

MAB/FON

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**An Independent Councillor**



Dear Colleagues

## **LOCAL DEVELOPMENT PLAN 2**

Further to previous consultations, correspondence and discussions in advance of your finalisation of the above document this coming autumn for Councillors consideration, in order to possibly avoid a series of amendments from Kinross-shire members; I thought it timely to appraise you of ongoing issues of concern and areas where I believe our community expect to see them addressed in the published plan, as follows:-

### **INFRASTRUCTURE**

The Main Issues report failed to mention these issues in Kinross-shire and you may recall the amendment previously introduced by Local Members that involves a report being prepared to accompany LDP2 on this and its ability to support planned growth; issues being cemeteries, drainage, health service, parking, public transport, recreational demand, roads network and schools.

There should be a commitment to identify zoned parking areas within settlements during the lifetime of the Plan.

There should be a commitment to lobby the Scottish Government to make sure that inter-city bus operators fully service our Park & Ride facilities, including PKC exploring possible café and improved travel information at Kinross.

I was under the impression that we introduced a policy into LDP1 that safeguarded old railway lines from development that would preclude their restoration, especially important between Kinross and the Fife Circle; will such a policy be in LDP2?

I note para 7.1.18 of LDP1 recognising the need for mitigation measures on the A977 and seek its' retention in LDP2, along with recognition that the Route Action Plans for the A911 and B9097 encompass similar measures, particularly the latter if the projected increase in HGV movements from an approved Westfield site in Fife materialises. LDP2 should also include a commitment to delivering footpath improvements between Kilmagadwood and Scotlandwell.

## **POLICIES**

The following policy areas require to be enhanced/reviewed.

### **PM4 Settlement Boundaries:**

Development on the edge of settlements will be allowed in specific limited circumstances, which I suggest needs careful wording in order to avoid creeping settlement development, possibly being restricted to the illustration of community benefit. I remain unhappy with the settlement boundaries for Powmill and Rumbling Bridge and would refer you to the representations on this from the Fossoway Community Strategy Group acknowledged in Para 7.1.12 of LDP1. Can you explain the loss of village setting designations?

### **RDI Residential Areas**

Practical experience of planning decisions suggests that residential amenity for 'existing residents' is not being accorded sufficient importance in report recommendations and the policy should be strengthened in this regard.

### **RD3 Housing in the Countryside**

This is mushrooming in Kinross-shire with expensive houses in gap and infill sites for the Edinburgh market (approximately 300 since 2012), which suggests that the expected tightening of the policy, following a previous relaxation, has not occurred.

### **RD4 Affordable Housing**

As things stand, if no other proposals are put forward for the rural areas of the shire, no affordable housing will be built before 2028. Apart from the failure of this policy in rural areas, Tayplan insistence on tiered settlement development short changes the rural villages from appropriate provision.

### **RD5 Gypsy Travellers Sites**

I maintain that a review of this 'open door policy' is required, which I regard as not fit for purpose, given the experience of dealing in particularly with the Crook Moss and Greenacres sites in Kinross-shire. The former site has been occupied since March 2012 without adequate drainage, sewage and water arrangements and lies within the Loch Leven catchment; the planning department ignored PKC's landscape consultant's advice that the site was not suitable for development due to ground conditions and also the opposition of local members and the overwhelming majority of the community in recommending an approval in August 2012, subject to a raft of conditions, some of which had still not been met at return to Committee in May 2017, despite assurances of compliance by January 2014. The Greenacres site has expanded way beyond the planning department's potential stated in May 2006 and although a settlement boundary was included in LDP1 with references to a landscape framework, this is currently breached on the north west of the site.

### **HE3 Conservation Areas**

I would like to see consideration of this for Keltybridge and Maryburgh, the villages situated on the Fife boundary with their historic nature contrasting markedly to the urban sprawl of Kelty.

### **NE2 & NE3 Trees & Biodiversity**

There is an urgent need to enhance tree protection in 'Big Tree Country', thereby enhancing the areas biodiversity and cutting pollution; in fact it is suggested that we

need to improve environmental protection generally! TPO's are not numerous enough and there should be other methods specified to identify important groups of trees. Experience of inappropriate felling by some developers and lack of condition enforcement has been highlighted with your department. It is essential that planning permission is not granted without reference to EC Directives on protected species and appropriate surveys undertaken; the use of suspensive conditions, which I believe is happening, risks breaching such directives.

#### ER1 Renewable Energy

I note that we should have a spatial framework updated for wind energy developments, following the public consultation that started on the 13<sup>th</sup> instant, first noted by me in April 2012 as being required; it has taken 5 years during which applications have continued to be assessed!

#### ER5 Prime Agricultural Land

This policy is not strong enough and there has been a significant failure to protect such land from development, contrary to national planning policy. Whilst I welcome the potential exclusion of Opportunity site 15@ Lethangie on this basis, we should not as a country with a finite area of such land for food production and an increasing population have such a short term view on such development.

#### ER6 Landscape Designations

I will maintain strong objections to LDP2 if it does not contain a provision to review the case for the former AGLV areas of the Cleish Hills and Devon Gorge to be re-designated as Local Landscape Areas following their loss, as a result of accepting a deeply flawed consultant's exercise on landscape designation that I attended.

There also needs to be a commitment to engage with neighbouring local authorities on my previous requests for the Ochil Hills to be considered for Regional Park status and to look at extending the Lomond Hills Regional Park to Loch Leven.

#### EP7 Drainage within Loch Leven Catchment

I believe that the water quality of Loch Leven is being compromised by a failure of statutory duty to protect the catchment from inappropriate and unregulated development. There is a need to tighten up on protection when granting planning permissions and ensure that the protocol between PKC, SEPA and SNH, presumably enshrined in supplementary guidance is reviewed. Perhaps the policy should mirror EP6, which would also entail reviewing the settlements that had boundaries removed from our previous 2004 Plan that lie within the catchment.

#### EP13 Airfield Safeguarding

I am particularly keen to see an enhancement of policy protection, especially in relation to Portmoak Gliding Centre.

I suggest the consideration of a new policy to protect hotels and inns from immediate closure and change of use, following the recent experiences in Glenfarg and Kinneswood. In England, I believe that a community can register such establishments as an "Asset of Community Value", which gives them an opportunity to put forward alternative proposals to closure before planning decisions are made. I request that this be looked at in PKC!

Finally, in relation to policy, the recent use of the term 'indicative' regarding housing numbers for zoned sites in LDP1 has caused considerable comment and concern because it appears to sanction development proposals often for significantly higher numbers of houses than LDP guidance. This can only undermine Local Plans and I strongly suggest that LDP2 is more specific on housing numbers for zoned sites being adhered to.

### **PLANNING EYESORES NOT RESOLVED SINCE LDP1 PRODUCED (CLEISH & PORTMOAK)**

Boreland Farm, Cleish Development opposed by community and myself is still incomplete and the subject of enforcement action.

Keltybridge Land adjacent to village hall (approved for housing by planning department contrary to Policy PM4 with the ink hardly dry on LDP1), which the community still have aspirations for is still not developed. Your planning assurances on the change to the settlement boundary proved utterly worthless.

Wester Balgedie Farm Steading A conversion in accord with community wishes is still needed to remove the current eyesore.

### **SITE ZONINGS**

Although no additional housing supply land is currently required in Kinross-shire, I believe there is some merit in considering for inclusion the following suggestions.

#### **Fossoway**

Following on from the recent consultations:-

#### **Blairingone**

A phased approach to housing development south of the A977

#### **Crook of Devon**

'An Opportunity Site' east of the village hall for further consultation. There remains the need to expand the Drum WWTP, which this site could facilitate!

#### **Rumbling Bridge**

A revision to the settlement boundary mentioned earlier may deliver some outstanding community benefits whilst possibly allowing some modest development acceptable to the community in the longer term.

#### **N.B**

1. In Carnbo there should be no more housing development until mains drainage is available!
2. In Powmill is there any merit in revisiting the Masterplan concept for Powmill during the lifetime of LDP2?

#### **Glenfarg**

The Community would like to see an Employment Site found.

### **Kinross and Milnathort**

A community masterplan approach for Kinross/Milnathort is long overdue and a commitment to develop this should be part of LDP2; it should be accompanied by an embargo on all future large scale housing developments until this has been done, along with a commitment to engage with the Scottish Government on upgrading Junction 7 on the M90 to a four-way junction!

Similarly, I suggest a need to clarify the status of the Turfhill Environment/Roads Depot within a zoning; whilst I would support some employment site expansion to the south of here, I remain opposed to such expansion westwards towards Balado.

### **Portmoak**

I would be content to see Stephen's field (6 hectares) incorporated into the Kinnesswood boundary for community usage/open space, previously village setting in our 2004 Plan. I think we should consider removing the open space corridor between Leslie Road and Scotlandwell's southern settlement boundary.

### **CONCLUSION**

I apologise for the length of this letter, from which you will deduce that LDP2 should not be "a tweaking exercise to LDP1" as far as Kinross-shire is concerned. It is the intention of my fellow local members and Kinross-shire Ward Forum of Community Councils to discuss these matters further later this month.

Yours sincerely



Cllr Michael Barnacle  
Independent Member for Kinross-shire

- c.c. Nick Brian, Head of Development Management  
Kinross-shire Ward Councillors Purves, Robertson and Watters  
Kinross-shire Ward Community Councils  
Councillor Colin Stewart, Convenor of Environment, E & I Committee  
Councillor Murray Lyle, Convener of Development Management Committee  
Councillor Ian Campbell, Leader of the Partnership Administration

p.s. I attach background correspondence relevant to the above.