



Perth and Kinross
Council

**PROPOSED LOCAL
DEVELOPMENT PLAN**

Response to the Plan by
Kinross-shire Civic Trust

**KINROSS-SHIRE CIVIC
TRUST**

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Response to the Plan by Kinross-shire Civic Trust

‘Helping Protect, Conserve and Develop a Better Built and Natural Environment’

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1. INTRODUCTION

The Kinross-shire Civic Trust has responded to the Proposed Local Development Plan, (PLDP) submitting objections and comments electronically on the Perth and Kinross Council Web Site. However this report expands and explains these objections and comments in more detail.

Kinross-shire is a beautiful county, situated within easy reach of Edinburgh, Perth, Stirling, Glasgow and Glenrothes. As such it has been a target for development over the recent years, but it is very likely with the economic downturn, the target of sustainability and increased fossil fuel prices that there will be a marked sea change in aspirations to live in the county.

The PLDP has hinted at that in order to achieve the required target of housing land, it has had to resort in some instances to using good agricultural land and significantly increased housing densities. In addition it is using the Housing in the Countryside Policy to provide some 'flexibility' for small additional groups of houses.

Good agricultural land has to be retained for long term aims for return to a state of self-sufficiency in food production for this country. We cannot continue to rely on the import of 40% of our food from abroad.

The target therefore has to be to find land for all purposes, housing employment etc, within the major settlements of Kinross and Milnathort and the other major settlements. The rural areas need to be protected, both from the point of view of valuable agricultural land and of the outstanding landscape.

From a sustainability aspect, there should be less encouragement of housing in the rural areas. This new housing will lead to increased traffic from commuters, from servicing by postal needs, refuse collection and the new additions of couriers now that e-mail ordering is the order of the day. All of this will greatly increase the carbon generation from the rural areas.

2. CHAPTER 3: POLICIES

2.1 Residential Development

2.1.1 RD3: Housing in the Countryside

This report has specific comments to make about the Housing in the Countryside Policy stated in the Supplementary Guidance and also to the 11 settlements in Kinross-shire which have had their previous Settlement Boundaries removed.

2.2 Community Facilities, Sports and Recreation

2.2.1 CF1: Open Space Retention and Provision

In the current Kinross Area Local Plan (KALP) 2004, there is a Policy 88 which protects specific areas from development to 'preserve the village setting'. These are usually for Historic and Conservation settings.

Many of the Policy 88 land has been replaced by the Open Space Policy CF1 in the PLDP. The definition of the Policy hardly covers 'preservation of the village setting' for historically or conservation settings. The Policy specifically refers to recreation matters only.

Policy CF1A should therefore be expanded by a sub-clause (e):

(e) Development proposals resulting in the loss of these areas will also not be permitted where the open space land preserves and protects village settings for historic and conservation areas. This will include any proposal to use the land for gardens for new adjacent housing.

2.3 The Historic Environment

2.3.1 Conservation Areas

Cleish and Scotlandwell are Conservation Areas without the Settlement Boundary of these settlements. The PLDP as proposed would allow that the Housing in the Countryside Policy would take precedence over the Conservation Area Policy.

The Trust would feel very strongly that the Housing in the Countryside Policy should only apply outside the Conservation Areas.

The land between the Conservation Area boundary and the Settlement Boundary should be treated as Green Space as defined by the New Policy CF1, including the amendment above.

2.4 Environmental Resources

2.4.1 ER1: Renewable and Low Carbon Energy Generation

No specific mention is made of Wind Farm Policy. This is a major omission to the PLDP and must be included as part of it. Perth and Kinross Council had an excellent Wind Farm Policy, but unfortunately this has not been adhered to. A number of existing Wind Farms are now trying to push further for extensions to their sites to add to the enormous profits that they can make both from Government subsidies and the sale of ROCs to energy providers.

There is also a considerable proliferation of smaller single and double Wind Turbines throughout Kinross-shire, despite the fact that PKC admits that it has no Policy for these and has been in the state of preparing a Policy for the last 3 years with no sign of achievement.

The Civic Trust has maintained a consistent Policy against Wind Farms as they have not demonstrated that they are capable of providing the renewable energy that they claim. Indeed, there will always have to be another source of energy when there is insufficient wind for the Wind farms to operate, which makes a complete nonsense of relying on Wind Farms as a dependable source of renewable energy.

2.4.2 ER5: Prime Agricultural Land

This Policy should make it quite clear that there is a long term policy to retain all good agricultural land for the need to return to self sufficiency in food supply and not rely on 40% import for food.

The policy begins by stating that development will not be permitted on prime agricultural land and then proceeds to provide a number of vague reasons as to why it could be permitted. All of these will be open to interpretation by developers who will exploit that situation if they can.

2.4.3 ER6: Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes.

The **Areas of Great Landscape Value**, which are currently established in the **KALP 2004** are a vital element in the conservation of the landscape of Kinross-shire. One of the major and important attractions of Kinross-shire, not only to residents but to visitors as well, is its beautiful landscape.

The PLDP has intimated that protection proposals for the environment will be produced for consultation during 2012.

A properly identified Landscape Policy for Kinross-shire is a major omission from the PLDP at this stage. It is not something that can be rushed through at the last minute. It is a major factor, which will affect all future proposals for development in the countryside and as such must be incorporated properly in the PLDP

The Trust would wish to see at least the current Areas of Great Landscape Value retained under the new proposed landscape protection.

If no new landscape policy is established by the time the PLDP is presented for consideration then the current Area of Great Landscape Value Policy and the areas it refers to in Kinross-shire need to be continued into the new PLDP

In addition there are other considerations. There are established Regional Parks on the outside of Bishophill, Benarty and the Ochil Hills. It would be logical to extend these Regional Parks down to the edge of Loch Leven. Further consideration could be given to making the Cleish Hills a Regional Park as well.

The Lomonds Living Landscape project, which is currently under way, is examining the scope of the landscape from the Lomonds above Falkland right through to Loch Leven. The areas on the Fife side are already Regional Parks and as part of this study it would seem logical to extend the Park to cover the study area.

3. CHAPTER 7: KINROSS-SHIRE SPATIAL STRATEGY

3.1 Employment Land

Para 7.1.4 states that TAYplan considers that an area of 20 ha would provide a generous supply of land for Employment purposes up to 2024. It seems quite without purpose that employment land opportunity E17 (17 ha) be added to the DLDP as this brings the total land available up to 32.3 ha, way beyond the requirement.

Previous Public Inquiries have established that the Motorway establishes a natural boundary to the Western Edge of Kinross and the establishment of E17 would break that cordon and encourage a further expansion west towards Balado.

3.2 Settlement Boundaries

11 Settlements in Kinross-shire have had their previous **Settlement Boundaries** removed. The argument is that this will provide more flexibility in the provision housing, but that in general the Countryside and the settlement will be protected from the new Housing in the Countryside from over development.

There is also a statement by PKC that in order to reduce the size and number of pages in the Final Plan, settlements which had no specific statement to make should be removed from the PLDP, which is hardly a rational argument for any Planning Decision.

In KALP 2004 there is a policy, Policy 48, which defines a Settlement Boundary and explains that no development will be permitted outside this boundary. No such policy exists within PLDP.

It is therefore a major question as to what a Settlement Boundary actually means for any town or village.

The PLDP is supposed to be providing sufficient housing land to satisfy the supposed Growth Figures and it is quite likely that they will provide more than sufficient land. So it seems illogical to provide even more flexibility for more housing around these settlements.

Nearly all of them are surrounded by good quality agricultural land and it is vital that this is preserved for long term self-sufficiency purposes

Expansion in small rural settlements is against the sustainability Policy of the PLDP, which aims to cut down long distance commuting and the servicing of remote communities and the consequent increased carbon omissions that this would generate.

Carnbo, Craigowmill and Easter Balgedie are within the current Area of Great Landscape Value and for that reason should have their Settlement Boundary inserted and **Gairneybridge/Fruix** should have its Settlement Boundary defined to prevent further expansion into the agricultural land surrounding it. **Easter Balgedie** has a natural defined Settlement Boundary from the roads that surround it and this should be adhered to.

In all, these Settlement Boundaries must be reinstated otherwise they will be predated upon by the Housing in the Countryside Policy, which is no guarantee for their protection.

3.3 Kinross-shire Area

3.3.1 Kinross/Milnathort

Employment Land E17. This is situated beyond the western edge of the Motorway, which has been recognised in previous Planning Inquiries, as being the natural boundary of Kinross. Development within this area would establish a precedent for extending development further

west and linking to Balado, which would be very undesirable as well as being totally unnecessary. The Employment Land target for Kinross and Milnathort can be achieved within the Settlement Boundaries as they stand today without going outside them. No consideration to developing E17 should be given until all the Employment Land within Kinross and Milnathort has been used up completely

Employment Land E20. Likewise this designated land is without the current Settlement Boundary of Milnathort, It is in quite an inappropriate position, right up against the residential areas on the approach to the town and would destroy the appearance of the town as seen coming into the town from the east. The site E20 is not on Old Perth Road, but on Perth Road.

Opportunity Op10 Market Park. This is an important Open Green Space in the middle of Kinross and contained within the Conservation Area. The Curling Academy will now no longer happen and it is vital to the Conservation Area that this land be retained as Open Green Space. It certainly should not be an opportunity for a ‘prestigious project’.

Opportunity Op13 Scottish Motor Auction.

Op 13 identifies the Scottish Motor Auction site as having opportunity for employment and residential uses. Yet there is no identification of the number of residences on the site, nor its contribution to the total number of sites that would be available in Kinross-shire. Does the definition of 50% refer to the total use of the site, or does it mean 50% for residences and 50% for employment?

Housing Opportunities H46 to H50. Up to 2024 these sites provide for a total number of 442 houses. However there seems to be a wide variety of housing densities.

H48 has 40 houses on 3ha, while H50 has only 7 houses on 1.8 ha. The access to H48 through Manse Road and Curlers Crescent will add considerably to the impact on the houses already on these 2 roads. The density of 13 houses per ha on H48 is a very high one for what is really a semi-rural area and not a suburban town development

3.3.2 Balado

This has had the Settlement Boundary filled by taking in a large field, which will provide additional housing

3.3.3 Blairingone

This proposal is all in line with what was proposed by the Strategy Group.

3.3.4 Carnbo

This has had its Settlement Boundary extended to the east by development that took place outside the KALP 2004 Boundary. At present the north side of the village is protected by the AGLV and will need to be replaced by the new landscape policy

3.3.5 Cleish

There is a Conservation Area appraisal for Cleish carried out in 1980 although it has not been included in the Supplementary Guidance. There are appraisals for almost all the other Conservation Areas in Perthshire and Kinross-shire. The defined boundary of the Conservation Area is without the Settlement Boundary. The Housing in the Countryside Policy should not apply within the Conservation Area as supported by the Conservation Area Appraisal for Cleish. The agricultural land within the Conservation Area surrounding the Settlement Boundary has already been identified as being an important part of the setting of the village and therefore needs to be retained as such.

The Trust supports the statement made by Cleish and Blairadam CC with regard to Cleish. The land between the Conservation Area boundary and the Settlement Boundary should be designated Open Space (Green coloured) as defined by Policy CF1 and its amendments

There is an Open Space defined within Cleish, which replaces an area that was covered by Policy 88 in the KALP 2004. The Open Space Policy CF1A is not adequate to cover the space and needs to have clause (e) added to be effective.

3.3.6 Crook of Devon

This is OK and the Trust is pleased to see that the land in the middle of the village is designated as Open Space and not for development.

3.3.7 Glenlomond

Reference is made to the Public Waste Water Treatment Works. These are not 'Public' but 'Private'. They are probably up to their full capacity and therefore there will be no spare capacity for additional housing. Traffic generation has grown exponentially over the years through Wester Balgedie because of expansion and increased traffic use from Glenlomond and this cannot be sustained.

3.3.8 Greenacres

The Tree belt will be important for protection from the traffic noise from the M90 Motorway.

3.3.9 Hattonburn

The Settlement Boundary has been unnecessarily extended on the east side of Hattonburn Road. There is no rationale for the triangle created in the north east corner of the new Boundary. Without that extension, it would not comply with the Housing in the Countryside Policy.

3.3.10 Kinnesswood

The important Open Spaces for recreation in Kinnesswood have been identified and retained

3.3.11 Ochil Hills Hospital

Op 19 Ochil Hills Hospital. This is subject to a current Planning Application for 35 houses.

3.3.12 Powmill

H53 Gartwhinzean. This was part of Option 1 of the MIR that was supported by the Trust and was part of the strategy group's proposals

3.3.13 Rumbling Bridge

There would appear to be development opportunities within the Settlement Boundary, which might detract from the housing within the existing Settlement Boundary

3.3.14 Scotlandwell

Housing Area, H54. Scotlandwell has a Housing Area, H54 defined within an adjusted Settlement Boundary. The Policy allows for 30 houses, which is a very dense allowance for a rural position. Any houses must be aware of the existing houses and **MUST** be Single storey.

The development at Wellside in Scotlandwell must not be allowed to be replicated. 2 Storey suburban villas closely packed together should never have been permitted, shutting out Scotlandwell, forming a Curtain Wall around the Conservation Area.

The H54 site sits on deep peat overlying sand and clay, not a good foundation and the site is also on the edge of the 1 in 200 year Flood Plain.

Consideration must also be given for the impact on the infrastructure, particularly the Portmoak Primary School.

The new Conservation Area extends outside the new Settlement Boundary. The Housing in the Countryside Policy should not apply within the Conservation Area as supported by the Conservation Area Appraisal for Scotlandwell. The land between the Conservation Area boundary and the Settlement Boundary should be designated Open Space (Green coloured) as defined by Policy CF1 and its amendments

3.3.15 Wester Balgedie.

The proposals for Wester Balgedie are welcomed including the retention of the Open Spaces within the Conservation Area and the Settlement Boundary. However the Policy CF1A does not deal adequately with Historic and Conservation Areas and the importance for the retention of Open Spaces for the preservation of village settings (see comments on Policy CF1A and an additional clause (e))

4. SUPPLEMENTARY GUIDANCE

4.1 Housing in the Countryside Policy

The Housing in the Countryside Policy is going to have a very important part for controlling any housing development in Kinross-shire. As such it will have to be a robust Policy and the Civic Trust is not convinced that it will have that attribute.

Although the Council feels that the HitC policy will control any new housing opportunities, some of the definitions are not strict enough.

1. **Building Groups.** The Opening paragraph of this section is really going to give opportunity for developers to try and extend settlements into the countryside. What does 'within building groups' mean? How do you constrain into 'definable sites'? These statements are so vague as to leave every opportunity to redefinition and legal battles as Public Inquiries.
2. New Housing should not be allowed to 'bulge' beyond a natural line drawn around the edge of a building group. Otherwise this can create another 'corner' into which a further group of buildings can be added again
3. Thus, new housing has the potential to generate a '*domino*' effect with more extension of settlements on the back of the original extensions. Far from controlling housing development, this could be a recipe for wholesale development of small scale, piecemeal enlargements of 4 – 5 houses at a time.
4. That is surely not what the Housing in the Countryside Policy is intended for.
5. If the whole Policy of the LDP is to constrain housing within defined limits and there are sufficient number of houses to satisfy the demands of the TAYplan, then there should be no need for additional housing as defined by this HitC Policy, which will only be seized upon by developers to build an increasing number of large houses whether they are needed or not
6. One of the major flaws in providing new building groups in the Countryside is whether they are satisfactory sociologically or not. Does the provision of 5, 10 or 20 houses in an isolated group in the middle of the Countryside have any social justification?
7. These groups simply create a cluster of monoculture houses with no other rationale, no infrastructure, shops or anything else to make them worthwhile. Very often the new occupants regret their hasty move into the Countryside, when they realise after a few months what living in the Countryside actually means.
8. A sociological justification for these new houses in the Countryside needs to be considered as well as satisfying the HitC Policy