

## PERTH AND KINROSS COUNCIL

25 FEBRUARY 2015

**PERTH TRANSPORT FUTURES PROJECT  
PHASE 1 A9/A85 TO BERTHA PARK  
APPROPRIATION OF OPEN SPACE (PERTH CREMATORIUM)****Report by Executive Director (Environment)**

This report details the objections to the proposal to appropriate areas of open space in the grounds of Perth Crematorium for the purpose of a new link road and overspill parking area associated with Phase 1 of the Perth Transport Futures Project.

The report recommends that the Council considers the objections received and grants approval to appropriate these areas of open space in terms of Section 24(2A) of The Town and Country Planning (Scotland) Act 1959.

**1. BACKGROUND / MAIN ISSUES****Perth Transport Futures Project**

- 1.1 The Perth Transport Futures Project (PTFP) is to be undertaken by the Council to provide essential roads infrastructure that will support economic growth. It will also improve air quality in the city centre, and alleviate current and future traffic congestion. This is against the backdrop of the National Records of Scotland population projections (2012 base projections) which continue to indicate that the Perth and Kinross area will experience sustained population growth of 24% over the period to 2035.
- 1.2 The PTFP is part of the vision for the future transport network which was developed as part of the Scottish Transport Appraisals Guidance (STAG) process “to provide a transport system in and around Perth that will support sustainable economic growth, protect and improve the environment, social inclusion and accessibility.”
- 1.3 The key elements form an integrated series of transportation measures to enable Perth’s growth whilst not compromising the local or national trunk road networks. The PTFP will be delivered over a number of years and can be divided into four phases:
  1. Enhanced A9/A85 Junction and link to Bertha Park
  2. Cross Tay Link Road (CTLR)
  3. Bertha Park north link to A9
  4. Associated city improvements.

## **Phase 1 – A9/A85 Crieff Road Junction and Link Road to Bertha Park**

- 1.4 Phase 1 of the PTFP (the Scheme) is currently being progressed and the background to this, and the PTFP, along with the key decision dates, resource implications and significant benefits arising from the PTFP are detailed in previous Council reports (Report Nos 13/336, 14/192, 14/303 and 14/437 refer). In particular, Report 13/336 details the successive decisions by the Council to identify sustainable growth opportunities whilst addressing the issues of congestion and air quality in, and around, Perth. These are now incorporated in the adopted Strategic and Local Development Plans.
- 1.5 The Scheme includes improvements to the junction of the A9/A85, a new link road to Bertha Park located to the northwest of Perth City, including a new crossing over the River Almond, and a new footbridge over the A9.
- 1.6 The Perth and Kinross Council (Perth Transport Futures Project Phase 1 A9/A85 Crieff Road Junction and Link Road to Bertha Park) Compulsory Purchase Order 2014 (CPO) for the acquisition of land required for the Scheme was made by the Council on 24 October 2014 (Council reports 14/303 and 14/437 refer). The CPO has been submitted to the Scottish Ministers, for confirmation and, as objections to the CPO have been submitted to the Scottish Ministers, it is likely that a Public Inquiry will be held. The date of the Inquiry will be determined by the Scottish Ministers but it is anticipated that it may take place in April/May 2015.
- 1.7 The full planning application for the Scheme was advertised on 16 January 2015 and is likely to be considered by the Development Management Committee on 18 March 2015. This replaces the previous approved planning application (Application Number 11/01579/FLL refers).
- 1.8 The areas of open space within the Crematorium grounds are an integral part of Phase 1 of the PTFP Scheme. As stated at paragraph 1.6 of this report, the Council made the CPO for the areas of land required for the Scheme, and not within the Council's ownership, on 24 October 2014. If the Council does not approve the appropriation of the areas of open space within the Crematorium grounds, it will not be possible to proceed with the Scheme in its present form and the CPO will require to be withdrawn.

### **Impact on Crematorium Grounds**

- 1.9 The Crematorium grounds may be regarded as being an area of open space by virtue of the fact that they are open to the public for a variety of uses including recreational use. They are not a designated burial ground but this report does address the interests of those who are concerned about the impact of the Perth Transport Futures Project (PTFP) on the Gardens of Remembrance. Where a local authority wishes to appropriate an area of open space for another use, it is obliged, in terms of section 24(2A) of The Town and Country Planning (Scotland) Act 1959, to publish a Notice of its intention to do so and to consider objections. This report explains the proposal to appropriate ground at Perth Crematorium within the context of The Perth and Kinross Council (Perth Transport Futures Project Phase 1 A9/A85 Crieff Road Junction and Link Road to Bertha Park) Compulsory Purchase Order 2014.

- 1.10 The Council is asked to note that the need for this statutory consultation process arises because the land in question is considered to be open space and not because it is otherwise in use as part of the Crematorium grounds. The impact of the PTFP Scheme on available open space is therefore a material consideration in the Council's decision on whether to appropriate the land at the Crematorium for the purposes of the Scheme. The Council ought therefore to consider the scale of the appropriation as regards the overall availability of open space at the Crematorium and in the locality of the Crematorium.
- 1.11 The key issue for the Council is whether, taking account of all relevant material considerations, including third party interests, the requirement to deliver Phase 1 of the PTFP within a reasonable timescale, and the relatively small loss of open space at the Crematorium, it is fair and reasonable to approve the appropriation.
- 1.12 It is a key principle of compulsory purchase that land taken from third parties be minimised since the compulsory taking of land constitutes a major interference with private property rights and so with ECHR (European Convention of Human Rights) Article 1, Protocol 1 rights. The Council may therefore only exercise its powers of compulsory purchase in a fair and proportionate manner. The route selected helps to minimise the taking of third party land by making use of the existing Crematorium access road and woodland at the edge of the Crematorium which are within the Council's ownership. Inclusion of these areas is necessary for the successful delivery of the Scheme and means that less land needs to be taken from private owners.
- 1.13 There are obvious sensitivities arising from the proposed use of part of the Crematorium land for the Scheme but it is submitted that there is a balance to be struck between maintaining an acceptable level of intrusion into the Crematorium grounds and the impact of the Scheme on third party property interests. The Scheme design therefore is intended to minimise the impact on the Crematorium grounds and the proposed layout strikes a reasonable balance between safeguarding the interests of other landowners, including the owners of the adjacent McDiarmid Park, and minimising the impact on the character and setting of the Crematorium. It also strikes a fair balance between third party ownership rights and the rights of other parties with an interest in the Crematorium, including parties with an interest in memorials that may require to be moved if the Scheme is implemented.
- 1.14 A number of alternative routes were considered during the STAG (Scottish Transport Appraisal Guidance) process but were rejected for various reasons. The land take for these would be greater than in the case of the route selected and therefore the impact on third party interests would be greater. The route selected minimises the taking of third party land at this particular location. It also safeguards the future development of adjacent land allocated for residential development within the adopted Perth and Kinross Local Development Plan, 2014 (LDP)(Site H71). A summary of the alternative routes considered, including the reasons they were rejected, is given at Appendix 1.

- 1.15 The impact of the Scheme on the Crematorium, in terms of the overall area that is proposed to be appropriated, when compared to what will remain as accessible open space, is not considered to be significant. The remaining land within the Crematorium will continue to provide adequate space for quiet reflection. In addition there is open space in the locality of the Crematorium that will be unaffected by the Scheme, including areas of open space within the adjacent and proximate housing estates, namely Tulloch and Letham. There are also larger areas of open space closer to the City centre, including the North and South Inches. On balance, therefore, the overall loss of open space that will accrue as a consequence of the implementation of the Scheme is not considered to be so significant that a decision by the Council to appropriate the land required for the Scheme might be considered unreasonable.
- 1.16 The Council has, however, received objections on a number of alternative grounds (i.e. other than loss of open space per se), and having invited interested parties to make known their views, it is appropriate that the Council takes account of those views in so far as they might be considered to be reasonably relevant to the proposed appropriation of open space within the Crematorium. The Council is, however, advised that matters such as the detailed design of the Scheme, and of related issues such as the detailed design of mitigation measures, might more appropriately be considered through the separate planning application process which the present consultation on the loss of open space does not substitute for.

## **2. PROPOSALS**

### **Appropriation of Open Space**

- 2.1 The new link road will follow the existing Crematorium access road from Crieff Road for approximately 400 metres before travelling generally westwards between the Crematorium grounds and McDiarmid Park.
- 2.2 There are eight Gardens of Remembrance within the Crematorium grounds and the proposed route of the road affects the woodland area to the south of one of these - the Bluebell Garden. More specifically the route encroaches very slightly onto the outermost edge of the Bluebell Garden. The maximum extent of this has been determined and at the very most four memorials will require to be relocated.
- 2.3 The Project Team and Crematorium staff have been liaising with families whose memorials will be affected, and reasonable measures will be put in place regarding the relocation of the ashes and memorial plaques. Three of the four families have accepted the proposal to relocate their memorials.

## Objections

- 2.4 Section 24(2A) of The Town and Country Planning (Scotland) Act 1959 places a statutory duty on the Council to consider any objections to the appropriation which may be made to them. The formal Notice of Appropriation of Open Space was published in *The Courier* on 7 and 14 November 2014. Following requests from the Luncarty, Redgorton and Moneydie Community Council the deadline for lodging objections was extended from Friday 28 November 2014 to Friday 5 December 2014. The Notice and associated plan form Appendix 2 of this Report.
- 2.5 The Council received a total of 149 written objections of which 142 were from individuals; one from a local funeral director; one from Perth Civic Trust, one from Tulloch Tenants and Residents Association; one from Luncarty Redgorton and Moneydie Community Council; and three from MSPs on behalf of constituents. A petition containing 37 signatures also formed part of one of the objection letters from an individual.
- 2.6 In addition, letters were received from John Swinney MSP and Gordon Banks MP on behalf of Luncarty Redgorton and Moneydie Community Council following the closing date.
- 2.7 A written petition against the 'masterplan' for the Scheme was submitted to the Council on 28 November 2014 containing 77 signatures.
- 2.8 The road Scheme and how it impacts on the Crematorium has been widely reported in the local newspapers, particularly the *Perthshire Advertiser*. There are also two live online petitions opposing the proposals. The online petitions have not yet been lodged with the Council but details are as follows:
1. Stop Perth and Kinross from building a road through the Crematorium ([www.thepetitionsite.com/884/567/650/stop-perth-and-kinross-building-a-road-threw-the-crematorium/](http://www.thepetitionsite.com/884/567/650/stop-perth-and-kinross-building-a-road-threw-the-crematorium/)) created on 11 November. As at 14 January 2015 there were 1,303 signatures.
  2. Save Perth Crematorium ([you.38degrees.org.uk/petitions/save-perth-crematorium?source=facebook-share-button&time=1415968515](http://you.38degrees.org.uk/petitions/save-perth-crematorium?source=facebook-share-button&time=1415968515)), created around 11 November 2014. As at 14 January 2015 there were 2,205 signatures. The invitation to sign this petition suggests that the Scheme will incorporate part of the Winter Garden, which is incorrect. It is not possible to interrogate the site e.g. for the names and location of individual objectors.

## Grounds of Objection

- 2.9 A summary of all objections along with the petition are detailed at Appendix 3. Full details of all objections were also made available to Members in advance of the Council meeting. The main grounds of objection are summarised below:

- The proposal will affect relatives / loved ones' ashes scattered in Crematorium grounds.
- There will be increased noise levels as a consequence of the scheme.
- The proposals are insensitive to peace and tranquillity of gardens and disrespectful to bereaved persons.
- Lack of consultation.
- The proposals will impact on formal Gardens of Remembrance.
- The proposals will result in a loss of the driveway and overspill parking.
- The proposals will lead to safety issues and traffic congestion.
- The proposals run counter to the "promise" in Crematorium leaflet of 'Timeless Tribute'.
- The Scheme is not necessary.
- The relevance of road to the proposed school at Bertha Park.

### **Response to Objections**

2.10 Objectors were responded to by letter dated 12 December 2014 with an information pack enclosed. Only one objector acknowledged receipt in writing of the response. The information pack forms Appendix 4 to this report and included:

- A covering letter.
- A Question & Answer leaflet detailing the background to the road Scheme and information to address the points made by the objectors.
- A large plan with an aerial photograph of the Crematorium grounds with an overlay of the proposed link road and overspill car park.
- Artist's impressions of overflow parking area and new entrance to Crematorium.

2.11 Separate detailed responses were issued to the MSPs with the information pack enclosed. The responses are provided at Appendix 5.

### **Consideration of Objections**

2.12 Dealing with each main ground of objection in turn:

#### Relatives / Loved Ones' Ashes Scattered in Crematorium Grounds

- It is submitted that the proposals will have a limited impact on the Crematorium grounds. The land that is to be appropriated is not extensive and does not intrude significantly into the Gardens of Remembrance. Of the formal Gardens of Remembrance only the Bluebell Garden is affected, and the overall impact is not considered to be significant. Of the memorials currently located within the Crematorium grounds, only four are affected by the proposals. Three of the families concerned are satisfied with the Council's proposals for the relocation of their memorials, however one family has objected to the appropriation and is not satisfied with the Council's proposals for relocating their memorial.

- It is recognised that there may have been scatterings of ashes in the area that is to be appropriated, particularly as there is no requirement for permission to scatter ashes within the grounds of the Crematorium. It is not therefore possible to know precisely where ashes may have been scattered. However, it is undoubtedly the case that ashes may be disturbed by routine activity at the Crematorium, including grounds maintenance activity. It is already the Council's policy that all grass cuttings, soil and fallen leaves from within the Crematorium grounds are collected and retained within the woodland area. That way any ashes that may have been disturbed when the soil etc. has been collected, do not leave the grounds of the Crematorium. A similar approach will be taken for all grass and soil disturbed in the construction of the new roads infrastructure, in order to ensure that any ashes that may have been scattered within the area affected by the Scheme will not leave the Crematorium grounds.
- To the extent that the Scheme may interfere with any rights protected by the ECHR, such interference can be justified. The Scheme is a legitimate aim of the Council. It is being promoted pursuant to the Council's statutory powers as local roads authority and the need for the Scheme has been re-confirmed through the LDP review process. Whilst the Scheme may result in the need to move a small number of memorials and may involve disturbing ashes scattered within the Crematorium grounds, the overall impact of the Scheme on the Crematorium is not considered to be significant and must be considered against the benefits that the Scheme will deliver. Suitable mitigation measures are to be implemented so as to ensure disruption is kept to a minimum. Whilst it is clearly regrettable that the Scheme interferes with a small number of memorials the interference is reasonably necessary in order that the Scheme is delivered. The Council has considered all alternatives. These have been discounted for reasonable and valid reasons. In the circumstances it is concluded that the interference with this small number of memorials is lawful and that it is fair and proportionate.
- Similarly, with regard to ashes that may be scattered in the affected area, the Council has obtained legal advice and Officers conclude that the Scheme is not incompatible with the right to property under the ECHR. It is not clear that ashes that have been scattered are capable of being considered as possessions. Nonetheless, were it to be established in law that rights of ownership might attach to ashes that have been scattered, as opposed to stored, the Council has given careful consideration to minimising the impact of the Scheme on any ashes that may be located on the land that is to be appropriated, including ensuring that the ashes will remain within the grounds of the Crematorium.

- Finally, with regard to any potential interference with private or family life protected by the ECHR, such interference may be justified provided that it is in pursuit of a legitimate aim and that it is proportionate. For the reasons outlined above, the Council may reasonably conclude that, in the present case, such interference is not unlawful.

### 2.13 Noise

- The assessment of noise impact at the Crematorium has been undertaken and details of the surveys and modelling are contained within the Environmental Statement which forms part of the Planning Application. Increases in noise have been predicted and suitable mitigation measures have been designed. These will be implemented as part of the Scheme at the Crematorium and appropriately sized and situated noise barriers have been incorporated into the noise model. The reduction in noise provided by these has been checked against allowable levels.
- The noise reduction from the barriers will be most beneficial at locations close to the new link road. Further into the Crematorium the noise reduction from the barrier will be reduced. However, noise from the link road will also be reduced, and noise from the A9 will dominate as it does at present.
- With regard to noise levels during construction, the appointed contractor will be subject to noise level restrictions under the contract which will be agreed in advance with the Council's Environmental Health Team. This will be monitored by the Council's site supervision team during construction.
- Discussions are underway between the Project Team and the Crematorium staff with regard to the construction of the works to ensure that disruption is minimised, particularly during times of funerals.
- In conclusion, whilst the Scheme will impact on noise levels at the Crematorium, the increase in noise levels is not considered to be unacceptable and suitable mitigation measures will be put in place. In certain areas of the Crematorium the predominant noise will continue to be attributable to traffic on the A9 representing no change to the status quo.

### 2.14 Insensitive to peace and tranquillity of gardens and disrespectful to bereaved

- The sensitivity of this particular location has been adequately and properly addressed as has the impact of the Scheme on those with a personal interest in the Crematorium. The remaining land within the Crematorium will continue to provide adequate space for quiet reflection. In addition there is open space in the locality of the Crematorium that will be unaffected by the Scheme.



- Officers are working closely with the Crematorium staff to ensure that the proposals are designed sympathetically and take account of the needs of the Crematorium in terms of boundary treatments, landscaping and measures to mitigate any adverse impacts.

#### 2.15 Lack of Consultation

- The consultation exercise that is the subject of this report is a standalone exercise that requires to be undertaken because the land that is to be appropriated is open space. However, the background to the PTFP has been the subject of a number of Council reports (see section 1.4 above). Families known to be affected were directly contacted in advance of the proposal to appropriate being advertised in order that their concerns might be considered in advance and outwith the statutory consultation. The Council has complied in full with the consultation requirements that are set out in The Town and Country Planning (Scotland) Act 1959. It has also extended the deadline for consultation responses beyond the statutory requirement. All objections have been responded to and where requested to do so, Officers have met with objectors in order to discuss and to clarify the impact of the Scheme on the Crematorium grounds.

#### 2.16 Formal Gardens of Remembrance

- As outlined above, it is submitted that the proposals will have a limited impact on the Crematorium grounds. The Scheme does not intrude significantly into the Gardens of Remembrance. Of the formal Gardens of Remembrance only the Bluebell Garden is affected, and the overall impact is not considered to be significant. Specifically, the Winter Garden is not affected. Of the memorials currently located within the Crematorium grounds, only four are affected by the proposals. Three of the four families concerned are satisfied with the Council's proposals for the relocation of their memorials. Proposals for the sensitive relocation of scattered ashes are described above.

#### 2.17 Loss of Driveway and Overspill Parking

- The new link road will utilise part of the driveway leading up to the Crematorium and will include an adjacent pedestrian and cycle path. Currently, the driveway is used for parking when the existing car park is full. This tends to be at larger funerals which can occur 1-2 times per week.
- It is acknowledged that the long driveway will be lost. To compensate for the loss of parking the Scheme will incorporate an overspill parking area along the existing Spruce Avenue. It is understood that this area has been used in the past to accommodate parked vehicles. To minimise disruption and to mitigate the need to remove trees the parking surface will consist of a reinforced grass system. The overspill parking area will be managed by the Crematorium staff and will only be opened to cater for visitors of large funerals. To assist with the flow of traffic between funerals traffic will be able to exit the overspill car park onto the new link road. This will improve traffic flow and reduce congestion within the Crematorium grounds.

- In summary, whilst the Scheme will involve changes to the existing arrangements for vehicular traffic at the Crematorium, the new arrangements are considered to be acceptable and will not result in problems with traffic flow to and from the Crematorium.

#### 2.18 Safety Issues and Traffic Congestion

- The new link road has been designed in accordance with current road design standards, and the section of road in the vicinity of the Crematorium will be subject to a 30mph speed limit. Part of the existing Crematorium Road will also form a segregated pedestrian and cycle route to and from the Crematorium.
- At present the A85 is often congested and there is no turning lane to cater for right turning vehicles into the Crematorium. As a result it can sometimes be difficult to access and exit the grounds. As part of the Scheme a new walled entrance is proposed and a turning lane will be incorporated within the design to cater for drivers turning right into the Crematorium. As detailed above, two exits will be available for drivers exiting after large funerals which will assist in easing traffic flows within the Crematorium grounds.
- In summary, the Scheme will provide improved access and egress at the Crematorium, both for vehicular traffic and non-motorised users.

#### 2.19 Promise in Crematorium Leaflet of 'Timeless Tribute'

- It is recognised that the Scheme impacts on the Crematorium grounds and may result in the need to move a small number of memorials and may involve disturbing ashes which have been scattered. However, the overall impact of the Scheme on the Crematorium is not considered to be significant and must be considered against the benefits that the Scheme will deliver.
- Suitable mitigation measures are to be implemented so as to ensure disruption is kept to a minimum. Whilst it is regrettable that the Scheme interferes with a small number of memorials the interference is reasonably necessary in order that the Scheme is delivered. The Council has considered alternatives. These have been discounted for reasonable and valid reasons. In the circumstances it is concluded that the interference with this small number of memorials is a fair and proportionate measure.

#### 2.20 The Scheme is not necessary

- Objectors have expressed their disagreement with the need for the Scheme. However, there is strong planning and transport policy support (Regional and Local) for the Scheme. The need for the Scheme is also recognised in the LDP which was adopted in April 2014 and which represents the Council's settled view on this matter.

- In summary the need for the Scheme has been re-confirmed through the Local Development Plan review process. The present consultation exercise is not intended to revisit that process. The alternatives proposed by objectors do not address the problems that it is necessary for the Scheme to address.

#### 2.21 Relevance of road to school

- Objectors have questioned the timing of the Scheme. It has been suggested that the timing of the Scheme is driven by the availability of funding for the proposed new school within the Bertha Park Strategic Long Term Development Area. The current programme for the Scheme takes account of the time that will be necessary in connection with the compulsory purchase of land that is required for the Scheme and provides for the contract to be awarded in December 2015, and for construction to start in early 2016. It is anticipated that the construction period will be two years.
- The contract for the Scheme will specify that the section of road from Ruthvenfield Road to Bertha Park will be constructed first due to the need to construct a bridge over the River Almond. However, the Council's reasons for driving the Scheme forward have been clearly articulated in a number of Council reports (particularly report 14/303) and include the reduction of congestion on the local road network and the enablement of development in the A9/A85 corridor, including at Strategic Long Term Development areas at Bertha Park and Almond Valley in accordance with the LDP.

### **3. CONCLUSION AND RECOMMENDATIONS**

- 3.1 The decision to use land within the Crematorium grounds for the Scheme (Phase 1 of the Perth Transport Futures Project) has been taken after much analysis and due consideration of impacts. It is emphasised that the implementation of Phase 1 of the PTFP is essential to the future growth of the City as it is the means to service the Local Development Plan area. This supports sustainable economic growth and unlocks essential housing and business land throughout the Perth area in addition to relieving pressure on the City Centre. The road infrastructure comprised in the Scheme is also required to address the problems associated with traffic congestion and related air quality issues in and around the City.
- 3.2 It is recommended that the Council considers the objections received, but that notwithstanding those objections, grants approval to appropriate the areas of open space within the Crematorium grounds under Section 24(2A) of The Town and Country Planning (Scotland) Act 1959 for the purpose of constructing a new road, and an overflow car parking area, in implementation of The Perth Transport Futures Project Phase 1 A9/A85 to Bertha Park on the basis that:

- a) The benefits of the PTFP Scheme have been explained and the appropriation of these areas will enable the Council to deliver Phase 1 of the Scheme within a reasonable timescale;
- b) Alternative designs for the PTFP Scheme have been considered and have been discounted for reasons including excessive land take from third parties;
- c) The extent of land use within the Crematorium has been kept to a minimum and affects four memorials, with three of the four families affected having agreed to the proposals;
- d) The majority of objectors are not themselves family members of any of those whose memorials are affected;
- e) The Council has made reasonable attempts to address the concerns of, and the impact on the interests, of other persons who consider their interests may be affected by the Scheme. The impact on these third party interests has been limited to what is fair and proportionate.
- f) The works will be carried out sensitively giving due regard to the interim impact on the Crematorium during the construction phase of the Scheme, including on families attending for services or to visit memorials and more generally on the amenity and relative tranquility of the Crematorium grounds;
- g) Landscaping works, including noise mitigation measures, will minimise the effect on the Crematorium and Garden of Remembrance;
- h) The concerns of objectors have been reasonably addressed taking account of other issues such as third party land interests and the need for the Scheme.

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### Approved

<b>Name</b>	<b>Designation</b>	<b>Date</b>
Jim Valentine	Executive Director (Environment)	16 February 2015

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

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

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

- 1.1 The project supports the Community Plan Vision to “create and sustain vibrant, safe, healthy and inclusive communities in which people are respected, nurtured and supported and where learning and enterprise are promoted.” Specifically this projects encourages sustainable economic growth, improves a safer environment and healthier choices for sustainable transport.
- 1.2 The project supports the following Outcomes:
- Our area will have a thriving and expanding economy
  - Our area will have improved infrastructure and transport links
  - Our young people will attain, achieve and reach their potential
  - Our communities will be safer
  - Our area will have a sustainable natural and built environment

#### Corporate Plan

- 1.3 The Council’s Corporate Plan 2013 – 2018 lays out five outcome focussed strategic objectives which 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
- v) Creating a safe and sustainable place for future generations.

1.4 The project's benefits in respect of the wider objectives of the Corporate Plan (2013 – 2018) are outlined below:

- Giving every child the best start in life – provides access to the proposed new school campus.
- Promoting a prosperous, inclusive and sustainable economy – assist in the delivery of sustainable economic growth of the Perth Area, in particular opening up of economic development land to the north and north west of Perth.
- Supporting people to lead independent, healthy and active lives – The project will reduce congestion and therefore reduce traffic emissions, thereby contributing positively to air quality in the corridor and surrounding area. This will have a positive benefit for the health of residents in this area. The project also includes enhanced provision for pedestrian and cycle crossing over the A9 together with the upgrading of existing footpaths. This will provide a more positive environment for pedestrians and cyclists and could encourage more people within the area to walk and cycle.
- Creating a safe and sustainable place for future generations – The project will facilitate the delivery of the Local Development Plan strategy to support the sustainable economic growth of the area. In addition, by facilitating the Cross Tay Link Road and delivering the “Shaping Perth’s Transport Future” transport strategy, this project can contribute to reducing the carbon footprint of the area and promoting sustainable travel modes. The project will lead to lower journey times and reduce congestion, while providing more travel connections and alleviating the conflict between local and through traffic movements. This will provide for a better environment for this area.

## **2. Resource Implications**

### Financial

- 2.1 Funding of £23.5 million (less £2.18 million contribution from Sainsbury’s) was committed by the Council on 26 June 2013 (Report 13/336 refers), with up to a further £15.7 million approved through borrowing by Council on 7 May 2014 (Report 14/192 Refers). The funding includes provision for the purchase of the required land.
- 2.2 Sainsbury’s have withdrawn from developing the auction mart site and therefore their contribution of £2.18m will not be made. Stage 3 Cost Estimates for the Scheme are due to be prepared in early 2015.

- 2.3 The proposal to appropriate open space does not alter the current cost estimate.

#### Workforce

- 2.4 The procedure for the appropriation of open space has been undertaken by the Roads Infrastructure Team and Legal Services.

#### Asset Management (land, property, IT)

- 2.5 Future maintenance will be prioritised within the budget available.

### **3. Assessments**

#### Equality Impact Assessment

- 3.1 The proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) using The Integrated Appraisal Toolkit and have been assessed as **not relevant** for the purposes of EqIA

#### Strategic Environmental Assessment

- 3.2 The proposals have been considered under the Environmental Assessment (Scotland) Act 2005 using The Integrated Appraisal Toolkit and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

#### Sustainability

- 3.3 The proposals have been considered under the provisions of the Local Government in Scotland Act 2003 and Climate Change Act using The Integrated Appraisal Toolkit. The proposals will not have a direct impact on sustainable development or climate change.
- 3.4 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. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions. There is a statutory duty on the Council to ensure that the LDP contributes towards sustainable development accordingly no further assessment is required as the provenance of the LDP has been tested through the Local Development Plan review process. However the appropriation of the land referred to in this report is in implementation of a number of key proposals that are contained within the LDP.

#### Legal and Governance

- 3.5 The Perth Transport Futures Project has been under development for a number of years and is fully documented in various reports and plans.

- 3.6 This report provides members with information that indicates that the Council has complied with its obligations in terms of Section 24(2A) of The Town and Country Planning (Scotland) Act 1959 with regard to the proposed appropriation of open space.

#### Risk

- 3.7 A Project Board has been established to oversee the delivery of Phase 1. Membership includes the Heads of Legal and Finance. The Board examines all issues in relation to risk through the developing risk matrix.

### **4. Consultation**

#### Internal

- 4.1 The Executive Officer Team, the Head of Finance, the Head of Legal Services and the Head of Democratic Services have been consulted in the preparation of this report.
- 4.2 Copies of the objections to the appropriation of open space were made available to all Elected Members in advance of the meeting.

#### External

- 4.3 Consultation on the preliminary design of the road proposals included:
- Drop-in session for Crieff Road residents was held on 25 June 2014. This was well attended.
  - Public exhibition for Letham and Tulloch residents took place on 26 June 2014. This was well attended.
  - Public exhibition for Ruthvenfield and Huntingtower residents took place on 29 July 2014. This was well attended.
  - Meeting with residents of Double Dykes took place on 6 November 2014. Only one resident attended.
- 4.4 Consultation on the proposal to appropriate areas of open space at the Crematorium included:
- Correspondence and meetings with the four families directly affected by the proposal.
  - Formal Notice of the Appropriation of Open Space was published in The Courier on 7 and 14 November 2014. Following requests from a Community Council the deadline for lodging objections was extended from Friday 28 November 2014 to Friday 5 December 2014.
  - The objection letters are summarised in this report.
  - Response letters and information packs sent to all objectors and MSPs.
  - Drop-in session where all funeral directors were invited took place on 8 January 2015. Representatives of two funeral directors attended.



- Meeting took place with members of Tulloch Tenants and Residents Association and Luncarty Redgorton and Moneydie Community Council on 12 January 2015.

## **5. Communication**

- 5.1 This is a significant infrastructure project which requires a detailed communications plan to be in place for the whole life of the project. To date communications have included exhibitions for the Elected Members, negotiations with landowners as part of the Compulsory Purchase Order process, and consultation as part of the planning process.
- 5.2 With specific reference to the proposal to appropriate areas of open space, since the publication of the Notice, the impact of the road on the Crematorium has been widely reported in local newspapers.

## **2. BACKGROUND PAPERS**

- Report to Council 26 June 2013, Perth Transport Futures Project (13/336)
- Report to Council 7 May 2014, Perth Transport Futures Project – Phase 1 A9/A85 to Bertha Park (14/192)
- Report to Council 25 June 2014, Perth Transport Futures Project – Phase 1 A9/A85 to Bertha Park, Compulsory Purchase Order (14/303)
- Report to Council 8 October 2014, Perth Transport Futures Project – Phase 1 A9/A85 to Bertha Park, Compulsory Purchase Order (Report 2) (14/437)

## **3. APPENDICES**

- Appendix 1 - Summary of Alternative Routes Considered
- Appendix 2 - Notice of Appropriation of Open Space and Drawing No. 203078-AD-SK-063
- Appendix 3 - Summary list of objections
- Appendix 4 - Information Pack sent to objectors
- Appendix 5 - Responses to MSP's



## Perth Transport Futures Project – Phase 1 A9/A85 Junction and Link to Bertha Park

### Objectives and Route Alignment Options Considered

Through the early stages of the development of Phase 1 of the Perth Transport Futures Project, various route options were considered for the new link road and the new junction on the A9. The various options were evaluated against the objectives of Phase 1 which are as follows:

- To provide a vital first link in the provision of the remainder of the Perth Transport Futures Project (including the Cross Tay Link Road)
- To make a positive contribution to Perth's air quality objectives
- The facilitation of sustainable economic growth as envisaged in the Local Development Plan (LDP)
- To relieve present and future traffic congestion in the Crieff Road corridor
- Provision of better access to the trunk road network for local and through traffic
- To ensure improved pedestrian and cyclist safety over the A9 trunk road
- Provision of a second major access to Inveralmond Industrial Estate
- Relieve pressure on Inveralmond Roundabout
- Opening up of development land as required by the Council's LDP.

This Appendix provides a very brief summary of the route options considered and the reasons that that these were either rejected or selected.

### OPTION 1 - Utilise the existing A85 Crieff Road Corridor

This option involves improvement and widening of the existing A85 Crieff Road and provision of a new junction to the east of the existing A9 overbridge with associated slip roads. It should be noted that the existing bridge has a substandard head room provision (5.25m) and that the A9 in this location is now designated as a high load route requiring 5.7m headroom. Provision is therefore likely to be required within this option for full reconstruction of the existing bridge.

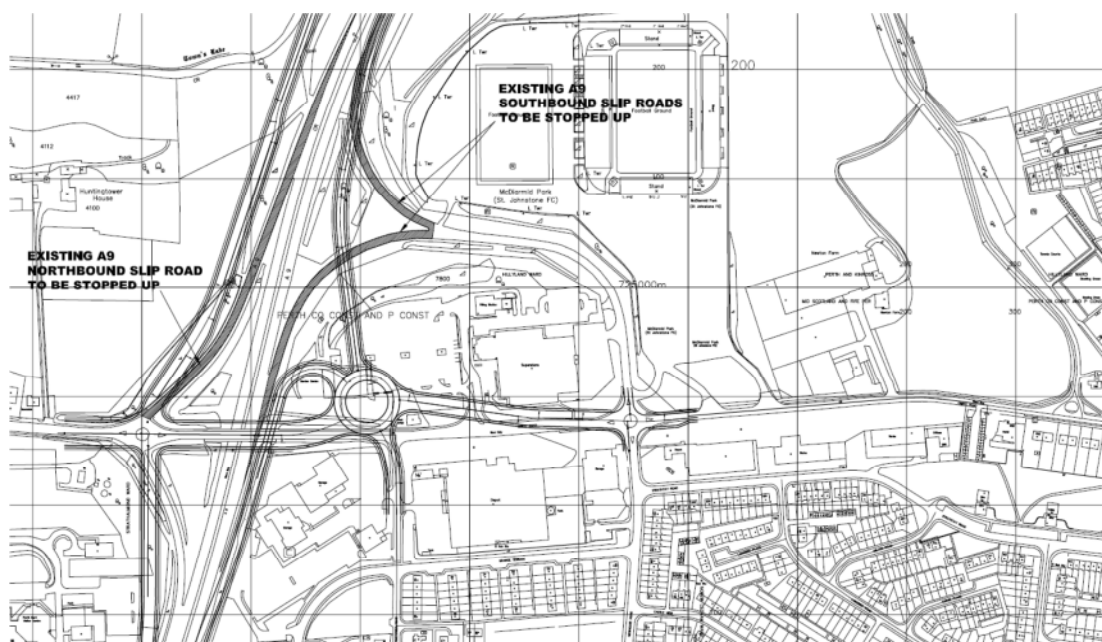


Figure 1 - An example of an option considered for the existing Crieff Road corridor

This option was discounted early in the process for the following reasons:

- Failure to adequately alleviate present and future traffic congestion on the Crieff Road corridor
- Significantly larger areas of land are required to be taken from third parties
- Requirement to acquire significant areas of valuable retail land
- Severe and sustained disruption to traffic on the Crieff Road corridor during construction
- An adverse impact on road safety on the A9 trunk road due to the substandard road design required to accommodate new slip road
- Safety concerns over the provision of wider roads in a retail/pedestrian area
- Access to land designated for future development to the west of Perth is far less convenient than other options.

### OPTION - 2 New A9 / A85 Junction and Link Road to the North of the Crematorium

This option involves provision of a new grade separated junction on the A9 with associated link road to the north of the Crematorium. The existing A9/A85 junction slips roads would be closed with the exception of the A9 northbound off-slip which would be incorporated into the new junction by a parallel link road to the west of the A9.

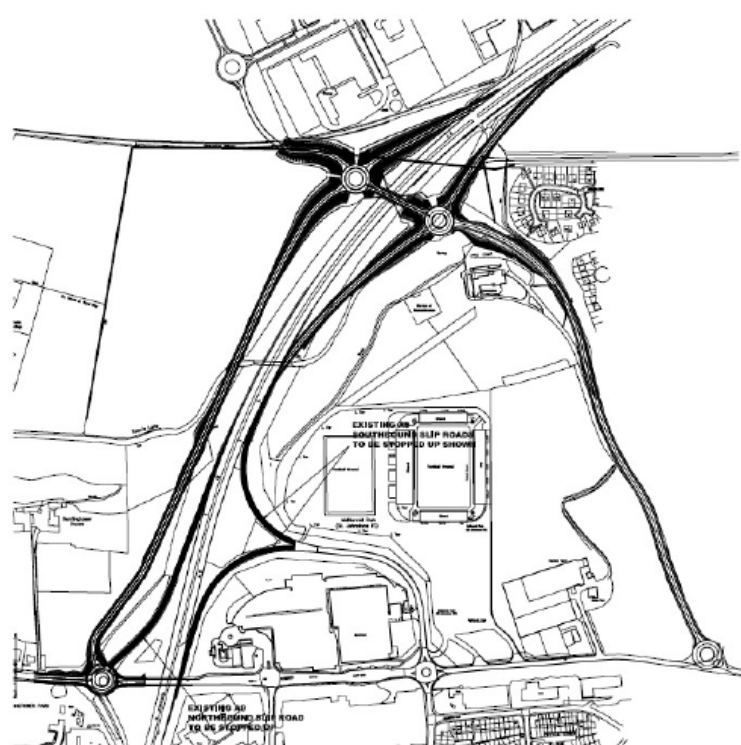


Figure 2 - Option 2

This option was taken forward further than option 1 as it alleviates traffic congestion on the Crieff Road corridor, it required less third party land, it did not require valuable existing retail land and it would not cause severe disruption to traffic on the Crieff Road corridor. However at a later stage in the assessment process it was discounted for the following reasons:

- Transport Scotland would not allow this option to proceed due to its adverse impact on road safety on the A9 trunk road (specifically due to the close proximity of the proposed junction and Inveralmond Roundabout and therefore failure to meet road design standards)
- The impact of the new link road on the Crematorium and the housing to the east of the Crematorium
- Access to land designated for future development to the west of Perth is less convenient than other options.

### OPTION 3 - New A9 / A85 Junction and Link Road to the South of McDiarmid Park

This option involves provision of a new grade separated junction on the A9 with associated link road to the north of the south of McDiarmid Park. The existing A9/A85 junction slip roads would be closed with the exception of the A9 northbound off-slip which would be incorporated into the new junction by a parallel link road to the west of the A9.

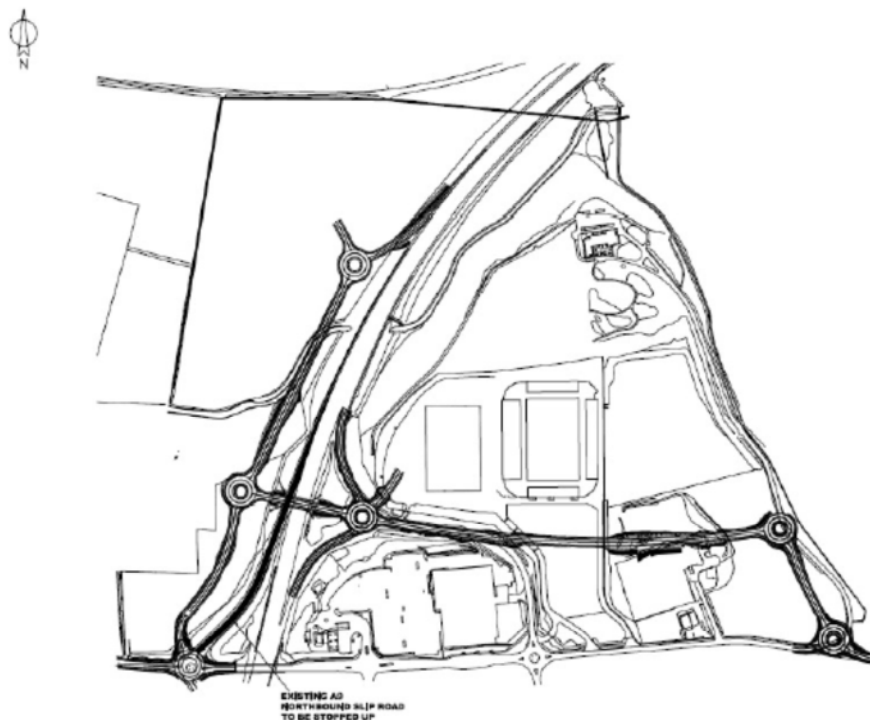


Figure 3 – Option 3

Similar to option 2, this option was taken forward further than option 1 for further assessment but was discounted for the following reasons:

- Large areas of land would be required to be taken from third parties
- The route would significantly impact on areas of land designated for development in the Council's adopted Local Development Plan
- After consultation with St Johnstone FC it was concluded that this option would have a severe detrimental effect on the safe operation of McDiarmid Park during events and football matches, and would effectively sever the football grounds.

### OPTION 4 - New A9 / A85 Junction and Link Road between McDiarmid Park and the Crematorium

This option involves the provision of a new grade separated junction on the A9 with associated link road between McDiarmid Park and the Crematorium. The existing A9/A85 junction slips roads would be closed with the exception of the A9 northbound off-slip which would be incorporated into the new junction by a parallel link road to the west of the A9.

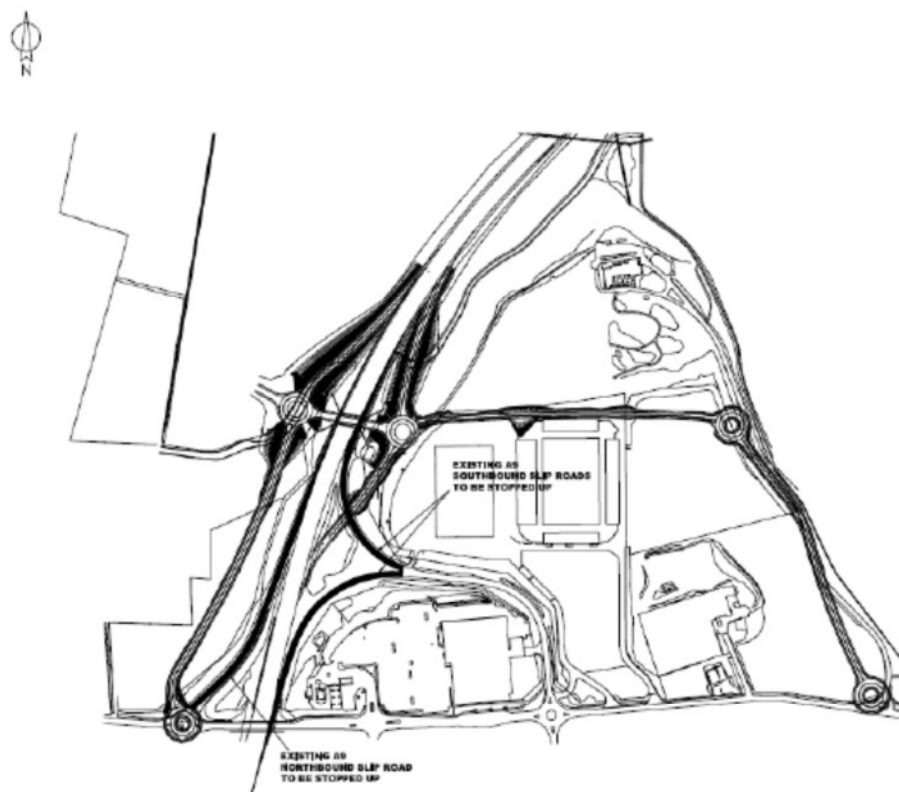


Figure 4 – Option 4

This option was selected after further assessment. This route meets all of the required objectives of Phase 1 whilst ensuring that the land take from third parties is minimised. It should be noted that Figure 4 shows the route option when the North Stand of McDiarmid Park was to be demolished in agreement with the football club. The removal of the North stand is now no longer an option and the road alignment has been refined to take into account the need to minimise the taking of third party land by making use of the Crematorium access road and woodland at the edge of the Crematorium grounds which are in the Council's ownership.

## PERTH AND KINROSS COUNCIL

### THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1959 SECTION 24(2A)

#### APPROPRIATION OF OPEN SPACE

Notice is hereby given that Perth and Kinross Council propose to appropriate the areas of open space at Perth Crematorium described below for the purpose of constructing a new road and an overflow car parking area in implementation of the Perth Transport Futures Project Phase 1 A9/A85 to Bertha Park.

A copy of this Notice and a Plan of the land to be appropriated ("the Plan") have been deposited at the Council's Offices at Pullar House, 35 Kinnoull Street, Perth, PH1 5GD and may be seen there without payment of fee between the hours of 8.45 am and 5.00pm on business days, except for the first Thursday of each month when the Council does not open for business until 11.00 am. A further copy of this Notice and the Plan have been displayed at Perth Crematorium and may be seen there without payment of fee between the hours of 9.00am and 5.00pm on business days.

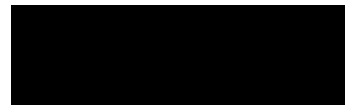
Any person who wishes to object to this proposal should do so in writing to the Head of Legal Services, Perth and Kinross Council, 2 High Street, Perth no later than 28 November 2014.

This Notice including the Schedule hereto is signed on behalf of Perth and Kinross Council by Ian Taylor Innes, a Proper Officer of the Council on 24 October 2014.

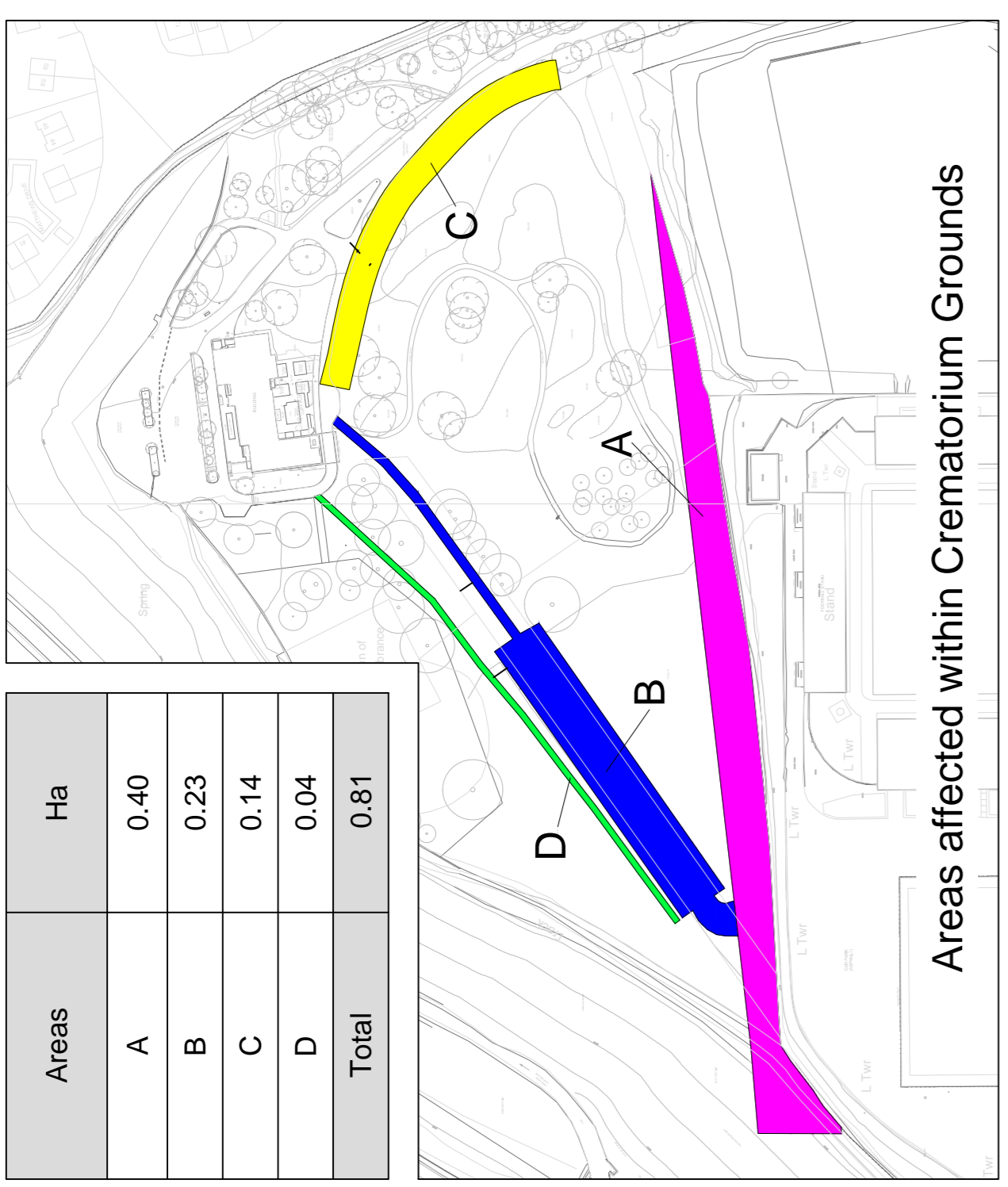
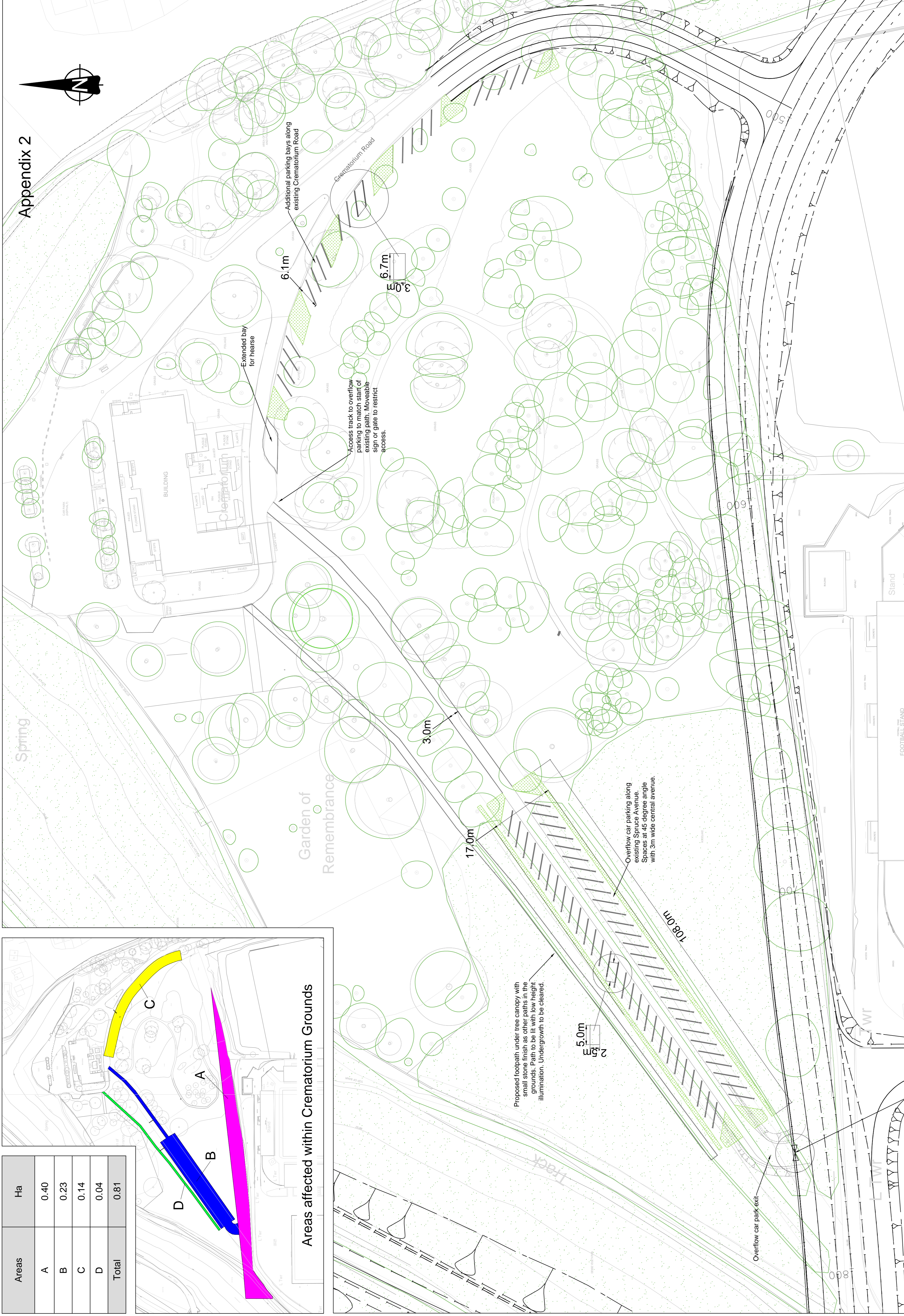


#### SCHEDULE

Four areas of land at Perth Crematorium, Crieff Road, Perth comprising Area A extending to 0.40 hectares or thereby and shown coloured pink on the Plan; Area B extending to 0.23 hectares or thereby and shown coloured blue on the Plan; Area C extending to 0.14 hectares and shown coloured yellow on the Plan; and Area D extending to 0.04 hectares or thereby and shown coloured green on the Plan.



# Appendix 2



Areas	Ha
A	0.40
B	0.23
C	0.14
D	0.04
<b>Total</b>	<b>0.81</b>

- Notes:**
- Current use of access road provides approximately 80 spaces for overflow parking. Proposals for the new road remove the existing access road from use.
  - Proposals shown for overflow parking will replace the existing arrangement for overflow parking.
  - Overflow parking and access roads will be constructed to cause minimum impact to the aesthetic appearance of the crematorium grounds.
  - The avenue of trees is shown on the photo below. Within the avenue crown filling will be required within the parking areas. There is approximately 1.2m between tree trunks and 6m between the tree canopies.

Overflow Parking Areas	Number of parking bays
Spruce Avenue	58
Along access	24
<b>Total</b>	<b>82</b>



Rev	By	Chkd	App	Date	Description

Client

**PERTH & KINROSS COUNCIL**

**CH2MHILL**

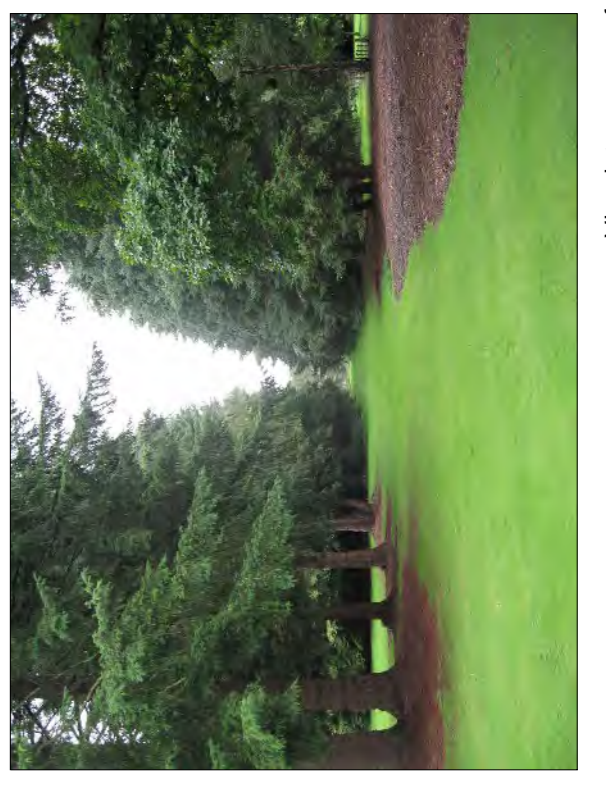
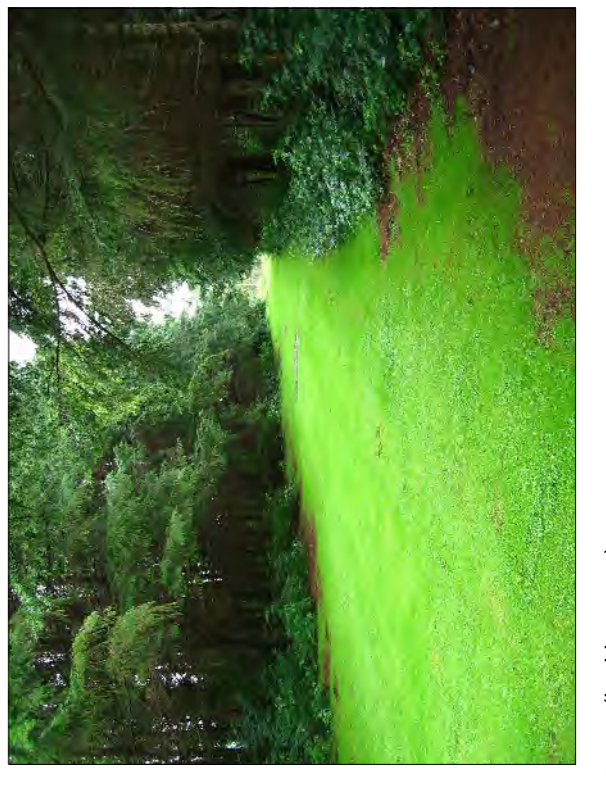
City Park  
398 Alexandra Parade  
Glasgow  
TEL: +44 (0)141 552 2000  
FAX: +44 (0)141 552 2525  
www.ch2mhill.com

Project: Perth Transport Futures Project  
Phase 1 A9/A85 to Bertha Park

Drawing No: 203078-AD-SK-063

Perth Crematorium  
Proposed Overflow Car Parking  
General Arrangement

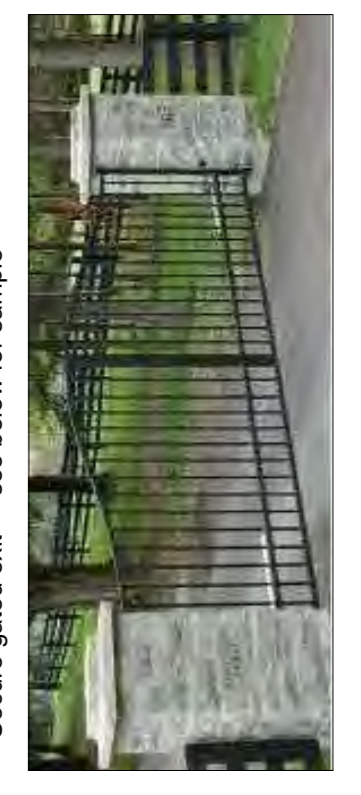
Drawn by: J Chan Date: 02 Sep 2014  
Checked by: A Torbet Date: 10 Sep 2014  
Approved by: A Torbet Date: 10 Sep 2014  
Drawing Scale: 1:500 at A1  
Revision: A



View into avenue of spruce trees (looking west)



Existing wooden gates used around garden



Secure gated exit - see below for sample



No.	<u>OBJECTOR</u>	<u>SUMMARY OF GROUNDS OF OBJECTION</u>
1-90	Name & address on file	No reason given
91	Name & address on file	Aunt & uncle have ashes scattered at Crematorium; causing extreme upset in family
92	Name & address on file	People's ashes have been scattered in all parts of Gardens and trees; will make Crematorium very loud place
93	Name & address on file	Memorial for late husband in Garden of Remembrance
94	Name & address on file	Parents ashes scattered in Winter Gardens; plans are insensitive as Remembrance Garden is a place of tranquillity and reflection and removal of trees at Bluebell and Daffodil Gardens will detract from this; noise and disruption during construction
95	Name & address on file	Son is in childrens garden and going to pay respects in nice calm quiet garden helps to be able to move forward; cold hearted with no respect for the stress to loved ones who have had ashes scattered there
96	Name & address on file	Lack of sensitivity shown by Council and unhappy at official's handling of new road proposals; wishes of people being ignored; affected areas are formal part of Gardens of Remembrance; hurt and pain caused to grieving families; place of solace, remembrance and final resting place not just temporary waste ground
97	Name & address on file	Grandfather's ashes scattered in Bluebell Garden; requesting Council to clarify what it deems to be formal Gardens
98	Name & address on file	Father's ashes scattered there 10 years ago; grounds are a special place to so many people; loved one's scattered there should command as much respect as those buried in cemetery
99	Name & address on file	Can't believe what the Council plans to do to a sacred beautiful place
100	Name & address on file	Late wife's ashes scattered in Winter Garden
101	Name & address on file	Whole of Perth would object to this as loved one's ashes are there
102	Name & address on file	Grandad's ashes scattered in Gardens; very distressing for family at already very sad and heartbreaking time
103	Name & address on file	8 members of family scattered there, 2 of which in Winter Garden; outrageous plan showing no respect
104	Name & address on file	Disrupting peace and tranquillity for people visiting gardens and funeral services with traffic noise; dismay at removal of avenue of trees and entrance; sacrilege to be cutting into Winter,

		Daffodil and Bluebell Garden
105	Name & address on file	2 members of family at rest in Crematorium; need silence and reverence there; unrealistic to bring in bulldozers where remains have been scattered; further encroachment would cause considerable noise pollution
106	Name & address on file	Ashes of close relations scattered in area and thought of upheaval very distressing
107	Name & address on file	Although Bluebell and Winter Gardens not official parts of Garden of Remembrance ashes of husband and hundreds of people scattered there; this place is very special and sacrosanct to relatives who visit
108	Name & address on file	No thought for people's upset and distress that final resting place of loved ones can be treated in this way; mother's ashes scattered in Bluebell wood which is a focal point for remembrance at particular times of the year
109	Name & address on file	Arrived at Crematorium to scatter mother's ashes to be confronted with plans; extremely upset but went ahead as father's ashes scattered in Autumn Garden; father's memorial outside front door where road is to go
110	Name & address on file	Have relatives ashes scattered in Winter Garden and appalled at proposed changes
111	Name & address on file	Gran and Grandad's ashes scattered there and have memorial stone; caused family great distress and upset at time of already great sadness
112	Name & address on file	Shows no thought for the feelings of the people of Perth who have remains of loved ones there; noise of passing traffic will be very disruptive, distressing and upsetting at a very sad and private time
113	Name & address on file	Late husband and parents have memorial stones sited in Bluebell Garden
114	Name & address on file	Shocked to read of Council's intention to bulldoze Winter and Bluebell Gardens to provide bypass; husband and daughter's ashes scattered in this area and memorial stones erected; Council have disregarded public opinion; traffic problems should be addressed without sacred ground being ruined
115	Name & address on file	Mother and father's ashes scattered in Bluebell Gardens and was not informed at the time that this was not an official garden of remembrance
116	Name & address on file	No consideration for people who have relatives and friends there; parents, brother and sister in law are in Winter Garden and husband in Daffodil Garden which believe to be part of the plan;

		Gardens should be a tranquil place where services can be held and people can pay their respects in peace
117	Name & address on file	Folks ashes scattered all over the grounds including some ancestors
118	Name & address on file	Both parents ashes scattered at Crematorium; proposals are wrong and very insensitive
119	Name & address on file	Bereaved families have laid ashes of loved ones within Gardens as a place of rest & to disturb this ground would be an act of insensitivity and disrespect; husband's ashes in Bluebell Garden; Councillors have not considered how this affects people in this situation
120	Name & address on file	5 members of family scattered in grounds and often visit for quiet reflection; do not relish paying respects with noisy traffic passing through nearby; must be alternative routes which such a road could take; Councillors are supposed to represent feelings and wishes of constituents so should not be considering this preposterous proposal
121	Name & address on file	Memorial to late wife in Summer Garden; plans are abhorrent; sacred ground beside a chapel becoming a noisy and busy road; during solemnity of funeral, noise outside shows total disregard for the feelings of the bereaved
122	Name & address on file	Inappropriate to disturb land in this peaceful area
123	Name & address on file	Countless people affected; have memorials to three generations of relatives in Winter Gardens and know their ashes are not beside the stones as were advised by Crematorium staff that this could not be done . ashes were instead scattered by funeral director and staff near the tree line where road is going; also evidence of new ashes and flowers on grass area near to where overflow car park is planned; Gardens are place of peace and quiet and reflections and should stay this way; ground on which Tesco store built should be used instead; ground at McDiarmid Park should not be used; running a road through a recreation area is ludicrous; dismayed at quality and accessibility of information being given to residents by Council
124	Name & address on file	New road will add additional traffic to Crieff Road at an already busy and narrow section; insensitive to use road as link to new housing and school at detriment of Crematorium; 3 generations of family in Winter Garden and road will be very close to this; peaceful nature of gardens will change with development and cutting into areas on drive

		where others have laid ashes to create a few parking spaces; have noted flowers and ashes which have been recently scattered in the affected areas; Council has lost all sense of compassion for families and friends of those who have final resting place in Perth; road will be used as a short cut to avoid Broxden and Inveralmond and worse on match days; road should go behind Crematorium and leave grounds untouched; gateway into McDiarmid used for funeral teas should be used for parking
125	Name & address on file	Major upset caused to family; will impinge on privacy when visiting Crematorium for paying respects; loved one's ashes will be turned upside down and affect the plaques situated there; last resting place and should have right to remain there
126	Name & address on file	Concern at replacement of boundary by removal of mature trees and shrubbery which muffles noise; Winter Garden will no longer be a peaceful, quiet place to remember and commemorate the passing of loved ones; re-alignment of present access road means that if using public transport will have to walk along busy road instead of Crematorium driveway
127	Name & address on file	Scattered son's ashes in Winter Gardens only 13 months ago and were never told that there was a possibility of a new road disturbing the area; Gardens are a cemetery and should be left alone
128	Name & address on file	Quiet and peaceful place where ashes of family and extended family have been scattered; Crematorium is no different to a graveyard; another solution to traffic problems will have to be found
129	Name & address on file	Lost daughter when she was only 18 years old; feel closer to her in spirit and get comfort from chats with Crematorium staff; totally shell shocked at plans; planned route of new road nothing short of sacrilege; grounds are sacred and is disrespectful to bereaved and their lost loved ones to think that can bulldoze through hallowed grounds in name of easing road congestion; emotional journey begins when walk or drive through gates at top of drive and to take drive away and use it as a main road is beyond comprehension and to cut a road past side of Crematorium is totally unacceptable; concern at noise of the work involved in the making of the road when bereaved families are going through the ordeal of a funeral service

130	Name & address on file	Scheme is insensitive and disregards feelings of many local people who have relatives' ashes scattered in area; position should be no different to formal burial ground; ashes of baby daughter scattered in Bluebell area and did not expect that area might have a road built over it
131	Name & address on file	Mother died in 1981 and takes comfort from knowledge that can be with her in Winter Gardens
132	Name & address on file	Parents' ashes scattered in Winter Gardens; Council have completely lost touch with people of Perth; insensitive and arrogant to put a road through sacred resting ground; parents deserve to rest in peace; this is a sacred place where people go to show respect to loved ones not just a piece of land
133	Name & address on file	Heartless, cold-blooded, unsympathetic, totally callous, cruel, disturbing, lack of respect, compassion and consideration for relatives; betrayal of Perth residents trust
134	Name & address on file	Parents ashes in Bluebell Gardens with a family memorial; deeply upsetting to think of loved ones being disturbed for ill-conceived plan
135	Name & address on file	All deceased loved ones are scattered in Winter Gardens and would be devastated if road goes ahead
136	Name & address on file	Both parents ashes scattered there and distressed at thought of machinery driving over them
137	Name & address on file	Parents ashes scattered there; causing massive heartache especially after have been through this previously
138	Name & address on file	Visit husband at Crematorium every weekend; cannot believe Council plans to build road which will prevent this; do not want to grieve amongst workmen but in private and in peace; noise level is acceptable at present but will not be if road is built; appalling way to treat families who have lost loved ones
139	Name & address on file	Thoughtless and insensitive route; alternative route should be considered
140	Name & address on file	Husband's ashes scattered in Bluebell Garden; visit peace and tranquillity of garden to share very precious memories
141	Name & address on file	Late father's ashes scattered in Bluebell Garden at a spot carefully selected to be within an area of calm and beauty; stone placed to mark the place and expectation that in fullness of time mother's ashes would also be scattered there; proposal to appropriate this land for purpose of a road seems callous and fails to take into account feelings of

		those families affected; do not understand why spot where father's ashes need to be disturbed at all; sacred and peaceful space where families come for quiet reflection and to reminisce; to treat the land in a different manner from that of a churchyard or graveyard fails to take account the wider context and use to which the land has been put
142	Name & address on file	Proposal is unethical and scheme must be redesigned to avoid this sensitive area
143	Tenants & Residents Association	Safety issues with entrance being situated on bend of proposed road and potential for traffic congestion; breach of the Council's promise to provide a timeless tribute to a loved one because we care and belief that this promise should apply to all of the grounds including lawns and wooded areas; noise pollution both during and after construction for both tranquil gardens and residents living in nearby areas; disagree with need for road and alternatives should be considered; belief that the Council are rushing the road to enable the new secondary school to be built and to ensure that funding is not lost.
144	Perth Civic Trust	Noise will detract from calm and peace appropriate to a place of mourning; entry to the Crematorium will be brief and hurried with a loss of sense of calm which the current long driveway induces; re-siting of car parking into grassed area further detracts from the peace of the site as does removal of avenue of trees; plans are too intrusive and insensitive; new road will disgorge traffic into an area of town with existing traffic problems
145	Luncarty, Redgorton and Moneydie Community Council	Disturbance and permanent removal of land on which Community Council members have scattered ashes of friends and family; outrage at insensitivity of the Council; betrayal of trust and the promise made by the Council in the official Crematorium leaflet to provide a timeless tribute to a loved one because we care and belief that this promise applies to the Crematorium grounds in their entirety; proposals will result in a cumulative increase in traffic noise surrounding Crematorium which would become an irresolvable noise nuisance to what are intended to be tranquil memorial gardens; reference made to the Council's policy for functional open space which states that there is a presumption against development on open spaces that are valued and functional

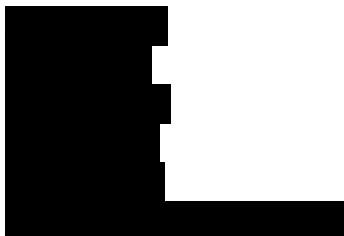
146	Funeral Director	Proposal will cause upset to residents who have loved ones ashes scattered within Crematorium grounds; noise both during and after construction; loss of driveway and consequent loss of parking; proposed overflow parking area contains scattered ashes; concern whether non tarmac surface of overflow parking area will withstand harsh winter
147	MSP	Constituent has stone placed in memory of her husband in Bluebell Garden and his ashes are scattered there; values peace and tranquillity of Gardens
148	MSP	Constituent has four members of her family in Winter Gardens and is incredulous that new link road may be built over them
149	MSP	Constituents concerned that road will take in part of Gardens of Remembrance and that will impinge upon areas where ashes have been scattered; concern about impact of proximity of road upon quiet and restful nature of Gardens; questioned whether area proposed for overflow parking is currently used as part of Garden of Remembrance





**Delayed Office Opening for  
Employee Training**

This Office will be closed from 8.45 am  
11.00 am on the first Thursday of  
each month



**LEGAL**

*Head of Service* **Ian Innes**  
2 High Street, PERTH. PH1 5PH  
**LP-16 PERTH**  
Telephone 01738 475115 Fax 01738 475545  
Web: [www.pkc.gov.uk](http://www.pkc.gov.uk)

Contact: **Mr I T Innes**  
**Direct Dial 01738 475503**  
Email: [iinnes@pkc.gov.uk](mailto:iinnes@pkc.gov.uk)  
Our Ref: L/RT/05/024 ITI/DR/FNW  
Your Ref:  
Date: 12 December 2014

Dear Sir

**NOTICE OF APPROPRIATION OF OPEN SPACE**

I write to acknowledge receipt of your recent letter being an objection to the Notice of the Council's proposal to appropriate areas of open space at Perth Crematorium as published in The Courier on 7 and 14 November 2014.

The Council has a statutory duty in terms of section 24(2A) of the Town and Country Planning (Scotland) Act 1959 to consider any objections to the appropriation which may be made to them. Your objection will therefore be considered together with all other objections at a meeting of the Council to be held on 25 February 2015.

I fully appreciate that this matter is causing continuing concern and therefore enclose an information leaflet together with drawings and sketches showing the proposals in the context of the Crematorium.

I hope that the enclosed information will assist in detailing the Council's proposals and confirm that you will be advised of the outcome of the Council's meeting on 25 February 2015. However, should you require any further information the Project Manager, Jillian Ferguson would be happy to meet with you and can be contacted on 01738 477291 or by email at [jillianferguson@pkc.gov.uk](mailto:jillianferguson@pkc.gov.uk).

Yours faithfully

Head of Legal Services

# Appendix 4



## Appropriation of Open Spaces

### Land at Perth Crematorium, Crieff Road, Perth



#### Background

Perth & Kinross Council is proposing a new road scheme on the western edge of Perth as the first phase of the Perth Transport Futures Project. The road scheme includes improvements to the junction of the A9/A85, a new link road to Bertha Park located to the northwest of Perth City, including a new crossing over the River Almond, and a new footbridge over the A9.

The proposed layout of the new link road will impact on woodland at the edge of Perth Crematorium, but will also present an opportunity to create a new entrance to the Crematorium grounds and a physical boundary between the Crematorium and McDiarmid Park.

The Crematorium grounds are currently open space and for this reason the Council published Notice of the proposal to appropriate parts of the external boundary of the grounds for a different use. This Notice was published in The Courier on 7 and 14 November 2014 and following requests from a community council the deadline for lodging an objection was extended from Friday 28 November 2014 to Friday 5 December 2014.

#### Why is the road scheme being proposed?

The road scheme is being proposed by the Council to:

- alleviate current and future traffic congestion
- contribute towards improved air quality
- improve amenity for residents and businesses in Crieff Road
- improve the safety of pedestrians and cyclists crossing the A9
- provide essential roads infrastructure which will enable the future expansion of Perth and help support economic growth, including the creation of jobs
- remove constraints which have led to an embargo on certain development within the A85 corridor.

#### How does the proposed route of the link road affect the Crematorium?

The proposal is that the new link road will follow the existing Crematorium access road from Crieff Road for approximately 400 metres before travelling generally westwards between the Crematorium grounds and McDiarmid Park.

There are eight Gardens of Remembrance within the Crematorium grounds and the proposed route of the road mainly affects the woodland area to the south of one of these - the Bluebell Garden. The route does encroach very slightly onto the outermost edge of the Bluebell Garden. The extent of the Garden which will be affected by the proposed works has been marked out with small red/blue flags. Anyone

[Type text]

visiting the Crematorium and seeing these should be aware that these flags have been placed to show the maximum impact of works, including potential wall foundations. The final boundary wall may be further away from the Gardens than the flags suggest.

An aerial photograph of the area surrounding the Crematorium with the proposed road plan overlaid has been produced and is available at the end of this factsheet, or a larger version can be viewed on the Council's website at [www.pkc.gov.uk/transportfutures](http://www.pkc.gov.uk/transportfutures).

### **Have other routes for the road been considered?**

The Council has considered other options for the layout of the road, but these have been discounted for a number of reasons including design constraints and/or an unacceptable level of impact on private property rights.

### **What's happening to the memorials in the Bluebell Garden?**

While the proposed route of the road does encroach very slightly into the Bluebell Garden the maximum extent of this has been determined, and at the very most four memorials will require to be relocated. We have been liaising with the affected families and will put reasonable measures in place regarding the relocation of ashes and memorial plaques.

### **Why is more land not being taken from McDiarmid Park to reduce the impact on the Crematorium?**

The Council is currently in talks with the owners of McDiarmid Park about a Compulsory Purchase Order which includes some of their land which is required in connection with the proposed road. The Council has a duty to use its powers of compulsory purchase in a fair and proportionate manner. The Council cannot acquire more private land that is necessary for the new road scheme. The road scheme therefore makes use of the existing Crematorium access road as it is already owned by the Council and means that less land needs to be taken from private owners.

The Council is also mindful of the need to minimise the impact on the Crematorium grounds and believes the route proposed strikes the best balance between safeguarding the interests of other landowners, including the owners of McDiarmid Park, whilst minimising the impact on the character and setting of the Crematorium.

### **The current access road to the Crematorium is used for overflow parking. Will there be less parking available for people attending funerals if this proposal goes ahead?**

We are aware that for around 1-2 funerals per week the car parking available behind the main Crematorium building is not sufficient. Crematorium staff help manage this parking currently by guiding vehicles into the main car park and then managing parking on the edge of the Crematorium access road when the car park is full. To compensate for this and to help make parking at the Crematorium easier for visitors we are proposing a new driveway and overspill parking area within the Crematorium grounds.

The driveway will be created along the existing Spruce Avenue within the Crematorium grounds. It is proposed that the path and parking surface will consist of a reinforced grass system to maintain the green appearance and parking bays will be under the existing trees in a similar style to parking at country parks and forest areas. We know from Crematorium staff and feedback from the public that this area has been used for parking in the past. The new proposals also include a left turn only exit onto the new link road from the end of the driveway. The exit would only be open when overflow parking is required.

[Type text]

## **Will anything be done to prevent noise from the road impacting on the Crematorium?**

Perth Crematorium is located beside a busy road and, standing in the Gardens, it is possible to hear sounds from the nearby residential properties, traffic on Crieff Road and the A9 dual carriageway and football supporters attending McDiarmid Park on match days.

A noise assessment has been undertaken and will be detailed in the Environmental Statement that will be available with the Planning Application for the scheme. Appropriately sized and located noise barriers will be designed and will include mitigation measures such as acoustic fencing, walls and planting. The noise reduction from these will be most beneficial at locations close to the new link road but the noise from the A9 will dominate as it does at present.

## **What will happen to the soil etc. within the Crematorium?**

In accordance with existing policy and practice, all grass cuttings, soil and fallen leaves from the Crematorium gardens are collected and retained within the woodland off the Spruce Avenue. They are not removed from the Crematorium. The same policy will apply to the soil which is moved to accommodate the link road and boundary. Any soil taken from an area within the existing Crematorium grounds will be retained within the remaining land.

## **Will the proposals benefit the Crematorium?**

The proposals give us an opportunity to make a number of improvements to the access and grounds of Perth Crematorium.

- Creating a new boundary between the Crematorium and McDiarmid Park will help to secure the grounds. Crematorium staff regularly find litter and evidence of anti-social behaviour (including empty drinks cans and camp fire remains) in the woodland area at the edge of the Crematorium.
- A new junction incorporating a new stone feature wall will be constructed. There will also be a turning lane on the link road which will improve access to the Crematorium.
- The creation of overflow parking along the Spruce Avenue, with an exit onto the proposed link road, will make parking easier for mourners at larger funerals.
- A package of landscaping measures will also be carefully designed and implemented.

## **What happens next?**

We are currently examining in detail all objections we have received in connection with the proposal to use part of the external Crematorium grounds in connection with the road scheme. These will form the basis of a report which will be considered at meeting of the Council on 25 February 2015.

The road scheme will also be subject to a future Planning Application which will be lodged in the week beginning 5 January 2015. This will be considered in line with planning legislation, including statutory requirements regarding advertisement and neighbour notification.

Appendix 4



# Appendix 4



# Appendix 4





**Delayed Office Opening  
for Employee Training**

*This office will be closed from  
8.45 am - 11.00 am on the first  
Thursday of each month.*

John Swinney MSP  
Constituency Office  
35 Perth Street  
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PH10 6DL

*Executive Director* **Jim Valentine**

2 High Street, Perth PH1 5PH

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Email: [JValentine@pkc.gov.uk](mailto:JValentine@pkc.gov.uk)  
[www.pkc.gov.uk](http://www.pkc.gov.uk)

Our ref JV/LC 652069

Your ref

Date 10 December 2014

Dear Mr Swinney

**Perth Transport Futures Project  
Phase 1 - A9/A85 Crieff Road Junction and Link Road to Bertha Park**

Thank you for your letter dated 25 November 2014 which details the concerns of one of your constituents regarding the proposals for the above Scheme in relation to Perth Crematorium.

To assist you in replying to [REDACTED], I have provided a detailed response to your letter which covers all aspects of the Scheme in relation to the Crematorium.

Firstly, the appropriation of land at the Crematorium is in connection with Phase 1 of the Perth Transport Futures Project which is being proposed by the Council to improve air quality and to alleviate current and future traffic congestion and will enable the future expansion of Perth and help support economic growth. The road scheme will also remove constraints which have led to an embargo on certain development within the A85 corridor. The scheme consists of improvements at the junction of the A9/A85 on the western edge of Perth, a new link road to Bertha Park located to the northwest of the city to include a new crossing over the River Almond and a new footbridge over the A9.

The proposed alignment of the new link road is such that it will follow the existing Crematorium access road for approximately 400 metres before travelling generally westwards between the Crematorium grounds and McDiarmid Park stadium. The Council is currently in talks with the owners of McDiarmid Park about a Compulsory Purchase Order which includes some of their land which is required in connection with the proposed road. The Council has a duty to exercise its powers of compulsory purchase in a fair and proportionate manner, and the Council cannot acquire more land than is necessary for the road scheme. The road scheme therefore makes use of the existing Crematorium access road as it is already owned by the Council and means that less land needs to be taken from the private owners.

The Council is also mindful of the need to minimise the impact on the Crematorium grounds and we believe the route proposed strikes the best balance between safeguarding the interest of other landowners including the owners of McDiarmid Park whilst minimising the impact on the character and setting of the Crematorium. The Council has considered other options for the layout of the road but these have been discounted for a number of reasons including design constraints and/or unacceptable levels of impact on private property rights.

On 7 and 14 November 2014 the Council published Notice of the proposal to appropriate areas of open space within the crematorium grounds for a different use. This was published in accordance with section 24(2A) Town and Country Planning (Scotland) Act 1959. This statutory provision also requires the Council to consider any objections to the appropriation which may be made to them. The original closing date for objections was 28 November 2014 but was extended to 5 December 2014.

To assist in your understanding of the proposals, I have enclosed drawings and sketches which show the proposals in the context of the Crematorium. I have also enclosed the brochure for the Crematorium which details the Gardens of Remembrance.

The proposed alignment mainly affects the woodland area to the south of the Bluebell Garden but it does encroach very slightly into the Bluebell Garden. This woodland area is currently not maintained by the Crematorium staff and there is evidence of anti-social behaviour and litter. I have attached a couple of photographs to show you this. The exact extents have been determined and are currently marked out on site with small red and blue flags. Anyone visiting the Crematorium and seeing these should be aware that these flags have been placed to show the maximum impact of the works, including wall foundations. The final boundary may be further away from the Gardens than the flags suggest.

A maximum of four memorials will require to be relocated. The Council has been in liaison with the affected parties and will implement reasonable measures regarding the relocation of ashes and memorial plaques. You mention that [REDACTED] has family in the Winter Garden but the plans will show that this is not affected by the proposals. However, should [REDACTED] require further information she may wish to contact Jillian Ferguson, the Project Manager for the Scheme on 01738 477291.

A new junction giving access to the Crematorium will be created on the new road and a feature wall will also be constructed at this new access. It is also proposed to use two small areas of ground to provide parking adjacent to the existing access road and to make provision for a path.

At present, the Crematorium access road provides overspill parking for larger funerals (around 1-2 per week) and it is proposed to replace this with a new driveway along the existing Spruce Avenue and overflow parking area within the grounds with a gated left turn only exit onto the new link road. The driveway and parking area will be constructed using a grass grid system so that a green appearance will be retained. We know from Crematorium staff and feedback from the public that this area has been used for parking in the past. The new exit would only be open when the overflow parking is required and will be managed by the Crematorium staff.

During construction all efforts will be made to keep any disruption to the grounds in and around the Crematorium to a minimum. In accordance with existing policy and practice all grass cuttings, soil and fallen leaves from the Crematorium gardens are collected and retained within the woodland off Spruce Avenue. They are not removed from the Crematorium. The same policy will apply to the soil which is moved to accommodate the new link road and boundary wall. Any soil taken from an area of the existing Crematorium grounds will be retained within the remaining land.

The project team are working very closely with the Crematorium staff to ensure that the proposals are designed sympathetically and take account of the needs of the Crematorium in terms of boundary treatments, landscaping and measures to mitigate any adverse impacts. These will assist in maintaining the special atmosphere in the Gardens that you refer to in your letter.

A noise assessment has been undertaken and will form part of the Planning Application which will be lodged in the week beginning 5 January 2015.

The assessment of noise impact at the Crematorium has been undertaken using 3D computer models of the area to compare the current situation with the proposed layout. Where significant increases in noise have been predicted then mitigation has been designed. In this case appropriately sized and situated noise barriers have been incorporated into the noise model and the reduction in noise provided by this was checked against allowable levels. This process will be detailed within the Environmental Statement that will be available with the Planning Application for the scheme.

The noise reduction from the barriers will be most beneficial at locations close to the new link road. Further into the Crematorium the noise reduction from the barrier will be reduced. However, noise from the link road will also be reduced, and noise from the A9 will dominate as it does at present.

I fully appreciate that this matter is causing continuing concerns and we will endeavour to deal with all objections received reasonably and sensitively. The closing date for objections was extended to 5 December 2014 and I advise that all objections will be considered at a meeting of the Council to be held on 25 February 2015.

As stated above the road scheme will be subject to a future planning application. This will be considered in line with planning legislation, including statutory requirements regarding advertisement and neighbour notification.

I trust the foregoing is helpful but should you have any further queries please do not hesitate to contact me.

Yours sincerely

Jim Valentine  
Executive Director (Environment)

Encs

Copy to: David Littlejohn, Head of Planning and Regeneration  
Jillian Ferguson, Roads Infrastructure Manger  
Debbie Robertson, Solicitor

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*Executive Director* **Jim Valentine**

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Our ref JV/LC 652094

Your ref JS/DD

Date 10 December 2014

Dear Mr Swinney

**Perth Transport Futures Project  
Phase 1 - A9/A85 Crieff Road Junction and Link Road to Bertha Park**

Thank you for your letter dated 25 November 2014 which details the concerns of one of your constituents regarding the proposals for the above Scheme in relation to Perth Crematorium.

To assist you in replying to [REDACTED], I have provided a detailed response to your letter which covers all aspects of the Scheme in relation to the Crematorium.

Firstly, the appropriation of land at the Crematorium is in connection with Phase 1 of the Perth Transport Futures Project, which is being proposed by the Council to improve air quality and to alleviate current and future traffic congestion and will enable the future expansion of Perth and help support economic growth. The road scheme will also remove constraints which have led to an embargo on certain development within the A85 corridor. The scheme consists of improvements at the junction of the A9/A85 on the western edge of Perth, a new link road to Bertha Park located to the northwest of the city to include a new crossing over the River Almond and a new footbridge over the A9.

The proposed alignment of the new link road is such that it will follow the existing Crematorium access road for approximately 400 metres before travelling generally westwards between the Crematorium grounds and McDiarmid Park stadium. The Council is currently in talks with the owners of McDiarmid Park about a Compulsory Purchase Order which includes some of their land which is required in connection with the proposed road. The Council has a duty to exercise its powers of compulsory purchase in a fair and proportionate manner, and the Council cannot acquire more land than is necessary for the road scheme. The road scheme therefore makes use of the existing Crematorium access road as it is already owned by the Council and means that less land needs to be taken from the private owners.

The Council is also mindful of the need to minimise the impact on the Crematorium grounds and we believe the route proposed strikes the best balance between safeguarding the interest of other landowners including the owners of McDiarmid Park, whilst minimising the impact on the character and setting of the Crematorium. The Council has considered other options for the layout of the road but these have been discounted for a number of reasons including design constraints and/or unacceptable levels of impact on private property rights.

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A maximum of four memorials will require to be relocated. The Council has been in liaison with the affected parties and will implement reasonable measures regarding the relocation of ashes and memorial plaques. You mention that [REDACTED] has a stone memorial in memory of her husband in the Bluebell Garden and I confirm that this is not affected by the proposals. This may be clear from the drawings attached but should [REDACTED] wish to speak to us directly about her concerns given that the objection period has ended then we would be happy to do so. The member of staff leading on the project is Jillian Ferguson and she can be contacted on 01738 477291.

A new junction giving access to the Crematorium will be created on the new road and a feature wall will also be constructed at this new access. It is also proposed to use two small areas of ground to provide parking adjacent to the existing access road and to make provision for a path.

At present, the Crematorium access road provides overspill parking for larger funerals (around 1-2 per week) and it is proposed to replace this with a new driveway along the existing Spruce Avenue and overflow parking area within the grounds with a gated left turn only exit onto the new link road. The driveway and parking area will be constructed using a grass grid system so that a green appearance will be retained. We know from Crematorium staff and feedback from the public that this area has been used for parking in the past. The new exit would only be open when the overflow parking is required and will be managed by the Crematorium staff.

During construction all efforts will be made to keep any disruption to the grounds in and around the Crematorium to a minimum. In accordance with existing policy and practice all grass cuttings, soil and fallen leaves from the Crematorium gardens are collected and retained within the woodland off Spruce Avenue. They are not removed from the Crematorium. The same policy will apply to the soil which is moved to accommodate the new link road and boundary wall. Any soil taken from an area of the existing Crematorium grounds will be retained within the remaining land.

The project team are working very closely with the Crematorium staff to ensure that the proposals are designed sympathetically and take account of the needs of the Crematorium in terms of boundary treatments, landscaping and measures to mitigate any adverse impacts. These will assist in maintaining the peace and tranquillity of the Gardens that [REDACTED] refers to.

A noise assessment has been undertaken and will form part of the Planning Application which will be lodged in the week beginning 5 January 2015.

The assessment of noise impact at the Crematorium has been undertaken using 3D computer models of the area to compare the current situation with the proposed layout. Where significant increases in noise have been predicted then mitigation has been designed. In this case, appropriately sized and situated noise barriers have been incorporated into the noise model and the reduction in noise provided by this was checked against allowable levels. This process will be detailed within the Environmental Statement that will be available with the Planning Application for the scheme.

The noise reduction from the barriers will be most beneficial at locations close to the new link road. Further into the Crematorium the noise reduction from the barrier will be reduced. However, noise from the link road will also be reduced, and noise from the A9 will dominate as it does at present.

I fully appreciate that this matter is causing continuing concerns and we will endeavour to deal with all objections received reasonably and sensitively. The closing date for objections was extended to 5 December 2014 and I advise that all objections will be considered at a meeting of the Council to be held on 25 February 2015.

As stated above, the road scheme will be subject to a future planning application. This will be considered in line with planning legislation, including statutory requirements regarding advertisement and neighbour notification.

I trust the foregoing is helpful but should you have any further queries please do not hesitate to contact me.

Yours sincerely

Jim Valentine  
Executive Director (Environment)

Encs

Copy to. David Littlejohn, Head of Planning and Regeneration  
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[www.pkc.gov.uk](http://www.pkc.gov.uk)

Our ref JV/LC 653119

Your ref JS/EW

Date 14 January 2015

Dear Mr Swinney

**Perth Transport Futures Project  
Phase 1 - A9/A85 Crieff Road Junction and Link Road to Bertha Park**

Thank you for your letter dated 10 December 2014 which details a number of concerns from Luncarty, Reddorton and Moneydie Community Council.

Firstly I advise that officers from the Project Team for the Scheme met with [REDACTED] of the [REDACTED] on 12 January 2015 and were able to answer a number of his questions.

You make reference to the tranquillity of the Crematorium grounds and the impact the proposed road will have on this, particularly in relation to noise. As detailed in previous correspondence to you an assessment of the noise impact has been undertaken and details of the surveys and modelling are contained within the Environmental Statement which forms part of the Planning Application.

I advised that the Planning Application has now been lodged and the consultation period will run for four weeks from 16 January 2015.

The Perth and Kinross Council (Perth Transport Futures Project Phase 1 A9/A85 Crieff Road Junction and Link Road to Bertha Park) Compulsory Purchase Order 2014 for the acquisition of land required for Phase 1 was made by the Council on 24 October 2014. The CPO has been submitted to the Scottish Ministers for confirmation and it is likely that a Public Inquiry will be held. The date of the Inquiry will be determined by the Scottish Ministers but it is anticipated that it may take place in April/May 2015.

The Council has invested a considerable amount of time and effort investigating solutions to the problems associated with traffic congestion and related air quality issues in and around the City of Perth. Traffic modelling has identified the A85 Crieff Road corridor, including the A9/A85 and Newhouse Road junctions, as a major issue. These routes also act as major local traffic distributors linking Perth to Crieff and the City with the major employment area of Inveralmond.

In particular Newhouse Road acts as a key local distributor road for the large population areas of Letham and Burghmuir. The extent of the current congestion impacts severely on travel times in this locality and has resulted in the withdrawal of some bus services due to the inability to keep to a reliable timetable. The need to identify a solution which addresses these concerns has been identified as an issue for a number of years. Failure to deal with this congestion will continue to exacerbate the air quality issues creating a vicious circle. The need for a solution which addresses the issue of traffic congestion is therefore a Council priority.

The solution proposed by the Council is a series of measures, collectively referred to as the Perth Transport Futures Project that will also support the sustainable economic growth of Perth and of the wider Council area. This has become the basis on which the Strategic Development Plan and the Local Development Plan are now founded.

The background to the PTFP along with the associated studies and appraisals, key decision dates, consultation and resource implications is well documented in Council reports. Council Report 13/336 provides full details and can be viewed on the Council's website at: <http://www.pkc.gov.uk/CHttpHandler.ashx?id=20478&p=0>.

The adopted Perth & Kinross Local Development Plan identifies the Site Specific Developer Requirements which the developers of each of the North/West Perth housing proposals at Bertha Park, Almond Valley and Perth West are required to satisfy. In addition to these requirements Supplementary Guidance which details Developer Contributions towards Affordable Housing, Primary Education and Transport Infrastructure would apply. The Affordable Housing Supplementary Guidance requires that 25% of the total number of dwellings provided will be affordable. The tenure and phasing of delivery will be determined through negotiation with individual developers.

The Transport Infrastructure Developer Contributions Supplementary Guidance seeks contributions from developers calculated by formula in relation to the number and type/use of properties proposed in the development (i.e. housing, business or retail). Through the Primary Education Developer Contributions Supplementary Guidance developers are also be required to contribute towards the further new schools required in the North/West Perth area should the proposed house building progress (approximately 5,500 new houses have been planned). This will be delivered through a combination of land provision and an appropriate contribution calculated on the total number of dwellings which are granted planning consent. Negotiations are ongoing with the individual developers involved in promoting each of the North/West Perth housing proposals in line with the adopted policy framework.

I trust the foregoing is helpful but should you have any further queries please do not hesitate to contact me.

Yours sincerely



Jim Valentine  
Executive Director (Environment)

Copy to. David Littlejohn, Head of Planning and Regeneration  
Jillian Ferguson, Roads Infrastructure Manager  
Debbie Robertson, Solicitor