

Councillor Barnacle

Copy of a letter sent to Colin Elliott, Perth & Kinross Council solicitor, 16 November 2018



Dear Colin

Planning Appeal Reference PPA-3440-2126
Land @ Beaufield, Balado

I refer to your email of 25/10/18 re the above and now enclose more information to support the Committee's refusal of the application, a position endorsed by all four Ward Councillors for Kinross-shire.

Ward Councillors were content to amend the LDP2 settlement boundary and return it to that of the Kinross 2004 Plan and had noted the complaint by residents as to the questionable process by which the Beaufield site had been incorporated into LDP1. Although it seemed a logical boundary proposal in April 2012, at that time no planning application had been lodged and no site zoned.

We have constantly had at the forefront of our minds hitherto, by virtue of contact with Balado residents, the ongoing concerns about development in Balado and its impact on drainage, flooding, roads access and water supply (private) issues, particularly as the area falls within the Lochleven catchment, with all that entails. We have ongoing concerns over the need for the tightening of catchment policies and a review to the protocol of the agencies involved (SEPA, SNH & PKC). We note also a continuing legal dispute between applicant and community.

It seems to us that the planning department have bent over backwards to assist the development of this site, against the wishes of the community and local members. SEPA maintained rigorous objection to application 17/00295/FLL, a refusal not appealed. Application 18/00540/FLL that recommended approval at Committee did not appear to us to have changed matters and we were very surprised at SEPA appearing to contradict their earlier position. Subsequent information received concerning the applicant's CAR License and contamination of water supplies simply heightens our concerns.

Local members feel strongly that, wherever possible, mains connection for foul drainage is preferable to phosphate mitigation measures in the Lochleven catchment area; this has been mentioned elsewhere i.e. Carnbo. We seek an improvement to the Loch's water quality and it is indeed questionable that this is currently achieved. This is a personal letter and not an official Council communication.

As regards consistency of treatment within the catchment, this is the domain of planning officers who pay little regard to the views of local members.

We note SEPA's objection to LDP2 for Balado and concur that a mains drainage solution is possible, a position that Forward Planning are aware of, in relation to Balado roads. I feel that the narrow grounds for objection to this application, as directed by yourself, make defending this decision difficult and refer you to my notes thereon.

Yours sincerely,

Cllr Michael Barnacle
Independent Member for Kinross-shire

An email to PKC colleagues sent on 9/10/18 re issues for Planning Member Officer Working Group (MOWG)

Dear Colleagues,

I refer to the meeting of the Scrutiny sub-committee re planning issues on 19/9/18 and the decision to remit concerns on planning issues to a reconvened Planning MOWG with a suggested meeting date on 24/10/18 after the Development Management Committee. I said I would summarise issues of concern for further discussion and now list the following matters for consideration:

1. CONDITIONS - Non-compliance, outline & specificity.
2. CONSULTATIONS & COMMUNICATIONS WITH COMMUNITIES
3. CONTRIBUTIONS FROM DEVELOPERS THAT CAN BE APPLIED
4. CREEPING DEVELOPMENT
5. ENFORCEMENT & RETROSPECTIVE APPLICATIONS
6. OBJECTIONS – Their number & summary; neighbour notification in countryside.
7. PLANNING BILL STAGE 2 OUTCOMES & LDP2 PROGRESS
8. REPORTS – Independence & standard, timing thereof.
9. THRESHOLDS – for types of application & referral to committee.
10. TRANSPORT – Cumulative effects, air quality & traffic modelling, as an important aid to decisions.
11. ENVIRONMENTAL CONSIDERATIONS – The legal framework and responsibility, flooding, food supply and landscape protection, trees and biodiversity, water quality and supply.

I trust this may form the basis for meaningful discussion around the envisaged monitoring role of the MOWG.

Yours sincerely,

Councillor Mike Barnacle
Independent Councillor for Kinross-shire

Councillor Barnacle would like to wish residents a Good Christmas & Prosperous New Year. His council website will be updated with upcoming information.

