

Issue 35b		Kinross-shire Area – West Settlements with Proposals	
Development plan reference:		7.3 – Balado, page 211-212 E35 - Balado Bridge, page 211 H51 – Balado, page 211 7.4 – Blairingone, page 213-314 E22 - Vicars Bridge Road, Blairingone, page 213 7.15 – Powmill, page 229-231 H53 - Gartwhinzean, Powmill, page 230 7.16 – Rumbling Bridge, page 232-233 E24 - Rumbling Bridge, page 232	Reporter: Timothy Brian
Body or person(s) submitting a representation raising the issue (including reference number):			
J C Stewart (00409) Susan Hogarth (00429) St John Hattersley (00438) Alexander Garden (00456) Frances Garden (00457) Mary Bostick (00546) Mr & Mrs Stewart Roberts (00618) James & Christina Ritchie (00634) Lynn Boulter (00666) Mr & Mrs David Somers (00784) David Thornber (00790) Paul Levein (00806) Fossoway & District Community Council (00830) Johnson Family (00836) Kinross Community Council (00841) Thomson Homes Ltd and Cocklaw Developments Ltd (00870) Derek Kirk & Donna McBain (00881)		Councillor William B Robertson (00923) Councillor Michael Barnacle (02633) George Lawrie (02900) Friends of Rural Kinross-shire (05105) Kinross-shire Civic Trust (06950) Shand Partnership (09010) Matthew Pease Architect (09125) R Fergusson (09142) Derek Scott Planning (09384) Rose Saunders (09709) Fred Saunders (09718) Kevin Borthwick (09777) John Fraser (09791) Alex Pritchard (09979) Dr Robert Walker (09986) George Pease (10115) Eileen Thomas (10223) Mr & Mrs Alan Chappell (10324) Diane Walker (10333)	
Provision of the development plan to which the issue relates:		Landward settlements in the west of the Kinross HMA with development proposals.	
Planning authority’s summary of the representation(s):			
<p><u>Balado</u> Dr Robert Walker (09986/1/002): Current and future use of the disused airfield site at Balado need considering in the Local Development Plan. Most activities are confined to the site (such as T in the Park) but not microlight flights which cause noise pollution in the immediate vicinity and in Kinross/Milnathort. There appears to be no limit on the amount of flying and the intensification of usage will make it harder for Perth &amp; Kinross Council to limit or prevent effects of noise as per PAN 1/2011 (Core_Doc_146).</p> <p>Councillor Michael Barnacle (02633/1/043), Derek Scott Planning (09384/1/001): Support.</p>			

Balado E35

R Fergusson (09142/5/001): Property originally built as a satellite ground navigation station and the specialist equipment on the site limited the suitability of the site for alternative uses. Planning consent for office accommodation on one of the existing buildings has not been activated and employment use only on the site is not financially viable. Retention and conversion of existing buildings for employment uses will require capital to be raised from new build housing. Site should be extended to include the owners full landholding (S4\_Doc\_335) which was previously brownfield having accommodated a building. Site is brownfield and should be identified for housing. Mixed use development on site E35 is in line with SPP (Core\_Doc\_048) (preference for redevelopment of brownfield sites) and supported by Local Development Plan Policies RD1 (S4\_Doc\_405) (proposals which improve character and environment of an area), RD3 (S4\_Doc\_418) (expanding and diversifying rural businesses which contribute to the local economy and which reuse existing buildings) and ED1B (S4\_Doc\_483) (integration of employment opportunities with housing to reduce commuting).

Kinross Community Council (00841/1/005): Developer requirements should include consideration of the impact on pollution levels and run off patterns into Loch Leven.

Balado H51

George Lawrie (02900/1/001): Site has outline planning consent (S4\_Doc\_684) subject to a Section 75 requiring provision of a new sewage treatment plant. The proposed mitigation attached to the outline planning consent allows for 42 units to be accommodated so this site should be extended to support this increased number as the defined area of H51 will only accommodate 27 units. The extended area (S4\_Doc\_335) is proposed as a second development phase. Flood risk identified for site 116 (S4\_Doc\_685) has been removed because the sand and gravel quarry have now started extraction.

Kinross Community Council (00841/1/008): Developer requirements for site should include consideration of the impact on pollution levels and run off patterns into Loch Leven.

Blairingone

Councillor Michael Barnacle (02633/1/046): Section 4.3 (S4\_Doc\_520) in the Plan fails to mention the need for a by-pass of Blairingone referred to in paragraph 5.20 of the Kinross Area Local Plan 2004 (S4\_Doc\_686).

Rose Saunders (09709/1/002); Fred Saunders (09718/1/002): Support increase to village envelope to allow residential development.

John Fraser (09791/1/001), James & Christina Ritchie (00634/1/003): Support.

Blairingone E22

Diane Walker (10333/1/001): Building on this site will be an eyesore to the village and residents. Do not believe change of use would mean any employment for villagers. Concerned that site would provide storage for the biomass/woodchip facility that the village is opposing at Lambhill.

Fred Saunders (09718/1/001), Rose Saunders (09709/1/001), Councillor Michael Barnacle (02633/1/044), Fossoway & District Community Council (00830/1/004): Support.

Blairingone New Sites

Friends of Rural Kinross-shire (05105/1/001): Approximately 20 houses should be developed in Blairingone to help safeguard the future of the primary school. This would also help spread the increase in housing stock over the whole of Kinross-shire.

J C Stewart (00409/1/001): Previously submitted plans for approx 40 houses around the north and east of Blairingone (S4\_Doc\_033) with ground for a village hall and parking, new area for an improved play area, a sports field and community woodland near the school as shown on submitted plan. Large amount of support from residents for the proposals. Fossoway Strategy Group also supports new housing in the village. Hoped proposals would encourage growth of Blairingone, ensure long term future of the school and encourage provision of a shop/post office/pub. Ground conditions are difficult but housing is possible in areas proposed. Local Development Plan allows for limited building but not scheme of this scale.

Councillor William B Robertson (00923/1/006): Larger housing allocation for Blairingone would help safeguard long term future of the school and take some of the housing pressure off Powmill.

Councillor Michael Barnacle (02633/1/045), Matthew Pease Architect (09125/1/003): Oppose lack of a housing site in Blairingone. Option 1 in the MIR (site B for 30 houses) (S4\_Doc\_033) was the preferred choice of community representatives from Kinross-shire landward area. Identification of the B1 assessment area of the Fossoway Strategy Group's map for housing would help the retention and improvement of the school and the provision of other facilities (S4\_Doc\_687).

Fossoway & District Community Council (00830/1/005): There was local approval for growth of around 30 houses in Blairingone within the settlement boundary and this should be included as a specific reference in the Plan.

Kevin Borthwick (09777/1/001), George Pease (10115/1/009): Option 1 in the Main Issues Report (S4\_Doc\_033) has a lot of local support and a zoned area for around 30 houses in Blairingone should be considered. This would also be a great boost to the school.

Eileen Thomas (10223/1/009): Suggest identifying more land for housing at Blairingone to help keep the local school open.

Powmill

Alex Pritchard (09979/1/002), Alexander Garden (00456/1/002), Frances Garden (00457/1/002): Provision of a new school in Powmill could accommodate pupils from Blairingone and Fossoway primary schools enabling pupils to walk to school. There is already a safety issue with road access at Fossoway.

Lynn Boulter (00666/1/001), Kevin Borthwick (09777/1/006): Object to Powmill settlement boundary at area north of Powmill Farm Steadings (S4\_Doc\_336) which encompasses plot 5A. Reporter at two appeals advised the furthest build line should be the Steadings. This plot has been dismissed at two appeals (S4\_Doc\_688 and S4\_Doc\_689) as detrimental to the area. Appears to be a mistake in the Plan as it was agreed this area was to be removed from the development plan.

Councillor Michael Barnacle (02633/1/057): Disagree with divorce of settlement boundaries between Gartwhinzean Feus and Powmill (S4\_Doc\_336). Opportunity to

improve footpath links from western end of Powmill to the village centre and possibly provide a new roundabout and road junction to the A823 on the east side of the site (S4\_Doc\_690).

Kevin Borthwick (09777/1/010): It is assumed the representation is referring to Powmill not Crook of Devon as stated. There is a need for a hub in the village and would like to see a village green.

Councillor Michael Barnacle (02633/1/058), George Pease (10115/1/013), Matthew Pease Architect (09125/1/005): Village green and sports area as per R6 on the Fossoway Strategy Group's map (S4\_Doc\_336) should be included in the Plan for Powmill (S4\_Doc\_690).

#### Powmill H53

Councillor Michael Barnacle (02633/1/059): Site numbers at site H53 should reflect site B in MIR option 2 (S4\_Doc\_226). Question need for business land at site H53 given there is already an employment site allocated at site E23.

George Pease (10115/1/011): With Fossoway Primary school nearing capacity site size is too large and will double size of village. Blairingone could accommodate additional development and has primary school capacity.

Emac Planning (09010/1/003): Development on brownfield land at Powmill justified but no justification for the use of greenfield land over other sites in the Kinross HMA. The existing brownfield site provides sufficient land for the settlements needs. As the existing land has not been developed during the life of the current plan its effectiveness/marketability is queried. Powmill has limited services and will be attractive to commuters promoting traffic rather than sustaining the local community. Query the effectiveness of the employment land and whether the capacity of the Waste Water Treatment Works is sufficient. Landscape, environmental and traffic impact are queried given the severance created by the existing road.

Fossoway & District Community Council (00830/1/009): Local support for development but strong feeling that scale and density are too high and should be reviewed. A development of 60 units plus existing permissions would be appropriate. Road and access improvements must be provided with this scale of development. Powmill village boundary could be re-considered to provide a more coherent, nucleated settlement structure.

Kevin Borthwick (09777/1/005): It is assumed the representation is referring to Powmill not Crook of Devon as stated. Local survey suggested scale of housing on site was unacceptably high. Extra housing could go to Blairingone.

Derek Kirk & Donna McBain (00881/1/001): Object to numbers proposed at site. There are other permissions in Powmill and the additional numbers should be reduced to less than 100. Concerned there is no upper limit to housing numbers and that necessary improvements to water pressure and electricity supplies will not be carried out to meet the needs of the proposed housing. With no bus service or village shop residents are car dependent and the A977 is already very busy.

Matthew Pease Architect (09125/1/008): 120 units is excessive high and should be reduced to 90. The depth of H53 can be reduced and a wooded footpath to Gartwhinzean Feus would help tie the village together.

Friends of Rural Kinross-shire (05105/1/006): There is already permission for 23 houses in the same area as H53 and this should be taken into account in looking at the increased development. The developer has undertaken extensive consultation and what is proposed is generally approved. The total number of new houses to be built should be strictly phased.

Susan Hogarth (00429/1/003): Changing the junction at the A977/A823 with a roundabout will increase noise levels. No justification for this change. Development on both sides of the A977 will be dangerous due to the volume of traffic using the road. The site has existing permission for 23 dwellings and the additional 97 is too high.

Mr & Mrs Alan Chappell (10324/1/001), Kinross-shire Civic Trust (06950/1/022), Thomson Homes Ltd & Cocklaw Developments Ltd (00870/4/001): Support.

#### Rumbling Bridge

David Thornber (00790/1/001), George Pease (10115/1/012), Matthew Pease Architect (09125/1/006), Kevin Borthwick (09777/1/008): Settlement boundary should encompass the houses within the settlement (S4\_Doc\_034) so to exclude a significant group of existing and potential houses is peculiar and not in line with the existing Local Plan (S4\_Doc\_691) and the Strategy Group Map (S4\_Doc\_692). Inclusion of these houses would also ensure better conformity with the spatial strategy.

Mr & Mrs David Somers (00784/1/001): Proposed settlement boundary fails to protect the existing settlement pattern of Rumbling Bridge. The small housing estate being suggested by a developer may obliterate the character of the original village. There is no main sewage drainage so any large housing development would involve multiple septic tanks draining into and polluting the River Devon. Any permitted housing development exiting onto the A823 to the west of Blairhill Drive, Rumbling Bridge should be reduced to five houses or less.

Councillor Michael Barnacle (02633/1/060): Support settlement boundary at area R5 on the Strategy Group Map (S4\_Doc\_692). This should not be extended westwards. There are current planning applications for the Firgrove/Merryhills area.

Fossoway & District Community Council (00830/1/012), St John Hattersley (00438/1/001), James & Christina Ritchie (00634/1/001), Mary Bostick (00546/1/001), Paul Levein (00806/1/001): Support.

#### Rumbling Bridge E24

Mr & Mrs Stewart Roberts (00618/1/001 & 00618/1/002): Site should not be designated as '*general employment land*' but should remain identified for '*rural business*' as the Kinross Area Local Plan (S4\_Doc\_691). Site may not be suitable for development due to the shape and location making drainage provision problematic. Access would require to be taken from the A825 and additional business development which would increase traffic and could cause safety issues. Any development should be in keeping and support the areas agricultural and forestry heritage while supporting growth and development of existing rural businesses. Development should provide a public space and provide landscaping to screen land owned by residents of Birkfield Park from future development.

Fossoway & District Community Council (00830/1/011): Support. Concerned about the integrity of the settlement boundary in the area where there is existing planning consent.

Rumbling Bridge New Sites

Brent Quinn (00836/1/001): Site (S4\_Doc\_034) should be identified for residential use. It is in a prominent gateway position when entering from the north on the A823 and has clear boundaries. In current use for horse trekking. Site was dismissed for development at the previous Local Plan inquiry and safeguarded for amenity use. Existing housing sites in Rumbling Bridge have been exhausted and new sites should be identified to support growth. Proposal will provide a sustainable rural pattern of development and would comply with SPP (Core\_Doc\_048) by helping meet an established housing shortfall and providing a new robust landscaped boundary replacing existing field boundaries to the east and north (S4\_Doc\_034). Site is considered effective as per SPP criteria. It is within the existing settlement boundary and part of the existing urban fabric and is a logical next allocation which would round off the north of the existing settlement.

Thomson Homes Ltd and Cocklaw Developments Ltd (00870/2/001): Site (S4\_Doc\_034) should be included within the settlement boundary for approximately 13 new homes and a community garden. Further sites are required to meet the housing requirement in the Kinross Housing Market Area in full in accord with SPP (Core\_Doc\_048) and this proposal is an opportunity to meet this need. Rumbling Bridge is not subject to the environmental constraints and no constraints apply to the site. Planning consent has previously been granted for a chalet development which was only partly implemented and subsequently demolished. Part of the site was allocated for tourist uses in the Kinross Area Local Plan 1994. Development on the site has therefore been deemed acceptable by the Council. The Local Development Plan however makes no reference to the extant permission (for chalets) which extends beyond the settlement boundary proposed. The proposal will reflect the existing settlement pattern and contribute positively to the character of the village and provide community benefit through the community garden. The site is well contained within the landscape and no impacts on landscape character, village character, or visual amenity are anticipated.

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

Dr Robert Walker (09986/1/002): The Local Development Plan should identify a future use for the disused airfield site at Balado.

Balado E35

R Fergusson (09142/5/001): Site E35 should be zoned for mixed use development including residential. Site boundary should be extended as per map 2 of the Representation.

Kinross Community Council (00841/1/005): Site Specific Developer Requirements to include reference to impact on levels of pollution and run off patterns into Loch Leven.

Balado H51

George Lawrie (02900/1/001): Site should be expanded to reflect the plan submitted with representation and the site number increased to 42 units.

Kinross Community Council (00841/1/008): Site Specific Developer Requirements to include reference to impact on levels of pollution and run off patterns into Loch Leven.

Blairingone

Councillor Michael Barnacle (02633/1/046): Paragraph 4.3 of the Local Development Plan (S4\_Doc\_520) should include the need for a by-pass of Blairingone.

Blairingone E22

Diane Walker (10333/1/001): Delete site.

Blairingone New Sites

Friends of Rural Kinross-shire (05105/1/001): A Site should be allocated for approx 20 houses in Blairingone.(No site identified)

J C Stewart (00409/1/001): Site identified for housing and land for community facilities as shown on submitted plan.

Councillor William B Robertson (00923/1/006 & 02633/1/045), Matthew Pease Architect (09125/1/003), Fossoway & District Community Council (00830/1/005), Kevin Borthwick (09777/1/001), George Pease (10115/1/009), Eileen Thomas (10223/1/009): The B1 assessment area of the Fossoway Strategy Group's map (S4\_Doc\_687) should be zoned for housing for approximately 30 houses.

Powmill

Alex Pritchard (09979/1/002), Alexander Garden (00456/1/002), Frances Garden (00457/1/002): Requirement for the provision of a new primary school should be identified.

Lynn Boulter (00666/1/001), Kevin Borthwick (09777/1/006): Modify settlement boundary to exclude area north of Powmill Farm Steadings (plot 5A).

Councillor Michael Barnacle (02633/1/057): Gartwhinzean Feus and Powmill should be linked to the main village as per the Fossoway Strategy Group's map (S4\_Doc\_690).

Kevin Borthwick (09777/1/010), Councillor Michael Barnacle (02633/1/058), George Pease (10115/1/013), Matthew Pease Architect (09125/1/005): Modify to include Village green and sports area R6 on the Fossoway Strategy Groups map (S4\_Doc\_690).

Powmill H53

Councillor Michael Barnacle (02633/1/059), George Pease (10115/1/011): Reduce number of units to 90.

Emac Planning (09010/1/003): Reduce the number of units identified.

Fossoway & District Community Council (00830/1/009), Kevin Borthwick (09777/1/005): Reduce number of units to 60. Site Specific Developer Requirements to include requirement for the provision of a roundabout.

Derek Kirk & Donna McBain (00881/1/001): Reduce and restrict number of units to 100.

Matthew Pease Architect (09125/1/008): Reduce the number of units to 90 and reduce the size of the site. Site Specific Developer Requirements to include the provision of a footpath link to Gartwhinzean Feus.

Friends of Rural Kinross-shire (05105/1/006): The total number of new houses to be built should be phased.

Susan Hogarth (00429/1/003): Reduce the number of dwellings. Amend the Site Specific Developer Requirements to require that the upgrade to the A977/A823 should not be a roundabout.

Rumbling Bridge

David Thornber (00790/1/001), George Pease (10115/1/012), Matthew Pease Architect (09125/1/006), Kevin Borthwick (09777/1/008): Modify settlement boundary to include area R2 on the Fossoway Strategy Groups Map (S4\_Doc\_034) and (S4\_Doc\_692).

Mr & Mrs David Somers (00784/1/001): Restrict development in the village boundary to 5 houses or less.

Rumbling Bridge E24

Mr & Mrs Stewart Roberts (00618/1/001 & 00618/1/002): Delete identification for 'General Employment Use' and identify for 'Rural Business and some tree planting'.

Rumbling Bridge New Sites

Brent Quinn (00836/1/001): Modify settlement boundary to include proposed site for 7 units to the north of the nursing home.

Thomson Homes Ltd & Cocklaw Developments Ltd (00870/2/001): Modify settlement boundary to include proposed site for 13 units and a community garden to the west of the settlement.

**Summary of responses (including reasons) by planning authority:**Balado

Dr Robert Walker (09986/1/002): Planning permission was granted in June 2011 under planning reference 09/01289/FLM (S4\_Doc\_693) for the change of use of land to Class 11 use (assembly and leisure) plus motor vehicle and sports and funfairs at Balado Activity Centre, The Old Airfield, Kinross. This permission included the permanent siting of a Microlight training school which had previously been granted temporary permission in 1998. The site also holds the annual '*T in the Park*' music festival. No approach has been made to the Council to identify the site for alternative uses and where new proposals are brought forward they will be considered in line with the relevant policy framework. The Council does not agree that the Plan should identify a future use for this site.

No modification is proposed to the Plan.

Balado E35

R Fergusson (09142/5/001): This site lays within 400m of an active sand and gravel quarry to the west. The site is also within 200m of two poultry farms and 300 metres from another, each of which lay to the north. The entire site is within the SEPA 1:200 year indicative flood area. Scottish Government publication Prevention of Environmental Pollution from Agricultural Activity paragraph 13.14 (S4\_Doc\_694) states '*When designing new buildings, consider their siting in relation to residential accommodation, and avoid sites within 400m of such developments.*' The Council notes that there are residential properties in closer proximity to the existing land uses but these properties are traditionally attached to the farming operations occupied by employees managing the facility. The Council does not agree that the site is suitable for residential development; it has been identified for employment uses as this would be compatible with existing neighbouring uses.

No modification is proposed to the Plan.



Kinross Community Council (00841/1/005): The Plan adequately identifies the drainage requirements within the Loch Leven Catchment through Policies EP3: Water Environment and Drainage (S4\_Doc\_428) and EP7: Drainage within the Loch Leven Catchment Area (S4\_Doc\_491). The Plan should be read as a single document and the suggested modification is considered to be superfluous.

No modification is proposed to the Plan.

#### Balado H51

George Lawrie (02900/1/001): Balado is a small settlement with no services. Due to its close proximity to Kinross, Balado is identified for growth and Planning Permission minded to grant subject to a Section 75 for residential development on the proposed H51 (S4\_Doc\_684). The settlement is not connected to the public Waste Water Treatment Works and due to its position within the Loch Leven Catchment suitable drainage mitigation will be required. This permission is sufficient, during the lifetime of the Plan, for the future housing needs of the settlement. In addition the settlement boundary includes land to the south of the settlement which may be suitable for further development if required. Part of the site suggested through this Representation is within the SEPA 1:200 year Indicative Flood Area (S4\_Doc\_695) and no evidence has been provided showing how the flood risk can be mitigated.

No modification is proposed to the Plan.

Kinross Community Council (00841/1/008): The Plan adequately identifies the drainage requirements within the Loch Leven Catchment through Policies EP3: Water Environment and Drainage (S4\_Doc\_428) and EP7: Drainage within the Loch Leven Catchment Area (S4\_Doc\_491). The Plan should be read as a single document and the suggested modification is considered to be superfluous.

No modification is proposed to the Plan.

#### Blairingone

Councillor Michael Barnacle (02633/1/046): A review of current traffic flows on the A977 does not provide a justification for the construction of a by-pass at Blairingone and no commitment is currently in place to upgrade any part of the A977. To support future projects along this route and ensure that future development does not sterilise a potential bypass at Blairingone the Council would have no issues with this being highlighted in the Plan.

If the Reporter was so minded the Council would have no issue with the inclusion of the following after Paragraph 7.1.17 (S4\_Doc\_696):

*'Transport Infrastructure*

*7.1.18 The A977 is an important strategic route through Kinross-shire and the Council will support further traffic mitigation schemes between Blairingone and Kinross, including examining the need for a by-pass and potential line.'*

#### Blairingone E22

Diane Walker (10333/1/001): This proposal provides an opportunity for employment use supporting the growth of the settlement. No use or design has been proposed for this site and this will be determined through the planning application stage.

No modification is proposed to the Plan.

Blairingone New Sites

Friends of Rural Kinross-shire (05105/1/001), J C Stewart (00409/1/001), Councillor William B Robertson (00923/1/006), Councillor Michael Barnacle (02633/1/045), Matthew Pease Architect (09125/1/003), Fossoway & District Community Council (00830/1/005), Kevin Borthwick (09777/1/001), George Pease (10115/1/009), Eileen Thomas (10223/1/009): The Main Issues Report (MIR) identified two sites under Site A and Site B (S4\_Doc\_217). 40 responses were received which were broadly in favour of further small scale development within the settlement. MIR Site B has previously been identified for residential development but was removed at the last Local Plan Inquiry due to concerns over ground conditions and the sterilisation of coal deposits. The primary school roll in recent years has been steady with the 7 year projected role showing this to continue with a number of permissions granted within the school catchment. The Council does not consider Site B in the MIR to be an effective site with concern that the ground conditions may make the site non viable. In order to promote development and provide confidence to the development industry and community it is considered that identifying a site for 30 dwellings may provide an opportunity to bring forward development.

If the Reporter was so minded the Council would have no issues with the identification of a site for 30 units within the settlement boundary but would not support these being identified as being part of the effective housing supply.

Powmill

Alex Pritchard (09979/1/002), Alexander Garden (00456/1/002), Frances Garden (00457/1/002): A review of the Primary School estate has not identified the requirement for a new primary school at Powmill. The settlement lies within the Fossoway Primary School Catchment where Paragraph 7.1.16 (S4\_Doc\_697) in the Plan identifies that additional capacity will be required to support future development. The Council will support the needs of future development in this way.

No modification is proposed to the Plan.

Lynn Boulter (00666/1/001), Kevin Borthwick (09777/1/006): The settlement boundary to the north of Powmill Farm Steadings (plot 5A) reflects that previously identified in the Kinross Area Local Plan 2004 (S4\_Doc\_698). This site has been the subject of four planning applications for residential development three of which were refused on design grounds. An application for the erection of a dwellinghouse is currently being determined under planning application reference 07/00555/FLL (S4\_Doc\_704). While the principle of development on this site is not established it is considered that subject to a suitable design development could be acceptable.

No modification is proposed to the Plan.

Councillor Michael Barnacle (02633/1/057): The settlement boundary defines the areas in which the different policies are applied when determining planning applications. The fact that Gartwhinzean Feus and Powmill are not shown as connected on the map in the Plan does not inhibit the creation of further footpath links between the settlements.

No modification is proposed to the Plan.

Kevin Borthwick (09777/1/010), Councillor Michael Barnacle (02633/1/058), George Pease (10115/1/013), Matthew Pease Architect (09125/1/005): The area identified on the Fossoway Strategy Group map under R6 (S4\_Doc\_690) has previously been suggested for residential development. No commitment is in place for the provision of a village green

and the Council considers that identifying it for this use could put it under future development pressure as it is within the settlement boundary. A requirement of Site H53 is the development of a Masterplan which provides the opportunity to create a village green on this land in support of new residential development. The land is currently in agricultural use and in line with Policy NE4: Green Infrastructure (S4\_Doc\_415) its use as a village green could be supported by the Plan while protecting it from residential development.

No modification is proposed to the Plan.

#### Powmill H53

Councillor Michael Barnacle (02633/1/059), George Pease (10115/1/011), Emac Planning (09010/1/003), Fossoway & District Community Council (00830/1/009), Kevin Borthwick (09777/1/005), Derek Kirk & Donna McBain (00881/1/001), Matthew Pease Architect (09125/1/008), Friends of Rural Kinross-shire (05105/1/006), Susan Hogarth (00429/1/003): The Main Issues Report (MIR) put forward two options (S4\_Doc\_226 and S4\_Doc\_227) for future development in Powmill. Option 1 for 30 units on the site of the former hotel and steading and Option 2 for a larger development of 90 units. Option 1 received the most positive responses and a number of issues raised in relation to need for improved drainage infrastructure and road improvements (S4\_Doc\_699). Planning permission has been established indicatively for 23 units on the Gartwhinzean steading and adjacent to the former hotel within the site boundary of H53. In order to ensure the viability of the development and allow for the provision of a new Waste Water Treatment Works and junction improvements at the A977/A823 the Council opted to identify development in line with MIR Option 2. The identification of the site for 120 units is at a medium density reflecting existing development in Powmill and is only slightly higher than that proposed in the MIR due to the existing permissions on site. Reducing the number of dwellings on site and allocating to other new sites which the Council do not consider to be effective may not allow the Council to retain an effective housing land supply. To ensure the integration of the new development and the creation of a coherent settlement the Council would support the Masterplan looking at the entire village as well as encouraging the provision of an off road foot path between the site and Gartwhinzean Feus.

If the Reporter was so minded the Council would raise no issue with the Site Specific Developer Requirements being amended to state the following:

*‘Masterplan submitted at the time of any planning application looking at the entire village to ensure built form and layout respond appropriately to the landscape and strengthen Powmill as a distinctive place.*

*Contribution to the development of the core paths network through the site and encourage the provision of an off road route between the site and Gartwhinzean Feus.’*

#### Rumbling Bridge

David Thornber (00790/1/001), George Pease (10115/1/012), Matthew Pease Architect (09125/1/006), Kevin Borthwick (09777/1/008): The settlement boundary has been drawn to encompass the core of the village while allowing for further small scale infill development. It is considered that including the area of land identified as R2 on the Fossoway Strategy Groups map (S4\_Doc\_692) could allow for an increased level of development larger than appropriate to the village. It is considered that Policy RD3: Housing in the Countryside (S4\_Doc\_418) would allow for appropriate small scale development in these areas.

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 reflect R2 on the Fossoway Strategy Groups map (S4\_Doc\_034).

Mr & Mrs David Somers (00784/1/001): The settlement boundary has been drawn to allow for small scale infill development appropriate to the size of the existing settlement. The number of additional dwellings will be determined through individual planning applications where the relevant policy criteria are met. No justification has been provided for an arbitrary limit. It would not be appropriate for a restriction to be placed on the number of dwellings as although planning permission is granted there is no guarantee that development will take place which could prevent further effective development opportunities.

No modification is proposed to the Plan.

#### Rumbling Bridge E24

Mr & Mrs Stewart Roberts (00618/1/001 & 00618/1/002): In line with Policy ED1A: Employment and Mixed Use Areas (S4\_Doc\_483) development in the general employment areas should be compatible with surrounding land uses and should not detract from the amenity of adjoining residential areas. This is the same principle which is attached to Policy ED3: Rural Business and Diversification (S4\_Doc\_395) which will be applied to non allocated sites. This proposal is defining the principle of employment use which is agreed with by the responders and the Council considers that the change of site definition would bring no additional benefit. The detailed design of any proposal is the appropriate stage in the planning process to address the issues which have been raised.

No modification is proposed to the Plan.

#### Rumbling Bridge New Sites

Brent Quinn (00836/1/001): This site to the north of the nursing home was considered by the David Tyldesley and Associates Landscape Capacity Study which identified this area of land as a sensitive edge to the settlement with important landscape features or views beyond. The conclusion of this report states that *'Development of the open field in the village north of the nursing home would (be) inappropriate'* identifying both landscape constraints and development not being consistent with the settlement pattern (S4\_Doc\_700). The settlement boundary has been drawn widely enough to provide sufficient infill opportunities to meet future housing demands and development of this site is not required.

No modification is proposed to the Plan.

Thomson Homes Ltd & Cocklaw Developments Ltd (00870/2/001): This site has an extant planning permission for chalet development which has been part implemented. Planning permission has been granted under 12/00807/FLL (S4\_Doc\_701) on the eastern part of the site and it is not considered that the remainder of the extant consent is likely to be implemented. Since the permission for the chalet development was granted this area was considered by the David Tyldesley and Associates Landscape Capacity Study which identified it as a sensitive edge to the settlement with important landscape features or views beyond. It identifies both landscape and visual constraints and development on this site not being consistent with the settlement pattern (S4\_Doc\_700). Taking account of the conclusions of the Landscape Capacity Study it is unlikely that a chalet development would still be appropriate on this site and the provision of this planning permission does not provide a basis for residential development. The settlement

boundary has been drawn widely enough to provide sufficient infill opportunities to meet future housing demands and the development of this site is not required.

No modification is proposed to the Plan.

### **Reporter's conclusions:**

#### Balado

1. Planning permission has been granted for the use of land at The Old Airfield for a variety of purposes, including the annual music festival and a microlight training centre. There are conditions on the consent which restrict noise levels associated with microlight flying. The Proposed Plan has no role in regulating the site therefore.

#### Balado: E35

2. This brownfield site of almost 2 hectares lies in the countryside to the north of Balado. Because of its history as a former satellite navigation station, and the presence on site of related buildings and structures, E35 is a suitable site for general employment uses. However it does not follow that it is appropriate for residential development, even as part of a mixed development. It is detached from the nearest settlement – Balado to the south, on the opposite side of the A977 – and housing on E35 would represent sporadic development in the countryside.

3. The site is also in a flood risk area, and is too close to farming and quarrying activities which are likely to detract from the amenity of people living on the site. Therefore the allocation should not be changed to include residential development on E35.

4. The text at 7.3.3 and the plan on page 212 both draw attention to the Loch Leven Catchment Area, and policies EP3 and EP7 explain the requirements in the catchment area, so there is no need to add further guidance on the matter.

#### Balado: H51

5. Balado is essentially a small housing estate in the countryside built around a scatter of traditional houses and a commercial garage on the south side of the A977 west of Kinross. However there are no representations about its designation as a settlement in the Proposed Plan, and indeed the council has already agreed in principle to grant planning permission (subject to a section 75 agreement) for residential development on H51.

6. The 35 house allocation in the Proposed Plan would potentially double the population of the settlement, which has no services and is not connected to the waste water treatment works. In view of its position within the Loch Leven Catchment Area it would not be appropriate to expand the site to the west as suggested, regardless of the flood risk constraint affecting part of the site. The allocation of H51 should not be modified therefore.

7. As explained in paragraph 4 above, the text at 7.3.3 of the Proposed Plan and the map on page 212 both refer to the Loch Leven Catchment Area, so there is no need to add further guidance on the matter.

Blairingone

8. Blairingone is a linear settlement, bisected by the A977. Although there may be no immediate requirement for a bypass of the village, that situation could change. It will be necessary to review the position if traffic flows increase, and to protect the potential route if a need is shown. The council's suggested wording covers the point adequately.

Blairingone: E22

9. This is a small (0.5 hectares), well contained site on the southern edge of the settlement. It is capable of making a modest but useful contribution to job creation in this former mining village. A well designed scheme should not detract from its surroundings or from the amenity of the nearest houses.

Blairingone new housing sites

10. There is evidently widespread support for the idea of allocating a site for additional housing in Blairingone, mainly to safeguard the future of the village primary school, but also to take some of the pressure off the nearby village of Powmill. Further development might help to reverse the decline in village services which has been experienced in recent years.

11. Of the various housing sites which have been canvassed, MIR Site B immediately to the west of the primary school lies within the proposed settlement boundary where proposals for residential development are likely to be acceptable in principle. Development of the site would round off the village at its north east end. The MIR suggested that the site had a capacity of 20-30 houses.

12. The council's contention that Site B is ineffective because of unfavourable ground conditions is not accepted by the potential developer, who refers to a borehole study which showed that housing is possible on the land. Having regard to the strong community support for the proposal, it is appropriate to identify the site for housing (30 houses) in the Proposed Plan. However, due to uncertainties over delivery the proposed houses would not form part of the effective land supply.

13. In itself the development of housing on Site B would be a substantial expansion in relation to the scale of the village, and would be adequate to meet local housing needs in the short term. In any case the other suggested housing sites to the north of the village are less well related to the village. A belt of woodland separates MIR Site A from the northern edge of the settlement, and the access along Vicar's Bridge Road is long and narrow with substandard footway provision. The suggested comprehensive development of Sites A and B would be too much for Blairingone to absorb.

Powmill

14. Powmill is in the catchment area for Fossoy Primary School at Crook of Devon. The Proposed Plan recognises the primary school will need to be extended to cater for proposed development in the catchment area. There is no requirement for a separate primary school to serve Powmill.

15. The settlement boundary north of Powmill Farm Steadings is unchanged from the Kinross Area Local Plan. Although 2 detailed proposals to build a house on the land have been dismissed on appeal, it is possible that a re-design would be acceptable to the

council. There is no need to modify the boundary to prevent inappropriate development on the plot, as the council would be able to refuse planning permission in those circumstances.

16. There is a substantial gap between existing limits of Powmill and the outlying Gartwhinzean Feus. Even if the intervening site H53 (see below) is developed, there would still be a break in development between the two settlements. It is appropriate that this distinction is recognised in the settlement boundaries. However, that would not prevent measures to improve the footway connection between the two.

17. The area which has been suggested as a village green is adjacent to, but outwith, the settlement boundary in the Proposed Plan. If included within the settlement boundary it might come under pressure for development. There is unlikely to be a policy objection to any proposal to create a village green on the land if it remains outwith the settlement boundary. Hence no change is required to the Proposed Plan in response to the representation.

#### Powmill: H53

18. This nine hectare allocation at Gartwhinzean proposes a development of 120 houses, which would double the size of the village. The village has no primary school or bus service, and only a small convenience store and village hall, apart from the milk bar and café at the opposite end of the village.

20. The site is in two distinct parts on either side of the A977, which is a busy route used by HGVs. On the north side of the road is the brownfield site of the former hotel (now demolished) and farm steading buildings, where planning permission has already been granted for a redevelopment for housing (likely to be 23 units). However the larger greenfield site on the south side of the road is an extensive open field forming the countryside setting to Powmill on the approach from the west.

21. TAYplan Policy 1 requires that land releases throughout the region should prioritise principal settlements, the nearest of which is Kinross / Milnathort. The policy acknowledges that local development plans may also provide for some development in other settlements where it can be accommodated and supported by the settlement.

22. In compliance with TAYplan Policy 1, paragraph 4.2.2 of the Proposed Plan explains that the local development plan strategy seeks to allocate limited growth to those settlements with a range of facilities capable of serving local needs. The proposed development of 120 houses at Powmill is not consistent with that strategy, as doubling the size of the village cannot be regarded as limited growth, and Powmill has a very restricted range of facilities. Nor is it compatible with the aim to reduce the need to travel and ensuring good access to public transport, which is set out in paragraph 4.3.15 of the Proposed Plan.

23. When the alternatives of a development of 20-30 houses on the hotel and steading site (Option 1) and a larger development of 90 houses on both sides of the road (Option 2) were canvassed in the Main Issues Report, the smaller development was generally preferred. The council's desire to integrate the permitted development with the village, achieve a safe access to the site and provide drainage infrastructure do not warrant the construction of 120 houses in this location.

24. As explained in Issue 33a, the Proposed Plan provides sites for many more houses in Kinross-shire than are required to meet TAYPlan targets. Even if H53 were reduced to 30 units, there is ample provision in the housing market area, including the landward part. Accordingly the housing allocation at H53 should be limited to the brownfield site to the north of the A977, with a notional 30 units, and the settlement boundary should be modified accordingly.

25. Although the H53 allocation included 1 hectare of serviced business land, there is another employment allocation in the village (with associated residential) on 1.5 hectares of land at Powmill Cottage which should be adequate to meet the needs of the settlement during the Plan period.

#### Rumbling Bridge

26. The area identified as R2 on the map prepared by the Fossoyay Community Strategy Group is a dispersed enclave of houses on the northern edge of the village. It is unclear why the council wish to exclude this area which lies within the settlement boundary in the adopted local plan. There is already development underway at the west end of R2. Although the large field to the south of R2 is excluded from the settlement boundary, the houses on the opposite side of the A823 are included within the boundary, so R2 is not detached from the settlement as defined.

27. In any case Policy RD3: Housing in the Countryside supports the erection of single houses and groups of houses in such locations. The settlement boundary should therefore be modified to encompass R2.

28. Otherwise the settlement boundary reflects the existing settlement pattern whilst offering scope for modest infill development. Any proposals for development within the settlement boundary would be assessed on their merits against the relevant policies of the Proposed Plan. There is therefore no need for the Proposed Plan to impose a limit on the scale of each development.

#### Rumbling Bridge: E24

29. This employment site has been rolled forward from the adopted Kinross Area Local Plan, and there has been no change in circumstances which would justify its removal from the Proposed Plan. It would be too restrictive to limit the uses on site in the manner suggested in the representation. Specific proposals to develop site E24 would be considered against Policy ED1A of the Proposed Plan, which requires any proposed development to be compatible with surrounding land uses and not to detract from the amenity of adjoining residential areas. With those safeguards there is no need to delete or modify the designation of E24.

#### Rumbling Bridge new sites

30. It is suggested on behalf of the landowners that the 1.58 hectare field to the north of the care home at Gorge House should be allocated for a low density housing development of up to 7 units. The neighbouring area to the east could be retained for recreational purposes in connection with the adjoining gorge of the River Devon. However a landscape capacity study highlighted that this open field (R3) near the gorge is an important feature of the landscape character of this part of the village. Its development for housing, even at a low density, would detract from the attractive rural character of the village, and is unnecessary having regard to the other opportunities for



infill development within the settlement boundary.

31. The representation site to the west of the village extends well beyond the settlement boundary. The site of 1.7 hectares is proposed to accommodate 13 new houses. The previous planning permission for a tourism development on the land will have been assessed against a different policy background. It is unlikely that the chalet development proposal will be revived, since the chalets that were built have been removed, and planning permission has been granted for housing development on the eastern part of the land. The proposal for housing on the representation site should therefore be considered on its merits.

32. The proposal is poorly related to the village form, and it would project as an isolated finger of development into the rising land to the west of the village contrary to the conclusions of the landscape capacity study. The development framework report on behalf of the potential developer notes that some ground remodelling and retention would be required to create level platforms for development and acceptable gradients for routes. The development of this land for housing is neither necessary nor desirable.

### **Reporter's recommendations:**

#### Transport infrastructure

1. Add an additional paragraph after Paragraph 7.1.17:

#### *“Transport Infrastructure*

*7.1.18 The A977 is an important strategic route through Kinross-shire and the Council will support further traffic mitigation schemes between Blairingone and Kinross, including examining the need for a by-pass and potential line.”*

#### Blairingone

2. Identify the land at Blairingone (the portion of Site B in the Main Issues Report which lies within the settlement boundary in the Proposed Plan) as a housing site H74 for 30 units.

#### Powmill: H53

3. Reduce the allocation at H53 to restrict the site to the north side of the A977 (30 units), delete the reference to serviced business land, and modify the settlement boundary and site-specific developer requirements accordingly.

#### Rumbling Bridge

4. Modify the settlement boundary for Rumbling Bridge to include the area defined as R2 by the Fossoway Community Strategy Group (Schedule 4 document 034).