

Issue 35a	Kinross-shire Area - North and East Settlements with Proposals	
Development plan reference:	7.11 – Hattonburn, page 222-223 H52 – Hattonburn, page 222 7.14 – Ochil Hills Hospital, page 227 OP19 - Ochil Hills Hospital, page 227 7.17 – Scotlandwell/Kilmagadwood, page 234-235 H54 – Scotlandwell, page 234	Reporter: Timothy Brian
Body or person(s) submitting a representation raising the issue (including reference number):		
Robert Drysdale (00277) Iain Ford FRIAS (00373) Mr & Mrs E Salmond (00542) Finlay Gillies (00568) Erica Schulz (00590) Alexander Thompson (00614) Portmoak Community Council (00638) Jane Brown (00733) Stephen P O'Hare (00804) Councillor Michael Barnacle (02633) Tim Esparon (03112) Scottish Environment Protection Agency (03194) Jan Esparon (05063) Scottish Natural Heritage (05211) Kinross-shire Civic Trust (06950) Forestry Commission Scotland (08988) John Beales (09092) Tim Esparon (09128/1) James Thomson (09128/10) Dr J J Gunnell (09138) Derek Scott Planning (09384) Mr & Mrs Kor Newhouse (09593) Mr & Mrs Simon Herrington (09730) Joanne, Ron & Steven Cowan (09809) Louise Batchelor (09915) Krystyna Hawryszczuk (09936) Paul Esparon (09955) Laurie Esparon (09962) Tom Esparon (09992) BP North Sea Infrastructure (09994) Dr Cathy Howieson (10033) Mike Hally (10105) John Williams (10210) D Thomas (10326) Susan Forde (10332)		
Provision of the development plan to which the issue relates:	Landward settlements to the north and east of Kinross Housing Market Area with development proposals.	
Planning authority's summary of the representation(s):		
<u>Hattonburn</u> Kinross-shire Civic Trust (06950/1/020), Councillor Michael Barnacle (02633/1/053): The settlement boundary has been unnecessarily extended on the east side of Hattonburn Road (S4_Doc_334); there is no rationale for the triangle created in the north east corner of the new boundary. <u>Hattonburn H52</u> BP North Sea Infrastructure (09994/8/001): Should be further clarity on why the number of housing units is limited to 30 particularly if it is to ensure compliance with Health and Safety Executives 'planning advice for developments near hazardous installations' guidelines (S4_Doc_582) as this will alert developers to presence of the pipeline. Jane Brown (00733/1/004): The road is not safe to support the extra traffic that development of this site would generate.		

Ochil Hills Hospital

Forestry Commission Scotland (08988/1/017): Housing development may cause significant damage to the woodland and creating unstable trees. No reference is made to Scottish Government woodland removal policy (S4_Doc_187). Problems elsewhere where trees have been removed to allow for development. There is a need for a partnership approach on this site. Forestry Commission must be contacted to ensure the required woodland management plan (site specific developer requirement) meets standards required of the UK woodland assurance scheme (Core_Doc_189).

Scottish Natural Heritage (05211/23/005): Ochil Hills hospital contains woodland included in the Ancient Woodland Inventory. To ensure compliance with Scottish Government policy on the control of woodland removal (S4_Doc_187) and LDP Policy NE2 Forestry, Woodland and Trees (S4_Doc_500), developer requirements for Ochil Hills hospital should refer to the need to *'protect and enhance existing woodland'*. Alternatively the site allocation could be amended to exclude the woodland area (S4_Doc_337).

Councillor Michael Barnacle (02633/1/056): Support.

Scotlandwell

Dr J J Gunnell (09138/1/001), Dr Cathy Howieson (10033/1/002), Mike Hally (10105/1/001), Krys Hawryszczuk (09936/1/001): The settlement boundary of Kilmagadwood should be drawn tightly around the new two house development to the north of the village (S4_Doc_035) in order to protect the views of Area of Great Landscape Value and Loch Leven for the public and restrict further development of 10/00134/FLL (S4_Doc_583). The views are important to local identity and landscape character.

John Williams (10210/2/002): Land west of Kilmagadwood Cottage should be removed from the settlement boundary. This land was improperly added in the previous plan (confirmed by Reporters).

Susan Forde (10332/1/001), Councillor Michael Barnacle (02633/1/061): Kilmagadwood should remain part of Scotlandwell and not be separated by different settlement boundaries.

Mike Hally (10105/2/001): The statement in the Plan *'Scotlandwell has been identified for limited additional growth to support future housing needs within the Portmoak area'* should be deleted. No future housing needs have been identified for Portmoak area, just general Kinross Housing Market Area. Portmoak area is at its limit regarding infrastructure.

Mr & Mrs Simon Herrington (09730/1/002), Finlay Gillies (00568/1/003): Supports the settlement boundary at Scotlandwell particularly as it constrains the size of site H54.

Dr J J Gunnell (09138/2/001), Dr Cathy Howieson (10033/1/001), Louise Batchelor (09915/1/001): Support the separate settlement boundaries for Kilmagadwood and Scotlandwell; the character of the two settlements is different and the separation will inhibit ribbon development and coalescence.

Dr J J Gunnell (09138/2/002): Supports the settlement boundary of Scotlandwell excluding the farmland to the south west of the settlement as development there would be inappropriate.

Councillor Michael Barnacle (02633/1/063): Supports the open space designation between Leslie Road and the settlement boundary.

John Williams (10210/2/003): The additional protection afforded to Kilmagadwood by showing its boundaries separate from Scotlandwell is welcomed.

Scotlandwell H54

Iain Forde FRIAS (00373/1/001 & 00373/1/002): The proposed site does not fit the linear pattern of the village. It will increase the loss of the causeway as a feature and its distinctive 'gateway' into the village. The settlement boundary should not include this site.

Dr Cathy Howieson (10033/2/001): Kinross Housing Market Area may need more housing but there is no supporting evidence that Scotlandwell needs more housing. The limited infrastructure, particularly transport, makes new development unsuitable. The proposed site would be visually obtrusive and detract from the landscape and character of the settlement; its inclusion is out of line with the aims set out in paragraphs 3.5.1 and 3.5.2 in the Proposed Plan (S4_Doc_501).

Erica Schulz (00590/1/001), Alexander Thompson (00614/1/001), Susan Forde (10332/1/002), Stephen Patrick O'Hare (00804/1/001): Such a large development and concentrated in one site will ruin the village character and increase traffic. The land is open space in line with PAN 65 (Core_Doc_111) and contributes to the amenity and character of the area as stated in the Scotlandwell Conservation Area Appraisal (Core_Doc_078). There are no facilities to support a new development and the primary school is near capacity.

Portmoak Community Council (00638/2/005), Councillor Michael Barnacle (02633/1/062): Other open spaces and infill sites in village provide a better solution for new housing and more integrated development in the village. Proposed housing density is higher than surrounding area; request that all building be single storey.

Mr & Mrs E Salmond (00542/1/001): Development of this site will visually spoil the village and surrounding landscape. The village has no facilities, the school will not cope with more children and the increase in traffic will affect the village peace and quiet.

Finlay Gillies (00568/1/001): Site H54 is not the best location for new development in the settlement; it will adversely affect local wildlife with a loss of habitats and also lead to increased difficulties with car parking and road safety.

Mike Hally (10105/3/001): The proposed site alters the settlement boundary and would open up future development in the adjoining fields to the south of the village. New development would alter the attractive view into the settlement from the south. There is no evidence of housing need in Portmoak.

Mr & Mrs Simon Herrington (09730/1/001): The housing density on site H54 should be reduced; infill/gap sites in Scotlandwell could be used to make up the housing numbers.

Portmoak Community Council (00638/2/006): Infrastructure deficits will be exacerbated by H54 and no development should occur until these have been sorted. Transport links are poor, no public car parking, pavement links along A911 are narrow and there is no shop or community facilities.

Robert Drysdale (00277/1/001): The building storey heights should be limited to protect the character and integrity of the approach into this popular and attractive village. There need to be suitable traffic calming measures where the B920 enters Scotlandwell from the south as it is dangerous.

Joanne, Ron & Steven Cowan (09809/1/002): The density is too high and should be reduced, and the houses should be restricted to 1-storey in height.

Kinross-shire Civic Trust (06950/1/023): Proposed number of 30 houses is very dense for a rural area. To protect the character of the village any housing must be limited to single storey. Site is on the edge of the 1 in 200 year Flood Plain.

John Beales (09092/1/001): The size of site H54 is too small to accommodate the 30 units. The site should be extended eastwards (S4_Doc_035) which would allow a lower density development more in keeping with the village character (Core_Doc_078) and surrounding settlements and is supported by Scottish Planning Policy (S4_Doc_310). Enlarging the site would allow for a better provision of open space for the benefit of residents and also additional car parking within the village.

Scottish Environment Protection Agency (03194/41/001): The site is located in or adjacent to the functional flood plain or an area of known flood risk and as such part of the site may not be suitable for development in accordance with the following guidance Flood Risk Management (Scotland) Act 2009 (Core_Doc_059) and the National Planning Framework 2009 paragraph 5.5 (assume mean paragraph 179) (S4_Doc_588).

Laurie Esparon (09962/1/001), Tom Esparon (09992/1/001), Paul Esparon (09955/1/001), Tim Esparon (09128/1/001 & 03112/1/001), Jan Esparon (05063/1/001): Support the allocation of this housing site. It is outside the Loch Leven catchment area and the Area of Great Landscape Value. It meets the principles of Scottish Planning Policy (Core_Doc_048) and PAN 02/2010 (Core_Doc_019). It has electricity and water on site. A previous flood risk assessment indicates there are no issues in this respect. (No Flood Risk Assessment Supplied)

Joanne, Ron & Steven Cowan (09809/1/001), D Thomas (10326/1/001), Mr & Mrs Kor Newhouse (09593/1/001): Supports H54 as proposed in the Plan, it should not be extended.

Scotlandwell New Sites

Iain Ford FRIAS (00373/1/003): The area proposed between Scotlandwell and Portmoak Church (S4_Doc_035) would be better for development than H54.

James Thomson (09128/10/001): Site (S4_Doc_035) should be included for housing development and open space as it provide a realistic development option, is fully serviced and can contribute positively to housing delivery within the Kinross Housing Market Area. It meets the principles of Scottish Planning Policy (Core_Doc_048) and PAN 02/2010 (Core_Doc_019).

Iain Forde FRIAS (00373/1/004): The infill of the site behind the former shop (S4_Doc_035) on Leslie Road (once a caravan site) would be better for development than H54.

Finlay Gillies (00568/1/002): Developing adjacent to the Wellside development (S4_Doc_035) would be a more natural continuation for the village than H54.

Derek Scott Planning (09384/2/001): The designated open space area to south (S4_Doc_035) of the settlement does not contribute to the character and appearance of the area, it is more suitable to residential development.

Modifications sought by those submitting representations:

Hattonburn

Kinross-shire Civic Trust (06950/1/020), Councillor Michael Barnacle (02633/1/053): Modify the settlement boundary to exclude land to the east of Hattonburn Road (S4_Doc_334).

Hattonburn H52

BP North Sea Infrastructure (09994/8/001): Insert the following sentence within paragraph 7.11.3: *'The village is within the HSE pipeline consultation zone.'*

Jane Brown (00733/1/004): Delete site.

Ochil Hills Hospital

Forestry Commission Scotland (08988/1/017): Site Specific Developer Requirements should include that proposals take account of the Scottish Government Woodland Removals Policy (Core_Doc_187).

The reference to a comprehensive woodland management plan should include the requirement for consultation with the Forestry Commission.

Scottish Natural Heritage (05211/23/005): Site Specific Developer Requirements to Developer requirements for Ochil Hills hospital should include reference to the need to *'protect and enhance existing woodland'*; or; amend the site boundary to exclude the area of Ancient Woodland (S4_Doc_337).

Scotlandwell

Dr J J Gunnell (09138/1/001), Dr Cathy Howieson (10033/1/002), Mike Hally (10105/1/001), Krys Hawryszczuk (09936/1/001): Modify the settlement boundary of Kilmagadwood tightly around the new two house development under 10/00134/FLL (S4_Doc_583) excluding land between the site and the A911.

John Williams (10210/2/002): Amend the settlement boundary to the pre Kinross Area Local Plan 2004 boundary.

Susan Forde (10332/1/001), Councillor Michael Barnacle (02633/1/061): Modify the settlement boundary to include Kilmagadwood and Scotlandwell as a single settlement including the church, hall and access to the Community Woodland at Kilmagadwood (S4_Doc_035).

Mike Hally (10105/2/001): Delete from paragraph 7.17.2 *'Scotlandwell has been identified for limited additional growth to support future housing needs within the Portmoak area'*.

Scotlandwell H54

Iain Forde FRIAS (00373/1/001 & 00373/1/002), Dr Cathy Howieson (10033/2/001), Erica Schulz (00590/1/001), Alexander Thompson (00614/1/001), Susan Forde (10332/1/002), Stephen Patrick O'Hare (00804/1/001), Portmoak Community Council (00638/2/005), Councillor Michael Barnacle (02633/1/062), Mr & Mrs E Salmond (00542/1/001), Finlay Gillies (00568/1/001), Mike Hally (10105/3/001): Delete site from the Plan.

Mr & Mrs Simon Herrington (09730/1/001): Reduce site number to 20 units.

Portmoak Community Council (00638/2/006): Insert reference that *'No development should take place until infrastructure issues have been resolved'*.

Robert Drysdale (00277/1/001): Site Specific Developer Requirements to include development to be a maximum of one and a half stories.

Joanne, Ron & Steven Cowan (09809/1/002), Kinross-shire Civic Trust (06950/1/023): Site Specific Developer Requirements to include development to be a maximum of a single storey.

John Beales (09092/1/001): Modify settlement boundary to include land to the east.

Scottish Environment Protection Agency (03194/41/001): A flood risk assessment should be included in the Site Specific Developer Requirements.

Scotlandwell New Sites

Iain Forde FRIAS (00373/1/003): Modify settlement boundary to include site between Scotlandwell and Portmoak Church for residential development.

James Thomson (09128/10/001): Modify the settlement boundary to include site in submitted plan for residential development.

Iain Forde FRIAS (00373/1/004): Identify site behind the former shop on Leslie Road for residential development.

Finlay Gillies (00568/1/002): Modify the settlement boundary to include field adjacent to Wellside development for residential.

Derek Scott Planning (09384/2/001): Modify Plan to remove open space designation from land identified on submitted plan and identify for residential development.

Summary of responses (including reasons) by planning authority:

Hattonburn

Kinross-shire Civic Trust (06950/1/020), Councillor Michael Barnacle (02633/1/053): The Hattonburn Nursery on the eastern side of the B996 forms part of the settlement of Hattonburn. The settlement boundary has been drawn to reflect this and allow for some further small scale infill development to the north of the nursery. The additional land included is not in productive agricultural use and the settlement boundary follows the existing field boundary.

No modification is proposed to the Plan.

Hattonburn H52

BP North Sea Infrastructure (09994/8/001): The map for Hattonburn on page 223 of the Plan clearly shows that the settlement is within the pipeline consultation zone. It is considered that the proposed modification would be duplication and is therefore not required.

If the Reporter was so minded the Council would have not objection to the inclusion of the suggested wording into paragraph 7.11.3.

Jane Brown (00733/1/004): Planning Permission in place under planning reference 05/01622/FUL (S4_Doc_584) (Permission extended 10/02112/FLL (S4_Doc_585)) for the erection of 22 dwellinghouses. All roads matters relating to existing roads and safety were fully considered and conditions attached to mitigate any issues. The site is considered to be effective and should remain in the Plan to support the redevelopment of brownfield land.

No modification is proposed to the Plan.

Ochil Hills Hospital

Forestry Commission Scotland (08988/1/017): The proposed modification to the Site Specific Developer Requirements to take account of the Scottish Government Woodland Removals Policy would be duplication of Government Policy in the Plan. Any planning applications or felling licence appeals to the Forestry Commission for the removal of woodland would be considered in line with this Policy.

No modification is proposed to the Plan.

The proposed modification to the Site Specific Developer Requirements that a comprehensive woodland management plan should include the requirement for consultation with the Forestry Commission is considered by the Council to be superfluous.

While the Council does not consider the additional wording is required if the Reporter is minded there would be no objection to the proposed modification.

Scottish Natural Heritage (05211/23/005): Planning permission for 35 dwellings is in place under reference 10/02159/AMM (S4_Doc_586) and the settlement boundary reflects. The settlement boundary has been defined to support the development of this brownfield site.

No modification is proposed to the Plan.

The proposed modification to the Site Specific Developer Requirements to '*protect and enhance existing woodland*' is considered by the Council to be superfluous.

While the Council does not consider the additional wording is required if the Reporter is minded there would be no objection to the proposed modification.

Scotlandwell

Dr J J Gunnell (09138/1/001), Dr Cathy Howieson (10033/1/002), Mike Hally (10105/1/001), Krys Hawryszczuk (09936/1/001), John Williams (10210/2/002): The settlement boundary reflects the plot boundary of the properties granted planning permission under 10/00134/FLL (S4_Doc_583) and shows a natural extension to the settlement. The settlement boundary as proposed in the Plan is the same as that identified in the Kinross Area Local Plan 2004 which was determined through the inquiry (S4_Doc_589).

While the Council does not consider that a modification should be made if the Reporter is so minded the Council would have no objection to the settlement boundary being modified to exclude the land between the northern property and the A911 as identified on the attached plan (S4_Doc_035).

Susan Forde (10332/1/001), Councillor Michael Barnacle (02633/1/061): The settlement boundary defines the areas in which the different policies are applied when determining planning applications. The fact the two settlements are not connected does not affect the implementation of the policy framework.

No modification is proposed to the Plan.

Mike Hally (10105/2/001): The statement in paragraph 7.17.2 '*Scotlandwell has been identified for limited additional growth to support future housing needs within the Portmoak area*' is purely factual. It has been included to reflect that site H54 is the only housing site identified within the Portmoak area. This allocation has been made taking account of the infrastructure capacity of the area in particular drainage and education capacity.

Whilst the Council considers the statement provides a background to the Plan if the Reporter was so minded no objection would be raised if it was removed.

Scotlandwell H54

Iain Forde FRIAS (00373/1/001 & 00373/1/002), Dr Cathy Howieson (10033/2/001), Erica Schulz (00590/1/001), Alexander Thompson (00614/1/001), Susan Forde (10332/1/002), Stephen Patrick O'Hare (00804/1/001), Portmoak Community Council (00638/2/005), Councillor Michael Barnacle (02633/1/062), Mr & Mrs E Salmond (00542/1/001), Finlay Gillies (00568/1/001), Mike Hally (10105/3/001): This site was identified as Option 1 Site D in the Main Issues Report (S4_Doc_218) for 20 – 30 dwellings. 60 representations were received with 36 supporting the identification of this site for development. The majority of settlements within the Portmoak area lay within the Loch Leven Catchment Area. Scotlandwell is out with the Loch Leven Catchment Area and does not have identified drainage infrastructure restrictions. The capacity of the road network and Primary School are not considered to be constrained for this level of development. The Council acknowledges that Scotlandwell has scope for limited infill development but it does not consider that these sites are effective. This site is considered to be a natural extension of the settlement while reflecting the linear development form in which it has expanded. It provides a choice of development sites across the Kinross HMA and through a well designed development will improve the entrance to the village from the south. The site is within a single ownership and it has been promoted by Campion Homes Limited as a viable development site (S4_Doc_590). The site is currently agricultural land and not open space in terms of PAN 65 (Core_Doc_111). The proposed development density is below the median of the Medium Density Range identified in Paragraph 4.3.13 (S4_Doc_498) of the Plan. It reflects the density of existing neighbouring development and attempts to make the best use of greenfield land.

No modification is proposed to the Plan.

Mr & Mrs Simon Herrington (09730/1/001): The proposed development density is below the median of the Medium Density Range identified in Paragraph 4.3.13 (S4_Doc_498) of the Plan. It reflects the density of existing neighbouring development. Reducing the site capacity to 20 units would not be consistent with making the best use of greenfield land.

No modification is proposed to the Plan.

Portmoak Community Council (00638/2/006): No drainage infrastructure restrictions have been identified in Scotlandwell or Kilmagadwood and the Council will support improvements to education infrastructure where required. The settlement has a church

and village hall and this allocation has been made taking account of the infrastructure capacity of the area in particular drainage and education capacity. The infrastructure deficits identified such as poor transport links, narrow pavements and lack of facilities affect the majority of rural settlements but would not be a justification to stop future development proposal until improvements are in place. New development is required to mitigate any impact be this onsite or financially in line with Policy PM3: Infrastructure Contributions (S4_Doc_496) and can have a positive benefit in relation to existing infrastructure deficits. Where large scale developments are proposed this may result in the phasing of development to allow for required infrastructure up grades. The proposed modification is not accepted and it is considered to be overly restrictive.

No modification is proposed to the Plan.

Robert Drysdale (00277/1/001), Joanne, Ron & Steven Cowan (09809/1/002), Kinross-shire Civic Trust (06950/1/023): The Council acknowledges that development of two stories at this site would not reflect the existing neighbouring development and may change the character of the settlement when viewed from the south. Requiring development to be single storey may impact on the viability of developing the site and is considered to be overly restrictive. In order to reflect neighbouring development while also making best use of the greenfield site the proposed modification to the Site Specific Developer Requirements to identify that development be a maximum of one and a half stories may be acceptable. The increased ridgeline height would be comparable with surrounding dwellings as this land sits at a lower ground level than land to the north.

If the Reporter was so minded the Council would have no objection to modifying the Site Specific Developer Requirements to include that development should be one and a half stories only.

John Beales (09092/1/001): Sufficient land has been identified within Scotlandwell to support future development needs during the lifetime of the Plan. It is however acknowledged that the proposed extension of the site boundary may achieve a more satisfactory settlement layout and reduced site density which would support a desire that properties are limited to one and a half stories. It may also allow the provision of improved linkages to the existing settlement. It is considered that although the identification of additional land may be acceptable a higher number of houses are not required within the settlement.

If the Reporter was so minded the Council would raise no objection to Site H54 being extended eastwards to reflect the attached plan and the site specific developer requirements to including the provision of a footpath link to Friar Place.

Scottish Environment Protection Agency (03194/41/001): This site is not within the identified flood risk area but due to its proximity to the risk area and the flat topography of surrounding land the proposed modification is considered acceptable. This ensures no new development is at risk of flooding or would increase flooding to existing areas.

If the Reporter was so desired the Council would have no objection to the proposed modification to the Site Specific Developer Requirements requiring a Flood Risk Assessment.

Scotlandwell New Sites

Iain Forde FRIAS (00373/1/003), James Thomson (09128/10/001): This area of land forms the visual separation between Scotlandwell and Kilmagadwood and is important to

the setting of the Conservation Area (S4_Doc_591). It is on a slope and is in a prominent position with limited opportunities for access to the site. Sufficient land is identified in the settlement to support future development needs and the Council does not agree with the proposed modification.

No modification is proposed to the Plan.

Iain Forde FRIAS (00373/1/004): The land behind the former shop of Leslie Road is within the identified settlement boundary where development is promoted in line with the relevant development framework. It would be suitable for a range of infill development and the Council does not agree that it should be specifically identified for residential use. No evidence is presented that this is an effective site and it has been underutilised for some considerable time.

No modification is proposed to the Plan.

Finlay Gillies (00568/1/002): No map was provided with the Representation designating the extent to which the settlement boundary should be altered. The land to the west of the Wellside Development, H17 in the Kinross Area Local Plan 2004 (S4_Doc_593) is adjacent to the sewage works and no evidence has been presented that it is a viable development site. The Council does not support this proposed modification.

No modification is proposed to the Plan.

Derek Scott Planning (09384/2/001): The area of open space to the south of Friar place is identified in the Scotlandwell Conservation Area Appraisal (Core_Doc_078) as being important to the character of the area and recommends its protection and enhancement. Although within an area of modern built development, the existing space provides an important break and area of green space within the developed building line, as well as a valuable view corridor north-south between the former caravan site south of Leslie Road, the historic open space of the burial ground and the rural, agricultural setting of the village to the south. The open character reflects its historic role as part of the priory hospital grounds and provides an appropriate setting to the remaining fragment of this historic area. Its current informal condition and the presence of the electricity substation do not substantially erode the amenity value of the space. Paragraph 9.2 of the Conservation Area Appraisal (S4_Doc_592) states that '*...This is identified as 'private and public open space' and it is vital that this area is left undeveloped to aid the setting of the burial ground and continue the key views through and beyond.*' No justification has been presented which alters the conclusion of the Conservation Area Appraisal and the proposed modification is not accepted.

No modification is proposed to the Plan.

Reporter's conclusions:

Hattonburn

1. Hattonburn is identified as a settlement in the Proposed Plan, though it is merely a loose collection of houses in the countryside on the opposite side of the motorway from Milnathort. It comprises Hattonburn House, Hattonburn Farm, three bungalows and the Hattonburn Nursery (and small camping and caravanning site). There are no facilities such as shop, church or village hall.

2. Hattonburn was similarly defined in the adopted Kinross Area Local Plan, presumably to reflect the proposed redevelopment of the derelict farm buildings for housing. However the settlement boundary excluded the nursery which lies to the east of Hattonburn Road. The proposal in the Proposed Plan to extend the settlement boundary to include the nursery and the small triangular field to the north would serve to round off the settlement at its east end. There is no planning reason to resist it.

H52: Hattonburn

3. Planning permission was granted in 2007 for the erection of 22 houses on the site of the farm buildings at Hattonburn Farm. There has been no change in circumstances since then to warrant removing the proposal from the Proposed Plan.

4. Whilst the pipeline consultation zone is shown on the map for Hattonburn, it would be prudent also to make reference to that constraint within the text at paragraph 7.11.3.

Op19: Ochil Hills Hospital

5. The former TB sanatorium on this site has been demolished, and Op19 reflects the detailed planning permission granted in 2011 for a redevelopment with 35 houses. The approval includes conditions requiring the protection of existing trees, and the implementation of the biodiversity and good practice measures set out in the environmental statement. One of the site-specific developer requirements for Op19 is “a *comprehensive woodland management plan and specific proposals for its implementation*”. With those safeguards in place it is not necessary to make reference to the Government’s woodland removal policy in the site-specific developer requirements. However it would be appropriate to refer to the need to consult Forestry Commission Scotland on the comprehensive woodland management plan.

6. The former hospital site contains ancient woodland of long established plantation origin, which Scottish Planning Policy expects to be protected and enhanced (paragraph 146). It would therefore be consistent with Scottish Government policy to modify the site-specific developer requirements as suggested by Scottish Natural Heritage.

Scotlandwell

7. There are no infrastructure constraints that would prevent modest housing growth in Scotlandwell, which is a village with a church, inn and village hall. The council will support improvements to the local primary school if required. Unlike most of the settlements in the Portmoak area the village lies outwith the Loch Leven catchment area, and new development will connect to the public drainage system. There is therefore no need to remove the sentence from paragraph 7.17.2 which proposes limited growth to support housing needs in the Portmoak area.

8. The Proposed Plan recognises that Scotlandwell and the outlying hamlet of Kilmagadwood are separate settlements. There is an important gap between Portmoak Church on the east edge of Kilmagadwood and the northern edge of Scotlandwell (and the conservation area) which helps to give each settlement its separate identity. It would be unfortunate to erode this gap and thereby harm the setting of the two settlements.

9. The north west boundary of Kilmagadwood mirrors the boundary determined in the Kinross Area Local Plan following the local plan inquiry. There has been no change in circumstances which would justify reducing the envelope at this stage.

H54: Scotlandwell

10. This is a 1.7 hectare site on the southern edge of Scotlandwell, which is allocated for 30 houses. There is already development in depth (rather than ribbon development) on this side of the settlement. The approach to the village from the south is currently dominated by a recent development of two storey houses at Wellside on the opposite (west) side of The Causeway (B920), and there is a small estate of bungalows at Friar Place immediately to the north. The development of H54 would be a logical extension of Scotlandwell on its south side. The proposed 17.6 dwellings per hectare is not a high housing density, even in a village context.

11. H54 is a low lying field contained by mature hedges, and a well designed housing development on the site within a suitable landscape framework would not harm the setting of the village. Except at its north east tip H54 does not adjoin the conservation area, and its development would not impact on the character or appearance of the conservation area. The land is farmland rather than open space, and has no nature conservation or landscape designation.

12. However, since the housing estate at Friar Place is single storey it would be advisable to restrict the height of the development on H54 to minimise the impact on residential amenity and on views towards the village. Due to the slight drop in levels it would be adequate to restrict the new dwellings to a maximum of 1½ storeys in height (as opposed to the Wellside development which is effectively 2 storeys high). A safe access could be formed from The Causeway, and traffic calming should be carried out to slow traffic entering the village from the south.

13. If additional infrastructure is required in connection with the development, the developer will be expected to make an appropriate contribution under Policy PM3. The problems of narrow pavements, lack of public car parking and poor public transport are common to many rural villages, and do not justify imposing an embargo on development until they are resolved. On the other hand it is not necessary to extend the site to the east in order to meet TAYplan housing allocations. The 30 houses proposed are sufficient to meet the need during the Plan period.

14. The site would provide a proportion of low cost housing, and is effective in terms of PAN 2/2010: Affordable Housing and Housing Land Audits. However, because of its location adjoining an area of flood risk, the site-specific developer requirements should include the need for a flood risk assessment as recommended by the Scottish Environment Protection Agency (SEPA).

Scotlandwell new sites

15. As already indicated the undeveloped area of land between Scotlandwell and Kilmagadwood serves an important role in separating the two settlements and providing the landscape setting to Scotlandwell and its conservation area. The development of even part of this sloping site for housing would erode that gap and spoil the setting of the conservation area.

16. There is no need to identify the site of the former caravan site between Leslie Road and Friar Place for development. Any proposal on this site within the settlement boundary would be considered on its merits, having regard to its conservation area location and the relevant policies of the Proposed Plan.

17. The undefined site to the west of the Wellside development is currently landlocked, but even if a convenient access were found its location adjacent to the sewage treatment works does not make it an attractive option for housing development.

18. The small open space on the south side of Friar Place is identified as an area for enhancement in the conservation area appraisal, with the primary aim of improving the setting of the burial ground opposite. The proposal to close this gap is undesirable, as the development would sever the connection between the conservation area and the countryside beyond.

19. The Proposed Plan makes provision for sufficient new housing in Scotlandwell, and none of the other sites suggested is suitable for inclusion in the Plan.

Reporter's recommendations:

H52: Hattonburn

1. Insert the following sentence within paragraph 7.11.3: *"The village is within the HSE pipeline consultation zone."*

Op19: Ochil Hills Hospital

2. Modify site-specific developer requirements as follows:

- *"Protect and enhance existing woodland.*
- *A comprehensive woodland management plan (in consultation with Forestry Commission Scotland) and specific proposals for its implementation."*

Scotlandwell H52

Modify site-specific developer requirements to add:

- *"Houses to be maximum one and a half storeys in height.*
- *Flood risk assessment."*