

Issue 36	Kinross-shire Area - Small Settlements and Landward Sites	
Development plan reference:	<p>7.1.14 Landward Housing Sites Table, page 199 7.5 – Carnbo, page 215 7.6 – Cleish, page 216 7.7 – Crook of Devon, page 217-218 7.8 – Drunzie, page 219 7.9 – Glenlomond, page 220 7.10 – Greenacres, page 221 7.12 – Keltybridge and Mayburgh, page 224 7.13 – Kinnesswood, page 225-226 7.18 - Wester Balgedie, page 236-237</p>	Reporter: Timothy Brian
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Cleish & Blairadam Community Council (00048) Elizabeth Wilson (00202) Mary Cowan (00219) Norman Malvenan (00261) Bryony Malvanan (00262) James Alexander Forbes (00263) Gordon Forbes (00265) David Moncur (00271) Diane Moncur (00272) Sheena Kathleen Forbes (00332) Alan A Harper (00333) Alexander Garden (00456) Frances Garden (00457) D Stewart & T Pedersen (00528) David Birrell (00545) James & Christina Ritchie (00634) Portmoak Community Council (00638) Mr & Mrs Brown (00665) Mr Gary & Dr Jane Gibson (00704) Dave Morris (00708) Alison Robertson (00717) Charlotte McKinnon (00794) Chris Vlasto (00795) Teresa Breslin (00796) Joe Breslin (00797) Audrey Harrison (00798) Anne Macintyre (00799) Rory Sillar (00800)</p>	<p>Miranda Jane Maxton (00801) Fossoway & District Community Council (00830) Neil Gardner (00846) Joe Kennedy (00948) Councillor Michael Barnacle (02633) A & J Stephen (Builders) Ltd (03068) Friends of Rural Kinross-shire (05105) Scottish Natural Heritage (05211) Kinross-shire Civic Trust (06950) Shand Partnership (09010) Alistair Smith (09011) Jim Pritchard (09104) Matthew Pease Architect (09125) Mr & Mrs A McLaren (09128/6) Messrs A & J Bayne (09128/11) Mr & Mrs K Adam (09166) Fossoway & District Community Council (09222) Scripture Union Scotland (09289) C A Baillie (09405) Lomond Land (09415) R T Hutton Planning Consultant (09539) Kevin Borthwick (09777) G S Brown Construction Ltd (09817) Alex Pritchard (09979) Catriona Culley (10074) Mike Thomson (10092) George Pease (10115)</p>	
Provision of the development plan to which the issue relates:	Landward sites and settlements without specific designations in the Kinross Housing Market Area.	

Planning authority's summary of the representation(s):Carnbo

R T Hutton Planning Consultant (09539/4/001): Settlement boundary should be extended (S4_Doc_362) to allow for small scale residential development while respecting the linear form of the village and not extending beyond the existing eastern boundary.

Scottish Natural Heritage (05211/25/020): In the interest of good practice, suggests that the Infrastructure Considerations (paragraph 7.5.3) section for Carnbo should reflect the outcome of the Habitats Regulations Appraisal (S4_Doc_157).

Kinross-shire Civic Trust (06950/1/011); Fossoway & District Community Council (00830/1/006); Kevin Borthwick (09777/1/002); Councillor Michael Barnacle (02633/1/047): Support.

Cleish

Catriona Culley (10074/2/001); Cleish & Blairadam Community Council (00048/1/007); Kinross-shire Civic Trust (06950/1/025): In interests of clarity and consistency and because of the importance of open spaces to the integrity of the setting of the village, Policy CF1: Open Space Retention and Provision (S4_Doc_414) should be applied to the land and open spaces within Cleish Conservation Area (S4_Doc_363).

Cleish & Blairadam Community Council (00048/1/001 & 00048/1/002): Propose additional wording to paragraph 7.6.1 and 7.6.2 to provide clarity and to protect the agricultural areas within the conservation area thereby preserving the spatial arrangement of the existing buildings. This is based upon the findings of the Kinross Area Local Plan Public Local Inquiry 2004 (It is unclear as to which Topic of the Inquiry is being referred to but it is assumed it is Topic 51 (S4_Doc_740)).

Scottish Natural Heritage (05211/25/021): In the interest of good practice, suggests that the Infrastructure Considerations section for Cleish (paragraph 7.6.3) should reflect the outcome of the Habitats Regulations Appraisal (S4_Doc_158).

Cleish New Site

Messrs A & J Bayne (09128/11/001): New site proposed for 2 or 3 dwellings to the rear of the primary school (S4_Doc_363). Site is well screened and new development would not have a negative impact on the conservation area and could provide improved drainage provision. Land could be provided for a primary school play ground extension if required. A range of small scale development opportunities should be identified throughout the Kinross Housing Market Area to provide variety and choice.

Crook of Devon

Alan A Harper (00333/1/002); Kevin Borthwick (09777/1/004): The playing area situated at Waulkmill Road (S4_Doc_036) has been mentioned for possible development and this would be inappropriate and a loss of only recreational area within the village.

Norman Malvenan (00261/1/001); Bryony Malvanan (00262/1/001); James Alexander Forbes (00263/1/001); Mary Cowan (00219/1/001); David Moncur (00271/1/001); Diane Moncur (00272/1/001); Elizabeth Wilson (00202/1/001); Gordon Forbes (00265/1/001); Fossoway & District Community Council (09222/1/001); Friends of Rural Kinross-shire (05105/1/003); Sheena Kathleen Forbes (00332/1/001); Alan A Harper (00333/1/001); Kinross-shire Civic Trust (06950/1/018); Mr & Mrs Brown (00665/1/001); Fossoway & District Community Council (09222/3/001 & 00830/1/007); Kevin Borthwick

(09777/1/003): Supports the Plan as it is in line with the rural countryside and also takes into account the needs of Crook of Devon, Fossoway and Drum.

Alex Pritchard (09979/1/001); Fossoway & District Community Council (09222/2/001); Alexander Garden (00456/1/001); Frances Garden (00457/1/001); James & Christina Ritchie (00634/1/002); Councillor Michael Barnacle (02633/1/049); Jim Pritchard (09104/1/015): Support the settlement boundary at Crook of Devon as it excludes Monarch Deer Farm on Naemoor Road as a residential site.

Crook of Devon New Sites

R T Hutton Planning Consultant (09539/1/001): The settlement boundary should be modified to include land (S4_Doc_036) for residential development as Crook of Devon is well served and placed to support new development. No housing sites have been identified and this modification to include land at Back Crook (S4_Doc_036) would improve the unattractive boundary edge of the village when travelling south east and provide benefits to the area.

G S Brown Construction Ltd (09817/13/001): Site at Naemoor Road (S4_Doc_036) should be identified for residential development. This is acknowledged in the Kinross Area Local Plan 2004 paragraph 5.20 (S4_Doc_686). The site is within the village envelope and is not in productive use. The site is financially viable and can be delivered in the short term. Development would include a new bridge to improve access. Crook of Devon is a more suitable settlement for development than Powmill as it has a large range of infrastructure and services and is closer to Kinross. SEPA and Scottish Water have withdrawn objections on drainage grounds.

Shand Partnership (09010/1/001): Site adjacent to the scout camp (S4_Doc_036) should be identified for residential development as set out in the pre-Main Issues Report and Main Issues Report submissions (S4_Doc_741 and S4_Doc_742). Would help meet the housing land requirement without impacting on Loch Leven.

Joe Kennedy (00948/1/001): Site should be identified for residential development. Crook of Devon needs expansion in order to accommodate the young and the elderly. Development south of the A977 (S4_Doc_036) could provide the stimulus for a new roundabout and better road safety on the A977.

Drunzie

C A Baillie (09405/1/001): The settlement boundary should be modified (S4_Doc_364) to reflect the Kinross Area Local Plan 2004 (S4_Doc_743) as it will create a more balanced community and development.

Councillor Michael Barnacle (02633/1/050): Support.

Glenlomond

Alistair Smith (09011/1/001); Kinross-shire Civic Trust (06950/1/019): The Waste Water Treatment Works are '*private*' not '*public*' and have little spare capacity; therefore it is unlikely that any new houses can be accommodated.

Portmoak Community Council (00638/2/004): The open space land (S4_Doc_365) is jointly owned by the residents and the Nursing Home. It should be retained as open space.

Councillor Michael Barnacle (02633/1/051): Support

Greenacres

Scottish Natural Heritage (05211/25/022): In the interest of good practice, suggested that the Infrastructure Considerations section for Greenacres (paragraph 7.10.3) should reflect the outcome of the Habitats Regulations Appraisal (S4_Doc_744).

Councillor Michael Barnacle (02633/1/052): Settlement boundary is supported to limit development.

Keltybridge and Maryburgh

Cleish & Blairadam Community Council (00048/1/004): Maryburgh settlement boundary should be amended (S4_Doc_037) to exclude the area designated as Garden and Designed Landscape.

George Pease (10115/1/010); Matthew Pease Architect (09125/1/004): Support settlement boundary for Maryburgh allowing scope for sympathetic enlargement. In recognition of its historical significance as a planned village a Site Development Brief should be prepared to ensure that the historic character of Maryburgh as a planned village from Blairadam is maintained and used as the basis for considering development proposals.

Councillor Michael Barnacle (02633/1/054): Support for the Plan.

Keltybridge and Maryburgh New Sites

Mr & Mrs J Adam (09166/15/001): There is no clear justification for the reduction of the western edge of the settlement boundary at Keltybridge. New housing has altered the character of this part of the village. Site (S4_Doc_037) is being considered for steading redevelopment and limited residential new build in keeping with this development to the east.

Mr & Mrs J Adam (09166/15/002): Maryburgh settlement boundary should be extended to the north and south (S4_Doc_037) to accommodate a single house plot on each area which will meet local market need. Proposed extension to the south would extend into the Historic Garden and Designed Landscape but any development would not impact on the core elements of the designation.

Lomond Land (09415/5/001): Site should be identified for residential development (S4_Doc_037) of 15-20 low density dwellings on part of the site with the remainder as a community garden, car park, path links and substantial tree belt on the eastern edge of Keltybridge. It is in control of an active house builder and can be delivered in the short term. Site is a well screened agricultural field with local services available in nearby Kelty. There are no flooding issues, natural or landscape designations, affecting the site and it is not within the Loch Leven Catchment Area. Development would take account of adjacent Middleton House and there are no other cultural heritage designations affecting the site. The site can be serviced and has good access from the M90. Would help maintain an effective 5 year land supply.

Kinnesswood

Gary & Dr Jane Gibson (00704/1/001); Alison Robertson (00717/1/003); Dave Morris (00708/1/001); Charlotte McKinnon (00794/1/001); Chris Vlasto (00795/1/001); Teresa Breslin (00796/1/001); Joe Breslin (00797/1/001); Audrey Harrison (00798/1/001); Anne Macintyre (00799/1/001); Rory Sillar (00800/1/001); Mike Thomson (10092/2/001); Miranda Jane Maxton (00801/1/001); Neil Gardner (00846/1/001): Settlement boundary should be amended to remove the site at Bishop Terrace (S4_Doc_366). Previous

Reporters appeal decision (S4_Doc_745) for a house refused on the grounds it would detract from existing amenity of the area as the site contributes to the village setting - existing community use for informal recreation considered the most appropriate use. Recreational use of the site has increased since this decision. Development may restrict Scottish Water access to the water tank adjacent to the site.

Gary & Dr Jane Gibson (00704/1/002); Alison Robertson (00717/1/002); Dave Morris (00708/1/002); Charlotte McKinnon (00794/1/002); Chris Vlasto (00795/1/002); Teresa Breslin (00796/1/002); Joe Breslin (00797/1/002); Audrey Harrison (00798/1/002); Anne Macintyre (00799/1/002); Rory Sillar (00800/1/002); Mike Thomson (10092/2/002); Miranda Jane Maxton (00801/1/002); Neil Gardner (00846/1/002): Modify paragraphs 7.13.2 *'Adjacent to Bishop Terrace, an area of land has been included within the settlement boundary which may be suitable for the development of a single dwelling house'* and paragraph 7.13.3 *'Development of the land at Bishop Terrace is required to accommodate the core path and its connection to the wider core path network'* to reflect the settlement boundary excluding this site.

Mike Thomson (10092/1/001): Support requirement for development of the land at Bishop Terrace to retain access to the public path.

A & J Stephen (Builders) Ltd (03068/4/001), Councillor Michael Barnacle (02633/1/055): Support for the Plan.

Kinross-shire Civic Trust (06950/1/021): Support identification and retention of important open spaces in Kinnesswood.

Wester Balgedie

Portmoak Community Council (00638/2/008): Supports the Plan generally. Opposes change to Wester Balgedie settlement boundary (S4_Doc_367).

David Birrell (00545/1/001): Opposes change to Wester Balgedie settlement boundary (S4_Doc_367) as it could allow for further development. Settlement has lack of public waste water treatment, poor access and further development could affect the landscape value of the area.

Scottish Natural Heritage (05211/25/023): In the interest of good practice, suggests that the Infrastructure Considerations section for Wester Balgedie (paragraph 7.18.3) should reflect the outcome of the Habitats Regulations Appraisal (S4_Doc_746).

Alistair Smith (09011/2/002); Councillor Michael Barnacle (02633/1/064): Support for the Plan.

New Landward Sites

D Stewart & T Pedersen (00528/1/001): Proposal for an upmarket self-catering chalet complex and a management house (S4_Doc_039). Kinross area has a shortfall of quality holiday accommodation to support the many year round tourist attractions. Development would be sustainable in design and would help boost the local economy through increased tourism.

Mr & Mrs A McLaren (09128/6/001): Proposal for residential development site at Gairney Bank (S4_Doc_038). Site is agricultural land with defined boundaries on two sides and development could reflect development on the opposite side of the road. Access would be determined in conjunction with PKC Roads Service and appropriate drainage

mitigation would be provided allowing connection from existing properties creating a net improvement to the Loch Leven Catchment. Gairney Bank is close to Kinross and site has no infrastructure constraints. Site is within a pipeline safeguarding zone but appears that necessary requirements could be met. Site is deliverable and would contribute to the housing land requirement in Kinross Housing Market Area.

Scripture Union Scotland (09289/7/001): Lendrick Muir (S4_Doc_036) is operated by a charity and is used as a multi-purpose activity and residential centre with significant benefits for the local rural economy. Its continued success will require further investment, in particular extending the range and quality of on site activities and promoting further development to service these activities. Such investment will depend on available funding but planning policy support for the long term aspirations (10-15 years) contained in the masterplan which has been developed would be best addressed by a site specific policy in the Local Development Plan.

Shand Partnership (09010/3/001): Site proposed at Blairforge for small scale (S4_Doc_037) sustainable residential development and community room/hub. It is brownfield land on the edge of Blairforge and development would reflect the existing settlement pattern. Due to its position out with the Loch Leven Catchment would be suitable for providing a range of choice in the Kinross Housing Market Area. It has clearly defined boundaries and access could be taken through existing routes. There are no known infrastructure constraints and development would contribute to the existing community of Blairforge.

Modifications sought by those submitting representations:

Carnbo

R T Hutton Planning Consultant (09539/4/001): Modify the settlement boundary to include land for residential development (S4_Doc_362).

Scottish Natural Heritage (05211/25/020): Suggest updating the text for the first sentence of the Infrastructure Considerations section (paragraph 7.5.3, page 215) to read: *'The settlement lies within the Loch Leven Catchment Area and drainage from all development should provide appropriate mitigation measures in line with the requirements of Policy EP7 so as to ensure no adverse effects on Loch Leven Special Protection Area.'*

Cleish

Catriona Culley (10074/2/001); Cleish & Blairadam Community Council (00048/1/007); Kinross-shire Civic Trust (06950/1/025): Policy CF1: Open Space Retention and Provision (S4_Doc_414) should be applied to the land and open spaces within Cleish Conservation Area (S4_Doc_363).

Cleish & Blairadam Community Council (00048/1/001): Insert following to the end of paragraph 7.6.1: *'The wider agricultural ground forms part of the overall setting of the village and helps maintain the rural feel.'*

Cleish & Blairadam Community Council (00048/1/002): Modify second line in paragraph 7.6.2 to read: *'Cleish and its environs are within a Conservation Area designation which seeks to protect the character, setting within the wider agricultural grounds and the historic integrity of the area. Any development within the Conservation Area would severely jeopardise the unique character of the area.'*

Scottish Natural Heritage (05211/25/021): Suggested updated text for the first sentence of the Infrastructure Considerations section (paragraph 7.6.3, page 216): *'The settlement lies within the Loch Leven Catchment Area and drainage from all development should provide appropriate mitigation measures in line with the requirements of Policy EP7 so as to ensure no adverse effects on Loch Leven Special Protection Area.'*

Cleish New Sites

Messrs A & J Bayne (09128/11/001): Modify Cleish settlement boundary to include site to the south of the primary school for residential development (S4_Doc_363).

Crook of Devon

Alan A Harper (00333/1/002); Kevin Borthwick (09777/1/004): Designate Waulkmill Road play area as open space (S4_Doc_036).

Crook of Devon New Sites

R T Hutton Planning Consultant (09539/1/001): Modify settlement boundary to include site at Back Crook for residential development (S4_Doc_036).

G S Brown Construction Ltd (09817/13/001): Modify settlement boundary to include site at Naemoor Road for residential development (S4_Doc_036).

Shand Partnership (09010/1/001): Modify settlement boundary to include site adjacent to Scout camp for residential development (S4_Doc_036).

Joe Kennedy (00948/1/001): Modify settlement boundary to include site south of the A977 for residential development (S4_Doc_036).

Drunzie

C A Baillie (09405/1/001): Modify settlement boundary to reflect that in the current Kinross Area Local Plan (S4_Doc_364).

Glenlomond

Alistair Smith (09011/1/001); Kinross-shire Civic Trust (06950/1/019): Modify Paragraph 7.9.3 to read *'Drainage from all development should connect to Private Waste Water Treatment Works.'*

Portmoak Community Council (00638/2/004): Modify the settlement map to identify open space as per the Kinross Area Local Plan 2004 (S4_Doc_365).

Greenacres

Scottish Natural Heritage (05211/25/022): Suggested updated text for the first sentence of the Infrastructure Considerations section (paragraph 7.10.3, page 221): *'The settlement lies within the Loch Leven Catchment Area and drainage from all development should provide appropriate mitigation measures in line with the requirements of Policy EP7 so as to ensure no adverse effects on Loch Leven Special Protection Area.'*

Keltybridge and Maryburgh

Cleish & Blairadam Community Council (00048/1/004): Modify Maryburgh settlement boundary (S4_Doc_037) to exclude the area to the south designated as Garden and Designed Landscape.

George Pease (10115/1/010); Matthew Pease Architect (09125/1/004): Identify requirement to prepare a site development brief for Maryburgh.

Keltybridge and Maryburgh New Sites

Mr & Mrs J Adam (09166/15/001): Modify settlement boundary to the west of Keltybridge reflecting submitted plan (S4_Doc_037).

Mr & Mrs J Adam (09166/15/002): Modify settlement boundary to the north and south of Maryburgh reflecting submitted plan (S4_Doc_037).

Lomond Land (09415/5/001): Modify settlement boundary to include site for residential development (S4_Doc_037).

Kinnesswood

Gary & Dr Jane Gibson (00704/1/001 & 00704/1/002); Alison Robertson (00717/1/002 & 00717/1/003); Dave Morris (00708/1/001 & 00708/1/002); Charlotte McKinnon (00794/1/001 & 00794/1/002); Chris Vlasto (00795/1/001 & 00795/1/002); Teresa Breslin (00796/1/001 & 00796/1/002); Joe Breslin (00797/1/001 & 00797/1/002); Audrey Harrison (00798/1/001 & 00798/1/002); Anne Macintyre (00799/1/001 & 00799/1/002); Rory Sillar (00800/1/001 & 00800/1/002); Mike Thomson (10092/2/001 & 0092/2/002); Miranda Jane Maxton (00801/1/001 & 00801/1/002); Neil Gardner (00846/1/001 & 00846/1/002): Modify settlement boundary at Bishop Terrace (S4_Doc_366) to reflect the boundary in the Kinross Area Local Plan 2004.

Remove second sentence in Paragraph 7.13.2 beginning '*Adjacent to Bishop Terrace...Single dwellinghouse.*'

Remove last sentence at paragraph 7.13.3 '*Development of the land at Bishop Terrace is required to accommodate the core path and its connection to the wider core path network.*'

Wester Balgedie

Portmoak Community Council (00638/2/008); David Birrell (00545/1/001): Modify the settlement boundary to exclude the area identified on submitted plan (S4_Doc_367).

Scottish Natural Heritage (05211/25/023): Suggested updated text for the first sentence of the Infrastructure Considerations section (paragraph 7.18.3, page 236): '*The settlement lies within the Loch Leven Catchment Area and drainage from all development should provide appropriate mitigation measures in line with the requirements of Policy EP7 so as to ensure no adverse effects on Loch Leven Special Protection Area.*'

New Landward Sites

D Stewart & T Pedersen (00528/1/001): Identify land at Gellybank Farm shown on submitted plan for tourism development (S4_Doc_039).

Mr & Mrs A McLaren (09128/6/001): Identify land north of Gairney Bank shown on the submitted plan for residential development (S4_Doc_038).

Scripture Union Scotland (09289/7/001): Modify the Plan to include site specific policy support for the continued expansion of onsite activities (S4_Doc_036).

Shand Partnership (09010/3/001): Identify land west of Blairforge shown on the submitted plan for residential development (S4_Doc_037).

Summary of responses (including reasons) by planning authority:Carnbo

R T Hutton Planning Consultant (09539/4/001): Carnbo lies within the Local Leven Catchment Area and has no services or connection to public drainage infrastructure. The provision of suitable drainage has long been an issue within the settlement and in recent years the settlement has seen significant expansion. The settlement boundary provides further scope for this to continue through small scale infill development. No further development sites are required through the lifetime of the Plan.

No modification is proposed to the Plan.

Scottish Natural Heritage (05211/25/020): It is considered that amending paragraph 7.5.3 to incorporate mitigation measures as set out in the Habitats Regulations Appraisal (Including Appropriate Assessment) (S4_Doc_157) would provide greater clarity and transparency for applicants in terms of highlighting that the provisions of Policy EP7: Drainage within the Loch Leven Catchment Area (S4_Doc_491) apply to development proposals at this settlement, in order to ensure no adverse effects on the Natura 2000 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 Infrastructure Considerations at paragraph 7.5.3.

Cleish

Catriona Culley (10074/2/001); Cleish & Blairadam Community Council (00048/1/007); Kinross-shire Civic Trust (06950/1/025): Policy HE3: Conservation Areas (S4_Doc_508) provides sufficient protection from inappropriate development within conservation areas. The areas of land which are being suggested for designation under Policy CF1: Open Space Retention and Provision (S4_Doc_414) are in agricultural use and this policy relates to functional open space in public use. The Council does not consider the identification of this land under Policy CF1 to be appropriate or required.

No modification is proposed to the Plan.

Cleish & Blairadam Community Council (00048/1/001): While the Council considers the current wording in paragraph 7.6.1 to be sufficient it does not object to the suggested modification.

If the Reporter was so minded no issue is raised with the Plan being modified appropriately.

Cleish & Blairadam Community Council (00048/1/002): Policy HE3: Conservation Areas (S4_Doc_508) applies within the conservation area boundary and any new development proposals should be considered against this policy through the planning application process. The proposed modification is considered to be overly negative and is it inaccurate to state that any development would severely jeopardise the unique character of the area. The proposed modification is not accepted by the Council.

No modification is proposed to the Plan.

Scottish Natural Heritage (05211/25/021): It is considered that amending paragraph 7.6.3 to incorporate mitigation measures as set out in the Habitats Regulations Appraisal

(Including Appropriate Assessment) (S4_Doc_158) would provide greater clarity and transparency for applicants in terms of highlighting that the provisions of Policy EP7: Drainage within the Loch Leven Catchment Area (S4_Doc_491) apply to development proposals at this settlement, in order to ensure no adverse effects on the Natura 2000 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 Infrastructure Considerations at paragraph 7.6.3.

Cleish New Sites

Messrs A & J Bayne (09128/11/001): Due to the historic nature of Cleish further growth is not encouraged and the settlement boundary has been drawn to reflect this position. The settlement is within the Loch Leven Catchment Area and Cleish has no public drainage provision.

No modification is proposed to the Plan.

Crook of Devon

Alan A Harper (00333/1/002); Kevin Borthwick (09777/1/004): The land at Waulkmill Road (S4_Doc_036) is the main recreation ground in Crook of Devon and is identified in the Plan as open space under Policy CF1: Open Space Retention and Provision (S4_Doc_414). It has not previously been suggested for residential development through either the Main Issues Report or the Proposed Plan.

No modification is proposed to the Plan.

Crook of Devon New Sites

R T Hutton Planning Consultant (09539/1/001): The strategy for the Kinross Housing Market Area is to direct the majority of residential development in the Fossoway Area to Powmill. This site (S4_Doc_036) does not easily reflect the settlement pattern of Crook of Devon. This area of land was considered through the David Tyldesley and associates Landscape Capacity Study which identifies it as '*Open, rising ground in the Devon Valley detached from the villages, (with a) strong rural character*' and developing it '*Would detract from the linear form of Drum and Crook of Devon and the settlement pattern between them.*' (S4_Doc_747) The size of site proposed and the possible scale of development which it could accommodate is not required during the lifetime of the Plan. No evidence has been provided that the site is a viable development opportunity.

No modification is proposed to the Plan.

G S Brown Construction Ltd (09817/13/001): This site (S4_Doc_036) has previously been identified for residential development but was not included as it was not required during the lifetime of the Plan (S4_Doc_686). The strategy for the Kinross Housing Market Area is to direct the majority of residential development in the Fossoway Area to Powmill, regenerating an area of brownfield land and taking pressure off Crook of Devon infrastructure as it has seen expansion over recent years. The Council requires identifying sites which are viable and are likely to come forward during the lifetime of the Plan. When this site was considered through the last Local Plan review (S4_Doc_748) the high cost of servicing the site was identified as a constraint. The upfront cost to construct a new bridge over the river Devon, uncertainty whether suitable land is within the control of the developer and the drainage infrastructure costs all remain issues. Notwithstanding the statement through the representation that the site is viable no evidence

has been provided to this effect.

No modification to the Plan is proposed.

Shand Partnership (09010/1/001): This site (S4_Doc_036) may be capable of supporting small scale infill development. The eastern edge of the site is within the SEPA 1:200 year indicative flood area (S4_Doc_036) and it may be in conflict due to noise with the Scout Camp to the north.

If the Reporter was so minded the Council would not consider it appropriate to designate this land as a new site due to the unresolved issues relating to flooding and noise but would raise no objection to the land being included within the settlement boundary.

Joe Kennedy (00948/1/001): This site (S4_Doc_036) occupies a prominent position adjacent to the A977. The land was considered through the David Tyldesley and associates Landscape Capacity Study which identifies '*ground conditions*' being a physical constraint and the site having '*no link to the settlement pattern and (would) further blur the separation of Crook of Devon and Drum.*' (S4_Doc_747). If further land is required for future development in Crook of Devon this site would not be considered acceptable.

No modification is proposed to the Plan.

Drunzie

C A Baillie (09405/1/001): This land (S4_Doc_364) is within the pipeline consultation zone and an objection has previously been raised by the Health and Safety Executive (HSE) to development at this site in relation to planning application 08/01393/OUT (S4_Doc_749). In light of this advice from the HSE the council does not consider it appropriate to modify the settlement boundary as suggested.

No modification is proposed to the Plan.

Glenlomond

Alistair Smith (09011/1/001); Kinross-shire Civic Trust (06950/1/019): The identification of the sewerage works in Glenlomond as public is a drafting error and the Council supports a correction to provide clarity and transparency for applicants.

If the Reporter is so minded the Council would be comfortable with paragraph 7.9.3 being corrected to '*Drainage from all development should connect to Private Waste Water Treatment Works.*'

Portmoak Community Council (00638/2/004): The area of open space identified in the Kinross Area Local Plan 2004 (S4_Doc_750) is mainly a private car park associated with the nursing home. The Council considers that it would not meet the requirement of Policy CF1: Open Space Retention and Provision (S4_Doc_414) and does not require to be identified as open space.

No modification is proposed to the Plan.

Greenacres

Scottish Natural Heritage (05211/25/022): It is considered that amending paragraph 7.10.3 to incorporate mitigation measures as set out in the Habitats Regulations Appraisal (Including Appropriate Assessment) (S4_Doc_744) would provide greater

clarity and transparency for applicants in terms of highlighting that the provisions of Policy EP7: Drainage within the Loch Leven Catchment Area (S4_Doc_491) apply to development proposals at this settlement, in order to ensure no adverse effects on the Natura 2000 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 Infrastructure Considerations at paragraph 7.10.3.

Keltybridge and Maryburgh

Cleish & Blairadam Community Council (00048/1/004): The settlement boundary excludes the majority of the Garden and Designed Landscape but it is noted that it includes a small area to the south. Policy HE4: Garden and Designed Landscapes (S4_Doc_512) provides suitable protection from inappropriate development in this area.

If the Reporter was so minded the Council would consider a modification to the settlement boundary as identified in the attached map acceptable.

George Pease (10115/1/010); Matthew Pease Architect (09125/1/004): The settlement boundary allows future development to reflect the form and layout of the existing planned settlement. Any development which takes place is unlikely to be of a scale to warrant the development of a development brief. In the event a large scale development is proposed Policy PM2: Design Statements (S4_Doc_515) would apply. Policy PM1: Placemaking (S4_Doc_396) and the future Placemaking Supplementary Guidance provides guidance on the layout and design of development across Perth and Kinross and is considered to be sufficient when determining planning applications within this settlement.

No modification is proposed to the Plan.

Keltybridge and Maryburgh New Sites

Mr & Mrs J Adam (09166/15/001): Keltybridge is a small settlement with no services which has seen expansion over recent years. The settlement boundary allows for some further small scale infill development. The proposed site contains a steading building and appropriate small scale development with associated infill development may be appropriate when considered under Policy RD3: Housing in the Countryside (S4_Doc_418).

No modification is proposed to the Plan.

Mr & Mrs J Adam (09166/15/002): The settlement boundary provides adequate scope for future development within this settlement. The suggested extension of the boundary (S4_Doc_037) to the north creates a site which has a water course running through it. The site to the south is within the Historic Gardens and Designed Landscapes where the Council will seek to protect and enhance its integrity. Neither of the proposed boundary modifications have been satisfactorily justified or would create areas of land within the settlement boundary which the Council would consider suitable for development.

No modification is proposed to the Plan.

Lomond Land (09415/5/001): Keltybridge is a small settlement with no services which has seen expansion over recent years. The settlement boundary allows for some further small scale infill development. The proposed site (S4_Doc_037) is in a prominent position at the edge of the settlement and has no defensible boundary to the east. It is considered

that it would not fit the settlement pattern and residential development of this scale is not required during the lifetime of the Plan.

No modification is proposed to the Plan.

Kinnesswood

Gary & Dr Jane Gibson (00704/1/001 & 0704/1/002); Alison Robertson (00717/1/002 & 00717/1/003), Dave Morris (00708/1/001 & 00708/1/002); Charlotte McKinnon (00794/1/001 & 00794/1/002); Chris Vlasto (00795/1/001 & 00795/1/002); Teresa Breslin (00796/1/001 & 00796/1/002); Joe Breslin (00797/1/001 & 00797/1/002); Audrey Harrison (00798/1/001 & 00798/1/002); Anne Macintyre (00799/1/001 & 00799/1/002); Rory Sillar (00800/1/001 & 00800/1/002); Mike Thomson (10092/2/001 & 10092/2/002); Miranda Jane Maxton (00801/1/001 & 00801/1/002); Neil Gardner (00846/1/001 & 00846/1/002): These Representations seek the modification of the settlement boundary at Bishop Terrace (S4_Doc_366) to reflect the boundary in the Kinross Area Local Plan 2004. This issue has previously been considered through the Inquiry into the Kinross Area Local Plan 2004 (S4_Doc_808) where the settlement boundary was adjusted to remove this area of land. Notwithstanding the previous Reporter decision the Council considers that the settlement boundary as defined is appropriate. It may allow for the development of a single dwelling at Bishop Terrace as the land can be satisfactorily accessed and it is considered that a well designed development would not substantially detract from the village setting. The topography of the site sits lower than the existing housing at Bishop Terrace to the north west which would enable a new house to be integrated reasonably well with the existing built and natural features of the area. Any future development at this site requires improvements to the core path which runs to the south of the land providing benefit to local access.

No modification is proposed to the Plan.

Wester Balgedie

Portmoak Community Council (00638/2/008); David Birrell (00545/1/001): The settlement boundary was defined including a small area of scrub land east of Carsehall Farm (S4_Doc_367). The inclusion of this land serves no specific purpose and the Council raises no issue with the proposed modification.

If the Reporter is so minded the Council would have no issue with the settlement boundary reflecting that shown on the attached Plan.

Scottish Natural Heritage (05211/25/023): It is considered that amending paragraph 7.18.3 to incorporate mitigation measures as set out in the Habitats Regulations Appraisal (Including Appropriate Assessment) (S4_Doc_746) would provide greater clarity and transparency for applicants in terms of highlighting that the provisions of Policy EP7: Drainage within the Loch Leven Catchment Area (S4_Doc_491) apply to development proposals at this settlement, in order to ensure no adverse effects on the Natura 2000 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 Infrastructure Considerations at paragraph 7.18.3.

New Landward Sites

D Stewart 7 T Pedersen (00528/1/001): Policy ED4: Caravan Sites, Chalets and Timeshare Developments (S4_Doc_390) defines the criteria to be considered through a

planning application. The Plan does not seek to identify new specific proposals and these should be brought forward through a planning application. This proposal is within the Loch Leven Catchment Area and no evidence has been submitted that it is an effective site in terms of suitable drainage mitigation to allow it to be identified through the Local Development Plan.

No modification is proposed to the Plan.

Mr & Mrs A McLaren (09128/6/001): The site (S4_Doc_038) is being promoted for development in the landward area (being out with a settlement boundary) so would not be allocated in the Local Development Plan. Reference to schedule 4 no 08b Settlement Boundaries is highlighted for further information on this issue. It will be assessed against Policy RD3: Housing in the Countryside (S4_Doc_418) through the planning application process.

No modification is proposed to the Plan.

Scripture Union Scotland (09289/7/001): Policy ED3: Rural Business and Diversification (S4_Doc_395) supports the expansion of existing businesses in rural areas. The Local Development Plan does not seek to identify specific proposals of this nature and any development proposal will be assessed through the planning application process.

No modification is proposed to the Plan.

Shand Partnership (09010/3/001): The site (S4_Doc_037) is being promoted for development in the landward area (being out with a settlement boundary) so would not be allocated in the Local Development Plan. Reference to schedule 4 no 08b Settlement Boundaries is highlighted for further information on this issue. It will be assessed against Policy RD3: Housing in the Countryside (S4_Doc_418) through the planning application process.

No modification is proposed to the Plan.

Reporter's conclusions:

Carnbo

1. Carnbo is a small settlement which lacks mains drainage or other services. It is therefore suitable for very limited development, providing the infrastructure considerations set out in paragraph 7.5.3 of the Proposed Plan can be addressed satisfactorily. The settlement boundary reflects the existing settlement pattern, and leaves scope for modest infill development. There is no need or justification to extend the village boundary along the unbuilt northern side of the A91.

2. Because of its position in the Loch Leven Catchment Area, the infrastructure considerations should be updated as suggested by Scottish Natural Heritage (SNH).

Cleish

3. The conservation area designation, supported by Policy HE3: Conservation Areas of the Proposed Plan, enables the council to ensure that the historic village of Cleish and its environs are protected from unsuitable development. There is a statutory duty to ensure that any development preserves or enhances the character or appearance of the

conservation area. The application of the open space policy (CF1) to agricultural land surrounding the village would be inappropriate and unnecessary. Nor is it necessary to expand the terms of paragraph 7.6.2 to explain the implications of the conservation area designation.

4. However, due to Cleish's position in the Loch Leven Catchment Area, the infrastructure considerations should be updated as suggested by SNH.

Cleish new site

5. This site of 0.23 hectares forms the lower part of a gently rising field on the southern edge of the settlement. The representation seeks to include this land within the settlement boundary, and to allocate the site for residential and related uses. As discussed above, the agricultural land surrounding Cleish gives the village its attractive landscape setting. To allow development on its southern fringe would erode the character of the conservation area which the Proposed Plan seeks to protect. The settlement boundary should remain tightly defined around the historic village, and should not be extended as suggested.

Crook of Devon

6. There is no need to modify the Proposed Plan to safeguard the playing field at Waulkmill Road, as the land is already shown as open space on the settlement map on page 218 and is protected from development by policy CF1A: Existing areas.

Crook of Devon new sites

7. Crook of Devon is a relatively large village with a good range of facilities including a primary school, church, village hall, shop and a pub. Although the Proposed Plan does not specifically allocate sites for housing development in the village, there is scope for limited infill within the settlement boundary as defined.

8. The proposed site to the north of the village (09539/1/001) is an extensive, undulating arable field on the edge of the settlement. It is poorly related to the village centre and services (except the primary school). The development of this area for housing would detract from the countryside setting of Crook of Devon, and would be at odds with the linear form of the village.

9. The Monarch Deer Farm site at Naemoor Road is better related to the village centre. The site covers a substantial area of land (7.4 hectares) on the north side of the River Devon, and is accessed via a narrow stone bridge over the river. It was included within the settlement boundary in the adopted Kinross Area Local Plan, which acknowledged its potential for housing development.

10. However unresolved concerns remain about the effectiveness and deliverability of the site – in particular the cost, feasibility and timescale for constructing a new river crossing, and the cost of remedying the drainage infrastructure constraint. With those uncertainties it would not be appropriate for the Proposed Plan to allocate the site at Naemoor Road for residential development.

11. The site at Schiehallion lies on the north west edge of the proposed settlement boundary. The land of 0.9 hectares is partly a brownfield site, with the remainder being a small paddock. It is well contained, with housing to the east and trees and vegetation on

the other boundaries, including the bank of the adjoining River Devon. The proposal to build six sustainable houses on the site would not detract from the surroundings of Crook of Devon, or conflict with the development pattern.

12. The council's concern about noise from the neighbouring scout camp is not substantiated. The camping area is some distance from the proposed housing site, which suggests that a noise problem is unlikely to arise. However the western edge of the site is within the Scottish Environment Protection Agency (SEPA) 1:200 year indicative flood area, and a flood risk assessment would be required to establish whether any development of the site could be affected by flooding. Given that the site is at a higher level it seems unlikely that flooding would be an impediment to development, but in the absence of a flood risk assessment it would be unwise to allocate the site for housing. Meanwhile the site should be included within the settlement boundary, to allow for the matter to be resolved by submitting a planning application.

13. The development of the substantial open field to the east of the village hall would erode the countryside gap between Crook of Devon and the outlying hamlet of Drum, and would be prominent on the approach to the village from the east. Even if there were a need for further housing in the village this site would not be suitable.

Drunzie

14. In the light of the previous objection to development on this site from the Health and Safety Executive due to its proximity to a major pipeline the settlement boundary should not be expanded as requested.

Glenlomond

15. In the interests of accuracy, the text at paragraph 7.9.3 should be corrected to confirm that drainage from all development should connect to the 'private', not 'public', waste water treatment works. However it would be inappropriate to designate the unbuilt area within the nursing home complex as an open space, as it is predominantly a car park.

Greenacres

16. Because of its location within the Loch Leven Catchment Area, it would be consistent to incorporate the mitigation measures which are set out in the Habitats Regulations Appraisal (HRA), to ensure no adverse effects on the Special Protection Area (SPA).

Keltybridge and Maryburgh

17. It would be advisable to adjust the settlement boundary to exclude all of the area designated as a Garden and Designed Landscape (associated with Blair Adam House) which separates Keltybridge from Maryburgh.

18. There is no need for the Proposed Plan to require the preparation of a site development brief for Maryburgh. Any development proposal is likely to be small scale, and would have to comply with Policies PM1: Placemaking and PM2: Design Statements and the associated supplementary guidance. It would also have to take account of the designated historic landscape to the west and south of the settlement.

19. Keltybridge is an attractive small village which lacks services but has recently had to

absorb a substantial new development at Middleton Park. In order to retain the historic character of Keltybridge it is right to draw a tight settlement boundary around the existing extent of the village. The proposal to extend the boundary to include an area of 3 hectares on the east side of the settlement for the development of 15-20 houses is not justified in that context. It would represent a major incursion into an open field, with no natural boundaries on its east side, which forms a valuable element of the rural setting of the village.

20. Any development proposed at the steading to the west of the village would be assessed against Policy RD3 of the Proposed Plan which supports appropriate development in the countryside. There is therefore no need to extend the settlement boundary to the west, as suggested.

21. The site on the south west edge of Maryburgh is located within the Garden and Designed Landscape. Although this part of the designed landscape is on the opposite side of the M90 from Blair Adam House, it still forms part of the attractive countryside setting of the village and is protected by Policy HE4 of the Proposed Plan. Development of the sloping site on the north east edge of Maryburgh would extend the ribbon of houses northwards. Neither proposal is desirable or necessary, as there is already ample scope for small scale infill development within the settlement boundary.

Kinnesswood

22. The settlement boundary for Kinnesswood generally follows the existing edge of the village. However the boundary includes an area of land adjacent to Bishop Terrace which the council considers may be suitable for the development of a single house.

23. At present the road at this section of Bishop Terrace forms a clear divide between the housing estate which it serves and the rising countryside beyond. This break in development on the east side of the road allows open views towards the hillside which lends Kinnesswood its distinctive character. The land is used for informal recreation, and a core path giving access to White Craigs, Bishop Hill and the nearby Michael Bruce Way traverses the site. As such the land contributes to the attractive countryside setting of the village, and the construction of a house on the land would detract from amenity, even if the core path were retained as proposed. The settlement boundary should be therefore be modified to exclude the land concerned.

Wester Balgedie

24. The council agrees that there is no point in including the triangular area in dispute within the settlement boundary – the boundary should be modified accordingly.

25. Because Wester Balgedie lies within the Loch Leven Catchment Area, the mitigation measures which are set out in the HRA should be specified in the Proposed Plan, to ensure no adverse effects on the SPA.

New Landward sites

26. It would be inconsistent to identify the site at Gellybank Farm for a chalet proposal, as the Proposed Plan does not allocate sites in the countryside for tourism developments. Any planning application for a tourism development at Gellybank Farm would require to be assessed against the relevant policies of the Plan, including Policy EP7 to ensure no adverse effects on Loch Leven Special Protection Area.

27. Gairneybank is not identified as a settlement in the Proposed Plan, so the site at the north end of the hamlet cannot be allocated for housing development and any proposal would be assessed against the housing in the countryside policy (Policy RD3).

28. Lendrick Muir is an activity centre for children and young people, which is set in some 50 hectares of grounds in the countryside west of Crook of Devon. The charity's long term aspirations for the site are appreciated, but it is not necessary to modify the Proposed Plan to pursue them. They are best tested by submitting a planning application, which would be assessed against Policy ED3: Rural Business and Diversification. Policy ED3 supports the expansion of existing businesses, and indicates that sites outwith settlements may be acceptable where they offer opportunities to diversify an existing business or are related to a site-specific resource or opportunity. Lendrick Muir would appear to qualify for favourable consideration under the policy.

29. Blairforge is a small group of cottages and bungalows on the east side of the B996. It is not identified as a settlement in the Proposed Plan, so there is no scope to allocate a housing site at Blairforge. The proposal to construct 15 houses on a site of 1.7 hectares to the east of the B996 would require to be assessed against the council's development in the countryside policy (Policy RD3) and the associated supplementary guidance.

Reporter's recommendations:

Carnbo

1. Amend the first sentence of the Infrastructure Considerations section (paragraph 7.5.3, page 215) as follows: *"The settlement lies within the Loch Leven Catchment Area and drainage from all development should provide appropriate mitigation measures in line with the requirements of Policy EP7 so as to ensure no adverse effects on Loch Leven Special Protection Area."*

Cleish

2. Amend the first sentence of the Infrastructure Considerations section (paragraph 7.6.3, page 216) as follows: *"The settlement lies within the Loch Leven Catchment Area and drainage from all development should provide appropriate mitigation measures in line with the requirements of Policy EP7 so as to ensure no adverse effects on Loch Leven Special Protection Area."*

Crook of Devon

3. The site at Schiehallion, north west of Crook of Devon, should be included within the settlement boundary.

Glenlomond

4. The text at paragraph 7.9.3 should be corrected to *"Drainage from all development should connect to Private Waste Water Treatment Works."*

Greenacres

5. Modify the first sentence of the Infrastructure Considerations section (paragraph 7.10.3, page 221) as follows: *"The settlement lies within the Loch Leven Catchment Area and drainage from all development should provide appropriate mitigation measures in*

line with the requirements of Policy EP7 so as to ensure no adverse effects on Loch Leven Special Protection Area.”

Keltybridge and Maryburgh

6. The settlement boundary on page 224 should be adjusted to exclude the area which is designated as a Garden and Designed Landscape.

Kinnesswood

7. Modify the settlement boundary to exclude the area of land at Bishop Terrace referred to in paragraphs 7.13.2 and 7.13.3 of the Proposed Plan.

8. Delete the second sentence of paragraph 7.13.2 of the Proposed Plan beginning *“Adjacent to Bishop Terrace...”*, and the final sentence of paragraph 7.13.3 beginning *“Development of the land at Bishop Terrace...”*.

Wester Balgedie

9. Modify settlement boundary to exclude triangular area shown on S4_Doc_367.

10. Modify the first sentence of the Infrastructure Considerations section (paragraph 7.18.3, page 236) as follows: *“The settlement lies within the Loch Leven Catchment Area and drainage from all development should provide appropriate mitigation measures in line with the requirements of Policy EP7 so as to ensure no adverse effects on Loch Leven Special Protection Area.”*