Policy 1.5	<p>Conserve and enhance the species for which the Cairngorms National Park is most important, with a particular focus on:</p> <ul style="list-style-type: none"> a) species whose conservation status is in decline or at risk; b) tackling and reducing the impacts of invasive non-native species; c) engaging people on species that are important in the National Park.
Policy 1.6	<p>Support collaboration across ownership boundaries and between interests to reduce conflicts in species and wildlife management including:</p> <ul style="list-style-type: none"> a) deer management; b) wildlife crime; c) species reintroductions.

Table 14: Perth & Kinross Development Plan Policy for Ecology and Nature Conservation

Policy Ref.	Title	Summary of Policy
TAYplan (2017)		
Policy 9	Managing TAYplan's Assets	See Table 2 above for full policy details
PKC LDP (2014)		
Policy NE1	Environment and Conservation Policies	<p>Policy NE1A: International Nature Conservation Sites</p> <p>Development which could have a significant effect on a site designated or proposed</p>

Policy Ref.	Title	Summary of Policy
		<p>under the Habitats or Birds Directive (Special Areas of Conservation and Special Protection Areas) or Ramsar site, will only be permitted where:</p> <ul style="list-style-type: none"> a) an appropriate assessment has demonstrated that it will not adversely affect the integrity of the site, or b) there are no alternative solutions, and c) there are imperative reasons of overriding public interest, including those of social or economic nature. <p>Policy NE1B: National Designations</p> <p>Development which would affect a National Park, National Scenic Area, Site of Special Scientific Interest or National Nature Reserve, will only be permitted where the Council as Planning Authority is satisfied that:</p> <ul style="list-style-type: none"> a) the proposed development will not adversely affect the integrity of the area or the qualities for which it has been designated; or b) any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance. <p>Policy NE1C: Local Designations</p> <p>Development which would affect an area designated by the Planning Authority as being of local conservation or geological interest will not normally be permitted, except where the Council as Planning Authority is satisfied that:</p> <ul style="list-style-type: none"> a) the objectives of designation and the overall integrity of the designated area would not be compromised; or b) any locally significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social and economic benefits.
Policy NE2	Forestry, Woodland and Trees	See Table 2 above for full policy details
Policy NE3	Biodiversity	<p>The Council will seek to protect and enhance all wildlife and wildlife habitats, whether formally designated/protected or not, taking into account the ecosystems and natural processes in the area.</p> <p>The Council will apply the principles of the Tayside Biodiversity Partnership Planning Manual and will take account of the Tayside Local Biodiversity Action Plan (LBAP) and relevant national and European legislation relating to protected species when making decisions about applications for development.</p> <p>Proposals that have a detrimental impact on the ability to achieve the guidelines and actions identified in these documents will not be supported unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated. In particular developers may be required to:</p> <ul style="list-style-type: none"> a) ensure a detailed survey is undertaken by a qualified specialist where one or more protected or priority species is known or suspected. Large developments that will have an impact on the environment may require an Environmental Impact Assessment; b) demonstrate all adverse effects on species and habitats have been avoided wherever possible. A Landscape Plan may be required to demonstrate the impact of the development and how good design and site layout can enhance the existing biodiversity; c) include mitigation measures and implementation strategies where adverse effects are unavoidable; d) enter into a Planning Obligation or similar to secure the preparation and implementation of a suitable long-term management plan or a site Biodiversity Action Plan, together with long-term monitoring. <p>European Protected Species</p> <p>Planning permission will not be granted for development that would, either individually or cumulatively, be likely to have an adverse effect upon European protected species (listed in Annex IV of the Habitats Directive (Directive 92/43/EEC)) unless the Council as Planning Authority is satisfied that:</p> <ul style="list-style-type: none"> a) there is no satisfactory alternative, and b) the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Policy Ref.	Title	Summary of Policy
		<p>In no circumstances can a development be approved which would be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range.</p> <p>Other protected species</p> <p>Planning permission will not be granted for development that would be likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation (Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act (1992.))</p>
Policy NE4	Green Infrastructure	<p>The Council will require all new development to contribute to the creation, protection, enhancement and management of green infrastructure by the:</p> <p>a) incorporation of green infrastructure into new developments, particularly where it can be used to mitigate any negative environmental impact of the development and link green infrastructure to the wider green network;</p> <p>b) incorporation of high standards of environmental design;</p> <p>c) protection of the countryside from inappropriate development whilst supporting its positive use for agriculture, recreation, biodiversity, health, education and tourism;</p> <p>d) protection, enhancement and management of open spaces and linkages for active travel or recreation, including links between open spaces and the wider countryside and the provision of new connections where required;</p> <p>e) protection, enhancement and management of existing species and habitats and the creation of new habitats and wildlife corridors, including trees, hedgerows and woodlands where appropriate;</p> <p>f) protection, enhancement and management of watercourses, waterbodies, floodplains and wetlands which are important contributors to the network of blue and green corridors for the alleviation of flood risk, wildlife, recreation and the amenity needs of the community.</p>
Policy NE5	Green Belt	See Table 2 above for full policy details
Policy EP15	Development Within the River Tay Catchment Area	<p>The Council will seek to protect and enhance the nature conservation interests within the River Tay Catchment area. In order to ensure no adverse effects on the River Tay Special Area of Conservation, all of the following criteria will apply to development proposals at Acharn, Balnaguard, Camserney, Croftinloan /Donavoured /East Haugh /Ballyoukan, Fortingall, Grantully/Strathtay /Little Ballinluig, Logierait, Tummel Bridge, Concraigie, Craigie and Kinloch, and criteria (b) and (c) to development proposals at Bankfoot and Kirkmichael.</p> <p>a) Drainage from all development should ensure no reduction in water quality.</p> <p>b) Construction Method Statement to be provided where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment.</p> <p>c) Where the development site is within 30m of a watercourse an Otter survey should be undertaken and a species protection plan provided, if required.</p>

Policy Context for Chapter 13: Landscape

- 1.1.20 Key principles of SPP (Scottish Government, 2014) on landscape impacts are:
- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
 - protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
 - avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality; and
 - supporting good design and the six qualities of successful places.
- 1.1.21 SPP indicates that landscapes and the natural heritage are sensitive to inappropriate development and encourages planning authorities to ensure that potential effects, including the cumulative effect of incremental changes, are considered when preparing development plans and deciding planning applications.

- 1.1.22 It is recognised in SPP that whilst the protection of the landscape and natural heritage can impose constraints on new development, *‘developers should seeks to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement.’* (Scottish Government 2014).
- 1.1.23 Circulars and Planning Advice Notes (PANs) published by the Scottish Government provide further guidance on specific topics. The PAN of relevance to landscape and impacts is summarised in Table 15 below.

Table 15: National Planning Guidance and Advice

Reference	Title	Summary of Document
PANs		
PAN 60	Planning for Natural Heritage (2000)	See Table 12 for full planning guidance and advice details.

- 1.1.24 Table 16 below provides a summary of the key development plan policies for CNPA that are of relevance to Landscape, while Table 17 provides a summary of key development plan policies for PKC. An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans).

Table 16: CNPA Local Policy for Landscape

Title	Policy Objectives
CNP LDP (2015)	
Policy 3 - Sustainable Design	See Table 1 for full policy details
Policy 4 - Natural Heritage	See Table 7 for full policy details
Policy 5 - Landscape	<p>There will be a presumption against any development that does not conserve and enhance the landscape character and special qualities of the Cairngorms National Park including wildness, and in particular, the setting of the proposed development.</p> <p>Proposed development that does not complement and enhance the landscape character of the Park and the setting of the proposed development will be permitted only where:</p> <p>a) any significant adverse effects on the landscape character of the Park are clearly outweighed by social or economic benefits of national importance; and</p> <p>b) all the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction to the satisfaction of the planning authority.</p>
Reference	Summary of Policy
CNP PP (2017)	
Policy 1.3	See Table 13 above for full policy details
Policy 1.8	<p>Enhance the design and sense of place in new development and existing settlements, in particular:</p> <p>a) enabling new development which contributes positively to the sense of place;</p> <p>b) promoting a high standard of sustainable design, energy efficiency, sustainably sourced materials and construction in new development;</p> <p>c) supporting the retention and enhancement of local character;</p> <p>d) facilitating the rehabilitation of redundant rural buildings and recycling of resources;</p> <p>e) ensuring road upgrades and improvements respond to local landscape character.</p>

Table 17: Perth & Kinross Development Plan Policy for Landscape

Reference	Title	Policy Objectives
PKC LDP (2014)		
Policy PM1	Placemaking	See Table 5 for full policy details
Policy ED5	Major Tourism Resorts	See Table 2 for full policy details
Policy ER6	Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes	<p>Development and land use change should be compatible with the distinctive characteristics and features of Perth & Kinross's landscapes. Accordingly, development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth & Kinross. They will need to demonstrate that either in the case of individual developments, or when cumulatively considered alongside other existing or proposed developments:</p> <p>a) they do not erode local distinctiveness, diversity and quality of Perth & Kinross's landscape character areas, the historic and cultural dimension of the area's landscapes, visual and scenic qualities of the landscape, or the quality of landscape experience;</p> <p>b) they safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identity or scenic quality;</p> <p>c) they safeguard the tranquil qualities of the area's landscapes;</p> <p>d) they safeguard the relative wildness of the area's landscapes;</p> <p>e) they provide high quality standards in landscape design, including landscape enhancement and mitigation schemes when there is an associated impact on a landscape's qualities;</p> <p>f) they incorporate measures for protecting and enhancing the ecological, geological, geomorphological, archaeological, historic, cultural and visual amenity elements of the landscape; and</p> <p>g) they conserve the experience of the night sky in less developed areas of Perth & Kinross through design solutions with low light impact.</p>
Policy NE4	Green Infrastructure	See Table 14 for full policy details

Policy Context for Chapter 14: Visual

- 1.1.25 Key principles of SPP (Scottish Government, 2014) on visual impacts are:
- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
 - protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
 - avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality; and
 - supporting good design and the six qualities of successful places.
- 1.1.26 SPP indicates that landscapes and the natural heritage are sensitive to inappropriate development and encourages planning authorities to ensure that potential effects, including the cumulative effect of incremental changes, are considered when preparing development plans and deciding planning applications.
- 1.1.27 It is recognised in SPP that whilst the protection of the landscape and natural heritage can impose constraints on new development, *'developers should seeks to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement.'* (Scottish Government 2014).
- 1.1.28 Circulars and Planning Advice Notes (PANs) published by the Scottish Government provide further guidance on specific topics. The PAN of relevance to landscape and visual impacts is summarised in Table 18 below.

Table 18: National Planning Guidance and Advice

Reference	Title	Summary of Document
PANs		
PAN 60	Planning for Natural Heritage (2000)	See Table 12 for full planning guidance and advice details.

- 1.1.29 Table 19 below provides a summary of the key development plan policies for CNPA that are of relevance to Visual, while Table 20 provides a summary of key development plan policies for PKC. An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans).

Table 19: CNPA Local Policy for Visual

Title	Policy Objectives
CNP LDP (2015)	
Policy 3 - Sustainable Design	See Table 1 for full policy details
Reference	Summary of Policy
CNP PP (2017)	
Policy 1.3	See Table 13 for full policy details
Policy 1.8	See Table 16 for full policy details

Table 20: Perth & Kinross Development Plan Policy for Visual

Reference	Title	Policy Objectives
PKC LDP (2014)		
Policy PM1	Placemaking	See Table 5 for full policy details
Policy ED5	Major Tourism Resorts	See Table 2 for full policy details
Policy ER6	Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes	See Table 17 for full policy details

Policy Context for Chapter 15: Cultural Heritage

- 1.1.30 Key principles of SPP (Scottish Government, 2014) on cultural heritage are:
- protecting, enhancing and promoting access to cultural heritage, including the historic environment.
- 1.1.31 SPP sets out subject policy guidance on cultural heritage in “Valuing the Historic Environment” (paragraphs 135 to 151) which includes policies relevant to Scheduled Monuments, Listed Buildings, Gardens and Designed Landscapes and Historic Battlefields.
- 1.1.32 The Government’s Scottish Historic Environment Policy (SHEP) and the Managing Change in the Historic Environment Guidance Note series, both published by Historic Scotland, set out Scottish Ministers’ policies for the historic environment and provide a framework that informs the work of a range of organisations that have a role and interest in managing the historic environment.

1.1.33 A summary of the SHEP and other national guidance and advice of relevance to cultural heritage is provided in Table 21 below.

Table 21: National Planning Guidance and Advice

Reference	Title	Summary of Document
SHEP	Scotland's Historic Environment Policy - (December 2011)	This document consolidates the previous SHEP series into one policy document. The SHEP complements and has the same authority as the Scottish Planning Policy and other relevant Ministerial policy documents, and is a relevant consideration in the statutory planning, EIA and Strategic Environmental Assessment (SEA) processes. The policy of the Scottish Ministers states that: a) actions taken in respect of Scotland's historic environment should secure its conservation and management for the benefit and enjoyment of present and future generations; b) there should be a presumption in favour of preservation of individual historic assets and also the pattern of the wider historic environment; no historic asset should be lost or radically changed without adequate consideration of its significance and of all the means available to manage and conserve it; and c) Scotland's historic environment should be managed in a sustainable way, recognising that it is a social, cultural, economic and environmental resource of great value.
Guidance Note Series	Managing Change in the Historic Environment	The series describes how to apply the policies contained in the Scottish Historic Environment Policy (2009) (SHEP) and Scottish Planning Policy (2010). The guidance notes that are of particular relevance to the Project are 'Demolition' and 'Setting'. These documents set out the principles that apply to the demolition of listed buildings and unlisted buildings in conservation areas and those principles that apply to developments affecting the setting of historic assets or places.
PAN 2/2011	Planning and Archaeology	This PAN accompanies Scottish Planning Policy (SPP), Scottish Historic Environment Policy (SHEP) and the Managing Change in the Historic Environment Guidance Notes, which together set out the Scottish Ministers' policies for planning and the historic environment. The PAN includes guidance on archaeological assessments and field assessments as well as arrangements for mitigation. The PAN promotes the protection and preservation of archaeological sites and monuments, and their settings, in situ wherever feasible. Where preservation in situ is not possible, advice is provided on an appropriate level of excavation, recording, analysis, publication and archiving which should be carried out before and/or during development.
PAN 78	Inclusive Design (2006)	See Table 3 for full planning guidance and advice details.

1.1.34 Table 22 below provides a summary of the key development plan policies for CNPA that are of relevance to Cultural Heritage, while Table 23 provides a summary of key development plan policies for PKC. An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans).

Table 22: CNPA Local Policy for Cultural Heritage

Title	Policy Objectives
CNP LDP (2015)	
Policy 3 - Sustainable Design	See Table 1 above for full policy details
Policy 9 - Cultural Heritage	<u>1 National designations:</u> Development affecting a scheduled ancient monument, listed building and inventory gardens, landscapes and battlefields should: a) have no adverse effect on a structure or other remains of human activity or their setting. This may require remains to be preserved in situ, within an appropriate setting; and b) conserve and enhance any structure or other remains; and c) enhance its character, and the contribution it makes to the cultural heritage of the National Park.

Title	Policy Objectives
	<p>The layout, design, materials, scale, siting and use of any development will be appropriate to the character and appearance of the structure or asset and its setting.</p> <p>Where development would result in a significant adverse impact, the proposal must:</p> <ul style="list-style-type: none"> a) demonstrate that the effect is clearly outweighed by social and economic benefits; and b) minimise and mitigate any adverse effects on the asset or its setting through appropriate siting, layout, scale, design and construction. <p>Development affecting a scheduled monument should require remains to be preserved in situ and in an appropriate setting unless exceptional circumstances can be demonstrated to the satisfaction of the authority.</p> <p><u>2 Conservation areas:</u></p> <p>Development in or affecting a conservation area will:</p> <ul style="list-style-type: none"> a) enhance its character and be consistent with any relevant conservation area appraisal or management plan; and b) use design, materials, scale, layout and siting appropriate to the site and its setting. <p>Given the importance of design matters planning permission in principle will not be considered appropriate.</p> <p><u>3 Other local cultural heritage:</u></p> <p>Development affecting a site, feature or use of land of local or wider or cultural historic significance, or its setting will:</p> <ul style="list-style-type: none"> a) protect or conserve and enhance the feature and its setting; or b) take reasonable measures to avoid, minimise and mitigate any adverse effects. <p><u>4 Enabling development:</u></p> <p>Enabling development will be considered favourably where it provides a means of providing funds to secure the preservation of a listed building which is in serious risk of collapse or irrevocable decay. Such development should be used only after all alternative means of funding or enabling have been exhausted. Any such development will be the minimum required to secure the buildings restoration.</p> <p><u>5 Furthering our knowledge:</u></p> <p>Where a development affects a cultural heritage asset, developers will supply sufficient specialist information to ensure minimal impact on that asset.</p> <p>Appropriate and satisfactory provision must be made for building recording, archaeological excavation, analysis and publication, in advance of development.</p> <p><u>6 Demolition – removal of asset:</u></p> <p>There will be a presumption against development which would result in the loss of a listed building or building within a conservation area which makes a positive contribution to its character.</p> <p>Proposals which would result in the substantial demolition of parts of buildings which have particular architectural merit will only be considered favourably where every effort has been exerted to find practical ways of retaining it, or where the demolition relates to parts of the building that do not have, or detract from the special interest of the building. This will be demonstrated by provision of evidence that the building:</p> <ul style="list-style-type: none"> a) has been actively and appropriately marketed at a reasonable price and for a period reflecting its location, condition and possible alternative uses without finding a purchaser; and b) is not able to be physically repaired and re-used through the submission and verification of a structural condition report, produced by a qualified structural engineer. <p>In all of the above cases proposals for total demolition or partial development will only be considered in conjunction with a detailed planning application for a replacement development that enhances or preserves that character. Demolition will not begin until evidence is given of contracts let for the approved development.</p>
CNP PP (2017)	
Policy 1.7	<p>Conserve and enhance the cultural heritage that helps to create the sense of place and identity of communities within the Park by:</p> <ul style="list-style-type: none"> a) protecting archaeological sites and their settings and promoting understanding of their significance; b) ensuring appropriate advice and investigation for archaeology is used to inform proposals for

Title	Policy Objectives
	land use change; c) protecting and enhancing the built heritage and designed landscapes; d) promoting opportunities to enjoy and celebrate the cultural heritage of the Park.

Table 23: Perth & Kinross Development Plan Policy for Cultural Heritage

Policy Ref.	Title	Summary of Policy
TAYplan (2017)		
Policy 9	Managing TAYplan's Assets	See Table 2 above for full policy details
PKC LDP (2014)		
Policy HE1	Scheduled Monuments and Non-Designated Archaeology	<p>Policy HE1A: Scheduled Monuments</p> <p>There is a presumption against development which would have an adverse effect on the integrity of a Scheduled Monument and its setting, unless there are exceptional circumstances.</p> <p>Policy HE1B: Non-Designated Archaeology</p> <p>The Council will seek to protect areas or sites of known archaeological interest and their settings. Where development is proposed in such areas, there will be a strong presumption in favour of preservation in situ. Where, in exceptional circumstances, preservation of the archaeological features is not feasible, the developer, if necessary through appropriate conditions attached to the granting of planning permission, will be required to make provision for the survey, excavation, recording and analysis of threatened features prior to development commencing.</p> <p>If discoveries are made during any development, work should be suspended, the local Planning Authority should be informed immediately and mitigation measures should be agreed.</p>
Policy HE2	Listed Buildings	<p>There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use, and any proposed alterations or adaptations to help sustain or enhance a building's beneficial use should not adversely affect its special interest.</p> <p>Encouragement will be given to proposals to improve the energy efficiency of listed buildings within Perth and Kinross, providing such improvements do not impact detrimentally on the special interest of the building.</p> <p>Enabling development may be acceptable where it can be shown to be the only means of retaining a listed building. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.</p>
Policy HE3	Conservation Areas	<p>Policy HE3A: New Development</p> <p>Development within a Conservation Area must preserve or enhance its character or appearance. The design, materials, scale and siting of new development within a conservation area, and development outwith an area that will impact upon its special qualities should be appropriate to its appearance, character and setting.</p> <p>Where a Conservation Area Appraisal has been undertaken for the area, the details contained in that appraisal should be used to guide the form and design of new development proposals.</p> <p>Applications for Planning Permission in Principle in Conservation Areas will not be considered acceptable without detailed plans, including elevations, which show the development in its setting.</p>

Policy Ref.	Title	Summary of Policy
		<p>Policy HE3B: Demolition within Conservation Areas</p> <p>When assessing applications for the demolition of unlisted buildings in Conservation Areas, the Council will give careful consideration to the merits of the building and its contribution to the character and appearance of the Conservation Area. Where a building is considered to be of value, either in itself or as part of a group, there will be a presumption in favour of its retention, restoration for the current or another appropriate use.</p> <p>In those exceptional circumstances where demolition is considered acceptable and is to be followed by the redevelopment of the site, the application for proposed demolition should be accompanied by a detailed application for the replacement development. This is to allow for their consideration in parallel, and to ensure that the replacement scheme will enhance or preserve the character of the area and avoid the formation of gap sites.</p>
Policy HE4	Gardens and Designed Landscapes	<p>Gardens and designed landscapes make a significant contribution to the character and quality of the landscape in Perth and Kinross. The Council will seek to manage change in order to protect and enhance the integrity of those sites included on the current Inventory of Gardens and Designed Landscapes. The Council may require the submission of a management plan with any application for development within areas included in the current Inventory.</p> <p>As resources permit, the Council will continue with the process of identification of non-Inventory sites in Perth and Kinross and the associated task of devising an approach to their future management.</p>
Policy HE5	Protection, Promotion and Interpretation of Historic Battlefields	<p>The Council will seek to protect those battlefields listed on the Inventory of Historic Battlefields.</p> <p>The Council encourages the creation of a Conservation Plan for historic battlefield sites as a means of developing an overall vision and strategy for protecting, conserving and enhancing public awareness of battlefields through a partnership approach</p>

Policy Context for Chapter 16: Air Quality

- 1.1.35 Key principles of SPP (Scottish Government, 2014) on air quality are:
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
 - avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality; and
 - supporting climate change mitigation and adaptation.
- 1.1.36 SPP states that the relationship between transport and land use has a strong influence on sustainable economic growth, and this should be taken into account when preparing development plans and in development management decisions. Policy indicates that a reduction in emissions from transport sources requires more sustainable modes of transport. It is suggested that the planning system should support a pattern of development which reduces the need to travel, encourages active travel and facilitates movement by public transport (Scottish Government, 2014).
- 1.1.37 Circulars and Planning Advice Notes (PANs) published by the Scottish Government provide further guidance on specific topics. Documents of relevance to air quality are summarised in Table 24 below.

Table 24: National Planning Guidance and Advice

Reference	Title	Summary of Document
PANs		
PAN 51 (Revised)	Planning, Environmental	The main function of this Planning Advice Note (PAN) is to support the existing policy on the role of the planning system in relation to the environmental protection regimes,

Reference	Title	Summary of Document
2006)	Protection and Regulation	including air quality. PAN 51 summarises the statutory responsibilities of the environmental protection bodies, as well as informing these bodies about the planning system. The document also provides information on European and domestic legislation and policy frameworks for ambient air quality.

- 1.1.38 Table 25 below provides a summary of the key development plan policies for CNPA that are of relevance to Air Quality, while Table 26 provides a summary of key development plan policies for PKC. An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans).

Table 25: Cairngorms National Park Authority Local Policy for Air Quality

Title	Policy Objectives
CNP LDP (2015)	
Policy 3 - Sustainable Design	See Table 1 for full policy details
Reference	Summary of Policy
CNP PP (2017)	
Policy 3.3	Support development of a low carbon economy, with a particular focus on: d) promoting high standards of sustainable design and efficient use of energy and materials in construction.

Table 26: Perth & Kinross Development Plan Policy for Air Quality

Reference	Title	Policy Objectives
PKC LDP (2014)		
Policy EP1	Climate Change, Carbon Reduction and Sustainable Construction	Sustainable design and construction will be integral to new development in Perth & Kinross. Applications for development may require a Sustainability Statement to demonstrate how developments will uphold sustainable construction principles and contribute to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.
Policy EP11	Air Quality Management Areas	Within or adjacent to designated Air Quality Management Areas, where areas of degraded air quality are already identified, development proposals which would adversely affect air quality may not be permitted. Within these areas, where a development has the potential to adversely affect air quality, or where its scale requires a Transport Assessment, applicants will be required to identify any impact on air quality and appropriate mitigation measures. Proposals and mitigation measures must not conflict with the actions proposed in the Air Quality Action Plan. In addition, there will be a presumption against locating development catering for sensitive receptors in these areas which may result in exposure to elevated pollution levels.

Policy Context for Chapter 17: Noise and Vibration

- 1.1.39 Key principles of SPP (Scottish Government, 2014) on noise and vibration are:
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality; and
 - supporting good design and the six qualities of successful places.
- 1.1.40 Circulars and Planning Advice Notes (PANs) published by the Scottish Government provide further guidance on specific topics. Documents of relevance to noise and vibration are summarised in Table 27 below.

Table 27: National Planning Guidance and Advice

Reference	Title	Summary of Document
PAN 1/2011	Planning and Noise	This PAN promotes the principles of good acoustic design and a sensitive approach to the location of new development. It promotes the appropriate location of new potentially noisy development, and a pragmatic approach to the location of new development within the vicinity of existing noise generating uses, to ensure that quality of life is not unreasonably affected and that new development continues to support sustainable economic growth.

- 1.1.41 Table 28 below provides a summary of the key development plan policies for CNPA that are of relevance to Noise and Vibration, while Table 29 provides a summary of key development plan policies for PKC. An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans).

Table 28: CNPA Local Policy for Noise and Vibration

Title	Policy Objectives
CNP LDP (2015)	
Policy 3 - Sustainable Design	See Table 1 for full policy details

Table 29: Perth & Kinross Development Plan Policy for Noise and Vibration

Reference	Title	Policy Objectives
PKC LDP (2014)		
Policy EP8	Noise Pollution	There will be a presumption against the siting of development proposals which will generate high levels of noise in the locality of existing or proposed noise sensitive land uses and similarly against the locating of noise sensitive uses near to sources of noise generation. In exceptional circumstances, where it is not feasible or is undesirable to separate noisy land uses from noise sensitive uses, or to mitigate the adverse effects of the noise through the negotiation of design solutions, the Council may use conditions attached to the granting of planning consent, or if necessary planning agreements, in order to control noise levels. A Noise Impact Assessment will be required for those development proposals where it is anticipated that a noise problem is likely to occur.

Policy Context for Chapter 18: Materials

- 1.1.42 National planning policy on a variety of themes is contained in Scottish Planning Policy (SPP) (Scottish Government, 2014). Key provisions of SPP on design and materials are:
- to support sustainable development;
 - to encourage the use of sustainable and recycled materials in construction; and
 - promote development design that would contribute positively to the built and natural environment.
- 1.1.43 Table 30 below provides a summary of the key development plan policies for CNPA that are of relevance to Materials, while Table A19.31 below provides a summary of the key development plan policies for PKC. An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans).

Table 30: CNPA Local Policy for Materials

Title	Policy Objectives
CNP LDP (2015)	
Policy 3 - Sustainable Design	See Table 1 for full policy details

Title	Policy Objectives
Policy 10 - Resources	See Table 7 for full policy details

Table 31: Perth & Kinross Development Plan Policy for Materials

Policy Ref.	Title	Policy Objectives
TAYplan (2017)		
Policy 2	Shaping better quality places	See Table 5 for full policy details
PKC LDP (2014)		
Policy ER4	Minerals and Other Extractive Activities - Supply	ER4C: Efficiency and Waste Greater efficiency in the use of primary mineral resources is encouraged. Minerals and other extractive development will minimise the production of waste. Construction activities will be encouraged to use recycled aggregate/other materials where possible.

Policy Context for Chapter 19: Policy and Plans

- 1.1.44 National planning policy on a variety of themes is contained in Scottish Planning Policy (SPP) (Scottish Government, 2014).
- 1.1.45 While Chapter 19 (Policies and Plans) accounts for all aforementioned policies above, it also considers an additional Strategic Policy noted below in Table 32. An assessment of compliance of the proposed scheme in relation to this policy is provided in Appendix A19.2 (Assessment of Development Plan Policy Compliance), and is summarised in Chapter 19 (Policies and Plans).

Table 32: Perth & Kinross Development Plan Policy for Policy and Plans

Policy Ref.	Title	Policy Objectives
TAYplan (2017)		
Policy 1	Location Priorities	<p>A. Principal Settlement Hierarchy – Strategies, plans, programmes and development proposals shall focus the majority of development in the region's principal settlements as shown on Map 1.</p> <p>Tier 1 principal settlements which have the potential to accommodate the majority of the region's additional development over the plan period and make a major contribution to the region's economy;</p> <ul style="list-style-type: none"> • Within Dundee Core Area in the principal settlements of Dundee City; including Dundee Western Gateway, and Invergowrie, Monifieth, Tayport/Newport/Wormit, Birkhill/Muirhead; and, • Within Perth Core Area in the principal settlements of Perth City, Scone, Almondbank, Bridge of Earn, Oudenarde, Methven, Stanley, Luncarty, Balbeggie, Perth Airport. <p>Tier 2 principal settlements which have the potential to make a major contribution to the regional economy but will accommodate a smaller share of the additional development; and,</p> <p>Tier 3 principal settlements which have the potential to play an important but more modest role in the regional economy and will accommodate a small share of the additional development.</p> <p>B. Sequential Approach – Strategies, plans and programmes shall prioritise land release for all principal settlements using the sequential approach in this Policy, shall prioritise within each category, as appropriate, the reuse of previously developed land and buildings (particularly listed buildings); and shall ensure that such land is effective or expected to become effective in the plan period, and that a range of sites is made available, as follows:</p> <ol style="list-style-type: none"> 1. Land within principal settlements; then, 2. Land on the edge of principal settlements; then, 3. Where there is insufficient land or where the nature/scale of land use

Policy Ref.	Title	Policy Objectives
		<p>required to deliver the Plan cannot be accommodated within or on is consistent with Part A of this policy and with Policy 2, the expansion of other settlements should be considered.</p> <p>C. Outside of Principal Settlements – Local Development Plans may also provide for some development in settlements that are not defined as principal settlements (Policy 1A). This is provided that it can be accommodated and supported by the settlement, and in the countryside; that the development genuinely contributes to the outcomes of this Plan; and, it meets specific local needs or does not undermine regeneration of the cities or respective settlement. Proposals for development in the countryside should be assessed against the need to avoid suburbanisation of the countryside and unsustainable patterns of travel and development.</p> <p>D. Green Belts – Local Development Plans shall continue the implementation of green belt boundaries at both St Andrews and Perth to preserve their settings, views and special character including their historic cores; protect and provide access to open space; assist in safeguarding the countryside from encroachment; to manage long term planned growth including infrastructure on Map 10 and Strategic Development Areas in Policy 3; and define the types and scales of development that are appropriate within the green belt based on Scottish Planning Policy.</p>

2 References

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