



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100738257-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	A.S Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Allie	Building Name:	
Last Name: *	Arthur	Building Number:	154
Telephone Number: *	01337 840 088	Address 1 (Street): *	High Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Newburgh
Fax Number:		Country: *	Fife
		Postcode: *	KY14 6DZ
Email Address: *	info@asassociatesltd.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Matt"/>	Building Number:	<input type="text" value="33"/>
Last Name: *	<input type="text" value="Wood"/>	Address 1 (Street): *	<input type="text" value="The Woods"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Milnathort"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Kinross"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY13 0RA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="info@asassociatesltd.co.uk"/>		

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Land 170 Metres North East Of 33 The Woods Milnathort Kinross KY13 0RA"/>

Northing	<input type="text" value="707367"/>	Easting	<input type="text" value="309920"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Installation of a solar array, erection of shed and associated works (in retrospect)

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to submitted Statement of Reasons for Seeking Review.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Statement of Reasons for Seeking Review; 3D Visuals/Photomontages

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

25/00580/FLL

What date was the application submitted to the planning authority? *

27/06/2025

What date was the decision issued by the planning authority? *

26/09/2025

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A site inspection will enable members of the LRB to fully appreciate the physical characteristics of the site and the surrounding area at Athron Hill.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

The site is accessed from the applicant's home at 33 The Woods.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Allie Arthur

Declaration Date: 22/12/2025

Payment Details

Pay Direct

Created: 22/12/2025 12:48

Perth & Kinross Council Local Review Body

Statement of Reasons for Seeking Review

Application 25/00580/FLL

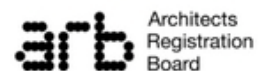
Installation of a solar array, erection of shed and associated works (in retrospect)

Land 170 Metres North East of 33 The Woods Milnathort Kinross KY13 0RA

3571_LRB Statement
December 2025



01337 840088
info@asassociatesltd.co.uk
154 High Street, Newburgh, KY14 6DZ



1.0 INTRODUCTION

1.1 This statement is prepared on behalf of Mr Wood (the applicant) who is seeking planning permission for 'Installation of a solar array, erection of shed and associated works' on land adjacent to his home at 33 The Woods, Milnathort. The application site, of approx. 0.18 ha, is part of a larger area of land owned by Mr Wood, amounting to approximately 2.3 hectares, currently rough grassland.

1.2 'The Woods' is part of the Athron Hill housing development, a proposal for 35 houses on the site of the former Ochil Hills Hospital, located to the north of Milnathort, initially approved in detail in 2010. The applicant's home at no. 33 The Woods lies in the southern part of the development, with its associated land extending to the east. (Location Plan on next page)

1.3 The applicant is seek to achieve a net zero home, a key action of the Scottish Government in encouraging low carbon living in seeking to achieve climate targets. The solar array is specified to provide electricity sufficient to supply the dwellinghouse air source heat pump and to charge an electric car. The array has some additional built in capacity to mitigate against the natural decrease in the efficiency of the panels over time. The array will not generate an overall income from export to the grid. The size of the array remains insufficient to meet all the domestic energy needs over the winter months when energy requires to be imported from the grid (see graph in Appendix). It is estimated that the cost of installation of the system will take 12-15 years to recoup (with the panels having a 25 year warranty). The shed, adjacent to the array, contains the control equipment related to the operation of the array.

1.4 The development was carried out without planning permission, unfortunately due to misinformation and a misunderstanding of permitted development rights guidance. The applicant completed the online Perth & Kinross Council 'solar panel checklist' (on the PKC website at that time but appears to be no longer available). Completion of the checklist indicated that no planning permission was required and the installer had also advised that no permission was required. Given its complexity, there was a misunderstanding of 'householder permitted development rights' and that these relate to the 'curtilage' of a dwellinghouse, a difficult concept and readily misunderstood. In this case it was not clear that the applicant's property ownership, adjacent to his dwellinghouse, is not part of the domestic curtilage.

1.5 The application 25/00580/FLL (in retrospect) was validated by Perth & Kinross Council on 27 June 2025 and planning permission was refused on 26 September 2025.

1.5 In summary, we make the following key points to support Mr Wood's case:

- This small-scale renewable energy generation proposal aligns with the aims of the Scottish Government and Perth & Kinross Council in achieving zero carbon and nature positive places. Relevant policy requires that **significant weight must be given** to the addressing the climate crises in decision making.
- Proposals for renewable energy generation are to be supported and policy, (National Planning Framework 4, Policy 11 'Energy') **advises that where any impacts can be mitigated the proposal should be assessed as acceptable.**
- There were two objections to the application. One was received from the Athron Hill development solicitor regarding what was considered to be a breach of title condition regarding the use of the paddock land. The applicant understands that **the matter is resolved**, following discussion and the agreement to implement planting, including evergreen for winter cover. Ultimately, the legal **situation is a separate issue and not a matter for consideration** in this planning application.
- A second objection was from an occupier at Athron Hill, noting concerns with the visual impact from their property windows (more than 100m) and the affect on the natural surroundings of the housing development. This objector suggested actions to soften the impact—colouring of the shed's cladding and the use of fast growing planting. **These are partly implemented (existing planting) and proposed (extensive hedging), ensuring any impact is fully mitigated. The shed cladding is oiled and the wood will quickly dull. Camouflage netting is installed and further netting can be installed for the short time until the planting hides the array and shed.**
- The applicant has also highlighted that the **'The Woods Owners Association' had met in January 2025, when the panels were already in place.** The Minutes of this meeting include that the applicant ***'outlined plans for planting on their ground adjacent to solar panels. Residents discussed but registered no concern.'***
- The planting will achieve the screening of the proposal within the surrounding landscape within a short time, as shown on the submitted 3D visuals (pages 6&7). It will undoubtedly be less intrusive in terms of visual impact than the ongoing construction of the Athron Hill development. **NB The Report of Handling does not include any reference to the applicant's proposals for planting/landscaping and therefore it appears that the benefits/mitigation provided by this has been wholly omitted from consideration in the assessment.**

- The applicant wishes to achieve greater energy generation than might be normally considered for a garden ground situation (although electricity will still need to be imported from the grid to meet all year round requirements). He seeks to use the opportunity of his ownership of an extensive paddock area to achieve this aim. The Report of Handling assessment indicates an expectation that the location of renewables for a 'domestic situation' should have a 'functional link to the dwelling and be of a comparable scale'. A 'functional' link and 'comparable scale' is often a necessity of most home owners with constraints on garden ground or to meet with permitted development rights for householder development. However, there is **no requirement** for the array to have a 'functional' link to the domestic curtilage and the applicant's landownership provides other opportunity for its location.
- In addition to generating electricity, the proposal will create a valuable landscape setting of hedging and trees, benefitting Athron Hill in terms of biodiversity and visual amenity. Planting had already taken place to the north side of the array and surrounding the shed, prior to the submission of the application. Camouflage netting has also been installed on the shed, as a temporary measure, until the hedging and trees are established. It is also intended (subject to approval of the application) to install netting across the solar panel frame until the hedging is a sufficient size to hide the panels, expected to be within 3 years.
- The submitted 3D visuals illustrate a proposed native mixed species hedge screening the array. This could include holly, for winter colour. This differs from the proposed hedge planting (hornbeam/laurel) on the refused landscaping plan. It is considered that this native hedging will have greater benefit in terms of the landscape setting and visual amenity of Athron Hill, along with substantial biodiversity benefits. The applicant is agreeable to a condition being attached to any consent that would require this proposal to be implemented, or to a scheme that includes more extensive landscaping, taking account of the applicant's larger landownership, to demonstrate further mitigation and overall benefits to the natural surroundings of Athron Hill. The applicant is also content to alter the external appearance of the shed.
- **The total spend on the project (excluding the planning process) has been over £170,000.** If the applicant was required to relocate the array and shed to garden ground (as suggested in the Report of Handling), the cost has been calculated **as over £40,000.** We believe it would also create a detrimental visual impact and residential amenity issue for neighbouring homes that would be difficult to mitigate, given the proximity. **The financial implications would mean that the opportunity for the wider landscaping/ planting of the applicant's land would be lost,** to the overall disbenefit of Athron Hill.



3D Visual photomontage illustrating a proposed mixed native hedge screening the array when viewed from north. The photograph is from the viewpoint of the home of the only objector at Athron Hill.

The land in the foreground is NOT to be developed for further housing at Athron Hill. All approved houses, yet to be built, are further from the array than this viewpoint.

The photomontage has been prepared to show a glimpse of part of the array, demonstrating that, with hedge growth, it will become unseen. The hedging will be an important and valuable early start to creating a landscape structure and overall improved landscaping setting for Athron Hill.



3D Visual photomontage illustrating the proposed mixed native hedge screening (as also shown in same location on Visual 1). The photograph is from the viewpoint of the applicant's own land. There is very limited (and distant) view of the array in this direction from any other part of the Athron Hill development.

Existing trees planted in the foreground will provide further screening of the array.

2.0 SITE DESCRIPTION AND CONTEXT



Athron Hill Development (35 houses in total)

2.1 The site, at Athron Hill (the redevelopment of the former Ochil Hill Hospital) lies in a remote location to the NW of Milnathort, accessed by a (no-through) minor road and track from Tillyrie Mains. The development cannot be viewed from the end of the public road and is very distant from other public roads or any public viewpoints.

2.2 The application site lies within a larger area of land lying to the east of the dwellinghouse curtilage—more than 100m from the applicant's home at 33 The Woods and more than 100m from any other house (or proposed house) in the Athron Hill development.

2.3 The site, and surrounding area, is currently grassland but, as can be seen from the aerial photograph, there appears to have been considerable engineering/earthmoving of the area in association with the demolition and re-development of the site.

2.0 Site Description and Context

View of site to north from south east corner of applicant's land.



View of site to west from north east corner of applicant's land.



2.0 Site Description and Context

View of site to from garden of 33 The Woods towards north-east.



Close view of side elevation of array towards east.



2.0 Site Description and Context



View of solar array towards north east, set into base of rising land.



View of shed and boundary with adjacent land, towards north-west and 33The Woods

Response to Reasons for Refusal

Extract from Decision Notice 25/00580/FLL

1. The proposal is contrary to National Planning Framework 4 Policy 14 (a) as the development would not be designed to improve the quality of the area; (b) where it would not be consistent with the 'distinctive' quality of a successful place by virtue of its scale and siting; and (c) where it fails to provide a high quality and sensitive design, inconsistent with the six qualities of a successful place.

2. The proposal is contrary to the Perth and Kinross Local Development Plan 2 Policy 1A as the development due to the large scale and distance from the dwelling would not contribute positively to the established character of the surrounding built and natural environment and where its design, density and siting does not respect the character and amenity of place; and as informed by Placemaking Supplementary Guidance.

3. The proposal is contrary to the Perth and Kinross Local Development Plan 2 Policy 1B as due to the scale and siting it would not comply with b) as the development would have a detrimental impact on the wider landscape character of the area and c) that the design and density does not complement the surroundings in terms of appearance, height, scale and massing.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

3.0 RESPONSE TO ASSESSMENT OF PROPOSAL

3.1 Introduction

3.1.1 The Development Plan relevant to this application is National Planning Framework 4 (NPF4) and the Perth & Kinross Local Development Plan 2 (LDP2) 2019, along with relevant Supplementary Guidance.

3.1.2 In terms of the 'principle' of the proposal, the Report of Handling acknowledges that 'Renewable technologies are generally supported by planning policy in both LDP2 and NPF4'.

3.1.3 The Report of Handling addresses several issues in its assessment of the proposal. **No concern** was noted in relation to: Residential Amenity; Roads and Access; and, Drainage and Flooding. No Developer Contributions are required and it is noted that the Economic Impact of the proposal is the benefit to the applicant from the supply of electricity.

3.1.4 The application was refused for reasons of 'scale and siting' of the development, in terms of the issues: Design and Layout; and, Visual Amenity. The concern with the proposal appears to relate to it being for 'domestic' use but that it is not located closer to the dwellinghouse, and wholly, or partially, within its domestic curtilage.

3.1.5 The Report of Handling refers to the applicant having submitted further information to 'justify the scale of the array' - i.e. achieving net zero for their home and generating additional electricity for the grid. The Report of Handling does not raise any specific concern with the dimensions of the array, or the details of the shed but states that 'it would be anticipated' that in a domestic situation the installation would 'have a functional link to the dwelling and be of a comparable scale.' It also states, in terms of visual amenity, that the proposal being 'in excess of 100m from the dwelling introduces out of character built development to the detriment of the wider rural character of the area.'

3.1.6 **We contend that the proposal should be assessed on its own merits.** The fact that it is a large array, in terms of providing electricity for a dwellinghouse, should not be the main determining factor in the assessment of the proposal. There should not be a need to 'justify' the scale of the array or for it to have a 'functional' link—given that it is not within the domestic curtilage and is not permitted development. It should be assessed on its own merits as a small-scale renewable energy proposal providing electricity for a dwellinghouse.

3.1.7 The applicant owns a large area of land, additional to his domestic curtilage, as do other homeowners at Athron Hill. It is foreseeable that there will be future proposals for other types of buildings within this area of land surrounding the housing development and related to the use of the land—horse shelter/stables, equipment stores etc. Also, it could be envisaged that further renewables projects could be proposed. Centralised local renewable energy generation would fit with the vision set out in the **Council's Local Area Energy Plan 2024-2029, which recognises that a shift is needed towards decarbonising energy supply through locally sourced renewable energy. It therefore seems unreasonable to refuse this innovative application, making good use of available land, alongside providing other landscape and biodiversity benefits.**

3.2 The Proposal

3.2.1 The solar array has a surface area of approx. 50m x 3m. The associated shed has a floor area of 34sqm and a 50sqm slabbed surfaced area adjacent. Although the solar array would be large scale for a domestic curtilage it is a very small scale proposal in terms of its 'countryside' setting and is located more than 100m from the nearest residential property (or any development underway). The array will provide electricity to power an air source heat pump and charge an electric vehicle.

3.2.2 The Report of Handling **fails to make any reference to the applicant's submitted proposal for landscaping**—tree and hedge planting— and regrettably it is given no consideration in the assessment of the proposal. The planting of trees and hedgerow, creating a new landscape framework, will screen the array and shed. It is generally recognised, in the consideration of solar array/farm proposals that landscaping can provide effective screening, protecting and enhancing visual amenity and providing multiple biodiversity benefits.

3.2.3 NatureScot guidance for solar 'farms' states that 'implementing effective screening (e.g. infilling and planting new hedgerows)' can reduce the zone of theoretical visibility of proposals. It also notes that 'Significant visual impacts can often be avoided with appropriate siting and screening of solar PV panels.' The guidance also highlights 'Delivering positive effects for biodiversity' from solar PV proposals and refers to 'site-specific measures to enhance biodiversity (and landscapes)' including 'Retaining, infilling and establishing native trees and hedges for the benefit of both screening and biodiversity', 'Incorporating wider biodiversity enhancements such as habitat, nesting and roosting boxes, and locally appropriate wildflower meadows and seeding of grassland areas' and 'Placement of beehives or bug hotels on site, can boost natural capital and ecosystem services.' This is guidance aimed at major solar farm proposals. The applicant's proposal is very small, by comparison, and it is reasonable to conclude that it will be of low impact and that any arising can be entirely mitigated, along with providing significant benefits.

3.2.4 The proposal includes significant planting that will provide screening of the solar array and shed. The applicant's landownership is extensive—much larger than the area shown on the proposed planting plan, with opportunity for additional planting to create an enhanced landscape framework that will further absorb the proposal and have wider benefits for the landscape setting of Athron Hill, along with measures to enhance biodiversity.

3.2.5 With respect, we suggest that it would be appropriate to attach a condition of consent relating to landscaping/planting. This would allow for the demonstration of multiple benefits for the area.

3.2.6 The Report of Handling refers to the proposal as 'built development' inappropriate to the wider rural character of the area. It is reasonable to note that the wider rural area is characterised by elements of built development associated with agriculture, isolated and clustered housing development and other infrastructure, including renewables. (The background of the submitted 3D Visual 1 shows a number of small buildings in the landscape to the south of the array). These are generally of minimal visual impact, often due to the pattern of woodland and hedgerows throughout the area.

3.3 Policy Assessment

3.3.1 NPF4 Policy 1 'Tackling the climate and nature crises' provides support for development addressing the global climate emergency and nature crises. The policy outcome stated is 'Zero carbon, nature positive places'. The policy wording is 'When considering all development proposals significant weight will be given to the global climate and nature crises.'

3.3.2 NPF4 Policy 2 'Climate mitigation and adaptation' has the intent 'To encourage, promote and facilitate development that minimises emissions...'

3.3.3 NPF4 Policy 11 'Energy' has the intent 'To encourage, promote and facilitate all forms of renewable energy development...' The policy requires that project design and mitigation will demonstrate how impacts are addressed. These impacts include 'ii) significant landscape and visual impacts, recognising that such impacts are to be expected from some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable.' The policy also is clear that 'In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.'

3.3.4 LDP2 Policy 33 'Renewable and Low-Carbon Energy' and Policy 34C 'Energy Sources/Storage' provide similar support to that of the related NPF4 Policies.

3.3.5 We contend that, as in this case, any impact of the proposal are localised and can be entirely mitigated and therefore the proposal should be assessed as acceptable. Furthermore, significant weight should be given to the renewable energy/emission reduction contributions of the proposal.

3.3.5 The Report of Handling notes that renewable technologies are 'generally supported' by both the LDP2 and NPF4 without any mention, or further assessment, in terms of NPF4 Policies 1, 2 and 11 or LDP2 Policies 33 and 34. There is a requirement to apply a 'balance' of considerations and consider the 'significant weight' to be given to renewable energy proposals. The application has been refused for reasons of visual amenity and design—without any consideration of proposed (or potential) mitigation.

3.3.6 NPF4 Policy 3 'Biodiversity' has the intent 'To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature

networks.’ The policy states that ‘a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them.’ LDP2 Policy 40 ‘Forestry, Woodland and Trees’, Policy 41 ‘Biodiversity’ and Policy 42 ‘Green Infrastructure’ provide similar policy direction as that contained in NPF4, in terms of achieving positive benefits from development.

3.3.7 The proposal can provide these benefits. Regrettably, there is no assessment of biodiversity/green infrastructure benefits that could be associated with the proposal and its landscape mitigation. There is no reference to the above NPF4 or LDP2 Policies in the Report of Handling.

3.3.8 There are three reasons for refusal and these focus solely on three Development Plan Policies: NPF4 Policy 14 ‘Design, quality and place’ and LDP2 Policy 1A and Policy 1B Placemaking. The reasons for refusal each refer to the issues of scale and siting as contributing to non compliance with these policies.

3.3.9 NPF4 Policy 14 ‘Design, Quality and Place’ states at point a) that ‘Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.’ At point b) it provides support for proposals consistent with the ‘six qualities of successful places’ and at point c) the policy indicates that there will not be support for development proposals that are ‘poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places.’

3.3.10 The Report of Handling states that the proposal is contrary to this policy but does not give any detailed assessment of why this is the case, only stating that it would not be consistent with the ‘distinctive’ quality of a successful place due to its scale and siting and would fail to have high quality and sensitive design. **We contend that it is reasonable to accept that the proposal, with its associated planting and landscaping, will bring improvement to the visual amenity and quality of the area. The Report of Handling acknowledges that there will be no impact on residential amenity. The proposal will not be inconsistent with the ‘six qualities’: it will bring benefits to natural spaces, it supports sustainable living and is adaptable in that it can be ultimately decommissioned.**

3.3.11 LDP2 Policy 1: Placemaking, Part 1A states that development must contribute positively to the quality of the surrounding built and natural environment and that ‘All development should be planned and designed with reference to climate change, mitigation

and adaptation.’ It also includes that the design, density and siting of development should respect the character and amenity of the place...’ This policy also states that ‘Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.’ Part 1B of the Policy refers to placemaking criteria that should be met. These include consideration of the design of the proposal and the wider landscape character of the area. **The proposal clearly meets with the policy requirement to address climate change. We contend that it is reasonable to accept that the proposed array and shed will be of no significant visual impact, and with associated planting and landscaping, the proposal will bring an improvement to the quality of the surrounding area.**

3.3.12 The Environmental Impact Assessment that was carried out as part of the original application for redevelopment of the Hospital site for 35 houses included landscape and visual impact assessment. The assessment showed that there was negligible or beneficial residual impacts from various viewpoints, as the development progressed and the proposed woodland planting matured (as yet not fully implemented). Given that an overall development of 35 houses was assessed as acceptable it would be reasonable to consider that this proposal for a relatively small element of infrastructure, within a landscaped setting, will be of no detriment to visual amenity.

4.0 CONCLUSION

4.1 We contend that this proposal can be fully supported by the relevant Scottish Government NPF4 and Perth & Kinross Council LDP2 policies and guidance.

4.2 With respect, the applicant seeks the Local Review Body to approve this application and is agreeable to any condition of consent considered necessary to secure appropriate landscaping of the scheme.