

Issue 31	Greater Perth South and West Settlements – Outwith Core	
Development plan reference:	Abernethy, pages 103-4. Cromwell Park, Pitcairngreen and Almondbank, pages 174-5. Clathymore, page 155. Dalcrue, pages 179-180 Dunning, pages 187-9 Forgandenny, page 192 Glenfarg, page 198	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Mr Duncan Kennedy (0059) Daisy Heriot Maitland (0077) David & Jane Anstice (0087) Mrs Claire Gordon (0105) Rossco Properties (0120) Mr Graeme Marchbank (0122) Alexander Hamilton (0137) Branston Ltd (0138) Mark McKinney (0235) Margaret Miller (0257) Perth & Kinross Heritage Trust (0272) Carol & Edward Dorsett (0283) Claire & Andrew Garry (0286) Mrs Carol Blackie (0336) Richard & Vera Bowman Smith (0339) Scottish Natural Heritage (SNH) (0353) Mr J. Dow & Mrs G. Richardson (0363) Fergus Purdie Architect (0380) Alan King (0405) Hadden Group Ltd (0418/02)		Hilary J.D. Mackenzie (0420) Island Leisure Limited (0441) Mrs C Smith (0446) Woodland Trust Scotland (0462) T Brown (0475) Mr & Mrs Bell (0481) Mr & Mrs Jenkins (0491) Mr Peter Hutchinson (0501) Mr B. Hughson (0504) Dunning Community Council (0506) Earn Community Council (0515) Richard Ellison & Laura Browne (0519) Councillor Michael Barnacle (0584) Calum Rollo Esq. (0596) B + N Investments Ltd (0602) A & J Stephen Limited (0622) Duncan Scott (0626) Ann Cooper (0630) Rosemary Phillip (0700) Scottish Environmental Protection Agency (SEPA) (0742)
Provision of the development plan to which the issue relates:	Greater Perth Area South & West Settlements Out-with Core: Abernethy, Cromwellpark, Pitcairngreen and Almondbank, Clathymore, Dalcrue, Dunning, Forgandenny and Glenfarg.	
Planning authority’s summary of the representation(s):		
Abernethy		
Site - MU8		
Hadden Group Ltd (0418/02/001) object to mixed use allocation of site MU8 and seek to allocate the land under control of the developer for residential only. Changes are also sought to the indicative capacity of the allocation and to be set at 50 no. residential units for the housing element of the site, with an additional requirement that the site layout be designed to consider amenity considerations and neighbouring land use compatibility issues. The planning history of the site and issues of viability, in the context of the current Review of the Scottish Planning System, are highlighted alongside the current live planning application for residential units (Ref: 17/02190/FLL), the ‘effectiveness’ and		

'deliverability' of the allocated site and the existing situation with the adjoining employment use at Branston Ltd to make the case for the suggested modifications. It is argued that the proposed modifications will provide certainty and delivery to an existing LDP proposal and result in the delivery of much needed new housing within the next 2-3 years, as well as meeting aspirations of both developer and adjacent employment operator (Branston Ltd) through plan-led approach. Various documents are referenced in the submission (RD037-40, RD54).

David & Jane Anstice (0087/02/001) highlights the following points, including concerns, in relation to site MU8:

- Location of new development in relation to the rest of the village and issue of potential visual impact
- Road access and request for no new roundabout
- Site will be noisy being close to railway, factory, busy road, and limited parking space
- Ensure site has space for trees
- Site should be developed for the identified 12-19 houses, rather than 42 as currently planned [planning application ref: 17/02190/FLL].

Margaret Miller (0257/01/001) objects to the allocation of housing at site MU8 due to impact on property and surrounding properties from built development and construction process including impact on vehicular access and traffic noise, as well as existing infrastructure would be detrimentally impacted, including sewage provision, water supply, and the road network around the development site and primary school.

Perth & Kinross Heritage Trust (0272/01/002) seeks to add a site specific developer requirement for site MU8 to ensure potential archaeological remains are suitably investigated through the development process, in line with SPP paras 149 and 151 (CD004).

Site - E4

Branston Ltd (0138/01/001) object to the E4 allocation in Abernethy on the following grounds:

- Site is part of Branston Ltd land-holding and not capable of being divorced from it and does not benefit from independent vehicular access.
- Site is unsuitable as an independent employment site as access through existing operational yard and independent use is likely to give rise to conflict between operators.
- Presence of public foul sewer running through site is a constraint to building works.
- Independent employment use is likely to generate intensive level of site use with associated tensions with adjacent housing in Newburgh Road.
- Site has value to existing owner to help deliver planned improvements to existing and future operations, which have been subject to pre-app discussions with the Council.
- Allocation as a specific Employment site creates conditions of uncertainty for existing landowner in relation to planning policy framework for proposed uses for lesser, ancillary uses on the site.
- Branston Ltd progressing with preparation of planning application for use and development of the allocated site and has acquired the land to ensure that its business can grow sustainably.

- Masterplan (RD080) details the layout of the proposed use and development of the land for expanded operations within the allocation site and benefits of planned works include: increase handling and storage capacity, provide clearer separation between uses on the site, improve vehicle safety for users and residents, and enhance employee and visitor parking facilities.
- Proposed use of site E4, given over to quieter activities such as vehicle parking and landscaping, would ensure employment activities at the site do not impinge on the amenities of residents in Newburgh Road.
- SPP para 93 (CD004), provides planning context for supporting the planned works with the allocated site.
- In place of the Employment Proposal Allocation, the site should be included in to the existing Employment Safeguarding Designation or alternatively the land is subsumed within the broader Mixed Use Allocation MU8.

New Sites / Boundary Amendments

Duncan Kennedy (0059/01/001) seeks an amendment to the Abernethy settlement boundary to include land to the south of the village for residential development (site ref: H289 (MD142)) based on the following points:

- Abernethy is not a Perth Core village but there is potential for some modest expansion of the village either as identified sites or windfall opportunities.
- Site H9 in the current Adopted LDP is now considered to be ineffective and therefore housing supply could be met by alternative site.
- Good range of facilities and services, and village is accepted to cope with some modest growth.
- Site is logical extension to the village, regular in shape and would tie in with neighbouring properties and established residential pattern.
- Access would be obtained from existing public road and site is within the 50m contour line which is considered to be natural limit for development to the south.
- Site not within the Conservation Area and is not subject to other constraints.
- Site is similar to other adjacent paddocks that are included within the settlement boundary, and recent planning history in the village (ref: 17/0165/FLL & 13/00174/AML) (RD035-6) further emphasizes approval of housing in this location.
- Appendix G of the Environmental Report (CD083) considers the site as an option for potential settlement boundary amendment and recognises that any impact on the Ochil Hills Special Landscape Area would not be significant and mitigated through appropriate policies.
- Proposed site would provide plan-led approach to small-scale windfall development site within existing settlement where there are no significant constraints to overcome.

A & J Stephen Limited (0622/01/002) seek an extension of the settlement boundary to include land north of Perth Road - including the existing property at Eastbank - to rationalise the western edge of the settlement (site ref H401 (MD142)).

Duncan Scott (0626/01/001) seeks to revise the Abernethy settlement statement and settlement boundary to allocate a new residential allocation at Thornbank (site reference H210 (MD141)), based on the following points:

- In context of the issues raised in respect of housing land supply within the Greater Perth HMA, allocating site H210 for residential development is considered to be consistent with TAYplan Policy 1C (CD022) relating to development outside of

principal settlements in that such a proposal is directly consistent with the need to sustain communities.

- Settlement Statement for Abernethy fails to adequately reflect the need to safeguard the long term future of the village in relation to essential services. In particular it is noted that Abernethy Primary School is running at nearly 50% and therefore to sustain essential service, additional housing land is required. MU8 allocation for 12-19 units is inadequate response to the needs of the community. Without more significant level of development, services within village will likely come under threat from closure in the future. Failure to sustain essential services will contribute to encouraging unsustainable travel patterns by effectively rendering the village a commuter settlement where it is necessary to travel to neighbouring settlements to secure basic levels of service, which is contrary to National Policy under SPP (CD004) and strategic policy set out within TAYplan (CD022).
- Site MU8 is also considered to be of insufficient area to achieve viability in relation to mixed use site in that there is insufficient housing to justify provision for employment land. Site is currently subject to planning application (ref: 17/02190/FLL) for 42 units, a figure more than 100% in excess of maximum capacity indicated for site which may indicate that the site is non-effective for development involving maximum of only 19 units.
- Development to south of Newburgh Road offers more realistic opportunity to deliver scale of residential development against which employment land can be justified. Development to south of Newburgh Road also offers scope to achieve development within high quality landscape design which reflects location of site within Special Landscape Area.
- Site H210 at Thornbank provides secondary access solution for adjoining site H209 in addition to primary access of the roundabout. Together these two sites (including adjoining site H209), form logical extension of the settlement reflecting eastwards progress of the village to the north of Newburgh Road at site MU8. Development of village on the south of Newburgh Road will also serve to create a more defensible settlement boundary incorporating existing development to the east at Glendale.

Ann Cooper (0630/01/001) seeks to change the Plan to include a new mixed use allocation (site reference H209 (MD140)) to the east of the village based on the following points:

- Proposed Plan identifies Abernethy with the ability to accommodate some limited growth to support future employment needs and amenity of Abernethy.
- The current live planning application (ref: 17/02190/FLL) for 42 units on site MU8, which greatly exceeds the maximum capacity for the site, demonstrates that this is an ineffective mixed use site. Abernethy however does have a specific need for significant additional number of dwellings to support the primary school, with capacity currently at 50%. Allocation of Site H209 for mixed use/employment land would provide sufficient land for this use and provide Abernethy with additional services and facilities to support housing development on Site MU8.
- Disagree with Council's site assessment of the site (SEA Appendix E (CD074)) and put forward their own case in relation to TAYplan, greenfield land, agricultural land, and village services.

David & Jane Anstice (0087/01/001) highlights potential constraints in relation to site H209 including visual and landscape impacts above the 50m contour line and benefits of planting to mitigate any impacts, accessibility of the site to mains water supply, and the possibility of bungalows on elevated parts of the site.

SEPA (0742/01/064) support the inclusion of a developer requirement for a Flood Risk Assessment for Site MU8 at Abernethy.

Clathymore

A & J Stephen Limited (0622/01/004) seeks to change the plan to identify a new housing allocation (site ref: H288 (MD148)) to the north-east of the settlement boundary for 16-20 units, based on the following points:

- TAYplan (CD022) allows for LDPs to allocate some development in settlements that are not defined as Principal Settlements where this can be accommodated and supported by the settlement and in rural areas if such development meets local needs. Clathymore serves a very particular need for higher end market housing and the site was previously allocated in the Proposed Plan for the Adopted Local Development Plan (CD053, pages 101-2) for 16 no. residential units, but was excluded by the Reporter (CD015) due to drainage issues and the settlement not being within a Principal Settlement.
- The Reporter's assessment of the drainage issue was based on inaccurate information (RD057) and provision would be made to create additional capacity to serve the new housing that wouldn't impact on the operation of the existing plant and would be acceptable to SEPA.
- Reintroduction of proposal would allow for continuity of market delivery in providing extension to housing land supply in terms of quality, range and choice. Further allocation would allow timeous delivery of housing in this popular, unique location.
- Existing character of the area is rural housing set within strong landscape setting and reintroduction of proposal would allow for an appropriate extension to development area. Site directly abuts eastern edge of Clathymore and proposed use is compatible with neighbouring uses, with good access and connectivity to A9 and vehicular access will be facilitated from the current site.
- All service connections are available and no abnormal issues are anticipated over and above normal service requirements, including foul capacity.
- Site is well contained visually by existing development and appropriate boundary treatment through planning control will maximise potential linkages to countryside.
- No physical or technical constraints to development, the site is in marketable location, and controlled by local developer with intent to progress subject to allocation and satisfactory planning permission, and there are no other competing housing allocations nearby or for the unique type of housing proposed.

Habitats Regulations Appraisal

SNH (0353/04/001): Following the completion of the Habitats Regulations Assessment (HRA) SNH have updated their holding representation to now recommend amendments to the Proposed Plan in line with the outcomes of the HRA and Appropriate Assessment. In the interest of good practice the Settlement Summary (page 157) should reflect the outcome of the Habitats Regulations Appraisal (Table 5.21, page 98) (CD056).

Cromwell Park, Pitcairngreen and Almondbank

Site – E6

Hilary J.D. Mackenzie (0420/01/001) seeks to change the Employment Site E6 and the adjoining, south part of the existing Employment Safeguarding area adjacent to E6 (Site Ref: E425 (MD149)) to either: a mixed use development, comprising residential and

business/industrial use, or residential use only. The changes are sought due to the site - which forms part of a wider employment zone - being unsuccessfully marketed for 7 years for employment use and re-zoning for either mixed use or residential would assist with the development of the site, including potential for live-work units or small-scale storage/workshop uses that would complement prospective housing. Further supporting information has been included with the submission (RD081-3).

Mr Peter Hutchinson (0501/01/001) seeks an additional site requirement for Site E6 to take in to account residential, community and environmental interests in close proximity to the site, including measures to mitigate impacts on residential amenity, recreational uses, and environmental quality, taking in to account Placemaking Policies 1A and 1B.

SEPA (0742/02/122) support the inclusion of a developer requirement for a Flood Risk Assessment for Site E6 at Almondbank.

Dalcrue

Site – E9

Island Leisure Limited (0441/01/001) objects to the Employment Site E9 and associated Developer Contribution requirements, and seeks for the allocation to be re-zoned as Employment Safeguarding in line with current employment use of the site as part of their ongoing business interests. It is also suggested that any infrastructure requirement contributions associated for new development at the site would be prohibitive for new start-up businesses.

Woodland Trust Scotland (0462/01/035) seeks an additional site developer requirement for Employment Site E9 to ensure any development is required to take in to account the ancient woodland in close proximity to the site and avoid further damage in light of the effects current operations are having on the woodland.

SEPA (0742/01/033) support the inclusion of a developer requirement for a Flood Risk Assessment for Site E9 at Dalcrue.

Dunning

Site – H20

Calum Rollo Esq. (0596/01/001) supports the Housing Allocation H20 as this is considered an obvious extension to the settlement boundary and restructuring of the site has ensured defensible boundaries are present within the landscape. Site is deliverable for housing and allocation will contribute to growth of the Dunning settlement and Scotland's housing targets.

A & J Stephen Limited (0622/01/006) generally support the extended allocation for site H20 however object to the stated site size and capacity range of houses for the site. Instead of the 3.44ha site size, as stated in the Plan, A & J Stephen Limited seek a modification to the Plan to use the figure 3.75ha. In addition, A & J Stephen Limited seek an increase to the housing range from 41-63 houses to 85 houses. These changes are sought following a detailed assessment of the site with reference to TAYplan (CD022) and the public consultation held in Dunning in May 2017.

Daisy Heriot Maitland (0077/01/001); Mr Graeme Marchbank (0122/01/001); Mark McKinney (0235/01/001); Carol & Edward Dorsett (0283/01/001); Claire & Andrew Garry (0286/01/001); Mrs Carol Blackie (0336/01/001); Richard & Vera Bowman Smith (0339/01/001); Mr J. Dow & Mrs G. Richardson (0363/01/001); Alan King (0405/01/001); Mrs C Smith (0446/01/001); T. Brown (0475/01/001); Mr & Mrs Bell (0481/01/001); Mr & Mrs Jenkins (0491/01/001); Mr B. Hughson (0504/01/001); Dunning Community Council (0506/01/001); Richard Ellison & Laura Browne (0519/01/001); Rosemary Phillip (0700/01/001) object to Site H20 for one or more of the following reasons:

- Concerns regarding number, design, and layout of houses proposed.
- Impact on conservation area and existing historic assets in the village.
- Any new build should be small scale and in line with Policy; existing consented infill sites preferred.
- Impact on character and landscape setting of the village
- Proposed development will change character of the village to a 'commuter town' and lose the sense of community that it currently enjoys.
- Previous control of development in Dunning has helped to moderate and restrict changes to the village which is sensitive to building on a significant scale – proposed development is of a scale which would result in significant changes to the village.
- With reference to SPP (Planning for Housing) (CD004), proposed site is considered excessive for the size of the village and there has been recent developments and consents granted already.
- Dunning not identified for expansion i.e. spatial strategy.
- Insufficient sewage capacity therefore upgrades would be required.
- Due consideration needs to be given to historical infrastructure of the village and how to maintain this.
- Impact on riparian zone(s) and wider area damaging plant habitats and communities and other environmental benefits of the area
- Impact of the level of development on management of storm and surface water drainage, particularly adjacent to the stream, and resultant impacts on local ecology and natural environment.
- Concerns regarding drainage and flooding during construction phase in light of experience during construction of development at Latchburn Wynd. Suitable management plan should be implemented to ensure any drainage issues are suitably controlled.
- Issue with flooding and there is large run off/surface water drainage from the site which has caused adjacent wall to the field to collapse. Pressure from increased run-off could cause further damage.
- Issues with water pressure in village if such a large site is developed.
- Loss of trees and hedgerows on site and impact on wide range of species including bats, raptors and songbirds.
- Need to consider flora and fauna that exist on the site, including raptor species, which would be detrimentally effected by the development.
- Prime agricultural land should also be protected from development.
- Site would bring more vehicles to the village causing further issues.
- Additional traffic from development and need for additional junction on an already

busy road

- Current transport issues associated with the village would be further compounded by additional development (and associated construction vehicle disruption), including further safety risks and damage to buildings, roads and pavements, from a range of vehicles including farm vehicles and HGVs. Particular issues highlighted with Auchterarder Road, Muckhart Road/Auchterarder Road Junction, Level Crossings and access to/from the A9.
- Recent developments in the surrounding area have caused additional traffic movements into the village to access school and services, as well as expansion of Simon Howie site which has brought an increase in number of HGVs in the village. Cumulatively, this has put pressure on parking, access and safety at a number of locations. No simple solution to solve the traffic/parking issues, but potentially an additional car park (at the site of an old garage on the east side of Muckhart Road) would remove on-street parking at the main thoroughfares and assist with traffic movements.
- Rail Authority should also be consulted in relation to impact from the development on their interests at level crossings and continued review of the use of the level crossings required more generally as part of the development process.
- Proposed access will be located on dangerous bends and further investigation would be required to consider repositioning of Auchterarder Road.
- Parking is problematic with associated issues of on-street parking and narrow streets.
- A9 Dunning exit would need to be improved should the site be developed.
- Local primary school is at capacity and there are no plans to expand. Extension of primary school estate would present challenges in terms of pupil safety and retention of existing path used by children to walk to/from school. Whilst this is not necessarily an issue for the developer, it presents challenge of allowing further development in the village.
- Existing pressures on the Community School of Auchterarder would also be further compounded by the site and developments ongoing in Auchterarder.
- Impact on the community in terms of amenities/services - area has limited public transport, banking, health and welfare facilities, and the proposed development would compound lack of existing services.

Dunning Community Council (0506/01/001) also suggest the following comments/measures in relation to Site H20:

- Increasing site size has some attraction for the village as there is a need for affordable housing and any contribution would be seen as a benefit to many residents. This would require a 'mix' of house types rather than a financial contribution towards affordable housing elsewhere.
- Suitable pedestrian measures could be installed to discourage use of cars for trips to/from Primary School, potentially using green strip of land halfway up Latchburn Wynd as a pedestrian link.
- Proposed internal road layout has been very well thought out and would minimise visual impact of those houses to Auchterarder Road.
- Retention of mature trees on Auchterarder Road is supported however measures must be put in place to ensure careful management of existing trees, and suitable plans for replacement when the trees reach the end of their natural life. A form of structured management for residents of proposed houses must also be in place to

ensure root systems are protected from inappropriate garden works.

SEPA (0742/01/046) supports the site requirement for a FRA to be submitted for site H20.

Site – OP23

Rosco Properties (0120/01/001) objects to Housing Allocation H20, and seeks inclusion of a new housing allocation (site ref H375 (MD152)), including associated infrastructure, to the north of, and including, Site OP23. The changes sought are based on the following points:

- The MIR (CD046) and SEA site assessments (CD074) fail to highlight service infrastructure shortcomings of site H20 and fail to consider availability of the promoted development proposal, which is better connected to the existing settlement and will respect setting of standing stone and cemetery, and allow scope for extensive landscaping on all boundaries, in particular the north to mitigate visual impacts.
- TAYplan (CD022) does not preclude new housing in tiered settlements and there appears to be sufficient capacity at existing secondary school to accommodate new proposal.

SEPA (0742/01/116) seek a modification that a Flood Risk Assessment (FRA) be included as a site specific developer requirement for site OP23 in line with the authority's duties under The Planning etc. (Scotland) Act 2006 (CD036), SPP (CD004), Flood Risk Management (Scotland) Act 2009 (CD030) and the Scottish Government's online planning advice on flood risk (CD043). The requirement for a FRA also considered to contribute positively to the authority's duties under Section 44 of the Climate Change (Scotland) Act 2009 (CD025).

New Sites / Boundary Amendments

Fergus Purdie Architect (0380/01/001) seeks an amendment to the Dunning Settlement Boundary to include a new residential site (site ref H376 (MD153)) for a pilot project for self-build, custom designed housing. The proposed modifications are based on the following points:

- Experience of delivering broad range of self-build custom designs.
- Land is in single ownership of landowner, gifting the eastern portion of the site to the community.
- Council has been involved in wider discussions about self-build, custom designed housing and it is proposed the Council would work in partnership to deliver the site.
- Discussions have taken place with Scottish Government in relation to bringing this site forward through the Self and Custom Build Challenge Fund. Formal submission to the Scottish Government was submitted on 1st December 2017 by the Council (RD063).
- Project team would be assembled involving wide range of specialists for the project.
- Proposal comprises 30 serviced plots to the west of the site with a focus on affordable homes as well as the east of the site being gifted to be used as a community focused initiative for local residents and interest groups. Site would be developed in line with a design framework.
- Support for custom and self-build housing, as identified in Scottish Government's 'Places, People and Planning' Consultation 2017 (CD117).
- Site assessment has identified that there are no significant insurmountable issues in relation to: topography, flooding and drainage, water and sewerage, utilities,

access, natural environment, historic environment.

- Proposal would support the community by providing benefits in relation to: delivering affordable housing, providing educational contributions, supporting existing, and delivering new, community facilities, and delivering a new recreational, open space for use by residents.
- Site would be delivered within LDP timeframe with first houses expected to be completed by Spring 2021. Plots would each have: transport infrastructure, all necessary utilities, developer contributions in place, and surface water drainage incorporated.

Forgandenny

Mrs Claire Gordon (0105/01/001) queries the status of site H219 and its inclusion within the settlement boundary. The Council provided clarification on the status of this site (CD386).

Alexander Hamilton (0137/01/001 & 002) seeks the following two changes to the settlement summary/boundary for Forgandenny (p.192):

- Remove designation of 'Open Space' from land located to the north of the Post Office (pre-MIR site ref H219 (MD155)) as it is an agricultural field in cultivation for cereals/silage.
- Extend settlement boundary to include the field to south-east of village centre and to south of Strathallan school gates for future residential development (site ref: H402 (MD157)). There has been recent planning permission approved on land to south of B935 for 3 residential units highlighting demand for housing in this location compared to other locations in Forgandenny due to proximity to village centre, access to services and favourable land gradient for construction. An extended settlement boundary would provide further housing development in this favourable location and would form a natural extension to the village taking in to account public roads, existing properties, consented development as aforementioned and established fenceline and rising topography.

Earn Community Council (0515/01/001) support the non-allocation of proposals within the Forgandenny settlement boundary as there is no need for additional housing land, in line with TAYplan spatial strategy (CD022), and in light of number of planning applications for new builds within the existing settlement boundary. The Community Council also comment that if the Reporter decides to include site ref: H220 in the Plan as an allocation, the Community Council would wish to see consideration given to access, particularly pedestrian access along Kinnaird Road. The Community Council also seek assurance that site ref: H219 will not be included in the Plan as it does not fall within the proposed settlement boundary and is allocated as public open space in the LDP.

B + N Investments Ltd (0602/01/001) seeks an amendment to the Forgandenny settlement boundary and to allocate additional land for 8-10 residential units (site ref: H220 (MD156)), based on the following points:

- Various disagreements with the SEA Site Assessment (CD074).
- Site would be compatible with surrounding land uses and is adjacent to settlement boundary as a potential infill site.
- No significant constraints identified that would prevent site from being developed – not within waste water hotspot, not at risk from flooding, no environmental designations associated with the land, no cultural heritage assets within or adjacent to the site boundary, site not within AQMA or HSE Consultation Zone.

- Site could be designed to maximise solar gain and create green corridors/landscaping. Further details could be addressed at planning application stage.
- Proposal currently offers limited biodiversity value, and site could be developed to create green corridors/landscaping to promote/enhance biodiversity.
- School capacity issues could be addressed via educational contribution.
- Land is not suitable for agriculture due to historical practices therefore would not be a loss of prime agricultural land.
- Two potential access points and proposed scale of additional traffic is likely to be insignificant.
- Site is an opportunity for small organic growth of Forgandenny at a scale suitable for the village, with the site being a natural extension to the southwest of the settlement.
- Site is within the Ochil Hills Special Landscape Area and the proposed site plan (RD064-5) shows how visual and landscape impact would be mitigated through design and specific boundary treatments, which could be further addressed at the planning application stage.
- Site complements existing settlement pattern and would be in-keeping with scale of village.
- Site would provide 2-3 affordable housing units.
- Landowner willing to accept developer requirement for specific boundary treatment(s) and the submission of a Transport Statement to address any relevant issues.
- Tests of 'effectiveness' of site have been met in line with para 55 of PAN 2/2010 (Affordable Housing and Housing Land Audits). (CD040)

Glenfarg

Councillor Michael Barnacle (0584/01/036) queries whether the settlement boundary would prohibit an employment site. No specific changes are sought.

Modifications sought by those submitting representations:

Abernethy

Site - MU8

Perth & Kinross Heritage Trust (0272/01/002) seeks the addition of a site specific developer requirement for site MU8 to ensure potential archaeological remains are suitably investigated through the development process.

Hadden Group Ltd (0418/02/001) seeks the removal of allocation MU8 and to replace with a residential only allocation over the land in control of the developer (1.4 Ha in area), with an indicative capacity of 50 no. units being of medium density for a mix of house types.

Margaret Miller (00257/01/001) objects to the allocation of housing at Site MU8.

David & Jane Anstice (0087/02/001) raises various points in relation to Site MU8 but does not seek specific changes.

Site - E4

Branston Ltd (0138/01/001) seeks the removal of Site E4 as an Employment Proposal Allocation and instead either include the land within the Employment Safeguarding Designation to the north or within the Mixed Use Allocation MU8 to the north-east.

New Sites / Boundary Amendments

Mr Duncan Kennedy (0059/01/001) seeks an amendment to the Abernethy settlement boundary to include land to the south of the village for residential development (site ref: H289).

David & Jane Anstice (0087/01/001) does not seek specific changes but highlights potential constraints in relation to site H209 including visual and landscape impacts above the 50m contour line and benefits of planting to mitigate any impacts, accessibility of the site to mains water supply, and the possibility of bungalows at the high points of the site.

A & J Stephen Limited (0622/01/002) seeks an extension of the settlement boundary (site ref: H401) to rationalise the western edge of the settlement to include land north of Perth Road including the existing property at Eastbank.

Duncan Scott (0626/01/001) seeks to change the plan to revise the Abernethy settlement statement and settlement boundary to identify a new residential allocation at Thornbank (site ref H210).

Ann Cooper (0630/01/001) seeks to change the Plan to include a new mixed use allocation (site ref: H209) to the east of the village.

Clathymore

A & J Stephen Limited (0622/01/004) seeks to change the plan to identify a new housing allocation to the north-east of the settlement boundary for 16-20 units.

Habitats Regulations Appraisal

SNH (0353/04/001) seeks the inclusion of the following suggested mitigation measure in the Settlement Summary (page 157) after ‘...a Drainage Impact Assessment.’ –

‘Mitigation measures should be supplied to ensure no increase in nutrient loading and no adverse effects on Methven Moss SAC.’

Cromwell Park, Pitcairngreen and Almondbank

Site – E6

Hilary J.D. Mackenzie (0420/01/001) seeks to change the Employment Site E6 and the adjoining, south part of the existing Employment Safeguarding area adjacent to E6 (site ref: E425) to either: a mixed use development, comprising residential and business/industrial use, or residential use only.

Mr Peter Hutchinson (0501/01/001) seeks an additional site requirement for Site E6 to take in to account residential, community and environmental interests.

Dalcrue

Site – E9

Island Leisure Limited (0441/01/001) objects to Employment Site E9 and associated Developer Contribution requirements, and seeks for the allocation to be re-zoned as Employment Safeguarding.

Woodland Trust Scotland (0462/1/035) seeks an additional site developer requirement for Employment Site E9 to ensure any development is required to take in to account the ancient woodland in close proximity and avoid further damage.

Dunning

Site – H20

Rossco Properties (00120/01/001) seek the removal of Site H20 from the Plan.

A & J Stephen Limited (0622/01/002) generally support the extended allocation for site H20 however object to the stated site size and capacity range of houses for the site. Instead of the 3.44ha site size, as stated in the Plan, A & J Stephen seek a change to the site reference box (page 188) to state the site size as 3.75ha instead. In addition, A & J Stephen also seek an increase to the housing range from 41-63 houses to 85 houses.

Daisy Heriot Maitland (077/01/001); Mr Graeme Marchbank (0122/1/001); Mark McKinney (0235/01/001); Carol & Edward Dorsett (0283/01/001); Claire & Andrew Garry (0286/01/001); T. Brown (0475/01/001); Mrs Carol Blackie (0336/01/001); Richard & Vera Bowman Smith (0339/01/001); Mr J. Dow & Mrs G. Richardson (0363/01/001); Alan King (0405/01/001); Mrs C Smith (0446/01/001); Mr & Mrs Bell (0481/01/001); Mr & Mrs Jenkins (0491/01/001); Mr B. Hughson (0504/01/001); Dunning Community Council (0506/01/001); Richard Ellison & Laura Browne (0519/01/001); Rosemary Phillip (0700/01/001) object to Site H20.

Dunning Community Council (0506/01/001) also highlight the following comments/measures in relation to Site H20:

- There is a need for affordable housing and therefore require a 'mix' of house types rather than a financial contribution towards affordable housing elsewhere.
- Suitable pedestrian measures could be installed to discourage use of cars for trips to/from Primary School, potentially using green strip of land halfway up Latchburn Wynd as a pedestrian link.
- Measures must be put in place to ensure careful management of existing trees, and suitable plans for replacement when the trees reach the end of their natural life. A form of structured management for residents of proposed houses must also be in place to ensure root systems are protected from inappropriate garden works.

Site – OP23

Rossco Properties (0120/01/001) seeks to modify the plan to allocate a new housing allocation (site ref H375) with associated infrastructure to the north of, and including, existing allocation Site OP23. Proposal also includes additional land within the site for cemetery and school expansion.

SEPA (0742/01/116) seeks a change to Site OP23 to add in a site developer requirement for a Flood Risk Assessment to be undertaken.

New Sites / Boundary Amendments

Fergus Purdie Architect (0380/01/001) seeks an amendment to the Dunning Settlement Boundary to include a new residential site (site ref H376) for a pilot project for self-build, custom designed housing including open space provision.

Forgandenny

Mrs Claire Gordon (0105/01/001) queries the status of site H219 and its inclusion within the settlement boundary. No specific changes are sought.

Alexander Hamilton (0137/01/001) seek the following two changes to the Forgandenny settlement statement/boundary:

- Remove the open space allocation from site ref: H219;
- Extend the settlement boundary to accommodate further housing land in Forgandenny to the south of the B935 (site ref: H402).

Earn Community Council (0515/01/001) note that if the Reporter decides to include site ref: H220 in the Plan as an allocation, the Community Council would wish to see consideration given to access, particularly pedestrian access along Kinnaird Road. The Community Council also seek assurance that site ref: H219 will not be included in the Plan.

B + N Investments Ltd (0602/01/001) seek an amendment to the Forgandenny settlement boundary and to allocate additional land for 8-10 residential units (site ref: H220).

Glenfarg

Councillor Michael Barnacle (0584/1/036) does not seek any specific changes but queries whether the settlement boundary would prohibit an employment site.

Summary of responses (including reasons) by planning authority:

Abernethy

Site MU8

Hadden Group Ltd (0418/02/001): The mixed use allocation for Site MU8 was established by the Reporter as part of the Examination of the current Local Development Plan (CD015). The mixed use site was allocated with the notion that the allocation would ensure that the interests of both the housing and employment elements of the site would be considered in tandem, namely to ensure that issues of residential amenity were addressed without significantly affecting the business operations of the employment part of the site. This approach is considered to be an appropriate way to suitably address any associated issues with siting the two land uses adjacent to one another.

The planning application for the development of 42 houses as part of the residential element of the mixed use site (ref: 17/02190/FLL) is currently being considered by the Council. As part of the application, the Council is considering the details of the mitigation

measures required to ensure that the amenity of proposed residents of any new housing as well as the business operations of the adjoining employment use are suitably protected. In principle, the Council considers that the principle of the mixed use site is acceptable and there is a workable solution to ensure that the amenity of both the proposed housing and existing business operations are protected. As part of the application, the owner of the adjoining employment site (Branston Ltd) has confirmed agreement (RD085) with the mitigation measures submitted by the applicant to address potential amenity issues associated with the adjoining boundary between the two sites. It is considered that the mixed use allocation has resulted in a collaborative process under which both parties have taken due consideration of the potentially competing interests of the mixed use site and this has been borne out as part of the planning application. As such, in response to Hadden Group Ltd, it is not proposed to amend the allocation of the mixed use site to residential only.

No modification is proposed to the Plan.

In terms of the housing capacity for the site, the Council is aware that there is a technical error with the stated figure for the site size of MU8. The Proposed Plan has identified that the site is 1.5ha however following further analysis the correct area of the site is 2.17ha. Therefore taking this corrected site size in to account and the calculation methodology as contained in the Housing Background Paper (CD018), the housing capacity range for the site would be between 17-27 houses based on a medium density. However, as the planning application (ref: 17/02190/FLL) for the site is currently under consideration it is considered appropriate to take in to account the number of houses associated with the application if this is ultimately approved. If there are exceptional circumstances under which a higher density of houses is deemed to be acceptable (as prescribed under Policy 1D of the Proposed Plan) then it would be appropriate to revise the housing capacity range of the site to reflect the application, if approved. As such, the Council would be comfortable amending the housing capacity range for the site in line with the application, if approved. The Council will be in a position to keep the Reporter informed of the progress of the site and any associated application(s).

Should the Reporter be minded to recommend modifying the Plan, the Council would be comfortable with this technical amendment to alter the housing capacity range for the site to 17-27 units and amending the site size from 1.5 ha to 2.17 ha. In the event that planning permission is approved under the current application (ref: 17/02190/FLL) or under another associated planning application, for a larger number of units then the Council would be comfortable making this change to reflect the detailed position of the approved planning application.

Perth & Kinross Heritage Trust (0272/01/002): Although a specific requirement for considering the potential for non-designated archaeology on site has not been included in the MU8 site requirements, every planning application is assessed against the policies in the Plan. In this case, Policy 26: Scheduled Monuments and Non-Designated Archaeology would provide protection and would be highlighted through the planning application process. This is particularly the case where PKHT have commented on planning application ref: 17/02190/FLL for the site.

No modification is proposed to the Plan. However, if the Reporter is minded to accept the modification the Council would be comfortable with making this change as it would not have any implications for any other aspect of the plan. The Council would suggest the following requirement is added: 'Evaluation of archaeological potential and mitigation will

be required.'

David & Jane Anstice (0087/002/001); Margaret Miller (0257/01/001): Specific issues raised by the respondents will be considered in detail as part of planning application ref: 17/02190/FLL. The principle of development on the site has previously been established through the current adopted LDP allocation and detailed matters relating to the detailed design of the site in relation to the surrounding area will be addressed through the planning application and relevant developer requirements, where required.

No modification is proposed to the Plan.

Site E4

Branston Ltd (0138/01/001): The employment proposal for Site E4 does not require the development of the site as a standalone proposal. The allocation is in place to ensure that there is sufficient employment land across the Council area and this can include businesses expanding existing operations provided any works fall within the uses that are permitted for the site including genuine ancillary uses linked to the main operational use(s) of the site. This is in addition to suitable mitigation measures being designed-in to ensure the amenity of neighbouring residential units is protected. Therefore the allocation of Site E4 as an employment proposal is not considered to constrain the development of the site, instead it will provide an opportunity for the existing business (under current landownership) to expand and consolidate existing business operations.

No modification is proposed to the Plan.

New Sites / Boundary Amendments

As part of the Examination for the current Local Development Plan (CD015), the Reporter established that as Abernethy has experienced considerable growth in recent years and because the settlement does not fall within the TAYplan (CD022) tiered settlement spatial strategy, there is no justification or requirement to promote further housing development opportunities, over and above the current allocation at Site MU8, within the village. The site at MU8 is considered to provide suitable levels of growth for the village over the plan period and the consideration of the planning application for the site (ref: 17/02190/FLL) demonstrates that the developer is willing to progress the site and there are no current significant issues that would render the site ineffective. The Reporter also noted that allocating additional levels of development within the village would 'conflict with the aim of the Plan to decrease rather than increase movements to work, to shop and to access other services' and therefore additional development opportunities for Abernethy should be limited.

Sites H289 and H401

Mr Duncan Kennedy (0059/01/001); A & J Stephen Limited (0622/01/002): As noted above, there is no requirement to identify further opportunities for development within the village at this time and it is considered that including sites H289 and H401 within the settlement boundary would likely set a precedent for further pressures to include infill opportunities within the settlement boundary when this is not needed.

Site H289 is fairly sizeable and would result in an increase in the number of vehicles

using the narrow, single track road which is currently constrained. It is not considered that there is a practical solution to addressing the road safety issue without significantly altering the attractive stone boundary walls at either side of the entrance to the track. As the site falls within the Ochil Hills Special Landscape Area, any potential development would have to consider potential visual and landscape impacts.

Site H401 forms part of an existing field currently cultivated for agricultural purposes. The site is partially classified as Class 2 prime agricultural land and therefore without sufficient justification there is no benefit in releasing the land for development purposes. The site also forms part of the open setting to the north of Perth Road which provides a pleasant outlook for the existing houses to the south of the road.

It is also important to note that neither site has had the benefit of stakeholder engagement or public consultation and therefore the Council would not suggest modifying the Plan to include these sites.

No modification is proposed to the Plan.

Sites H209 and H210

David & Jane Anstice (0087/01/001); Duncan Scott (0626/01/001); Ann Cooper (0630/01/001): As noted above, there is no requirement to identify further opportunities for development within Abernethy at this time and identifying sites H209 and H210 for development would equate to significant growth for the village and would be contrary to TAYplan spatial strategy to focus growth to tiered settlements. The Reporter for the Examination for the current Local Development Plan (CD015) established that the area of land to the south side of the main street provides an 'attractive, well defined rural edge to the settlement in this vicinity which fits well within the existing landscape'. As the principle of development on these sites is not considered to be acceptable, detailed design issues have not been considered further. It is also important to note that neither site has had the benefit of stakeholder engagement or public consultation and therefore the Council would not suggest modifying the Plan to include these sites.

No modification is proposed to the Plan.

Clathymore

New Sites

A & J Stephen Limited (0622/01/004): As part of the Examination for the current Local Development Plan, the Reporter established that the site (ref: H288) was not favourable for development due to the isolated countryside location and there being no services or employment opportunities available. It was also considered that there would be no benefit or justification through TAYplan to extend the housing group onto adjacent farmland. The site was therefore not considered to be in accordance with TAYplan spatial strategy for new housing development and was not supported.

The Council's Housing Land Audit (2017) (CD050) notes that of the 42 permitted houses at Clathymore, there were 26 houses built by Spring 2017. The audit identifies that the remaining 16 houses are programmed to be built at a rate of 2-3 houses per year until 2024. The Draft 2018 HLA (CD049) has identified that 1 further house has been built resulting in 15 houses still to be constructed on site. Whilst it is acknowledged that the

development at Clathymore meets a specific high end demand of the housing market there is already modest housing growth expected to take place in Clathymore across the plan period until 2024. Therefore an additional site is not considered to be required over the lifetime of the forthcoming LDP. The subsequent Local Development Plan review is considered to be the appropriate opportunity to consider the justification for additional housing at Clathymore to take in to account completion rates over the next few years. In addition, the proposed site has not had the benefit of stakeholder engagement or public consultation and therefore the Council would not propose including the site within the settlement boundary or as an additional housing allocation.

Addressing the specific point regarding drainage at the site, this was one of the principal reasons for the Reporter not supporting the site during the Examination for the current Adopted LDP (CD015). SEPA previously objected to the site through the Proposed Plan consultation of the current Adopted LDP (RD057) on the basis that there would not be a suitable drainage solution for the site taking in to account the existing waste water treatment plant. A & J Stephen (0622/01/004) contend that SEPA's objection was predicated on inaccurate information and that a suitable solution could be reached to the satisfaction of SEPA. The Council has sought SEPA's views on the proposed site and they have objected to the potential allocation of the site on grounds that there are insufficient details relating to the drainage of the proposed site (CD182).

No modification is proposed to the Plan.

Habitats Regulations Appraisal

SNH (0353/04/001): It is considered that amending the Plan to incorporate the mitigation measure as set out in the Habitats Regulations Appraisal (CD056) of the Proposed Plan, and detailed in the 'Modifications Sought' section would provide greater clarity and transparency for applicants as to which settlements and in what circumstances the provisions of the Plan's Policy 36A: International Nature Conservation Sites will apply, and would also set out what will be expected of them in making their planning application.

Cromwell Park, Pitcairngreen and Almondbank

Site E6

Hilary J.D. Mackenzie (0420/01/001):

Site E6 has been identified as an Employment Proposal to ensure there are a range of employment sites available for development across the Council area, including brownfield sites which have previously been used for a variety of purposes. Site E6 is considered to be a favourable employment site as it incorporates vacant brownfield land and has co-locating benefits being adjacent to the existing employment area at Cromwell Park such as using the existing road access.

The Council acknowledges that the southern part of the Cromwell Park site has been marketed over previous years and that the site owner proposes to modify the allocation to re-zone the site as mixed use or for residential purposes. It is considered that the site is not suitable for housing as the site is isolated from existing services and the current road access is unadopted and unsuitable for residential traffic. Upgrading the road to an adoptable standard is not considered to be economically viable. The site is also located within a deep valley setting and is significantly shaded therefore potential for passive solar

gain – as promoted through the Placemaking Policy - is limited. There is also no shortage in the housing land supply and therefore alternative sites such as this are not considered necessary. On balance the site should remain as an opportunity for future economic uses and the Council will further review the site through the action programme process as part of the next LDP if no progress has been made at the site.

No modification is proposed to the Plan.

Mr Peter Hutchinson (0501/01/001): it is considered that considerations relating to residential, community and environmental interests would be best assessed through the planning application process through a detailed assessment of the site and the development proposal. It is not considered that specific site requirements are required in this case.

No modification is proposed to the Plan.

Dalcrue

Site E9

Island Leisure Limited (0441/01/001): It is considered that the land associated with Employment Proposal Site E9 is not being used or has not been developed with respect to an approved planning use and therefore still represents an opportunity for new employment uses to be developed at the Dalcrue site. There is currently an HGV training centre operating at the eastern part of the E9 site however this is not considered to be associated with the previously approved application (ref: 07/02727/FUL) for this part of the site and therefore could be an opportunity for new employment use(s) as the land is still capable of being developed. It is considered that a HGV training centre could fall within an acceptable use for the site (subject to detailed assessment) given its nature. The proposed modification by Island Leisure Ltd to remove the Employment Proposal allocation from Site E9 and instead re-zone as Existing Employment is therefore not accepted by the Council. The site requirement for Developer Contributions has been calculated in line with the Developer Contributions Supplementary Guidance (CD021). Modifications to remove this developer contribution would be best dealt with through detailed consideration of a proposal through the planning application process where any justification for not committing to, or requiring, a developer contribution would be considered.

No modification is proposed to the Plan.

Woodland Trust Scotland (0462/01/035): Although a specific requirement for considering potential impacts on existing woodland adjacent to the site has not been included in the E9 site requirements, planning applications are assessed against the policies in the Plan. In this case, Policy 38: Forestry, Woodland and Trees would provide suitable protection and would be highlighted through the planning application process where it is expected that there is potential impact on Ancient Woodland. It is important to note that the area of Ancient Woodland does not fall within the site, but adjoins the north boundary of the Dalcrue settlement summary, including the eastern section of the Site E9 allocation (CD183). The site owner has also confirmed that the Ancient Woodland to the north of the site is not within their ownership (RD084) therefore it is not considered reasonable for a specific developer requirement in this regard.

No modification is proposed to the Plan.

Dunning

Site H20

Rossco Properties (00120/01/001); Daisy Heriot Maitland (077/01/001); Mr Graeme Marchbank (0122/1/001); Mark McKinney (0235/01/001); Carol & Edward Dorsett (0283/01/001); Claire & Andrew Garry (0286/01/001); T. Brown (0475/01/001); Mrs Carol Blackie (0336/01/001); Richard & Vera Bowman Smith (0339/01/001); Mr J. Dow & Mrs G. Richardson (0363/01/001); Alan King (0405/01/001); Mrs C. Smith (0446/01/001); Mr & Mrs Bell (0481/01/001); Mr & Mrs Jenkins (0491/01/001); Mr B. Hughson (0504/01/001); Dunning Community Council (0506/01/001); Richard Ellison & Laura Browne (0519/01/001); and Rosemary Phillip (0700/01/001):

The principle of an allocation for housing in Dunning was established as part of the Examination for the current Local Development Plan (CD015). While Dunning is not identified as a tiered settlement as part of TAYplan (CD022) spatial strategy the Reporter considered that the village can accommodate some modest growth. The Reporter identified that the H20 site was the most suitable location for development in the village. Site H20 is considered to be effective and capable of providing housing land to contribute to the overall housing supply as well as providing an opportunity for modest growth in Dunning to support existing facilities and services.

In May 2017, the Council undertook an additional public consultation for Dunning to provide residents with the opportunity to specifically consider the merits of allocating an enlarged H20 site in the next LDP. Further details of the additional consultation are detailed in the consultation report (CD185). The report details that there was a mix of support (43% of responses) and opposition (56%) to the proposed enlarged site.

Following the additional public consultation, the Council has included in the Proposed Plan an extended H20 allocation to provide a more defensible boundary to the western edge of the site utilising existing landscape features at the field edge. It is acknowledged that the Reporter for the previous Examination did not support the larger site and instead opted for a strong landscape framework to be implemented on the western edge of the smaller site. The Council considers that the arbitrary line across the existing open field setting would not create a robust boundary and therefore the larger site, incorporating existing field boundaries to the west is preferred. The larger site also enables a longer term response to the growth of the village to help maintain the vitality and services associated with Dunning. The land is also in the control of the same developer and therefore is expected to be developed. The developer (A & J Stephen) has also submitted further information to the Council (RD061, RD066) with a view to demonstrating that there are abnormal servicing and site preparation costs for the current H20 site and there is therefore justification for the larger site allocation to ensure that the site can be viably developed and within the expected delivery timescales of the LDP. The Council acknowledges the relatively high up-front costs associated with the site and the long-term security of the investment required for the site as well as the developable area of the site including requirements for drainage/flooding and landscaping. It is also recognised that there is a relatively slow market take-up of housing in the Dunning area and therefore high, up-front costs for developing the site will be particularly significant to the overall site viability.

In terms of impact on the existing road network and associated road safety the development is not expected to give rise to any significant impacts. The Council's Transport Planning section have been involved in the assessment of sites and are satisfied that the site will not give rise to significant transportation issues taking in to account the existing road network and the proposed housing allocation. In terms of the site itself, there is a site developer requirement for the applicant to develop a suitable access and internal road layout. Whilst it is acknowledged that the existing street layout in the village is narrow at points with associated on-street car parking it is not considered that the site would give rise to a significant adverse impact on existing parking provision within the village. A developer requirement associated with the site for an off-road path to the village centre through Rollo Park will provide an appropriate route for residents of the new development to access the village centre by foot or bicycle which will reduce the demand for parking. In terms of the proposal for a new car park in the village centre at Muckhart Road (0506/01/001) the Council is not actively seeking a site for a new car park however parking provision will continue to be monitored as part of the plan making process. In terms of the impact of the site on A9 junctions, as per the Council's LDP Action Programme (CD099) Transport Scotland are currently exploring options for junction upgrades along this stretch of the A9. The principle of the site is therefore acceptable from a transport planning perspective and detailed proposals will be subject to further consideration as part of the planning application.

In terms of drainage and potential flooding, there are specific developer requirements for the site that the developer will need to address as part of any associated planning application. Specifically, there are developer requirements for a flood risk assessment and drainage impact assessment to be undertaken to inform the determination of any planning application. These assessments will be available for public viewing and will be required to address any significant concerns in relation to drainage and flooding, taking both the existing situation and the proposed development in to account, as well as any associated impacts from the construction phase(s). The assessments will need to ensure that suitable drainage and flood mitigation measures will be designed in to the overall design and layout of the development. The developer of the site has also specifically investigated the issue of flooding in relation to the potential impact on a neighbouring property (RD062) as requested. In addition, there have been no objections received from either Scottish Water or SEPA for the site in relation to drainage, flooding or water pressure.

Looking specifically at the issue of potential impact of the site on the historic setting, and conservation status, of the village the H20 allocation is located outwith the conservation area boundary for the village and therefore is not considered to give rise to any significant effects on the built heritage associated with Dunning. The Council recognises that the site could potentially impact on the setting of the village, particularly approaching from the west, and therefore has requested that the developer of the site specifically addresses this issue through the design and layout of the site, as required by the developer requirement (third bullet point) for H20 which specifically states: 'Integrate line of mature trees along Auchterarder Road into layout and to ensure the built form and layout strengthens the character of the settlement and creates attractive village boundary'. It is not considered that the overall character of the village will be changed due to the edge of settlement location of the site and the requirement for the developer to consider the design and layout of the site in relation to the character of the village.

Concerns regarding the impact of the development on biodiversity and natural heritage will be suitably addressed at the planning application stage through the developer requirement associated with the site which specifically requires enhancement of

biodiversity. The planning application will need to consider the effects of both the construction and operational phases of the development as well as any associated effects on natural heritage from ancillary infrastructure works. In addition there have been no objections from SNH or other environmental groups regarding the site.

The development will help to maintain the vitality and services associated with the village through modest population increase. There is currently a fairly good range of amenities within the village including shops, cafes and pubs, and the development would provide further footfall for these amenities thereby maintaining vitality to the village centre. In terms of the historical infrastructure associated with the village, the planning application will address any specific concerns and there have been no objections raised by infrastructure providers/regulators in this regard. There is also some limited capacity at Dunning Primary School for additional pupils and the Community School of Auchterarder will continue to be monitored in terms of pupil capacity with adjustments made if required. The issue of school capacity will be considered further at the planning application stage and developer contributions sought through Policy 5 (Infrastructure Contributions) if required. Similarly, the affordable housing contribution for the site will be considered further at the planning application stage through Policy 20 (Affordable Housing).

In relation to specific objections to developing on prime agricultural land, the site is located on Class 3.2 land and therefore there would be no loss of prime agricultural land. In relation to the interests of Network Rail and the current crossing arrangements nearby, the relevant authorities would be consulted as part of any planning application where required by legislation. It is also important to note that the road passing over the railway line is one of five main routes out of the village.

No modification is proposed to the Plan.

A & J Stephen Limited (0622/01/002): In terms of the size of the site, the Council is aware that there is a technical error with the stated figure for the site size of H20. The Proposed Plan has identified that the site is 3.44ha however following further analysis the correct area of the site is 3.64ha. Therefore taking this site size in to account and the calculation methodology as contained in the Housing Background Paper (CD018), the housing capacity range for the site would be between 43-68 houses based on a medium density and taking in to account the need for land-take for flooding/drainage infrastructure and landscaping. The Council considers that a medium density for the site is suitable given the edge of settlement location and taking in to account prevailing densities of nearby housing. The Council does not propose to amend the housing capacity range to the figure suggested by A & J Stephen as this is considered to be of a high density not suitable for this location.

Should the Reporter be minded to make a technical modification to the Plan, the Council would be comfortable with amending the housing capacity range to between '43-68 units' and the site size from 3.44ha to 3.64ha.

Site – OP23

Rosco Properties (0120/01/001): Taking in to account the allocation for housing at Site H20, the Reporter at the Examination of the current Local Development Plan (CD015) considered that further residential sites were not required and/or justified in Dunning due to the village not being within TAYplan's spatial strategy to focus growth to the tiered settlements. As such, this site - as part of a larger range of options promoted for Dunning -

was not favoured during the previous Examination due to the scale of development not being sustainable for the village. The Reporter specifically stated in relation to this point: 'Site H20 is considered to represent the absolute maximum level of development that should be permitted here.' A similar position has been adopted for Dunning as part of this Proposed Plan with a view to restricting the level of growth of the village to site H20 only to ensure that any development options are sustained within the existing infrastructure and services available to the village. In addition, the Council's response at the previous Examination also identified that the site to the north at Station Road would 'detract from Dunning's historic form and would mean that any development would detract from the amenity of the settlement', a position supported by the Reporter. The site is also on land identified on SEPA's flood risk maps and is also located on land identified as prime agricultural land (class 3.1). As such, the Council does not propose to modify the Plan to include the site (ref: H375) as an extended allocation to site OP23.

It is worthwhile noting that a PAN (ref: 18/00003/PAN) has been submitted for site H375 to the north of OP23 however there are limited details submitted with the application. In addition, the site has not had the benefit of stakeholder engagement or public consultation through the plan making process and therefore the Council does not propose allocating the site for development.

No modification is proposed to the Plan.

SEPA (0742/01/116): Part of the site has been identified as having low/medium river flood risk. Due to the nature of the allocation to identify additional land for school recreational purposes it is not considered a significant constraint that there may be a limited risk of flooding. It is not considered proportionate or reasonable for the Council to require for a Flood Risk Assessment to be undertaken given the intended use of the site for recreational purposes. The Council therefore does not accept the suggested modification.

No modification is proposed to the Plan.

New Sites / Boundary Amendment

Site Ref H376

Fergus Purdie Architect (0380/01/001): As noted in the response above, the Reporter as part of the Examination for the current LDP (CD015) considered that Dunning was limited in the level of growth it could sustain and that a significant level of development would not be in accordance with TAYplan spatial strategy. As such, only one site was allocated (Site H20) to provide modest growth for the village over the plan period and beyond. Therefore in principle an additional site (ref: H376) to the south of Latchburn Wynd as suggested by Fergus Purdie Architect is not favoured by the Council. Considering the detail of the site, the Reporter for the previous Examination noted that the site would extend the village into a field that lies above the level of most of the village, which would be prominent when approached from the south and a landscaped buffer would unlikely provide suitable mitigation for the site. Therefore without detailed plans the site would likely result in a significant visual impact on the setting of the village to the south.

The proposal to develop the site for self-build plots could potentially serve a particular section of the housing market and the Council supports the development of self-build plots where these are sustainably located and address all necessary land use and environmental impacts. However the feasibility work for the site has yet to be undertaken

and it would be premature to allocate the site at this stage. It is considered that it would be more appropriate to consider the site at the next LDP review following the publication of the outcomes of the feasibility work and the public have had the opportunity to comment on the merits of the site. It is also important to note that the site has not had the benefit of stakeholder engagement or public consultation and therefore the Council would not suggest modifying the plan to include the site.

No modification is proposed to the Plan.

Forgandenny

Open Space

Mrs Claire Gordon (0105/01/001); Alexander Hamilton (0137/01/001 & 002); Earn Community Council (0515/01/001): The area of land (pre-MIR site ref: H219) designated as open space in the Local Development Plan (CD014) is currently in use as agricultural land. The site forms as an important feature within the settlement of Forgandenny separating two groups of houses to the north and south and therefore, as noted in the Examination Report for the current LDP (CD015), is important to the character and setting of the village. Therefore the area of current open space should not be developed for housing or other forms of development. Removing the open space designation would effectively result in the land becoming 'white land' within the settlement boundary and therefore would result in additional development pressures on the land.

No modification is proposed to the Plan.

New Sites

B + N Investments Ltd (0602/01/001); Alexander Hamilton (0137/01/001 & 002); Earn Community Council (0515/01/001): As part of the Examination for the current Local Development Plan (CD015) the Reporter identified that the village of Forgandenny is not suitable for large-scale growth. This is due to Forgandenny not being a tiered settlement within the TAYplan (CD022) spatial strategy, which focusses growth to the larger settlements in Perth & Kinross. It is considered that due to the size and location of Forgandenny and in accordance with the TAYplan spatial strategy there is no justification for identifying any further sites for housing development. The settlement boundary has been drawn to allow for some small-scale development (i.e. under 5 units) to the south of the B935 road which has had permission granted (ref: 15/01118/IPL, 16/01679/FLL, 17/01608/FLL) and housing at this location has been constructed. Additionally there have been windfall sites approved (e.g. 17/01967/FLL) within the settlement boundary which will provide further development opportunities in the village. There is therefore no justification to allocate a new site for housing within the Forgandenny settlement boundary. With regards to site H402 specifically, this site was previously resisted by the Council at the last Examination due to the prominent sloping nature of the site to the south which would result in the development being out of keeping with the rest of the village. In relation to site H220 it is not considered necessary to extend the settlement boundary in to adjoining agricultural land which could still be used for this purpose, particularly where there is no justification or identified need for additional housing in Forgandenny. In addition, the sites have not had the benefit of stakeholder engagement or public consultation through the plan making process and therefore the Council does not propose including either site for allocation within the village.

No modification is proposed to the Plan.

Glenfarg

Employment Land

Councillor Michael Barnacle (0584/1/036): The Council has identified sufficient employment land across the Council area in accordance with SPP (paragraph 101) (CD004) to ensure there is a range of business sites to meet market demand. Glenfarg is not a tiered settlement as identified in TAYplan (CD022) and therefore it is not considered necessary to allocate employment uses within the settlement boundary. Instead the village is strategically located between Kinross/Milnathort and Perth and is therefore in an optimal position to utilise the employment opportunities that these larger settlements provide, as well as other smaller settlements nearby such as Abernethy and Bridge of Earn. Moreover, there is the opportunity for business proposals to come forward within the settlement boundary and be considered through the Development Management process, which would assess any proposal against the relevant policies of the Plan such as Policies 1 (Placemaking) and 17 (Residential Areas)

No modification is proposed to the Plan.

Reporter's conclusions:

Reporter's recommendations: