

PERTH AND KINROSS COUNCIL

Strategic Policy and Resources Committee

1 September 2021

Non-Statutory Guidance – Thimblerow Planning Brief

Report by Head of Planning and Development

(Report No. 21/148)

Following a decision by Council at its meeting on 16 December 2020 in relation to public car parking spaces at Thimblerow, it was requested that the Head of Planning & Development prepare non-statutory guidance in the form of a planning brief for this largely council owned site to formalise this position.

This report summarises the responses to the public consultation on the draft planning brief. It also makes recommendations for amendments where appropriate and seeks consent to finalise and adopt this non-statutory guidance to support LDP2, adopted in November 2019.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Council agreed at its meeting of 16 December 2020 (Report No 20/258 refers) that the provision of a multi-storey car park was no longer affordable or desirable and that the LDP2 requirement to retain 200 public car park spaces at Thimblerow is no longer the priority it once was. It was requested that the Head of Planning & Development prepare a non-statutory planning brief for this largely council owned site to clarify and formalise this position. To inform the preparation of the brief, a technical review of parking demand and provision was undertaken. This review indicates scope to reduce this from 200 if:
 - i) it is accompanied by retention of Paul Street and Mill Wynd carparks (retaining 52 spaces) and
 - ii) alternative solutions which enhance accessibility through provision of measures to encourage sustainable transport options and modal shift are delivered.
- 1.2 Negotiations with the Council's current preferred bidder, Espresso Property, cannot be concluded in advance of the completion and approval of the non-statutory planning brief. In the event the Council is not able to agree terms with Espresso Property, the intention would be to re-market the site.
- 1.3 Public consultation on the draft non-statutory planning brief ran between June 14 and July 26. In addition, a briefing for members was held on 28 June 2021. This consultation has informed the proposed amended development brief (Appendix 2).

2. PROPOSALS

2.1 The brief provides detailed explanation of how the Council would like to see this site develop. Placemaking guidance commits the Council to producing sustainable, well-designed places and homes which meet people's needs by harnessing the distinct characteristics and strengths of each place to improve the overall quality of life for people. Based on assessing the context of this site and analysis of its strengths, weaknesses, opportunities, and threats, the Council's vision in the brief is to:

- provide a showcase for low carbon living
- retain appropriate short stay car parking for shoppers (Mill Wynd and Paul St car parks)
- improve accessibility to city centre with a shift in emphasis from cars to people
- propose alternative solutions which address accessibility through provision of measures to encourage sustainable transport options
- improve the public realm and create more space for people post-pandemic, as well as encourage a greener, accessible and more pedestrianised version of the city
- respect its historic setting, providing a high-quality development within the Conservation Area
- enhance the linkages between the retail park and the city centre, providing some active commercial and community uses
- promote a quality city centre living experience which includes some private and/or communal open space for residents
- protect and enhance Lade biodiversity and other important trees

2.2 This vision is supported by the brief's detailed requirements and guidance. For example, to support the vision 'propose alternative solutions to address accessibility through provision of measures to encourage sustainable transport options', there are various requirements. One of these requirements is for generous and attractive pedestrian/cycle paths along key desire lines within the site (see Appendix 2, Low carbon vision map p11). The brief also identifies the requirement for tie in with the Dunkeld Road Corridor (DRC) pedestrian and cycle corridor from Atholl St with a major mobility corridor connection required along Caledonian Road into Thimble Row (see Appendix 2, map p12). The brief also requires provision of a mobility hub with cycle parking, changing and showering facilities to help encourage modal shift. The vision and the requirements are informed by the context and analysis. This analysis highlights the key desire lines (see Appendix 2, Site Analysis map

p7), and that Thimblerow is a highly desirable location for a mobility hub with easy onward access to prime shopping/office areas, and to Mill Street bus stances (see Appendix 2, City Centre Analysis map p6). It also identifies the potential to tie in with the DRC (see Appendix 2, City Centre Analysis map p6).

2.3 To raise awareness of the consultation on the draft Thimblerow brief, alongside wider publicity measures, the Council directly contacted key stakeholders from national agencies, local community groups, and the local business community. The Council also neighbour notified residential properties within 20m and business addresses within 100m of the site. There were 27 responses to the consultation, 21 of which were from members of the public, including a mixture of supportive comments and concerns. The table in Appendix 1 provides a summary of all the consultation comments and the recommended Council response. A copy of the proposed amended brief can be found in Appendix 2. The key concerns, responses and proposed changes to the brief are highlighted below.

1. *Disappointment expressed by some members of the public that the Council is not progressing a proposal which includes more commercial, leisure, food and drink, and retail uses.*

A greater element of commercial uses than currently proposed was PKC's original intention, but the market did not support the progress of a major commercial development with substantial leisure, office, food and drink, and retail provision.

At its meeting of 30 July 2020 (Report No. 20/129 refers), PKC agreed not to grant an extension to York-based Espresso Property to extend the Development Agreement, which was due to expire on 2 August 2020. The Council considered that, following the economic impact of the Covid 19 pandemic and its impact on the leisure/retail/office sector in Perth City centre, such an extension was no longer beneficial, and a principally residential development was more desirable. As noted above, the Council then decided at its meeting of 16 December 2020 (Report No 20/258 refers) that principally residential uses are appropriate, provided there is a commercial connection to the High Street frontage at street level.

It is likely that Perth will have a larger retail footprint than the current and projected population can support, and some diversification will be required. We need to support existing amenities. The brief's vision of sustainable urban living is more valid post-Covid as town and city centres urgently need to adapt to being principally places in which to live and socialise. The Council has a key opportunity here to accelerate its ambition for Perth as a dynamic, sustainable place in which to live life well. Nevertheless, the brief requires the linkages between the retail park and the city centre to be enhanced, and provision of some active commercial and community uses along this.

The brief provides guidance on LDP2 planning criteria and interests. At planning application stage, the possibilities for development in, and around,

this site will be further informed by environmental review and constraints. The exact scale and mix of the development elements will be arrived at later through the submission of a detailed planning application with associated background supporting information.

2. *Concerns expressed by some members of the public about proposed loss of parking opportunities. They consider the loss of public car parking provision will adversely impact the public and businesses within the city centre.*

A public car parking analysis was carried out and this establishes there would be sufficient capacity in surrounding car parks (see Appendix 2 City Centre Analysis map p6) to accommodate the displaced parking alongside measures to enhance accessibility and encourage modal shift. This analysis considers local provision within West central Perth as well as the overall Perth provision.

There is residential permit parking within PKC public car parks. In terms of existing resident parking, it should be noted nobody has a dedicated right to park at Thimble Row and there are no resident permits specific to Thimble Row itself. We do have around 30 Residents who have permits in the surrounding area (High Street/Milne Street). PKC offer Canal Street Multi-Storey in the first instance to a resident as their choice of long stay car park.

This brief and the Perth Cycle Network Masterplan (of which the DRC is the first stage of) are ambitious in their vision and scope and will encourage modal shift. However, the modal shift measures are being proposed alongside retention of Paul St and Mill Wynd public car parks, to ensure a balanced pragmatic approach as we manage that transition.

Active travel is healthy, accessible and inclusive and pedestrians are the lifeblood of town centre businesses. The reasoning behind the approach to focus on accessibility thinking about people rather than cars is more fully explained in the brief (Appendix 2 particularly p15). However, in summary, there are health and wellbeing reasons for prioritising sustainable travel and sound evidence from elsewhere of business benefits.

Alternative accessibility solution/s are proposed alongside the reduction of public car parking. A shift from private car to active travel is emphasised through the required connection to the Dunkeld Road Corridor (pedestrian/cycle corridor) and provision of a mobility hub (including cycle parking, shower, lockers, and changing facility) which should also be delivered to support the development and to achieve modal shift targets. Investment in additional sustainable modes beyond these will be established at the planning application stage. This should be based on quantified trips generated by the development and the proposed reduction of the public and residential car parking, with appropriate mode share targets and measures identified for the development that help achieve the agreed objectives.

There also needs to be further local public/business engagement to ensure the retained Paul Street and Mill Wynd car parks are best managed to support

their needs. The brief acknowledges there will be a requirement to establish length of stay for these spaces, and further assessment and consultation will be required. However, shorter stay limits of less than 4 hours should be considered to limit/mitigate commuter use and maximise turnover to aid local business and people visiting for shopping/leisure uses.

3. *NatureScot highlight the requirement for proposed landscaping and planting to provide biodiversity benefits*

Officers agree that the draft guidance could be interpreted as identifying that biodiversity benefits are optional. This was not the intention and amendments are proposed to clarify this, replacing 'should look to' with 'will be required to' provide biodiversity benefits. Also, it is agreed that it would be useful to highlight the health benefits of connecting people with nature, so an additional sentence has been proposed to cover this. Also, the mentions of green corridors in the text and mapping are proposed to be amended to biodiverse green corridors.

4. *Architecture and Design Scotland (A+DS) comment on improving and demonstrating the Council's vision and rooting the project in its wider context. They suggest addition of aspirational images, and good practice examples.*

Officers agree that adding further illustrations will help better communicate the aspirations of the brief. Also, a City Centre analysis map and additional text to highlight the wider context of the site will better communicate analysis of the wider context particularly in terms of transport facilities and projects and the connection between the city centre retail core and St Catherine's Retail Park.

5. *A+DS and a member of the public both commented on potential for housing for elderly and care provision.*

Although there is reference to the LDP2 Housing mix policy, some guidance in the brief would be beneficial to highlight PKC requirements. An amendment is proposed (see Appendix 2, p43) to clarify that there is a requirement for up to 10% of the development to be designed, or capable of adaption, to meet the needs of households with specific housing needs, for example, wheelchair users.

6. *A&DS offer further support around helping PKC to develop something like a design code, with imagery to help establish effective procurement and delivery of the site. This could take the form of a sort of implementation workshop.*

Officers note the potential support that can be provided, and PKC will seek further discussions with A&DS so we can determine the scope for possible assistance/input from A&DS on this project.

A PKC project group has been formed and its members have guided preparation of this brief. It will work with Estates in seeking to deliver the aims

of the brief through the sale missives and development agreement to be secured with the selected developer.

3. CONCLUSION AND RECOMMENDATIONS

- 3.1 With consideration to the vision, and context and analysis, the planning brief provides requirements and guidance on LDP2 planning criteria and interests. However, the exact scale and mix of the development elements will be arrived at later, through the submission of a detailed planning application with associated background supporting information. The possibilities for development in, and around, this site will be further informed by environmental review and constraints.
- 3.2 The Council is keen to raise aspirations for improving the public realm, promoting quality urban living (including some private open space), ensuring an exemplar project supporting low carbon living, and ensuring a commercial connection to the High St. In seeking delivery of these aspirations, some of the resultant requirements in this brief go beyond current planning requirements. Therefore, the Council will look to secure the aspirational elements of the brief through its landownership interest, by means of the development agreement, to secure their delivery. This will be the subject of negotiation with the developer on deliverability and feasibility.
- 3.3 It is recommended that the Committee:
- i) approves the Thimblerow Planning Brief as Non-Statutory Guidance, as a key document to support LDP2;
 - ii) agrees that the site may be re-marketed in line with the brief in the event an agreement is not concluded with Espresso Property; and
 - iii) requests the Head of Planning and Development to report back to the Council on the finalised scheme, and the terms of the development agreement, prior to the Council entering into any such agreement.

Author(s)

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Approved

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

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

1. STRATEGIC IMPLICATIONS

Community Plan

- 1.1 This report supports the Community Plan/Single Outcome Agreement strategic objectives of promoting a prosperous, inclusive and sustainable economy; and creating a safe and sustainable place for future generations.

Corporate Plan

- 1.2 The Council's Corporate Plan 2018 – 2022 sets out five outcome-focused strategic objectives that provide clear strategic direction, inform decisions at a corporate and service level, and shape resources allocation. They are as follows:
- (i) Giving every child the best start in life;
 - (ii) Developing educated, responsible and informed citizens;
 - (iii) Promoting a prosperous, inclusive and sustainable economy;
 - (iv) Supporting people to lead independent, healthy and active lives; and
 - (v) Creating a safe and sustainable place for future generations.

This report relates to all of the above.

2. Resource Implications

Financial

- 2.1 There are no financial implications arising from the recommendations of this report

Workforce

- 2.2 None

Asset Management (land, property, IT)

- 2.3 None

3. Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 The Thimblelow Development Brief Non Statutory Guidance referred to in the Committee Report has been considered under the Corporate Equalities Impact Assessment process (EqIA) and did not identify any likely impacts (positive, moderate or negative) in relation to Equality and Fairness.

Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.4 The Thimblelow Development Brief Non statutory guidance referred to in the Committee Report has been considered under the Act and a Screening Report was undertaken. The Consultation Authorities have assessed the screening report and agreed that the guidance is unlikely to have any significant effects on the headline environmental issues. A screening determination has been issued to the SEA Gateway

Sustainability

- 3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:
- in the way best calculated to delivery of the Act's emissions reduction targets;
 - in the way best calculated to deliver any statutory adaptation programmes; and
 - in a way that it considers most sustainable.
- 3.6 The brief has been considered under the provisions of the Acts using the Integrated Appraisal Toolkit.
- 3.7 The Thimblerow Development Brief Non statutory guidance referred to in the Committee Report has been or will be considered under the Acts where necessary. It supports the policy framework set out in the Local Development Plan, which seeks to achieve sustainable development and reduce the impact of climate change through its vision, strategies, policies and proposals, and will therefore contribute to the delivery of a more sustainable Perth and Kinross.

Legal and Governance

- 3.8 None

Risk

- 3.9 There are no specific risks associated with the proposals outlined within the Committee Report.

4. Consultation

Internal

- 4.1 We have a PKC Thimblerow project group with Development Planning, Development Management, Property, Legal, City Development, Transport, and the Head of Planning and Development. This group has guided preparation of this brief and will work with Estates in seeking to deliver the aims of the brief through the sale missives and development agreement to be secured with the selected developer.

External

- 4.2 None

5. Communication

5.1 None

2. BACKGROUND PAPERS

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above report:

- Perth and Kinross Local Development Plan 2 (Adopted November 2019);

3. APPENDICES

- Appendix 1 – Comments received on Thimblerow Development Brief Non-Statutory Guidance
- Appendix 2 – Revised Thimblerow Development Brief Non-Statutory Guidance