

Issue 33a	Kinross-shire Area - Kinross/Milnathort Large Housing Sites	
Development plan reference:	Kinross/Milnathort, page 202-209 H46 - West Kinross, page 205 H47 - Lathro Farm, Kinross, page 205 OP12 - Former High School, Kinross, page 206 OP15 - Lethangie, Kinross, page 207	Reporter: Timothy Brian
Body or person(s) submitting a representation raising the issue (including reference number):		
Graham Paterson (00086) Robert Ballard (00109) David Cureton (00136) Barry Colford (00178) Sheila Flounders (00182) Glen Douglas (00220) Fiona Kennie (00243) Mark Francey (00254) Aileen Eadie (00258) Patrick Smyth (00276) Ryszard Muller (00278) Kevin Marshall (00280) Joseph Burns (00285) M Campbell (00290) Andrew Muir (00291) W P McLeod (00292) I McDonald (00293) David Tinch (00294) Diana Corrieri (00296) Janet Mackay (00326) Anne Farmer (00328) David Menzies (00330) Maria Victoria Bartlett (00331) David Gibson (00344) Linda Gibson (00345) Fiona Erskine (00346) Ann Penman (00349) Helen Powers (00357) Mr & Mrs Murray (00360) Mr & Mrs J Hogg (00363) Pauline Smith (00368) Veda Scott (00374) A McBain (00375) Carolyn Ross (00376) C Smit (00377) Moirra Brady (00392) Mr & Mrs R Burnett (00394) Tom Traynor (00402) Alison Jane Cuthbert (00403) Charles Cuthbert (00404) George Aitken (00405)		Leslie Tolson (00543) Shirley Morgan (00544) Linda McNab (00547) James Pearse (00548) Mr & Mrs Jane Sneddon (00549) Mr & Mrs J Ballingall (00550) David Alston (00552) Irene Alston (00553) James Brown (00556) Peter Caw (00557) S Ross (00558) Mr & Mrs A Munro (00559) F Munro & L Ross (00560) Mr & Mrs Adrian Simpson (00567) Robert Livingstone (00569) Peter Richardson (00574) Mr & Mrs Adrian Francis (00578) Richard Pool (00582) Allison Pool (00584) Anne Gow (00586) Robert Corrieri (00591) George Lindsay (00603) Mr & Mrs Brian (00612) Fran Proctor (00622) Gary Mair (00627) Pauline Pearse (00639) Sidney Grant (00641) Tiziana Hetherington (00642) Cavellini Jones (00643) Mr & Mrs K Graham (00644) Betty Shier (00645) Michael Meaden (00647) Kinross Action Group (00653) Murray Mentiplay (00668) Janice Mentiplay (00669) Jane Smallwood (00702) Scott Paterson (00710) Mr & Mrs Alastair Marshall (00718) Mr & Mrs Andrew Burnett (00725) Ian Jones (00726) Dr Jennifer Best (00735)

<p>H Macpherson (00406) Grace Armit (00413) Dr Marie Weir (00414) Peter Brouwer (00421) Joan Cornwall (00423) Stuart Cornwall (00424) John Graham (00430) Wendy MacLennan (00431) Nicola Allan (00446) John C Hilton (00447) Robert Boath (00448) Lisa Halliday (00449) Fiona Wilkie (00452) John Wyllie (00464) I S Brydon (00465) J M Macdonald (00466) Ms Deborah Smedley (00468) GP Hawksford (00469) Jane Smith (00470) Peter Cornwall (00479) David Addison (00481) Shenna Howe (00482) Cathie Cochrane (00496) William Sutherland (00531) Janet Rankine (00532) L Main (00533) Margaret Hutt (00534) Agnes Widley (00535) Elizabeth Smith (00536) Colin Millar (00537) Regina Irune (00538) Agnes Gibb (00539) Ronald Stewart (00540) Ruth MacCalman (00541)</p>	<p>Margaret Best (00736) Jim Smith (00750) Susan Smith (00751) Sainsbury's Supermarkets Ltd (00754) Jamie Barftlett (00777) Dr Gary Law (00814) W McCloskey (00822) Anne Douglas (00824) Johnathan MacLennan (00828) Kinross Community Council (00841) Mr & Mrs Stuart Neave (00862) William Walls (00902) Councillor William B Robertson (00923) Scottish Environment Protection Agency (00947) Councillor Kathleen Baird (02632) Councillor Michael Barnacle (02633) Mr & Mrs Sheila Wills (02852) Scottish Environment Protection Agency (03194) Scottish Natural Heritage (05211) Persimmon Homes East Scotland (09004) Motor Auction (Properties) Ltd (09029) Wallace Land Investment Management (09285) Kinross Estate Company (09313) Steve Sayers (09520) Ian Carscadden (09576) Alastair Duncan (09699) Linda Miller (09700) Jill Boyd (09707) George Pease (10115) Eileen Thomas (10223) David Wilson Homes (10227) Ken Miles (10236)</p>
<p>Provision of the development plan to which the issue relates:</p>	<p>Sets out the identified sites for residential development to meet the housing strategy for the Kinross Housing Market Area.</p>
<p>Planning authority's summary of the representation(s):</p>	
<p><u>H46</u> Moirá Brady (00392/1/001); Joan Cornwall (00423/1/001); Stuart Cornwall (00424/1/001); Maria Victoria Bartlett (00331/1/001); Tom Traynor (00402/1/001); Wendy MacLennan (00431/1/001); Jane Smith (00470/1/001); Peter Cornwall (00479/1/001); J M MacDonald (00466/1/001); Margaret Hutt (00534/1/001); Peter Richardson (00574/1/001); Pauline Pearse (00639/1/001); Sidney Grant (00641/1/001); Tiziana Hetherington (00642/1/001); Cavellini Jones (00643/1/001); Michael Meaden (00647/1/001); Ronald Stewart (00540/1/001); Ruth MacCalman (00541/1/001); Linda McNab (00547/1/001); David Alston (00552/1/001); Irene Alston (00553/1/001); S Ross (00558/1/001); Mr & Mrs A Munro (00559/1/001); F Munro & L Ross (00560/1/001); Councillor William B Robertson (00923/1/003); Margaret Best (00736/1/001); Dr Jennifer Best (00735/1/001); Anne Douglas (00824/1/001); Jamie Barftlett (00777/1/001); Kinross Community Council</p>	

(00841/1/013); Mr & Mrs Stuart Neave (00862/1/001); George Aitken (00405/1/001); David Cureton (00136/1/001); Richard Muller (00278/1/001); Patrick Smyth (00276/1/001); Aileen Eadie (00258/1/001); M Campbell (00290/1/001); Andrew Muir (00291/1/001); W P McLeod (00292/1/001); I McDonald (00293/1/001); Peter Brouwer (00421/1/001); Mr & Mrs R Burnett (00394/1/001); David Menzies (00330/1/001); Alison Jane Cuthbert (00403/1/001); Charles Cuthbert (00404/1/001); Grace Armit (00413/1/001); Dr Marie Weir (00414/1/001); John Graham (00430/1/001); Jill Boyd (09707/1/001); Fiona Erskine (00346/1/001); Mr & Mrs J Hogg (00363/1/001); Helen Powers (00357/1/001); Mr & Mrs Murray (00360/1/001); H Macpherson (00406/1/001); Janet Mackay (00326/1/001); Anne Farmer (00328/1/001); Ann Penman (00349/1/001); Veda Scott (00374/1/001); C Smit (00377/2/001); Deborah Smedley (00468/1/001); G P Hawksford (00469/1/001); John Wyllie (00464/1/001); I S Brydon (00465/1/001); David Addison (00481/1/001); Shenna Howe (00482/1/001); Nicola Allan (00446/1/001); John C Hilton (00447/1/001); Robert Boath (00448/1/001); Lisa Halliday (00449/1/001); Cathie Cochrane (00496/1/001); Fiona Wilkie (00452/1/001); Janet Rankine (00532/1/001); L Main (00533/1/001); Ian Carscadden (09576/1/001); Richard Pool (00582/1/001); Councillor Kathleen Baird (02632/1/001); George Lindsay (00603/1/001); Mr & Mrs Brian (00612/1/001); Allison Pool (00584/1/001); Mr & Mrs K Graham (00644/1/001); Betty Shier (00645/1/001); Kinross Action Group (00653/1/001); Agnes Widley (00535/1/001); Elizabeth Smith (00536/1/001); Colin Millar (00537/1/001); Regina Irune (00538/1/001); Agnes Gibb (00539/1/001); Leslie Tolson (00543/1/001); Shirley Morgan (00544/1/001); James Pearse (00548/1/001); Mr & Mrs Sneddon (00549/1/001); Mr & Mrs J Ballingall (00550/1/001); James Brown (00556/1/001); Peter Caw (00557/1/001); Mr & Mrs Adrian Simpson (00567/1/001); Robert Livingstone (00569/1/001); Janice Mentiplay (00669/1/001); Scott Paterson (00710/1/001); Ian Jones (00726/1/001); W McCloskey (00822/1/001); Alastair Duncan (09699/1/001); Linda Miller (09700/1/001); David Wilson Homes (10227/1/007); Johnathan MacLennan (00828/1/001); Eileen Thomas (10223/1/004); Sheila Flounders (00182/1/001); Joseph Burns (00285/1/001); Kevin Marshall (00280/1/001); William Sutherland (00531/1/001); Mr & Mrs Adrian Francis (00578/1/001); Fran Proctor (00622/1/001); Councillor Michael Barnacle (02633/1/035); George Pease (10115/1/008); Kinross Estate Company (09313/10/001); A McBain (00375/1/001); Diana Corrieri (00296/2/001 & 00296/3/001); William Walls (00902/1/001); Mr & Mrs Andrew Burnett (00725/3/001); Mark Francey (00254/1/001); Glen Douglas (00220/1/001); Fiona Kennie (00243/1/001); Linda Gibson (00345/1/001); Pauline Smith (00368/1/001); Anne Gow (00586/1/001); Susan Smith (00751/1/001); Jim Smith (00750/1/001); Murray Mentiplay (00668/1/001); Carolyn Ross (00376/1/001); Robert Corrieri (00591/1/001): Opposition to developing this site on some or all of the following grounds: impact on the visual appeal of Kinross, use of greenfield land, road safety, increased traffic, no suitable site access, impact on railway line footpath, impact on Davis Park, lack of suitable drainage, health and education infrastructure, more development should be directed to Perth, flooding, noise, proximity to motorway, would restrict extension of motorway hard shoulder, the site forms a buffer between Kinross and the motorway/oil and gas pipeline, not deliverable as the site capacity will be reduced by noise attenuation measures and no house builder is involved, impact on biodiversity.

David Gibson (00344/1/001): Do not object in principle to H46. Seek assurance on a number of issues: road safety, Davis Park, core path, creating a traffic shortcut.

Mr & Mrs Alastair Marshall (00718/1/001): Identified number of dwellings should be reduced and additional land requirement directed to brownfield sites. Increased traffic and road safety are an issue. Proposed access unsuitable, new round-about should be put in place from Station road and new access brought adjacent to the M90 and south of Davis Park.

Scottish Natural Heritage (05211/24/011): Amend the site specific developer requirements to include screen planting along the west boundary of the site to protect sensitive views to Loch Leven, castle and more distant Lomond Hills.

Persimmon Homes East Scotland (09004/10/001): Do not object to H46 for residential use. Question the ability of the site to deliver 125 dwellings in the lifetime of the Plan as it is not in control of a house builder, this should be reduced. Developer requirements should reflect that identified for H47.

Ken Miles (10236/1/009): Object to being identified for residential use. Should be used for 8ha employment as it is close to the Motorway, within the settlement boundary, has good cycle and pedestrian links. Could provide environmental benefits through screen planting along the Motorway.

Mr & Mrs Wills (02852/1/001): Completely support the development sites for Kinross. H46 should be a priority site for development, linking with H47 will provide an alternative link to the motorway from north to south. Site already has access road in place. Will protect development of greenfield land around Kinross and Milnathort.

Jane Smallwood (00702/1/002): Support. Would make good use of land and provide additional screening from the motorway. Agree safe network of paths would be important.

Wallace Land Investment Management (09285/1/001): Support. Masterplanning process will resolve issues raised by neighbours. Will establish a strong edge to Kinross and create new recreational space with no visual impact. Will not affect Davis Park and will retain and improve the railway line footpath. Motorway noise can be mitigated. The site capacity identified is suitable and the site represents the best option for development in Kinross in the shorter term.

Dr Gary Law (00814/1/001): Support. The proposed noise screening would benefit existing residents. The new link road would provide an alternative route between Kinross and Milnathort which is needed. The loss of Davis Park should be replaced by other suitable sites.

H47

Steve Sayers (09520/1/001); Barry Colford (00178/1/001); Graham Paterson (00086/1/001); Robert Ballard (00109/1/001); David Tinch (00294/1/001); Cathie Cochrane (00496/1/002); Councillor Michael Barnacle (02633/1/036); W McCloskey (00822/1/002); Eileen Thomas (10223/1/005); Diana Corrieri (00296/3/002); William Walls (00902/1/002): Opposition to developing this site on some or all of the following grounds: coalescence of Kinross and Milnathort, increased traffic, road safety, impact on the amenity of existing housing at Lathro Park, lack of suitable drainage, noise, loss of amenity, level of proposed development, flooding, impact on biodiversity, loss of greenfield land, lack of local employment, impact on health and education infrastructure.

Kinross Estate Company (09313/10/002): Object on grounds of: coalescence of Kinross and Milnathort, access, noise, landscape mitigation, site is unsuitable for residential development. Proposal should be deleted. If it remains identified it should be reduced to 100 units to reflect the Main Issues Report allocation (S4_Doc_217).

Linda Gibson (00345/2/001); Mr & Mrs Andrew Burnett (00725/1/001): Gallowhill road is unsuitable to support additional traffic. It would be a lost opportunity not to link the existing core path from the Old Railway line between Gallowhill Road and Auld Mart

Road and eventually the Loch Leven Heritage Trail.

Persimmon Homes East Scotland (09004/16/001): Support allocation but propose changes. Increase site capacity based on examination of flood risk, noise attenuation, access, scale, the site can accommodate 320-350 dwellings at medium density (220 in the lifetime of the Plan) ensuring best use of greenfield land and scale proposed is required to ensure long-term delivery of necessary infrastructure. Site is in control of a single house builder. Remove requirement for access to Gallowhill Road as it is unviable and could potentially impact road safety. A single access to the site in terms of the Roads Authority guidelines is acceptable and Lathro Lane is identified as a secondary 'emergency access'. Table 7.1.14 (S4_Doc_495) should reflect the proposed increased numbers.

Gary Mair (00627/1/001): If Lathro Lane used as a vehicular access there would be a reasonable chance that traffic movements would increase. Establishing a pedestrian route via Lathro Lane is taking people away from the main road. Access should be taken towards the north and east of the swimming pool thus generating a thoroughfare without interruption to an established housing area.

Jane Smallwood (00702/1/003): 120 dwellings seems reasonable, 220 seems excessive. Will impact on the current small community and tourism.

David Wilson Homes (10227/1/008): Object to 220 units on grounds of scale, landscape impact, distance of site from services and infrastructure. It will increase coalescence between Kinross and Milnathort and not integrate into the existing town. Site should be identified for 100 units.

Scottish Natural Heritage (05211/25/014): The Site Specific Developer Requirements should reflect the outcome of the Habitats Regulations Appraisal (S4_Doc_156).

David Cureton (00136/1/002): Support, it is an appropriate location for development due to its walking distance proximity to transport links, community campus, leisure and health centre.

Mr & Mrs Wills (02852/1/002): Completely support the development sites for Kinross. Linking H46 with H47 will provide an alternative link to the motorway from north to south. Will protect development of greenfield land around Kinross and Milnathort.

Dr Gary Law (00814/1/002): Support, it is a suitable location for development. The new link road would provide an alternative route between Kinross and Milnathort which is needed.

Kinross Community Council (00841/1/007): Offer conditional support, but consideration must be taken of the impact on infrastructure and traffic issues.

Op12

Councillor Michael Barnacle (02633/1/037), Councillor William B Robertson (00923/1/004): Suitable for residential use but some land should be retained to alleviate the parking problems which exist in Kinross.

Kinross Community Council (00841/1/010): Support use for residential as part replacement for H46 and any proposal to include an area of public parking.

Ken Miles (10236/1/010): Site could offer employment land with units of employment suited to this centre town location. Object to the sites inclusion for housing.

Motor Auction (Properties) Limited (09029/1/002): Op13 offers a better and more deliverable opportunity for a mixed-use development, including retail than Op12 as it can deliver a large format supermarket close to the town centre.

Sainsbury's Supermarkets Ltd (00754/2/001): Site within a Conservation Area. It presents a constrained site for a retail operator and only suitable for a small format, notwithstanding concerns over impact on the town centre or other established retail locations. Request the Local Development Plan provides a limit on the scale of development to 500m² and that any development takes into account SPP 2010 (Core_Doc_048).

Eileen Thomas (10223/1/007): Support. The former high school wrongly identified as a listed building. Site should be used for residential or primary school.

Op15

Ken Miles (10236/1/006): Considers site a poor choice for a Primary school as it will encourage car use and its location next to the secondary school is questionable in terms of suitability.

David Wilson Homes (10227/1/012): Support the allocation of part of the site for a primary school under policy Op15 but object to the entire site being included. The Council have accepted the principal of this greenfield site being developed. The land owner/developer has approximately 3.6 acres set aside for a new twin campus primary school. The remainder of the site should be identified for housing development incorporating access, roads and open space.

George Pease (10115/1/006): Site will increase the loss of space between Kinross and Milnathort. The current separation should be maintained.

Eileen Thomas (10223/1/008): It seems a pity to use out-of-town prime agricultural land for this. The site is not within easy walking distance of anyone. Suggest Op12 (former High School site) for a new primary school or part of E18 (Station Road South).

Scottish Environment Protection Agency (03194/48/001): Site is located in or adjacent to the functional flood plain or an area of known flood risk. As such, part of the site may not be suitable for development. Historical records indicate that the development site may be at risk from the North Queich. Proposed mitigation and enhancement measures identified through the SEA (S4_Doc_567) process refer to the need for a Flood Risk Assessment to be undertaken to define the area at risk and appropriate detailed design layout and levels.

Scottish Environment Protection Agency (00947/1/020): The mitigation measures in Appendix C of SEA Addendum No.2 (S4_Doc_567) refer to the need for a Flood Risk Assessment to be undertaken to inform the development of this site but it has not been included in the developer requirements in the Proposed Plan for site Op15 (Lethangie).

Scottish Natural Heritage (05211/25/016): The Site Specific Developer Requirements should reflect the outcome of the Habitats Regulations Appraisal (S4_Doc_156).

Kinross Community Council (00841/1/012): Support.

New Site

Kinross Estate Company (09313/13/001): Site at Perth Road Milnathort (S4_Doc_032) should be allocated for residential development with capacity for 120 units. Site identified as a preferred option in the Main Issues Report as Site A (S4_Doc_217) and has significant advantages and benefits over the currently allocated sites. It is not constrained by access, noise, topography, drainage, visual impact, flooding, coalescence or pipeline issues. The site is effective in terms of the criteria set out in PAN 2/2010 (Core_Doc_019). This site would address identified shortfalls in the Housing Allocations for the Kinross Housing Market Area.

Councillor Michael Barnacle (02633/1/040): Supports the non-identification of a housing site at Old Perth Road (S4_Doc_032).

Modifications sought by those submitting representations:**H46**

Moir Brady (00392/1/001); Joan Cornwall (00423/1/001); Stuart Cornwall (00424/1/001); Maria Victoria Bartlett (00331/1/001); Tom Traynor (00402/1/001); Wendy MacLennan (00431/1/001); Jane Smith (00470/1/001); Peter Cornwall (00479/1/001); J M MacDonald (00466/1/001); Margaret Hutt (00534/1/001); Peter Richardson (00574/1/001); Pauline Pearse (00639/1/001); Sidney Grant (00641/1/001); Tiziana Hetherington (00642/1/001); Cavellini Jones (00643/1/001); Michael Meaden (00647/1/001); Ronald Stewart (00540/1/001); Ruth MacCalman (00541/1/001); Linda McNab (00547/1/001); David Alston (00552/1/001); Irene Alston (00553/1/001); S Ross (00558/1/001); Mr & Mrs A Munro (00559/1/001); F Munro & L Ross (00560/1/001); Councillor William B Robertson (00923/1/003); Margaret Best (00736/1/001); Dr Jennifer Best (00735/1/001); Anne Douglas (00824/1/001); Jamie Barftlett (00777/1/001); Kinross Community Council (00841/1/013); Mr & Mrs Stuart Neave (00862/1/001); George Aitken (00405/1/001): Remove H46 from the Local Development Plan and reallocate the housing requirement to Brownfield land such as the Old High School (Op12), Scottish Motor Auction Site (Op13), or Old Medical Centre (Op14). Site should remain in agricultural use or identified for community use, woodland or allotments.

David Cureton (00136/1/001), Richard Muller (00278/1/001), Patrick Smyth (00276/1/001) Aileen Eadie (00258/1/001), M Campbell (00290/1/001), Andrew Muir (00291/1/001), W P McLeod (00292/1/001), I McDonald (00293/1/001), Peter Brouwer (00421/1/001), Mr & Mrs R Burnett (00394/1/001), David Menzies (00330/1/001), Alison Jane Cuthbert (00403/1/001), Charles Cuthbert (00404/1/001), Grace Armit (00413/1/001), Dr Marie Weir (00414/1/001), John Graham (00430/1/001), Jill Boyd (09707/1/001), Fiona Erskine (00346/1/001), Mr & Mrs J Hogg (00363/1/001), Helen Powers (00357/1/001), Mr & Mrs Murray (00360/1/001), H Macpherson (00406/1/001), Janet Mackay (00326/1/001), Anne Farmer (00328/1/001), Ann Penman (00349/1/001), Veda Scott (00374/1/001), C Smit (00377/2/001), Deborah Smedley (00468/1/001), G P Hawksford (00469/1/001), John Wyllie (00464/1/001), I S Brydon (00465/1/001), David Addison (00481/1/001), Shenna Howe (00482/1/001), Nicola Allan (00446/1/001), John C Hilton (00447/1/001), Robert Boath (00448/1/001), Lisa Halliday (00449/1/001), Cathie Cochrane (00496/1/001), Fiona Wilkie (00452/1/001), Janet Rankine (00532/1/001), L Main (00533/1/001), Ian Carscadden (09576/1/001), Richard Pool (00582/1/001), Councillor Kathleen Baird (02632/1/001), George Lindsay (00603/1/001), Mr & Mrs Brian (00612/1/001), Allison Pool (00584/1/001), Mr & Mrs K Graham (00644/1/001), Betty Shier (00645/1/001), Kinross Action Group (00653/1/001), Agnes Widley (00535/1/001), Elizabeth Smith (00536/1/001), Colin Millar (00537/1/001), Regina Irune (00538/1/001), Agnes Gibb (00539/1/001), Leslie Tolson (00543/1/001), Shirley Morgan (00544/1/001),

James Pearse (00548/1/001), Mr & Mrs Sneddon (00549/1/001), Mr & Mrs J Ballingall (00550/1/001), James Brown (00556/1/001), Peter Caw (00557/1/001), Mr & Mrs Adrian Simpson (00567/1/001), Robert Livingstone (00569/1/001), Janice Mentiplay (00669/1/001), Scott Paterson (00710/1/001), Ian Jones (00726/1/001), W McCloskey (00822/1/001), Alastair Duncan (09699/1/001), Linda Miller (09700/1/001), David Wilson Homes (10227/1/007), Johnathan MacLennan (00828/1/001), Eileen Thomas (10223/1/004): Remove H46 from the Local Development Plan.

Sheila Flounders (00182/1/001), Joseph Burns (00285/1/001), Kevin Marshall (00280/1/001), William Sutherland (00531/1/001), Mr & Mrs Adrian Francis (00578/1/001), Fran Proctor (00622/1/001), Councillor Michael Barnacle (02633/1/035), George Pease (10115/1/008): Remove H46 from the Local Development Plan and identify for woodland or allotments.

Kinross Estate Company (09313/10/001): Remove H46 from the Local Development Plan. If it remains in the Plan identify for 75 Units.

A McBain (00375/1/001): Remove site H46 from the Local Development Plan and reallocate the housing numbers to site H47.

Diana Corrieri (00296/2/001): Remove H46 from the Local Development Plan and identify for one of these alternatives - non-residential, industrial use, woodland or agricultural.

Diana Corrieri (00296/3/001); William Walls (00902/1/001); Mr & Mrs Andrew Burnett (00725/3/001): Modify Site Specific Developer Requirements to remove requirement for secondary access to Gallowhill Road.

Mark Francey (00254/1/001): Modify Site Specific Developer Requirements to remove requirement for roads connection to Springfield Road and make Gallowhill Road the main access.

Glen Douglas (00220/1/001): Modify Site Specific Developer Requirements to remove requirement for road connection from A922 Springfield Road and require access from new south bound access to M90 at Milnathort.

Fiona Kennie (00243/1/001): Modify Site Specific Developer Requirements to remove road connection to A922 Springfield Road.

Linda Gibson (00345/1/001): Modify Site Specific Developer Requirements to remove requirement for secondary access to Gallowhill Road and specify access to site is not taken from bend in Springfield Road.

Pauline Smith (00368/1/001), Anne Gow (00586/1/001), Susan Smith (00751/1/001), Jim Smith (00750/1/001), Murray Mentiplay (00668/1/001): Add requirement to Site Specific Developer Requirements to require that any access does not impact on Davis Park.

Carolyn Ross (00376/1/001): Modify Site Specific Developer Requirements to require only taking access from Gallowhill Road and the retention of Davis Park.

Robert Corrieri (00591/1/001): Modify Site Specific Developer Requirements to ensure that new access should not be taken from Springfield Road or impact on Davis Park.

David Gibson (00344/1/001): Add requirement to Site Specific Developer Requirements to replace with a similar facility of equal quality close to present location if Davis Park is removed.

Mr & Mrs Alastair Marshall (00718/1/001): Modify Local Development Plan to reduce number of dwellings.

Modify Site Specific Developer Requirements to require that the proposed access from Springfield Road should be provided by a round-about at Station Road.

Scottish Natural Heritage (05211/24/011): Modify Site Specific Developer Requirements to include *'Provision of woodland screen planting along the west boundary of site should be appropriate to the site. Dense coniferous planting would not be appropriate.'*

Persimmon Homes East Scotland (09004/10/001): Modify site H46 housing number from '125' to '100'.

Modify Site Specific Developer Requirements to include *'Development of a masterplan through consultation with the Community and Council submitted at the time of a planning application'*.

Ken Miles (10236/1/009): Site H46 should be identified for Employment Use.

H47

Steve Sayers (09520/1/001), Barry Colford (00178/1/001), Graham Paterson (00086/1/001), Robert Ballard (00109/1/001), David Tinch (00294/1/001), Cathie Cochrane (00496/1/002), Councillor Michael Barnacle (02633/1/036), W McCloskey (00822/1/002), Eileen Thomas (10223/1/005): Remove site from Local Development Plan.

Diana Corrieri (00296/3/002); William Walls (00902/1/002): Modify Site Specific Developer Requirements to remove requirement for access to Gallowhill Road.

Kinross Estate Company (09313/10/002): Remove H47 from the Local Development Plan. If it remains in the Plan identify for 100 Units. (Note: The Main Issues Report identified this site for 200 units.)

Linda Gibson (00345/2/001); Mr & Mrs Andrew Burnett (00725/1/001): Modify Site Specific Developer Requirements to remove requirement for access to Gallowhill Road and add a requirement to extend the core path from Gallowhill Road through to Auld Mart Road.

Persimmon Homes East Scotland (09004/16/001):

1. Change the site capacity to '320-350 (220 up to 2024)';
2. Change the second sentence to *'Development of this site will be in phases with 220 in the lifetime of the plan'*;
3. Amend Site Specific Developer Requirements to remove Gallowhill Road from the required road connections;
4. Amend Site Specific Developer Requirements to change *'Lathro Land'* to *'Lathro Lane (emergency access)'*;
5. Change number of units on table under 7.1.14 (S4_Doc_495) for H47 from '220' to '320-350';

6. Change boundary of H47 to reflect development boundary as shown in Appendix 1 Indicative Landscape Masterplan.

Gary Mair (00627/1/001): Site Specific Developer Requirements should identify that no pedestrian or vehicular access should be taken through Lathro Lane.

Jane Smallwood (00702/1/003): Reduce site capacity to 120.

David Wilson Homes (10227/1/008): Reduce site capacity to 100.

Scottish Natural Heritage (05211/25/014): Modify the Site Specific Developer Contributions to include:

- *'Construction Method Statement to be provided where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on Loch Leven Special Protection Area.'*
- *'The Sustainable Urban Drainage System for development proposals should include sufficient attenuation to protect those watercourses which flow into Loch Leven from erosion during periods of heavy rainfall.'*

Op12

Councillor Michael Barnacle (02633/1/037), Councillor William B Robertson (00923/1/004), Kinross Community Council (00841/1/010): Modify Site Specific Developer Requirements to require part of the site to be used for a car park.

Ken Miles (10236/1/010): Modify site uses to remove *'Residential'*.

Motor Auction (Properties) Limited (09029/1/002): Modify site uses to exclude retail and employment.

Sainsbury's Supermarkets Ltd (00754/2/001): Modify Site Specific Developer Requirements to include *'Retail development should be limited to less than 500sqm gross'* or *'All retail development must satisfy policy RC4 of the Local Development Plan'*.

Replace *'New designs should consider the retention of listed buildings'* with *'There is a presumption in favour of retention of listed buildings and applications to demolish listed buildings must be justified taking into account national planning policy.'*

Eileen Thomas (10223/1/007): Modify Site Specific Developer Requirement to remove reference to the Listed Building.

Modify uses to include *'Primary School'*.

Op15

Ken Miles (10236/1/006): Modify site uses to include *'employment'*.

David Wilson Homes (10227/1/012): Allocate most of site for residential use with 3.6 acres set aside for primary school provision.

George Pease (10115/1/006); Eileen Thomas (10223/1/008): Delete Site from Local Development Plan.

Scottish Environment Protection Agency (03194/48/001 & 00947/1/020): Modify Site Specific Developer Requirements to require a 'Flood Risk Assessment'.

Scottish Natural Heritage (05211/25/016): Modify the Site Specific Developer Contributions to include:

- *'Construction Method Statement to be provided where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on Loch Leven Special Protection Area.*
- *The SUDS for development proposals should include sufficient attenuation to protect those watercourses which flow into Loch Leven from erosion during periods of heavy rainfall.'*

New Site

Kinross Estate Company (09313/13/001): Local Development Plan to identify site at Perth Road, Milnathort for residential development of 120 dwellings.

Summary of responses (including reasons) by planning authority:

Overview

The land allocations in Kinross and Milnathort are appropriate and of more than a sufficient scale allowing the Local Development Plan strategy in the Kinross Housing Market Area meet the requirement of the TAYplan spatial strategy. Reference to the Schedule 4 no 20c Housing Land Strategy is highlighted for further information on this issue.

Infrastructure

A review of the local primary schools in Kinross and Milnathort has identified that the current capacity is unlikely to be able to sustain the projected growth during the Plan period. A site has been identified for a new primary school adjacent to the Loch Leven Community Campus (Op15) which will allow for the sharing of facilities and transport as well as the provision of sufficient education capacity to support future needs. The former high school (Op12) does not provide sufficient scope to share facilities or adequately serve both Kinross and Milnathort. Site Op15 is beneficial as the focus of the majority of new development is to the north of Kinross and this central location for an additional primary school provides flexibility when reviewing school catchments. In line with Policy PM3: Infrastructure Contributions (S4_Doc_496) and the Developer Contributions Supplementary Guidance (Core_Doc_069) new residential development will be required to contribute towards this primary school provision.

A new health centre was open in Kinross adjacent to the Loch Leven Community Campus in 2009 which will support the current and future needs of the local community. The Health Board have been consulted on the Proposed Plan and have raised no issues or objections.

Extensive consultation has taken place with Scottish Water and SEPA with regards to water and drainage provision in Kinross and Milnathort. Both agencies have raised no objections to the development sites identified in the Plan.

H46

Moir Brady (00392/1/001), Joan Cornwall (00423/1/001), Stuart Cornwall (00424/1/001), Maria Victoria Bartlett (00331/1/001), Tom Traynor (00402/1/001), Wendy MacLennan (00431/1/001), Jane Smith (00470/1/001), Peter Cornwall (00479/1/001), J M MacDonald

(00466/1/001), Margaret Hutt (00534/1/001), Peter Richardson (00574/1/001), Pauline Pearse (00639/1/001), Sidney Grant (00641/1/001), Tiziana Hetherington (00642/1/001), Cavellini Jones (00643/1/001), Michael Meaden (00647/1/001), Ronald Stewart (00540/1/001), Ruth MacCalman (00541/1/001), Linda McNab (00547/1/001), David Alston (00552/1/001), Irene Alston (00553/1/001), S Ross (00558/1/001), Mr & Mrs A Munro (00559/1/001), F Munro & L Ross (00560/1/001), Councillor William B Robertson (00923/1/003), Margaret Best (00736/1/001), Dr Jennifer Best (00735/1/001), Anne Douglas (00824/1/001), Jamie Barftlett (00777/1/001), Kinross Community Council (00841/1/013), Mr & Mrs Stuart Neave (00862/1/001), George Aitken (00405/1/001), David Cureton (00136/1/001), Richard Muller (00278/1/001), Patrick Smyth (00276/1/001), Aileen Eadie (00258/1/001), M Campbell (00290/1/001), Andrew Muir (00291/1/001), W P McLeod (00292/1/001), I McDonald (00293/1/001), Peter Brouwer (00421/1/001), Mr & Mrs R Burnett (00394/1/001), David Menzies (00330/1/001), Alison J Cuthbert (00403/1/001), Charles Cuthbert (00404/1/001), Grace Armit (00413/1/001), Dr Marie Weir (00414/1/001), John Graham (00430/1/001), Jill Boyd (09707/1/001), Fiona Erskine (00346/1/001), Mr & Mrs J Hogg (00363/1/001), Helen Powers (00357/1/001), Mr & Mrs Murray (00360/1/001), H Macpherson (00406/1/001), Janet Mackay (00326/1/001), Anne Farmer (00328/1/001), Ann Penman (00349/1/001), Veda Scott (00374/1/001), C Smit (00377/2/001), Deborah Smedley (00468/1/001), G P Hawksford (00469/1/001), John Wyllie (00464/1/001), I S Brydon (00465/1/001), David Addison (00481/1/001), Shenna Howe (00482/1/001), Nicola Allan (00446/1/001), John C Hilton (00447/1/001), Robert Boath (00448/1/001), Lisa Halliday (00449/1/001), Cathie Cochrane (00496/1/001), Fiona Wilkie (00452/1/001), Janet Rankine (00532/1/001), L Main (00533/1/001), Ian Carscadden (09576/1/001), Richard Pool (00582/1/001), Councillor Kathleen Baird (02632/1/001), George Lindsay (00603/1/001), Mr & Mrs Brian (00612/1/001), Allison Pool (00584/1/001), Mr & Mrs K Graham (00644/1/001), Betty Shier (00645/1/001), Kinross Action Group (00653/1/001), Agnes Widley (00535/1/001), Elizabeth Smith (00536/1/001), Colin Millar (00537/1/001), Regina Irune (00538/1/001), Agnes Gibb (00539/1/001), Leslie Tolson (00543/1/001), Shirley Morgan (00544/1/001), James Pearse (00548/1/001), Mr & Mrs Sneddon (00549/1/001), Mr & Mrs J Ballingall (00550/1/001), James Brown (00556/1/001), Peter Caw (00557/1/001), Mr & Mrs Adrian Simpson (00567/1/001), Robert Livingstone (00569/1/001), Janice Mentiplay (00669/1/001), Scott Paterson (00710/1/001), Ian Jones (00726/1/001), W McCloskey (00822/1/001), Alastair Duncan (09699/1/001), Linda Miller (09700/1/001), David Wilson Homes (10227/1/007), Johnathan MacLennan (00828/1/001), Eileen Thomas (10223/1/004), Sheila Flounders (00182/1/001), Joseph Burns (00285/1/001), Kevin Marshall (00280/1/001), William Sutherland (00531/1/001), Mr & Mrs Adrian Francis (00578/1/001), Fran Proctor (00622/1/001), Councillor Michael Barnacle (02633/1/035), George Pease (10115/1/008), Kinross Estate Company (09313/10/001), A McBain (00375/1/001), Diana Corrieri (00296/2/001 & (00296/3/001), William Walls (00902/1/001), Mr & Mrs Andrew Burnett (00725/3/001), Mark Francey (00254/1/001), Glen Douglas (00220/1/001), Fiona Kennie (00243/1/001), Linda Gibson (00345/1/001), Pauline Smith (00368/1/001), Anne Gow (00586/1/001), Susan Smith (00751/1/001), Jim Smith (00750/1/001), Murray Mentiplay (00668/1/001), Carolyn Ross (00376/1/001), Robert Corrieri (00591/1/001), David Gibson (00344/1/001), Mr & Mrs Alastair Marshall (00718/1/001), Ken Miles (10236/1/009): The Main Issues Report identified this site as a preferred development option under reference E (S4_Doc_217) as one of five development sites within Kinross and Milnathort. The site is allocated for 125 units which is within the medium density range and reflects the neighbouring residential development. The site is bounded to the east by the 'old railway line' core path which does not form part of the development site but as part of the developer requirements its role as a core path and landscape buffer is to be enhanced and safeguarded. The land is currently in agricultural use (S4_Doc_644) with only a small area to the north being

defined as prime agricultural land.

Access to the site is proposed from Springfield Road and could be achieved in road engineering terms, although the route of the access is not defined and will be determined through a detailed planning application. However it is acknowledged that the community have made it clear that a road through or isolating Davis Park would be unacceptable. At Property Sub Committee on 7 March 2012 (S4_Doc_587) the Council refused an option agreement on land owned by the Council to facilitate an access to this site due to insufficient information being available regarding the engineering viability of the access and the intention with regard to Davis Park

It is also acknowledged that Springfield Road can experience congestion at peak times and the Council has agreed funding to construct a roundabout and pedestrian facilities at the junction of the A922 Station Road and Springfield Road which may help facilitate the site access.

This allocation does not include Davis Park within the site boundary. If planning permission would result in a deficit to the facilities at Davis Park in line with SPP Paragraph 153 (S4_Doc_309) replacement open space of appropriate type, quantity, accessibility and quality should be provided.

It is agreed that in terms of noise the sites position adjacent to the M90 could sterilise part of the site from development. A noise impact assessment has been submitted proposing noise mitigation measures which show the site could be effectively developed. The impact of these mitigation measures may impact on the visual edge of Kinross and will require to be considered through a planning application.

Alternative site uses have been proposed for this site and the Council would not be adverse to part of this site being designated for employment or non-residential use where it would be compatible with existing neighbouring uses. It is considered that many of the points which have been raised through representations in relation to impact on Davis park, loss of greenfield land and noise would still be a relevant consideration and access for heavy goods vehicles from Springfield Road may not be appropriate.

The Council acknowledges the volume of support for the removal of this site from the Plan and agrees that some unresolved issues in relation to noise and access exist. The Community are clear they want H46 deleted and while a Masterplan may be able to address all of the issues raised it is unclear that these could be resolved to the satisfaction to the Council.

Since the publication of the Proposed Plan it is apparent that the former Kinross High School (Op12) will be used for residential development as all of the shortlisted bids for its purchase are based upon residential use. The land adjacent to the New Primary School (Op15) may also be considered acceptable for residential development and subject to the Masterplan process H47 may support an increased level of development. This wide range of additional sites as well as the existing designations provides a more than sufficient effective housing land supply.

In comparison with paragraph 7.1.14 the following table shows how the proposed modifications would increase the overall land supply.

Site Ref	Location	No of Units
H47	Lathro Farm	260 (140 up to 2024)
H48	Pitdownie	40
H49	Pace Hill	50
H50	Old Perth Road	7
Op12	Former High School	70
Op15	Lethangie	40
Total		467

(This table will be included as a reference document in the final response to Ministers)

If the Reporter considers that H46 is not an appropriate site for residential development the Council considers that its removal would not leave a shortfall in the effective land supply. If the designation is removed the land should remain in the settlement boundary and identified as Open Space Policy CF1 (S4_Doc_414).

Scottish Natural Heritage (05211/24/011): It is considered that amending the Site Specific Developer Contributions to include the suggested wording would provide greater clarity and transparency for applicants.

If the Reporter is so minded the suggested additional text by the respondent should be added to the Site Specific Developer Requirements.

Persimmon Homes East Scotland (09004/10/001): Amending the Site Specific Developer Requirements to reflect that of H47 through the inclusion of *'Development of a Masterplan through consultation with the Community and Council submitted at the time of a planning application.'* Would not raise any issues.

If the Reporter is so minded the suggested additional text by the respondent should be added to the Site Specific Developer Requirements.

H47

Steve Sayers (09520/1/001), Barry Colford (00178/1/001), Graham Paterson (00086/1/001), Robert Ballard (00109/1/001), David Tinch (00294/1/001), Cathie Cochrane (00496/1/002), Councillor Michael Barnacle (02633/1/036), W McCloskey (00822/1/002), Eileen Thomas (10223/1/005), Diana Corrieri (00296/3/002), William Walls (00902/1/002), Kinross Estate Company (09313/10/002), Linda Gibson (00345/2/001), Mr & Mrs Andrew Burnett (00725/1/001), Persimmon Homes East Scotland (09004/16/001), Gary Mair (00627/1/001), Jane Smallwood (00702/1/003), David Wilson Homes (10227/1/008): The development of H47 is a natural extension to the north of Kinross. It forms the backbone of the Kinross Housing Land Strategy and will provide development land for the period of the Local Development Plan and beyond. The Main Issues Report identified this site as a preferred development option under reference D as one of five development sites within Kinross and Milnathort (S4_Doc_217). Of the five sites this was the second preferred option behind option E with a higher proportion of comments in favour of it being identified although issues raised included traffic, density, loss of agricultural land and the coalescence between Kinross and Milnathort (S4_Doc_568). The site is well located between Kinross and Milnathort town centres and adjacent to local community facilities such as the Loch Leven Community Campus.

The site is not prime agricultural land and the area which separates the two settlements out with the identified site is a natural flood plain for the North Queich and its close proximity to Loch Leven means it supports a wide range of biodiversity which should be protected. The Loch Leven Catchment Management Plan (Core_Doc_052) recommends a reduction in erosion of river banks and the management of natural flood plains as an effective method of reducing the level of phosphorus entering the water system. In order to support these recommendations development will only be acceptable where improvements to the landscape, green networks and riparian habitat have been implemented. These improvements will strengthen the visual separation between Milnathort and Kinross, prevent coalescence of the town settlements and have wider benefits through the management of flooding downstream and reducing impact on Loch Leven.

Road access to the site is proposed from the A922, Gallowhill Road and the cul-de-sac at Lathro Lane, identified in error in the Plan as Lathro Land. While in terms of the Perth and Kinross Council Roads Development Guide Chapter 5 Roads Design Standards (Core_Doc_188) a single access and emergency access is a minimum requirement, the Guide also provides an option for more than a single access to be required. This guidance is considered out of date and in line with Scottish Government Guidance Designing Streets (Core_Doc_014) a range of access points should be proposed in a development to ensure a range of movement opportunities and the creation of a sense of place. The proposed access to Gallowhill Road would ensure suitable movement through the site and combined with an access through H46 a well designed development layout would provide alternative routes from the new development without it becoming a 'rat run' and dispersing the impact of additional traffic movements on existing routes.

The identified area of development lies out with the SEPA 1:200 indicative flood map (S4_Doc_569) area. Provision of a Flood Risk Assessment is identified through the developer requirements which will determine the effective development boundary and may influence the final capacity of the site beyond the Plan period.

The Representation from Persimmon Homes seeks to have the area of development extended westwards towards the M90 and supports this request with a noise impact assessment. The Council considers that the site as proposed is sufficient to meet current needs and there is no requirement for additional housing land at this point in time however if the Reporter is minded to support this it should be amended through the Masterplan following a detailed analysis of a range of issues including noise, flood risk, landscape and biodiversity.

The proposed density of the site is at the lower level of the medium density range due to uncertainty over the final developable area (S4_Doc_498). The density ranges are indicative and are considered flexible giving scope for higher density to be introduced within the defined range as long as this does not compromise good design. The proposal to increase the identified number of units to '320 – 350/ 220 *within the lifetime of the Plan*' is considered excessive. The housing strategy does not require this level of development and the proposed density increases into the high density range which does not reflect the neighbouring land uses. It is acknowledged that increasing the density would be logical economically however the increased level of development within the Plan period could be reconsidered in the first Local Development Plan review. The Council has no objection to the application of the indicative number of 20 units per ha for the medium range which will increase flexibility to 2024 but considers that due to further analysis of the developable area being required the final number of dwellings should be determined through the Masterplan process.

Scottish Natural Heritage (05211/25/014): It is considered that amending the Site Specific Developer Requirements to incorporate mitigation measures as set out in the Habitats Regulations Appraisal (S4_Doc_156) (Including Appropriate Assessment) would provide greater clarity and transparency for applicants in terms of how the provisions of the Plan's Policy NE1: International Nature Conservation Sites (S4_Doc_389) apply to this site.

If the Reporter is so minded the suggested additional text by the respondent, as detailed in the 'Modifications Sought' section, should be added to the Site Specific Developer Requirements.

Op12

Councillor Michael Barnacle (02633/1/037), Councillor William B Robertson (00923/1/004), Kinross Community Council (00841/1/010): No justification has been presented which identifies that this site is the only solution to identified parking issues. The Council is investigating the provision of a car park at Mill Street which is closer to the town centre. There is no requirement to include reference to the provision of a car park in the Site Specific Developer Requirements.

No modification is proposed to the Plan.

Ken Miles (10236/1/010), Motor Auction (Properties) Limited (09029/1/002): The former Kinross High School is the most significant brownfield site in the Kinross Housing Market Area and is well located for a variety of uses. Although it is identified for employment use the costs associated with site preparation may not make this viable. Due to its position in Kinross adjacent to existing residential development and the pressures on greenfield land it is not accepted that residential use should not be identified as a possible future use. Since the publication of the Proposed Plan it is apparent that this site is likely to be used for residential development as all of the shortlist bids for its purchase are based upon residential use.

No modification is proposed to the Plan.

Sainsbury's Supermarkets Ltd (00754/2/001): The site would be suitable for retail development and no evidence has been provided to support the proposal to restrict the size of any retail use to 500m². Policy RC4: Retail and Commercial Leisure Proposals (S4_Doc_497) provides guidance on the siting of retail proposals and the size determined by an up to date Retail Capacity Study. It is not accepted that the Site Specific Developer Requirements should replicate national planning policies or identify specific policies within the Plan. The Plan should be read as a whole document and at the time of a planning application all relevant local and national planning policies will be considered where appropriate.

No modification is proposed to the Plan.

Eileen Thomas (10223/1/007): A site has been identified for an additional primary school adjacent to the Loch Leven Community Campus (Op15) allowing for the sharing of facilities. This site has been discounted for use as a primary school by the Council as it has no merit being too close to the existing Kinross primary school and would not provide easy access from new development in both Kinross and Milnathort.

No modification is proposed to the Plan.

Eileen Thomas (10223/1/007): It is a technical error that the former school building has been identified as being listed. Although unlisted, the main school buildings facing the High Street make a positive contribution to the character and appearance of the Kinross Conservation Area (Core_Doc_082).

If the Reporter was so minded the Council would have no objection to the modification of the Site Specific Developer Requirements to include *'New designs should consider the retention of the main school buildings.'*

Op15

Ken Miles (10236/1/006), David Wilson Homes (10227/1/012), George Pease (10115/1/006), Eileen Thomas (10223/1/008): A review of the local primary schools in Kinross and Milnathort has identified a capacity shortfall which may not be able to sustain the projected growth during the Plan period. This site has been identified for a new primary school to meet this future need. Its position adjacent to the Loch Leven Community Campus will allow for the sharing of facilities and transport as well as the provision of sufficient education capacity to support future needs. This site is beneficial as the focus of the majority of new development is to the north of Kinross and this central location for an additional primary school provides flexibility when reviewing school catchments. The site as identified, at 3.5ha, is larger than that required for a new primary school and has been identified at this size to provide flexibility as the final school land requirement is not finalised. The Plan states that if the land is not required it will remain in agricultural use.

A proposal has been brought forward for residential use on the remainder of the site not in educational use. The Council understands that the identification of this land for residential would receive support from the landowner and ensure the provision of the land for the primary school. This position would be supported by the Council but due to the final land requirement of the school not yet being determined it would not be appropriate to designate this area as two separate sites and any development should be considered in tandem through a Masterplan.

The Council does not agree that it would be suitable for employment use due to its position adjacent to the new primary school raising potential noise issues and conflict with possible heavy goods vehicles entering the site. The Site Specific Developer Requirements identifies the need for a landscape framework to be developed with any proposal. This framework will require to be approved by the Council and will provide an opportunity to reinforce the separation of Kinross and Milnathort.

If the Reporter was so minded the Council would raise no objection to the site uses to including *'Primary School with Residential on the remainder of the site developed through a Masterplan'*.

Scottish Environment Protection Agency (03194/48/001), Scottish Environment Protection Agency (00947/1/020): While the site is out with the SEPA 1:200 year indicative flood area (S4_Doc_570) due to the topography of the site it is acknowledged surface water flooding may impact on the developable area. It is considered that the proposed modification would provide greater clarity and transparency for applicants.

If the Reporter is so minded the suggested additional text by the respondent should be added to the Site Specific Developer Requirements.

Scottish Natural Heritage (05211/25/016): It is considered that amending the Site Specific Developer Requirements to incorporate mitigation measures as set out in the Habitats Regulations Appraisal (Including Appropriate Assessment) (S4_Doc_156) would provide greater clarity and transparency for applicants in terms of how the provisions of the Plan's Policy NE1: International Nature Conservation Sites apply to this site.

If the Reporter is so minded the suggested additional text by the respondent, as detailed in the 'Modifications Sought' section, should be added to the Site Specific Developer Requirements.

New Site

Kinross Estate Company (09313/13/001): The Main Issues Report identified this site as a preferred development option under reference A (S4_Doc_217) as one of three development sites within Milnathort. The consultation showed that of the three sites this was the preferred option although the balance of comments on the site were negative raising issues such as increased traffic through the village, impact on the village setting and Burleigh Castle which is a Scheduled Ancient Monument, loss of agricultural land and the impact of flooding on the eastern part of the site. It is currently in agricultural use and the Burleigh Burn to the east of the site could pose flood problems. The submitted Flood Risk Assessment shows these to be minor, although this would require to be independently checked. Through a Masterplan issues such as the effective development area, transport, flooding and how development would respond to the setting of Burleigh Castle could be addressed. It is considered that the Plan identifies more than sufficient land to meet the housing land requirements during the Plan period so this site is not required.

No modification is proposed to the Plan.

Reporter's conclusions:

Housing requirement

1. TAYplan Policy 5: Housing expects an average of 70 houses per year to be built in Kinross-shire, which equates to 980 during 2010-2024. However, with the 10% reduction to avoid adverse environmental impact on Loch Leven, the housing land requirement for this housing market area is 880. When completions 2010-2011 are taken into account (30 units) together with effective supply at 2011 (400 units) and windfall sites (90 units), the additional allocations required are 360 units in Kinross-shire.

2. In response the Proposed Plan allocates sites for 342 units in Kinross/Milnathort during the Plan period, and a further 250 units in landward settlements, giving a total of 592 units in Kinross-shire. This represents a very generous provision, especially having regard to the environmental constraints in the Loch Leven catchment area, discussed elsewhere in this report.

Infrastructure

3. The measures to protect Loch Leven from the adverse consequences of development are discussed in Issue 17c and Issue 31. However, there is no evidence that infrastructure constraints would prevent Kinross and Milnathort accommodating the scale of housing growth envisaged in the Proposed Plan. There is already a new health centre, and a new secondary school campus serving the area. A site has been identified for the development of a new primary school (Op15), to which developers will be required to

contribute, to cater for the growth in population. There have been no objections to the proposed housing sites from the key local agencies – the Health Board, Scottish Water and the Scottish Environment Protection Agency (SEPA).

H46: West Kinross

4. The proposal to allocate this site for housing (125 houses) has generated substantial controversy. The site of 8 hectares lies on the edge of Kinross, between the town and the M90 motorway. At first sight the proposal would appear to represent a logical rounding-off of development on the west side of Kinross. The site is a predominantly level agricultural field, with a hedge on its east boundary which could be strengthened to create a landscape buffer. The core path which runs north-south beyond the site boundary would be retained. On the western boundary of the site development would be constrained by the proximity of the motorway, but with suitable noise attenuation measures this would not prevent the development of the site.
5. There is pedestrian access to the site from the south and from Gallowhill Road to the north via the core path, and from the culs-de-sac in the existing housing estate to the east. However the only existing access for vehicles is by means of a surfaced footpath which runs from Springfield Road (at the south end of the site) along the crest of an embankment. The respondents would prefer that this access would be widened to create a full road connection to Springfield Road, with a secondary access to Gallowhill Road. Alternatively they suggest it might be possible to access the site directly from Station Road (A922).
6. Both alternatives would involve the construction of a new roadway through Davis Park, a public open space serving the surrounding residential area. It is an attractive, well maintained recreational area providing an important local amenity, including a small football pitch and an equipped play area at the foot of the embankment. The respondents have submitted a sketch design of the new roadway, but in view of the restricted size of the park and the sharp drop in levels from east to west it is likely that engineering works to form a new estate road would have a detrimental effect on the amenity and function of the park. The new road would also serve to split the park or separate it from the adjoining housing area which it serves.
7. Davis Park is designated as open space in the Proposed Plan. The proposal to construct a housing estate road through this small public park is therefore in conflict with policy CF1: Open Space Retention and Provision which seeks to protect and enhance such facilities.
8. There are other unresolved concerns about the proposal, including the impact on congestion already experienced at the junction of Springfield Road with Station Road, but none of them presents such a fundamental obstacle to development as the impact on Davis Park, which in itself justifies the deletion of H46 from the Proposed Plan.
9. In response to the level of public opposition, the council now accepts that the shortcomings of H46 might not be satisfactorily resolved by a masterplan. The council's review of the status and capacity of other sites in the area shows that there are other viable alternatives to H46, which would provide sufficient housing sites in the area. There is hence no need to retain the site as a housing proposal in the Proposed Plan. Site H46 should therefore be deleted and the land redesignated as open space under policy CF1.

H47

10. This proposal at Lathro Farm affects an extensive (13 hectare) area of agricultural land on the north west edge of Kinross. The land rises sharply from the A922 at the east end of the site, and then falls more gradually towards its west end at Gallowhill Road. The eastern part of the site, in particular, forms part of the important gap between Kinross and Milnathort (to the north). The loss of greenfield land is regrettable, but in the absence of suitable brownfield sites the council is obliged to consider greenfield sites on the edge of Kinross and Milnathort. However, any development proposal within this area requires careful consideration to ensure that there is no risk of coalescence.

11. There are good reasons to conclude that the development of H47 would not lead to the merging of the two towns. The Loch Leven community campus lies immediately opposite the site, so the development of this wedge would result in only a marginal northward expansion of Kinross. On the west side of the road a substantially larger field would remain undeveloped to the north of Lathro Cottage. In any case SEPA flooding data shows that most of that field is constrained by flood risk. A prerequisite of the allocation is the preparation of a masterplan, which will incorporate a series of measures to enhance the landscape, green networks and habitats. These improvements will help to maintain and strengthen the separate identities of Kinross and Milnathort. Careful layout and design would minimise the impact of the development of H47 on residents of the existing housing estate at Lathro Park immediately to the south.

12. Current best practice promoted in Designing Streets supports the intention to form road connections to Gallowhill Road and Lathro Lane. The guidance advises that street patterns should be fully integrated with surrounding networks to provide flexibility and accommodate changes in built and social environments. This encourages walking and cycling, and makes it easier to navigate through places. Once again, the masterplan will be the opportunity to explore the potential to extend the core path through H47.

13. The precise extent of the housing area will be determined by the outcome of a detailed flood risk assessment, but the total of 220 houses on an area of 13 hectares (i.e. 17 units per hectare) is unusually low in a mixed development including low cost housing. On the other hand the potential developer's suggestion of 350 (27 units per hectare) appears excessive in this edge of town location. Nor is there the justification to expand the site as the developer would wish, having regard to the housing provision outlined earlier.

14. The council's alternative of 20 units per hectare, i.e. 260 houses on H47 (140 during the Plan period), is a reasonable solution here.

15. As the council acknowledges, it is appropriate to include the additional wording suggested by Scottish Natural Heritage (SNH), to underline the need to avoid any adverse impact on Loch Leven.

Op12

16. This site of almost 3 hectares, which contains the former Kinross High School, is located in a predominantly residential area on the edge of the town centre. Although not a listed building, any redevelopment would need to preserve or enhance the character or appearance of the conservation area.

17. Although the Proposed Plan identifies Op12 as suitable for a variety of uses – employment/retail/hotel/community/residential – in practice all of the serious interest in the site has been for residential development. This is consistent with its mainly residential surroundings and the limitations of the site which are likely to make it less attractive to potential commercial developers. In any case there is no longer any need to identify the site as a retail opportunity, for the reasons given in Issue 31.

18. The council is investigating a different site closer to the town centre for car parking. The requirement for a new primary school site is to be satisfied at Op15, which is better placed to serve Kinross and Milnathort. There is therefore no need to reserve Op12 for either purpose.

19. In these circumstances it would be appropriate to redesignate the site as a residential allocation. Due to its location on the edge of the town centre, the site is suitable for the development of 70 units.

Op15

20. There is an identified need to find a site for a new primary school to accommodate the growth in population in Kinross and Milnathort during the Plan period. This site at Lethangie lies on the north east edge of Kinross, immediately to the east of the new secondary school campus. A new primary school on Op15 would be well located to cater for the needs of Kinross and Milnathort (depending on a review of school catchments), including the proposed new housing area nearby at H47. In that location it could also share facilities and transport with the neighbouring Loch Leven Community Campus.

21. Because of its position to the north east of the town, the development of a primary school on Op15 would not threaten the convergence of Kinross with Milnathort – it would not spread development northwards along the A922.

22. There is adequate provision of employment land elsewhere in the area (Issue 32). Site Op15 lies adjacent to an existing school, and is approached by a road serving the community campus, health centre and a housing area, and is therefore unsuited to employment uses.

23. The 3.5 hectare site at Op15 is substantially larger than is required for the primary school, and a potential developer proposes that the rest of the site is developed for housing as part of a sustainable mixed use development. The council now supports that suggestion, and proposes that the Op15 designation is modified accordingly. However, the option of housing on Op15 was not explored at the Main Issues Report or Proposed Plan stages of the local development plan process, so the views of statutory consultees (e.g. SEPA and SNH) and the local community on this possibility are unknown. Given that there is adequate provision elsewhere in Kinross and Milnathort there is no need to allocate this site for residential development to satisfy the housing requirement during the Plan period.

24. It is appropriate to modify the site-specific developer requirements of Op15 to include the need for a flood risk assessment and measures to safeguard Loch Leven, to take account of the comments of SEPA and SNH.

New Site

25. This 5.5 hectare site at Perth Road, Milnathort was canvassed as one of the options

for development at the Main Issues Report stage. It forms part of an area of gently rolling countryside on the north east edge of the settlement. The representation suggests that the site should be developed for 120 houses with a mix of sizes and tenures. Landscape, transport, noise and flood risk assessments and a drainage study have been undertaken in connection with the proposal, which indicate that there are no physical constraints preventing the development of the site for housing.

26. However this field currently forms part of the attractive landscape setting to Milnathort, with views across the site to Burleigh Castle, Loch Leven, the Lomond Hills and Benarty Hill, and given that there is adequate provision elsewhere in Kinross and Milnathort there is no need to release this site to satisfy the housing requirement during the Plan period.

Reporter's recommendations:

H46: West Kinross

1. Delete proposed housing site H46, and redesignate the land as open space (Open Space Policy CF1). Make consequential modifications to the table under paragraph 7.1.14.

H47: Lathro Farm

2. Increase proposed housing numbers to 260 (140 during Plan period). Make consequential modifications to the table under paragraph 7.1.14.

3. Add the following site specific developer requirements:

- *“Construction Method Statement to be provided where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on Loch Leven Special Protection Area.*
- *The Sustainable Urban Drainage System for development proposals should include sufficient attenuation to protect those watercourses which flow into Loch Leven from erosion during periods of heavy rainfall.”*

Op12: Former High School

4. Redesignate Op12 as a residential site identified as H73, suitable for 70 residential units. Make consequential modifications to the table under paragraph 7.1.14.

Op15: Lethangie

5. Add the following site specific developer requirements:

- *“Flood Risk Assessment.*
- *Construction Method Statement to be provided where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on Loch Leven Special Protection Area.*
- *The Sustainable Urban Drainage System for development proposals should include sufficient attenuation to protect those watercourses which flow into Loch Leven from erosion during periods of heavy rainfall.”*